

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

ANTHONY S. NOONAN IRA, LLC;  
LOU NOONAN; AND JAMES M.  
ALLRED IRA, LLC,

Appellants,

vs.

US BANK NATIONAL ASSOCIATION;  
AND NATIONSTAR MORTGAGE  
LLC,

Respondents.

Electronically Filed  
Aug 10 2020 01:39 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

Case No. 78624

**APPEAL**

from the Eighth Judicial District Court, Clark County, Department IV  
District Court Case No. A-14-710465-C

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**RESPONDENTS' MOTION TO EXTEND TIME TO FILE PETITION FOR  
REHEARING (SECOND REQUEST)**

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Respondents U.S. Bank, N.A. and Nationstar Mortgage LLC respectfully submit this motion, pursuant to NRAP 31(b)(3), requesting the court grant respondents' request to extend the time to file its petition for rehearing. Respondents request an 11-day extension, up to and including, August 21, 2020, to file.

Pursuant to NRAP 31(b)(3)(A), respondents submit the following in support of this motion:

1. Respondents' original deadline to file their petition for rehearing was July 27, 2020.
2. Respondents received a telephonic extension, up to and including August 10, 2020, to file their petition.
3. No prior request for extension was denied.
4. Respondents reached out to counsel for appellants to determine if appellants oppose this request but, as of the time of filing this motion, received no response.
5. Good cause exists to extend the time to file the petition for rehearing. This case presents a unique issue relating to NRS 116 appeals, specifically whether the entirety of assessments charged by an HOA on January 1 for the full year qualify for superpriority status under NRS 116.3116(2). This issue carries significant importance because it impacts several cases beyond the instant appeal and has the potential to redefine what portion of an HOA's lien is entitled to superpriority status,

potentially affecting prior decisions published by this court. The significance of the issue presented in this appeal has led to more time than usual drafting respondents' petition. The additional time is needed to ensure respondents are presenting the issues in the clearest and most efficient means possible, which will aid the court in ruling on the petition. Compounding the additional time required to draft is, due to covid, Akerman attorneys remain working remotely a majority of the time (or working from the office at varying times) which has resulted in difficulties arranging times for collaboration among attorneys. While respondents have been diligently drafting the petition, edits are still being made that will require client review and approval.

6. For these reasons, respondents request an 11-day extension, up to and including, August 21, 2020, to file its petition for rehearing.

7. This request is made in good faith and not for the purpose of delay.

DATED this 10<sup>th</sup> day of August, 2020.

**AKERMAN LLP**

/s/ Donna M. Wittig

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 10<sup>th</sup> August of, 2020, I caused to be served a true and correct copy of the foregoing **RESPONDENTS' MOTION TO EXTEND TIME TO FILE PETITION FOR REHEARING (SECOND REQUEST)** through this Court's automatically electronic service system to those parties listed on the Court's Master Service List.

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*/s/ Doug J. Layne*  
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An employee of Akerman LLP