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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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FEDERAL NATIONAL MORTGAGE ASSOCIATION,  
  
v.  
  
VEGAS PROPERTY SERVICES, INC., et al.,  
  
Plaintiff,  
  
Defendants.

Case No. 2:17-cv-01798-APG-PAL

ORDER

(Mot Stay Disc – ECF No. 43)

Before the court is plaintiff Federal National Mortgage Association’s Motion to Stay Discovery (ECF No. 43). The court has considered the motion, defendant Vegas Property Services, Inc.’s Opposition (ECF No. 46), and plaintiff’s Reply (ECF No. 48).

This is a quiet title/declaratory relief action arising out of an HOA foreclosure sale of real property in which Fannie Mae asserts it has an interest that could not be extinguished as a matter of federal law. The motion to stay argues no discovery is needed to decide Fannie Mae’s motion for summary judgment which is based on the federal foreclosure bar and on federal preemption grounds. Vegas Property opposes the motion because counsel for Fannie Mae failed to meet and confer before filing it.

On April 13, 2018 Vegas Property filed a response to the motion for summary judgment and request for relief under Fed. R. Civ. P 56(d). Vegas Property argues discovery is needed concerning whether policies relied on in the countermotion for summary judgment were applicable to Nevada, whether a 2015 policy is controlling, and to question Fannie Mae’s ownership interest. Vegas Property claims it has a good faith belief that Fannie Mae did not own the property at the time of the HOA foreclosure sale at issue. The district judge will decide whether the discovery Vegas Property seeks is needed before the motion for summary judgment is decided

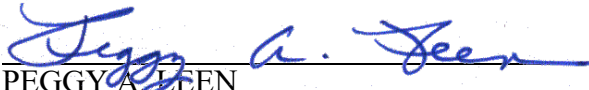
Having reviewed and considered the moving and responsive papers,

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**IT IS ORDERED** that:

1. Plaintiff Federal National Mortgage Association’s Motion to Stay Discovery (ECF No. 43) is **GRANTED**.
2. The parties shall have 14 days from decision of Fannie Mae’s countermotion for summary judgment in which to file a proposed amended discovery plan and scheduling order in the event any claim survives.

DATED this 19th day of April, 2018.

  
PEGGY A. LEEN  
UNITED STATES MAGISTRATE JUDGE