2 3 4 5 6 7	BRIAN W. BOSCHEE, ESQ. Nevada Bar No. 7612 E-mail: bboschee@nevadafirm.com JESSICA M. LUJAN, ESQ. Nevada Bar No. 14913 E-mail: jlujan@nevadafirm.com HOLLEY DRIGGS 400 South Fourth Street, Third Floor Las Vegas, Nevada 89101 Telephone: 702/791-0308 Facsimile: 702/791-1912 Attorneys for Respondents	Electronically Filed Jun 03 2020 04:17 p.m. Elizabeth A. Brown Clerk of Supreme Court
8	IN THE SUPREME COURT OF THE	
9	STATE OF NEVADA	
11	DESERT VALLEY CONTRACTING, INC. a	SUPREME COURT NO. 79751
12	Nevada corporation,	DECDOMBENTS C DECDONCE IN
13	Appellant,	RESPONDENT'S RESPONSE IN LIMITED OPPOSITION TO
14	V. IN LO DDODEDTIES a Navada limitad	APPELLANT'S MOTION TO EXTEND BRIEFING SCHEDULE
15	IN-LO PROPERTIES, a Nevada limited liability company; EUGENE INOSE, an individual; JEFFREY LOUIE, an individual,	
16	Respondents.	
17 18		
19		
	JEFFREY LOUIE ("Louie") (collectively "Respondents"), by and through their attorneys of	
21	record, the law firm of Holley Driggs, hereby file their Response in Limited Opposition to	
22	Appellant's Motion to Extend Briefing Schedule (the "Response").	
23		
24	///	
25	///	
26	111	
27	///	
28	///	

The Response is made and based upon the papers and pleadings on file herein, the following Memorandum of Points and Authorities, and any argument at hearing on this matter.

Dated this 3rd day of June, 2020.

HOLLEY DRIGGS

/s/Brian W. Boschee
BRIAN W. BOSCHEE, ESQ.
Nevada Bar No. 7612
JESSICA M. LUJAN, ESQ.
Nevada Bar No. 14913
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101

Attorneys for Respondents

MEMORANDUM OF POINTS AND AUTHORITIES

Respondents do not dispute the facts underlying Appellant's Motion to Extend Briefing Schedule (the "Motion"). It is true that Respondents have now stipulated to extend the deadline for Appellant to file its opening brief four times. It is also true that Appellant has requested that Respondents stipulate to yet another extension.

Given the various circumstances set forth by Appellant, Respondents do not affirmatively oppose Appellant's Motion. However, in light of Respondents' interest in an expeditious and final resolution of Appellant's appeal, Respondents were unable to stipulate to a fifth extension (which would effectively extend the original due date for Appellant's opening brief by nearly three (3) months). See Huckabay Props. v. NC Auto Parts, 130 Nev. 196, 203, 322 P.3d 429, 433 (2014) ("Second, although Hansen was also partly based on the sound policy preference for deciding cases on the merits, that policy is not boundless and must be weighed against other policy considerations, including the public's interest in expeditious 14 appellate resolution, which coincides with the parties' interests in bringing litigation to a final and stable judgment; prejudice to the opposing party; and judicial administration concerns, such as the court's need to manage its large and growing docket.").

It is unquestionably Appellant's duty as the party challenging the district court's 18 judgment in this matter to timely prosecute the instant appeal and Respondents cannot voluntarily accede to Appellant's fifth request for additional time to do so. To agree to another of Appellant's successive requests would be contrary to Respondent's procedural rights. Accordingly, Respondents submit the instant Motion to the sound discretion of the Court.

22 ///

17

2

3

4

5

/// 23

24 ///

25

26 ///

/// 27

28 ///

CONCLUSION

In light of the foregoing, Respondents respectfully submit the determination of Appellant's Motion to the discretion of the Court.

Dated this 3rd day of June 2020.

HOLLEY DRIGGS

/s/Brian W. Boschee BRIAN W. BOSCHEE, ESQ. Nevada Bar No. 7612 JESSICA M. LUJAN, ESQ. Nevada Bar No. 14913 400 South Fourth Street, Third Floor Las Vegas, Nevada 89101

Attorneys for Respondents

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of the law firm of Holley Driggs, and that on this 3rd day of June, 2020, I served the above and foregoing **RESPONDENT'S**

RESPONSE IN LIMITED OPPOSITION TO APPELLANT'S MOTION TO EXTEND

BRIEFING SCHEDULE via the Court's electronic filing system to the following:

Carrie E. Hurtik, Esq. Jonathon R. Patterson, Esq. HURTIK LAW & ASSOCIATES 6767 West Tropicana Ave. #200 Las Vegas, NV 89103 Attorneys for Appellant

> /s/Madeline VanHeuvelen An employee of Holley Driggs