

IN THE SUPREME COURT OF THE STATE OF NEVADA

U.S. BANK, NATIONAL
ASSOCIATION AS TRUSTEE FOR
MERRILL LYNCH MORTGAGE
INVESTORS TRUST, MORTGAGE
LOAN ASSET-BACKED
CERTIFICATES, SERIES 2005-A8,

Appellant,

vs.

SFR INVESTMENTS POOL 1, LLC,

Respondents.

Appeal Case No. 79235

District Court Case No. A739867C

Electronically Filed
Apr 06 2020 12:51 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

**UNOPPOSED MOTION TO EXTEND TIME TO FILE APPELLANT'S
OPENING BRIEF**

Appellant, U.S. Bank, National Association as Trustee for Merrill Lynch Mortgage Investors Trust, Mortgage Loan Asset-Backed Certificates, Series 2005-A8 (“U.S. Bank”), by and through its attorneys of record, Christina V. Miller, Esq. and Lindsay D. Robbins, Esq., of the law firm of Wright, Finlay & Zak, LLP, hereby requests an extension of time by thirty (30) days within which to file their Opening Brief, from April 15, 2020, to May 15, 2020.

The undersigned counsel contacted counsel for Respondent, SFR Investments Pool 1, LLC (“SFR”), and received authorization to represent to this Court that SFR will not oppose U.S. Bank’s instant request for an extension of time.

On March 2, 2020, the Court filed an Order Granting Telephonic Extension, in accordance with NRAP 26(b)(1)(B), pursuant to which the deadline to file the Opening Brief was extended to March 16, 2020. On March 10, 2020, U.S. Bank filed an Unopposed Motion to Extend Time to file Appellant's Opening Brief by thirty (30) days on the basis that counsel preparing the Opening Brief did not participate in the underlying six (6) day trial and needed additional time to review the voluminous trial record. U.S. Bank's Motion to Extend was granted on March 16, 2020, setting the deadline for U.S. Bank to file its Opening Brief to April 15, 2020. U.S. Bank has not made any other requests for extensions of time in this appeal and no request for extension of time was denied or denied in part.

Although U.S. Bank's counsel has endeavored to complete the Opening Brief by April 15, 2020, extraordinary and compelling circumstances have arisen which make it difficult for U.S. Bank to prepare the Opening Brief prior to the current deadline. The requested extension is prompted by the unique issues that have presented as a result of the COVID-19 virus and certain state mandates, including technological issues arising from counsel for U.S. Bank working remotely that have made it difficult to prepare and finalize the Opening Brief. U.S. Bank is aware that this is its third request for an extension of time and this Motion is not intended to cause any undue delay to this Court or the parties. U.S. Bank has exercised diligence and the brief will be filed within the time period requested.

Therefore, pursuant to NRAP 31(b)(3), U.S. Bank respectfully requests a thirty (30) day extension to file its Opening Brief, which would continue the current deadline of April 15, 2020, to May 15, 2020. This request is made without prejudice to any party, and is not based on any improper purpose or delay.

DATED this 6th day of April, 2020.

WRIGHT, FINLAY & ZAK, LLP

/s/ Lindsay D. Robbins, Esq.

Christina V. Miller, Esq.

Nevada Bar No. 12448

Lindsay D. Robbins, Esq.

Nevada Bar No. 13474

7785 W. Sahara Ave., Suite 200

Las Vegas, Nevada 89117

*Attorneys for Appellant U.S. Bank, National
Association As Trustee For Merrill Lynch
Mortgage Investors Trust, Mortgage Loan
Asset-Backed Certificates, Series 2005-A8*

CERTIFICATE OF SERVICE

I certify that I electronically filed on the 6th day of April, 2020, the foregoing **UNOPPOSED MOTION TO EXTEND TIME TO FILE APPELLANT'S OPENING BRIEF** with the Clerk of the Court for the Nevada Supreme Court by using the CM/ECF system. I further certify that all parties of record to this appeal either are registered with the CM/ECF or have consented to electronic service.

- [X] (By Electronic Service) Pursuant to CM/ECF System, registration as a CM/ECF user constitutes consent to electronic service through the Court's transmission facilities. The Court's CM/ECF systems sends an e-mail notification of the filing to the parties and counsel of record listed above who are registered with the Court's CM/ECF system.

Electronic notification will be sent to the following:

Jacqueline Gilbert
Karen Hanks

/s/ Faith Harris
An Employee of WRIGHT, FINLAY & ZAK, LLP