

The Powell Law Firm

Tom W. Stewart, Esq. (14280)
8918 Spanish Ridge Avenue, #100
Las Vegas, Nevada 89148
Telephone: (702) 728-5500
tom@tplf.com

Electronically Filed
Dec 11 2021 09:56 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

PARVIZ SAFARI, an individual;
MANDANA ZAHEDI, an individual;
and NOOSHIN ZAHEDI, an individual,

Appellants,

vs.

HAMID MODJTAHED, an individual;
and MOHAMMAH MODJTAHED, an
individual,

Respondents.

Docket No. 82279

MOTION FOR EXTENSION OF TIME
TO FILE APPELLANTS' OPENING
BRIEF

(Second Written Request)

Appellants Parviz Safari, Mandana Zahedi, and Nooshin Zahedi move to for a 45-day extension of time to file their opening brief pursuant to NRAP 26(b)(1). The opening brief and appendix are currently due December 13, 2021, and this extension would make them due January 27, 2022. Good cause exists to extend the opening brief deadline as follows:

1. Appellants' lawsuit has spanned six years, four attorneys, 16 days of trial, a punitive damages hearing, post-trial motion hearing, a prior, premature appeal and, now, this appeal from a corrected final judgment. The trial transcripts—totaling nearly 2,100 of pages—were only delivered November 12,

2021. The other portions of the appendix include more than 40 discrete documents, several hearings, and a litany of exhibits. Thus, the record below consists of thousands of pages of documents which have required a substantial amount of time to review.

2. Despite its massive size, appellants' appendix has been finalized and filed with this Court, although the brief remains in progress. Indeed, the portions of the appeal predicated on errors occurring at trial are still undergoing the drafting process as a result of the recently-delivered trial record. Further, although appellants' counsel has been diligently drafting the opening brief, "every assertion in briefs regarding matters in the record" is not yet "supported by a reference to the page and volume number, if any, of the appendix where the matter relied on is to be found," consistent with NRAP 28(e)(1).

3. Further, appellants have recently moved and have been difficult to contact during the past month, which has slowed the drafting and review process tremendously. Additional time will allow the finalized brief to be approved by all three appellants prior to filing.

4. Finally, counsel seeks the 45-day extension due to scheduling conflicts which have arisen in the near future that make the completion, review, and finalization of the brief nearly impossible in other, lesser increments. A 14-day extension would make the brief due the day counsel is returning from an out-of-

state Christmas vacation with his wife and infant daughter; a 30-day extension would make the brief due on the third day of a complex jury trial for which the undersigned is trial counsel—the first of three trials the undersigned will try in January and early February 2022. But, a 45-day extension will allow the brief to be drafted, reviewed by the appellants, and finalized in between the second and third of those jury trials. No further extensions will be required.

Dated December 11, 2021.

The Powell Law Firm

/s/ Tom W. Stewart

Tom W. Stewart, Esq. (14280)

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing **MOTION FOR EXTENSION OF TIME TO FILE APPELLANTS' OPENING BRIEF** with the Nevada Supreme Court on the 11th day of December 2021. Electronic Service of the document shall be made in accordance with the Master Service List as follows:

Jonathan Blum, Esq.
Eric D. Walther, Esq.

/s/ Tom W. Stewart
Tom W. Stewart, Esq. (14280)