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Elizabeth A. Brown
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

SUPERPUMPER, INC., an
Arizona corporation; EDWARD
BAYUK, individually and as
Trustee of the EDWARD BAYUK
LIVING TRUST; SALVATORE
MORABITO, an individual; and
SNOWSHOE PETROLEUM, INC.,
a New York corporation,

Appellants,

vs.

WILLIAM A. LEONARD, Trustee
for the Bankruptcy Estate of Paul
Anthony Morabito,

Respondent.

Case No.: 79355

MOTION FOR EXTENSION OF TIME TO FILE
APPELLANTS' REPLY BRIEF
(Second Request)

Appellants, Superpumper, Inc.; Edward Bayuk, individually and as Trustee of the Edward Bayuk Living Trust; Salvatore Morabito; and Snowshoe Petroleum, Inc. (“Appellants”), by and through their counsel of record, Micah S. Echols, Esq. of Claggett & Sykes Law Firm, hereby move this Honorable Court pursuant to NRAP 31(b) for an extension of 14 days to file Appellants’ reply brief. If this motion is granted, Appellants’ reply brief will be due on December 16, 2020.

Appellants’ reply brief was originally due on September 26, 2020. Since Respondent filed an appendix with only documents that were not part of the District Court record, Appellants filed a motion to strike the appendix, along with the corresponding references in Respondent’s answering brief. On October 14, 2020, this Court denied Appellants’ motion without prejudice, signaling that the record issues could simply be addressed within the reply brief. In the Court’s October 14, 2020 order, it also allowed Appellants 30 days to file the reply brief.

On November 13, 2020, Appellants filed a motion for extension of time, requesting a 30-day extension to file their reply brief. The basis for this requested extension was the November 10, 2020 directive from Governor Sisolak implementing a “Stay-at-Home 2.0” order. On that

evening, the management at Claggett & Sykes Law Firm closed the office and required all attorneys to immediately work from home. This requirement was also reached due to several active cases of COVID-19 among the firm's employees. Appellants also based their request for a 30-day extension upon a new civil rights case in the Federal District Court with immediate filing deadlines.

On November 18, 2020, this Court issued an order granting Appellants' motion in part, allowing up until December 2, 2020 to file their reply brief.

In other filings with this Court, lead appellate counsel for Appellants, Mr. Echols, has explained to the Court that he has been working from a smaller rental property during the renovations of his home, along with seven other members of his family, who are attending school remotely.

To assist with the various appeals that the Claggett & Sykes appellate team is handling, the firm hired Quanisha Holloway, Esq. earlier this year. As of this week, Ms. Holloway is no longer employed at Claggett & Sykes. This unforeseen separation required Mr. Echols to immediately take over Ms. Holloway's assignments to meet her

deadlines. Additionally, the other member of the Claggett & Sykes appellate team, Andre Labonte, who is a third-year law student, was not available to assist with completing the reply brief for this appeal because his final exams started this week on November 30, even though they had previously been scheduled to start on December 7.

Due to these unanticipated personnel issues, Appellants respectfully request a 14-day extension of time, up to and including December 16, 2020, within which to file and serve their reply brief. This motion is submitted in good faith and for good cause shown in accordance with NRAP 31(b).

Dated this 2nd day of December 2020.

CLAGGETT & SYKES LAW FIRM

/s/ Micah S. Echols

Micah S. Echols
Nevada Bar No. 8437
Attorneys for Appellants

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **MOTION FOR EXTENSION OF TIME TO FILE APPELLANTS' REPLY BRIEF (Second Request)** was filed electronically with the Supreme Court of Nevada on the 2nd day of December 2020. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Stephen Davis, Esq.
Gabrielle Hamm, Esq.
Michael Lehnert, Esq.
Gerald Gordon, Esq.
Frank Gilmore, Esq.
Teresa Pilatowicz, Esq.
Jeffrey Hartman, Esq.
Erika Pike Turner, Esq.

/s/ Anna Gresl

Anna Gresl, an employee of
Claggett & Sykes Law Firm