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 6 PROPERTY OWNER POOL 3 NEVADA, LLC

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 8 **UNITED STATES DISTRICT COURT**
 9 **DISTRICT OF NEVADA**

10 MFR HOLDCO, LLC, a foreign limited
 liability company,

Case No. 3:18-cv-00034-MMD-WGC

11 Plaintiff,

12 vs.

13 ICON RENO PROPERTY OWNER POOL 3
 14 NEVADA, LLC, a foreign limited liability
 Company,

15 Defendants.

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 17 ICON RENO PROPERTY OWNER POOL 3
 NEVADA, LLC, a foreign limited liability
 Company,

18 Counterclaimant.

19 vs.

20 MFR HOLDCO, LLC.; ACH FOAM
 TECHNOLOGIES, INC.; FRANK
 21 KIESECKER, JR., individually; RICHARD L.
 WALLER, individually; MICHAEL S.
 22 HUEMPFNER, individually,

23 Counterdefendants.

24
 25 **STIPULATION FOR EXTENSION OF TIME TO RESPOND TO**
 26 **MOTION TO DISMISS COUNTERCLAIM**
 (SECOND REQUEST)

27 **WHEREAS**, Counterdefendants Kiesecker, Waller and Huempfer filed a Motion to
 28 Dismiss Counterclaim (ECF 52) on February 26, 2019 (“the Motion”);

1 **WHEREAS**, Counterclaimant’s opposition to the Motion is currently due on or before
2 March 26, 2019;

3 **WHEREAS**, the parties participated in a mediation on March 4, 2019, and reached a
4 tentative settlement of the action;

5 **WHEREAS**, the parties are still working to finalize that tentative settlement;

6 **WHEREAS**, the settlement will obviate the need for Counterclaimant to file an
7 opposition to the Motion; and

8 **WHEREAS**, the parties agree that the Counterclaimant should not be required to expend
9 time and money opposing the Motion if the parties can finalize their settlement, such that an
10 extension of time for Counterclaimant to file said opposition, while the parties work to finalize
11 their settlement, makes good sense,

12 **IT IS HEREBY STIPULATED AND AGREED** by and between the undersigned, that
13 Counterclaimant Icon Reno Property Owner Pool 3 Nevada, LLC shall have to and including
14 April 9, 2019, to file its opposition to Plaintiff’s Motion to Dismiss Counterclaim in this action.

15 **IT IS SO STIPULATED:**

16 DATED: March 26, 2019

DATED: March 26, 2019.

17 HOLLAND & HART LLP


ROBERTSON, JOHNSON
MILLER & WILLIAMSON

19 By: /s/ Matthew B. Hippler
20 Matthew B. Hippler, Esq.
21 Frank Z. LaForge, Esq.
Attorneys for Plaintiff/
Counterdefendants

By: /s/ Kirk C. Johnson
Kirk C. Johnson, Esq.
Attorneys for Defendant/
Counterclaimant

23 **ORDER**

24 **IT IS SO ORDERED:**

25 
26 _____
UNITED STATES DISTRICT JUDGE
27 DATED: 3/27/2019
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