

1 Zachary P. Takos, Esq., Nevada Bar No. 11293
 2 **TAKOS LAW, LTD.**
 3 1980 Festival Plaza Drive, Suite 300
 4 Las Vegas, Nevada 89135
 5 Telephone: 702.856.4629
 6 Facsimile: 702.924.4422
 7 Email: zach@takoslaw.com

8 Counsel for Eagle Rock Asset Management, LLC

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

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

17 Plaintiff,

18 v.

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

23 Defendants.

Case No. 2:17-cv-00128

**STIPULATION AND [PROPOSED]
 ORDER TO EXTEND TIME TO
 RESPOND TO COMPLAINT**

(Third Request)

24 Pursuant to Local Rule IA 6-1 of the United States District Court for the District of
 25 Nevada, Defendant Eagle Rock Asset Management, LLC (“Eagle Rock”) and Plaintiff The Bank of
 26 New York Mellon f/k/a The Bank of New York as Trustee for the Certificateholders of the
 27 CWABS, Inc. Asset-Backed Certificates, Series 2005-12 (“BNY Mellon”), by and through their
 28 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 March 23, 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
7 additional time to respond to the Complaint, through and including April 28, 2017;

8 7. This is the third such request;

9 8. The additional time 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 time is needed to allow
13 the settlement agreement to be finalized;

14 8. BNY Mellon and Eagle Rock agree that Eagle Rock shall have up to and including
15 April 28, 2017, to file a responsive pleading to BNY Mellon's Complaint.

16 IT IS SO STIPULATED.

17 DATED this 17th day of April, 2017.

DATED this 17th day of April, 2017.

18 TAKOS LAW, LTD.

AKERMAN LLP

19
20 /s/ Zachary P. Takos
Zachary P. Takos, Esq., NV Bar No. 11293
21 1980 Festival Plaza Drive, Suite 300
Las Vegas, Nevada 89135
22 Counsel for Eagle Rock

/s/ Vatana Lay
Melanie D. Morgan, Esq., NV Bar No. 8215
23 Vatana Lay, Esq., NV Bar No. 12993
24 1160 Town Center Drive, Suite 330
25 Las Vegas, Nevada 89144
26 Counsel for BNY Mellon

23 IT IS SO ORDERED.

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

26 DATED: April 18, 2017

27 CASE NO. 2:17-cv-00128