

IN THE SUPREME COURT OF THE STATE OF NEVADA

SFR INVESTMENTS POOL 1, LLC, A
NEVADA LIMITED LIABILITY
COMPANY,

Appellant/Cross-Respondent

vs.

U.S. BANK, N.A., A NATIONAL
BANKING ASSOCIATION, AS
TRUSTEE FOR THE
CERTIFICATEHOLDERS OF THE LXS
2006-4N TRUST FUND,
ERRONEOUSLY PLED AS U.S. BANK,
N.A., AND NATIONSTAR
MORTGAGE, LLC, A FOREIGN
LIMITED LIABILITY COMPANY,

Respondents/Cross-Appellants

Supreme Court Case No. 81293
Electronically Filed
Nov 16 2021 05:51 p.m.
District Court Case No. A-14-705563-C
Elizabeth A. Brown
Clerk of Supreme Court

APPEAL

District Court Case No. A-14-705563-C

**MOTION FOR EXTENSION OF TIME TO ANSWER PETITION FOR
REHEARING
(FIRST MOTION)**

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Attorneys for Respondents/Cross-Appellants

Respondents/cross-appellants U.S. Bank, N.A. a National Banking Association, as Trustee for the Certificateholders of the LXS 2006-4N Trust Fund, Erroneously Pled as U.S. Bank, N.A. and Nationstar Mortgage LLC hereby move for a (30) thirty-day time extension for respondents to file their answer to SFR's petition for rehearing.

- i. The answering brief was originally due on November 15, 2021;
- ii. The court previously granted a 14-day telephonic extension per NRAP 26(b)(1)(B) until November 29, 2021.
- iii. This is the first motion for an extension;
- iv. No requests for extension of time have been denied;
- v. Counsel for Appellant/Cross-Respondent SFR states they oppose this extension.
- vi. Extraordinary and compelling circumstances sufficient to satisfy the requirements of NRAP 26(b)(1)(B) justify this extension. Akerman is concurrently filing a motion to withdraw as counsel for Nationstar and U.S. Bank. Nationstar knowingly and freely discharged Akerman as counsel for itself as well as U.S. Bank, the owner of the loan it services. Akerman anticipates U.S. Bank and Nationstar will retain new counsel in short order, however new counsel has not yet made an appearance or requested consent for substitution. The court may require time to rule on the motion to withdraw, which supports this request for additional time.

U.S. Bank and Nationstar should have the right to have their chosen counsel prepare and file the answer to SFR's petition. Although new counsel may be able to answer by November 29, 2021, this will depend on not only how soon they appear, but how much preparation time they require.

vii. Respondents request an extension up to and including December 29, 2021 to file the answer to SFR's petition for rehearing. This request for an extension is made in good faith and not for the purpose of delay.

DATED this 16th of November, 2021

AKERMAN LLP

/s/ Melanie D. Morgan

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CERTIFICATE OF SERVICE

I certify that I electronically filed on November 16, 2021, the foregoing **MOTION FOR EXTENSION OF TIME TO ANSWER PETITION FOR REHEARING (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 further certify that a copy of the above-referenced document was mailed to the parties listed below at their last-known mailing address, on November 17, 2021, in the United States Mail, first-class postage prepaid, at Las Vegas, Nevada:

Nationstar Mortgage LLC
8950 Cypress Waters Blvd.
Coppell, TX 75019

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