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Elizabeth A. Brown
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

JSJBD CORP. D/B/A BLUE DOG'S PUB;
STUART VINCENT, AN INDIVIDUAL;
JEFFREY B. VINCENT, AN INDIVIDUAL;
AND JEFF WHITE, AN INDIVIDUAL,

Appellants/Cross-Respondents,

vs.

TROPICANA INVESTMENTS, LLC, A
CALIFORNIA LIMITED LIABILITY
COMPANY,

Respondent/Cross-Appellant.

Case No.: 80849

Appeal from the Eighth Judicial
District Court, the Honorable
Elizabeth Gonzalez Presiding

MOTION FOR EXTENSION OF TIME TO FILE
REPLY BRIEF ON CROSS-APPEAL
(First Request)

MAC:08732-032 4245253_1

Respondent/Cross-Appellant, Tropicana Investments, LLC (“Tropicana”), by and through its counsel of record, Marquis Aurbach Coffing, hereby moves this Court pursuant to NRAP 31(b) for a 30-day extension of time to file its Reply Brief on Cross-Appeal.

Appellants/Cross-Respondents’ Combined Reply Brief on Appeal and Answering Brief on Cross-Appeal (“Combined Brief”) was due on December 18, 2020, and Tropicana’s Reply Brief on Cross-Appeal was originally due 14 days later, ostensibly on January 4, 2021. However, Appellants/Cross-Respondents’ Combined Brief was filed late, along with an untimely motion for extension, on December 31, 2020. If the Court accepts the Combined Brief, Tropicana’s new due date could be as early as January 14, 2021—14 days following service of the Combined Brief.

If this Court grants this request for a 30-day extension, Tropicana’s Reply Brief on Cross-Appeal will be due on February 15, 2021. Good cause exists for allowing Tropicana to extend the filing deadline until February 15, 2021:

1. Tropicana has opposed Appellants/Cross-Respondents’ untimely motion for an extension of time and asked this Court to strike the Combined Brief in its entirety, which would make the filing of a Reply Brief on Cross-Appeal unnecessary;

2. If this Court grants Appellants/Cross-Respondents' motion for extension and accepts the Combined Brief, it is uncertain if the Court will set a new due date for Tropicana's Reply Brief on Cross-Appeal, leaving Tropicana uncertain of its actual current deadline;

3. Counsel does not wish to incur additional fees and costs to Tropicana by drafting a Reply on Cross-Appeal without knowing if this Court is going to grant or deny Appellants/Cross-Respondents' motion for extension and accept or strike the Combined Brief; and

4. The change in Tropicana's potential deadline has caused a conflict in scheduling and workload of counsel with deadlines already certain in other cases. A 30-day extension would allow counsel the additional time necessary to draft and circulate the Reply on Cross-Appeal to the client and make any requested changes prior to finalization and filing with this Court.

This Motion is submitted in good faith and for good cause shown in accordance with NRAP 31(b). Therefore, Tropicana respectfully requests that this Court grant the instant motion and extend Tropicana's deadline to file its Reply Brief on Cross-Appeal to February 15, 2021. Alternatively, if the deadline for Tropicana's Reply Brief on Cross-Appeal has been tolled by Appellant/Cross-Respondents' pending motion for an extension of time to file their Combined Brief

and the Court is inclined to grant their motion, Tropicana respectfully requests that this Court set a new deadline for its Reply Brief on Cross-Appeal on February 15, 2021 or 30 days from its order granting Appellants/Cross-Respondents' motion, whichever is later.

Dated this 13th day of January, 2021.

MARQUIS AURBACH COFFING

By /s/ Terry A. Moore
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **MOTION FOR EXTENSION OF TIME TO FILE REPLY BRIEF ON CROSS-APPEAL (First Request)** was filed electronically with the Nevada Supreme Court on the 13th day of January, 2021. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Mario Lovato, Esq.

/s/ Krista Busch

Krista Busch, an employee of
Marquis Aurbach Coffing