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*Attorneys for Defendant, Deutsche Bank National Trust Company, as Trustee for IXIS Real Estate Capital Trust 2005-HE3 Mortgage Pass Through Certificates, Series 2005-HE3*

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 EDWARD HURT,

12 Plaintiff,

13 vs.

14  
15 DEUTSCHE BANK NATIONAL TRUST  
16 COMPANY, AS TRUSTEE FOR IXIS REAL  
17 ESTATE CAPITAL TRUST 2005-HE3  
18 MORTGAGE PASS THROUGH  
19 CERTIFICATES, SERIES 2005-HE3,

Defendant.

Case No.: 2:17-cv-01122-JAD-CWH

**STIPULATION AND ORDER TO STAY  
DISCOVERY**

20 COMES NOW Plaintiff, Edward Hurt (hereinafter "Hurt"), by and through its attorney of record,  
21 Allison R. Schmidt, Esq. of the law firm of Allison R. Schmidt, Esq. LLC, and Deutsche Bank National  
22 Trust Company, as Trustee for IXIS Real Estate Capital Trust 2005-HE3 Mortgage Pass Through  
23 Certificates, Series 2005-HE3 (hereinafter "Deutsche Bank"), by and through its attorneys of record,  
24 Dana Jonathon Nitz, Esq. and Lindsay D. Robbins, Esq. of the law firm of Wright, Finlay & Zak, LLP,  
25 and in light of the pending motion to dismiss, hereby stipulate and agree as follows:

26 **IT IS HEREBY STIPULATED AND AGREED** that in an effort to avoid the costly expenses  
27 of discovery and litigation, all proceedings in this lawsuit, including all upcoming deadlines, hearings  
28 and conferences, including the deadline to file dispositive motions and the discovery cutoff are hereby

1 STAYED pending the Court's ruling on Deutsche Bank's Motion to Dismiss Hurt's First Amended  
2 Complaint [ECF No. 42]. The stay will not affect any briefing related to the Motion to Dismiss,  
3 including Hurt's response and Deutsche Bank's reply.

4 **IT IS FURTHER STIPULATED AND AGREED** that the stay be automatically lifted once the  
5 Court makes a decision on the pending Motion to Dismiss.

6 **IT IS SO STIPULATED.**

7 DATED this 5th day of February, 2018.

DATED this 5th day of February, 2018.

8 **ALLISON R. SCHMIDT ESQ. LLC**

**WRIGHT, FINLAY & ZAK, LLP**

9 /s/ Allison R. Schmidt, Esq.

/s/ Lindsay D. Robbins, Esq.

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*National Trust Company, as Trustee for IXIS*

*Real Estate Capital Trust 2005-HE3 Mortgage*

*Pass Through Certificates, Series 2005-HE3*

18 IT IS SO ORDERED. IT IS FURTHER ORDERED that if the motion to dismiss is denied,  
19 the parties must meet and confer and file a revised discovery plan for the court's  
20 consideration within 21 days from the order on the motion to dismiss.

21 Dated February 7, 2018

  
UNITED STATES MAGISTRATE JUDGE

22 *Respectfully submitted by:*

23 **WRIGHT, FINLAY & ZAK, LLP**

24 /s/ Lindsay D. Robbins, Esq.

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