	Case 3:18-cv-00569-MMD-CBC	Document 18	Filed 12/20/18	Page 1 of 5
1 2 3 4 5 6 7 8 9 10 11 12	DAYLE ELIESON United States Attorney, District of Neva GREG ADDINGTON Assistant United States Attorney 400 South Virginia Street, Suite 900 Reno, NV 89501 (775) 334-3347 JEAN E. WILLIAMS Deputy Assistant Attorney General DAVID L. NEGRI, Trial Attorney U.S. Department of Justice Environment and Natural Resources Div c/o U.S. Attorney's Office 800 Park Blvd., # 600 Boise, Idaho 83712 (208) 334-1936 david.negri@usdoj.gov			
12	Attorneys for the United States of Ameri	ica		
14	and all Defendants			
15	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA			
16	STATE OF NEVADA,)	Case No. 3:18-0	ev-569-MMD-CBC
17	Plaintiff,)		
18)		
19	VS.)		R ENLARGEMENT R THE UNITED
20 21	UNITED STATES; UNITED STATES DEPARTMENT OF ENERGY; RICK	,	STATES' RES PLAINTIFFS'	SPONSE TO MOTION FOR
21	PERRY, in his official capacity as Sector of Energy; NATIONAL NUCLEAR	retary)	PRELIMINAE (ECF No. 1-20)	RY INJUNCTION
22	SECURITY ADMINISTRATION; and	· · · · ·	· · · · · · · · · · · · · · · · · · ·	, t Request)
24	LISA E. GORDON, in her official capa as Administrator of the National Nucle	•		
25	Security Administration and Undersect for Nuclear Security,	retary)		
26	Defendants.)		
27	Derendants.)		
28				

Case 3:18-cv-00569-MMD-CBC Document 18 Filed 12/20/18 Page 2 of 5

The United States of America, on behalf of all Defendants, requests that the current deadline of December 21, 2018 for the Defendants' response to Plaintiffs' Motion For Preliminary Injunction (ECF No. 1-20) be extended until January 4, 2018, based upon the following grounds:

On November 30, 2018, Plaintiffs filed its Complaint in the matter (ECF No. 1) as well as its Motion For Preliminary Injunction (ECF No. 1-20).

On December 4, 2018, Plaintiffs' Complaint and Motion were served on Defendants by certified mail. *See* Affidavit of Service (ECF No. 5).

Under LR 7-2(b) (response due 14 days after service of motion) and F.R.C.P. 6(d) (3 days added for response where service is by mail) the Defendants' response is due December 21, 2018.

Undersigned counsel was assigned this case on December 4 and has been working
diligently since then to coordinate with Defendant federal agencies United States Department of
Energy and National Nuclear Security Administration to gather and review the documentary
evidence related to this case and prepare the United States' response. This documentary
evidence includes voluminous Environmental Impact Statements spanning the last 20 years.

Due to pressing matters in other cases and despite continuous efforts to complete the United States' response, more time is needed to complete such response.

Undersigned counsel has conferred with counsel for Plaintiff and has been advised thatPlaintiff is not able to agree to this Motion.

THEREFORE, the United States respectfully requests that the deadline for Defendants' response to Plaintiff's Motion For Preliminary Injunction be extended until January 4. If granted, Plaintiff's reply would then be due January 11. LR 7-2(b).

MOTION FOR ENLARGEMENT OF TIME FOR THE UNITED STATES' RESPONSE TO PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION – Page 1

	Case 3:18-cv-00569-MMD-CBC Document 18 Filed 12/20/18 Page 3 of 5		
1 2	Respectfully submitted, December 20, 2018		
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5 4	/s/ David L. Negri		
4 5	David L. Negri United States Department of Justice		
6	Counsel for the United States of America		
7	and all Defendants		
8			
9			
10	IT IS SO ORDERED:		
10			
12	THE HONORABLE MIRANDA M. DU		
13	UNITED STATES DISTRICT JUDGE		
14	DATED:		
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	MOTION FOR ENLARGEMENT OF TIME FOR THE UNITED STATES' RESPONSE TO PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION – Page 2		

	Case 3:18-cv-00569-MMD-CBC Document 18 Filed 12/20/18 Page 4 of 5					
1	CERTIFICATE OF SERVICE					
2	I hereby certify that a copy of the foregoing document was electronically filed with the					
3	Clerk of the Court and served using the CM/ECF system upon the following parties/attorneys of record:					
4						
5	Charles J Fitzpatrick Egan Fitzpatrick Malsch & Lawrence PLLC					
6	7500 Rialto Blvd., Building 1, Suite 250 Austin, TX 78735					
7						
8	210-496-5001					
9	Email: cfitzpatrick@nuclearlawyer.com					
10	Daniel P Nubel Nevada Office of the Attorney General					
11	100 N. Carson St.					
12	Carson City, NV 89701 775-684-1225					
13	Fax: 775-684-1108					
14	Email: dnubel@ag.nv.gov					
15	John W Lawrence					
16	Egan Fitzpatrick Malsch & Lawrence PLLC 7500 Rialto Blvd.					
17	Building 1, Suite 250					
	Austin, TX 78735 210-496-5001					
18	Email: jlawrence@nuclearlawyer.com					
19	Marta A. Adams					
20	Nevada Attorney General					
21	100 North Carson Street Carson City, NV 89701-4717					
22	775 6841237					
23	Fax: 775 6841103 Email: madams@ag.nv.gov					
24						
25	Martin G Malsch Egan Fitzpatrick Malsch & Lawrence					
26	1776 K Street, NW					
27	2nd Floor Washington, DC 20006					
28	202-466-3106 Email: mmalsch@nuclearlawyer.com					
	MOTION FOR ENLARGEMENT OF TIME FOR THE UNITED STATES' RESPONSE TO PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION – Page 3					

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1					
2	C. Wayne Howle Nevada Attorney General's Office				
3	100 N Carson St Carson City, NV 89701-4717 (775) 684-1227				
4					
5	Fax: (775) 684-1108 Email: whowle@ag.nv.gov				
6					
7					
8					
9	/s/ David L. Negri				
10	David L. Negri				
11	United States Department of Justice Environment & Natural Resources Division david.negri@usdoj.gov				
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	MOTION FOR ENLARGEMENT OF TIME FOR THE UNITED STATES' RESPONSE TO PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION – Page 4				