

IN THE SUPREME COURT OF THE STATE OF NEVADA

FIRST TRANSIT, INC.; AND JAY
FARRALES,
Appellants,
vs.
JACK CHERNIKOFF; AND ELAINE
CHERNIKOFF,
Respondents.

No. 70164

FILED

OCT 26 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER

On October 1, 2020, respondents filed a motion to terminate appellate proceedings and issue remittitur in this matter. Appellants oppose the motion. As cause for the motion, respondents argue that appellants had the opportunity to challenge the issues decided in this court's Order of Affirmance in its January 9, 2020, answer to respondents' petition for rehearing and therefore cannot file a further petition for rehearing in their own right. We disagree. When this court grants rehearing and changes its prior disposition, the party who ultimately loses the appeal has a right to file a petition for rehearing of the decision. Accordingly, respondents' motion is denied.

Further, on October 13, 2020, appellants filed a motion for an extension of time to file a petition for rehearing, to which respondents did

not file an opposition. We grant the motion. Appellants shall have until October 27, 2020, to file a petition for rehearing. No further extensions will be granted.¹

It is so ORDERED.

Pickering, C.J.
Pickering

Gibbons, J.
Gibbons

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

Stiglich, J.
Stiglich

Cadish, J.
Cadish

Silver, J.
Silver

¹We suspend application of NRAP 25(a)(2)(B)(ii)-(iv), which provides that a document is timely filed if, on or before its due date, it is mailed to this court, dispatched for delivery within three calendar days by a third party commercial carrier, or deposited in the supreme court drop box. All documents in this matter shall be filed personally, electronically, or by facsimile transmission with the clerk of this court in Carson City. See NRAP 2; NRAP 25(a)(2)(B)(i); NRAP 25(a)(4). In addition, service of all documents shall be personal, electronic, or by fax.

cc: Hon. Stefany Miley, District Judge
Lewis Roca Rothgerber Christie LLP/Las Vegas
Hicks & Brasier, PLLC
Richard Harris Law Firm
Charles Allen Law Firm
Claggett & Sykes Law Firm
Eighth District Court Clerk