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Elizabeth A. Brown  
Clerk of Supreme Court

5 **SUPREME COURT OF NEVADA**

6  
7 Tae-Si Kim as an individual; and Jin-Sung,  
as an individual.

SUPREME COURT CASE NO.  
74803

8 Appellants,

DISTRICT COURT CASE NO.  
A-756785

9 v.

10 Dickinson Wright, PLLC, a Nevada  
11 Professional Limited Liability Company;  
Jodi Donetta Lowry, Esq. an Individual;  
12 Jonathan M.A. Salls, Esq., an Individual;  
13 Eric Dobberstein, Esq., an Individual; and  
Michael G. Vartanian Esq., an Individual

14 Respondents.

15 **APPELLANTS' MOTION TO ALLOW LATE FILING OF REPLY BRIEF**

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17 Now comes Appellants by and through their counsel of record Brandon L. Phillips, Esq.  
18 of the law firm BRANDON L. PHILLIPS, ATTORNEY AT LAW, PLLC, and hereby files their  
19 Motion for an Order Allowing the Late Filing of Appellants' Reply Brief. This Motion is based  
20 on the memorandum of facts, legal authority, the Declaration of Brandon L. Phillips, Esq., and  
21 any exhibits attached hereto.

22 Dated this 24<sup>th</sup> day of August, 2018.

23 BRANDON L. PHILLIPS, ATTORNEY AT LAW, PLLC

24 /s/ Brandon L. Phillips

25 Brandon L. Phillips, Esq.  
*Attorney for Appellants*

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I. FACTUAL BACKGROUND

On December 20, 2017, Appellants filed their Notice of Appeal, appealing the decision issued by the District Court granting Respondents’ Motion to Dismiss

On December 28, 2107, Appellants timely filed their Case Appeal Statement with the District Court.

On June 21, 2018 Appellants filed their Opening Brief and Appendixes.

On July 23, 2018, Respondents filed their Answering Brief and Appendixes.

On August 23, 2018 Appellants attempted to file their Reply Brief, but said Brief was rejected as late.

II. ARGUMENT

NRAP 26(b)(1)(A) provides that “For good cause, the court may extend the time prescribed by these Rules or by its order to perform any act, or may permit an act to be done after that time expires.” Appellants counsel recently had a long-time legal assistant quit without notice. In the haste to quickly find an adequate replacement, the position had to be filled with someone with much less experience and familiarity with the date calculations. The filing was due on August 22, 2018, however, it was inadvertently calendared to be filed on August 23.

There were several issues raised in Respondents’ Answering Brief that requires a reply by the Appellants. Appellants believe their response is necessary for complete disclosure of the issues before this Court.

Appellants merely request, one judicial day notice to file the Reply Brief. Said Reply Brief is drafted and is ready for submission to the Supreme Court.

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III. CONCLUSION

Based on the foregoing, Appellants hereby pray this Court allow the late filing of the  
Reply Brief.

Dated this 24<sup>th</sup> day of August, 2018.

**BRANDON L. PHILLIPS, ATTORNEY AT LAW, PLLC**

/s/ Brandon L. Phillips  
Brandon L. Phillips, Esq.  
*Attorney for Appellants*  
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2 **DECLARATION OF BRANDON L. PHILLIPS, ESQ. IN SUPPORT OF APPELLANTS'**  
3 **MOTION FOR AN EXTENSION OF TIME**

4 I, Brandon L. Phillips, hereby declare under penalty of perjury that the following  
5 statements are true and accurate to the best of my knowledge.

- 6 1. I, Brandon L. Phillips, am over the age of 18 and competent to testify to the  
7 statements made below.  
8 2. That due to the unexpected quitting of my longtime legal assistant the Firm was  
9 placed in a difficult place to find an adequate replacement.  
10 3. The Reply Brief was unfortunately calendared one day late.  
11 4. The issue regarding calendaring has been addressed and hopefully the matter is  
12 resolved.  
13 5. That there was no intent to delay this matter or any of the required filings.  
14 6. Counsel respectfully requests that this Court, grant the Motion and allow for the  
15 immediate filing of said documents.  
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17  
18 DECLARANT FURTHER SAYETH NAUGHT.

19 Dated this 24<sup>th</sup> day of August, 2018.

20 **BRANDON L. PHILLIPS, ATTORNEY AT LAW, PLLC**

21 /s/ Brandon L. Phillips  
22 Brandon L. Phillips, Esq.  
23 *Attorney for Appellants*  
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