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8 d/b/a LUXOR HOTEL & CASINO

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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
18 **MOTION FOR EXTENSION OF TIME TO FILE RESPONDENT'S**
ANSWERING BRIEF
19 **(Third Request)**

20 Respondent, RAMPARTS, INC. dba LUXOR HOTEL and CASINO
("Respondent"), by and through its attorney of record, the law firm of LINCOLN,
21 GUSTAFSON & CERCOS, LLP, hereby request that the time to file its answering brief
22 now due on December 2, 2020, be extended 14 days. Respondent's answering brief
23 was originally due on October 1, 2020. Respondent has received two previous
24 extensions from this Court to December 2, 2020, to file this brief. No request for
25 additional time has been denied or denied in part. If this Court grants this request for
26 an extension of 14 days, Respondent's answering brief will be due on December 16,
27 2020. Pursuant to NRAP 26, "[f]or good cause, the Court may extend the time
28 prescribed by these rules or by its order to perform any act. . . ." See NRAP 26 (1)(A).

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

3 Recently, Respondent's counsel, Mr. Bailus, has had some medical issues which
4 has required him to miss several days of work. On November 9, 2020, Mr. Bailus had
5 out-patient surgery requiring him to miss three (3) days of work. After the surgery, Mr.
6 Bailus had several follow-up office visits for doctor's appointments on November 11,
7 13, 16, 23 and 30, 2020, to remove the sutures, address wound infection and/or monitor
8 the progress of his recovery which required Mr. Bailus to take additional time off from
9 work.

10 Even though Mr. Bailus has been working diligently to meet the current deadline
11 to file and serve Respondent's answering brief, these medical issues including the
12 surgery as well as the numerous visits to the doctor's office for postoperative care has
13 caused an unforeseen delay in completing the answering brief. In addition, Mr. Bailus'
14 office was closed on November 26 and 27, 2020 for the Thanksgiving holidays which
15 has further hampered Mr. Bailus' efforts to finalize the answering brief.

16 This motion is submitted in good faith and for good cause shown in accordance
17 with NRAP 26. Therefore, Respondent respectfully request that this Court grant its
18 motion for a 14-day extension of time to file its answering brief until December 16,
19 2020.

20 DATED this 1st day of December, 2020.

21 **LINCOLN, GUSTAFSON & CERCOS, LLP**

22 
23 **LOREN S. YOUNG**

24 Nevada Bar No. 7567

25 **MARK B. BAILUS, ESQ.**

26 Nevada Bar No. 2284

27 3960 Howard Hughes Parkway, Suite 200
28 Las Vegas, NV 89169

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 1st day of December, 2020, I served a copy of this **MOTION FOR EXTENSION OF TIME TO FILE RESPONDENT'S ANSWERING BRIEF (Third 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 cursive script, appearing to read "Laura Kerchofer", written over a horizontal line.

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