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7
8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 PROTECT OUR GIRLS,
a Committee for Political Action (PAC),
11 Advocating Passage, *et al.*,

12 Plaintiffs,

13 vs.

14 BARBARA CEGAUSKE,
in her official capacity as Nevada
15 Secretary of State, *et al.*,

16 Defendants.

Case No. 3:20-cv-00515-MMD-WGC

**ORDER GRANTING
DEFENDANT SECRETARY
OF STATE'S MOTION FOR
EXTENSION OF TIME IN
WHICH TO FILE A RESPONSIVE
PLEADING TO PLAINTIFFS'
COMPLAINT (ECF NO. 1)**

First Request

17
18 Defendant Barbara Cegavske, Nevada Secretary of State (Secretary), by and
19 through the undersigned counsel, hereby moves the Court, pursuant Rule 6(b) of the
20 Federal Rules of Civil Procedure (FRCP), and Local Rule IA 6-1 (LR 6-1), for an order
21 extending the Secretary's time in which to file a responsive pleading to Plaintiffs'
22 Complaint, hereinafter "Complaint" (ECF No. 1). This is the Secretary's first request for
23 an extension of any filing deadline in this case. The Secretary requests that her time for
24 filing a responsive pleading in this case be extended until November 2, 2020, representing
25 an additional twenty (20) days. This request is based upon the following points and
26 authorities and all pleadings and papers on file herein.

1 **POINTS AND AUTHORITIES**

2 FRCP 6(b) states: “When an act may or must be done within a specified time, the
3 court may, for good cause, extend the time . . . with or without motion or notice if the
4 court acts, or if a request is made, before the original time or its extension expires.” On
5 the Secretary’s behalf, the undersigned accepted service of the Complaint on September
6 22, 2020. Pursuant to NRCP 12(a), the Secretary must file a responsive pleading by close
7 of business today.

8 On October 7, 2020, the Secretary joined a motion (ECF No. 10) in which
9 Defendants requested approval of a proposed consent decree similar to the one that was
10 approved in *Fair Maps Nevada v. Cegavske*, Case No. 3:20-cv-00271-MMD-WGC (D. Nev.
11 Filed May 6, 2020). However, by order dated October 9, 2020 (ECF No. 12), the Court
12 dismissed the joint motion without prejudice and directed the parties “to file either a joint
13 brief, or separate briefs, addressing the . . . questions of whether Plaintiffs have standing
14 to prosecute this case, and whether the Court would have jurisdiction to approve a revised
15 consent decree” (*Id.* at 2:19-21). In light of the Court’s order, the Secretary intends to
16 evaluate the question of standing in light of any facts that Plaintiffs may produce in
17 connection with a forthcoming motion for preliminary injunction. Additionally, given the
18 strong likelihood that such a motion for preliminary injunction will be contested by the
19 Proposed Intervenor-Defendants, the Secretary intends to reevaluate whether renewing
20 the joint motion and proposed consent decree is the most expeditious method of disposing
21 of this case.

22 Due to the change in circumstances, the Secretary desires additional time in which
23 to draft a responsive pleading. Such a responsive pleading will likely be consolidated
24 with the Secretary’s response to Plaintiffs’ forthcoming motion for preliminary injunction.
25 Plaintiffs’ counsel has represented to the undersigned that he will file such a motion in
26 the coming days and will request that it be briefed and decided on an emergency basis.
27 The Secretary will not object to an expedited briefing and hearing schedule, provided that
28

1 Defendants are afforded no fewer than seven (7) days in which to respond to a motion for
2 preliminary injunction.

3 The Secretary respectfully submits that the change in circumstances, as discussed
4 above, amounts to good cause for an extension of the 21-day period in which to file a
5 responsive pleading. As noted above, this is the Secretary's first request for an extension
6 of any filing deadline in this case. The Secretary requests that the time for filing a
7 responsive pleading in this case be extended until November 2, 2020. It is anticipated
8 that the requested extension, if granted, will provide adequate time in which to align the
9 Secretary's responsive pleading with a response to Plaintiffs' anticipated motion for
10 preliminary injunction.

11 Dated this 13th day of October 2020.

12 AARON D. FORD
13 Attorney General

14 By: /s/ Gregory L. Zunino
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22 IT IS SO ORDERED.

23 DATED: October 14, 2020.

24 *William G. Cobb*
25 _____
26 UNITED STATES MAGISTRATE JUDGE
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