

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

U.S. BANK, N.A.,

Appellant,

vs.

5316 CLOVER BLOSSOM CT.  
TRUST and COUNTRY GARDEN  
OWNERS ASSOCIATION,

Respondent.

Electronically Filed  
Oct 15 2018 04:25 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

Case No. 75861

**JOINT MOTION FOR SECOND TIME EXTENSION FOR  
U.S. BANK'S OPENING BRIEF AND APPENDIX**

U.S. Bank, N.A. (**U.S. Bank**), 5316 Clover Blossom Ct. Trust (**5316 Clover Blossom**), and Country Garden Owners Association (**HOA**) hereby file this motion requesting that U.S. Bank be granted an additional seven days to file the opening brief and appendix. This is the second extension for U.S. Bank's opening brief and appendix. It is not made for the purposes of delay.

In support of this Joint Motion, the parties state as follows:

1. U.S. Bank's Opening Brief is currently due October 17, 2018. Its brief was previously due September 17, 2018, but the parties stipulated to a single 30-day extension of the deadline.

2. Other than the extension pursuant to the stipulation, U.S. Bank has not sought any other extensions of time, and thus no request for an extension of time has been denied.

3. Good cause exists for permitting U.S. Bank a 7-day extension of time to file its brief. This case involves important questions regarding an association's statutory lien that may be affected by recent developments in the case law. U.S. Bank's counsel requires additional time to fully review those developments and appropriately address them in U.S. Bank's brief. Additionally, U.S. Bank's counsel is handling a large number of pending cases before this Court, the United States Court of Appeals for the Ninth Circuit, and the Nevada state and federal trial courts, and has had numerous briefing deadlines recently. Undersigned counsel wants to ensure that it adequately addresses the issues raised in this case and has adequate time to complete the brief.

4. U.S. Bank is seeking a 7-day extension for filing its opening brief, which will cause it to be due October 24, 2018. U.S. Bank does not intend to seek any further extensions for its Opening Brief.

///

///

///

///

Accordingly, U.S. Bank respectfully requests that the Court enter an order extending the deadline for U.S. Bank's Opening Brief and appendix until October 24, 2018.

DATED this 15<sup>th</sup> day of October, 2018.

**AKERMAN LLP**

/s/ Jared M. Sechrist

DARREN T. BRENNER, ESQ.  
Nevada Bar No. 8386  
ARIEL E. STERN, ESQ.  
Nevada Bar No. 8276  
JARED M. SECHRIST, ESQ.  
Nevada Bar No. 10439  
1635 Village Center Circle, Suite 200  
Las Vegas, Nevada 89134

*Attorneys for U.S. Bank, N.A.*

DATED this 15<sup>th</sup> day of October, 2018

**PENGILLY LAW FIRM**

/s/ Elizabeth B. Lowell

JAMES W. PENGILLY, ESQ.  
Nevada Bar No. 6085  
ELIZABETH B. LOWELL, ESQ.  
Nevada Bar No. 8551  
1995 Village Center Circle #190  
Las Vegas, Nevada 89134

*Attorneys for Country Garden Owners  
Association*

DATED this 15<sup>th</sup> day of October, 2018.

**LAW OFFICES OF MICHAEL F. BOHN, ESQ.**

/s/Michael F. Bohn

MICHAEL F. BOHN, ESQ.  
Nevada Bar No. 1641  
376 East Warm Springs Road, Suite 125  
Las Vegas, Nevada 89119

*Attorney for 5316 Clover Blossom Ct. Trust*

**ORDER**

**IT IS HEREBY ORDERED** that U.S. Bank shall file its answering brief and appendix by October 24, 2018.

DATED October \_\_, 2018

---

Submitted by:

**AKERMAN LLP**

*/s/ Jared M. Sechrist*

---

DARREN T. BRENNER, ESQ.

Nevada Bar No. 8386

ARIEL E. STERN, ESQ.

Nevada Bar No. 8276

JARED M. SECHRIST, ESQ.

Nevada Bar No. 10439

1635 Village Center Circle, Suite 200

Las Vegas, Nevada 89134

*Attorneys for U.S. Bank, N.A.*