

IN THE SUPREME COURT OF THE STATE OF NEVADA

MOTOR COACH INDUSTRIES, INC.,
Appellant,

vs.

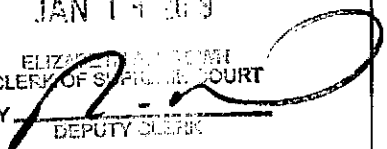
A. K. AND K. K., MINORS, BY AND
THROUGH THEIR GUARDIAN
MARIE-CLAUDE RIGAUD; SIAMAK
BARIN, AS EXECUTOR OF THE
ESTATE OF KAYVAN KHIABANI, M.D.
(DECEDENT); THE ESTATE OF
KAYVAN KHIABANI, M.D.
(DECEDENT); SIAMAK BARIN, AS
EXECUTOR OF THE ESTATE OF
KATAYOUN BARIN, DDS
(DECEDENT); AND THE ESTATE OF
KATAYOUN BARIN, DDS
(DECEDENT),

Respondents.

No. 75953

FILED

JAN 14 2009

ELIZABETH J. DEWITT
CLERK OF SUPREME COURT
BY  DEPUTY CLERK


ORDER

Appellant filed the notice of appeal prematurely, prior to resolution of tolling motions; accordingly, this court issued an order to show cause directing appellant to demonstrate why this court should not dismiss the appeal for lack of jurisdiction. Appellant has filed a motion for a fourth extension of time to file the response to the order to show cause, again explaining that the district court is expected to enter its orders resolving the tolling motions "soon." The rules of appellate procedure do not anticipate that a premature notice of appeal will linger on this court's docket indefinitely while the district court resolves outstanding motions. NRAP 4(a)(6). The motion is therefore granted to the following extent. Appellant shall have 11 days from the date of this order to respond and show cause why this appeal should not be dismissed for lack of jurisdiction. No further

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extensions shall be granted. Failure to demonstrate that this court has jurisdiction may result in this court's dismissal of this appeal. Appellant may appeal from a final order. The preparation of transcripts and the briefing schedule in this appeal shall remain suspended pending further order of this court.

It is so ORDERED.

 C.J.

cc: Lewis Roca Rothgerber Christie LLP/Las Vegas
Hartline Dacus Barger Dreyer LLP/Dallas
Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC
Hartline Dacus Barger Dreyer LLP/Corpus Christi
Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC/Atlanta
Kemp, Jones & Coulthard, LLP
Christiansen Law Offices