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Elizabeth A. Brown
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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

REPLY IN SUPPORT OF 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 file this reply in support of their motion for an extension of 14 days to file Appellants’ reply brief. If the motion is granted, Appellants’ reply brief will be due on December 16, 2020.

Appellants have demonstrated good cause for this Court to grant their requested second extension of 14 days to file their reply brief. Respondent unnecessarily minimizes the unanticipated circumstances that Appellants’ counsel is facing that demonstrate good cause and justify an extension, while claiming prejudice in other litigation cases in other jurisdictions—where Mr. Echols is not counsel of record.

At the time Appellants filed their second motion for an extension of 14 days to file their reply brief on December 2, the Claggett & Sykes appellate division law clerk, Andre Labonte, started his law school exams one week early based upon unexpected schedules decided by his law professors. He continues to be in exams through at least this week, as

some of his law professors have required longer exams since they are taken from home.

Appellants also explained that Claggett & Sykes unexpectedly lost an associate attorney, Quanisha Holloway, Esq., who worked exclusively on appellate matters, and whose unfinished assignments and responsibilities immediately fell upon Mr. Echols. Again, Respondent minimizes and glosses over this fact. Strangely, Respondent faults Appellants for actually filing a writ petition in the companion case 82157, which was nearly complete before Mr. Echols lost his personnel.

In their motion, Appellants further raised the issue of Governor Sisolak's "Shutdown 2.0" as slowing down work in general due to the Claggett & Sykes' requirement that all attorneys work from home. Indeed, Mr. Echols is currently working from a small rental with six school-aged children, who require constant attention with their remote learning. But, Respondent again treats these facts as non-existent. All these reasons demonstrate good cause to extend the time to file Appellants' reply brief until December 16, 2020.

Respondent further challenges the requested 14-day extension by recounting the number of days that have elapsed since Appellants filed

their notice of appeal. However, Respondent omits that during this period, Appellants were proactive in resolving the jurisdictional issues, Respondent himself included documents from another case (including an unfiled transcript) giving rise to a motion to strike, and the previous extensions were approved by this Court, with the exception of the most recent extension that was approved in part. Respondent would have this Court incorrectly believe that life during this COVID-19 pandemic has continued unaffected.

Finally, Respondent asserts that a 14-day extension would prejudice him in other litigation cases outside of Nevada, where Mr. Echols is not counsel. It is unclear exactly what prejudice has occurred in these other cases because their records are not before this Court, and Mr. Echols is not familiar with the procedural posture of these other cases. Yet, Respondent can seek whatever appropriate relief he desires in those other cases. It is also unclear how a second extension of 14 days for Appellants' reply brief, based upon demonstrated good cause, could possibly thwart Respondent's entire position in multiple other litigation cases.

In summary, Appellants have demonstrated good cause for a 14-day extension of time to file their reply brief. Therefore, Appellants respectfully request that this Court grant their requested extension of 14 days, until December 16, 2020, to file their reply brief.

Dated this 10th 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 **REPLY IN SUPPORT OF
MOTION FOR EXTENSION OF TIME TO FILE APPELLANTS'
REPLY BRIEF (Second Request)** was filed electronically with the
Supreme Court of Nevada on the 10th day of December 2020.

Electronic Service of the foregoing document shall be made in
accordance with the Master Service List as follows:

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/s/ Anna Gresl
Anna Gresl, an employee of
Claggett & Sykes Law Firm