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## **EXHIBIT 2**

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## Office

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**From:** efiling@nvcourts.nv.gov  
**Sent:** Tuesday, January 17, 2017 9:40 AM  
**To:** Office  
**Subject:** Rejection of Electronic Document. No. 71994.

Docket Number: 71994  
Case Category: Civil Appeal  
Submitted by: Daniel Marks  
Date Submitted: Jan 13 2017 04:26 p.m.  
Date Rejected: Jan 17 2017 09:39 a.m.  
Note from Clerk: Docketing Statement was due 01/11/17 and you submitted it into e-flex 01/13/17.  
Therefore, this document is untimely submitted.  
Document Category: Docketing Statement  
Document Title: Docketing Statement  
**Filing Status: Rejected**

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# **EXHIBIT 1**

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1 LAW OFFICE OF DANIEL MARKS  
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4 NICOLE M. YOUNG, ESQ.  
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9 Attorneys for Appellant

Electronically Filed  
Jan 17 2017 09:17 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

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

8 DENNIS KOGOD,  
9 Appellant,

**Supreme Court Case No. 71147**  
District Court Case No. D489442

10 vs.

11 GABRIELLE CIOFFI-KOGOD,  
12 Respondent.  
13 \_\_\_\_\_/

14 **STIPULATION TO CONSOLIDATE APPEALS**

15 COMES NOW the Appellant Dennis Kogod, by and through his attorney  
16 Daniel Marks, Esq., and Nicole M. Young, Esq., of the Law Office of Daniel  
17 Marks, and Respondent Gabrielle Cioffi-Kogod, by and through her attorney  
18 Radford J. Smith, Esq., and Garima Varshney, Esq., of Radford J. Smith,  
19 Chartered, and hereby stipulate and agree as follows:

20 **IT IS HEREBY STIPULATED AND AGREED** that the appeal and cross-

21 appeal filed in *Dennis Kogod v. Gabrielle Cioffi-Kogod*, Supreme Court Case No.  
22 71994 be consolidated into the instant appeal and cross-appeal, Case No. 71147.

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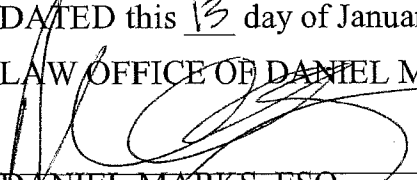
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1 This consolidation is necessary for purposes of judicial economy because both  
2 appeals relate to the Findings of Fact, Conclusions of Law, and Decree of Divorce  
3 that is being appealed in Case No. 71147.

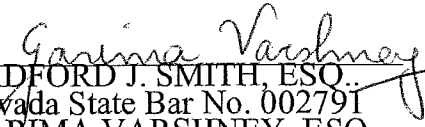
4 DATED this 13 day of January, 2017

5 LAW OFFICE OF DANIEL MARKS

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7 DANIEL MARKS, ESQ.  
8 Nevada State Bar No. 002003  
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Attorneys for Appellant

DATED this 12<sup>th</sup> day of January, 2017.

RADFORD J. SMITH CHARTERED

  
RADFORD J. SMITH, ESQ.  
Nevada State Bar No. 002791  
GARIMA VARSHNEY, ESQ.  
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Electronically Filed  
Jan 19 2017 08:41 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

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

DENNIS KOGOD,

Case No. 71994

Appellant,

vs.

GABRIELLE CIOFFI-KOGOD,

Respondent.

**MOTION TO EXTEND TIME TO FILE DOCKETING STATEMENT AND  
TRANSCRIPT REQUEST**

COMES NOW the Appellant DENNIS KOGOD, by and through his  
counsel, Daniel Marks, Esq., and Nicole M. Young, Esq., of the Law Office of  
Daniel Marks, and submits his Motion to Extend Time to File Docketing  
Statement and Transcript Request. The grounds for Appellant's motion are set  
forth in the following memorandum of points and authorities.

DATED this 18 day of January, 2017.

