

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 NATIONSTAR MORTGAGE LLC,

Case No. 2:17-cv-01770-APG-VCF

5 Plaintiff,

ORDER

6 v.

7 TOW PROPERTIES, LLC II and FLAMINGO
8 RIDGE HOMEOWNERS ASSOCIATION,

9 Defendants.

10 The parties filed a Joint Status Report stating that all pending claims have been resolved.
11 ECF No. 38. Tow contends that “it may assert separate claims against Nationstar and the HOA
12 for unjust enrichment and indemnity.” *Id.* at 3:1-2. “Nationstar asserts Tow’s claims are moot.”
13 *Id.* at 3:7-8. Tow has not filed an answer in this case to which it can attach a counterclaim or
14 cross-claim. Nor has Tow filed (or moved for permission to file) a counterclaim or cross-claim.
15 It is unclear whether Tow seeks to file those “separate claims” in this case or in a new lawsuit.

16 IT IS THEREFORE ORDERED that by July 17, 2018, Tow must file a motion for leave
17 to file a counterclaim or cross-claim in this action. If no motion is filed by that deadline, this
18 case will be closed. If the parties agree that this case can be closed, they shall file a stipulation to
19 that effect.

20 DATED this 3rd day of July, 2018.



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22 ANDREW P. GORDON
23 UNITED STATES DISTRICT JUDGE