

Marquis Aurbach

Phillip S. Aurbach, Esq.
Nevada Bar No. 1501
Alexander K. Calaway, Esq.
Nevada Bar No. 15188
10001 Park Run Drive
Las Vegas, Nevada 89145
Telephone: (702) 382-0711
Facsimile: (702) 382-5816
paurbach@maclaw.com
acalaway@maclaw.com

Attorneys for Respondent, Dominique Arnould

Electronically Filed
May 09 2022 09:55 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

CLEMENT MUNNEY; CHEF EXEC
SUPPLIERS, LLC,

Appellants,

vs.

DOMINIQUE ARNOULD,

Respondent.

Case No.: 83641
Consolidated with Case No.:83869

Appeal from the Eighth Judicial District
Court, The Honorable Nancy Allf
Presiding.

MOTION FOR EXTENSION OF TIME TO FILE ANSWERING BRIEF
AND RESPONDENT'S APPENDIX
(First Request)

Respondent, Dominique Arnould ("Mr. Arnould"), by and through his counsel of record, Marquis Aurbach, hereby moves this Court pursuant to NRAP 31(b) for a 30-day extension of time to file his answering brief.

Mr. Arnould requests a 30-day extension to file his answering brief. Pursuant to NRAP 31(b)(3), a motion for extension of time for filing a brief may be made no later than the due date for the brief, and the contents of a motion to extend time for filing a brief must include:

- (i) The date when the brief is due;
- (ii) The number of extensions of time previously granted (including a 14-day telephonic extension), and if extensions were granted, the original date when the brief was due;
- (iii) Whether any previous requests for extensions of time have been denied or denied in part;
- (iv) The reasons or grounds why an extension is necessary (including demonstrating extraordinary and compelling circumstances under Rule 26(b)(1)(B), if required); and
- (v) The length of the extension requested and the date on which the brief would become due.

Here, Mr. Arnould's instant request meets each of the requirements under NRAP 31(b)(3)(i)-(v). Mr. Arnould's answering brief is presently due on May 13, 2022, so if the Court grants Mr. Arnould's request for a 30-day extension, his answering brief will be due on June 13, 2022. This is Mr. Arnould's first request for an extension of time in the above referenced matter. Finally, good cause exists for allowing Mr. Arnould to extend the filing deadline until June 13, 2022.

Specifically, good cause exists because lead appellate counsel for Mr. Arnould, Alex Calaway, Esq., has an expedited evidentiary hearing set to start on May 9, 2022, in an Eastern District of Arkansas federal court case (Case No. 4:22-cv-00258-DPM), which will require expedited preparation as well as travel to Arkansas to attend to the evidentiary hearing. The time involved in preparing for and attending this evidentiary hearing will cause a necessary delay in preparation of Mr. Arnould's answering brief and respondent's appendix.

In addition to the above evidentiary hearing, Mr. Calaway has a second scheduled evidentiary hearing set for May 12-13th, 2022, in an Eighth Judicial District Court case (Case No. A-18-784952-C). This scheduled 2-day evidentiary hearing will also cause a necessary delay in the preparation of Mr. Arnould's answering brief and respondent's appendix. While Appellant submitted an appendix with their opening brief, they did not include all necessary documents from the case below. As such, Mr. Arnould will also need to prepare a respondent's appendix to include the missing documents. Thus, additional time is needed to review the case below and determine which documents will need to be included in order to provide this Court with a complete record of the pertinent proceedings below.

As set forth above, Mr. Arnould's instant request is necessary, made in good faith, made for good cause, and meets each of the requirements of NRAP 31(b)(3)(A)(i)-(v). Accordingly, Mr. Arnould respectfully requests that the Court grant his request and allow him an additional 30 days of time until June 13, 2022, to prepare and file his answering brief and respondent's appendix.

Dated this 9th day of May, 2022.

MARQUIS AURBACH

By/s/ Alexander K. Calaway

Phillip S. Aurbach, Esq.

Nevada Bar No. 1501

Alexander K. Calaway, Esq.

Nevada Bar No. 15188

10001 Park Run Drive

Las Vegas, Nevada 89145

Attorneys for Respondent, Dominique
Arnould

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **MOTION FOR EXTENSION OF TIME TO FILE ANSWERING BRIEF AND RESPONDENT'S APPENDIX** was filed electronically with the Nevada Supreme Court on the 9th day of May, 2022. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Kern Law, Ltd
Robert Kern, Esq.
Robert@kernlawoffices.com
admin@kernlawoffices.com
601 S. 6th Street
Las Vegas, NV 89101

/s/ Cally Hatfield

An employee of Marquis Aurbach