

1 Dominica C. Anderson (SBN 2988)
 Daniel B. Heidtke (SBN 12975)
 2 Ely Markarian (SBN 16108)
DUANE MORRIS LLP
 3 100 North City Parkway, Suite 1560
 Las Vegas, NV 89106-4617
 4 Telephone: 702 868 2600
 Fax: 702 385 6862
 5 E-mail:dcanderson@duanemorris.com
 dbheidtke@duanemorris.com
 6 emarkarian@duanemorris.com

7 Attorneys for Defendant
Genworth Life Insurance Company

8
 9 **UNITED STATES DISTRICT COURT**
 10 **DISTRICT OF NEVADA**

11 BARBARA A. SWYHART, an individual,
 12 Plaintiff,
 13 v.
 14 GENWORTH LIFE INSURANCE CO. f/k/a
 GENERAL ELECTRIC CAPITAL
 15 ASSURANCE COMPANY, a Virginia
 Corporation, DOES I through X, ROE
 16 CORPORATIONS I through X,
 17 Defendants.

Civil Action No.: 2:24-cv-00197-RFB-DJA
**STIPULATION AND ~~PROPOSED~~
 ORDER FOR EXTENSION OF TIME
 FOR DEFENDANT GENWORTH LIFE
 INSURANCE COMPANY TO RESPOND
 TO PLAINTIFF'S COMPLAINT**
(FIRST REQUEST)

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 19 Plaintiff Barbara A. Swyhart (“Swyhart”) and Defendant Genworth Life Insurance Company
 20 (“Genworth”) by and through their respective counsel of record, and pursuant to Local Rules IA 6-1,
 21 and 6-2, and Federal Rules of Civil Procedure (“FRCP”) Rule 6, hereby stipulate and agree as follows:

22 WHEREAS, Swyhart filed her complaint on December 7, 2023 (the “Complaint”);

23 WHEREAS, Swyhart served the Complaint on January 8, 2023;

24 WHEREAS, Genworth filed its Notice of Removal on January 29, 2024, which renders
 25 February 5, 2024, as Genworth’s deadline to respond, pursuant to FRCP 81(c)(2)(C);

26 WHEREAS, Genworth has requested, and Swyhart has agreed to, an extension of time to file
 27 an answer or otherwise respond to the Complaint;

1 WHEREAS, Swyhart and Genworth have agreed that Genworth may file its answer or
2 otherwise respond to the Complaint on or before **Wednesday, March 6, 2024**;

3 WHEREAS, Swyhart and Genworth agree that the brief extension for Genworth’s response
4 to the Complaint will not materially impact this matter, but will instead allow Genworth the requisite
5 time to obtain the documents and information necessary to substantively respond to the Complaint;

6 WHEREAS, FRCP Rule 6(b) requires Court approval of a request for an extension of time,
7 provided good cause showing and, therefore, Swyhart and Genworth collectively request the Court
8 approve the stipulation, and HEREBY STIPULATE AND AGREE as set forth below:

- 9 a. This is the Parties’ first stipulation for an extension of time to respond to the Complaint;
- 10 b. The Parties stipulate and agree that the deadline for Genworth to file an answer or
11 otherwise respond to the Complaint shall be extended to **March 6, 2024**; and
- 12 c. This stipulation is made in god faith and not made for purposes of delay.

13 IT IS SO STIPULATED

14
15 **THORNDAL ARMSTRONG DELK
BALKENBUSH & EISINGER, PC**

DUANE MORRIS LLP

16 By: /s/ Kevin R. Diamond
17 Kevin R. Diamond (SBN 4967)

By: /s/ Dominica C. Anderson
Dominica C. Anderson (SBN 2988)

18 Attorneys for Plaintiff
19 *Barbara A. Swyhart*

Attorneys for Defendant
Genworth Life Insurance Company

20 **IT IS SO ORDERED:**

21 
22 _____
UNITED STATES MAGISTRATE JUDGE

23 DATED: 2/5/2024
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