

In the Supreme Court of Nevada

UNITE HERE HEALTH, a multi-employer health and welfare trust, as defined in ERISA Section 3(37); and NEVADA HEALTH SOLUTIONS, LLC, a Nevada limited liability company,

Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, in and for the County Clark; and the HONORABLE TIMOTHY C. WILLIAMS, District Judge,

Respondents,

THE STATE OF NEVADA COMMISSIONER OF INSURANCE, BARBARA D. RICHARDSON, in her official capacity as Receiver for the Nevada Health Co-op,

Real Party in Interest.

Electronically Filed
Jan 03 2022 08:35 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR EXTENSION OF TIME TO FILE ANSWER

Real party in interest requests an extension through February 2, 2022, to file their answer. NRAP 31(b)(3). This is the fourth request. Without an extension, the brief would be due January 3, 2022. No requests for extension have been denied or denied in part.

Extraordinary circumstances and extreme need necessitate the extension. On top of the ordinary press and staffing shortages associated

with the holiday season, the attorney primarily responsible for finalizing the answer for real parties in interest has fallen ill. This was after he had to cancel other holiday plans and take significant time away from work—not just this brief—to care for his wife, five-year-old daughter, and three-month-old son, all of whom became ill one after another in the span of the last few weeks. In addition, another appellate counsel has had to isolate following exposure to a COVID-positive individual in his family.

Notwithstanding counsel's illness, they have prepared a draft of the answer and hope to be able to file within the requested extension. In light of the Court's recent order staying the district court proceedings, counsel are optimistic that they can finalize the brief as quickly as possible to move these writ proceedings forward.

Dated this 3rd day of January, 2022.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/Abraham G. Smith
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Attorneys for Real Parties in Interest

CERTIFICATE OF SERVICE

I certify that on January 3, 2022, I submitted the foregoing “Motion for Extension of Time to File Answer” for filing *via* the Court’s eFlex electronic filing system. Electronic notification will be sent to the following:

John R. Bailey
Dennis L. Kennedy
Sarah E. Harmon
Joseph A. Liebman
BAILEY KENNEDY
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Las Vegas, Nevada 89148

Attorneys for Petitioners

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage prepaid, at Las Vegas, Nevada, addressed as follows:

The Honorable Timothy C. Williams
DISTRICT COURT JUDGE – DEPT. 16
200 Lewis Avenue
Las Vegas, Nevada 89155

Respondent

/s/ Cynthia Kelley
An Employee of Lewis Roca Rothgerber Christie LLP