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The Bank of New York as Trustee for the  
Certificateholders CWALT, Inc. Alternative Loan  
10 Trust 2005-58 Mortgage Pass-Through  
Certificates, Series 2005-58  
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12 **UNITED STATES DISTRICT COURT**  
13 **DISTRICT OF NEVADA**

14 THE BANK OF NEW YORK MELON fka THE  
BANK OF NEW YORK AS TRUSTEE FOR  
15 THE CERTIFICATEHOLDERS OF CWALT,  
INC., ALTERNATIVE LOAN TRUST 2005-58,  
16 MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2005-58, a New York  
corporation,  
17  
18 Plaintiff,  
19  
20 vs.  
21 DORIS J. BARRETT, an individual; WILLIAM  
BARRETT; an individual; 2298 DRIFTWOOD  
TIDE TRUST, a Nevada trust,  
22 Defendants.

Case No.: 2:17-cv-01809-MMD-BNW

23 **STIPULATION AND ORDER TO**  
**EXTEND DEADLINE TO FILE REPLY**  
**IN SUPPORT OF COUNTERMOTION**  
24 **[ECF No. 30]**

25 [FIRST REQUEST]

26 The Bank of New York Mellon, fka The Bank of New York, as Trustee for the  
Certificateholders CWALT, Inc. Alternative Loan Trust 2005-58 Mortgage Pass-Through  
27 Certificates, Series 2005-58 (**BoNYM**) and Defendant 2298 Driftwood Tide Trust (the **Trust**)  
28 stipulate as follows:

1. BoNYM filed its counter-motion to amend/correct amended complaint, or in the on August 16, 2019. [ECF No. 30].

2. Trust responded to the counter-motion to amend/correct amended complaint on September 26, 2019 [ECF No. 36] BoNYM's reply is currently due on October 3, 2019.

3. BoNYM's counsel requests an extension of time as a result of numerous other work and personal obligations, including appellate briefs, motion practice in other cases, and various other matters.

4. The parties hereby stipulate and agree BoNYM shall have eleven (11) additional days to file its reply in support to counter-motion to amend.

5. The new deadline for BoNYM to file its reply in support of its counter-motion to amend/correct amended complaint shall be **Monday, October 14, 2019**.

This is the first request for an extension of this deadline and is not made for purposes of undue delay.

Dated this 3rd of October, 2019

<p><b>AKERMAN LLP</b></p> <p><u>/s/ Jamie K. Combs</u>                  DARREN T. BRENNER, ESQ.                  Nevada Bar No. 8386                  NATALIE L. WINSLOW, ESQ.                  Nevada Bar No. 12125                  JAMIE K. COMBS, ESQ.                  Nevada Bar No. 13088                  1635 Village Center Circle, Suite 200                  Las Vegas, Nevada 89134</p> <p>Attorneys for The Bank of New York Mellon FKA                  The Bank of New York as Trustee for the                  Certificateholders CWALT, Inc. Alternative Loan                  Trust 2005-58 Mortgage Pass-Through                  Certificates, Series 2005-58</p>	<p><b>ROGER P. CROTEAU &amp; ASSOCIATES, LTD.</b></p> <p><u>/s/ Timothy E. Rhoda</u>                  ROGER P. CROTEAU, ESQ.                  Nevada Bar No. 4958                  TIMOTHY E. RHODA, ESQ.                  Nevada Bar No. 7878                  2810 W. Charleston Boulevard, Suite 75                  Las Vegas, NV 89102</p> <p>Attorneys for 2298 Driftwood Tide Trust</p>
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**ORDER**

**IT IS SO ORDERED:**



UNITED STATES DISTRICT COURT JUDGE

DATED: October 3, 2019