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10 *ATTORNEYS FOR PLAINTIFFS*

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

13 \* \* \*

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

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

17 Plaintiff,

18 vs.

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

24 Defendants.

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

The Parties have stipulated to give Plaintiff a seven (7) day extension of time to file the Opposition to Defendants' Motion for Summary Judgment Regarding ERISA Preemption and Eligibility for Benefits (ECF No. 47) and Supplement (ECF NO. 65) in this matter. The reasons supporting this stipulation are as follows: Plaintiffs counsel has been out of the office as

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1 he has been ill.

2 The Parties request a seven day extension of time, up to and including, February 2, 2017, for  
3 Plaintiff to file its Opposition. The Defendant shall have fourteen (14) days after the Omnibus  
4 Opposition is filed to file a reply brief. This is the first extension of time requested by the Parties  
5 related to this Motion (ECF No. 47).  
6

7 IT IS STIPULATED AND AGREED by and between the parties that Plaintiff shall have up  
8 to and including February 2, 2017, to file its Opposition to Defendants' Motion for Summary  
9 Judgment Regarding ERISA Preemption and Eligibility for Benefits (ECF No. 47) and Supplement  
10 (ECF NO. 65 ). The Defendant shall have fourteen (14) days after the Omnibus Opposition is filed  
11 to file a reply brief

12 Dated this 26<sup>th</sup> day of January, 2017.

Dated this 26<sup>th</sup> day of January, 2017.

13 /s/ Jerome R. Bowen, Esq.  
14 \_\_\_\_\_  
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22 Attorneys for Plaintiffs

/s/ Robert S. Larsen, Esq.  
\_\_\_\_\_  
ROBERT S. LARSEN, ESQ.  
Nevada Bar No. 7785  
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.

IT IS SO ORDERED:

24   
25 \_\_\_\_\_  
26 RICHARD F. BOULWARE, II  
27 United States District Judge  
DATED this 31st day of January, 2017.