

IN THE SUPREME COURT OF THE STATE OF NEVADA

U.S. BANK, NATIONAL
ASSOCIATION AS TRUSTEE FOR
MERRILL LYNCH MORTGAGE
INVESTORS TRUST, MORTGAGE
LOAN ASSET-BACKED
CERTIFICATES, SERIES 2005-A8,

Appellant,

vs.

SFR INVESTMENTS POOL 1, LLC,

Respondent.

CASE NO. 79235

Appeal from Eighth Judicial District
Court, Case No.: A-16-739867-C
(Dept. XXXI)

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Elizabeth A. Brown
Clerk of Supreme Court

STATUS REPORT

Appellant, U.S. Bank, National Association As Trustee For Merrill Lynch Mortgage Investors Trust, Mortgage Loan Asset-Backed Certificates, Series 2005-A8 (“U.S. Bank Trustee”) hereby submits the following Status Report to the Court, in accordance with the Order Granting Motion to Stay, filed on October 8, 2020:

This Court granted U.S. Bank Trustee’s Motion to Stay the above-identified appeal pending resolution of the certified questions in *U.S. Bank, N.A. v. Thunder Properties, Inc.*, Docket No. 81129 (“*Thunder Properties*”). U.S. Bank Trustee hereby notifies the Court that *Thunder Properties* is not yet fully briefed and remains pending decision as of the date of filing this Status Report. Appellant in *Thunder Properties*, U.S. Bank, N.A., filed its Opening Brief on November 25, 2020, and Respondent Thunder Properties, Inc. filed its Answering Brief on

January 25, 2021. U.S. Bank, N.A.'s Reply Brief and the brief of amicus curiae SFR Investments Pool 1, LLC are currently due on February 16, 2021.

Accordingly, because *Thunder Properties* remains pending decision, U.S. Bank Trustee respectfully submits that the instant appeal should remain stayed.

Respectfully submitted this 5th day of February, 2021.

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Mortgage Investors Trust, Mortgage Loan
Asset-Backed Certificates, Series 2005-A8*

PROOF OF SERVICE

I certify that I electronically filed on the 5th day of February, 2021, the foregoing **STATUS REPORT** with the Clerk of the Court for the Nevada Supreme Court by using the CM/ECF system. I further certify that all parties of record to this appeal either are registered with the CM/ECF or have consented to electronic service.

[X] (By Electronic Service) Pursuant to CM/ECF System, registration as a CM/ECF user constitutes consent to electronic service through the Court's transmission facilities. The Court's CM/ECF systems sends an e-mail notification of the filing to the parties and counsel of record listed above who are registered with the Court's CM/ECF system.

[X] (Nevada) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

/s/ Faith Harris

An Employee of WRIGHT, FINLAY & ZAK, LLP