

IN THE SUPREME COURT OF THE STATE OF NEVADA

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

Appellants,

v.

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

Respondents.

Supreme Court Case No. 85728

District Court Case No. A711535

Electronically Filed

Mar 24 2023 10:13 AM

Elizabeth A. Brown

Clerk of Supreme Court

APPELLANTS' MOTION FOR

EXTENSION TO FILE

REQUEST FOR TRANSCRIPT

Appellants Robert Chur, Steve Fogg, Mark Garber, Carol Harter, Robert Hurlbut, Barbara Lumpkin, Jeff Marshall and Eric Stickels (collectively “Appellants”) by and through their undersigned counsel, hereby request an extension to file their request for transcript and state as follows:

1. Although the undersigned received the Order Removing from the Settlement Program and Reinstating Briefing, the deadline to request transcripts was calendared incorrectly.

2. Upon seeing this error, the undersigned swiftly filed the Request for Transcript before the District Court on March 23, 2023. The error was caught one

day after the due date.

3. The undersigned believes excusable neglect has been established. Additionally, there is no prejudice to the Respondent with the one-day delay.¹ This is the Appellants' first request for an extension in this appeal.

WHEREFORE, Appellants respectfully request that this Court extend the deadline to file and serve the request of transcript.

Dated this 24th day of March, 2023.

LIPSON NEILSON P.C.

By: /s/ Angela Ochoa
ANGELA N. OCHOA, ESQ.
Counsel of record for Appellants

¹ In a separate appeal concerning the same parties, the Respondent obtained an extension up and until April 5, 2023 to file a request for transcripts. See Case No. 85668.

CERTIFICATE OF SERVICE

Pursuant to NRAP 25, I certify that I am an employee of LIPSON NEILSON P.C.
and on the 24th day of March, 2023, a true and correct copy of the foregoing
APPELLANTS' MOTION FOR EXTENSION TO FILE REQUEST FOR
TRANSCRIPT was filed and served electronically with the Clerk of the Nevada Supreme
Court in accordance with the master service list as follows:

Brenoch R. Wirthlin, Esq.
Hutchison & Steffen, PLLC
10080 W. Alta Drive, Ste. 200
Las Vegas, NV 89145

Attorneys for Respondent
Commissioner of Insurance for the State of Nevada as
Receiver of Lewis & Clark LTC Risk Retention Group, Inc.

And by United States First Class Mail, in a properly addressed envelope with adequate
postage affixed thereon, addressed as follows:

Lansford W. Levitt
32072 Sea Island Drive
Dana Point, CA 92629

Settlement Judge

/s/ Juan Cerezo
An employee of Lipson Neilson P.C.