

1 SEAN P. FLYNN (SBN: 15408)
GORDON REES SCULLY MANSUKHANI
2 1 Liberty Street, Suite 424
Reno, NV 89501
3 Telephone: (775) 467-2610
Email: sflynn@grsm.com
4
Attorneys for Defendant
5 ALLIED COLLECTION SERVICES, INC.

6
7
8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**
10

11 DEREK LAND,

12 Plaintiff,

13 vs.

14 ALLIED COLLECTION SERVICES, INC.;
15 EXPERIAN INFORMATION SOLUTIONS,
16 INC.' EQUIFAX INFORMATION
SERVICES, LLC; and TRANS UNION LLC,

17 Defendant.

CASE NO. 2:22-cv-01641-APG-EJY

**MOTION FOR EXTENSION OF TIME TO
FILE OPPOSITION TO PLAINTIFF'S
ATTORNEY FEE MOTION**

(THIRD REQUEST)

Gordon Rees Scully Mansukhani, LLP
1 East Liberty Street, Suite 424
Reno, NV 89501

18
19
20
21
22
23
24
25
26
27
28

1 Defendant Allied Collection Services, Inc. (“Defendant”) pursuant to LR IA 6-1, with
2 the stipulated consent of, Plaintiff Derek Land (“Plaintiff”), respectfully move the Court for an
3 Order Extending Time for Defendant to file its Opposition to Plaintiff’s Motion for Attorney
4 Fees [Dkt. # 72]. This is Defendant’s second request for an extension of time relative to
5 Plaintiff’s Motion. Defendant further states the following in support of this request:

- 6 1) On August 19, 2024, the Court entered an Order setting the deadline for plaintiff to file
7 his motion for attorney’s fees and costs as September 11, 2024.
- 8 2) That same day, the court set Defendant’s deadline to file its opposition as October 9,
9 2024.
- 10 3) On September 11, 2024, Plaintiff filed his Motion for Attorneys Fees. [Dkt. 72.]
- 11 4) At the time of the August 19, 2024 hearing, Defense Counsel failed to identify that its
12 opposition deadline fell in the middle of a preplanned family vacation.
- 13 5) On October 3, 2024, Defense Counsel reached out to Plaintiff’s Counsel regarding the
14 instant Joint Motion to Extend Time and requested until October 18 to file its
15 Opposition.
- 16 6) On October 4, 2024, Plaintiff’s Counsel responded that it did not object to Defendant’s
17 Opposition deadline being extended to October 18.
- 18 7) On October 4, 2024, Defendant filed its first request for an extension of time to file it’s
19 opposition to Plaintiff’s Motion for Attorney’s Fees. [Dkt. #73.]
- 20 8) On October 7, 2024, the Court Granted the Joint Motion. [Dkt. #74.]
- 21 9) Since the first request, Defense Counsel’s father-in-law has been hospitalized, again.
22 He is elderly, and diabetic. Family have been flying back to be with him.
- 23 10) This has resulted in child care obligations falling solely on Defense Counsel.
- 24 11) On October 16, Defense Counsel notified Plaintiff’s Counsel of same and requested a
25 second extension of time to file the opposition to Plaintiff’s Motion for Attorney’s Fees
26 to October 25.
- 27 12) On October 17, Plaintiff’s Counsel advised it had no opposition to this second request.
- 28 13) On October 17, 2024, Defendant filed the Joint Motion to Extend Time seeking a

1 second one week extension. [Dkt. 75]

2 14) On October 18, 2024, the Court granted the extension. [Dkt. 76]

3 15) While defense counsel has been working on the Opposition, certain new life events have

4 transpired:

5 a) On October 23, 2024, Defense Counsel was in the fourth day of an all-day

6 “speedy motion hearing” on a personal legal matter, which did not come to

7 conclusion and is being set for a fifth session. Defense Counsel and his private

8 counsel are preparing for that fifth session now.

9 b) Also, on October 23, 2024, Defense Counsel learned from family that his 81

10 year old mother’s dementia has rapidly progressed over the past few weeks and

11 she is now wheelchair bound and losing other essential motor skills like use of a

12 knife and fork.

13 c) Defense Counsel’s 82 year old father and sister have decided to seek full time

14 assistance and/or placement in nursing home because her only caretaker,

15 Counsel’s father, is undergoing a biopsy for a tumor on his spleen and then

16 shortly thereafter an MRI to see what can be done for his 4 fractured vertebrae.

17 16) Defense Counsel notified Plaintiff’s counsel of these issues on October 24, 2024.

18 Counsel requested 4 weeks, which should get counsel past all of the immediate legal and

19 medical issues, or whatever extension Plaintiff’s Counsel would be agreeable with.

20 17) Unfortunately counsel are both out of the office and unable to respond to this request.

21 ///

22 ///

23 ///

24

25

26

27

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

18) There is no reply deadline, and no hearing scheduled, that would be impacted by the requested extension of time.

For the reasons stated and for good cause shown, Defendant respectfully requests entry of an Order allowing Defendant to file its opposition to Plaintiff’s Motion for Attorney’s Fees and Costs on or before November 22, 2024.

Dated: October 24, 2024

GORDON REES SCULLY MANSUKHANI

By: s/ Sean P. Flynn
Sean P. Flynn (SBN 15408)
Attorneys for Defendant
ALLIED COLLECTION SERVICES,
INC.

IT IS SO ORDERED.


U.S. MAGISTRATE JUDGE

Dated: October 25, 2024