

In the Supreme Court of Nevada

REPUBLIC SILVER STATE DISPOSAL, INC.,

Appellant/Cross-
Respondent,

vs.

ANDREW M. CASH, M.D.; ANDREW M.
CASH, M.D., P.C., a/k/a ANDREW MILLER
CASH, M.D., P.C.; and DESERT
INSTITUTE OF SPINE CARE, LLC,

Respondents/Cross-
Appellants.

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Elizabeth A. Brown
Clerk of Supreme Court

**MOTION FOR EXTENSION OF TIME TO
FILE OPENING BRIEF AND APPENDIX**

Appellant requests an extension of 30 days, through February 5, 2020, to file the opening brief and joint appendix. NRAP 31(b)(3). The original October 16, 2019 deadline was extended by stipulation, NRAP 31(b)(2), and then appellant file two unopposed motions for extension. Without the requested extension, the brief would be due January 6, 2020.

Although counsel have prepared a draft brief, extraordinary circumstances necessitate this extension. First, Lewis Roca Rothgerber Christie are appearing today as new appellate counsel. They have not

yet had the opportunity to review the brief or confer with their client regarding further streamlining of the issues. The requested extension would greatly ease counsel's ability to communicate with appellant and make these revisions.

Second, even if new appellate counsel had appeared earlier, they would still have needed this extension. Mr. Smith has had to take several days off of work (beyond the holidays) with his own illness and caring for ill members of his family and dealing with the aftermath of the traumatic death of a family pet.

Third, while counsel understand that counsel's caseload is—without other reasons—not a basis for an extension, counsel note that they have faced unforeseeable emergencies in several cases. In just one example, counsel today had to respond to a supplemental brief filed over the weekend regarding long-pending oral arguments set for tomorrow in the opioid litigation. Appellate counsel have also been short-staffed with Mr. Henriod involved in overlapping trials, Mr. Polsenberg traveling for hearings, and their paralegal out of the office.

In these extraordinary circumstances, undersigned counsel appreciate the Court's courtesy in granting this extension.

Dated this 6th day of January, 2020.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

DAVID BARRON (SBN 142)
JOSEPH MESERVY (SBN 14088)
BARRON & PRUITT, LLP
3890 West Ann Road
North Las Vegas, Nevada 89031
(702) 870-3940

By: /s/Abraham G. Smith
JOEL D. HENRIOD (SBN 8492)
DANIEL F. POLSENBERG (SBN 2376)
ABRAHAM G. SMITH (SBN 13,250)
3993 Howard Hughes Pkwy., Ste. 600
Las Vegas, Nevada 89169
(702) 949-8200

Attorneys for Appellant

CERTIFICATE OF SERVICE

I hereby certify that this “Motion for Extension of Time to File Opening Brief and Appendix” was filed electronically with the Nevada Supreme Court on January 6, 2020. Electronic service of the foregoing “Notice of Appearance” shall be made in accordance with the Master Service List as follows:

Robert C. McBride
Heather S. Hall
CARROLL, KELLY, TROTTER, FRANZEN, MCBRIDE & PEABODY
8329 West Sunset Road, Suite 260
Las Vegas, Nevada 89113

Attorneys for Respondents

/s/ Lisa M. Noltie
An Employee of Lewis Roca Rothgerber
Christie LLP