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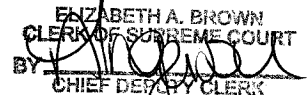
October 24, 2018

Via Facsimile: 775-684-1601

Elizabeth Brown
Clerk of the Supreme Court
201 South Carson Street
Carson City, NV 89701

FILED

OCT 24 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

Re: Public Hearing on ADKT 501 set for hearing on November 5, 2018

Dear Ms. Brown:


I am writing to express my deep concern about the proposed changes set forth in ADKT 501 which would take away a litigant's right to brief appellate issues to the appellate courts following the granting of a motion to dismiss or a motion for summary judgment. When an opposition to a motion to dismiss or a motion for summary judgment is written, it is written for the benefit of the judge hearing the motion. It is not written for the benefit of an appeals court. For this reason, briefing that is done in the District Courts is often devoid of an analysis of very important broad public policy issues.

The granting of a motion to dismiss or a motion for summary judgment is the most drastic action that a District Court Judge can take in a case. For this reason, the ability of a litigant to effectively appeal the granting of such a motion should be carefully safeguarded. Further, motions to dismiss and motions for summary judgment often involve complicated issues of law or fact which makes appellate briefing critically important.

Decisions made by the appellate courts shape the manner in which law is practiced in the District Courts. These decisions are often of great importance for public policy reasons. One need only look to the many fine appellate attorneys who specialize in briefing these complicated matters to understand the importance of allowing litigants a voice in the appellate process. For all of these reasons, taking away a litigant's right to properly brief appellate issues would do a grave disservice to the people the Courts are meant to protect.

I formally request the right to speak at the hearing on ADKT 501 which is set for November 5, 2018.

Sincerely,


Jared B. Anderson, Esq.

18-4953