

1 Abran E. Vigil
Nevada Bar No. 7548
2 BALLARD SPAHR LLP
1980 Festival Plaza Drive, Suite 900
3 Las Vegas, Nevada 89135
Telephone: (702) 471-7000
4 Facsimile: (702) 471-7070
vigila@ballardspahr.com

5
6 Matthew D. Lamb
Nevada Bar No. 12991
BALLARD SPAHR LLP
7 1909 K Street NW, 12th Floor
Washington, D.C. 20006
8 Telephone: (202) 661-2200
Facsimile: (202) 661-2299
9 lambm@ballardspahr.com

10 *Attorneys for Rocktop Partners,*
11 *LLC; and Wilmington Savings Fund*
Society, FSB, as Trustee of Stanwich
12 *Mortgage Loan Trust A*

13 UNITED STATES DISTRICT COURT

14 DISTRICT OF NEVADA

15 CAPITAL ONE, NATIONAL
ASSOCIATION, et al.,

16 Plaintiffs,

17 vs.

18 SFR INVESTMENTS POOL 1, LLC, et
19 al.,

20 Defendants.

21 UNITED STATES OF AMERICA,

22 Plaintiff,

23 vs.

24 LEON BENZER, et al.,

25 Defendants.

26
27 CAPITAL ONE, NATIONAL
ASSOCIATION, et al.,

28

Case No. 2:17-cv-00604-RFB-NJK

Case No. 2:17-cv-00916-RFB-NJK

**STIPULATION TO CONTINUE
DEPOSITION AND TO EXTEND
DISPOSITIVE MOTION DEADLINE**

**[FIFTH REQUEST UNDER
CURRENT SCHEDULING ORDER]**

BALLARD SPAHR LLP
1980 FESTIVAL PLAZA DRIVE, SUITE 900
LAS VEGAS, NEVADA 89135
(702) 471-7000 FAX (702) 471-7070

1 Counter-Claimants/Cross-
2 Claimants,

3 vs.

4 UNITED STATES OF AMERICA, et al.,

5 Counter-Defendants/Cross-
6 Defendants

7 Rocktop Partners, LLC (“Rocktop”); Wilmington Savings Fund Society, FSB, as
8 Trustee of Stanwich Mortgage Loan Trust A (“Wilmington”); SFR Investments Pool 1,
9 LLC (“SFR”); the United States; and Anthem Country Club Community Association
10 (“Anthem”) (collectively, the “Parties”) hereby stipulate to continue the deposition of
11 Capital One, National Association (“Capital One”) and to extend the dispositive motion
12 deadline. In support of this stipulation, the Parties state as follows:

13 1. On or about March 27, 2020, the United States issued a deposition
14 subpoena to Capital One that tentatively scheduled a deposition for April 15, 2010.

15 2. On April 10, 2020, the Parties stipulated to extend the dispositive motion
16 deadline to June 29, 2020 because, among other reasons, the Parties expected the
17 deposition to be continued and expected that Rocktop and Wilmington would move for
18 a protective order to eliminate two subtopics contained in the deposition subpoena.

19 3. The deposition has since been continued to May 26, 2020.

20 4. Rocktop and Wilmington filed their motion for a protective order (the
21 “Motion”) on April 30, 2020. ECF No. 252. The United States filed a response on May
22 14, 2020, ECF No. 255, and Capital One filed a joinder on May 15, 2020, ECF No. 256.
23 Rocktop’s and Wilmington’s reply is due on May 21, 2020.

24 5. At this time, the Court has not set a hearing on the Motion or a timetable
25 for issuing a decision.

26 6. The Parties agree that the deposition of Capital One should be continued,
27 and that after the Court issues a decision on the Motion, the deposition should be
28 rescheduled to a mutually convenient date within 30 days after the Court’s decision.

7. The Parties further agree that the dispositive motion deadline should be extended until the date 60 days after the Court’s decision on the Motion. This is consistent with the timeframe the Parties would have had to complete the deposition and prepare dispositive motions absent the Motion.

8. Good cause exists for the requested extension because it will allow the Court to decide the Motion prior to the deposition, will reduce the likelihood of further disputes during the deposition, and will allow sufficient time to obtain a transcript of the deposition before dispositive motions are filed.

Dated: May 21, 2020.

<p>BALLARD SPAHR LLP</p> <p>By: <u>/s/ Matthew D. Lamb</u> Matthew D. Lamb Nevada Bar No. 12991 1909 K Street NW, 12th Floor Washington, D.C. 20006</p> <p><i>Attorneys for Rocktop Partners, LLC; and Wilmington Savings Fund Society, FSB, as Trustee of Stanwich Mortgage Loan Trust A</i></p>	<p>KIM GILBERT EBRON</p> <p>By: <u>/s/ Diana S. Ebron</u> Diana S. Ebron Nevada Bar No. 10580 7625 Dean Martin Drive, Ste. 110 Las Vegas, Nevada 89139</p> <p><i>Attorneys for SFR Investments Pool 1, LLC</i></p>
<p>LIPSON, NEILSON, COLE, SELTZER & GARIN, P.C.</p> <p>By: <u>/s/ Janeen V. Isaacson</u> Janeen V. Isaacson Nevada Bar No. 6429 9900 Covington Cross Dr., Ste. 120 Las Vegas, Nevada 89144</p> <p><i>Attorneys for Anthem Country Club Community Association</i></p>	<p>RICHARD E. ZUCKERMAN</p> <p>Principal Deputy Assistant Attorney General</p> <p>By: <u>/s/ E. Carmen Ramirez</u> E. Carmen Ramirez Trial Attorney, Tax Division U.S. Department of Justice P.O. Box 683 Washington, DC 20044</p> <p><i>Attorneys for United States</i></p>

IT IS SO ORDERED:


 UNITED STATES MAGISTRATE JUDGE

DATED: May 22, 2020

BALLARD SPAHR LLP
 1980 FESTIVAL PLAZA DRIVE, SUITE 900
 LAS VEGAS, NEVADA 89135
 (702) 471-7000 FAX (702) 471-7070

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28