

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

SIERRA PACKAGING &
CONVERTING, LLC,

Appellant,

vs.

THE CHIEF ADMINISTRATIVE
OFFICER OF THE OCCUPATIONAL
SAFETY AND HEALTH
ADMINISTRATION OF THE DIVISION
OF INDUSTRIAL RELATIONS OF THE
DEPARTMENT OF BUSINESS AND
INDUSTRY, STATE OF NEVADA; AND
THE OCCUPATIONAL SAFETY AND
HEALTH REVIEW BOARD,

Respondents.

No. 71130

FILED

JUN 29 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER REGARDING SUPPLEMENTAL BRIEFING

This court has determined that supplemental briefing will be helpful in our resolution of this appeal. Accordingly, the parties shall file supplemental briefs specifically addressing the applicability of the “rule of access” standard to the specific facts of this case. In discussing this issue, we direct the parties’ attention to *Oregon Occupational Safety & Health Division v. Moore Excavation, Inc*, 307 P.3d 510 (Or. Ct. App. 2013).

Appellant shall file a supplemental opening brief within 20 days from the date of this order. Respondent shall file a supplemental answering brief within 10 days from the date of service of the supplemental opening brief. Thereafter, appellant may file a supplemental reply brief within 7 days from the date of service of the supplemental answering brief. The supplemental briefs shall only address the issue specified above and shall comply with all relevant provisions of the Nevada Rules of Appellate Procedure. Finally, no extensions of time

for the supplemental briefing schedule shall be granted absent demonstration of extreme need or merit.¹

It is so ORDERED.

Silver, C.J.

cc: McDonald Carano LLP/Reno
Dept of Business and Industry/Div of Industrial
Relations/Henderson
Fred V. Scarpello
Dept of Business and Industry/Div of Industrial Relations/Carson
City

¹Accordingly, no telephonic extensions will be granted for this supplemental briefing schedule. Any request for an extension must be made by formal written motion, demonstrating extreme and unforeseeable circumstances. Counsel's caseload will not be deemed such a circumstance. See generally *Varnum v. Grady*, 90 Nev. 374, 528 P.2d 1027 (1974).