

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

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,

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

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.

**STIPULATION AND ORDER TO ALLOW DEFENDANT TO FILE A SUPPLEMENT
TO DEFENDANT MOTION FOR SUMMARY JUDGMENT AND TO ALLOW
PLAINTIFF TO FILE ON OMNIBUS OPPOSITION
(First Request)**

The Parties have stipulated to allow Defendants to file their Supplement to Motion for Summary Judgment (ECF NO. 62-1) which was attached to their Motion for Leave (ECF 62). The parties have further stipulated to that Plaintiff shall have ten (10) judicial days from the date Defendants' file the Supplement and/or from the date the Court grants this Stipulation and Order,

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

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

1 whichever is to occur later, to file an Omnibus Opposition to Defendants' Motion for Summary
2 Judgment and Supplement. Defendant shall have fourteen (14) days after the Omnibus Opposition
3 is filed to file a reply brief. The reasons supporting this stipulation are as follows: On November 16,
4 2016, the deposition of Patricia Parker, Bank of America Global Human Resource Services Deliver
5 Manager as the corporate designee, was taken. As such, the parties have obtained the transcripts and
6 exhibits. Further, the request for Plaintiff to file an Omnibus Opposition prevents the need for
7 additional motion work and additional filings later.
8

9 IT IS STIPULATED AND AGREED by and between the parties that Defendants may file
10 the Supplement to their Motion for Summary Judgment (ECF NO. 62-1).

11 ///
12 ///
13 ///
14 ///
15 ///
16 ///
17 ///
18 ///
19 ///
20 ///
21 ///
22 ///
23 ///
24 ///
25 ///
26 ///

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

1 IT IS STIPULATED AND AGREED by and between the parties that Plaintiff shall have ten
2 (10) judicial days from the date Defendants file the Supplement and/or from the date the Court grants
3 this Stipulation and Order, whichever is to occur later, to file an Omnibus Opposition to Defendants'
4 Motion for Summary Judgment and Supplement. Defendants shall have fourteen (14) days after the
5 Omnibus Opposition is filed to file a reply brief.
6

7 Dated this 15th day of December, 2016.

Dated this 15th day of December, 2016.

8
9 /s/Jerome R. Bowen, Esq.
10 JEROME R. BOWEN, ESQ.
11 Nevada Bar No. 4540
12 SARAH M. BANDA, ESQ.
13 Nevada bar No. 11909
14 BOWEN LAW OFFICES
15 9960 W. Cheyenne Avenue, Suite 250
16 Las Vegas, Nevada 89129
17 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

16 IT IS SO ORDERED.



RICHARD F. BOULWARE, II
United States District Judge

DATED this 2nd day of January, 2017.