

BRET O. WHIPPLE, ESQ.
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Elizabeth A. Brown
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

BETSY L. WHIPPLE, an individual and as
majority shareholder of WHIPPLE CATTLE
COMPANY, INC., a Nevada Corporation,

Plaintiff,

vs.

BRET O. WHIPPLE, individually AND AS
President and Director of WHIPPLE
CATTLE COMPANY, INC., a Nevada
Corporation; CODY K. WHIPPLE,
individually and as a Treasurer of WHIPPLE
CATTLE COMPANY, INC. a Nevada
Corporation; KIRT R. WHIPPLE,
individually and as Secretary of WHIPPLE
CATTLE COMPANY, INC., a Nevada
Corporation; JANE E. WHIPPLE, trustee of
JANE WHIPPLE FAMILY TRUST
and as managing member of KENT
WHIPPLE RANCH, LLC; JANE WHIPPLE
FAMILY TRUST; KENT WHIPPLE RANCH
LLC; KATHRYN WETZEL, individually,
WHIPPLE CATTLE COMPANY, INC., a
Nevada Corporation, DOE I thru X
inclusive, and ROE I thru X
inclusive.

Defendants.

SUPREME COURT CASE NO.:
82994 / 82964

DISTRICT COURT CASE NO.:
A-19-790929-B

**MOTION TO RESUME BRIEFING
SCHEDULE AND/OR FOR FULL
BRIEFING OF ISSUES ON APPEAL**

APPELLANTS' MOTION TO RESUME BRIEFING SCHEDULE

COMES NOW, the Non-WCC Defendants by and through his attorney, BRET O. WHIPPLE, ESQ., of JUSTICE LAW CENTER and moves this Honorable Court that the Full Briefing Schedule in this matter be reinstated and/or resumed by Order of this Court.

This Court previously set a Briefing Schedule for these two appeals, which set an Opening Brief deadline of 90 days following December 14, 2021. *See* Docket No. 21-35635. However, subsequently, this Court entered an Order Correcting that previous Order, indicating that "because this is a venue appeal, the directive to file briefs was entered in error and the briefing schedule set forth in that order is vacated. No further documents are due from the parties at this time." *See* Docket No. 22-00448.

However, this latter Order rested upon the incorrect premise that the only issue appealed in these two cases numbers is the issue of venue. In the combined Notices of Appeal filed, however, the parties appealing to this Court challenged three order: (1) The Order denying change of venue; (2) the Order denying reconsideration of the Order denying change of venue; and (3) the Order transferring the case to Business Court.

Therefore, although this Court indicates that briefing is not appropriate for a mere appeal of venue, as the pending appeals from the District Court in this case challenge more issues than just the Order pertaining to venue, the Appellants respectfully request an opportunity to fully brief the remaining issues on appeal.

Dated this 17th day of January, 2022.

/s/ Bret O. Whipple, Esq.
BRET O. WHIPPLE, ESQ.
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CERTIFICATE OF SERVICE

I hereby Certify that on this 17th day of January, 2022, I served the foregoing Motion upon all parties registered to receive electronic service in the above-captioned matter.

/s/ Michael Mee
On behalf of Justice Law Center