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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

\* \* \*

ROBERT SLOVAK,

Plaintiff,

v.

GOLF COURSE VILLAS  
HOMEOWNERS' ASSOCIATION, *et al.*,

Defendants.

Case No. 3:13-CV-0569-MMD-CLB

**ORDER GRANTING EMERGENCY  
MOTION TO CONTINUE HEARING**

[ECF No. 341]

Before the Court is Plaintiff Robert Slovak's ("Slovak") emergency motion to continue evidentiary hearing. (ECF No. 341.) Wells Fargo Bank, N.A. ("Wells Fargo") responded to the motion. (ECF No. 345.)

The Court has thoroughly reviewed the motion to extend time, (ECF No. 341), and has conducted its own research related to the alleged claims that documents filed on the Court's Case Management Electronic Filing System ("CM/ECF") system were not properly served upon counsel at the time of filing. Based on the Court's review, it appears that due to technical issues with CM/ECF, the motion to exclude witnesses, (ECF No. 338), may not have been properly served by CM/ECF at the time of filing. It also appears that similar issues may have affected Wells Fargo's ability to access documents filed by Slovak. Moreover, upon further review, the Court finds that it would be impossible for it to properly consider and thoroughly review Wells Fargo's motion to exclude in time to provide both parties and their witnesses sufficient notice to make (or cancel) necessary travel arrangements given the lateness of the filings and scheduled time for the upcoming evidentiary hearing.

Therefore, in light of the above, the Court finds it must continue the currently scheduled evidentiary hearing.

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Therefore, the Court orders as follows:

1. The emergency motion to continue hearing, (ECF No. 341), is **GRANTED**.
2. The Court's minute order, (ECF No. 349), is hereby **VACATED**.
3. Slovak shall have until **August 23, 2021** to file an opposition to Wells Fargo's motion to exclude witnesses. (ECF No. 338.) Wells Fargo shall file a reply no later than **August 30, 2021**. No extensions of time to file either document will be granted for any reason.
4. Both parties are ordered to email any document(s) and accompanying attachments and/or exhibits that are electronically filed via CM/ECF in this case directly to their opposing counsel between now and the rescheduled hearing date to ensure that all documents are received by the opposing party.
5. The in-person evidentiary is hearing is set for **October 14 & 15, 2021**. If there are any conflicts with this date, the parties shall contact the Courtroom Deputy, Lisa Mann, at 775-686-5653 on or before August 23, 2021.

**DATED:** August 17, 2021 .

  
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**UNITED STATES MAGISTRATE JUDGE**