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10 *Attorneys for Plaintiff, HSBC Bank USA, National*
 11 *Association as Trustee for Nomura Asset Acceptance*
 12 *Corporation, Mortgage Pass-Through Certificates,*
 13 *Series 2005-AP2*

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

14 HSBC BANK USA, NATIONAL
 15 ASSOCIATION as Trustee for Nomura Asset
 16 Acceptance Corporation, Mortgage Pass-
 17 Through Certificates, Series 2005-AP2,

Plaintiff,

vs.

18 THUNDER PROPERTIES INC., a Nevada
 19 corporation; EAGLE CANYON
 20 ASSOCIATION, a Nevada non-profit
 21 corporation; RED ROCK FINANCIAL
 22 SERVICES, LLC, a Delaware limited-liability
 23 company,

Defendants.

Case No. 3:16-cv-00467-RCJ-WGC

STIPULATION AND ORDER TO STAY
PROCEEDINGS PENDING
SETTLEMENT

(FIRST REQUEST)

24 Plaintiff HSBC Bank USA, National Association as Trustee for Nomura Asset
 25 Acceptance Corporation, Mortgage Pass-Through Certificates, Series 2005-AP2 (“HSBC”),
 26 Thunder Properties Inc. (“Thunder Properties”), and Eagle Canyon Association (the “HOA”, and
 27 jointly with HSBC and Thunder Properties, the “Parties”), by and through their respective
 28 undersigned counsel, hereby stipulate and agree to stay the instant proceedings in their entirety
 pending settlement, including HSBC’s motion for summary judgment (the “MSJ” ECF No. 31).
 In support of their request for a stay of proceedings, the Parties state as follows:

The MSJ was filed on December 15, 2017. The HOA filed its opposition on January 12,

1 2018 (ECF No. 35) and Thunder Properties filed its opposition on January 31, 2018. By
2 stipulation and order (ECF No. 43), HSBC's reply would be due March 21, 2018. However, since
3 that time, the Parties have agreed to settlement terms and are working on documenting a
4 settlement agreement. All essential terms have been agreed upon by the parties. A hearing for oral
5 argument on the MSJ has been set for Monday, April 16, 2018 at 10:00AM (ECF No. 44). Given
6 that the Parties have effectively settled the matter in its entirety, the Parties agree to stay any
7 further proceedings in this matter, including vacating the April 16, 2018 hearing related to the
8 MSJ. When settlement is finalized, the Parties will file a stipulated dismissal. If settlement terms
9 are not finalized within 60 days of this stipulation, the Parties will submit a status report to the
10 Court providing a further update regarding the status of the settlement. Based on the foregoing,
11 the Parties respectfully request that the Court grant this stipulation, stay these proceedings and
12 vacate the April 16, 2018 hearing.

13 Dated: March 21, 2018

14 SNELL & WILMER L.L.P.

15 By: /s/Nathan G. Kanute

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20 *Attorneys for Plaintiff*

21 Dated: March 21, 2018

22 ROGER P. CROTEAU & ASSOCIATES, LTD.

23 By: /s/ Timothy E. Rhoda (with permission)

24 Roger P. Croteau (NV Bar No. 4958)
25 Timothy E. Rhoda (NV Bar No. 7878)
26 9120 West Post Road, Suite 100
27 Las Vegas, Nevada 89148
28 *Attorney for Thunder Properties Inc.*

IT IS ORDERED.

DATED: April 3, 2018.

Dated: March 21, 2018

LIPSON, NEILSON, COLE, SELTZER &
GARIN, P.C.

By: /s/ Megan H. Hummel (with permission)

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UNITED STATES DISTRICT COURT JUDGE

IT IS HEREBY ORDERED that Oral Argument currently set for April 16, 2018 is VACATED.