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1 **ALEX GHIBAUDO, ESQ.**
Nevada Bar No. 10592
2 **SCHWAB LAW GROUP**
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6 *Counsel for Appellants/Cross-Respondents*
Howard Shapiro and Jenna Shapiro

Electronically Filed
Oct 02 2015 10:46 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

7
8 **IN THE SUPREME COURT FOR THE STATE OF NEVADA**

9 HOWARD SHAPIRO and)
10 JENNA SHAPIRO)
11)
12 Appellants,)
13 vs.)
14 GLEN WELT, RHODA WELT,)
15 LYNN WELT, MICHELLE WELT,)
16 Individuals; DOES I through X, and)
17 ROE CORPORATIONS I through X,)
18 Inclusive,)
19 Respondents.)
20)

SUP. CRT. CASE NO.: 67363

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22 **MOTION TO EXTEND TIME FOR OPENING BRIEF AND APPEDIX**
23 **ALREADY FILED AND COMPLETED**

24 Comes now Howard Shapiro and Jenna Shapiro, Appellants/Cross-
25 Respondents ("the Shapiro's") through their attorney Alex Ghibaudo, Esq., of the
26 Schwab Law Group, and file their motion to extend time to file their opening brief
27 and appendix.
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Memorandum of Points and Authorities

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1. Undersigned counsel requests an extension of time constituting four hours due to technical difficulties that delayed timely filing.

Under NRAP 26(b)(1)(B), except as otherwise provided in these Rules, counsel may request by telephone a 14 day extension of time for performing any act except the filing of a notice of appeal. If good cause is shown, the clerk may grant such a request by telephone or by written order of the clerk. The grant of an extension of time to perform an act under this rule will bar any further motion for additional extensions of time to perform the same act unless such a motion, which must be in writing, demonstrates extraordinary and compelling circumstances.

Here, counsel completed all documents, briefs and appendices timely, by the evening of October 1, 2015. However, the printer, scanner, and counsel's computer would not communicate such that it was impossible to file anything. Undersigned counsel is not a technician so it became difficult and timely to solve the problem, which consisted of the router and wireless connection between counsel's laptop and the scanner on the main printer. Undersigned counsel was forced to learn by a combination of Youtube and trial and error.

As such, the opening brief and appendix were filed a short 4 hours late. Under the circumstances, given the complexities of modern communications and office equipment, it would be a manifest injustice to dismiss this important case for technical difficulties.

1 And this is an important case. The case involves a matter of first impression
2 concerning Nevada's Anti-SLAPP statute, which has been much contested in the
3 State Legislature. Undersigned counsel submits that he will contribute \$500.00 to
4 the Nevada Law Library as a result of this delay. The Brief and appendix are filed
5 contemporaneously with this motion.
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8 Dated this 2nd day of September, 2015.

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10 **SCHWAB LAW GROUP**

11 /s/ Alex Ghibaudo

12 **ALEX GHIBAUDO, ESQ.**

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19 *Counsel for Appellants/Cross-Respondents*

20 *Howard Shapiro and Jenna Shapiro*

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22 **CERTIFICATE OF SERVICE**

23 Pursuant to NRAP 25, on May 1st, 2015 the motion to extend time was
24 served upon each of the parties to this appeal via electronic service through the
25 Supreme Court of Nevada's electronic filing.
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27 /s/ Alex Ghibaudo
28 Schwab Law Group