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6
 7 **UNITED STATES DISTRICT COURT**
 8 **DISTRICT OF NEVADA – NORTHERN DIVISION**

9 THE BANK OF NEW YORK MELLON FKA
 10 THE BANK OF NEW YORK AS TRUSTEE
 FOR THE CERTIFICATEHOLDERS CWALT,
 11 INC. ALTERNATIVE LOAN TRUST 2005-
 3CB MORTGAGE PASS-THROUGH
 12 CERTIFICATES, SERIES 2005-3CB,
 13
 Plaintiff,
 14 vs.
 15 HIGHLAND RANCH HOMEOWNERS
 ASSOCIATION; KERN & ASSOCIATES,
 16 LTD; TBR 1, LLC; AIRMOTIVE
 INVESTMENTS LLC; DOE INDIVIDUALS I-
 17 X inclusive, and ROE CORPORATIONS I-X,
 18 inclusive,
 19 Defendants.
 20

Case No.: 3:16-cv-00436-RCJ-WGC

STIPULATION AND ORDER TO
EXTEND DATE BY WHICH
HIGHLAND RANCH HOMEOWNERS
ASSOCIATION SHALL HAVE TO
FILE ITS REPLY IN SUPPORT OF
PARTIAL MOTION TO DISMISS AND
OPPOSITION TO BANK OF NEW
YORK MELLON’S
COUNTERMOTION FOR SUMMARY
JUDGMENT
(FIRST REQUEST)

21 Plaintiff, THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK
 22 AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWALT, INC. ALTERNATIVE LOAN
 23 TRUST 2005-3CB MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-3CB
 24 (“Bank of New York Mellon”) and Defendant, HIGHLAND RANCH HOMEOWNERS
 25 ASSOCIATION (“Highland Ranch HOA”), by and through their respective counsel, stipulate to
 26 extend the deadline for Highland Ranch HOA to file its Reply in Support of Partial Motion to
 27 Dismiss and its Opposition to Bank of New York Mellon’s Motion for Summary Judgment from
 28 September 26, 2016 to October 3, 2016.

1 Highland Ranch filed its Partial Motion to Dismiss (ECF #18) on August 29, 2016 and
2 Bank of New York Mellon filed its Countermotion for Summary Judgment on September 1,
3 2016 (ECF #21). Good cause exists for the extension of an additional week so that Highland
4 Ranch HOA can further evaluate recent case law that may impact the issues in the briefing and
5 the parties' recent FRCP 26 disclosures which may impact the issues in the briefing, and so that
6 Highland Ranch may further research the law bearing on the issues in the briefing. The Court
7 has not granted any previous extensions to Highland Ranch HOA for this briefing.

8 **IT IS SO STIPULATED.**

9 Dated this 21st day of September, 2016.

Dated this 21st day of September, 2016.

10 AKERMAN LLP

LAXALT & NOMURA, LTD.

11 By/s/ Natalie Winslow

By 

12 DARREN T. BRENNER, ESQ. (SBN 8386)
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15 Las Vegas, Nevada 89144
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17 Bank of New York Mellon fka The Bank
18 New York as Trustee for the Certificateholders
19 CWALT, INC. Alternative Loan Trust
20 2005-3CB Mortgage Pass-Through
21 Certificates, Series 2005-3CB

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Attorneys for Defendant
Highland Ranch Homeowners
Association

18 **IT IS SO ORDERED:**

19 Dated this 22nd day of September, 2016.


UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Pursuant to Federal Rule of Civil Procedure 5(b), I certify that I am an employee of Laxalt & Nomura, Ltd. and not a party to, nor interested in, the within action; that on the 21st day of September, 2016, a true and correct copy of the foregoing *STIPULATION AND ORDER TO EXTEND DATE BY WHICH HIGHLAND RANCH HOMEOWNERS ASSOCIATION SHALL HAVE TO FILE ITS REPLY IN SUPPORT OF PARTIAL MOTION TO DISMISS AND OPPOSITION TO BANK OF NEW YORK MELLON'S COUNTERMOTION FOR SUMMARY JUDGMENT (FIRST REQUEST)* was filed electronically through the Court's CM/ECF electronic notice system to the attorneys associated with this case.

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An Employee of Laxalt & Nomura, Ltd.