

Jorge A. Ramirez
Nevada Bar No. 6787
I-Che Lai
Nevada Bar No. 12247
WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP
300 South 4th Street, 11th Floor
Las Vegas, NV 89101-6014
Telephone: (702) 727-1400
Facsimile: (702) 727-1401
Jorge.Ramirez@wilsonelser.com
I-Che.Lai@wilsonelser.com
Attorneys for Respondent,
Zitting Brothers Construction, Inc.

Electronically Filed
May 20 2020 04:32 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

APCO CONSTRUCTION, INC.,)	
)	
Appellant,)	
)	
v.)	No. 75197
)	
ZITTING BROTHERS)	
CONSTRUCTION, INC.,)	
)	
Respondent.)	

**RESPONDENT’S LIMITED JOINDER TO APPELLANT’S MOTION
TO POSTPONE ORAL ARGUMENT**

Zitting Brothers Construction, Inc. (“Zitting”) respectfully submits this limited joinder to APCO Construction, Inc.’s motion to postpone oral argument. Zitting agrees with APCO Construction, Inc. (“APCO”) that it would be best to

postpone the oral argument currently scheduled for June 11, 2020. However, Zitting has two concerns with any postponement.

These concerns involve potential prejudice to Zitting from any postponement. First, APCO may stop maintaining the appellate bond for the judgment amount after June 11, 2020. Second, APCO may argue that the continuance would stay the accruing post-judgment interest. During its discussions with Zitting regarding those concerns, APCO has represented that it will maintain the appellate bond for the duration of the appeal and that interest accrued on Zitting's judgment amount, if awarded, would be protected. Zitting understands this to mean that APCO would not argue that the postponement of the oral argument would not affect the accrual of the judgment interest. In reliance on APCO's representations and Zitting's understanding, Zitting joins APCO's motion to postpone oral argument.

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Respectfully submitted on May 20, 2020.

**WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP**

/s/Jorge A. Ramirez

Jorge A. Ramirez

I-Che Lai

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Las Vegas, NV 89101-6014

Telephone: (702) 727-1400

Attorneys for Respondent,

Zitting Brothers Construction, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on May 20, 2020, a true and correct copy of Respondent's Limited Joinder to Appellant's Motion to Postpone Oral Argument was served via the Nevada Supreme Court's electronic filing system upon all parties registered with the court in this case.

By: /s/Annemarie Gourley
An Employee of WILSON ELSER MOSKOWITZ
EDELMAN & DICKER LLP