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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HANIT OHAION,

Plaintiff,

v.

EQUIFAX INFORMATION SERVICES,
LLC, AND BANK OF AMERICA, N.A.,

Defendants.

Case No. 2:21-CV-02198-GMN-BNW

**UNOPPOSED MOTION TO EXTEND
TIME TO RESPOND TO PLAINTIFF'S
COMPLAINT**

(First Request)

Defendant Bank of America N.A. ("BANA") by and through its undersigned counsel of record, hereby submits the following Unopposed Motion to Extend Time to Respond to Plaintiff's Complaint (First Request):

On December 14, 2021, Plaintiff filed his Complaint [ECF No. 1]. The Summons to Defendant was issued on December 14, 2021 [ECF No. 4] and purportedly served on December 16, 2021. Defendant has 21 days from when the summonses was served to file its response to the Complaint, which made the currently deadline January 6, 2022.

BANA's counsel is still investigating the allegations raised in Plaintiff's Complaint. Further, Plaintiff and BANA have discussed extending the deadline 30-days for BANA to respond to the Complaint, in order to explore early resolution opportunities.

On January 3, 2022, BANA received approval of a 30-day extension to respond to the Complaint from Plaintiff's counsel, which would make the response due February 7, 2022. On

1 January 4, 2022, BANA's counsel circulated a proposed Stipulation to Extend Time to Respond
2 to Plaintiff's Complaint to file with the Court. However, Plaintiff's counsel has not responded,
3 which has led to the late filing of this unopposed motion. Despite no formal response to the
4 proposed stipulation, BANA has no reason to believe that the 30-day extension was rescinded or
5 suddenly opposed by Plaintiff.

6 Based upon the foregoing, BANA respectfully requests that the Court extend the deadline
7 for BANA to file its response to Plaintiff's Complaint to February 7, 2022. This is the first request
8 for extension of time for BANA to respond to Plaintiff's Complaint. The extension is requested in
9 good faith and is not for purposes of delay or prejudice to any other party. Further, the unopposed
10 motion is being submitted as a result of excusable neglect because of a communication delay with
11 Plaintiff's counsel as to the format and procedure for the request for extension.

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13 Dated this 10th day of January, 2022.

14 WRIGHT, FINLAY & ZAK, LLP

15 /s/ Jory C. Garabedian

16 Darren T. Brenner, Esq.

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20 7785 W. Sahara Ave., Suite 200

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22 *Attorneys for Bank of America, N.A.*

23 **IT IS SO ORDERED:**

24 

25 UNITED STATES MAGISTRATE JUDGE

26 DATED: January 11, 2022

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 10th 2022, and pursuant to Fed. R. Civ. P. 5(b), I served via the CM/ECF electronic filing system a true and correct copy of the foregoing **UNOPPOSED MOTION TO EXTEND TIME TO RESPOND TO PLAINTIFF'S COMPLAINT** to the parties below:

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/s/ Tonya Sessions
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