

**IN THE SUPREME COURT
OF THE STATE OF NEVADA**

PHILIP J. FAGAN, JR., as Trustee of
the
PHILIP J. FAGAN, JR. 2001 TRUST,

Petitioner,

v.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF
NEVADA, IN AND FOR, THE
COUNTY OF CLARK, AND THE
HONORABLE ERIKA BALLOU,
DISTRICT JUDGE

Respondent,

and

AAL-JAY, INC., a Nevada corporation

Real Party in Interest.,

Electronically Filed
Apr 18 2022 05:37 p.m.
Case No. 83442 Elizabeth A. Brown
Clerk of Supreme Court

**MOTION TO EXTEND TIME TO
FILE PETITION FOR REHEARING**

Pursuant to Nevada Rule of Appellate Procedure 26(b)(1), Petitioner PHILIP J. FAGAN, JR., as Trustee of the PHILIP J. FAGAN, JR., 2001 TRUST. respectfully move this Court for a one (1) day extension of time, to and including, April 19, 2022, in which to file its petition for rehearing in this matter.

The petition was originally due on April 4, 2022. Petitioner sought and obtained a telephonic extension up to and including April 18, 2022 to file for

1 rehearing.

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3 Despite counsel for petitioner submitting the petition for rehearing four (4)
4 times, the petition continues to be rejected by the e-flex system. Counsel for
5 petitioner spoke, by phone, to the Supreme Court Clerk's office, which instructed
6 counsel to create a new filing and resubmit the petition. However, that attempt
7 was also rejected by the system without explanation. Accordingly, counsel for
8 petitioner has attempted, in good faith and following numerous attempts, to comply
9 with the current April 18, 2022 deadline. As the Clerk's office has since closed, no
10 further assistance may be sought until business hours tomorrow, April 19, 2022.
11 No significant delay of this matter or prejudice will result from such an extension.

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13 For these reasons, Petitioner respectfully requests that this motion be granted
14 and allowed until and including April 19, 2022, in which to file its Petition for
15 Rehearing.

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17 Dated this 18th day of April, 2022.

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21 **BLACK & WADHAMS**

22 s/ Allison R. Schmidt

23 Allison R. Schmidt, Esq.

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28 *Attorney for Petitioner*

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of April, 2022, that I served a copy of the foregoing document upon all counsel of record electronically via the Court's eflex-eFile and e-serve system, and to the following:

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/s/ Marsha Stallsworth
An Employee of Black & Wadham