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d/b/a Wynn Las Vegas*

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Elizabeth A. Brown  
Clerk of Supreme Court

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

WYNN LAS VEGAS, LLC d/b/a WYNN  
LAS VEGAS,

Appellant,

v.

YVONNE O'CONNELL, AN INDIVIDUAL,

Respondent.

YVONNE O'CONNELL, AN INDIVIDUAL,

Appellant,

WYNN LAS VEGAS, LLC d/b/a WYNN  
LAS VEGAS,

Respondent.

**Supreme Court Case No. 70583  
Consolidated with Case No. 71789**

District Court Case No. A655992

**APPELLANT/CROSS-  
RESPONDENT'S UNOPPOSED  
MOTION TO CONTINUE DEADLINE  
FOR OPENING BRIEF**

The underlying case involves Respondent/Cross-Appellant Yvonne O'Connell's ("O'Connell") alleged slip and fall accident at Appellant/Cross-Respondent Wynn Las Vegas,

1 LLC's ("Wynn") Las Vegas resort on February 8, 2010. The parties' jury trial went forward  
2 November 4, 2015, through November 15, 2015. At the conclusion of the trial, O'Connell was  
3 awarded damages for past and future pain and suffering in the total amount of \$240,000.00.  
4 O'Connell was also awarded pre-judgment interest in the sum of \$17,190.96, increasing the total  
5 judgment to \$257,190.96.

6 Following denial of Wynn's post-trial motions, Wynn filed its Notice of Appeal on June 8,  
7 2016; Case No. 70583 (the "First Appeal"). The parties' completed their mandatory Supreme  
8 Court settlement conference on August 30, 2016. Pursuant to this Court's Order Reinstating  
9 Briefing, Wynn's Opening Brief was due December 5, 2016. On November 21, 2016, the parties  
10 filed a Joint Motion to Continue Deadline for Opening Brief ("Joint Motion"). As the parties  
11 stated in their Joint Motion, the extension was sought in order to provide sufficient time for the  
12 parties to move forward with consolidating a related appeal.

13 That related appeal is O'Connell's appeal of the District Court's November 9, 2016, Order  
14 "Partially Granting and Partially Denying Defendant's Motion to Retax Costs and Plaintiff's  
15 Motion to Tax Costs and for Fees, Costs and Post-Judgment Interest" (the "Costs and Fees  
16 Order"). O'Connell filed her Notice of Appeal of the Costs and Fees Order on November 17,  
17 2016, and a Case Appeal Statement that same day; Case No. 71789 (the "Second Appeal"). On  
18 December 1, 2016, the Court issued an Order exempting the Second Appeal from the Settlement  
19 Program and setting a deadline for her Opening Brief.

20 On January 13, 2017, the parties filed a Joint Motion to Consolidate. The Joint Motion  
21 was granted by this Court in an Order entered January 24, 2017 ("Consolidation Order"). In the  
22 Consolidation Order, the Court set the deadline for Wynn's Opening Brief as March 31, 2017.

23 Although Wynn had initially anticipated filing its Opening Brief by the March 31, 2017,  
24 deadline, certain issues with preparing the Joint appendix, and conflicts with the schedule of  
25 counsel, have arisen, necessitating this Motion. In particular, counsel are currently preparing  
26 documents for the Joint Appendix. However, counsel have yet to locate copies of certain exhibits  
27 from the trial. This is causing a delay in preparing the Joint Appendix. Additionally, the  
28 undersigned counsel for Wynn is scheduled to begin trial in another matter on March 27, 2017.

1 This is a firm date and counsel has just been informed that the case is in the first position for this  
2 date. Additionally, in-house counsel for Wynn, who will be reviewing the briefing, are currently  
3 involved in a two-week evidentiary hearing in another matter.

4 Therefore, Wynn respectfully requests that its deadline for the Opening Brief be continued  
5 by 30 days, until May 1, 2017. Counsel for O'Connell have confirmed that they have no objection  
6 to this request. Therefore, Wynn respectfully requests that its deadline be continued.

7 DATED this 15th day of March, 2017

8 LAWRENCE J. SEMENZA, III, P.C.

9 /s/ Jarrod L. Rickard

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16 *Wynn Las Vegas, LLC d/b/a Wynn Las Vegas*  
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**CERTIFICATE OF MAILING**

Pursuant to NRAP 25(d), I hereby certify that I am an employee with Lawrence J. Semenza, III, P.C., and that on the 15th day of March, 2017, I served a true copy of the above and foregoing **APPELLANT/CROSS-RESPONDENT'S UNOPPOSED MOTION TO CONTINUE DEADLINE FOR OPENING BRIEF** via the Nevada Supreme Court's electronic filing system to the following registered persons:

NETTLES LAW FIRM  
Brian Nettles, Esq.  
Jon Carlston, Esq.  
Christian Morris, Esq.

*Attorneys for Respondent/Cross-Appellant Yvonne O'Connell*

/s/ Olivia A. Kelly  
An Employee of Lawrence J. Semenza, III, P.C.