

1 ROBIN J. BARBER
 2 Nevada State Bar No. 2651
 3 6655 W. Sahara Avenue, Suite B-200
 4 Las Vegas, NV 89146
 5 1729 Michaelwood Court
 6 Saint Charles, MO 63303
 7 636.493.0066

8 UNITED STATES BANKRUPTCY COURT
 9 DISTRICT OF NEVADA

10 * * *

11 In re) CASE NO.: 2:14-CV-02224-APG
 12 THOMAS J. GIBSON,)
 13 Debtor)
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30 **MOTION FOR EXTENSION OF TIME TO FILE**
 31 **DESIGNATION OF RECORD ON APPEAL AND STATEMENT OF ISSUES**

32 Creditor Lisa J. Gibson, hereinafter “Creditor,” by and through her attorney, Robin J. Barber,
 33 hereby moves for an extension of time to file the “Designation of Record On Appeal” and “Statement of
 34 Issues” pursuant to Federal Rules of Appellate Procedure (FRAP) 26(b).

35 **POINTS AND AUTHORITIES**

36 FRAP 26(b) provides: “For good cause, the court may extend the time prescribed by these rules
 37 or by its order to perform any act, or may permit an act to be done after that time expires.” While there
 38 are two exceptions to this provision, neither apply here.

39 Creditor has appealed the bankruptcy court’s 11 December 2014 order denying Creditor’s
 40 Motion to Garnish Chapter 13 Trustee in Bankruptcy Case Number 12-19651-gs. Because this appeal
 41 involves a very limited issue and the record has many documents potentially with some mention of this
 42 issue, the relevance of which needs to be assessed, Creditor needs additional time to go through more
 43 than 400 pleadings and evidentiary documents in the underlying bankruptcy case.

1 There are multiple hearings as well, and upon information and belief, all transcripts have already
2 been ordered, including §341 transcripts. Because of the sheer volume, and Creditor's intent to simplify
3 the issues and limit the record, she requires additional time to compile the record and articulate the
4 issues. In addition, Creditor's counsel has been ill during this holiday period. Despite this, Creditor's
5 counsel has attempted to comply with this deadline but has been unable to do so.

6 Accordingly, Creditor requests an extension of nine days, until and including Friday, 16 January
7 2015, in which to file both the "Designation of Record On Appeal" and "Statement of Issues."

8 WHEREFORE, Creditor moves for an order extending the time in which to file both the
9 "Designation of Record On Appeal" and "Statement of Issues."
10

11 DATED this 7th day of January 2015

12 /s/ Robin J. Barber

13 ROBIN J. BARBER, ESQ.
14 Nevada State Bar #2651
15 7472 West Sahara Avenue, Suite 101
16 Las Vegas, NV 89146
17 1729 Michaelwood Court
18 Saint Charles, MO 63303
19 636.493.0066 (no message service)
20 Attorney for Creditor Lisa J. Gibson

21 **ORDER**

22 IT IS SO ORDERED.

23 DATED: January 8, 2015.

24 

25 ANDREW P. GORDON
26 DISTRICT COURT JUDGE

27 **CERTIFICATE OF SERVICE**

28 Pursuant to Federal Rules of Appellate Procedure 25(b) and (c), and Local Rule 5-1, I certify on
29 the 07th day of January 2015, service of a true and correct copy of Creditor Lisa J. Gibson's MOTION

1 FOR EXTENSION OF TIME TO FILE DESIGNATION OF RECORD ON APPEAL AND
2 STATEMENT OF ISSUES was made by depositing a true and correct copy thereof, with the U.S.
3 Postal Service, first class postage pre-paid, to the parties as listed below:

4 Thomas J. Gibson, Esq.
5 880 Third Street
6 Pahrump, NV 89048

7 Kathleen A. Leavitt, Chapter 13 Trustee
8 201 Las Vegas Blvd., S., #200
9 Las Vegas, NV 89101

David A. Rosenberg, Chapter 7 Trustee
5030 Paradise Rd., #B-215
Las Vegas, NV 89119

10 /s/ Robin J. Barber

11 ROBIN J. BARBER, ESQ.