

1 AARON D. FORD
2 Attorney General
3 STEPHEN J. AVILLO, Bar No. 11046
4 Deputy Attorney General
5 State of Nevada
6 Public Safety Division
7 100 N. Carson Street
Carson City, Nevada 89701-4717
Tel: (775) 684-1159
E-mail: savillo@ag.nv.gov

8
9 *Attorneys for Defendant*
10 *Tasheena Cooke*

11 UNITED STATES DISTRICT COURT

12 DISTRICT OF NEVADA

13 JAMES MCDANIEL,
14 vs.
15 Plaintiff,
16 JAMES DZURENDA, et al.,
17 Defendants.

18 Case No. 3:19-cv-00101-RCJ-WGC

19 **ORDER GRANTING
DEFENDANT'S MOTION FOR AN
EXTENSION OF TIME TO FILE
A DISPOSITIVE MOTION
(FIRST REQUEST)**

20 Defendant, Tasheena Cooke (formerly known as Tasheena Sandoval), by and through counsel,
Aaron D. Ford, Attorney General of the State of Nevada, and Stephen J. Avillo, Deputy Attorney
General, hereby submits this Motion for an Extension of Time to File a Dispositive Motion.

21 This Motion is based on the F.R.C.P. 6(b)(1)(A), LR 1A 6-1, and the following Memorandum of
Points and Authorities.

22 This is the first request for an extension of time to file a dispositive motion.

23 **MEMORANDUM OF POINTS AND AUTHORITIES**

24 This is an inmate civil rights suit brought pursuant to 42 U.S.C. § 1983. Pursuant to the Court's
scheduling order, dispositive motions are due in this matter on September 3, 2021.

25 In the week leading up to the dispositive motion deadline, undersigned counsel has filed, or has
26 drafted and is about to file, one motion for summary judgment and two replies in support of motions for
27 summary judgment. Counsel has also spent considerable time attempting to resolve a discovery dispute
28 in another matter. This is in addition to other routine deadlines throughout counsel's caseload.

1 FRCP 6(b)(1) governs extensions of time and provides as follows:

2 When an act may or must be done within a specified time, the court may,
3 for good cause, extend the time: (A) with or without motion or notice if
4 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.

5 Counsel submits that his recent schedule and workload constitutes good cause for granting an extension
6 of time to file a dispositive motion, and that such request will not hinder or prejudice Plaintiff's case.
7 Defendants make this request in good faith, and not to cause undue delay or for any other improper
8 purpose.

9 Defendants therefore respectfully request a 35-day extension of the deadline to file a dispositive
10 motion, to **October 8, 2021**. Counsel recognizes that 30 days is the normal time granted for extensions
11 of dispositive motion deadlines. Counsel requests 35 instead of 30 after looking at his calendar and
12 considering planned time out of the office.

13 DATED this 3rd of September, 2021.

14 AARON D. FORD
15 Attorney General

16 By: /s/ Stephen J. Avillo
17 STEPHEN J. AVILLO, Bar No. 11046
Deputy Attorney General

18 *Attorneys for Defendant*

19
20
21 IT IS SO ORDERED.

22 DATED: September 7, 2021.

23 William G. Cobb
24 UNITED STATES MAGISTRATE JUDGE
25
26
27
28