

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF ELLA E. HORST
REVOCABLE TRUST, u/a/d 05/21/1991

BRIAN HOLIDAY,

Appellant,

vs.

PATRICIA L. HORST, Trustee of the ELLA
E. HOST REVOCABLE TRUST, u/a/d
05/21/1999; ELLA E. HORST REVOCABLE
TRUST, u/a/d 05/21/1999,

Respondent.

Electronically Filed
May 08 2020 04:38 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

NO.: 77964

Eighth Judicial District Court
Case No.: P-18-095314-T (In the
Matter of the Ella E. Horst Revocable
Living Trust, u/a/d 05/21/1991)

APPELLANT'S MOTION FOR EXTENSION OF TIME TO FILE
APPELLANT'S REPLY BRIEF
(First Written Request)

Appellant Brian Holiday ("Brian") by and through his attorneys of record,
Thomas W. Davis, Esq. and Gwen Rutar Mullins, Esq. of the law firm of
HOWARD & HOWARD ATTORNEYS PLLC, pursuant to NRAP 26 (b)(1)
respectfully moves this Court for a 30-day extension of time to file his Reply
Brief.

Appellant's reply brief was originally due on April 27, 2020. This Court
granted a 14-day telephonic extension on April 21, 2020 making Appellant's

APPELLANT'S MOTION FOR EXTENSION OF TIME TO FILE REPLY BRIEF

1 reply brief currently due on May 11, 2020. If this Court grants this request for a
2 30-day extension, Appellant's reply brief will be due on June 10, 2020. Good
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4 cause exists for allowing Appellant to extend the filing deadline until June 10,
5 2020.

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7 1. Ms. Mullins is one of the counsels for Appellant and has been
8 diligently working on the reply brief. However, the recent COVID-19 pandemic
9 and restrictions placed by Governor Sisolak have caused unforeseen delays,
10 including Ms. Mullins to lose time from work and certainly made it more
11 challenging to work on and finalize the reply brief.

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14 2. Although a significant part of the reply brief has been drafted, Ms.
15 Mullins anticipates that she will need additional ten to fifteen days to complete
16 the initial draft of the reply brief. Once completed, the draft reply brief will then
17 be circulated to her co-counsel Thomas W. Davis and client who is currently out
18 of the country. Being out of the country also makes communications with client
19 a bit more challenging and has cause further time delays.

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22 3. Both Mr. Davis and the client are very involved in the legal theories
23 and positions in this appeal. Due to the COVID-19 pandemic and the social
24 distancing restrictions that have been imposed, Mr. Davis and Ms. Mullins are
25 currently not working from the same location, and with the client out of the
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country in a remote area of the world, makes scheduling conference calls with the client and Mr. Davis to strategize and otherwise discuss drafting and revisions to the reply brief more difficult and time consuming.

4. The requested extension will allow additional time for the client and Mr. Davis to review the draft reply brief once completed and for Ms. Mullins to address the requested revisions and then finalize the Appellant's reply brief.

Therefore, Appellant respectfully requests that the deadline to file his reply brief be extended by 30 days to June 10, 2020. This motion is submitted in good faith and not for the purpose of undue delay or this matter. Moreover, this motion is submitted for good cause shown in accordance with NRAP 31(b) and NRAP 26(b)(1).

Dated this 8th day of May 2020.

Respectfully submitted,

HOWARD & HOWARD ATTORNEYS PLLC

/s/ Gwen Rutar Mullins
 THOMAS W. DAVIS II, ESQ., Nevada Bar No.002531
 GWEN RUTAR MULLINS, ESQ., Nevada Bar No. 3146
 3800 Howard Hughes Pkwy., Ste. 1000
 Las Vegas, Nevada 89169
Attorneys for Appellant Brian Holiday

CERTIFICATE OF SERVICE

Pursuant to NRAP 25, I hereby certify that the Appellant's Motion for Extension to File Reply Brief was filed electronically with the Nevada Supreme Court on the 8th day of May 2020. Electronic Service of the Appellant's Motion for Extension to File Reply Brief shall be made in accordance with the Master Service List as follows:

S. Don Bennion – co-counsel for Respondent

I further certify that on this 8th day of May 2020, I caused service of foregoing Appellant's Motion for Extension to File Reply Brief by mailing a true and correct copy thereof, postage prepaid, addressed to:

Kirk Kaplan, Esq.
 Jason Sadlow, Esq.
 CREST KEY, PROF., L.L.C.
 6980 O'Bannon Drive, Ste. 100
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 Attorneys for Patricia L. Horst
Co-counsel for Respondent Patricia L. Horst

/s/Amy Galenski
 An employee of Howard & Howard Attorneys
 PLLC

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APPELLANT'S MOTION FOR EXTENSION OF TIME TO FILE REPLY BRIEF