

SMITH LARSEN & WIXOM

ATTORNEYS

HILLS CENTER BUSINESS PARK
1935 VILLAGE CENTER CIRCLE
LAS VEGAS, NEVADA 89134
(702) 252-5002 • (702) 252-5006

1 Kent F. Larsen, Esq.
Nevada Bar No. 3463
2 Chet A. Glover, Esq.
Nevada Bar No. 10054
3 SMITH LARSEN & WIXOM
1935 Village Center Circle
4 Las Vegas, Nevada 89134
Telephone: (702) 252-5002
5 Facsimile: (702) 252-5006
Email: kfl@slwlaw.com
6 cag@slwlaw.com
7 Attorneys for Plaintiff
JPMorgan Chase Bank, N.A.

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

10 JPMORGAN CHASE BANK, N.A.,

11 Plaintiff,

12 v.

13 SATICOY BAY LLC SERIES 741
14 HERITAGE VISTA, a Nevada limited liability
15 company; LUCY DIAZ, an individual;
16 ROBERTO DIAZ, an individual; and
17 HERITAGE VILLAS #1 HOMEOWNERS
ASSOCIATION, a Nevada non-profit
corporation,

18 Defendants.

Case No: 2:17-cv-02646-APG-CWH

**DISCOVERY PLAN AND
SCHEDULING ORDER**

AND

**JOINT REQUEST TO STAY
LITIGATION AND DISCOVERY**

**SPECIAL SCHEDULING REVIEW
REQUESTED**

19 Pursuant to LR IA 1-3(f), and the Order Granting Motion to Lift Stay (ECF No. 21), the
20 parties and their attorneys met and conferred on November 2, 2018. This discovery plan and
21 scheduling order and request to stay litigation and discovery is submitted based on the parties'
22 discussions at the conference.
23

24 Primarily, it is Plaintiff JPMorgan Chase Bank, N.A.'s ("**Chase**") contention, as
25 evidenced by the proposed First Amended Complaint ("**FAC**") (ECF No. 22), that the subject
26 homeowners' association lien was paid in full, with no conditions, and that the subject
27 homeowners association, Heritage Villas #1 Homeowners Association (the "**Association**"),
28

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1 and/or its agent, Nevada Association Services, Inc. (“**NAS**”), accepted the full lien payoff.¹
2 Chase contends that in light of the Association’s and/or NAS’ acceptance of the full lien payoff,
3 Chase is entitled to judgment and a declaration that the subject deed of trust was not
4 extinguished by the Association’s foreclosure sale. The Association and Saticoy Bay LLC
5 Series 741 Heritage Vista (“**Saticoy**”) do not admit Chase’s contentions, but they agree, that
6 based on the evidence provided in the FAC, it is in the parties’ and Court’s best interest to
7 attempt to settle this case without engaging in protracted and expensive litigation. Based on
8 the foregoing, and Fed. R. Civ. P. 26(f)(2), the parties stipulate and agree as follows:
9

- 10 1. The Court shall order a mandatory settlement conference with all parties.
- 11 2. Litigation and discovery shall be stayed pending further order of the Court.
- 12 3. Despite the stay of litigation and discovery, Chase shall be allowed to file the
13 FAC (upon the Court’s approval of the parties’ stipulation, which was filed as ECF No. 22) and
14 serve the FAC and the necessary summons on NAS.
15

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¹ The proposed FAC adds NAS as a party.

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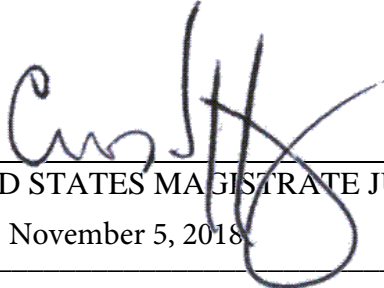
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1 4. The parties further agree that the deadline for Saticoy and the Association to file
2 a responsive pleading to the FAC shall be stayed until the stay of litigation and discovery is
3 vacated by this Court.
4

<p>5 Dated this 5th day of November, 2018.</p> <p>6 SMITH LARSEN & WIXOM</p> <p>7</p> <p>8 <u>/s/ Chet A. Glover</u></p> <p>9 Kent F. Larsen, Esq. Nevada Bar No. 3463 Chet A. Glover, Esq. Nevada Bar No. 10054 1935 Village Center Circle Las Vegas, Nevada 89134 Attorneys for Plaintiff JPMorgan Chase Bank, N.A.</p>	<p> Dated this 5th day of November, 2018.</p> <p> LAW OFFICES OF MICHAEL F. BOHN, ESQ., LTD</p> <p> <u>/s/ Michael F. Bohn</u></p> <p> Michael F. Bohn, Esq. Nevada Bar No. 1641 2260 Corporate Circle, Ste. 480 Henderson, Nevada 89074 Attorneys for Defendant Saticoy Bay LLC Series 741 Heritage Vista</p>
<p> Dated this 5th day of November, 2018.</p> <p> THE WRIGHT LAW GROUP, P.C.</p> <p> <u>/s/ John Henry Wright</u></p> <p> John Henry Wright, Esq. Nevada Bar No. 6182 2340 Paseo Del Prado, Suite D-305 Las Vegas, Nevada 89102 Attorneys for Defendant Heritage Villas #1 Homeowners Association</p>	

ORDER

IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE
DATE: November 5, 2018

27 The parties are advised that the court will issue a separate order containing the details of
28 the requested settlement conference.