

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 MARY PHILLIPS,)
4)
5 Plaintiff,)
6 vs.)
7 DIGNIFIED TRANSITION SOLUTIONS;)
8 BANK OF AMERICA, N.A.; DOES 1 through)
9 10,)
10 Defendants.)

Case No.: 2:13-cv-02237-GMN-VCF

ORDER

11 Pending before the Court is the Second Stipulation to Continue Briefing (ECF No. 67)
12 filed by the parties in this case on August 11, 2015.

13 Defendants removed this case to federal court on December 6, 2013. (Not. of Removal,
14 ECF No. 1). Plaintiff subsequently filed her Amended Complaint (ECF No. 39) on September
15 12, 2014, and Defendants filed their Answer to Plaintiff's Amended Complaint (ECF No. 40)
16 on September 29, 2014. On December 1, 2014, both parties filed their respective Motions for
17 Summary Judgment (ECF Nos. 43–44). Responses in Opposition to these motions were
18 initially due by December 25, 2014.

19 On December 3, 2014, however, the Court entered an Ordered (ECF No. 48) scheduling
20 a Settlement Conference for February 19, 2015. In light of the settlement conference, the Court
21 granted a Stipulation (ECF No. 50) filed by the parties requesting a stay of briefing on the
22 Motions for Summary Judgment pending conclusion of the settlement conference. When the
23 settlement conference subsequently concluded on June 12, 2015 without reaching a settlement,
24 the Court provided the parties until July 13, 2015—thirty-one days after the conclusion of the
25 settlement conference—in order to file their Response briefs. (Minutes of Proceedings, ECF

1 No. 63). The Court then granted the parties a further extension until August 13, 2015—an
2 additional thirty-one days—to file their Response briefs. (Order on Stip. ECF No. 66). Now, a
3 mere two days before the current deadline and over seven months after the original deadline,
4 the parties have asked for an additional eighteen days to file their briefs in order to
5 “accommodate recently developed conflicts in the schedules of both plaintiff and defense
6 counsel.” (Sec. Stip. to Continue, ECF No. 67).

7 Pursuant to Federal Rule of Civil Procedure 6(b), “When an act may or must be done
8 within a specified time, the court may, for good cause, extend the time . . . if a request is made,
9 before the original time or its extension expires” Here, the parties have had two months
10 since the conclusion of settlement negotiations to draft and file their Response briefs.
11 Furthermore, the underlying motions have now been pending for over eight months. In light of
12 these extended periods of time for the parties to evaluate their positions and draft their briefs,
13 the Court finds that a need to “accommodate recently developed conflicts in the schedules” of
14 counsel, asserted a mere two days before the deadline, does not constitute good cause to further
15 extend the briefing schedule.

16 **IT IS HEREBY ORDERED** that the Second Stipulation to Continue Briefing (ECF
17 No. 67) is **DENIED**. The Responses in Opposition to the parties’ respective Motions for
18 Summary Judgment remain due on August 13, 2015.

19 **DATED** this 12th day of August, 2015.

20
21 
22 _____
23 Gloria M. Navarro, Chief Judge
24 United States District Judge
25