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9 UNITED STATES DISTRICT COURT
 10 DISTRICT OF NEVADA

11 THE BANK OF NEW YORK MELLON FKA
 12 THE BANK OF NEW YORK AS TRUSTEE
 13 FOR THE CERTIFICATE HOLDERS CWALT,
 14 INC. ALTERNATIVE LOAN TRUST 2005-
 3CB MORTGAGE PASS-THROUGH
 CERTIFICATES, SERIES 2005-3CB

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

**STIPULATION AND ORDER TO
 EXTEND DEADLINE FOR
 DEFENDANT GAYLE A. KERN,
 LTD., dba KERN & ASSOCIATES,
 LTD., TO ANSWER OR
 OTHERWISE RESPOND TO
 PLAINTIFF’S COMPLAINT**

15 Plaintiff,

16 v.

17 HIGHLAND RANCH HOMEOWNERS
 18 ASSOCIATION; KERN & ASSOCIATES,
 LTD.; TBR I, LLC; AIRMOTIVE
 19 INVESTMENTS LLC; DOE INDIVIDUALS I-
 20 X, inclusive, and ROE CORPORATIONS I-X,
 inclusive,

(Second Request)

21 Defendants.

22 _____/

23 ***IT IS HEREBY STIPULATED*** between Plaintiff, The Bank of New York Mellon fka
 24 The Bank of New York as Trustee for the Certificate Holders CWALT, Inc. Alternative Loan
 25 Trust 2005-3CB Mortgage Pass-Through Certificates, Series 2005-3CB (“BNY”), by and
 26 through its attorneys of record, Akerman, LLP, and Defendant, Gayle A. Kern, Ltd., dba Kern
 27 & Associates, Ltd. (“Kern”), by and through its counsel Leach Kern Gruchow Anderson Song
 28

1 to extend the deadline for Kern to answer or otherwise respond to BNY's Complaint from
2 November 5, 2019 up to and including November 26, 2019.

3
4 Scheduled discovery was conducted during the month of October. The Parties are now
5 circulating for approval a stipulation to dismiss Kern from this matter. Despite undersigned
6 counsels' diligent efforts, the submission of a stipulated dismissal by the current November 5,
7 2019 deadline may not be possible. In an abundance of caution, it is respectfully requested that
8 the Court approve this Stipulation and extend the date for Kern's response up to and including
9 November 26, 2019, while the Parties will continue their efforts to finalize Kern's dismissal.

10
11 This is the second request for an extension of time, upon remand, and it is not intended
12 to cause any delay or prejudice to any party.

13 DATED this 5th day of November, 2019.

DATED this 5th day of November, 2019.

14 ***LEACH KERN GRUCHOW***
15 ***ANDERSON SONG***

AKERMAN, LLP

16 */s/ Karen M. Ayarbe, Esq.*
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Attorneys for Plaintiff

23 **ORDER**

24 ***IT IS SO ORDERED.***

25 DATED this 5th day of November, 2019.

26 *William G. Cobb*

27 U.S. MAGISTRATE JUDGE
28