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

Attorneys for Defendant Gaylene Fukagawa

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

RICHARD PETERS,

Plaintiff,

v.

GREG COX, et al.,

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)

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

MEMORANDUM OF POINTS AND AUTHORITIES

I. NATURE OF MOTION

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

II. ARGUMENT

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

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

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

III. CONCLUSION

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

DATED this 21st day of February 2018.

ADAM PAUL LAXALT
Attorney General

By: _____
HEATHER B. ZANA
Deputy Attorney General
Bureau of Litigation
Public Safety Division

Attorneys for Defendant Gaylene Fukagawa

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

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ROBERT C. JONES