

**IN THE SUPREME COURT OF NEVADA**

JPMORGAN CHASE BANK,  
NATIONAL ASSOCIATION, a  
national association,

Appellant,

v.

SFR INVESTMENTS POOL 1, LLC, a  
Nevada limited liability company,

Respondent.

Supreme Court No. 71822

Electronically Filed  
Aug 21 2017 03:04 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**MOTION TO EXTEND DEADLINE TO FILE REPLY BRIEF**

Pursuant to NRAP 26(b)(1)(A) and 31(b)(3), appellant JPMorgan Chase Bank, N.A. (“Chase”) moves to extend the filing deadline for its reply brief. In support of this motion, Chase states as follows:

1. This case arises from a foreclosure sale under NRS Chapter 116. Chase claims that a deed of trust recorded against the subject property survived the sale. Respondent SFR Investments Pool 1, LLC (“SFR”) claims the deed of trust was extinguished.

2. Chase argues, among other things, that it was servicing the loan secured by the deed of trust on behalf of the Federal National Mortgage Association (“Fannie Mae”), which owned the loan. Chase further argues that 12

U.S.C. § 4617(j)(3) preempts Nevada law to the extent that Nevada law would permit the sale to extinguish the deed of trust.

3. The original deadline for Chase to file its reply brief was July 24, 2017.

4. Pursuant to a stipulation filed July 11, 2017, the Court extended the deadline to August 23, 2017.

5. The Court recently issued an opinion in Nationstar Mortg., LLC v. SFR Invs. Pool 1, LLC, No. 69400, 133 Nev. Adv. Op. 34 (2017), which impacts this appeal. Nationstar held that the servicer of a loan owned by Fannie Mae or Freddie Mac has standing to argue that 12 U.S.C. § 4617(j)(3) bars a foreclosure sale under NRS Chapter 116 from extinguishing a deed of trust securing the loan.

6. Because the district court in Nationstar did not reach the relevant facts of that case, the Court remanded the case for further consideration by the district court.

7. Because the district court in this case also did not reach the relevant facts, the parties agree that this case should be remanded so the district court may address them in the first instance.

8. The parties are preparing a stipulation requesting that the district court certify its intent to vacate the current judgment, pursuant to Foster v. Dingwall,

228 P.3d 453, 454-55 (Nev. 2010), and Huneycutt v. Huneycutt, 94 Nev. 79 (1978).

9. If the district court certifies its intent to vacate the judgment, the parties will file a further stipulation with this Court formally requesting that the case be remanded.

10. To allow the parties to submit their stipulation to the district court, and to allow them to submit a further stipulation for remand to this Court (as appropriate), the parties request a further extension of the reply brief deadline from August 23, 2017 to September 22, 2017.

11. Counsel for SFR has reviewed this motion and does not oppose it.

Dated: August 21, 2017.

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**CERTIFICATE OF SERVICE**

I certify that on August 21, 2017, I filed the foregoing *Motion to Extend Deadline to File Reply Brief*. The following participants will be served electronically:

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