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9 **UNITED STATES DISTRICT COURT**
 10 **DISTRICT OF NEVADA**

11 U.S. SPECIALITY INSURANCE)
 12 COMPANY, a Texas Corporation,)

CASE NO: 2:12-cv-1688-APG-GWF

13 Plaintiff,)

14 vs.)

15 ANGELO CARVALHO, an individual;)
 16 BRIAN SPILSBURY, an individual; DEE)
 17 ANN SPILSBURY, an individual; KEVIN)
 18 SPILSBURY, an individual;)
 19 ANTHONETTE SPILSBURY, an)
 20 individual; JOINT FORCES, LLC, a)
 21 Nevada limited liability company;)
 22 PREMIER MECHANICAL, LLC, a)
 23 Nevada limited liability company; CREST)
 24 RIDGE, LLC, a Nevada limited liability)
 25 company; CAM CONSULTING, INC. , a)
 26 Nevada corporation; BRIAN SPILSBURY,)
 27 TRUSTEE OF THE BRIAN E.)
 28 SPILSBURY TRUST DATED OCTOBER)
 29 28, 1999; KEVIN J. SPILSBURY,)
 30 TRUSTEE OF THE KEVIN J.)
 31 SPILSBURY TRUST DATED OCTOBER)
 32 28, 1999; R. GLENN WOODS, TRUSTEE)
 33 OF THE KEVIN J. SPILSBURY 2000)
 34 TRUST; R. GLENN WOODS, TRUSTEE)
 35 OF THE BRIAN E. SPILSBURY 2000)
 36 TRUST; DOES I through X, inclusive;)
 37 ROE CORPORATIONS I through X,)
 38 inclusive,)

Defendants.)

**JOINT STIPULATION AND
 [PROPOSED] ORDER TO EXTEND
 TIME FOR THIRD PARTY
 PLAINTIFFS TO RESPOND AND
 THIRD PARTY DEFENDANT TO
 REPLY TO THIRD PARTY
 DEFENDANT KORTE
 CONSTRUCTION COMPANY'S
 MOTIONS TO DISMISS**

(FIRST REQUEST)

1 BRIAN SPILSBURY, an individual; DEE)
2 ANN SPILSBURY, an individual; KEVIN)
3 SPILSBURY, an individual;)
4 ANTHONETTE SPILSBURY, an)
5 individual; JOINT FORCES, LLC, a)
6 Nevada limited liability company;)
7 PREMIER MECHANICAL, LLC, a)
8 Nevada limited liability company; CREST)
9 RIDGE, LLC, a Nevada limited liability)
10 company; BRIAN SPILSBURY,)
11 TRUSTEE OF THE BRIAN E.)
12 SPILSBURY TRUST DATED OCTOBER)
13 28, 1999; KEVIN J. SPILSBURY,)
14 TRUSTEE OF THE KEVIN J.)
15 SPILSBURY TRUST DATED OCTOBER)
16 28, 1999; R. GLENN WOODS, TRUSTEE)
17 OF THE KEVIN J. SPILSBURY 2000)
18 TRUST; R. GLENN WOODS, TRUSTEE)
19 OF THE BRIAN E. SPILSBURY 2000)
20 TRUST,)

21 Defendants/Third-Party)
22 Plaintiffs,)

23 vs.)

24 KORTE CONSTRUCTION COMPANY,)
25 a Missouri corporation, and, R&O)
26 CONSTRUCTION COMPANY, a Utah)
27 corporation,)

28 Third-Party Defendants)

IT IS HERBY STIPULATED BETWEEN Defendants and Third Party Plaintiffs, Brian & Dee Ann Spilsbury; Kevin and Anthonette Spilsbury; Crest Ridge, LLC; Brian E. Spilsbury, Trustee of the Brian E. Spilsbury Trust Dated October 28, 1999; Kevin J. Spilsbury, Trustee of the Kevin J. Spilsbury Trust Dated October 28, 1999; R. Glenn Woods, Trustee of the Kevin J. Spilsbury 2000 Trust; R. Glenn Woods, Trustee of the Brian E. Spilsbury 2000 Trust; Premier Mechanical, LLC; and, Joint Forces, LLC (collectively "Third Party Plaintiffs"), through their

1 attorneys of record, and Third Party Defendant, Korte Construction Company (“Third Party
2 Defendant”), through their attorneys of record, as follows:

- 3 1. On May 6, 2013, Third Party Plaintiffs filed their Third Party Complaint against
4 Third Party Defendants. *See Docket No. 52.*
- 5 2. On June 17, 2013, Third Party Defendant filed its Motion to Dismiss and
6 supporting Memorandum. *See Docket Nos. 59-61.*
- 7 3. Third Party Plaintiff’s Response to the Motion to Dismiss is due July 1, 2013.
- 8 4. On June 25, 2013, Third Party Plaintiff’s counsel was informed that he has to
9 make an emergency trip to Los Angeles, CA, that will keep him away from the office
10 through July 1, 2013.
- 11 5. On June 25, 2013, counsel for Third Party Plaintiff and Third Party Defendant
12 agreed to extend the deadline Third Party Plaintiff to file their Response to July 8,
13 2013.
- 14 6. In light of this extension of Third Party Plaintiff’s time to respond, the parties
15 have further agreed that Third Party Defendants time to file a reply in support of their
16 respective motions should likewise be extended one week.
- 17 7. Furthermore, the parties have agreed that the hearing, when scheduled in this
18 matter, will not occur until August 2013 because Third Party Plaintiff’s counsel will
19 be out of the country for the majority of the month of July.

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1 8. This is the first request for such an extension. This stipulated extension is sought
2 in good faith and not for the purposes of delay.

3 Dated this 25th day of June, 2013.

4
5 /s/ Jared B. Kahn
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12 Counsel for Third Party Plaintiffs

/s/ Leon Mead II
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Email: lmead@swlaw.com
Counsel for Third Party Defendant
Korte Construction Company

13 **IT IS SO ORDERED:**

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16 UNITED STATES DISTRICT JUDGE

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18 DATED: June 26, 2013.

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CERTIFICATE OF SERVICE

I certify that a copy of **JOINT STIPULATION AND [PROPOSED] ORDER TO EXTEND TIME FOR THIRD PARTY PLAINTIFFS TO RESPOND AND THIRD PARTY DEFENDANT TO REPLY TO THIRD PARTY DEFENDANT KORTE CONSTRUCTION COMPANY'S MOTIONS TO DISMISS** has been served upon the following parties by CM/ECF:

- **Kurt C Faux**
kfaux@fauxlaw.com,kfenn@fauxlaw.com,wsiepmann@fauxlaw.com,lfaux@fauxlaw.com,cchipman@fauxlaw.com,jharper@fauxlaw.com

- **Jared B. Kahn**
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- **Willi H. Siepmann**
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Dated this 26th day of June, 2013.

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