

IN THE SUPREME COURT OF THE STATE OF NEVADA

ESTATE OF REBECCA POWELL,
THROUGH BRIAN POWELL, AS
SPECIAL ADMINISTRATOR; DARCI
CREECY, INDIVIDUALLY AND AS
HEIR; TARYN CREECY,
INDIVIDUALLY AND AS HEIR;
ISAIAH KHOSROF, INDIVIDUALLY
AND AS HEIR; AND LLOYD
CREECY, INDIVIDUALLY,

Appellants,

vs.

VALLEY HEALTH SYSTEM, LLC,
D/B/A CENTENNIAL HILLS
HOSPITAL MEDICAL CENTER, A
FOREIGN LIMITED LIABILITY
COMPANY,

Respondent.

Supreme Court No. 84861
District Court Case No. A-19-788787-C

Electronically Filed
Jan 10 2023 03:04 PM
Elizabeth A. Brown
Clerk of Supreme Court

**RESPONDENT'S OPPOSITION TO APPELLANTS' MOTION FOR
THIRD EXTENSION OF TIME TO FILE OPENING BRIEF**

S. BRENT VOGEL
Nevada Bar No. 6858
ADAM GARTH
Nevada Bar No. 15045
Lewis Brisbois Bisgaard & Smith LLP
6385 South Rainbow Boulevard, Suite 600
Las Vegas, Nevada 89118
Telephone: 702-893-3383
Facsimile: 702-893-3789
Attorneys for Respondent

MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

Appellants (“Plaintiffs”) are engaged in a campaign of delay in this Court and in the District Court, misleading the respective tribunals with claims of medical excuses while at the same time trying a case during the supposed convalescence period. Plaintiffs have been afforded every courtesy by Respondent (“VHS”) in this matter, and has been extended every courtesy by this Court and the District Court in their multiple requests for extensions on every appeal and motion made in the last several months. The truth is, Plaintiffs were supposed to have filed their opening brief in September, 2022, which briefing was suspended due to the required Supreme Court Settlement Conference. The issues on appeal arise from an order issued in June, 2022, and now, **seven months later**, Plaintiffs are on their third request for an extension on their opening brief, and requests for extensions on VHS’s motion to increase the supersedeas bond. Every request has been granted by this Court. Plaintiffs should not be extended any further time to file their brief and their appeal should be dismissed in its entirety.

Plaintiffs’ appellate brief in this case was first due on October 25, 2022, after an unsuccessful settlement conference (**Exhibit “A”**). As evidenced by the email exchange, Plaintiffs requested a 60 day extension (until December 26, 2022), and VHS agreed to provide Plaintiffs a 30 day extension (**Exhibit “A”**). The day after

requesting their extension, Plaintiffs' counsel emailed our office at 2:21 p.m. the day before a hearing was ordered by the District Court for a judgment debtors' examination of Plaintiffs to advise us that none of Plaintiffs would be appearing in defiance of the District Court's order (**Exhibit "B"**).¹ One hour later, Plaintiffs' counsel advised that the requested 60-day extension (which VHS consented to give 30 days) was unnecessary since Plaintiffs' counsel obtained an automatic 14-day extension from this Court (**Exhibit "C"**).

After obtaining their 14-day extension to file their brief, on October 26, 2022, Plaintiffs sought another 60-day extension (**Exhibit "D"**), this time claiming a medical excuse, out of town medical appointments, and an extended convalescence as justification for this request. After VHS agreed to the additional 60-day extension (74 days from original due date after briefing was reinstated by this Court), Plaintiffs obtained VHS's consent to file a joint motion for said extension, referring to the medical excuse to obtain VHS's consent (**Exhibit "E"**), which motion was granted and Plaintiffs had until January 9, 2022 to file their brief.

This Court's order of November 4, 2022 (**Exhibit "F"**) states in no uncertain

¹ Plaintiffs further failed to comply with the District Court's order to supply required discovery 2 weeks in advance of the September 28, 2022 judgment debtors' examination, but the order to do so as well as any appearances for the examination were eventually stayed by the District Court pending the outcome of the instant appeal.

terms, “No further extensions of time shall be permitted absent demonstration of extraordinary and compelling circumstances. *Id.* Counsel's caseload normally will not be deemed such a circumstance. *Cf. Varnurn v. Grady*, 90 Nev. 374, 528 P.2d 1027 (1974). Failure to timely file the opening brief and appendix may result in the imposition of sanctions, including the dismissal of this appeal. NRAP 31(d).”

