

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

APCO CONSTRUCTION, INC., A  
NEVADA CORPORATION,

Appellant,

vs.

ZITTING BROTHERS CONSTRUCTION,  
INC.,

Respondent.

Case No.: 75197

Electronically Filed  
Jul 29 2019 01:15 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

Appeal from the Eighth Judicial  
District Court, the Honorable Mark  
Denton Presiding

**MOTION FOR EXTENSION OF TIME TO FILE**  
**APPELLANT'S REPLY BRIEF**  
**(First Request)**

**MARQUIS AURBACH COFFING**

Micah S. Echols, Esq.  
Nevada Bar No. 8437  
Cody S. Mounteer, Esq.  
Nevada Bar No. 11220  
Tom W. Stewart, Esq.  
Nevada Bar No. 14280  
10001 Park Run Drive  
Las Vegas, Nevada 89145  
Telephone: (702) 382-0711  
Facsimile: (702) 382-5816  
mechols@maclaw.com  
cmounteer@maclaw.com  
tstewart@maclaw.com

**Fennemore Craig, P.C.**

Christopher H. Byrd, Esq.  
Nevada Bar No. 1633  
John Randall Jefferies, Esq.  
Nevada Bar No. 3512  
300 S. Fourth Street, 14th Floor  
Las Vegas, NV 89101  
Telephone: (702) 692-8000  
Facsimile: (702) 692-8099  
cbyrd@fclaw.com  
rjefferies@fclaw.com

*Attorneys for Appellant, APCO Construction, Inc.*

MAC:05161-019 3799218\_1

Appellant, APCO Construction, Inc. (“APCO”), by and through its counsel of record, Marquis Aurbach Coffing and Fennemore Craig, P.C., hereby moves this Court pursuant to NRAP 31(b) for a 45-day extension of time to file its reply brief.

APCO’s reply brief is currently due July 31, 2019. This is APCO’s first request for extension. If this Court grants this request for a 45-day extension, APCO’s reply brief will be due on September 16, 2019. Good cause exists for allowing APCO to extend the filing deadline until September 16, 2019:

1. The underlying litigation involves approximately 90 parties bringing hundreds of claims, cross-claims, counterclaims, third-party claims, and claims in intervention, throughout 16 consolidated cases, spanning over a decade in the district court and this Court. The record on appeal consists of 31 volumes and nearly 7,000 pages.

2. Respondent, Zitting Brothers Construction, Inc. (“Zitting”), filed an overlength brief of almost 17,000 words on July 1, 2019. This Court granted permission for and accepted the overlength brief on July 9, 2019, leaving APCO only 22 days to respond to all of the arguments in Zitting’s answering brief.

3. In order to adequately respond to the arguments presented by Zitting, especially in light of the complexity of the record, APCO will need the additional time to complete its reply brief and circulate a draft to all counsel and the client.

4. The additional time will also allow any requested revisions to be incorporated into APCO's reply brief prior to finalization and submission to this Court for filing.

Therefore, APCO respectfully requests that this Court grant its motion and extend the deadline for its reply brief to September 16, 2019. This Motion is submitted in good faith and for good cause shown in accordance with NRAP 31(b).

Dated this 29th day of July, 2019.

MARQUIS AURBACH COFFING

By /s/ Micah S. Echols

Micah S. Echols, Esq.

Nevada Bar No. 8437

Cody S. Mounteer, Esq.

Nevada Bar No. 11220

Tom W. Stewart, Esq.

Nevada Bar No. 14280

10001 Park Run Drive

Las Vegas, Nevada 89145

*Attorneys for Appellant, APCO*

*Construction, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **MOTION FOR EXTENSION OF TIME TO FILE APPELLANT'S REPLY BRIEF** was filed electronically with the Nevada Supreme Court on the 29th day of July, 2019. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

I-Che Lai  
Jorge Ramirez

/s/ Leah Dell  
\_\_\_\_\_  
Leah Dell, an employee of  
Marquis Aurbach Coffing