

IN THE SUPREME COURT OF THE STATE OF NEVADA

Supreme Court Case No. 80177

Electronically Filed
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**APCO CONSTRUCTION, INC., a NEVADA CORPORATION, AND
SAFECO INSURANCE COMPANY OF AMERICA,**

Appellants,

v.

**HELIX ELECTRIC OF NEVADA, LLC,
a NEVADA LIMITED LIABILITY COMPANY,**

Respondent.

Appeal from Judgment
Eighth Judicial District Court
The Honorable Elizabeth Gonzalez, District Court Judge
District Court Case No. **A-16-730091-C**

**MOTION FOR EXTENSION OF TIME TO FILE
ANSWERING BRIEF
(First Request)**

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UNOPPOSED MOTION

Pursuant to NRAP 31(b)(3), Respondent, HELIX ELECTRIC OF NEVADA, LLC (“Respondent”), by and through its counsel of record, PEEL BRIMLEY LLP (“PB”), respectfully request an extension of two weeks to file its Answering Brief (“Brief”). The Brief is currently due June 1, 2021 based on this Court’s Order dated May 12, 2021, granting Respondent’s telephonic request for an extension.

Appellants, APCO CONSTRUCTION, INC. and SAFECO INSURANCE COMPANY OF AMERICA (collectively, “Appellants”), by and through their Counsel, Christopher H. Byrd, Esq., has consented to the requested extension.

Good cause exists for allowing Respondent to extend the filing deadline until June 15, 2021. PB only has one paralegal who has experience in filing appeals with this Honorable Court and who is knowledgeable with the various rules regarding drafting, citations, exhibits and the technical aspect of filing such appeals. Unfortunately, this paralegal went home sick on Tuesday, May 25, 2021 and on May 26, 2021 advised PB that she would be out sick until June 1, 2021. On May 28, 2021, PB terminated the employment of this paralegal. As a result of this paralegal’s absence for the past few days, and the subsequent termination, PB has not and will not have anyone who has the necessary experience and knowledge

to assist in filing the Brief on June 1, 2021 and ensuring the Brief complies with all necessary rules.

CONCLUSION

This Motion is submitted in good faith and for good cause shown in accordance with NRAP 31(b). Therefore, Respondent respectfully requests that this Honorable Court grant a two-week extension to **June 15, 2021** to file its Answering Brief.

Dated this 28th day of May, 2021.

PEEL BRIMLEY LLP

/s/ Cary B. Domina

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CERTIFICATE OF SERVICE

Pursuant to Nev. R. App. P. 25(b) and NEFCR 9(f), I certify that I am an employee of **PEEL BRIMLEY, LLP**, and that on this 28th day of May, 2021, I caused the above and foregoing document, **MOTION FOR EXTENSION OF TIME TO FILE ANSWERING BRIEF (First Request)**, to be served as follows:

- ☐ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada; and/or
- ☒ pursuant to NEFCR 9, upon all registered parties via the Nevada Supreme Court's electronic filing system;
- ☐ pursuant to EDCR 7.26, to be sent **via facsimile**;
- ☐ to be hand-delivered; and/or
- ☐ other _____

to the attorney(s) and/or party(ies) listed below at the address and/or facsimile number indicated below:

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/s/ Amanda Armstrong

An employee of **PEEL BRIMLEY, LLP**