

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAS VEGAS DEVELOPMENT GROUP,
LLC, A NEVADA LIMITED LIABILITY
COMPANY,

Appellant/Cross-Respondent,

vs.

BANK OF AMERICA, N.A., 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; AND
K&L BAXTER FAMILY LIMITED
PARTNERSHIP, A NEVADA LIMITED
PARTNERSHIP,

Respondents.

and

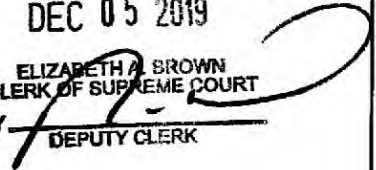
JAMES R. BLAHA, AN INDIVIDUAL;
AND NOBLE HOME LOANS, INC.,
F/K/A FCH FUNDING, INC., AN
UNKNOWN CORPORATE ENTITY,

Respondents/Cross-Appellants.

No. 79055

FILED

DEC 05 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER GRANTING MOTION

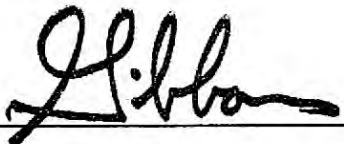
The instant appeal involves the force and effect of a homeowners association's lien foreclosure sale conducted pursuant to NRS Chapter 116. Appellant/cross-respondent has filed a motion to hold this appeal in abeyance and to suspend the briefing schedule pending this court's resolution of the petition for en banc reconsideration in *Bank of Am., N.A. v. Thomas Jessup, LLC Series VII*, 135 Nev. Adv. Op. 7, 435 P.3d 1217, (2019). Appellant/cross-respondent contends that court's decision in *Jessup* will be relevant to the instant matter and that the state of the applicable

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law is currently unreliable; therefore this appeal and cross-appeal should be stayed and briefing and other deadlines should be held in abeyance until after *Jessup* is resolved so that appellant/cross-respondent can draft the opening brief with reference to this court's final decision in *Jessup*. The motion is opposed. Respondents/cross-appellants argue that a stay will cost them money and will prolong their inability to use and enjoy the property at issue, including adding improvements or selling the property; however, they do not deny that the final holding in *Jessup* may be dispositive of issues in this appeal. A reply has been filed. Having considered the motion, opposition, and reply, the motion is granted. The deadlines for briefing in the instant appeal and cross-appeal are suspended pending further order of this court.

Appellant/cross-respondent shall have 60 days from the date of this order to file and serve a status report regarding the state of the proceedings in *Jessup*.

It is so ORDERED.

 , C.J.

cc: Roger P. Croteau & Associates, Ltd.
Akerman LLP/Las Vegas
Law Offices of Kevin R. Hansen
Kolesar & Leatham, Chtd.