

IN THE SUPREME COURT OF THE STATE OF NEVADA

STATE OF NEVADA,
DEPARTMENT OF BUSINESS
AND INDUSTRY, FINANCIAL
INSTITUTIONS DIVISION,

Appellant,

vs.

DOLLAR LOAN CENTER, LLC, a
domestic liability company,

Respondent.

Supreme Court Case No.: 70002

District Court Case No.: A-15-720959-C

Electronically Filed
Jun 08, 2017 04:26 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

NOTICE OF CLARIFICATION

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NOTICE OF CLARIFICATION

As mentioned in Appellant’s briefing in this case, and again during oral argument, Dollar Loan issues both original, new loans,¹ as well as loans used to pay the balance of an outstanding loan (“refinance loans”) under NRS 604A.480(2) (“sub 2”).² Lest there be any continued confusion in this case, and in order to ensure that the Court’s decision is clear, Appellant wishes to make its position clear: Appellant’s position is that subsection (2)(f) of NRS 604A.480 operates as a forward-looking bar precluding a lender from commencing any civil action or process of alternative dispute resolution against a consumer who defaults on *any* sub 2 loan—whether issued as a *new* loan or a *refinance* loan. In the event this Court agrees with Appellant’s arguments, Appellant respectfully requests that the Court make this clear in its decision so there is no confusion whether Respondent can continue to sue on *new* sub 2 loans. Appellant believes this notice of clarification is warranted because, at certain times during oral argument, the parties and member of the Court referred to sub 2 loans as simply refinance loans.

Respectfully submitted this 8th day of June 2017.

ADAM PAUL LAXALT

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By: /s/ William J. McKean
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¹ The parties in this case have not litigated the issue of whether an original loan can be issued under NRS 604A.480(2), and the State takes no position on that issue in this case.

² *See, e.g.*, Appellant’s Reply Brief at 12-13 (describing a series of three loans issued by Dollar Loan, the first being a new sub 2 loan, with the subsequent two being sub 2 refinance loans).

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the Nevada Supreme Court by using the appellate CM/ECF system on June 8, 2017.

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