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

MAIER GUTIERREZ AYON PLLC
 ATTORNEYS AT LAW


11 THE BANK OF NEW YORK MELLON,
 F/K/A BANK OF NEW YORK TRUST
 12 COMPANY, NATIONAL ASSOCIATION,
 AS SUCCESSOR IN INTEREST TO
 13 JPMORGAN CHASE BANK, NATIONAL
 ASSOCIATION, AS TRUSTEE FOR THE
 14 MLMI SURF TRUST SERIES 2005-BC4,
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 Plaintiff,
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 vs.
 17 RIVERWALK HOMEOWNERS
 ASSOCIATION; JERRY GUTZMER; DOE
 18 INDIVIDUALS I-X, inclusive; and ROE
 CORPORATIONS I-X, inclusive,
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 Defendants.
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CASE NO.: 2:15-CV-01178-RFB-NJK
**STIPULATION AND ORDER TO EXTEND
 BRIEFING SCHEDULE ON JERRY
 GUTZMER’S MOTION TO DISMISS
 PLAINTIFF’S COMPLAINT**
 (Second Request)

21 IT IS HEREBY STIPULATED AND AGREED, by and between the parties, plaintiff The
 22 Bank of New York Mellon, f/k/a Bank of New York Trust Company, National Association, as
 23 Successor in Interest to JPMorgan Chase Bank, National Association, as Trustee for the MLMI Surf
 24 Trust Series 2005-BC4 (“BNY Mellon”) and defendant Jerry Gutzmer (“Gutzmer”), through their
 25 undersigned counsels of record, that the deadline for Gutzmer to file his reply in support of the
 26 motion to dismiss (Dkt. No. 11), filed on July 16, 2015, shall be extended to September 22, 2015.
 27 The requested extension is necessary to allow Gutzmer sufficient time to review and appropriately
 28 respond to BNY Mellon’s opposition to the motion to dismiss (Dkt. No. 20) filed on September 3,

1 2015. This is the parties' second request for an extension and is not intended to cause delay or
2 prejudice to any party.

3 DATED this 16th day of September, 2015.

DATED this 16th day of September, 2015.

4 **MAIER GUTIERREZ AYON**

AKERMAN LLP

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/s/ Margaret E. Schmidt

/s/ Christine M. Parvan

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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*

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IT IS SO ORDERED.

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RICHARD F. BOULWARE, II
UNITED STATES DISTRICT COURT JUDGE

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DATED this 20th day of September, 2015.

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