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 Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER THOMAS, and)
 CHRISTOPHER CRAIG,)
 Individually and on behalf of others)
 Similarly situated,)

Sup. Ct. No. 61681

Appellants,)

Case No.: A-12-661726-C
 Dept. No.: XXVIII

vs.)

NEVADA YELLOW CAB)
 CORPORATION, NEVADA CHECKER)
 CAB CORPORATION NEVADA STAR)
 CAB CORPORATION,)

Respondents.)

**MOTION FOR LEAVE TO FILE *AMICUS CURIAE BRIEF* AND TO BE
 HEARD AT ORAL ARGUMENT**

The Livery Operators Association of Las Vegas (“LOA”) respectfully moves this Court for leave to file the brief submitted herewith, as *amicus curiae* in support of Respondents Nevada Yellow Cab Corporation, Nevada Checker Cab Corporation, and Nevada Star Cab Corporation. *Amicus curiae* counsel also respectfully request to be given the opportunity to be heard at the time of the oral argument as to issues that will directly affect the members of the LOA, as well as other commercial motor carriers which will be impacted by this Court’s ruling.

The LOA is a professional trade organization representative of the commercial motor carrier industry in Southern Nevada. The LOA represents companies, like Respondents, before legislative bodies, administrative and executive agencies, and the courts. Furthermore, the LOA advocates the interest of its members, which is comprised of twenty (20) transportation companies that provide taxi, limousine, scenic tours and shuttle services in Southern Nevada.

The LOA focuses primarily on transportation matters that affect the industry. Although Respondents are not members of the LOA, the LOA is interested in this matter based on the direct impact an adverse ruling could have on its members, both present and future, who wish to provide commercial transportation services in Nevada.

The brief of *amicus curiae* submitted herewith provides an experienced perspective on the commercial motor transportation industry in Nevada, the legislative background of Nevada Constitution, Article 15, Section 16, and NRS 608.250(2), and its subsequent interpretation by the courts. The LOA submits that the brief of *amicus curiae* attached herewith will be useful to this Honorable Court in adjudicating this case.

The LOA recognizes that this Motion and the brief of *amicus curiae* are untimely. *See* NRAP 29(f). However, in light of the fact that the briefing schedule has

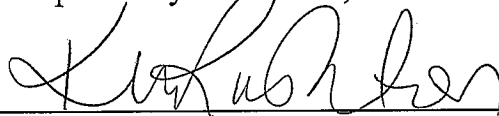
only recently concluded and oral arguments have not been scheduled, the LOA submits that the benefit to the Court, as previously enumerated, outweighs the prejudice to the Appellant.

Respondent has consented to this Motion. Appellant has been notified of its intended filing.

WHEREFORE, the LOA as *amicus curiae* in support of Respondents respectfully requests that the Court grant this Motion for Leave to File *Amicus Curiae* Brief, as filed herewith, and to be heard at Oral Argument.

DATED this 31st day of May, 2013.

Respectfully submitted,



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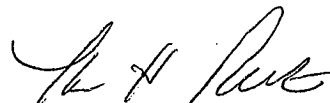
*Attorneys for Livery Operators Association
Of Las Vegas*

CERTIFICATE OF MAILING

Pursuant to Nevada Rules of Civil Procedure 5(b), I hereby certify that on the 31st day of May, 2013, service of the foregoing **MOTION FOR LEAVE TO FILE *AMICUS CURIAE BRIEF* AND TO BE HEARD AT ORAL ARGUMENT** was made this date by depositing a true copy of the same for mailing, first class mail, at Las Vegas, Nevada, in an envelope addressed as follows:

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