

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAS VEGAS DEVELOPMENT
GROUP, LLC, a Nevada limited liability
company,

Appellant,

vs.

JAMES R. BLAHA, an individual;
BANK OF AMERICA, NA, a National
Banking Association, as successor by
merger to BAC HOME LOANS
SERVICING, LP; RECONTRUST
COMPANY, NA, a Texas corporation;
EZ PROPERTIES, LLC, a Nevada
limited liability company; K&L
BAXTER FAMILY LIMITED
PARTNERSHIP, a Nevada limited
partnership; and FCH FUNDING, INC,
an unknown corporate entity,

Respondents.

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Case No. 71875

APPEAL

from the Eighth Judicial District Court, Clark County
The Honorable Douglas E. Smith, District Judge
District Court Case No. A-14-703587-C

RESPONDENTS' JOINING ANSWERING BRIEF

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NRAP 26.1 DISCLOSURE

Pursuant to NRAP 26.1, the undersigned counsel of record certifies that the following are persons and entities as described in NRAP 26.1(a), and must be disclosed:

Bank of America, N.A.

Bank of America Holding Corporation

BAC North America Holding Company

NB Holdings Corporation

Bank of America Corporation

Recontrust Company, N.A.

These representations are made in order that the judges of this court may evaluate possible disqualification or recusal.

TABLE OF CONTENTS

NRAP 26.1 DISCLOSURE i

TABLE OF CONTENTS..... ii

TABLE OF AUTHORITIES iii

JOINDER TO ANSWERING BRIEF 1

CERTIFICATE OF SERVICE5

TABLE OF AUTHORITIES

Rules

NEV. R. APP. P. 26.1 i

NEV. R. APP. P. 28.1 1

JOINDER TO ANSWERING BRIEF

Respondents Bank of America, N.A. (**BANA**) and Recontrust Company, N.A. (**Recontrust**), pursuant to NRAP 28(i) join and incorporate the answering brief filed by Respondents James R. Blaha (**Blaha**) and Noble Home Loans, Inc. (**Noble**).

BANA and Recontrust no longer hold any interest in the real property that is the subject of the appeal. As such, they are not identically situated to Blaha and Noble, who are, respectively, the current record title holder of and lender for the property.

However, BANA and Recontrust join the arguments of Blaha and Noble's answering brief insofar as the answering brief contends that the August 29, 2011 foreclosure sale—wherein BANA sold the property to Blaha's predecessor-in-interest EZ Properties, LLC—is valid, final, and no longer subject to challenge under Nevada's statute of limitations. For the same reason, BANA and Recontrust agree that the district court's decision below should be affirmed.

DATED this 17th day of July, 2017.

AKERMAN LLP

/s/ William S. Habdas

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CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY that this brief complies with the formatting requirements of NRAP 32(a)(4), the typeface requirements of NRAP 32(a)(5) and the type style requirements of NRAP 32(a)(6) because this answering brief has been prepared in a proportionally spaced typeface using Microsoft Word in Times New Roman and 14 point font size.

I FURTHER CERTIFY that this opening brief complies with the page or type-volume limitations of NRAP 32(a)(7) because, excluding the parts of the answer exempted by NRAP 32(a)(7)(C) it is proportionally spaced, has a typeface of 14 points or more and contains 787 words and 154 lines.

FINALLY, I CERTIFY that I have read this **RESPONDENT'S JOINING ANSWERING BRIEF**, and to the best of my knowledge, information, and belief, it is not frivolous or interposed for any improper purpose. I further certify that this answering brief complies with all applicable Nevada Rules of Appellate Procedure, in particular NRAP 28(e)(1), which requires every assertion in the brief regarding matters in the record to be supported by a reference to the page of the transcript or appendix where the matter relied on is to be found.

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I understand that I may be subject to sanctions in the event that the accompanying opening brief is not in conformity with the requirements of the Nevada Rules of Appellate Procedure.

DATED this 17th day of July, 2017.

AKERMAN LLP

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Akerman LLP, and that on the 17th day of July, 2017, I caused to be served a true and correct copy of the foregoing **STIPULATION FOR TIME EXTENSION FOR RESPONDENT BANK OF AMERICA, N.A.’S ANSWERING BRIEF**, in the following manner:

(ELECTRONIC SERVICE) The above referenced document was electronically filed on the date hereof with the Clerk of the Court for the Supreme Court of the State of Nevada by using the Court's CM/ECF system and served through the Court's Notice of electronic filing system automatically generated to those parties registered on the Court's Master E-Service List.

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