1	ANDREW D. HEROLD, ESQ.				
2	Nevada Bar No. 7378				
	aherold@heroldsagerlaw.com JOSHUA A. ZLOTLOW, ESQ.				
3	Nevada Bar No. 11333				
4	jzlotlow@heroldsagerlaw.com				
5	HEROLD & SAGER 3960 Howard Hughes Parkway, Suite 500				
6	Las Vegas, NV 89169				
7	Tel: (702) 990-3624 Fax: (702) 990-3835				
8	Attorneys for Defendant LEXINGTON INSURANCE COMPANY				
9					
10	UNITED STATES DISTRICT COURT				
11	DISTRICT	OF NEVADA			
12	CENTEX HOMES, a Nevada general	CASE NO. 2:16-cv-01275-GMN-PAL			
13	partnership,				
14	Plaintiff,	STIPULATION RE BRIEFING ON			
		LEXINGTON INSURANCE COMPANY'S MOTION TO DISMISS [FIRST			
15	VS.	REQUEST]			
16	EVEREST NATIONAL INSURANCE				
17	COMPANY, a Delaware corporation; INTERSTATE FIRE & CASUALTY				
18	COMPANY, an Illinois corporation;				
19	LEXINGTON INSURANCE COMPANY, a Delaware corporation; FINANCIAL				
20	PACIFIC INSURANCE COMPANY, a				
	California corporation; HARTFORD CASUALTY INSURANCE COMPANY, an				
21	Indiana corporation,				
22	Defendants.				
23					
24	Plaintiff CENTEX HOMES ("Centex") and Defendant LEXINGTON INSURANCE				
25	COMPANY ("Lexington"), hereby submit the following Stipulation Re Briefing on Lexington's				
26	Motion to Dismiss.				
27	///				
28	///				
	STIPULATION RE BRIEFING ON LEXINGTON'S MO	1 TION TO DISMISS CASE NO. 2:16-cv-01275-GMN-PAL Dockets.Justia.com			

1	WHEREAS, Lexington filed a Motion to Dismiss on October 10, 2016 (ECF Nos. 19 and
2	20) (the "Motion");
3	WHEREAS, the Motion makes various arguments as to why Centex's claims against
4	Lexington should be dismissed relying in part on the language of the Lexington policies at issue:

5 WHEREAS, the Motion did not include copies of the Lexington policies themselves, but rather correspondence between Lexington and Centex in which the parties disputed Centex's rights 6 7 and Lexington's obligations under the policies based in part of the policy language;

8 WHEREAS, Centex has requested additional policy information in order to respond to the 9 Motion:

10 WHEREAS, Lexington is working towards obtaining certified copies of the insurance policies and intends to supplement the Motion with these certified copies; 11

12 WHERAS, Lexington and Centex agree that it would be best for this Court to address the 13 issue of the proper interpretation of the language of the Lexington policies with complete copies of the Lexington policies in the Court's records at the time it addresses the Motion; 14

15 NOW, THEREFORE, Centex and Lexington, by and through their respective counsel of record, hereby stipulate that Lexington shall supplement the Motion with certified copies of the 16 17 insurance policies addressed therein and that Centex's opposition to the Motion shall be filed and 18 served within 10 calendar days of the filing of Lexington's supplemental papers and Lexington's 19 reply papers shall be filed and served within 10 calendar days thereafter.

DATED: October 24, 2016 20

21

22

23

24

25

26

27

28

ORDER
IT IS SO ORDERED.
IT IS FURTHER ORDERED that Defendant Lexington Insurance Company shall file the relevant insurance policies by November 7, 2016. UNITED STATES DISTRICT COURT JUDGE DATED this 25 October, 2016.

<u>ORDER</u>

STIPULATION TO EXTEND TIME TO FILE RESPONSIVE PLEADING CASE NO. 2:16-cv-01275-GMN-PAL

1	1DATED: October 24, 2016HEROLD & SAGER				
2	2 By: Andrew 13/man				
3	NDREW D HEROLD	ESQ.			
4	4 JOSHUA A. ZLOTLOW,	ESQ.			
5	5 jzlotlow@heroldsagerlaw Attorneys For Defendant	.com			
6	LEXINGTON INSURAN	CE COMPANY			
7	7				
8	8				
9	9				
10	10				
11	11 PAYNE & FEARS LLP				
12	12 By: /s/ Sarah J. Odia (as an	10/24/16			
13	13 SCOTT S. THOMAS, ES				
14	14 sst@paynefears.com SARAH J. ODIA, ESQ.				
15	15 sjo@paynefears.com Attorneys for Plaintiff CE	INTEX HOMES			
16					
17	17				
18	18				
19	19				
20	20				
21	21				
22	22				
23	23				
24	24				
25	25				
26	26				
27	27				
28	28				
	3				
	STIPULATION TO EXTEND TIME TO FILE RESPONSIVE PLEADING CASE 1	STIPULATION TO EXTEND TIME TO FILE RESPONSIVE PLEADING CASE NO. 2:16-cv-01275-GMN-PAL			