

IN THE SUPREME COURT OF THE STATE OF NEVADA

BOULDER CAB, INC.,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF

CLARK; AND THE HONORABLE

TIMOTHY C. WILLIAMS, DISTRICT

JUDGE,

Respondents,

and

DAN HERRING,

Real Party in Interest.

No. 68949

FILED

NOV 13 2015

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

*ORDER GRANTING MOTIONS FOR LEAVE TO FILE AMICUS BRIEFS
AND DIRECTING ANSWER*

This original petition for a writ of mandamus challenges a district court order concluding that the Minimum Wage Amendment, Nev. Const. art. 15, § 16, applies to taxicab drivers as of its 2006 effective date, not only as of this court's decision in *Thomas v. Nevada Yellow Cab Corp.*, 130 Nev., Adv. Op. 52, 327 P.3d 518 (2014). Western Cab Company and Sun Cab, Inc., have moved for leave to file amicus curiae briefs in support of petitioner. Having reviewed the petition and accompanying documentation, as well as the motions, it appears that both the amicus briefs and an answer may assist this court in resolving this matter.

We grant Western Cab's and Sun Cab's motions for leave to file amicus briefs and direct the clerk of this court file the proposed briefs and appendices, provisionally received in this court on October 20 and November 3, 2015, respectively. However, because amicus curiae may not raise issues outside of those addressed by the parties, *City of Tempe v.*

Prudential Ins. Co., 510 P.2d 745, 748 (Ariz. 1973); *Dempsey v. Allstate Ins. Co.*, 104 P.3d 483, 490 (Mont. 2004), this court will not consider any issues raised in Western Cab's amicus brief that go beyond those raised in the petition, *see also Desert Chrysler-Plymouth, Inc. v. Chrysler Corp.*, 95 Nev. 640, 643-44, 600 P.2d 1189, 1190-91 (1979) (noting that this court, as a matter of practice, may decline to review constitutional issues not raised below), and the real parties in interest and petitioners are not required to respond to those issues.

Real party in interest, on behalf of respondents, shall have 30 days from the date of this order within which to file and serve an answer, including authorities, against issuance of the requested writ. Petitioner shall have 15 days from service of the answer to file and serve any reply.

It is so ORDERED.

1. J. J. J., C.J.

cc: Hon. Timothy C. Williams, District Judge
Winner & Carson, P.C.
Leon Greenberg Professional Corporation
Hejmanowski & McCrea LLC
Littler Mendelson, P.C.
Eighth District Court Clerk