

1 GAYLE A. KERN, ESQ.
 Nevada Bar No. 1620
 2 KAREN M. AYARBE, ESQ.
 Nevada Bar No. 3358
 3 KERN & ASSOCIATES, LTD.
 4 5421 Kietzke Lane, Ste. 200
 Reno, Nevada 89511
 5 Tel: (775) 324-5930
 6 Fax: (775) 324-6173
 Email: gaylekern@kernltd.com
 7 Email: karenayarbe@kernltd.com
 8 *Attorneys for Defendant Yorkshire Manor Association*

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 THE BANK OF NEW YORK MELLON FKA
 12 THE BANK OF NEW YORK, AS TRUSTEE
 FOR THE CERTIFICATEHOLDERS OF
 13 CWABS INC ASSET-BACKED
 14 CERTIFICATES, SERIES 2005-16,

15 Plaintiff,

16 v.

17 YORKSHIRE MANOR ASSOCIATION; a
 18 Nevada Domestic Non Profit Corporation,
 ALYSSE V. CAMPAIGNE, an individual,
 19 JEFFREY B. CAMPAIGNE, an individual,
 20 DOE INDIVIDUALS 1-X and ROE
 CORPORATIONS X-XX;

21 Defendants.

Case No.: 2:17-CV-01145-RFB-VCF

**STIPULATION AND ORDER TO
 EXTEND DEADLINE FOR
 YORKSHIRE MANOR
 ASSOCIATION TO ANSWER OR
 OTHERWISE RESPOND TO
 COMPLAINT;**

[Fifth Request]

22 _____ /
 23 **IT IS HEREBY STIPULATED** between Plaintiff, The Bank of New York Mellon fka The

24 Bank of New York, as Trustee for the Certificateholders of CWABS Inc. Asset-Backed
 25 Certificates, Series 2005-16 ("Plaintiff"), by and through its counsel, McCarthy & Holthus, LLP,
 26 and Defendant, Yorkshire Manor Association (the "Association"), by and through its counsel Kern

1 & Associates, Ltd., to extend the deadline for the Association to answer or otherwise respond to
2 Plaintiff's Complaint up-to-and-including October 25, 2017.

3 Pursuant to the prior Stipulation and Order to Extend ("SAO to Extend") Deadline for
4 Yorkshire Manor Association to Answer or Otherwise Respond to Complaint (Fourth Request)
5 filed August 30, 2017 (ECF #21), the current deadline for the Association to file its answer or
6 otherwise respond to the Complaint is September 25, 2017. Plaintiff and the Association
7 (collectively referred to as the "Parties") again stipulate and agree to extend the deadline for the
8 Association to answer or otherwise respond to the Complaint up-to-and-including October 25,
9 2017.
10

11
12 The Parties have been in settlement negotiations, and counsel for the Parties have reached
13 a tentative agreement to settle this matter pending confirmation by Plaintiff's counsel with his
14 client. On or about September 1, 2017, however, the prior servicer (Ditech) for Plaintiff was
15 changed to Bayview Loan Servicing, and Plaintiff's counsel is trying to confirm the tentative
16 settlement with the new servicer. The new servicer has tentatively agreed to settlement terms
17 based on what little information it has at this time; however, it is still engaged in the onboarding
18 process for this loan, is attempting to confirm the numbers as presented, obtain the entirety of the
19 loan file from Ditech as well as finalize the form of settlement so that it is acceptable to its own
20 title insurer as well as the beneficiary of this loan in order to avoid a duplicative declaratory relief
21 action in order to obtain the necessary title insurance. Once this process is completed, Counsel for
22 Plaintiff believes matter should be settled in short order. At this point the service transfer is the
23 only thing holding up settlement. In the continued interest of conserving the time and resources
24 of this Court as well as the Parties hereto, the Parties once again agree and stipulate that the
25 Association may have an additional thirty (30) days in which to answer or otherwise respond in
26
27
28

1 order for Plaintiff's counsel verify settlement terms with the new servicer.

2 This is the Parties' fifth request for an extension of time with respect to this matter. Given
3 the ongoing administrative changes with Plaintiff's servicer and the necessity of counsel for
4 Plaintiff to confirm settlement terms with the new servicer, good cause exists for this additional
5 extension. This request is not intended to cause delay or prejudice to any party. The Parties
6 respectfully request the Court's indulgence in this regard.
7

8 DATED this 25th day of September, 2017. DATED this 25th day of September, 2017.

9 **KERN & ASSOCIATES, LTD.**

10 **MCCARTHY & HOLTHUS, LLP**

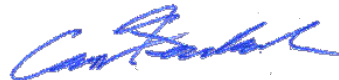
11 /s/ Karen M. Ayarbe, Esq.
12 KAREN M. AYARBE, ESQ.
13 Nevada Bar No. 3358
14 5421 Kietzke Lane, Ste. 200
15 Reno, NV 89511
16 Tel: (775) 324-5930
17 Fax: (775) 324-6173
18 *Attorneys for Defendant*
19 *Yorkshire Manor Association*

20 /s/ Thomas N. Beckom, Esq.
21 Thomas N. Beckom, Esq.
22 Nevada Bar No. 12554
23 9510 West Sahara Avenue, Ste. 200
24 Las Vegas, NV 89117
25 Tel: (702) 685-0329
26 Fax: (866) 339-5691
27 *Attorneys for Plaintiff*
28 *The Bank of New York Mellon*

ORDER

IT IS SO ORDERED.

DATED this 25th day of September, 2017.



UNITED STATES ~~DISTRICT~~ JUDGE

Magistrate

Respectfully Submitted By:

25 /s/ Karen M. Ayarbe, Esq.
26 KAREN M. AYARBE, ESQ.
27 *Attorneys for Defendant Yorkshire Manor Association*

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

CERTIFICATE OF SERVICE

Pursuant to the Fed. R. Civ. Proc. 5(b) and the United States District Court CM/ECF Electronic Filing Procedure IV(B), a true and correct copy of the foregoing ***STIPULATION AND ORDER TO EXTEND DEADLINE FOR YORKSHIRE MANOR ASSOCIATION TO FILE ITS RESPONSIVE PLEADING (Fifth Request)*** was transmitted electronically through the Court's e-filing electronic system to the attorney(s) associated with this case.

THOMAS BECKOM

tbeckom@mccarthyholthus.com

KRISTIN A SCHULER-HINTZ

FDCNV@mccarthyholthus.com

/s/ Christine A. Lamia
An Employee of Kern & Associates, Ltd.