

IN THE SUPREME COURT OF NEVADA

SATICOY BAY LLC SERIES 133
McLAREN,

Appellant,

vs.

GREEN TREE SERVICING, LLC; THE
BANK OF NEW YORK MELLON F/K/A
THE BANK OF NEW YORK, AS
SUCCESSOR TRUSTEE TO JPMORGAN
CHASE BANK, N.A., AS TRUSTEE FOR
THE CERTIFICATEHOLDERS OF
CWABS MASTER TRUST REVOLVING
HOME EQUITY LOAN ASSET BACKED
NOTES, SERIES 2004-T,

Respondents.

Electronically Filed
Jul 20 2020 03:35 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Case No. 78661

APPEAL

from the Eighth Judicial District Court, Department XXX
The Honorable Jerry Wiese, District Judge
District Court Case No. A-14-693882-C

**MOTION FOR EXTENSION OF TIME TO FILE RESPONDENTS'
RESPONSE TO PETITION FOR REVIEW (FIRST MOTION)**

ARIEL E. STERN, ESQ.
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Respondents Green Tree Servicing, LLC; The Bank of New York Mellon f/k/a The Bank of New York, as Successor Trustee to JPMorgan Chase Bank, N.A., as Trustee for the Certificateholders of CWABS Master Trust Revolving Home Equity Loan Asset Backed Notes, Series 2004-T (together, **bank respondents**), respectfully submit this motion, pursuant to NRAP 31(b)(3), requesting this court grant bank respondents' request to extend the time to file their response to appellant Saticoy Bay LLC Series 133 McLaren's petition for review.

Pursuant to NRAP 31(b)(3)(A), bank respondents submit the following information:

- i. The response is currently due on July 20, 2020.
- ii. Bank respondents received a telephonic extension of the original deadline of July 3, 2020. The court granted the stipulation and set a deadline of July 20, 2020.
- iii. This is bank respondents' first motion request.
- iv. No requests for extension of time have been denied.
- v. Counsel for appellant does not oppose this extension request.
- vi. Good cause exists to grant the requested extension. This is one of several post-decision petitions from appellant or a related entity regarding the same issue. *See* Case Nos. 76672, 76683, 78338, 78733, 79065. These petitions take aim at this court's opinion in *Bank of America, N.A. v. SFR Investments Pool 1, LLC*, 134

Nev. 604, 427 P.3d 113 (2018) (*Diamond Spur*) and have the potential to affect every superpriority tender case in both state and federal court. While bank respondents' response is nearly complete, counsel needs additional time to hone the arguments and obtain approval from multiple clients and the loan owner, Federal National Mortgage Association.

vii. Bank respondents request a three week extension up to including, August 10, 2020, to file its response. This request is made in good faith and not for delay.

DATED this 20th day of July, 2020.

AKERMAN LLP

/s/ Scott R. Lachman

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Attorneys for Respondents

CERTIFICATE OF SERVICE

I certify that I electronically filed on July 20, 2020, the foregoing **MOTION FOR EXTENSION OF TIME TO FILE RESPONDENTS' RESPONSE TO PETITION FOR REVIEW (FIRST MOTION)** with the Clerk of the Court for the Nevada Supreme Court by using the Court's electronic file and serve system. I further certify that all parties of record to this appeal are either registered with the Court's electronic filing system or have consented to electronic service and that electronic service shall be made upon and in accordance with the Court's Master Service List.

I declare that I am employed in the office of a member of the bar of this Court at whose discretion the service was made.

/s/ Carla Llarena

An employee of AKERMAN LLP