

**In the Supreme Court of Nevada**

STARR SURPLUS LINES INSURANCE CO.,

Petitioner,

*vs.*

THE EIGHTH JUDICIAL DISTRICT COURT  
of the State of Nevada, in and for the  
County of Clark; and THE HONORABLE  
MARK DENTON, District Judge,

Respondents,

and

JGB VEGAS RETAIL LESSEE, LLC,  
Real Party in Interest.

Electronically Filed  
Nov 07 2022 06:28 PM  
Elizabeth A. Brown  
Clerk of Supreme Court

District Court Case  
No. A-20-816628-B

**MOTION FOR EXTENSION OF TIME  
TO FILE PETITIONER'S REPLY BRIEF**

Petitioner requests a 30-day extension, through December 7, 2022, to file its reply brief. This is the first such motion; the parties previously stipulated under NRAP 31(b)(2) to a 30-day extension. Absent an extension, the reply brief would be due November 7, 2022.

There is good cause for an extension. First, petitioner needs to respond to amici. Following the answer of real party in interest, six amicus groups (by undersigned counsel's count) filed separate briefs. In addition to the often lengthy briefs themselves, some of these amici either at-

tached exhibits to their briefs (*see, e.g.*, Amicus Br. of United Policyholders, Doc. No. 2022-31007) or requested judicial notice for much the same purpose (*see* RJN of the Restaurant Law Center, Blooming’ Brands, Inc., Treasure Island, LLC, and Circus Circus LV, LP, Doc. No. 2022-31037). These documents run the gamut from news articles and medical studies to expert reports, deposition transcripts, and even briefs filed in other cases. This Court granted amici’s motions on October 17. Petitioner needs additional time to review these new parties’ arguments and other materials.

Second, petitioner’s lead counsel—and, indeed, lead counsel for real party in interest—are unavailable because of the American Academy of Appellate Lawyers’ national meeting in Washington, DC. Mr. Polsenberg is presiding over that meeting, and Mr. Eisenberg (real party in interest’s counsel) is being inducted into the Academy. This Court previously granted Mr. Polsenberg’s motion to continue oral argument in another matter set for November 7 for this reason. (*See Valley Health Sys., LLC v. Murray*, Dkt. Nos. 79658, 80113, 80968, Order Granting Motion to Continue Oral Argument, Doc. No. 22-32151.)

Undersigned counsel was unable to ascertain whether real party in

interest opposes the motion because Mr. Eisenberg did not get a firm response from his client before having to depart for the Academy meeting.

Petitioner respectfully requests that this Court grant the extension to allow petitioner and its lead counsel to review the applicable authorities and to streamline the brief for filing.

Dated this 7th day of November, 2022.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ Abraham G. Smith

DANIEL F. POLSENBERG (SBN 2376)

JOEL D. HENRIOD (SBN 8492)

ABRAHAM G. SMITH (SBN 13,250)

3993 Howard Hughes Parkway

Suite 600

Las Vegas, Nevada 89169

(702) 949-8200

LEE H. GORLIN (13879)

AMY M. SAMBERG (10212)

CLYDE & CO. US LLP

7251 West Lake Mead Boulevard Suite 430

Las Vegas, NV 89128

*Attorneys for Petitioner*

**CERTIFICATE OF SERVICE**

I certify that on November 7, 2022, I submitted the foregoing “Motion for Extension of Time to File Petitioner’s Reply Brief” for filing *via* the Court’s eFlex electronic filing system. Electronic notification will be sent to the following:

Bradley  
Schrager WOLF  
RIFKIN SHAPIRO  
SCHULMAN & RABKIN, LLP  
3773 Howard Hughes Park-  
way Suite 590 South  
Las Vegas, Nevada 89169

Marc T. Ladd COHEN  
ZIFFER  
FRENCHMAN & MCKENNA LLP  
1350 Avenue of the Americas New  
York, New York 10019

*Attorneys for Real Party in Interest JGB Retail Vegas  
Lessee, LLC*

I further certify that I served a copy of this document by emailing a true and correct copy thereof, as follows:

The Honorable Mark Denton  
DISTRICT COURT JUDGE – DEPT. 13  
200 Lewis Avenue  
Las Vegas, Nevada 89155  
[Dept13LC@ClarkCountyCourts.us](mailto:Dept13LC@ClarkCountyCourts.us)

*Respondent*

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