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Elizabeth A. Brown
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

AEROGROW INTERNATIONAL, INC.,

Petitioner,

vs.

EIGHTH JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA, IN AND FOR
THE COUNTY OF CLARK COUNTY; AND
THE HONORABLE ELIZABETH GOFF
GONZALEZ, DISTRICT JUDGE,

Respondents,

and

BRADLEY LOUIS RADOFF; FRED M.
ADAMCYZK; THOMAS C. ALBANESE;
WILLIAM A. ALMOND, III; MICHAEL S.
BARISH; GEORGE C. BETKE, JR. 2019
TRUST; DIANA BOYD; ANNE CAROL
DECKER; THOMAS H. DECKER; THE
DEUTSCH FAMILY TRUST; JOHN C.
FISCHER; ALFREDO GOMEZ, ALFREDO
GOMEZ FMT CO CUST IRA ROLLOVER;
LAWRENCE GREENBERG; PATRICIA

Case No.: 82895

REAL PARTIES IN
INTEREST'S JOINT MOTION
FOR EXTENSION OF TIME
TO FILE PETITION FOR
REHEARING
(First Request)

MAC:16419-001 4570973_2

GREENBERG; KAREN HARDING; H.L. SEVERANCE, INC. PROFIT SHARING PLAN & TRUST; H.L. SEVERANCE, INC. PENSION PLAN & TRUST; DANIEL G. HOFSTEIN; KEVIN JOHNSON; CANDICE KAYE; LAURA J. KOBAY; CAROLE L. MCLAUGHLIN; BRIAN PEIERLS; JOSEPH E. PETER; ALEXANDER PERELBERG; AMY PERELBERG; DANA PERELBERG; GARY PERELBERG; LINDA PERELBERG; THE REALLY COOL GROUP; RICHARD ALAN RUDY REVOCABLE LIVING TRUST; JAMES D. RICKMAN, JR., JAMES D. RICKMAN, JR. IRREVOCABLE TRUST; PATRICIA D. RICKMAN IRREVOCABLE TRUST; ANDREW REESE RICKMAN TRUST; SCOTT JOSEPH RICKMAN IRREVOCABLE TRUST; MARLON DEAN ALESSANDRA TRUST; BRYAN ROBSON; WAYNE SICZ IRA; WAYNE SICZ ROTH IRA; THE CAROL W. SMITH REVOCABLE TRUST; THOMAS K. SMITH; SURAJ VASANTH; CATHAY C. WANG; LISA DAWN WANG; DARCY J. WEISSENBOERN; THE MARGARET S., WEISSENBOERN REVOCABLE TRUST; THE STANTON F. WEISSENBOERN IRA; THE STANTON F. WEISSENBOERN REVOCABLE TRUST; THE STANTON F. WEISSENBOERN IRREVOCABLE TRUST; THE NATALIE WOLMAN LIVING TRUST; ALAN BUDD ZUCKERMAN; JACK WALKER; STEPHEN KAYE; THE MICHAEL S. BARISH IRA; AND THE ALEXANDER PERELBERG IRA,

Real Parties in Interest.

The above-named Real Parties in Interest (hereinafter collectively referred to as the “Real Parties in Interest”), by and through their counsel of record, Marquis Aurbach Coffing and Simons Hall Johnston PC, hereby move this Court pursuant to NRAP 31(b) and NRAP 40(1) for a 30-day extension of time to file their petition for rehearing.

The Real Parties in Interest petition for rehearing is currently due on December 27, 2021. If this Court grants this request for a 30-day extension, the Real Parties in Interest’s petition for rehearing will be due on January 26, 2022. Good cause exists for allowing the Real Parties in Interest to extend the filing deadline until January 26, 2022:

1. The current deadline falls between Christmas and New Year’s Eve, which is a time when many offices, including that of Real Parties in Interest counsel, are short staffed with people on vacation;

2. In addition, the office of counsel for Real Party in Interest Bradley Radoff (hereinafter “Radoff”) has experienced a high incidence of illness over the past two weeks, putting many attorneys and much of the staff out of the office on sick leave, which has unexpectedly caused a domino effect of workload backlogs;

3. Mr. Radoff's counsel has a mediation scheduled next week in another case, which would make completion of a petition for rehearing with adequate time for review by the client and co-counsel unlikely with the impending holiday; and

4. A 30-day extension will allow time for completion and review of Mr. Radoff's petition for rehearing prior to submission to this Court.

This Motion is submitted in good faith and for good cause shown in accordance with NRAP 31(b) and NRAP 40(1). Therefore, the Real Parties in Interest respectfully asks that this Court grant their motion for a 30-day extension of time until January 26, 2022 to file their petition for rehearing.

Dated this 20th day of December, 2021.

MARQUIS AURBACH COFFING

By /s/ Alexander K. Calaway
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SIMONS HALL JOHNSTON PC

By /s/ J. Robert Smith
J. Robert Smith
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*Attorneys for the remaining
Real Parties in Interest*

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **REAL PARTIES IN INTEREST'S
JOINT MOTION FOR EXTENSION OF TIME TO FILE PETITION FOR
REHEARING** was filed electronically with the Nevada Supreme Court on the 20th day of December, 2021. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Kirk Lenhard, Esq.
Travis Chance, Esq.
J. Robert Smith, Esq.
Maximilien Fetaz, Esq.

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage prepaid, addressed to:

Presiding Judge
Eighth Judicial District Court, Department 11
Attn: Clerk's Office
Regional Justice Center
200 Lewis Avenue
Las Vegas, Nevada 89155
Respondents

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/s/ Leah Dell
An employee of Marquis Aurbach Coffing