

KIMGILBERT EBRON
7625 DEAN MARTIN DRIVE, SUITE 110
LAS VEGAS, NEVADA 89139
(702) 485-3300 FAX (702) 485-3301

1 DIANA S. EBRON, ESQ.
Nevada Bar No. 10580
2 Email: diana@kgelegal.com
JACQUELINE A. GILBERT, ESQ.
3 Nevada Bar No. 10593
Email: jackie@kgelegal.com
4 KAREN L. HANKS, ESQ.
Nevada Bar No. 9578
5 Email: karen@kgelegal.com
KIM GILBERT EBRON
6 7625 Dean Martin Drive, Suite 110
Las Vegas, Nevada 89139-5974
7 Telephone: (702) 485-3300
Facsimile: (702) 485-3301
8 *Attorney for SFR Investments Pool 1, LLC*

9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 THE BANK OF NEW YORK MELLON
13 FKA THE BANK OF NEW YORK, AS
TRUSTEE FOR THE
14 CERTIFICATEHOLDERS OF CWALT,
INC., ALTERNATIVE LOAN TRUST 2005-
15 3CB, MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-3CB,

16 Plaintiff,

17 vs.

18 FRANCESCA FALCO; SFR
INVESTMENTS POOL 1, LLC;
19 LAMPLIGHT SQUARE AT CORONADO
RANCH, LLC; DOE INDIVIDUALS I-X,
20 inclusive; and ROE CORPORATIONS I-X,
inclusive,

21 Defendants.

Case No.: 2:17-cv-00441-RFB-NJK

**JOINT STATUS REPORT AND
STIPULATION TO CONTINUE STAY**

(FIRST REQUEST)

22 SFR INVESTMENTS POOL 1, LLC,
23 Counterclaimant/Cross-Claimant,
24 vs.

25 THE BANK OF NEW YORK MELLON
26 FKA THE BANK OF NEW YORK, AS
TRUSTEE FOR THE
27 CERTIFICATEHOLDERS OF CWALT,
INC., ALTERNATIVE LOAN TRUST 2005-
28 3CB, MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-3CB;

1 FRANCESCA FALCO, an individual,
2 Counter-Defendant/Cross-Defendant.

3 **JOINT STATUS REPORT AND STIPULATION TO CONTINUE STAY**

4 Pursuant to the October 11, 2020, Order [ECF No. 67], SFR Investments Pool 1, LLC
5 (“SFR”), The Bank of New York Mellon fka The Bank of New York, as Trustee for the
6 Certificateholders of CWALT, Inc., Alternative Loan Trust 2005-3CB, Mortgage Pass-Through
7 Certificates, Series 2005-3CB (“BNYM”) and Lamplight Square at Coronado Ranch, LLC (“The
8 Association”) hereby submit the following Joint Status Report re: Settlement.

9 As set forth in the Notice of Settlement and Stipulation to Stay Proceedings submitted on
10 October 7, 2020 [ECF No. 66], SFR and the Bank have reached a settlement agreement in principle
11 to settle this case. It is part of a more comprehensive settlement. SFR and BNYM have worked
12 diligently to get the settlement finalized, but due to continuing COVID-19 pandemic issues there
13 have been sever delays in completing a condition precedent to settlement, leading to the need for
14 additional time. The most recent signed agreement provides for full resolution of the condition
15 precedent on or before May 5, 2021.

16 The parties have reached an agreement to extend the deadline for meeting that condition to
17 and extending the stay until May 15, 2021, 10 (ten) days after that May 5, 2021 finalization date.
18 Additionally, the Bank and the Association continue to explore the potential for settlement.

19 The parties therefore agree to continue the stay of proceedings until May 15, 2021. This
20 will afford all parties additional time to finalize the settlement without incurring extra expenses or
21 burdening the court.

22 The parties further agree to file a status report regarding the settlement within ninety (90)
23 days from entry of this Order.

24 Additionally, the parties agree any party may move to lift the stay during the time this
25 matter is stayed pursuant to this stipulation. The parties further reserve the right to stipulate to lift
26 the stay during the aforementioned period in which the matter is stayed pursuant to this stipulation.

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1 This is the parties' first request for to continue the stay of proceedings and is not intended
2 to cause any delay or prejudice to any party.

3 DATED this 11th day of January, 2021. 4 KIM GILBERT EBRON 5 <u>/s/ Chantel M. Schimming</u> 6 DIANA S. EBRON, ESQ. 7 Nevada Bar No. 10580 8 CHANTEL M. SCHIMMING, ESQ. 9 Nevada Bar No. 8886 10 7625 Dean Martin Drive, Suite 110 11 Las Vegas, Nevada 89139 12 <i>Attorneys for SFR Investments Pool 1, LLC</i>	3 DATED this 11th day of January, 2021. 4 AKERMAN LLP 5 <u>/s/ Rex D. Garner</u> 6 NATALIE L. WINSLOW, ESQ. 7 Nevada Bar No. 12125 8 REX D. GARNER, ESQ. 9 Nevada Bar No. 9401 10 1635 Village Center Circle, Suite 200 11 Las Vegas, NV 89134 12 <i>Attorneys for The Bank of New York Mellon fka The Bank of New York, as Trustee for the Certificateholders of CWALT, Inc., Alternative Loan Trust 2005-3CB, Mortgage Pass-Through Certificates, Series 2005-3CB</i>
13 DATED this 11th day of January, 2021. 14 BOYACK ORME & ANTHONY 15 <u>/s/ Patrick A. Orme</u> 16 EDWARD D. BOYACK, ESQ. 17 Nevada Bar No. 5229 18 PATRICK A. ORME, ESQ. 19 Nevada Bar No. 7853 20 7432 W. Sahara Avenue, Suite 101 21 Las Vegas, NV 89117 22 <i>Attorneys for Lamplight Square at Coronado Ranch, LLC</i>	

23 **ORDER**

24 Based on the foregoing stipulation, **IT IS HEREBY ORDERED** that the litigation stay
25 is continued until May 15, 2021. The parties are to file a status report within 90 days of the
26 issuance of this order.

27 **IT IS SO ORDERED.**

28 
RICHARD E. BOULWARE, II
United States District Court

DATED this 11th day of January, 2021.