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Justice Court of Las Vegas Township

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Elizabeth A. Brown
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

NEVADA COLLECTORS)	
ASSOCIATION, a Nevada non-profit)	
corporation,)	
)	CASE NO. 81930
Appellant,)	
)	
vs.)	
)	
THE STATE OF NEVADA)	
DEPARTMENT OF BUSINESS AND)	
INDUSTRY FINANCIAL)	
INSTITUTIONS DIVISION;)	
JUSTICE COURT OF LAS VEGAS)	
TOWNSHIP; DOE DEFENDANTS 1)	
through 20; and ROE ENTITY)	
DEFENDANTS 1 through 20,)	
)	
Respondents.)	
)	

**SUPPLEMENT TO REQUEST FOR EXTENSION
BY RESPONDENT JUSTICE COURT OF LAS VEGAS TOWNSHIP, AND
REPLY TO APPELLANT'S OPPOSITION THERETO**

Respondent, JUSTICE COURT OF LAS VEGAS TOWNSHIP (JCLVT), by and through
its attorneys OLSON CANNON GORMLEY & STOBERSKI, hereby submits this supplement
to its Request for Extension of time to file and serve its answering brief to November 16, 2021,

and Reply to Appellant's Response in opposition thereto. This Supplement and Reply are made and based upon the attached Declaration of Counsel and the following points and authorities.

BACKGROUND

Respondent JCLVT's Answering Brief in this matter was due on October 25, 2021. Attorney Thomas D. Dillard, Jr., of the law firm of OLSON CANNON GORMLEY & STOBERSKI is counsel of record for Respondent JCLVT. As set forth in the attached Declaration of attorney Stephanie A. Barker, Esq., Of Counsel with the law firm of OLSON CANNON GORMLEY & STOBERSKI, due to a change in Attorney Dillard's staff, the Answering Brief due date was inadvertently not calendared. (Exhibit A – Declaration of Counsel, para. 7.)

Commencing on or about October 25, 2021, Attorney Dillard has been out of the office, out of the country, and largely unavailable by phone or email. (Exhibit A, para. 3.) On October 28, 2021, at 11:58 a.m., attorney Michelle D. Briggs, Esq., Chief Deputy Attorney General and counsel for Co-Respondent State of Nevada in this matter, sent email correspondence to Mr. Dillard inquiring about the JCLVT's answering brief in this matter, stating it was due Monday, October 25, 2021. (Exhibit A, para. 4, and Exhibit A-1.) In response thereto, after communication with the Clerk of the Court, Mr. Dillard's secretarial assistant filed a single paragraph Request For Extension of time to file and serve its answering brief to November 16, 2021. (Exhibit A, para. 5.) The Request was submitted by Attorney Dillard's assistant, without his personal review, but with Mr. Dillard's electronic signature. (Exhibit A, para. 5.)

On October 29, 2021, at 8:52 a.m., Appellant submitted a Response in opposition to the JCLVT's Request for Extension.

This Supplement to the Request for Extension and Reply to Appellant's Response in opposition is therefore submitted by the undersigned counsel. (Exhibit A, para. 6.)

MEMORANDUM OF POINTS AND AUTHORITIES

In accordance with NRAP 31(b)(3)(A) Respondent JCLVT provides the following information:

31(b)(3)(A)(i): The answering brief was due October 25, 2021.

31(b)(3)(A)(ii): No previous extension of time has been sought or granted to Respondent JCLVT. On October 21, 2021, a telephonic extension was granted to Co-Respondent State of Nevada, allowing it until November 8, 2021, to file and serve its answering brief.

31(b)(3)(A)(iii): No previous extension of time has been denied to Respondent JCLVT.

31(b)(3)(A)(iv): The requested extension is necessary due to the inadvertent failure to calendar the answer due date resulting from a change in Attorney Dillard's staff.

31(b)(3)(A)(v): Because Mr. Dillard is out of the country until November 2, 2021, extension is requested to November 16, 2021.

Although NRAP 31(b)(3)(A) states that a motion for extension of time for filing a brief may be made no later than the due date for the brief, the Request for Extension herein is submitted a mere three days past the due date and is necessitated as a result of an inadvertent failure to calendar the brief due date resulting from a change in staff for the attorney for Respondent JCLVT. The Co-Respondent has received an extension to November 8, 2021, and no prejudice is argued or shown by Appellant's Response in Opposition to the Request For Extension.

