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7 *U.S. Bank National Association*

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

11 U.S. BANK NATIONAL ASSOCIATION, as  
Trustee for Credit Suisse First Boston  
12 Mortgage Securities Corp., CSFB Mortgage  
Pass-Thru Certificates, Series 2005-5,

Case No. 2:17-cv-01485-JCM-PAL

13 Plaintiff,

**STIPULATION AND ORDER TO  
EXTEND DISPOSITIVE MOTION  
BRIEFING SCHEDULE**

14 vs.

15 SFR INVESTMENTS POOL 1, LLC, a  
Nevada limited-liability company;  
16 SOUTHERN HIGHLANDS COMMUNITY  
ASSOCIATION, a Nevada non-profit  
17 corporation; ALESSI & KOENIG, LLC, a  
Nevada limited-liability company,

**(FIFTH REQUEST)**

18 Defendants.

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21 **AND ALL RELATED ACTIONS**

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23 **STIPULATION AND ORDER TO EXTEND DISPOSITIVE MOTION DEADLINE**

24 **AND BRIEFING SCHEDULE**

25 Pursuant to Fed. R. Civ. P. 26(f), and Local Rules 6-1, 26-1 and 26-4, U.S. BANK  
26 NATIONAL ASSOCIATION, as Trustee for Credit Suisse First Boston Mortgage Securities  
27 Corp., CSFB Mortgage Pass-Thru Certificates, Series 2005-5 (“U.S. Bank”), Mortgage Electronic  
28 Registration Systems, Inc. (“MERS”), and SFR Investments Pool 1, LLC (“SFR”) (collectively,

1 the “Stipulating Parties”), by and through their respective undersigned counsel of record, submit  
2 this Stipulation and Proposed Order to extend the dispositive motion briefing deadlines in this  
3 action. This is the Stipulating Parties’ fifth request for extension of dispositive motion deadlines,  
4 but only the second request to extend since the filing of the dispositive motions<sup>1</sup>.

5 The parties filed their Motions for Summary Judgment on October 12, 2018, and filed  
6 their respective Responses on or before November 21, 2018, per the operative deadlines. The  
7 current deadline to file the Reply briefs is December 21, 2018; the parties seek an extension to  
8 January 18, 2019. The parties are now actively engaging in settlement discussions; both parties  
9 have made settlement offers and are negotiating.

10 This request to extend the deadlines is made in good faith, and is not for purpose of delay  
11 or prejudice to any party, but to allow all parties to have enough time to fully brief their  
12 dispositive motions and also focus significant efforts on a possible settlement. Pursuant to LR 26-  
13 4, good cause exists to grant this request within 21 days of the Reply deadline, as the parties only  
14 recently began case resolution discussions this week and are in active negotiations now.

15 The requested extension will not result in undue delay or prejudice to any party, as the  
16 parties previously stated in their Joint Interim Status Report [Docket No. 33] that their earliest  
17 available date for trial for this matter is April 29, 2019.

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26 <sup>1</sup> The first request to extend the dispositive motion deadline was contained in the stipulation and  
27 order to extend discovery [Docket No. 36], entered by this Court on April 3, 2018, and the second  
28 request to extend was entered as an order of this Court on June 12, 2018 [Docket No. 62]. The  
third request to extend was entered as an order of this Court on August 17, 2018 [Docket No. 68].  
The fourth request to extend was entered as an order of this Court on November 8, 2018 [Docket  
No. 72.]

**A. Proposed Schedule for Dispositive Motions**

<u>EVENT</u>	<u>EXISTING DEADLINE</u>	<u>NEW DEADLINE</u>
Dispositive motions	October 12, 2018	Closed
Response to dispositive motions	November 21, 2018	Closed
Reply brief in support of dispositive motion	December 21, 2018	January 18, 2019
Pre-trial order and FRCP 26(a)(3) disclosures	30 days after decision on any dispositive motion.	30 days after decision on the dispositive motions.

Dated this 6<sup>th</sup> day of December, 2018

Dated this 6<sup>th</sup> day of December, 2018

SNELL & WILMER L.L.P.

KIM GILBERT EBRON

/s/ Tanya N. Lewis

/s/ Diana S. Ebron

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*(signature affixed with permission)*

*Attorneys for Defendant SFR Investments  
 Pool 1, LLC*

**ORDER**

IT IS SO ORDERED:

  
 UNITED STATES MAGISTRATE JUDGE

DATED: December 13, 2018

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**CERTIFICATE OF SERVICE**

I hereby certify that on this date, I electronically transmitted the foregoing **STIPULATION AND ORDER TO EXTEND DISPOSITIVE MOTION BRIEFING SCHEDULE** with the Clerk of Court for the U.S. District Court, District of Nevada by using the CM/ECF system for filing and transmittal of a Notice of Electronic Filing to all counsel in this matter; all counsel being registered to receive Electronic Filing.

DATED: December 6, 2018

/s/ Susan Ballif  
An employee of SNELL & WILMER L.L.P.

4829-5943-6930