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MEMORANDUM OF POINTS AND AUTHORITIES

Pursuant to NRAP 31(b)(2) and (3), a party may seek an extension of time to file a brief before this Court. NRAP 26(b)(2) prohibits stipulation by extension if the parties have previously stipulated to extend a deadline for the moving party. The parties in this appeal previously stipulated to an extension of time for Peppermill to file its answering brief. However, that stipulation was never granted by this Court because this Court subsequently ordered GSR to re-file its opening brief within the page and word limitations imposed by the Nevada Rules of Appellate Procedure. Accordingly, Peppermill now requests this Court for an extension of an additional thirty days in which to file its answering brief as follows:

I. Date When Answering Brief is Due: April 3, 2017.

II. Number of Previous Extensions Granted by the Court: This Court has not yet granted any extensions of time for Peppermill to file its answering brief. The parties previously stipulated to a thirty-day extension for Peppermill to file its answering brief, but, as noted, that stipulation was rendered moot by the subsequent order of this Court denying GSR's request to exceed page and word limitation and ordering GSR to re-file a compliant opening brief.

III. Whether Any Prior Requests Were Denied: No prior requests have been denied by this Court.

IV. Basis for the Request:

Peppermill seeks the current extension due to calendaring conflicts of its

1 counsel. The new date on which GSR filed its opening brief resulted in the new due
2 date for Peppermill's answering brief being due on April 3, 2017, which immediately
3 follows a month in which Peppermill's lead counsel, Kent Robison, Esq., has
4 continuously been in depositions in another matter every day.
5

6 When he was unable to reschedule the depositions, Mr. Robison tasked
7 Therese Shanks, Esq. with researching and drafting the brief to ensure that
8 Peppermill met the original April 3, 2017 deadline. Unfortunately, Ms. Shanks has
9 experienced medical issues related to her pregnancy which resulted in her missing
10 substantial amounts of work.
11

12 Although Peppermill has tried diligently to complete its brief on time, due to
13 its counsel's current calendar conflicts, it must request a brief extension from this
14 Court. Prior to filing this motion, the undersigned contacted counsel for GSR to
15 notify it of the forthcoming motion. Counsel for GSR has indicated that it is
16 agreeable to the extension.
17

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19
20 **V. Length of Extension and Proposed Date for New Answering Brief:**

21 Peppermill respectfully requests a 30-day extension in order to file the
22 Answering Brief. The proposed new date on which the Answering Brief would
23 become due would be May 3, 2017.
24

25 **VI. Conclusion**

26 For the foregoing reasons, Peppermill respectfully requests that this Motion
27 for an Extension of Time to File Answering Brief be granted.
28

1 DATED this 23^d day of March, 2017.

2 ROBISON, BELAUSTEGUI, SHARP &
3 LOW
4 A Professional Corporation
5 71 Washington Street
6 Reno, Nevada 89503

7 Theresa Shanks
8 KENT R. ROBISON
9 SCOTT L. HERNANDEZ
10 THERESE M. SHANKS
11 Attorneys for Respondent
12 Peppermill Casinos, Inc., d/b/a Peppermill
13 Casino
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1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of ROBISON, BELAUSTEGUI,
3 SHARP & LOW, and that on this date I caused to be served a true copy of the **MOTION TO**
4 **EXTEND TIME TO FILE ANSWERING BRIEF (FIRST REQUEST)** on all parties to this
5 action by the method(s) indicated below:

6 ☒ by placing an original or true copy thereof in a sealed envelope, with sufficient
7 postage affixed thereto, in the United States mail at Reno, Nevada, addressed to:

8 WILLIAM E. CROCKETT, ESQ.
9 Law Offices of William E. Crockett
10 21031 Ventura Boulevard, Suite 401
11 Woodland Hills, CA 91364
12 Email: wec@weclaw.com
13 *Attorneys for Appellant*

14 ☒ by using the Court's CM/ECF Electronic Notification System addressed to:

15 H. STAN JOHNSON, ESQ.
16 Cohen Johnson Parker Edwards, LLC
17 255 E. Warm Springs Road, Suite 100
18 Las Vegas, NV 89119
19 Email: sjohnson@cohenjohnson.com
20 *Attorneys for Appellant*

21 _____ by electronic email addressed to the above.
22 _____ by personal delivery/hand delivery addressed to:
23 _____ by facsimile (fax) addressed to:
24 _____ by Federal Express/UPS or other overnight delivery addressed to:

25 DATED: This 24th day of March, 2017.

26 
27 V. JAYNE FERRETTO
28 Employee of Robison, Belaustegui, Sharp & Low