

HOLLAND & HART LLP  
9555 Hillwood Drive, 2nd Floor  
Las Vegas, NV 89134

1 J. Stephen Peek, Esq.  
Nevada Bar No. 1758  
2 Joseph G. Went, Esq.  
Nevada Bar No. 9220  
3 Nicole E. Lovelock, Esq.  
Nevada Bar No. 11187  
4 HOLLAND & HART LLP  
9555 Hillwood Drive, 2nd Floor  
5 Las Vegas, Nevada 89134  
Tel: (702) 669-4600  
6 Fax: (702) 669-4650  
jspeek@hollandhart.com;  
7 jgwent@hollandhart.com  
nelovelock@hollandhart.com

8 *Attorneys for Plaintiff*

11 **THE UNITED STATES DISTRICT COURT**  
12 **FOR THE DISTRICT OF NEVADA**

13 BRANCH BANKING AND TRUST  
COMPANY, a North Carolina banking  
14 corporation,

15 Plaintiff,

16 v.

17 SAIID FOROUZAN RAD, an individual; R.  
PHILLIP NOURAFCHAN, an individual; and  
18 DOES 1 through 10, inclusive.

19 Defendants.

CASE NO: 2:14-cv-01947-APG-PAL

**STIPULATION TO ENLARGE TIME TO  
FILE MOTION TO SUBSTITUTE  
PARTY PURSUANT TO FRCP 25(a)**

**AND ORDER THEREON**


**(FIRST REQUEST)**


20 Pursuant to Rule 6(b) of the Federal Rule of Civil Procedure ("FRCP") and Local Rule 6-  
21 1, Plaintiff and Defendants, by and through their respective counsel of record, hereby stipulate to  
22 enlarge the time to file a motion to substitute the proper party following the death of Defendant  
23 Saiif Forouzan Rad ("Rad"). A Suggestion of Death Upon the Record (Dkt. 23) was filed on  
24 June 2, 2015. Pursuant to FRCP 25(a), the current deadline to file a motion to substitute the  
25 proper party following death is September 3, 2015. The parties stipulate to enlarge the time in  
26 which to file the motion for substitution by sixty days, with the new deadline being **November 2,**  
27 **2015.**

1           Within the original ninety-day period, the Court has discretion to enlarge the time set  
2 forth in FRCP 25(a) based upon good cause. FRCP 6(b); *see also Unicorn Tales, Inc. v.*  
3 *Banajee*, 138 F.3d 467, 470 (2nd Cir. 1998); *Kernisant v. City of New York*, 225 F.R.D. 422, 430  
4 (E.D. N.Y. 2005). Here good cause exists to enlarge the time because counsel has been  
5 attempting to identify the proper party to substitute, but as of today, no one has yet to be  
6 appointed as an executor or administrator of the decedent's estate.

7 DATED: August 20, 2015

DATED: August 20, 2015

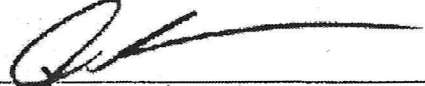
8  
9   
10 J. Stephen Peek, Esq.  
11 Joseph G. Went, Esq.  
12 Nicole E. Lovelock, Esq.  
13 HOLLAND & HART LLP  
14 9555 Hillwood Drive, 2nd Floor  
15 Las Vegas, Nevada 89134

8  
9   
10 Richard F. Holley, Esq.  
11 Ozenna M. Brown, Esq.  
12 HOLLEY, DRIGGS, WALCH, PUZEY &  
13 THOMPSON  
14 400 South Fourth Street, Third Floor  
15 Las Vegas, Nevada 89101

16 *Attorneys for Plaintiff*

*Attorney for Defendants*

17 **IT IS SO ORDERED:**

18   
19 UNITED STATES DISTRICT JUDGE  
20 Dated: August 20, 2015.

HOLLAND & HART LLP  
9555 Hillwood Drive, 2nd Floor  
Las Vegas, NV 89134