

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD KILGORE,  
Appellant/Cross-Respondent,  
vs.  
ELENI KILGORE,  
Respondent/Cross-Appellant.

No. 73977

**FILED**

OCT 04 2018

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

*ORDER GRANTING MOTION*

Appellant/cross-respondent (appellant) has filed a motion for reimbursement of transcript costs under NRAP 9(a)(4) (providing that when parties appeal from the same judgment, or there is cross-appeal, the costs for preparing the transcripts is to be borne equally by the parties or as the parties agree). In response, respondent/cross-appellant (respondent) states that one of the issues on appeal is whether appellant must begin paying respondent her share of his pension plan where appellant has reached retirement age but continues to work. Respondent asserts that because she will not receive funds until appellant actually retires, she is deprived of funds and suggests that appellant thus waived his right to request reimbursement for the transcripts. Alternatively, respondent requests 45 days to acquire the funds. Appellant has not filed a reply.

We decline to conclude that appellant has waived reimbursement under NRAP 9(a)(4). Accordingly, we grant the motion for reimbursement. Respondent shall have 45 days from the date of this order

to remit to appellant \$2,008.30 and provide this court with proof of payment.<sup>1</sup>

It is so ORDERED.

, C.J.

cc: Law Office of Betsy Allen  
Page Law Office

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<sup>1</sup>Respondent/cross-appellant does not contest the amount of the costs associated with the preparation of the transcripts.