Instead of filing their opening brief and appendix as ordered, for which no further extensions would be granted absent the extraordinary and compelling circumstances noted by this Court, Plaintiffs’ counsel attempts a **third** extension, looking to extend their original 90 days by another 89 days, for a total of 179 days to file an appeal.

As if Plaintiffs’ request is not nonsensical enough on its face, Plaintiffs moved to extend their time to oppose VHS’s motion to increase Plaintiffs’ appeal bond to reflect the amount of the entered judgment against them. Despite the claims of medical issues and extended convalescence during the very period for which the extension was sought, Plaintiffs requested an additional month’s extension to oppose VHS’s pending motion. In Plaintiffs’ request, the excuse proffered by Mr. Padda, Plaintiffs’ counsel, is that he has been on trial since November 28, 2022 (**Exhibit “G”**) (curiously coinciding with the extended convalescence period the subject of which got him multiple extensions to file his appellants’ brief in this matter), combined with the misleading statement that the pending motion is over 500 pages.

While technically true that the motion and exhibits exceeds 500 pages, the motion itself is only 10 pages, and speaks to the very issues addressed by Plaintiffs themselves in the Court below, only this time, with accurate citations to the case law (unlike Plaintiffs did in the Court below). Again, this Court acceded to Plaintiffs' counsel's request, but extending their opposition on deadline on VHS's motion until December 23, 2022 with VHS required to speedily reply by December 30, 2022 (**Exhibit "H"**).

At every turn, Plaintiffs have sought to delay the day of reckoning here. They misled the Court below in opposition to VHS's summary judgment motion, and it was this Court which prevented that from going further, having overruled the District Court and granted summary judgment. Thereafter, they failed to timely object to the memorandum of costs in the Court below, but nevertheless requested a "do over" which was denied. Plaintiffs thereafter filed what will be demonstrated to be a baseless appeal (which brief has yet to be filed). **Plaintiffs' counsel is on his third extension of time to file Plaintiffs' brief**, claiming a medical excuse, but now it is clear that he was going to trial, presenting this medical excuse to our firm and this Court to obtain his extension, only to dip into his haversack of pity to this Court seeking more courtesies while mispresenting his real motive – he has insufficient assistance and wherewithal to produce the required appellate filing.

Plaintiffs' counsel and his clients disobeyed District Court orders to produce

documents and appear for a judgment debtors' examination, and the day before the hearing, indicated they would not appear in defiance of that order, and filed an after business hours motion to stay enforcement of any collection proceedings.

Now, on the day their brief and appendix are due, Plaintiffs request an additional 15 days to file, when this Court gave them adequate notice that further extensions, absent exigent circumstances, would not be permitted. There are no exigent circumstances here. Plaintiffs' counsel is playing this Court and the District Court to garner sympathy and delaying his obligations to all parties and the Courts. Enough is enough. Instead of actually doing the work, they wasted everyone's time requesting extension after extension, to delay the case for VHS. Plaintiffs' motion to extend should not be granted.

The deadlines in this case were well known to Plaintiffs. They could have and should have filed their brief before the original 90 day period was ordered if they were so concerned that an injustice was done. The rules do not forbid an early appellate filing. If they are not interested in timely prosecuting their appeal, this Court should not be giving them more opportunities to do it. The fact that Plaintiffs' counsel moved for this relief on the due date for his brief, without even so much as requesting a stipulated extension is further demonstration of the disingenuity of this attorney. He clearly knew that his favor well was exhausted, and rather than asking for a stipulation, hopes this Court will have more pity on him and grant the extension.

This nonsense cannot go on any longer.

II. LEGAL ARGUMENT

All motions for extension of time must establish good cause for the requested extension and must be served on all parties. See NRAP 26(b)(1)(A); NRAP 27(a)(2). As the evidence submitted herewith demonstrates, the question of the Plaintiffs' counsel's candor with his adversary as well as with this Court is certainly concerning. The evidence demonstrates that multiple extensions of time to file Plaintiffs' underlying brief in this matter were obtained on the premise that Mr. Padda was experiencing serious medical issues requiring out of state treatment and extended convalescence. In the very middle of that supposed convalescence is a trial for which he now claims is his excuse for requesting this extension.

