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Jeffery Chandler, Nichole Cordova, James "Greg" Cox, Scott Davis,
 9 *Russell Donnelly, James Dzurenda, Arwen Feather, Pamela Feil,*
Gilberto Florio-Ramirez, Sheryl Foster, Tom Garrett, Coralee Gorsline,
 10 *Katherine Hegge, Desiree Hultenschmidt, William Kablitz,*
Walter Lima-Hernandez, Dominick Martucci, E.K. McDaniel, Valaree Olivas,
 11 *William Sandie, Richard Snyder, James Stogner, Roger Terance, Kim Thomas,*
Joy Walsh, Harold Wickham and Catherine Yup

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 13 **UNITED STATES DISTRICT COURT**
 14 **DISTRICT OF NEVADA**

15 JOSEPH M. ANDERSON,
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 Plaintiff,
 17 v.
 18 JAMES DZURENDA, et al.,
 19 Defendants.

Case No. 3:18-cv-00426-MMD-CBC
**MOTION FOR EXTENSION OF TIME TO
 RESPOND TO PLAINTIFF'S MOTION TO
 COMPEL (ECF NO. 175)**

20 Defendants, Kim Adamson, Romeo Aranas, Veronica Austin, Renee Baker, Susan Baros,
 21 Francisco Bautista, Dwayne Baze, Quentin Byrne, David Carpenter, Tara Carpenter, Ian Carr, Anthony
 22 Carrasco, Jeffrey Chandler, Nichole Cordova, James "Greg" Cox, Scott Davis, Russell Donnelly, James
 23 Dzurenda, Arwen Feather, Pamela Feil, Gilberto Florio-Ramirez, Sheryl Foster, Tim Garrett, Coralee
 24 Gorsline, Katherine Hegge, Desiree Hultenschmidt, William Kablitz, Walter Lima-Hernanez, Dominick
 25 Martucci, E. K. McDaniel, Valaree Olivas, William Sandie, Richard Snyder, James Stogner, Roger
 26 Terance, Kim Thomas, Joy Walsh, Harold Wickham and Catherine Yup, by and through counsel, Aaron
 27 D. Ford, Attorney General of the State of Nevada, and Douglas R. Rands, Senior Deputy Attorney
 28 General, hereby move this Court for an extension of time to respond to Plaintiff's Motion to Compel

1 Disclosure to Interrogatories, (ECF No. 175). This Motion is made and based upon Federal Rule of Civil
2 Procedure 6(b)(1)(A), the attached Points and Authorities, the papers and pleadings on file herein, and
3 such other and further information as this Court may deem appropriate.

4 **MEMORANDUM OF POINTS AND AUTHORITIES**

5 **I. ARGUMENT**

6 Defendants respectfully request an extension of time out from the current deadline (June 29,
7 2020) to respond to Plaintiff's Motion to Compel Answers to Interrogatories in this case. Plaintiff has
8 served multiple requests for discovery on the Defendants. The new due date for that discovery would
9 be July 7, 2020. The Defendants respectfully request an extension, until that date, for responses to
10 respond to Plaintiff's Motion. (ECF No. 175)

11 Defense counsel submits that he is not able to respond to the motion in a timely manner.
12 Counsel is finalizing a substantial dispositive motion in another matter which has taken an inordinate
13 amount of time. In fact, Counsel worked both Saturday and Sunday on the response which is due June
14 30, 2020. Judge Cobb has made it clear, in no uncertain terms, that there will be no further extensions
15 of time in Case No. 3:14-cv-00661-RCJ-WGC, Strohmeier v Belenger, et. al. Counsel is also working
16 on the Settlement Brief in the Hepatitis C class action, which is due on July 1, 2020. Additionally, the
17 work restrictions of COVID C are continuing to affect the ability to timely respond to this motion.
18 Counsel would ordinarily not request an extension due to case load. However, this is a particularly
19 unusual time and occurrence.

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

21 When an act may or must be done within a specified time, the court may,
22 for good cause, extend the time: (A) with or without motion or notice if
23 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.

24 Defendants' request is timely and will not hinder or prejudice Plaintiff's case, but will allow for a
25 thorough opportunity to respond to the motion. The requested extension of time should permit the
26 Defendants time to adequately research draft, and submit their response in this case. Defendants assert

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1 that the requisite good cause is present to warrant the requested extension of time. Therefore, the
2 Defendants request an extension, until July 7, 2020, to respond to Plaintiff's Motion to Compel
3 Disclosure to Interrogatories, (ECF No. 175).

4 DATED this 29th day of June, 2020.

5 AARON D. FORD
6 Attorney General

7 By: /s/ Douglas R. Rands
8 DOUGLAS R. RANDS, Bar No. 3572
9 Senior Deputy Attorney General

10 *Attorneys for Defendants*

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12 **IT IS SO ORDERED**
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14 **U.S. MAGISTRATE JUDGE**

15 **DATED** June 30, 2020
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DECLARATION

DOUGLAS R. RANDS

DECLARATION

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DECLARATION OF DOUGLAS R. RANDS

1. I, Douglas R. Rands, am over the age of 18 and am otherwise fully competent to testify to the facts contained in this declaration.

2. The statements contained in this declaration, except where otherwise indicated to be upon information and belief, are based on my personal knowledge and experience.

3. I am an Attorney licensed to practice law in the Federal District Court for the District of Nevada.

4. In connection with the filing of this declaration, I submit this declaration in support of Defendant’s Motion for Extension of time in the matter entitled *Anderson v. Dzurenda, et al.*, currently pending in the United States District Court, District of Nevada as Case No. 3:18-cv-00426-MMD-CBC.

5. Due to the COVID pandemic and Counsel’s current home-based work arrangements, response to the Motion to Compel, ECF No. 175 has been particularly difficult.

7. Counsel has been diligently working on other matters, including a dispositive motion in Case No. 3:14-cv-00661-RCJ-WGC, *Strohmeyer v Belenger, et. al.*


8. Counsel worked all day Saturday and most of the day Sunday on the motion. However, there is still significant work required on that motion.

9. Counsel is also working on the Settlement Brief in the Hepatitis C class action, which is due on July 1, 2020.

10. Counsel generally would not request an extension based on work load. However, this is a unique time and circumstance.

FURTHER I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

EXECUTED this 29th day of June, 2020.



Douglas R. Rands