



1 In support of this motion, the United States relies on the Memorandum of Points and  
2 Authorities below.

3 Dated June 30, 2017.

4 STEVEN W. MYHRE  
5 Acting United States Attorney  
6 District of Nevada

7 /s/ Ben A. Porter  
8 BEN A. PORTER  
9 Special Assistant United States Attorney  
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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 Federal Rule of Civil Procedure 6(b)(1) and Local Rule 6-1 allow a party to request  
3 additional time to perform an act. In this case, the United States requests additional time to file a  
4 response to the complaint for the reasons set forth below.

5 An extension of time is needed in order to prepare Defendant's Answer because the  
6 Commissioner is still in the process of assembling and finalizing the administrative record. This  
7 request is made in good faith with no intention to unduly delay the proceedings. Counsel for  
8 Defendant attempted to meet and confer with Plaintiff's counsel by email and by phone on June  
9 30, 2017, in order to obtain agreement to an extension for an unopposed motion; however,  
10 counsel was unable to reach Plaintiff's counsel.

11 Based on these circumstances, the United States requests an extension of time of  
12 fourteen (14) days from July 3, 2017 to July 17, 2017, in which to respond to the Complaint in  
13 this matter and file a copy of the administrative record.

14 This motion is brought in good faith and not for purposes of undue delay.

15 Respectfully submitted this 30th day of June 2017.

16 STEVEN W. MYHRE  
17 Acting United States Attorney  
18 District of Nevada

19 /s/ Ben A. Porter  
20 BEN A. PORTER  
21 Special Assistant United States Attorney

22 OF COUNSEL:

23 DEBORAH LEE STACHEL  
24 Regional Chief Counsel, Region IX

25 IT IS SO ORDERED:

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28 UNITED STATES MAGISTRATE JUDGE

DATED: July 3, 2017