

1 WRIGHT, FINLAY & ZAK, LLP

2 Dana Jonathon Nitz, Esq.

3 Nevada Bar No. 0050

4 Lindsay D. Robbins, Esq.

5 Nevada Bar No. 13474

6 7785 W. Sahara Ave., Suite 200

7 Las Vegas, NV 89117

8 (702) 475-7964; Fax: (702) 946-1345

9 [dnitz@wrightlegal.net](mailto:dnitz@wrightlegal.net)

10 [lrobbins@wrightlegal.net](mailto:lrobbins@wrightlegal.net)

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

13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 EDWARD HURT,

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

17 Plaintiff,

18 **STIPULATION AND ORDER TO STAY**  
**DISCOVERY**

19 vs.

20 DEUTSCHE BANK NATIONAL TRUST  
21 COMPANY, AS TRUSTEE FOR IXIS REAL  
22 ESTATE CAPITAL TRUST 2005-HE3  
23 MORTGAGE PASS THROUGH  
24 CERTIFICATES, SERIES 2005-HE3,

25 Defendant.

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

29 **IT IS HEREBY STIPULATED AND AGREED** that in an effort to avoid the costly expenses  
30 of discovery and litigation, all proceedings in this lawsuit, including all upcoming deadlines, hearings  
31 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.

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

9 /s/ Allison R. Schmidt, Esq.

10 Allison R. Schmidt, Esq.  
11 Nevada Bar No. 10743  
12 8465 W. Sahara Ave.  
13 Suite 111-504  
14 Las Vegas, Nevada 89117  
15 Phone: (702) 387-7222  
16 Fax: (702) 387-7222  
17 *Attorneys for Plaintiff, Edward Hurt*

DATED this 5th day of February, 2018.

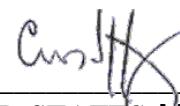
**WRIGHT, FINLAY & ZAK, LLP**

/s/ Lindsay D. Robbins, Esq.

Dana Jonathon Nitz, Esq.  
Nevada Bar No. 0050  
Lindsay D. Robbins, Esq.  
Nevada Bar No. 13474  
7785 W. Sahara Ave., Suite 200  
Las Vegas, Nevada 89117  
Phone: (702) 475-7964  
Fax: (702) 946-1345  
*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*

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  
consideration within 21 days from the order on the motion to dismiss.

20 Dated February 7, 2018



21 UNITED STATES MAGISTRATE JUDGE

22 *Respectfully submitted by:*

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

24 /s/ Lindsay D. Robbins, Esq.

25 Lindsay D. Robbins, Esq.  
26 Nevada Bar No. 13474  
27 7785 W. Sahara Ave., Suite 200  
28 Las Vegas, Nevada 89117  
*Attorneys for Defendant*