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13 York Mellon fka The Bank of New York as
14 Trustee for the Benefit of the Certificate
15 Holders of the CWALT, Inc., Alternative
16 Loan Trust 2004-J09, Mortgage Pass
17 Through Certificates, Series 2004-J09

18
19 **UNITED STATES DISTRICT COURT**
20 **DISTRICT OF NEVADA**

21 THE BANK OF NEW YORK MELLON FKA
22 THE BANK OF NEW YORK AS TRUSTEE
23 FOR THE BENEFIT OF THE CERTIFICATE
24 HOLDERS OF THE CWALT, INC.,
25 ALTERNATIVE LOAN TRUST 2004-J09,
26 MORTGAGE PASS THROUGH
27 CERTIFICATES, SERIES 2004-J09;

28 Plaintiff,
1 vs.

2 PAINTED DESERT COMMUNITY
3 ASSOCIATION; RON HAUS; EVA BEROU;
4 and NEVADA ASSOCIATION SERVICES,
5 INC.,

6 Defendants.

7 Case No.: 2:17-cv-01466-JCM-NJK

8
9 **STIPULATION AND ORDER TO EXTEND**
10 **TIME TO FILE REPLY IN SUPPORT OF**
11 **MOTION FOR SUMMARY JUDGMENT**

12 [FIRST REQUEST]

1 RON HAUS; EVA BEROU,

2 Counterclaimants,

3 vs.

4 THE BANK OF NEW YORK MELLON FKA
5 THE BANK OF NEW YORK AS TRUSTEE
6 FOR THE BENEFIT OF THE CERTIFICATE
7 HOLDERS OF THE CWALT, INC.,
8 ALTERNATIVE LOAN TRUST 2004-J09,
MORTGAGE PASS THROUGH
CERTIFICATES, SERIES 2004-J09,

8 Counterdefendant.

9 **STIPULATION AND ORDER TO EXTEND TIME TO FILE REPLY IN SUPPORT OF**
MOTION FOR SUMMARY JUDGMENT

10 Plaintiff The Bank of New York Mellon fka The Bank of New York as Trustee for the
11 Benefit of the Certificate Holders of the CWALT, Inc., Alternative Loan Trust 2004-J09, Mortgage
12 Pass Through Certificates, Series 2004-J09 (**BoNYM**), Defendants Ron Haus and Eva Berou (**Haus,**
13 **Berou**) and Defendant Painted Desert Community Association (**HOA**) stipulate as follows:

14 1. BoNYM filed its motion for summary judgment on January 5, 2018. [ECF No. 34].
15 HOA filed its response to BoNYM's motion on January 25, 2018 [ECF No. 35] and Haus, Berou filed
16 their response to motion on January 26, 2018 [ECF No. 36]. BoNYM's reply is currently due on
17 February 9, 2018.

18 2. The parties hereby stipulate and agree BoNYM shall have fourteen (14) additional
19 days to file its reply. The new deadline for BoNYM to file its reply in support of motion for
20 summary judgment shall be February 23, 2018.

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1 3. This is the first request for an extension of this deadline and is not made for purposes
2 of undue delay. The additional time requested is to allow counsel to meaningfully respond to the
3 arguments raised in each opposition.

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5 Dated: February 6 2018

AKERMAN LLP <u>/s/Tenesa Scaturro Powell</u> ARIEL E. STERN, ESQ. Nevada Bar No. 8276 TENESA SCATURRO POWELL, ESQ. Nevada Bar No. 12488 1635 Village Center Circle, Ste. 200 Las Vegas, Nevada 89134 Attorneys for Plaintiff	AYON LAW, PLLC <u>/s/Luis A. Ayon</u> LUIS A. AYON, ESQ. Nevada Bar No. 9752 8716 Spanish Ridge Avenue Suite 115 Las Vegas, NV 89148 Attorneys for Ron Haus and Eva Berou
ALVERSON TAYLOR MORTENSEN & SANDERS <u>/s/Kurt R. Bonds</u> KURT R. BONDS, ESQ. Nevada Bar No. 6228 ADAM R. KNECHT, ESQ. Nevada Bar No. 13166 6605 Grand Montecito Parkway Ste. 200 Las Vegas, NV 89149 Attorneys for Painted Desert Community Association	

18 **ORDER**
19

20 **IT IS SO ORDERED:**

21 
22 **UNITED STATES DISTRICT COURT JUDGE**

23 **February 8, 2018**
24 **DATED:** _____