

**THE SUPREME COURT
OF THE STATE OF NEVADA**

Electronically Filed
Sep 29 2015 02:21 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

FORD MOTOR COMPANY,
Appellant,

v.

THERESA GARCIA TREJO
Respondent.

Supreme Court Case No. 67843

APPEAL FROM THE EIGHTH JUDICIAL DISTRICT, COUNTY OF CLARK
THE HONORABLE VALERIE ADAIR,, DISTRICT JUDGE
DISTRICT COURT CASE NO. A-11-641059-C

**UNOPPOSED MOTION FOR 30-DAY EXTENSION OF
TIME FOR FILING APPELLANT'S OPENING BRIEF**

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**THE SUPREME COURT
OF THE STATE OF NEVADA**

FORD MOTOR COMPANY,
Appellant,
v.
THERESA GARCIA TREJO
Respondent.

Supreme Court Case No. 67843

**UNOPPOSED MOTION FOR 30-DAY EXTENSION OF
TIME FOR FILING APPELLANT’S OPENING BRIEF**

Appellant Ford Motor Company requests an extension of 30 days, until November 7, 2015, within which to file their appellant’s opening brief in this matter. This motion is based on the accompanying declaration of Emily V. Cuatto.

Dated: September 29, 2015

HORVITZ & LEVY LLP

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FORD MOTOR COMPANY

DECLARATION OF EMILY V. CUATTO

I, Emily V. Cuatto, declare as follows:

1. I am an attorney duly licensed to practice law in the State of California, and am an associate with the firm of Horvitz & Levy LLP, *Pro Hac Vice* of record for appellant Ford Motor Company. I am one of the attorneys primarily responsible for preparing the appellant's opening brief in this case.

2. Based on the facts in this declaration, I request a 30-day extension of time to file the appellant's opening brief. Pursuant to a previous stipulation for extension of time, the appellant's opening brief is currently due on October 8, 2015. If the court grants this motion for a 30-day extension of time, that brief will be due on November 7, 2015.

3. I have communicated with William Maupin, counsel for respondent, Theresa Garcia-Trejo. Respondent does not oppose this motion.

4. My client Ford Motor Company has been informed of our intent to seek the requested extension and has no objection to this motion.

5. I have been reviewing the 19-volume record and preparing the appellant's opening brief in this appeal diligently since the June mandatory settlement conference. I completed most of my research and record review, and I had prepared an initial draft of the opening brief by last week. However, I have since been tied up attending a trial in federal court in Washington state. I need to confer with my client and co-counsel regarding arguments in the draft, and will need to make revisions accordingly. In addition, I did not receive the final exhibit necessary to preparing the joint appendix until September 24, 2015, and will require some additional time after I return from trial to finalize the appendix and the brief with the record citations.

6. Completion of the draft and circulating it to my client and co-counsel for review was delayed by a number of other unexpected assignments that required my immediate attention:

a. Assisting with post-verdict issues and post-trial motions in *Victaulic Co. v. American Home Assurance Co.*, Alameda County Case No. RG12642929, in which the jury rendered a multimillion dollar verdict on July 31, 2015, requiring considerable post-trial activity.

b. Preparing for trial in two different fast-tracked living mesothelioma cases: *Cannard v. Ford Motor Company*, which has been in trial in the United States District Court for the Western District of Washington since September 21; and *Archdeacon v. Ford Motor Company*, which is now set for trial on October 1, 2015 in California, Riverside County Superior Court.

c. Assisting with preparing reply briefs in support of post-trial motions in *Licudine v. Cedars-Sinai Medical Center*, Los Angeles Superior Court Case No. BC499153. Preparing those briefs interfered with my completing of the opening brief in this matter earlier in September because opposing counsel's briefs were filed several weeks late.

7. This application is made in good faith for the reasons set forth above and not for the purpose of delay. I know of no prejudice that would result to respondent by the granting of the requested extension.

I declare under penalty of perjury under Nevada law that the foregoing is true and correct and that this declaration was executed on September 29, 2015, at Encino, California.

/s Emily V. Cuatto

Emily V. Cuatto

Horvitz & Levy LLP
15760 Ventura Blvd., 18th Floor
Encino, California 91436

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 15760 Ventura Boulevard, 18th Floor, Encino, California 91436-3000.

On September 29, 2015, I served true copies of the following document(s) described as **MOTION FOR 30-DAY EXTENSION OF TIME FOR FILING APPELLANT'S OPENING BRIEF** on the interested parties in this action as follows:

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Horvitz & Levy LLP's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

SEE ATTACHED SERVICE LIST

BY ELECTRONIC TRANSMISSION: Based on electronic transmission via the Nevada Supreme Court's Appellate Case Management System (ACMS) as indicated as follows:

SEE ATTACHED SERVICE LIST

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on September 29, 2015, at Encino, California.

/s Millie Cowley

Millie Cowley

SERVICE LIST

Trejo v. Ford Motor Company
Nevada Supreme Court No. 67843

Attorneys	Party(s) Represented
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