

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALBERT ELLIS LINCICOME, JR. and
VICENTA LINCICOME,

Appellants,

vs.

SABLES, LLC, AS TRUSTEE OF THE
DEED OF TRUST GIVEN BY
VICENTA LINCICOME AND DATED
5/23/2007; FAY SERVICING, LLC;
PROF-2013 M4 LEGAL TITLE TRUST
BY U.S. BANK N.A., AS LEGAL TITLE
TRUSTEE; BANK OF AMERICA, N.A.;
BRECKENRIDGE PROPERTY FUND
2016, LLC; NEWREZ, LLC, D/B/A
SHELLPOINT MORTGAGE
SERVICING, LLC; 1900 CAPITAL
TRUST II, BY U.S. BANK TRUST
NATIONAL ASSOCIATION; AND
MCM-2018-NPL2

Respondents.

Supreme Court No. 83261
District Court Case No. 18-cv-01332
Electronically Filed
Feb 01 2023 01:37 PM
Elizabeth A. Brown
Clerk of Supreme Court

**JOINT MOTION TO EXTEND
TIME TO FILE RESPONSE TO
PETITION FOR REHEARING
(FIRST MOTION)**

Respondents, Prof-2013 M4-Legal Title Trust, by U.S. Bank, National Association, as Legal Title Trustee (“U.S. Bank Trust”), NewRez LLC, d/b/a Shellpoint Mortgage Servicing, LLC (“Shellpoint”), Fay Servicing LLC (“Fay”), and Bank of America, N.A. (“BANA”) (collectively “Respondents”) by and through their counsels of record, hereby submit this motion requesting this court grant

Respondents' first motion to extend the time to file its response to Appellants' Petition for Rehearing. Respondents request up to and including March 14, 2023.

On January 17, 2023, Appellants file their Petition for Rehearing. On January 31, 2023, the Court entered an order directing an Answer to Appellants' petition by no later than February 14, 2023.

Respondents request up until March 14, 2023, to file their response to Appellants' Petition for Rehearing (First Motion). Here, the undersigned counsels seek additional time because counsel for U.S. Bank Trust, Fay, and Shellpoint will be in a month-long bankruptcy trial beginning on February 6, 2023. BANA requests a similar extension because it anticipates filing a joinder to U.S. Bank Trust, Fay, and Shellpoint's response as the issues in the Order Directing a Response are germane to those parties' issues on appeal rather than BANA's.

/././

/././

/././

/././

/././

/././

Accordingly, counsels seek an order allowing them to file a Response to the Petition for Rehearing by no later than March 14, 2023. This request for additional extension is made in good faith and not for the purpose of delay.

DATED this 1st day of February, 2023.

WRIGHT, FINLAY & ZAK, LLP

/s/ Ramir M. Hernandez, Esq.

Darren T. Brenner

Nevada Bar No. 8386

Ramir M. Hernandez, Esq.

Nevada Bar No. 13146

7785 W. Sahara Ave, Suite 200

Las Vegas, NV 89117

*Attorney for Defendants, Prof-2013
M4-Legal Title Trust, by U.S. Bank,
National Association, as Legal Title
Trustee, Fay Servicing LLC, and
Shellpoint Mortgage Servicing, LLC*

AKERMAN LLP

/s/ Scott R. Lachman, Esq.

Melanie D. Morgan, Esq.

Nevada Bar No. 8215

Scott R. Lachman, Esq.

Nevada Bar No. 12016

Paige Magaster, Esq.

Nevada Bar No. 15557

1635 Village Center Circle, Suite 200

Las Vegas, NV 89134

*Attorneys for Respondent Bank of
America, N.A.*

CERTIFICATE OF SERVICE

I certify that I electronically filed on February 1, 2023, the foregoing **JOINT MOTION TO EXTEND TIME TO FILE RESPONSE TO 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 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/ Lisa Cox

An employee of Wright, Finlay & Zak, LLP