

IN THE SUPREME COURT OF THE STATE OF NEVADA

LN MANAGEMENT LLC SERIES
3111 BEL AIR 24G,

Appellant,

vs.

BANK OF AMERICA, N.A.; DITECH
FINANCIAL, LLC,

Respondents.

Supreme Court No. 82534

Electronically Filed
Nov 17 2021 12:06 p.m.
District Court Case No. A-13-682055-C
Elizabeth A. Brown
Clerk of Supreme Court
Consolidated with A-12-69576

**UNOPPOSED MOTION TO EXTEND TIME TO FILE ANSWERING
BRIEF (FIRST MOTION)**

Respondents Bank of America, N.A. and Ditech Financial, LLC respectfully move pursuant to NRAP 31(b)(3) for an extension of time for filing their Answering Brief. Appellant does not oppose or object to this motion. In support of this Motion, Respondents state as follows:

1. Respondents' Answering Brief is currently due on Wednesday, November 17, 2021.
2. Respondents and Appellant previously stipulated to extend the original deadline of Monday, October 18, 2021.
3. This is Respondents first motion for an extension of time.
4. No requests for an extension of time have been denied.
5. Counsel for Appellant does not oppose this extension request.

6. Good cause exists for permitting Respondents an extension of time to file their brief. First, this appeal concerns a number of different case dispositive issues, including the application of the NRCP 41(e) five-year rule to an underlying docket with a complex litigation history. Additional time is required for counsel to fully address the issues raised in the opening brief. Second, and relatedly, the undersigned counsel has been working from a different remote location over the past week. This location has unexpectedly had limited access to reliable internet, which has impacted counsels' ability to finalize the answering brief and obtain the requisite client approvals prior to the current deadline. Lastly, the foregoing constraints have been compounded by counsels' other time-sensitive obligations, including preparing for remote-depositions, an upcoming jury trial with a firm trial date this coming month, and numerous dispositive motions.

7. For the reasons stated above, Respondents are seeking a thirty (30) day extension to file their Answering Brief, or until Friday, December 17, 2021. Respondents do not anticipate requesting any further extensions to this deadline.

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This request is made in good faith and not for delay.

DATED this 17th day of November, 2021.

AKERMAN LLP

/s/ Nicholas E. Belay

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CERTIFICATE OF SERVICE

I certify that I electronically filed on November 17, 2021, the foregoing **UNOPPOSED MOTION TO EXTEND TIME TO FILE ANSWERING BRIEF (FIRST MOTION)** with the Clerk of the Court for the Nevada Supreme Court by using the Court's electronic file and serve system. I further certify that all parties of record to this appeal are either registered with the Court's electronic filing system or have consented to electronic service and that electronic service shall be made upon and in accordance with the Court's Master Service List.

I declare that I am employed in the office of a member of the bar of this Court at whose discretion the service was made.

/s/ Carla Llarena

An employee of AKERMAN LLP