

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAS VEGAS REVIEW-JOURNAL,

Appellant,

vs.

CITY OF HENDERSON,

Respondent.

Electronically Filed
Feb 09 2018 02:31 p.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 [SECOND REQUEST]**

Appellant Las Vegas Review-Journal, hereby respectfully requests seven (7) days, until February 16, 2018, to file its Opening Brief and Appendix, which is currently due on February 9, 2018. This is Appellant's second 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 February, 2018.

/s/ Alina M. Shell

Margaret A. McLetchie, Nevada Bar No. 10931

Alina M. Shell, Nevada Bar No. 11711

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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 emergency filing obligation in another matter. Specifically, on February 9, 2018, the district court assigned to *Hartfield v. Office of the Clark County Coroner*, Eight Judicial District Court Case A-18-768781-C, issued a gag order against the Las Vegas Review-Journal and the Associated Press, both of whom counsel represents in that matter. Given the serious and immediate First Amendment issues the district court’s order implicates, counsel had to immediately turn her attention to seeking filing an emergency motion for a writ of mandamus or prohibition pursuant to NRAP 21 and NRAP 27(e) with this Court.

The Appellant’s Opening Brief and Appendix is currently due February 9, 2018. An extension is necessary in this case for the aforementioned circumstances and to ensure proper briefing. Appellant thus respectfully requests an extension of seven (7) days for the Opening Brief and Appendix, which would move that deadline from February 9, 2018 to February 16, 2018.

On February 9, 2018, the undersigned contacted Brian Reeve, counsel for Respondent regarding the emergency need for this extension. 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 February, 2018.

/s/ Alina M. Shell

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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 [SECOND 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:

Josh M. Reid, City Attorney
Brandon P. Kemble, Asst. City Attorney
Brian R. Reeve, Asst. City Attorney
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Counsel for Respondent City of Henderson

/s/ Pharan Burchfield
Employee, McLetchie Shell LLC