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13 *Sunrise Highlands Community Association*

14 **UNITED STATES DISTRICT COURT**
15 **DISTRICT OF NEVADA**

16 BANK OF AMERICA, N.A., successor by
17 merger to BAC HOME LOANS
18 SERVICING, LP FKA COUNTRYWIDE
19 HOME LOANS SERVICING, LP,

20 Plaintiffs,

21 vs.

22 KENNETH BERBERICH; SUNRISE
23 HIGHLANDS COMMUNITY
24 ASSOCIATION; ALESSI AND KOENIG,
25 LLC,

26 Defendants.

CASE NO.: 2:16-cv-00279-GMN-CWH

27 **STIPULATION AND [PROPOSED]**
28 **ORDER TO CONTINUE SETTLEMENT**
CONFERENCE

(First Request)

29 Defendant SUNRISE HIGHLANDS COMMUNITY ASSOCIATION ("HOA") and
30 Plaintiff BANK OF AMERICA, N.A., successor by merger to BAC HOME LOANS
31 SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING, LP, ("BANK OF
32 AMERICA, N.A.") by and through their respective counsel hereby agree and respectfully
33 request that this Court continue the settlement conference currently scheduled for
34 November 2, 2018 to **December 11, 2018** or other date convenient to the Honorable

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Court, in view of conflicts in schedules of the trial attorneys for the HOA in this matter. J. William Ebert, Esq. is scheduled to attend a firm trial in the case of *Saticoy Bay LLC vs. BAC Home Loans Servicing LP*, Case No. A-13-690466-C and A-14-698052-C with the District Court of Clark County, Nevada. Co-counsel Lisa J. Zastrow, Esq., on the other hand, is scheduled to appear in a hearing before the Nevada Dental Board in the matter of *Nevada State Board of Dental Examiners vs. Duff Kaster, DDS*, Case No. 2357-1612, which hearing date cannot be moved. Trial attorney for Bank of America, N.A. has also indicated unavailability until after first week of December.

The parties have entered into the agreement in good faith and not for purposes of delay. This is the parties' way of accommodating one another given the circumstances.

DATED this 19th day of October, 2018

DATED this 19th day of October, 2018.

AKERMAN, LLP

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/s/ Jaime K. Combs

/s/ Lisa J. Zastrow

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Bank of America, N.A.*

*Attorneys for Defendant
Sunrise Highlands Community Association*

Dated this 19th day of October, 2018

AYON LAW PLLC

/s/ Luis Ayon

Luis Ayon, Esq. (Bar No. 9752)
8716 Spanish Ridge Ave., Suite 115
Las Vegas, NV 89148

Attorney for Kenneth Berberich

PROPOSED ORDER

IT IS HEREBY ORDERED, based on the Parties' stipulation and for good cause shown, that:

1. The settlement conference scheduled on November 2, 2018 is continued to January 11, 2019. Plaintiffs must arrive at 8:30 a.m. Defendants must arrive at 9:00 a.m.
2. The deadline to submit settlement conference statements is re-set to seven calendar days prior to the new settlement conference date.

IT IS SO ORDERED.

DATED: October 22, 2018.


UNITED STATES MAGISTRATE JUDGE

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