

In the Supreme Court of Nevada

In the Matter of the Estate of
MILTON I. SCHWARTZ, deceased.

A. JONATHAN SCHWARTZ, Executor of
the Estate of MILTON I. SCHWARTZ,

Appellant,

vs.

THE DR. MIRIAM AND SHELDON G.
ADELSON EDUCATIONAL INSTITUTE,

Respondent.

Electronically Filed
Oct 26 2020 06:01 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR EXTENSION TO FILE REPLY BRIEF

Appellant requests a 63-day extension, through December 28, 2020, to file his reply brief (63 days is requested to avoid the deadline falling on Christmas). NRAP 31(b)(3). This is the second such request. The brief was originally due August 26, 2020. One sixty-day extension was granted, and the brief would otherwise be due October 26, 2020. No request for extension has been denied in full or in part.

Extraordinary circumstances necessitate this extension. In addition to continuing difficulties from the COVID-19 outbreak, the primary drafting attorney most familiar with the record has been severely impacted (a) by having to dedicate significant time to child care and (b) dealing with a medical condition that is currently requiring

weekly treatment. Other attorneys and the paralegal working on the brief have also been impacted by having children at home while trying to work.

In addition, lead appellate counsel has been occupied with the recent birth of his grandchild and preparations for three oral arguments before the *en banc* Court, including one that settled just days ago, but whose settlement discussions actually took additional time from the preparation of this brief.

Moreover, this appeal essentially encompasses three different appeals (Appellant's appeal, the Estate's cross-appeal, and the Estate's independent appeal that was consolidated into this action). The record in this case is large, and counsel has needed more time than expected to address each issue.

Counsel appreciates the nature of this 63-day request. Counsel is requesting more time in part due to upcoming holidays and school breaks in which even more time will be required to address child care issues. Counsel will work diligently to complete the reply brief and streamline the issues and arguments for this Court. The Court's

understanding in light of these unanticipated circumstances is appreciated.

Dated this 26th day of October, 2020.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ M. Dale Kotchka-Alanes

ALAN D. FREER (SBN 7706)
ALEXANDER G. LEVEQUE (SBN 11183)
SOLOMON DWIGGINS & FREER, LTD.
9060 West Cheyenne Avenue
Las Vegas, Nevada 89129
(702) 853-5483

DANIEL F. POLSENBERG (SBN 2376)
JOEL D. HENRIOD (SBN 8492)
ABRAHAM G. SMITH (SBN 13,250)
M. DALE KOTCHKA-ALANES (SBN 13,168)
3993 Howard Hughes Parkway, Suite 600
Las Vegas, Nevada 89169
(702) 949-8200

Attorneys for Appellant

CERTIFICATE OF SERVICE

I certify that on October 26, 2020, I submitted the foregoing
“Motion for Extension to File Reply Brief” for filing *via* the Court’s eFlex
electronic filing system. Electronic notification will be sent to the
following:

J. RANDALL JONES
JOSHUA D. CARLSON
KEMP, JONES & COULTHARD LLP
3800 Howard Hughes Parkway
17th Floor
Las Vegas, Nevada 89169

Attorneys for Respondent

/s/ Jessie M. Helm
An Employee of Lewis Roca Rothgerber Christie LLP