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6 *Attorneys for Defendants*
2014-1 IH Equity Owner, LP
7 *THR Nevada II, LP, THR Property Borrower, LP,*
THR Property Guarantor, LP,
8 *THR Property Holdco, LP, and*
2014-1 IH Property Holdco, LP

9
10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 LAS VEGAS DEVELOPMENTAL GROUP, LLC, a
Nevada limited liability company

Case No.: 2:15-cv-00917-GMN-NJK

13 Plaintiff,

14 vs.

**STIPULATION TO CONTINUE
RESPONSE DEADLINE TO BANK
OF AMERICA'S MOTION FOR
SUMMARY JUDGMENT**

15 2014-3 IH EQUITY OWNER, LP, a Delaware
limited partnership; BANK OF AMERICA, na,
National Banking Association; MERIDIAN
16 FORECLOSURE SERVICE, a California
Corporation; ARNOLD DUMLAO, an individual;
17 JOCELYN DILAG, an individual; THR NEVADA
II, LP, a Delaware limited partnership; THR
18 PROPERTY BORROWER, LP, a Delaware limited
partnership; THR PROPERTY GUARANTOR, LP,
19 a Delaware Limited partnership; THR PROPERTY
HOLDCO, LP, a Delaware limited partnership;
20 2014-3 IH PROPERTY HOLDCO, LP, a Delaware
limited partnership, 2014-1 IH BORROWER, LP, a
21 Delaware limited partnership; GERMAN
AMERICAN CAPITAL CORPORATION, a
22 Maryland corporation; DOE individuals I through
XX; and ROE CORPORATIONS I through XX,

[ECF NO. 87]

THIRD REQUEST

23 Defendants.
24

25 Defendants 2014-3 IH BORROWER, LP, a Delaware limited partnership 2014-3 IH
26 EQUITY OWNER, LP, a Delaware limited partnership; THR NEVADA II, LP, a Delaware limited
27 partnership; THR PROPERTY BORROWER, LP, a Delaware limited partnership; THR PROPERTY
28 GUARANTOR, LP, a Delaware Limited partnership; THR PROPERTY HOLDCO, LP, a Delaware

1 limited partnership; and 2014-3 IH PROPERTY HOLDCO, LP, a Delaware limited partnership,
2 (referred to collectively as “Invitation Homes Defendants”) and BANK OF AMERICA, N.A.
3 (“BANA”), by and through their respective counsel of record, do hereby hereby stipulate and agree
4 as follows:

5 1. WHEREAS, on September 12, 2019, Invitation Homes Defendants filed a Motion for
6 Summary Judgment [ECF No. 86] (the “First Motion”) against Plaintiff Las Vegas Development
7 Group, LLC (“Plaintiff”), arguing that the Court should grant summary judgment in their favor and
8 against the Plaintiff, for various reasons.

9 2. WHEREAS, on September 12, 2019, BANA filed a Motion for Summary Judgment
10 [ECF No. 87] (the “Second Motion”) against Plaintiff Las Vegas Development Group, LLC
11 (“Plaintiff”), arguing the that the Court should grant summary judgment in their favor and against the
12 Plaintiff, for various reasons.

13 3. WHEREAS, BANA also moved the Court to dismiss the THR Nevada II’s cross-
14 claims, which include claims for unjust enrichment and negligent misrepresentation, as set forth in
15 Sub-Section F of the Second Motion’s Legal Argument Section.

16 4. WHEREAS, on October 23, 2019, this Court ordered that the parties participate in a
17 settlement conference on January 28, 2020. [ECF No. 100]. The Settlement Conference was later
18 continued to March 6, 2020 by Order of the Court [ECF No. 106] in response to an Unopposed
19 Request To Continue Settlement Conference [ECF No. 105].

20 5. WHEREAS, on October 28, 2019, BANA and the Invitation Homes Defendants
21 entered into a Stipulation and Order to Stay Proceedings and Brief on BANA’s Motion for Summary
22 Judgment concerning THR Nevada II’s cross-claims. [ECF No. 102].

23 6. WHEREAS, on February 14, 2020, this Court entered an Order confirming the
24 Stipulation to stay proceedings and briefing on BANA’s Motion For Summary Judgment. The Court
25 further ordered that BANA and the Invitation Homes Defendants file a Joint Status Report on how
26 the parties intend to proceed following the Settlement Conference. [ECF No. 107].

27 7. WHEREAS, on March 6, 2020, a Settlement Conference was held between the
28

1 Plaintiff, BANA and the Invitation Homes Defendants but no settlement was reached with the
2 Plaintiff.

3 8. On March 25, 2020, Plaintiff Las Vegas Development Group filed its Response (ECF
4 No. 113) to the First Motion and its Response (ECF No. 114) to the Second Motion.

5 9. On March 25, 2020, this Court entered an Order (ECF No. 115) denying the First
6 Motion and the Second Motion. The Order stated that “BANA shall file its response to Purchaser
7 Defendants’ Motion for Summary Judgment, (ECF No. 86), within fourteen (14) days from entry of
8 this Order.” The Order inadvertently names BANA as the party to respond to a motion for summary
9 judgment as it was BANA that moved to dismiss the THR Nevada II’s cross-claims in the Second
10 Motion.

11 10. Due to confusion that initially arose over the language in the Order and due to
12 issues that have arisen a result of the COVID-19 Coronavirus, the parties stipulate to extend time
13 for THR Nevada II to file its Limited Response to BANA’s Motion for Summary Judgment up to
14 and including **April 30, 2020.**

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11. This Stipulation is made in good faith and not for purpose of delay.

Dated this 8th day of April, 2020.

Dated this 8th day of April, 2020.

GERRARD COX LARSEN

AKERMAN, LLP

/s/ Douglas D. Gerrard, Esq.

/s/ Scott R. Lachman, Esq.

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Dated this 8th day of April, 2020.

HUTCHISON & STEFFEN, PLLC

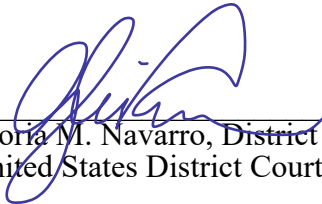
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ORDER

IT IS HEREBY ORDERED that the above Stipulation to Continue Response Deadline to Bank of America’s Motion for Summary Judgment Concerning THR Nevada II's Cross-claims Against BANA (ECF No. 118) until **April 30, 2020** is **GRANTED**.

Dated this 13 day of April, 2020.



Gloria M. Navarro, District Judge
United States District Court

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of GERRARD COX LARSEN, and that on the 8th day of April, 2020 and pursuant to Fed. R. Civ. P. 5, I e-served a true and correct copy of the **STIPULATION TO CONTINUE RESPONSE DEADLINE TO BANK OF AMERICA'S MOTION FOR SUMMARY JUDGMENT** via the Federal Courts CM/ECF Filing System, and served the following parties addressed as follows:

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Kanani Gonzales, an employee of
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