

In the Supreme Court of Nevada

WYETH RANCH
COMMUNITY
ASSOCIATION,
Appellant,

vs.

MARCHAI B.T, A NEVADA
BUSINESS TRUST,
Respondent.

Supreme Court Case No. 83069

District Court Case No. ~~168946~~ Electronically Filed
Oct 06 2021 03:12 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR EXTENSION OF TIME

Comes Now Appellant Wyeth Ranch Community Association (“Wyeth Ranch”), through its counsel the law firm of Lipson Neilson P.C., and files this Motion to Extend time to file its Opening Brief.

Wyeth Ranch through its undersigned counsel requested and was granted a telephonic extension on September 23, 2021 to file the opening brief on the current deadline of October 14, 2021. Wyeth Ranch’s undersigned counsel believed the telephonic extension on September 23, 2021 to be sufficient at the time, however, on September 30, 2021 Wyeth Ranch’s undersigned counsel had a death in his immediate family.¹ Pursuant to NRAP 26(b)(1)(B) the prior telephonic extension requires the filing of this motion and a demonstration of extraordinary and compelling circumstances for an additional extension of time. The unexpected death in undersigned counsel’s immediate family is extraordinary and compelling

¹ Undersigned counsel declares and affirms the statement to be true and correct.

circumstances to grant the extension. Wyeth Ranch seeks an additional thirty-day extension in which to file its opening brief. This motion is being filed prior to the current October 14, 2021 deadline.

The thirty-day extension has been discussed with opposing counsel for Marchai B.T., and opposing counsel is not opposed to the extension. *See* confirming emails attached hereto as Exhibit 1.

Based on the foregoing Wyeth Ranch requests a thirty-day extension to file its opening brief.

Dated this 6th day of October, 2021.

LIPSON NEILSON P.C.

/s/ David T. Ochoa

By: _____

KALEB D. ANDERSON, ESQ.
Nevada Bar No. 7582
DAVID T. OCHOA, ESQ.
Nevada Bar No. 10414
9900 Covington Cross Drive, Suite 120
Las Vegas, Nevada 89144

*Attorneys for Appellant
Wyeth Ranch Community Association*

CERTIFICATE OF SERVICE

I certify that on the 6th day of October, 2021, I electronically filed the foregoing **MOTION FOR EXTENSION OF TIME** via the Court's EFlex system, which shall be served in accordance with the Master Service List.

David J. Merrill, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145
david@djmerillpc.com

Attorney for Respondent Marchai, B.T.

/s/ Juan Cerezo

An Employee of LIPSON NEILSON P.C.

EXHIBIT 1

David Ochoa

From: David Merrill <david@djmerillpc.com>
Sent: Wednesday, October 6, 2021 2:20 PM
To: David Ochoa
Subject: Re: Wyeth Ranch Community Association adv. Marchai Appeal No.83069

David,

Please accept this email as confirmation that I am not opposed to the 30-day extension. Thank you.

On Wed, Oct 6, 2021 at 2:19 PM David Ochoa <DOchoa@lipsonneilson.com> wrote:

David,

This email is to confirm our prior email discussion regarding a 30-day extension on the deadline to file our opening brief in above referenced matter, and the circumstances around the requested extension. Please confirm you are not opposed to the 30-day extension.

Thank you,

David



David Ochoa, Esq.

Lipson Neilson P.C.
9900 Covington Cross Drive, Suite 120

Las Vegas, Nevada 89144

702-382-1500

702-382-1512 (fax)

E-Mail: dochoa@lipsonneilson.com

Website: www.lipsonneilson.com

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David J. Merrill
David J. Merrill, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, Nevada 89145
Office: (702) 566-1935
Mobile: (702) 577-0268
Fax: (702) 993-8841