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Anthony Carrasco, Terry Lindberg, Marc Mallinger,
8 *James Stogner, and William Sandie*

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 ANTHONY PRENTICE,

12 Plaintiff,

13 v.

14 CHAPLIN STOGNER, *et al.*,

15 Defendants.

Case No. 3:16-cv-00060-MMD-WGC
ORDER RE
**DEFENDANTS' MOTION FOR EXTENSION
OF TIME TO SERVE AN ANSWER**

16 Defendants James Cox, Anthony Carrasco, Terry Lindberg, Marc Mallinger, James Stogner, and
17 William Sandie, by and through counsel, Adam Paul Laxalt, Attorney General of the State of Nevada,
18 and Benjamin R. Johnson, Deputy Attorney General, hereby submit this Motion for Extension of Time
19 to Serve an Answer. This Motion is based on Federal Rule of Civil Procedure 6(b)(1)(A), the following
20 Memorandum of Points and Authorities, and all papers and pleadings on file in this action.

21 **MEMORANDUM OF POINTS AND AUTHORITIES**

22 **I. ARGUMENT**

23 The response to Plaintiff's Complaint is presently due December 22, 2017. Defendants
24 respectfully request a seven (7) day extension of time to serve an answer or otherwise respond to the
25 Complaint. Counsel was inundated with discovery requests in other cases and has been catching up
26 after a week long trial at the beginning of December. Due to these deadlines and the pending holiday,
27 counsel has been unable to draft a responsive pleading. The requested extension of time will afford
28 Defendants adequate time to serve a responsive pleading.

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Federal Rule of Civil Procedure 6(b)(1) governs extensions 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.


Defendants' request is timely and its limited nature will not hinder or prejudice Plaintiff's case, but will allow for Defendant to respond to the Complaint. Defendants' request is made in good faith and not to delay or hinder proceedings in this matter. The requested seven (7) day extension of time will permit Defendants time to adequately research aspects of the Complaint and respond. Defendants assert that the requisite good cause is present to warrant the requested extension of time.

III. CONCLUSION

For the foregoing reasons, Defendants respectfully request a seven (7) day extension of time to serve a responsive pleading, with a new deadline for service through December 29, 2017.

DATED this 22nd day of December, 2017.

ADAM PAUL LAXALT
Attorney General

By: 
BENJAMIN R. JOHNSON
Deputy Attorney General
State of Nevada
Bureau of Litigation
Public Safety Division
Attorneys for Defendants

IT IS SO ORDERED.


U.S. MAGISTRATE JUDGE

DATED: 12/24/17