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8 *Attorneys for HSBC Bank USA, N.A., as Trustee for*
9 *Wells Fargo Home Equity Asset-Backed Certificates,*
10 *Series 2006-3, by its Attorney-in-fact Wells Fargo*
Bank, N.A., Wells Fargo Bank, N.A., and Wells
Fargo Asset Securities Corporation

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

13
14 EDYTA GRYGLAK, formerly known as
EDYTA A. FROMKIN,
15
16 Plaintiff,

Case No. 2:17-cv-01514-JCM-NJK

17 vs.

**STIPULATION AND ORDER GRANTING
DEFENDANTS' MOTION TO REOPEN
DISPOSITIVE MOTION DEADLINE
[ECF No. 136]**

18 HSBC BANK USA, N.A., as trustee for
WELLS FARGO HOME EQUITY
ASSET-BACKED CERTIFICATES, Series
19 2006-3, by its Attorney-in-fact WELLS
FARGO BANK, N.A.; WELLS FARGO
20 BANK, N.A.; and WELLS FARGO
ASSET SECURITIES CORPORATION,
21
22 Defendants.

23 Defendants HSBC Bank USA, N.A., as trustee for Wells Fargo Home Equity Asset-Backed
24 Certificates, Series 2006-3, by its Attorney-in-fact Wells Fargo Bank, N.A.; Wells Fargo Bank,
25 N.A.; and Wells Fargo Asset Securities Corporation (collectively, "Defendants" or "Wells Fargo")
26 and Plaintiff Edyta Gryglak (together with Defendants, "the Parties") hereby stipulate to grant
27 Wells Fargo's Motion to Reopen Dispositive Motion Deadline [ECF No. 136] to permit Wells
28 Fargo to file its proposed renewed motion for summary judgment [ECF No. 136-1] and for

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1 Ms. Gryglak to file an optional summary-judgment motion regarding her theory of contract
2 damages, with the following background and for the following reasons:

3 1. Wells Fargo filed its Motion to Reopen Dispositive Motion Deadline (“the Motion”)
4 on February 24, 2021. ECF No. 136.

5 2. The Motion seeks to reopen the dispositive motion deadline in this case to permit
6 Wells Fargo to file a motion for summary judgment that addresses Ms. Gryglak’s theory of damages
7 for her contract claim, which Wells Fargo asserts was first raised after summary judgment. Wells
8 Fargo’s renewed summary judgment concerns only this sole remaining claim.

9 3. Wells Fargo appended its proposed renewed summary judgment motion to the
10 Motion. ECF No. 136-1.

11 4. After several stipulations and an unopposed motion to extend time, Ms. Gryglak’s
12 deadline to oppose the Motion was extended until May 19, 2021, with no further extensions
13 permitted. ECF No. 148.

14 5. Ms. Gryglak agrees that the Court should address the issues regarding contract
15 damages raised in Wells Fargo’s proposed renewed summary judgment motion and thus also agrees
16 that the dispositive motion deadline should be reopened to permit Wells Fargo to file that motion.

17 6. Ms. Gryglak disagrees, however, with the merits of Wells Fargo’s proposed
18 renewed summary-judgment motion and intends to oppose it.

19 7. Ms. Gryglak also potentially desires to file her own summary judgment motion
20 regarding her theory of contract damages.

21 Accordingly, the Parties here **STIPULATE** as follows:

22 1. Wells Fargo’s Motion to Reopen Dispositive Motion Deadline (ECF No. 136)
23 should be GRANTED.

24 2. The dispositive motion deadline in this action should be reopened for the limited
25 purpose of permitting Wells Fargo to file its proposed renewed summary judgment motion
26 (ECF No. 136-1) and permitting Ms. Gryglak to file an optional summary judgment motion
27 addressing her theory of contract damages within the time limits described below.
28

1 3. Wells Fargo may file its renewed summary-judgment motion within 7 days of this
2 Court granting the instant stipulation.

3 4. Ms. Gryglak shall have 30 days from the date that Wells Fargo files its renewed
4 summary judgment motion to (1) file an opposition to that motion and (2) file her own optional
5 summary judgment motion regarding her theory of contract damages, only.
6

<p>7 Dated: May 19, 2021</p> <p>8 SNELL & WILMER L.L.P.</p> <p>9 <u>/s/ Kelly H. Dove</u></p> <p>10 Amy F. Sorenson, Esq. (NV. Bar #. 12495)</p> <p>11 Kelly H. Dove, Esq. (NV Bar # 10569)</p> <p>12 Blakeley E. Griffith, Esq. (NV Bar # 12386)</p> <p>13 Telephone: (702) 784-5200</p> <p>14 Facsimile: (702) 784-5252</p> <p><i>Attorneys for Defendants</i></p>	<p>7 Dated: May 19, 2021</p> <p>8 The GRIFFITH FIRM</p> <p>9 <u>/s/ Edward Griffith</u></p> <p>10 Edward Griffith (<i>pro hac vice</i>)</p> <p>11 45 Broadway, Suite 2200</p> <p>12 New York New York 10006</p> <p>13 Telephone: (646) 645-3784</p> <p>14 Facsimile: (212) 363-3790</p> <p><i>Attorney for Plaintiff</i></p>
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ORDER

Good cause appearing, **IT IS HEREBY ORDERED** that the Parties' stipulation is **GRANTED**.

IT IS FURTHER ORDERED that Wells Fargo's Motion to Reopen Dispositive Motion Deadline (ECF No. 136) is **GRANTED**.

IT IS FURTHER ORDERED that the dispositive motion deadline in this action is reopened for the limited purpose of permitting Wells Fargo to file its proposed renewed summary judgment motion (ECF No. 136-1) and permitting Ms. Gryglak to file an optional summary judgment motion addressing her theory of contract damages within the time limits set out below.

IT IS FURTHER ORDERED that Wells Fargo shall file its renewed summary judgment motion within 7 days of the date of this Order.

IT IS FURTHER ORDERED that Ms. Gryglak shall have 30 days from the date that Wells Fargo files its renewed summary judgment motion to (1) file an opposition to that motion and (2) file her own optional summary judgment motion regarding her theory of contract damages, only.

IT IS SO ORDERED.

DATED: May 24, 2021


U.S. DISTRICT COURT JUDGE

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CERTIFICATE OF SERVICE

I hereby certify that on February 24, 2021, I electronically filed the foregoing **STIPULATION AND ORDER GRANTING DEFENDANTS’ MOTION TO REOPEN DISPOSITIVE MOTION DEADLINE [ECF No. 136]** with the Clerk of Court for the U.S. District Court, District of Nevada by using the Court’s CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

DATED this 19th day of May 2021.

/s/ Kelly H. Dove
An Employee of Snell & Wilmer L.L.P.

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