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Electronically Filed
 Jun 03 2019 05:29 p.m.
 Elizabeth A. Brown
 Clerk of Supreme Court

IN THE SUPREME COURT OF NEVADA

GEORGE STUART YOUNT, Individually
 and in his Capacity as Owner of GEORGE
 STUART YOUNT IRA,

Case No. 74275

Appellant,

vs.

CRISWELL RADOVAN, LLC; CR CAL
 NEVA, LLC; WILLIAM CRISWELL; CAL
 NEVA LODGE, LLC; POWELL, COLEMAN
 AND ARNOLD, LLP; DAVID MARRINER;
 and MARRINER REAL ESTATE, LLC

Respondents.

MOTION FOR EXTENSION TO FILE ANSWERING BRIEF (SECOND REQUEST)

Pursuant to NRAP 31(b)(3), Respondents Criswell Radovan, LLC; CR Cal
 Neva, LLC; Robert Radovan; William Criswell; and Powell, Coleman and Arnold,
 LLP (the "Criswell Respondents") respectfully request an extension of the deadline
 for filing their Answering Brief by thirty days, up to and including Wednesday, July
 3, 2019. This is Respondents' second motion for extension pursuant to NRAP
 31(b)(3). No request for additional time has been denied or denied in part.

Counsel has been working diligently on completing an Answering brief;
 however, one more extension is necessary to complete it. This case presents
 complex and novel legal questions. Its procedural posture is complicated including
 post-appeal motions raised before the district court (one of which is the subject of a
 related appeal, *see* Case No. 77987) as well as post-appeal motion practice before

1 this Court. The post-appeal motion practice in this case afforded Appellant with
2 substantial time to prepare an opening brief. After submission to the settlement
3 program, briefing was reinstated on May 11, 2018. Appellant's opening brief was
4 due on August 9, 2018. On that day, Appellant filed a Motion to Determine
5 Appellate Jurisdiction. The Court ultimately ruled that it had jurisdiction, and the
6 deadline to file an opening brief was extended through October 23, 2018. On that
7 day, Appellant moved for a 90-day extension of the deadline to file an opening brief.
8 The request was unopposed, and the Court granted it. A subsequent unopposed
9 motion requesting a 30-day extension was filed on January 23, 2019, and it too was
10 granted. In total, Appellant had 286 days from the reinstatement of briefing to
11 prepare and file an opening brief.

12 To be clear, the Criswell Respondents take no issue with Appellants' briefing
13 schedule; to the contrary, they acknowledge that the extensions granted to
14 Appellants were appropriate. Granting the requested extension will allow the
15 Criswell Respondents a total of 120 days from the filing of the Opening Brief to file
16 an Answering Brief; less than half the time that Appellants had to draft the Opening
17 Brief, but nevertheless sufficient time to prepare a response.

18 Finally, although counsel's caseload is not by itself a reason for extending
19 the deadline, counsel respectfully informs the Court that it has faced extraordinary
20 demands in other cases. Counsel had been facing the prospect of conducting three
21 trials back-to-back-to-back over the course of two months; these scheduling
22 conflicts have since been resolved. Counsel also had two matters arise addressing
23 requests for preliminary injunctions on orders shortening time, both of which have
24 been adjudicated.

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The Criswell Respondents recognize the extraordinary nature of this Motion, and this unopposed¹ Motion will be the last extension that the Criswell Respondents request. The Criswell Respondents respectfully ask that the Court grant the requested extension.

DATED this 3rd day of June, 2019.

HOWARD & HOWARD ATTORNEYS, PLLC

By: /s/Ryan T. O'Malley
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¹ Prior to requesting this extension from the Court, undersigned counsel contacted counsel for appellants, who indicated that they do not oppose this request. Undersigned counsel appreciate the professional courtesy.

CERTIFICATE OF SERVICE

I hereby certify that I am employed in the County of Clark, State of Nevada, am over the age of 18 years and not a party to this action. My business address is that of Howard & Howard Attorneys PLLC, 3800 Howard Hughes Parkway, Suite 1000, Las Vegas, Nevada, 89169.

I served the foregoing **MOTION FOR EXTENSION TO FILE ANSWERING BRIEF (SECOND REQUEST)** in this action or proceeding electronically with the Clerk of the Court via the E-Flex system, which will cause this document to be served upon the following counsel of record:

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I certify under penalty of perjury that the foregoing is true and correct, and that this Certificate of Service was executed by me on June 3rd, 2019 at Las Vegas, Nevada.

/s/ Karen Gomez

An Employee of HOWARD & HOWARD ATTORNEYS PLLC