

1 WRIGHT, FINLAY & ZAK, LLP
 2 Dana J. Nitz, Esq.
 3 Nevada Bar No. 0050
 4 Corrine P. Murphy, Esq.
 5 Nevada Bar No. 10410
 6 7785 West Sahara Avenue, Suite 200
 7 Las Vegas, NV 89117
 8 (702) 475-7964; Fax: (702) 946-1345
 9 dnitz@wrightlegal.net
 10 cmurphy@wrightlegal.net

11 *Attorneys for Plaintiff/Counter/Cross-Defendant, PROF-2016-S3 Legal Title Trust IV, by U.S.*
 12 *Bank National Association, as Legal title Trustee*

13 **UNITED STATES DISTRICT COURT**
 14 **DISTRICT OF NEVADA**

15 PROF-2013-S3 LEGAL TITLE TRUST IV, BY
 16 U.S. BANK NATIONAL ASSOCIATION, AS
 17 LEGAL TITLE TRUSTEE,

18 Plaintiff,

19 vs.

20 SFR INVESTMENTS POOL I, LLC, a Nevada
 21 Limited Liability Company; LA MANCHA
 22 HOMEOWNERS ASSOCIATION, INC.;
 23 ALESSI & KOENIG, LLC,

24 Defendants.

25 SFR INVESTMENTS POOL I, LLC, a Nevada
 26 Limited Liability Company,

27 Counter/Cross-Claimant

28 vs.

29 PROF-2013-S3 LEGAL TITLE TRUST IV, BY
 30 U.S. BANK NATIONAL ASSOCIATION, AS
 31 LEGAL TITLE TRUSTEE; and SUZANNE C.
 32 ESREY, an individual,

33 Counter/Cross-Defendants.

Case No.: 2:17-cv-00119-APG-NJK

**STIPULATION AND ORDER TO
 EXTEND DISCOVERY**

(FIRST REQUEST)

1 Plaintiff/Counter/Cross-Defendant, PROF-2016-S3 LEGAL TITLE TRUST IV, BY
2 U.S. BANK NATIONAL ASSOCIATION, AS LEGAL TITLE TRUSTEE (“U.S. Bank”), by
3 and through its attorneys of record of the law firm of Wright, Finlay & Zak, LLP,
4 Defendant/Counter/Cross-Claimant, SFR INVESTMENTS POOL 1, LLC (“SFR”) by and
5 through its attorneys of record Kim Gilbert Ebron, and Defendant LA MANCHA
6 HOMEOWNERS ASSOCIATION, INC. (“La Mancha”), by and through its attorneys of record
7 Boyack Orme & Anthony, (collectively “Parties”) hereby stipulate and agree to extend
8 discovery follows:
9

10 **A. DISCOVERY COMPLETED TO DATE:**

11 1. On November 2, 2017, the Court filed a Scheduling Order [ECF No. 38] setting
12 forth the following discovery deadlines:
13

14 Close of Discovery: April 30, 2018

15 Motion to Amend Deadline: January 30, 2018

16 Initial Expert Disclosure: March 1, 2018

17 Rebuttal Expert Disclosure: April 2, 2018

18 Dispositive Motion Deadline: May 30, 2018

19
20 2. La Mancha served its FRCP 26(f) Conference List of Witnesses and Documents
21 on December 1, 2017.

22
23 3. U.S. Bank served its FRCP 26(f) Conference List of Witnesses and Documents
24 on February 5, 2018.

25
26 4. SFR served its Notice Of Rule 30(B)(6) Deposition Of U.S. Bank National
27 Association, on February 5, 2018, setting the deposition for April 16, 2018.

28 5. U.S. Bank served its Initial Disclosure of Expert Witness on February 23, 2018.

1 6. U.S. Bank served its Subpoena to Produce Documents, Information, or Objects to
2 Alessi & Koenig, LLC, on March 1, 2018.

3 7. U.S. Bank served its Notice of Taking Deposition of F.R.C.P 30(B)(6) Witness
4 For La Mancha Homeowners Association, Inc., on March 1, 2018, setting the deposition for
5 April 20, 2018.

6 8. U.S. Bank served its Notice Of Taking Deposition Of F.R.C.P 30(B)(6) Witness
7 For SFR Investments on March 1, 2018, setting the deposition for April 20, 2018.

9 9. SFR served its First Set of Interrogatories to U.S. Bank on March 12, 2018.

10 10. SFR served its First Request for Admissions to U.S. Bank on March 12, 2018.

11 11. SFR served its First Request for Production of Documents to U.S. Bank on
12 March 12, 2018.

13 12. U.S. Bank served its First Set of Interrogatories to SFR on March 26, 2018.

14 13. U.S. Bank served its First Set of Requests for Production of Documents to SFR
15 on March 26, 2018.

16 14. U.S. Bank served its First Set of Requests for Admissions to SFR on March 26,
17 2018.

18 15. U.S. Bank served its First Set of Interrogatories to La Mancha on March 26,
19 2018.

