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

FCH1, LLC, A NEVADA LIMITED  
LIABILITY COMPANY F/K/A  
FIESTA PALMS, LLC, D/B/A THE  
PALMS CASINO RESORT,

Appellant,

v.

ENRIQUE RODRIGUEZ, AN  
INDIVIDUAL,

Respondent.

Electronically Filed  
June 16, 2014 04:53 p.m.  
Tracie K. Lindeman  
District Clerk of Supreme Court  
Case No: A531538

**MOTION FOR EXTENSION OF TIME TO FILE A  
PETITION FOR REHEARING**

Pursuant to NRAP 27 and NRAP 40, respondent Enrique Rodriguez moves for an extension to file a petition for rehearing of the decision of this Court in the above-referenced case. This motion is based on the following memorandum of points and authorities and all papers and pleadings on file herein.

DATED this 16 day of June, 2014

HUTCHISON & STEFFEN, LLC

By 

Michael K. Wall (2098)  
10080 W. Alta Drive, Suite 200  
Las Vegas, Nevada 89145  
(702) 385-2500  
mwall@hutchlegal.com

*Attorney for respondent*

1 POINTS AND AUTHORITIES

2 NRAP 27 STATES: “An application for an order or other relief is made  
3 by motion unless these Rules prescribe another form.”

4 NRAP 40 allows eighteen (18) days after the filing of an order resolving  
5 an appeal to file a petition for rehearing of a Panel decision in the following  
6 circumstances.

7 (A) When the Court has overlooked or misapprehended a material fact in  
8 the record or material question of law in the case, or

9 (B) When the court has overlooked, misapplied or failed to consider a  
10 statute, procedural rule, regulation or decision directly controlling a dispositive  
11 issue in the case.

12 NRAP 40(C)(2)

13 The Order reversing the judgment in this matter with instructions to the  
14 lower court regarding evidentiary issues was filed on June 5, 2014. The  
15 instructions to the lower Court involve matters of great significance to Nevada  
16 trial practice and/or the decision of the appellant to seek further relief from this  
17 Court. Respondent is a California resident who communicates only by e-mail  
18 and/or in person. It has taken counsel a significant amount of time to  
19 communicate the decision to respondent and to obtain his consent to a petition  
20 for rehearing.

21 The issues in this matter are complex, and many attorneys in the plaintiff’s  
22 bar have contacted me regarding the decision and its implications to pending  
23 cases. I anticipate that other counsel will associate with me on the appeal in  
24 order to pursue rehearing relief. I need additional time to communicate with  
25 respondent and trial counsel (which will most probably require respondent to  
26 travel to Las Vegas), and to perform other and further activities to best represent  
27 respondent herein and adequately and properly brief this Court on the seminal

1 issues addressed in dicta in this Court's order.

2 Respondent therefore respectfully asks this court to extend the time period  
3 to eighteen days (18) after the filing on the decision on this motion, should this  
4 Court decide to grant the same.

5 **CONCLUSION**

6 Based on the foregoing, Respondent respectfully asks this Court to grant  
7 his motion for an extension to the time period for the filing of a Petition for  
8 Rehearing.

9 DATED this 16 day of June, 2014

10 HUTCHISON & STEFFEN, LLC

11  
12 By 

13 Michael K. Wall (2098)  
14 10080 W. Alta Drive, Suite 200  
15 Las Vegas, Nevada 89145  
16 (702) 385-2500  
17 mwall@hutchlegal.com

18 *Attorney for respondent*

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1 CERTIFICATE OF SERVICE

2 I certify that I am an employee of HUTCHISON & STEFFEN, LLC and  
3 that this **MOTION FOR EXTENSION TO FILE A PETITION FOR**  
4 **REHEARING** was filed electronically with the Clerk of the court of the Nevada  
5 Supreme Court, and therefore electronic service was made in accordance with the  
6 master service list as follows:

7 Steven Baker  
8 John Naylor  
9 Marsha Stephenson  
10 Robert Eisenberg


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

11 Kenneth C. Ward  
12 Keith R. Gillette  
13 ARCHER NORRIS  
14 2033 North Main Street, Suite 800  
15 P.O. Box 8035  
16 Walnut Creek, CA 94596-3728

17 Adam S. Davis  
18 Moran Law Firm  
19 630 S. Fourth Street  
20 Las Vegas, NV 89101

21 J. Randall Jones  
22 Jennifer C. Dorsey  
23 3800 Howard Hughes Pkwy., 17<sup>th</sup> Floor  
24 Las Vegas, NV 89169

25 DATED this 16<sup>th</sup> day of June, 2014.

26   
27 An employee of Hutchison & Steffen, LLC  
28