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

10
 11 BANK OF AMERICA, N.A.,

12 Plaintiff,

13 vs.

14 SIERRA CEDARS CONDOMINIUMS
 HOMEOWNERS ASSOCIATION; LVDG
 15 SERIES 200, LLC; THUNDER PROPERTIES,
 INC.; HAMPTON & HAMPTON
 16 COLLECTIONS, LLC,

17 Defendants.

Case No.: 3:16-cv-00127-HDM-WGC

**ORDER GRANTING STIPULATION TO
 EXTEND TIME TO COMPLY WITH
 COURT'S MINUTE ORDER
 (ECF 70)**

18 Plaintiff Bank of America N.A. (**BANA**) and defendants Sierra Cedars Condominiums
 19 Homeowners Association, LVDG Series 200, LLC and Thunder Properties Inc. move for an
 20 extension of time with respect to the Court's minute order of August 24 (ECF No. 70). The parties
 21 request a two-week extension to Monday, November 5. They were unable to reach defendant
 22 Hampton & Hampton Collections LLC to ascertain its position with respect to this stipulation.

23 **MEMORANDUM OF POINTS AND AUTHORITIES**

24 1. This case concerns the effect of an HOA foreclosure conducted by Hampton on
 25 behalf of Sierra Cedars. BANA contends its deed of trust survived the foreclosure; Thunder
 26 contends it obtained title free and clear of BANA's interest.

1 2. The parties have agreed in principle to a settlement. Thunder will not further dispute
2 BANA's interest in the property and will stipulate to BANA's foreclosure in exchange for BANA's
3 dismissal of the case and other consideration.

4 3. However, Thunder is currently renting the property to a tenant whose lease ends on
5 April 30, 2019. If BANA foreclosed before the end of the lease, BANA might arguably become the
6 tenant's landlord, and BANA is not equipped to assume the duties of the landlord/tenant relationship.

7 4. The parties have attempted to negotiate a solution with the tenant, but the tenant has
8 not been responsive.

9 5. The parties' counsel have developed an alternative solution to the problem, but they
10 have not yet received approval from relevant decision makers on both sides. They believe they will
11 be able to obtain such approval within the next two weeks.

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1 6. The parties request an additional two weeks to approve and execute their revised
2 settlement plan. They move the Court not to dismiss the case before Monday, November 5.

3 Dated this 19th day of October, 2018

4 **AKERMAN LLP**

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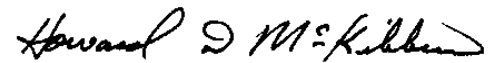
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LLC

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17 **ORDER**

18 The parties' deadline to comply with ECF 70 is extended to Monday, November 5, 2018. If
19 a further extension is necessary, the parties must file their request before Monday, November 5.

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21 DATED: October 22, 2018

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24 SENIOR U.S. DISTRICT JUDGE