

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

THE STATE OF NEVADA, LOCAL  
GOVERNMENT EMPLOYEE-  
MANAGEMENT RELATIONS BOARD,

Appellant,

vs.

EDUCATION SUPPORT EMPLOYEES  
ASSOCIATION, INTERNATIONAL  
BROTHERHOOD OF TEAMSTERS,  
LOCAL 14 and CLARK COUNTY  
SCHOOL DISTRICT,

Respondents.

---

Electronically Filed  
Supreme Court No. 70586  
Jun 06 2017 08:27 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

District Court Case No.  
A-15-715577-J

**MOTION TO EXTEND TIME FOR BRIEFING**  
(First Request)

COMES NOW Respondent Education Support Employees Association (“ESEA”), by and through its counsel of record and, pursuant to Nevada Rules of Appellate Procedure 26 and 31, hereby moves the Court to extend the deadline, set by the Court’s May 24, 2017, Order Reinstating Briefing for Respondents to file Answering briefs from June 23, 2017 to July 21, 2017, and to allow the Appellant forty-five (45) days from service thereof to file any Reply brief(s).

The Appellant filed its opening brief on October 19, 2016, and answering briefs would have been due November 17, 2016. However this Court issued its November 2, 2016, Order to Show Cause which suspended regular briefing in this matter while the parties responded to the Order. The Court, on May 24, 2017, reinstated briefing in this matter, giving Respondents thirty (30) days to file their answering briefs. No earlier extensions of time have been requested, granted or denied.

Although the Court's 30-day period set in its May 24, 2017, Order Reinstating Briefing is not unreasonable, there was no reason for any party to expect the Order to arrive at the time that it did and other commitments and deadlines already in place during this 30-day period make this length of time difficult. In particular and in addition to normal workload, counsel for ESEA is involved in the 2017 legislative session which, due to the constitutionally imposed deadline of June 5, 2017, has been at its peak of activity. Additionally, in a matter in federal district court involving significant constitutional rights of public school teachers, counsel has response and reply deadlines on motions for summary judgment also due in June and July.

Counsel for ESEA contacted counsel for the other parties to obtain a stipulation to extend briefing. *See* Declaration of Sue S. Matuska attached hereto. Counsel for the Appellant stated that he was not opposed and, in fact, requested the

45-day period to file his reply brief(s). Counsel for Respondent Clark County School District also stated that he was not opposed to an extension. However, counsel for Respondent International Brotherhood of Teamsters, Local 14 refused to agree to such an extension. *Id.* The request for additional time for all Respondents to file answering briefs is not intended for any reason of delay but to allow sufficient time to complete briefs that will be informative and helpful to the Court, and the Appellant is not opposed.

Therefore, ESEA respectfully requests that the deadline for all Respondents to file answering briefs be extended up to and including July 21, 2017, and that the deadline for Appellant to file any reply brief be extended to forty-five (45) days after service of such answering brief(s).

DATED this 5th day of June, 2017

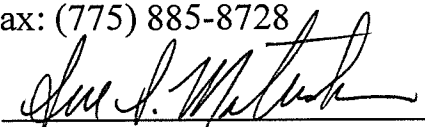
DYER, LAWRENCE, FLAHERTY,  
DONALDSON & PRUNTY

2805 Mountain Street

Carson City, Nevada 89703

Telephone: (775) 885-1896

Fax: (775) 885-8728

By: 

Francis C. Flaherty NV #5303

Sue S. Matuska NV #6051

Attorneys for Respondent

Education Support Employees  
Association

## CERTIFICATE OF SERVICE

Pursuant to NRAP 25, the undersigned hereby certifies that I am an employee of the Dyer Lawrence Law Firm and that on the 5th day of June, 2017, I served a true and correct copy of the Motion to Extend Time for Briefing by electronic mail to each of the following:


EMRB  
2501 East Sahara Avenue, Suite 203  
Las Vegas, Nevada 89104  
[emrb@business.nv.gov](mailto:emrb@business.nv.gov); [Bsnyder@business.nv.gov](mailto:Bsnyder@business.nv.gov)

Gregory L. Zunino, Esq.  
Bureau Chief  
Attorney General's Office  
100 N. Carson Street  
Carson City, NV 89701  
[gzunino@ag.nv.gov](mailto:gzunino@ag.nv.gov)

Donald J. Bordelove, Esq.  
Deputy Attorney General  
Attorney General's Office  
555 E. Washington Avenue, Suite 3900  
Las Vegas, NV 89101-1068  
[dbordelove@ag.nv.gov](mailto:dbordelove@ag.nv.gov)

Kristin L. Martin, Esq.  
McCracken, Stemerman, Bowen & Holsberry  
1630 Commerce Street, Suite A-1  
Las Vegas, NV 89102  
[klm@dcbsf.com](mailto:klm@dcbsf.com)

S. Scott Greenberg, Esq.  
Clark County School District  
5100 W. Sahara Ave.  
Las Vegas, NV 89146  
[sgreenberg@interact.ccsd.net](mailto:sgreenberg@interact.ccsd.net)

  
\_\_\_\_\_  
Debora McEachin

Declaration of Sue S. Matuska

1. I am a counsel of record for Education Support Employees Association in *State of Nevada, Local Government Employee-Management Relations Board v. Education Support Employees Association, International Brotherhood of Teamsters, Local 14 and Clark County School District*, Case No. 70586. I make this declaration upon my personal knowledge.

2. On May 31, 2017, I contacted counsel for all other parties in this matter to attempt to obtain a stipulation to extend the briefing deadline for Respondents' answering briefs from June 23, 2017 to July 21, 2017.

3. Counsel for Respondent, International Brotherhood of Teamsters, Local 14, refused to agree to an extension on the deadline for the filing of answering briefs.

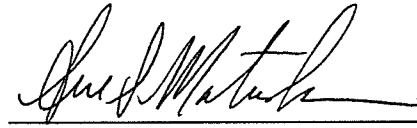
4. However, counsel for the Appellant State of Nevada, Local Government Employee-Management Relations Board, Donald J. Bordelove, and counsel for Respondent Clark County School District, S. Scott Greenberg, agreed to such an extension.

5. Counsel for the Appellant, in fact, requested an extension for the filing of any reply briefs from the normal 30 days to 45 days after service of answering briefs due to an anticipated medical event in the month of July.

///

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

Dated: June 5, 2017



---

Sue S. Matuska