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

9
10 THE BANK OF NEW YORK MELLON
FKA THE BANK OF NEW YORK AS
11 TRUSTEE FOR THE
CERTIFICATEHOLDERS CWMBS, INC.,
12 CHL MORTGAGE PASS-THROUGH
TRUST 2005-HYB4, MORTGAGE PASS-
13 THROUGH CERTIFICATES, SERIES 200-
HYB4,

14 Plaintiff,

15 vs.

16 SUNRISE RIDGE MASTER
HOMEOWNERS ASSOCIATION; SFR
17 INVESTMENTS POOL 1, LLC; and
NEVADA ASSOCIATION SERVICES,
18 INC.,

19 Defendants.

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SFR INVESTMENTS POOL 1, LLC,

21 Counter/Cross Claimant,

22 vs.

23 THE BANK OF NEW YORK MELLON
FKA THE BANK OF NEW YORK AS
24 TRUSTEE FOR THE
CERTIFICATEHOLDERS CWMBS, INC.,
25 CHL MORTGAGE PASS-THROUGH
TRUST 2005-HYB4, MORTGAGE PASS-
26 THROUGH CERTIFICATES, SERIES 200-
HYB4; PATTY TAN, an individual,

27 Counter/Cross Defendants.
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Case No.: 2:17-cv-00214-JAD-EJY

**STIPULATION AND ORDER TO
REOPEN TO LIFT STAY AND
TO DISMISS WITH
PREJUDICE**

ECF No. 104

1 The Bank Of New York Mellon fka The Bank Of New York As Trustee for
2 The Certificateholders CWMBBS, Inc., CHL Mortgage Pass-Through Trust 2005-
3 HYB4, Mortgage Pass-Through Certificates, Series 2005-HYB4 Mortgage Pass-
4 Through Certificates, Series 200-HYB4 (“BoNYM”), SFR Investment Pool 1, LLC
5 (“SFR”), and Sunrise Ridge Master Homeowners Association (“HOA”), by and
6 through their respective counsel of record, stipulate as follows:

7 1. BNYM filed its Complaint against SFR and HOA on January 25, 2017
8 [ECF No. 1].

9 2. The parties filed a Joint Status Report and Stipulation and Order to
10 Stay Proceedings (First Request) on August 28, 2020 [ECF No. 100].

11 3. The Court entered its Order to Stay Proceedings and Vacate Trial
12 (First Request) on August 31, 2020, and administratively closed this case [ECF
13 No. 101], which directed Plaintiff to file a motion to reopen and dismiss the case
14 within 120 days of the order.

15 4. The parties to this stipulation have now resolved the claims in this
16 action, except for SFR’s claim against Patty Tan, and desire to obtain a stipulated
17 dismissal.

18 5. The parties agree to re-open the case and lift the stay.

19 6. Once this order is entered both re-opening this case and lifting the
20 stay, SFR intends to resolve its claims against Patty Tan by a motion for default
21 judgment.

22 7. There is therefore good cause to reopen the case and lift the stay.

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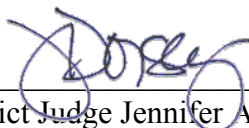
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8. These stipulating parties agree to dismiss all claims asserted in this case with prejudice, except for SFR's claims against Patty Tan, with each party to bear its own fees and costs.

<p>Dated: December 24, 2020</p> <p>HALL, JAFFE & CLAYTON, LLP</p> <p><u>/s/ Ashlie L. Surur</u> Ashlie L. Surur, Esq. Nevada Bar No. 11290 7425 Peak Drive Las Vegas, Nevada 89128 Attorneys for Sunrise Ridge Master Homeowners Association</p>	<p>Dated: December 24, 2020</p> <p>KIM GILBERT EBRON</p> <p><u>/s/ Karen L. Hanks</u> Diana S. Ebron, Esq. Nevada Bar No. 10580 Jacqueline A. Gilbert, Esq. Nevada Bar No. 10593 Karen L. Hanks, Esq. Nevada Bar No. 9578 Jason G. Martinez, Esq. Nevada Bar No. 13375 7625 Dean Martin Drive, Suite 110 Las Vegas, Nevada 89139 Attorneys for SFR Investments Pool 1, LL</p>
<p>Dated: December 24, 2020</p> <p>AKERMAN LLP</p> <p><u>/s/ Nicholas E. Belay</u> Ariel E. Stern, Esq. Nevada Bar No. 8276 Natalie L. Winslow, Esq. Nevada Bar No. 12125 Nicholas E. Belay, Esq. Nevada Bar No. 15175 1635 Village Center Drive, Suite 200 Las Vegas, Nevada 89134 Attorneys for Bank of New York Mellon</p>	

ORDER

Based on the parties' stipulation [ECF No. 104] and good cause appearing, IT IS HEREBY ORDERED that the STAY is LIFTED and all claims in this action are DISMISSED with prejudice, *EXCEPT for SFR Investments Pool 1, LLC's claims against defaulted party Patty Tan*, each side to bear its own fees and costs. The Clerk of Court is directed to REOPEN this case and terminate all parties except for Cross Claimant SFR Investments Pool 1, LLC and Cross Defendant Patty Tan.



 U.S. District Judge Jennifer A. Dorsey
 Dated: December 28, 2020