

Case No. _____

IN THE SUPREME COURT OF THE STATE OF NEVADA

STATE OF NEVADA, on relation to its Division of Water Resources,
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, ADAM
SULLIVAN, Nevada State Engineer,
Petitioner,

Electronically Filed
Sep 27 2023 05:02 PM
Elizabeth A. Brown
Clerk of Supreme Court

v.

The Eighth Judicial District Court of the State of Nevada, in and for the County of
Clark and the Honorable Mark R. Denton,
Respondent,

and

COYOTE SPRINGS INVESTMENT, LLC, COYOTE SPRINGS NEVADA,
LLC, and COYOTE SPRINGS NURSERY, LLC,
Real Parties in Interest.

APPENDIX VOLUME 7

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Attorneys for Petitioner

APPENDIX - VOLUME 7

VOLUME NO.	DOCUMENT DESCRIPTION	PAGES
I.	Complaint for Damages and Demand for Jury Trial, filed August 28, 2020	AG0107 – AG0136
VI.	Defendants Motion to Stay Proceedings Pending Nevada Supreme Court's Resolution of Related Matter, filed August 21, 2023	AG0936 – AG0960
VI.	Defendant's Opposition to Motion for Leave to File Third Amended Complaint, filed September 5, 2023	AG1008 – AG1021
VI.	Defendant's Reply in Support of Motion to Stay Proceedings Pending Nevada Supreme Court's Resolution, filed September 7, 2023	AG1022 – AG1029
III.	Findings of Fact, Conclusions of Law, and Order Granting Petitions for Judicial Review, filed April 19, 2022	AG0454 – AG0493
VI.	Muddy Valley Irrigation Company's Notice of Appeal, filed May 26, 2022	AG0852 – AG0915
IV.	Nevada State Engineer's Amended Notice of Appeal, filed May 15, 2022	AG0494 – AG0556
VI.	Order Denying Defendant's Motion to Stay Proceedings Pending Nevada Supreme Court's Resolution, filed September 19, 2023	AG1030 – AG1036
VI.	Order Denying Motions to Dismiss, Granting Temporary Stay and Directing Supplement, and Scheduling, filed August 29, 2022	AG0922 – AG0930
I.	Order Granting Consolidation, filed August 17, 2020	AG0105 – AG0106
VI.	Order Granting Motions to Consolidate, filed June 7, 2022	AG0916 – AG0921
VI.	Order Granting Stay, filed October 3, 2022	AG0931 – AG0934
I.	Petition for Judicial Review of Nevada State Engineer Order 13096, filed July 9, 2020	AG0001 – AG0104
///		

II.	Plaintiffs' First Amended Complaint for Damages and Demand for Jury Trial, filed October 7, 2021	AG0137 – AG0277
III.	Plaintiffs' Second Amended Complaint for Damages and Demand for Jury Trial, filed November 12, 2021	AG0278 – AG0453
VI.	Plaintiffs' [Proposed] Third Amended Complaint for Damages and Demand for Jury Trial, filed August 21, 2023	AG0961 – AG1007
VI.	Southern Nevada Water Authority's Notice of Appeal, filed May 19, 2022	AG0795 – AG0851
VII.	Stipulation and Order to Extend Discovery Deadlines [Third Request], filed September 20, 2023	AG1037 – AG1048
V.	The Center for Biological Diversity's Notice of Appeal, filed May 16, 2022	AG0557 – AG0794

DATED this 27th day of September, 2023.

AARON FORD Attorney
General

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing in accordance with this Court's electronic filing system and consistent with NEFCR 9 on September 27, 2023.

Participants in the case who are registered with this Court's electronic filing system will receive notice that the document has been filed and is available on the court's electronic filing system.

I further certify that any of the participants in the case that are not registered as electronic users will be mailed the foregoing document by First-Class Mail, postage prepaid.

/s/ Jeny M. Beesley
Jeny M. Beesley, an employee of
the Office of the Nevada Attorney General

SOED

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Attorneys for Plaintiffs CS-Entities

**DISTRICT COURT
CLARK COUNTY NEVADA**

COYOTE SPRINGS INVESTMENT, LLC, a
Nevada Limited Liability Company; COYOTE
SPRINGS NEVADA, LLC, a Nevada limited
liability company; and COYOTE SPRINGS
NURSERY, LLC, a Nevada limited liability
company,

Plaintiffs,

vs.

