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JEROME R. BOWEN, ESQ.
Nevada Bar No. 4540
SARAH M. BANDA, ESQ.
Nevada Bar No. 11909
BOWEN LAW OFFICES
9960 W. Cheyenne Ave., Suite 250
Las Vegas, Nevada 89129
(702) 240-5191 | (702) 240-5797 facsimile
twilcox@lvlawfirm.com
ATTORNEYS FOR PLAINTIFFS

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

The Estate of MARILYN BURGARD,
Deceased, by and through KEVIN HORAN
its Special Administrator,

Plaintiff,

vs.

BANK OF AMERICA, N.A., a foreign
Corporation; AETNA LIFE INSURANCE
COMPANY, a foreign Corporation; DOES I
through X; and ROE CORPORATIONS I
through X.

Defendants.

CASE NO.: 2:15-cv-00833-RFD-GWF

**STIPULATION AND ORDER EXTENDING THE TIME TO FILE OPPOSITION TO
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT REGARDING ERISA
PREEMPTION AND ELIGIBILITY FOR BENEFITS
(First Request)**

The Parties have stipulated to give Plaintiff a forty-five (45) day extension of time to file the
Opposition to Defendants' Motion for Summary Judgment Regarding ERISA Preemption and
Eligibility for Benefits (ECF No. 47) in this matter. The reasons supporting this stipulation are as
follows: The Honorable Magistrate George Foley, Jr. issued a September 9, 2016 Order, granting

BOWEN LAW OFFICES
Conquistador Plaza
9960 W. Cheyenne Ave, Suite 250
Las Vegas, Nevada 89129
702-240-5191 FAX: 702-240-5797

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Conquistador Plaza
9960 W. Cheyenne Ave, Suite 250
Las Vegas, Nevada 89129
702-240-5191 FAX: 702-240-5797

1 in part and denying in part Defendants' Motion for Protective Order (ECF Nos. 39 and 50). The
2 Honorable Magistrate Foley is permitting Plaintiff to take the deposition of one Rule 30(b)(6)
3 representative and the parties have agreed that it would be most efficient for said deposition to be
4 completed before Plaintiff opposes the Motion for Summary Judgment.

5
6 The Parties request a forty-five day extension of time, up to and including, November 3,
7 2016, for Plaintiff to file its Opposition. This is the first extension of time requested by the Parties
8 related to this Motion (ECF No. 47).

9 IT IS STIPULATED AND AGREED by and between the parties that Plaintiff shall have up
10 to and including November 3, 2016, to file its Opposition to Defendants' Motion for Summary
11 Judgment Regarding ERISA Preemption and Eligibility for Benefits (ECF No. 47).

12 Dated this 19th day of September, 2016.


Dated this 19th day of September, 2016.

13 /s/ Sarah M. Banda, Esq.
14 _____
15 JEROME R. BOWEN, ESQ.
16 Nevada Bar No. 4540
17 SARAH M. BANDA, ESQ.
18 Nevada bar No. 11909
19 BOWEN LAW OFFICES
20 9960 W. Cheyenne Avenue, Suite 250
21 Las Vegas, Nevada 89129
22 Attorneys for Plaintiffs

/s/ Robert S. Larsen, Esq.

ROBERT S. LARSEN, ESQ.
Nevada Bar No. 7785
DAVID GLUTH, ESQ.
Nevada Bar No. 10596
SARAH TURNER, ESQ. (pro hac vice)
GORDON & REES LLP
300 South Fourth Street, Suite 1550
Las Vegas, Nevada 89101
Attorneys for Defendants Aetna Life Insurance
Company and Bank of America

23 IT IS SO ORDERED.

24 
25 _____
26 RICHARD F. BOULWARE, II
27 United States District Judge
DATED this 29th day of September, 2016.