Case No. 78341

In the Supreme Court of Nevada

In the Matter of the Estate of MILTON I. SCHWARTZ, deceased.

A. JONATHAN SCHWARTZ, Executor of the Estate of MILTON I. SCHWARTZ,

Appellant,

vs.

THE DR. MIRIAM AND SHELDON G. ADELSON EDUCATIONAL INSTITUTE,

Respondent.

Electronically Filed Oct 16 2019 05:44 p.m. Elizabeth A. Brown Clerk of Supreme Court

UNOPPOSED MOTION FOR EXTENSION TO FILE OPENING BRIEF AND APPENDIX

Appellant requests a 30-day extension through, November 15, 2019, to file the opening brief. NRAP 31(b)(3). This is the first motion for extension. (The parties previously stipulated to extend the deadline pursuant to NRAP 31(b)(2).) The brief was originally due September 16, 2019 and, without an extension, would be due October 16, 2019. No request for additional time has been denied or denied in part.

Counsel for respondent do not oppose this extension. Their courtesy is appreciated.

Completion of the brief has been delayed due to a confluence of unfortunate circumstances over the last 30 days, including an illness that befell the lead attorney drafting the brief and pressing family concerns of other attorneys on the team. Additionally, the transcripts have just been filed by the court reporter, and appellant will need to incorporate those into his arguments. The additional time will enable appellant's counsel to ensure that all relevant authorities and considerations in this important appeal are presented as thoroughly and succinctly as possible.

Dated this 16th day of October, 2019.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

ALAN D. FREER (SBN 7706)
ALEXANDER G. LEVEQUE (SBN 11183)
SOLOMON DWIGGINS & FREER, LTD.
9060 West Cheyenne Avenue
Las Vegas, Nevada 89129
(702) 853-5483

By: <u>/s/Abraham G. Smith</u>

DANIEL F. POLSENBERG (SBN 2376)

JOEL D. HENRIOD (SBN 8492)

ABRAHAM G. SMITH (SBN 13,250)

3993 Howard Hughes Parkway, Suite 600

Las Vegas, Nevada 89169

(702) 949-8200

Attorneys for Appellant

CERTIFICATE OF SERVICE

I certify that on October 16, 2019, I submitted the foregoing "Unopposed Motion for Extension to File Opening Brief and Appendix" for filing via the Court's eFlex electronic filing system. Electronic notification will be sent to the following:

J. RANDALL JONES
JOSHUA D. CARLSON
KEMP, JONES & COULTHARD LLP
3800 Howard Hughes Parkway
17th Floor
Las Vegas, Nevada 89169

Attorneys for Respondent

/s/ Lisa M. Noltie

An Employee of Lewis Roca Rothgerber Christie LLP