

IN THE SUPREME COURT OF THE STATE OF NEVADA

PETER GARDNER; AND CHRISTIAN  
GARDNER, INDIVIDUALLY AND ON  
BEHALF OF MINOR CHILD, LELAND  
GARDNER,

Appellants,

vs.

R&O CONSTRUCTION COMPANY, A  
UTAH CORPORATION,

Respondent.

No. 77261

**FILED**

JAN 16 2019

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

**ORDER**

Appellants have filed a motion to reassign this matter to a different district court judge upon remand, and to expedite this appeal. Respondent opposes the motion and appellants have filed a reply. The need to consider the motion to reassign is contingent upon the final disposition of the merits of this appeal. Accordingly, this court will defer ruling on the motion to reassign until the disposition of this appeal on its merits.

Notwithstanding its untimeliness and cause appearing, the unopposed motion for an extension of time filed on January 7, 2019, is granted. NRAP 31(b)(3). The clerk shall file the answering brief received on January 8, 2019. Appellants shall have 30 days from the date of this order to file and serve a reply brief, if deemed necessary. *See* NRAP 28(c).

Appellants request that the resolution of this appeal be expedited to the extent that this court's docket permits. The motion is granted. The resolution of this appeal shall be expedited to the extent that this court's docket permits.

It is so ORDERED.

L. Liblan, C.J.



cc: Campbell & Williams  
Godfrey Johnson  
Olson, Cannon, Gormley, Angulo & Stoberski