

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALBERT H. CAPANNA, M.D.,  
Appellant/Cross-Respondent,  
vs.  
BEAU R. ORTH,  
Respondent/Cross-Appellant.

No. 69935

ALBERT H. CAPANNA, M.D.,  
Appellant,  
vs.  
BEAU R. ORTH,  
Respondent.

No. 70227

**FILED**

JAN 18 2017

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

*ORDER GRANTING MOTION*

Cause appearing, the motion of respondent/cross-appellant requesting a second extension of time to file a combined answering brief on appeal and opening brief on cross-appeal is granted. NRAP 28(c)(2), (f). Respondent/cross-appellant shall have until January 31, 2017, to file and serve the combined answering brief on appeal and opening brief on cross-appeal. No further extensions of time shall be permitted absent demonstration of extraordinary circumstances and extreme need. *Id.* Counsel's caseload normally will not be deemed such a circumstance. *Cf. Varnum v. Grady*, 90 Nev. 374, 528 P.2d 1027 (1974). Failure to timely file the combined answering brief on appeal and opening brief on cross-appeal may result in the imposition of sanctions. *See* NRAP 31(d).

It is so ORDERED.

Cherry C.J.

cc: Lauria Tokunaga Gates & Linn, LLP/Las Vegas  
Lemons, Grundy & Eisenberg  
Eglet Prince