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9 JPMorgan Chase Bank, N.A.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

13 JPMORGAN CHASE BANK, N.A., a
national banking association,

15 Plaintiff,

16 | vs.

17 SFR INVESTMENTS POOL 1, LLC, a
18 Nevada limited liability company; THE
19 WILLOWS HOMEOWNERS'
20 ASSOCIATION, a Nevada non-profit
corporation; DANIEL A. RICHARD, an
individual,

Defendants.

Case No. 2:17-CV-00324-GMN-PAL

**STIPULATION TO ALLOW
JPMORGAN CHASE BANK, N.A. TO
FILE A LATE OPPOSITION TO SFR
INVESTMENTS POOL 1, LLC'S
MOTION TO DISMISS JPMORGAN
CHASE BANK, N.A.'S COMPLAINT
PURSUANT TO F.R.C.P. 12(b)(7) [ECF
NO. 22]**

(FIRST REQUEST)

23 SFR INVESTMENTS POOL 1, LLC, a
Nevada limited liability company,

Counterclaimant/Cross-Claimant,

VS.

27 JPMORGAN CHASE BANK, N.A.;
DANIEL A. RICHARD, an individual.

Counter-Defendant/Cross-Defendants.

1 Plaintiff JPMorgan Chase Bank, N.A. (“Chase”) and Defendant SFR
2 Investments Pool 1, LLC (“SFR”) (collectively, the “Parties”), through their counsel
3 of record, hereby stipulate to allow Chase to file a late opposition to SFR’s Motion to
4 Dismiss JPMorgan Chase Bank, N.A.’s Complaint Pursuant to F.R.C.P. 12(b)(7)
5 [ECF No. 22, filed June 23, 2017] (“SFR’s Motion”), as follows:

6 1. On February 2, 2017, Chase filed its complaint in this action
7 (“Complaint”), naming The Willows Homeowners’ Association (the “HOA”) as a
8 necessary party [ECF No. 1].

9 2. On June 6, 2017, the HOA filed a motion to dismiss Chase’s
10 Complaint [ECF No. 16] (the “HOA’s Motion”).

11 3. Counsel for Chase entered into negotiations with counsel for the
12 HOA regarding a potential stipulated resolution to the HOA’s Motion.

13 4. During the pendency of these negotiations, on June 23, 2017, SFR
14 filed a related Motion to Dismiss JPMorgan Chase Bank, N.A.’s Complaint
15 Pursuant to F.R.C.P. 12(b)(7) [ECF No. 22] (“SFR’s Motion”).

16 5. Oppositions to SFR’s Motion were due on July 7, 2017.

17 6. Ultimately, Chase failed to reach a stipulated resolution to the
18 HOA’s Motion.

19 7. On July 6, 2017, Chase and the HOA entered into a Stipulation to
20 extend Chase’s time to oppose the HOA’s Motion [ECF No. 26].

21 8. The Court granted the Stipulated Extension [ECF No. 27, Jul. 10,
22 2017] and Chase timely filed its Opposition to the HOA’s Motion on July 21, 2017.
23 [ECF No. 28].

24 9. Through an inadvertent mistake by Chase’s undersigned counsel,
25 Chase did not timely file an opposition to SFR’s Motion in the alternative.

26 10. Upon discovering this unintentional omission, Chase’s undersigned
27 counsel immediately began taking steps to remedy the issue.

28

1 11. Accordingly, the Parties hereby agree to allow Chase seven days
2 from grant of this Stipulation to file its opposition.

3 12. SFR shall file any reply to Chase's opposition in the ordinary
4 course.

5 13. This is the Parties' first request to extend time for this opposition.

6 14. There is no pending hearing date for SFR's Motion.

7 15. The Parties agree to this extension to facilitate a full consideration
8 of the merits of the Motion and an opportunity for all parties to fully brief it.

9 The request is made in good faith and is not intended to prejudice or cause
10 delay.

11 || Dated: August 25, 2017

Dated: August 25, 2017

12 | BALLARD SPAHR LLP

KIM GILBERT EBRON

13 By: /s/ Justin A. Shiroff
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By: /s/ Diana Cline Ebron
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Counsel for JPMorgan Chase Bank, N.A.

*Counsel for SFR Investments Pool 1,
LLC*

ORDER

IT IS SO ORDERED.

Signed this 30 day of August, 2017.


GLORIA M. NAVARRO, CHIEF JUDGE
UNITED STATES DISTRICT COURT

CERTIFICATE OF SERVICE

2 I hereby certify that on August 25, 2017, and pursuant to F.R.C.P. 5, a true
3 copy of the foregoing **STIPULATION TO ALLOW JPMORGAN CHASE BANK, N.A.**
4 **TO FILE A LATE OPPOSITION TO SFR INVESTMENTS POOL 1, LLC'S**
5 **MOTION TO DISMISS JPMORGAN CHASE BANK, N.A.'S COMPLAINT**
6 **PURSUANT TO F.R.C.P. 12(b)(7) [ECF NO. 22] (FIRST REQUEST)** was filed via
7 the Court's CM/ECF System and electronically served by the Court on all parties in
8 interest.

/s/ Sarah Walton
An Employee of Ballard Spahr LLP