

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

OCWEN LOAN SERVICING, LLC, A  
FOREIGN LIMITED LIABILITY  
COMPANY,

Appellant,

vs.

CHERSUS HOLDINGS, LLC, A  
LIMITED LIABILITY COMPANY, and  
SOUTHERN TERRACE HOMEOWNERS  
ASSOCIATION, A NONPROFIT  
CORPORATION,

Respondents,

Case No. 82680

Electronically Filed  
Mar 10 2022 12:36 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

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**RESPONDENT CHERSUS HOLDINGS, LLC MOTION FOR EXTENSION  
OF TIME TO FILE ANSWERING BRIEF**

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VERNON NELSON, ESQ.

Nevada Bar No. 6434

**THE LAW OFFICE OF VERNON NELSON, PLLC**

9550 S. Eastern Ave., Suite 253

Las Vegas, NV 89123

*Attorneys for Respondent Chersus Holdings, LLC*

Respondent CHERSUS HOLDINGS, LLC (“Respondent”) hereby requests an extension of time to file its Answering Brief. The Opening Brief in this matter was originally due on February 14, 2022. Respondent requested and received an Order Granting Telephonic Extension until March 9, 2022 to file and serve its answering brief. Respondent requested the telephonic extension because its counsel was preparing for a trial in district court and the Court ordered the parties to prepare and deliver documents and exhibits to the Court by February 16, 2022. Voir dire, Jury Instructions, Verdict forms, and Trial Briefs were due by February 23, 2022. Respondent’s counsel is representing an 81 year-old widow who lost her home and special property in a fire and counsel had to spend a lot of time preparing her to testify. Counsel also had to prepare the expert witness to testify. Moreover, the parties received an opportunity to mediate the claim with Advanced Resolution Management and they tried, but failed, to settle the case. The trial was scheduled to commence on March 1, 2022 and last four days. The court set a hearing for February 28, 2022 at 10 a.m. to resolve outstanding pre-trial disputes.

On Sunday, February 27, 2022, Respondent’s counsel began to feel ill. In the early hours of Monday February 28, 2022, Respondent’s counsel went taken to the Emergency Room via ambulance. The hospital diagnosed

multiple intestinal problems. Counsel had to be fitted and treated with a medical device, pain medication, and multiple prescription medications.

While in the Emergency Room, Counsel called his Legal Assistant to notify her he was in the hospital and asked her to notify the Court and opposing counsel about his illness as soon as possible in the morning. Counsel also texted his client before the pain medication caused him to fall asleep.

Counsel was discharged several hours later, still fitted with the medical device. He was ordered to rest in bed and to see a specialist as soon as possible. Counsel visited the specialist on March 2, 2022. The medical device was removed, but the specialist instructed Counsel to continue to take the prescribed medication. While he could work for certain intervals of time, Counsel did not fully recover until March 6, 2022.

While Respondent's counsel was unable to work, the opposing counsel in the case scheduled for trial filed multiple motions after the deadlines in the scheduling order, including a bad faith motion for costs incurred as a result of Counsel's illness. Counsel's response is due March 14, 2022. The Court has not yet set a new trial date.

Respondent's counsel also has an arbitration on March 15, 2022 in another case. His client's Prearbitration disclosures and Arbitration Brief were due on March 8, 2022. Counsel had concentrate on getting those filed.

Due to COVID-19, Respondent's counsel had to layoff many of employees. Counsel currently has a Legal Assistant/Office Manager. Sadly, the Legal Assistant/Office Manager suffered a severe knee injury last week. She could not work for several days. She is just starting to return part-time.

Finally, Counsel suffers from severe arthritis in both knees. He is currently scheduled to undergo knee replacement surgery for his right knee on March 23, 2022 at Cedars Sinai Hospital. His surgeon has advised Counsel he does not expect Counsel to stay in the hospital and he should be able to walk with a walker and return home immediately after the surgery.

Accordingly, Respondent respectfully requests the Court extend the time to file the Answering Brief until April 11, 2022. Respondent is hopeful an extension until April 11, 2022 will obviate the need for more extensions.

DATED: March 9, 2022.

