

1 IN THE SUPREME COURT OF THE STATE OF NEVADA

2 *Supreme Court Case No. 66085*  
3 *District Court Case No. 07-A542616*

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Tracie K. Lindeman  
Clerk of Supreme Court

4 D.R. HORTON, INC.,

5 *Petitioner,*

6 v.

7 EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,  
8 IN AND FOR THE COUNTY OF CLARK;  
9 THE HONORABLE SUSAN H. JOHNSON

10 *Respondents,*

11 And

12 HIGH NOON AT ARLINGTON RANCH HOMEOWNERS ASSOCIATION,

13 *Real Party in Interest*

14 **REAL PARTY IN INTEREST HIGH NOON AT ARLINGTON RANCH**  
15 **HOMEOWNERS ASSOCIATION'S MOTION TO EXTEND TIME TO**  
16 **FILE ANSWERING BRIEF**

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*Homeowners Association*

1 **I. INTRODUCTION AND FACTUAL SUMMARY**

2 For various reasons, as set forth below, Real Party in Interest, High Noon at  
3  
4 Arlington Ranch Homeowners Association ("Real Party in Interest" or  
5 "Association") respectfully requests an extension of time to file its Answering Brief  
6 to Petitioner, D.R. Horton, Inc.'s ("DRH") Writ Petition. DRH has no objection to  
7 the extension set forth below. The rules justify the short extension to ensure the legal  
8 issues are adequately addressed.  
9

10  
11 **II. LEGAL ARGUMENT**

12 Nevada Rules of Appellate Procedure, Rule 31(b) (3) states:

13 Motion for Extension of Time. A motion for extension of time for  
14 filing a brief may be made no later than the due date for the brief and  
15 must comply with the provisions of this Rule and Rule 27.

16 A. Contents of Motion. A motion for extension of time for filing a brief  
17 shall include the following:

- 18 (i) The date when the brief is due;  
19 (ii) The number of extensions of time previously granted (including a 5-day  
20 telephone extension), and if extensions were granted, the original date  
21 when the brief was due;  
22 (iii) Whether any previous requests for extension of time have been denied or  
23 denied in part;  
24 (iv) The reasons or grounds why an extension is necessary; and  
25 (v) The length of the extension requested and the date on which the brief  
26 would become due.  
27  
28

1       **A. The Date When the Briefs Are Due**

2           The Answering Brief is currently due on October 26, 2014 per Supreme  
3 Court Order. Association is requesting an extension of twelve (12) days, up to and  
4 including November 7, 2014.  
5

6       **B. The Number of Extensions of Time Previously Granted (Including a 5-  
7 Day Telephonic Extension), and if Extensions Were Granted, the  
8 Original Date When the Brief Was Due**

9           No request for extension have been made by Petitioner DRH nor the  
10 Association.  
11

12       **C. Whether Any Previous Request for Extension of Time Have Been  
13 Denied or Denied in Part**

14           There has been no request for an extension of time and therefore no requests  
15 for extensions have been denied or denied in part.  
16

17       **D. The Reasons or Ground Why an Extension is Necessary**

18           Several reasons exist that justify good cause. In addition to Petitioner DRH's  
19 forty-one (41) page Writ Petition, DRH filed an additional Writ Petition in the  
20 same matter just two days after the instant Writ Petition (Case No.66101) requiring  
21 significant additional research and response from the Association. The legal issues  
22 involved in DRH's Writ, the Answering Brief are complex and of first impression,  
23 impacting several currently pending cases in the District Court. Thus, additional  
24 time is necessary to sufficiency address the complicated issues which are pertinent  
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1 to the Writ. Finally, it should be noted that counsel for DRH has no opposition to  
2 this extension and stipulates to the same.  
3

4 **E. The Length of the Extension Requested and the Date on Which the**  
5 **Brief Would Become Due**

6 Real Party in Interest is requesting an extension of twelve (12) days to file  
7 its Answering Brief, through and including November 7, 2014.

8 **III. CONCLUSION**

9  
10 Based on the foregoing, Real Party in Interest, High Noon at Arlington Ranch  
11 Homeowners Association, respectfully requests a short extension of time to prepare  
12 its Answering Brief. Specifically, High Noon at Arlington Ranch Homeowners  
13 Association request until November 7, 2014 to file its Answering Brief.  
14

15 Respectfully submitted this 16 day of October, 2014.  
16

17  
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