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Elizabeth A. Brown
Clerk of Supreme Court

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6 **SUPREME COURT OF NEVADA**

7
8 LAWRA KASSEE BULEN,

9 Appellant,

10 vs.

11 STEVE SANSON, an
12 Individual; ROB LAUER, an
13 Individual,

14 Respondent(s).

SUPREME COURT CASE

NO. 81854

DISTRICT COURT CASE NO.:

A-18-784807-C

15 **APPELLANT'S REQUEST TO EXTEND TIME TO FILE DOCKETING**
16 **STATEMENT**

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18 Now comes Appellant, Lawra Kassee Bulen, through her counsel of record,
19 Brandon L. Phillips, Esq., of the firm BRANDON L. PHILLIPS, ATTORNEY AT
20 LAW, PLLC, and hereby respectfully requests that this honorable Court extend the
21 time for Appellant to file the Docketing Statement in accordance with December
22 18, 2020 Order of the Court.
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1 The Docketing Statement should have been filed on January 1, 2021, or
2 alternatively, the next business day of January 4, 2021. Mr. Phillips the solo
3 practitioner and counsel for the Appellant was diagnosed with the Covid virus in
4 mid-November. Obviously, during this period Mr. Phillips had to remain
5 quarantined and focused most of his efforts on his recovery. Further, due to the
6 complications of the global pandemic and the present situation of Mr. Phillips, the
7 staff was reduced and precautions were taken to ensure the safety of all that may
8 have come into contact with Mr. Phillips during this period. Despite best efforts,
9 some of the work had to be delayed and organized for after Mr. Phillips return.
10 Following his return, Mr. Phillips had another health scare, which included a
11 double infection in his eyes. He lost significant vision in his right eye and needed
12 assistance with traveling simply to and from work. There was not intent to delay
13 the filing of the Docketing Statement or disregard the Supreme Court's Order to
14 file the Docketing Statement in a timely manner. This is Appellant's First Request
15 for an Extension of Time to file the Docketing Statement or alternatively accept the
16 Docketing Statement attached hereto.
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20 Unfortunately, the filing was missed primarily due to Mr. Phillips extended
21 health problems following the onset of Covid. Mr. Phillips has recovered and
22 expects no delays or requests for extension of time moving forward.
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24 The Parties did participate in discussions with the Settlement Judge and have
exhausted that avenue. Further, the Respondents' Counsel appears to have

1 withdrawn, with a Minute Order granting the withdraw was issued on January 15,
2 2021.

3 **PROCEDURAL HISTORY**

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5 1. This case was decided on Respondents' Motion to Dismiss based on the
6 defense that the speech at issue was protected by Anti-SLAPP statutes.
- 7 2. It remains Appellant's position that the published language of the
8 Defendants was not protected by Anti-SLAPP statutes and the Complaint
9 should not have been summarily dismissed.
- 10 3. The Court Granted Respondents Motion to Set Aside the Default
11 Judgment on June 23, 2020.
- 12 4. The Court Granted Respondents' Motion to Dismiss on August 21, 2020,
13 with the Notice of Entry of Order being filed on August 25, 2020.
- 14 5. Appellant timely filed his Notice of Appeal on September 24, 2020.
- 15 6. On November 4, 2020, Appellant filed the Case Appeal Statement.
- 16 7. On December 31, 2020, this Court Granted Respondents' Counsel's
17 Motion to Withdraw.
- 18 8. On January 6, 2021, Appellant submitted the Request for Transcript of
19 Proceedings request to the Court Reporter.
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(a) Time for Serving and Filing Briefs. Unless a different briefing schedule is provided by a court order in a particular case or by these or any other court rules, parties shall observe the briefing schedule set forth in this Rule.

(A) Contents of Motion. A motion for extension of time for filing a brief shall include the following:

- (i) The date when the brief is due;
- (ii) The number of extensions of time previously granted (including a 5-day telephonic extension), and if extensions were granted, the original date when the brief was due;
- (iii) Whether any previous requests for extensions of time have been denied or denied in part;
- (iv) The reasons or grounds why an extension is necessary; and
- (v) The length of the extension requested and the date on which the brief would become due.

Appellant admits that the date, as Ordered by the Supreme Court, came and went when Appellant's Counsel was infected with the Coronavirus and thereafter the double eye infection. As the diagnosis for both was sudden and unexpected, with Mr. Phillips having to quarantine all of the responsibilities fell to his two person staff while he recovered. It was not Appellant's intent to ignore or take the Supreme Court's Order lightly. Mr. Phillips is aware that all matters, regardless of the District Court or here at the Supreme Court, must be taken seriously. Mr.

1 Phillips' health has returned and he has recovered from the coronavirus and double
2 eye infection. There are no anticipated delays in further compliance.

3
4 There has been no harm to the Respondents as all other deadlines have been
5 satisfied. Further, as there was no substantial delay, in fact, the Court generally
6 allows for an oral two week extension and the Docketing Statement as it was
7 corrected and is now ready to be filed and attached hereto.

8 Respectfully, this Motion is brought in good faith. Appellant deserves to
9 have her Appeal heard on the merits.

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11 **CONCLUSION**

12 As stated herein, counsel Phillips respectfully requests that this Court extend
13 the time to file the Docketing Statement. The Docketing Statement will be filed
14 separately from this Motion, but is ready to be filed.

15
16 /s/ Brandon L. Phillips

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PROOF OF SERVICE

This is to certify that on the 21st day of January, 2021, I caused to be served
**PLAINTIFF'S MOTION TO EXTEND TIME TO FILE THE DOCKETING
STATEMENT**, by the method indicated below, and addressed to the following:

Document Served: Motion

Person(s) Served:

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Attorneys for Respondents

☐ Via Facsimile:
☐ Mail
☐ Personal Delivery
☒ Electronic Notice

/s/ Brandon L. Phillips

An employee of BRANDON L. PHILLIPS,
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