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JOINTLY SUBMITTED

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JEFFREY B. GUINN, individually and as)
Trustee of THE DEL MAR TRUST, et al.,)

Plaintiffs,

vs.

FEDERAL DEPOSIT INSURANCE)
CORPORATION, AS RECEIVER FOR)
COMMUNITY BANK OF NEVADA;)
DOE INDIVIDUALS I-XX; ROE)
CORPORATIONS I-XX,)

Defendant/Counterclaimant.

FEDERAL DEPOSIT INSURANCE)
CORPORATION, AS RECEIVER FOR)
COMMUNITY BANK OF NEVADA.,)

Plaintiff,

vs.

CORONADO NEVADA, LLC; DOE)
INDIVIDUALS I-XX; ROE)
CORPORATIONS I-XX,)

Defendants.

Case No: 2:09-cv-01809-PMP-GWF

**STIPULATION AND PROPOSED
ORDER TO STAY PROCEEDINGS
(SECOND REQUEST)**

Pursuant to LR 6-2 and LR 7-1, the parties stipulate to extend the 180
day stay entered by this Court on December 24, 2009 (#14) on the following basis:

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1. 12 U.S.C. § 1821(d) establishes an administrative process for claims against the FDIC in its capacity as Receiver of a failed financial institution.

2. Plaintiffs in this action have submitted their administrative claims as required by statute.

3. 12 U.S.C. § 1821(d)(5)(A)(i) gives the FDIC 180 days to render a decision on plaintiffs' claims, and, under 12 U.S.C. § 1821(d)(13)(D), the Court may, and the parties submit, should, stay the case during the pendency of that administrative claims process. *See, e.g. Marquis v. FDIC*, 965 F.2d 1148, 1155 (1st Cir. 1992) ("The court may. . . in its discretion – and ordinarily should – stay proceedings . . . so as to permit exhaustion of the mandatory administrative claims review process.").

4. The parties previously stipulated to stay this case for 180 days or until the FDIC as Receiver rendered a decision on plaintiffs' claims, whichever came first (#13).

5. On the parties' stipulation, the Court stayed this case for up to 180 days, commencing on December 24, 2009, to allow the claims process to proceed (#14).

6. Plaintiffs have now agreed to extend the claims process for an additional 180 days as permitted by 12 U.S.C. § 1821(d)(5)(A)(ii).

1 7. Based on this, the parties stipulate to stay extend the current
2 stay until November 11, 2010 or until the FDIC as Receiver renders a decision on
3 plaintiffs' claims, whichever comes first. This second extension is warranted, the
4 parties submit, to permit the parties to attempt to resolve the claims presented in
5 this case through mediation.

6 BAILEY KENNEDY

MORRIS PETERSON

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8
9 By /s/ Kimberly McGhee
Dennis L. Kennedy, No. 1462
Kimberly McGhee, No. 9728
10 Craig Henderson, No. 10077
11 8984 Spanish Ridge Avenue
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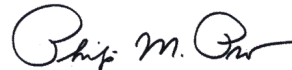
By /s/ Robert McCoy
Robert McCoy, No. 9121
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12 Attorneys for Jeffrey B. Guinn and
13 Monica A. Guinn, individually and as
Trustees of the Del Mar Trust, R. Kent
14 Barry and Mary Sunshine Barry,
individually and as Trustees of the
15 Barry Family Trust, Sean P. Corrigan
and Lisa D. Corrigan, individually and
16 as Trustees of the S&L Corrigan Family
Trust, Coronado Canyons, LLC, Pacific
17 Sunset Development, LLC, Coronado
Bay Investments, LLC, Aspen Financial
18 Services, LLC, Coronado Aspen 11,
LLC, and Coronado Nevada, LLC

Attorneys for Federal Deposit
Insurance Corporation, as Receiver
for Community Bank of Nevada

19
20 **ORDER**

21 IT IS SO ORDERED.



22 _____
UNITED STATES DISTRICT JUDGE

23
24 DATED: __ May 4, 2010 _____