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 Mellon fka The Bank of New York as Trustee  
 for the Certificateholders CWMBS, Inc., CHL  
 8 Mortgage Pass-Through Trust 2005-HYB4,  
 Mortgage Pass-Through Certificates, Series  
 9 2005-HYB4

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 THE BANK OF NEW YORK MELLON FKA  
 13 THE BANK OF NEW YORK AS TRUSTEE  
 FOR THE CERTIFICATEHOLDERS CWMBS,  
 14 INC., CHL MORTGAGE PASS-THROUGH  
 TRUST 2005-HYB4, MORTGAGE PASS-  
 15 THROUGH CERTIFICATES, SERIES 2005-  
 16 HYB4;

17 Plaintiff,

18 vs.

19 SUNRISE RIDGE MASTER HOMEOWNERS  
 20 ASSOCIATION; SFR INVESTMENTS POOL 1,  
 LLC; and NEVADA ASSOCIATION  
 21 SERVICES, INC.,

22 Defendants.

Case No. 2:17-cv-00214-JAD-GWF

**STIPULATION AND ORDER TO  
 EXTEND DISCOVERY DEADLINES**

[FIRST REQUEST]

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1 SFR INVESTMENTS POOL 1, LLC,

2 Counter/Cross Claimant,

3 vs.

4 THE BANK OF NEW YORK MELLON FKA  
5 THE BANK OF NEW YORK AS TRUSTEE  
6 FOR THE CERTIFICATEHOLDERS CWMBS,  
7 INC., CHL MORTGAGE PASS-THROUGH  
8 TRUST 2005-HYB4, MORTGAGE PASS-  
9 THROUGH CERTIFICATES, SERIES 2005-  
10 HYB4; PATTY TAN, an individual,

11 Counter/Cross Defendants.

12 **STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES**

13 Plaintiff/Counter-Defendant The Bank of New York Mellon fka The Bank of New York as  
14 Trustee for the Certificateholders CWMBS, Inc., CHL Mortgage Pass-Through Trust 2005-HYB4,  
15 Mortgage Pass-Through Certificates, Series 2005-HYB4 (BoNYM),  
16 Defendants/Counterclaimant/Cross-Claimant SFR Investments Pool 1, LLC (SFR) and Sunrise Ridge  
17 Master Homeowners Association (HOA), by and through their respective counsel of record, and hereby  
18 jointly submit this Stipulation and Order to Extend Discovery Deadlines (First Request) pursuant to LR  
19 6-1 and LR 26-4. This is the first request to extend the discovery deadlines set by the Scheduling Order  
20 entered by the Court on April 18, 2017. ECF No. 23.

21 **A. STATEMENT SPECIFYING THE DISCOVERY COMPLETED**

22 **1. Rule 26 Disclosures**

23 BoNYM served its initial disclosures on April 10, 2017. SFR served its initial disclosures on  
24 April 24, 2017. BoNYM served its first supplement to initial disclosures on May 11, 2017. BoNYM  
25 served its second supplement to initial disclosures July 28, 2017. SFR served its second supplement to  
26 initial disclosures on June 15, 2017. BoNYM served its initial expert disclosures on November 9, 2017.  
27 SFR served its initial expert disclosures on November 13, 2017.  
28

1           **2.       Written Discovery**

2           BoNYM served SFR with First set of Requests for Admissions, First set of Requests for  
3 Production and First set of Interrogatories on April 20, 2017. BoNYM served HOA with First set of  
4 Requests for Admissions, First set of Requests for Production and First set of Interrogatories on April  
5 20, 2017. SFR served Objections and Responses to First set of Requests for Admissions, First set of  
6 Requests for Production and First set of Interrogatories on May 30, 2017.

7           **3.       Depositions**

8           BoNYM deposed witness Susan Moses 30(b)(6) representative for Nevada Association Services,  
9 Inc. SFR served a notice of deposition of BoNYM to take place on December 11, 2017. BoNYM has  
10 served a notice of deposition of the HOA.

11 **B.       STATEMENT OF DISCOVERY REMAINING TO BE COMPLETED**

12           An extension of the discovery period is sought to allow for SFR to reschedule the deposition of  
13 the BoNYM after SFR serves and receives responses to written discovery. The parties expect that the  
14 written discovery responses may limit or eliminate some of the deposition topics. BoNYM has also  
15 scheduled the deposition for the HOA, which needs to be completed. The parties reserve the right to  
16 conduct additional discovery.

17 **C.       REASONS WHY AN EXTENSION IS REQUIRED**

18           The parties stipulate to extend discovery to allow the SFR to serve written discovery and time to  
19 take BoNYM’s Rule 30(b)(6) witness deposition, as well for BoNYM to take the HOA’s deposition.

20 **D.       PROPOSED SCHEDULE FOR ALL REMAINING DISCOVERY**

	<u>Current Deadline</u>	<u>Proposed Deadline</u>
21		
22	Discovery Cut-Off:	January 9, 2018
23	Dispositive Motions Deadline:	February 8, 2018
24	...	
25	...	
26	...	
27	...	
28		

1 Based on the foregoing, the parties respectfully request the court extend the remaining discovery  
2 deadline by sixty (60) days. The parties make this request in good faith and believe good cause exists  
3 for extending these deadlines.

4 Dated: December 4, 2017

<p>5 <b>AKERMAN LLP</b></p> <p>6</p> <p>7 <u>/s/ Tenesa S. Scaturro</u> 8 ARIEL E. STERN, ESQ. 9 Nevada Bar No. 8276 10 TENESA S. SCATURRO, ESQ. 11 Nevada Bar No. 12488 12 1160 Town Center Drive, Suite 330 13 Las Vegas, Nevada 89144</p> <p>14 Attorneys for The Bank of New York Mellon fka 15 The Bank of New York as Trustee for the 16 Certificateholders CWMB, Inc., CHL 17 Mortgage Pass-Through Trust 2005-HYB4, 18 Mortgage Pass-Through Certificates, Series 19 2005-HYB4</p>	<p>5 <b>HALL, JAFFE &amp; CLAYTON, LLP</b></p> <p>6</p> <p>7 <u>/s/ Ashlie L. Surur</u> 8 ASHLIE L. SURUR, ESQ. 9 Nevada Bar No. 11290 10 7425 Peak Drive 11 Las Vegas, Nevada 89128</p> <p>12 Attorney for Sunrise Ridge Master 13 Homeowners Association</p>
<p>15 <b>KIM GILBERT EBRON</b></p> <p>16</p> <p>17 <u>/s/ Diana S. Ebron</u> 18 DIANA S. EBRON, ESQ. 19 Nevada Bar No. 10580 20 JACQUELINE A. GILBERT, ESQ. 21 Nevada Bar No. 10593 22 KAREN L. HANKS, ESQ. 23 Nevada Bar No. 9578 24 7625 Dean Martin Drive, Suite 110 25 Las Vegas, NV 89139</p> <p>26 Attorneys for SFR Investments Pool 1, LLC</p>	

22 **IT IS SO ORDERED.**

23   
24 **UNITED STATES MAGISTRATE JUDGE**

25 **DATED:** December 5, 2017