

**In the
Supreme Court of the State of Nevada**

Electronically Filed
Feb 23 2018 02:24 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

LUCIA CASTILLO, an individual,

Appellant,

vs.

UNITED FEDERAL CREDIT
UNION, a Federal Credit Union,

Respondent.

Case No. 70151

District Court Case No.:
CV15-00421

**EXPEDITED TREATMENT
REQUESTED; REMITTITUR
SCHEDULED FOR FEBRUARY
26, 2018**

**Motion of Progressive Leadership Alliance To Proceed As
Amicus Curiae, Pursuant to NRAP 29(c)**

WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP
BRADLEY SCHRAGER, ESQ., NV Bar No. 10217
JORDAN BUTLER, ESQ., NV Bar No. 10531
DANIEL BRAVO, ESQ., NV Bar No. 13078
3556 E. Russell Road, 2nd Floor
Las Vegas, Nevada 89120-2234
(702) 341-5200 / Fax: (702) 341-5300

Attorneys for Amicus Curiae

N.R.A.P. 26.1 DISCLOSURE

Pursuant to N.R.A.P. 26.1, the undersigned counsel of record certifies that there are no persons or entities as described in N.R.A.P. 26.1(a) that must be disclosed.

DATED this 23rd day of February, 2018.

**WOLF, RIFKIN, SHAPIRO, SCHULMAN &
RABKIN, LLP**

By: /s/ Bradley S. Schrager, Esq.

BRADLEY S. SCHRAGER, ESQ. (NV Bar No. 10217)

JORDAN BUTLER, ESQ. (NV Bar No. 10531)

DANIEL BRAVO, ESQ. (NV Bar No. 13078)

3556 E. Russell Road, 2nd Floor

Las Vegas, Nevada 89120

(702) 341-5200 / Fax: (702) 341-5300

Attorneys for Amicus Curiae

MEMORANDUM OF POINTS AND AUTHORITIES

Prospective *amicus curiae*, the Progressive Leadership Alliance of Nevada (“PLAN”), moves this Court for leave to proceed in the above-entitled matter. Prospective amicus seeks leave in order to file its Motion to De-Publish Opinion, and for associated relief, submitted concurrently herewith for the Court’s review and information. PLAN also requests that, along with consideration of this motion for leave to proceed and the motion to de-publish, that the Court stay issuance of the remittitur in this matter, as it is currently scheduled for February 26, 2018.

PLAN was founded in 1994 to bring together diverse organizations into a cohesive force for social and environmental justice in Nevada. It functions as an advocacy group for Nevada workers and consumers, and its interests are in protecting and giving voice to the multitudes of fellow Nevadans who often stand outside the political structures of the state. PLAN supports class actions as an important legal mechanism for vindicating the rights of the many, and for affecting positive social and legal change. PLAN has filed numerous *amicus curiae* briefs over the years in support of the rights

of wage-earners in class action cases.¹

Leave to proceed as *amicus curiae* should be granted movant because of the statewide importance of the issues described in the concurrently-submitted motion, which describes the potentially unintended effects on Nevada class action cases should the opinion in *Castillo* be published and given mandatory precedential effect. PLAN asks the Court to grant its motion, and to stay the impending issuance of the remittitur in this matter.

DATED this 23rd day of February, 2018.

**WOLF, RIFKIN, SHAPIRO, SCHULMAN &
RABKIN, LLP**

By: /s/ Bradley S. Schrager, Esq.

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¹ See *Western Cab Co. v. Dist. Ct. (Perera)*, Case No. 68796; *Nevada Yellow Cab Corp. v. Dist. Ct. (Thomas)*, Case No. 68975; *Boulder Cab, Inc. v. Dist. Ct. (Herring)*, Case No. 68949.

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of February, 2018, a true and correct copy of the foregoing motion was served upon all counsel of record by electronically filing the document using the Nevada Supreme Court's electronic filing system.

By: /s/ Dannielle Fresquez
Dannielle Fresquez, an Employee of
WOLF, RIFKIN, SHAPIRO,
SCHULMAN & RABKIN, LLP

WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP
3556 E. RUSSELL ROAD, SECOND FLOOR
LAS VEGAS, NEVADA 89120
TEL (702) 341-5200 • FAX (702) 341-5300