Based upon the foregoing, Respondent JCLVT respectfully requests an extension of time to November 16, 2021, for filing its Answering Brief.

DATED this 29th day of October, 2021.

OLSON CANNON GORMLEY & STOBERSKI

BY:


THOMAS D. DILLARD, JR., ESQ.

Nevada Bar No. 6270

STEPHANIE A. BARKER, ESQ.

Nevada Bar No. 3176

9950 W. Cheyenne Avenue

Las Vegas, Nevada 89129

Attorneys for Respondent

Justice Court of Las Vegas Township

CERTIFICATE OF SERVICE

On the 29th day of October, 2021, the undersigned, an employee of Olson Cannon Gormley & Stoberski hereby served a true copy of SUPPLEMENT TO REQUEST FOR EXTENSION BY RESPONDENT JUSTICE COURT OF LAS VEGAS TOWNSHIP, AND REPLY TO APPELLANT'S OPPOSITION THERETO, to the parties listed below via the EFP Program, pursuant to the Court's Electronic Filing Service Order:

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Attorneys for Respondent State Defendant



An employee of OLSON CANNON GORMLEY & STOBERSKI

EXHIBIT A

DECLARATION OF COUNSEL
STEPHANIE A. BARKER, ESQ.

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

STEPHANIE A. BARKER, hereby declares under penalty of perjury as follows:

1. I am an attorney duly licensed to practice law in the State of Nevada, employed Of Counsel with the Law Firm of OLSON CANNON GORMLEY & STOBERSKI.

2. Attorney Thomas D. Dillard, Jr., is a partner in the law firm of OLSON CANNON GORMLEY & STOBERSKI and represents Respondent Justice Court of Las Vegas Township in the matter of *Nevada Collector's Association v. State of Nevada Department of Business and Industry Financial Institutions Division, et. al*, Nev. Sup. Court Case No. 81930.

3. Upon information and belief, commencing on or about October 25, 2021, Attorney Dillard has been out of the office, out of the country, and largely unavailable by phone or email.

4. On October 28, 2021, at 11:58 a.m., attorney Michelle D. Briggs, Esq., Chief Deputy Attorney General and counsel for co-defendant State of Nevada in the referenced matter, sent email correspondence to Mr. Dillard inquiring about the answering brief in this matter, which was due Monday October 25, 2021. (Exhibit A-1.)

5. In response thereto, after communication with the Clerk of the Court, Mr. Dillard's secretarial assistant filed a single paragraph Request For Extension of time to file and serve its answering brief to November 16, 2021. The Request was submitted by Mr. Dillard's assistant without his personal review but with Mr. Dillard's electronic signature.

6. On October 29, 2021, at 8:52 a.m. Appellant submitted a Response in opposition to the Request for Extension. That response has been directed to me for Reply and Supplement to the Request for Extension filed over Mr. Dillard's electronic signature.

7. Upon information and belief, the Answering Brief was inadvertently not calendared due a recent change of Mr. Dillard's staff.

8. Upon information and belief, Mr. Dillard will be out of the county until Tuesday, November 2, 2021.

9. I have personal knowledge of the facts and circumstances set forth in this Declaration except where stated upon information and belief and as to those facts, I believe them to be true and accurate based upon the information gathered by me in preparation of this Declaration and the accompanying Reply in Supplement to Respondent Justice Court of Las Vegas Township's Request for Extension.

10. This Declaration is made in good faith support of Respondent Justice Court of Las Vegas Township's Request for Extension of time to file and serve its Answering Brief in the matter of *Nevada Collector's Association v. State of Nevada Department of Business and Industry Financial Institutions Division, et. al*, Nev. Sup. Court Case No. 81930.

DATED this 27 day of October, 2021.


STEPHANIE A. BARKER

Declaration Exhibit A-1

On Oct 28, 2021, at 11:58 AM, Michelle D. Briggs <MBriggs@ag.nv.gov> wrote:

Hi Tom,

Just wondering if you are going to file an answering brief in this case. It was due Monday.

Thanks,

Michelle D. Briggs, Esq. | Chief Deputy Attorney General
555 E. Washington Ave, Ste 3900, Las Vegas, Nevada 89101
E: mbriggs@ag.nv.gov | T: 702-486-3809 | F: 702-486-3416
<image001.png>

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