

1 Abran E. Vigil
 Nevada Bar No. 7548
 2 Justin A. Shiroff
 Nevada Bar No. 12869
 3 BALLARD SPAHR LLP
 4 100 North City Parkway, Suite 1750
 Las Vegas, Nevada 89106
 5 Telephone: (702) 471-7000
 6 Facsimile: (702) 471-7070
 vigila@ballardspahr.com
 7 shiroffj@ballardspahr.com

8 *Attorney for Plaintiff*
 9 *JPMorgan Chase Bank, N.A.*

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

Ballard Spahr LLP
 100 North City Parkway, Suite 1750
 Las Vegas, Nevada 89106-4617

13 JPMORGAN CHASE BANK, N.A., a
 14 national banking association,
 15
 Plaintiff,

16 vs.

17 SFR INVESTMENTS POOL 1, LLC, a
 18 Nevada limited liability company; THE
 WILLOWS HOMEOWNERS'
 19 ASSOCIATION, a Nevada non-profit
 corporation; DANIEL A. RICHARD, an
 20 individual,
 21
 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)

22
 23 SFR INVESTMENTS POOL 1, LLC, a
 Nevada limited liability company,
 24
 Counterclaimant/Cross-Claimant,

25 vs.

26
 27 JPMORGAN CHASE BANK, N.A.;
 DANIEL A. RICHARD, an individual,
 28
 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
14 Abran E. Vigil
15 Nevada Bar No. 7548
16 Justin A. Shiroff
17 Nevada Bar No. 12869
18 100 North City Parkway, Suite 1750
19 Las Vegas, Nevada 89106
20 *Counsel for JPMorgan Chase Bank, N.A.*

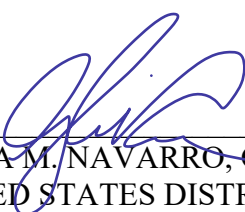
By: /s/ Diana Cline Ebron
Diana Cline Ebron
Nevada Bar No. 10580
Jackie A. Gilbert
Nevada Bar No. 10593
Karen Hanks
Nevada Bar No. 9578
7625 Dean Martin Dr., Suite 110
Las Vegas, Nevada 89014

*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

1 **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.

9
10
11 /s/ Sarah Walton
12 An Employee of Ballard Spahr LLP

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
Ballard Spahr LLP
100 North City Parkway, Suite 1750
Las Vegas, Nevada 89106-4617