

IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed
Sep 02 2022 01:31 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

SARAH JANEEN ROSE,

Appellant,

vs.

DAVID JOHN ROSE,

Respondent.

S.C. No.: 84295
D.C. No.: D-17-547250-D

MOTION TO EXTEND TIME
(Second Request by Motion/Telephonic Request Granted)

Attorney for Appellant:

Racheal H. Mastel, Esq.
Nevada Bar No. 11646
KAINEN LAW GROUP PLLC
3303 Novat Street, Suite 200
Las Vegas, Nevada 89129
(702) 823-4900
Email: service@kainenlawgroup.com

Attorney for Respondent

Shelley Lubritz, Esq.
Nevada Bar No. 5410
LAW OFFICE OF SHELLEY
LUBRITZ, PLLC
375 East Warm Springs Rd., Suite 104
Las Vegas, Nevada 89119
(702) 833-1300
Email: shelley@lubritzlawoffice.com

NRAP 26.1 DISCLOSURE STATEMENT

The undersigned counsel certifies that the following are persons and entities as described in NRAP 26.1(a) and must be disclosed. These representations are made in order that the Judges of this Court may evaluate possible disqualification or recusal. In the course of these proceedings leading up to this appeal, Respondent has been represented by the following attorneys:

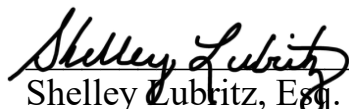
- a. Shelley Lubritz, Esq. LAW OFFICE OF SHELLEY LUBRITZ, PLLC, appellate attorney for Respondent/Plaintiff.
- b. Regina M. McConnell, Esq., McCONNELL, LTD., former attorney for Respondent/Plaintiff.

There are no corporations, entities, or publicly held companies that own 10% or more of Respondent's stock or business interests.

Dated this 2nd day of September, 2022.

Respectfully submitted:

LAW OFFICE OF SHELLEY LUBRITZ, PLLC


Shelley Lubritz, Esq.
Nevada Bar No. 5410
375 E. Warm Springs Road, Suite 104
Las Vegas, Nevada 89119
shelley@lubritzlawoffice.com
Attorney for Respondent

MOTION TO EXTEND TIME
(Second Request by Motion/Telephonic Request Granted)

Respondent hereby moves for an extension of time to file his Answering Brief, which is due September 9, 2022. The Brief was originally due July 12, 2022. A 14-day telephonic extension was granted. A first request by Motion for an extension of time was denied by this Court on August 26, 2022. However, the Court did give the undersigned an additional fourteen (14) days to respond.

The undersigned does not wish to offend the Court and means no disrespect by this second request. That said, on September 2, 2022, the undersigned tested positive for SARS CoV 2 VIRUS (COVID-19). A copy of the MOLECULAR RT-PCR plus FLU A, FLU B and RSV is attached to this Motion as Exhibit “1” and is incorporated herein by this reference.

Therefore, Respondent respectfully requests a seven (7) day extension of time within which to file his Answering Brief through and including, September 23, 2022.

...

...

...

...

...

...

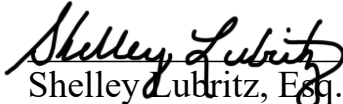
...

This motion is made in good faith and without the intent to delay the appeal unnecessarily.

Dated this 2nd day of September, 2022.

Respectfully submitted:

LAW OFFICE OF SHELLEY LUBRITZ, PLLC


Shelley Lubritz, Esq.
Nevada Bar No. 5410
375 E. Warm Springs Road, Suite 104
Las Vegas, Nevada 89119
shelley@lubritzlawoffice.com
Attorney for Respondent

CERTIFICATE OF SERVICE

I certify on the 2nd day of September, 2022, pursuant to N.E.F.R. 7, I caused the **MOTION TO EXTEND TIME** to be filed electronically with the Clerk of the Nevada Supreme Court. Pursuant to N.E.F.R. 9, notice of an electronically filed document by the Court “shall be considered as valid and effective service of the document” on the below listed persons who are registered users.

