

1 ADAM PAUL LAXALT
2 Attorney General
3 HEATHER B. ZANA, Bar No. 8734
4 Deputy Attorney General
5 State of Nevada
6 Bureau of Litigation
7 Public Safety Division
8 100 N. Carson Street
9 Carson City, NV 89701-4717
10 Tel: (775) 684-1261
11 E-mail: hzana@ag.nv.gov

12 Attorneys for Defendant Gaylene Fukagawa

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

10 RICHARD PETERS,
11 Plaintiff,
12 v.
13 GREG COX, et al.,
14 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
23
24
25
26
27
28

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:

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.

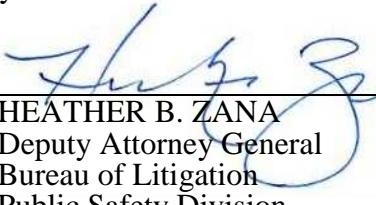
11 **III. CONCLUSION**

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.

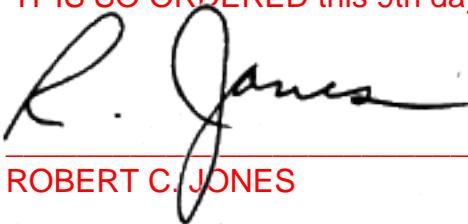
16 ADAM PAUL LAXALT
17 Attorney General

18 By:

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

24
25 Attorneys for Defendant Gaylene Fukagawa

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

27 
28 ROBERT C. JONES