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 5 Attorneys for Defendant/Counterclaimant ICON RENO  
 6 PROPERTY OWNER POOL 3 NEVADA, LLC

7  
 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.

16  
 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**  
 (FOURTH REQUEST)

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

STIPULATION FOR EXTENSION OF TIME TO RESPOND TO MOTION TO DISMISS COUNTERCLAIM  
 (FOURTH REQUEST)

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1           **WHEREAS**, Counterclaimant’s opposition to the Motion is currently due on or before  
2 April 30, 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 and appear  
6 to have hopefully resolved the last remaining issue, with the latest settlement agreement changes  
7 now awaiting final approval from a few of the interested parties;

8           **WHEREAS**, the settlement will obviate the need for Counterclaimant to file an  
9 opposition to the Motion and save judicial resources; and

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

14           **IT IS HEREBY STIPULATED AND AGREED** by and between the undersigned, that  
15 Counterclaimant Icon Reno Property Owner Pool 3 Nevada, LLC shall have to and including  
16 May 17, 2019, to file its opposition to Plaintiff’s Motion to Dismiss Counterclaim in this action.

17           **IT IS SO STIPULATED:**

18 DATED: April 29, 2019

DATED: April 29, 2019.

19 HOLLAND & HART LLP

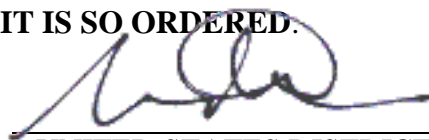
ROBERTSON, JOHNSON  
MILLER & WILLIAMSON

21 By: /s/ Matthew B. Hippler  
22       Matthew B. Hippler, Esq.  
23       Frank Z. LaForge, Esq.  
24       Attorneys for Plaintiff/  
25       Counterdefendants

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

26           **ORDER**

27           **IT IS SO ORDERED.**



28           UNITED STATES DISTRICT JUDGE  
DATED: April 29, 2019

1 **CERTIFICATE OF SERVICE**

2 Pursuant to FRCP 5(b) and Local Rule 5-4, I hereby certify that I am an employee of  
3 Robertson, Johnson, Miller & Williamson, over the age of eighteen, and not a party to the within  
4 action. I further certify that on the 29<sup>th</sup> day of April, 2019, I electronically filed this  
5 **STIPULATION FOR EXTENSION OF TIME TO RESPOND TO MOTION TO DISMISS**  
6 **COUNTERCLAIM (FOURTH REQUEST)** and thus, pursuant to LR 5-4, caused same to be  
7 served by electronic mail on the following Filing Users:

8 Matthew B. Hippler, Esq. (SBN 7015)  
9 Frank Z. LaForge, Esq. (SBN 12246)  
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15 \_\_\_\_\_  
16 /s/ Teresa W. Stovak  
17 An Employee of Robertson, Johnson,  
18 Miller & Williamson