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 5

6 **UNITED STATES DISTRICT COURT**  
 7 **DISTRICT OF NEVADA**

8 BANK OF AMERICA, N.A., successor by  
 merger to BAC HOME LOANS SERVICING,  
 9 LP fka COUNTRYWIDE HOME LOANS  
 SERVICING, LP and FEDERAL NATIONAL  
 MORTGAGE ASSOCIATION,

10 Plaintiffs,

11 vs.

12 SANTA BARBARA HOMEOWNERS  
 ASSOCIATION; SFR INVESTMENTS POOL  
 13 1, LLC; ABSOLUTE COLLECTION  
 SERVICES, LLC,

14 Defendants.

15 AND RELATED CLAIMS

Case No. 2:16-cv-02768-MMD-CWH

**STIPULATION AND ORDER TO EXTEND  
 TIME FOR:**

**(1) SFR INVESTMENTS POOL 1, LLC TO  
 RESPOND TO PLAINTIFFS’ MOTION  
 FOR SUMMARY JUDGMENT [ECF NO.  
 84]**

**(2) SFR INVESTMENTS POOL 1, LLC TO  
 FILE A REPLY SUPPORTING ITS  
 MOTION FOR SUMMARY JUDGMENT  
 [ECF NO. 121];**

**(3) PLAINTIFFS TO FILE A REPLY  
 SUPPORTING THEIR MOTION FOR  
 SUMMARY JUDGMENT [ECF NO. 84];  
 AND**

**(4) ABSOLUTE COLLECTION SERVICES,  
 LLC TO FILE A REPLY SUPPORTING ITS  
 JOINDER TO SANTA BARBARA  
 HOMEOWNERS ASSOCIATION’S  
 MOTION FOR SUMMARY JUDGMENT  
 [ECF NO. 120]**

**(Second Request)**

21 Pursuant to LR IA 6-1, LR IA 6-2, and LR 7-1, Plaintiffs / Counter-Defendants, BANK  
 22 OF AMERICA, N.A. (“**BANA**”) and FEDERAL NATIONAL MORTGAGE ASSOCIATION’S  
 23 (“**Fannie Mae**”), Defendant / Counterclaimant / Cross-Claimant, SFR INVESTMENTS POOL 1,  
 24 LLC (“**SFR**”), Defendant Absolute Collection Services, LLC (“**Absolute**”) and Defendant  
 25 SANTA BARBARA HOMEOWNERS ASSOCIATION (“**Association**”) (collectively, the  
 26 “**Parties**”), by and through their respective undersigned counsel of record, hereby stipulate and  
 27 agree to coordinate briefing deadlines and extend the deadlines as set forth herein:

28 ///

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1           1.           On August 31, 2018, Fannie Mae and BANA filed their motion for summary  
2 judgment. ECF No. 84.

3           2.           On September 4, 2018, SFR filed counter motions to strike and for FRCP Rule 56(d)  
4 relief in response to Fannie Mae and BANA's motion for summary judgment. ECF Nos. 85, 86.

5           3.           On September 7, 2018, Fannie Mae filed a motion to stay discovery or in  
6 the alternative emergency motion to quash the notice of deposition and/or for a protective order to  
7 limit SFR's 30(b)(6) deposition topics. ECF No. 87.

8           4.           On September 12, 2018, Santa Barbara filed its opposition to Fannie Mae  
9 and BANA's motion for summary judgment. ECF No. 92.

10          5.           On September 18, 2018, the Court entered a Stipulation and Order which extended  
11 the deadline for Fannie Mae and BANA to respond to SFR's counter motions to October 12, 2018,  
12 and **which directed the Parties to submit a briefing schedule within 5 days after ECF No. 87**  
13 **is decided with respect to: (a) SFR's deadline to respond to Fannie Mae and BANA's motion**  
14 **for summary judgment; and (b) Fannie Mae and BANA's deadline to file a reply supporting**  
15 **their motion for summary judgment.** ECF No. 94.

16          6.           On December 18, 2018, Santa Barbara filed its motion for summary judgment. ECF  
17 No. 119.

18          7.           On December 21, 2018, Absolute filed its joinder to Santa Barbara's motion for  
19 summary judgment. ECF No. 120.

20          8.           On December 21, 2018, SFR filed its motion for summary judgment. ECF No. 121.

21          9.           On February 8, 2019, the Association filed its reply in support of its motion for  
22 summary judgment. ECF No. 127.

23          10.          In order to harmonize the remaining summary judgment briefing with the schedule  
24 established in the September 18, 2018 Stipulation and Order, the Court entered a Stipulation and  
25 Order on February 11, 2019, directing that SFR's reply in support of its motion for summary  
26 judgment [ECF No. 121], and Absolute's reply in support of its joinder to Santa Barbara's motion  
27 for summary judgment [ECF No. 120], will be due the same time as Fannie Mae's and BANA's  
28 reply supporting their motion for summary judgment, once that date is established in accordance

1 with the September 18, 2018 Stipulation and Order. ECF No. 129.

