IN THE SUPREME COURT OF THE STATE OF NEVADA

Supreme Court Case No. 81964

CHRISTOPHER BEAVOR, an individual,

Appellant,

vs.

JOSHUA L. TOMSHECK, an individual,

Respondent.

UNOPPOSED MOTION FOR EXTENSION OF TIME

TO FILE REPLY BRIEF

(FIRST REQUEST)

Appellants hereby move for a sixty (60)-day extension of time to file their reply brief, which is currently due October 13, 2021. If granted, the brief will be due on December 13, 2021.[1] NRAP 31(b)(3). This is the first request for an extension of the reply brief due date. No request for an extension of time has been denied or denied in part.

[1] A sixty-day extension would cause the Reply Brief to be due December 12, 2021, but as that falls on a Sunday, the Brief would be due the next day, Monday, December 13th, 2021.

Appellant requires this extension because of an unforeseen medical emergency on the part of Appellant's primary attorney on this matter, H. Stan Johnson. On Friday, October 8, 2021, Mr. Johnson underwent an unexpected quadruple bypass open heart surgery. Mr. Johnson is still in intensive care and is not expected to return to the office for at least a month. This has left this appeal and other cases in the hands of the remaining two associate attorneys in the office.

Mr. Johnson's absence will require the remaining attorneys to undertake an immense task of becoming familiar with the facts and issues in this matter on appeal, concluding the drafting of the Reply Brief, and to prepare to argue this matter at hearing. An extension of sixty days would greatly assist in this undertaking.

Counsel has discussed this matter with Respondent's attorney Max Corrick. Because of Mr. Johnson's medical emergency, Mr. Corrick has agreed to not oppose this request for a 60-day extension, and he has confirmed this decision in an email attached hereto as Exhibit 1. Mr. Corrick has also agreed that this Motion may be styled as an unopposed motion. *Id.*

Under these circumstances, appellants' attorneys will be unable to finish the reply brief by October 13, 2021. The circumstances set forth in this motion were unforeseeable and good cause exists for a 60-day extension. NRCP 26 (1)(A). Appellants' attorneys firmly believe they will be able to file the opening brief within the extended time.

Therefore, respondent requests an extension until December 13, 2021. This motion is made in good faith and without the intent to delay the appeal unnecessarily.

Dated this 12th day of October 2021.

COHEN JOHNSON LLC

By: */s/ Ryan D. Johnson*

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CERTIFICATE OF SERVICE

I certify that on 12th day of October, 2021, pursuant to N.E.F.R. 7, I caused the MOTION FOR EXTENSION OF TIME TO FILE REPLY BRIEF (First Request) to be filed electronically with the Clerk of the Nevada Supreme Court. Pursuant to N.E.F.R. 9, notice of an electronically filed document by the Court "shall be considered as valid and effective service of the document" on all persons who are registered users.

DATED the 12th day of October, 2021.

/s/ *Sarah Gondek*

An employee of COHEN JOHNSON, LLC

EXHIBIT 1

EXHIBIT 1

Beavor adv. Tomsheck

Max Corrick <mcorrick@ocgas.com>

Mon 10/11/2021 1:32 PM

To: Ryan Johnson <rjohnson@cohenjohnson.com>

Cc: Jane Hollingsworth <jhollingsworth@ocgas.com>

Ryan: This email will confirm our prior correspondence. You have advised that Stan Johnson, Esq., the primary attorney for your client Christopher Beavor, has recently undergone significant medical treatment which will affect his ability to participate in the preparation of the pending Reply Brief due later this week.

You have inquired whether I would be willing and able to agree to a 60-day extension of time for your client to file the Reply Brief so as to allow Mr. Johnson the opportunity to recover and assist with that Reply Brief.

Under these circumstances **I do not oppose your request for the 60-day extension** and you may include this email as an exhibit to any motion you intend to file seeking that 60-day extension.

You also have my permission, if you choose, to style it as an unopposed motion with my email attached as an exhibit.

I wish Stan a quick and uneventful recovery.

Max Corrick
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