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*Attorneys for Defendants the State of Nevada*  
*ex rel Board of Regents of the Nevada System*  
*of Higher Education on behalf of the*  
 8 *University of Nevada, Las Vegas and*  
 9 *Lori Olafson*  
 10

11 **IN THE UNITED STATES DISTRICT COURT**

12 **FOR THE DISTRICT OF NEVADA**

13 ROBERT HOOT,

14 Plaintiff,

15 vs.

16 THE STATE OF NEVADA, EX REL.  
 17 BOARD OF REGENTS OF THE NEVADA  
 18 SYSTEM OF HIGHER EDUCATION ON  
 19 BEHALF OF THE UNIVERSITY OF  
 NEVADA, LAS VEGAS; LORI OLAFSON,  
 an individual,

20 Defendants.  
 21

CASE NO.: 2:15-CV-00175-RFB-PAL

**DEFENDANT'S MOTION TO EXTEND  
 TIME TO FILE A RESPONSIVE  
 PLEADING  
 (First Request)**

22 Defendant, the State of Nevada ex rel Board of Regents of the Nevada System of Higher  
 23 Education on behalf of the University of Nevada, Las Vegas (“UNLV” or “**University**”), by and  
 24 through counsel, Debra L. Pieruschka, Esq., Assistant General Counsel, University of Nevada, Las  
 25 Vegas, Office of General Counsel (“**University OGC**”), hereby moves this Honorable Court  
 26 pursuant to Fed. R. Civ. P. 6 and L.R. 6-1 for an order enlarging and extending the time for  
 27 Defendant UNLV to file a responsive pleading from April 6, 2015 to April 17, 2015. The reasons  
 28 in support of this motion are fully set forth in the following Memorandum of Points and

1 Authorities, the pleadings and papers on file herein, and any oral argument to be made at the  
2 hearing on this matter.

3 **MEMORANDUM OF POINTS AND AUTHORITIES**

4 Defendant UNLV seeks approval of this Court to grant it an extension of time, up to and  
5 including April 18, 2015 to file a responsive pleading to Plaintiff’s Complaint. On January 30,  
6 2015, Plaintiff filed his Complaint against the University and Dr. Lori Olafson (“**Olafson**”)  
7 alleging Defendants deprived him of his First Amendment right of free speech, right of assembly,  
8 and right to petition the government for redress of his grievances. [**Doc. 1**]. Plaintiff’s Complaint  
9 was subsequently amended on March 12, 2015 to properly name the University. [**Doc. 5**].  
10 University OGC represents both Defendants, UNLV and Dr. Olafson.

11 On March 2, 2015, University OGC on behalf of Defendant Olafson, executed a signed  
12 Waiver of the Service of Summons giving her sixty (60) days from February 17, 2015 to file a  
13 responsive pleading. Thereby, Defendant Olafson had up to and including April 18, 2015 to file a  
14 responsive pleading. Pursuant to Nevada Revised Statute 41.031, Plaintiff, to effectuate proper  
15 service on UNLV, had to serve both the State of Nevada, Office of Attorney General (“**AG**”) and  
16 the Chancellor for the Nevada System of Higher Education (“**Chancellor**”). Plaintiff served his  
17 original Complaint on the AG and Chancellor on February 23, 2015 and February 19, 2015,  
18 respectively. After amending his complaint, Plaintiff re-served his Amended Complaint on the  
19 University on March 11, 2015 by U.S. Mail. Thereby, UNLV had up to and including April 6,  
20 2015 to file a responsive pleading.

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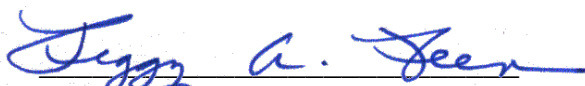
1 Rule 6(b)(1) permits a court to extend the time to complete an act, if a request is made  
2 before the original time expires. FED. R. CIV. P. 6(b)(1)(A). Here, University OGC represents  
3 both Defendants. The request to extend the time to file a responsive pleading would allow the  
4 Defendants to file a consolidated response to Plaintiff's Complaint. There would be no prejudice  
5 to Plaintiff because this matter is in the early stages of litigation. As such, Defendant UNLV  
6 respectfully requests this Court grant its Motion to extend time to allow it to file a responsive  
7 pleading up to and including April 18, 2015 in concert with Defendant Olafson.

8 DATED: APRIL 6, 2015.

9  
10 /S/ DEBRA L. PIERUSCHKA

11 DEBRA L. PIERUSCHKA  
12 Assistant General Counsel  
13 Nevada Bar No. 10185  
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18 Facsimile: (702) 895-5299  
19 *Attorneys for Defendants*

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17 IT IS SO ORDERED this 15th day  
18 of April, 2015.

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20 Peggy A. Leen  
21 United States Magistrate Judge  
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**CERTIFICATE OF SERVICE**

I certify that on this date, April 6, 2015, I served the following **DEFENDANT'S MOTION TO EXTEND TIME TO FILE A RESPONSIVE PLEADING (First Request)** via U.S. Mail - First Class Prepaid Postage and electronic service on the date and to the address(es) shown below:

Robert Hoot  
P.O. Box 546  
Pahrump, NV 89041  
*Plaintiff, in pro se*

/S/ Erika M. Noltie  
Erika M. Noltie, an employee of the  
University of Nevada, Las Vegas