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Attorneys for Bank of America, N.A.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOSE BENJAMIN RODRIGUEZ, an individual,

Plaintiff,

vs.

NATIONSTAR MORTGAGE, LLC; HSBC
BANK N.A AS TRUSTEE FOR HOLDERS OF
DEUTSCHE ALT-A SECURITIES
MORTGAGE LOAN TRUST, MORTGAGE
PASS-THROUGH CERTIFICATES SERIES
2006-OA1; CLEAR RECON CORP;
COUNTRYWIDE BANK, NA; BANK OF
AMERICA, N.A. AS SUCCESSOR BY
MERGER TO BAC HOME LOANS
SERVICING LP FKA COUNTRYWIDE HOME
LOANS SERVICING LP.,

Defendants.

Case No.: 2:16-cv-02180

**DEFENDANT BANK OF AMERICA,
N.A.'S MOTION TO EXTEND
TIME TO RESPOND TO COMPLAINT**

[FIRST REQUEST]

Defendant Bank of America, N.A.,¹ named here in its own capacity and as successor by July 1, 2011 de jure merger with BAC Home Loans Servicing, L.P. f/k/a Countrywide Home Loans

¹ Plaintiff also names Countrywide Bank, N.A. ("Countrywide Bank") as a defendant. Effective April 27, 2009, Countrywide Bank merged with and into Bank of America, N.A.

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1 Servicing LP (**BANA**) moves to extend time to file the initial responsive pleadings under Federal
2 Rule of Civil Procedure 6(b) and Local Rule 6-1. Although BANA has not been served with the
3 summons and complaint in this matter, it file this motion out of an abundance of caution and seeks
4 an order granting it until November 7, 2016, to respond to the Complaint.

6 I. Case Background

7 This dispute arises out of the servicing, and eventual foreclosure, of a loan secured by a deed
8 of trust encumbering real property located at 4353 Grey Spencer Dr., Las Vegas, NV 89141.
9 Plaintiff alleges a number of federal and state claims against defendants including violations of the
10 Truth in Lending Act, Regulation Z, and NRS 107.

12 II. Good Cause Exists To Grant

13 BANA seeks additional time to respond to the complaint. In the course of obtaining and
14 reviewing its records in this case, it came to undersigned counsel's attention that on the same day
15 plaintiff filed this suit, he also filed for bankruptcy. In light of this, defendants Nationstar Mortgage,
16 LLC (**Nationstar**) and HSBC Bank, N.A. (**HSBC**) filed a notice of bankruptcy [ECF No. 5] and
17 motion to extend time [ECF No. 4.] on September 21, 2016. On September 23, 2016, the Court
18 granted Nationstar and HSBC's motion to extend time and granted Nationstar and HSBC until
19 November 7, 2016, to respond to the complaint.

20 This request is not being made for improper purpose and no party will be prejudiced by the
21 requested relief.

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1 **III. Conclusion**

2 Based on the foregoing, the Court should grant the requested extension and allow BANA
3 until November 7, 2016, to respond to the complaint in this matter.

4 DATED this 26th day of September, 2016.

5
6 **AKERMAN LLP**

7 /s/ Rebekkah Bodoff

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Attorneys for Bank of America, N.A.

17 IT IS SO ORDERED.

18 DATED: September 27, 2016

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21 C.W. HOFFMAN JR.
22 UNITED STATES MAGISTRATE JUDGE
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