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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

BANK OF AMERICA, N.A.,	)	3:16-cv-00127-HDM-WGC
	)	
Plaintiff,	)	
	)	ORDER
vs.	)	
	)	
SIERRA CEDARS CONDOMINIUM	)	
HOMEOWNERS ASSOCIATION, LVDG	)	
SERIES 200, LLC, THUNDER	)	
PROPERTIES, INC., and HAMPTON &	)	
HAMPTON COLLECTIONS, LLC,	)	
	)	
Defendant.	)	
	)	

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On April 5, 2017, the court stayed this action pursuant to the stipulation of the parties pending final resolution of the Ninth Circuit's decision in *Bourne Valley Court Trust v. Wells Fargo Bank, N.A.*, 832 F.3d 1154 (9th Cir. 2016) and the Nevada Supreme Court's decision in *Saticoy Bay LLC Series 350 Durango 104 v. Wells Fargo Home Mortgage, a Div. of Wells Fargo Bank, N.A.*, 388 P.3d 970 (Nev. 2017) (ECF No. 42). At the time the stay was entered, several discovery deadlines remained pending and the dispositive motions deadline had not yet passed. The stipulation provided that within 45 days of final resolution of all *Bourne Valley* and/or *Saticoy Bay* proceedings the parties would submit a joint status

1 report and renewed discovery plan and scheduling order for the  
2 court's approval.

3 On August 11, 2017, the parties submitted their joint status  
4 report and proposed scheduling order (ECF No. 43). On August 29,  
5 2017, plaintiff filed a motion to partially lift the stay to allow  
6 for the filing of dispositive motions on the effect of the *Bourne*  
7 *Valley* decision and a motion for partial summary judgment (ECF  
8 Nos. 44 & 45).

9 Restricting dispositive motions to the *Bourne Valley* issue  
10 alone would not serve judicial economy or the interests of justice.  
11 Accordingly, the plaintiff's motion to partially lift the stay (ECF  
12 No. 44) is **GRANTED IN PART**. The stay entered by the court on April  
13 5, 2017, is hereby **VACATED**. Plaintiff's motion for partial summary  
14 judgment (ECF No. 45), filed without leave of court and before the  
15 stay was lifted, is hereby **STRICKEN** without prejudice should  
16 plaintiff elect to file a renewed motion for summary judgment that  
17 raises all arguments it seeks to advance on summary judgment. The  
18 proposed scheduling order submitted by the parties on August 11,  
19 2017 (ECF No. 43) is referred to the magistrate judge.

20 IT IS SO ORDERED.

21 DATED: This 30th day of August, 2017.

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23 \_\_\_\_\_  
24 UNITED STATES DISTRICT JUDGE

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