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16 **UNITED STATES DISTRICT COURT**  
17 **DISTRICT OF NEVADA**

18 THE BANK OF NEW YORK MELLON TRUST  
19 COMPANY, N.A. FKA THE BANK OF NEW  
20 YORK TRUST COMPANY, N.A., AS TRUSTEE  
21 FOR THE HOLDERS OF MLMI SURF TRUST,  
22 MORTGAGE LOAN ASSET-BACKED  
23 CERTIFICATES, SERIES 2005-BC4,

24 Plaintiff,

25 vs.

26 LEGENDS MAINTENANCE CORPORATION;  
27 BFP INVESTMENTS 6 L.L.C.

28 Defendants.

Case No. 2:16-cv-02567-MMD-GWF

**STIPULATION AND ORDER  
EXTENDING BRIEFING  
DEADLINES  
[ECF No. 68 & ECF No. 72]**

**(First Request)**

Defendant Legends Maintenance Corporation (the “Association”), Plaintiff The Bank of New York Mellon (the “Bank”), and Defendant BFP Investments 6, LLC (“BFP”), collectively (the “Parties), by and through counsel of record, stipulate and agree as follows:

1. On September 10, 2018 the Bank filed its Revised Motion for Summary Judgment [ECF No. 68].
2. On October 1, 2018 BFP filed its Response to the Bank’s Motion [ECF No. 72].
3. The Association’s response to the Bank’s Motion was due October 1, 2018.
4. The Bank’s Reply to BFP’s Response is due October 15, 2018.
5. The Parties agree to extend the Association’s deadline to respond to the Bank’s Motion to and including October 5, 2018.

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6. The Parties also agree to extend the deadline to file their respective Replies to the Parties' Responses to the individual Motions for Summary Judgment to October 23, 2018.

7. It has come to the Association's counsel's attention that during Leach Kern Gruchow Anderson Song's relocation to a new office, court filings were not being received. This timeframe coincides with the date on which the Bank filed its Revised Motion for Summary Judgment [ECF No. 68]. This technological issue has caused delays in any responses and/or replies that became due during that time period.

**THE PARTIES HEREBY STIPULATE AND AGREE** that the Association shall have up to and including **October 5, 2018** to file its Response to the Bank's Revised Motion for Summary Judgment [ECF No. 68]. The Parties further agree that all Replies shall then be due **October 23, 2018**.

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This is the Parties' first request of these deadlines and is not intended to cause any delay or prejudice to any party.

Stipulated and agreed to this 3<sup>rd</sup> day of October, 2018.

**Leach Kern Gruchow Anderson Song**

**Akerman, LLP**

/s/ T. Chase Pittsenbarger

/s/ Donna M. Wittig

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**ORDER**

**IT IS SO ORDERED** this 4th day of October, 2018.



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U.S. DISTRICT JUDGE