

IN THE SUPREME COURT OF THE STATE OF NEVADA

MCDONALD CARANO WILSON LLP, A
NEVADA LIMITED LIABILITY
PARTNERSHIP,

Appellant,

vs.

THE BOURASSA LAW GROUP, LLC;
OASIS LEGAL FINANCE, LLC, A
FOREIGN ILLINOIS LIMITED
LIABILITY COMPANY; CALIFORNIA
BACK SPECIALISTS MEDICAL
GROUP, INC., A CALIFORNIA
CORPORATION; CALIFORNIA
MINIMALLY INVASIVE SURGERY
CENTER; THOUSAND OAKS SPINE
MEDICAL GROUP, INC., A
CALIFORNIA CORPORATION;
CONEJO NEUROLOGICAL MEDICAL
GROUP, INC., A CALIFORNIA
CORPORATION; AND MEDICAL
IMAGING MEDICAL GROUP,

Respondents.

No. 64658

FILED

JUN 27 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

***ORDER REGARDING COUNSEL, REMOVING APPEAL FROM
SETTLEMENT PROGRAM AND REINSTATING BRIEFING***

When this appeal was docketed, it appeared that respondents California Back Specialists Medical Group, Inc., California Minimally Invasive Surgery Center, Conejo Neurological Medical Group, Inc., Medical Imaging Medical Group, and Thousand Oaks Spine Medical Group, Inc. ("the Chiu Entities"),¹ were represented by attorney

¹These respondents are referred to as "the Chiu Entities" in the district court record as all of those specified entities are "owned and/or controlled by non-party John C. Chiu, M.D."

Jacqueline M. McQuigg. Specifically, Ms. McQuigg was identified as counsel for the Chiu Entities in the case appeal statement and the docketing statement.

Ms. McQuigg has filed a letter stating that she has “never represented any of the parties” in this action, “never filed any type of pleading in this matter nor . . . entered into any agreement or tentative agreement to represent any of the parties.” Further, Ms. McQuigg speculates that another attorney² or perhaps a principal of the Chiu Entities may have filed a document under her name in the district court proceedings.³

As Ms. McQuigg does not represent the Chiu Entities in this appeal, the clerk shall remove her from the docket. Further, because all documents filed in this matter were served on Ms. McQuigg, it appears that the Chiu Entities may not have received proper notice of this appeal. Accordingly, counsel for appellant shall serve a copy of the notice of appeal, the docketing statement, and a copy of this order directly on the Chiu Entities and file proof of such service with this court within 15 days from the date of this order. The Chiu Entities shall have 45 days from the

²In the case appeal statement, appellant identifies California attorney James T. Studer, of James T. Studer and Associates, in Simi Valley, California, as co-counsel for the Chiu Entities. However, the case appeal statement also indicates that Mr. Studer “is not licensed to practice law in Nevada [and] [t]he district court did not grant him permission to appear under SCR 42.” Thus, Mr. Studer was not added to the docket of this appeal as counsel of record for the Chiu Entities, and he may not represent them in this matter without complying with SCR 42.


³If Ms. McQuigg believes this to be true and has any supporting evidence, she may wish to contact the appropriate investigative authority, including the State Bar of California or Nevada.

date of this order to retain counsel and cause counsel to file a notice of appearance. If the Chiu Entities do not respond to this order, it will be assumed that they will be proceeding in proper person on appeal.⁴

Finally, pursuant to the recommendation of the settlement judge and good cause appearing, this appeal is removed from the settlement program. See NRAP 16. Accordingly, we reinstate the deadlines for requesting transcripts and filing briefs.

Appellant shall have 15 days from the date of this order to file and serve a transcript request form. See NRAP 9(a).⁵ Further, appellant shall have 90 days from the date of this order to file and serve the opening brief and appendix.⁶ Thereafter, briefing shall proceed in accordance with NRAP 31(a)(1).

It is so ORDERED.

 C.J.

⁴See NRAP 46(b); see also *State v. Stu's Bail Bonds*, 115 Nev. 436, 436 n.1, 991 P.2d 469, 470 n.1 (1999) (noting that "business entities are not permitted to . . . file documents, in proper person"); and *Sunde v. Contel of California*, 112 Nev. 541, 542-43, 915 P.2d 298, 299 (1996) (explaining that nonlawyers may not represent entities in court).

⁵If no transcript is to be requested, appellant shall file and serve a certificate to that effect within the same time period. NRAP 9(a).

⁶In preparing and assembling the appendix, counsel shall strictly comply with the provisions of NRAP 30.

cc: John Walter Boyer, Settlement Judge
McDonald Carano Wilson LLP/Las Vegas
Bourassa Law Group, LLC
Law Offices of Jacqueline Mary McQuigg, Esq.
Boyack Beck & Taylor
Abrams Probate & Planning Group
James T. Studer and Associates/Simi Valley, CA