

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN W. NEVILLE, JR., ON BEHALF OF
HIMSELF AND ALL OTHERS SIMILARLY
SITUATED,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA, IN
AND FOR THE COUNTY OF CLARK; AND
THE HONORABLE ADRIANA ESCOBAR,
DISTRICT JUDGE,

Respondents,

and

TERRIBLE HERBST, INC.,
Real Party in Interest.

No. 70696

FILED

DEC 15 2017

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

WRIT OF MANDAMUS

TO: The Honorable Adriana Escobar, Judge of the Eighth Judicial
District Court:

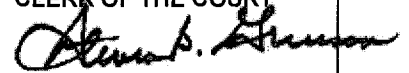
WHEREAS, this Court having made and filed its written decision
that a writ of mandamus issue,

NOW, THEREFORE, you are instructed to vacate your order
dismissing Neville's claims, in the case entitled John W. Neville, Jr. vs.
Terrible Herbst, Inc., case no. A728134.

WITNESS The Honorables Michael Cherry, Chief Justice, Michael L.
Douglas, Mark Gibbons, Kristina Pickering, James W. Hardesty, Ron
Parraguirre, and Lidia Stiglich, Associate Justices of the Supreme Court of
the State of Nevada, and attested by my hand and seal this 7th day of
December, 2017.

[Signature]
Chief Assistant Clerk





PSM
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Attorneys for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

JOHN W. NEVILLE, JR. on behalf of
himself and all others similarly situated,

Plaintiff,

vs.

TERRIBLE HERBST, INC., and DOES 1
through 50, inclusive,

Defendant(s).

Case No.: A-15-728134-C

Dept. No.: V

PROOF OF SERVICE BY MAILING

PROOF OF SERVICE

CASE NAME: *Neville v. Terrible Herbst*
 COURT: 8th Judicial District Court for the County of Clark
 CASE NO.: A-15-728134-C

I, Tamara Toles, am over the age of eighteen years and not a party to the within action; my business address is 7287 Lakeside Drive, Reno, Nevada 89511. On the date last written below, I served the following document(s):

NOTICE OF DECISION

on the parties stated below, through their attorneys of record, by facsimile transmission, by personal delivery or by placing true copies thereof in sealed envelopes addressed as shown below for service, as designated below:

[XX]: First Class Mail - I caused each such envelope, with first-class postage thereon fully prepaid, to be deposited in a recognized place of deposit of the U.S. mail in Reno, Nevada, for collection and mailing to the office of the addressee on the date shown below following ordinary business practices.

[]: By Courier Service - I caused each such envelope to be deposited with the Federal Express, a courier service.

[]: By Email Service - I caused a true copy thereof to be transmitted on the date shown below to the email addresses published for the addressee. (Courtesy Copy Only)

[]: By Personal Service - I caused each document identified herein to be delivered to a courier employed by a courier service with whom we have a direct billing account, who personally delivered the document identified herein to the addressee on the date below.

Honorable Adriana Escobar
 Eighth Judicial District Court
 County of Clark
 Dept. 14, Ctrm 3F
 200 Lewis Avenue
 Las Vegas, NV 89155

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct. Executed on December 11, 2017, at Reno, Nevada.

/s/Tamara Toles
 Tamara Toles