

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

WESTERN CAB COMPANY,

Petitioner,

vs.

EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF  
NEVADA, in and for the COUNTY  
OF CLARK; and THE HONORABLE  
LINDA MARIE BELL, District Judge,

Respondents,

and

LAKSIRI PERERA, Individually and  
on behalf of others similarly situated,

Real Party in Interest.

**Case No.: 68796**

District Court Case No. A-14-707425-C

Electronically Filed  
Sep 11 2015 02:46 p.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

**PETITIONER WESTERN CAB COMPANY'S**  
**MOTION TO CONSOLIDATE**

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Petitioner Western Cab Company moves the Court to consolidate Docket No. 68796 (Western Cab Company v. Eighth Judicial District Court (Laksiri Perera, real party in interest)) with Docket Nos. 66629 (Williams v. Eighth Judicial District Court (Claim Jumper Acquisition Company, LLC, real party in interest)) and 67631 (MDC Restaurants, LLC v. Eighth Judicial District Court (Paulette Diaz, real party in interest)).

This Motion is made on the grounds that each of these cases presents petitions for writs for mandamus seeking the Court's clarification as to what statute of limitations applies to claims for back minimum wage under the Minimum Wage Amendment, Nevada Constitution, Art. XV, Sec. 16.

The legal issue in these three petitions is identical and interrelated and the parties' and Court's resources will be conserved by consolidation, with duplication of efforts and energies reduced. *See Scarbo v. Eighth Judicial District Court*, 125 Nev. 118, 121, 206 P.3d 975, 977 (2009) (granting mandamus relief on consolidated petitions in the interest of "judicial economy and sound judicial administration" to clarify a criminal defendant's right in a competency proceeding to a full and complete copy of his or her competency examination report); *Oxbow Construction, LLC v. Eighth Judicial District Court*, 130 Nev. Adv. Op. 86, 335 P.3d 1234, 1238 (2014) (exercising discretion to consider consolidated petitions to resolve statutory remedies for construction defects applicable to new residences where definition of "new residences" lacked clarity); *Williams v. Eighth Judicial District Court*, 127

Nev. Adv. Op. 45, 262 P.3d 360 (2011) (consolidating writ petitions in product liability cases to resolve novel issues regarding admissibility of expert testimony); *Levinson v. Second Judicial District Court*, 103 Nev. 404, 742 P.3d 1042 (1987) (consolidating petitions for writ relief to clarify issues concerning enforcement of service of process on non-residents); *Sims v. Eighth Judicial District Court*, 125 Nev. 126, 132, 206 P.3d 980, 984 (2009) (considering consolidated writ petitions resolving necessity of independent competency evaluations in criminal proceedings).

The petitions present for clarification important and frequently reoccurring issues of law which have been resolved inconsistently among the State's District Courts and federal courts. Resolution of the statute of limitations applicable to back minimum wage claims is best presented by consolidating the writ petitions in Cases Nos. 66629 and 67631 with this case.

HEJMANOWSKI & McCREA, LLC

A handwritten signature in black ink, reading "Malani L. Kotchka", written over a horizontal line.

MALANI L. KOTCHKA

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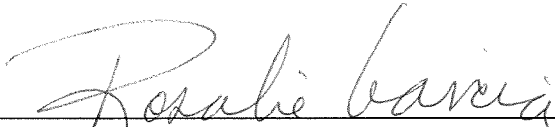
CERTIFICATE OF SERVICE

The undersigned does hereby certify that pursuant to NRAP 25(c) a true and correct copy of the foregoing **PETITIONER WESTERN CAB COMPANY'S MOTION TO CONSOLIDATE** was filed electronically with the Nevada Supreme Court Electronic Filing System, and a copy was served electronically on this 11th day of September, 2015, to the following:

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And a true and correct copy of the foregoing **PETITIONER WESTERN CAB COMPANY'S MOTION TO CONSOLIDATE** was served via first class, postage-paid U.S. Mail on this 11th day of September, 2015, to the following:

The Honorable Linda Marie Bell  
District Court Judge  
Eighth Judicial District Court of Nevada  
200 Lewis Avenue, #3B  
Las Vegas, NV 89101

  
An Employee of Hejmanowski & McCrea LLC