

Snell & Wilmer  
LLP  
LAW OFFICES  
3883 Howard Hughes Parkway, Suite 1100  
Las Vegas, Nevada 89169  
702.784.5200

1 Andrew M. Jacobs, Esq.  
Nevada Bar No. 12787  
2 Blakeley E. Griffith, Esq.  
Nevada Bar No. 12386  
3 SNELL & WILMER L.L.P.  
3883 Howard Hughes Parkway, Suite 1100  
4 Las Vegas, NV 89169  
Telephone: (702) 784-5200  
5 Facsimile: (702) 784-5252  
Email: ajacobs@swlaw.com  
6 bgriffith@swlaw.com  
7 *Attorneys for Plaintiff*  
*Bank of New York Mellon*

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

12 THE BANK OF NEW YORK MELLON,  
13 FKA THE BANK OF NEW YORK AS  
14 SUCCESSOR IN INTEREST TO JP  
15 MORGAN CHASE BANK NA AS TRUSTEE  
16 FOR STRUCTURED ASSET MORTGAGE  
17 INVESTMENTS II INC. BEAR STEARNS  
18 ALT-A TRUST 2005-9, MORTGAGE PASS-  
19 THROUGH CERTIFICATES, SERIES 2005-  
20 9,

Plaintiff,

vs.

21 LAS VEGAS DEVELOPMENT GROUP  
22 LLC, a Nevada limited-liability company;  
23 ROYAL HIGHLANDS STREET AND  
24 LANDSCAPE MAINTENANCE  
25 CORPORATION, a Nevada non-profit  
26 corporation; ALESSI & KOENIG, LLC, a  
27 Nevada limited-liability company; and  
28 AIRMOTIVE INVESTMENTS, LLC, a  
Nevada limited liability company,

Defendants.

Case No.: 2:16-cv-00478-JCM-GWF

**STIPULATION AND ORDER TO  
CONTINUE BRIEFING SCHEDULE  
RE: (1) PLAINTIFF’S MOTION FOR  
SUMMARY JUDGMENT [ECF NO. 59];  
(2) DEFENDANT ROYAL HIGHLANDS  
STREET AND LANDSCAPE  
MAINTENANCE CORPORATION’S  
MOTION FOR SUMMARY JUDGMENT  
[EFC NO. 61]; and  
(3) DEFENDANTS LAS VEGAS  
DEVELOPMENT GROUP, LLC and  
AIRMOTIVE INVESTMENTS, LLC’S  
MOTION FOR SUMMARY JUDGMENT  
[ECF NO. 62]**

**(First Request)**

Plaintiff the Bank of New York Mellon, fka The Bank of New York as Successor in Interest to JP Morgan Chase Bank NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-9, Mortgage Pass-Through Certificates, Series 2005-9 (“BNYM” or

1 “Plaintiff”), Defendant Royal Highlands Street and Landscape Maintenance Corporation (“Royal  
2 Highlands”), and Defendants Las Vegas Development Group, LLC and Airmotive Investments,  
3 LLC (“LVDG” and collectively with BNYM and LVDG, the “Parties”), by and through their  
4 respective counsel, hereby stipulate to extend the briefing schedule on the Parties’ Motions for  
5 Summary Judgment [ECF Nos. 59, 61, and 62] as follows:

6 Plaintiff’s response to Defendants Royal Highlands opposition to Plaintiff’s Motion for  
7 Summary Judgment will be extended from December 20, 2018 to **January 10, 2019**; and

8 Defendants Royal Highlands’ and LVDGs’ replies to Plaintiff’s opposition to their Motions  
9 for Summary Judgment will be extended from December 20, 2018 to **January 10, 2019**.

10 The reason for the extension is not for purposes of delay but rather, is due to the workload  
11 and holiday travel schedule of the Parties’ attorneys. This is the Parties’ first request for an  
12 extension of these deadlines.

13 **IT IS SO STIPULATED.**

14 Dated: December 18, 2018.

Dated: December 18, 2018.

15 SNELL & WILMER L.L.P.

16 ROGER P. CROTEAU & ASSOCIATES,  
LTD.

17 By: /s/Blakeley E. Griffith  
Andrew M. Jacobs (NV Bar No. 12787)  
18 Blakeley E. Griffith (NV Bar No. 12386)  
3883 Howard Hughes Parkway, Suite 1100  
19 Las Vegas, NV 89169  
Telephone: (702) 784-5200  
20 Facsimile: (702) 784-5252  
*Attorneys for Plaintiff Bank of New York Mellon*

By: /s/ Timothy E. Rhoda  
21 Roger P. Croteau (NV Bar No. 4958)  
Timothy E. Rhoda (NV Bar No. 7878)  
22 9120 West Post Road, Suite 100  
Las Vegas, NV 89148  
23 Telephone: (702) 254-7775  
Facsimile: (702) 228-7719  
*Attorneys for Defendant Las Vegas  
24 Development Group LLC and Airmotive  
Investments, LLC*

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Dated: December 18, 2018.  
LEACH KERN GRUCHOW ANDERSON  
SONG  
By: /s/ Ryan D. Hastings  
Ryan D. Hastings (NV Bar No. 12394)  
2525 Box Canyon Drive  
Las Vegas, NV 89128  
Telephone: (702) 538-9074  
Facsimile: (702) 538-9113  
*Attorneys for Defendant Royal Highlands  
Street and Landscape Maintenance  
Corporation*

**ORDER**

**IT IS SO ORDERED.**

December 20, 2018

DATED: \_\_\_\_\_

*James C. Mahan*  
UNITED STATES DISTRICT COURT JUDGE

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 18, 2018, I electronically filed the foregoing **STIPULATION AND ORDER TO CONTINUE BRIEFING SCHEDULE RE: (1) PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT [ECF NO. 59]; (2) DEFENDANT ROYAL HIGHLANDS STREET AND LANDSCAPE MAINTENANCE CORPORATION’S MOTION FOR SUMMARY JUDGMENT [EFC NO. 61]; and (3) DEFENDANTS LAS VEGAS DEVELOPMENT GROUP, LLC and AIRMOTIVE INVESTMENTS, LLC’S MOTION FOR SUMMARY JUDGMENT [ECF NO. 62]** with the Clerk of Court for the U.S. District Court, District of Nevada by using the Court’s CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

DATED this 18th day of December 2018.

/s/Gaylene Kim  
An Employee of Snell & Wilmer L.L.P.

Snell & Wilmer  
LLP.  
LAW OFFICES  
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