

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIS OF ARIZONA, INC.; and
WILLIS TOWERS WATSON
INSURANCE SERVICES WEST,
INC.,

Appellants,

v.

HAKKASAN USA, INC.,

Respondent.

Supreme Court Case No.: 82829

(consolidated with Case No. 82833)

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District Court Case No.: A-20-816145-B
Elizabeth A. Brown
Clerk of Supreme Court

Appeal from Eighth Judicial District Court, State of Nevada, County of Clark
The Honorable Elizabeth Gonzalez, District Judge

**UNOPPOSED MOTION TO EXTEND BRIEFING DEADLINES RE:
REPLY BRIEF, TO OPPOSE RESPONDENT'S MOTION TO DISMISS
APPEAL, AND RESPONDENT'S REPLY TO RESPONSE TO MOTION TO
DISMISS APPEAL**

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Appellants Willis of Arizona, Inc. and Willis Towers Watson Insurance Services West, Inc. (collectively “Willis”) hereby move to extend the deadlines up to and including January 3, 2022, to (1) file the NRAP 28(c) reply brief in this appeal; and (2) oppose Respondent’s Motion to Dismiss Appeal. The parties have met and conferred, and *this Motion is unopposed* by Respondent Hakkasan USA, Inc. (“Hakkasan”).¹

DATED this 11th day of November, 2021.

/s/ Patrick J. Reilly

Patrick J. Reilly

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¹ Hakkasan has advised it consents to this extension of time. In doing so, no statements/arguments made herein are adopted by Hakkasan. Willis also consents/stipulates to a fourteen (14) day extension of time for Hakkasan to file its Reply to the Response to Motion to Dismiss (e.g. January 24, 2022, which is twenty-one (21) days from the Response due date). If necessary, the parties will submit a Separate Stipulation concerning the Reply.

MEMORANDUM OF POINTS AND AUTHORITIES

This appeal and Docket No. 82833 arise out of the same order in the same lower court case interpreting the same dispute resolution provision. In the lower court proceeding, Willis moved to strike Hakkasan's jury demand or, in the alternative, compel arbitration of all claims asserted against Willis based upon language contained in certain "Brokerage Terms, Conditions & Disclosures" between the parties the ("Motion to Enforce"). The lower court denied Willis' Motion to Enforce, prompting (1) this appeal based upon the lower court's refusal to compel arbitration; and (2) the filing of a writ petition in Case No. 82833 based upon the lower court's failure to strike the jury demand. This Court consolidated the appeal and writ petition, and directed Hakkasan to answer the writ petition.

On November 3, 2021, Hakkasan filed a combined response to the writ petition and Willis' Opening Brief. Separately, Hakkasan moved to dismiss the appeal. The deadline for Willis to file its NRAP 28(c) reply brief is currently December 3, 2021, and the deadline to oppose the Motion to Dismiss Appeal fell on November 10, 2021.

On November 8, 2021, the undersigned counsel contacted counsel for Hakksan to request an extension of time to January 3, 2022, to respond to the Motion to Dismiss Appeal and to concurrently file its reply brief in this appeal. Hakkasan assured Willis an extension of some kind would be agreed to, and over the next

several days, the parties simultaneously discussed extending certain discovery deadlines before the lower court. On November 11, 2021, the parties agreed that Willis could have an extension of time up to and including January 3, 2022, to file its substantive reply brief and to oppose Hakkasan's Motion to Dismiss Appeal. However, they were not able to finalize the details for that agreed extension until today.

Counsel believe that coordinating these briefing deadlines will serve the interests of judicial economy, as the subjects contained in Hakksan's Answering Brief and its Motion to Dismiss Appeal contain related and overlapping issues. Indeed, Hakkasan's substantive Answering Brief devotes substantial argument to the very same issues raised in the Motion to Dismiss Appeal. To that extent, the briefing is inextricably intertwined.

As this Motion is unopposed, Willis respectfully requests that this Court extend up to and including January 3, 2022, the deadlines for Willis to file its substantive reply brief, and to oppose Hakkasan's Motion to Dismiss Appeal.

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Willis thanks the Court for its time and attention to this matter.

DATED this 11th day of November, 2021.

/s/ Patrick J. Reilly

Patrick J. Reilly

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CERTIFICATE OF SERVICE

Pursuant to Nevada Rule of Appellate Procedure 25(b), I certify that I am an employee of BROWNSTEIN HYATT FARBER SCHRECK, LLP, and that the foregoing **UNOPPOSED MOTION TO EXTEND BRIEFING DEADLINES RE: REPLY BRIEF, TO OPPOSE RESPONDENT’S MOTION TO DISMISS APPEAL, AND RESPONDENT’S REPLY TO RESPONSE TO MOTION TO DISMISS** was served by submitting electronically for filing and/or service with Supreme Court of Nevada’s EFlex Filing system and serving all parties with an email address on record, as indicated below, pursuant to Rule 8 of the N.E.F.C.R. on the 11th day of November, 2021, to the addresses shown below:

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