

1 ANDREW D. HEROLD, ESQ.  
 Nevada Bar No. 7378  
 2 JOSHUA A. ZLOTLOW, ESQ.  
 Nevada Bar No. NV 11333  
 3 HEROLD & SAGER  
 4 3960 Howard Hughes Parkway, Suite 500  
 Las Vegas, NV 89169  
 5 Telephone: (702) 990-3624  
 Facsimile: (702) 990-3835  
 6 [aherold@heroldsagerlaw.com](mailto:aherold@heroldsagerlaw.com)  
 7 [jzlotlow@heroldsagerlaw.com](mailto:jzlotlow@heroldsagerlaw.com)

8 Attorneys for Defendant LEXINGTON INSURANCE COMPANY and  
 9 Third Party Defendant NEW HAMPSHIRE INSURANCE COMPANY

10 UNITED STATES DISTRICT COURT  
 11 DISTRICT OF NEVADA

12 CENTEX HOMES, a Nevada general  
 13 partnership,  
 14 Plaintiffs,  
 15 vs.  
 16 ST. PAUL FIRE AND MARINE  
 17 INSURANCE COMPANY, a Connecticut  
 18 corporation; EVEREST NATIONAL  
 19 INSURANCE COMPANY, a Delaware  
 20 corporation; INTERSTATE FIRE &  
 21 CASUALTY COMPANY, an Illinois  
 22 corporation; LEXINGTON INSURANCE  
 COMPANY, a Delaware corporation;  
 FEDERAL INSURANCE COMPANY, an  
 Indiana corporation,  
 Defendants.

CASE NO. 2:17-CV-02407-JAD-VCF

**STIPULATION AND [PROPOSED]  
 ORDER EXTENDING TIME TO FILE A  
 RESPONSIVE PLEADING TO ST. PAUL  
 FIRE AND MARINE INSURANCE  
 COMPANY'S THIRD-PARTY  
 COMPLAINT [FIRST REQUEST]**

23 ST. PAUL FIRE AND MARINE  
 24 INSURANCE COMPANY,  
 25 Third Party Plaintiff,  
 26 vs.  
 27 UNDERWRITERS AT LLOYDS LONDON;  
 28 PROBUILDERS SPECIALTY INSURANCE  
 COMPANY, RRG; NEW HAMPSHIRE

1 INSURANCE COMPANY; FIRST  
2 SPECIALTY INSURANCE COMPANY;  
3 ARCH SPECIALTY INSURANCE  
4 COMPANY; IRONSHORE SPECIALTY  
5 INSURANCE COMPANY; ROCKHILL  
6 INSURANCE COMPANY; and FIREMAN'S  
7 FUND INSURANCE COMPANY,

8 Third Party Defendants.

9 Defendant and Third-Party Plaintiff ST. PAUL FIRE AND MARINE INSURANCE  
10 COMPANY ("St. Paul") and Third-Party Defendant NEW HAMPSHIRE INSURANCE  
11 COMPANY ("New Hampshire) hereby submit the following Stipulation Extending Time to File a  
12 Responsive Pleading to St. Paul's Third-Party Complaint in the above-captioned action.

13 WHEREAS, Centex Homes ("Centex") filed a Complaint on or about September 14, 2017,  
14 in the United States District Court, District of Nevada as Case Number 2:17-cv-02407, naming  
15 LEXINGTON INSURANCE COMPANY ("Lexington") as a defendant;

16 WHEREAS, on or about October 26, 2017, Lexington filed a Motion to Dismiss Centex's  
17 Complaint pursuant to Federal Rules of Civil Procedure 12(b)(6) and 12(f);

18 WHEREAS, on or about November 13, 2017, St. Paul filed a Third-Party Complaint in this  
19 action naming New Hampshire as a defendant;

20 WHEREAS, Lexington's Motion to Dismiss Centex's Complaint addresses legal issues that  
21 may have a substantial impact on Centex's claims against St. Paul as well as Centex's Third-Party  
22 claims against New Hampshire;

23 WHEREAS, on or about December 21, 2017, St. Paul served New Hampshire with the  
24 Third-Party Complaint through the State of Nevada Department of Business and Industry, Division  
25 of Insurance;

26 WHEREAS, the hearing date on Lexington's Motion to Dismiss Centex's Complaint is  
27 scheduled for January 8, 2018;

28 WHEREAS, pursuant to Federal Rule of Civil Procedure 12(a)(1)(A)(i), New Hampshire's  
deadline to respond to the Third-Party Complaint is January 11, 2018;

///

1 WHEREAS, St. Paul and New Hampshire have agreed to extend the time for New  
2 Hampshire to file a responsive pleading to St. Paul's Third-Party Complaint until fourteen (14) days  
3 after the Court rules on Lexington's Motion to Dismiss Centex's Complaint.

4 NOW, THEREFORE, St. Paul and New Hampshire, by and through their respective  
5 counsel, hereby stipulate to allow for an extension of time for New Hampshire to file a responsive  
6 pleading until fourteen (14) days after the Court's ruling on Lexington's Motion to Dismiss  
7 Centex's Complaint.


8  
9 DATED: January 3, 2018

MORALES FIERRO & REEVES

10 By: /s/ Ramiro Morales (as authorized 1/3/18)  
11 RAMIRO MORALES, ESQ.  
12 [rmorales@mfrlegal.com](mailto:rmorales@mfrlegal.com)  
13 Attorneys for Defendant and Third-Party Plaintiff  
14 ST. PAUL FIRE AND MARINE INSURANCE  
COMPANY

15 DATED: January 3, 2018

HEROLD & SAGER

16 By:   
17 ANDREW D. HEROLD, ESQ.  
18 [aherold@heroldsagerlaw.com](mailto:aherold@heroldsagerlaw.com)  
19 JOSHUA A. ZLOTLOW, ESQ.  
20 [jzlotlow@heroldsagerlaw.com](mailto:jzlotlow@heroldsagerlaw.com)  
21 Attorneys for Defendant LEXINGTON  
INSURANCE COMPANY and Third-Party  
22 Defendant NEW HAMPSHIRE INSURANCE  
COMPANY

23 **IT IS SO ORDERED:**

24 DATED: 2-13-2018

25   
26 UNITED STATES ~~DISTRICT~~ JUDGE  
Magistrate