

In the Supreme Court of Nevada

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

Appellant,

vs.

TITLEMAX OF NEVADA, INC., a
Delaware corporation,

Respondent,

Electronically Filed
Jan 18 2021 09:38 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

**MOTION TO EXCEED PAGE LIMIT FOR REPLY IN SUPPORT OF
MOTION TO STRIKE**

Respondent TitleMax of Nevada, Inc. requests leave under NRAP 27(d)(2) and NRAP 32(a)(7)(D) to file a reply in support of its motion to strike in excess of five pages. The reply is 11 pages long. The additional pages are needed to:

- a. explain how the FID's record cites do not support the FID's position that it previously raised arguments that in reality were made for the first time on appeal;
- b. address a new substantive argument the FID made in its opposition to TitleMax's motion to strike that the FID failed to make in its opening or reply briefs (*see* 12/18/2020 Opp'n to Mot. to Strike at 7; Reply at 8 n.4);

- c. include a table of figures that occupies half a page, but demonstrates an important point that refinances are distinct from the GPPDA (Reply at 3);
- d. include quotations from TitleMax's loan agreements that rebuts the FID's arguments and obviates the need for the Court to search through the appendix to find the relevant language (Reply at 9 & 10 n.3); and
- e. otherwise respond to the arguments raised in the FID's opposition and explain the vital importance of TitleMax's motion to strike.

To give this Court the information it needs to properly evaluate TitleMax's motion to strike, TitleMax requests permission to exceed the 5-page limit. NRAP 32(a)(7)(D).

Dated this 18th day of January, 2021.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ Dale Kotchka-Alanes
DANIEL F. POLSENBERG (SBN 2376)
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Attorneys for Respondent

**DECLARATION OF DALE KOTCHKA-ALANES
IN SUPPORT OF MOTION TO EXCEED PAGE LIMIT**

STATE OF NEVADA }
COUNTY OF CLARK }

2. I, Dale Kotchka-Alanes, under penalty of perjury, declare that I am a Nevada licensed lawyer with Lewis Roca Rothgerber Christie LLP and that I am counsel for respondent TitleMax of Nevada, Inc.

3. TitleMax requests leave under NRAP 27(d)(2) and NRAP 32(a)(7)(D) to file a reply that exceeds the 5-page limit in NRAP(27)(d)(2) by 6 pages.

4. TitleMax believes that the additional pages are necessary to give this Court the information it needs to evaluate TitleMax's motion to strike. In particular, TitleMax needed additional pages to:

- a. explain how the FID's record cites do not support the FID's position that it previously raised arguments that in reality were made for the first time on appeal;

- b. address a new substantive argument the FID made in its opposition to TitleMax's motion to strike that the FID failed to make in its opening or reply briefs (*see* 12/18/2020 Opp'n to Mot. to Strike at 7; Reply at 8 n.4);
- c. include a table of figures that occupies half a page, but demonstrates an important point that refinances are distinct from the GPPDA (Reply at 3);
- d. include quotations from TitleMax's loan agreements that rebuts the FID's arguments and obviates the need for the Court to search through the appendix to find the relevant language (Reply at 9 & 10 n.3); and
- e. otherwise respond to the arguments raised in the FID's opposition and explain the vital importance of TitleMax's motion to strike.

5. TitleMax has diligently sought to explain its arguments in a cogent and succinct manner without sacrificing important points for this Court's consideration.

Dated this 18th day of January, 2021.

/s/ Dale Kotchka-Alanes

DALE KOTCHKA-ALANES

CERTIFICATE OF SERVICE

I certify that on January 18, 2021, I submitted the foregoing document for filing via the Court's eFlex electronic filing system.

Electronic notification will be sent to the following:

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