

IN THE SUPREME COURT OF THE STATE OF NEVADA

LYNN YAFCHAK, STATUTORY HEIR
AND SPECIAL ADMINISTRATOR TO
THE ESTATE OF JOAN YAFCHAK,
DECEASED,

Appellant,

vs.

SOUTH LAS VEGAS MEDICAL
INVESTORS, LLC, D/B/A LIFE CARE
CENTER OF SOUTH LAS VEGAS,
ERRONEOUSLY NAMED AS LIFE
CARE CENTER OF AMERICA, A
FOREIGN CORPORATION,

Respondent.

No. 82746

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Sep 21 2021 05:57 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR EXTENSION OF TIME TO FILE
MOTION FOR LEAVE TO FILE AMICUS BRIEF OF
THE NEVADA JUSTICE ASSOCIATION
(First Request)

The Nevada Justice Association (“NJA”), a proposed *amicus curiae*, is a non-profit organization of independent lawyers in the State of Nevada. NJA is represented in this matter by Micah S. Echols, Esq. and David P. Snyder, Esq. of Claggett & Sykes Law Firm; and Matthew L. Sharp, Esq. of the Law Office of Matthew L. Sharp, and hereby moves this Court pursuant to NRAP 26(1)(a) for an extension of 30 days from

the Court's Order to file its motion for leave to file an amicus brief and the proposed amicus brief.

Under this Court's rules, a non-governmental amicus curiae "may file a brief only by leave of court granted on motion or at the court's request or if accompanied by written consent of all parties." *See* NRAP 29(a). Both the proposed amicus brief and the motion for leave must be filed within seven days of the brief of the party being supported. *See* NRAP 29(f). However, [t]he court may grant leave for later filing, specifying the time within which the opposing party may answer." *Id.*

Here, Appellant Lynn Yafchak filed her opening brief on September 16, 2021. Thus, NJA's proposed amicus brief (accompanied by its motion for leave) would be due September 23, 2021. No request for additional time has been denied or denied in part.

Good cause exists to allow NJA to extend the filing deadline for both its motion for leave and the proposed amicus brief until 30 days after this Court's order for the following reasons:

1. NJA's participation in this matter had to be approved by a committee before counsel could make an appearance.
2. NJA first appeared in this matter on September 21, 2021, and

counsel will need time to familiarize themselves with the record, the legal arguments, and the briefing currently before the Court.

3. NJA believes it can assist this Court in reaching a correct resolution of the issues on appeal relating to whether the abuse and neglect statute is wholly separate and not subject to NRS Chapter 41A.

This motion is submitted in good faith and for good cause shown in accordance with NRAP 26(1)(a). For the foregoing reasons, NJA respectfully moves this Court for an extension of time to file its proposed amicus brief (accompanied by its motion for leave) no later than 30 days after this Court's Order.

Dated this 21st day of September 2021.

CLAGGETT & SYKES LAW FIRM

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion for Extension of Time to File Motion for Leave to File Amicus Brief of the Nevada Justice Association (First Request) was filed electronically with the Nevada Supreme Court on the 21st day of September 2021. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Appellant, Estate of Joan Yafchak

Jamie S. Cogburn (Cogburn Law Offices)

Joseph J. Troiano (Cogburn Law Offices)

Appellant, Lynn Yafchak

Jamie S. Cogburn (Cogburn Law Offices)

Joseph J. Troiano (Cogburn Law Offices)

Respondent, South Las Vegas Medical Investors, LLC

Zachary J. Thompson (Hall Prangle & Schoonveld, LLC/Las Vegas)

Casey W. Tyler (Hall Prangle & Schoonveld, LLC/Las Vegas)

/s/ Anna Gresl

Anna Gresl, an employee of
CLAGGETT & SYKES LAW FIRM