

1 BRIAN D. NETTLES, ESQ.
2 Nevada Bar No. 7462
3 CHRISTIAN M. MORRIS, ESQ.
4 Nevada Bar No. 11218
5 JON J. CARLSTON, ESQ.
6 Nevada Bar No. 10869
7 NETTLES LAW FIRM
8 1389 Galleria Drive, Suite 200
9 Henderson, Nevada 89014
10 Telephone: (702) 434-8282
11 Facsimile: (702) 434-1488
12 brian@nettlawfirm.com
13 christian@nettlawfirm.com
14 jon@nettlawfirm.com
15 *Attorneys for Respondent/Appellant,*
16 YVONNE O'CONNELL

Electronically Filed
Jun 28 2017 09:41 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

17 WYNN LAS VEGAS, LLC d/b/a
18 WYNN LAS VEGAS,

Appellant/Respondent,

19 vs.

20 YVONNE O'CONNELL, an individual,

Respondent/Appellant.

Supreme Court Case No.: 70583(L)
Consolidated with Case No.: 71789

Eighth Jud. Dist. Ct.
Case No.: A-12-655992-C

**UNOPPOSED MOTION FOR AN EXTENSION OF TIME TO FILE
RESPONDENT/APPELLANT'S COMBINED ANSWERING AND
OPENING BRIEF**

(Second Request; First Request via Motion)

26 COMES NOW, Respondent/Appellant YVONNE O'CONNELL
27
28 ("O'CONNELL"), by and through Jon J. Carlston, Esq., of the NETTLES LAW

1 FIRM hereby submits the instant *Unopposed Motion for an Extension of Time to*
2 *File Respondent/Appellant's Combined Answering and Opening Brief* (“Motion”)
3
4 pursuant to NRAP 26, 27, and 31 for this Court’s consideration.

5 **INFORMATION REQUIRED BY NRAP 31(b)(3)**

6
7 **A. The date O’CONNELL’s combined Answering and Opening Brief is**
8 **currently due.**

9 Respondent’s Combined Answering and Opening Brief is currently due June
10 30, 2017. See *Stipulation for Extension of Time to File Respondent's Combined*
11 *Answering and Opening Brief* filed 5/26/2017 (doc. no. 17-17750) and *Notice*
12 *Motion/Stipulation Approved* (17-17756).

13
14 **B. The number of previous extensions granted, and the original date when**
15 **O’CONNELL’s combined Answering and Opening Brief was due.**

16 O’CONNELL has previously received one (1) extension by stipulation of
17
18 the parties with the approval of this Court. See doc. nos. 17-17750 and 17-17756

19
20 **C. Whether any previous requests for extension have been denied, or**
21 **denied in part.**

22 No previous requests for extension have been denied, or denied in part.

23 **D. The reasons or grounds why an extension is necessary.**

24 NRAP 31(b)(3) permits a party to seek an extension of time “upon a clear
25 showing of good cause.”

26
27 1. Counsel for the parties have diligently worked together to move these
28 joint appeals (70583(L) and 71789) forward, i.e., by stipulating to combine the

1 appeals and their relating briefing. See 17-02536. These approved stipulations by
2 this Court have increased the breadth and complexity of O'CONNELL's
3 Combined Answering and Opening Brief necessitating the requested extension.
4 O'CONNELL's Combined Answering and Opening Brief is to address both
5 liability damages relative to the jury's verdict, as well as O'CONNELL's post-trial
6 request for attorneys' fees and costs.
7

8
9 2. Undersigned counsel has been conscientiously preparing
10 O'CONNELL's Combined Answering and Opening Brief, however additional time
11 is needed for its completion as set forth herein.
12

13
14 3. As undersigned counsel did not serve as trial counsel, undersigned
15 counsel has had to review and analyze an extensive record on appeal, including but
16 not limited to multiple law and motion hearings and an approximate 6-7 partial
17 and/or full day jury trial leading to a record of appeal of approximately 3600 pages
18 containing hundred pages of trial exhibits and witness testimony.
19

20
21 4. O'CONNELL's trial counsel Ms. Christian M. Morris, Esq., recently
22 prepared and tried a four day jury trial and was thus out of the office and not
23 available for assistance regarding this appeal.
24

25 5. Undersigned counsel was also recently away from the office attending
26 a friend's out-of-state funeral.
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

6. The requested extension will also allow the additional time needed for the Client to review the final draft of the combined brief per her request and input.

7. Undersigned counsel has also been very busy with other cases including a separate appeal to this Court, *Nappa v. Wynn Las Vegas, Llc*, case no. 71166.

8. Lastly, undersigned counsel has confirmed with counsel for Appellant/Respondent WYNN LAS VEGAS, LLC, that they have no objection to the requested extension.

O'CONNELL respectfully submits that the foregoing demonstrates the requisite 'good cause,' is submitted in good faith and not for purposes of delay, and will not prejudice the parties or the eventual disposition of these combined appeals considering the short length of the requested extension.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

E. The length of the requested extension and the date on which when O’CONNELL’s combined Answering and Opening Brief would become due.

O’CONNELL requests an extension of time until July 21, 2017, which is a twenty-one (21) calendar day extension (14 judicial days) of time from its current deadline of June 30, 2017.

Dated this 28th day of June, 2017

NETTLES LAW FIRM

/s/ Jon J. Carlston
BRIAN D. NETTLES, ESQ.
Nevada Bar No. 7462
CHRISTIAN M. MORRIS, ESQ.
Nevada Bar No. 11218
JON J. CARLSTON, ESQ.
Nevada Bar No. 10869
Attorneys for Respondent/Appellant
YVONNE O’CONNELL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I certify that on the 28th day of June 2017, I electronically filed the foregoing with the Supreme Court of Nevada by using the Court’s eFlex electronic filing system to the following parties.

Lawrence J. Semenza, III, Esq.
Christopher D. Kircher, Esq.
Jarrod L. Rickard, Esq.
SEMENZA KIRCHER RICKARD
Attorneys for Appellant/Respondent
WYNN LAS VEGAS, LLC d/b/a WYNN LAS VEGAS

/s/ Jenn Alexy
An employee of the NETTLES LAW FIRM