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7 Attorneys for Defendant,
 8 CAPITAL ONE BANK (USA), N.A.,
 9 Erroneously Named As Capital One Bank,
 10 National Association

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

13 FIDEL DIAZ,
 14 Plaintiff,

15 v.

16 GREEN TREE SERVICES, LLC,
 17 CAPITAL ONE BANK, NATIONAL
 ASSOCIATION, AND EQUIFAX
 INFORMATION SERVICES, LLC,
 18 Defendants.

CASE NO.: 2:15-CV-01648-APG-CWH

Assigned To The Hon. Judge Andrew P.
 Gordon; Referred To The Hon.
 Magistrate Judge Carl W. Hoffman

**STIPULATION AND ORDER TO
 EXTEND TIME TO RESPOND TO
 COMPLAINT
 (FIRST REQUEST)**

Complaint Filed: 08/26/2015

1 Plaintiff Fidel Diaz (“Plaintiff”), by and through his counsel of record, and
2 Defendant Capital One Bank (USA), N.A., erroneously named as “Capital One Bank
3 National Association” (“Capital One”), by and through its counsel of record, hereby
4 submit this stipulation to extend Capital One’s time to file a responsive pleading to
5 Plaintiff’s Complaint by fifteen (15) days, as follows:

6 **WHEREAS:**

- 7 1. Plaintiff filed the Complaint in this matter on August 26, 2015;
- 8 2. Capital One’s deadline to file its responsive pleading to the Complaint is
9 September 24, 2015;
- 10 3. The Parties agree that a brief extension of time for Capital One to file its
11 responsive pleading to the Complaint would benefit both Parties because it will allow
12 them to gather additional facts and information while continuing to devote their
13 resources to exploring the potential for early resolution of this matter before incurring
14 further fees and costs;
- 15 4. Capital One and Plaintiff have agreed to extend Capital One’s current
16 September 24, 2015 deadline to respond to Plaintiff’s Complaint by fifteen (15) days
17 to Friday, October 9, 2015;

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NOW, THEREFORE, IT IS HEREBY STIPULATED THAT:

Capital One will file its responsive pleading to Plaintiff’s Complaint on or before Friday, October 9, 2015.

IT IS SO STIPULATED.

DATED: September 15, 2015 **HAINES & KRIEGER, LLC**

By: /s/ David H. Krieger
DAVID H. KRIEGER
Nevada Bar No. 9086
Attorneys for Plaintiff
FIDEL DIAZ

DATED: September 15, 2015 **FERNALD LAW GROUP LLP**

By: /s/ Brandon C. Fernald
BRANDON C. FERNALD
Nevada Bar No.10582
Attorneys for Defendant,
CAPITAL ONE BANK (USA), N.A.

ORDER

The Court has reviewed the Stipulation filed by Plaintiff Fidel Diaz and Defendant Capital One Bank (USA), N.A., erroneously named as “Capital One Bank National Association” (“Capital One”), to extend Capital One’s time to file a responsive pleading by fifteen (15) days. The Stipulation is incorporated herein by reference. Good cause appearing thereon, the Court hereby orders as follows:

Capital One’s time to file a responsive pleading to the Complaint is hereby extended. Capital One shall file its responsive pleading to the Complaint on or before Friday, October 9, 2015.

IT IS SO ORDERED.

DATED: September 17, 2015


United States Magistrate Judge