

In the Supreme Court of Nevada

DESIRE EVANS-WAIAU, individually; }
GUADALUPE PARRA-MENDEZ, }
individually, }
Appellants, }
vs. }
BABYLYN TATE , }
Respondent, }

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Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR EXTENSION TO FILE ANSWERING BRIEF

Respondent Babylyn Tate requests an extension through August 17, 2020 to file her answering brief. NRAP 31(b)(3). This is the second such motion. (The parties previously stipulated to extend the deadline pursuant to NRAP 31(b)(2).) The brief was originally due May 18, 2020, and without an extension, would be due July 17, 2020. No requests for extension have been denied or denied in part.

Additional time is necessary because of an extraordinary confluence of circumstances. While counsel's caseload itself normally will not be deemed grounds for a third extension, an extremely busy month was a contributing factor. In addition to filing briefs in this Court and the Ninth Circuit, and preparing for hearings in the district court on short notice, lead appellate counsel also had to prepare for

back-to-back arguments before this Court *en banc* (July 6) and the Ninth Circuit (July 8), the scheduling of which was beyond respondent's control and took significant time. In addition to that, another of the appellate attorneys had to assist with the relocation of his parents between health-care facilities, which was a time-intensive process riddled with Coronavirus-related complications. He also had to drive across three states to attend the wedding of a close family member. Finally, another of respondent's counsel has had to take some time following the recent death of his grandfather. Respondent, therefore, reluctantly but necessarily requests another extension.

Dated this 17th day of July, 2020.

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By: /s/ Joel D. Henriod

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CERTIFICATE OF SERVICE

I certify that on July 17, 2020, I submitted the foregoing “Motion for Extension to File Answering Brief” for filing *via* the Court’s eFlex electronic filing system. Electronic service shall be made in accordance with the Master Service List as follows:

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