

1 ADAM PAUL LAXALT
 Attorney General
 2 HEATHER B. ZANA, Bar No. 8734
 Deputy Attorney General
 3 State of Nevada
 Bureau of Litigation
 4 Public Safety Division
 100 N. Carson Street
 5 Carson City, NV 89701-4717
 Tel: (775) 684-1261
 6 E-mail: hzana@ag.nv.gov

7 Attorneys for Defendant Gaylene Fukagawa

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

11 RICHARD PETERS,
 12 Plaintiff,
 13 v.
 14 GREG COX, et al.,
 15 Defendants.

Case No. 3:15-cv-00472-RCJ-VPC
**MOTION FOR ENLARGEMENT OF TIME
 TO RESPOND TO PLAINTIFF'S
 OPPOSITION TO ORDER OF
 MAGISTRATE (#62, 01/12/18)
 (FIRST REQUEST)
 (ECF NO. 67)**

16 Defendant Gaylene Fukagawa, by and through counsel, Adam Paul Laxalt, Attorney General of
 17 the State of Nevada, and Heather B. Zana, Deputy Attorney General, hereby move this Court for an
 18 order enlarging the time to respond to Plaintiff's Opposition to Order of Magistrate (#62, 01/12/18)
 19 (ECF No. 67). This Motion is made pursuant to Federal Rule of Civil Procedure ("Fed. R. Civ. Proc.")
 20 6(b) and is based upon the following Points and Authorities and all pleadings and papers on file herein.
 21 This Motion is made in good faith and not for the purposes of undue delay.

22 **MEMORANDUM OF POINTS AND AUTHORITIES**

23 **I. NATURE OF MOTION**

24 The Defendants submit there is good cause to enlarge the time for Defendants' Response to
 25 Plaintiff's Opposition to Order of Magistrate (#62, 01/12/18) (ECF No. 67) to March 15, 2018.

26 **II. ARGUMENT**

27 Fed. R. Civ. P. 6(b) grants this Court discretion to enlarge the period of time in which an act is
 28 to be done. Fed. R. Civ. P. 6(b)(1)(b) provides in pertinent part:

1 When by these rules . . . or by order of court an act is required or allowed
2 to be done at or within a specified time, the court for good cause extend
3 the time on motion made after the time has expired if the party failed to
act because of excusable neglect.

4 The time for Defendants to respond to Plaintiff's Opposition to Order of Magistrate (#62,
5 01/12/18) (ECF No. 67) has not expired. The request for enlargement is timely because defense
6 counsel is defending multiple depositions, preparing for trial in another matter, and finalizing a
7 settlement conference statement in another matter. This is the Defendants' first request for enlargement
8 of time with respect to responding to Plaintiff's Opposition to Order of Magistrate (#62, 01/12/18)
9 (ECF No. 67). This request for enlargement of time is made in good faith and not for the purpose of
10 delay.

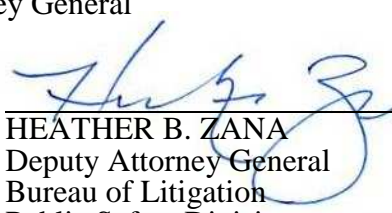
11 **III. CONCLUSION**

12 Based on the foregoing the Defendants respectfully submit that the Court should grant the
13 Defendants' motion and enter an Order enlarging the time to respond to Plaintiff's Opposition to Order
14 of Magistrate (#62, 01/12/18) (ECF No. 67) to March 15, 2018.

15 DATED this 21st day of February 2018.

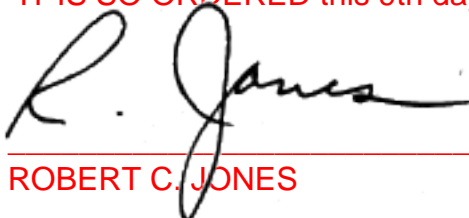
16 ADAM PAUL LAXALT
17 Attorney General

18 By:


19 HEATHER B. ZANA
20 Deputy Attorney General
Bureau of Litigation
Public Safety Division

21 Attorneys for Defendant Gaylene Fukagawa

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23 IT IS SO ORDERED this 9th day of March, 2018.

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25 
26 ROBERT C. JONES
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