COURT OF APPEALS OF TEXAS, FIFTH DISTRICT AT DALLAS

Marble Ridge Capital LP and Marble Ridge Master Fund LP v. Neiman Marcus Group, Inc., Mariposa Intermediate Holdings LLC, Neiman Marcus Group LTD LLC, The Neiman Marcus Group LLC, and Neiman Marcus Group International LLC

No. 05-19-00443-CV · No. No. 05-19-00443-CV · Decided May 10, 2019

SUMMARY

The Court of Appeals for the Fifth District of Texas granted the appellants' unopposed motion to extend the briefing deadlines in this accelerated appeal. The court ordered the appellants' opening brief due June 14, 2019, the appellees' response due August 12, 2019, and the appellants' reply due September 12, 2019.

CASE DETAILS

COURT	Court of Appeals of Texas, Fifth District at Dallas
JURISDICTION	Texas
DECIDED	May 10, 2019
DOCKET	No. 05-19-00443-CV
DISPOSITION	other
PROCEDURAL POSTURE	Accelerated appeal in which appellants moved unopposed to extend the briefing deadlines.
PRECEDENTIAL VALUE	published procedural order
PARTIES	Marble Ridge Capital LP, Marble Ridge Master Fund LP v. Neiman Marcus Group, Inc., Mariposa Intermediate Holdings LLC, Neiman Marcus Group LTD LLC, The Neiman Marcus Group LLC, Neiman Marcus Group International LLC

TOPICS

appellate procedure · civil procedure · commercial litigation

PRACTICE AREAS

appellate procedure · civil procedure · commercial litigation

QUESTIONS PRESENTED

1. Whether the court should grant appellants' unopposed motion to extend the briefing deadlines and approve the parties' agreed briefing schedule.

KEY QUOTATIONS

> *"We GRANT the motion and ORDER appellants' opening brief be filed no later than June 14, 2019, appellees' response brief be filed no later than August 12, 2019, and appellant's reply brief be filed no later than September 12, 2019."*

FACTUAL BACKGROUND

The parties were engaged in an accelerated appeal. Appellants requested a twenty-nine-day extension for their opening brief, a thirty-nine-day extension for appellees' response brief, and an eleven-day extension for their reply brief. The motion was unopposed.

PROCEDURAL HISTORY

The matter was on appeal from the 116th Judicial District Court of Dallas County, Texas, in Trial Court Cause No. DC-18-18371. The appellate court considered appellants' unopposed motion to approve an agreed briefing schedule and granted it.

DISPOSITION

other

OPINION

Marble Ridge Capital LP and Marble Ridge Master Fund LP v. Neiman Marcus Group, Inc., Mariposa Intermediate Holdings LLC, Neiman Marcus Group LTD LLC, the Neiman Marcus Group LLC, and Neiman Marcus Group International LLC.

PER CURIAM.

Order entered May 10, 2019 In The Court of Appeals Fifth District of Texas at Dallas No. 05-19-00443-CV MARBLE RIDGE CAPITAL LP AND MARBLE RIDGE MASTER FUND LP, Appellants V.

NEIMAN MARCUS GROUP, INC., MARIPOSA INTERMEDIATE HOLDINGS LLC,

NEIMAN MARCUS GROUP LTD LLC, THE NEIMAN MARCUS GROUP LLC, AND

NEIMAN MARCUS GROUP INTERNATIONAL LLC, Appellees On Appeal from the 116th Judicial District Court Dallas County, Texas Trial Court Cause No. DC-18-18371

ORDER

Before the Court is appellants' unopposed motion to extend briefing deadlines. Appellants request the Court approve the parties' agreed briefing schedule, which extends the deadline for filing appellants' opening brief by twenty-nine days, appellees' response brief by thirty-nine days, and appellants' reply brief by eleven days. We GRANT the motion and ORDER appellants' opening brief be filed no later than June 14, 2019, appellees' response brief be filed no later than August 12, 2019, and appellant's reply brief be filed no later than September 12, 2019. Because this is an accelerated appeal, we caution the parties that further extension requests will be disfavored.

/s/ BILL WHITEHILL

JUSTICE