

IN THE SUPREME COURT OF THE STATE OF NEVADA

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Elizabeth A. Brown
Clerk of the Supreme Court

HELIX ELECTRIC OF NEVADA,
LLC

Supreme Court Case No. 80508

Appellant/ Cross-Respondent,

vs.

APCO CONSTRUCTION, INC., A
NEVADA CORPORATION,

Respondent/ Cross-Appellant.

MOTION FOR LEAVE TO FILE LATE
CERTIFICATE THAT NO TRANSCRIPT IS BEING REQUESTED

FENNEMORE CRAIG, P.C.

John Randall Jefferies, Esq.
Nevada Bar No. 3512
Christopher H. Byrd, Esq.
Nevada Bar No. 1633
300 South 4th Street, 14th Floor
Las Vegas, Nevada 89101
Telephone: (702) 692-8000
Facsimile: (702) 692-8099
Email: rjeffries@fclaw.com
cbyrd@fclaw.com

MARQUIS AURBACH COFFING

Jack Chen Min Juan, Esq.
Nevada Bar No. 6367
Cody S. Mounteer, Esq.
Nevada Bar No. 11220
Tom W. Steward, Esq.
Nevada Bar No. 14280
10001 Park Run Drive
Las Vegas, NV 89145
Telephone: (702) 382-0711
Facsimile: (702) 382-5816
Email: cmounteer@maclaw.com
tstewart@maclaw.com

Attorneys for Respondent/Cross-Appellant APCO Construction, Inc.

MOTION FOR LEAVE TO FILE LATE
CERTIFICATE THAT NO TRANSCRIPT IS BEING REQUESTED

Respondent/Cross-Appellant APCO Construction, Inc. (“APCO”), by and through its counsel of record, Fennemore Craig, P.C. and Marquis Aurbach Coffing, hereby moves this Court pursuant to NRAP 26(b)(1) and NRAP 9 for an extension of time, up to and including July 16, 2020, to file its Certificate that No Transcript is Being Requested. The Certificate is filed concurrently with this Motion.

This Court may, upon a party’s motion, suspend any provision of its own rules. NRAP 2. In addition, this Court may permit an act required under its rules to be done after the time has expired. NRAP 26(b)(1)(A). The purpose of this Motion is to allow APCO to file a Certificate that No Transcript is Being Requested, as all required transcripts in this appeal have already been obtained by either APCO or Helix Electric of Nevada and will be included in the appendix. Thus, APCO seeks additional time to file its Certificate.

By way of background, APCO filed a cross-appeal in this matter, which was assigned to this Court’s Settlement Program. The settlement conference was ultimately unsuccessful, and briefing was reinstated by way of this Court’s June 4, 2020 Order. Thereafter, APCO inadvertently filed an untimely Certificate.

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CONCLUSION

APCO respectfully seeks additional time to file its Certificate that No Transcript is Being Requested, up to and including July 16, 2020. The Certificate is being filed concurrently with this Motion.

DATED this 15th day of July, 2020.

FENNEMORE CRAIG, P.C.

BY: /s/ Christopher H. Byrd
John Randall Jefferies, Esq.
Nevada Bar No. 3512
Christopher H. Byrd, Esq.
Nevada Bar No. 1633
300 South 4th Street, 14th Floor
Las Vegas, Nevada 89101
Attorney for Respondent/Cross-Appellant

CERTIFICATE OF SERVICE

This is to certify that on July 15, 2020, a true and correct copy of the foregoing **MOTION FOR LEAVE TO FILE LATE CERTIFICATE THAT NO TRANSCRIPT IS BEING REQUESTED** was served on the following by the Supreme Court Electronic Filing System (eFlex).

Eric B. Zimbelman, Esq.
Peel Brimley LLP
3333 E. Serene Avenue, Suite 200
Henderson, NV 89074
ezimbelman@peelbrimley.com

/s/ Pamela Carmon
An employee of Fennemore Craig, P.C.