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8 d/b/a LUXOR HOTEL & CASINO

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Elizabeth A. Brown
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9
10 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

11 VIVIA HARRISON, an individual,

CASE NO.: 80167

12 Appellant,

13 v.

14 RAMPARTS, INC. d/b/a LUXOR
HOTEL & CASINO, a Nevada Domestic
15 Corporation,

16 Respondent.

17 **MOTION FOR EXTENSION OF TIME TO FILE RESPONDENT'S**
18 **ANSWERING BRIEF**
19 **(Second Request)**

20 Respondent, RAMPARTS, INC. dba LUXOR HOTEL and CASINO
("Respondent"), by and through its attorney of record, the law firm of LINCOLN,
21 GUSTAFSON & CERCOS, LLP, hereby request that the time to file its answering brief
22 now due on November 2, 2020, be extended 30 days. Respondent's answering brief
23 was originally due on October 1, 2020. Respondent has received one previous extension
24 from this Court to November 2, 2020, to file this brief. No request for additional time
25 has been denied or denied in part. If this Court grants this request for an extension of
26 30 days, Respondent's answering brief will be due on December 2, 2020. Pursuant to
27 NRAP 26, "[f]or good cause, the Court may extend the time prescribed by these rules
28 or by its order to perform any act. . . ." See NRAP 26 (1)(A).

1 Good cause exists for allowing Respondent to extend the filing deadline of its
2 answering brief until December 2, 2020:

3 Recently, Respondent's counsel, Mr. Bailus, has had some medical issues which
4 has required him to miss several days of work. On October 1, 2020, Mr. Bailus had a
5 doctors' appointment regarding one of the medical issues. On October 13, 2020, Mr.
6 Bailus underwent a medical procedure, under anesthesia, at an out-patient surgery
7 center where, among other things, a biopsy was performed. Mr. Bailus had a follow-up
8 office visit on October 22, 2020, regarding the same and as a result thereof, Mr. Bailus
9 underwent out-patient surgery on October 27, 2020. Unrelated to the forgoing, Mr.
10 Bailus has also been addressing another medical issue. On October 1, 2020, Mr. Bailus
11 learned the results of a biopsy performed on September 18, 2020. Mr. Bailus had a
12 follow-up office visit on October 21, 2020. Mr. Bailus has scheduled out-patient
13 surgery to resolve the medical issue.

14 Even though Mr. Bailus has been working diligently to meet the current deadline
15 to file and serve Respondent's answering brief, these unexpected medical issues
16 including the surgery as well as the visits to the doctors' offices and out-patient surgery
17 center has caused an unforeseen delay in completing the answering brief.

18 This motion is submitted in good faith and for good cause shown in accordance
19 with NRAP 26. Therefore, Respondent respectfully request that this Court grant its
20 motion for a 30-day extension of time to file its answering brief until December 2, 2020.

21 DATED this 2nd day of November, 2020.

22 **LINCOLN, GUSTAFSON & CERCOS, LLP**

23 
24 **LOREN S. YOUNG**

25 Nevada Bar No. 7567

MARK B. BAILUS, ESQ.

26 Nevada Bar No. 2284

3960 Howard Hughes Parkway, Suite 200

Las Vegas, NV 89169

27 Attorneys for Respondent, RAMPARTS, INC.

28 d/b/a LUXOR HOTEL & CASINO

CERTIFICATE OF SERVICE


I HEREBY CERTIFY that on the 2nd day of November, 2020, I served a copy of this **MOTION FOR EXTENSION OF TIME TO FILE RESPONDENT'S ANSWERING BRIEF (Second Request)**, upon all counsel of record:

X By electronic service in accordance with the Master Service List to the following:

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Barbara J. Pederson, an employee
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