

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAS VEGAS DEVELOPMENT
GROUP, LLC, a Nevada limited liability
company,

Appellant,

vs.

BANK OF AMERICA, N.A.,

Respondent.

Supreme Court Case No. 65083

District Court Case No. A654840
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Tracie K. Lindeman
Clerk of Supreme Court

MOTION FOR EXTENSION TO FILE ANSWERING BRIEF

Bank of America, N.A. submits its motion to extend the time for Bank of America, N.A. to file its answering brief, which is currently due on November 10, 2014.

Bank of America, N.A. represents to the Court the purpose of this extension of time is to permit the district court to certify that if this appeal were remanded, it would reverse its order of dismissal of the plaintiff/appellant's complaint so that the parties could then move in this Court for a remand. The parties have already submitted a stipulation to the district court, but the district court has not yet entered its order.

SFR Investments Pool 1, LLC v. U.S. Bank, N.A., 130 Nev. Adv. Op. 75 (2014), presented similar issues and was in a similar procedural posture as this case. Given this Court's recent decision in *SFR*, Bank of America, N.A. anticipates the

district court will reverse its order of dismissal and allow the parties to proceed with discovery.

Accordingly, Bank of America, N.A. requests an additional 30 days to file its answering brief, or until December 10, 2014, to allow the parties the time to complete the above.

This is respondent Bank of America, N.A.'s second request for an extension of time. The parties previously submitted a stipulation for an extension of time, which was approved. The answering brief was originally due on October 9, 2014.

DATED this 7th day of November, 2014.

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