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 8 *Scott Mattinson and William Reubart*

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

12 BENJAMIN ESPINOSA,
 13 Plaintiff,
 14 vs.
 15 FILSON, et al.,
 16 Defendant.

Case No. 3:18-cv-00298-MMD-CLB

**MOTION FOR EXTENSION OF TIME
 TO FILE INSPECTOR GENERAL'S
 DOCUMENTS *IN CAMERA* (First
 Request)**

17 Defendants, Romeo Aranas, Gloria Carpenter, Michelle Clay, James Dzurenda,
 18 Michele Ewing, Gail Holmes, Scott Mattinson and William Reubart, by and through
 19 counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Rost C. Olsen,
 20 Deputy Attorney General, file their first Motion for Extension requesting a 14 day
 21 extension to submit Inspector General's documents and other documents *in camera*, as
 22 ordered by this Court in ECF No. 108 at 14:1-4.

23 **MEMORANDUM OF POINTS AND AUTHORITIES**

24 **I. INTRODUCTION**

25 On April 17, 2020, this Court ordered Defendants to file certain documents related
 26 to a possible Inspector General's investigation into a grievance by Plaintiff. *See* ECF No.
 27 108 at 14:1-4.

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1 Subsequent to the hearing, the Office of the Attorney General and Undersigned
2 Counsel experienced difficulties establishing contact with the Inspector General's Office
3 due to reduced availability of staff in both offices due to the COVID-19 outbreak. Upon
4 establishing contact, however, the Inspector General's Office was unable to locate any
5 investigation file related to the disputed grievance within the files accessible at the time.
6 Upon information and belief, the Inspector General's Office likely did not conduct an
7 investigation into this particular grievance, but the Inspector General's Office has not
8 been able to confirm that such an investigation did not occur.

9 **II. DISCUSSION**

10 Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as
11 follows:

12 When an act may or must be done within a specified time, the
13 court may, for good cause, extend the time: (A) with or without
14 motion or notice if the court acts, or if a request is made, before
15 the original time or its extension expires; or (B) on motion made
16 after the time has expired if the party failed to act because of
17 excusable neglect.

18 Here, Defendants submit there is good cause for the requested extension. Efforts of
19 the Office of the Attorney General and Inspector General's Office have revealed a
20 likelihood that the Inspector General's Office did not conduct such an investigation.
21 However, due to reduced in-office staffing in response to the current pandemic, the
22 Inspector General's Office has yet to be able to confirm this lack of an investigation.

23 Accordingly, Defendants request an extension of fourteen (14) days, until Friday
24 May 15, 2020 to confirm either a lack of investigation or discover responsive documents,
25 and to file any documents yielded *in camera*.

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2 For the foregoing, Defendants submit good cause exists, and requests the Court
3 extend the deadline to file the required documents to Friday, May 15, 2020. This request
4 for an extension of time is made in good faith and not for the purpose of undue delay.

5 DATED this 30th day of April, 2020.


6 AARON D. FORD
7 Attorney General

8 By: /s/ Rost C. Olsen
9 ROST C. OLSEN, Bar No. 14410
Deputy Attorney General

10 *Attorneys for Defendants*

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13 Dated: May 1, 2020

14 IT IS SO ORDERED.

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18 UNITED STATES MAGISTRATE JUDGE
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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 April, 2020, I caused a copy of the foregoing, **MOTION FOR EXTENSION OF TIME TO FILE INSPECTOR GENERAL’S DOCUMENTS *IN CAMERA* (First Request)**, to be served, by U.S. District Court CM/ECF Electronic Filing on the following:

Benjamin Espinosa #74296
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Connor R. Stone
An employee of the
Office of the Attorney General