

IN THE SUPREME COURT OF THE STATE OF NEVADA

INGRID PATIN, AN INDIVIDUAL; AND
PATIN LAW GROUP, PLLC, A
PROFESSIONAL LLC,

Appellants,

v.

TON VINH LEE,

Respondent.

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Elizabeth A. Brown
Clerk of Supreme Court
Supreme Court Case No. 2017-00001
District Court Case No. 4-73-00001

**RESPONDENT'S REPLY TO APPELLANTS' MOTION
FOR EXTENSION OF TIME**

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Appellants' Motion for Extension of Time represents their second request to extend the deadline to file their opening brief, despite the fact that they filed their notice of appeal in the instant matter well over one year ago, on March 9, 2016. Counsel for the Respondent previously agreed to allow Appellants an additional month to file their opening brief, contingent on Appellants agreeing not to request additional extensions of time. Appellants rejected that offer. Because this appeal was filed 17 months ago, Respondent requests that the instant Motion be denied. In the alternative, should this Court be willing to grant a one-month extension of time to Respondent to file their opening brief, Respondent requests that this Court clarify that no additional extensions of time be granted.

Additionally, several representations made in the Appellants' motion are simply incorrect. Appellants claim that while NRAP 31 allows for 120 days to prepare the opening brief and appendix, "the Court has only allowed seven days since the denial of the Motion to Stay Briefing." In reality, this appeal was taken on March 9, 2016, or 17 months ago, and transcripts were requested on December 12, 2016, both well over 120 days ago. Appellants further claim that "no prejudice will result to Respondents by the extension" because "Respondents have recently filed a Motion to Stay the entire underlying litigation." This is simply untrue – Respondent filed the Motion to Stay in light of the fact that Appellants/Defendants filed seven separate dispositive motions prior to the onset of discovery. Further, as a result of the instant appeal, discovery could not open whatsoever due to the automatic stay of discovery provided by NRS 41.660(3)(e)(2). Respondent filed his complaint in the underlying district court litigation back on August 17, 2015, and as a result of the numerous unsuccessful dispositive motions and appeals filed by Appellants, Respondent has not even been allowed to conduct discovery to

prove his case. Any suggestion that yet more delays and extensions of time do not prejudice the Respondent is simply incorrect and additional delays will function to deprive Respondent of the ability to efficiently prosecute his case. NRCP 1, NRAP 1(c). Petitioners' Motion for an Extension of Time must be denied.

Dated this 14th day of August, 2017.

RESNICK & LOUIS, P.C.

/s/ Prescott T. Jones

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I hereby certify that I am an employee of Resnick & Louis, P.C., and on the 14th day of August, 2017, I mailed a copy of the filed Respondent's Reply to Appellants' Motion for Extension of Time upon the following party via first class mail with sufficient postage prepaid to the following address:

Christian M. Morris, Esq.
Brian D. Nettles, Esq.
NETTLES LAW FIRM
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Attorneys for Appellant

DATED this 31st day of July, 2017.



Lisa G. Bell