

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

HOME WARRANTY
ADMINISTRATOR OF NEVADA,
INC. dba CHOICE HOME
WARRANTY, a Nevada corporation,

Appellant,

vs.

STATE OF NEVADA, DEPARTMENT
OF BUSINESS AND INDUSTRY-
DIVISION OF INSURANCE, a Nevada
administrative agency,

Respondent.

Supreme Court No. 80218

Electronically Filed
Apr 27 2020 03:16 p.m.
First Judicial District Court
Elizabeth A. Brown
Case No. 17 OC 00269 JB
Clerk of Supreme Court

Appeal from First Judicial District Court, State of Nevada, Carson City
The Honorable James. T. Russell, District Judge

**JOINT MOTION TO EXTEND TIME FOR FILING OF APPELLANT'S
OPENING BRIEF AND APPENDIX**

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Appellant Home Warranty Administrator of Nevada, Inc., dba Choice Home Warranty (“HWAN”) and Respondent The State of Nevada Department of Business and Industry-Division of Insurance (“Division”), by and through their counsel of record, hereby submit this Joint Motion for Extension of the Deadline for filing HWAN’s opening brief and any accompanying appendix.

HWAN’s opening brief and appendix was initially due be filed April 14, 2020. On April 9, 2020, HWAN was granted a telephonic extension pursuant to NRAP 26(b)(1)(B), extending the deadline for filing its opening brief and appendix to April 28, 2020. Order Granting Telephonic Extension, filed herein April 9, 2020.

Now, pursuant to NRAP 26(b)(1)(B), HWAN and the Division move this Court for an order extending the deadline for HWAN to file its opening brief and appendix for an additional 14 days, until and including May 12, 2020. NRAP 26(b)(1)(B) provides that where a telephonic extension under the same subsection has been granted, any further requests for extension must be made by motion demonstrating extraordinary and compelling circumstances why a further extension of time is necessary.

Currently, the entire State of Nevada is under a stay at home order due to the COVID-19 pandemic.¹ This has resulted in remote work wherever possible, which presents unique challenges pertaining to the parties' meet and confer efforts and administrative tasks, such as conferring regarding and compiling a joint appendix.

Here, the parties seek an additional two-week extension for HWAN's deadline to file an opening brief and appendix because the parties are currently still engaging in meet and confer efforts pursuant to NRAP 30(a) to determine if the parties can agree to file a joint appendix. This being an appeal of a petition for judicial review of an administrative agency decision, there are two levels of record in this case: the record at the administrative agency level and the record at the district court level. Moreover, the exhibits in the record of the administrative agency level are voluminous, and the parties continue to confer in an attempt to keep the appendix as brief as possible.

¹ <https://nvhealthresponse.nv.gov/wp-content/uploads/2020/04/Declaration-of-Emergency-Directive-010-Stay-at-Home-3-31-20.pdf>

The parties seek an additional two weeks to continue to confer as to the possibility of filing a joint appendix, in the interests of judicial economy. This motion is not submitted for the purpose of delay.

DATED this 27th day of April, 2020.

/s/ Sydney R. Gambee

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CERTIFICATE OF SERVICE

Pursuant to NRAP 25(1)(b) and 25(1)(d), I, the undersigned, hereby certify that I electronically filed the foregoing **JOINT MOTION TO EXTEND TIME FOR FILING OF APPELLANT'S OPENING BRIEF AND APPENDIX** with the Clerk of Court for the Supreme Court of Nevada by using the Supreme Court of Nevada's E-filing system on the 27th day of April, 2020.

I further certify that all participants in this case are registered with the Supreme Court of Nevada's E-filing system, and that service has been accomplished to the following individuals through the Court's E-filing System or by first class United States mail, postage prepaid, at Las Vegas, Nevada as follows:

Via Electronic Filing System:

Richard P. Yien
Joanna N. Grigoriev

/s/ Joyce Heilich
An Employee of Holland & Hart LLP