

IN THE SUPREME COURT OF NEVADA

Electronically Filed
Mar 02 2015 03:11 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

J.W. BENTLEY and MARYANN
BENTLEY, TRUSTEES OF THE
BENTLEY FAMILY 1995 TRUST,

Appellants,

v.

HALL RANCHES, LLC, a Nevada
limited liability company; THOMAS J.
SCYPHERS; KATHLEEN M.
SCYPHERS; FRANK SCHARO;
SHERIDAN CREEK EQUESTRIAN
CENTER, LLC, a Nevada limited liability
company; DONALD S. FORRESTER;
KRISTINA M. FORRESTER; RONALD
R. MITCHELL; and GINGER G.
MITCHELL,

Respondents.

Case No. 66932

**REPLY TO OPPOSITION TO
MOTION FOR CLARIFICATION
OF ORDER**

COME NOW J.W. BENTLEY and MARYANN BENTLEY, Trustees of the Bentley Family 1995 Trust, by and through their counsel of record, Matuska Law Offices, Ltd., Michael L. Matuska, and hereby reply to the Opposition to Motion for Clarification of Order filed by Thomas J. Scyphers, Kathleen Scyphers, Frank Sharo, Sheridan Creek Equestrian Center, LLC, a Nevada Limited Liability Company, Donald S. Forrester, Kristina M. Forrester, and Ronald R. Mitchell and Ginger G. Mitchell ("Intervenors") as follows.

Bentley filed its Motion to Consolidate on December 10, 2014. Intervenors filed their response on December 17, 2014 in which they requested that "the

1 Motions to Consolidate be denied if the parties would be required to file additional
2 and repetitive briefing on those fully briefed matters which have already been
3 submitted to the Court.” (Response at p. 3, ls. 19-22). This Court ordered
4 consolidation of the various cases in its January 22, 2015 Order. In that same order,
5 this Court also explained that the jurisdictional issue was resolved; therefore the
6 parties need to submit new briefs that did not contain argument on the jurisdictional
7 issue. That part of the order needs no clarification.
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10 The order did not, however, indicate whether the arguments about the rotation
11 schedule should be included in the same brief with the other issues. Bentley
12 explained in its Motion for Clarification of Order that it would be difficult to include
13 all issues in a single brief and that the issue of the rotation schedule arose first on
14 judicial review. The administrative record that will be considered on judicial review
15 (to the extent it exists) is not the same as the record on appeal from the decree.
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18 Intervenor’s Opposition does not address the issues raised in Bentley’s
19 Motion for Clarification of Order at all. Rather, Intervenor’s use their Opposition to
20 request no additional briefing on the rotation schedule issue, despite the fact that
21 additional briefs have already been ordered, and take liberties with a number of
22 inflammatory arguments about how Bentley is intentionally driving up costs by
23 advocating for repetitive briefing. Although these types of inflammatory arguments
24 may have had their intended effect in the court below, such arguments are irrelevant
25 to this case and to the question presented in Bentley’s Request for Clarification of
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1 Order. Bentley did not request additional briefing about the rotation schedule and
2 would be happy to stand on the briefs submitted, with the single caveat that a
3 supplement would be in order to address a later development. But this Court
4 already ordered new briefs on that issue.
5

6 Bentley now requests clarification on whether the rotation schedule issue can
7 be briefed separately from the other issues. Regardless, all parties will likely need
8 extensions to the page limit requirement and additional time to prepare the second
9 appendix (or supplement the original appendix) and prepare the briefs.
10

11 Respectfully submitted,

12 Dated this 2nd day of March 2015.
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14

MATUSKA LAW OFFICES, LTD.

15 By: 
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CERTIFICATE OF SERVICE

I certify that on the 2nd day of March 2015, I served a copy of this completed docketing statement upon all counsel of record:

☐ By personally serving it upon him/her; or

☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es): (NOTE: If all names and addresses cannot fit below, please list names below and attach a separate sheet with the addresses.)

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Dated this 2nd day of March 2015.


LIZ STERN, ALS