

IN THE SUPREME COURT OF THE STATE OF NEVADA

ST. PAUL FIRE & MARINE
INSURANCE COMPANY

Appellant,

v.

NATIONAL UNION FIRE
INSURANCE COMPANY OF
PITTSBURGH, PA.; ROOF DECK
ENTERTAINMENT, LLC, D/B/A
MARQUEE NIGHTCLUB,

Respondents.

) Supreme Court No. 81344
) District Court Case No. A758902
) Electronically Filed
) Jan 29 2021 04:17 p.m.
) Elizabeth A. Brown
) Clerk of Supreme Court
)

) **APPELLANTS MOTION FOR**
) **AN EXTENSION OF TIME TO**
) **FILE OPENING BRIEF**
) **(SECOND REQUEST)**
)
)
)
)
)
)

Appellant St. Paul Fire & Marine Insurance Company, respectfully moves for an extension of time for a period of 14 days from the current due date within which to file their opening brief. The opening brief is presently due to be filed on or before February 4, 2021. This extension of time would make the opening brief due on or before February 18, 2020.

This is appellant's second request for an extension of time. The parties previously stipulated to a 30 day extension which was granted by the Court on December 23, 2020. Although this appeal arises from a single case in district court, it involves two separate appeals, each involving complex issues of first impression in Nevada. The underlying litigation is complex, and the district court

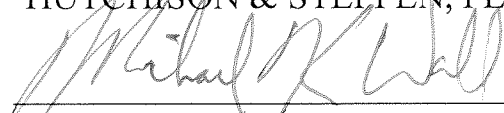
has issued decisions which appellant believes to be both erroneous, and inconsistent.

Significant health issues for counsel and counsel's assistant, including but not limited to COVID-19 issues, have interfered with counsel's ability to finish drafting the brief. While the brief is in almost-final draft form now, because of the significant and complex insurance subrogation, indemnity and contribution issues, and the potential effects of this case on other cases, the client, St. Paul Fire & Marine Insurance Company, and its related companies, require time to thoroughly review and approve the draft, and this involves several levels of management, which will take approximately two weeks.

An additional 14 day extension is sought. This request is presented in good faith, and not for purposes of delay or any other improper reason.

Respectfully submitted this 29 day of January, 2021.

HUTCHISON & STEFFEN, PLLC



Michael K. Wall (2098)

Peccole Professional Park

10080 West Alta Drive, Suite 200

Las Vegas, NV 89145

mwall@hutchlegal.com

Attorneys for Appellant

CERTIFICATE OF SERVICE

I certify that I am an employee of HUTCHISON & STEFFEN, PLLC and that on this date the **APPELLANTS MOTION FOR AN EXTENSION OF TIME TO FILE OPENING BRIEF (SECOND REQUEST)** was filed electronically with the Clerk of the Nevada Supreme Court, and therefore electronic service was made in accordance with the master service list as follows:

Daniel F. Polsenberg (2376)
Abraham G. Smith (13250)
LEWIS ROCA ROTHGERBER CHRISTIE
LLP
3993 Howard Hughes Parkway, Ste. 600
Las Vegas, NV 89169
dpolsenberg@lrrc.com
asmith@lrrc.com
T: 702.474.2689
F: 702.949.8398

*Attorneys for Respondent National Union Fire
Insurance Company of Pittsburgh, PA and
Roof Deck Entertainment, LLC dba Marquee
Nightclub*

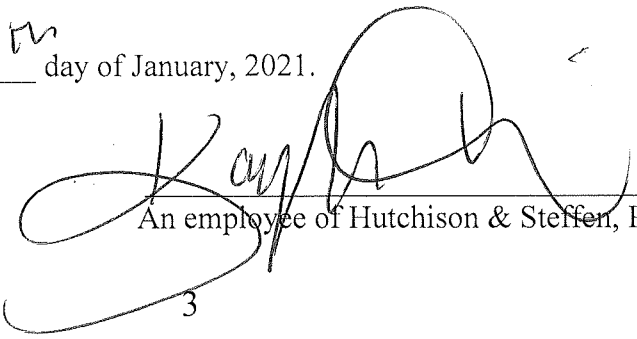
Michael M. Edwards, Esq. (6281)
Nicholas L. Hamilton, Esq. (10893)
MESSNER REEVES LLP
8945 W. Russell Road, Suite 300
Las Vegas, NV 89148
medwards@messner.com
nhamilton@messner.com
efile@messner.com
T: 702-363-5100
F: 702-363-5101

*Attorneys for Defendant Aspen Specialty
Company*

Andrew D. Herold, Esq. (7378)
Nicholas B. Salerno, Esq. (6118)
HEROLD & SAGER
3960 Howard Hughes Parkway, Suite 500
Las Vegas, NV 89169
aherold@heroldsagerlaw.com
nsalerno@heroldsagerlaw.com
T: 702-990-3624
F: 702-990-3835

*Attorneys for Respondent National Union Fire
Insurance Company of Pittsburgh, PA and
Roof Deck Entertainment, LLC dba Marquee
Nightclub*

DATED this 29th day of January, 2021.


An employee of Hutchison & Steffen, PLLC