

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID JOHN KAPLAN,
Appellant,
vs.
CHAPTER 7 TRUSTEE, ALLEN
DUTRA,
Respondent.

No. 69065

FILED

DEC 02 2015

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

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

This matter involves a legal question certified to this court, under NRAP 5, by the United States Bankruptcy Court for the District of Nevada. Specifically, the United States Bankruptcy Court has certified the following question of law to this court:

If the debtor has more than one separate personal injury incident, is he entitled to more than one personal injury exemption?

As no clearly controlling Nevada precedent exists with respect to this legal question and its answer may determine part of the federal case, we accept this certified question. *See* NRAP 5(a); *Volvo Cars of N. Am., Inc. v. Ricci*, 122 Nev. 746, 137 P.3d 1161 (2006).

Accordingly, appellant shall have 30 days from the date of this order to file and serve an opening brief. Respondent 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).

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 United States Bankruptcy Court order does not address the payment of this court's fees. Accordingly, appellant and respondent shall each tender to the clerk of 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.

Hardesty, C.J.
Hardesty

Parraguirre, J.
Parraguirre

Douglas, J.
Douglas

Cherry, J.
Cherry

Saitta, J.
Saitta

Gibbons, J.
Gibbons

Pickering, J.
Pickering

cc: Christopher P. Burke
Michael C. Lehnars
Clerk, United States Bankruptcy Court, District of Nevada
Hon. Gregg W. Zive