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Elizabeth A. Brown
Clerk of Supreme Court

SUPREME COURT OF NEVADA

LAWRA KASSEE BULEN, AN
INDIVIDUAL,

Appellant,

vs.

ROB LAUER, AN INDIVIDUAL; AND
STEVE SANSON, AN INDIVIDUAL

Respondents

**SUPREME COURT CASE:
NO. 81854**

[District Court No. A-18-784807]

EMERGENCY MOTION PURSUANT TO NRAP 27(e).

EXTENSION NEEDED BY MARCH 27, 2021

Respondents Rob Lauer and Steve Sanson move for an extension of time to file their Answering Brief for sixty (60) days. By the time this Honorable Court reads this, Respondent Lauer will have undergone back surgery, yesterday, Tuesday, March 16, 2021, and he will need a lot of time to recover. He couldn't afford an attorney until recently to help him prepare this motion. Attorney Richard Scotti of The Firm now represents Respondents.

Neither Lauer nor Sanson were able to pay for an attorney until March 4, 2021. A few days after that, attorney Scotti filed a motion to appear as counsel of record – as the time this Court had given Respondents to hire an attorney had expired. Attorney Scotti was apparently just approved to appear a couple days ago. Attorney Scotti will now need several weeks to get up to

1 speed and prepare the Answering Brief – but, as explained below, Respondent Lauer – who has
2 previously taken the lead in the defense of this matter – will be substantially unavailable to assist
3 for weeks. Respondent Lauer’s doctor has told him that he will need 6-8 weeks to recover and
4 before he can get back to work.

5 Accordingly, Respondents request that the deadline to file the Answering Brief be
6 extended from March 27, 2021, to May 27, 2021.

7 **POINTS AND AUTHORITIES IN SUPPORT OF MOTION**

8 Respondent Lauer underwent back surgery yesterday. He was injured in the US Army in
9 2008 when serving as a Military Police officer. He was rated 90% disabled by U.S. Army. His
10 doctors informed Lauer that his serious back problems are directly related to his war injury. He
11 reinjured his back at the beginning of December forcing Lauer to visit the emergency room
12 several times over the last few months, ultimately reaching the point where he needed this serious
13 operation.

14 Lauer has reported to his counsel that it has been extremely difficult to work these last
15 few months while on serious pain killers and visiting doctors many times. Yesterday he underwent
16 a “2-level fusion.” On information and belief, his doctors told him he will need 6-8 weeks to “get
17 back on my feet” and return to work.

18 Respondents’ prior counsel withdrew from representation by approved Order Granting
19 Motion to Withdraw Counsel, filed December 31, 2020. Respondents did not have the money to
20 retain new counsel until March 4, 2021 – admittedly after the date the Court gave to find new
21 counsel. But they finally became financially able to pay for counsel by that date.

22 In about a week after being retained, attorney Scotti filed his Motion for permission of
23 this Court to appear as counsel of record. This Court apparently granted attorney Scotti
24 permission to appear in this case a couple days ago.

25 Attorney Scotti will now need several weeks to get up to speed on this case, including
26 meeting with Lauer and Sanson, studying the complicated records and complex “SLAPP” suit
27 issues, and then drafting the Answering Brief. But his time with Lauer to do so will be very
28 limited as Lauer recovers.

Pursuant to NRAP 31(b)(3), Respondents state as follows:

(i) Date the Brief is Due:

March 27, 2021.

(ii) The Number of Prior Extensions

Sanson and Lauer have not asked for any prior extensions. However, Appellants received two prior extensions of time to file their Opening brief: one by motion and Order dated January 21, 2021; and a second by motion and Order granted on February 2, 2021 -- a 30-day extension pursuant to their Motion granted.

(iii) Whether Prior Extension Requests Were Denied.

No.

(iv) Reason for Extension


As stated above, Sanson and Lauer did not have money to hire a lawyer until March 4, 2021, at which time they paid attorney Scotti, who then filed his motion to appear as counsel of record. In a call to the Court Clerk yesterday, attorney Scotti learned that he had been approved to appear – and thus now files this Motion as counsel of record for Respondents.

Rob Lauer, will have undergone back surgery yesterday, and will need time to recover. During his recovery period he will be substantially bed-ridden for several weeks, under medication, and unable to fully and effectively assist his counsel in this matter. On information and belief, counsel advises this Court that according to Lauer's doctor, Lauer will need about 6-8 weeks to recover enough to get back to work.

(v) Length of Extension Requested

Sixty (60) days, making the brief due on May 27, 2021.

DATED THIS 17th day of March, 2021


RICHARD F. SCOTTI, ESQ.
Attorney for Respondents

NRAP 27c CERTIFICATE

I, attorney Richard Scotti, certify:

1. Respondents effectively hired me on March 4, 2021 – advising me that they could not afford to hire new counsel until then.

2. **The contact information for attorney Richard Scotti is as follow:** Richard F. Scotti, Esq. Nevada Bar No. 04744, 630 S. Third Street, Las Vegas, NV 89101, Tel: 702-222-3476. Fax: 702-252-3476

3. **The contact information for Respondent Sanson is as follows:** Steve Sanson, P.O. Box 28211, Las Vegas NV 89126, (702) 283-8088, steve@sanson.com.

4. **The contact information for Respondent Rob Lauer is as follow:** Rob Lauer, 3859 South Valley View, Las Vegas NV (702) 271-4436, news360daily@hotmail.com.

5. **The nature of the Emergency is as follows:**

Respondents Brief is due on March 27, 2021. On information and belief: Lauer had serious back surgery yesterday, which he called “2-level fusion;” his doctors told him he will need substantial time to recover, and need 6-8 weeks before he can be “back on my feet” and back to work.

The Supreme Court had given Respondents until January 31, 2021 to retain new counsel. (See Order Granting Motion to Withdraw as Counsel filed December 31, 2021). Respondents could not meet that deadline. They expected to hire new counsel as soon as they could afford it, and then have such counsel file the motion to extend the time for the Brief based on Lauer’s knowledge of his upcoming surgery. Since attorney Scotti was only approved to appear a couple days ago, there is now a very short period of time to seek an extension.

6. **Opposing counsel has been notified of this matter as follows:**

Attorney Scotti, sent an email to Appellant’s counsel, Brandon Phillips, last Thursday asking for an extension based on Scotti having recently been hired. Mr. Phillips indicated his reluctance to do so, but said he would meet and confer on this matter on Monday. But on Monday and Tuesday this week counsel for the parties were not able to coordinate their schedules to talk.

Respondents had tried to file this motion yesterday, but it was rejected due to procedural issues. But Mr. Phillips would have received electronic notice of the Motion, and the basis

PROOF OF SERVICE:

This is to certify that on this day of March 17, 2021, I caused to be served the above

EMERGENCY MOTION PURSUANT TO NRAP 27(e), via electronic service on:

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/s/ Richard Scotti, Esq.