

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

THE BANK OF NEW YORK MELLON,

Plaintiff

v.

THE FOOTHILLS AT MACDONALD
RANCH MASTER ASSOCIATION, et al.,

Defendants

Case No.: 2:17-cv-01195-APG-BNW

**Order (1) Granting Motion for Judgment
on the Pleadings and (2) Setting Deadline
to File Joint Proposed Pretrial Order**

[ECF No. 163]

I granted counter-defendant Quality Loan Service Corporation's motion for judgment on the pleadings because counterclaimant SFR Investments Pool 1, LLC had not plausibly alleged that Quality violated Nevada Revised Statutes § 107.028. ECF No. 179. However, I granted SFR leave to file an amended counterclaim by July 10, 2020. *Id.* SFR did not file an amended counterclaim by that date. I therefore now grant Quality's motion with prejudice.

I THEREFORE ORDER that counter-defendant Quality Loan Service Corporation's motion for judgment on the pleadings **(ECF No. 163) is GRANTED with prejudice.**

I FURTHER ORDER the parties to file a joint proposed pretrial order on the only remaining claim, counterclaimant SFR Investment Pool 1, LLC's counterclaim against counterdefendant The Bank of New York Mellon, by September 21, 2020. The failure to file the proposed pretrial order by that date will result in dismissal of the counterclaim and closure of this case.

DATED this 19th day of August, 2020.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE