

IN THE SUPREME COURT OF THE STATE OF NEVADA

SFR INVESTMENTS POOL 1, LLC;
AND STAR HILL HOMEOWNERS
ASSOCIATION,
Appellants,

vs.

THE BANK OF NEW YORK MELLON
F/K/A THE BANK OF NEW YORK, AS
TRUSTEE FOR THE
CERTIFICATEHOLDERS OF THE
CWABS, INC., ASSET-BACKED
CERTIFICATES, SERIES 2006-6,
Respondent.

No. 72931

FILED

JUN 13 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

*ORDER ACCEPTING CERTIFIED QUESTION, DIRECTING
BRIEFING AND DIRECTING SUBMISSION OF FILING FEE*

This matter involves a legal question certified to this court, under NRAP 5, by the United States District Court for the District of Nevada. Specifically, the U.S. District Court has certified the following question to this court:

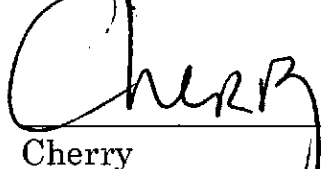
Whether NRS § 116.31168(1)'s incorporation of NRS § 107.090 required a homeowner's association to provide notices of default and/or sale to persons or entities holding a subordinate interest even when such persons or entities did not request notice, prior to the amendments that took effect on Oct 1, 2015?

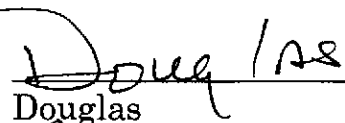
Disagreement exists as to whether existing Nevada precedent resolves this legal question. As the answer may determine part of the federal case, we accept this certified question. See NRAP 5(a); *Volvo Cars of N. Am., Inc. v. Ricci*, 122 Nev. 746, 749-51, 137 P.3d 1161, 1163-64 (2006).


Accordingly, appellants shall have 30 days from the date of this order to file and serve opening briefs. Respondent shall have 30 days from the date the last opening brief is served to file and serve an answering brief. Appellants shall then have 20 days from the date the answering brief is served to file and serve any reply briefs. The parties' briefs shall comply with NRAP 28, 28.2, 31(c), and 32. See NRAP 5(g)(2). Because portions of the record do not appear necessary to answer the certified question, the parties are not required to file a joint appendix. See NRAP 5(d).

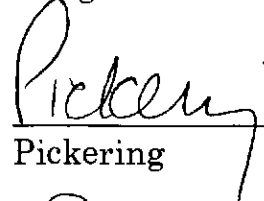
Last, in any proceeding under NRAP 5, fees "shall be the same as in civil appeals . . . and shall be equally divided between the parties unless otherwise ordered by the certifying court." NRAP 5(e). The United States District Court order does not address the payment of this court's fees. Accordingly, appellants and respondent shall each tender to the clerk of this court, within 11 days from the date of this order, the sum of \$125, representing half of the filing fee. See NRAP 3(e); NRAP 5(e).

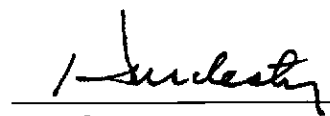
It is so ORDERED.

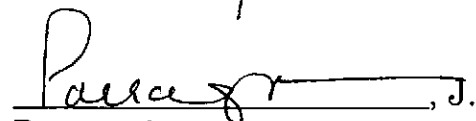
_____, C.J.
Cherry

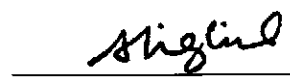
_____, J.
Douglas

_____, J.
Gibbons

_____, J.
Pickering

_____, J.
Hardesty

_____, J.
Parraguirre

_____, J.
Stiglich

cc: Kim Gilbert Ebron
Alverson Taylor Mortensen & Sanders
Akerman LLP/Las Vegas
Clerk, United States District Court for the District of Nevada