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8 **UNITED STATES DISTRICT COURT**
 9 **DISTRICT OF NEVADA**

11 BANK OF AMERICA, N.A.,
 12 Plaintiff,

13 vs.

14 WESTCHESTER HILLS HOMEOWNERS'
 ASSOCIATION; PREMIER ONE HOLDINGS,
 15 INC.; RILLAN FAMILY INVESTMENT, LLC,
 and NEVADA ASSOCIATION SERVICES,
 16 INC.,

17 Defendants.

Case No.: 2:16-cv-01444-GMN-NJK

**STIPULATION AND ORDER TO STAY
 CASE AND ALL DISCOVERY PENDING
 RESOLUTION OF PENDING MOTION
 FOR SUMMARY JUDGMENT**

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20 Bank of America, N.A. (**BANA**), and defendants Westchester Hills Homeowners'
 21 Association, Premier One Holdings, Inc., and Rillan Family Investment, LLC (**defendants**)
 22 (collectively, **the parties**) stipulate to staying all discovery while the Court considers and rules on
 23 BANA's pending dispositive motion (ECF No. 26).

24 This lawsuit involves claims for quiet title/declaratory relief related to the April 19, 2013
 25 non-judicial homeowners' association foreclosure sale conducted on property located at 9071
 26 Westchester Hill Avenue, Las Vegas, Nevada 89148 pursuant to NRS 116 (**HOA Sale**). BANA has
 27 filed a motion for partial summary judgment (ECF No. 26) raising a purely legal issue that can be

1 resolved without discovery: whether the HOA Sale extinguished BANA's interest because the
2 Nevada HOA foreclosure statute is facially unconstitutional, as set forth in Bourne Valley Court Tr.
3 v. Wells Fargo Bank, N.A., 832 F.3d 1154, 1159 (9th Cir. 2016), cert. denied, 137 S. Ct. 2296 (June
4 26, 2017). The other parties reserve their right to oppose that motion, but agree to a stay.

5 Respectfully submitted on November 21, 2017.

6 **AKERMAN LLP**

**LIPSON NEILSON COLE SETLZER &
GARIN**

7 /s/ Rex Garner
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16 **MORRIS LAW CENTER**

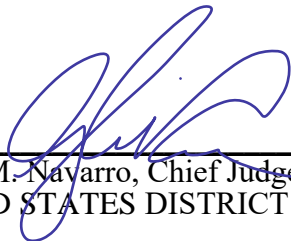
17 /s/ Sarah A. Morris
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19 SARAH A. MORRIS, ESQ.
20 Nevada Bar No. 8461
21 6085 West Twain Avenue, #201
22 Las Vegas, Nevada 89103

23 Attorney for Defendant Premier One Holdings,
24 Inc.

25 **ORDER**

26 **IT IS SO ORDERED.**

27 DATED this 28 day of November, 2017

28 

Gloria M. Navarro, Chief Judge
UNITED STATES DISTRICT JUDGE