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Apr 03 2017 09:00 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

6 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

7 ESTATE OF MICHAEL DAVID  
8 ADAMS, BY AND THROUGH HIS  
9 MOTHER JUDITH ADAMS,  
10 INDIVIDUALLY AND ON  
11 BEHALF OF THE ESTATE,

Appellant,

v.

12 SUSAN FALLINI,

13 Respondent.

Supreme Court Case No: 68033

**MOTION FOR EXTENSION OF**  
**TIME TO FILE APPELLANT'S**  
**PETITION FOR EN BANC**  
**RECONSIDERATION**  
*(First Request)*

14 Appellant, ESTATE OF MICHAEL DAVID ADAMS, BY AND THROUGH  
15 HIS MOTHER JUDITH ADAMS, INDIVIDUALLY AND ON BEHALF OF THE  
16 ESTATE ("Appellant"), by and through their attorney of record, John P. Aldrich,  
17 Esq. of the Aldrich Law Firm, Ltd., hereby moves this Court pursuant to NRAP  
18 31(b) for a 30-day extension of time to file its Petition for En Banc Reconsideration.  
19

20 As required by NRAP 31(b)(3), Appellant provides the following  
21 information:

- 22 1. Appellant's Petition for En Banc Reconsideration pursuant to NRAP  
23 40A is currently due on Tuesday, April 4, 2017.
- 24 2. There have been no extensions of time granted previously (including  
25 no telephonic extension) with regard to Appellant's Petition for En  
26 Banc Reconsideration, although Appellant has received extensions of  
27 the deadlines related to Appellant's Opening Brief and Petition for  
28 Rehearing.

- 1           3.    No request for extension of time has been denied in any fashion.
- 2           4.    The grounds for the extension of time are as follows:
  - 3           a.    In the week before the Order Denying Rehearing was entered on
  - 4                 March 21, 2017, Appellant's lead counsel, John P. Aldrich, was
  - 5                 out of town at the ABA-BLI Conference. Therefore, the week
  - 6                 of March 20, 2017 was a hectic week by nature, as Mr. Aldrich
  - 7                 had to catch up from being gone.
  - 8           b.    In the seven (7) days since the Order Denying Rehearing was
  - 9                 entered on March 21, 2017, Mr. Aldrich experienced a spate of
  - 10                urgent matters to be attended to in short order, most
  - 11                substantially a very large discovery disclosure that took the
  - 12                better part of three days. While Mr. Aldrich has worked several
  - 13                hours on the Petition for En Banc Reconsideration, he needs
  - 14                additional time to finish the brief.
  - 15           c.    Mr. Aldrich would normally make a telephonic request for an
  - 16                additional fourteen (14) days, pursuant to NRAP 26. However,
  - 17                over the next two weeks, Mr. Aldrich will spend a week out of
  - 18                town acting as both parent and child – assisting his son in
  - 19                returning to college and assisting his elderly in-laws with
  - 20                moving from a house to an apartment. There are some
  - 21                additional family health issues that will require his attention,
  - 22                making his availability to finish the Petition for En Banc
  - 23                Reconsideration questionable during that 14-day period. For
  - 24                this reason, Appellant determined it was best to request 30 days.
  - 25           5.    Appellant requests a 30-day extension. If the Court grants this 30-day
  - 26                extension, Appellant's Petition for En Banc Reconsideration will be
  - 27                due on Thursday, May 4, 2017.
  - 28           6.    Alternatively, if the Court is not inclined to grant Appellant's request

1 for and additional 30 days, Appellant respectfully requests an  
2 additional fourteen (14) days, pursuant to NRAP 26, which extension  
3 is routinely granted with a simple phone call.

4 Therefore, Appellant respectfully requests that the Court extend the deadline  
5 to file Appellant's Petition for En Banc Reconsideration until Thursday, May 4,  
6 2017. This Motion is submitted in good faith and in accordance with NRAP 31(b)  
7 and/or 26.

8 DATED this 31<sup>st</sup> day of March, 2017.

9 Respectfully submitted,

10 **ALDRICH LAW FIRM, LTD.**

11 /s/ John P. Aldrich

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1 **CERTIFICATE OF SERVICE**

2 I HEREBY CERTIFY that the foregoing **MOTION FOR EXTENSION OF**  
3 **TIME TO FILE APPELLANT'S PETITION FOR EN BANC**  
4 **RECONSIDERATION** was filed electronically with the Nevada Supreme Court on  
5 the 31<sup>st</sup> day of March, 2017. Electronic Service of the foregoing document shall be  
6 made in accordance with the Master Service List as follows:

7 David R. Hague  
8 Fabian VanCott  
*Attorney for Respondent*

9 I further certify that I served a copy of this document by mailing a true and  
10 correct copy thereof, postage prepaid, addressed to:

11 David R. Hague  
12 Fabian VanCott  
13 215 S. State Street, Suite 1200  
14 Salt Lake City, UT 84111-2323  
*Attorney for Respondent*

15  
16 /s/ T. Bixenmann  
17 An employee of Aldrich Law Firm, Ltd.  
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