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 York Mellon fka The Bank of New York as  
 8 Trustee for the Benefit of the Certificate  
 Holders of the CWALT, Inc., Alternative  
 9 Loan Trust 2004-J09, Mortgage Pass  
 Through Certificates, Series 2004-J09  
 10

11 **UNITED STATES DISTRICT COURT**  
 12 **DISTRICT OF NEVADA**

**AKERMAN LLP**

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13 THE BANK OF NEW YORK MELLON FKA  
 THE BANK OF NEW YORK AS TRUSTEE  
 14 FOR THE BENEFIT OF THE CERTIFICATE  
 HOLDERS OF THE CWALT, INC.,  
 15 ALTERNATIVE LOAN TRUST 2004-J09,  
 MORTGAGE PASS THROUGH  
 16 CERTIFICATES, SERIES 2004-J09;

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

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

17 Plaintiff,  
 18 vs.

[FIRST REQUEST]

19 PAINTED DESERT COMMUNITY  
 ASSOCIATION; RON HAUS; EVA BEROU;  
 20 and NEVADA ASSOCIATION SERVICES,  
 INC.,  
 21 Defendants.

1 RON HAUS; EVA BEROU,  
 2  
 3 Counterclaimants,  
 4  
 5 vs.  
 6  
 7 THE BANK OF NEW YORK MELLON FKA  
 8 THE BANK OF NEW YORK AS TRUSTEE  
 9 FOR THE BENEFIT OF THE CERTIFICATE  
 10 HOLDERS OF THE CWALT, INC.,  
 11 ALTERNATIVE LOAN TRUST 2004-J09,  
 12 MORTGAGE PASS THROUGH  
 13 CERTIFICATES, SERIES 2004-J09,  
 14  
 15 Counterdefendant.

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

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

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

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

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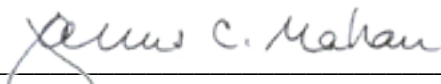
3. This is the first request for an extension of this deadline and is not made for purposes of undue delay. The additional time requested is to allow counsel to meaningfully respond to the arguments raised in each opposition.

Dated: February 6, 2018

<p><b>AKERMAN LLP</b></p> <p><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</p> <p>Attorneys for Plaintiff</p>	<p><b>AYON LAW, PLLC</b></p> <p><u>/s/Luis A. Ayon</u>  LUIS A. AYON, ESQ.  Nevada Bar No. 9752  8716 Spanish Ridge Avenue  Suite 115  Las Vegas, NV 89148</p> <p>Attorneys for Ron Haus and Eva Berou</p>
<p><b>ALVERSON TAYLOR MORTENSEN &amp; SANDERS</b></p> <p><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</p> <p>Attorneys for Painted Desert Community Association</p>	

**ORDER**

**IT IS SO ORDERED:**

  
\_\_\_\_\_  
UNITED STATES DISTRICT COURT JUDGE

DATED: February 8, 2018  
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