

1 DANIEL G. BOGDEN
 United States Attorney
 2 District of Nevada
 PATRICK A. ROSE
 3 Assistant United States Attorney
 Nevada Bar No. 5109
 4 501 Las Vegas Boulevard South, Suite 1100
 Las Vegas, Nevada 89101
 5 Telephone: 702-388-6336
 Email: patrick.rose@usdoj.gov
 6 *Attorneys for Defendant United States*

7 **UNITED STATES DISTRICT COURT**
 8 **DISTRICT OF NEVADA**

9 PAMELA McSWAIN,)	Case No: 2:15-cv-01321-GMN-GWF
10 Plaintiff,)	
11 v.)	MOTION TO EXTEND DUE DATE
12 UNITED STATES OF AMERICA)	TO FILE PROPOSED PROTECTIVE
13 Defendant.)	ORDER
)	(First Request)

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 15 Pursuant to Fed. R. Civ. P. 6(b) and Local Rule IA 6-1, Federal Defendant requests a
 16 one-week extension of time for the parties to file a proposed protective order, as contemplated
 17 by the Court’s recent Order, ECF No. 31. More specifically, and for the reasons set forth below,
 18 Federal Defendant requests that the due date of September 9, 2016 (ten days after entry of Order
 19 #31) be extended to September 16, 2016.¹ This is the first request to extend such due date to file
 20 a proposed protective order.

21 This motion is based on the Memorandum of Points and Authorities below, along with
 22 all papers and pleadings on file.

23 Respectfully submitted this 2nd day of September 2016.

24 DANIEL G. BOGDEN
 United States Attorney
 25
 26 /s/ Patrick A. Rose
 PATRICK A. ROSE
 Assistant United States Attorney

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 28 ¹ The Order also sets a status hearing for September 13, 2016. Federal Defendant defers to the Court on whether to keep or reschedule such hearing in light of this to request to file the proposed protective order on or by September 16, 2016.

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 On August 30, 2016, the Court entered an Order (ECF No. 31) in which it, among other
3 things, directed the parties to meet, confer, and file a proposed protective order within ten days,
4 which would be September 9, 2016.

5 September 5, 2016 is a judicial holiday, and defense counsel will be out of state for
6 training and continuing legal education credits September 5-9, 2016, as well as out of the office
7 on September 12, 2016.

8 Since the entry of the Order, defense counsel has had to devote time and attention to,
9 among other things, preparing by September 2, 2016 a responsive brief in *Rosiere v. United*
10 *States*, 2:15-cv-02187-APG-GWF, as the brief is due the following week when counsel will be
11 out of town. Additionally, agency counsel for TSA, with whom defense counsel must confer
12 about the contemplated protective order and other requirements of the Court's Order, is out of
13 the office September 2, 2016.

14 Under these circumstances, defense counsel will not be able to prepare and coordinate
15 with Plaintiff's counsel a protective order to be filed by the current due date of September 9,
16 2016. For these reasons, Federal Defendant requests a one-week extension of time, from
17 September 9, 2016 to September 16, 2016, for the parties to file a proposed protective order.

18 This motion is submitted for the reasons explained above, in good faith, and not for
19 purposes of undue delay.

20 Dated this 2nd day of September 2016.

21 DANIEL G. BOGDEN
22 United States Attorney

23 /s/ Patrick A. Rose
24 PATRICK A. ROSE
25 Assistant United States Attorney

26 **IT IS SO ORDERED:**

27 
28 **UNITED STATES MAGISTRATE JUDGE**
DATED: September 6, 2016

1 **PROOF OF SERVICE**

2 I, Patrick A. Rose, certify that the following individual was served with the **MOTION**
3 **TO EXTEND DUE DATE TO FILE PROPOSED PROTECTIVE ORDER** on the date and
4 via the method of service identified below:

5 **Electronic Case Filing:**

6 Paul S. Padda, Esq.
7 Paul Padda Law, PLLC
8 4240 West Flamingo Road, Suite 220
9 Las Vegas, Nevada 89103
10 *Attorneys for Plaintiff*

11 Dated this 2nd day of September 2016.

12 */s/ Patrick A. Rose*
13 _____
14 PATRICK A. ROSE
15 Assistant United States Attorney
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