THE LAW OFFICE OF VERNON NELSON, PLLC

By: /s/ Vernon Nelson  
VERNON NELSON  
Nevada Bar No. 6434  
9550 S. Eastern Ave., Suite 253  
Las Vegas, NV 89123  
Attorneys for Respondent

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I am an employee of The Law Office of Vernon Nelson, and that on the 10<sup>th</sup> day of March, 2022, I caused to be served a true and correct copy of the foregoing **RESPONDENT’S MOTION FOR EXTENSION OF TIME TO FILE ANSWERING BRIEF**, in the following manner:

Electronic Service of the document shall be made in electronically to all parties/counsel identified on the Master Service List.

/s/ Vernon Nelson

An Employee of The Law Office of Vernon Nelson

## **DECLARATION OF VERNON NELSON, ESQ.**

I, Vernon Nelson, declare as follows:

1. I am an attorney licensed to practice law in the State of Nevada, and the Managing Member of the Law Office of Vernon Nelson (“LOVN”), counsel for Respondents, on whose behalf I make this declaration. I am responsible for handling this matter. If called as a witness I would competently testify to the matters set forth herein of my own personal knowledge.

2. The Opening Brief in this matter was originally due on February 14, 2022. I requested and received an Order Granting Telephonic Extension until March 9, 2022 to file and serve the answering brief. I requested the telephonic extension because I was preparing for a trial in district court and the Court ordered the parties to prepare and deliver documents and exhibits to the Court by February 16, 2022. Voir dire, Jury Instructions, Verdict forms, and Trial Briefs were due by February 23, 2022. I am representing an 81 year-old widow who lost her home and special property in a fire and counsel had to spend a lot of time preparing her to testify. I also had to prepare the expert witness to testify. Moreover, the parties received an opportunity to mediate the claim with Advanced Resolution Management and they tried, but failed, to settle the case. The trial was scheduled to commence on March 1, 2022 and last four days. The court set a hearing for February 28, 2022 at 10 a.m. to resolve outstanding pre-trial disputes.

3. On Sunday, February 27, 2022, I began to feel ill. In the early hours of Monday February 28, 2022, I was taken to the Emergency Room via ambulance. The hospital diagnosed multiple intestinal problems. I had to be fitted and treated with a medical device, pain medication and other prescription medications.

4. While in the Emergency Room, I called my Legal Assistant to notify her I was in the hospital and asked her to notify the Court and opposing counsel about my illness as soon as possible in the morning. I also texted my client before the pain medication caused me to fall asleep.

5. I was discharged several hours later, still fitted with the medical device. I was ordered to rest in bed and to see a specialist as soon as possible. I visited the specialist on March 2, 2022. The medical device was removed, but the specialist instructed me to continue to take the prescribed medication. While I could work for certain intervals of time, I did not fully recover until March 6, 2022.

6. While I was unable to work, the opposing counsel in the case scheduled for trial filed multiple motions after the deadlines in the scheduling order, including a bad faith motion for costs incurred as a result of my illness. My response is due March 14, 2022. The Court has not yet set a new trial date.

7. I also have an arbitration on March 15, 2022 in another case. My client's Prearbitration disclosures and Arbitration Brief were due on March 8, 2022. I had to concentrate on getting those filed.

8. Due to COVID-19, my firm had to layoff many employees. I currently have a Legal Assistant/Office Manager. Sadly, the Legal Assistant/Office Manager suffered a severe knee injury last week. She could not work for several days. She is just starting to return part-time.

9. Finally, I suffers from severe arthritis in both knees. I am currently scheduled to undergo knee replacement surgery for my right knee on March 23, 2022 at Cedars Sinai Hospital. My surgeon has advised me he does not expect me to stay in the hospital and I should be able to walk with a walker and return home immediately after the surgery.

10. Accordingly, I respectfully request the Court extend the time to file the Answering Brief until April 11, 2022. I am hopeful an extension until April 11, 2022 will obviate the need for more extensions.

I swear under the penalty of perjury that the foregoing is true and correct.

March 10, 2020.

/s/ Vernon Nelson  
Vernon Nelson