



ADICT 0511


January 25, 2016

FILED

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VIA FEDERAL EXPRESS

Tracie K. Lindeman
Clerk of the Supreme Court
201 South Carson Street
Carson City, Nevada 89701

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

Re: Proposed Amendment to NRCP 16.1(b)(1)

Dear Ms. Lindeman:

We understand that the comment period has passed regarding the proposed amendment to NRCP 16.1(b)(1), but because this letter seeks to alert the Court to what seems to be a typographical error rather than a substantive comment, we hope the Court still will consider our comment.

As proposed, NRCP 16.1(b)(1) provides, "Absent compelling and extraordinary circumstances, neither the court nor the parties may extend the time to a day more than 180 days from the filing of the answer by the first answering brief."

Based on the language of the proposed amendments to NRCP 16.1(e)(1) and NRCP 16.1(e)(2), it seems that the word "brief" in the above sentence instead should be "defendant."

Proposed NRCP 16.1(e)(1), referring to NRCP 16.1(b), says, "If the conference described in Rule 16.1(b) is not held within 180 days from the filing of the answer by the first answering *defendant*, the case may be dismissed as to that defendant upon motion or on the court's own initiative...." [Emphasis added.]

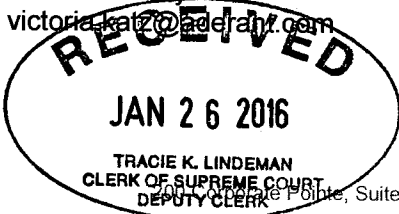
Similarly, although not speaking of the NRCP 16.1(b) deadline, proposed NRCP 16.1(e)(2) also triggers its deadline from the filing of the answer by the first answer *defendant*. It says, "If the plaintiff does not file a case conference report within 240 days from the filing of the answer by the first answering defendant, the case may be dismissed as to that defendant upon motion or on the court's own initiative, without prejudice."

Thank you for your time.

Sincerely,



Victoria Katz
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