

1 Erica J. Stutman, Esq.  
 Nevada Bar No. 10794  
 2 Wayne Klomp, Esq.  
 Nevada Bar No. 10109  
 3 SNELL & WILMER L.L.P.  
 4 50 West Liberty Street, Suite 510  
 Reno, Nevada 89501  
 5 Telephone: 775-785-5440  
 Facsimile: 775-785-5441  
 6 Email: [estutman@swlaw.com](mailto:estutman@swlaw.com)  
 7 [wklomp@swlaw.com](mailto:wklomp@swlaw.com)

8 *Attorneys for Defendant Wells Fargo Bank, N.A.*

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11  
 12 FRANK INCAVIGLIA and KATHLEEN  
 INCAVIGLIA,

13 Plaintiffs,

14 vs.

15 FMR INVESTMENTS D/B/A RAPID CASH;  
 16 and WELLS FARGO BANK, N.A.,

17 Defendants.

Case No. 2:18-cv-00669-JCM-NJK

**STIPULATION AND ORDER TO  
 EXTEND TIME TO RESPOND TO  
 COMPLAINT**

**(Second Request)**

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 19 Pursuant to LR IA 6-1 and LR 7-1, Defendant Wells Fargo Bank, N.A. (“Wells Fargo”),  
 20 together with Plaintiffs, Frank Incaviglia and Kathleen Incaviglia (the “Plaintiffs” and together  
 21 with Wells Fargo, the “Parties”), by and through their attorneys of record, hereby stipulate to  
 22 extend the deadline for Wells Fargo to respond to the Complaint (ECF No. 1) from May 30, 2018,  
 23 to June 21, 2018.

24 Plaintiffs filed their Complaint on April 13, 2018, and served Wells Fargo’s resident agent  
 25 on or about April 16, 2018. Thereafter, the Parties engaged in settlement discussions and  
 26 stipulated to extend the time for Wells Fargo to respond to the Complaint until May 30, 2018.  
 27 The Court granted the stipulation on May 3, 2018 (ECF No. 8).

28 Settlement discussions are ongoing, and the Parties are hopeful that a resolution will be

1 reached without expending additional resources on litigation that could be used for settlement  
2 purposes. This is the Parties' second request to extend the time to respond to the Complaint.  
3 Good cause exists to extend the time to respond to the Complaint because the Parties have  
4 exchanged several settlement offers and counter offers, and are continuing to negotiate in good  
5 faith. Additionally, the Parties are continuing their investigation of the allegations in the  
6 Complaint in order to narrow the subject matter of the litigation. This stipulation is made in good  
7 faith for the benefit of the Parties, and not for any deleterious purpose or to delay these  
8 proceedings.

10 Dated: May 31, 2018

Dated: May 25, 2018

11 HAINES & KRIEGER, LLC

SNELL & WILMER L.L.P.

12 By: /s/ Rachel B. Saturn

By: /s/ Wayne Klomp

13 David Krieger, Esq. (NV Bar No. 9086)  
14 Rachel B. Saturn, Esq. (NV Bar No. 8653)  
15 8985 S. Eastern Ave., Suite 350  
Henderson, Nevada 89123

Erica J. Stutman, Esq. (NV Bar No. 10794)  
Wayne Klomp, Esq. (NV Bar No. 10109)  
50 West Liberty Street, Suite 510  
Reno, Nevada 89501

16 *Attorneys for Plaintiffs Frank Incaviglia and  
Kathleen Incaviglia*

*Attorneys for Defendant Wells Fargo Bank,  
N.A.*

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20 IT IS SO ORDERED.

  
UNITED STATES MAGISTRATE JUDGE

DATED: June 1, 2018