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15
16 IN THE UNITED STATES DISTRICT COURT
17 FOR THE DISTRICT OF NEVADA

18 ROCKTOP PARTNERS, LLC; and)
19 WILMINGTON SAVINGS FUND SOCIETY,)
20 FSB, as Trustee of Stanwich Mortgage Loan)
21 Trust A,)

22 Plaintiffs,)

23 v.)

24 SFR INVESTMENTS POOL 1, LLC, a)
25 Nevada limited liability company; and)
26 ANTHEM COUNTRY CLUB COMMUNITY,)
27 ASSOCIATION, a Nevada nonprofit)
28 corporation,)

29 Defendants.)
30 _____)
31)

32 SFR INVESTMENTS POOL 1, LLC, a)
33 Nevada limited liability company,)

34 Counterclaimant/Crossclaimant,)

35 v.)
36)
37)
38)
39)

Case No. 2:17-cv-00604-RFB-BNW
consolidated with
Case No. 2:17-cv-00916-KJD-BNW

**UNOPPOSED MOTION TO STAY
DISCOVERY AND RELATED
DEADLINES IN LIGHT OF
CONTINUED SETTLEMENT
CONFERENCE
(First Request Based on Settlement
Conference Continuance)**

1 ROCKTOP PARTNERS, LLC;)
WILMINGTON SAVINGS FUND SOCIETY,)
2 FSB, as Trustee of Stanwich Mortgage Loan)
Trust A; LEON BENZER, an individual; and)
3 UNITED STATES OF AMERICA,)
)
4 Cross-Defendants,)
Counter-Defendants.)

5 _____)
6 UNITED STATES OF AMERICA,)

7 Plaintiff,)

8 v.)

9 LEON BENZER; SFR INVESTMENTS POOL)
10 1, LLC; ROCKTOP PARTNERS, LLC;)
WILMINGTON SAVINGS FUND SOCIETY,)
11 FSB, as Trustee of Stanwich Mortgage Loan)
Trust A; ANTHEM COUNTRY CLUB)
12 COMMUNITY ASSOCIATION; and)
REPUBLIC SILVER STATE DISPOSAL INC.,)

13 Defendants.)
14 _____)

15 ROCKTOP PARTNERS, LLC; and)
WILMINGTON SAVINGS FUND SOCIETY,)
16 FSB, as Trustee of Stanwich Mortgage Loan)
Trust A,)

17 Cross-Claimants,)
18 Counter-Claimants,)

19 v.)

20 UNITED STATES OF AMERICA; LEON)
BENZER, an individual; SFR INVESTMENTS)
21 POOL 1, LLC, a Nevada limited liability)
company; and ANTHEM COUNTRY CLUB)
22 ASSOCIATION, a Nevada corporation,)

23 Cross-Defendants,)
24 Counter-Defendants.)
25 _____)

MEMORANDUM OF POINTS AND AUTHORITIES

1
2 The Court has continued a planned scheduling conference, and stated that it would
3 entertain requests to continue other deadlines in light of the continuance. (ECF No. 410). The
4 settlement conference was extended from December 27, 2021 to January 31, 2022. The United
5 States moves the Court to stay discovery and other deadlines until the conference, and set a new
6 schedule if the conference does not resolve the dispute. The United States has consulted the
7 other litigating parties (Anthem Country Club Community Association (“Anthem”), SFR
8 Investments Pool 1, LLC (“SFR”), Rocktop Partners LLC (“Rocktop”) and Wilmington Savings
9 Fund Society, FSB, as Trustee of Stanwich Mortgage Loan Trust A (“Wilmington”, with
10 Rocktop, the “loan holders”)) for consent for this relief, and they do not oppose.

11 At present, the open discovery primarily concerns: 1) disputes over the loan holders’
12 written responses to the United States’ most recent discovery requests; and 2) a Rule 30(b)(6)
13 deposition that the United States seeks to take of the loan holders. The United States had
14 planned to take the deposition after the written discovery responses were completed and issues
15 resolved. However, the United States and the loan holders were attempting to resolve discovery
16 disputes without further motions practice. These discussions grew into more global settlement
17 discussions with the other litigating parties, the parties have agreed that, subject to the Court’s
18 approval, their resources are best directed to fully exploring a resolution to the overall dispute.
19 There are of course many issues to be resolved in reaching a global settlement among five
20 litigating parties, especially when the dispute centers on seven-figure property.

21 The extra time that resulted from continuing the settlement conference has had the benefit
22 of allowing the parties to narrow certain disputes. Based on its negotiations with the other
23 parties, the United States is optimistic that a settlement can be reached at the conference or even
24 possibly before. It is also possible that disputes between some, but not all, of the parties can be
25 resolved. However, there is always the possibility that a settlement cannot be reached with all

1 parties, so the United States makes this request in the interests of protecting its rights if a
2 settlement fails.

3 WHEREFORE, the United States ask that all pre-trial deadlines be stayed until the
4 conference that is currently set for January 31, 2022. If a global settlement fails and the United
5 States remains in the litigation, the United States will file a motion proposing a new schedule
6 promptly after the conference.

7 DATED January 19, 2022.

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24 **ORDER**

25 IT IS ORDERED that ECF No. 413 is GRANTED. IT
IS FURTHER ORDERED that the parties that
remain in the case must file a proposed discovery
plan by February 14, 2022 if this case is not
resolved at the Settlement Conference.

IT IS SO ORDERED
DATED: 1:18 pm, January 20, 2022



BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the foregoing is made this January 19, 2022, via the Court’s ECF system to all current parties who have appeared electronically. Defendant Leon Benzer has defaulted. However, the United States is sending this filing to his last known address. Such mailing may take two business days to complete, due to in-office staffing limitations during the present pandemic.

Leon Benzer, RN # 47521-048
United States Penitentiary
P.O. BOX 24550
TUCSON, AZ 85734

/s/ E. Carmen Ramirez
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