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Clerk of Supreme Court

Attorneys for Appellants Edgeworth
Family Trust; American Grating, LLC

IN THE SUPREME COURT OF THE STATE OF NEVADA

EDGEWORTH FAMILY TRUST;
AMERICAN GRATING, LLC,

Appellants,

v.

DANIEL S. SIMON, AND THE
LAW OFFICE OF DANIEL S.
SIMON, A PROFESSIONAL
CORPORATION,

Respondents.

Supreme Court Case Nos. 86676

District Court Case Nos.
A-16-738444-C and
A-18-767242-C

**MOTION TO STAY BRIEFING OR
ALTERNATIVELY, FOR A 60-DAY
EXTENSION TO DEADLINE TO
FILE THEIR OPENING BRIEF**

Appellants Edgeworth Family Trust and American Grating, LLC (collectively referred to as "Appellants") respectfully request a stay of briefing this appeal pending adjudication of the writ petition in Case No. 86467, which has been fully briefed and pending decision. Alternatively, Appellants request a 60-day extension to submit their opening brief.

Appellants filed a petition for a writ of mandamus to address the identical issues that will be addressed in this appeal. Appellants believe extraordinary relief is warranted given the district court's failure to adhere to the two nearly identical mandates on remand issued by this Court in the two prior appeals. However, out of an abundance of caution and given the novel issue raised in their pending writ petition, Appellants also filed the Notice of Appeal because the Court had not yet had an opportunity to consider the writ petition when the notice of appeal was due. As pointed out in the preceding paragraph, briefing on the writ petition is now complete and it is ready for decision.

Because the issues on appeal will be nearly identical to those raised in the petition, Appellants ask that the Court stay briefing on the appeal until the writ petition is decided. Alternatively, and pursuant to NRAP 26(b), Appellants respectfully ask that the Court extend the deadline to submit their opening brief by 60 days. This would move the deadline from October 4, 2023 to December 4, 2023.

Due to unexpected family obligations, including upcoming out-of-state travel, Appellants will not have sufficient time to complete the brief on appeal and its related appendix by the currently scheduled deadline, October 4. While they believe a stay is more appropriate under these unique circumstances, a 60-day extension is nonetheless necessary to allow them the necessary time to focus on the preparation of the briefs. Appellants do not believe that either a stay or extension would prejudice

any party. The request is made for purposes of managing conflicting obligations and not for purpose of creating undue delay.

	<p>MORRIS LAW GROUP</p> <p>By: <u>/s/STEVE MORRIS</u></p> <p>Steve Morris, Bar No. 1543 Rosa Solis-Rainey, No. 7921 801 S. Rancho Drive, Ste B4 Las Vegas, Nevada 89106</p> <p><i>Attorneys for Appellants Edgeworth Family Trust; American Grating, LLC</i></p>
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CERTIFICATE OF SERVICE

Pursuant to Nev. R. App. P. 25 and NEFR 9(f), I certify that I am an employee of Morris Law Group; that on this date I electronically filed the foregoing **MOTION TO STAY BRIEFING OR ALTERNATIVELY, FOR A 60-DAY EXTENSION TO DEADLINE TO FILE THEIR OPENING BRIEF** with the Clerk of the Court for the Nevada Supreme Court by using the Nevada Supreme Court's E-Filing system (Eflex). Participants in the case who are registered with Eflex as users will be served by the Eflex system as follows:

TO:

James R. Christensen, Bar No. 3861
601 S. 6th Street
Las Vegas, NV 89101

Attorneys for Respondent Law Office of Daniel S. Simon, A Professional Corporation; and Daniel S. Simon

Dated this 22nd day of September, 2023.

/s/ CATHY SIMICICH