

Ballard Spahr LLP
1980 Festival Plaza Drive, Suite 900
Las Vegas, Nevada 89135
(702) 471-7000

1 Abran E. Vigil
Nevada Bar No. 7548
2 Russell J. Burke
Nevada Bar No. 12710
3 BALLARD SPAHR LLP
1980 Festival Plaza Drive, Suite 900
4 Las Vegas, Nevada 89135
Telephone: (702) 471-7000
5 Facsimile: (702) 471-7070
vigila@ballardspahr.com
6 burker@ballardspahr.com

7 *Attorneys for Plaintiff/Counter-Defendant*

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 JPMORGAN CHASE BANK, N.A.,
11 Plaintiff,
12 vs.
13 SFR INVESTMENTS POOL 1, LLC, a
Nevada limited liability company; and
14 SUTTER CREEK HOMEOWNERS
ASSOCIATION, a Nevada non-profit
corporation,
15 Defendants.

Case No.: 2:16-cv-02781-RFB-PAL

**STIPULATION AND ORDER TO
EXTEND SCHEDULING ORDER
DEADLINES BY 30 DAYS**

(Second Request)

16 SFR INVESTMENTS POOL 1, LLC, a
Nevada limited liability company,
17 Counterclaimant,
18 vs.
19 JPMORGAN CHASE BANK, N.A.;
20 Counter-Defendant.

22 SFR INVESTMENTS POOL 1, LLC, a
Nevada limited liability company,
23 Cross-Claimant,
24 vs.
25 WAI CHUNG NG, an individual, Cross-
26 Defendant.

27 Pursuant to LR IA 6-1 and LR 26-4, Plaintiff/Counter-Defendant JPMorgan
28 Chase Bank, N.A. ("Chase"), Defendant/Counterclaimant/Cross-Claimant SFR

1 Investments Pool 1, LLC (“SFR”), and Defendant Sutter Creek Homeowners’
 2 Association (“Sutter Creek”),¹ by and through their respective counsel of record,
 3 stipulate and request that this Court extend discovery and dispositive motion
 4 deadlines in the above-captioned case for an additional 30 days, to permit the
 5 parties to complete party depositions, and specifically the deposition of Chase,
 6 whose designated witness who underwent significant surgery in December and from
 7 which she will not have recuperated until February 2018. The parties have
 8 conferred and agree that this brief extension is the most reasonable way to complete
 9 discovery in this case, including so that Chase’s designated witness has sufficient
 10 time to attend to necessary medical treatment.

11 This is the parties’ second request for an extension to the scheduling order
 12 deadlines, which were submitted in compliance with LR 26-1. The parties make
 13 this request in good faith and not for purposes of delay.

14 **A. Discovery Completed to Date**

15 To date, Chase has served the following discovery: initial disclosures; initial
 16 expert disclosure; first set of requests for production and interrogatories to SFR;
 17 notice of Rule 30(b)(6) deposition of SFR; first set of requests for production and
 18 interrogatories to Sutter Creek; and notice of Rule 30(b)(6) deposition of Sutter
 19 Creek.

20 To date, SFR has served the following discovery: initial disclosures; first set
 21 of requests for production, interrogatories, and requests for admissions to Chase;
 22 and notice of Rule 30(b)(6) deposition of Chase. SFR has also responded to Chase’s
 23 requests for production and interrogatories to SFR.

24 To date Sutter Creek has served the following discovery: initial disclosures.

25 **B. Specific Description of Discovery that Remains to be Completed**

26 SFR has also noticed a Rule 30(b)(6) deposition of Chase. As discussed below,

27 ¹ Although Cross-Defendant Wai Chung Ng has been served in this case, (*see* ECF
 28 No. 29), Mr. Ng has not otherwise appeared, and, therefore, this stipulation and
 order is submitted without his signature.

1 however, the parties seek to reschedule Chase's to occur after the current discovery
2 cutoff of February 28, 2018.²

3 Chase has also noticed the Rule 30(b)(6) deposition of SFR and Sutter Creek.

4 **C. Good Cause Exists for the Requested Extension**

5 SFR has noticed Chase's deposition for March 20, 2018, which is after the
6 current close of discovery. Chase's Rule 30(b)(6) designee is not available until
7 March due to significant surgery that occurred in December. The parties have met
8 and conferred about rescheduling Chase's deposition in this lawsuit to take place on
9 March 20, 2018, when the Chase designee should be recuperated from surgery and
10 able to travel to Las Vegas. This is the parties' second request to extend the
11 standard, 180-day discovery period in this case, and they seek the extension so that
12 Chase's designated witness may have an opportunity to receive necessary medical
13 treatment and recover from the same. The parties have diligently engaged in
14 discovery to date and seek this extension in good faith, and do not anticipate any
15 further extensions of the discovery deadlines.

16
17
18 *[Remainder of Page Intentionally Left Blank]*
19
20
21
22
23
24
25
26

27 _____
28 ² The parties further reserve their rights to meet and confer and, if necessary, engage in motion practice regarding any discovery issues that may arise.

1 **D. Proposed Discovery Deadlines**

2 The parties request an order extending the close of discovery, the deadline to
3 file dispositive motions, and the deadline to file a pre-trial order by 30 days.

Event	Current Deadline ³	New Deadline
Close of Discovery	February 28 2018	March 30, 2018
Dispositive Motions	March 27, 2018	April 26, 2018
Pre-Trial Order	April 26, 2018	May 25, 2018

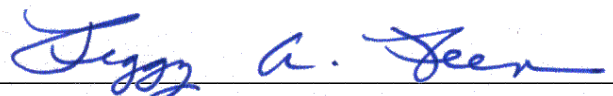
4
5
6
7 This extension is reasonable and necessary given the good cause set forth
8 above.

9 **IT IS SO STIPULATED.**

10 Respectfully submitted this 29th day of January, 2018.

12 Ballard Spahr LLP 13 By: <u>/s/ Russell J. Burke</u> 14 Abran Vigil, Esq. 15 NV Bar No. 7548 16 Russell J. Burke, Esq. 17 NV Bar 12710 18 1980 Festival Plaza Drive, Suite 900 19 Las Vegas, NV 89135 20 <i>Attorneys for JPMorgan Chase Bank,</i> 21 <i>N.A.</i>	12 Hall, Jaffe & Clayton, LLP 13 By: <u>/s/ Ashlie L. Surur</u> 14 Ashlie L. Surur, Esq. 15 NV Bar No. 11290 16 7425 Peak Drive 17 Las Vegas, NV 89128 18 <i>Attorneys for Sutter Creek Homeowners'</i> 19 <i>Association</i>
18 Kim Gilbert Ebron 19 By: <u>/s/ Diana S. Ebron</u> 20 Diana S. Ebron, Esq. 21 NV Bar No. 10580 22 7625 Dean Martin Drive, Suite 110 23 Las Vegas, NV 89139 24 <i>Attorneys for SFR Investments Pool 1,</i> 25 <i>LLC</i>	

23 IT IS SO ORDERED:

24
25 

26 UNITED STATES MAGISTRATE JUDGE

27 DATED: February 2, 2018

28 ³ See Scheduling Order, ECF No. 36.