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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

The Bank of New York Mellon fka the Bank
of New York, as Successor Trustee for the
Benefit of Holders of Bear Sterns Asset-
backed Securities 1, LLC,

Plaintiff

v.

Siena Lane Trust, et al.,

Defendants

Case No.: 2:16-cv-02770-JAD-CWH

Order Lifting Stay

[ECF Nos. 21, 26]

10 Good cause appearing, IT IS HEREBY ORDERED that the motion to lift stay [ECF No.
11 21] is **GRANTED IN PART**, in that THE STAY IS LIFTED, but some of the other details and
12 deadlines requested by the motion are denied or revised. Instead, IT IS FURTHER ORDERED
13 that the parties have the following deadlines and obligations to move this case forward:

14 **Meet & Confer:**

15 **The parties have until November 16, 2018, to meet and confer** as defined by Local
16 Rule IA 1-3(f) regarding (1) a proposed scheduling order as contemplated by Local Rule 26-1,
17 (2) what discovery needs to be conducted, (3) what viable claims and defenses remain in the case
18 in light of recent decisions from the Supreme Court of Nevada, and (4) the issues that the parties
19 intend to raise in any dispositive motion that the parties anticipate filing within the next 90 days.

20 **A party representative must attend the meet and confer, either in person or by telephone.**

21 Requests to be excused from any aspect of this meet-and-confer requirement will be denied
22 absent extraordinary circumstances.

1 **Stipulated Discovery Plan and Scheduling Order:**

2 Within ten days after the meet-and-confer, the parties must file their Stipulated Discovery
3 Plan and Scheduling Order in compliance with Local Rule 26-1.

4 **Certificate Required with Dispositive Motions:**

5 Any dispositive motion filed within the next 90 days must be accompanied by a
6 declaration by the movant’s counsel that sets forth the details of the meet-and-confer in
7 compliance with Local Rule IA 1-3(f)(2) and certifies that, despite good-faith efforts, the issues
8 raised in the motion could not be resolved. The court may summarily deny any motion that fails
9 to comply with this requirement.

10 **Stipulation to Extend Time:**

11 On September 10, 2018, the court extended the defendants’ deadline to oppose this
12 motion to lift stay to September 20, 2018.¹ Defendants filed no opposition by that extended
13 deadline, but the day after the deadline expired, they filed another stipulation to extend the
14 deadline.² Local Rule IA 6-1(a) states that a request to extend a deadline made after the subject
15 deadline has expired will not be granted absent a showing of excusable neglect for the filing
16 delay. The new stipulation lacks such a showing. Accordingly, the second stipulation to extend
17 the deadline to oppose the motion to stay **[ECF No. 26] is DENIED.**

18 Dated: September 24, 2018

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21 U.S. District Judge Jennifer A. Dorsey

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23 ¹ ECF No. 25.

² ECF No. 26.