

IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed
Nov 25 2020 10:45 a.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
(THIRD 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 was due on or before October 26,
7 2020. This Court granted Respondent's Unopposed Motion for Extension of Time
8 to File its Answering Brief, the second request, and the answering brief is due on
9 November 25, 2020. Respondent now moves for a 14-day extension of time to
10 file its answering brief. The parties' Stipulation to extend the time for Respondent
11 to file its answering brief and the Unopposed Motion are the only requests
12 Respondent has made to extend the time to file its answering brief, and the two
13 requests were not denied.

14 Respondent requests a 14-day extension to file its answering brief due to
15 counsels' continued participation in the bench trial held in Federal Court,
16 *Chemeon Surface Technology v. Metalast International, Inc.*, Case No. 3:15-cv-
17 00294-CLB (D. Nev.), discussed in Respondent's previous request. Trial
18 concluded November 17, 2020, and Respondent's counsel is engaged in trial
19 related activities, including assisting in the drafting of closing briefs and findings
20 and fact and conclusions of law. Furthermore, the increased restrictions due to
21 Covid, coupled with the upcoming Thanksgiving holidays have hampered
22 counsel's ability to efficiently meet all obligations. Thus, the additional time
23 requested for filing the answering brief is to allow counsel to adequately assist in
24 the conclusion of the bench trial and prepare the answering brief in this matter.

25 Counsel for Respondent spoke with counsel for Appellants, Richard
26 Pocker, on November 24, 2020, Mr. Pocker agreed to Respondent's request for a
27 14-day extension.

28 Accordingly, Respondent requests a 14-day extension to file its answering

1 brief. The granting of this Motion would make Respondent's brief due on or
2 before Wednesday, December 9, 2020.

3
4 DATED this 25th day of November 2020

5 HOLLAND & HART LLP

6
7 /s/ Joshua M. Halen

8 J. Robert Smith, NV Bar No. 10992
9 Joshua M. Halen, NV Bar No. 13885

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13 *Attorneys for Respondent*

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am an employee of Holland & Hart LLP, and that on
3 November 25, 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 **UNOPPOSED MOTION TO EXTEND TIME TO FILE ANSWERING**
6 **BRIEF (THIRD REQUEST)**, addressed to the following:

7
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13 *Attorneys for Respondents*

14 /s/ Amanda De La Rosa
15 An Employee of Holland & Hart, LLP

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