

1 GAYLE A. KERN, ESQ.  
 Nevada Bar No. 1620  
 2 KAREN M. AYARBE, ESQ.  
 Nevada Bar No. 3358  
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7 *Attorneys for Defendant*  
 8 *Gayle A. Kern, Ltd. dba Kern & Associates, Ltd.*

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

11 USROF III LEGAL TITLE TRUST 2015-1,  
 BY U.S. BANK NATIONAL ASSOCIATION,  
 12 AS LEGAL TITLE TRUSTEE,

Case No.: 2:17-cv-02083-RFB-PAL

13 Plaintiff,

**STIPULATION AND ORDER TO  
 EXTEND DEADLINE FOR GAYLE A.  
 KERN, LTD. DBA KERN &  
 ASSOCIATES, LTD. TO ANSWER OR  
 OTHERWISE RESPOND TO  
 COMPLAINT**

14 v.

15 TBD, LLC, a Nevada Limited-Liability  
 16 Company; TBR I, LLC, a Nevada Limited-  
 17 Liability Company; AIRMOTIVE  
 INVESTMENTS, LLC, a Nevada Limited-  
 18 Liability Company; HIGHLAND RANCH  
 HOMEOWNERS ASSOCIATION, a Nevada  
 19 Non-Profit Corporation; KERN &  
 20 ASSOCIATES, LTD., a Nevada Corporation,

[Fourth Request]

21 Defendants.

22 \_\_\_\_\_/

23 ***IT IS HEREBY STIPULATED*** between Plaintiff, USROF III Legal Title Trust 2015-1,  
 24 by U.S. Bank National Association, as Legal Title Trustee (“Plaintiff”), by and through its counsel,  
 25 Wright, Finlay & Zak, LLP, and Defendant, Gayle A. Kern, Ltd. dba Kern & Associates, Ltd.  
 26 (“Kern”), by and through its counsel Kern & Associates, Ltd., to extend the deadline for Kern to  
 27 answer or otherwise respond to Plaintiff’s Complaint up-to-and-including November 17, 2017.  
 28

1 Pursuant to a prior Stipulation and Order, the current deadline for Kern to file its answer  
2 or otherwise respond to the Complaint is October 27, 2017.

3 Plaintiff and Kern (collectively referred to as the "Parties") stipulate and agree to an  
4 additional, extension of the deadline for Kern's answer or other response to the Complaint up-to-  
5 and-including November 17, 2017. The Parties continue progress in substantive discussions with  
6 regard to the claims and defenses in this matter, and wish to conserve the time and resources of  
7 the Parties and the Court while such discussions move forward. Therefore, good cause exists for  
8 the extension. This is the fourth request for an extension of time with respect to this matter and is  
9 not intended to cause delay or prejudice to any party.  
10  
11

12 DATED this 26<sup>th</sup> day of October, 2017.

DATED this 26<sup>th</sup> day of October, 2017.

13 ***KERN & ASSOCIATES, LTD.***

***WRIGHT, FINLAY & ZAK, LLP***

14 /s/ Karen M. Ayarbe, Esq.

/s/ Paterno C. Jurani, Esq.

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21 *Attorneys for Defendant Gayle A. Kern,*  
22 *Ltd. dba Kern & Associates, Ltd.*

*Attorneys for Plaintiff USROF III Legal Title*  
*Trust 2015-1, by U.S. Bank National*  
*Association, as Legal Title Trustee*

23 **ORDER**

24 ***IT IS SO ORDERED*** that the Stipulation is **DENIED**.

25 DATED this 31st day of October, 2017.

26   
27 UNITED STATES MAGISTRATE JUDGE

28 ***Respectfully Submitted By:***

/s/ Karen M. Ayarbe, Esq.

KAREN M. AYARBE, ESQ.

*Attorneys for Defendant Gayle A. Kern, Ltd. dba Kern & Associates, Ltd.*

1 **CERTIFICATE OF SERVICE**

2 Pursuant to the Fed. R. Civ. Proc. 5(b) and the United States District Court CM/ECF  
3 Electronic Filing Procedure IV(B), a true and correct copy of the foregoing ***STIPULATION AND***  
4 ***ORDER TO EXTEND DEADLINE FOR GAYLE A. KERN, LTD. DBA KERN &***  
5 ***ASSOCIATES, LTD. TO ANSWER OR OTHERWISE RESPOND TO COMPLAINT (Third***  
6 ***Request)*** was transmitted electronically through the Court’s e-filing electronic system to the  
7 attorney(s) associated with this case.  
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23 /s/ Christine A. Lamia  
24 An Employee of Kern & Associates, Ltd.  
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27  
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