

Case No. 81689

In the Supreme Court of Nevada

TRUDI LEE LYTLE AND JOHN ALLEN
LYTLE, AS TRUSTEES OF THE LYTLE
TRUST,

Appellants,

vs.

SEPTEMBER TRUST, DATED MARCH
23, 1972; GERRY R. ZOBRIST AND
JOLIN G. ZOBRIST, AS TRUSTEES OF
THE GERRY R. ZOBRIST AND JOLIN G.
ZOBRIST FAMILY TRUST; RAYNALDO
G. SANDOVAL AND JULIE MARIE
SANDOVAL GEGEN, AS TRUSTEES OF
THE RAYNALDO G. AND EVELYN A.
SANDOVAL JOINT LIVING AND
DEVOLUTION TRUST DATED MAY 27,
1992; AND DENNIS A. GEGEN AND
JULIE S. GEGEN, HUSBAND AND WIFE
AS JOINT TENANTS,

Respondents.

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Jan 28 2021 04:16 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

NOTICE OF NON-OPPOSITION TO MOTION FOR REMAND

AND

UNOPPOSED MOTION TO REVISE BRIEFING SCHEDULE

APPELLANTS DO NOT OPPOSE THE MOTION FOR REMAND

Appellants Trudi Lee Lytle and John Allen Lytle, as trustees of the Lytle Trust, do not oppose respondents' December 23, 2020 motion for remand pursuant to NRAP 12A, especially in light of respondents' supplemental exhibit filed on January 15, 2021. (Doc. Nos. 20-46338 and 21-01545). While appellants dispute the propriety of the district court's anticipated amendment of the subject order on the merits, the procedural requirements of NRCP 62.1 and NRAP 12A have been satisfied.

UNOPPOSED MOTION TO REVISE BRIEFING SCHEDULE

Assuming this Court will grant respondents' request for limited remand and the district court will amend the order underlying this appeal, the briefing schedule should be revised to enable appellant's opening brief to address the amended order. Specifically, the current briefing schedule should be vacated and the initial deadline to file appellants' opening brief and appendix should be no sooner than 30 days from whenever this Court docket appellants' amended notice of appeal from the anticipated amended order. In fairness to appellants,

this revision to the briefing schedule should not count as an extension under NRAP 31(b).¹

Undersigned counsel has conferred with respondents' counsel, Wesley Smith, who confirmed that respondents do not oppose this request.

Dated this 28th day of January 2021.

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By: /s/ Joel D. Henriod
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¹ The parties previously stipulated to extend the opening brief from December 29, 2020 to January 28, 2021. NRCP 31(b)(2).

CERTIFICATE OF SERVICE

I certify that on January 28, 2021, I submitted the foregoing
“Notice of Non-Opposition to Motion for Remand and Unopposed Motion
to Revise Briefing Schedule” for filing *via* the Court’s eFlex electronic
filing system. Electronic notification will be sent to the following:

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