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*as Trustee for GSAA 2006-1 and SunTrust Mortgage, Inc.*  
 8

9  
 10 **UNITED STATES DISTRICT COURT**  
 11 **DISTRICT OF NEVADA**

12 U.S. BANK, NATIONAL ASSOCIATION, ) CASE NO.: 2:17 cv-01319-JCM-GWF  
 13 as Trustee for GSAA2006-1, an Ohio )  
 Company; SUNTRUST MORTGAGE, INC., )  
 14 a Virginia Corporation )

15 Plaintiffs, )

16 v. )

17 SFR INVESTMENT POOL 1, LLC, a Nevada )  
 limited liability company; SAN MARINO )  
 18 PROPERTY OWNERS ASSOCIATION, a )  
 Nevada non-profit corporation )

19 Defendants. )

) **STIPULATION AND ORDER TO EXTEND**  
 ) **DISPOSITIVE MOTION DEADLINE,**  
 ) **LIMITED EXTENSION OF THE**  
 ) **DISCOVERY DEADLINE AND TO**  
 ) **AMEND SCHEDULING ORDER [ECF NO.**  
 ) **30]**  
 ) **(SECOND REQUEST)**

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21 Pursuant to LR IA 6-1, LR 7-1, and LR 26-4, Plaintiffs U.S. Bank, National Association, as  
 22 Trustee for GSAA 2006-1 and SunTrust Mortgage, Inc. (“Plaintiffs”) through undersigned counsel,  
 23 the law firm of Dickinson Wright, PLLC, Defendant SFR Investments Pool 1, LLC (“SFR”) through  
 24 undersigned counsel, the law firm of Kim Gilbert Ebron, and Defendant San Marino Property  
 25 Owners Association (“San Marino”), the law firm Lipson Neilson Cole Seltzer & Garin PC hereby  
 26 agree and stipulate to extend the case management deadlines as set forth below. This is the parties’  
 27 second request to amend the discovery deadlines and scheduling order.  
 28

1 **A. BACKGROUND STATEMENT AND COMPLETED DISCOVERY:**

2 Plaintiffs filed their Complaint on May 10, 2017 in the United States District Court for the  
3 District of Nevada. On September 12, 2017, the Court entered its initial scheduling order in this case.  
4 (ECF No. 30.) Plaintiffs retained new counsel in this matter and filed the Substitution of Counsel on  
5 February 12, 2018, necessitating the first request for extension so that new counsel could have time  
6 to review the matter. Since that date, the parties have actively engaged in discovery, as described  
7 below. This is the second request for an extension of the discovery deadlines, which is limited to a  
8 request for an additional ninety (90) days (approximate) from the present discovery cut-off date of  
9 May 11, 2017 solely for the purpose of taking Plaintiffs' 30(b)(6) depositions and to conduct limited  
10 written discovery directed to Plaintiffs' claims.

11 The following discovery has been completed:

12 Plaintiffs served initial disclosures on September 7, 2017.

13 Defendant SFR served initial disclosures on September 6, 2017.

14 Defendant San Marino served initial disclosures on September 26, 2017.

15 Plaintiffs served its Second Supplemental Disclosures on May 11, 2018 and its Third  
16 Supplemental Disclosures on May 14, 2018.

17 Defendant San Marino has served Plaintiffs with interrogatories, request for production and  
18 request for admission ("San Marino Discovery Requests") on November 7, 2017. Plaintiffs have  
19 responded to the San Marino Discovery Requests.

20 Defendant/Counterclaimant SFR served US Bank and SunTrust with interrogatories, request  
21 for production and request for admission ("SFR Discovery Requests") on February 7, 2018. US  
22 Bank and SunTrust responded to the SFR Discovery Requests

23 Defendant/Counterclaimant SFR have agreed to take the Rule 30(b)(6) Depositions of  
24 Plaintiffs on June 28, 2018. This was the date that was mutually agreeable to the parties, including  
25 Plaintiff's out of state deponents.

26 **B. DESCRIPTION OF DISCOVERY TO BE COMPLETED:**

27 At this point, the only discovery that needs to be completed is the 30(b)(6) depositions of  
28 Plaintiffs, which are going forward on June 28, 2018, and limited written discovery regarding the

1 Plaintiffs' claims. As such, the parties request a ninety (90) day (approximate) extension of the  
2 discovery deadline for the limited purpose of taking Plaintiffs' 30(b)(6) depositions. All other  
3 discovery has been completed.

4 **C. REASONS WHY REMAINING DISCOVERY WAS NOT COMPLETED AND**  
5 **EXTENSION OF DISPOSITIVE MOTION DEADLINE IS NECESSARY:**

6 As explained above, this extension is for the limited purpose of taking the Rule 30(b)(6)  
7 depositions of Plaintiffs and conducting limited written discovery to Plaintiffs related to their claims.  
8 Good cause exists to extend the deadlines because Plaintiffs' witnesses are out-of-state and counsel  
9 for all parties have to coordinate schedules. The failure to extend the discovery deadline prior to the  
10 close of discovery is due to excusable neglect, as the parties were previously unable to come to an  
11 agreeable deposition date that worked with all parties' schedules. However, that has since changed  
12 and all parties are now available on June 28, 2018.

13 As the only agreeable date for the deposition that works for all parties and witnesses is June  
14 28, 2018, it is necessary to extend the current dispositive motion deadline of June 8, 2018 by  
15 approximately 90 days. Good cause exists to extend the dispositive motion deadline because the  
16 parties wish to have this case decided on its merits with all parties having the information necessary  
17 to prove their positions. This will not prejudice any party, nor will it have any effect on any of the  
18 other deadlines. This request is not made in bad faith or for purposes of undue delay.

19 **D. PROPOSED SCHEDULE FOR COMPLETING ALL REMAINING**  
20 **DISCOVERY:**

21 The parties agree that an additional 60 days from today's date is required to complete  
22 discovery, and an additional 100 days is required to complete dispositive motions:

23 1. **Close of Discovery:**

24 Current Deadline – May 11, 2018

25 Proposed Deadline – **August 7, 2018**

26 2. **Dispositive Motion Deadline:**

27 Current Deadline – June 8, 2018

28 Proposed Deadline – **September 6, 2018**

1           3.     **Pretrial Order:**

2                     Current Deadline – July 6, 2018

3                     Proposed Deadline – **October 6, 2018**

4 In the event that dispositive motions are filed, the date for filing the Joint Pretrial Order shall be  
5 suspended and should be filed thirty (30) days after the decision on the dispositive motions or until  
6 further order of the Court. This request is not brought for the purpose of undue delay.

7     Dated June 8, 2018

                   Dated June 8, 2018

8     DICKINSON WRIGHT, PLLC

                   Kim Gilbert Ebron

9     By: /s/ Cynthia Alexander

                   By: /s/ Diana S Ebron

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18           Attorneys for Plaintiffs U.S. Bank, National  
19           Association, as Trustee for GSAA 2006-1  
20           and SunTrust Mortgage, Inc.

21     Dated June 8, 2018

22           Lipson Neilson Cole Seltzer & Garin PC

23     By: /s/ Karen Kao

24           J. William Ebert

25           Nevada Bar No. 2697

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                   Attorneys for Defendant San Marino

                   Property Owners Association

**IT IS SO ORDERED:**

  
  UNITED STATES MAGISTRATE JUDGE

  DATED: 6/11/2018