

Snell & Wilmer
LLP
LAW OFFICES
3883 Howard Hughes Parkway, Suite 1100
Las Vegas, Nevada 89169
702.784.5200

1 Robin E. Perkins, Esq. (NV Bar No. 9891)
Adam Tully, Esq. (NV Bar No. 13601)
2 SNELL & WILMER L.L.P.
3883 Howard Hughes Parkway, Suite 1100
3 Las Vegas, NV 89169
Telephone: (702) 784-5200
4 Facsimile: (702) 784-5252
Email: rperkins@swlaw.com
5 atully@swlaw.com

6 *Attorneys for Plaintiffs Federal Home Loan Mortgage*
7 *Corporation and Wells Fargo Bank, N.A*

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 FEDERAL HOME LOAN MORTGAGE
11 CORPORATION; WELLS FARGO BANK,
12 N.A., a national banking association;

13 Plaintiffs,

14 vs.

15 SPICE CAP MANAGEMENT INC., a Nevada
16 corporation; GRAND CANYON VILLAGE
17 HOMEOWNERS ASSOCIATION, a Nevada
18 nonprofit corporation; ATC ASSESSMENT
19 COLLECTION GROUP, LLC, a California
20 limited-liability company;

21 Defendants.

Case No.: 2:17-cv-01665-APG-VCF

**STIPULATION AND ORDER FOR
LEAVE TO FILE FIRST AMENDED
COMPLAINT**

22 Plaintiffs Wells Fargo Bank, N.A. (“Wells Fargo”) and Federal Home Loan Mortgage
23 Corporation (“Freddie Mac,” together with Wells Fargo, “Plaintiffs”) and Defendant Grand
24 Canyon Village Homeowners Association (“Grand Canyon Village”), by and through their
25 respective attorneys, hereby stipulate to allow Plaintiff to file First Amended Complaint (“FAC”).

26 WHEREAS, Plaintiffs’ Complaint was filed June 14, 2017. [ECF No. 1];

27 WHEREAS, this Court stayed this case on June 16, 2017, [ECF No. 5];

28 WHEREAS, Plaintiffs filed proof of service as to all named defendants on July 14, 2017,
[ECF Nos. 11, 12, 13];

WHEREAS, Grand Canyon Village appeared on or about July 31, 2017;

1 WHEREAS, the only other defendant that has made any filing to date is Spice Cap
2 Management Inc. (“Spice Cap”); however, Spice Cap did so solely to disclaim any interest in the
3 disputed property and has expressly stated its intention to not participate in this litigation in any
4 manner whatsoever;

5 WHEREAS, on September 14, 2017, a Quitclaim Deed was recorded in the Clark County
6 Recorder’s Office as Instrument/Book No. 20170914-0001843 purporting to convey Spice Cap’s
7 interest in the disputed property to an entity called POS Investments, LLC;

8 WHEREAS, Plaintiffs requested, and Grand Canyon Village agreed, to a stipulation
9 granting Plaintiffs leave file their First Amended Complaint, which is attached as **Exhibit 1**;

10 WHEREAS, this request is not made for purposes of delay and is supported by good
11 cause;

12 NOW, THEREFORE, in consideration of the foregoing, and for good cause, IT IS
13 HEREBY STIPULATED AND AGREED as follows:

- 14 1. Plaintiffs shall file the their First Amended Complaint, attached as **Exhibit 1**,
15 within ten days of this Order; and

16 ///
17 ///
18 ///

19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

2. Defendants shall file a response to the First Amended Complaint within 30 days of this Court lifting the stay issued on June 16, 2017 as ECF No. 5.

IT IS SO STIPULATED.

DATED December 29, 2017.

DATED December 29, 2017.

SNELL & WILMER L.L.P.

TYSON & MENDES LLP

By: /s/ Adam Tully
Robin E. Perkins, Esq. (NV Bar 9891)
Adam Tully, Esq. (NV Bar 13601)
3883 Howard Hughes Parkway, Suite 1100
Las Vegas, Nevada 89169
Tel: (702) 784-5200

By: /s/ Margaret Schmidt
Thomas McGrath, Esq. (NV Bar 7086)
Margaret Schmidt, Esq. (NV Bar 12489)
8275 South Eastern Avenue, Suite 115
Las Vegas, Nevada 89123
Tel: (702) 724-2648

*Attorneys for Plaintiffs Federal Home Loan
Mortgage Corporation and Wells Fargo Bank,
N.A.*

*Attorneys for Defendant Grand Canyon
Village Homeowners Association*

ORDER

IT IS SO ORDERED:



UNITED STATES DISTRICT JUDGE

DATED: January 2, 2018

4848-8468-6164