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9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 THE BANK OF NEW YORK MELLON
13 FKA THE BANK OF NEW YORK AS
14 TRUSTEE FOR THE
15 CERTIFICATEHOLDERS OF THE
16 CWABS, INC. ASSET-BACKED
17 CERTIFICATES, SERIES 2005-12,

18 Plaintiff,

19 v.

20 STEWART TOWN HOMEOWNERS
21 ASSOCIATION; EAGLE ROCK ASSET
22 MANAGEMENT, LLC; ABSOLUTE
23 COLLECTION SERVICES, LLC;

24 Defendants.

Case No. 2:17-cv-00128

**STIPULATION AND
ORDER TO EXTEND TIME TO
RESPOND TO COMPLAINT**

(Second Request)

25 Pursuant to Local Rule IA 6-1 of the United States District Court for the District of
26 Nevada, Defendant Eagle Rock Asset Management, LLC ("Eagle Rock") and Plaintiff The Bank of
27 New York Mellon f/k/a The Bank of New York as Trustee for the Certificateholders of the
28 CWABS, Inc. Asset-Backed Certificates, Series 2005-12 ("BNY Mellon"), by and through their
respective undersigned counsel, hereby stipulate as follows:

1. BNY Mellon filed its Complaint on or about January 13, 2017;
2. Eagle Rock was served with the Complaint on or about January 17, 2017;
3. Eagle Rock's deadline to respond to the Complaint was February 7, 2017;

1 4. The parties previously agreed, and the Court ordered, that Eagle Rock's time to
2 respond to the Complaint be extended until February 21, 2017, to allow time for Eagle Rock to
3 finalize a settlement agreement impacting this case;

4 5. Through no fault of Eagle Rock, the settlement agreement is not yet finalized, but
5 Eagle Rock believes it will be finalized shortly;

6 6. Accordingly, BNY Mellon and Eagle Rock have agreed that Eagle Rock shall have an
7 additional 30 days to respond to the Complaint, through and including March 23, 2017;

8 7. This is the second such request;

9 8. An additional thirty days for Eagle Rock to answer or otherwise respond to BNY
10 Mellon's Complaint will not alter the date of any event or deadline already fixed by the Court or
11 prejudice any party;

12 8. Good cause exists to grant the stipulation as the additional thirty days are needed to
13 allow the settlement agreement to be finalized;

14 8. BNY Mellon and Eagle Rock agree that Eagle Rock shall have up to and including
15 March 23, 2017, to file a responsive pleading to BNY Mellon's Complaint.

16 IT IS SO STIPULATED.

17 DATED this 21st day of February, 2017.

DATED this 21st day of February, 2017.

18 TAKOS LAW, LTD.

AKERMAN LLP

19
20 /s/ Zachary P. Takos
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1980 Festival Plaza Drive, Suite 300
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Counsel for Eagle Rock

/s/ Vatana Lay
Melanie D. Morgan, Esq., NV Bar No. 8215
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1160 Town Center Drive, Suite 330
Las Vegas, Nevada 89144
Counsel for BNY Mellon

23 IT IS SO ORDERED.

24 
25 UNITED STATES DISTRICT COURT JUDGE/
UNITED STATES MAGISTRAGE JUDGE

26 DATED: February 22, 2017

27 CASE NO. 2:17-cv-00128
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