

1 AARON D. FORD
 Attorney General
 2 KATLYN M. BRADY (Bar No. 14173)
 Senior Deputy Attorney General
 3 State of Nevada
 Office of the Attorney General
 4 555 East Washington Avenue
 Suite 3900
 5 Las Vegas, Nevada 89101
 (702) 486-0661 (phone)
 6 (702) 486-3773 (fax)
 Email: katlynbrady@ag.nv.gov

7 *Attorneys for Defendants*
 8 *Henry Grant, Jonathan Rivera,*
Guy Brown, Aaron Dicus,
 9 *Brandon Stubbs, and Patrick Moreda*

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 12 **UNITED STATES DISTRICT COURT**
 13 **DISTRICT OF NEVADA**

14 DAVID LEVOYD REED,

15 Plaintiff,

16 v.

17 JAMES DZURENDA, *et al.*,

18 Defendants.

Case No. 2:19-cv-00326-JAD-BNW

**DEFENDANTS' MOTION FOR AN
 EXTENSION OF TIME TO
 RESPOND TO PLAINTIFF'S
 MOTION FOR A STAY OR
 ALTERNATIVELY AN EXTENSION
 AND OPPOSITION TO
 DEFENDANTS' MOTION FOR
 SUMMARY JUDGMENT
 (ECF NOS. 70 & 73)¹**

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 21 Defendants, Henry Grant, Jonathan Rivera, Guy Brown, Aaron Dicus, Brandon
 22 Stubbs, and Patrick Moreda, by and through counsel, Aaron D. Ford, Nevada Attorney

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26 ¹ Filings number 70 and 73 appear to be identical as both request a stay of
 27 discovery, alternatively an extension, and an opposition to Defendants' motion for
 28 summary judgment. ECF Nos. 70 and 73. In compliance with Local Rule IC 2-2,
 Defendants will file this opposition twice. Once in response to ECF No. 70 and once in
 response to ECF No. 73.

1 General, and Katlyn M. Brady, Senior Deputy Attorney General, of the State of Nevada,
2 Office of the Attorney General, hereby request this Court grant Defendants a short
3 extension to respond to Plaintiff's motions for a stay or alternatively an extension of time
4 or to deny Defendants' motion for summary judgment. ECF No. 70

5 **I. BACKGROUND**

6 On January 21, 2021, Defendants filed a motion for summary judgment. ECF No. 63.
7 On January 27, 2021, Plaintiff filed two omnibus motion requesting: (1) the denial of
8 Defendants' motion for summary judgment, (2) that this matter be stayed until he is
9 released from incarceration, (3) an extension of time to conduct discovery, (4) grant an
10 injunction releasing Plaintiff from incarceration, and (5) the issuances of five subpoenas
11 that do not appear to be related to the pending matter. ECF No. 70.

12 Plaintiff previously received an extension of time to conduct discovery. ECF No. 48.
13 Despite this, Plaintiff never propounded discovery on the named Defendants. Plaintiff now
14 seeks to serve several subpoenas on non-parties, seeking deposition testimony, video
15 unrelated to this matter, and documents related to another civil case. ECF No. 70-1,2,3,4,5.
16 This Court set a hearing for March 4, 2021. ECF No. 75.

17 Defendants now seek a short extension to respond to this wide-ranging motion.

18 **II. LEGAL ARGUMENT**

19 Rule 6(b)(1), Federal Rules of Civil Procedure, governs extensions of time
20 and states:

21 When an act may or must be done within a specified time, the
22 court may, for good cause, extend the time: (A) with or without
23 motion or notice if the court acts, or if a request is made, before
24 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.

25 Defendants respectfully request this Court extend the deadline to file an opposition
26 to Plaintiff's omnibus motion from February 10, 2021, to February 22, 2021. Here, good
27 cause exists based upon counsel's heavy caseload and upcoming leave. Specifically,
28 counsel has been required to complete four summary judgment motions over the last

1 three weeks.² Upon counsel's return from leave, counsel will have an additional two
 2 motions for summary judgment due.³ Further, counsel has been involved in responding to
 3 two emergency motions regarding High Desert State Prison (HDSP)'s lockdown
 4 procedures.⁴ Finally, counsel is scheduled to go on approved leave from February 8, 2021,
 5 to February 12, 2021. The following Monday, February 15, 2021, is a State Holiday and
 6 thus counsel's office will be closed. As a result of the multiple dispositive motions, counsel
 7 has been unable to complete the opposition to the omnibus motion.⁵

8 Further, there will be no prejudice to Plaintiff by granting this extension.
 9 Defendants request this Court extend the deadline to respond to February 22, 2021. This
 10 gives Plaintiff a week to respond to the opposition. Plaintiff will be able to respond prior
 11 to the March 4, 2021 hearing if he chooses.

12 **III. CONCLUSION**

13 Defendants respectfully request this Court extend the deadline to respond to the
 14 omnibus motions from February 10, 2021, to February 22, 2021. Good cause exists based
 15 on counsel's heavy caseload and upcoming leave.

16 DATED this 8th day of February, 2021.

17 ORDER AARON D. FORD
 18 Attorney General

19 **IT IS SO ORDERED**

20 **DATED:** 11:38 am, February 16, 2021

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

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Attorneys for Defendants

22 **BRENDA WEKSLER**
 23 **UNITED STATES MAGISTRATE JUDGE**

24 ² The cases are: 2:17-cv-00641-JCM-BNW, 2:17-cv-00431-JCM-VCF, 2:17-cv-02500-
 JCM-NJK, 2:19-cv-00326-JAD-BNW, and 2:17-cv-00641-JCM-BNW.

25 ³ 2:19-cv-00057-GMN-EJY and 2:18-cv-01078-JCM-EJY.

26 ⁴ 2:20-cv-01768-RFB-EJY and 2:20-cv-00518-RFB-VCF. At least one of these
 preliminary injunctions is related to Bonham's filings in a federal matter.

27 ⁵ Defendants do not oppose granting Plaintiff a reasonable extension to file an
 28 opposition to the motion for summary judgment. However, Defendants intend to oppose
 the request for a stay, additional discovery, Plaintiff's release, and the attached
 subpoenas. Defendants likewise intend to file a reply in support of Defendants' motion for
 summary judgment.