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13 **UNITED STATES DISTRICT COURT**
14 **FOR THE DISTRICT OF NEVADA**

15 KENAI DRILLING LIMITED, a Delaware,
16 Corporation, and KENAI DRILLING LIMITED
17 EMPLOYEE BENEFIT PLAN,
18
19 Plaintiffs,
20 vs.
21 SUN LIFE ASSURANCE COMPANY OF
CANADA,
22 Defendant.

Case No.: 2:24-cv-01559-CDS-EJY

**STIPULATION AND ORDER TO
EXTEND TIME FOR DEFENDANT
SUN LIFE ASSURANCE COMPANY
OF CANADA TO FILE AN ANSWER
OR OTHERWISE PLEAD**

FIRST REQUEST

23 Pursuant to Local Rules IA 6-1 and IA 602, Defendant Sun Life Assurance Company of
24 Canada (“Sun Life”) and Kenai Drilling Limited, by and through their undersigned counsel, hereby
25 stipulate and agree that Sun Life shall have up to and including **September 16, 2024** to file a
26 response to Plaintiff’s Petition to Compel Arbitration. The present deadline for Defendant to file
27 their response is August 30, 2024. The parties initially filed a Stipulation and Order to Extend
28 Time to Respond to Plaintiff’s Complaint on August 28, 2024. ECF No. 5. However, that

1 Stipulation was denied because it failed to set forth the parties’ reasons for the extension. ECF No.
2 6. The parties now re-submit this Stipulation complying with the local rules and providing the
3 reasons for the extension as set forth below. While this is the second Stipulation submitted for the
4 extension, the requested extension is the same and this amended Stipulation is the parties’ first
5 request for an extension of time for Defendant to file their response.

6 In support of this Stipulation, the parties state as follows:

7 1. This is a claim for long-term disability benefits under a group long-term disability
8 policy governed by the Employee Income Security Act of 1974 (“ERISA”), 29 U.S.C. § 1001 et
9 seq.

10 2. Presently, the deadline for Sun Life to answer or otherwise respond to Plaintiff’s
11 Complaint is August 30, 2024, which is seven days after Sun Life filed its Notice to Removal
12 (Doc. 1).

13 3. Ann-Martha Andrews was out of the office on a planned vacation for most of the
14 weeks of August 12th and August 19th, with out of state travel through August 23. Additionally,
15 Ms. Andrews is traveling today for a medical appointment out of state, with return travel on
16 August 30, 2024.

17 4. Sun Life’s counsel requires additional time to obtain and review the file, confer with
18 the client, and prepare the responsive pleading.

19 5. Because this case is subject to ERISA, to be decided on the administrative record,
20 the proposed extension will not materially delay the resolution of this matter.

21 6. On August 29, 2024, counsel for Plaintiff consented to the relief requested.

22 7. This Stipulation is filed before the response to the Petition is due and is filed in
23 good faith and not for the purpose of unwarranted delay.

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The parties respectfully request that the Court enter an order granting until September 16, 2024 for Sun Life to file an Answer or otherwise respond to the Petition.

DATED this 29th day of August, 2024.

**OGLETREE, DEAKINS, NASH, SMOAK & STEWART,
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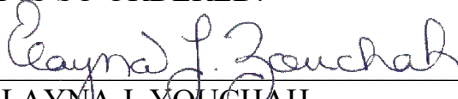
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Limited Employee Benefit Plan*

IT IS SO ORDERED:



ELAYNA J. YOUCHAK
UNITED STATES MAGISTRATE JUDGE

DATED: August 29, 2024