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Electronically Filed
Mar 07 2014 09:58 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

7 SUPREME COURT
8 STATE OF NEVADA

9 DAISY TRUST

10 Appellant

11 vs.

12 WELLS FARGO BANK NA, MTC FINANCIAL,
INC., dba TRUSTEE CORPS,

13 Respondents

CASE NO.: 63611

14
15 **MOTION TO PERMIT LATE FILING OF REPLY BRIEF**

16 Appellant Daisy Trust, by and through it's attorney, Michael F. Bohn, Esq., moves this court
17 to permit the appellant to file a late reply brief. This motion is based on the declaration of Michael F.
18 Bohn, Esq.

19 DATED this 6th day of March 2014.

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21 LAW OFFICES OF
MICHAEL F. BOHN, ESQ., LTD.

22
23 By: / s / Michael F. Bohn, Esq. /
24 Michael F. Bohn, Esq.
376 East Warm Springs Road, Ste. 125
25 Las Vegas, Nevada 89119
Attorney for plaintiff/appellant
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MICHAEL F. BOHN, ESQ. states:

1. Declarant is the attorney for the appellant in this case and makes this declaration based upon personal knowledge.

2. Declarant makes this declaration in support of the motion to permit the late filing of the reply brief.

3. Declarant is attorney on 32 cases on appeal before this court, all involving the issue of whether the foreclosure of a homeowners association lien extinguishes a first mortgage lien.

4. The reply brief was due in this case on February 20, 2014.

5. The date to file the reply brief in this case was not calendared. It is likely that because of the large number of files handled in this office on this issue before this court caused some confusion with myself and my staff. My office does have a good calendaring system, however, I am not certain as to why this matter was not properly calendared.

6. I have also had at least 3 of my staff miss multiple days from work in the office because of illness in the last several weeks.

7. I understand that I am responsible for the proper calendaring of dates and deadlines, and that I am responsible for the proper supervision of my staff, and I accept responsibility for this missed deadline.

8. I realized that the reply brief was not filed when I received a phone message from counsel for the respondent that he would be filing a motion to have oral argument held in this case along with the two other cases involving similar issues, which are scheduled for oral argument on May 7, 2014.

9. The issue regarding the homeowners association foreclosures and their effect on the first mortgage lien has not yet been decided by this court. For this reason, it is important that the appellant be permitted to file a reply brief to discuss the issues raised in the respondent's brief.

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1 10. If called upon to testify to the above facts, declarant could do so competently.

2 11. I declare under penalties of perjury under the law of the state of Nevada that the foregoing
3 is true and correct.

4 DATED this 6th day of March 2014

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6 /s/ /Michael F. Bohn, Esq. /
7 MICHAEL F. BOHN, ESQ.

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CERTIFICATE OF MAILING

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18 I HEREBY CERTIFY that on the 6th day of March 2014, I served a photocopy of the
19 foregoing MOTION by placing the same in a sealed envelope with first-class postage fully prepaid
20 thereon and deposited in the United States mails addressed as follows:

21

22 Richard Gordon, Esq.
23 Snell & Wilmer, LLP
24 3883 Howard Hughes Pkwy # 1100
25 Las Vegas, NV 89169

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27

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/s/ /Esther Maciel-Thompson/
An Employee of the LAW OFFICES OF
MICHAEL F. BOHN, ESQ., LTD.

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