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12 UNITED STATES DISTRICT COURT  
13 DISTRICT OF NEVADA

14 -\*

15 THE BANK OF NEW YORK MELLON FKA  
16 THE BANK OF NEW YORK, AS TRUSTEE  
17 FOR THE CERTIFICATEHOLDERS  
18 CWABS, INC. ASSET-BACKED  
19 CERTIFICATES, SERIES 2006-6,

20 Plaintiff,

21 vs.

22 STAR HILL HOMEOWNERS  
23 ASSOCIATION; SBW INVESTMENT, LLC;  
24 NEVADA ASSOCIATION SERVICES, INC.;  
25 and SFR INVESTMENTS POOL 1, LLC

26 Defendants.

CASE NO.: 2:16-cv-02561-RFB-PAL

**STIPULATION AND PROPOSED  
ORDER TO EXTEND DISCOVERY  
DEADLINES**

**(First Request)**

27 Plaintiff The Bank of New York fka The Bank of New York, as Trustee for the  
28 Certificateholders CWABS, Inc. Asset-Backed Certificates, Series 2006-6 (BNYM); and defendant  
SFR Investments Pool 1, LLC (SFR); and defendant Star Hill HOA (HOA), through their  
undersigned counsel of record, do hereby stipulate and agree that the current discovery cutoff date of  
March 18, 2019 be continued for a period of four (4) days up and including March 22, 2019 as  
follows:

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**A. DISCOVERY COMPLETED:**

**1. Initial Disclosures:**

Plaintiff served their initial disclosures on Plaintiff on December 14, 2017; Plaintiff has subsequently served various supplements to its initial disclosures

Defendant SFR served Initial Disclosures on February 12, 2018; Defendant SFR has subsequently served various supplements to its initial disclosures;

Defendant Star Hills served its initial disclosures on Defendants on March 18, 2019.

Defendant Nevada Association Services has not appeared.

**2. Written Discovery:**

Plaintiff has served its Requests for Interrogatories, its Requests for Production of Documents, and Requests for Admissions to Defendants.

Defendants have served their answers to Plaintiff's Requests for Interrogatories, its Requests for Production of Documents, and Requests for Admissions.

Defendant SFR has served its Requests for Interrogatories, its Requests for Production of Documents, and Requests for Admissions to Plaintiff; Plaintiff has answered accordingly.

**3. Depositions**

Plaintiff has noticed and taken the depositions of NAS and SFR Investments.

SFR Investments has noticed and taken the deposition of Plaintiff.

Plaintiff also noticed the deposition of Star Hills HOA for March 18, 2019, however, due to a last minute conflict on the part of Star Hills HOA's representative, the deposition was not take. The parties have agreed to take the HOA's deposition on March 22, 2019.

**B. STATEMENT SPECIFYING THE DISCOVERY THAT REMAINS TO BE COMPLETED.**

Plaintiff seeks to take the deposition of Star Hills HOA on March 22, 2019.

Additional discovery based upon information discovered in deposition may be necessary.

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**C. THE REASONS WHY DISCOVERY WAS NOT COMPLETED WITHIN THE TIME LIMITS SET BY THE DISCOVERY PLAN.**

The discovery delay was caused by a last minute conflict on the part of Star Hills HOA’s representative. With discovery continuing, Plaintiff and Defendants have conferred and agreed to take the remaining deposition of Star Hills HOA on March 22, 2019.

**D. GOOD CAUSE EXISTS TO EXTEND THE DISCOVERY DEADLINE.**

Local Rule 26-4 requires that any stipulation made to extend discovery made within 21 days of the deadline must be supported by good cause. The good cause standard under LR 26-4 is the same as the good cause standard under Fed. R. Civ. P. 16(b)(4). *Winfeld v. Wal-mart Stores, Inc.*, 2:14-cv-01034-MMD-CWH, 2016 WL 3360658, at \*1 (D. Nev. Jun. 9, 2016). “Good cause to extend a discovery deadline exists ‘if it cannot reasonably be met despite the diligence of the part[ies] seeking extension.’” *Nunez v. Harper*, 2:13-CV-0392-GMN-NJK, 2014 WL 2808985, at \*2 (D. Nev. June 20, 2014) (quoting *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992)).

Good cause exists to extend the discovery period by four days. The discovery delay was caused by a last minute, unavoidable conflict on the part of Star Hills HOA’s representative. With discovery continuing, Plaintiff and Defendants have conferred and agreed to take the remaining deposition of Star Hills HOA on March 22, 2019. Accordingly, good cause exists to grant the extension of discovery.

**E. PROPOSED SCHEDULE FOR COMPLETING ALL REMAINING DISCOVERY:**

**1. Discovery Cut-Off**

The discovery cut-off shall be extended from March 18, 2019 to March 22, 2019 for the limited purpose of taking the deposition of the 30(b)(6) witness for Star Hills HOA .

**2. Amending the Pleadings and Adding Parties**

The deadline to amend the pleadings and parties has closed. No such request to amend the pleadings or add parties is requested

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**6. Trial and Calendar Call**

No trial has been set in this matter.

**IT IS SO STIPULATED.**

<p>AKERMAN LLP</p> <p><u>/s/ Rex. D. Garner , Esq.</u> ARIEL E. STERN, ESQ. Nevada Bar No. 8276</p> <p>REX D. GARNER, ESQ. Nevada Bar No. 9401 1160 Town Center Drive, Suite 330 Las Vegas, Nevada 89144 <i>Attorneys for Plaintiff The Bank of New York fka The Bank of New York, as Trustee for the Certificateholders CWABS, Inc. Asset-Backed Certificates, Series 2006-6</i></p>	<p>KIM GILBERT EBRON</p> <p><u>/s/ Diana S. Ebron, Esq.</u> JACQUELINE A. GILBERT, ESQ. Nevada Bar. No. 10593</p> <p>DIANA S. EBRON, ESQ. Nevada Bar No. 10580</p> <p>KAREN L. HANKS, ESQ. Nevada Bar No. 9578 7625 Dean Martin Drive, Suite 110 Las Vegas, Nevada 89139 <i>Attorneys for Defendant SFR Investments Pool 1, LLC</i></p>
	<p>ALVERSON TAYLOR &amp; SANDERS</p> <p><u>/s/ Adam R. Knecht, Esq.</u> KURT R. BONDS, ESQ. Nevada Bar No. 6228</p> <p>ADAM R. KNECHT, ESQ. Nevada Bar No. 13166 7401 W. Charleston Blvd Las Vegas, Nevada 89117 <i>Attorneys for Defendant Star Hill HOA</i></p>

**ORDER**

IT IS SO ORDERED.

  
UNITED STATES MAGISTRATE JUDGE

DATED: March 22, 2019