

1 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2 DENNIS KOGOD,

3 Appellant/Cross-Respondent,

4 v.

5 GABRIELLE CIOFFI-KOGOD,

6 Respondent/Cross-Appellant.

Supreme Court No. 71147
Electronically Filed
Aug 19 2019 01:38 p.m.
District Court Case No. 19-00042-D
Elizabeth A. Brown
Clerk of Supreme Court

7 **RESPONDENT/CROSS- APPELLANT’S REQUEST FOR AN EXTENSION TO**
8 **FILE AN OBJECTION TO VERIFIED BILL OF COSTS TO PREPARE**
9 **APPENDIX**
10 **AND**
11 **OBJECTION TO VERIFIED BILL OF COSTS TO PREPARE APPENDIX**

12 Respondent/Cross-Appellant, GABRIELLE CIOFFI-KOGOD (“Gabrielle”) by and
13 through Radford J. Smith, Chartered, and pursuant to the Court’s Order filed on July 31,
14 2019, respectfully requests a four (4) day extension to submit the extension to file an
15 objection to Appellant/Cross-Respondent, DENNIS KOGOD (“Dennis”)’s Verified Bill of
16 Costs to Prepare Appendix and concurrently herewith, submits the following Objection to
17 the Appellant/Cross-Respondent’s Verified Bill of Costs to Prepare Appendix.

18 NRAP 39 states,

19 **(3) Bill of Costs.** A party who wants such costs taxed shall — within 14
20 days after entry of judgment — file an itemized and verified bill of costs with
21 the clerk, with proof of service.

1 **(4) Objections.** Objections to a bill of costs shall be filed within 7 days
2 after service of the bill of costs, unless the court extends the time.

3 On April 25, 2019, this Court entered its Advance Opinion in this case. Pursuant to
4 NRAP 39, Dennis filed the Verified Bill of Costs (hereinafter referred to as “First Bill of
5 Costs”) on April 30, 2019, within 14 days of the entry of the judgment. In the First Bill of
6 Costs, Dennis sought \$2,251.60 in one-half of the costs associated with the joint appendix.
7 On July 31, 2019, the Court granted Dennis’s request for reimbursement of \$2,251.60 for
8 one-half of the costs of copying the joint appendix and ordered Dennis to submit an invoice
9 detailing the costs involved in the preparation of the appendix and file a copy with the Court.
10

11 On July 31, 2019, Dennis did not comply with the Court’s orders regarding
12 submitting invoices and instead submitted a second pleading titled “Verified Bill of Costs
13 to Prepare Appendix” (hereinafter referred to as “Second Bill of Costs”). In the Second Bill
14 of Costs, Dennis seeks \$6,412.66 in costs.
15

16 **A. Request for an extension of time to file the Objection**
17

18 Gabrielle’s objection to Dennis’ Second Bill of Costs was due on August 15.
19 Gabrielle seeks a four (4) day extension to file her objection, to August 19, 2019. The
20 undersigned counsel was out of the Country for the week prior to August 19 and upon return
21 inadvertently missed the deadline. A four (4) day extension does not prejudice Dennis.
22

23 **B. Objection to Dennis’ First and Second Bill of Costs**
24

25 If Gabrielle’s request for a four (4) day extension is granted, Gabrielle requests that
26 Dennis’ First and Second Bill of Costs be denied.
27
28

1 Dennis' First Bill of Costs should be denied because he did not submit an invoice
2 detailing the costs involved in the preparation of the appendix as ordered by the Court in its
3 July 31 Order.
4

5 Dennis' Second Bill of Costs should be denied because he did not submit the Second
6 Bill of Costs within the 14-day timeframe set forth in NRAP 39 nor did he seek an extension
7 to submit those costs. If the Court is inclined to grant an extension to Dennis to file the
8 Second Bill of Costs, then Gabrielle should be given permission to file a response.
9

10
11 Dated this th 19 day of August 2019.

12 RADFORD J. SMITH, CHARTERED
13

14 
15 RADFORD J. SMITH, ESQ.

16 Nevada State Bar No. 002791

17 GARIMA VARSHNEY, ESQ.

18 Nevada State Bar No. 011878

19 2470 St. Rose Parkway, Suite 206

20 Henderson, Nevada 89074

21 *Attorney for Respondent/Cross-Appellant*
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CERTIFICATE OF SERVICE

I certify that on the 19th day of August, 2019, I served a copy of this
RESPONDENT/CROSS- APPELLANT'S REQUEST FOR AN EXTENSION TO
FILE AN OBJECTION TO VERIFIED BILL OF COSTS TO PREPARE APPENDIX
AND OBJECTION TO VERIFIED BILL OF COSTS TO PREPARE APPENDIX
upon Daniel Marks, Esq., counsel of record for Appellant Dennis Kogod via the Electronic
Filing System of the Supreme Court of Nevada.



GARIMA VARSHNEY, ESQ.