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 6 FEDERAL NATIONAL MORTGAGE ASSOCIATION

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

9 HOLLYVALE RENTAL HOLDINGS, LLC,

Case No.: 3:17-cv-00162-MMD-WGC

10 Plaintiff,

11 v.

12 RAE NOLA EDWARDS, an individual;
 FEDERAL NATIONAL MORTGAGE
 13 ASSOCIATION; QUALITY LOAN
 SERVICE CORPORATION; All other persons
 14 unknown claiming any right, title estate, lien or
 interest in the real property described in the
 15 Complaint adverse to Plaintiff’s ownership, or
 any cloud upon Plaintiff’s title thereto; DOES I
 16 through V; and ROE Corporations I through V,

17 Defendants.

**STIPULATION TO EXTEND DEADLINES
 IN SCHEDULING ORDER**

(First Request)

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 19 FEDERAL NATIONAL MORTGAGE
 ASSOCIATION,

20 Counterclaimant,

21 v.

22 HOLLYVALE RENTAL HOLDINGS, LLC

23 Counter-Defendant.
 24

25 Defendant/Counterclaimant Federal National Mortgage Association (“Fannie Mae”) and
 26 Plaintiff/Counter-Defendant Hollyvale Rental Holding, LLC (“Hollyvale”) (and collectively the
 27 “Parties”), by and through their respective attorneys of record, hereby stipulate to extend all of
 28 the deadlines in the Scheduling Order (ECF No. 15) as follows:

1 Including both entities should also lead to a final and efficient adjudication as to title and
2 proceeds distribution.

3 Further adding to the need for an extension of all deadlines, Hollyvale/Champery and
4 Fannie Mae have engaged in extensive and complex settlement discussions since early to mid-
5 July. Such discussions not only involve the property at issue in this case, but several other
6 properties currently owned by Hollyvale/Champery (or their affiliates) and where Fannie Mae or
7 Freddie Mac is claiming an interest. In other words, Hollyvale/Champery and Fannie
8 Mae/Freddie Mac are attempting to arrive at a global settlement involving all of their properties.
9 Both have spent considerable time over the past two months researching and gathering data on
10 the properties to be included in a proposed global settlement, and more time is still needed. Of
11 course the overarching purpose of such a global settlement is to avoid the time and expense
12 associated with litigation. Both parties are currently optimistic that a global settlement is
13 achievable.

14 **LR 26-4**

15 Since the discovery deadline is being affected by this Stipulation, the Parties submit the
16 following pursuant to LR 26-4.

17 **A. Discovery that has been completed.**

18 The Parties have exchanged their initial disclosures pursuant to FRCP 26. On August 15,
19 2017, and in the midst of settlement discussions, Hollyvale served requests for admission,
20 requests for production, and interrogatories on Fannie Mae.

21 **B. Discovery that needs to be completed.**

22 The Parties are optimistic that the ongoing settlement discussions will alleviate the need
23 for any further discovery and effectively resolve this case as well as several others. This will
24 undoubtedly save on time and litigation costs.

25 To the extent the Parties come to an impasse with settlement discussions, Fannie Mae
26 will need time to respond to the discovery requests mentioned in section A above.
27 Hollyvale/Champery believes it will need to conduct additional written discovery on claims in
28 the complaint, the affirmative defenses in an answer, experts may need to be disclosed, and

1 expert discovery. The Parties also anticipate the foreclosing HOA and/or its trustee will want the
2 opportunity to conduct discovery.

3 **C. Reason why the deadline was not satisfied or the remaining discovery was not**
4 **complete within the time limits set by the discovery plan.**

5 The existing dates were based upon the parties present in the litigation at the time the
6 Discovery Plan and Scheduling Order was entered, and most importantly before settlement
7 discussions actively began in July. Since that time it has become clear that the presence of
8 additional parties would assist with a final adjudication of title and a complete settlement. The
9 Parties further note that this is a developing area of law with evolving precedents being
10 established within both the Ninth Circuit and Nevada State Courts. These ongoing developments
11 affect the discovery required by the Parties.

12 Hollyvale/Champery and Fannie Mae have also engaged in complex settlement
13 discussions involving a number of properties, as there are a number of cases between Hollyvale
14 or its affiliates and Fannie Mae. Both are diligently working towards a global settlement of all
15 matters to avoid the time of expense of discovery and further motion practice in this case and
16 several others. Hollyvale/Champery and Fannie Mae have spent considerable time researching
17 and gathering data concerning the properties to be included in a global settlement and presently
18 believe time is best allocated to fully exploring the ongoing global settlement rather than
19 potentially unnecessary discovery. These discussions are ongoing and have been time
20 consuming over the past two months, but both parties believe that these discussions will resolve
21 not only the instant matter, but a number of other cases as well.

22 **D. Proposed schedule for completing all remaining discovery.**

23 The Parties propose to extend the deadline to add parties and amend pleadings to
24 September 29, 2017. As for the remaining deadlines, including discovery, expert and dispositive
25 motions, the Parties propose a short stay of these deadlines for two primary reasons. First,
26 because of the ongoing settlement discussions. Second, because the foreclosing HOA and its
27 trustee will need to appear and will likely want to provide their input on a suitable discovery plan
28 and scheduling order. The Parties propose only a short 90-day stay through December 1, 2017.

1 The Parties will prepare a Joint Status Report as to settlement efforts, or if settlement efforts
2 have unexpectedly stalled, provide the Court with an updated Discovery Plan and Scheduling
3 Order with the foreclosing HOA and trustee's involvement.

4 Based upon the foregoing, the Parties respectfully request that the Court extend the
5 deadlines in the Scheduling Order in accordance with this Stipulation.

6 DATED this ____ day of September, 2017.

7 HUTCHISON & STEFFEN, LLC

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IT IS SO ORDERED.

William G. Cobb
UNITED STATES MAGISTRATE JUDGE

Dated: September 11, 2017