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8 *Attorneys for Appellant U.S. Bank as Trustee*

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

12 In re:  
13 CHARLESTON ASSOCIATES, LLC,  
14 Debtor.  
15 CHARLESTON ASSOCIATES, LLC,  
16 Plaintiff  
17 vs.  
18 RA SOUTHEAST LAND COMPANY,  
19 LLC; CITY NATIONAL BANK,  
20 Defendants.

Case No. 2:17-03112-JCM  
BK No. BK-S-13-10499-MKN  
Adv. No.: 10-1452-MKN

15 **STIPULATION TO EXTEND BRIEFING SCHEDULE**  
16  
17 **(Fourth Request)**

21  
22 Pursuant to LR IA 6-1, LR IA 6-2, and LR 7-1, Appellant U.S. Bank National  
23 Association, as Trustee, Successor-in-Interest to Bank of America, N.A., as Trustee,  
24 Successor by Merger to LaSalle Bank National Association, as Trustee, for the  
25 Registered Holders of Bear Stearns Commercial Mortgage Securities, Inc.,  
26 Commercial Mortgage Pass-Through Certificates, Series 2005-PWR7 (“U.S. Bank as  
27 Trustee”), and Appellee City National Bank (“CNB”), stipulate as follows:  
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1. On December 26, 2017, U.S. Bank as Trustee filed its Notice of Appeal [ECF No. 1].

2. On January 22, 2018, the Court issued a minute order setting the briefing schedule on the appeal [ECF No. 6].

3. On March 15, 2018 the Parties stipulated and agreed to extend the briefing schedule to accommodate the facilitation of discussions between U.S. Bank as Trustee and New Boca Syndications Group, LLC (“New Boca”), judgment debtor in the underlying adversary action. [ECF No. 9]. The current briefing schedule, as stipulated by the Parties, is as follows:

- a. U.S. Bank as Trustee’s opening brief is due by April 30, 2018.
- b. CNB’s answering brief is due by May 14, 2018.
- c. U.S. Bank as Trustee’s reply brief is due by May 28, 2018.

4. U.S. Bank as Trustee and New Boca have continued to discuss options that may eliminate the need for the instant appeal; however, recent developments and unforeseen circumstances have materially impacted the timing, content, and scope of loan workout discussions between U.S. Bank as Trustee and New Boca, which in turn, and if completed, could eliminate the need for this Appeal.

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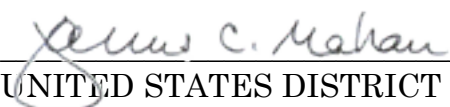
1 5. To provide adequate time for a resolution to those unforeseen  
2 circumstances and to continue to facilitate discussions between U.S. Bank as Trustee  
3 and New Boca, the parties to this appeal stipulate and agree to extend the briefing  
4 schedule as follows:

- 5 a. U.S. Bank as Trustee's opening brief is due by **June 8, 2018**.
  - 6 b. CNB's answering brief is due by **June 22, 2018**.
  - 7 c. U.S. Bank as Trustee's reply brief is due by **July 6, 2018**.
- 8 6. U.S. Bank as Trustee and CNB seek this extension to the briefing  
9 schedule in good faith and not for the purposes of delay.

10  
11 Dated: April 27, 2018

12 BALLARD SPAHR LLP  
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**ORDER**  
**IT IS SO ORDERED:**  
  
UNITED STATES DISTRICT JUDGE  
Dated: May 4, 2018

**CERTIFICATE OF SERVICE**

1  
2 I certify that on this 30<sup>th</sup> day of April, 2018, I electronically transmitted a PDF  
3 version of the foregoing *Stipulation and Order to Extend Briefing Schedule* using the  
4 CM/ECF System, for filing and transmittal of a Notice of Electronic Filing to the  
5 CM/ECF Registrants.  
6  
7  
8  
9

10 /s/ Mary Kay Carlton  
11 An employee of Ballard Spahr LLP  
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