



1 pending in the United States District Court for the District of Nevada and Nevada state courts  
2 more than one-hundred actions between national banks, on the one hand, and title insurers, on the  
3 other hand. In virtually all of these actions, the title insurer underwrote an ALTA 1992 or ALTA  
4 2006 loan policy of title insurance with form 1 coverage, along with the CLTA 100/ALTA 9  
5 and/or CLTA 115.2/ALTA 5 Endorsements.

6 The Parties stipulated to a limited six-month stay of the case, which was granted on July  
7 19, 2022 [ECF No. 28]. The limited stay expires on January 19, 2023 [ECF No. 28]. The Parties  
8 have conferred and believe another limited six-month stay is warranted. There are now two fully  
9 briefed appeals to the Nevada Supreme Court involving similar coverage disputes in *PennyMac*  
10 *Corp. v. Westcor Land Title Ins. Co.*, Nevada Supreme Court Case No. 83737 (“*PennyMac*”) and  
11 *Deutsche Bank Nat’l Trust Co. v. Fidelity Nat’l Title Ins. Co.*, Nevada Supreme Court Case No.  
12 84161 (“*Deutsche Bank*”). Both *PennyMac* and *Deutsche Bank* are fully briefed, but oral  
13 argument has not been set. The Parties anticipate that the Nevada Supreme Court’s decisions in  
14 the foregoing appeals may touch upon issues regarding the interpretation of policy and claims  
15 handling, that could potentially affect the disposition of the instant action.

16 Accordingly, the Parties believe an additional stay of six months in the instant action will  
17 best serve the interests of judicial economy. The Parties request that the action be stayed for an  
18 additional six months, through and including, July 19, 2023. The Parties are to submit a Joint  
19 Status Report on or before July 19, 2023. The Parties further agree that this stipulation and stay  
20 of this case is entered based on the specific circumstances surrounding this particular case, and  
21 that this stipulation shall not be viewed as a reason for granting a stay in any other pending matter.

22 **NOW THEREFORE**, the Parties, by and through their undersigned counsel, hereby  
23 stipulate and agree as follows:

- 24 1. In the interests of judicial economy and in efforts to preserve the Parties’ resources,  
25 the Parties request that this action be **STAYED FOR AN ADDITIONAL SIX (6)**  
26 **MONTHS**, through and including, July 19, 2023.
- 27 2. All deadlines currently set in this case shall remain **VACATED**.
- 28 3. The Parties are to submit a Joint Status Report on or before July 19, 2023.

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

4. The stay will not impact subpoenas duces tecum and deposition subpoenas to third parties, and the Parties may enforce subpoenas that the Parties propounded to third parties during the stay.

5. By entering into this Stipulation, none of the Parties is waiving its right to subsequently move the Court for an order lifting the stay in this action.

**IT IS SO STIPULATED.**

DATED this 11<sup>th</sup> day of January, 2023.

DATED this 11<sup>th</sup> day of January, 2023.

WRIGHT, FINLAY & ZAK, LLP

SINCLAIR BRAUN LLP

/s/ Lindsay D. Dragon

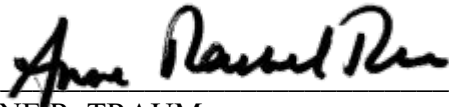
/s/ Kevin S. Sinclair

Lindsay D. Dragon, Esq.  
Nevada Bar No. 13474  
7785 W. Sahara Ave., Suite 200  
Las Vegas, NV 89117  
*Attorney for Plaintiff, The Bank of New York Mellon fka The Bank of New York, as Trustee for the Certificate holders of the CWABS Inc., Asset-Backed Certificates, Series 2006-11*

Kevin S. Sinclair, Esq.  
Nevada Bar No. 12277  
16501 Ventura Boulevard, Suite 400  
Encino, California 91436  
*Attorney for Defendants, Fidelity National Title Group, Inc. and Commonwealth Land Title Insurance Company*

**IT IS SO ORDERED.**

Dated this 17th day of January, 2023.



\_\_\_\_\_  
ANNE R. TRAUM  
UNITED STATES DISTRICT COURT JUDGE