

IN THE SUPREME COURT OF THE STATE OF NEVADA

PEGGY CAIN, AN INDIVIDUAL;
JEFFREY CAIN, AN INDIVIDUAL;
AND HELI OPS INTERNATIONAL,
LLC, AN OREGON LIMITED
LIABILITY COMPANY,

Appellants,

vs.

RICHARD PRICE, AN INDIVIDUAL;
AND MICKEY SHACKELFORD, AN
INDIVIDUAL,

Respondents.

No. 69333

FILED

APR 10 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

PEGGY CAIN, AN INDIVIDUAL;
JEFFREY CAIN, AN INDIVIDUAL;
AND HELI OPS INTERNATIONAL,
LLC, AN OREGON LIMITED
LIABILITY COMPANY,

Appellants,

vs.

RICHARD PRICE, AN INDIVIDUAL;
AND MICKEY SHACKELFORD, AN
INDIVIDUAL,

Respondents.

No. 69889

PEGGY CAIN, AN INDIVIDUAL;
JEFFREY CAIN, AN INDIVIDUAL;
AND HELI OPS INTERNATIONAL,
LLC, AN OREGON LIMITED
LIABILITY COMPANY,

Appellants,

vs.

RICHARD PRICE, AN INDIVIDUAL;
AND MICKEY SHACKELFORD, AN
INDIVIDUAL,

Respondents.

No. 70864

ORDER DENYING MOTION

Appellants have filed a motion for leave to file a reply brief in excess of the type-volume limitation. See NRAP 32(a)(7)(D). Appellants

seek permission to file a reply brief of 8,316 words. In support of the motion, counsel for appellants explains the space is needed because of the manner in which the answering brief is written - with few citations to the record, and to address arguments that are conclusory or not cogently developed.

This court “looks with disfavor on motions to exceed the applicable page limit or type-volume limitation, and therefore, permission to exceed the page limit or type-volume limitation will not be routinely granted.” NRAP 32(a)(7)(D)(i); *see also Hernandez v. State*, 117 Nev. 463, 467, 24 P.3d 767, 770 (2001) (“Page limits . . . are ordinary practices employed by the courts to assist in the efficient management of the cases before them.” (quoting *Cunningham v. Becker*, 96 F. Supp. 2d 369, 374 (D. Del. 2000))). Rather, a motion “will be granted only upon a showing of diligence and good cause.” NRAP 32(a)(7)(D)(i). We are not convinced that a reply brief in excess of the usual type-volume limitation is warranted in this case. Accordingly, the motion is denied.

The clerk of this court shall return, unfiled, the reply brief received on February 1, 2017. Appellants shall have 15 days from the date of this order to file and serve a reply brief that complies with the page or type-volume limitation set forth in NRAP 32(a)(7)(A). Failure to timely comply with this order may result in the imposition of sanctions. NRAP 31(d).

It is so ORDERED.

Cherry, C.J.

cc: Matuska Law Offices, Ltd.
Lemons, Grundy & Eisenberg
Oshinski & Forsberg, Ltd.