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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

BANK OF AMERICA N.A.,

Plaintiff,

v.

HIDDEN CANYON HOMEOWNERS
ASSOCIATION; THOMAS JESSUP, LLC;
THOMAS JESSUP, LLC SERIES VI;
ABSOLUTE COLLECTION SERVICES,
LLC,

Defendants.

Case No. 2:17-cv-02447-MMD-GWF

ORDER


The Ninth Circuit Court of Appeals remanded for the limited purpose of the Court considering Plaintiff's motion to amend the judgment under Federal Rule of Civil Procedure 60. (ECF No. 51.) The Court had provided an indicative ruling under Rule 62.1 that the judgment would be amended to correct an error. (ECF No. 50.)

On February 1, 2018, the Court held a hearing on Defendant Absolute Collection Services, LLC's ("ASC") motion to dismiss to which Defendants Thomas Jessup, LLC and Thomas Jessup, LLC, Services VI (collectively, "Jessup") joined. (ECF No. 37.) The Court granted ASC's motion and dismissed claims against ASC and Jessup, finding that the applicable statutes of limitations had expired. (*Id.*) The Court *sua sponte* dismissed claims against Hidden Canyon Homeowners Association, who had defaulted, on the same grounds. (*Id.*) The Court did not address Jessup's counterclaims or the third-party complaint. (ECF No. 48 at 23.) The minutes of that hearing erroneously state that the Court dismisses the third-party complaint.

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Accordingly, the Court directs that the minutes of the hearing (ECF No. 37) be amended to reflect that the Court did not dismiss Jessup's counterclaims or the third-party complaint. The Court further vacates the Judgment (ECF No. 38) because the counterclaims and third party claims have not been finally adjudicated.

DATED THIS 30th day of August 2018.



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE