

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID ALVAREZ VENTURA,

Appellant,

vs.

**JOHN H. GANSER, M.D. LIC #9279;
GOMEZ KOZAR; AND
MCELREATH AND SMITH, A
PROFESSIONAL CORPORATION,**

Respondents.

No.: **81850**

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Jul 30 2021 12:42 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

**APPELLANT DAVID ALVAREZ VENTURA'S
ERRATA REGARDING HIS
RESPONSE TO RESPONDENTS' MOTION FOR
SECOND EXTENSION OF TIME TO FILE ANSWERING BRIEF**

Pursuant to Nevada Rule of Professional Conduct 3.3(a)(1), the undersigned files this Errata to correct an inadvertent misstatement of law in Appellant David Alvarez Ventura's Response to Respondents' Motion for Second Extension of Time to File Answering Brief. In that brief, the undersigned referred to the third sentence of Nevada Rule of Appellate Procedure 31(b)(3)(B). The undersigned should have referred to the second sentence of that rule:

Applications for extensions of time beyond that to which the parties are permitted to stipulate under Rule 31(b)(2) are not favored. *The court will grant an initial motion for extension of time for filing a brief only upon a clear showing of good cause.* The court shall not grant additional extensions of time except upon a showing of extraordinary circumstances and extreme need.

NRAP 31(b)(3)(B) (italics added). Even after substituting "good cause" for "extraordinary circumstances and extreme need[,]" the argument remains the same: the Respondents did not establish "good cause" for an extension. The undersigned apologizes to the Court and counsel for his error.

DATED this 30th day of July, 2021.

BY: /s/Neal S. Krokosky
Neal S. Krokosky
Nevada Bar No. 14799C
Attorney for Appellant

CERTIFICATE OF SERVICE

Pursuant to NRAP 25(c)(1)(E), on July 30, 2021, the undersigned electronically filed (through the Supreme Court of Nevada's eFlex system) Appellant David Alvarez Ventura's Response to Respondents' Motion for Second Extension of Time to File Answering Brief, thereby providing a copy to the following individuals:

Edward J. Lemons
Alice Campos Mercado
Lemons, Grundy & Eisenberg
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/s/Neal S. Krokosky
Neal S. Krokosky
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