

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

IN RE: D.O.T. LITIGATION

TGIG, LLC; NEVADA HOLISITIC  
MEDICINE, LLC; GBS NEVADA  
PARTNERS, LLC; FIDELIS  
HOLDINGS, LLC; GRAVITAS  
NEVADA, LLC; NEVADA PURE,  
LLC; MEDIFARM, LLC; MEDIFARM  
IV LLC; THC NEVADA, LLC;  
HERBAL CHOICE, INC.; RED  
EARTH LLC; NEVCANN LLC,  
GREEN THERAPEUTICS LLC; AND  
GREAN LEAF FARMS HOLDINGS  
LLC,

Appellants,

vs.

THE STATE OF NEVADA, ON  
RELATION OF ITS DEPARTMENT  
OF TRANSPORTATION,  
Respondent.

Electronically Filed  
Nov 22 2021 03:56 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court  
Supreme Court Case No. 87084  
District Court Case No.: A787004

**APPELLANTS' MOTION FOR EXTENSION OF TIME TO FILE  
OPENING BRIEF AND NOTICE OF RESPONDENT'S NON-OPPOSITION**

**EMERGENCY MOTION UNDER NRAP 27(e)**

**Date by which action is necessary: November 24, 2021**

Appellants TGIG, LLC; NEVADA HOLISITIC MEDICINE, LLC; GBS  
NEVADA PARTNERS, LLC; FIDELIS HOLDINGS, LLC; GRAVITAS  
NEVADA, LLC; NEVADA PURE, LLC; MEDIFARM, LLC; MEDIFARM IV

LLC, by and through their counsel of record, the law firm Clark Hill, LLC; THC NEVADA, LLC; by and through its counsel of record, Sugden Law, HERBAL CHOICE, INC., by and through its counsel of record, Chattah Law Group; GREEN LEAF FARMS HOLDINGS LLC; GREEN THERAPEUTICS LLC, NEVCANN LLC; and RED EARTH LLC by and through its counsel of record, N.R. Donath & Associates, PLLC (collectively “Appellants”) hereby jointly move this Court pursuant to NRAP 26(b)(1)(A) and NRAP 31(b)(3) for a 21-day continuance from the current December 1, 2021, due date to December 22, 2021 in order for Appellants to file their opening brief (“Motion to Extend”).

This basis for this request is due to the extraordinary efforts needed to complete the Appendix which is to be filed no later than the filing of Appellants’ respective opening briefs. NRAP 30(e). Previously, one stipulation to extend the opening brief deadline was entered into by the parties on August 30, 2021 to postpone the original briefing due date from to November 1, 2021 from September 29, 2021. The Court then granted the subsequent request from Appellants to extend the briefing once again from November 1, 2021 to December 1, 2021 due to counsel for Green Leaf Farms Holdings LLC, Green Therapeutics LLC, NevCann LLC, and Red Earth LLC’s medical needs. Since the time in which these previous extensions were sought, Appellants have diligently pursued the preparation needed to submit their respective briefs, including extensive coordination amongst themselves for the

Appendix. However, the Appendix is unusually large, consisting of at least over 300 separate documents in order to fulfill the requirements as set forth in NRAP 30. It is anticipated that the Appendix will be between 10,000 and 15,000 pages, resulting in at least 40-60 separate volumes. Thus, while Appellants have diligently identified the documents needed for the Appendix, additional time is needed to coordinate with Respondent, the Nevada Department of Taxation, to confer and attempt to reach an agreement concerning a possible joint appendix in conformance with NRAP 30(a), and, thereafter, further time is needed to finalize the same for production into the numerous volumes for this Court's review.

Undersigned counsel has conferred counsel for the Respondent and attest to the Court through the filing of this request that there is no opposition to the Appellants' Motion to Extend.

Dated this 22<sup>th</sup> of November, 2021.

CLARK HILL, PLLC

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## **NRAP 27(e) Certificate**

### **NRAP 27(e)(3)(a)**

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**NRAP 27(e)(3)(b)**

Facts showing the existence and nature of the claimed emergency: With the November 25, 2021, Thanksgiving holiday; the November 26, 2021, Nevada Family Day and the current December 1, 2021 upcoming due date for the filing of the Appellants Opening Brief in conjunction with the massive Appendix that is being assembled, the parties run the risk of not being able to obtain a ruling in time on the instant Motion to Extend.

**NRAP 27(e)(3)(b)**

When and how counsel for the other parties and any pro se parties were notified and whether they have been served with the motion; or, if not notified and served, why that was not done.

Counsel for Respondent, Nevada Department of Taxation, was contacted via telephone on November 22, 2021 to discuss the current Motion and has been provided a copy of the same. Respondent does not oppose the relief requested.

Dated: November 22, 2021

/s/ Amy L. Sugden  
Counsel for THC Nevada, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that on this day, I caused a true and correct copy of the foregoing **APPELLANTS' MOTION FOR EXTENSION OF TIME TO FILE OPENING BRIEF AND NOTICE OF NON-OPPOSITION – EMERGENCY MOTION UNDER NRAP 27(e)** to be served to all registered parties, via the Court's Electronic Filing System and by mailing it first class mail with sufficient postage prepaid to:

Lansford W. Levitt  
Settlement Judge  
4320 Christy Way  
Reno, NV 89519

Dated: November 22, 2021

/s/ Amy L. Sugden  
Counsel for THC Nevada, LLC