

IN THE SUPREME COURT OF THE STATE OF NEVADA

ST. PAUL FIRE & MARINE  
INSURANCE COMPANY,

Appellant,

vs.

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

Respondents.

No. 81344

**FILED**

**JUN 04 2021**

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *S. Young*  
DEPUTY CLERK

*ORDER REGARDING MOTIONS*

Appellant appealed the final findings of fact, conclusions of law, and order granting summary judgment as well as “any and all orders and judgments rendered appealable by any of the foregoing.” Although appellant did not name respondent Aspen Specialty Company as a respondent in the case appeal statement, appellant did list counsel for Aspen as counsel on appeal representing Aspen. Accordingly, this court included Aspen as a respondent on this court’s docket. When Aspen filed an answering brief, appellant filed a motion to strike the answering brief on the ground that Aspen was not intended to be a party. Aspen has not filed an opposition to the motion; accordingly, it appears that all parties agree Aspen should not be included as a party to this appeal. The motion to strike is granted. The clerk of the court shall strike the answering brief and appendix filed by Aspen on May 13, 2021, remove Aspen as a respondent in this appeal, and amend the caption to conform to the caption on this order.

Extraordinary circumstances and extreme need having been shown, the motion filed by respondents National Union Fire Insurance Company of Pittsburgh, PA., and Roof Deck Entertainment requesting a third extension of time to file the answering brief is granted. NRAP

31(b)(3)(B). Respondents shall have until July 1, 2021, to file and serve the answering brief. Any additional extensions will be granted only on showing of extraordinary circumstances and extreme need. *Id.* Counsel's caseload normally will not be deemed such a circumstance. *Cf. Varnum v. Grady*, 90 Nev. 374, 528 P.2d 1027 (1974). Failure to timely file the answering brief may result in the imposition of sanctions, including the resolution of this appeal without an answering brief. NRAP 31(d).

It is so ORDERED.

1. J. J. J., C.J.

cc: Hutchison & Steffen, LLC/Las Vegas  
Lewis Roca Rothgerber Christie LLP/Las Vegas  
Herold & Sager/Las Vegas  
Keller/Anderle LLP/Irvine  
Messner Reeves LLP