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

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4 DEJA VU SHOWGIRLS OF LAS
5 VEGAS, L.L.C., d/b/a *Deja Vu*
6 *Showgirls*, LITTLE DARLINGS OF
7 LAS VEGAS, L.L.C., d/b/a *Little*
8 *Darlings*, K-KEL, INC., d/b/a *Spearmint*
9 *Rhino Gentlemen's Club*, OLYMPUS
10 GARDEN, INC., d/b/a *Olympic Garden*,
11 SHAC, L.L.C. d/b/a *Sapphire*, THE
12 POWER COMPANY, INC., d/b/a *Crazy*
13 *Horse Too Gentlemen's Club*, D.
14 WESTWOOD, INC., d/b/a *Treasures*,
15 and D.I. FOOD & BEVERAGE OF LAS
16 VEGAS, LLC, d/b/a *Scores*,

17 Appellants,

18 vs.

19 NEVADA DEPARTMENT OF
20 TAXATION, NEVADA TAX
21 COMMISSION, NEVADA STATE
22 BOARD OF EXAMINERS, and
23 MICHELLE JACOBS, in her Official
24 Capacity Only,

25 Respondents.

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Tracie K. Robinson
Clerk of Supreme Court
Supreme Court Case No. 60037

26
27 **MOTION TO EXTEND TIME**

28 NOW COME Appellants DEJA VU SHOWGIRLS OF LAS VEGAS,
L.L.C., LITTLE DARLINGS OF LAS VEGAS, L.L.C., K-KEL, INC.,
OLYMPUS GARDEN, INC., d/b/a *Olympic Garden*, SHAC, L.L.C., THE

1 POWER COMPANY, INC., D. WESTWOOD, INC., and D.I. FOOD &
2 BEVERAGE OF LAS VEGAS, LLC, by and through Counsel, and pursuant to
3 Nev. R. App. P. 26 hereby move the Court for entry of an order extending
4 plaintiffs an additional thirty-one (31) days to submit their opening brief. In
5 support, Appellants state:
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8 1. Appellants filed their notice of appeal on January 9, 2012.

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10 2. On January 12, 2012, the Court entered a Notice of Referral to
11 Settlement Program and Suspension of Rules, which stayed the time for filing
12 transcripts until further notice.

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14 3. A settlement conference was held on or about April 18, 2012.

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16 4. The matter did not settle, and a final report was filed by the
17 Settlement Judge on April 20, 2012.

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19 5. On September 5, 2012, the Court entered an Order Reinstating brief
20 schedule, providing that Appellant's opening brief and appendix are to be filed
21 within 90 days, being Tuesday, December 4, 2012. The order identifies that the
22 parties may seek consolidation with Nevada Supreme Court Case No. 59752,
23 which involves related issues between the parties in a case that was coordinated
24 and partially consolidated in the District Court.

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26 6. Since the reinstatement of the briefing schedule, Counsel for
27 Appellants Shafer & Associates, P.C., has been engaged in an extremely unusual
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1 amount of emergency motion practice, including responding to an emergency
2 motion for temporary restraining order in *Brown v. Mustang Sally's Spirits and*
3 *Grill, Inc.*, United States District Court for the Western District of New York
4 Case No. 12-cv-529; submitting emergency motions to reopen and for temporary
5 restraining order in *Tollis, Inc., v. County of San Bernardino*, United States
6 District Court for the Central District of California Case No. ED-CV 94-0246;
7 submitting an emergency motion for stay and/or injunction pending an appeal in
8 *Tollis, Inc., v. County of San Bernardino*, United States District Court for the
9 Central District of California Case No. ED-CV 94-0246; and submitting an
10 emergency motion for stay and or injunction pending appeal in *Tollis, Inc. v.*
11 *County of San Bernardino*, United States Court of Appeals for the Ninth Circuit
12 Case NO. 12-57008. Counsel are also preparing the appeal in Nevada Supreme
13 Court Case No. 59752 (as identified in paragraph 5 above), which is presently
14 due on November 14, 2012, and wherein an extension has also been requested.

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21 7. Due to the emergency motion practice described above and other
22 pressing matters, Appellants have been unable to dedicate an appropriate amount
23 of time to the present matter since the briefing schedule was reinstated.

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25 8. Appellants respectfully submit that all of the forgoing establishes
26 good cause for extending the Appellants an additional thirty-one (31) days to file
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1 their opening brief and appendix on appeal. Under Nev. R. App. P. 26(b)(1)(A),
2 for good cause shown the Court may extend time for a party to perform any act.

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4 WHEREFORE, for the forgoing reasons, Appellants respectfully request
5 that the Court enter an order extending them an additional thirty-one days, until
6 Friday, January 4, 2012, to submit their opening brief and appendix.
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8 DATED this 7thth day of October, 2012 BY: /s/ WILLIAM H. BROWN

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