

1 ROGER P. CROTEAU, ESQ.
Nevada Bar No. 4958
2 TIMOTHY E. RHODA, ESQ.
Nevada Bar No. 7878
3 ROGER P. CROTEAU & ASSOCIATES, LTD.
9120 West Post Road, Suite 100
4 Las Vegas, Nevada 89148
(702) 254-7775
5 (702) 228-7719 (facsimile)
croteaulaw@croteaulaw.com
6 *Attorney for Appellant*
LAS VEGAS DEVELOPMENT GROUP, LLC
7
8

Electronically Filed
Feb 03 2020 01:10 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

9 IN THE SUPREME COURT OF THE STATE OF NEVADA

10 ***

11 LAS VEGAS DEVELOPMENT GROUP, LLC,)
a Nevada limited liability company,)
12)
Appellant,)
13 vs.)
14 JAMES R. BLAHA, an individual; BANK OF)
AMERICA, NA, a National Banking)
15 Association, as successor by merger to BAC)
HOME LOANS SERVICING, LP;)
16 RECONTRUST COMPANY NA, a Texas)
corporation; EZ PROPERTIES, LLC, a Nevada)
17 limited liability company; K&L BAXTER)
FAMILY LIMITED PARTNERSHIP, a Nevada)
18 limited partnership; FCH FUNDING, INC, an)
unknown corporate entity,)
19 Respondents.)
20

Supreme Court No. 79055

District Court Case No. A-15-715532-C

21 **STATUS REPORT**

22 COMES NOW, Appellant, LAS VEGAS DEVELOPMENT GROUP, LLC, by and
23 through its attorneys, ROGER P. CROTEAU & ASSOCIATES, LTD., and hereby presents its
24 Status Report pursuant to this Court's Order dated December 5, 2019, stating as follows:

- 25 1. On October 25, 2019, Appellant filed a Motion to Stay Appeal and to Hold all
26 Deadlines in Abeyance herein. Said Motion asserted a stay of this appeal to be
27 appropriate pending the resolution of the pending petition for rehearing in the
28 matter of *Bank of Am., N.A. v. Thomas Jessup, LLC Series VII*, 2019 Nev. LEXIS

1 6, 435 P.3d 1217, 135 Nev. Adv. Rep. 7, 2019 WL 1087513.

- 2 2. A Response to the Motion was filed on November 1, 2019, and the Appellant
3 filed a Reply on the same date. Thereafter, this Court entered an Order granting
4 the Motion on December 5, 2019.
- 5 3. Pursuant to this Court's Order dated December 5, 2019, Appellant was directed to
6 file and serve a status report regarding the state of the proceedings in *Jessup*
7 within 60 days.
- 8 4. En banc reconsideration of the *Jessup* decision was granted on September 24,
9 2019. Thereafter, this Court held oral argument on November 4, 2019. The case
10 was thereafter submitted for a decision.
- 11 5. As of the date of this Status Report, the Nevada Supreme Court's website
12 indicates that the case remains submitted for decision before the en banc court.
- 13 6. Appellant believes it to be appropriate to continue the stay of these proceedings
14 until this Court issues an en banc decision resolving the *Jessup* matter. Only then
15 will the parties be adequately informed regarding the state of the law and therefore
16 able to intelligently brief the issues at hand.

17 DATED this 3rd day of February, 2020.

18 ROGER P. CROTEAU & ASSOCIATES, LTD.

19
20 /s/ Timothy E. Rhoda
21 ROGER P. CROTEAU, ESQ.
22 Nevada Bar No. 4958
23 TIMOTHY E. RHODA, ESQ.
24 Nevada Bar No. 7878
25 9120 West Post Road, Suite 100
26 Las Vegas, Nevada 89148
27 (702) 254-7775
28 ***Attorney for Appellant***
LAS VEGAS DEVELOPMENT GROUP, LLC

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

 X VIA ELECTRONIC SERVICE: through the Nevada Supreme Court's eflex e-file and serve system.

____ VIA FACSIMILE: by causing a true copy thereof to be telecopied to the number indicated on the service list below.

____ VIA PERSONAL DELIVERY: by causing a true copy hereof to be hand delivered on this date to the addressee(s) at the address(es) set forth on the service list below.

/s/ Timothy E. Rhoda
An employee of ROGER P. CROTEAU &
ASSOCIATES, LTD.