20 16. U.S. Bank served its First Set of Requests for Production of Documents to La
21 Mancha on March 26, 2018.

22 17. U.S. Bank served its First Set of Requests for Admissions to La Mancha on
23 March 26, 2018.

24 **B. DISCOVERY ANTICIPATED TO BE COMPLETED IN THE FUTURE:**

25 1. Depositions of Fact and Percipient Witnesses.

- 1 2. U.S. Bank to respond to remaining outstanding written discovery from SFR.
- 2 3. SFR to respond to remaining outstanding written discovery from U.S. Bank.
- 3 4. La Mancha to response to remaining outstanding discovery from U.S. Bank.
- 4 5. SFR to serve its FRCP 26(f) Conference List of Witnesses and Documents.
- 5 6. Additional production of documents and witness list from all Parties.

7 **C. REASONS WHY DISCOVERY SHOULD BE EXTENDED:**

8 The Parties are actively conducting discovery in this matter. Although La Mancha's
9 30(b)(6) deposition was set on March 1, 2018, for April 20, 2018, La Mancha's counsel recently
10 learned they do not have deposition availability any time before mid-May, which is after the
11 currently scheduled close of discovery. Further, there are outstanding written discovery
12 requests, which likely the Parties will require an extension on in order to answer. An extension
13 of the current discovery deadlines is necessary to allow all Parties to participate in and complete
14 discovery, including set a key party's deposition and respond meaningfully to written discovery.
15 The Parties are requesting a 60 day extension to allow sufficient time to re-schedule and
16 conduct depositions and complete other outstanding discovery that may become necessary, as
17 well as explore settlement.
18
19

20 **D. PROPOSED DISCOVERY EXTENSION:**

21 **1. The current discovery deadlines**

- 22 Close of Discovery: April 30, 2018
- 23 Motion to Amend Deadline: January 30, 2018
- 24 Initial Expert Disclosure: March 1, 2018
- 25 Rebuttal Expert Disclosure: April 2, 2018
- 26 Dispositive Motion Deadline: May 30, 2018
- 27
- 28

1 **2. Proposed extended discovery deadlines:**

2 Deadline to complete discovery: **Monday, June 11, 2018¹**
3 Motion to Amend Deadline: January 30, 2018 (unchanged)
4 Initial Expert Disclosure: March 1, 2018 (unchanged)
5 Rebuttal Expert Disclosure: April 2, 2018 (unchanged)
6 Dispositive Motion Deadline **Wednesday, July 11, 2018**

8 This Request is made in good faith and is made 21 days prior to the close of discovery.

9 **IT IS SO STIPULATED.**

10 DATED this 9th day of April, 2018.

 DATED this 9th day of April, 2018.

11 KIM GILBERT EBRON

 WRIGHT, FINLAY & ZAK, LLC

12 /s/ Diana S. Ebron

/s/ Corrine P. Murphy

13 Diana S. Ebron, Esq.

 Dana J. Nitz, Esq.

14 Nevada Bar No. 10580

 Nevada Bar No. 0050

15 Jacqueline A. Gilbert, Esq.

 Corrine P. Murphy, Esq.

16 Nevada Bar No. 10593

 Nevada Bar No. 10410

17 Karen L. Hanks, Esq.

 7785 West Sahara Avenue, Suite 200

18 Nevada Bar No. 009578

 Las Vegas, NV 89117

19 7625 Dean Martin Drive, Suite 110

 Attorney for Plaintiff/Counter/Cross-

20 Las Vegas, Nevada 89139

 Defendant, PROF-2016-S3 Legal Title Trust

21 Attorneys for Defendant/Counter/Cross-
22 Claimant SFR Investments Pool 1, LLC

 IV, by U.S. Bank National Association, as
23 Legal title Trustee

24 DATED this 9th day of April, 2018.

25 BOYACK ORME & ANTHONY

26 /s/ Adam Breeden

27 Edward D. Boyack, Esq.

28 Nevada Bar No. 5229

 Adam Breeden, Esq.

 Nevada Bar No. 8786

 7432 West Sahara Avenue, Suite 101

 Las Vegas, Nevada 89117-2769

 Attorneys for Defendant La Mancha

 Homeowners Association, Inc.

¹ Actual date: Sunday June 10, 2018

**NO FURTHER EXTENSIONS
WILL BE GRANTED.**

ORDER

IT IS SO ORDERED.

Dated: April 10, 2018



UNITED STATES MAGISTRATE JUDGE

Respectfully Submitted by:

WRIGHT, FINLAY & ZAK, LLC

/s/ Corrine P. Murphy

Dana J. Nitz, Esq.
Nevada Bar No. 0050
Corrine P. Murphy, Esq.
Nevada Bar No. 10410
7785 West Sahara Avenue, Suite 200
Las Vegas, Nevada 89117-2789
*Attorneys for Plaintiff/Counter-Defendant
PROF-2013-S3 Legal Title Trust IV, by
U.S. Bank National Association, as Legal
Title Trustee*