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14 *Maintenance Association*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

11 THE BANK OF NEW YORK MELLON FKA
12 THE BANK OF NEW YORK, AS TRUSTEE
13 FOR THE CERTIFICATEHOLDERS OF
14 THE CWALT, INC., ALTERNATIVE LOAN
15 TRUST 2006-OC11 MORTGAGE PASS-
16 THROUGH CERTIFICATES, SERIES 2006-
17 OC11,

Plaintiff,

vs.

17 4655 GRACEMONT AVENUE TRUST, an
18 unknown entity; BLUE DIAMOND RANCH
19 LANDSCAPE MAINTENANCE
20 ASSOCIATION, a Nevada non-profit
21 corporation,

Defendants.

21 KENNETH BERBERICH AS TRUSTEE OF
22 4655 GRACEMONT AVENUE TRUST,

Counter Claimant,

vs.

24 THE BANK OF NEW YORK MELLON FKA
25 THE BANK OF NEW YORK, AS TRUSTEE
26 FOR THE CERTIFICATEHOLDERS OF
27 THE CWALT, INC., ALTERNATIVE LOAN
28 TRUST 2006-OC11 MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2006-
OC11,

Counter Defendant.

Case No. 2:17-cv-00063-JAD-PAL

**STIPULATION AND ORDER
EXTENDING BRIEFING
[ECF 48]**

(Second Request)

ECF Nos. 53, 56

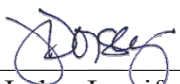
STIPULATION AND ORDER EXTENDING BRIEFING

Defendant Blue Diamond Ranch Landscape Maintenance Association (the “Association”), Plaintiff The Bank of New York Mellon (the “Bank”), and Defendant Kenneth Berberich, as Trustee of 4655 Gracemont Avenue Trust (collectively, the “Parties”), by and through their respective counsel stipulate and agree as follows:

1. The Bank filed its Motion for Summary Judgment in the above case on November 30, 2018, [ECF 48].
2. The Association’s response to the Motion was due December 21, 2018.
3. On December 21, 2018 the parties stipulated to extending the deadline for the Association’s response to the Motion until January 4, 2019. *See* ECF 53.
4. The Association has requested and the Bank has agreed to extend the deadline for the Association to file its response to the Bank’s Motion for Summary Judgment to and including **January 18, 2019**.
5. The Association’s counsel requests this extension due to recently substituting in on the case for the Association on December 10, 2018 and currently awaiting the litigation file from the Association’s prior counsel. This request is not intended to cause any delay or prejudice to any party.

ORDER

IT IS SO ORDERED, and the prior stipulation extending the deadline to January 4, 2019 [ECF No. 53] is DENIED as moot.



U.S. District Judge Jennifer A. Dorsey
Dated: January 4, 2019

-Signatures on next page--

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Stipulation and Order Extending Briefing
2:17-CV-00063

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Agreed to by:

LEACH KERN GRUCHOW ANDERSON SONG

Wright Finlay & Zak, LLP

/s/ Ryan D. Hastings

/s/ Aaron D. Lancaster

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