

IN THE SUPREME COURT OF THE STATE OF NEVADA

SATICOY BAY, LLC SERIES 34
INNISBROOK,

Appellant,

v.

THORNBURG MORTGAGE
SECURITIES TRUST 2007-3,
FRANK TIMPA; MADELAINE
TIMPA; TIMPA TRUST; RED
ROCK FINANCIAL SERVICES,
LLC; SPANISH TRAIL MASTER
ASSOCIATION; REPUBLIC
SERVICES; AND LAS VEGAS
VALLEY WATER DISTRICT,

Respondents.

Case No. 80111
Electronically Filed
Mar 15 2021 02:30 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

**JOINT MOTION FOR ORDER: (1) EXTENDING DEADLINE TO
FILE ANSWERING BRIEFS; (2) EXTENDING DEADLINE TO
FILE REPLY BRIEF; AND (3) INCREASE REPLY BRIEF WORD
LIMIT
(FIRST REQUEST)**

Comes now, TIMPA TRUST (“Timpa Trust”), by and through its attorneys Avalon Legal Group LLC; SATICOY BAY, LLC SERIES 34 INIISBROOK (“Saticoy Bay”), by and through its attorneys Roger P.

Croteau & Associates, Ltd.; THORNBURG MORTGAGE SECURITIES TRUST 2007-3 (“Thornburg”), by and through its attorneys Akerman LLP; RED ROCK FINANCIAL SERVICES, LLC (“Red Rock”), by and through its attorneys Koch & Scow LLC; and SPANISH TRAIL MASTER ASSOCIATION (“Spanish Trail”), by and through its attorneys Leach Kern Gruchow Anderson Song and hereby jointly move for an order: (1) extending the deadline for all respondents to file their answering briefs to April 15, 2021; (2) extending the deadline for Saticoy Bay to file its reply brief to August 13, 2021; and (3) to increase the word limit to Saticoy’s reply brief to 14,000 words.

This Joint Motion is made and based upon the attached Memorandum of Points and Authorities.

MEMORANDUM OF POINTS AND AUTHORITIES

I. Relevant Facts

1. On January 29, 2021, Saticoy Bay filed its opening brief.
2. On February 19, 2021, nonparty SFR INVESTMENTS POOL 1, LLC (“SFR”) filed its motion for leave to file its amicus curiae brief in support of Saticoy Bay’s opening brief.

3. On March 11, 2021, SFR's motion to file amicus curiae brief was granted.
4. Timpa Trust, Thornburg, Red Rock, and Spanish Trail, as the only participating respondents in the instant appeal all sought and received telephonic extensions to file their answering briefs to March 15, 2021.
5. On March 12, 2021, Spanish Trail filed an unopposed motion seeking a thirty-day extension to file its answering brief to April 15, 2021.
6. The parties have since discussed the potential issues raised by a fragmented briefing schedule.
7. The parties all agree that a stipulated briefing schedule is warranted in order to promote judicial economy and to afford the parties time to properly brief their respective positions.

II. Legal Argument

As set forth above, the briefing schedule for the respondents to file answering briefs will become fragmented as a result of Spanish Trail's unopposed March 12, 2021 request for extension. Because Saticoy Bay will need to respond to all four respondents' answering briefs, the

differing due dates of the answering briefs raise pragmatic concerns for both Saticoy Bay and the respondents. The parties agree that piecemeal briefings would unnecessarily tax the parties and this Court's finite resources. Accordingly, to avoid unnecessary future motion practice, and in an effort to limit redundant or unnecessary briefings, the parties propose that all answering briefs will now be due on April 15, 2021. This new date will allow the respondent parties to fully brief the issues as discussed in Saticoy Bay's opening brief and SFR's amicus curiae brief. Furthermore, by setting a consistent answering brief schedule, no one respondent party will have an advantage over another.¹

As a result of the proposed new answering deadline, and in consideration of the fact that Saticoy Bay will need to address the arguments raised in four separate answering briefs, Saticoy Bay will need additional time to file an omnibus reply briefing. Accordingly, the parties have agreed that Saticoy Bay will have until August 13, 2021 to file its omnibus reply briefing. The agreed-upon date of August 13, 2021 is reasonable as it affords Saticoy Bay approximately the same length of

¹ Although only Saticoy Bay filed for appeal, adjudication of the issues in the instant appeal may affect one respondent party's rights to the detriment of another.

time the respondent parties will receive to file their answering briefs pursuant to the new proposed answering brief deadline. Lastly, because of the breadth of the impending answering briefs, the parties have agreed that Saticoy will require an increase in the total word count of its August 13, 2021 omnibus reply briefing to a total of 14,000 words, consistent with NRAP 32(a)(7).

The parties respectfully submit that this request is made in good faith and not for delay, as the complex nature of this appeal requires the instant motion practice to preserve resources and to promote judicial economy.

III. Conclusion

Based on the foregoing, Timpa Trust, Saticoy Bay, Thornburg, Red Rock, and Spanish Trail respectfully request an order: (1) extending the deadline for all respondents to file their answering briefs to April 15, 2021; (2) extending the deadline for Saticoy Bay to file its omnibus reply brief to the answering briefs to August 13, 2021; and (3) to increase the word limit to Saticoy's omnibus reply brief to 14,000 words.

DATED this 15th day of March 2021.

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