

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

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4 Electronically Filed
5 Jun 27 2017 02:57 p.m.
6 Elizabeth A. Brown
7 Clerk of Supreme Court

8 NEVADA RECYCLING AND
9 SALVAGE, LTD.; a Nevada Limited
10 Liability Company; AMCB, LLC, a
11 Nevada Limited Liability Company
12 d/b/a RUBBISH RUNNERS,

Case No.: 71467

 District Court Case No. CV15-00497

13 Appellants,

14 vs.

15 RENO DISPOSAL COMPANY,
16 INC.; a Nevada corporation d/b/a
17 Waste Management; REFUSE, INC.; a
18 Nevada corporation; and WASTE
19 MANAGEMENT OF NEVADA,
20 INC., a Nevada corporation,

21 Respondents

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23 **RESPONDENTS' MOTION TO EXTEND TIME**
24 **TO FILE ANSWERING BRIEF**

25 Respondents Reno Disposal Company, Inc. ("Reno Disposal"), Refuse, Inc.
26 ("Refuse") and Waste Management of Nevada, Inc. ("WM"), by and through their
27 undersigned counsel, move this Court for an extension of time to file their
28

1 answering brief. This motion is made pursuant to NRAP 31(b)(3), and is based
2 upon the attached memorandum of points and authorities.

3 Dated this 27th day of June, 2017.

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5 ROBISON, BELAUSTEGUI, SHARP & LOW
6 A Professional Corporation
7 71 Washington Street
8 Reno, Nevada 89503

9 BY: 

10 Mark G. Simons, Esq.
11 Nevada Bar No. 5132
12 Therese M. Shanks, Esq.
13 Nevada Bar No. 12890
14 Robinson, Belaustegui, Sharp & Low
15 71 Washington Street
16 Reno Nevada 89503
17 (775) 329-3151
18 *Attorneys for Respondents*

19 **MEMORANDUM OF POINTS AND AUTHORITIES**

20 Pursuant to NRAP 31(b)(2) and (3), a party may seek an extension of time to
21 file a brief before this Court. Accordingly, Respondents request that this Court
22 grant their motion for an extension of an additional thirty days in which to file their
23 answering brief for the following reasons:

24 **I. Date When Answering Brief is Due:**

25 Respondents' answering brief is currently due to be filed on July 24, 2017.

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1 **II. Number of Previous Extensions Granted By the Court:**

2 This Court has not yet granted any extensions of time for Respondents to file
3 their answering brief.
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5 **III. Whether Any Prior Requests Were Denied:**

6 No prior requests have been denied by this Court.
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8 **IV. Basis For Request:**

9 Respondents request this extension due to the constraints of their counsel's
10 calendars. Counsel Mark Simons, Esq., was abroad for an extended period of time
11 and returned to the United States June 26, 2017. However, his calendar is booked
12 with other matters including multiple trial preparations and he would not have
13 sufficient time to adequately prepare an answering brief. Therese M. Shank, Esq.,
14 the associate tasked with assisting Mr. Simons on this appeal, is on maternity leave
15 imminently. Accordingly, Respondents are requesting an extension of time in
16 which to file their answering brief.
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21 **V. Requested Extension and Due Date:**

22 Respondents respectfully request that this Court grant them a 30-day
23 extension of time in which to file their answering brief. The proposed new due
24 date for the Answering Brief would be August 23, 2017. Respondents request an
25 extension of 30 days so that Ms. Shanks can assist with preparation of the brief
26 upon her return from maternity leave. In addition, a 30 day extension is requested
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1 due to deadlines in other litigation between the parties, which all counsel hope to
2 avoid having conflict with briefing in this appeal.

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4 **VI. Conclusion:**

5 For the foregoing reasons, Respondents respectfully request that this Court
6 grant their motion for a 30-day extension in which to file their answering brief.
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8 ROBINSON, BELAUSTEGUI, SHARP & LOW
9 A Professional Corporation
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11 BY: 

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20 *Attorneys for Respondents*
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1 **CERTIFICATE OF SERVICE**

2 I hereby certify pursuant to NRAP 25(c), that on the ____ day of June,
3
4 2017, I caused service of a true and correct copy of the above and foregoing
5 **RESPONDENTS' MOTION TO EXTEND TIME TO FILE ANSWERING**
6 **BRIEF** on all parties to this action by the method(s) indicated below:

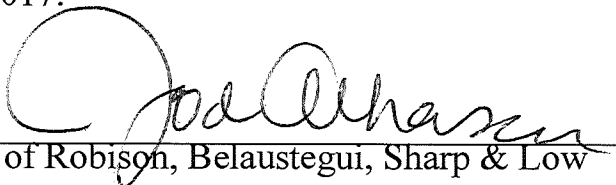
7
8 X by using the Supreme Court Electronic Filing System:

9 Del Hardy, Esq.
10 WINTER STREET LAW GROUP
11 *Attorneys for Appellants*

12 X by personal delivery/hand delivery addressed to:

13 Del Hardy, Esq.
14 Stephanie Rice, Esq.
15 Richard Salvatore, Esq.
16 WINTER STREET LAW GROUP
17 96 Winter Street
18 Reno, Nevada 89503
19 *Attorneys for Appellants*

20 DATED this 27th day of June, 2017.

21 
22 An employee of Robison, Belaustegui, Sharp & Low