2 11. On June 4, 2019, the Court entered an Order which: DENIED SFR's motion to  
3 strike [ECF No. 85]; DENIED SFR's motion for FRCP 56(d) relief [ECF No. 86]; GRANTED  
4 Fannie Mae's and BANA's joinder to stay discovery [ECF Nos. 87, 89]; DENIED Fannie Mae's  
5 motion to quash [ECF No. 88]; DENIED BANA's motion for protective order [ECF No. 90]; and  
6 DENIED SFR's motion to stay [ECF No. 101]. ECF No. 130.

7 12. The June 4, 2019 Order also directed that per the February 11, 2019 Stipulation and  
8 Order [ECF No. 129], the Parties "must file the replies supporting their respective motions for  
9 summary judgment (ECF Nos. 84, 119, 121) within 5 days of when this order is entered." ECF  
10 No. 130 at 6:1-3.

11 13. **The instant stipulation is necessary because of the apparent conflict between**  
12 **the September 18, 2018 Stipulation and Order [ECF No. 94], and the June 4, 2019 Order**  
13 **[ECF No. 130].** The September 18, 2018 Stipulation and Order directed that SFR's deadline to  
14 respond to Fannie Mae and BANA's motion for summary judgment, and Fannie Mae and BANA's  
15 deadline to file a reply supporting their motion for summary judgment, were to be set via a briefing  
16 schedule to be submitted within 5 days after the motion to stay discovery [ECF No. 87] was  
17 decided. ECF No. 94, ¶ 7. However, while the June 4, 2019 Order resolves the motion to stay  
18 discovery, it does not address the deadline for SFR to file its as-yet-unfiled response to Fannie  
19 Mae and BANA's motion for summary judgment, which also means that Fannie Mae and BANA  
20 cannot file a reply. This likewise affects the deadline for Absolute to file its reply in support of its  
21 joinder to Santa Barbara's motion for summary judgment [ECF No. 120], which the February 11,  
22 2019 Stipulation and Order states is due the same time as Fannie Mae's and BANA's reply  
23 supporting their motion for summary judgment. ECF No. 129, ¶ 10.

24 14. In order to resolve these discrepancies, the Parties agree that: (1) SFR shall file its  
25 response to Fannie Mae and BANA's motion for summary judgment [ECF No. 84] by **July 3,**  
26 **2019;** (2) Fannie Mae, BANA, and SFR shall file their replies supporting their respective motions  
27 for summary judgment [ECF Nos. 84, 121] by **July 31, 2019;** and (3) Absolute shall file its reply  
28 in support of its joinder to Santa Barbara's motion for summary judgment [ECF No. 120] by **July**

1 **31, 2019.**

2 15. This is the second request for an enlargement of time of the subject deadlines. The  
3 Parties stipulate to the foregoing in good faith and not for purposes of delay.

5 Dated this <u>10th</u> day of June, 2019. 6 <b>KIM GILBERT EBON</b> 7 <i>/s/ Diana S. Ebron</i> 8 DIANA S. EBON, ESQ. 9 Nevada Bar No. 10580 10 JACQUELINE A. GILBERT, ESQ. 11 Nevada Bar No. 10593 12 7625 Dean Martin Dr., Suite 110 13 Las Vegas, Nevada 89139 14 <i>Attorneys for SFR Investments Pool 1, LLC</i>	5 Dated this <u>10th</u> day of June, 2019. 6 <b>AKERMAN, LLP</b> 7 <i>/s/ Tenesa S. Powell</i> 8 DARREN T. BRENNER, ESQ. 9 Nevada Bar No. 8386 10 TENESA S. POWELL, ESQ. 11 Nevada Bar No. 12488 12 1635 Village Center Circle, Suite 200 13 Las Vegas, NV 89134 14 <i>Attorneys for Plaintiff Bank of America, N.A., and Federal National Mortgage Association</i>
12 Dated this <u>10th</u> day of June, 2019. 13 <b>BOYACK ORME &amp; ANTHONY</b> 14 <i>/s/ Colli C. McKiever</i> 15 EDWARD D. BOYACK, ESQ. 16 Nevada Bar No. 5229 17 COLLI C. MCKIEVER, ESQ. 18 Nevada Bar No. 13724 19 7432 W Sahara Ave., Ste. 101 20 Las Vegas, NV 89117 21 <i>Attorneys for Defendant Santa Barbara Homeowners Association</i>	12 Dated this <u>10th</u> day of June, 2019. 13 <b>ABSOLUTE COLLECTION SERVICES, LLC</b> 14 <i>/s/ Shane D. Cox</i> 15 SHANE D. COX, ESQ. 16 Nevada Bar No. 13852 17 8440 W Lake Mead Blvd., Ste. 210 18 Las Vegas, NV 89128 19 <i>Attorney for Absolute Collection Services, LLC</i>

21 **IT IS SO ORDERED.**

22 

23 UNITED STATES DISTRICT JUDGE

24 DATED: June 10, 2019