

1 MELANIE D. MORGAN, ESQ.
Nevada Bar No. 8215
2 THERA A. COOPER, ESQ.
Nevada Bar No. 13468
3 **AKERMAN LLP**
4 1635 Village Center Circle, Ste. 200
Las Vegas, Nevada 89134
5 Telephone: (702) 634-5000
Facsimile: (702) 380-8572
6 Email: melanie.morgan@akerman.com
7 Email: thera.cooper@akerman.com

8 Attorneys for Plaintiff Bank of America, N.A.

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 BANK OF AMERICA, N.A., a National
12 Association,

13 Plaintiff,

14 vs.

15 OPERTURE, INC., a Nevada Corporation; and
16 SEDONA CONDOMINIUM HOMEOWNERS
ASSOCIATION, INC., a Nevada Non-Profit
17 Corporation,

18 Defendants.

Case No.: 2:17-cv-00383-APG-VCF

**JOINT STATUS REPORT AND
REQUEST TO EXTEND DEADLINE TO
FILE PROPOSED DISCOVERY PLAN
AND SCHEDULING ORDER**

19
20 Plaintiff Bank of America, N.A. (**BANA**), and defendant Sedona Condominium
21 Homeowners Association, Inc. (**HOA**) submit this joint status report as follows¹:

22 1. **Meet and Confer**: On November 19, 2018, the Court lifted the stay in this case and
23 ordered the parties meet and confer within 60 days. Thera A. Cooper, Esq. and a party representative
24 on BANA's behalf and Ryan Reed, Esq. and a party representative on the HOA's behalf met and
25 conferred on January 9, 2019. The parties discussed possible resolution of this matter, including
26 potential settlement structures relating to ownership of the property. And discussed the issues raised
27 in the parties' dispositive motions including the nature of the HOA's argument that the claims

28
¹ The Clerk entered default on defendant Operture on December 14, 2018. ECF No. 24. BANA filed its motion for entry of default judgment against Operture on December 20, 2018. ECF No. 25.

1 against it were pled in the alternative. The parties agreed the quiet title, declaratory relief, wrongful
2 foreclosure, negligence, negligence per se, and misrepresentation claims remain. The HOA has not
3 yet responded to the complaint and will do so within 30 days, if the case is not resolved.

4 2. **Scheduling Order:**

5 The Court ordered the parties file a proposed scheduling order within 10 days of their meet
6 and confer, or by January 18, 2019. The parties respectfully request the Court extend this deadline
7 by thirty (30) days to allow the parties to fully explore the possibility of settlement. With this thirty
8 day extension, the parties shall submit the proposed scheduling order on or before **February 18,**
9 **2019.**

10 3. **Discovery Remaining:** Written discovery and depositions.

11 Dated the 11th day of January, 2019.

Dated the 11th day of January, 2019.

12 **AKERMAN LLP**

**LEACH KERN GRUCHOW ANDERSON
SONG**

13
14 /s/ Thera A. Cooper
15 MELANIE D. MORGAN, ESQ.
16 Nevada Bar No. 8215
17 THERA A. , ESQ.
18 Nevada Bar No. 12993
19 1635 Village Center Circle, Suite 200
20 Las Vegas, Nevada 89134

/s/ Ryan Reed
RYAN WARREN REED, ESQ.
Nevada Bar No. ____
SEAN L. ANDERSON, ESQ.
Nevada Bar No.
2525 Box Canyon Drive
Las Vegas, Nevada 89128

21 Attorneys for Plaintiff

Attorneys for defendant Sedona Condominium
Homeowners Association, Inc.

22 **ORDER**

23 **IT IS SO ORDERED.**

24 

25 UNITED STATES DISTRICT JUDGE
26 Dated: January 11, 2019.