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12 *as Legal Title Trustee*

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

15 USROF III LEGAL TITLE TRUST 2015-1, BY
16 U.S. BANK NATIONAL ASSOCIATION, AS
17 LEGAL TITLE TRUSTEE,

18 Plaintiff,

19 vs.

20 SATICOY BAY LLC, SERIES 5526
21 MOONLIGHT GARDEN STREET,

22 Defendant.

Case No.: 2:16-cv-01346-JCM-CWH

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

23 Plaintiff, USROF III LEGAL TITLE TRUST 2015-1, BY U.S. BANK NATIONAL
24 ASSOCIATION, AS LEGAL TITLE TRUSTEE (“U.S. Bank” or “Plaintiff”), and Defendant,
25 SATICOY BAY LLC, SERIES 5526 MOONLIGHT GARDEN STREET (“Saticoy” or
26 “Defendant”) (collectively, the “Parties”), by and through their respective counsels of record,
27 hereby submit the following Stipulation and Order to extend the discovery deadlines.

A. DISCOVERY COMPLETED TO DATE:

28 1. On September 14, 2017, the Court filed a Scheduling Order [ECF No. 22] setting
forth the following discovery deadlines:

1 Close of Discovery: December 26, 2017

2 Motion to Amend Deadline: September 27, 2017

3 Initial Expert Disclosure: June 15, 2017¹

4 Rebuttal Expert Disclosure: July 14, 2017²

5 Dispositive Motion Deadline: January 25, 2018

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7 2. Saticoy served its FRCP 26(f) Conference List of Witnesses and Documents on
8 February 15, 2017.

9 3. U.S. Bank served its FRCP 26(f) Conference List of Witnesses and Documents
10 on March 1, 2017.

11 4. Saticoy served its First Set of Interrogatories to U.S. Bank on March 7, 2017.

12 5. Saticoy served its First Request for Admissions to U.S. Bank on March 7, 2017.

13 6. Saticoy served its First Request for Production of Documents to U.S. Bank on
14 March 7, 2017.

15 7. U.S. Bank served its Expert Disclosure on June 9, 2017.

16 8. Saticoy served its Rebuttal Expert Disclosure on July 7, 2017

17 9. U.S. Bank served its First Set of Interrogatories to Saticoy on November 22,
18 2017.

19 10. U.S. Bank served its First Set of Requests for Production of Documents to
20 Saticoy on November 22, 2017.

21 11. U.S. Bank served its First Set of Requests for Admissions to Saticoy on
22 November 22, 2017.

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¹ Unchanged from the 2/17/2017 Scheduling Order [ECF No. 17].

² Unchanged from the 2/17/2017 Scheduling Order [ECF No. 17].

1 12. U.S. Bank answered Saticoy’s First Request for Admissions on November 28,
2 2017.

3 13. U.S. Bank served a Subpoena Duces Tecum on Timber Creek Homeowners
4 Association on November 30, 2017.

5 14. U.S. Bank served a Subpoena Duces Tecum on Nevada Association Services on
6 November 30, 2017.

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8 **B. DISCOVERY ANTICIPATED TO BE COMPLETED IN THE FUTURE:**

- 9 1. Depositions of Fact and Percipient Witnesses.
10 2. Written discovery by potentially added HOA and HOA Trustee.
11 3. U.S. Bank to respond to remaining outstanding written discovery from Saticoy.
12 4. Saticoy to respond to remaining outstanding written discovery from U.S. Bank.

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14 **C. REASONS WHY DISCOVERY SHOULD BE EXTENDED:**

15 The Parties are conducting discovery in this matter. A NRED mediation with the Timber
16 Creek Homeowners Association (the “HOA”) and its Trustee, Nevada Association Services
17 (“HOA Trustee”), was completed. The NRED mediation, a prerequisite to U.S. Bank seeking to
18 add the HOA or HOA Trustee, was not successful. As a result, U.S. Bank sought leave of this
19 Court to file a First Amended Complaint [ECF No. 24] (“FAC”) naming the HOA and HOA
20 Trustee as Defendants. Saticoy opposed the motion on the grounds the proposed FAC contained
21 previously dismissed causes of action against Saticoy. [ECF No. 26, 2:13-3:14]. U.S. Bank
22 replied, attaching an amended FAC, removing the dismissed causes of action against Saticoy.
23 [ECF No. 27]. That matter remains pending before the Court.

24 The Parties wish to continue the discovery set forth above in an effort to further evaluate
25 this matter and explore the possibility of settlement. An extension of the current discovery
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1 deadlines is necessary to allow all Parties, including the potentially soon to be named HOA and
2 HOA Trustee, to participate in and complete discovery. Furthermore, due to strain of the
3 holiday schedule and limited availability of deponents, the Parties need additional time to
4 ensure witness availability for depositions. The parties are requesting a 90 day extension to
5 allow sufficient time to schedule depositions and complete other outstanding discovery that may
6 become necessary, as well as continue to explore settlement.
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8 **D. PROPOSED DISCOVERY EXTENSION:**

9 **1. The current discovery deadlines**

10	Deadline to complete discovery:	December 26, 2017
11	Motion to amend pleadings or add parties	September 27, 2017
12	Initial Expert Disclosures	June 15, 2017
13	Rebuttal Expert Disclosures	July 14, 2017
14	Dispositive Motion Deadline	January 25, 2018

15 **2. Proposed extended discovery deadlines:**

16	Deadline to complete discovery:	March 26, 2018
17	Motion to amend pleadings or add parties	September 27, 2017 (unchanged)
18	Initial Expert Disclosures	June 15, 2017 (unchanged)
19	Rebuttal Expert Disclosures	July 14, 2017 (unchanged)
20	Dispositive Motion Deadline	April 25, 2018

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1 IT IS SO STIPULATED.

2 DATED this 6th day of December, 2017.

DATED this 6th day of December, 2017.

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4 WRIGHT, FINLAY & ZAK, LLP

LAW OFFICES OF MICHAEL F. BOHN,
ESQ., LTD

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13 **Case Number: 2:16-cv-01346**

14 **ORDER**

15 IT IS SO ORDERED.

16 Dated this _ December 14 __, 2017.

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19 U.S. MAGISTRATE JUDGE

20 Submitted by:

21 WRIGHT, FINLAY & ZAK, LLP

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