LAW OFFICE OF DANIEL MARKS



DANIEL MARKS, ESQ.  
Nevada State Bar No. 002003  
NICOLE M. YOUNG, ESQ.  
Nevada State Bar No. 12659  
610 South Ninth Street  
Las Vegas, Nevada 89101  
Attorneys for Appellant

1                   **MEMORANDUM OF POINTS AND AUTHORITIES**

2   **I.     FACTUAL BACKGROUND**

3           On December 13, 2016, Appellant Dennis Kogod (hereinafter “Dennis”)  
4   filed his Notice of Appeal with this Court appealing the district court’s “Order  
5   From October 18, 2016 Hearing”. This is the second appeal relating to district  
6   court case *Cioffi-Kogod v. Kogod*, Case No. D-13-489442-D. The first appeal  
7   (Supreme Court Case No. 71147, which was filed on August 23, 2016, relates to  
8   the “Findings of Fact, Conclusions of Law and Decree of Divorce” that was  
9   entered in the district court case after a bench trial that lasted over three (3) days.

10          Because both appeals relate to the same divorce action and trial that took  
11   place in that action, both Appellant and Respondent stipulated to consolidate the  
12   appeals. (*See Stipulation to Consolidate Appeals*, attached hereto as Exhibit 1.)  
13   While counsel was obtaining the stipulation to consolidate these appeals, the  
14   deadline for the Docketing Statement for the second, instant appeal lapsed.

15   **II.    LEGAL ANALYSIS**

16          Pursuant to the Nevada Rules of Appellate Procedure, Rule 26(b)(1)(A),  
17   “the court may extend the time prescribed by these Rules or by its order to perform  
18   any act, or may permit an act to be done after that time expires” for good cause.

19          In this case, Appellant should be granted an extension of time to file his  
20   Docketing Statement. This Court may find that good cause exists for such an  
21   extension because the deadline to file the Docketing Statement was on January 11,  
22   2017, and Appellant attempted to file the Docketing Statement on January 13,  
23   2017. (*See Rejection of Electronic Document*, attached hereto as Exhibit 2.) The  
24   reason why this deadline was missed is because counsel was attempting to obtain  
25   the signed stipulation from counsel for Respondent. In addition, Appellant should  
26   also be granted an extension of time to file his Certificate of No Transcripts since  
27   the transcripts relating to this appeal were previously requested in Supreme Court  
28   Case No. 71147.

1 As such, this Court should grant Appellant an extension of time to file his  
2 Docketing Statement and Certificate of No Transcripts.

3 **III. CONCLUSION**

4 For the foregoing reasons, this Court should grant Appellant's instant  
5 motion for an extension of time to file his Docketing Statement and Certificate of  
6 No Transcripts.

7 DATED this 18 day of January, 2017.

8 LAW OFFICE OF DANIEL MARKS

9 

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NICOLE M. YOUNG, ESQ., being first duly sworn, deposes and says:

1. That Affiant is an attorney licensed to practice law in all Courts of the State of Nevada; is legal counsel to Defendant Dennis Kogod; and that Affiant knows the truth of the contents within this Affidavit and is competent to testify to the same.
2. That I have been attempting to obtain a stipulation from opposing counsel to consolidate the appeals in Supreme Court Case Nos. 71147 and 71994 since December 27, 2016.
3. That on January 5, 2017, counsel for Respondent agreed to consolidate the appeals. A draft stipulation was sent to counsel for Respondent on that date.
4. On January 11, 2017, I still had not received a signed copy from opposing counsel, so I sent an e-mail to follow-up on the stipulation.
5. My office received an electronic copy of the signed stipulation on January 12, 2017. We received the original, signed copy of the stipulation on January 13, 2017.

[illegible]

FURTHER, YOUR AFFIANT SAYETH NAUGHT.

SUBSCRIBED AND SWORN to before me  
this 18th day of January, 2017.

NOTARY PUBLIC in and for said  
COUNTY and STATE



1                                    **CERTIFICATE OF COMPLIANCE**

2            I hereby certify that this motion complies with the typeface requirements of  
3 NRAP 32(a)(5) and the type style requirements of 32(a)(6) because this motion  
4 has been prepared in a proportionally spaced typeface using WordPerfect 11 in  
5 Times New Roman style in size 14-point font.

6            I further certify that this motion complies with the page limitations of  
7 NRAP 27(d)(2) because it does not exceed ten (10) pages.

8            Finally, I hereby certify that I have read this motion, and to the best of my  
9 knowledge, information, and belief, it is not frivolous or interposed for any  
10 improper purpose. I understand that I may be subject to sanctions in the event that  
11 the accompanying motion is not in conformity with the requirements of the  
12 Nevada Rules of Appellate Procedure.

13           DATED this 18 day of January, 2017.

14                                    LAW OFFICE OF DANIEL MARKS

15                                    

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Radford J. Smith, Esq.  
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