STATE OF NEVADA, on relation to its
Division of Water Resources; DEPARTMENT
OF CONSERVATION and NATURAL
RESOURCES; ADAM SULLIVAN, Nevada
State Engineer; CLARK COUNTY-COYOTE
SPRINGS WATER RESOURCES GENERAL
IMPROVEMENT DISTRICT, a political
subdivision of the State of Nevada; and Does I
through X.

Defendants.

Case No.: A-20-820384-B
Dept.: 13

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

[THIRD REQUEST]

Trial Date: May 21, 2024

Pursuant to Eighth Judicial District Court Rule (“EDCR”) 2.35, it is hereby stipulated and
agreed between the Parties to extend the current discovery deadlines as follows.

///

1 **I. DISCOVERY THAT HAS BEEN COMPLETED**

2 **A. Written Discovery**

3 1. Plaintiffs' Written Discovery

4 a. Coyote Springs Investment, LLC ("CSI")

5 i. CSI Initial Disclosure, 5/11/2022

6 ii. CSI's Second Supplemental Disclosures, 2/6/2023

7 iii. CSI's Third Supplemental Disclosures, 2/10/2023

8 iv. Plaintiffs' First Set of Requests for Production to Defendants,
9 5/25/2022

10 1. Defendants' Responses to Plaintiffs' First Request for
11 Production of Documents to Defendants, 6/24/2022

12 2. Defendants' First Supplemental Responses to Plaintiffs'
13 First Request for Production of Documents to
14 Defendants, 7/22/2022

15 3. Defendants' Second Supplemental Responses to
16 Plaintiffs' First Request for Production of Documents to
17 Defendants, 9/14/2022

18 4. Defendants' Third Supplemental Responses to
19 Plaintiffs' First Request for Production of Documents to
20 Defendants, 12/1/2022

21 5. Defendants' Fourth Supplemental Responses to
22 Plaintiffs' First Request for Production of Documents to
23 Defendants, 12/28/2022

24 6. Defendants' Fifth Supplemental Responses to Plaintiffs'
25 First Request for Production of Documents to
26 Defendants, 1/10/2023

27 v. Plaintiffs' Second Set of Requests for Production to Defendants,
28 3/17/2023

1. Defendants' Responses to Plaintiffs' Second Set of
Requests for Production of Documents to Defendants,

4/17/2023

vi. Plaintiffs' Third Set of Requests for Production of Documents,
8/18/2023

b. Coyote Springs Nevada, LLC ("CS-Nevada")

i. CS-Nevada's First Set of Interrogatories to Defendants,
3/29/2023

ii. State Engineer's Responses to Coyote Springs Nevada, LLC's
First Set of Interrogatories to Defendants, 6/9/2023

iii. Plaintiffs' First Requests for Admission to Defendants and
Second Set of Interrogatories from Coyote Springs Nevada,
LLC to Defendants, 5/2/2023

iv. State Engineer's Answers to Plaintiffs' First Requests for
Admission to Defendants and Second Set of Interrogatories from
Coyote Springs Nevada, LLC to Defendants, 6/9/2023

c. Coyote Springs Nursery, LLC ("CS-Nursery")

i. CS-Nursery's First Set of Interrogatories to Defendants,
3/29/2023

ii. State Engineer's Answers to Plaintiff Coyote Spring Nursery,
LLC's First Set of Interrogatories to Defendants, 4/28/2023

