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Elizabeth A. Brown  
Clerk of Supreme Court

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

ZION WOOD OBI WAN TRUST AND  
SHAWN WRIGHT AS TRUSTEE OF  
THE ZION OBI WAN TRUST

Appellant

vs.

MMAWC, LLC d/b/a WORLD SERIES  
OF FIGHTING a Nevada Limited  
Liability Company; MMAX  
INVESTMENT PARTNERS d/b/a  
PROFESSIONAL FIGHTERS LEAGUE;  
NANCY and BRUCE DEIFIK FAMILY  
PARTNERSHIP, LLP., a Colorado  
limited liability partnership

Respondent

) **Supreme Court Case No:**

) 85051

) **District Court Case No:**

) A-17-764118-C

**APPELLANT’S MOTION TO EXTEND TIME TO FILE DOCKETING  
STATEMENT**

**(SECOND REQUEST)**

COMES NOW, ZION WOOD OBI WAN TRUST AND SHAWN WRIGHT  
AS TRUSTEE OF THE ZION OBI WAN TRUST (“Appellants”) and through

counsel file their Motion to Extend Time to File Docketing Statement (the “Motion”) pursuant to NRAP 14(d) and NRAP 26(b).

## **MEMORANDUM OF POINTS AND AUTHORITIES**

### **ARGUMENT**

Appellants seek an extension of time to file their docketing statement based on extraordinary and compelling circumstances. NRAP 14(d) allows for the extension of the deadline to file the docketing statement on a showing of good cause. Good cause is the standard even if the deadline has passed before the filing of the motion.

NRAP 26 states as follows:

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).

(emphasis added). However, NRAP 26(b)(1)(B) requires a showing of extraordinary and compelling circumstances because a 14 day telephonic extension to file the docketing statement was granted:

(B) Except as otherwise provided in these Rules, a party may, on or before the due date sought to be extended, request by telephone a single 14-day extension of time for performing any act except the filing of a notice of appeal. If good cause is shown, the clerk may grant such a request by telephone or by written order of the clerk. The grant of an extension of time to perform an act under this Rule will bar any further extensions of time to perform the same act unless the party files a written motion for an extension of time demonstrating extraordinary and compelling circumstances why a further extension of time is necessary.

The Appellant believes that extraordinary and compelling circumstances exist because counsel for Appellant suffers from periodic flare ups of severe back pain (lumbago) resulting from intervertebral disc degeneration and prolapse caused by an automobile collision in 2020 which exacerbated a pre-existing condition. Appellants. Counsel for Appellant was therefore unable to complete the docketing statements by the deadline set forth in telephonic extension of September 1, 2022. To compound matters, Appellants' Counsel only recently recovered from a debilitating upper respiratory infection first contracted in late July and lasting until early August of 2022.

As this case is in the settlement program and the settlement conference is currently set for October 10, 2022, an extension to file the docketing statement ought not cause undue delay or otherwise prejudice Respondents.

Appellants respectfully request that the extension be granted until today September 7, 2022.

DATED this 7th day of September, 2022.

/s/ Byron E. Thomas  
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**DECLARATION OF BYRON THOMAS IN SUPPORT OF MOTION TO  
EXTEND DEADLINE TO FILE DOCKETING STATEMENT**

I Byron Thomas declare as follows:.

1. I am licensed to practice law in the State of Nevada and registered in this court.
2. I have a history of back problems. I was involved in two automobile accidents in 2020. These accidents made my back conditions worse, and I suffer from intermittent flare ups of severe back pain.
3. I have recently suffered such a flare up and I have been battling a upper respiratory infection that laid me low for several weeks in late July and early August.
4. Therefore I was not able to complete the docketing statement in a timely fashion. Therefore I request and extension of the deadline to file the docketing statement to today September 7, 2022.

Under penalty of perjury under the laws of Nevada, I attest that the foregoing statements are true and correct.

September 7, 2022

/s/ Byron E. Thomas  
Byron E. Thomas

**Certificate of Service**

I certify that on September 7, 2022, the Motion to Extend Time was served upon the following via the Nevada Supreme Court's electronic filing system:

Michael Feder

Gabriel Blumberg

Maximiliano D. Couvillier

James A. Kohl Settlement Judge

/s/Byron E. Thomas

Byron Thomas Esq