

IN THE SUPREME COURT OF THE STATE OF NEVADA

K&P HOMES, A SERIES LLC OF DEK
HOLDINGS, LLC, a Nevada limited
liability company,

Appellant,

vs.

CHRISTIANA TRUST, A DIVISION
OF WILMINGTON SAVINGS FUND
SOCIETY, FSB, NOT IN ITS
INDIVIDUAL CAPACITY BUT AS
TRUSTEE OF ARLP TRUST 3

Respondent.

SUPREME COURT CASE NO.: 69966

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(A certified question from the District Court, District of Nevada, Case No. 2:15-cv-01534-RJC-VCF)

Elizabeth S. DiBrown
Clerk of Supreme Court

**JOINT MOTION TO POSTPONE
EN BANC ORAL ARGUMENT**

WRIGHT, FINLAY & ZAK, LLP

Dana Jonathon Nitz, Esq.

Nevada Bar No. 0050

Natalie C. Lehman, Esq.

Nevada Bar No. 12995

7785 W. Sahara Avenue, Suite 200

Las Vegas, NV 89117

702-475-7964; Fax 702-946-1345

*Attorneys for Appellee, Christiana Trust, a Division of Wilmington Savings Fund
Society, FSB, not in its individual capacity but as Trustee of ARLP Trust 3*

Appellee, Christiana Trust, a Division of Wilmington Savings Fund Society, FSB, not in its individual capacity but as Trustee of ARLP Trust 3 (hereinafter “Christiana Trust”), by and through its attorneys of record, Dana Jonathon Nitz, Esq., and Natalie C. Lehman, Esq., of the law firm of Wright, Finlay & Zak, LLP, along with Appellant, K&P Homes, a series LLC of DEK Holdings, LLC (hereinafter, “K&P Homes”), by and through its attorneys of record, John Henry Wright, Esq., of the law firm The Wright Law Group, PC, pursuant to NRAP 34(a), hereby jointly request a postponement of the En Banc Oral Argument from April 4, 2017 to the next available date on or after April 19, 2017.

On April 27, 2016, the parties filed a Stipulation Extending Time for Filing Answering Brief Pursuant to NRAP 31(b)(3), pursuant to which the deadline to file the Answering Brief was extended to June 27, 2016. On June 24, 2016, the parties filed a Joint Motion to Extend Time for Filing Answering Brief and Reply Brief, pursuant to which the deadline to file the Answering Brief was extended and the deadline to file the Reply Brief was extended by 30 days. Christiana Trust has not made any requests for extensions of time that were denied or denied in part. K&P Homes has not made any requests for extensions of time that were denied or denied in part.

Good cause exists to extend the deadline because the attorney primarily responsible for presenting oral argument on behalf of Christiana Trust has a fully pre-

paid and non-refundable vacation planned at the end of March and will not return until late in the evening on April 3, 2017. Additionally, the attorney that is secondarily responsible for preparing the oral argument presentation on behalf of Christiana Trust will be participating in a fully pre-paid and non-refundable trial academy during the last week of March. This request for postponement the en banc oral argument sought by Christiana Trust is not based on any improper purpose or delay.

Therefore, pursuant to NRAP 34(a) Christiana Trust respectfully requests that the en banc oral argument be postponed until the next available date on or after April 19, 2017.

DATED this 10th day of March, 2017.

THE WRIGHT LAW GROUP, PC

/s/John Henry Wright, Esq.

John Henry Wright, Esq.
Nevada Bar No. 6182
The Wright Law Group, PC
2340 Paseo Del Prado, Suite D-305
Las Vegas, Nevada 89102
Phone: (702) 405-0001
Fax: (702) 405-8454
Attorney for Appellant, K&P Homes

WRIGHT, FINLAY & ZAK, LLP

/s/Natalie C. Lehman, Esq.

Dana Jonathon Nitz, Esq.
Nevada Bar No. 0050
Natalie C. Lehman, Esq.
Nevada Bar No. 12995
7785 W. Sahara Avenue, Suite 200
Las Vegas, NV 89117
Attorneys for Appellee, Christiana Trust

PROOF OF SERVICE

I certify that I electronically filed on the 10th day of March, 2017, the foregoing **JOINT MOTION TO POSTPONE EN BANC ORAL ARGUMENT** with the Clerk of the Court for the Nevada Supreme Court by using the CM/ECF system. I further certify that all parties of record to this appeal either are registered with the CM/ECF or have consented to electronic service.

[X] (By Electronic Service) Pursuant to CM/ECF System, registration as a CM/ECF user constitutes consent to electronic service through the Court's transmission facilities. The Court's CM/ECF systems sends an e-mail notification of the filing to the parties and counsel of record listed above who are registered with the Court's CM/ECF system.

THE WRIGHT LAW GROUP, P.C.
John Henry Wright, Esq.
2340 Paseo Del Prado, Suite D-305
Las Vegas, NV 89102
Attorneys for Appellant

/s/Lisa Cox
An Employee of Wright, Finlay & Zak, LLP