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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LAUSTEVEION JOHNSON,
Plaintiff,
v.
DICUES, *et al.*,
Defendants.

Case No. 2:17-cv-03045-RFB-NJK
ORDER GRANTING
MOTION FOR AN EXTENSION OF
TIME TO RESPOND TO
PLAINTIFF'S MOTION TO COMPEL
(ECF NO. 67)
(FIRST REQUEST)

Defendants, Jennifer Nash, James Dzurenda, Julio Calderin, Aaron Dicus, and Brian Williams, by and through counsel, Aaron D. Ford, Nevada Attorney General, and Katlyn M. Brady, Senior Deputy Attorney General, of the State of Nevada, Office of the Attorney General, request this Court grant a four (4)-day extension to respond to Plaintiff's motion to compel discovery. Defendants' response is currently due today, **June 21, 2021**. Defendants seek an extension until this Friday, **June 25, 2021**.

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1 **I. INTRODUCTION**

2 On June 7, 2021, Plaintiff filed a motion to compel discovery.¹ ECF No. 67. Upon
3 being alerted to the outstanding discovery, counsel worked with staff and Defendants to
4 ensure the discovery was promptly responded to.²

5 Following the motion to compel, counsel was out of the office for several days due to
6 a medical issue. In addition, counsel was required to complete a motion for summary
7 judgment assigned to another attorney to ensure the deadline was not missed or extended.
8 As a result, counsel has been unable to complete the response to the motion to compel.

9 **II. LEGAL ARGUMENT**

10 A court may extend the deadline to respond to a motion when the moving party
11 demonstrates good cause. Federal Rules of Civil Procedure 6(b)(1)(A).

12 Defendants respectfully request a four (4)-day extension, from **June 21, 2021**, to
13 **June 25, 2021**, to respond to Plaintiff's motion to compel. Although the motion is likely
14 moot due to Defendants' responses, Defendants request this short extension to complete
15 the opposition. This will allow Defendants to demonstrate to the Court that several of the
16 requests, which include questions regarding Defendants' personal religious beliefs and
17 Defendants' sexual histories, are irrelevant, disproportional, and intended solely to harass
18 Defendants.

19 Defendants assert good cause exists based upon counsel's medical absence and the
20 sudden assignment of a motion for summary judgment due June 15, 2021. All of counsel's
21 workload, and not just this opposition, was affected by counsel's medical illness and sudden
22 assignment of the motion for summary judgment. Counsel has begun the process of drafting
23

24 ¹ Defendants served responses to the outstanding discovery on June 7, 2021;
25 June 14, 2021; and June 16, 2021.

26 ² It appears an error occurred during the discovery intake process. Counsel takes full
27 responsibility for this error and has worked with staff to ensure it does not reoccur. In
28 Plaintiff's motion, he makes numerous misrepresentations regarding counsel's and his
meet and confer. Although those will be fleshed out and detailed in counsel's opposition, it
bears noting that at no point during the meet and confer did counsel state the discovery
was sitting on her desk and that the Defendants "may" respond.

1 the opposition but requests this short extension to ensure all necessary arguments are fully
2 addressed. Plaintiff will not be prejudiced by this short request as Plaintiff already received
3 the outstanding discovery.

4 **III. CONCLUSION**

5 Defendants respectfully request a four (4)-day extension, from **June 21, 2021**, to
6 **June 25, 2021**, to complete the opposition to Plaintiff's motion to compel.

7 DATED this 21st day of June, 2021.

8 AARON D. FORD
9 Attorney General

10 By: /s/ Katlyn M. Brady
11 KATLYN M. BRADY (Bar No. 14173)
12 Deputy Attorney General

Attorneys for Defendants

13 IT IS SO ORDERED.

14 Dated: June 22, 2021

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18 NANCY J. KOPPE
19 UNITED STATES MAGISTRATE JUDGE
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