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

9 **UNITED STATES DISTRICT COURT**
 10 **DISTRICT OF NEVADA**

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

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**

15 Plaintiff,

16 vs.

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

19 Defendants.

AKERMAN LLP

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21 IT IS HEREBY STIPULATED between plaintiff, The Bank of New York Mellon, f/k/a Bank
 22 of New York Trust Company, National Association, as successor in interest to JPMorgan Chase
 23 Bank, National Association, as Trustee for the MLMI SURF Trust Series 2005-BC4 (**BNY Mellon**),
 24 by and through its attorney of record, Christine M. Parvan, Esq. of the law firm Akerman, LLP, and
 25 defendant Jerry Gutzmer, by and through his attorney of record, Luis A. Ayon, Esq., of the law firm
 26 Maier Gutierrez Ayon, to extend the deadline for BNY Mellon to respond to Defendant Jerry
 27 Gutzmer's Motion to Dismiss [Dkt. 11] to **August 14, 2015**. BNY Mellon requests this second brief
 28

{35652869;1}

1 extension of time due to a death in the undersigned counsel's family. Accordingly, defendant's reply
2 will be due **August 24, 2015**.

3 This is the parties' second request for an extension and is not intended to cause any delay or
4 prejudice to any party.

5 DATED: August 11, 2015

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| <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</p> <p>9 MARGARET E. SCHMIDT, ESQ. Nevada Bar No. 12489</p> <p>10 400 South Seventh Street, Suite 400 Las Vegas, NV 89101</p> <p>11 Telephone: (702) 629-7900 Facsimile: (702) 629-7925</p> <p>12 Email: laa@mgalaw.com Email: mes@mgalaw.com</p> <p>13 <i>Attorneys for Defendant, 14 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</p> <p>9 CHRISTINE M. PARVAN, ESQ. Nevada Bar No. 10711</p> <p>10 1160 Town Center Drive, Suite 330 Las Vegas, Nevada 89144</p> <p>11 Telephone: (702) 634-5000 Facsimile: (702) 380-8572</p> <p>12 Email: ariel.stern@akerman.com Email: christine.parvan@akerman.com</p> <p>13 <i>Attorneys for Plaintiff</i></p> |
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ORDER

IT IS SO ORDERED.

Dated this 27th day of August, 2015.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

Submitted by:

AKERMAN LLP

/s/ Christine M. Parvan, Esq.

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