

IN THE SUPREME COURT OF THE STATE OF NEVADA

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THE STATE OF NEVADA  
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,

Respondents.

ROBERT CHUR; STEVE FOGG;  
MARK GARBER; CAROL HARTER;  
ROBERT HURLBUT; BARBARA  
LUMPKIN; JEFF MARSHALL; AND  
ERIC STICKELS,

Appellants,

vs.

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

Respondents.

Case No. 85668

Electronically Filed  
Jul 31 2023 11:11 AM  
Elizabeth A. Brown

**RESPONDENT U.S. RE  
CORPORATION'S MOTION FOR  
EXTENSION OF TIME TO FILE  
RESPONSE TO APPELLANT'S  
MOTION FOR LEAVE TO FILE A  
RESPONSE TO RESPONDENT'S  
REPLY REGARDING ORDER  
AMENDING CAPTION AND TO  
SHOW CAUSE**

Case No. 85728

THE STATE OF NEVADA  
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,

Respondents.

Case No. 85907

Respondent U.S. Re Corporation (“Respondent” or “U.S. Re Corp.”) hereby requests an extension of time in which to submit its Response to the Motion for Leave to File a Response to Respondent’s Reply Regarding Order Amending Caption and to Show Cause (“Response”) filed on July 21, 2023, by Appellant Commissioner of Insurance for the State of Nevada as Receiver of Lewis and Clark LTC Risk Retention Group, Inc. (“Appellant” or “Receiver”).

U.S. Re Corp., made numerous attempts to submit its Response in a timely manner on Friday, July 28, 2023. However, a server error notification in the gateway/proxy server, transmitting the document to the electronic filing system was

received from the Court's (E-Flex) E-Filing system that was unknown to Respondent. *See* Exhibit A.

On the following business day, Monday, July 31, 2023 at 8:00 a.m., after discussing this matter with the clerk of the Court, the clerk verified that the Court's server was down for maintenance and requested that Respondent file this Motion for Extension.

Accordingly, for the reason described above, good cause exists to extend the time allowed for Respondent to file and serve its Response to the Motion for Leave, and respectfully requests that the Court permit U.S. Re Corp. to file its Response on today's date, July 31, 2023.

DATED this 31st day of July, 2023.

McDONALD CARANO LLP

By: /s/ George F. Ogilvie III

George F. Ogilvie III, Esq. (NSBN 3552)  
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*Attorneys for U.S. RE Corporation*

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I am an employee of McDonald Carano, LLP, and that on this 31st day of July, a copy of the foregoing **RESPONDENT U.S. RE CORPORATION'S MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO APPELLANT'S MOTION FOR LEAVE TO FILE A RESPONSE TO RESPONDENT'S REPLY REGARDING ORDER AMENDING CAPTION AND TO SHOW CAUSE** was electronically filed with the Clerk of the Court for the Nevada Supreme Court by using the Nevada Supreme Court's E-Filing system (E-Flex). Participants in the case who are registered with E-Flex as users will be served by the EFlex system.

/s/ Jelena Jovanovic  
An employee of McDonald Carano

**EXHIBIT “A”**

**EXHIBIT “A”**

# Server Error

## **502 - Web server received an invalid response while acting as a gateway or proxy server.**

**There is a problem with the page you are looking for, and it cannot be displayed. When the Web server (while acting as a gateway or proxy) contacted the upstream content server, it received an invalid response from the content server.**