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10 *Attorneys for Rocky Mountain Hospital and Medical*  
11 *Service, Inc. d/b/a Anthem Blue Cross and Blue Shield and*  
*HMO Colorado Inc. d/b/a HMO Nevada*

12 UNITED STATES DISTRICT COURT

13 DISTRICT OF NEVADA

14  
15 SUNRISE HOSPITAL AND MEDICAL  
CENTER, LLC

16 Plaintiff,

17 vs.

18 ROCKY MOUNTAIN HOSPITAL AND  
19 MEDICAL SERVICE, INC. d/b/a ANTHEM  
BLUE CROSS AND BLUE SHIELD; HMO  
20 COLORADO INC. d/b/a HMO NEVADA

21 Defendants.

Case No.: 2:18-cv-00761-RFB-GWF

**DEFENDANTS' MOTION FOR  
EXTENSION OF TIME TO RESPOND TO  
PLAINTIFF'S COMPLAINT  
(First Request)**

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23  
24 Defendants Rocky Mountain Hospital and Medical Service, Inc. d/b/a Anthem Blue Cross  
25 and Blue Shield and HMO Colorado Inc. d/b/a HMO Nevada (collectively, "Defendants")  
26 respectfully move the Court for an extension of time (their first request) to respond to Plaintiff's  
27 Complaint, from the current May 3, 2018 deadline to June 2, 2018. This Motion is made pursuant  
28

1 to LR I.A 6-1 and LR 7-2, and is supported by the attached Memorandum of Points and  
2 Authorities, and any oral argument this Court may choose to consider.

3 DATED this 30th day of April, 2018

4 PISANELLI BICE PLLC

5 By: 

6 James J. Pisanelli, Esq., Bar No. 4027  
7 Debra L. Spinelli, Esq., Bar No. 9695  
8 400 South 7th Street, Suite 300  
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16 *Attorneys for Rocky Mountain Hospital and Medical*  
17 *Service, Inc. d/b/a Anthem Blue Cross and Blue Shield and*  
18 *HMO Colorado Inc. d/b/a HMO Nevada*

**MEMORANDUM OF POINTS AND AUTHORITIES**

1  
2 Defendants Rocky Mountain Hospital and Medical Service, Inc. d/b/a Anthem Blue Cross  
3 and Blue Shield and HMO Colorado Inc. d/b/a HMO Nevada (collectively, "Defendants")  
4 respectfully move the Court for an extension of time (their first request) to respond to Plaintiff's  
5 Complaint, from the current May 3, 2018 deadline to June 2, 2018, and in support state as  
6 follows:

7 1. On April 2, 2018, Plaintiff filed its Complaint in the Eighth Judicial District Court,  
8 Clark County, Nevada, Case No. A-18-768132-C, styled *Sunrise Hospital and Medical Center,*  
9 *LLC, Plaintiff(s) vs. Rocky Mountain Hospital and Medical Service, Inc., Defendant(s).* (Dkt. 1,  
10 Ex. 2.)

11 2. Defendants were served with Summons and the Complaint on April 3, 2018.  
12 (Dkt. 1, Ex. 2.)

13 3. On April 26, 2018, Defendants filed a petition for Removal with this Court,  
14 removing the case from the Eighth Judicial District Court of Clark County, Nevada to the  
15 United State District Court for the District Court of Nevada on the grounds of diversity  
16 jurisdiction under 28 U.S.C. § 1332. (Dkt. 1.)

17 4. Under Federal Rule of Civil Procedure 81(c)(2)(C), Defendants' current deadline  
18 to respond to Plaintiff's Complaint is May 3, 2018.

19 5. Defendants require additional time to investigate Plaintiff's claims and prepare a  
20 proper response. This request is brought in good faith and is not made to unnecessarily delay any  
21 proceedings in this matter.

22 6. Thus, Defendants seek an extension of time to respond to Plaintiff's Complaint up  
23 through and including June 2, 2018.


24 7. This is Defendants' first request for an extension of time to respond to Plaintiff's  
25 Complaint.

26 8. Counsel for Defendants has contacted Plaintiff's counsel regarding the requested  
27 extension, but at the time of this filing, Plaintiff's counsel has not indicated whether they oppose  
28 the instant request for an extension of time.

1 9. Pursuant to Chamber Practices, a proposed Order is also submitted hereto as  
2 Exhibit 1.

3 WHEREFORE, Defendants Rocky Mountain Hospital and Medical Service, Inc. d/b/a  
4 Anthem Blue Cross and Blue Shield and HMO Colorado Inc. d/b/a HMO Nevada respectfully  
5 requests that the Court enter an Order extending the deadline for Defendants to respond to  
6 Plaintiff's Complaint to and including June 2, 2018.

7 DATED this 30th day of April, 2018

8 PISANELLI BICE PLLC  
9 By: 

10 James J. Pisanelli, Esq., Bar No. 4027  
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20 *Attorneys for Rocky Mountain Hospital and Medical  
21 Service, Inc. d/b/a Anthem Blue Cross and Blue Shield and  
22 HMO Colorado Inc. d/b/a HMO Nevada*

23 APPROVED:

24 DATED this 15th day of May, 2018.

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26 \_\_\_\_\_  
27 RICHARD F. BOULWARE, II  
28 United States District Judge

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Pisanelli Bice PLLC, and that on this 30th day of April, 2018, I caused to be e-filed/e-served through the Court's CM/ECF system a true and correct copy of the foregoing **DEFENDANTS' MOTION FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFF'S COMPLAINT** to the following:

Joshua M. Dickey  
Bailey Kennedy  
8984 Spanish Ridge Ave.  
Las Vegas, NV 89148

*Attorney for Plaintiff*

  
An employee of PISANELLI BICE PLLC

# **EXHIBIT 1**

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20 COLORADO INC. d/b/a HMO NEVADA

21 Defendants.  
22  
23

Case No.: 2:18-cv-00761-RFB-GWF

**[PROPOSED] ORDER**

24 This matter comes before the Court upon Defendants Rocky Mountain Hospital and  
25 Medical Service, Inc. d/b/a Anthem Blue Cross and Blue Shield and HMO Colorado Inc.'s d/b/a  
26 HMO Nevada Motion for Extension of Time to Respond to Plaintiff's Complaint. For good cause  
27 shown, the Motion is **GRANTED**.  
28

1           **IT IS THEREFORE ORDERED** that the time for Defendants, Rocky Mountain and  
2 Medical Service, Inc. d/b/a Anthem Blue Cross and Blue Shield and HMO Colorado Inc.  
3 d/b/a HMO Nevada, to file their response to Plaintiff's Complaint shall be, and hereby is,  
4 extended from May 3, 2018 up through and including June 2, 2018.

5           IT IS SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2018

6  
7           \_\_\_\_\_  
                  UNITED STATES DISTRICT COURT JUDGE

8           DATED: \_\_\_\_\_

9           CASE NO.: 2:18-cv-00761-RFB-GWF  
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