

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES NALDER, GUARDIAN AD
LITEM ON BEHALF OF
CHEYANNE NALDER; AND GARY
LEWIS, INDIVIDUALLY,

Appellants,

vs.

UNITED AUTOMOBILE
INSURANCE COMPANY,

Respondent.

Case No. 70504

Electronically Filed
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Elizabeth A. Brown
Clerk of Supreme Court

**APPELLANTS' MOTION TO STAY BRIEFING PENDING THIS COURT'S
DECISION ON APPELLANTS' MOTION TO STRIKE PORTIONS OF
RESPONDENT'S SUPPLEMENTAL ANSWERING BRIEF TO SECOND
CERTIFIED QUESTION AND APPENDIX**

Appellants JAMES NALDER, GUARDIAN AD LITEM ON BEHALF OF CHEYANNE NALDER and GARY LEWIS, INDIVIDUALLY ("Appellants"), by and through their attorneys of record, Dennis M. Prince, Esq. and Kevin T. Strong, Esq. of EGLET PRINCE, and Thomas F. Christensen, Esq. and Richard V. Christensen, Esq. of CHRISTENSEN LAW OFFICES, hereby move for a stay of briefing pending this Court's decision on Appellants' Motion to Strike Portions of Respondent's Supplemental Answering Brief to Second Certified Question and Appendix.¹ Appellants' Reply Brief is currently due on December 10, 2018.

¹ Although there is no Nevada Rule of Appellate Procedure governing the issuance

Appellants have not sought any prior extensions of time to file their Reply Brief, but did seek extensions of time with this Court to file their Opening Brief.

Appellants request this Court to stay the time to file their Reply Brief because Appellants' Motion to Strike Portions of Respondent's Supplemental Answering Brief to Second Certified Question and Appendix is currently pending before this Court. Appellants' Motion to Strike addresses portions of Respondent's brief related to subsequent judicial proceedings instituted by Appellants James Nalder and Cheyanne Nalder that are not part of the Ninth Circuit's certification order governing this case. Appellants will not know if they must address UAIC's reference to these subsequent judicial proceedings in their Reply Brief until this Court rules on the pending motion to strike. A stay of all briefing pending this Court's ruling on the motion to strike will ensure that Appellants comprehensively address all portions of UAIC's Supplemental Brief that are deemed relevant and related to the governing certification order.

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of a stay on the briefing schedule, Appellants' request is akin to an open extension of time to file their Reply Brief pursuant to NRAP 31(b)(3) while their Motion to Strike is pending with this Court.

II.

CONCLUSION

Based on the foregoing, Appellants respectfully request this Court grant their request to stay the time to file their Reply Brief until this Court renders its decision on Appellants' pending Motion to Strike.

DATED this 10th day of December, 2018.

EGLT PRINCE

/s/ Dennis M. Prince
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that this document was filed electronically with the Nevada Supreme Court on the 10th day of December, 2018. Electronic service of the foregoing **APPELLANTS' MOTION TO STAY BRIEFING PENDING THIS COURT'S DECISION ON APPELLANTS' MOTION TO STRIKE PORTIONS OF RESPONDENT'S SUPPLEMENTAL ANSWERING BRIEF TO SECOND CERTIFIED QUESTION AND APPENDIX** shall be made in accordance with the Master Service List as follows:

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