2. The State's Written Discovery

a. State's Initial Disclosures, 5/10/2022

b. State's Amended Initial Disclosures, 6/16/2022

c. State's First Supplemental Disclosures, 7/6/2022

d. State's Second Supplemental Disclosures, 8/8/2022

e. State's Third Supplemental Disclosures, 9/29/2023

f. State's Fourth Supplemental Disclosures, 12/1/2023

g. State's Fifth Supplemental Disclosures, 12/28/2023

h. State's Sixth Supplemental Disclosures, 1/10/2023

i. State's Seventh Supplemental Disclosures, 4/17/2023

j. State's First Set of Requests for Admissions, 11/23/2022

i. CSI's Response to State's First Set of Requests for Admissions,
12/30/2022

k. State's First Set of Interrogatories to CSI, 6/3/2022

i. CSI's Response to State's First Set of Interrogatories to CSI,
7/18/2022

l. State's First Set of Requests for Production to CSI, 6/3/2022

i. CSI's Response to State's First Set of Requests for Production
to CSI, 7/18/2022

ii. CSI's First Supplemental Response to State's First Set of
Requests for Production to CSI, 3/14/2023

m. State's Second Set of Interrogatories to CSI, 4/6/2023

i. Plaintiffs' Answers to Defendant State Engineer's Second Set of
Interrogatories, 5/22/2023

n. State's Second Set of Requests for Production to CSI, 4/6/2023

i. Plaintiffs' Responses to Defendant State Engineer's Second Set
of Requests for Production of Documents, 5/22/2023

B. Depositions

1. Micheline Fairbank, 2/13/2023, at 9:00 AM, at Sunshine Litigation Services,
151 Country Estates Circle, Reno, NV 89511

2. Adam Sullivan, 2/14/2023, at 9:00 AM, at Sunshine Litigation Services, 151
Country Estates Circle, Reno, NV 89511

3. Tim Wilson, 2/15/2023, at 9:00 AM, at Sunshine Litigation Services, 151
Country Estates Circle, Reno, NV 89511

4. Jason King, 2/16/2023, at 9:00 AM, at Sunshine Litigation Services, 151
Country Estates Circle, Reno, NV 89511

5. State of Nevada's 30(b)(6) representative, 7/20/2023, at 9:30 AM, at Sunshine
Litigation Services, 151 Country Estates Circle, Reno, NV 89511

6. Southern Nevada Water Authority's and Las Vegas Valley Water District's
30(b)(6) representatives, 9/12/2023, at 10:30 AM, at Sunshine Litigation
Services, 3960 Howard Hughes Parkway, Suite 700 Las Vegas, NV 89169

7. Jennifer Ammerman, 9/13/2023, at 10:00 AM, at Sunshine Litigation Services,
3960 Howard Hughes Parkway, Suite 700 Las Vegas, NV 89169

8. Clark County Comprehensive Planning Department's 30(b)(6) representative,
9/13/2023, at 1:30 PM, at Sunshine Litigation Services, 3960 Howard Hughes
Parkway, Suite 700 Las Vegas, NV 89169

II. REMAINING DISCOVERY TO BE COMPLETED

A. Party depositions;

B. Depositions of additional witnesses;

C. Initial Expert Disclosures

D. Rebuttal Expert Disclosures

E. Depositions of the parties' respective expert witnesses;

F. Additional written discovery as needed.

III. REASONS WHY DISCOVERY WILL NOT BE COMPLETED WITHIN THE TIME LIMITS SET BY THE NEW DISCOVERY DEADLINES

Pursuant to EDCR 2.35, this Court is permitted to extend discovery deadlines where the parties have shown good cause for the same and where the parties' request is made at least twenty days before the discovery cut-off date. *See* EDCR 2.35(a).

The Defendants recently sought a stay of proceedings pending resolution of the Nevada Supreme Court's decision of the validity of Order 1309. This Court denied the request to stay proceedings. The Defendants requested to continue the discovery deadlines in light of the denial of the stay, which Plaintiffs do not oppose. Thus, the parties stipulate and agree that good cause exists to extend the discovery deadlines.

