

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

CLA PROPERTIES LLC, A  
CALIFORNIA LIMITED LIABILITY  
COMPANY,

Appellant,

vs.

SHAWN BIDSAL, AN INDIVIDUAL,

Respondent.

**Case No. 86438**

Electronically Filed  
Sep 15 2023 03:00 PM  
Elizabeth A. Brown  
Clerk of Supreme Court

CLA PROPERTIES LLC, A  
CALIFORNIA LIMITED LIABILITY  
COMPANY,

Appellant,

vs.

SHAWN BIDSAL, AN INDIVIDUAL,

Respondent.

**Case No. 86817**

**MOTION FOR EXTENSION OF TIME FOR  
OPENING BRIEF AND APPENDIX (SECOND REQUEST)**

Appellant CLA hereby moves for a 43-day extension of time for appellant's opening brief and appendix, which are presently due on September 21, 2023. There was one prior extension, which was granted pursuant to a stipulation. If this motion is granted, the brief and appendix will be due on November 3, 2023.

This is a very unusual and complex case arising out of a commercial business dispute involving the purchase and sale of interests in a business entity. There was a lengthy multi-day arbitration, followed by district court proceedings in 2019 and 2020, to confirm or vacate the award, and for attorneys' fees. The district court record at that time contained approximately 3,000 pages of documents. The district court entered orders on these matters, and both sides appealed. The appeals were docketed separately as Docket Numbers 80427 and 80831, but the appeals were subsequently consolidated. On March 17, 2022, this court issued an Order of Affirmance, and the remittitur was issued on June 1, 2022.

In the meantime, there had been remaining disputes that arose out of the first arbitration, including disputes regarding valuation of the business entity. The parties held a second multi-day arbitration in March and April 2021, with a second arbitrator, to resolve these disputes. The arbitrator issued an award, and both sides filed motions in the district court to confirm and/or vacate the second award. The motions were accompanied by an appendix that contained the complete records of the first and second arbitrations—consisting of more than 8,000 pages. The district court entered separate orders that were appealed separately and docketed in this court as pending Dockets 86438 and 86817. This court consolidated the dockets.

Appellant CLA's attorneys have been working diligently to prepare the massive appendix, which will contain almost all the district court filings, consisting

of approximately 9,000 pages. CLA has also been working on the opening brief, which will contain factual and legal arguments regarding complex, highly unusual issues relating to the years-long business dispute and the two arbitrations. Despite this diligent work, CLA needs more time to complete the opening brief and to finalize the appendix.

Among other things, CLA's appellate counsel has found some mistakes in the underlying district court record that will constitute the appellate appendix. Counsel has needed to spend a considerable amount of time dealing with these mistakes, to make sure the appendix is user-friendly and is as accurate as possible.

Additionally, the appellate associate in the firm of CLA's lead appellate counsel, Robert Eisenberg, left the firm; and the firm (which is a small Reno firm) has had a difficult time replacing her. Consequently, we have obtained outside counsel to assist with the brief. But this has been difficult and time-consuming due to the huge district court record and the complex factual and legal issues.

The unusual amount of time being requested in this motion (43 days) is a result of counsel Eisenberg's commitments during the next several weeks. Among other things during September and October, counsel Eisenberg has three medical appointments; he has a meeting of the NRAP Revision Commission; and he will be attending an out-of-town wedding in Pahrump, a court hearing in Las Vegas, a

settlement conference in Las Vegas, and the Fall meeting of members of the American Academy of Appellate Counsel in Nashville.

Eisenberg also has a one-week vacation in Mexico planned for October 20 through 27. This trip has been planned for several months; it involves four people; and all travel and lodging arrangements have been prepaid. If this court only grants a 30-day extension, the due date for the brief will fall on October 23, 2023, which is the fourth day of Eisenberg's vacation. Therefore, Eisenberg is requesting a due date that is one week after he returns to Reno, to allow time to catch up on other matters and to finish the brief. This all calculates to an extension of 43 days.

Accordingly, CLA requests an extension until November 3, 2023, for the opening brief and appendix. This motion is being made in good faith and without an intent to delay the appeal unnecessarily.

Dated this 15<sup>th</sup> day of September, 2023.

LEMONS, GRUNDY & EISENBERG

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**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of LEMONS, GRUNDY & EISENBERG, and on this date the foregoing document was electronically filed with the Clerk of the Nevada Supreme Court, and therefore electronic service was made in accordance with the court's Master Service List.

DATED: September 15, 2023

/s/ Margie Nevin  
Margie Nevin  
Employee of Lemons, Grundy & Eisenberg

**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of LEMONS, GRUNDY & EISENBERG, and on this date the foregoing document was electronically filed with the Clerk of the Nevada Supreme Court, and therefore electronic service was made in accordance with the court's Master Service List.

DATED: July 24, 2023

/s/ Margie Nevin  
Margie Nevin  
Employee of Lemons, Grundy & Eisenberg