

IN THE SUPREME COURT OF THE STATE OF NEVADA

MDC RESTAURANTS, LLC, a Nevada
limited liability company; LAGUNA
RESTAURANTS, LLC, a Nevada limited
liability company; and INKA, LLC, a
Nevada limited liability company,

Petitioners,

v.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA in
and for the County of Clark and THE
HONORABLE TIMOTHY C.
WILLIAMS, District Court Judge,

Respondents

and

PAULETTE DIAZ; LAWANDA GAIL
WILBANKS; SHANNON OLSZYNSKI;
and CHARITY FITZLAFF, an individual,
on behalf of themselves and all similarly-
situated individuals,

Real Parties In Interest.

Case No. 71289 Electronically Filed
Oct 19 2016 01:29 p.m.
District Court No. 1465
Elizabeth A. Brown
Clerk of Supreme Court
Department No. XVI

**MOTION FOR EXTENSION OF TIME
TO FILE AMICUS BRIEF**

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MOTION FOR EXTENSION OF TIME TO FILE AMICUS BRIEF

Amici Curiae, CLAIM JUMPER ACQUISITION COMPANY, LLC, LANDRY'S, INC., BUBBA GUMP SHRIMP CO., RESTAURANTS, INC., BERTOLINI'S OF LAS VEGAS, INC., D/B/A TREVI, and MORTON OF CHICAGO/FLAMINGO ROAD CORP., D/B/A MORTON'S THE STEAKHOUSE, by and through their undersigned attorneys, Jackson Lewis P.C., hereby move this Court for an extension of time to file their Amicus Brief pursuant to NRAP 31(a) and (b). This Motion is based upon the Memorandum of Points and Authorities and the pleadings and papers on file herein.

MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

On September 20, 2016, Petitioners filed their Petition for Writ of Mandamus or Other Extraordinary Relief. On October 14, 2016, the Court issued an Order Directing Answer and allowed 30 days from the date of its Order for Real Parties in Interest to file their Answering Brief. Under this Order, any Amicus Brief would be due October 21, 2016. For good cause shown herein, and with the agreement of all parties to this matter, Amici Curiae request a 30-day extension of time to file their Amicus Brief, which would make November 14, 2016 the new due date.

II. LEGAL ARGUMENT

Pursuant to NRAP 29(f), an amicus curiae must file its brief, accompanied by a motion for filing when necessary, no later than 7 days after the brief of the party being supported is filed. NRAP 31(a) and (b) allows for an extension of time to file briefs and appendices for good cause shown. Amici Curiae request a 30-day extension of time to file their Amicus Brief based upon the following reasons:

1. This case consists of 1,251 pages of documents requiring a substantial amount of time to review in preparing the Amicus Brief;

2. NRAP 29 normally allows the amici curiae seven (7) days to prepare amicus briefs, but in the instant case, there are 1,251 pages of documents to carefully review and consider.

3. The parties agree that the issue before the Court is an important one. As such, all parties agree that the extension requested is acceptable.

4. Amici Curiae seek to add meaningful input into this important issue and strive to ensure that the brief submitted will be helpful to the Court when making its decision; and

5. The importance of the issue together with the workload of counsel for Amici Curiae, which has been extremely demanding, will not permit an adequate amount of time to prepare the Amicus Brief without the extension requested.

This Motion is submitted in good faith and for good cause showed in accordance with NRAP 31(a) and (b).

III. CONCLUSION

Therefore, pursuant to NRAP 31(a) and (b), for good cause shown, and with concurrence of the parties, Amici Curiae request that this Court issue an Order allowing it to file their Amicus Brief on or before Monday, November 14, 2016.

Dated this 19th day of October, 2016.

JACKSON LEWIS P.C.

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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Jackson Lewis P.C. and that on this 19th day of October, 2016, I caused to be served a true and correct copy of the above and foregoing **MOTION FOR EXTENSION OF TIME TO FILE AMICUS BRIEF** via E-File/U.S. Mail, postage prepaid, properly addressed to the following:

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