

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES NALDER, GUARDIAN AD
LITEM ON BEHALF OF CHEYANNE
NALDER; AND GARY LEWIS,
INDIVIDUALLY,

Appellants,

vs.

UNITED AUTOMOBILE INSURANCE
COMPANY,

Respondent.

No. 70504

FILED

DEC 12 2016

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER GRANTING MOTIONS

This is a certified question from the United States Court of Appeals for the Ninth Circuit pursuant to NRAP 5 questioning the extent of the liability of an insurer that has breached its duty to defend, but has not acted in bad faith. Cause appearing, we grant the unopposed motion of the Nevada Justice Association to file an amicus brief. *See* NRAP 29; *Ryan v. Commodity Futures Trading Comm'n*, 125 F.3d 1062, 1063 (7th Cir. 1997) (an amicus brief is appropriate where “the amicus has unique information or perspective that can help the court beyond the help that the lawyers for the parties are able to provide”). We direct the clerk of this court to detach from the motion the amicus brief of the Nevada Justice Association in support of appellants and file it separately.

Cause appearing, we grant the motion of proposed amicus United Policyholders for an extension of time to file a motion for leave to file an amicus brief in support of appellants. NRAP 29(f). United Policyholders shall have until December 19, 2016, to file the motion and submit the proposed brief. NRAP 29(c).

It is so ORDERED.

[Signature], A.C.J.

cc: Eglet Prince
Christensen Law Offices, LLC
Atkin Winner & Sherrod
Cole, Scott & Kissane, P.A.
Pursiano Barry Bruce Lavelle, LLP
Matthew L. Sharp, Ltd.