

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA, on relation of  
its Department of Transportation,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT, COUNTY OF CLARK, STATE  
OF NEVADA, AND THE HONORABLE  
GLORIA STURMAN, DISTRICT  
JUDGE,

Respondents,

and

FRED NASSIRI, individually and as  
trustee of the NASSIRI LIVING TRUST,  
a trust formed under Nevada law,

Real Party in Interest.

Case No. 70098

Electronically Filed  
Jul 20 2016 08:42 a.m.

District Court Case No.

A-12-672841-C

Tracie K. Lindeman  
Clerk of Supreme Court

**MOTION TO EXTEND TIME  
TO FILE REPLY IN SUPPORT  
OF PETITION FOR WRIT OF  
MANDAMUS**

**(Second Request)**

Under NRAP 31(b), the State of Nevada, on relation of its Department of Transportation (“Petitioner”), hereby moves for a three-week extension of time to file its Reply Brief in Support of Petition for Writ of Mandamus. Petitioner’s Reply Brief is currently due on July 20, 2016. Petitioner’s original deadline to file its Reply Brief was on or about July 6, 2016. Given the Fourth of July Holiday, and the vacation schedules of its outside counsel, Petitioner asked Real Party in Interest (“Nassiri”) to stipulate to a 30-day extension. At the time, Nassiri would

only agree to a 14-day extension. Petitioner appreciated Nassiri's willingness to stipulate at all and accepted the 14-day extension. Petitioner advised Nassiri, however, that it might need to request additional time. This Court approved the parties' stipulation for the 14-day extension. No previous requests for extensions of time have been denied. If this Court grants the instant request for a three-week extension, Petitioner's Reply Brief will be due on August 10, 2016.

Good cause exists for allowing Petitioner to extend the filing deadline until August 10, 2016, based upon the following:

1. Petitioner's counsel, who is primarily responsible for drafting the Reply Brief, did not return from vacation until July 6, 2016. Since returning, counsel has spent a significant amount of time on the Reply Brief. But given the length of the petition and answering brief, the breadth of the record, the complexity of the issues, and existing caseload, counsel has not been able to complete the Reply Brief in the time allotted.

2. Additionally, co-counsel in the Attorney General's office, who would review the Reply Brief if able, is currently on vacation outside the country. He is scheduled to return on or about the end of July/beginning of August.

3. The requested continuance will not result in any unreasonable delays or prejudice to Nassiri. Counsel has not been dilatory in drafting the Reply Brief; contemporaneous obligations in other cases have just made it difficult to complete

the Brief in two short weeks. The parties stipulated to stay the trial in this case pending the outcome of Petitioner's writ. While the parties both share an interest in resolving this case as quickly and efficiently as possible, Petitioner's request for a three-week extension will not unreasonably prejudice this goal.

In light of the forgoing, Petitioner respectfully requests a three-week extension to file its Reply Brief on August 10, 2016. This motion is submitted in good faith and for good cause shown in accordance with NRAP 31(b).

Dated this 19th day of July, 2016.

KEMP, JONES & COULTHARD,  
LLP

/s/ Eric M. Pepperman  
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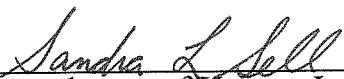
## CERTIFICATE OF SERVICE

Under NRAP 25(c)(1)(A), I certify that I am an employee of Kemp, Jones & Coulthard, LLP and that on this date I caused to be served through the Supreme Court's e-filing system, a true copy of the MOTION TO EXTEND TIME TO FILE REPLY IN SUPPORT OF PETITION FOR WRIT OF MANDAMUS on the following people:

Honorable Gloria Sturman  
Department 26  
Courtroom 3H  
Eighth Judicial District Court  
Clark County  
200 Lewis Avenue  
Las Vegas, Nevada 89155

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Dylan T. Ciciliano, Esq.  
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Counsel for Fred Nassiri

Dated: 7/19/16

  
\_\_\_\_\_  
An employee of Kemp, Jones & Coulthard, LLP