

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

CHRISTOPHER KHORSANDI, M.D.;  
CHRISTOPHER KHORSANDI, M.D.,  
PLLC; and CATHERINE LE  
KHORSANDI

Appellants,

vs.

SMITH PLASTIC SURGERY, INC.,  
and LANE F. SMITH, M.D.,

Respondents.

Case No.: 80957

Electronically Filed  
Sep 07 2021 01:43 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**RESPONDENTS' MOTION FOR EXTENSION OF TIME**


Anthony P. Sgro, Esq., Nevada State Bar No. 3811  
Jennifer Willis Arledge, Esq., Nevada Bar No. 8729  
720 South 7<sup>th</sup> Street, Third Floor  
Las Vegas, Nevada 89101  
*Attorneys for Respondents*

Respondents, Smith Plastic Surgery Inc. and Lane Smith M.D., by and through their counsel of record, Anthony P. Sgro, Esq. and Jennifer Willis Arledge, Esq. of the law firm SGRO & ROGER hereby request this Court for an extension of time to file Respondents Answering Brief pursuant to Rule 31 of the Nevada Rules of Appellate Procedure.

DATED this 7<sup>th</sup> day of September, 2021.

SGRO & ROGER

By:

  
JENNIFER WILLIS ARLEDGE, ESQ.  
Nevada Bar No. 8729  
720 S. 7<sup>th</sup> St. Third Floor  
Las Vegas, Nevada 89101  
(702) 384-9800  
*Attorney for Respondents*

## **MEMORANDUM OF POINTS AND AUTHORITIES**

### **I. Procedural History**

This appeal stems from the District Court's March 4, 2021 Order Denying Appellants' Anti-SLAPP Motion to Dismiss. Appellants filed a Notice of Appeal on March 31, 2020, and Appellants' Opening Brief was submitted on July 22, 2021.

### **II. Nevada Law Permits Motions to Extend Time**

The Nevada Supreme Court may grant a motion seeking an extension of time to file a brief upon a showing of good cause. NRAP 31(b)(3). Good cause exists to grant Respondents a two-week extension to submit their answering brief due to scheduling conflicts, out of state travel and an unanticipated absence of support staff due to illness.

On August 13, 2021 the Clerk of the Supreme Court granted Respondents' telephonic request pursuant to NRAP 26(b)(1)(B) granting Respondents until September 7, 2021 to file the answering brief, which was originally due on August 23, 2021. Respondents' answering brief is currently due on September 7, 2021. This is Respondents' first written request pursuant to NRAP 31(b)(3). No prior requests have been denied.

As set forth within the declaration of counsel attached hereto, good cause exists to extend time because counsel has been preparing for trial in two cases: Outlaws Investment Group, LLC vs. Rockstar Investment Group, LLC, Case No. A-

15-728921-C, which was set for trial on September 7, 2021, but has since been continued, as well as Donna Carlson v. Sam's West, Inc. Case No. 2:17-cv-02882-MMD-GWF, which is currently set for trial in the U.S. District Court on October 18, 2021. In addition, undersigned counsel was absent from the jurisdiction from August 21, 2021 to August 25, 2021 to attend the deposition of a client in New Jersey. Finally, several staff members have missed work pending negative test results following potential COVID-19 exposure with two paralegals missing more than two weeks of work. The above situations came together at a time which made it difficult to adequately prepare Respondents' brief.

Further, Appellants did not comply with NRAP 30, and submitted an appendix without meeting and conferring in an attempt to reach an agreement concerning a possible joint appendix, thus requiring Respondents to spend additional, unnecessary time preparing a separate appendix.

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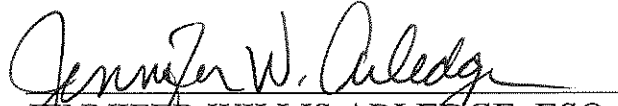
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### III. Conclusion

As set forth herein, Respondents respectfully request a two-week extension, allowing Respondents until September 21, 2021 to submit the answering brief.

SGRO & ROGER

By:   
JENNIFER WILLIS ARLEDGE, ESQ.  
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Las Vegas, Nevada 89101  
(702) 384-9800  
*Attorney for Respondents*

### **DECLARATION OF JENNIFER WILLIS ARLEDGE, ESQ.**

JENNIFER WILLIS ARLEDGE, ESQ. states:

1. Declarant is counsel of record for Respondents in the above-entitled action.
2. I am over the age of eighteen and am competent to testify regarding all the statements contained herein.
3. I make this Declaration in support of Respondents' Motion to Extend Time to File Respondents' Answering Brief.
4. On August 13, 2021, Respondents were granted a fourteen (14) day telephonic extension pursuant to NRAP 26, which extended the original deadline of August 23, 2021 to September 7, 2021.

5. This Motion is Respondents first written request seeking an extension purusnat to NRAP 31.
6. The current due date for Respondents' Answering Brief is September 7, 2021.
7. Good cause exists to grant this request.
8. I have been preparing for trial in two cases: Outlaws Investment Group, LLC vs. Rockstar Investment Group, LLC, Case No. A-15-728921-C, which was set for trial on September 7, 2021, but has since been continued, as well as Donna Carlson v. Sam's West, Inc. Case No. 2:17-cv-02882-MMD-GWF, which is currently set for trial in the U.S. District Court on October 18, 2021.
9. I was absent from the jurisdiction from August 21, 2021 to August 25, 2021 to attend the deposition of a client in New Jersey.
10. Several staff members have missed work pending negative test results following potential COVID-19 exposure with two paralegals missing more than two weeks of work.
11. The above situations came together at a time which made it difficult to adequately prepare Respondents' brief.
12. Appellants failed to satisfy their obligation to meet and confer regarding a joint appendix, thus requiring Respondents to spend time preparing a separate appendix.

13. Accordingly, in order to allow sufficient time to prepare a proper brief,

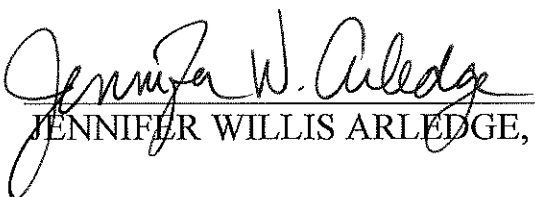
Respondents respectfully request that the Court extend the due date for filing the answering brief until September 21, 2021.

14. Appellants will not suffer prejudice if this fourteen (14) day extension is granted.

15. This request is not made for any dilatory purpose, but is necessary to protect the interests of the Respondents.

I declare under penalty of perjury under the laws of the state of Nevada that the foregoing is true and correct.

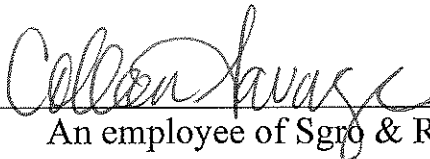
Executed this 7th day of September in Las Vegas, Nevada.

By:   
JENNIFER WILLIS ARLEDGE, ESQ.

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Sgro & Roger, and that on this 7<sup>th</sup> day of September, 2021. I caused to be served via the Court's e-filing/e-service system, true and correct copies of the above and foregoing ***Respondents' Motion For Extension Of Time To File Answering Brief*** to the following:

James. J. Pisanelli, Esq., Bar No. 4027  
Jordan T. Smith, Esq., Bar No. 12097  
Emily A. Buchwald, Esq., Bar No. 13442  
400 South 7th Street, Suite 300  
Las Vegas, Nevada 89101.  
Attorneys for Appellants/Cross-Respondents

  
An employee of Sgro & Roger