

LIBORIUS I. AGWARA, ESQ.,
Petitioner,

VS.

THE STATE BAR OF NEVADA; and
SOUTHERN NEVADA DISCIPLINARY
BOARD.

Respondents.

Electronically Filed
Dec 05 2016 03:58 p.m.
Case No. 70888 Elizabeth A. Brown
Clerk of Supreme Court

COME NOW the State Bar of Nevada ("State Bar") and the Southern Nevada Disciplinary Board ("Board") (hereinafter collectively referred to as "Respondents"), and hereby responds to Petitioner's Motion for Extension of Time to File a Reply to Respondents' Answer the Petition for Writ of Mandamus or, in the alternative, Petition for Writ of Prohibition ("Writ Petition"). This response is made and based upon the following Points and Authorities, the pleadings and papers on file herein, and the attached Southern Nevada Disciplinary Board Amended Scheduling Order. *See* Exhibit "A".

POINTS AND AUTHORITIES

On July 27, 2016, Petitioner submitted the subject Writ Petition.

1 On September 16, 2016, the Court entered an Order Directing Answer to
2 the Writ Petition. The Order directed that the State Bar file an answer within 30
3 days of the order, and allowed time for Petitioner's reply as follows:

4 Thereafter, petitioner shall have 15 days from service of
5 respondent's answer to file any reply to the answer.

6 Emphasis added.

7 On October 17, 2016, Respondents Answered the Writ Petition. The
8 Answer was served on Petitioner via United States mail on October 17, 2016.

9 Per the Order Directing Answer, with consideration for service by United
10 States mail, Petitioner's Reply was due on November 4, 2016.

11 The State Bar's only concern with Respondent's request is that the
12 underlying disciplinary matter is currently scheduled for January 12 and 13, 2016.
13 See Exhibit A – Amended Scheduling Order. It was the State Bar's hope to have
14 a resolution to this dispute prior to that time.

15 RESPECTFULLY SUBMITTED this 2nd day of December, 2016.

16 STATE BAR OF NEVADA
17 C. STANLEY HUNTERSON, BAR COUNSEL

18 By: 

19 Stephanie A. Barker, Assistant Bar Counsel
20 Nevada Bar No. 3176

Janeen V. Isaacson, Assistant Bar Counsel
Nevada Bar No. 6429

3100 W. Charleston Blvd., Suite 100
Las Vegas, Nevada 89102

Attorneys for Respondents

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William B. Terry, Esq.
530 S. Seventh St.
Las Vegas, NV 89101
Attorney for Agwara


An Employee of the State Bar of Nevada

EXHIBIT “A”

EXHIBIT “A”



FILED

NOV 04 2016

STATE BAR OF NEVADA

BY: *[Signature]*
OFFICE OF BAR COUNSEL

STATE BAR OF NEVADA

SOUTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,

Complainant,

vs.

LIBORIOUS AGWARA, ESQ.,
BAR No. 7576

Respondent.

AMENDED SCHEDULING ORDER

On September 9, 2016, at 11:00 a.m. the Parties (Respondent and Assistant Bar Counsel Janeen V. Isaacson for the State Bar of Nevada), and the undersigned conducted an initial case telephone conference pursuant to Disciplinary Rule of Procedure (DRP) 16. Based upon the representations and stipulations presented therein, it is HEREBY ORDERED:

1. This matter is set for Formal Hearing on **January 12, 2017, at 9:00 a.m. and January 13, 2017 at 9:00 a.m.** pursuant to an agreement between the Parties. It is anticipated by the Parties that the trial will last approximately two days. The hearing will take place at the offices of the State Bar of Nevada, located at 3100 W. Charleston Blvd., Suite 100, Las Vegas, Nevada 89102.

2. The State Bar shall file and serve upon Respondent formal notice in accordance with SCR 105.

1 3. Any motions shall be filed on or before **December 2, 2016**. Oppositions shall
2 be filed on or before **December 12, 2016**. Replies and oral argument will only be allowed
3 at the direction of the Panel Chair

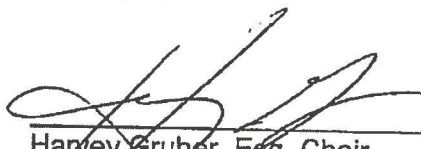
4 4. The Parties shall exchange a final List of Witnesses and a complete set of
5 bate-stamped exhibits on or before **November 18, 2016**.

6 5. The Final Prehearing Conference pursuant to DRP 28 is scheduled for
7 **December 16, 2016, at 10:00 a.m.**, to occur telephonically. During this pre-trial
8 conference, the Panel Chair shall entertain objections to proposed exhibits and enter
9 rulings accordingly. Following the pre-trial conference, a set of bate-stamped exhibits will
10 be submitted to the Formal Hearing Panel.

11 6. All pleading will be served electronically.

12 IT IS SO ORDERED.

13 DATED this 2 day of ^{NOVEMBER}~~October~~, 2016.

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16 Harvey Gruber, Esq. Chair
17 Formal Hearing Panel
18 Southern Nevada Disciplinary Board
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CERTIFICATE OF SERVICE

The undersigned hereby certifies a true and correct copy of the foregoing **AMENDED SCHEDULING ORDER** was deposited via electronic mail to:

1. Harvey Gruber, Esq. (Panel Chair); HGruber@defendingnevada.com;
esther@defendingnevada.com
2. William H. Terry, Esq. (Respondent's Counsel) info@williamterrylaw.com ; Sarah
Daniels (Sarah@WilliamTerryLaw.com)
3. Janeen V. Isaacson, Esq. (Assistant Bar Counsel): janeeni@nvbar.org;
4. Stephanie Barker, Esq. (Assistant Bar Counsel): stephanieb@nvbar.org ;
dawnm@nvbar.org

DATED this 4th day of November, 2016.

By: 

Jana L. Chaffee, an employee of
the State Bar of Nevada.