He has requested three extensions to file this opening brief, and an extension to oppose the now pending VHS motion before this Court. Plaintiffs' counsel squandered his extension requests and instead of substantively dealing with the legal issues involved in filing the necessary appeal, he chose instead to ask this Court for another judicial lifeline at VHS's expense. The questionable conduct in obtaining and requesting extensions by Plaintiffs' counsel throughout this litigation should not be countenanced any further, his request should be denied and Plaintiffs' appeal should be dismissed as noted in the Court's November 4, 2022 order.

III. CONCLUSION

Given the evidence submitted herewith, Plaintiffs' motion should be denied in its entirety and their appeal should be dismissed in its entirety with prejudice.

DATED this 10th day of January, 2023.

LEWIS BRISBOIS BISGAARD &
SMITH LLP

By /s/ Adam Garth

S. BRENT VOGEL

Nevada Bar No. 006858

ADAM GARTH

Nevada Bar No. 15045

6385 S. Rainbow Boulevard, Suite 600

Las Vegas, Nevada 89118

Tel. 702.893.3383

*Attorneys for Respondent Valley Health
System, LLC*

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of January, 2023, a true and correct copy of **RESPONDENT'S OPPOSITION TO APPELLANTS' MOTION FOR THIRD EXTENSION OF TIME TO FILE OPENING BRIEF** was served upon the following parties by electronic service through this Court's electronic service system and also by placing a true and correct copy thereof in the United States Mail in Las Vegas, Nevada with first class postage fully prepaid.

Paul S. Padda, Esq.
PAUL PADDA LAW, PLLC
4560 S. Decatur Blvd., Suite 300
Las Vegas, NV 89103
Tel: 702.366.1888
Fax: 702.366.1940
psp@paulpaddalaw.com
Attorneys for Plaintiffs

By /s/ Gaylene Kim-Mistrille
An Employee of
LEWIS BRISBOIS BISGAARD &
SMITH LLP

EXHIBIT A

From: [Garth, Adam](#)
To: [Srilata Shah](#)
Cc: [Paul Padda](#); [Shelbi Schram](#); [Vogel, Brent](#); [Brown, Heidi](#); [San Juan, Maria](#); [DeSario, Kimberly](#)
Subject: RE: Re: Estate of Rebecca Powell - Request for extension to file appellate brief
Date: Tuesday, September 27, 2022 9:10:40 AM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)

We will agree to a 30 day extension. If that works for you, please prepare stipulation for our review prior to submission. Thanks.

Adam Garth

From: Srilata Shah <sri@paulpaddalaw.com>
Sent: Monday, September 26, 2022 3:10 PM
To: Garth, Adam <Adam.Garth@lewisbrisbois.com>
Cc: Paul Padda <psp@paulpaddalaw.com>; Shelbi Schram <shelbi@paulpaddalaw.com>; Vogel, Brent <Brent.Vogel@lewisbrisbois.com>
Subject: [EXT] Re: Estate of Rebecca Powell - Request for extension to file appellate brief

Dear Mr. Garth:

Our appellate brief is due on October 25, 2022. We are requesting a 60-day extension through December 26, 2022, to file our brief. We will forward a Stipulation Extending the Deadline if you are amenable to granting us the extension. Thank you. Sri

Srilata Shah, Esq.

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Mailing Address For All Offices:

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Las Vegas, Nevada 89173



PAUL PADDA LAW

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EXHIBIT B

From: [Paul Padda](#)
To: [Garth, Adam](#); [Srilata Shah](#); [Vogel, Brent](#)
Cc: [Lani Esteban-Trinidad](#)
Subject: [EXT] Re: Estate of Rebecca Powell
Date: Tuesday, September 27, 2022 2:21:00 PM
Attachments: [image.png](#)



Dear Messrs. Vogel and Garth,

I am writing to advise that none of the respondents in your Judgment Debtor proceeding will be able to appear tomorrow. As you know, they have very limited financial means and are unable to travel to Las Vegas. In fact, to my knowledge, they haven't stepped foot in Nevada since the passing of Rebecca Powell. I am providing this in advance to avoid any inconvenience. I will also be seeking relief from the Court regarding the same.

