

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAS VEGAS REVIEW-JOURNAL,

Appellant,

vs.

CITY OF HENDERSON,

Respondent.

Electronically Filed
Jan 10 2018 09:50 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Case No. 73287

DC Case No. A-16-747289-W

**UNOPPOSED MOTION FOR EXTENSION TO FILE APPELLANT'S
OPENING BRIEF AND APPENDIX [FIRST REQUEST]**

Appellant Las Vegas Review-Journal, hereby respectfully requests twenty-nine (29) days, until February 9, 2018, to file its Opening Brief and Appendix, which is currently due on January 11, 2018. This is Appellant's first request for an extension in this matter. This motion is based on the following memorandum and all papers and pleadings on file herein. Brian Reeve, counsel for Respondent, has indicated Respondent has no objection to this request.

DATED this 9th day of January, 2018.

/s/ Alina M. Shell

Margaret A. McLetchie, Nevada Bar No. 10931

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Counsel for Appellant

MEMORANDUM

I, Alina M. Shell, am an attorney of record in the above-captioned case.

This Court may “[f]or good cause” extend the time “prescribed by the [Nev. R. App. P.] or by its order to perform any act, or may permit an act to be done after that time expires.” NRAP 26(b)(1)(A). Here, there is “good cause” because the undersigned counsel had an unexpected filing obligation in another matter, and because her firm have conflicting deadlines in several other matters, and because counsel needs additional time to coordinate with Appellant prior to filing the opening brief with this Court.

For example, counsel has an answering brief due on January 10, 2018 in *Clark County School District v. Las Vegas Review-Journal*, Nev. S. Ct. Case No. 73525. Counsel also has a settlement conference scheduled in *Jennifer V. Abrams v. Louis Schneider*, N.V. S.Ct. Case No. 73838 for January 17, 2018, with the settlement statement due on January 10, 2018. In addition, counsel has a hearing on January 12, 2018 on a Petition to Unseal Search Warrant Applications and Associated Judicial Records in *In re: Sealed Warrant Affidavits for the Search of 1372 Babbling Brook Court*, U.S. District Court Case No. 2:17-cv-02775-JAD-PAL. Counsel also has a hearing on January 16, 2018 on a Petition to Unseal Search Warrant Records in *In re: Sealed Search Warrant Records Related to Stephen Craig Paddock or the Crimes Committed October 1, 2017 at the Route 91 Harvest*

Country Music Festival, Eighth Judicial District Court Case No. A-17-764028-W.

Counsel also had competing deadlines which have interfered with the preparation of the Opening Brief in this matter, including an Opposition to a Motion for Attorney's Fees in *Coastline v. Willin LLC, et al.*, Eighth Judicial District Court Case No. A-13-677075-B due on January 2, 2018, a Motion to Stay Discovery in *Will Sitton v. Las Vegas Review-Journal*, U.S. District Court Case No. 2:17-cv-00111, a Reply to an Opposition to a Motion for Attorney's Fees and Costs in *Las Vegas Review-Journal v. The Office of the Clark County Coroner/Medical Examiner*, Eighth Judicial District Court Case No. A-17-758501-W, and a Reply in Support of a Motion to Unseal Court Documents in *United States v. Cliven Bundy*, U.S. District Court Case No. 2:16-cr-00046, all filed on January 4, 2018.

Counsel also had a continuation of a bench trial in a 42 U.S. § 1983 civil rights case in *Reginald Howard v. S. Foster*, U.S. District Court Case No. 2:13-cv-001368 on January 8, 2018, as well as a hearing on a Motion to Unseal in *United States v. Cliven Bundy, et al.*, U.S. Dist. Ct. Case 2:16-cr-0046-GMN-PAL.

The Appellant's Opening Brief and Appendix is currently due January 11, 2018. An extension is necessary in this case for the aforementioned circumstances and to ensure proper briefing. Appellant thus respectfully requests an extension of twenty-nine (29) days for the Opening Brief and Appendix, which would move that deadline from January 11, 2018 to February 9, 2018.

The Review-Journal recognizes that public records cases such as this should generally be briefed in expeditious fashion due to the nature of the Nevada Public Records Act, and currently has a motion to expedite pending in *Clark County Office of the Coroner/Medical Examiner v. Las Vegas Review-Journal*, Case No. 74604, but notes that, while this case is not moot, most of the records sought have been produced. This extension is sought in good faith and not for the purpose of delay. This request is made in the interests of effectively representing the interests of Appellant Las Vegas Review-Journal and adequately and concisely briefing the issues in the appeal.

On January 9, 2018, the undersigned contacted Brian Reeve, counsel for Respondent. Mr. Reeve indicated Respondent has no objection to this request. The undersigned appreciates opposing counsel's professional courtesy.

The undersigned declares under penalty of perjury the factual representations set forth in the foregoing memorandum are true and correct.

DATED this 9th day of January, 2018.

/s/ Alina M. Shell

Margaret A. McLetchie, Nevada Bar No. 10931

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Counsel for Appellant

CERTIFICATE OF SERVICE

I certify that I am an employee of McLetchie Shell LLC and that on this 9th day of January, 2018 the UNOPPOSED MOTION FOR EXTENSION TO FILE APPELLANT’S OPENING BRIEF AND APPENDIX [FIRST REQUEST] was filed electronically with the Clerk of the Nevada Supreme Court, and therefore electronic service was made in accordance with the Master Service List as follows:

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/s/ Pharan Burchfield
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