

IN THE SUPREME COURT OF THE STATE OF NEVADA

RHONDA HELENE MONA and
MICHAEL J. MONA, JR.,

Petitioners,

v.

THE EIGHTH JUDICIAL DISTRICT
COURT FOR THE STATE OF
NEVADA, IN AND FOR THE COUNTY
OF CLARK, AND THE HONORABLE
JOE HARDY, DISTRICT JUDGE

Respondents,

and

FAR WEST INDUSTRIES,

Real Party in Interest.

Supreme Court Case No.: 68434

District Court Case No.: A-12-670352-F

**DECLARATION IN SUPPORT OF REAL PARTY IN INTEREST FAR
WEST INDUSTRIES' MOTION TO EXCEED PAGE LIMIT**

I, Rachel E. Donn, Esq., declare as follows:

1. I am an attorney with the law firm of Holley Driggs Walch Fine Wray
Puzey & Thompson. The following is based on my knowledge gathered from my
review of the documents and preparation of the Opposition to Petitioners'
Emergency Motion for Relief Under NRAP 27(e) and Supplement to Emergency
Motion for Relief Under NRAP 27(e) ("Opposition") in this proceeding, and if
called as a witness, I could and would testify to the following:

...

2. I represent Real Party in Interest, Far West Industries (“Far West”).

3. The Petitioners Rhonda Helene Mona and Michael J. Mona, Jr. (“Petitioners”) have filed a twelve-page Emergency Motion for Relief Under NRAP 27(e) and seven-page Supplement to Emergency Motion for Relief Under NRAP 27(e) in an effort to obtain a stay of the Eighth Judicial District Court’s (“District Court”) Order Regarding Motion on an Order Shortening Time for Bond Pending Appeal (“Bond Order”), both of which Far West needs to address in its Opposition.

4. In order to adequately respond to these filings, Far West must address a four-part test for injunctive relief and within that framework analyze a five-factor test analysis regarding alternative security to the supersedeas bonds imposed by the District Court.

5. Far West has a substantial interest in enforcing the supersedeas bonds required of the Petitioners so that its rights as a judgment creditor are not prejudiced while the underlying matter is on appeal.

6. Far West worked diligently to present its Opposition in a concise, well-organized manner. However to sufficiently address the facts and arguments implicated by the Petitioners’ Emergency Motion for Relief Under NRAP 27(e) and Supplement to Emergency Motion for Relief Under NRAP 27(e), Far West

was unable to accomplish this in ten pages of 14-point font. As a result, Far West Industries' Opposition is 20 pages.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 3rd day of November, 2015.

A handwritten signature in cursive script, appearing to read 'Rachel E. Donn', written in black ink.

RACHEL E. DONN, ESQ.

CERTIFICATE OF MAILING

I HEREBY CERTIFY that, on the 3rd day of November, 2015, I served via this Court's electronic filing and service system and deposited for mailing in the U.S. Mail (as indicated below) a true and correct copy of the foregoing Declaration In Support Of Real Party In Interest Far West Industries' Motion to Exceed Page Limit, postage prepaid and addressed to:

ROBERT L. EISENBERG
Nevada Bar No. 0950
Lemons, Grundy & Eisenberg
6005 Plumas Street, #300
Reno, Nevada 89519
775-786-6868
Email: rl@lge.net
ATTORNEYS FOR PETITIONER
RHONDA HELENE MONA

Via Electronic Service and U.S. Mail

TERRY A. COFFING
Mail
Nevada Bar No. 4949
MICAH S. ECHOLS
Nevada Bar No. 8437
TYE S. HANSEEN
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10001 Park Run Drive
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thanseen@maclaw.com
ATTORNEYS FOR PETITIONER
MICHAEL J. MONA, JR.

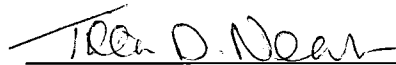
Via Electronic Service and U.S.

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The Honorable Joe Hardy
Eighth Judicial District Court
Department XV
200 Lewis Avenue
Las Vegas, Nevada 89155

Via U.S. Mail Only

A handwritten signature in cursive script, reading "Tera D. Noen", is positioned above a horizontal line.

An employee of Holley Driggs Walch
Fine Walch Puzey & Thompson

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Supreme Court Case No.: 68434

Electronically Filed

Nov 04 2015 08:50 a.m.

