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10 *Attorneys for US Bank National Association,*
 11 *as Trustee for the Specialty Underwriting*
 12 *and Residential Finance Trust Mortgage Loan*
Asset-Backed Certificates Series 2006-BC4

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13
 14 **UNITED STATES DISTRICT COURT**
 15 **DISTRICT OF NEVADA**
 16

17 US BANK NATIONAL ASSOCIATION, AS
 18 TRUSTEE FOR THE SPECIALTY
 19 UNDERWRITING AND RESIDENTIAL
 FINANCE TRUST MORTGAGE LOAN
 20 ASSET-BACKED CERTIFICATES SERIES
 2006-BC4,

Plaintiff,

21 vs.
 22

23 WOODLAND VILLAGE HOMEOWNERS
 24 ASSOCIATION; WESTLAND REAL ESTATE
 DEVELOPMENT AND INVESTMENTS;
 25 THUNDER PROPERTIES, INC.; AND PHIL
 FRINK & ASSOCIATES, INC.,

26 Defendants.
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Case No. 3:16-cv-00501-RCJ-CSD

**STIPULATION AND ORDER TO
 WITHDRAW MOTION FOR SUMMARY
 JUDGMENT, OPPOSITION TO
 SUMMARY JUDGMENT, AND MOTION
 TO RE-OPEN DISCOVERY; AND TO
 JOINTLY REQUEST DISCOVERY BE
 RE-OPENED**

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1 US Bank National Association, as Trustee for the Specialty Underwriting and Residential
2 Finance Trust Mortgage Loan Asset-Backed Certificates Series 2006-BC4 (**U.S. Bank**) and Thunder
3 Properties, Inc., (**Thunder**) stipulate as follows:

4 (1) On January 17, 2023 U.S. Bank filed its motion for summary judgment. ECF No. 68.

5 (2) On February 21, 2023, Thunder filed its response to motion for summary judgment, ECF
6 No. 71, and a motion requesting discovery be re-opened. ECF No. 72.

7 (3) The parties jointly request the court permit U.S. Bank to withdraw its motion for summary
8 judgment, Thunder to withdraw its response to motion for summary judgment, and its motion to re-
9 open discovery.

10 (4) The parties jointly agree that there are issues which have not been the subject of discovery
11 previously due to developing caselaw and other factors not within the control of the parties, including
12 relevant claims and/or defenses that had not yet ripened at the time the instant action was previously
13 dismissed and became the subject of appeal.

14 (5) The parties request the court re-open discovery, permit one-hundred and twenty (120) days
15 of additional discovery and set a new dispositive motion deadline.

16 (6) The parties believe the discovery requested is both required and in the best interests of the
17 parties and the court—so that dispositive motions and/or the final adjudication of this matter are
18 supported fully with the remaining record to be developed.

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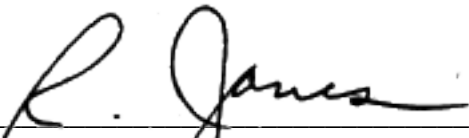
1 This request is made in good faith and not for the purpose of delay, and will not cause prejudice
2 to either party.

3 DATED this 21st day of March, 2023.

<p>4 AKERMAN LLP</p> <p>5 <u>/s/ Lilith V. Xara</u></p> <p>6 MELANIE D. MORGAN, ESQ. Nevada Bar No. 8515</p> <p>7 SCOTT R. LACHMAN, ESQ. Nevada Bar No. 12016</p> <p>8 LILITH V. XARA, ESQ. Nevada Bar No. 13138</p> <p>9 1635 Village Center Circle, Suite 200 Las Vegas, NV 89134</p> <p>10</p> <p>11 <i>Attorneys for US Bank National Association, as</i> 12 <i>Trustee for the Specialty Underwriting and</i> 13 <i>Residential Finance Trust Mortgage Loan Asset-</i> 14 <i>Backed Certificates Series 2006-BC4</i></p>	<p>5 ROGER P. CROTEAU & ASSOCIATES, LTD.</p> <p>6 <u>/s/ Timothy E. Rhoda</u></p> <p>7 ROGER P. CROTEAU, ESQ. Nevada Bar No. 4958</p> <p>8 TIMOTHY E. RHODA, ESQ. Nevada Bar No. 7878</p> <p>9 2810 W. Charleston Boulevard, Suite 67 Las Vegas, NV 89102</p> <p>10 <i>Attorneys for Thunder Properties, Inc.</i></p>
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15 **ORDER**

16 **IT IS SO ORDERED.**

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19 **UNITED STATES DISTRICT COURT JUDGE**

20 DATED: April 27, 2023

AKERMAN LLP

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