

1 SIDLEY AUSTIN LLP
 Elizabeth W. Walker
 2 California Bar No. 113545
 555 West Fifth Street, 40th Floor
 3 Los Angeles, CA 90013
 Telephone: (213) 896-6000
 4 Facsimile: (213) 896-6600
 5 ewalker@sidley.com

GARMAN TURNER GORDON LLP
 William M. Noall
 Nevada Bar No. 3549
 650 White Drive, Suite 100
 Las Vegas, Nevada 89119
 Telephone: (725) 777-3000
 Facsimile: (725) 777-3112
 wnoall@gtg.legal

6 Attorneys for Credit Suisse AG, Cayman Islands Branch, formerly known as Credit Suisse,
 7 Cayman Islands Branch (as successor to Credit Suisse First Boston, Cayman Islands Branch);
 Credit Suisse Securities (USA) LLC (formerly known as Credit Suisse First Boston LLC); and
 8 Credit Suisse AG (collectively, “Credit Suisse” or “Appellant”)

9
 10 **UNITED STATES DISTRICT COURT**
 11 **FOR THE DISTRICT OF NEVADA**

12 In re:

USDC Case No.: 17-cv-01975-JCM
 Appeal Ref. No. 17-27

13 LAKE AT LAS VEGAS JOINT VENTURE,
 14 LLC; LLV-1, LLC; LLV HOLDCO, LLC;
 LAKE LAS VEGAS PROPERTIES, LLC; LLV
 15 FOUR CORNERS, LLC; NORTHSHORE
 GOLF CLUB LLC; P-3 AT MONTELAGO
 16 VILLAGE LLC; THE GOLF CLUB AT LAKE
 LAS VEGAS LLC; MARINA INVESTORS
 17 LLC; THE VINEYARD AT LAKE LAS
 VEGAS LLC; LLVVHI LLC; TCH
 18 DEVELOPMENT LLC; TC TECHNOLOGIES
 LLC; SOUTHSORE GOLF CLUB LLC
 19 NEVA HOLDINGS LLC

Appeal from Case No. BK-S-08-17814-MKN
 BK 08-17815 MKN BK 08-17832 MKN
 BK 08-17817 MKN BK 08-17835 MKN
 BK 08-17820 MKN BK 08-17837 MKN
 BK 08-17822 MKN BK 08-17841 MKN
 BK 08-17825 MKN BK 08-17842 MKN
 BK 08-17827 MKN BK 08-17844 MKN
 BK 08-17830 MKN BK 08-17845 MKN

Joint Administration

20 Jointly Administered Reorganized Debtors.

21
 22 CREDIT SUISSE,
 Appellant,
 23 v.
 24 LARRY LATTIG, CREDITOR TRUSTEE OF
 25 THE LLV CREDITOR TRUST
 Appellee.

**FOURTH STIPULATION AND ORDER
 TO EXTEND BRIEFING SCHEDULE TO
 FACILITATE MEDIATION**

27 Credit Suisse, by and through its undersigned counsel, Elizabeth W. Walker of the law firm
 28

1 Sidley Austin LLP and William M. Noall of the law firm Garman Turner Gordon LLP, Larry
2 Lattig, as Creditor Trustee (the "Creditor Trustee") of the LLV Creditor Trust, by and through his
3 attorneys, Robert M. Charles, Jr. of the law firm Lewis Roca Rothgerber Christie LLP and Gary
4 Cruciani, Jr. of the law firm McKool Smith, P.C., and Highland Floating Rate Opportunities Fund
5 and NexPoint Credit Strategies Fund (together, the "Highland Entities" and, collectively with the
6 Creditor Trustee, the "Appellees") by and through their attorneys, Jacob S. Frumkin and Michael
7 D. Warner of the law firm Cole Schotz P.C. and Samuel A. Schwartz of the law firm Schwartz
8 Flansburg PLLC (collectively, the "Parties"), stipulate and agree as follows:

9 **RECITALS**

10 a. On December 12, 2017, this Court issued a Minute Order [ECF No. 27] (the
11 "Minute Order") setting the deadlines for Appellant to file and serve an opening brief, for
12 Appellee(s) to file and serve an answering brief, and for Appellant to file and serve a reply brief.
13 The deadlines set in the Minute Order are December 26, 2017, January 9, 2018, and January 23,
14 2018, respectively.

15 b. On December 29, 2017, this Court issued an Order [ECF No. 31] extending the
16 deadlines contained in the Minute Order to March 2, 2018, April 6, 2018, and April 20, 2018,
17 respectively, to facilitate the Parties' planned mediation with the Honorable Gregg W. Zive.

