

IN THE SUPREME COURT OF THE STATE OF NEVADA

BARRY JAMES RIVES, M.D. and
LAPAROSCOPIC SURGERY OF
NEVADA, LLC,

Appellants/Cross-Respondents,
vs. No.: 80271

Electronically Filed
Jan 11 2021 02:36 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

TITINA FARRIS and PATRICK
FARRIS,

Respondents/Cross-Appellants.

BARRY JAMES RIVES, M.D. and
LAPAROSCOPIC SURGERY OF
NEVADA, LLC,

Appellants,
vs. No.: 81052

TITINA FARRIS and PATRICK
FARRIS,

Respondents.

Appeal from the Eighth Judicial
District Court, the Honorable
Joanna S. Kishner Presiding

MOTION FOR EXTENSION OF TIME TO FILE
RESPONDENTS/CROSS-APPELLANTS' ANSWERING BRIEF
ON APPEAL AND OPENING BRIEF ON CROSS-APPEAL
AND APPENDIX
(Second Request)

Respondents/Cross-Appellants, Titina Farris and Patrick Farris
("Respondents/Cross-Appellants"), by and through their counsel of

record, respectfully move this Honorable Court, pursuant to NRAP 31(b), for an extension of 30 days in which to file their combined answering brief on appeal and opening brief on cross-appeal and appendix.

Respondents/Cross-Appellants' combined brief is currently due on January 11, 2021. If this Court grants this request for a 30-day extension, their combined brief will be due on Wednesday, February 10, 2021. Respondents/Cross-Appellants previously filed one motion for an extension of time. No request for additional time has been denied or denied in part.

Good cause exists to grant the requested extension for the following reasons:

1. When Respondents/Cross-Appellants received the 80-page opening brief in October last year, they immediately outlined the lengthy response required for the answering brief on appeal and the opening brief on cross-appeal. They also reviewed the contents of Appellants/Cross-Respondents' 31 appendix volumes and identified additional documents needed for Respondents/Cross-Appellants' appendix. Because of the enormity of the task, Respondents/Cross-Appellants moved for an

extension of 60 days, which made both filings currently due on January 11, 2021.

2. Near the time that Respondents/Cross-Appellants filed their first request for an extension of time, Claggett & Sykes Law Firm closed its office to all staff, except the receptionist and the intake specialist, due to several positive cases of COVID-19 within the office and Governor Sisolak's "Stay at Home 2.0." Under these circumstances, with all members of the Claggett & Sykes appellate team working remotely, counsel, nevertheless, worked diligently toward the January 11, 2021 filing deadline.

3. However, during the week of November 30, 2020, one of the Claggett & Sykes appellate attorneys, Quanisha Holloway, Esq., abruptly departed from the firm. Ms. Holloway had been assigned to work on several of the ten sections in the answering brief portion of Respondents/Cross-Appellants' combined brief. Thus, all of the portions of the brief that had been assigned to Ms. Holloway fell to Mr. Echols to complete, along with her other assignments.

4. In October 2020, Mr. Echols and his family began a remodel of their family home. During the last week of December 2020 and the

first week of January 2021, Mr. Echols and his family were notified that the remodel was largely complete and moved back into the family home. During this moving period, there were several days when Mr. Echols had no workstation.

5. Additionally, Respondents/Cross-Appellants are awaiting certain Court's exhibits from the District Court in order to complete their own appendix to address the issues in their cross-appeal. As this Court is aware, most departments are working remotely due to the Governor's Directives and Administrative Orders regarding the pandemic, which has caused a delay in obtaining these missing exhibits, which is necessary to complete the record pursuant to NRAP 10(b)(1).

This motion is submitted in good faith and for good cause shown in accordance with NRAP 31(b).

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For the foregoing reasons, Respondents/Cross-Appellants respectfully request a 30-day extension of time, until February 10, 2021, within which to file their combined answering brief on appeal and opening brief on cross-appeal, as well as their appendix.

DATED this 11th day of January 2021.

CLAGGETT & SYKES LAW FIRM

/s/ Micah S. Echols

Micah S. Echols, Esq.

Nevada Bar No. 8437

Attorneys for Respondents/Cross-Appellants, Titina Farris and Patrick Farris

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **MOTION FOR EXTENSION OF TIME TO FILE RESPONDENTS/CROSS-APPELLANTS' ANSWERING BRIEF ON APPEAL AND OPENING BRIEF ON CROSS-APPEAL and APPENDIX (Second Request)** was filed electronically with the Supreme Court of Nevada on the 11th day of January 2021. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Kim Mandelbaum
George Hand
Robert Eisenberg
Tara Clark Newberry
Kimball Jones
Jacob Leavitt
Chad Couchot
Thomas Doyle

I further certify that on this date I served a copy of the following via email:

Aimee Clark Newberry
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/s/ Anna Gresl

Anna Gresl, an employee of
Claggett & Sykes Law Firm