

1 Scott S. Thomas, Nevada Bar No. 7937
 sst@paynefears.com
 2 Sarah J. Odia, Nevada Bar No. 11053
 sjo@paynefears.com
 3 PAYNE & FEARS LLP
 6385 S. Rainbow Blvd., Suite 220
 4 Las Vegas, Nevada 89118
 T: (702) 851-0300 | F: (702) 851-0315
 5 *Attorneys for Plaintiff/Counter-Defendant*
PN II, INC.

7 **UNITED STATES DISTRICT COURT**
 8 **DISTRICT OF NEVADA**

9 PN II, INC. dba PULTE HOMES and/or DEL
 WEBB, a Nevada corporation,

10 Plaintiff,

11 v.

12 NATIONAL FIRE & MARINE INSURANCE
 COMPANY; and DOES 1 through 100,
 13 inclusive,

14 Defendants.

15 NATIONAL FIRE & MARINE INSURANCE
 COMPANY, a Nebraska insurance company,

16 Counter-Claimant,

17 v.

18 PN II, INC. dba PULTE HOMES and/or DEL
 WEBB, a Nevada corporation,

19 Counter-Defendant.

20 NATIONAL FIRE & MARINE INSURANCE
 COMPANY, a Nebraska insurance company,

21 Third-Party Plaintiff,

22 v.

23 PN II, INC. dba PULTE HOMES and/or
 DEL WEBB, a Nevada corporation;
 24 CONTRACTORS INSURANCE COMPANY
 OF NORTH AMERICA, INC., a Hawaii
 25 corporation,

26 Third-Party Defendants.

Case No. 2:20-cv-01383-ART-BNW

**ORDER APPROVING
 STIPULATION AND ORDER TO
 EXTEND DATES FOR RESPONSES TO
 NATIONAL FIRE & MARINE
 INSURANCE COMPANY'S MOTION
 TO CERTIFY ORDER FOR
 INTERLOCUTORY APPEAL UNDER 28
 U.S.C. § 1292 (b) (ECF 136)**

(First Request)

PAYNE & FEARS LLP
 ATTORNEYS AT LAW
 6385 S. RAINBOW BLVD., SUITE 220
 LAS VEGAS, NEVADA 89118
 (702) 851-0300

1 Plaintiffs/Counter-Defendants PN II, Inc. dba Pulte Homes and Del Webb (collectively,
2 “Pulte”), Defendant/Counter-Claimant/Third-Party Plaintiff National Fire & Marine Insurance
3 Company (“National Fire”), and Third-Party Defendant Contactors Insurance Company of North
4 America (“CICNA”), by and through their respective counsel of record, hereby stipulate to extend
5 the deadline to file responses and replies to National Fire’s Motion to Certify Order for
6 Interlocutory Appeal Under 28 U.S.C. § 1292(b), filed on April 30, 2024 (ECF 136). Oppositions
7 are currently due on May 14, 2024, and will be extended to May 31, 2024, per the agreement of
8 the parties and replies will be extended to June 18, 2024. This is the first request for an extension
9 of the briefing on National Fire’s Motion to Certify Order for Interlocutory Appeal Under 28
10 U.S.C. § 1292(b).

11 The parties have met and conferred regarding their respective schedules and agreed to
12 extend the responses to National Fire’s Motion to May 31, 2024 and June 18, 2024, to allow the
13 parties additional time to brief the important issues raised in National Fire’s Motion, which may
14 have significant implications on this case. Finally, the parties stipulate and agree that the requested
15 extension is being made without prejudice to other orders previously made or to be made by the
16 Court.

17 In accordance with LR IA 6-1, there have been no prior extensions to the briefing on
18 National Fire’s Motion to Certify Order for Interlocutory Appeal Under 28 U.S.C. § 1292(b).
19 There have been five prior stipulations for the extension of time regarding discovery deadlines
20 (ECF No. 52); there have been three prior stipulations to extend the expert disclosure dates (ECF
21 No. 83); there has been one prior stipulation for the extension of expert deposition dates (ECF No.
22 87); there has been one prior extension for dispositive motions (ECF No. 90); there has been one
23 prior stipulation to extend briefing regarding the parties’ motions for summary judgment; and
24 there has been one prior extension regarding the pre-trial report deadline.

25 ///
26 ///
27 ///

28

1 IT IS SO STIPULATED.

2 DATED: May 7, 2024

PAYNE & FEARS LLP

3

4

/s/ Sarah J. Odia

Scott S. Thomas

Sarah J. Odia

6385 S. Rainbow Blvd., Suite 220

Las Vegas, Nevada 89118

Attorneys for Plaintiff/Counter-Defendant/Third-Party Defendant PN II, Inc.

5

6

7

8

8 DATED: May 7, 2024

NICOLAIDES FINK THORPE

MICHAELIDES SULLIVAN LLP

9

10

11

/s/ Dawn A. Hove

Jeffrey N. Labovitch

Dawn A. Hove (*pro hac vice*)

Attorneys for Defendant/Counterclaimant/Third-Party Plaintiff National Fire & Marine Insurance Company

12

13

14

15

15 DATED: May 8, 2024

SHIVES & ASSOCIATES LIMITED

16

17

/s/ Martin L. Shives

Martin L. Shives

Attorneys for Defendant/Counterclaimant/Third-Party Plaintiff National Fire & Marine Insurance Company

18

19

20

20 DATED: May 8, 2024

BROWN, BONN & FRIEDMAN, LLP

21

22

/s/ Thomas Friedman

Thomas Friedman

Attorneys for Defendant/Counterclaimant/Third-Party Plaintiff National Fire & Marine Insurance Company

23

24

25

26

27

28

1 DATED: May 8, 2024

GIBSON, DUNN & CRUTCHER LLP

2 /s/ Deborah L. Stein

3 Deborah L. Stein
4 Attorneys for Defendant/Counterclaimant/Third-
5 Party Plaintiff National Fire & Marine Insurance
6 Company

6 DATED: May 8, 2024

MRV LAW, INC.

7 /s/ Mark R. VonderHaar

8 Mark R. VonderHaar
9 Attorneys for Third-Party Defendant Contactors
10 Insurance Company of North America

11 **ORDER**

12 IT IS SO ORDERED. The parties have until May 31, 2024 to file oppositions to National
13 Fire & Marine Insurance Company’s Motion to Certify Order for Interlocutory Appeal Under 28
14 U.S.C. § 1292(b); and have until June 18, 2024, to file replies in support of National Fire &
15 Marine Insurance Company’s Motion to Certify Order for Interlocutory Appeal Under 28 U.S.C. §
16 1292(b).

17 DATED: May 8, 2024

18 

19 UNITED STATES DISTRICT JUDGE