

HOLLEY DRIGGS

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**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SONOMA SPRINGS LIMITED PARTNERSHIP, a Nevada limited partnership, and SONOMA SPRINGS ASSOCIATES, LLC, a Nevada limited liability company,

Plaintiffs,

v.

FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a Maryland Corporation and ZURICH AMERICAN INSURANCE COMPANY OF ILLINOIS, a Maryland Corporation and DOES 1-20, inclusive,

Defendants

Case No.: 3:18-CV-0021-LRH-CBC

**STIPULATION AND ORDER TO
EXTEND DEADLINE FOR PROPOSED
JOINT PRETRIAL ORDER**

(FIFTH REQUEST)

Plaintiffs, SONOMA SPRINGS LIMITED PARTNERSHIP and SONOMA SPRINGS ASSOCIATES, LLC, (hereinafter collectively "Plaintiffs"), by and through their counsel of record, JAMES W. PUZEY, ESQ. and AUDREY DAMONTE, ESQ., of HOLLEY DRIGGS, LTD., and Defendants, FIDELITY AND DEPOSIT COMPANY OF MARYLAND and ZURICH AMERICAN INSURANCE COMPANY OF ILLINOIS, (hereinafter collectively "Defendants") by and through their counsel of record, DAVID SLAUGHTER, ESQ., of SNOW CHRISTENSEN & MARTINEAU, agree and jointly move this Court, pursuant to Rule 6(b)(1)(A) and Local Rule 7-1, to extend the deadline to file a proposed Joint Pretrial Order in compliance with Local Rules 16-3 and 16-4 ("Joint Pretrial Order") from July 15, 2020 to and including September 30, 2020.

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1 The Court earlier approved the parties’ stipulations to extend to the deadline for the proposed joint
2 pretrial order. (ECF Nos. 78, 80, 82 and. 84).

3 As the Court is aware, there is a Sixth Judicial District Court case between the contractor
4 Ascent Construction, Inc. (Plaintiff/Counterdefendant) and Sonoma Springs Limited Partnership
5 (Defendant/Counterclaimant) Sonoma Springs Associates, LLC (Defendant), Case Number CV
6 21,053, Dept. II, pending before the Honorable Michael R. Montero (“State Court Case”), and an
7 appeal of an Order entered by the Honorable Michael R. Montero pending in the Nevada Supreme
8 Court as Supreme Court Case No. 79907.

9 Under the circumstances, including the somewhat unusual relationship between this case
10 and the underlying State case between Sonoma and general contractor/bond principal Ascent
11 Construction, the agreed consolidation of discovery in the two matters, and the current global
12 settlement conference being conducted through the Nevada Supreme Court Settlement Program,
13 there is good cause for the Parties’ request that they be allowed a limited additional period of time
14 to attempt to globally settle all three matters, and if unsuccessful, to otherwise complete their
15 preparation of proposed Joint Pretrial Order with this Court.

16 With this background, and considering the respective schedules of counsel, an extension
17 to September 30, 2020, is both reasonable and necessary. The additional extension serves
18 ultimately to save time and expense, while still ensuring a just determination of this action. This
19 is a legitimate reason as recognized by Rule 1 of the Federal Rules of Civil Procedure, which
20 states: “These rules . . . should be construed, administered, and employed by the court and the
21 parties to secure the just, speedy, and inexpensive determination of . . . [the] proceeding.” Since
22 there is no trial date, no other deadlines will be impacted by this extension.

23 This is the fifth stipulation and request for an extension of time to file the proposed Joint
24 Pretrial Order. No additional requests for extensions are contemplated. The stipulation and related
25 request to the Court is being made in good faith and not for purpose of undue delay.

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1 Therefore, pursuant to Rule 6(b)(1)(A) and Local Rule 7-1, the Parties request that the
2 Court extend the deadline for the parties' submission of a proposed Joint Pretrial Order to and
3 including September 30, 2020.

4 **IT IS SO STIPULATED.**

5 Dated: July 13, 2020

Dated: July 13, 2020

6 **HOLLEY DRIGGS, LTD.**

SNOW CHRISTENSEN & MARTINEAU

7
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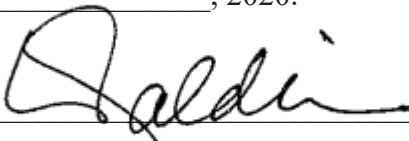
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20 **ORDER**

21 **IT IS SO ORDERED.**

22 DATED this 14th day of July, 2020.

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UNITED STATES MAGISTRATE JUDGE

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