

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; DENNIS A. GEGEN AND JULIE
S. GEGEN, husband and wife, as
joint tenants,

Respondents.

Electronically Filed
May 05 2022 12:00 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR EXTENSION TO FILE OPENING BRIEF

Appellants Trudi Lee Lytle and John Allen Lytle, as trustee of the Lytle Trust, request to extend the deadline for filing the opening brief by one day, until May 5, 2022. NRAP 31(b)(3). This is the second request to extend the deadline for this brief since the Court stayed briefing pending resolution of Docket No. 81390 (doc. 22-03671) and the

fifth extension overall in this brief since the first briefing schedule was issued.¹ Without an extension, the brief would be due May 5, 2022.

Undersigned counsel appreciates the gravity of requesting yet another extension, has never before requested this number of extensions in his career, does so reluctantly now, and only because truly extreme and unforeseeable circumstances necessitate it. First, he (Joel Henriod) has been working remotely on the brief because of family emergencies today and yesterday, as have administrative assistants due to illnesses and family-related issues of their own. And they are collaborating with Mr. Henriod's partner, Dan Waite, who is out of the country. That process has been frustrated by technical difficulties that hinder completion and undermine confidence that a final draft will reflect many recent revisions. This combination of illnesses, family emergencies, and technical difficulties was unforeseeable.

Second, the brief is at least 95-percent complete and could be filed today. All of the appendix volumes have been filed. But a notice of

¹ Prior to the parties' joint motion to stay, appellants extended the opening brief and appendix by motions from June 14, 2021, to September 13, 2021, pursuant to NRAP 31(b)(3).

errata and motion for leave to file an amended brief would be necessary to fix a few dozen appendix citations, legal citations, and errors in the tables. This one-day extension will avoid that necessity and ensure this Court has all of the points and authorities necessary to resolve the appeal appropriately.

We apologize and truly appreciate the Court's indulgence.

Dated this 4th day of May, 2022.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/Joel D. Henriod

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CERTIFICATE OF SERVICE

I certify that on May 4, 2022, I submitted the foregoing “Motion for Extension to File Opening Brief” for filing *via* the Court’s eFlex electronic filing system. Electronic notification will be sent to the following:

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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

/s/ Jessie M. Helm
An Employee of Lewis Roca Rothgerber
Christie LLP