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10 **UNITED STATES DISTRICT COURT**  
11 **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  
INVESTMENTS II INC. BEAR STEARNS  
ALT-A TRUST 2005-9, MORTGAGE PASS-  
THROUGH CERTIFICATES, SERIES 2005-  
9,

17 Plaintiff,

18 vs.

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

26 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]**

**(Second Request)**

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

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

Plaintiff’s response to Defendants Royal Highlands opposition to Plaintiff’s Motion for Summary Judgment will be extended from January 10, 2019 to **January 17, 2019**; and

Defendants Royal Highlands’ and LVDGs’ replies to Plaintiff’s opposition to their Motions for Summary Judgment will be extended from January 10, 2019 to **January 17, 2019**.

The reason for the extension is not for purposes of delay but rather, is due to the workload of the Parties’ attorneys upon returning to the office after the holidays. This is the Parties’ second request for an extension of these deadlines.

**IT IS SO STIPULATED.**

Dated: January 7, 2019.

SNELL & WILMER L.L.P.

By: /s/Blakeley E. Griffith  
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Blakeley E. Griffith (NV Bar No. 12386)  
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*Attorneys for Plaintiff Bank of New York Mellon*

Dated: January 7, 2019.

ROGER P. CROTEAU & ASSOCIATES,  
LTD.

By: /s/ Timothy E. Rhoda  
Roger P. Croteau (NV Bar No. 4958)  
Timothy E. Rhoda (NV Bar No. 7878)  
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*Attorneys for Defendant Las Vegas  
Development Group LLC and Airmotive  
Investments, LLC*

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1 Dated: January 7, 2019.

2 LEACH KERN GRUCHOW ANDERSON  
3 SONG

4 By: /s/ Ryan D. Hastings  
5 Ryan D. Hastings (NV Bar No. 12394)  
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10 *Attorneys for Defendant Royal Highlands*  
11 *Street and Landscape Maintenance*  
12 *Corporation*

13 **ORDER**

14 **IT IS SO ORDERED.**

15 DATED: January 10, 2019

16   
17 UNITED STATES DISTRICT COURT JUDGE

**CERTIFICATE OF SERVICE**

I hereby certify that on January 7, 2019, 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] (Second Request)** 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 7th day of January 2019.

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

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