

1 IN THE SUPREME COURT OF THE STATE OF NEVADA

2 \* \* \* \*

3 FIESTA PALMS, LLC, a Nevada Limited  
4 Liability Company d.b.a THE PALMS  
5 CASINO RESORT,

6 Appellant,

7 vs.

8 ENRIQUE RODRIGUEZ, an individual,

9 Respondent.

Electronically Filed  
Jan 09 2013 03:19 p.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

No. 59630

10 **MOTION FOR EXTENSION OF TIME**  
11 **FOR REPLY BRIEF (SECOND REQUEST)**

12 Appellant hereby moves for a 30-day extension of time for filing the reply brief. The  
13 brief is presently due on January 9, 2013. Therefore, appellant seeks an extension until  
14 February 8, 2013. This is appellant's second request for an extension.

15 This is an appeal from a personal injury judgment of more than \$6 million. Respondent  
16 received two extensions of time for the answering brief, and respondent received permission  
17 to exceed the normal word limitation.

18 The trial lasted more than two weeks, and the appendix consists of more than 3,200  
19 pages, including the lengthy trial transcript.

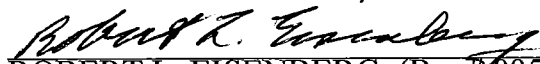
20 Appellant's counsel was on a long-standing vacation for a full week in early December,  
21 and he was out of the office for several days during the holidays, dealing with personal family  
22 matters. Appellant's counsel also had to prepare a response to a child custody fast track  
23 statement in another appeal, which took priority over other appeal matters.

24 Appellant's counsel has been working diligently on the reply brief in this case.  
25 Unfortunately, the answering brief is deficient in its failure to cite relevant legal authority, and  
26 in its failure to provide adequate citations to the appendix. The answering brief also does not  
27 accurately characterize many of the contentions and issues in this appeal. Consequently,  
28 appellant's counsel has needed to spend extra time analyzing the answering brief and the  
appendix, in preparation of the reply brief.

1 Appellant's counsel has been unable to finish the brief within the present time limit. An  
2 additional 30 days is needed for drafting the remaining parts of the reply brief, and for  
3 reviewing, editing and finalizing the brief (and the reply appendix).

4 Accordingly, appellant requests an extension of time until February 8, 2013, for filing  
5 the reply brief. This motion is made in good faith and is not intended to cause unnecessary  
6 delay of this appeal.

7 DATED: Jan. 9, 2013

8   
9 ROBERT L. EISENBERG (Bar #0950)  
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15 ATTORNEYS FOR APPELLANT

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**CERTIFICATE OF SERVICE**

I certify that I am an employee of Lemons, Grundy & Eisenberg and that on this date a **Motion for Extension of Time for Reply Brief** was filed electronically with the Clerk of the Nevada Supreme Court, and therefore electronic service was made in accordance with the master service list as follows:

- Steven Baker
- J. Randall Jones
- Jennifer C. Dorsey
- Marsha Stephenson
- Michael Wall

I further certify that on this date I served copies of this **Motion** by U.S. mail to:

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DATED this 9 day of Jan., 2013.

*Antie Slupis*