

Case No. 88378-COA

IN THE COURT OF APPEALS FOR THE STATE OF NEVADA

**PHILLIP J. FAGAN, JR. AN INDIVIDUAL AND AS TRUSTEE OF THE
PHILLIP J. FAGAN, JR. 2001 TRUST**

Appellant,

vs.

**THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
IN AND FOR, THE COUNTY OF CLARK, AND THE HONORABLE ERIKA
BALLOU, DISTRICT JUDGE**

Respondent,

And

AAL-JAY, INC., a Nevada Corporation

Real Party in Interest.

Petition from the Eighth Judicial District Court, Clark County, Nevada
District Court Case No. A-21-832379-C

The Honorable Erika Ballou

**REAL PARTY IN INTEREST AAL-JAY, INC.'S MOTION FOR
EXTENSION OF TIME TO FILE ANSWERING BRIEF TO: PETITIONERS'
PETITION FOR WRIT OF MANDAMUS OR, IN THE ALTERNATIVE,
WRIT OF PROHIBITION UNDER 21(a)(6)**

OGONNA M. BROWN (SBN 7589)
ADRIENNE R. BRANTLEY-LOMELI (SBN 14486)
LEWIS ROCA ROTHGERBER CHRISTIE LLP
3993 Howard Hughes Parkway, Suite 600
Las Vegas, Nevada 89169
(702) 949-8200

Attorneys for Real Party in Interest AAL-JAY, Inc.

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Elizabeth A. Brown
Clerk of Supreme Court

Real Party in Interest AAL-JAY, INC. (“Real Party in Interest” or “AAL-JAY”), by and through its attorneys, Ogonna M. Brown, Esq. and Adrienne Brantley-Lomeli, Esq. of the law firm Lewis Roca Rothgerber Christie LLP, hereby request an extension of time through and including April 24, 2024, to file their Answering Brief to Petitioners’ Petition for Writ of Mandamus or, in the Alternative, Writ of Prohibition Under 21(a)(6). NRAP 26(b)(1)(a) (“Answering Brief”) and supporting Appendix. This is the first such request.

Good cause necessitates this extension. AAL-JAY filed its Answering Brief on April 19, 2024, and received a file stamped copy, and believed that its filing was timely.

On April 22, 2024, AAL-JAY received a Notice of Rejection of Filed Document for failure to file in the correct court. The Notice also stated that the accompanying Appendix be filed separately from the Answering Brief. The Notice stated the document must be filed within 5 days of the notice. AAL-JAY immediately refiled its Answering Brief in the correct Court of Appeals matter and refiled its supporting Appendix.

On April 22, 2024, AAL-JAY received another Notice of Rejection of Filed Document for failure to timely file on or before April 19, 2024. AAL-JAY hereby respectfully moves for an extension to file its Answering Brief in the correct court. The Court’s courtesy under the circumstances is greatly appreciated.

Dated this 24th day of April, 2024.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ Ogonna M. Brown

OGONNA M. BROWN (SBN 7589)

ADRIENNE BRANTLEY-LOMELI (SBN 14486)

3993 Howard Hughes Parkway, Ste. 600

Las Vegas, Nevada 89169

Attorneys for Respondent AAL-JAY, Inc.

CERTIFICATE OF SERVICE

I certify that on April 24, 2024, I submitted the foregoing “**REAL PARTY IN INTERESTED AAL-JAY, INC.’S MOTION FOR EXTENSION OF TIME TO FILE ANSWERING BRIEF TO: PETITIONERS’ PETITION FOR WRIT OF MANDAMUS OR, IN THE ALTERNATIVE, WRIT OF PROHIBITION UNDER 21(a)(6)**” for filing *via* the Court’s eFlex electronic filing system. Electronic notification will be sent to the following:

BLACK & WADHAMS
Allison R. Schmidt
10777 West Twain Avenue, Suite 300
Las Vegas, Nevada 89135
Telephone: 702-869-8801
Fax: 702-869-2669
cyergensen@blackwadhams.law
Attorneys for Petitioner

Dated: April 24, 2024

/s/ Lisa M. Noltie
An Employee of
Lewis Roca Rothgerber Christie LLP