

IN THE SUPREME COURT OF THE STATE OF NEVADA

FREDERIC AND BARBARA
ROSENBERG LIVING TRUST,

Appellant/Cross-Respondent,

vs.

MACDONALD HIGHLANDS
REALTY, LLC, a Nevada Limited
Liability Company; MICHAEL
DOIRON, an Individual; and FHP
VENTURES, a Nevada Limited
Partnership,

Respondent/Cross-Appellants.

Case No. 69399

c/w Case No. 70478 Electronically Filed
Sep 30 2016 10:50 a.m.
District Court Case No. A-13-689113-C
Trade K. Lindeman
Clerk of Supreme Court

FREDERIC AND BARBARA
ROSENBERG LIVING TRUST,

Appellant,

vs.

SHAHIN SHANE MALEK,

Respondent.

APPEAL

from the Eighth Judicial District Court, Clark County
The Honorable KENNETH C. CORY, District Judge
District Court Case No. A-13-689113-C

**UNOPPOSED MOTION TO EXTEND TIME TO FILE OPENING BRIEF
(THIRD REQUEST – FIRST ON CONSOLIDATION)**

JACQUELINE A. GILBERT, ESQ.
Nevada Bar No. 10593
E-mail: jackie@hkimlaw.com
KIM GILBERT EBRON
7625 Dean Martin Dr., Suite 110
Las Vegas, Nevada 89139
Telephone: (702) 485-3300
Facsimile: (702) 485-3301

Attorneys for Appellant/Cross-Respondent

Pursuant to NRAP 26(b)(1)(a) Appellant/Cross-respondent The Frederic and Barbara Rosenberg Living Trust (the “Trust”) hereby respectfully moves this Court for a one-week extension of time, until October 12, 2016, in which to file its opening brief and joint appendix. This is the first request since the above-captioned cases were consolidated pursuant to the Order entered on June 27, 2016. Prior to that time, the Trust had sought an extension in Case No. 69399. Following the filing of the appeal in Case No. 70478, this Court granted the motions to consolidate and extended the briefing to the later-filed briefing schedule. The Trust has included this as an additional extension in considering this request. The brief is currently due on October 5, 2016.

The Trust has been diligently working on the brief but undersigned counsel, who has primary responsibility for the brief, has been severely ill for almost two weeks and is concerned that the brief will not be finalized by the current due date. The additional time will allow the Trust’s brief to be properly prepared and finalized.

Undersigned counsel has contacted counsel for respondent Shahin Shane Malek and for respondents/cross-appellants Michael Doiron, MacDonald Highland Realty, and FHP Ventures and has been authorized to represent that these parties do not oppose the instant motion.

This request is not made for any untoward or improper purpose or for delay.

Based on the foregoing, the Trust respectfully requests this Court grant it an additional seven (7) days, until October 12, 2016 in which to file its opening brief and joint appendix.

Respectfully submitted this 30th day of September, 2016.

/s/Jacqueline A. Gilbert
Jacqueline A. Gilbert, Esq.
Nevada Bar No. 10593
KIM GILBERT EBRON
7625 Dean Martin Drive, Suite 110
Las Vegas, Nevada 89139
Phone: 702-485-3300
Fax: 702-485-3301
Email: jackie@KGElegal.com
*Attorneys for Appellant/Cross-
Respondent The Frederic and
Barbara Rosenberg Living Trust*

Certificate of Service

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 30th day of September, 2016. Electronic service of the foregoing **Unopposed Motion to Extend Time to File Opening Brief** shall be made in accordance with the Master Service List as follows:

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|-----------------------------------|--|
| e: | 69399 - ROSENBERG LIVING TRUST VS. MACDONALD HIGHLANDS R |
| | LLC C/W 70478 |
| Case Category | Civil Appeal |
| Information current as of: | Sep 30 2016 08:47 a.m. |

Electronic notification will be sent to the following:

J. Jones
Matthew Carter
Spencer Gunnerson

| | |
|--------------------------------------|--|
| Docket Number and Case Title: | 70478 - ROSENBERG LIVING TRUST VS. MALEK C/W 69399 |
| Case Category | Civil Appeal |
| Information current as of: | Sep 30 2016 08:48 a.m. |

Electronic notification will be sent to the following:

Preston Rezaee

Dated this 30th day of September 2016.

/s/ Jacqueline A. Gilbert
an employee of KIM GILBERT EBRON