

IN THE SUPREME COURT OF THE STATE OF NEVADA

TRUDI LEE LYTLE; AND JOHN ALLEN
LYTLE, AS TRUSTEES OF THE LYTLE
TRUST,

Appellant ,

v.

SEPTEMBER TRUST, DATED MARCH
23, 1972; GERRY R. ZOBRIST AND
JOLIN G. ZOBRIST, AS TRUSTEES OF
THE GERRY R. ZOBRIST AND JOLIN G.
ZOBRIST FAMILY TRUST; RAYNALDO
G. SANDOVAL AND JULIE MARIE
SANDOVAL GEGEN, AS TRUSTEES OF
THE RAYNALDO G. AND EVELYN A.
SANDOVAL JOINT LIVING AND
DEVOLUTION TRUST DATED MAY 27,
1992; and DENNIS A. GEGEN AND
JULIE S. GEGEN, HUSBAND AND
WIFE, AS JOINT TENANTS,

Respondents .

Supreme Court No.: 77007

District Court Case No.: A-17-765372-C

**MOTION FOR EXTENSION TO
FILE OPENING BRIEF**

Electronically Filed
September 12, 2019 02:51 p.m.
Elizabeth A. Brown
[First Request] Clerk of Supreme Court

Motion For Extension To File Opening Brief

(Docket 77007)

RICHARD HASKIN
Nevada Bar No. 11592
**GIBBS, GIDEN, LOCHER, TURNER,
SENET, & WITTBRODT, LLP**
1140 N. Town Center Drive
Las Vegas, Nevada 89144
(702) 836-9800
Attorneys for Appellants

TRUDI LEE LYTLE; AND JOHN ALLEN LYTLE, AS TRUSTEES OF THE LYTLE TRUST (the “Appellants”) hereby requests an extension of time of 30 days, up to and including March 27, 2019, to file and serve the Opening Brief in this Docket 77007. This is the first request for extension in this matter.

This Court, on initial review of the docketing statement and documents before it, believed there was a potential jurisdictional defect. The Court then ordered Appellants to show cause why the appeal should not be dismissed for lack of jurisdiction. Operating under prior precedent in *Mallin v. Farmers Ins. Exch.*, 106 Nev. 606, 609, 797 P.2d 978, 980 (1992), Appellants concurred with the Court that it lacked jurisdiction and briefed the matter accordingly. After Appellants briefed the matter, *Mallin* was overruled as to the issue at hand. *See In re Estate of Sarge*, 134 Nev. Adv. Op. 105 (2018).

Thereafter, on January 28, 2019, this Court determined it had jurisdiction and ordered this Docket 77007 to be consolidated with Docket 76198. The Court also ordered Appellants to submit an Opening Brief within 30 days of the Court’s January 28, 2019 Order.

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Appellants require an additional 30 days to file and serve their Opening Brief. As a result of the suspended briefing together with the holding in *Mallin*, Appellants believed no Opening Brief would be submitted and the appeal would be dismissed. Hence, Appellants suspended their own efforts in preparing the Opening Brief. Appellants require this single, brief extension to submit an Opening Brief.

DATED this 12th day of February, 2019.

GIBBS, GIDEN, LOCHER, TURNER, SENET &
WITTBRODT, LLP

By: /s/ Richard E. Haskin
Richard E. Haskin
Nevada Bar No. 11592
1140 N. Town Center Drive, Suite 300
Las Vegas, NV 89144
(702) 836-9800
rhaskin@gibbsgiden.com
Attorneys for Appellants

LIST OF EXHIBITS TO MOTION

Exhibit A	Complaint in District Court Case No. A-17-765372-C
Exhibit B	Order Consolidating Cases
Exhibit C	Order Granting Motion for Summary Judgment, or, in the Alternative, Motion for Judgment on the Pleadings and Denying Countermotion for Summary Judgment
Exhibit D	Order Regarding Plaintiffs' Motion for Attorney's Fees and Costs and Memorandum of Costs and Disbursements and Defendants' Motion to Retax and Settle Memorandum of Costs

Certificate of Service

1. Electronic Service:

I hereby certify that on this date, the 12th day of February 2019, I submitted the foregoing **MOTION FOR EXTENSION TO FILE OPENING BRIEF (Docket 77007)** for filing and service through the Court's eFlex electronic filing service. According to the system, electronic notification will automatically be sent to the following:

Daniel T. Foley, Esq.
FOLEY & OAKS
626 S. 8th Street
Las Vegas, Nevada 89101

Christina H. Wang, Esq.
FIDELITY NATIONAL LAW GROUP
8363 W. Sunset Road, Suite 120
Las Vegas, Nevada 89113

Wesley J. Smith, Esq.
Laura J. Wolff, Esq.
CHRISTENSEN JAMES & MARTIN
7440 W. Sahara Avenue
Las Vegas, Nevada 89117

2. Traditional Service:

Daniel T. Foley, Esq.
FOLEY & OAKS
626 S. 8th Street
Las Vegas, Nevada 89101

Christina H. Wang, Esq.
FIDELITY NATIONAL LAW GROUP
8363 W. Sunset Road, Suite 120
Las Vegas, Nevada 89113

Wesley J. Smith, Esq.
Laura J. Wolff, Esq.
CHRISTENSEN JAMES & MARTIN
7440 W. Sahara Avenue
Las Vegas, Nevada 89117



SHARA BERRY