RACHEAL H. MASTEL, ESQ.
NEVADA BAR NO. 11646
3303 NOVAT STREET, SUITE 200
LAS VEGAS, NEVADA 89129
ATTORNEY FOR APPELLANT

Dated this 2nd day of September, 2022.

LAW OFFICE OF SHELLEY LUBRITZ, PLLC

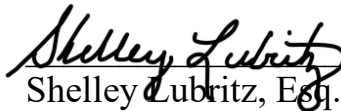

Shelley Lubritz, Esq.
Nevada Bar No. 5410
375 E. Warm Springs Road, Suite 104
Las Vegas, Nevada 89119
shelley@lubritzlawoffice.com
Attorney for Respondent

Exhibit “1”

Patient ID: [REDACTED]

NAME: Shelley Lubritz

DOB: [REDACTED] Age: [REDACTED] Sex: [REDACTED] (M/F) Race: [REDACTED]

Address: [REDACTED]

City: [REDACTED] ST: [REDACTED] ZIP: [REDACTED]

Phone: [REDACTED]

County: Clark

Hispanic/Latino (Y/N): N



Collected:	9/2/2022	Time:	10:27 AM
Received:	9/2/2022	Time:	11:05 AM
Reported:	9/2/2022	Time:	11:12 AM

Report Status: FINAL

ANALYTE - RESULT SARS CoV 2 VIRUS (COVID-19) MOLECULAR RT-PCR plus FLU A, FLU B and RSV

Testing was performed using the Cepheid Gene Xpert Xpress SARS RT-PCR Molecular test.

☐ NOT DETECTED - NEGATIVE☒ DETECTED - POSITIVE (only if Checked)**CORONAVIRUSCOV19 - MOLECULAR IMMUNOLOGY/DIAGNOSTICS/NAAT/RT-PCR**

Testing was performed using the Cepheid Gene Xpert Xpress Real-Time PCR Covid-19 Assay. Negative results do not preclude SARS-CoV-2 infection and should not be used as the sole basis for patient management decisions. Negative results must be combined with clinical observations, patient history, and epidemiological information. **A negative result does not rule out the possibility of COVID-19 and should not be used as the sole basis for treatment or patient management decisions.** False-negative results may occur if the virus is present at a level that is below the analytical sensitivity of the assay or if the virus has genomic mutations, insertions, deletions or rearrangements if performed very early in the course of illness.

As with other tests, false-positive results may occur. Repeat testing or testing with a different device may be indicated in some settings.

A Detected (positive) test result for this test means that SARS-CoV-2 Virus was present in the specimen above the limit of detection

This is a qualitative test and does not provide the quantitative value of detected organisms present.

This test has not been FDA cleared or approved. It has been authorized by the FDA under an Emergency Use Authorization (EUA). This test is only authorized for the duration of time declaration that circumstances exist justifying the authorization of the emergency use of in-vitro diagnostic tests for the detection of SARS-CoV-1 virus and/or diagnosis of COVID-19 infection under Section 564(b)(1) of the ACT 21 U.S.C. 360bbb-3(b)(1), unless the authorization is terminated or revoked.

☒ FLU A NOT DETECTED - NEGATIVE☒ FLU B NOT DETECTED - NEGATIVE☒ RSV NOT DETECTED - NEGATIVE

A Not Detected (negative) test result for this test means that Influenza A/B or RSV (respiratory) VIRUS was NOT present in the specimen above the limit of detection. A negative result does not rule out the possibility of Influenza or a RSV infection and should not be used as the sole basis for treatment or patient management decisions.

☐ FLU A DETECTED - POSITIVE☐ FLU B DETECTED - POSITIVE☐ RSV DETECTED - POSITIVE

A Detected (positive) test result for this test means that Influenza A/B or RSV (respiratory) VIRUS was present in the specimen above the limit of detection. The patient should contact their medical provider for treatment.

Nevada State Laboratory License: 11055-EXL-0, Dr. Caroline Matzinger, MD Lab Director

Collection Site

IC Labs, LLC, 1730 W Horizon Ridge Pkwy. #100, Henderson, NV 89012