

IN THE SUPREME COURT OF THE STATE OF NEVADA

SUSAN REEVES

Appellant,

vs.

DIVISION OF INDUSTRIAL
 RELATIONS, and DEPARTMENT OF
 ADMINISTRATION, APPEALS
 OFFICER, and Agency of the State of
 Nevada,

Respondents.

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 Sep 04 2015 02:14 p.m.
 Tracie K. Lindeman
 Clerk of Supreme Court

Supreme Court Case No.: 62468

District Court Case No.: A-11-644791-J

RESPONDENT'S EMERGENCY MOTION TO CONTINUE ORAL ARGUMENT

MAXIMILIANO D. COUVILLIER, ESQ.
 NEVADA BAR NO.: 7661
 LIONEL SAWYER & COLLINS
 300 S. FOURTH STREET, STE. 1700
 LAS VEGAS, NEVADA 89101
 TELEPHONE: (702) 383-8888
 MCOUVILLIER@LIONELSAWYER
 .COM
 ATTORNEY FOR APPELLANT

DALTON L. HOOKS, JR., ESQ.
 NEVADA BAR NO.: 8121
 ALVERSON, TAYLOR, MORTENSEN
 & SANDERS
 TELEPHONE: (702) 384-7000
 TRODRIGUEZ@FSKLAW.COM
 ATTORNEY FOR RESPONDENT
 CANNON COCHRAN MANAGEMENT
 SERVICES

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The following law firm represented the foregoing Respondent, CCMSI, in the underlying administrative hearings and District Court action, and is expected to appear in this court:

ALVERSON, TAYLOR,
MORTENSEN & SANDERS
7401 W. Charleston Blvd.
Las Vegas, NV 89117

ALVERSON, TAYLOR,
MORTENSEN & SANDERS

By:



Dalton L. Hooks, Jr., Esq.
Nevada State Bar No. 8121
7401 W. Charleston Blvd.
Las Vegas, NV 89117
Telephone: (702) 384-7000
Attorneys for Respondent
CCMSI

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Respondent, CANNON COCHRAN MANAGEMENT SERVICES, INC. ["CCMSI"], by and through its counsel of record, DALTON L. HOOKS, JR., ESQ., hereby files this Motion to Continue pursuant to NRS 233B.133. This Motion is unopposed and is not being brought for an improper purpose or to protract litigation, but is made and based on the ground that counsel for the Respondent is unavailable to attend the hearing. Date:

MEMORANDUM OF POINTS & AUTHORITIES NATURE OF MOTION

The Oral Argument hearing of this matter is scheduled for **Wednesday, September 16, 2015**. This Motion for Continuance is based upon the fact that that counsel for the Respondents is unavailable to attend the oral argument hearing.

Counsel for the Respondent's has contacted opposing counsel, Maximiliano Couvillier, Esq., and Jennifer Leonescue, Esq. of Division of Industrial Relations, and both advise they will agree to the proposed continuance; so long as the matter is set after the Month of October and in Las Vegas.

ISSUE PRESENTED
WHETHER THE HEARING OF THIS MATTER SHOULD BE CONTINUED FROM ITS CURRENT SETTING?

STATEMENT OF FACTS

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As set forth in the attached Affidavit of Shaun R. Meng, Esq., the Respondent requests a continuance of the hearing set for **Wednesday, September 16, 2015**, because counsel for the Respondent is unavailable to attend the oral argument hearing.

ARGUMENT

NAC 616C.318(1) provides, in pertinent part, as follows:

Continuance of any matter set for hearing... may be granted...upon:

- 3. Affidavit showing good cause filed by a party not less than 5 days before the scheduled hearing.

See NAC 616C.318(1) (2006).

In the present matter, the Respondent is requesting a continuance of the hearing set for **Wednesday, September 16, 2015**, because counsel for the Respondent is unavailable to attend the hearing.

CONCLUSION

Good cause exists as to why the hearing concerning this matter should be continued to the next available setting in November. The requested continuance is in the interest of justice. Therefore, based upon the foregoing points and authorities and the attached Affidavit of Shaun R. Meng, Esq., the Respondent respectfully requests that the Appeals Officer enter an Order continuing the hearing of this matter from its current setting on **Wednesday, September 16, 2015** should be continued to the next available setting after the month of October.

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ALVERSON, TAYLOR, MORTENSEN & SANDERS
LAWYERS
7401 WEST CHARLESTON BOULEVARD
LAS VEGAS, NEVADA 89117-1401
(702) 384-7000

XII.
CERTIFICATE OF SERVICE

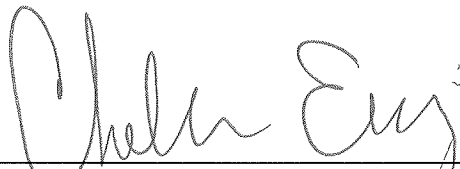
The undersigned, an employee of Alverson, Taylor, Mortensen & Sanders hereby certifies that on the 4th day of September, 2015, a true and correct copy of **RESPONDENTS' MOTION TO CONTINUE ORAL ARGUMENT** was served on the party set forth below by Notice of Electronic Filing via the CM/ECF system as maintained by the Court Clerk's Office as follows:

Maximiliano D. Couvillier, Esq.
Black & Lobello
Attorney for Appellant, SUSAN REEVES

Jennifer Leonescu, Esq.
Donald Smith, Esq.
1301 N Green Valley Parkway Suite 200
Henderson, NV 89074-6497
*Attorneys for Nevada Department of Business & Industry
Division of Industrial Relations*

Anne Traum, Associate Professor of Law &
University of Nevada Las Vegas
William S. Boyd School of Law
PO Box 71075
Las Vegas NV 89170-1075
Coordinator of Appellate Litigation Section
Pro Bono Committee, State of Nevada

Dated this 4th day of September, 2015.



An Employee of ALVERSON, TAYLOR,
MORTENSEN & SANDERS

**AFFIDAVIT OF SHAUN R. MENG, ESQ. IN SUPPORT OF MOTION FOR
CONTINUANCE OF APPEALS HEARING**

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STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

SHAUN R. MENG, ESQ., being first duly sworn, states as follows:

1. That Affiant is a member of the Nevada Bar Association (NV BAR #12617) and is licensed to practice law in all Courts within the State of Nevada. Affiant is a Senior Associate of the Nevada offices of ALVERSON, TAYLOR, MORTENSEN & SANDERS.

2. The instant Motion has been brought as a result of Counsel for the Insurer is unavailable to attend the hearing.

3. My office has contacted opposing counsel, Maximiliano Couvillier, Esq., and Jennifer Leonescue, Esq. of Division of Industrial Relations, and both advise they will agree to the proposed continuance; so long as the matter is set after the Month of October and in Las Vegas.

3. It is these stated reasons that form the basis for this request to continue the hearing in the present matter and not any improper purpose or to delay litigation.

FURTHER, your Affiant sayeth naught.



SHAUN R. MENG, ESQ.

SUBSCRIBED and SWORN to before me
this 4th day of September, 2015.



THERESA G. RODRIGUEZ,
NOTARY PUBLIC



ALVERSON, TAYLOR, MORTENSEN & SANDERS
LAWYERS
7401 WEST CHARLESTON BOULEVARD
LAS VEGAS, NEVADA 89117-1401
(702) 364-7000