

IN THE SUPREME COURT OF THE STATE OF NEVADA

INGRID PATIN, AN INDIVIDUAL;
AND PATIN LAW GROUP, PLLC,
A PROFESSIONAL LLC,

Appellants,

vs.

TON VINH LEE,

Respondent.

Supreme Court No. 69928

District Court Case No. A-15-723134-C

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Jul 24 2017 08:50 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

**MOTION TO STAY BRIEFING SCHEDULE PENDING APPEAL OF
APPELLANTS' MOTION FOR SUMMARY JUDGMENT**

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I.

INTRODUCTION

Appellants, Ingrid Patin, an individual, and Patin Law Group, PLLC, a Nevada Professional LLC, by and through their counsel of record, Christian M. Morris, Esq. of the Nettles Law Firm, hereby move this Court, pursuant to NRAP 2, to stay the briefing schedule currently in place pending the appeal of Appellants' Motion for Summary Judgment, which was filed on May 30, 2017 in the District Court. The Motion for Summary Judgment was fully briefed and heard in the District Court on July 11, 2017. At that time, the District Court denied the Motion for Summary Judgment. The Order and Notice of Entry of Order have not yet been filed in the District Court. Once the Notice of Entry of Order is filed, Appellants will file a Notice of Appeal of the denial of the Motion for Summary Judgment and seek consolidation of the matters before the Supreme Court of the State of Nevada.

II.

LEGAL ARGUMENT

NRAP 2 authorizes this Court to suspend the briefing schedule in this matter. Specifically, NRAP 2 states:

On its own or a party's motion, the Supreme Court may – to expedite its decision or for other good cause – suspend any provision of these Rules in a particular case and order proceedings as it directs. . .

1 Although this Court does not have a rule parallel to Ninth Circuit Rule 27-
2 11, which permits an automatic stay in briefing upon the filing of certain motions,
3 this motion has the same effect. On May 30, 2017, Appellants filed a Motion for
4 Summary Judgment in the underlying District Court Case (A723134). The Motion
5 for Summary Judgment addressed many of the same issues as the Renewed Special
6 Motion to Dismiss, which is currently on appeal before this Court. The Motion for
7 Summary Judgment also addressed the mootness of the underlying matter and
8 current appeal. Appellants' Motion for Summary Judgment was fully briefed and
9 heard in the District Court on July 11, 2017. At that time, the District Court denied
10 the Motion for Summary Judgment. The Order and Notice of Entry of Order have
11 not yet been filed in the District Court. Once the Notice of Entry of Order is filed,
12 Appellants will file a Notice of Appeal of the denial of the Motion for Summary
13 Judgment and seek consolidation of the matters before the Supreme Court of the
14 State of Nevada. In an effort to avoid wasting this Court's time and unnecessary
15 costs and expenses of filing two sets of briefs, Appellants request a stay of the
16 briefing schedule in this matter, as the Opening Brief in the instant appeal is due
17 August 1, 2017.
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III.
CONCULSION

Based upon the foregoing, Appellants respectfully request that this Court stay the briefing schedule in the instant appeal until Appellants have had an opportunity to file a Notice of Appeal of the denial of the Motion for Summary Judgment and seek consolidation of the matters before this Court. This relief is requested to preserve judicial time and resources that would be required to review almost identical briefs in both cases if Appellants are not afforded an opportunity to consolidate the matters before briefing commences.

DATED this 24th day of July, 2017.

NETTLES LAW FIRM

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **MOTION TO STAY BRIEFING SCHEDULE PENDING APPEAL OF APPELLANTS' MOTION FOR SUMMARY JUDGMENT** was filed electronically with the Nevada Supreme Court on the 24th day of July, 2017. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

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