

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Nationstar Mortgage, LLC,
Plaintiff

2:16-cv-01218-JAD-GWF

v.
Copper Sands Homeowners Association, et
al.,
Defendants

**Order Denying Motion for
Leave to File Excess Pages**

[ECF Nos. 10, 12]

Defendant Alessi & Koenig, LLC, has made a series of filings in this case with the goal of obtaining an order “grant[ing] Alessi & Koenig non-monetary status in this case” and excusing this defendant “from any further active participation in this case.”¹ Alessi’s reasons for this relief are contained in a two-page motion,² a 10-page declaration,³ and a 48-page memorandum of points and authorities,⁴ and Alessi has filed a motion asking for leave to exceed the court’s 24-page limit for motions, accompanied by another declaration.⁵

Having reviewed Alessi’s filings, I do not find good cause to allow this oversized motion. Alessi has not shown that it requires twice the real estate allotted by the local rule to efficiently and thoroughly present its request. For example, Alessi does not get to the heart of its argument until page 12 of its memorandum of points and authorities. The motion is filled with unnecessary hyperbole, 10-point-font footnoted asides with no relevance to NRS 107.029 and its application to this case,⁶ and an encyclopedic history of Las Vegas’s real estate crash in 2008. And although the title of the motion suggests that Alessi is only attempting to invoke litigation

¹ ECF No. 13 at 54.

² ECF No. 12 at 1.

³ ECF No. 12 at 4.

⁴ ECF No. 13.

⁵ ECF Nos. 10, 11.

⁶ *See, e.g.*, ECF No. 12 at 75–76, n. 4–6; and at 96, n. 15. Footnote 10 just says, bizarrely, “Intentionally left blank.”

1 protections of NRS 107.029, it spends dozens of pages arguing its merits defenses—that it
2 complied with NRS Chapters 107 and 116 in the subject foreclosure process and otherwise bears
3 no liability in this case; that the sales price was commercially reasonable and, regardless, it had
4 no control over that price; and that all of the plaintiff’s other theories fail.⁷ Yet Alessi never asks
5 to dismiss any claim against it or grant judgment on the pleadings, though its arguments suggest
6 that it seeks that relief, too. Regardless, I find no reason that Alessi cannot put forward a
7 concise, fully developed argument for the protection that it purports to seek under NRS 107.029
8 in well under the 24 pages that this court’s rules permit. Accordingly, I deny Alessi’s motion to
9 exceed the page limitations afforded by L.R. 7-3(b).

10 When Alessi first sought relief without filing a motion, I advised this litigant that the
11 rules of this court make it clear that requests for relief must be made by a motion that complies
12 with the local rules.⁸ I reiterate that reminder now. If Alessi wishes to seek relief under NRS
13 107.029, it should file a single motion document that seamlessly incorporates the request for
14 relief with the facts, points, and authorities that support it. *See* LR 7-2(a) (“The motion and
15 supporting memorandum of points and authorities must be combined into a single document that
16 complies with the page limits in LR 7-3.”). Filing a motion separately from the memorandum of
17 points and authorities violates this rule. A declaration and any other exhibits in support of a
18 motion should be attached as exhibits and appropriately indexed and labeled as new LR IA 10-3
19 requires.

20 **Conclusion**

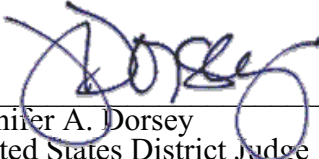
21 Accordingly, IT IS THEREFORE ORDERED that Alessi and Koenig’s Motion for Leave
22 to Exceed Page Limitations Pursuant to Local Rule 7-3(b) [ECF No. 10] is **DENIED**. The
23 Motion for Order Granting Non-monetary Status Pursuant to NRS 107/SB 239 [ECF No. 12] is
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28 ⁷ *See* ECF No. 13 at 23–54.

⁸ ECF No. 9 (minutes).

1 **DENIED without prejudice to its refiling in a format that complies with the local rules of**
2 **this court.**

3 Dated this 8th day of August, 2016.

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6 Jennifer A. Dorsey
7 United States District Judge
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