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5 *Attorneys for Third Party Defendants,*  
 6 *Legacy Insurance Group and Mike Payne*

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

9 \*\*\*

10 SAFECO INSURANCE COMPANY OF  
 11 AMERICA, a foreign corporation,

12 Plaintiff,

13 vs.

14 RIP VAN 899, LLC a Nevada limited liability  
 company,

15 Defendant.

16 RIP VAN 899, LLC, a Nevada limited liability  
 17 company,

18 Counterclaimant,

19 vs.

20 SAFECO INSURANCE COMPANY OF  
 21 AMERICA, a foreign corporation,

Counterdefendant.

22 RIP VAN 899, LLC, a Nevada limited liability  
 23 company,

24 Third Party Plaintiff,

25 vs.

26 MIKE PAYNE, an individual; LEGACY  
 INSURANCE GROUP, a Nevada Domestic  
 27 Corporation

28 Third Party Defendants.

CASE NO.: 2:23-cv-01417-ART-NJK

**STIPULATION AND ORDER  
 EXTENDING TIME FOR RESPONSE TO  
 THIRD-PARTY COMPLAINT**

1 IT IS HEREBY STIPULATED between Third-Party Plaintiff, RIP VAN 899, LLC, by and  
2 through its counsel of record, Michael M. Lin, Esq., of the LIN LAW GROUP, and Third-Party  
3 Defendants, LEGACY INSURANCE GROUP and MIKE PAYNE (hereinafter, collectively the  
4 “Third-Party Defendants”), by and through their respective attorney, Marc S. Cwik, Esq. of LEWIS  
5 BRISBOIS BISGAARD & SMITH LLP, pursuant to LR 6-1, 6-2 and 7-1, that the time to respond  
6 to the Third-Party Complaint on file herein is hereby extended to and including February 28, 2024.  
7 The agreed-to extension is in good faith and stipulated between the aforementioned parties for the  
8 following reasons:

- 9 (1) defense counsel has only recently been retained; Defendant MIKE PAYNE has  
10 been unavailable prior to February 5, 2024 for consultation due to a personal illness;  
11 and additional time is needed for defense counsel to consult with his clients;
- 12 (2) the Third-Party Defendants were not served on the same date [*see* ECF Nos. 24  
13 and 25] making their current response dates falling on different days and in the  
14 interests of judicial economy, it is sensical to have them respond on the same date,  
15 due to their alleged interrelationship; and
- 16 (3) defense counsel was out of town January 31, 2024 through February 4, 2024 and  
17 has commitments in other cases this week requiring immediate attention.

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1 IT IS HEREBY FURTHER STIPULATED between the Parties that they do not waive any  
2 claims, objections, or defenses of any kind by entry of this Stipulation, and this Stipulation does not  
3 operate as an admission against interest by any Party.

4 DATED this 6<sup>th</sup> day of February, 2024.

5 LEWIS BRISBOIS BISGAARD & SMITH LLP

6  
7 By /s/ Marc S. Cwik  
8 MARC S. CWIK  
9 Nevada Bar No. 6946  
10 6385 S. Rainbow Boulevard, Suite 600  
11 Las Vegas, Nevada 89118  
12 *Attorneys for Third Party Defendants*  
13 *Legacy Insurance Group and Mike Payne*

14 DATED this 6<sup>th</sup> day of February, 2024.

15 LIN LAW GROUP

16 By /s/ Michael M. Lin  
17 MICHAEL M. LIN, ESQ.  
18 Nevada Bar No. 10392  
19 5288 Spring Mountain Road, Ste. 103  
20 Las Vegas, Nevada 89146  
21 *Attorneys for Third Party Plaintiff*  
22 *RIP VAN 899, LLC*

23 **ORDER**

24 **IT IS SO ORDERED.**

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28 UNITED STATES MAGISTRATE JUDGE

Dated: February 6, 2024