Regards,
Paul Padda

Paul S. Padda, Esq.

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EXHIBIT C

From: [Srilata Shah](#)
To: [Garth, Adam](#)
Cc: [Paul Padda](#); [Shelbi Schram](#); [Vogel, Brent](#); [Brown, Heidi](#); [San Juan, Maria](#); [DeSario, Kimberly](#)
Subject: [EXT] RE: Re: Estate of Rebecca Powell - Request for extension to file appellate brief
Date: Tuesday, September 27, 2022 3:10:47 PM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)



Dear Mr. Garth:

Thank you for your prompt response to my email and agreeing to a 30-day extension. Paul reached out to the Court and was granted a 14-day extension. We should be able to file our brief withing the time granted by the Court. Thank you again for your professional courtesy. Sri

Srilata Shah, Esq.

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From: Garth, Adam <Adam.Garth@lewisbrisbois.com>

Sent: Tuesday, September 27, 2022 9:11 AM

To: Srilata Shah <sri@paulpaddalaw.com>

Cc: Paul Padda <psp@paulpaddalaw.com>; Shelbi Schram <shelbi@paulpaddalaw.com>; Vogel, Brent <Brent.Vogel@lewisbrisbois.com>; Brown, Heidi <Heidi.Brown@lewisbrisbois.com>; San Juan, Maria <Maria.SanJuan@lewisbrisbois.com>; DeSario, Kimberly <Kimberly.DeSario@lewisbrisbois.com>

Subject: RE: Re: Estate of Rebecca Powell - Request for extension to file appellate brief

We will agree to a 30 day extension. If that works for you, please prepare stipulation for our review prior to submission.
Thanks.

Adam Garth



Adam Garth
Partner
Adam.Garth@lewisbrisbois.com

T: 702.693.4335 F: 702.366.9563

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From: Srilata Shah <sri@paulpaddalaw.com>

Sent: Monday, September 26, 2022 3:10 PM

To: Garth, Adam <Adam.Garth@lewisbrisbois.com>

Cc: Paul Padda <psp@paulpaddalaw.com>; Shelbi Schram <shelbi@paulpaddalaw.com>; Vogel, Brent <Brent.Vogel@lewisbrisbois.com>

Subject: [EXT] Re: Estate of Rebecca Powell - Request for extension to file appellate brief

Dear Mr. Garth:

Our appellate brief is due on October 25, 2022. We are requesting a 60-day extension through December 26, 2022, to file our brief. We will forward a Stipulation Extending the Deadline if you are amenable to granting us the extension. Thank you. Sri

Srilata Shah, Esq.

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EXHIBIT D

From: [Paul Padda](#)
To: [Garth, Adam](#); [Vogel, Brent](#)
Cc: [Brown, Heidi](#); [DeSario, Kimberly](#)
Subject: [EXT] RE: Re: Powell v. UHS -- NV Supreme Court
Date: Wednesday, October 26, 2022 3:34:48 PM
Attachments: [image001.png](#)
[image002.png](#)



Thank you. Yes, I will extend reciprocal courtesy.

Paul S. Padda, Esq.

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From: Garth, Adam <Adam.Garth@lewisbrisbois.com>
Sent: Wednesday, October 26, 2022 3:33 PM
To: Paul Padda <psp@paulpaddalaw.com>; Vogel, Brent <Brent.Vogel@lewisbrisbois.com>
Cc: Brown, Heidi <Heidi.Brown@lewisbrisbois.com>; DeSario, Kimberly <Kimberly.DeSario@lewisbrisbois.com>
Subject: RE: Re: Powell v. UHS -- NV Supreme Court

As a professional courtesy, we will agree to the 60 day extension with the proviso that given the timing of your brief and our current trial schedule, we may need an extension of time on our respondent's brief and if we require the same courtesy, we want your assurance that we will get the same in return.

