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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CARRINGTON MORTGAGE SERVICES, LLC;

Plaintiff,

vs.

MONTECITO VILLAGE COMMUNITY ASSOCIATION; NEVADA ASSOCIATION SERVICES; PREMIER ONE HOLDINGS, INC.; DOE INDIVIDUALS I-X, inclusive, and ROE CORPORATIONS I-X, inclusive,

Defendants.

Case No. 2:16-cv-01780-JCM-PAL

STIPULATION AND ORDER FOR DEADLINE TO FILE RENEWED MOTIONS FOR SUMMARY JUDGMENT (FIRST REQUEST)

Carrington Mortgage Services, LLC (**Carrington**), Montecito Village Community Association (**Montecito**), and Premier One Holdings, Inc. (**Premier One**), hereby stipulate and agree as follows:

On July 7, 2017, this court granted Montecito and Premier One's motions for summary judgment and denied Carrington's motion for summary judgment [ECF No. 38]. Carrington filed a notice of appeal to the United States Court of Appeals for the Ninth Circuit on August 3, 2017. On May 6, 2019, the Ninth Circuit issued an order stating that it had recently held that the Nevada statutory scheme that grants a homeowners association a lien with super-priority status is no longer controlled by the analysis in Bourne Valley Court Trust v. Wells Fargo Bank, N.A., 832 F.3d 1154 (9th Cir. 2016) in light of the Nevada Supreme Court's decision in Bank of America, N.A. v. SFR

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1 Investments Pool, LLC, 427 P.3d 113 (Nev. 2018). Because the instant case raises similar issues and
2 procedural posture, the Ninth Circuit was inclined to vacate the district court's decision and remand
3 for further consideration. No objections were filed, and the case was remanded on July 18, 2019
4 [ECF No. 45] for further proceedings.

5 Based on the remand, the parties stipulate that re-filing summary judgment motions is
6 appropriate and agree summary judgment briefs shall be due **September 16, 2019**.

7 DATED this 19th day of August, 2019.

<p>8 AKERMAN LLP</p> <p>9 <u>/s/ Tenesa S. Powell</u></p> <p>10 NATALIE L. WINSLOW, ESQ. Nevada Bar No. 12125</p> <p>11 <u>TENESA S. POWELL, ESQ.</u> Nevada Bar No. 12488</p> <p>12 1635 Village Center Circle, Suite 200 Las Vegas, NV 89134</p> <p>13</p> <p>14 Attorneys for Carrington Mortgage Services, LLC</p>	<p>MORRIS LAW CENTER</p> <p><u>/s/ Timothy Wiseman</u></p> <p>SARAH A. MORRIS, ESQ. Nevada Bar No. 8461</p> <p>TIMOTHY A. WISEMAN, ESQ. Nevada Bar No. 13786</p> <p>5450 W. Sahara Avenue, Suite 330 Las Vegas, NV 89146</p> <p>Attorney for Premier One Holdings, Inc.</p>
<p>15 ALVERSON, TAYLOR, MORTENSEN & SANDERS</p> <p>16 <u>/s/ Kurt Bonds</u></p> <p>17 KURT R. BONDS, ESQ. Nevada Bar No. 6228</p> <p>18 6605 Grand Montecito Parkway, Suite 200 Las Vegas, NV 89149</p> <p>19</p> <p>20 Attorneys for Montecito Village Community Association</p>	

21 **ORDER**

22 **IT IS SO ORDERED:**

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25 **UNITED STATES DISTRICT COURT JUDGE**

26 DATED: August 29, 2019
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