IV. CURRENT SCHEDULE FOR COMPLETING DISCOVERY

Deadline	
Close of Discovery	January 1, 2024
Final Date to File Motions to Amend Pleadings or Add Parties	November 1, 2023
Final Date to File Expert Disclosure	November 1, 2023
Final Date to File Rebuttal Expert Disclosure	December 1, 2023
Final Date to File Dispositive Motions	January 31, 2024

V. PROPOSED SCHEDULE FOR COMPLETING DISCOVERY¹

Deadline	
Close of Discovery	March 1, 2024 (except for depositions of rebuttal experts as necessary)
Final Date to File Motions to Amend Pleadings or Add Parties	November 1, 2023
Final Date to File Expert Disclosures	January 16, 2024
Final Date to File Rebuttal Expert Disclosure	February 16, 2024
Final Date to File Dispositive Motions	March 29, 2024

VI. TRIAL DATE

Trial in this matter has been set on a five-week stack to begin May 21, 2024, with the pre-trial conference scheduled for April 29, 2024, and calendar call scheduled for May 6, 2024. The parties stipulate and agree that these dates shall remain as scheduled.

AFFIRMATION: The undersigned does hereby affirm that the preceding document and/or attachments do not contain the social security number of any person.

DATED this 19th day of September, 2023

DATED this 19th day of September, 2023

ROBISON, SHARP, SULLIVAN & BRUST

OFFICE OF THE ATTORNEY GENERAL

By: /s/ Kent R. Robison

By: /s/ Casey J. Quinn

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Attorneys for Defendant State of Nevada.

¹ These deadlines are based on the current operative complaint. Defendants reserve the right to seek additional time if the Plaintiffs' pending Motion for Leave to File Third Amended Complaint is granted. Plaintiffs will adamantly oppose any future request to extend the discovery deadlines, regardless of whether this Court allows their Third Amended Complaint to be filed.

1 COULTHARD LAW PLLC

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3 By: /s/ William L. Coulthard

4 William L. Coulthard, Esq.

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8 (702) 898-9944

9 wlc@coulthardlaw.com

10 *Attorney for Plaintiffs*

11
12
13 **ORDER TO EXTEND DISCOVERY**

14 Pursuant to the stipulation of the parties, and good cause appearing therefore, IT IS
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HEREBY ORDERED that the discovery deadlines are extended as set forth herein.

IT IS SO ORDERED.

Dated this 20th day of September, 2023



DISTRICT COURT JUDGE

Lt

086 99B 6691 8044

Mark R. Denton

District Court Judge

Respectfully submitted by:

ROBISON, SHARP, SULLIVAN & BRUST

By: /s/ Kent R. Robison

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Attorneys for Plaintiffs

Chrissy O'Brien

From: Casey J. Quinn <CQuinn@ag.nv.gov>
Sent: Tuesday, September 19, 2023 10:45 AM
To: Hannah Winston; Kent Robison
Cc: Bill Coulthard (wlc@coulthardlaw.com); Emilia Cargill; Jessica E. Whelan; Marni K. Watkins; James N. Bolotin
Subject: RE: Motion to Stay
Attachments: P-Stip and Proposed Order to Cont. Deadlines 9.19.23- CQ edit.docx

Hi Hannah,

Thanks for putting this together. I made a few changes:

The trial date in the header was wrong

Added 2/13/2023 to the entry about Fairbank deposition

Added a footnote indicating we reserve the right to seek additional time if the Motion for Leave to File Third Amended Complaint is granted.

Updated our signature block.

You have permission to affix my electronic signature to this revised version.

Best,
Casey

Casey J. Quinn

Senior Deputy Attorney General
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From: Hannah Winston <hwinston@rssblaw.com>
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Subject: RE: Motion to Stay

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Casey,

Attached is a draft of the stip to continue discovery deadlines. Please let me know if you have any changes or if we can affix your electronic signature.

Thanks!

Hannah

HANNAH E. WINSTON, ESQ.



Robison | Sharp | Sullivan | Brust

71 Washington Street

Reno, NV 89503

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From: Casey J. Quinn <CQuinn@ag.nv.gov>

Sent: Friday, September 15, 2023 12:21 PM

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Subject: RE: Motion to Stay

Kent,

1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 Coyote Springs Investment LLC, CASE NO: A-20-820384-B
7 Plaintiff(s)
8 vs.
9 State of Nevada, Defendant(s)

DEPT. NO. Department 13

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Stipulation and Order to Extend Discovery Deadlines was served via
14 the court's electronic eFile system to all recipients registered for e-Service on the above
entitled case as listed below:

15 Service Date: 9/20/2023

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