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

11 DEUTSCHE BANK NATIONAL TRUST
 12 COMPANY, AS TRUSTEE UNDER THE
 13 POOLING AND SERVICING
 14 AGREEMENT RELATING TO IMPAC
 15 SECURED ASSETS CORP., MORTGAGE
 2006-4,

Case No.: 2:16-cv-00584-GMN-PAL

16 Plaintiff,

17 vs.

18 VENTANA CANYON HOMEOWNERS
 19 ASSOCIATION, INC.; NEVADA
 ASSOCIATION SERVICES, INC.; PREMIER
 ONE HOLDINGS, INC.; LIQUN
 HOLDINGS LIMITED; SHA LI, an
 20 individual: TAI HUANG CHEN, an
 individual,

21 Defendants.

22 **STIPULATION AND ORDER TO EXTEND DISCOVERY**

23 IT IS HEREBY STIPULATED by and between Defendant Premier One Holdings, Inc
 24 ("Premier One"), Defendant Sha Li ("Sha Li"), Defendant Tai Huan Chen ("Tai Huan
 25 Chen"), Plaintiff Deutsche Bank National Trust Company, as Trustee Under the

1 Pooling and Servicing Agreement Relating to IMPAC Secured Assets Corp., Mortgage
2 Pass-Through Certificates, Series 2006-4, (“Deutsche Bank”)¹ and Defendant Ventana
3 Canyon Homeowners Association (“Ventana HOA”) (referred to collectively as the
4 parties) by and through their respective counsel to extend deadlines by 90 days from
5 now, up to and including, May 8, 2018, to allow the parties to complete necessary
6 discovery.

7 **A. REASON FOR REQUEST FOR EXTENSION OF DISCOVERY**
8 **DEADLINES**

9 A scheduling order may be modified upon a showing of good cause and with
10 the court’s consent. Fed. R. Civ. P. 16(b)(4); LR 26-4. Good cause may be found if the
11 parties can show they could not comply with the schedule due to the matter that could
12 not been reasonably foreseen at the time of the issuance of the scheduling order. *See*
13 *Kuschner v. Nationstar Credit, Inc.*, 256 F.R.D. 684, 687 (E.D. Cal. 2009). Inadequate time
14 remains in the scheduling order to complete all discovery for this litigation.

15 The timelines previously proposed by the parties due to the administrative stay
16 have proven inadequate to conduct full discovery. *See* ECF 45. Specifically, counsel has
17 encountered scheduling difficulties with respect to the depositions of the Rule 30(b)(6)
18 witnesses for Premier One Holdings and NAS.

19 Additionally, Ventana HOA has recently noticed depositions for the Rule
20 30(b)(6) witness for Deutsche Bank, Mr. Rock Jung, and Mr. Matt Lubawy which are
21 scheduled to occur shortly before the currently scheduled end of discovery. Parties will
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23
24

25 ¹ Consistent with ECF 45, Deutsche Bank’s consent to this stipulation shall not be
26 construed as waiving any right to request that discovery be stayed or to seek
summary judgment prior to the end of discovery.

1 need additional time to conduct discovery based on the information learned from those
2 depositions. An extension shall also provide additional time to attempt settlement
3 negotiations in this matter. Accordingly, there is good cause to permit additional time
4 for discovery here.

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6 **B. PROPOSED SCHEDULE FOR COMLETING DISCOVERY**

- 7 **1. Discovery Cut Off Date.** The parties request the discovery be extended
8 until Monday, May 8, 2018 (current deadline February 28, 2018).
- 9 **2. Expert Deadlines.** The prior deadline to make initial expert disclosures
10 expired August 22, 2016. As previously agreed, this deadline shall not be
11 extended. *See* ECF 45.
- 12 **3. Rebuttal Expert Deadlines.** the prior deadline to make initial expert
13 disclosures expired September 21, 2016. As previously agreed, this
14 deadline shall not be extended. *See* ECF 45.
- 15 **4. Dispositive Motion Deadline.** The parties propose June 7, 2018 as the
16 new dispositive motions deadline, thirty days after the close of discovery.
- 17 **5. Pre-trial Order.** The parties propose that the date for filing of the joint
18 pretrial order shall not be later than July 7, 2018, thirty days after the date
19 set for filing dispositive motions. If dispositive motions are filed, the date
20 for filing the joint pretrial order shall be suspended until thirty (30) days
21 after decision on the dispositive motions or until further order of this
22 Court. The parties shall include the disclosures required pursuant to Fed.
23 R. Civ. P. 26(a)(3), and any objections thereto, within the pretrial order.
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C. CONCLUSION

For the reasons outlines above, the parties respectfully request the Court enter an order resetting the discovery deadlines and dispositive motion deadline as set forth.

<p>DATED: February 7, 2018</p> <p>By: <u>/s/ Timothy A. Wiseman</u> SARAH A. MORRIS, ESQ. Nevada Bar No. 8461 TIMOTHY A. WISEMAN, ESQ. Nevada Bar No. 13786 MORRIS LAW CENTER 540 W. Sahara Ave, Suite 330, Las Vegas, NV 89146 <i>Attorneys for Sha Li, Tai Huan Chen and Premier One Holdings</i></p>	<p>DATED: February 8, 2018</p> <p>By: <u>/s/ David T. Gluth</u> DAVID T. GLUTH, ESQ. Nevada Bar No 10596 PHIL WEN-SHENG SU, ESQ. Nevada Bar No. 10450 GORDON REES SCULLY MANSUKHANI LLP 300 S. Fourth St. Suite 1550 Las Vegas, Nevada 89101 <i>Attorneys for Ventana Homeowners Association, Inc.</i></p>
<p>DATED: February 7, 2018</p> <p>By: <u>/s/ Jamie K. Combs</u> DARREN T. BRENNER, ESQ. Nevada Bar No.8386 JAMIE K. COMBS, ESQ. Nevada Bar No. 13088 AKERMAN LLP 1635 Village Center Circle, Suite 200 Las Vegas, Nevada 89134 <i>Attorneys for Deutsche Bank National Trust Company</i></p>	<p>DATED: February 7, 2018</p> <p>By: <u>/s/ Brandon Wood</u> BANDON WOOD, ESQ. Nevada Bar No. 12900 6224 West Desert Inn Road Las Vegas Nevada 89146 <i>Attorneys for Nevada Association Services, Inc.</i></p>

ORDER

IT IS SO ORDERED:

Dated February 9, 2018


 UNITED STATES MAGISTRATE JUDGE