

IN THE SUPREME COURT OF THE STATE OF NEVADA

CITY OF FERNLEY, NEVADA, A  
NEVADA MUNICIPAL CORPORATION,

Appellant,

vs.

THE STATE OF NEVADA  
DEPARTMENT OF TAXATION; THE  
HONORABLE KATE MARSHALL, IN  
HER CAPACITY AS TREASURER OF  
THE STATE OF NEVADA; AND THE  
LEGISLATURE OF THE STATE OF  
NEVADA,

Respondents.

No. 66851

**FILED**

**DEC 29 2014**

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

***ORDER GRANTING MOTION***

This case was originally exempted from this court's settlement program shortly after it was docketed as it did not appear amenable to the mediation process and because in its case appeal statement appellant indicated that "[t]his appeal does not involve the possibility of settlement." See NRAP 3(f); NRAP 16(a). Appellant has now filed a motion to have this case referred back to the settlement program. Appellant indicates that it has reassessed its position, and now believes that "this appeal should proceed to mediation."

Respondents have filed a joint response to appellant's motion. Respondents indicate that although they continue to believe that this matter would be difficult to resolve through mediation, they are willing to hear and consider . . . settlement proposals," and are willing to participate in mediation through this court's settlement program.

Appellant has filed a reply to the response, indicating that while it understands the unique difficulties that mediating this case may

present, in light of respondents' willingness to participate in mediation, its motion for referral to the settlement program should be granted.

Cause appearing, we grant the motion and refer this appeal to the settlement program. Accordingly, briefing in this matter is stayed. *See* NRAP 16(a)(1). Further, the assigned settlement judge shall expedite settlement proceedings to the extent possible.

It is so ORDERED.

 , C.J.

cc: Fernley City Attorney  
Holley, Driggs, Walch, Puzey & Thompson/Las Vegas  
Brownstein Hyatt Farber Schreck, LLP/Las Vegas  
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Attorney General/Carson City  
Legislative Counsel Bureau Legal Division