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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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WELLS FARGO BANK, N.A.,

Plaintiff(s),

v.

LV REAL ESTATE STRATEGIC
INVESTMENT GROUP LLC SERIES 2679,
et al.,

Defendant(s).

Case No. 2:16-CV-2363 JCM (GWF)

ORDER

Presently before the court is plaintiff Wells Fargo Bank, N.A.'s motion to schedule a limited summary judgment briefing schedule. (ECF No. 29). Defendants have not responded, and the time for doing so has since passed.

Plaintiff asserts that three recent Ninth Circuit decisions mandate a particular outcome in this case. (ECF No. 29), see *Berezovsky v. Moniz*, 869 F.3d 923 (9th Cir. 2017); *Elmer v. JPMorgan Chase & Co.*, --- F. App'x ---, 2017 WL 3822061 (9th Cir. Aug. 31, 2017); *Saticoy Bay, LLC v. Flagstar Bank, FSB*, --- F. App'x ---, 2017 WL 4712396 (9th Cir. Oct. 20, 2017). Plaintiff states that this case, along with four other similarly situated cases, presents sufficiently similar facts and the exact same legal issues that the Ninth Circuit considered in the above cases. As such, plaintiff requests that this court set a limited briefing schedule for summary judgment motions related to these legal issues.

The court will grant plaintiff's motion to set briefing deadlines on motions for summary judgment limited to the application of the federal foreclosure bar in this case.¹ The schedule is as

¹ This court does not set a briefing schedule for or otherwise affect summary judgment motions on other grounds.

1 follows: plaintiff's motion for summary judgment is due fourteen (14) days after the date of this
2 order; any response to the motion is due twenty-eight (28) days after the filing of the motion; any
3 reply in support of the motion will be due twenty-one (21) days after the date of the filing of the
4 response.²

5 Accordingly,

6 IT IS HEREBY ORDERED that plaintiff's motion to set briefing (ECF No. 29) be, and the
7 same hereby is, GRANTED in part and DENIED in part, consistent with the foregoing.

8 DATED December 13, 2017.

9 
10 UNITED STATES DISTRICT JUDGE

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28 ² This schedule is more consistent with the local rules, which offer more time to respond than to reply, than the schedule offered by plaintiff.