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6
7 **UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

8 CMB INFRASTRUCTURE GROUP IX,
LP, a California limited partnership;
9 CMB INFRASTRUCTURE GROUP XI,
LP, a California limited partnership;
10 CMB EXPORT, LLC, a Texas limited
liability company,

11
12 Plaintiffs,

13 vs.

14 COBRA ENERGY INVESTMENT
FINANCE, INC., a Delaware
15 corporation, COBRA ENERGY
INVESTMENT, LLC, a Delaware
16 corporation, COBRA INDUSTRIAL
SERVICES, INC., a Delaware
17 corporation, COBRA THERMOSOLAR
PLANTS, INC., a Nevada corporation,
18 COBRA INSTALACIONES Y
SERVICIOS S.A., a Spanish corporation,
19 ACS SERVICIOS COMUNICACIONES
Y ENERGIA, S.L., a Spanish
20 corporation, BANCO SANTANDER,
S.A., a Spanish Corporation, TONOPAH
21 SOLAR ENERGY, LLC, a Delaware
limited liability company, and DOES I
22 through 50, inclusive,

23 Defendants.
24

Case No.: 2:21-CV-00214-JAD-DJA

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER TO EXTEND
TIME FOR DEFENDANTS TO
RESPOND TO FIRST AMENDED
COMPLAINT**

[FIRST REQUEST]

25 Plaintiffs CMB Infrastructure Group IX, LP, CMB Infrastructure Group XI, LP, and
26 CMB Export, LLC ("Plaintiffs") and Defendants Cobra Energy Investment Finance Inc.,
27 Cobra Energy Investment, LLC, Cobra Industrial Services, Inc., Cobra Thermosolar Plants,
28 Inc., Cobra Instalaciones y Servicios, S.A., ACS Servicios Comunicaciones y Energia, S.L.,

1 and Banco Santander, S.A. (“Removing Defendants”), by and through their respective
2 counsel, have met and conferred and hereby stipulate and agree as follows:

3 WHEREAS, on May 19, 2020, Plaintiffs filed their original Complaint in this action
4 the District Court of Clark County, Nevada;

5 WHEREAS, on September 1, 2020, Plaintiffs filed their First Amended Complaint
6 in this action;

7 WHEREAS, on February 9, 2021, Removing Defendants removed the Complaint
8 (“Complaint”) to this Court (Dkt. No. 1);

9 NOW, THEREFORE, Plaintiffs and Removing Defendants hereby stipulate and
10 agree that:

11 1. Removing Defendants’ current deadline to file an answer or motion in
12 response to the First Amended Complaint of February 16, 2021 is vacated;

13 2. Removing Defendants will file an answer or motion in response to the First
14 Amended Complaint no later than Monday, May 17, 2021;

15 3. Removing Defendants agree to waive any challenge as to the sufficiency of
16 Plaintiffs’ service of the summons and the complaint. This waiver as to the sufficiency of
17 service shall not be construed to extend to any other potential defense or objection, including
18 but not limited to objections to personal jurisdiction or to venue. For the avoidance of doubt,
19 all other defenses are expressly preserved and may be asserted by any defendant in either
20 its forthcoming answer or motion to dismiss.

21 4. If any Defendant files a motion to dismiss Plaintiffs’ First Amended
22 Complaint instead of an Answer, the Parties will submit a joint proposed briefing schedule
23 to the Court for approval.

24 5. Nothing in this stipulation shall operate as a waiver, bar or limitation on
25 Plaintiffs’ right to file a motion for remand, which is due to be filed, if at all, by March 11,
26 2021.

27 This is the Parties’ first request for an extension of time, and is made before the
28 expiration of any deadline to answer or otherwise respond to the Complaint by any

1 Removing Defendant. This Stipulation is made in good faith and is not intended for
2 purposes of delay.

3 SO STIPULATED AND AGREED TO this 12th day of February, 2021.

4 LEWIS BRISBOIS BISGAARD
5 & SMITH LLP

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ROTHGERBER CHRISTIE LLP

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/s/ J Christopher Jorgensen

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13 *CMB INFRASTRUCTURE GROUP IX, LP;*
14 *CMB INFRASTRUCTURE GROUP XI, LP;*
and CMB EXPORT, LLC

WEIL & DRAGE, APC

/s/ Jeremy R. Kilber

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INC.; COBRA INSTALACIONES Y
SERVICIOS, S.A.; ACS SERVICIOS
COMUNICACIONES Y ENERGIA, S.L

ORDER

23 IT IS SO ORDERED.

24 

25 DANIEL J. ALBREGTS
26 UNITED STATES MAGISTRATE JUDGE

27 DATED: February 16, 2021
28

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of February, 2021, I caused a true and accurate copy of the foregoing document entitled *Joint Stipulation and [Proposed] Order to Extend Time for Removing Defendants to Respond To First Amended Complaint* to be filed with the Clerk of the Court via the CM/ECF system, which will send an electronic copy to all registered participants.

DATED this 12th day of February, 2021.

/s/ Jessie M. Helm
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