District Court Case No.: A-12-670352-F
Tracie K. Lindeman
Clerk of Supreme Court

REAL PARTY IN INTEREST FAR WEST INDUSTRIES'
MOTION TO EXCEED PAGE LIMIT PURSUANT TO NRAP 32(a)(7)(D)

F. THOMAS EDWARDS, ESQ.
Nevada Bar No. 9549
RACHEL E. DONN, ESQ.
Nevada Bar No. 10568
ANDREA M. GANDARA, ESQ.
Nevada Bar No. 12580
HOLLEY DRIGGS WALCH
FINE WRAY PUZEY & THOMPSON
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101
*Attorneys for Real Party in Interest
Far West Industries*

Real Party in Interest, FAR WEST INDUSTRIES (“Far West”), by and through its attorneys, F. THOMAS EDWARDS, ESQ., RACHEL E. DONN, ESQ. and ANDREA M. GANDARA, ESQ. of the law firm of HOLLEY, DRIGGS, WALCH, FINE, WRAY, PUZEY & THOMPSON, hereby moves to exceed the ten-page limit imposed by NRAP 27(d)(2) (“Motion to Exceed Page Limit”) on its Opposition to Petitioners’ Emergency Motion for Relief Under NRAP 27(e) and Supplement to Emergency Motion for Relief Under NRAP 27(e) (“Opposition”). This Motion to Exceed Page Limit is based on the pleadings and papers, the following points and authorities and any argument the Court may allow regarding this matter.

MEMORANDUM OF POINTS AND AUTHORITIES

While typically an opposition to a motion before this Court is required to be limited to ten pages, this Court has the authority to allow Far West to exceed that amount. NRAP 27(d)(2). Far West has been diligent and has good cause to exceed the page limit for the following reasons:

The Petitioners Rhonda Helene Mona and Michael J. Mona, Jr. (“Petitioners”) have filed a twelve-page Emergency Motion for Relief Under NRAP 27(e) and seven-page Supplement to Emergency Motion for Relief Under NRAP 27(e) in an effort to obtain a stay of the Eighth Judicial District Court’s (“District Court”) Order Regarding Motion on an Order Shortening Time for Bond

Pending Appeal (“Bond Order”). See Declaration of Rachel E. Donn in Support of Real Party in Interest Far West Industries’ Motion to Exceed Page Limit (“Donn Decl.”) at ¶3.

In order to adequately respond to these filings, Far West must address a four-part test for injunctive relief and within that framework analyze a five-factor test analysis regarding alternative security to the supersedeas bonds imposed by the District Court. Id. at ¶4.

Far West has a substantial interest in enforcing the supersedeas bonds required of the Petitioners so that its rights as a judgment creditor are not prejudiced while the underlying matter is on appeal. Id. at ¶5.

Far West worked diligently to present its Opposition in a concise, well-organized manner. However to sufficiently address the facts and arguments implicated by the Petitioners’ Emergency Motion for Relief Under NRAP 27(e) and Supplement to Emergency Motion for Relief Under NRAP 27(e), Far West was unable to accomplish this in ten pages of 14-point font. As a result, Far West Industries’ Opposition is 20 pages. Id. at ¶6.

...

...

...

Far West respectfully requests this Court to grant leave to file its Opposition and grant such other and further relief as it deems just and proper.

Dated this 3rd day of November, 2015.

**HOLLEY DRIGGS WALCH
FINE WRAY PUZEY & THOMPSON**

*/s/ F. Thomas Edwards, Esq.*_____

F. THOMAS EDWARDS, ESQ.

Nevada Bar No. 9549

RACHEL E. DONN, ESQ.

Nevada Bar No. 10568

ANDREA M. GANDARA, ESQ.

Nevada Bar No. 12580

*Attorneys for Real Party in Interest
Far West Industries*

CERTIFICATE OF MAILING

I HEREBY CERTIFY that, on the 3rd day of November, 2015, I served electronically via this court's electronic filing and service program and deposited for mailing in the U.S. Mail (as indicated below) a true and correct copy of the foregoing REAL PARTY IN INTEREST FAR WEST INDUSTRIES' MOTION TO EXCEED PAGE LIMIT PURSUANT TO NRAP 32(a)(7)(D), postage prepaid and addressed to:

ROBERT L. EISENBERG
Nevada Bar No. 0950
Lemons, Grundy & Eisenberg
6005 Plumas Street, #300
Reno, Nevada 89519
775-786-6868
Email: rle@lge.net
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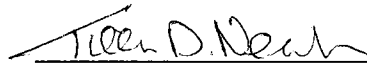
Via Electronic Service and U.S. Mail

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The Honorable Joe Hardy
Eighth Judicial District Court
Department XV
200 Lewis Avenue
Las Vegas, Nevada 89155

Via U.S. Mail Only

A handwritten signature in dark ink, appearing to read "Allen D. Neuh", is written over a horizontal line.

An employee of Holley Driggs Walch
Fine Walch Puzey & Thompson