

IN THE SUPREME COURT OF THE STATE OF NEVADA

VIVIA HARRISON, AN INDIVIDUAL,

Appellant,

vs.

RAMPARTS, INC., LUXOR HOTEL &
CASINO, A NEVADA DOMESTIC
CORPORATION,

Respondents.

Case No. 80167

Electronically Filed
Jan 27 2020 04:26 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

**MOTION TO EXTEND TIME TO
FILE RESPONSE TO MOTION
TO WAIVE FILING FEE AND
COMBINE CASES**

COMES NOW, Defendant, RAMPARTS, INC. d/b/a LUXOR HOTEL & CASINO ("Luxor"), by and through its counsel of record, the law firm of LINCOLN, GUSTAFSON & CERCOS, LLP, and hereby submits its Motion to Extend Time to File Response to Motion to Waive Filing Fee and Combine Cases pursuant to NRAP 26(b)(1)(A).

This motion is based upon the papers, pleading and records contained in the Court's file, the following Points and Authorities and the attached Declaration of Sunny Southworth.

DATED this 27th day of January, 2020.

LINCOLN, GUSTAFSON & CERCOS, LLP


LOREN S. YOUNG, ESQ.

Nevada Bar No. 7567

MARK B. BAILUS, ESQ.

Nevada Bar No. 2284

3960 Howard Hughes Parkway, Suite 200

Las Vegas, Nevada 89169

Attorneys for Defendant, RAMPARTS, INC.

POINTS AND AUTHORITIES

NRAP 26(b)(1)(A), provides:

For good cause, the court may extend the time prescribed by these Rules or by its order to perform any act, or may permit an act to be done after that time expires. But the court may not extend time to file a notice of appeal except as provided in Rule 4(c).

On December 24, 2019, Appellant filed a motion to waive filing fee and combine cases which contained two (2) case number, *i.e.*, “Case Nos.: 78964/80167.” Thereafter, Respondent sought and was granted a telephonic extension to and including January 14, 2020 to file its response to the motion to waive filing fees and combine cases in Case Nos. 789641 and 80167.

On January 14, 2020, Respondent filed its response to the motion to waive filing fee and combine cases in Case No. 78964. However, due to an error in filing, the response was not filed in Case No. 80167 on January 14, 2020. (See Declaration of Sunny Southworth).

Therefore, Respondent respectfully requests to extend time to file the response to motion to waive filing fee and combine cases in the above entitled case to and including January 27, 2020 or a date thereafter deemed appropriate by this Court.

DATED this 27th day of January, 2020.

LINCOLN, GUSTAFSON & CERCOS, LLP



LOREN S. YOUNG, ESQ.

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Case Nos. 80167

**DECLARATION OF SUNNY
SOUTHWORTH**

STATE OF NEVADA)
)
COUNTY OF CLARK)

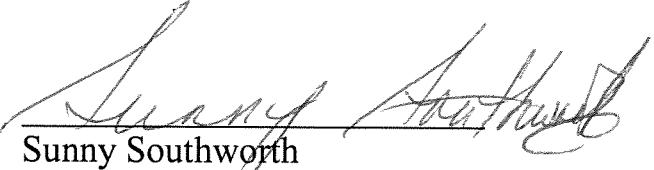
COMES NOW, Sunny Southworth, who after being first duly sworn, deposes and says as follows:

1. I am an employee of Lincoln, Gustafson & Cercos counsel of record for Defendant, Ramparts, Inc., Luxor Hotel & Casino.
2. On January 14, 2020, I filed the response to the motion to waive filing fee and combine cases in case no.78964.
3. When I filed the response to the motion to waive filing fee and combine cases in case no. 78964, I mistakenly believed that said response would also be automatically filed in case no. 80167 because both case numbers, *i.e.* Case Nos. 78964/80167” were included on Appellants motion to waive filing fees and combine cases and Respondents response thereto.


4. Unfortunately, I did not realize that the response to motion to waive filing fee and combine cases needed to be filed in Case Nos. 78964 and 80167, individually.

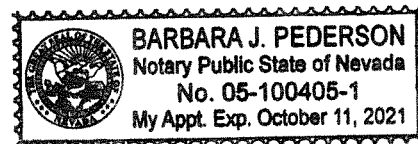
I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

DATED this 27th day of January, 2020.


Sunny Southworth

SUBSCRIBED and SWORN to before me
this 27th day of January, 2020.


Notary Public In and For the County of
Clark, State of Nevada



CERTIFICATE OF SERVICE

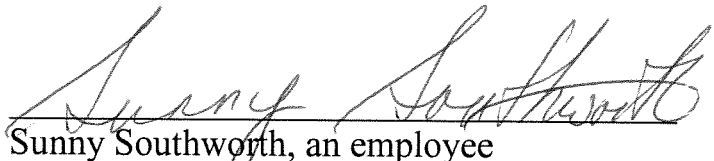
I HEREBY CERTIFY that on the 27th day of January 2020, I served a copy of this **MOTION TO EXTEND TIME TO FILE RESPONSE TO MOTION TO WAIVE FILING FEE AND COMBINE CASES** upon all counsel of record:

X By electronic service in accordance with the Master Service List to the following:

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Sunny Southworth, an employee
of the law offices of
Lincoln, Gustafson & Cercos, LLC