Adam Garth

Adam Garth
Partner

Adam.Garth@lewisbrisbois.com



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From: Paul Padda <psp@paulpaddalaw.com>

Sent: Wednesday, October 26, 2022 1:54 PM

To: Garth, Adam <Adam.Garth@lewisbrisbois.com>; Vogel, Brent <Brent.Vogel@lewisbrisbois.com>

Cc: Brown, Heidi <Heidi.Brown@lewisbrisbois.com>; DeSario, Kimberly <Kimberly.DeSario@lewisbrisbois.com>

Subject: [EXT] RE: Powell v. UHS -- NV Supreme Court

Thank you. I requested 60-days taking into account my personal circumstances which involve medical issues. I appreciate the agreement to 30-days but that will not be sufficient given my circumstances. I requested 60-days for a reason. As for the previous 14-day request, that was requested at that time with the anticipation I would be able to meet the deadline. Unfortunately, things have arisen that require I attend to my health. Please reconsider and let me know. Thanks.

Paul S. Padda, Esq.

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From: Garth, Adam <Adam.Garth@lewisbrisbois.com>
Sent: Wednesday, October 26, 2022 1:48 PM
To: Paul Padda <psp@paulpaddalaw.com>; Vogel, Brent <Brent.Vogel@lewisbrisbois.com>
Cc: Brown, Heidi <Heidi.Brown@lewisbrisbois.com>; DeSario, Kimberly <Kimberly.DeSario@lewisbrisbois.com>
Subject: RE: Re: Powell v. UHS -- NV Supreme Court

We will agree to a 30 day extension if you would like to prepare the stipulation to extend on that basis.

As we understand it, your associate requested a 60 day extension on 9/26 to go until 12/26. At that time, we agreed to a 30 day extension which your firm chose not to pursue and instead sought the 14 day extension from the court. You have already had 3 ½ months to file your brief from the time the schedule was reinstated and months before that with time wasted for settlement conferences.

While we are understanding of your medical issues, this matter has been dragged out for years and we are consistently asked to extend professional courtesies to your office while our time has not been respected.

Let us know if the 30 days is acceptable.



Adam Garth
Partner
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From: Paul Padda <psp@paulpaddalaw.com>
Sent: Wednesday, October 26, 2022 1:36 PM
To: Vogel, Brent <Brent.Vogel@lewisbrisbois.com>; Garth, Adam <Adam.Garth@lewisbrisbois.com>
Subject: [EXT] Re: Powell v. UHS -- NV Supreme Court

Counsel, I have a medical procedure I will need to get and will be out of town prior to the Opening Brief being due. Please advise if you are willing to agree to a 60-day extension of time for Appellants to file an Opening Brief. Currently, our brief is due on November 9, 2022. Please let me know your position by 3 pm tomorrow. Thanks.

Paul S. Padda, Esq.

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EXHIBIT E

IN THE SUPREME COURT OF THE STATE OF NEVADA

ESTATE OF REBECCA
POWELL, through Brian Powell as
Special Administrator; DARCI
CREECY, individually; TARYN
CREECY, individually; ISALAH
KHOSROF, individually; LLOYD
CREECY, individually,

Appellants,

vs.

VALLEY HEALTH SYSTEM,
LLC (doing business as
“Centennial Hills Hospital Medical
Center”),

Respondent.

Electronically Filed
Oct 31 2022 01:21 PM
Elizabeth A. Brown
Clerk of Supreme Court

Appeal No. 84861

**JOINT MOTION TO PERMIT APPELLANTS ADDITIONAL
TIME TO FILE AN OPENING BRIEF**

Pursuant to Nevada Rules of Appellate Procedure 26(b), 27 and 31,
Appellants and Respondent Valley Health System, LLC, by and through
their respective counsel, respectfully request that the Court grant this
motion to permit Appellants sixty (60) additional days (or until January
9, 2023) to file an Opening Brief in this case. Currently, Appellants’

Page 1 of 4

Opening Brief is due on November 9, 2022. In support of this motion, the parties rely upon the following:

1. Counsel for Appellants has communicated to counsel for Respondent that he is required to travel out of state due to medical circumstances prior to the current filing deadline of Appellants' Opening Brief. Because of these circumstances and the need to attend to serious health considerations, both before and after the current deadline, counsel for Appellants will not be able to meet the present deadline and will need additional time to file the Opening Brief.

2. The parties have communicated regarding this motion and the circumstances necessitating this additional request for more time to file an Opening Brief. The parties agree that permitting counsel for Appellants an additional 60-days, or until January 9, 2023, to file the Opening Brief is reasonable and warranted under the extraordinary circumstances set forth herein involving the health of Appellants' counsel. As reflected in the Court's record, counsel for Appellants has

only requested one prior extension of 14-days. This is Appellants' counsel's second request for an extension.

