

In the Supreme Court of Nevada

ALBERT THOMAS, et al.,
Appellants,

vs.
MEI-GSR HOLDINGS, LLC, et al.,
Respondents.

Electronically Filed
Oct 24 2018 11:22 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR LEAVE TO FILE REPLY

Respondents seek permission to file the attached reply brief on their petition for *en banc* reconsideration. The reply is necessary to clarify the issues. Among the most troubling aspects of appellants' answer is the misrepresentation (at Answer 19–20) that when they filed their complaint, they were not required to include a sworn statement that they had attempted arbitration in accordance with NRS 38.300–.60. *Contra* 1995 Nev. Stat. 1418, AB 152, § 5(4) (“Any complaint filed in such an action must contain a sworn statement indicating that the issues addressed in the complaint have been arbitrated”); 2011 Nev. Stat. 802, AB 317, § 4(5) (same). It is significant that the affidavit requirement was in effect because this Court has repeatedly held that disregarding such a provision renders the complaint “void ab initio.”

Washoe Med. Ctr. v. Second Judicial Dist. Court, 122 Nev. 1298, 1305, 148 P.3d 790, 795 (2006).

The reply is 2,330 words, less than half the number allowed for the petition.

Dated this 24th day of October, 2018.

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CERTIFICATE OF SERVICE

I certify that on October 24, 2018, I submitted the foregoing “Motion for Leave to File Reply” for filing *via* the Court’s eFlex electronic filing system. Electronic notification will be sent to the following:

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