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

10 UNIVERSAL NORTH AMERICA  
 11 INSURANCE COMPANY, a Texas  
 corporation,

12 Plaintiff,

13 vs.

14 Wendy Colosi, an individual; Victor Colosi, an  
 15 individual; Nicholas Colosi, an individual;  
 Marilyn Kennedy, an individual; DOES 1-20  
 16 and ROE CORPORATIONS 1 - 20, inclusive,

17 Defendants.

CASE NO.: 2:17-cv-00113

**STIPULATION AND ORDER TO EXTEND  
 DEADLINE FOR PLAINTIFF TO RESPOND TO THE  
 COLOSI DEFENDANTS' RESPONSE TO MOTION  
 FOR SUMMARY JUDGMENT AND  
 COUNTERMOTION FOR (1) PARTIAL SUMMARY  
 JUDGMENT CONCERNING DUTY TO DEFEND  
 AND (2) TO STAY MATTER PENDING  
 CONCLUSION OF UNDERLYING CASE {DKT 38  
 AND 39} AND THE COLOSI DEFENDANTS'  
 MOTION TO STRIKE/OBJECTION TO ANY  
 REFERENCE TO JUVENILE COURT  
 PROCEEDINGS [DKT 40]**

**(FIRST REQUEST)**

18  
 19 Pursuant to LR 6-1, Plaintiff Universal North America Insurance Company ("Universal")  
 20 and Defendant Marilyn Kennedy ("Kennedy"), by and through their respective counsel of record,  
 21 respectfully submit the following stipulation requesting a ten (10) day extension for Universal to  
 22 file a Reply to The Colosi Defendants' Response to Motion for Summary Judgment [Dkt 38]  
 23 ("Response"); The Colosi Defendants' Countermotion for (1) Partial Summary Judgment  
 24 Concerning Duty to Defend and (2) to Stay Matter Pending Conclusion of Underlying Case [Dkt  
 25 39] ("Countermotion") and The Colosi Defendants' Motion to Strike/Objection to Any Reference  
 26 to Juvenile Court Proceedings [Dkt 40] ("Motion"). Universal's Motion for Summary Judgment  
 27 on All Claims [dkt. 30] was filed on August 15, 2017 and the Response, Countermotion and  
 28 Motion were filed on September 15, 2017. Universal's Reply to the Response [dkt 38] and Motion

1 [dkt 40] currently due on September 29 will now be due October 9, 2017. Universal's Response  
2 to the Countermotion [dkt 39] currently due October 6, 2017 will now be due October 16, 2017.  
3 In support of this Stipulation, the parties state as follows:

4 **A. Introduction**

5 Universal insured Defendants Wendy, Victor and Nicholas Colosi (the "Colosi  
6 Defendants"), who are also defendants in a personal injury action filed by Kennedy. Universal  
7 filed this declaratory relief action seeking a declaration regarding its duties and obligations to the  
8 Colosi Defendants with respect to the lawsuit against them filed by Kennedy.

9 **B. Reason for Extension**

10 The parties believe that a ten (10) day extension of the deadline to respond to the above is  
11 necessary and appropriate to provide sufficient time for Universal to adequately respond.  
12 Universal's counsel requested the extension since she was on vacation when the Response, Motion  
13 and Countermotion were filed, which adversely interfered with Universal's opportunity to  
14 complete its Reply and Responses in a timely matter. Universal and the Colosi Defendants  
15 believe that good cause is demonstrated and both agreed to a ten (10) day extension of the  
16 deadline(s) to respond.

17 Dated this 26th day of September, 2017

Dated this 26th day of September, 2017

18 **Attorneys for Defendants Wendy Colosi,  
19 Victor Colosi and Nicholas Colosi**

**Attorneys for Universal**

20 /s/ James W. Whitmire

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26 IT IS SO ORDERED this 26th day of September, 2017.

27   
28 \_\_\_\_\_  
UNITED STATES DISTRICT JUDGE