

IN THE SUPREME COURT OF THE STATE OF NEVADA

BOMBARDIER
TRANSPORATATION
(HOLDINGS) INC.,

Appellant,

vs.

NEVADA LABOR
COMMISSIONER; THE
INTERNATIONAL UNION OF
ELEVATOR CONSTRUCTORS; and
CLARK COUNTY,

Respondents.

Supreme Court No.: 71101

Electronically Filed
Apr 04 2017 09:50 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

**APPELLANT’S UNOPPOSED MOTION FOR EXTENSION
OF TIME TO FILE OPPOSITION TO MOTION TO DISMISS THE
APPEAL AND TO STAY THE BRIEFING SCHEDULE**

Appellant Bombardier Transportation (Holdings), Inc., by and through its counsel, Jackson Lewis P.C., hereby moves this Court for an order extending the time in which Appellant may submit its Opposition to Respondent Nevada Labor Commissioner’s (“Labor Commissioner”) Motion to Dismiss the Appeal and to Stay the Briefing Schedule (the “Motion to Dismiss”). Additionally, Appellant requests this Court to stay the briefing schedule in this matter pending resolution of Respondent Labor Commissioner’s Motion to Dismiss. This Motion is made and based upon Rule 26(b) of the Nevada Rules of Appellate Procedure, the following memorandum of points and authorities and exhibits thereto, the pleadings and papers on file herein, and any oral argument the Court may allow.

I. RELIEF SOUGHT

Appellant hereby seeks an Order extending the time in which to submit its Opposition to Respondent Nevada Labor Commission's ("Labor Commissioner") Motion to Dismiss by fourteen days from April 6, 2017, up to and including April 20, 2017. Additionally, all parties involved in this matter request that this Court stay the briefing schedule in the appeal pending resolution of the Labor Commissioner's Motion to Dismiss.

II. DISCUSSION

This appeal arises from an underlying case, in the District Court of Clark County, in the matter *Bombardier Transportation (Holdings) Inc. v. Nevada Labor Commissioner; The International Union of Elevator Constructors; and Clark County*.

On March 21, 2017, this Court granted Appellant's telephonic request for an extension of fourteen days to file and serve its opposition to Respondent Labor Commissioner's Motion to Dismiss, extending the deadline up to and including April 6, 2017. The undersigned respectfully requests additional time due to additional personal commitments that have arisen, including, but not limited to the undersigned's need to attend to personal affairs following his father's recent passing.

Appellant therefore requests a fourteen day extension of time from April 6, 2017, up to and including April 20, 2017, in which to file its Opposition to

Respondent Labor Commissioner's Motion to Dismiss. Counsel for all parties involved do not oppose the request. The request is made in good faith and not for purposes of delay.

Additionally, in the Motion to Dismiss, Respondent Labor Commissioner has moved this Court to order that the briefing schedule for the underlying appeal be stayed pending resolution of the Motion to Dismiss. Counsel for all parties involved are in agreement that the briefing schedule for the underlying appeal should be stayed pending resolution of the Motion to Dismiss. Appellant, therefore, respectfully requests that the Court issue an order staying the briefing schedule for the underlying appeal. This request is made in good faith and not for purposes of delay.

Dated this 4th day of April, 2017.

JACKSON LEWIS P.C.

/s/ Paul T. Trimmer
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Attorneys for Appellant/Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Jackson Lewis P.C., and that on this 4th day of April, 2017, I caused to be served via the Nevada Supreme Court's electronic filing and service system, a true and correct copy of the above foregoing **APPELLANT'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE OPPOSITION TO MOTION TO DISMISS THE APPEAL AND TO STAY THE BRIEFING SCHEDULE** to the following:

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/s/ Emily Santiago
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