

Case Nos. 81510 & 81710

IN THE SUPREME COURT OF NEVADA

Electronically Filed
Jun 25 2021 09:09 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

GARY LEWIS

Appellant,

vs.

CHEYENNE NALDER; and UNITED
AUTOMOBILE INSURANCE COMPANY,

Respondents.

No. 81510

CHEYENNE NALDER,

Appellant,

vs.

GARY LEWIS; and UNITED
AUTOMOBILE INSURANCE COMPANY,

Respondents.

No. 81710

**CHEYENNE NALDER’S OPPOSITION TO UAIC’S
MOTION FOR EXTENSION OF TIME TO FILE ANSWERING BRIEF**

Cheyenne Nalder, through her attorney, David A. Stephens, Esq., hereby
opposes the motion for extension of time to file answering brief filed by United
Automobile Insurance Company, (“UAIC”), as follows:

Cheyenne Nalder, (“Cheyenne”), filed her opening brief in this appeal on March 16, 2021.

On April 12, 2021, Cheyenne, through her counsel, stipulated to an extension of time to file an answering brief and to consolidate Cheyenne’s appeal with similar appeal in the underlying case filed by Gary Lewis, (“Lewis”). This stipulation to consolidate and for an extension of time to file an answering brief was granted by this Court.

Lewis filed his opening brief on April 19, 2021.

On May 19, 2021, UAIC filed an “unopposed motion for extension of time to file an answering brief.” Cheyenne did not oppose this motion for extension of time.

The issue in this appeal, while it is very important to the parties, is very straightforward. It deals with whether Cheyenne, (and Lewis in the consolidated appeal), is entitled to attorney’s fees by reason of UAIC’s improper intervention into the underlying case filed by Cheyenne against Lewis 2007. Thus Court found that UAIC improperly intervened into the 2007 case between Cheyenne and Lewis. (See, Case No. 78085 which was consolidated with Case No. 78243.) This decision was filed on April 30, 2020, and is identified as 136 Nev. Adv. Op. 24.

This appeal is not an appeal following a two-week jury trial in which there is

a myriad of issues in the appeal arising from the jury trial.

At this point UAIC is represented by two respected law firms, Lewis Roca Rothgerber Christie, LLP, and Winner Sherrod. These law firms are composed of many skilled advocates.¹

Cheyenne recognizes that life complications happen to people, including lawyers, and that meeting schedules and deadlines can be difficult by reason of unexpected and unfortunate circumstances. Counsel recognizes the importance of courtesies and professionalism to opposing counsel in moving cases forward and resolving cases. Those courtesies allow counsel to work around the problems that life throws at clients and attorneys. He has attempted to grant courtesies, when requested and when the requests do not adversely affect Cheyenne.² However, it is important that cases move forward at a somewhat reasonable pace so they can come to resolution within a reasonable time period.

¹ Cheyenne's counsel believes that the Lewis Roca Rothgerber Christie is taking the laboring oar to prepare and file the answering brief for UAIC in that Abraham Smith, Esq., has been the person contacting Cheyenne's counsel with respect to extensions of time.

² Counsel for Cheyenne believes he has granted every request for professional courtesy requested by UAIC, in the two cases where he has represented Cheyenne, and which involve UAIC, and in return, UAIC has granted his requests for professional courtesy, with one exception.

At this point, it is time to move this appeal forward. It is a straightforward appeal. Further delays should not be allowed by this Court.

FOR THESE REASONS it is respectfully requested that this Court deny UAIC's motion for extension of time to file an answering brief in this matter.

Dated this 25th day of June, 2021

_S/David A Stephens
David A. Stephens, Esq.
Nevada Bar No. 00907
Stephens Law Offices
3636 N. Rancho Drive
Las Vegas, NV 89130
Telephone: 702-656-2355
Facsimile: 702-656-2776
Email: dstephens@davidstephenslaw.com
Attorney for Cheyenne Nalder

CERTIFICATE OF SERVICE

I certify that on this 25th day of June, 2021, I submitted the foregoing
**CHEYENNE NALDER'S OPPOSITION TO UAIC'S MOTION FOR
EXTENSION OF TIME TO FILE ANSWERING BRIEF** for filing via the
Court's eFlex electronic filing system. Electronic notification will be sent to the
following and all registered users:

E. Breen Arntz, Esq.
5545 Mountain Vista, Ste. E
Las Vegas, Nevada 89120
(702) 384-8000
breen@breen.com
Attorneys for Gary Lewis

Thomas F. Christensen, Esq.
Christensen Law Offices
1000 S. Valley View Blvd., Suite P
Las Vegas, Nevada 89107
(702) 870-1000
courtnotices@injureyhelpnow.com
Attorneys for Gary Lewis

Abraham Smith, Esq.
Lewis Roca Rothgerber Christie
3993 Howard Hughes Parkway, Suite 600
Las Vegas, Nevada 89169
(702) 949-8200
*Attorneys for United Automobile
Insurance Company*

Matthew Douglas, Esq.
Winner Sherrod
1117 South Ranch Drive
Las Vegas, Nevada 89102
(702) 243-7059
*Attorneys for United Automobile
Insurance Company*

___S/David A. Stephens_____
An Employee of STEPHENS LAW OFFICES