

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE: NEWPORT CORPORATION
SHAREHOLDER LITIGATION.

No. 80636

HUBERT C. PINCON;
INTERNATIONAL UNION OF
OPERATING ENGINEERS-
EMPLOYERS CONSTRUCTION
INDUSTRY RETIREMENT TRUST,
LOCAL 302; AND INTERNATIONAL
UNION OF OPERATING ENGINEERS-
EMPLOYERS CONSTRUCTION
INDUSTRY RETIREMENT TRUST,
LOCAL 612,

Appellants,

vs.

ROBERT J. PHILLIPPY; KENNETH F.
POTASHNER; CHRISTOPHER COX;
SIDDHARTHA C. KADIA; OLEG
KHAYKIN; AND PETER J. SIMONE,
Respondents.

FILED

AUG 27 2020

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

ORDER

Appellant has filed a motion for a second extension of time (45 days) to file the opening brief. Once a party receives a telephonic extension of time to file a brief, further requests for extensions of time to file that brief will not be granted absent demonstration of extraordinary and compelling circumstances. NRAP 26(b)(1)(B); NRAP 31(b)(3)(A)(iv). Appellant previously received a telephonic extension of time to file the opening brief and appendix. Therefore, appellant must demonstrate extraordinary and compelling circumstances in support of the instant request for a second extension of time.

This court is not convinced that appellant demonstrates extraordinary and compelling circumstances warranting the requested extension of time. Nevertheless, in this instance only, the motion is granted. Appellant shall have until October 23, 2020, to file and serve the opening brief and appendix.

It is so ORDERED.

Pickering, C.J.

cc: Robbins Geller Rudman & Dowd, LLP
O'Mara Law Firm, P.C.
Brownstein Hyatt Farber Schreck, LLP/Las Vegas
Gibson, Dunn & Crutcher, LLP/San Francisco
Gibson, Dunn & Crutcher LLP/Irvine