18 c. On January 23, 2018 the Parties mediated the disputes involved in what is referred
19 to by the Parties and the United States Bankruptcy Court for the District of Nevada as the
20 "Indemnification Dispute," which include this appeal. **The mediation included approximately**
21 **46 additional parties with financial interests in the Indemnification Dispute, but who have**
22 **yet to make an appearance in the appeal and thus are not Parties to this Stipulation and**
23 **Order.**

24 d. On March 30, 2018, this Court issued an order [ECF No. 33] extending the
25 deadlines contained in the Minute Order to April 6, 2018, May 4, 2018 and May 18, 2018.

26 e. On April 6, 2018, the Parties submitted their Third Stipulation and Order to Extend
27 Briefing Schedule to Facilitate Mediation [ECF No. 34] ("Extension Stipulation") as the Parties
28 needed additional time (the, "Extension Period") to document and implement the agreements made

1 at mediation.

2 f. On April 10, 2018, this Court issued an order [ECF No. 35] extending the deadlines
3 contained in the Minute Order to June 5, 2018, July 3, 2018 and July 17, 2018.

4 g. Since the Parties entered into the Extension Stipulation, they have concluded the
5 documentation to implement the agreements made at mediation, including documentation that will
6 allow the termination of this appeal. **Thirty-one (31) of the necessary party signatures on the**
7 **documentation have been received, and counsel are waiting for approximately 23 additional**
8 **party signatures. The attorney who represents approximately 46 of the parties and who is**
9 **tasked with collecting the remaining 23 needed party signatures has indicated it will take**
10 **about another week to collect the remaining party signatures.** None of these 46 parties has
11 made an appearance in this appeal but they are all parties-in-interest to the Indemnification Dispute
12 in the Bankruptcy Court. Upon receipt of all necessary signatures, the Parties will seek an order
13 from Judge Nakagawa that will facilitate the dismissal of this appeal. The Parties hereby seek a
14 sixty (60) day extension of the briefing deadlines to facilitate collecting the necessary signatures
15 and then obtaining the necessary order from Judge Nakagawa.

16 h. The Parties do not wish to expend further resources on this appeal pending its
17 dismissal.

18 i. In view of the foregoing and consistent with Bankruptcy Rule 8009, made
19 applicable to this appeal pursuant to LR 8018, the Parties have further met and conferred regarding
20 an extension of the current briefing schedule.

21 **STIPULATION**

22 Based upon the above Recitals and subject to the entry of an order by this Court approving
23 this Stipulation, the Parties agree that:

- 24 1. The Appellant shall have until August 3, 2018, to file and serve an opening brief.
25 2. The Appellees shall have until September 4, 2018, to file and serve an answering
26 brief.

27 ///

28 ///

1 3. The Appellant shall have until September 17, 2018, to file and serve a final reply
2 brief.

3 Dated: June 5, 2018.

4 GARMAN TURNER GORDON LLP

5 /s/ William M. Noall
6 William M. Noall
7 650 White Drive, Suite 100
8 Las Vegas, NV 89119
9 Telephone (725) 777-3000
10 Facsimile (725) 777-3112

11 Attorney for Credit Suisse

12 LEWIS ROCA ROTHGERBER CHRISTIE
13 LLP

14 /s/ Robert M. Charles
15 Robert M. Charles, Jr.
16 3993 Howard Hughes Pkwy Ste 600
17 Las Vegas, NV 89169-5996
18 Telephone: (702) 949-8320
19 Facsimile: (702) 949-8321
20 Co-Counsel for the LLV Credit Trust

21 SIDLEY AUSTIN LLP

22 /s/ Elizabeth W. Walker
23 Elizabeth W. Walker
24 555 West Fifth Street, 40th Floor
25 Los Angeles, CA 90013
26 Telephone: (213) 896-6000
27 Facsimile: (213) 896-6600

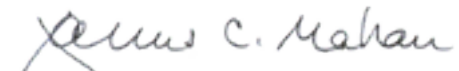
28 Attorneys for Credit Suisse

 COLE SCHOTZ P.C.

/s/ Jacob S. Frumkin
 Jacob S. Frumkin
 25 Main Street
 Hackensack, NJ 07601
 Telephone: (201) 489-3000

 Michael D. Warner
 301 Commerce Street Suite 1700
 Fort Worth, TX 76102
 Telephone: (817) 810-5250
 Attorney for the Highland Entities

IT IS SO ORDERED:



 UNITED STATES DISTRICT JUDGE

DATED: June 8, 2018