

IN THE SUPREME COURT OF THE STATE OF NEVADA

KEITH BRILL, M.D., FACOG, FACS,
AN INDIVIDUAL; AND WOMEN'S
HEALTH ASSOCIATES OF
SOUTHERN NEVADA-MARTIN PLLC,
A NEVADA PROFESSIONAL LIMITED
LIABILITY COMPANY,

Appellants,

vs.

KIMBERLY TAYLOR, AN
INDIVIDUAL,

Respondent.

Supreme Court Case No.:
84492/84881 Electronically Filed
Sep 26 2022 01:00 p.m.
Elizabeth A. Brown
Dist. Court Case No. A7/2472
Clerk of Supreme Court

**APPELLANTS' MOTION FOR EXTENSION OF TIME TO FILE
OPENING BRIEF AND APPENDIX**

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Appellants by and through their counsel of record, Robert C. McBride and Heather S. Hall Esq., of the law firm McBRIDE HALL, hereby request an extension of time of 7-days, from September 26, 2022, up to and including October 3, 2022, for the filing of Keith Brill, M.D. and Women's Health Associates of Southern Nevada-Martin, PLLC's opening brief and appendix. This is the first extension on this briefing deadline under NRAP 31(b)(3), and the second extension overall.

I. INTRODUCTION

On April 13, 2022, the Court entered an Exemption From Settlement Program – Notice to File Documents setting an initial deadline of August 12, 2022, for Appellants to file their opening brief.

On August 10, 2022, pursuant to a telephonic request by counsel for Appellants, made pursuant to NRAP 26(b)(1)(B), the Court extended the opening brief deadline from August 12, 2022, to August 26, 2022.

On August 11, 2022, the Court entered an Order Consolidating Appeals setting a deadline of September 26, 2022 to file their opening brief and an appendix in these consolidated appeals. No previous requests for extension have been denied or denied in part.

Appellants are now requesting a 7 day extension of the deadline, from September 26, 2022 to October 3, 2022, for the filing of Keith Brill, M.D. and

Women's Health Associates of Southern Nevada-Martin, PLLC's opening brief and appendix.

II. ARGUMENT

Under NRAP 26(b)(1)(a), this Court may grant an extension of time for good cause. NRAP 26(b)(1) provides as follows:

b) Extending Time.

(1) By Court Order.

(A) For good cause, the court may extend the time prescribed by these Rules or by its order to perform any act, or may permit an act to be done after that time expires. But the court may not extend the time to file a notice of appeal except as provided in Rule 4(c).

Good cause exists in this case because Appellants' counsel was recently preparing for trial in another matter set to begin on September 19, 2022. That matter was unexpectedly continued on the first day of trial at the request of opposing counsel. As a result of that continuance, Appellants' counsel responsible for the opening brief, Heather Hall, traveled to assist her mother with medical issues on Tuesday, September 20, 2022 due to that last-minute trial continuance. Appellants' counsel returned from Kentucky late on Sunday, September 25, 2022. Although Appellants' counsel has worked diligently on the opening brief, given that the record

for this case is voluminous and the appeals have been consolidated, she has not been able to complete her opening brief in the deadline set by this Court.

Appellants' counsel sincerely apologizes to the Court for the miscalculation of the time that she might need to work on the opening brief for Appellants. However, the travel to assist with her mother's medical issues was not anticipated and hindered the ability to timely complete the brief. This request is made in good faith and not intended to prejudice or cause delay.

Accordingly, Appellants respectfully request that the Court grant their request for any extension of time of 7-days, from September 26, 2022, up to and including October 3, 2022, for the filing of for the filing of Keith Brill, M.D. and Women's Health Associates of Southern Nevada-Martin, PLLC's opening brief and appendix.

Appellants further respectfully request that the Court grants its request with a procedural order pursuant to NRAP 27(b).

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To the best of my knowledge, information and belief, the brief is not frivolous or interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation. This Motion complies with the formatting requirements of Rule 32(a)(5)-(6).

DATED: September 26th, 2022.

McBRIDE HALL

/s/ Heather S. Hall

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 26th day of September 2022, service of the foregoing **APPELLANTS' MOTION FOR EXTENSION OF TIME TO FILE OPENING BRIEF AND APPENDIX** was served electronically to all parties of interest through the Court's CM/ECF system as follows:

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/s/ Candace Cullina_____

An employee of
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