

*In the Supreme Court of Nevada*

LYNN YAFCHAK, statutory heir and  
special administrator to the ESTATE OF  
JOAN YAFCHAK, deceased,

Appellants,

*vs.*

SOUTH LAS VEGAS MEDICAL INVESTORS,  
LLC, d/b/a LIFE CARE CENTER OF  
SOUTH LAS VEGAS, erroneously named  
as LIFE CARE CENTERS OF AMERICA, a  
foreign corporation,

Respondent.

Electronically Filed  
Dec 15 2021 04:53 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**UNOPPOSED MOTION FOR EXTENSION  
OF TIME TO FILE ANSWERING BRIEF**

Respondent requests an extension of 30 days, through January 14, 2022, to file its answering brief. NRAP 31(b)(3)(C). This is the third such motion requesting an extension of the original October 15, 2021, deadline. Without this extension, the brief would be due December 15, 2021. No requests for extension have been denied or denied in part.

Counsel for appellants communicated that they do not oppose this extension. Their professional courtesy is greatly appreciated.

Extraordinary circumstances and extreme need necessitate this request. The brief is nearly complete. Undersigned counsel, however, has had to take significant time away from this matter to deal with medical issues involving his newborn son. In addition, the attorneys who ordinarily

would have worked on this brief have been under extraordinary pressures dealing with a trial, which unexpectedly continued past the Thanksgiving holiday; the jury just returned its final verdict last week. This has added to an already-existing backlog. Respondent's lead appellate counsel also had to take time preparing for an oral argument before this Court on December 7, 2021.

Finally, respondent notes that this Court recently published a decision interpreting NRS 41A.071, and the extension would enable undersigned counsel to determine whether this decision affects any of the arguments in the brief.

In the wake of these unexpected developments, counsel have engaged the services of a Nevada-licensed attorney in another office to expeditiously work on finalizing a draft of the answering brief. Counsel will work diligently in an effort to move this case forward.

Counsel appreciates this opposing counsel's and this Court's courtesy in considering the requested extension.

Dated this 15th day of December, 2021.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ Abraham G. Smith  
DANIEL F. POLSENBERG (SBN 2376)  
JOEL D. HENRIOD (SBN 8492)  
ABRAHAM G. SMITH (SBN 13250)  
3993 Howard Hughes Parkway, Suite 600  
Las Vegas, Nevada 89169  
(702) 949-8200

CASEY W. TYLER (SBN 9706)  
ZACHARY J. THOMPSON (SBN 11001)  
HALL PRANGLE & SCHOONVELD, LLC  
1140 North Town Center Drive, Suite 350  
Las Vegas, Nevada 89144

*Attorneys for Respondent*

## CERTIFICATE OF SERVICE

I certify that on December 15, 2021, I submitted the foregoing  
“Unopposed Motion for Extension of Time to File Answering Brief” for e-  
filing and service *via* the Court’s eFlex electronic filing system. Electronic  
notification will be sent to the following:

Joseph J. Troiano  
Cogburn Law  
2580 St. Rose Parkway  
Suite 330  
Henderson, Nevada 89074

*Attorneys for Appellants*

### **Via U.S. Mail:**

The Honorable Judge Crystal Eller  
Eighth Judicial District Court  
Department No. 19  
Regional Justice Center  
200 Lewis Ave.  
Las Vegas, Nevada 89155

/s/ Cynthia Kelley  
An Employee of Lewis Roca Rothgerber Christie LLP