

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
Nov 21 2017 01:42 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 thirty-two (32) days up to and including January 8, 2018. Beau has not sought any other prior extensions 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 December 7, 2017.

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 Beau's undersigned

counsel of record, Dennis M. Prince, Esq., begins trial on November 27, 2017 in the case of *Yannatone v. Drake*, Eighth Judicial District Court Case No. A-15-713605-C and that the trial is expected to last approximately two to three weeks. Mr. Eisenberg had no objection to the request. This short extension will ensure that Mr. Prince is able to devote the significant time necessary to address the arguments not only in Capanna's Answering Brief, but also the arguments in *Amici Curiae* American Medical Association and Nevada State Medical Association's *Amici Curiae* Brief, presuming this Court grants their motion for leave to file the brief. Further, this request is not meant to prejudice Capanna or cause undue delay.

Therefore, Beau respectfully requests this Court grant Respondent/Cross-Appellant's Unopposed Motion and allow Beau a thirty-two (32) 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 8, 2018.

DATED this 21st day of November, 2017.

EGLT PRINCE

/s/ Dennis M. Prince
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that this document was filed electronically with the Nevada Supreme Court on the 21st day of November 2017. 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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