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*Attorneys for Plaintiff,
The Bank of New York Mellon*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

THE BANK OF NEW YORK MELLON, F/K/A
BANK OF NEW YORK TRUST COMPANY,
NATIONAL ASSOCIATION, AS SUCCESSOR
IN INTEREST TO JPMORGAN CHASE
BANK, NATIONAL ASSOCIATION, AS
TRUSTEE FOR THE MLMI SURF TRUST
SERIES 2005-BC4,

Plaintiff,

vs.

RIVERWALK HOMEOWNERS
ASSOCIATION; JERRY GUTZMER; DOE
INDIVIDUALS I-X, inclusive, and ROE
CORPORATIONS I-X, inclusive,

Defendants.

Case No.: 2:15-cv-01178-RFB-NJK

**STIPULATION AND ORDER TO EXTEND
DEADLINE FOR THE BANK OF NEW
YORK MELLON TO FILE RESPONSE TO
JERRY GUTZMER'S MOTION TO
DISMISS**

IT IS HEREBY STIPULATED between Plaintiff The Bank of New York Mellon, f/k/a Bank of New York Trust Company, National Association, as successor in interest to JPMorgan Chase Bank, National Association, as Trustee for the MLMI SURF Trust Series 2005-BC\$ C4 (**BNY Mellon**), by and through its attorney of record, Christine M. Parvan, Esq. of the law firm Akerman, LLP, and Defendant Jerry Gutzmer, by and through his attorney of record, Luis A. Ayon, Esq., of the law firm Maier Gutierrez Ayon, to extend the deadline for BNY Mellon to respond to Defendant

{35239177;1}

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1 Jerry Gutzmer ("Defendant") Motion to Dismiss [Dkt. 11] to **August 10, 2015**. Accordingly,
2 Defendant's reply will be due **August 20, 2015**.

3 An extension is necessary to allow BNY Mellon sufficient time to review the file and
4 appropriately respond to the complaint. Gutzmer has no objection the extension.

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1 This is the parties' first request for an extension and is not intended to cause any delay or
 2 prejudice to any party.

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 4 DATED: July 31, 2015

<p>6 MAIER GUTIERREZ AYON</p> <p>7 <u>/s/ Luis A. Ayon, Esq.</u></p> <p>8 LUIS A. AYON, ESQ. Nevada Bar No. 9752 MARGARET E. SCHMIDT, ESQ. Nevada Bar No. 12489 400 South Seventh Street, Suite 400 Las Vegas, NV 89101 Telephone: (702) 629-7900 Facsimile: (702) 629-7925 Email: laa@mgalaw.com Email: mes@mgalaw.com</p> <p>13 <i>Attorneys for Defendant, Jerry Gutzmer</i></p>	<p>6 AKERMAN LLP</p> <p>7 <u>/s/ Christine M. Parvan, Esq.</u></p> <p>8 ARIEL E. STERN, ESQ. Nevada Bar No. 8276 CHRISTINE M. PARVAN, ESQ. Nevada Bar No. 10711 1160 Town Center Drive, Suite 330 Las Vegas, Nevada 89144 Telephone: (702) 634-5000 Facsimile: (702) 380-8572 Email: ariel.stern@akerman.com Email: christine.parvan@akerman.com</p> <p>13 <i>Attorneys for Plaintiff</i></p>
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 16 **ORDER**

17 IT IS SO ORDERED.

18 Dated this 3rd day of August, 2015.



19
 20 RICHARD F. BOULWARE, II
 United States District Judge

21 Submitted by:

22 **AKERMAN LLP**

23 /s/ Christine M. Parvan, Esq.

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