

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL A. CARRIGAN, FOURTH
WARD CITY COUNCIL MEMBER OF
THE CITY OF SPARKS,
Appellant,

vs.

THE COMMISSION ON ETHICS OF
THE STATE OF NEVADA,
Respondent.

No. 51920

FILED

JUL 29 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *A. Anger*
DEPUTY CLERK

ORDER GRANTING MOTION FOR ADDITIONAL BRIEFING
AND MOTIONS TO ASSOCIATE COUNSEL

Before the court are three motions filed by appellant. Appellant has filed a motion requesting that this court allow additional briefing and oral argument by the parties in light of the United States Supreme Court remand on this matter. See Nevada Com'n on Ethics v. Carrigan, 131 S. Ct. 2343 (2011). An opposition and reply have also been filed. Respondent does not oppose additional briefing and argument related to appellant's constitutional vagueness challenge. Respondent does, however, oppose this court addressing appellant's constitutional right-of-association challenge, arguing that this issue was not properly raised in the original briefing of this appeal and is therefore waived.

We grant the motion for additional briefing. The parties' briefs shall address both of appellant's constitutional challenges and shall also address the issue of whether the right-of-association challenge has been waived. Appellant's supplemental brief shall be filed and served within 30 days of the date of this order. Respondent's supplemental brief shall be filed and served within 30 days after appellant's brief is served. Appellant may file and serve any supplemental reply brief within 15 days

from the date respondent's brief is served. We defer ruling on appellant's request for oral argument pending receipt of the parties' supplemental briefs.

Additionally, appellant has filed two motions to associate counsel in this matter pursuant to SCR 42: one for attorney Rachel M. McKenzie and one for attorney Mark S. Davies. No opposition to these motions has been filed. We grant appellant's motions. SCR 42. Nevada attorneys John W. Griffin and Matthew M. Griffin, of The Capitol Company, shall be responsible for all matters presented by Ms. McKenzie and Mr. Davies in this matter. See SCR 42(14); NRAP 46(a) (providing that the active member of the State Bar of Nevada who is the attorney of record shall be present at all matters in open court, including oral argument, and shall be responsible for all matters presented); NRAP 25(a)(5) (stating that all documents submitted to the supreme court for filing by a represented party shall include the original signature of at least one attorney of record who is an active member of the State Bar of Nevada).

It is so ORDERED.

Drygas, C.J.

cc: The Capitol Company
Nevada Commission on Ethics
Legislative Counsel Bureau Legal Division