

Electronically Filed
Dec 19 2016 02:13 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

TAWNI McCROSKY, individually and
as the natural parent of LYAM
McCROSKY, a minor child,

Appellants,

v.

CARSON TAHOE REGIONAL
MEDICAL CENTER, a Nevada
business entity,

Respondent.

Supreme Court Case No. 70325
District Court Case No. 13TRT000281B


**APPELLANTS' MOTION FOR LEAVE OF COURT TO FILE OPENING
BRIEF IN EXCESS OF TYPE-VOLUME LIMITATION**

Appellants Tawni McCrosky, individually and as the natural parent of Lyam McCrosky, a minor child ("Appellants") respectfully request that this Court enter an order granting Appellants leave to file their Opening Brief in excess of the type-volume limitation. This request is predicated on NRAP 32(D) and the attached Declaration of Counsel.

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'
4 Proposed Opening Brief is proportionally spaced, has a typeface font of 14 points
5 or more, and contains 15,292 words excluding the parts of the brief exempted by
6 NRAP 32(a)(7)(c).
7
8

9 DATED this 19th day of December, 2016.

10
11 DURNEY & BRENNAN, LTD.

12 
13 _____
14 PETER D. DURNEY, ESQ., #57
15 ALLASIA L. BRENNAN, #9766
16 6900 So. McCarran Blvd., Ste. 2060
17 Reno, NV 89509
18 Attorneys for Appellants
19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DECLARATION OF COUNSEL

I, Peter D. Durney, do hereby swear under penalty of perjury that the assertions of this declaration are true.

1. I am a duly licensed attorney in the State of Nevada and counsel of record for Appellants.


2. That, owing to the number and complexity of the legal issues presented, I respectfully request permission to file Appellants' Opening Brief in excess of the 14,000 words type-volume limitation, to wit: 15,292 words.

3. In preparing this brief, I edited the brief from its original length in the rough draft containing close to 18,000 words to its current length with 15,292 words, but found that further editing would take away from the integrity and content of the entire presentation.

4. This motion is made in good faith and not for any improper purpose

Dated 19th day of December, 2016.

DURNEY & BRENNAN, LTD.


PETER D. DURNEY, ESQ., #57
ALLASIA L. BRENNAN, #9766
6900 So. McCarran Blvd., Ste. 2060
Reno, NV 89509
Attorneys for Appellants

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

Robert C. McBride, Esq.
CARROLL, KELLY, TROTTER
FRANZEN, McKENNA & PEABODY
8329 W. Sunset Rd., Ste. 260
Las Vegas, Nevada 89113

John C. Kelly, Esq.
CARROLL, KELLY, TROTTER
FRANZEN & McKENNA
111 W. Ocean Blvd., 14th Fl.
Long Beach, California 90801-5636

DATED this 19th day of DECEMBER, 2016.

/s/ Abbey C. Whitfield
 ABBEY WHITFIELD