

IN THE SUPREME COURT OF THE STATE OF NEVADA

SHELDON G. ADELSON,  
Appellant,  
vs.  
DAVID A. HARRIS; MARC R.  
STANLEY; AND NATIONAL JEWISH  
DEMOCRATIC COUNCIL,  
Respondents.

No. 67120

**FILED**

**MAR 19 2015**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

***ORDER ACCEPTING CERTIFIED QUESTIONS, DIRECTING  
BRIEFING, AND DIRECTING SUBMISSION OF FILING FEE***

This matter involves legal questions certified to this court, under NRAP 5, by the United States Court of Appeals for the Second Circuit. Specifically, the Second Circuit Court of Appeals has certified the following questions of law to this court:

1. Does a hyperlink to source material about judicial proceedings in an online petition suffice to qualify as a report for purposes of applying the common law fair report privilege?
2. Did Nevada's anti-strategic litigation against public participation ("anti-SLAPP") statute, NRS 41.635-.670, as that statute was in effect prior to the most recent amendments in 2013, cover speech that seeks to influence an election but that is not addressed to a government agency?

As no clearly controlling Nevada precedent exists with respect to these legal questions and their answers may determine part of the federal case,

we accept these certified questions. See NRAP 5(a); *Volvo Cars of N. Am., Inc. v. Ricci*, 122 Nev. 746, 137 P.3d 1161 (2006).

Although the Second Circuit transmitted copies of the parties' briefs and the appellate record to this court in conjunction with its certification order, we believe that briefing on the two specific certified questions may be helpful to this court. Accordingly, appellant shall have 45 days from the date of this order to file and serve an opening brief. Respondents shall have 30 days from the date the opening brief is served to file and serve an answering brief. Appellant shall then have 20 days from the date the answering brief is served to file and serve any reply brief. The parties' briefs shall comply with NRAP 28, 28.2, 31(c), and 32. See NRAP 5(g)(2).<sup>1</sup>

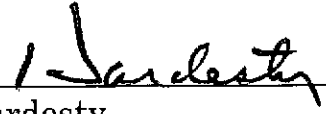
Lastly, in any proceeding under NRAP 5, fees "shall be the same as in civil appeals . . . and shall be equally divided between the parties unless otherwise ordered by the certifying court." NRAP 5(e). The Second Circuit's order does not address the payment of this court's fees. Accordingly, appellant and respondents shall each tender to the clerk of

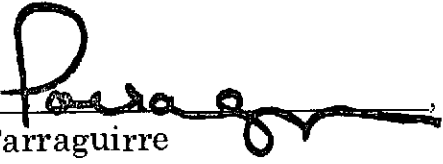
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<sup>1</sup>As the Second Circuit provided the excerpts of record filed in the appeal to that court, the parties shall cite to the excerpts of record rather than file an appendix.

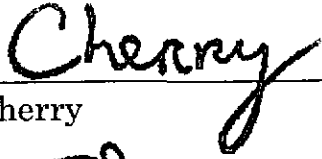
this court, within 11 days from the date of this order, the sum of \$125, representing half of the filing fee. See NRAP 3(e); NRAP 5(e).


It is so ORDERED.<sup>2</sup>


, C.J.  
Hardesty

, J.  
Parraguirre

, J.  
Douglas

, J.  
Cherry

, J.  
Saitta

, J.  
Gibbons

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<sup>2</sup>The Honorable Kristina Pickering, Justice, did not participate in the decision of this matter.

cc: Mayer Brown LLP/New York  
Mayer Brown LLP/Chicago  
Wood Hernacki & Evans, LLC/Atlanta  
Levine Sullivan Koch & Schulz, LLP/Washington, DC  
Levine Sullivan Koch & Schulz, LLP/Philadelphia  
Levine Sullivan Koch & Schulz, LLP/New York  
Clerk, United States Court of Appeals for the Second Circuit