Case 3:15-cv-00468-MMD-VPC Document 50 Filed 05/30/18 Page 1 of 4

1 2 3 4 5 6 7 8	ADAM PAUL LAXALT Attorney General BENJAMIN R. JOHNSON, Bar No. 10632 Deputy Attorney General State of Nevada Bureau of Litigation Public Safety Division 100 N. Carson Street Carson City, Nevada 89701-4717 Tel: (775) 684-1257 E-mail: bjohnson@ag.nv.gov Attorneys for Defendants Romeo Aranas, Gloria Carpenter, Dante Famy, Dawn Jones, Michael Koehn, and Georges-Pele Taino	FILEDRECEIVEDSERVED ONSERVED ONCOUNSEL/PARTIES OF RECORD	
10	UNITED STATES DISTRICT COURT		
11	DISTRICT OF NEVADA		
12	LANCE REBERGER,	Case No. 3:15-cv-00468-MMD-VPC	
13	Plaintiff,		
14	v.	DEFENDANTS' MOTION FOR ENLARGEMENT OF TIME TO FILE	
15	MICHAEL KOEHN, et al.,	DISPOSITIVE MOTION	
16	Defendants		
17	Defendants, Romeo Aranas, Gloria Carpenter, Dante Famy, Dawn Jones, Michael Koehn, and		
	1	Georges-Pele Taino by and through counsel, Adam Paul Laxalt, Attorney General of the State of Nevada,	
18	Georges-Pele Taino by and through counsel, Ada	m Paul Laxalt, Attorney General of the State of Nevada,	
18 19		m Paul Laxalt, Attorney General of the State of Nevada, ral, hereby move this Court for an enlargement of time	
	and Benjamin R. Johnson, Deputy Attorney Gene		
19	and Benjamin R. Johnson, Deputy Attorney Gene	ral, hereby move this Court for an enlargement of time tion is based on the following Memorandum of Points	
19 20	and Benjamin R. Johnson, Deputy Attorney Gene to file and serve a dispositive motion. This Mot and Authorities and all papers and pleadings on fi	ral, hereby move this Court for an enlargement of time tion is based on the following Memorandum of Points	
19 20 21	and Benjamin R. Johnson, Deputy Attorney Gene to file and serve a dispositive motion. This Mot and Authorities and all papers and pleadings on fi	ral, hereby move this Court for an enlargement of time tion is based on the following Memorandum of Points ile herein. OINTS AND AUTHORITIES	
19 20 21 22	and Benjamin R. Johnson, Deputy Attorney Geneto file and serve a dispositive motion. This Motand Authorities and all papers and pleadings on file MEMORANDUM OF Polymer I. INTRODUCTION AND RELEVANT Polymer and Benjamin Relevant Polymer Benjamin Releva	ral, hereby move this Court for an enlargement of time tion is based on the following Memorandum of Points ile herein. OINTS AND AUTHORITIES	
19 20 21 22 23	and Benjamin R. Johnson, Deputy Attorney Generato file and serve a dispositive motion. This Motand Authorities and all papers and pleadings on file MEMORANDUM OF P. I. INTRODUCTION AND RELEVANT P. On January 30, 2018, the Court issued a	ral, hereby move this Court for an enlargement of time tion is based on the following Memorandum of Points ile herein. OINTS AND AUTHORITIES PROCEDURAL HISTORY	
19 20 21 22 23 24	and Benjamin R. Johnson, Deputy Attorney Generator file and serve a dispositive motion. This Motand Authorities and all papers and pleadings on file MEMORANDUM OF P. I. INTRODUCTION AND RELEVANT P. On January 30, 2018, the Court issued a motions for May 30, 2018. (ECF No. 33).	ral, hereby move this Court for an enlargement of time tion is based on the following Memorandum of Points ile herein. OINTS AND AUTHORITIES PROCEDURAL HISTORY a Scheduling Order setting the deadline for dispositive	
19 20 21 22 23 24 25	and Benjamin R. Johnson, Deputy Attorney Generoto file and serve a dispositive motion. This Motand Authorities and all papers and pleadings on file MEMORANDUM OF P. I. INTRODUCTION AND RELEVANT P. On January 30, 2018, the Court issued a motions for May 30, 2018. (ECF No. 33). Consummary judgment due in another case, Case N	ral, hereby move this Court for an enlargement of time tion is based on the following Memorandum of Points ile herein. OINTS AND AUTHORITIES PROCEDURAL HISTORY a Scheduling Order setting the deadline for dispositive unsel for defendants simultaneously have a motion for	

1

Case 3:15-cv-00468-MMD-VPC Document 50 Filed 05/30/18 Page 2 of 4

1

2 3

4

5

6 7

8

9

10 11

12 13

14

15

17

18

19

20 ///

21

22

23 ///

24 ///

25

27 ///

28

FED. R. CIV. P. 6(b)(1) governs enlargements of time and provides as follows:

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

The proper procedure, when additional time for any purpose is needed, is to present a request for extension of time before the time fixed has expired. Canup v. Mississippi Val. Barge Line Co., 31 F.R.D. 282 (W.D.Pa. 1962). Extensions of time may always be asked for, and usually are granted on a showing of good cause if timely made under subdivision (b)(1) of the Rule. Creedon v. Taubman, 8 F.R.D. 268 (N.D. Ohio 1947).

Defendants seek an enlargement of time to file a dispositive motion. There is a conflicting deadline with another case which does not allow for both motions to be fully briefed and filed in time. Good cause exists to extend the time to file this motion. Defendants do not seek this extension of time to prejudice Plaintiff or to cause undue delay. Plaintiff will not be prejudiced by a short extension of time, up to and including, June 13, 2018.

///

16 /// ///

///

///

///

///

///

26 ///

Case 3:15-cv-00468-MMD-VPC Document 50 Filed 05/30/18 Page 3 of 4

CONCLUSION II. Based on the foregoing, Defendants respectfully request their motion for enlargement of time is granted and the deadline for filing a dispositive motion be extended to June 13, 2018. DATED this 30th day of May, 2018. ADAM PAUL LAXALT Attorney General By: Deputy Attorney General State of Nevada Bureau of Litigation Public Safety Division Attorneys for Defendants APPROVED AND SO ORDERED: DATED:

Case 3:15-cv-00468-MMD-VPC Document 50 Filed 05/30/18 Page 4 of 4

CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on this 30th day of May, 2018, I caused to be deposited for mailing a true and correct copy of the foregoing, **DEFENDANTS' MOTION FOR ENLARGEMENT OF TIME TO FILE DISPOSITIVE MOTION**, to the following:

Lance Reberger #39494 Ely State Prison P. O. Box 1989 Ely, NV 89301

An employee of the

Office of the Attorney General