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8 d/b/a LUXOR HOTEL & CASINO

Electronically Filed
Sep 30 2020 03:36 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

9
10 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

11 VIVIA HARRISON, an individual,

CASE NO.: 80167

12 Appellant,

13 v.

14 RAMPARTS, INC. d/b/a LUXOR
HOTEL & CASINO, a Nevada Domestic
15 Corporation,

16 Respondent.

17 **MOTION FOR EXTENSION OF TIME TO FILE RESPONDENT'S**

18 **ANSWERING BRIEF**

19 **(First Request)**

20 Respondent, RAMPARTS, INC. dba LUXOR HOTEL and CASINO
21 ("Respondent"), by and through its attorney of record, the law firm of LINCOLN,
22 GUSTAFSON & CERCOS, LLP, hereby request that the time to file its answering brief
23 now due on October 1, 2020, be extended approximately 30 days. Respondent has
24 received no previous extensions to file this brief. If this Court grants this request,
25 Respondent's answering brief will be due on October 30, 2020.

26 Pursuant to NRAP 26, "[f]or good cause, the Court may extend the time
27 prescribed by these rules or by its order to perform any act. . . ." See NRAP 26 (1)(A).
28

1 Good cause exists for allowing Respondent to extend the filing deadline of its answering
2 brief until October 30, 2020:

3 In the last few months, Respondent's counsel, Mr. Bailus, has had some medical
4 issues which has required two out-patient surgeries on separate dates in successive
5 weeks requiring him to miss work. After the surgeries, Mr. Bailus has had several
6 follow-up office visits to remove the sutures and/or monitor the progress of his
7 recovery. On September 18, 2020, another biopsy was performed and Mr. Bailus is
8 awaiting the results. Depending on the results, will determine whether another surgery
9 will be necessary. Unrelated to the forgoing, Mr. Bailus has a doctors appointment
10 scheduled for October 1, 2020 which will require him to take time off from work.

11 Even though Mr. Bailus has been working diligently to meet the current deadline
12 to file and serve Respondent's answering brief, this unexpected medical issue has
13 hampered Mr. Bailus' efforts in preparing the answering brief. During the COVID-19
14 pandemic, Mr. Bailus has been using the firm's receptionist as his legal assistant for his
15 cases. Accordingly, normal tasks take longer including the preparation of the answering
16 brief in the instant case.

17 This motion is submitted in good faith and for good cause shown in accordance
18 with NRAP 26. Therefore, Respondent respectfully request that this Court grant its
19 motion for approximately 30-day extension of time to file its answering brief until
20 October 30, 2020.

21 DATED this 30th day of September, 2020.

22 **LINCOLN, GUSTAFSON & CERCOS, LLP**

23 
24 **LOREN S. YOUNG**

25 Nevada Bar No. 7567

26 **MARK B. BAILUS, ESQ.**

27 Nevada Bar No. 2284

28 3960 Howard Hughes Parkway, Suite 200

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Attorneys for Respondent, RAMPARTS, INC.
d/b/a LUXOR HOTEL & CASINO

CERTIFICATE OF SERVICE

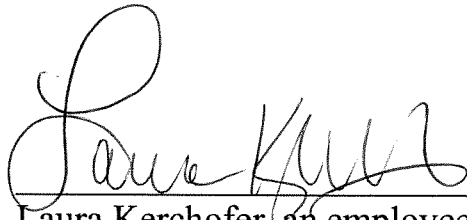
I HEREBY CERTIFY that on the 30th day of September, 2020, I served a copy of this **MOTION FOR EXTENSION OF TIME TO FILE RESPONDENT'S ANSWERING BRIEF (First Request)**, upon all counsel of record:

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

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A handwritten signature in black ink, appearing to read 'Laura Kerchofer', is written over a horizontal line.

Laura Kerchofer, an employee
of the law offices of
Lincoln, Gustafson & Cercos, LLC