

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

SIERRA PACKAGING &  
CONVERTING, LLC,

Appellant,

vs.

THE CHIEF ADMINISTRATIVE  
OFFICER OF THE OCCUPATIONAL  
SAFETY AND HEALTH  
ADMINISTRATION OF THE DIVISION  
OF INDUSTRIAL RELATIONS OF THE  
DEPARTMENT OF BUSINESS AND  
INDUSTRY, STATE OF NEVADA; AND  
THE OCCUPATIONAL SAFETY AND  
HEALTH REVIEW BOARD,

Respondents.

No. 71130

**FILED**

JUN 29 2017

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER REGARDING SUPPLEMENTAL BRIEFING*

This court has determined that supplemental briefing will be helpful in our resolution of this appeal. Accordingly, the parties shall file supplemental briefs specifically addressing the applicability of the "rule of access" standard to the specific facts of this case. In discussing this issue, we direct the parties' attention to *Oregon Occupational Safety & Health Division v. Moore Excavation, Inc.*, 307 P.3d 510 (Or. Ct. App. 2013).

Appellant shall file a supplemental opening brief within 20 days from the date of this order. Respondent shall file a supplemental answering brief within 10 days from the date of service of the supplemental opening brief. Thereafter, appellant may file a supplemental reply brief within 7 days from the date of service of the supplemental answering brief. The supplemental briefs shall only address the issue specified above and shall comply with all relevant provisions of the Nevada Rules of Appellate Procedure. Finally, no extensions of time

for the supplemental briefing schedule shall be granted absent demonstration of extreme need or merit.<sup>1</sup>

It is so ORDERED.

Silver, C.J.

cc: McDonald Carano LLP/Reno  
Dept of Business and Industry/Div of Industrial  
Relations/Henderson  
Fred V. Scarpello  
Dept of Business and Industry/Div of Industrial Relations/Carson  
City

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<sup>1</sup>Accordingly, no telephonic extensions will be granted for this supplemental briefing schedule. Any request for an extension must be made by formal written motion, demonstrating extreme and unforeseeable circumstances. Counsel's caseload will not be deemed such a circumstance. See generally *Varnum v. Grady*, 90 Nev. 374, 528 P.2d 1027 (1974).

