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4	· · · · · · · · · · · · · · · · · · ·	Dec 19 2016 02:13 p.m.
5 _		Elizabeth A. Brown Clerk of Supreme Court
6	IN THE SUPREME COURT OF THE STATE OF NEVADA	
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8	TAWNI McCROSKY, individually and as the natural parent of LYAM	
9	McCROSKY, a minor child,	
10	Appellants,	Supreme Court Case No. 70325 District Court Case No. 13TRT000281B
11		
12	v.	
13	CARSON TAHOE REGIONAL	
14	MEDICAL CENTER, a Nevada business entity,	
15	ousiness entity,	
16	Respondent.	
17 18		
18	APPELLANTS' MOTION FOR LEAVE OF COURT TO FILE OPENING	
20	BRIEF IN EXCESS OF TYP	'E-VOLUME LIMITATION
20	Appellants Tawni McCrosky, individually and as the natural parent of Lyam	
22	McCrosky, a minor child ("Appellants") respectfully request that this Court enter	
23		
24	an order granting Appellants leave to file	their Opening Brief in excess of the type-
25	volume limitation. This request is predi	icated on NRAP 32(D) and the attached
26	Declaration of Counsel.	
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1	Pursuant to NRAP 32(D)(iii), accompanied with this motion is a single copy
2	of Appellants' Opening Brief Appellants propose to file. Pursuant to NRAP
3	32(D)(ii) and NRAP32(a)(9)(C), the undersigned certifies that Appellants'
5	Proposed Opening Brief is proportionally spaced, has a typeface font of 14 points
6	or more, and contains 15,292 words excluding the parts of the brief exempted by
7	NRAP $32(a)(7)(c)$ .
9	
10	DATED this 19th day of December, 2016.
11	DURNEY & BRENNAN, LTD.
12	Poor & Deceman
13	PETER D. DURNEY, ESQ., #57
14    15	ALLASIA L. BRENNAN, #9766 6900 So. McCarran Blvd., Ste. 2060
16	Reno, NV 89509
17	Attorneys for Appellants
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1	DECLARATION OF COUNSEL		
2 3	I, Peter D. Durney, do hereby swear under penalty of perjury that the assertions of this declaration are true.		
4 5	1. I am a duly licensed attorney in the State of Nevada and counsel of		
6 7	record for Appellants.		
8	2. That, owing to the number and complexity of the legal issues		
9 10	presented, I respectfully request permission to file Appellants' Opening Brief in		
11	excess of the 14,000 words type-volume limitation, to wit: 15,292 words.		
12	3. In preparing this brief, I edited the brief from its original length in the		
13 14	rough draft containing close to 18,000 words to its current length with 15,292		
15	words, but found that further editing would take away from the integrity and		
16 17	content of the entire presentation.		
18	4. This motion is made in good faith and not for any improper purpose		
19 20	Dated <u>19</u> day of December, 2016.		
21	DURNEY & BRENNAN, LTD.		
22 23	tetra Co. Bernus		
23	PETER D. DURNEY, ESQ <b>4</b> ,#57 ALLASIA L. BRENNAN, #9766		
25	6900 So. McCarran Blvd., Ste. 2060 Reno, NV 89509		
26 27	Attorneys for Appellants		
28			
	- 3 -		
	- ; -		

1	<u>CERTIFICATE OF SERVICE</u>	
2	I certify that I am an employee of Durney & Brennan, Ltd., and that on the	
3	date shown below, pursuant to NRAP 25(d), I caused service of the foregoing	
4	document by electronically filing the same with the Clerk of the Court which	
5	serves the following party automatically:	
6	Robert C. McBride, Esq.	
7	CARROLL, KELLY, TROTTER	
8	FRANZEN, McKENNA & PEABODY 8329 W. Sunset Rd., Ste. 260	
9	Las Vegas, Nevada 89113	
10	Additionally, I deposited in the United States mail at Reno, Nevada, a true	
11	reductionally, i deposited in the onited States mail at Reno, Nevada, a true	
12	copy of the foregoing document, addressed to:	
13 14	John C. Kelly, Esq.	
14	CARROLL, KELLY, TROTTER FRANZEN & McKENNA	
16	111 W. Ocean Blvd., 14 <sup>th</sup> Fl.	
17	Long Beach, California 90801-5636	
18	DATED this 19 <sup>th</sup> day of DECEMBER, 2016.	
19		
20	/s/ Abbey C. Whitfield	
21	ABBEY WHITFIELD	
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