

IN THE SUPREME COURT OF THE STATE OF NEVADA

STATE OF NEVADA,
DEPARTMENT OF BUSINESS AND
INDUSTRY, FINANCIAL
INSTITUTIONS DIVISION

Appellant,

v.

TITLEMAX OF NEVADA, INC., A
DELAWARE CORPORATION,

Respondent.

Electronically Filed
Aug 19 2020 06:10 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Case No. 79224

District Court Case No. A-18-786784-C

**SECOND MOTION FOR EXTENSION OF TIME
TO FILE REPLY BRIEF**

Appellant moves this Court, pursuant to NRAP 26(b)(1)(A) and NRAP 31(b)(3), for a one (1) week enlargement of time from the current due date of August 19, 2020, up to and including August 26, 2020, within which to file its reply brief. The reply was originally due on June 19, 2020. The parties stipulated to extend the time for filing 30 days, until July 19, 2020. Appellant then filed a motion seeking an extension of 30 days, which this Court granted, making August 19, 2020 the new due date. This is Appellant's second motion for an extension of time. Appellant brings this motion in good faith and not for the purpose of delay.

Extraordinary circumstances justify this extension request. Over the past several days, undersigned counsel—who is primarily responsible for revising and filing the reply in this matter—as well as the Attorney General's office as a whole,

has been inundated with urgent lawsuits requiring immediate attention in the areas of voting rights, federal administrative law, and COVID-related claims. Both the volume of these cases, and their emergency nature, have well exceeded even the normally busy workload of the office, and have particularly impacted the workload of undersigned counsel's division. These matters include *State of Washington, et al. v. Donald J. Trump, et al.*, Case No. 1:20-cv-03127 (E.D. Wash.) (an action challenging changes to the U.S. Postal Service that imperil mail-in voting in the upcoming national election); *Commonwealth of Pennsylvania, et al. v. Elisabeth D. DeVos, et al.*, Case No. 1:20-cv-01468-CJN (D.D.C.) (an action involving Title IX challenging a new regulation that will negatively affect Nevada's public school students that went into effect on August 14, 2020); *Donald J. Trump for President, Inc., et al. v. Barbara Cegavske*, Case No. 2:20-cv-01445 (D. Nev.) (defense of an action challenging the Nevada Legislature's recently passed AB4, which established a mail-in voting system); and *Amethyst Payne, et al. v. Nevada DETR, et al.*, Case No. 81582 (Nev.) (a recently appealed action challenging the manner in which unemployment claims have been handled in Nevada during the COVID crisis). Each of these matters has required urgent and immediate attention over the past several days.

The reply is substantially complete. Appellant seeks this brief extension in order to provide this Court with a cogent and succinct, yet thorough, brief on the

merits of this case. *See, e.g., Price v. Dunn*, 106 Nev. 100, 105, 787 P.2d 785, 787 (1990) (noting this Court's preference for deciding cases on the merits). The week-long extension requested is necessary due to the extraordinary circumstances of the current COVID crisis as well as unexpected litigation over the upcoming election.

Appellant does not believe that the requested extension will adversely affect Respondent, who previously sought four extensions, from the answering brief's original due date of January 17, 2020, until the brief was filed on May 20, 2020.

For the reasons stated above, Appellant respectfully requests a one (1) week extension of time, until August 26, 2020, to finalize and submit the reply brief.

DATED this 19th day of August, 2020.

AARON D. FORD
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By: /s/ Heidi Parry Stern
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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing in accordance with this Court's electronic filing system and consistent with NEFCR 9 on August 19, 2020.

Participants in the case who are registered with this Court's electronic filing system will receive notice that the document has been filed and is available on the court's electronic filing system.

I further certify that any of the participants in the case that are not registered as electronic users will be mailed the foregoing document by First-Class Mail, postage prepaid.

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