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8  
 9 **UNITED STATES DISTRICT COURT**  
 10 **DISTRICT OF NEVADA**

11 JOHN OLIVER SNOW,  
 12 Plaintiff,  
 13 v.  
 14 UTILIZATION REVIEW PANEL, et al.,  
 15 Defendants

Case No. 2:18-cv-00100-APG-VCF

**MOTION FOR EXTENSION OF TIME  
 TO RESPOND TO PLAINTIFF'S  
 MOTION TO COMPEL (ECF No. 34)  
 (First Request)**

16 Defendants, Dr. Gregory Bryan and D.O.N. Bob Faulkner (Defendants), by and  
 17 through counsel Aaron D. Ford, Attorney General of the State of Nevada, and Ian E.  
 18 Carr, Deputy Attorney General, hereby submit their Motion for Extension of Time to  
 19 Respond to Plaintiff's Motion to Compel (ECF No. 34) (First Request). This Motion is  
 20 based on Federal Rule of Civil Procedure 6(b)(1)(A), the following Memorandum of Points  
 21 and Authorities, and all papers and pleadings on file in this action.

22 **MEMORANDUM OF POINTS AND AUTHORITIES**

23 **I. ARGUMENT**

24 Defendants respectfully request a thirty (30) day extension of time out from the  
 25 current deadline (August 8, 2019) to respond to Plaintiff's Motion to Compel (ECF No.  
 26 34). Defense counsel is in the process of winding down or transferring most assigned

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1 cases, and his last official day representing the Nevada Department of Corrections  
2 (NDOC) in full capacity was July 31, 2019. Defense counsel requests this extension to  
3 ensure that his successor will have enough time to familiarize themselves with the case.

4 Furthermore, defense counsel submits that this Division has experienced a wave of  
5 recent retirements and departures. Although the Division is depleted, new Deputy  
6 Attorneys General (DAGs) are arriving in early August to help restore normal  
7 functionality. Defense counsel respectfully requests this extension to accommodate the  
8 new arrivals and the Division during this transition period.

9 Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as  
10 follows:

11 When an act may or must be done within a specified time, the  
12 court may, for good cause, extend the time: (A) with or without  
13 motion or notice if the court acts, or if a request is made, before  
14 the original time or its extension expires; or (B) on motion made  
after the time has expired if the party failed to act because of  
excusable neglect.

15 Defendants' request is timely and will not hinder or prejudice Plaintiff's case, but will  
16 allow for a thorough response to Plaintiff's Motion to Compel (ECF No. 34). The  
17 requested thirty (30) day extension of time should permit Defendants time to adequately  
18 research, draft, and submit a motion response brief. Defendants assert that the requisite  
19 good cause is present to warrant the requested extension of time.

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1 For these reasons, Defendants respectfully request a thirty (30) day extension of  
2 time from the current deadline to respond to Plaintiff's Motion to Compel (ECF No. 34),  
3 with a new deadline to and including Monday, September 9, 2019.<sup>1</sup>

4 DATED this 8th day of August, 2019.

5 AARON D. FORD  
6 Attorney General

7 By:   
8 IAN E. CARR, Bar No. 13840  
9 Deputy Attorney General

10 *Attorneys for Defendants*

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12 **IT IS SO ORDERED.**

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14 **U.S. MAGISTRATE JUDGE**

15 8-8-2019  
16 **DATED:** \_\_\_\_\_

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<sup>1</sup> Because the last calculated day falls on a non-judicial day, the new deadline should become the next available judicial day. See FED. R. CIV. P. 6(a)(1)(C).

1 **CERTIFICATE OF SERVICE**

2 I certify that I am an employee of the Office of the Attorney General, State of  
3 Nevada, and that on this 8th day of August, 2019, I caused to be served a copy of the  
4 foregoing, **MOTION FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFF'S**  
5 **MOTION TO COMPEL (ECF No. 34) (First Request)**, by U.S. District Court CM/ECF  
6 Electronic Filing on the following:

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13 

14 An employee of the  
15 Office of the Attorney General