

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

Electronically Filed  
Oct 23 2020 03:32 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

POPE INVESTMENTS, LLC, A  
DELAWARE LIMITED LIABILITY  
COMPANY; POPE INVESTMENTS II,  
LLC, A DELAWARE LIMITED  
LIABILITY COMPANY; AND ANNUITY  
& LIFE REASSURANCE, LTD., AN  
UNKNOWN LIMITED COMPANY,

Appellants,

vs.

CHINA YIDA HOLDING, CO., A  
NEVADA CORPORATION,

Respondent.

**Supreme Court Case Nos.:**  
**79807 and 80709**

District Court Case No.:  
A-16-746732-P

**UNOPPOSED MOTION TO EXTEND TIME TO FILE ANSWERING  
BRIEF  
(SECOND REQUEST)**

---

Pursuant to Nevada Rule of Appellate Procedures 31(b)(3), Respondent China Yida Holding Co. (“Respondent”), by and through its counsel of record Holland & Hart, LLP, files this Unopposed Motion to Extend Time to file its Answering Brief. This Motion is based on the following Memorandum of Points and Authorities, and the papers and pleadings on file in this matter.

**MEMORANDUM OF POINTS & AUTHORITIES**

On October 9, 2019, Appellants Pope Investments, LLC, Pope Investments II, LLC, and Annuity & Life Reassurance, Ltd. (collectively “Appellants”), filed their Notice of Appeal in Case No. 79807. On February 26, 2020, Appellants filed their Notice of Appeal in Case Number 80709. On April 6, 2020, this Court

1 granted Appellants' Motion to Consolidate Case Nos. 79807 and 80709, and  
2 extended the briefing scheduling. On August 11, 2020, Appellants filed their  
3 Opening Brief and Joint Appendix.

4 On September 14, 2020, this Court granted the parties' Stipulation to  
5 extend the time for Respondent to file its answering brief. Pursuant to the  
6 Stipulation, Respondent's answering brief is due on or before October 26, 2020.  
7 Respondent now moves for a 30-day extension of time to file its answering brief.  
8 The parties' Stipulation to extend the time for Respondent to file its answering  
9 brief is the only request Respondent has made to extend the time to file its  
10 answering brief, and this was not denied.

11 Respondent requests a 30-day extension to file its answering brief due to  
12 counsels' preparation for an upcoming bench trial in the United States District  
13 Court for the District of Nevada. Respondent's counsel, Joshua M. Halen, was  
14 preparing for and took the California State Bar Examination on October 5th and  
15 6th. Upon returning, Respondent's counsel, Joshua M. Halen and J. Robert Smith,  
16 have both been requested by other attorneys in their firm to assist and prepare for  
17 a bench trial in *Chemeon Surface Technology v. Metalast International, Inc.*, Case  
18 No. 3:15-cv-00294-CLB (D. Nev.). Trial is set to begin November 9, 2020, and  
19 both Messrs. Smith and Halen have been involved in drafting the trial brief,  
20 preparing exhibits, researching legal issues, and preparing witnesses for trial. The  
21 unexpected request to assist in preparation for trial, as well as commitments to  
22 other responsibilities, has taken away from their ability to draft an answering brief  
23 in this matter. Thus, the additional time requested for filing the answering brief is  
24 to allow counsel to adequately assist and prepare for the upcoming bench trial and  
25 prepare the answering brief in this matter.

26 Counsel for Respondent spoke with counsel for Appellants, Richard  
27 Pocker, on October 22, 2020, Mr. Pocker agreed to Respondent's request for a  
28 30-day extension.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Accordingly, Respondent requests a 30-day extension to file its answering brief. The granting of this Motion would make Respondent’s brief due on or before Wednesday, November 25, 2020.

DATED this 23rd day of October 2020

HOLLAND & HART LLP

*/s/ J. Robert Smith*

---

J. Robert Smith, NV Bar No. 10992  
Joshua M. Halen, NV Bar No. 13885  
9555 Hillwood Drive, 2nd Floor  
Las Vegas, NV 89134  
T: (775) 327-3000 / F: (775) 786-6179  
*Attorneys for Respondent*

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am an employee of Holland & Hart LLP, and that on  
3 October 23, 2020, I electronically filed and served through the Nevada Supreme  
4 Court’s E-Filing System (Eflex) a true and correct copy of the above and foregoing  
5 **STIPULATION FOR EXTENSION OF TIME TO FILE ANSWERING**  
6 **BRIEF**, addressed to the following:

7  
8 Richard J. Pocker, Esq.  
BOIES SCHILLER FLEXNER, LLP  
300 South Fourth Street, Suite 800  
9 Las Vegas, Nevada 89101

10 Peter L. Chasey, Esq.  
11 CHASEY LAW OFFICES  
3295 N. Fort Apache Road, Suite 110  
12 Las Vegas, Nevada 89129

13 *Attorneys for Respondents*

14 /s/ Cathy Ryle  
15 An Employee of Holland & Hart, LLP

16 15618222\_v1

HOLLAND & HART LLP  
9555 HILLWOOD DRIVE, 2ND FLOOR  
LAS VEGAS, NV 89134