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Electronically Filed
 Jul 11 2019 05:26 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 (THIRD REQUEST)

On July 10, 2019, at 11:58 p.m., Respondents submitted their Answering Brief for filing. Two minutes later, at 12:00 a.m., the Court's automated system sent an Acceptance of Electronic Document Submitted for Filing (**Exhibit A**) reflecting a submission time of July 10 at 11:58, and an Official Time Stamp of July 11, at 12:00 a.m. At 3:38 p.m., counsel received notice that the Answering Brief had been rejected as untimely.

The Court had previously ordered that Respondents were to file their Answering Brief by July 10, 2019, and that "no further extensions shall be permitted absent demonstration of extraordinary circumstances and extreme need." Counsel fully appreciated the seriousness of the Court's order, and worked diligently to submit a lengthy and well-researched brief to aid the Court's consideration of this

1 complex matter. The brief was submitted late in the evening, but within the
2 deadline. It was not reflected in the Court's computer system until two minutes
3 later—exactly midnight.

4 Counsel now resubmits the Answering Brief (with no alterations from the
5 July 10, 2019 submission), and respectfully requests that the Court either: (1) accept
6 it as timely submitted; or (2) grant what is effectively a one-minute extension of
7 time based upon extraordinary circumstances. Counsel apologizes for this
8 imposition upon the Court.

9
10 DATED this 11th day of July, 2019.

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12 HOWARD & HOWARD ATTORNEYS, PLLC

13
14 By: /s/Ryan T. O'Malley
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23 *Arnold LLP*
24
25
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27
28

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 (THIRD 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 July 11, 2019 at Las Vegas, Nevada.

/s/ Anya Ruiz

An Employee of HOWARD & HOWARD ATTORNEYS PLLC

EXHIBIT A

O'Malley, Ryan T.

Subject: Acceptance of Electronic Document. YOUNT VS. CRISWELL RADOVAN, LLC. No. 74275.

From: efiling@nvcourts.nv.gov <efiling@nvcourts.nv.gov>

Sent: Thursday, July 11, 2019 12:01 AM

To: Little, Martin A. <MAL@h2law.com>

Subject: Acceptance of Electronic Document. YOUNT VS. CRISWELL RADOVAN, LLC. No. 74275.

ACCEPTANCE OF ELECTRONIC DOCUMENT SUBMITTED FOR FILING

Case Title: YOUNT VS. CRISWELL RADOVAN, LLC
Docket Number: 74275
Case Category: Civil Appeal
Submitted by: Martin A. Little, Esq.
Date Submitted: Jul 10 2019 11:58 p.m.
Official File Stamp: Jul 11 2019 12:00 a.m.
Document Category: Answering Brief
Document Title: RESPONDENTS CRISWELL RADOVAN, LLC; CR CAL NEVA, LLC, ROBERT RADOVAN; WILLIAM CRISWELL; CAL NEVA LODGE, LLC; AND POWELL, COLEMAN AND ARNOLD, LLP

Filing Status: **Accepted and Filed**

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