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

11 FEDERAL DEPOSIT INSURANCE  
CORPORATION AS RECEIVER OF  
12 WASHINGTON MUTUAL BANK.

13 Plaintiff,

14 v.

15 NEVADA TITLE COMPANY, a Nevada  
corporation,

16 Defendants.  
17

CASE NO: 2:14-cv-01567-GMN-GWF

**STIPULATION AND ~~Proposed~~ ORDER**  
**TO EXTEND DISCOVERY DEADLINES,**  
**PURSUANT TO LR 26-4**

**(First Request for Extension)**

18 Plaintiff, Federal Deposit Insurance Corporation as Receiver of Washington Mutual Bank  
19 (“FDIC”) and Defendant, Nevada Title Company (“Nevada Title”) (collectively the “Parties”), by  
20 and through their respective counsel, hereby file this Stipulation to Extend Discovery Deadlines.  
21 This request complies with Local Rules (“LR”) 6-1, 6-2, 7-1, and 26-4, and is based on good cause  
22 because the litigation of this matter will be best served by the proposed extension.

23 **A. INTRODUCTION**

24 This case arises out of Nevada Title’s closing of a real estate transaction that was funded, in  
25 part, by a loan issued by Washington Mutual Bank. The real estate transaction was subsequently  
26 determined to have been a fraud perpetrated by the seller, buyer, and others involved in the  
27 transaction. FDIC contends Nevada Title failed to comply with the Washington Mutual Bank’s  
28

1 Closing Instructions, which allegedly caused it to sustain damages when the buyer defaulted on the  
2 loan.

3 **B. CURRENT SCHEDULE**

4 The Complaint in this matter was filed on September 24, 2014, and was served upon Nevada  
5 Title on December 19, 2014. Nevada Title filed its Answer to the Complaint on January 15, 2015.  
6 On March 10, 2015, the Parties filed a Joint Discovery Plan and Scheduling Order, which the Court  
7 approved on March 11, 2015, setting forth the following relevant deadlines:

- |    |    |                              |                    |
|----|----|------------------------------|--------------------|
| 8  | 1. | Discovery Cut-Off:           | July 14, 2015      |
| 9  | 2. | Initial Expert Disclosures:  | May 15, 2015       |
| 10 | 3. | Rebuttal Expert Disclosures: | June 15, 2015      |
| 11 | 4. | Dispositive Motions:         | August 13, 2015    |
| 12 | 5. | Interim Status Report:       | May 15, 2015       |
| 13 | 6. | Joint Pretrial Order:        | September 11, 2015 |

14 **C. PROPOSED SCHEDULE**

15 The parties propose extending the above-referenced deadlines by sixty (60) days, as follows:

- |    |    |                              |                    |
|----|----|------------------------------|--------------------|
| 16 | 1. | Discovery Cut-Off:           | September 12, 2015 |
| 17 | 2. | Initial Expert Disclosures:  | July 14, 2015      |
| 18 | 3. | Rebuttal Expert Disclosures: | August 14, 2015    |
| 19 | 4. | Dispositive Motions:         | October 12, 2015   |
| 20 | 5. | Interim Status Report:       | July 14, 2015      |
| 21 | 6. | Joint Pretrial Order:        | November 10, 2015  |

22 **D. DISCOVERY COMPLETED BY THE PARTIES**

23 Both parties have served their initial disclosures.

24 On March 10, 2015, FDIC served its First Set of Interrogatories, Requests for Admission,  
25 and Requests for Production upon Nevada Title.

26 On March 24, 2015, Nevada Title served its First Set of Interrogatories, Requests for  
27 Admission, and Requests for Production upon FDIC.

1 **E. DISCOVERY REMAINING TO BE COMPLETED**

2 Nevada Title's responses to FDIC's First Set of Interrogatories, Requests for Admission, and  
3 Requests for Production (currently due April 27, 2015);

4 FDIC's responses to Nevada Title's First Set of Interrogatories, Requests for Admission, and  
5 Requests for Production (currently due May 11, 2015);

6 Deposition of percipient witness Rebecca Raymond Soto;

7 Deposition of percipient witness Doug Chalmers;

8 Deposition of Rule 30(b)(6) witness(es) for FDIC;

9 Deposition of Rule 30(b)(6) witness(es) for Nevada Title;

10 Expert disclosures; and

11 Depositions of the Parties' expert witnesses.

12 **F. STATEMENT OF GOOD CAUSE SUPPORTING THIS REQUEST**

13 Good cause exists for extending the expert disclosures and discovery cut-off. The parties  
14 have diligently commenced discovery, with both parties having served written discovery requests  
15 upon each other. FDIC has had some difficulty in locating documents responsive to Nevada Title's  
16 written discovery requests, in part, because Washington Mutual is a failed bank that has not been  
17 operational since September 2008. The Parties' experts would benefit from having access to the  
18 Parties' written discovery responses in order to form their opinions. Additionally, FDIC has  
19 encountered difficulties in serving deposition subpoenas upon percipient witnesses Rebecca  
20 Raymond Soto and Doug Chalmers. Accordingly, the Parties respectfully submit that good cause  
21 exists for the requested sixty (60) day extension to the discovery deadlines set forth above.

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1 DATED this 21 day of April, 2015

DATED this 21<sup>st</sup> day of April, 2015

2 **WILSON, ELSE, MOSKOWITZ, EDELMAN**  
3 **& DICKER LLP**

**KOLESAR & LEATHAM**

4  
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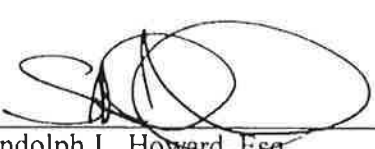
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*for Washington Mutual Bank*

11 **ORDER**

12 **GOOD CAUSE SHOWN, IT IS SO ORDERED**

13  
14 Dated this 23<sup>rd</sup> day of April, 2015

15  
16   
17 UNITED STATES MAGISTRATE JUDGE