Based upon the foregoing, the parties jointly request (*see* Exhibit A) that the Court grant this motion and permit Appellants to file their Opening Brief on or before January 9, 2023.

Respectfully submitted,

/s/ *Adam Garth*

/s/ *Paul S. Padda*

S. Brent Vogel, Esq.
Adam Garth, Esq.
Attorneys for Respondent

Paul S. Padda, Esq.
Attorney for Appellants

Dated: October 31, 2022

Dated: October 31, 2022

CERTIFICATE OF SERVICE

Pursuant to the Nevada Rules of Appellate Procedure, I hereby certify that on this day, October 31, 2022, the foregoing document entitled **JOINT MOTION TO PERMIT APPELLANTS ADDITIONAL TIME TO FILE AN ANSWERING BRIEF** was filed with the Supreme Court of Nevada through its electronic filing system. Service of the foregoing document shall be made in accordance with the Master Service List upon all registered parties and/or participants and their counsel.

/s/ Shelbi Schram

Shelbi Schram, Paralegal

EXHIBIT A

EXHIBIT A

Paul Padda

From: Paul Padda
Sent: Monday, October 31, 2022 8:22 AM
To: Garth, Adam; Vogel, Brent
Subject: Re: Motion for Extension - Powell et. al. v. Valley Health

Ok. Apologies to Brent for that typo.

Get [Outlook for iOS](#)

From: Garth, Adam <Adam.Garth@lewisbrisbois.com>
Sent: Monday, October 31, 2022 8:03:07 AM
To: Paul Padda <psp@paulpaddalaw.com>; Vogel, Brent <Brent.Vogel@lewisbrisbois.com>
Subject: RE: Motion for Extension - Powell et. al. v. Valley Health

Other than changing Brent's first initial from J to S, you may use my e-signature.



Adam Garth
Partner
Adam.Garth@lewisbrisbois.com
T: 702.693.4335 F: 702.366.9563

6385 South Rainbow Blvd., Suite 600, Las Vegas, NV 89118 | LewisBrisbois.com

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From: Paul Padda <psp@paulpaddalaw.com>
Sent: Friday, October 28, 2022 3:46 PM
To: Vogel, Brent <Brent.Vogel@lewisbrisbois.com>; Garth, Adam <Adam.Garth@lewisbrisbois.com>
Subject: [EXT] Re: Motion for Extension - Powell et. al. v. Valley Health

Counsel, please review and let me know if I have your consent to file.

Paul S. Padda, Esq.
PAUL PADDALAW, PLLC
(702) 366-1888
paulpaddalaw.com

Nevada Physical Office:
4560 South Decatur Blvd, Suite 300
Las Vegas, Nevada 89103
Tele: (702) 366-1888

California Physical Office:

EXHIBIT F

IN THE SUPREME COURT OF THE STATE OF NEVADA

ESTATE OF REBECCA POWELL,
THROUGH BRIAN POWELL, AS
SPECIAL ADMINISTRATOR; DARCI
CREECY, INDIVIDUALLY AND AS
HEIR; TARYN CREECY,
INDIVIDUALLY AND AS HEIR;
ISAIAH KHOSROF, INDIVIDUALLY
AND AS HEIR; AND LLOYD CREECY,
INDIVIDUALLY,

Appellants,

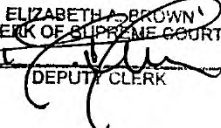
vs.

VALLEY HEALTH SYSTEM, LLC,
D/B/A CENTENNIAL HILLS HOSPITAL
MEDICAL CENTER, A FOREIGN
LIMITED LIABILITY COMPANY,
Respondent.

No. 84861

FILED

NOV 04 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER GRANTING MOTION

Extraordinary and compelling circumstances having been demonstrated, the joint motion requesting a second extension of time to file the opening brief is granted. NRAP 26(b)(1)(B). Appellants shall have until January 9, 2023, to file and serve the opening brief and appendix. No further extensions of time shall be permitted absent demonstration of extraordinary and compelling circumstances. *Id.* Counsel's caseload normally will not be deemed such a circumstance. *Cf. Varnum v. Grady*, 90 Nev. 374, 528 P.2d 1027 (1974). Failure to timely file the opening brief and appendix may result in the imposition of sanctions, including the dismissal of this appeal. NRAP 31(d).

