

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

DAISY TRUST,

Appellant,

vs.

WELLS FARGO BANK, N.A.,

Respondent.

Case No. 72747

District Court No.  
A-13-679095-C

Electronically Filed  
Oct 31 2017 04:39 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**APPEAL**

**From the Eighth Judicial District Court  
The Honorable Stefany Miley**

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**UNOPPOSED MOTION TO EXTEND TIME TO  
FILE ANSWERING BRIEF  
(SECOND REQUEST)**

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## **Introduction**

Respondent, Wells Fargo Bank, N.A. (“Wells Fargo” or “Respondent”), by and through its counsel of record, the law firm of Snell & Wilmer L.L.P., hereby moves, ***unopposed***, for an extension of time to file its Answering Brief. The Brief is currently due to be filed on November 6, 2017. Wells Fargo respectfully requests an extension until December 6, 2017, pursuant to NRAP 27 and NRAP 31(b).

This is Wells Fargo’s second request for an extension; one previous extension of time has been sought and one has been granted. Wells Fargo respectfully requests a second extension because of the recent and serious illness of the undersigned counsel.

## **Analysis**

Wells Fargo seeks a second extension of time to file its Answering Brief because of illness of counsel. Undersigned counsel became ill on Monday, October 9, 2017, and was incorrectly diagnosed with influenza two days later, on Wednesday, October 11, 2017. Counsel had a continuous high fever from October 9 for more than eleven days, at which point she was admitted to the hospital and eventually diagnosed with a rare form of double pneumonia. Counsel was hospitalized for

five days, through October 23, 2017. Counsel was released by her doctor to return to work on a reduced schedule on October 30, 2017. Due to the severity of this illness, counsel has been almost entirely unable to work for three weeks leading up to the due date of the Answering Brief, and is on a restricted schedule until her full recovery is confirmed.

Wells Fargo does not seek an extension for any improper purpose, or for the purpose of delay. Additionally, an extension of time will not prejudice the parties. Finally, Daisy Trust's counsel has explicitly consented to Wells Fargo's requested extension.

## Conclusion

Based upon the foregoing, Wells Fargo respectfully requests that the Court grants its Unopposed Motion for Extension of Time to File Answering Brief, allowing it up to and including December 6, 2017 to file its Answering Brief.

DATED: October 31, 2017

SNELL & WILMER L.L.P.

/s/ Kelly H. Dove

KELLY H. DOVE

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*Attorney for Wells Fargo Bank, N.A.*

## CERTIFICATE OF SERVICE

I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen (18) years, and I am not a party to, nor interested in, this action. On October 31, 2017, I caused to be served a true and correct copy of the foregoing

**UNOPPOSED MOTION TO EXTEND TIME TO FILE ANSWERING BRIEF (SECOND REQUEST)** by the method indicated:

- ☐ **BY FAX:** by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m. pursuant to EDCR Rule 7.26(a). A printed transmission record is attached to the file copy of this document(s).
- ☐ **BY EMAIL:** by emailing a PDF of the document(s) listed above to the email addresses of the individual(s) listed below:
- ☐ **BY OVERNIGHT MAIL:** by causing document(s) to be picked up by an overnight delivery service company for delivery to the addressee(s) on the next business day.
- ☐ **BY U.S. MAIL:** by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Las Vegas, Nevada addressed as set forth below:
- ☒ **BY ELECTRONIC SUBMISSION:** submitted to the above-entitled Court for electronic filing and service upon the Court's Service List for the above-referenced case.

/s/ Ruby Lengsavath

An Employee of Snell & Wilmer L.L.P.