

IN THE SUPREME COURT OF THE STATE OF NEVADA

ISRAEL BAIGUEN, an individual,)	
)	Electronically Filed
Appellant,)	Apr 10 2017 03:22 p.m.
)	Elizabeth A. Brown
)	Clerk of Supreme Court
vs.)	Supreme Court No. 70204
)	
HARRAH'S LAS VEGAS, LLC, a)	Appeal from
Nevada Domestic Limited-Liability)	Clark County District Court
Company, dba HARRAH'S CASINO)	Case No. A708544
HOTEL, LAS VEGAS; HARRAH'S)	
LAS VEGAS, INC. dba HARRAH'S)	
CASINO HOTEL, LAS VEGAS;)	
CAESARS ENTERTAINMENT)	
CORPORATION, a Nevada Foreign)	
Corporation, dba HARRAH'S CASINO)	
HOTEL, LAS VEGAS; DOES I through)	
X, inclusive; and, ROE CORPORATIONS)	
I though X, inclusive,)	
)	
Respondents.)	
)	

OPPOSITION TO MOTION TO STRIKE PETITION FOR REVIEW

Respondent, Harrah's Las Vegas, LLC, hereby opposes the Motion to Strike Petition for Review (the "Motion") filed by Appellant, Israel Baiguen.

The Motion essentially claims that Harrah's cannot file a Petition for Review because its Answering Brief did not contest the routing statement in Baiguen's Opening Brief that this case was presumptively assigned to

the Court of Appeals. First, the Motion violates NRAP 40B(e), which states that “[n]o response to a petition for review shall be filed unless requested by the Supreme Court.” Second, there is nothing in NRAP 17, NRAP 28(b) or NRAP 40B stating that a respondent waives its right to file a petition for review if it does not contest a routing statement stating that a case is presumptively assigned to the Court of Appeals. Such an outcome would allow no potential recourse for errors committed by the Court of Appeals.¹

Respectfully submitted,

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¹ For example, all employees in Nevada are presumed to be employed at-will. *Ozawa v. Vision Airlines, Inc.*, 125 Nev. Adv. Op. No. 43, 216 P.3d 788, 791 (Nev. 2009) (citation omitted). According to Baiguen, if a respondent did not object to a routing statement indicating that a case was presumptively assigned to the Court of Appeals, the respondent would be unable to petition the Supreme Court for review if the Court of Appeals held that all employees in Nevada are presumed to have contracts of employment that can only be terminated for cause.

CERTIFICATE OF SERVICE

I hereby certify service of the foregoing Opposition to Motion to Strike Petition for Review was made this date by electronic filing and/or service with the Supreme Court of the State of Nevada and by mailing a true and correct copy, addressed as follows:

Jeff Galliher, Esq.
Law Offices of Steven M. Burris
2810 W. Charleston Blvd., Suite F-58
Las Vegas, NV 89102

Dated: April 10, 2017

By: /s/ Lorraine James-Newman
An employee of Fisher & Phillips LLP