

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.

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Jan 29 2020 11:51 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR LEAVE TO EXCEED WORD LIMIT FOR OPENING BRIEF

Appellant A. Jonathan Schwartz, executor of the Estate of Milton I. Schwartz, requests leave under NRAP 28(g) and NRAP 32(a)(7)(D) to file an opening brief that exceeds the 14,000 word limit in NRAP(32)(a)(7)(A)(ii). Appellant's opening brief contains 14,993 words.

Appellant has aimed for concision. Earlier drafts of the brief approached 21,000 words. Appellant cut several sections and shortened others. While appellant does not want to deprive this Court of relevant citations to the record or legal authorities, appellant eliminated unnecessary string citations and duplicative record citations.

Appellant could not ignore the voluminous 7000-page record, however. This probate case stretches back more than three decades and traces both a complex personal history and a corporate restructuring.

Some legal issues also required more discussion. For example, this Court has not addressed charitable naming-rights agreements. And unlike Oregon and the District of Columbia, Nevada has not squarely addressed what “inquiry notice” requires of a plaintiff, and whether a defendant must show that a reasonable inquiry would have led to actual notice of the plaintiff’s claim. *See Keller v. Armstrong World Indus., Inc.*, 107 P.3d 29, 39–40 (Or. Ct. App. 2005) (en banc); *Diamond v. Davis*, 680 A.2d 364, 372 (D.C. 1996).

The additional words are necessary to adequately address these subjects. Appellant appreciates this Court’s courtesy and would not oppose a similar request by respondents.

Dated this 29th day of January, 2020.

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: /s/ Abraham G. Smith
DANIEL F. POLSENBERG (SBN 2376)
JOEL D. HENRIOD (SBN 8492)
DALE KOTCHKA-ALANES (SBN 13,168)
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 January 29, 2020, I submitted the foregoing
“Motion for Leave to Exceed Word Limit for Opening Brief” 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/ Jessie M. Helm
An Employee of Lewis Roca Rothgerber Christie LLP