

1 **LOREN S. YOUNG, ESQ.**

Nevada Bar No. 7567

2 **MARK B. BAILUS, ESQ.**

Nevada Bar No. 2284

3 **LINCOLN, GUSTAFSON & CERCOS, LLP**

ATTORNEYS AT LAW

4 3960 Howard Hughes Parkway, Suite 200

Las Vegas, Nevada 89169

5 Telephone: (702) 257-1997

Facsimile: (702) 257-2203

6 lyoung@lgclawoffice.com

mbailus@lgclawoffice.com

7 Attorneys for Respondent, RAMPARTS, INC.

8 d/b/a LUXOR HOTEL & CASINO

Electronically Filed
Dec 16 2020 12:15 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

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 **(Fourth 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 December 16, 2020, be extended 7 days. Respondent's answering brief
23 was originally due on October 1, 2020. Respondent has received three previous
24 extensions from this Court to December 16, 2020, to file this brief. No request for
25 additional time has been denied or denied in part. If this Court grants this request for
26 an extension of 7 days, Respondent's answering brief will be due on December 23,
27 2020. Pursuant to NRAP 26, "[f]or good cause, the Court may extend the time
28 prescribed by these rules 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 23, 2020:

3 Recently, Respondent's counsel, Mr. Bailus, had out-patient surgery on
4 November 9, 2020, which required several follow-up office visits for postoperative care
5 causing him to take time off from work. During one of the office visits, there was a
6 concern the wound had gotten infected and a culture was taken and sent to the lab for
7 testing. Mr. Bailus was then prescribed antibiotics and scheduled for additional office
8 visits to monitor his recovery. On December 15, 2020, Mr. Bailus had a doctor's
9 appointment and after examining the wound, Mr. Bailus' doctor was satisfied that the
10 wound had completely healed with no further complications and the remaining sutures
11 were removed.

12 Even though Mr. Bailus has been working diligently to meet the current deadline
13 to file and serve Respondent's answering brief, these unexpected medical issues relating
14 to the wound has caused an unforeseen delay in completing the answering brief. In
15 addition, Mr. Bailus' legal assistant was out of the office on December 15, 2020, due to
16 a sick day which further hampered Mr. Bailus efforts to finalize the answering brief.

17 This request seeks only a short extension of 7 days which Mr. Bailus is confident
18 will be sufficient time to finalize the answering brief and that no additional extensions
19 will be needed to accomplish the same.

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1 This motion is submitted in good faith and for good cause shown in accordance
2 with NRAP 26. Therefore, Respondent respectfully request that this Court grant its
3 motion for a 7-day extension of time to file its answering brief until December 23, 2020.
4

5 DATED this 16th day of December, 2020.

6 **LINGOLN, GUSTAFSON & CERCOS, LLP**

7
8 **LOREN S. YOUNG**

Nevada Bar No. 7567

9 **MARK B. BAILUS, ESQ.**

Nevada Bar No. 2284

10 3960 Howard Hughes Parkway, Suite 200

11 Las Vegas, NV 89169

12 Attorneys for Respondent, RAMPARTS, INC.
13 d/b/a LUXOR HOTEL & CASINO
14

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CERTIFICATE OF SERVICE

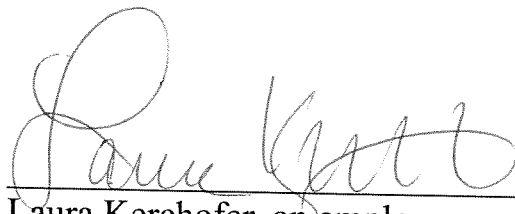
I HEREBY CERTIFY that on the 16th day of December, 2020, I served a copy of this **MOTION FOR EXTENSION OF TIME TO FILE RESPONDENT'S ANSWERING BRIEF (Fourth Request)**, upon all counsel of record:

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

Micah S. Echols, Esq.
Claggett & Sykes Law Firm
4101 Meadows Lane, Suite 100
Las Vegas, NV 89107
Attorneys for Plaintiff

Boyd B. Moss III, Esq.
Moss Berg Injury Lawyers
4101 Meadows Lane, Suite 110
Las Vegas, NV 89107
Attorneys for Plaintiff

Matthew G. Pfau, Esq.
Parry & Pfau
880 Seven Hills Drive, Suite 210
Henderson, NV 89052
Attorneys for Plaintiff

A handwritten signature in dark ink, appearing to read "Laura Kerchofer", is written over a horizontal line.

Laura Kerchofer, an employee
of the law offices of
Lincoln, Gustafson & Cercos, LLC