

In the Supreme Court of Nevada

MOTOR COACH INDUSTRIES, INC.,

Appellant,

vs.

A.K. and K.K., minors, by and through their guardian MARIE-CLAUDE RIGAUD; SIAMAK BARIN, as executor of the ESTATE OF KAYVAN KHIABANI, M.D. (decedent); THE ESTATE OF KAYVAN KHIABANI, M.D. (decedent); SIAMAK BARIN, as executor of the ESTATE OF KATAYOUN BARIN, DDS (decedent); and the ESTATE OF KATAYOUN BARIN, DDS (decedent),

Respondents.

Electronically Filed
Jan 08 2019 10:31 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

**MOTION TO EXTEND TIME
TO RESPOND TO ORDER TO SHOW CAUSE**

Appellant Motor Coach Industries, Inc. requests an extension of time of 30 days, through February 6, 2019, in which to file a response to this Court's September 6, 2018 order to show cause. This is the fourth such request. The response was originally due October 8, 2018, and without an extension, would be due January 7, 2019. No requests for extension have been denied or denied in part.

As the Court notes in the order to show cause, appellant filed three tolling motions before the notice of appeal, making this appeal premature. We expect that the district court soon will enter orders

resolving those motions, however, rendering the appeal timely. *See* NRAP 4(a)(6). The district court has issued a minute order denying two of those motions. And plaintiffs-respondents recently circulated a draft order to formally memorialize those rulings. The court heard the third tolling motion on September 25 and will issue a ruling from chambers. Orders dismissing the settling parties also have been entered and an order dismissing the wrongful death claim for Katayoun Barin soon will be entered.

The additional 30 days will provide the district court additional time to issue its ruling on the remaining tolling motion, and for the parties to prepare the formal orders for the district court's approval and execution that will cure the jurisdictional defects. This appeal should proceed to avoid initiating a new one after entry of the district court orders, which would waste time and resources of the parties and this Court.

Dated this 7th day of January, 2019.

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CERTIFICATE OF SERVICE

I certify that on January 7, 2019, I submitted the foregoing
“Motion to Extend Time to Respond to Order to Show Cause” for filing
via the Court’s eFlex electronic filing system. Electronic notification
will be sent to the following:

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