

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALBERT H. CAPANNA, M.D.,

Appellant/Cross-Respondent,

vs.

BEAU R. ORTH,

Respondent/Cross-Appellant.

Case No. 69935

Case No. 70227

District Court Case No. A648041

Electronically Filed
Jan 03 2018 02:00 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE
RESPONDENT/CROSS-APPELLANT'S REPLY BRIEF ON CROSS-
APPEAL**

Respondent/Cross-Appellant BEAU R. ORTH ("Beau") hereby moves to extend the time for Beau to file his Reply Brief to Appellant/Cross-Respondent ALBERT H. CAPANNA, M.D.'s ("Capanna") Answering Brief on Cross-Appeal by eight (8) days up to and including January 16, 2018. Beau sought one other prior extension of time to file his Reply Brief on Cross-Appeal and this Court has not denied any requests for extension of time to file any pleading. Beau's Reply Brief on Cross-Appeal is currently due on January 8, 2018.

Beau's undersigned counsel of record, Kevin T. Strong, Esq., conferred with Capanna's counsel of record, Robert L. Eisenberg, Esq., regarding his extension request. Specifically, Mr. Strong informed Mr. Eisenberg that he requires an

additional week to prepare the Reply brief because he had the flu during the week of December 24, 2017. Mr. Eisenberg had no objection to the request. This short extension will ensure that the undersigned counsel is able to devote the necessary time to address the arguments in Capanna's Answering Brief, and *Amici Curiae's* Brief that he lost while dealing with the flu during the previous week. This request is not meant to prejudice Capanna or cause undue delay and Respondent/Cross-Appellant assures this Court that no other extensions will be required in the future.

Therefore, Beau respectfully requests this Court grant Respondent/Cross-Appellant's Unopposed Motion and allow Beau an eight (8) day extension of time to file his Reply Brief on Cross-Appeal, which will make the brief due to be filed and served on January 16, 2018.

DATED this 3rd day of January, 2018.

EGLT PRINCE

/s/ Dennis M. Prince

DENNIS M. PRINCE, ESQ.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that this document was filed electronically with the Nevada Supreme Court on the 3rd day of January 2018. Electronic service of the foregoing **UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE RESPONDENT/CROSS-APPELLANT'S REPLY BRIEF ON CROSS-APPEAL** shall be made in accordance with the Master Service List as follows:

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/s/ Kimberly Culley _____
An Employee of EGLET PRINCE