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 8 *Association, Not in its individual capacity*
 9 *but solely as Trustee of SW REMIC Trust*
 2015-1 c/o Seneca Mortgage Servicing
 LLC 611 Jamison Road, Elma, NY 14059

11 **UNITED STATES DISTRICT COURT**
 12 **DISTRICT OF NEVADA**

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14 U.S. BANK NATIONAL ASSOCIATION, NOT
 15 IN ITS INDIVIDUAL CAPACITY BUT
 16 SOLELY AS TRUSTEE OF SW REMIC
 TRUST 2015-1 C/O SENECA MORTGAGE
 17 SERVICING LLC 611 JAMISON ROAD,
 ELMA, NY 14059,

18 Plaintiff,

19 vs.

20 CASOLEIL HOMEOWNERS ASSOCIATION;
 21 LVDG, LLC d/b/a LVDG SERIES 109;
 THUNDER PROPERTIES, INC.; and ALESSI
 & KOENIG, LLC,

22 Defendants.

Case No.: 3:16-cv-00307-MMD-WGC

**JOINT STATUS REPORT WITH
 STIPULATION AND ORDER TO SET
 DISCOVERY AND DISPOSITIVE
 MOTIONS FILING DEADLINES**

24 Plaintiff U.S. Bank National Association, not n its individual capacity but solely as trustee of
 25 SW Remic Trust 2015-1 c/o Seneca Mortgage Servicing LLC 611 Jamison Road, Elma NY, 14059,
 26 defendant Casoleil Homeowners Association, Thunder Properties, Inc., and Alessi and Koenig, LLC
 27 submit the following status report pursuant to the court's order entered January 22, 2018, ECF No.
 28 65:

1 1. On January 22, 2018, this court, by stipulation of the parties, stayed this case and
2 denied all pending motions without prejudice pending the Nevada Supreme Court resolving the
3 certified question in *SFR Invs. Pool 1, LLC v. The Bank of New York Mellon f/k/a the Bank of New*
4 *York as Trustee for the Certificateholders of the CWABS, Inc., Asset-Backed Certificates, Series*
5 *2006-6*, Case No. 72931. (ECF No. 65.) The court directed the parties to file a status report within
6 five days of the Nevada Supreme Court answering the certified question and ordered all pending
7 motions may be re-filed within thirty days from the decision. (*Id.*)

8 2. The Nevada supreme court answered the certified question affirmatively on August 2,
9 2018, confirming that "even before the October 1, 2015, amendment to NRS 116.31168, the statute
10 incorporated NRS 107.090's requirement to provide foreclosure notices to all holders of subordinate
11 interests, even when such persons or entities did not request notice." *SFR Invs. Pool 1, LLC*, No.
12 72931, 2018 WL 3655608, at *5 (Nev. Aug. 2, 2018).

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1 3. Discovery was closed at the time the stay was entered. (See ECF Nos. 34, 65.) The
2 parties agree, based on the court's order, the stay entered on January 11, 2018 should be lifted and
3 request the court permit the parties 21 days from the court entering an order lifting stay to meet and
4 confer to discuss the case and, should it be necessary, file a proposed amended discovery plan and
5 scheduling order and to set dates to re-file dispositive motions.

6 Dated this 7th day of August, 2018

7 **AKERMAN LLP**

7 **LEACH JOHNSON SONG & GRUCHOW**

8
9 /s/Karen A. Whelan

9 /s/Ryan W. Reed

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22 /s/Timothy Rhoda

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 Attorneys for LVDG, LLC dba LVDG Series 109
 and Thunder Properties, Inc.

ORDER

IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE

DATED: August 8, 2018