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COMMISSIONER OF INSURANCE  
FOR THE STATE OF NEVADA AS  
RECEIVER OF LEWIS AND CLARK  
LTC RISK RETENTION GROUP,  
INC.,

Appellant,

VS.

ROBERT CHUR, STEVE FOGG,  
MARK GARBER, CAROL HARTER,  
ROBERT HURLBUT, BARBARA  
LUMPKIN, JEFF MARSHALL, ERIC  
STICKELS, UNI-TER  
UNDERWRITING MANAGEMENT  
CORP., UNI-TER CLAIMS SERVICES  
CORP., and U.S. RE CORPORATION;  
DOES 1-50, inclusive; and ROES 51-  
100, inclusive;

Respondents.

Supreme Court No. 85668  
District Court Case No. A-21-1535  
Dec 13 2022 11:07 PM  
Elizabeth A. Brown  
Clerk of Supreme Court

**APPELLANT’S MOTION FOR  
EXTENSION OF TIME TO FILE  
DOCKETING STATEMENT**

Appellant herein, by and through counsel, hereby requests an extension of time in which to submit her docketing statement pursuant to NRAP 14(d).

Appellant Commissioner of Insurance for the State of Nevada as Receiver of Lewis and Clark LTC Risk Retention Group, Inc. (“Appellant”) submitted her docketing statement for filing in a timely manner at 11:56:33 PM on December 9, 2022. *See* Exhibit 1. Appellant then received an email from the Court also showing that Appellant’s docketing statement was filed in a timely manner having

1 been assigned by the Court an official file stamp dated December 9, 2022 at  
2 11:59:50 PM. *See* Exhibit 2. Despite the timely submission of its docketing  
3 statement and the Court's official file time stamp verifying this fact, the e-file  
4 system stamped Appellant's filed docketing statement with a time stamp dated  
5 December 10, 2022 at 12:00:00 AM. *See* Exhibit 3. As a result, the Court issued a  
6 notice of rejection of filed document and requested that Appellant re-file its  
7 docketing statement with motion for extension of time. After discussing this  
8 matter with the clerk of the Court, the clerk verified the timely submission of  
9 Appellant's docketing statement, and recommended providing this information to  
10 the Court in a motion for extension of time before re-filing Appellant's docketing  
11 statement. Accordingly, for the reasons described above, good cause exists to  
12 extend the time allowed for Appellant to file and serve her docketing statement and  
13 respectfully requests an extension of 14 days to permit Appellant to submit her  
14 docketing statement.

15  
16  
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19  
20 DATED this 13<sup>th</sup> day of December, 2022.

21  
22 By: /s/ Brenoch R. Wirthlin  
23 BRENOCH R. WIRTHLIN, ESQ.  
24 Nevada Bar No. 10282  
25 TRACI CASSITY, ESQ.  
26 Nevada Bar No. 9648  
27 10080 West Alta Drive, Suite 200  
28 Las Vegas, Nevada 89145  
Telephone: (702) 385.2500  
Facsimile: (702) 385.2086  
E-Mail: [bwirthlin@hutchlegal.com](mailto:bwirthlin@hutchlegal.com)  
*Attorneys for Appellant*

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of HUTCHISON &  
3 STEFFEN, PLLC and that on this 13th day of December, 2022, I caused the above  
4 and foregoing document entitled: **APPELLANT'S MOTION FOR**  
5 **EXTENSION OF TIME TO FILE DOCKETING STATEMENT** to be served  
6 via NOTICE OF ELECTRONIC FILING through the Electronic Case Filing  
7 System of the Nevada Supreme Court with the submission to the Clerk of the  
8 Court, who will serve the parties electronically, and to be served by mailing via  
9 first class mail with sufficient postage prepaid to the following addresses listed  
10 below.  
11  
12  
13

14 /s/ Jon Linder

15 An employee of Hutchison & Steffen, PLLC  
16  
17

18 **Lansford W. Levitt**  
19 **2072 Sea Island Drive**  
20 **Dana Point, CA 92629**  
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EXHIBIT PAGE ONLY

## EXHIBIT 1

HUTCHISON & STEFFEN  
A PROFESSIONAL LLC

Your filing, Re: 85668 - Other, was Filed Subject to Acceptance



efiling@nvcourts.nv.gov

To Brenoch R. Wirthlin

Cc Danielle Kelley; Jon Linder

 Reply

 Reply All

 Forward



Sat 12/10/2022 12:00 AM

**RECEIPT OF ELECTRONIC DOCUMENT SUBMITTED FOR FILING**

Case Title: STATE, COMM'R OF INS. VS. CHUR

Docket Number: 85668

Case Category: Civil Appeal

Submitted By: Brenoch Wirthlin

Date Submitted: 12-09-2022 11:56:33 PM

Document Category: Docketing Statement

Document Title: Docketing Statement

**Filing Status:** **Filed Subject to Acceptance**

This notice was automatically generated by the [electronic filing system](#). Do not respond to this email. If you have any questions, contact the Nevada Supreme Court Clerk's office at 775-684-1600 or 702-486-9300.

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EXHIBIT PAGE ONLY

## EXHIBIT 2

HUTCHISON & STEFFEN  

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A PROFESSIONAL LLC




Courtesy NEF RE: 85668



efiling@nvcourts.nv.gov

To Brenoch R. Wirthlin

Cc Danielle Kelley; Jon Linder

 Reply  Reply All  Forward 

Sat 12/10/2022 12:00 AM

## Supreme Court of Nevada

### NOTICE OF ELECTRONIC FILING

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#### Notice is given of the following activity:

**Date and Time of Notice:** Dec 10 2022 12:00 a.m.

**Case Title:** STATE, COMM'R OF INS. VS. CHUR

**Docket Number:** 85668

**Case Category:** Civil Appeal

**Document Category:** Docketing Statement

**Submitted by:** Brenoch Wirthlin

**Official File Stamp:** 12/09/2022:11:59:50 PM

**Filing Status:** **Accepted and Filed**

**Docket Text:** Docketing Statement Docketing Statement

The Clerk's Office has filed this document. It is now available on the Nevada Supreme Court's E-Filing website. Click [here](#) to log in to Eflex and view the document.

Electronic service of this document is complete at the time of transmission of this notice. The time to respond to the document, if required, is computed from the date and time of this notice. Refer to NEFR 9(f) for further details.

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EXHIBIT PAGE ONLY

## EXHIBIT 3

HUTCHISON & STEFFEN  
A PROFESSIONAL LLC

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COMMISSIONER OF INSURANCE  
FOR THE STATE OF NEVADA AS  
RECEIVER OF LEWIS AND CLARK  
LTC RISK RETENTION GROUP,  
INC.,

VS.

## Respondents.

Appellants, by and through their counsel, Hutchison & Steffen, PLLC, hereby submit the following Docketing Statement pursuant to Nevada Rule of Appellate Procedure (NRAP) 14.

All appellants not in proper person must complete the docketing statement. NRAP 14(a). The purpose of the docketing statement is to assist the Supreme Court in screening jurisdiction, classifying cases for en banc, panel, or expedited treatment, compiling statistical information and identifying parties and their counsel.