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 10 **UNITED STATES DISTRICT COURT**  
 11 **DISTRICT OF NEVADA**

12 THE BANK OF NEW YORK MELLON  
 F/K/A THE BANK OF NEW YORK AS  
 13 SUCCESSOR TO JPMORGAN CHASE  
 BANK, N.A., AS TRUSTEE FOR THE  
 14 HOLDERS OF SAMI II TRUST 2006-AR7,

15 Plaintiff,

16 vs.

17 ROYAL HIGHLANDS STREET AND  
 LANDSCAPE MAINTENANCE  
 18 CORPORATION; SFR INVESTMENTS  
 POOL 1, LLC; and ALESSI & KOENIG,  
 19 LLC,

20 Defendants.

21 SFR INVESTMENTS POOL 1, LLC, a  
 Nevada limited liability company,

22 Counterclaimant/Cross-Claimant,

23 vs.

24  
 25 THE BANK OF NEW YORK MELLON  
 F/K/A THE BANK OF NEW YORK AS  
 26 SUCCESSOR TO JPMORGAN CHASE  
 BANK, N.A., AS TRUSTEE FOR THE  
 27 HOLDERS OF SAMI II TRUST 2006-AR7;  
 and LOIS HAUGABOOK DORSEY, an  
 28 individual,

Case No.: 2:16-cv-01993-JCM-PAL

**STIPULATION TO WITHDRAW  
 MOTIONS FOR SUMMARY JUDGMENT  
 [ECF Nos. 58 AND 59] WITH PROPOSAL  
 FOR NEW BRIEFING SCHEDULE TO  
 ADDRESS NEW DECISION FROM THE  
 NEVADA SUPREME COURT WHICH  
 MAY IMPACT THE CURRENT  
 MOTIONS**

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1 Counter-Defendant/Cross-Defendant.

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3 Plaintiff/counter-defendant/cross-defendant THE BANK OF NEW YORK MELLON  
4 FKA THE BANK OF NEW YORK AS SUCCESSOR TRUSTEE TO JP MORGAN CHASE  
5 BANK, N.A. AS TRUSTEE FOR THE HOLDERS OF SAMI II TRUST 2006-AR7 (“Bank”),  
6 defendant/counterclaimant/cross-claimant SFR INVESTMENTS POOL 1, LLC (“SFR”), and  
7 defendant ROYAL HIGHLANDS STREET AND LANDSCAPE MAINTENANCE  
8 CORPORATION (“Association”) here by stipulate and agree as follows:

9 1. On November 30 2017, the Bank filed a Motion for Leave to File Supplemental  
10 Briefing in Support of [Its] Motion for Summary Judgment [ECF No. 57] (“Bank’s MSJ Mot.”),  
11 [ECF No. 60 (“Bank’s Mtn. to Supp.”)], based on the recent Nevada Supreme Court decision in  
12 *Nationstar Mortgage, LLC v. Saticoy Bay LLC Series 2227 Shadow Canyon*, No. 70382, 2017  
13 WL 5633293 (Nev. Nov. 22, 2017) (“*Shadow Canyon*”).

14 2. *Shadow Canyon* directly impacts the parties’ respective motions for summary  
15 judgment.

16 3. Each party would like the opportunity to brief the issues in light of *Shadow Canyon*.

17 4. Therefore, the parties propose the following:

18 a. The Motions for Summary Judgment filed on November 20, 2017 as Dkt.  
19 Nos. 57 and 58, and any responses thereto shall be withdrawn [see Dkt. No. 61];

20 b. The Bank’s Motion for Leave to File an Supplement in Support of its  
21 Motion for Summary Judgment [Dkt No. 60] will be withdrawn;

22 c. The Parties stipulate to the following briefing schedule for dispositive  
23 motions:

24 i. New Motions for Summary Judgment to be filed no later than December  
25 20, 2017;

26 ii. Responses to the Motions for Summary Judgment shall be due no later  
27 than January 10, 2018;

28 iii. Replies in Support of Summary Judgment shall be due no later than

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January 24, 2018.

5. Based on the foregoing and in anticipation of the Court's decision on the above, the Parties agree that responses to the currently filed Motions for Summary Judgment need not be filed as of December 11, 2017.

DATED this 11th day of December, 2017

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|--|---|
| <p><b>KIM GILBERT EBRON</b><br/><u>/s/Jacqueline A. Gilbert</u><br/>Jacqueline A. Gilbert, Esq.<br/>Nevada Bar No. 10593<br/>jackie@kgelegal.com<br/>Diana S. Ebron, Esq.<br/>Nevada Bar No. 10580<br/>Diana@kgelegal.com<br/>7625 Dean Martin Drive, Suite 110<br/>Las Vegas, Nevada 89139<br/>Phone: (702) 485-3300<br/>Fax: (702) 485-3301<br/><i>Attorneys for SFR Investments Pool 1, LLC</i></p> | <p><b>AKERMAN LLP</b><br/><u>/s/Donna M. Witting</u><br/>Melanie D. Morgan, Esq.<br/>Nevada Bar No. 8215<br/>Melanie.morgan@akerman.com<br/>Donna M. Witting, Esq.<br/>Nevada Bar No. 11015<br/>Donna.witting@akerman.com<br/>1160 Town Center Drive, Suite 330<br/>Las Vegas, Nevada 89144<br/>Phone: (702) 634-5000<br/>Fax: (702) 380-8572<br/><i>Attorneys for The Bank of New York Mellon as Trustee</i></p> |
|--|---|

**IT IS SO ORDERED.**

DATED: August 22, 2018 \_\_\_\_\_

  
U.S. DISTRICT COURT JUDGE

**KIM GILBERT EBRON**  
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(702) 485-3300 FAX (702) 485-3301

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 11th day of December, 2017, pursuant to FRCP 5, I served **STIPULATION TO WITHDRAW MOTIONS FOR SUMMARY JUDGMENT [ECF Nos. 58 AND 59] WITH PROPOSAL FOR NEW BRIEFING SCHEDULE TO ADDRESS NEW DECISION FROM THE NEVADA SUPREME COURT WHICH MAY IMPACT THE CURRENT MOTIONS** via the CM-ECF electronic filing system the foregoing to the following parties:

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