

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

DAVID GARVEY, M.D., AN  
INDIVIDUAL,

Petitioner,

vs.

THE FOURTH JUDICIAL DISTRICT  
COURT OF THE STATE OF  
NEVADA, IN AND FOR THE  
COUNTY OF ELKO; AND THE  
HONORABLE KRISTON N. HILL,  
DISTRICT JUDGE,

Respondents,

and

DIANE SCHWARTZ, INDIVIDUALLY  
AND AS SPECIAL ADMINISTRATOR  
OF THE ESTATE OF DOUGLAS R.  
SCHWARTZ,

Real Party in Interest.

No. 83533

Electronically Filed  
Dec 13 2021 05:36 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**MOTION FOR EXTENSION OF TIME TO FILE  
REAL PARTY IN INTEREST’S ANSWER TO PETITION FOR  
WRIT OF MANDAMUS  
(Second Request)**

Real Party in Interest, Diane Schwartz, individually and as special administrator of the Estate of Douglas R. Schwartz (“Schwartz”), by and through her counsel of record, respectfully moves this Honorable Court, pursuant to NRAP 26, for an extension of two weeks in which to file Schwartz’s answer to petition for a writ of mandamus.

Schwartz's answer was originally due on November 12, 2021. This is her second motion for extension of time. No request for additional time has been denied or denied in part. If this Court grants this request for an extension of two weeks, Schwartz's answer will be due on Monday, December 27, 2021.

Good cause exists to grant the requested extension for the following reasons:

1. Schwartz's appellate counsel, David P. Snyder, Esq., who is the principal drafter in this case was unexpectedly pulled into a jury trial from November 10 to 19 in Clark County, Nevada, District Court in *Lane v. Cervantes*, Case No. A-16-738159-C.

2. Thereafter, the appellate team at Claggett & Sykes were exposed to a positive COVID-19 test from an employee at the firm. In accordance with CDC guidelines, the team was mandated to self-quarantine at home for one week and produce a negative COVID test before returning to the office. These unexpected events caused an unforeseen delay in the completion of Schwartz's answer.

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This motion is submitted in good faith and for good cause shown in accordance with NRAP 26(b)(1)(A). For the foregoing reasons, Schwartz respectfully requests a two-week extension of time, until December 27, 2021, within which to file and serve her answer to the petition for a writ of mandamus.

DATED this 13th day of December 2021.

CLAGGETT & SYKES LAW FIRM

By /s/ Micah S. Echols  
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*Attorneys for Real Party in Interest,  
Diane Schwartz*

## CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing **MOTION FOR EXTENSION OF TIME TO FILE REAL PARTY IN INTEREST'S ANSWER TO PETITION FOR WRIT OF MANDAMUS (Second Request)** with the Supreme Court of Nevada on the 13th day of December 2021. I will electronically serve the foregoing document in accordance with the Master Service List as follows:

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I further certify that the foregoing document was mailed via U.S. mail to the following:

Hon. Kriston N. Hill Kathleen E. Delaney, District Court Judge  
Fourth Judicial District Court, Department 1  
571 Idaho Street, Elko, Nevada 89801

/s/ Anna Gresl  
Anna Gresl, an employee of  
CLAGGETT & SYKES LAW FIRM