

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
Feb 02 2022 10:42 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 16, 2022, to file their answer. NRAP 31(b)(3). This is the fifth and final request. Without an extension, the brief would be due February 2, 2022. No requests for extension have been denied or denied in part.

Extraordinary circumstances and extreme need necessitate the extension. Counsel for the receiver have worked diligently and prepared a draft answer. Illness affecting two of the receiver's attorneys has delayed finalization of the brief for filing, however. Mindful of the Court's

desire to resolve this petition expeditiously, the receiver has requested a brief extension of just two weeks, and hopes to be able to file even before that extended deadline.

The receiver appreciates this additional time to coordinate with all counsel and ensure the authorities presented are consistent with the receiver's goals in the district court. The extension will also allow the receiver to address developments in the action in which petitioners sought consolidation that are pertinent to the resolution of that issue.

Counsel regret having to seek this extension but appreciate this Court's courtesy and pledge to make every effort to file by the requested deadline.

Dated this 2nd day of February, 2022.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/Abraham G. Smith
DANIEL F. POLSENBERG (SBN 2376)
ABRAHAM G. SMITH (SBN 13250)
3993 Howard Hughes Parkway, Suite 600
Las Vegas, Nevada 89169
(702) 949-8200

Attorneys for Real Parties in Interest

CERTIFICATE OF SERVICE

I certify that on February 2, 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
8984 Spanish Ridge Avenue
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