

IN THE SUPREME COURT OF THE STATE OF NEVADA

FIRST TRANSIT, INC.; and JAY
FARRALES,

Appellants,

vs.

JACK CHERNIKOFF; and ELAINE
CHERNIKOFF,

Respondents.

Case No.: 70164

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Feb 22 2018 09:57 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Appeal from the Eighth Judicial District
Court, the Honorable Stefany Miley
Presiding

MOTION FOR EXTENSION OF TIME TO FILE ANSWERING BRIEF
(Third Request)

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MAC:14620-001 3329241_1

Respondents, Jack Chernikoff and Elaine Chernikoff (collectively, “the Chernikoffs”), by and through their counsel of record, Marquis Aurbach Coffing, Richard Harris Law Firm, and Charles Allen Law Firm, hereby move this Court pursuant to NRAP 31(b) for a 14-day extension of time to file their answering brief.

The Chernikoffs’ answering brief and appendix were originally due on December 22, 2017. This Court previously granted two extensions, one by stipulation and one by motion, making the Chernikoffs’ answering brief and appendix currently due on February 21, 2018. The Chernikoffs have now filed their completed Respondents’ Appendix. If this Court grants this request for a 14-day extension of time, the Chernikoffs’ answering brief will be due on March 7, 2018. Good cause exists for allowing the Chernikoffs to extend the filing deadline until March 7, 2018:

Appellate counsel, Micah Echols, was recently retained on an emergency basis to assist in obtaining a stay of judgment in District Court Case No. A-17-758501-W (*Las Vegas Review-Journal v. Clark County Office of the Coroner/Medical Examiner*), which required drafting a supplemental brief on a

short, mandatory deadline and arguing before the District Court at an OST hearing within days. This caused a small delay in the completion of the answering brief in the instant case.

Mr. Echols was also required to take over preparation for and presentation of oral argument in Supreme Court Case No. 72098 (*Rodriguez v. Fiesta Palms, LLC*), which took place on February 15, 2018, which also caused a short delay in the completion of the answering brief in the instant case.

In addition, Mr. Echols was also retained very recently to assist in settlement negotiations in Supreme Court Case No. 72993 (*KH Real Estate Investment Fund, LLC v. Lily L.H. Kong Trust*), which required immediate intervention to obtain an additional extension of time through the settlement program for renewing settlement discussions with the opposing party. This case has required much of Mr. Echols' time over the last two weeks for the many meetings, emails, telephone calls, and settlement agreement revisions required to further settlement.

An additional 14 days will allow the Chernikoffs' answering brief to be circulated for review, and for counsel to make any needed revisions prior to filing with the Court. Therefore, the Chernikoffs respectfully request that the deadline to

file their answering brief be extended by 14 days to March 7, 2018. This motion is submitted in good faith and for good cause shown in accordance with NRAP 31(b).

Dated this 21st day of February, 2018.

MARQUIS AURBACH COFFING

By /s/ Micah S. Echols
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **MOTION FOR EXTENSION OF TIME TO FILE ANSWERING BRIEF** was filed electronically with the Nevada Supreme Court on the 21st day of February, 2018. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Joel D. Henriod, Esq.
Daniel F. Polsenberg, Esq.
LeAnn Sanders, Esq.
Benjamin P. Cloward, Esq.

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage prepaid, addressed to:

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/s/ Leah Dell
Leah Dell, an employee of
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