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 9

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 THE BANK OF NEW YORK MELLON FKA  
 THE BANK OF NEW YORK, AS TRUSTEE  
 FOR THE CERTIFICATEHOLDERS OF  
 13 CWALT, INC., ALTERNATIVE LOAN  
 TRUST 2005-82, MORTGAGE PASS-  
 14 THROUGH CERTIFICATES, SERIES 2005-  
 82,

15 Plaintiff,

16 vs.

17 NIKKI M. POMEROY; CLIFFORD L.  
 18 CASEY, INDIVIDUALLY AND AS  
 TRUSTEE FOR GENSTAR LTD TRUST;  
 19 REPUBLIC SILVER STATE DISPOSAL, INC.  
 DBA REPUBLIC SERVICES; ANYTIME  
 20 PLUMBING; PARADISE SPA, LLC; DOE  
 INDIVIDUALS I-X, inclusive; and ROE  
 21 CORPORATIONS I-X, inclusive,

22 Defendants.

Case No.: 2:17-cv-00939-RFB-NJK

**STIPULATION AND ORDER TO  
 EXTEND TIME FOR CLIFFORD CASEY,  
 INDIVIDUALLY AND AS TRUSTEE FOR  
 GENSTAR LTD TRUST TO FILE REPLY  
 IN SUPPORT OF MOTION FOR  
 SUMMARY JUDGMENT**

**(First Request)**

23  
 24 Pursuant to LR IA 6-1, LR IA 6-2, and LR 7-1, Plaintiff, The Bank of New York Mellon  
 25 fka The Bank of New York, as Trustee for the Certificateholders of CWALT, Inc., Alternative  
 26 Loan Trust 2005-82, Mortgage Pass-Through Certificates, Series 2005-8 (“BNYM”), and  
 27 Defendant, Clifford L. Casey, Individually and as Trustee for Genstar LTD Trust (“Casey”)  
 28 (collectively the “Parties”), by and through their respective undersigned counsel of record, hereby

1 stipulate and agree extend the date for Casey to file a Reply in Support of Clifford L. Casey,  
2 Individually and as Trustee for Genstar LTD Trust's Renewed Motion for Summary Judgment  
3 [ECF No. 65] from the current due date of September 26, 2018, to **October 10, 2018**. This is the  
4 first request to extend the deadline to file a reply in support of Casey's motion for summary  
5 judgment.

- 6 1. This Court ordered a stay of the dispositive motion and pretrial order deadlines pending  
7 the resolution of the Certified Question pending before the Nevada Supreme Court on  
8 February 13, 2018, denying all pending motions at that time without prejudice to refile  
9 once the stay of the case is lifted. [ECF No. 60].
- 10 2. On March 23, 2018, further ordered that dispositive motions could be refiled within 21  
11 days from the date of the Nevada Supreme Court's decision on the certified question, the  
12 opposing party would have 21 days to respond and the moving party would have 14 days  
13 to reply. [ECF No. 61].
- 14 3. The Nevada Supreme Court issued its decision on the certified question on August 2, 2018.
- 15 4. On August 23, 2018, BNYM filed a Motion to Stay Dispositive Motion Deadline or  
16 Alternatively, Motion to Reset Dispositive Motion Deadline. [ECF No.'s 62, 63]. On the  
17 same day, BNYM also filed its Renewed Motion for Leave to File an Amended Complaint.  
18 [ECF No. 64].
- 19 5. On August 23, 2018, Casey filed his Motion for Summary Judgment. [ECF No. 65].
- 20 6. On September 6, 2018, Casey filed his Opposition to BNYM's Renewed Motion for Leave  
21 to File an Amended Complaint [ECF No. 66] and his Response to BNYM's Motion to Stay  
22 Dispositive Motion Deadline or Alternatively, Motion to Reset Dispositive Motion  
23 Deadline. [ECF No. 67].
- 24 7. On September 12, 2018, BNYM filed its Opposition to Casey's Renewed Motion for  
25 Summary Judgment. [ECF No. 68].
- 26 8. Casey's Reply in Support of his Renewed Motion for Summary Judgment [ECF No. 65] is  
27 currently due on September 26, 2018.
- 28 9. The Parties have agreed to extend the deadline for Casey to file his Reply in Support of

1 Renewed Motion for Summary Judgment [ECF No. 65] to **October 10, 2018.**

2 10. Extending this deadline will allow Casey to fully address the issues raised in BNYM's  
3 Opposition.

4 11. This is the first request for an extension of the Reply deadline.

5 12. This request is not made for any deleterious purpose or to cause delay, but is made in good  
6 faith by the Parties and in the interests of efficiency and judicial economy.

7 Based on the foregoing, IT IS HEREBY STIPULATED AND AGREED that the deadline  
8 for Casey to file a Reply in Support of Renewed Motion for Summary Judgment [ECF No. 65]  
9 shall be extended to **October 10, 2018.**

10 DATED this 26th day of September, 2018.

DATED this 26th day of September, 2018.

11 **KIM GILBERT EBRON**

**AKERMAN LLP**

12 /s/ Jacqueline A. Gilbert  
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fka The Bank of New York, as Trustee for the  
Certificateholders of CWALT, Inc.,  
Alternative Loan Trust 2005-82, Mortgage  
Pass-Through Certificates, Series 2005-8

17 **IT IS SO ORDERED.**

18  
19  
20  
21 

22 **RICHARD F. BOULWARE, II**  
United States District Court

DATED this 27th day of September, 2018.

23 Respectfully submitted by:

24 **KIM GILBERT EBRON**

25 /s/ Jacqueline A. Gilbert  
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