It is so ORDERED.

 C.J.

cc: Paul Padda Law, PLLC
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas

EXHIBIT G

IN THE SUPREME COURT OF THE STATE OF NEVADA

ESTATE OF REBECCA
POWELL, through Brian Powell as
Special Administrator; DARCI
CREECY, individually; TARYN
CREECY, individually; ISALAH
KHOSROF, individually; LLOYD
CREECY, individually,

Appellants,

vs.

VALLEY HEALTH SYSTEM,
LLC (doing business as
“Centennial Hills Hospital Medical
Center”),

Respondent.

Appeal No. 84861

Electronically Filed
Dec 09 2022 05:51 PM
Elizabeth A. Brown
Clerk of Supreme Court

**MOTION TO PERMIT APPELLANTS ADDITIONAL TIME TO
RESPOND TO RESPONDENT’S MOTION REGARDING BOND**

Pursuant to Nevada Rules of Appellate Procedure 26(b) and 27,
Appellants, by and through their counsel, respectfully request that the
Court grant this motion to permit Appellants additional time, or until
January 6, 2023, to file a response to Respondent’s motion regarding an
appeal bond which was filed on December 2, 2022. Currently,

Page 1 of 3

Appellants' response is due on December 9, 2022. In support of this motion, Appellants rely upon the following:

1. Currently pending before the Court is a 564-page document filed by Respondent challenging a determination by the district court regarding the posting of a bond related to this appeal. Undersigned counsel will need additional time to review the voluminous document and prepare a response. However, undersigned counsel is not currently in a position to do so because he has been in trial since November 28, 2022 in Clark County District Court Case No. A-17-756744-C. Trial is not expected to be completed in that matter until December 16, 2022.

2. In light of the foregoing, undersigned counsel respectfully requests additional time, or until January 6, 2022, to respond to the

. . .

. . .

. . .

. . .

. . .

motion filed by Respondents on December 2, 2022.

Respectfully submitted,

/s/ *Paul S. Padda*

Paul S. Padda, Esq.
Counsel for Appellants

Dated: December 9, 2022

CERTIFICATE OF SERVICE

Pursuant to the Nevada Rules of Appellate Procedure, I hereby certify that on this day, December 9, 2022, the foregoing document entitled **MOTION TO PERMIT APPELLANTS ADDITIONAL TIME TO RESPOND TO RESPONDENT'S MOTION REGARDING BOND** was filed with the Supreme Court of Nevada through its electronic filing system. Service of the foregoing document shall be made in accordance with the Master Service List upon all registered parties and/or participants and their counsel.

/s/ *Shelbi Schram*

Shelbi Schram, Paralegal

EXHIBIT H

IN THE SUPREME COURT OF THE STATE OF NEVADA

ESTATE OF REBECCA POWELL,
THROUGH BRIAN POWELL, AS
SPECIAL ADMINISTRATOR; DARCI
CREECY, INDIVIDUALLY AND AS
HEIR; TARYN CREECY,
INDIVIDUALLY AND AS HEIR;
ISAIAH KHOSROF, INDIVIDUALLY
AND AS HEIR; AND LLOYD CREECY,
INDIVIDUALLY,

Appellants,

vs.

VALLEY HEALTH SYSTEM, LLC,
D/B/A CENTENNIAL HILLS HOSPITAL
MEDICAL CENTER, A FOREIGN
LIMITED LIABILITY COMPANY,
Respondent.

No. 84861

FILED

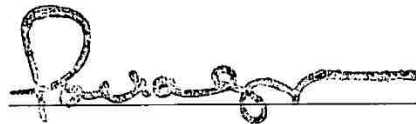
DEC 16 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER

Appellants have filed a motion for an extension of time, until January 6, 2023, to file an opposition to respondent's motion to require posting of or increasing amount of supersedeas bond. The extension motion is granted, in part, to the following extent. Appellants shall have until December 23, 2022, to file and serve an opposition to the motion. Respondent shall have 7 days from service of the opposition to file and serve any reply.

It is so ORDERED.

 C.J.

cc: Paul Padda Law, PLLC
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas