

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE ESTATE OF
MILTON I. SCHWARTZ, DECEASED.

No. 78341

A. JONATHAN SCHWARTZ,
EXECUTOR OF THE ESTATE OF
MILTON I. SCHWARTZ,
Appellant/Cross-Respondent,

vs.

THE DR. MIRIAM AND SHELDON G.
ADELSON EDUCATIONAL
INSTITUTE,

Respondent/Cross-Appellant.

IN THE MATTER OF THE ESTATE OF
MILTON I. SCHWARTZ, DECEASED.

No. 79464

THE DR. MIRIAM AND SHELDON G.
ADELSON EDUCATIONAL
INSTITUTE,

Appellant,

vs.

A. JONATHAN SCHWARTZ,
EXECUTOR OF THE ESTATE OF
MILTON I. SCHWARTZ,
Respondent.

FILED

JAN 09 2020

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

ORDER GRANTING MOTION

Extraordinary circumstances and extreme need having been demonstrated, appellant/cross-respondent's (Schwartz) motion requesting a fifth extension of time to file the opening brief in Docket No. 78341 is granted. NRAP 31(b)(3)(B). Schwartz shall have until January 29, 2020, to file and serve the opening brief on appeal and appendix. No further extensions of time shall be permitted absent demonstration of extraordinary circumstances and extreme need. *Id.* Counsel's caseload normally will not be deemed such a circumstance. *Cf. Varnum v. Grady*, 90

Nev. 374, 528 P.2d 1027 (1974). Failure to timely file the opening brief on appeal and appendix may result in the imposition of sanctions, including the dismissal of the appeal. NRAP 31(d).

Given this extension, respondent/cross-appellant in Docket No. 78341 (Adelson) shall have until March 27, 2020, to file and serve a single combined answering brief on appeal in Docket No. 78341, opening brief on cross-appeal, and opening brief in Docket No. 79464. Schwartz will then have 30 days from service of Adelson's combined brief to file and serve a single combined reply brief on appeal in Docket No. 78341, answering brief on cross-appeal, and answering brief in Docket No. 79464. Adelson shall then have 14 days from service of Schwartz's combined brief to file and serve a single reply brief in support of the cross-appeal in Docket No. 78341 and in support of the appeal in Docket No. 79464, if deemed necessary. See NRAP 28.1(f)(1).

It is so ORDERED.

Pickering, C.J.

cc: Kemp, Jones & Coulthard, LLP
Solomon Dwiggin & Freer, Ltd.
Lewis Roca Rothgerber Christie LLP/Las Vegas