

**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  
Jul 26 2017 01:45 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**APPELLANT'S UNOPPOSED MOTION FOR EXTENSION OF  
TIME TO FILE OPENING BRIEF AND APPENDIX**

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 to submit its Opening Brief and Appendix by thirty (30) days. 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 Opening Brief and Appendix by thirty (30) days from August 16, 2017, up to and including September 15, 2017.

## **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*, in the Supreme Court of the State of Nevada, Case No. 71101.

Pursuant to this Court's July 17, 2017 Order Denying Motion to Dismiss, the briefing schedule in this appeal has been reinstated and Appellant's Opening Brief and Appendix are currently due August 16, 2017. This is a complex appeal involving several matters of first impression under Nevada's prevailing wage laws. The hearing in this case spanned six days, and it has been more than two years since the hearing took place, therefore reviewing the hearing transcript for appeal has taken a substantial amount of time. In addition, the undersigned is scheduled to represent other clients in an arbitration hearing on July 27, 2017, August 2, 2017, August 23 – 24, 2017, and has spent the last several days preparing for the same.

Appellant therefore requests a thirty (30) day extension of time in which to file its Opening Brief and Appendix. Counsel for all parties involved do not oppose the request. The request is made in good faith and not for purposes of delay.

Dated this 27th day of July, 2017.

JACKSON LEWIS P.C.

/s/ Paul T. Trimmer  
GARY C. MOSS, Bar # 4340  
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*Attorneys for Appellants/Petitioner*

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I am an employee of Jackson Lewis P.C., and that on this 27th day of July, 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 OPENING BRIEF AND APPENDIX** to the following:

<p>Robert E. Werbicky, Esq. Deputy Attorney General <a href="mailto:mflatley@ag.nv.gov">mflatley@ag.nv.gov</a> Adam Paul Laxalt, Esq. Bureau of Business and State Services Business and Taxation Division 100 North Carson Street Carson, City, Nevada 89701 (775) 684-1218 (office) (775) 684-1156 (facsimile) <i>Attorneys for State of Nevada Office of the Labor Commissioner</i></p>	<p>Richard G. McCracken, Esq. <a href="mailto:rmccracken@dcbsf.com">rmccracken@dcbsf.com</a> Andrew J. Kahn, Esq. <a href="mailto:ajk@dcbsf.com">ajk@dcbsf.com</a> McCracken, Stemerman &amp; Holsberry 1630 South Commerce Street Suite A-1 Las Vegas, Nevada 89102 (702) 386-5107 (office) (702) 386-9848 (facsimile) <i>Attorneys for The International Union of Elevator Constructors</i></p>
<p>E. Lee Thompson, Esq. <a href="mailto:e.thomson@clarkcountyda.com">e.thomson@clarkcountyda.com</a> Chief Deputy District Attorney 500 South Grand Central Parkway 5<sup>th</sup> Floor Las Vegas, Nevada 89155 (702) 455-4761 (office) (702) 455-4771 (facsimile) <i>Attorneys for Clark County</i></p>	

/s/ Emily Santiago  
Employee of Jackson Lewis P.C.