


IN THE SUPREME COURT OF THE STATE OF NEVADA

OSCAR HERNANDEZ,
Appellant,
vs.
THE HOME DEPOT, INC.; AND RIDGE
TOOL COMPANY,
Respondents.

No. 87794

FILED

JUN 07 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER GRANTING MOTION

This is a certified question from the United States District Court for the District of Nevada pursuant to NRAP 5. Proposed amicus Nevada Justice Association (NJA) has filed a motion requesting leave to file an amicus brief in support of appellant. NRAP 29(f). Respondents do not oppose the motion and have moved for leave to conditionally file a response to NJA's brief should they deem that a response is appropriate and necessary, and for an extension until June 28, 2024, to file any response.

The role of an amicus is to assist in cases of general public interest and to supplement efforts of counsel by drawing the court's attention to law that might have escaped consideration. *See Miller-Wohl Co. v. Com. of Labor and Industry*, 694 F.2d 203, 104 (9th Cir. 1982). Participation by an amicus curiae is appropriate when the amicus seeks to add value to the court's determination of the issues presented on appeal, including by "[h]ighlighting factual, historical, or legal nuance" not fully captured in the parties' briefs and "providing practical perspectives on the consequences of potential outcomes" that may be helpful to the court's

resolution of the issue. *See Prairie Rivers Network v. Dynegy Midwest Generation, LLC*, 976 F.3d 761, 763 (7th Cir. 2020).

Having considered the motion and proposed brief, the motion is granted. *See* NRAP 29. The clerk of this court shall detach the proposed brief from NJA's motion filed on May 28, 2024, and shall file it separately. Respondents shall have until June 28, 2024, to file any response to NJA's brief, which shall not exceed 7,000 words.

Proposed amicus curiae The Product Liability Advisory Counsel, Inc. (PLAC) has filed a motion for leave to file a brief of amicus curiae in support of respondents. The motion is accompanied by written consent from all parties. Accordingly, the motion is granted. NRAP 29(a). The clerk of this court shall detach the amicus brief from the motion filed on June 3, 2024, and shall file it separately. Appellant, in his reply brief, may respond to the arguments made in PLAC's amicus brief, if deemed necessary.

It is so ORDERED.

_____, C.J.

cc: Law Office of David Sampson
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