

1 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2 APCO CONSTRUCTION, INC., A
3 NEVADA CORPORATION; AND
4 SAFECO INSURANCE COMPANY
 OF AMERICA,

5 Appellants,

6 vs.

7 HELIX ELECTRIC OF NEVADA,
8 LLC, A NEVADA LIMITED
 LIABILITY COMPANY,

9 Respondent.

Case No. 80177
D.C. Case No. A730091

Electronically Filed
Feb 03 2021 01:38 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

10 **APPELLANTS APCO CONSTRUCTION, INC. AND SAFECO**
11 **INSURANCE COMPANY OF AMERICA'S UNOPPOSED MOTION TO**
12 **EXTEND TIME TO FILE OPENING BRIEF**

13 **THIRD REQUEST**

14 **FENNEMORE CRAIG, P.C.**

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19 *and Safeco Insurance Company of America*

1 **UNOPPOSED MOTION**

2 Pursuant to NRAP 31(b)(3), Appellants APCO Construction, Inc. and
3 Safeco Insurance Company of America, (“APCO/SAFECO”) respectfully
4 request an extension of 21 days or until February 26, 2021 to file their Opening
5 Brief (“Brief”). The Brief is due February 5, 2021. This Court granted two
6 prior extensions.

7 Respondent, Helix Electric of Nevada, LLC Inc. (“HELIX”), by and
8 through its counsel, Cary Domina, Esq., has been informed of the need for
9 additional time and has consented to the requested extension.

10 This extension is being requested because undersigned counsel’s ability to
11 complete the brief has been hampered by the time spent caring for his spouse.
12 The undersigned’s spouse had major surgery in February 2020 and another
13 surgery in November of 2020 as the result of complications to the wound.
14 Unfortunately, this second surgery has not corrected the problem. As a result,
15 instead of getting better, the condition of undersigned’s spouse has worsened.
16 The undersigned is solely responsible for her care, driving her to doctor
17 appointments, and assisting in efforts to find the appropriate care. All of this has
18 limited undersigned’s work schedule, causes frequent interruptions to work, and
19 affected undersigned’s ability to focus when at work.

1 Despite the above, substantial progress has been made on the brief in this
2 case and the Answering Brief on Appeal and Opening Brief on Cross Appeal in
3 *Helix Electric of Nevada, LLC v. APCO Construction, Inc.*, case number 77320,
4 which brief the undersigned is also responsible for completing.

5 **CONCLUSION**

6 Based on the foregoing, APCO/SAFECO respectfully request that the
7 Court extend time for APCO/SAFECO to file their Opening Brief for 21 days or
8 until February 26, 2021.

9 DATED this 3rd day of February, 2021.

10 **FENNEMORE CRAIG, P.C.**

11 /s/ Christopher H. Byrd
12 John Randall Jefferies, Esq.
Nevada Bar No. 3512
Christopher H. Byrd, Esq.
Nevada Bar No. 1633
13 *Attorneys for Appellants APCO*
14 *Construction, Inc. and Safeco*
15 *Insurance Company of America*
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