

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

MDC RESTAURANTS, LLC, a Nevada limited liability company; LAGUNA RESTAURANTS, LLC, a Nevada limited liability company; and INKA, LLC, a Nevada limited liability company,

Petitioners,

v.

THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA in and for the County of Clark and THE HONORABLE TIMOTHY C. WILLIAMS, District Court Judge,

Respondents

and

PAULETTE DIAZ; LAWANDA GAIL WILBANKS; SHANNON OLSZYNSKI; and CHARITY FITZLAFF, an individual, on behalf of themselves and all similarly-situated individuals,

Real Parties In Interest.

Case No. 71289 Electronically Filed  
Nov 04 2016 10:55 a.m.  
District Court No. Elizabeth A. Brown  
Clerk of Supreme Court  
Department No. XVI

**NOTICE REGARDING FILING OF CONSENT TO PARTICIPATE AS AMICI CURIAE**

**JACKSON LEWIS P.C.**

Elayna J. Youchah, Bar No. 5837  
3800 Howard Hughes Parkway, #600  
Las Vegas, Nevada 89169  
(702) 921-2460

*Attorneys for Amici Curiae*

**NOTICE REGARDING FILING OF CONSENT TO  
PARTICIPATE AS PROPOSED AMICI CURIAE**

On November 3, 2016, the Court issued an order indicating that CLAIM JUMPER ACQUISITION COMPANY, LLC, LANDRY'S, INC., BUBBA GUMP SHRIMP CO., RESTAURANTS, INC., BERTOLINI'S OF LAS VEGAS, INC., D/B/A TREVI and MORTON OF CHICAGO/FLAMINGO ROAD CORP., D/B/A MORTON'S THE STEAKHOUSE ("Landry's Amici") had filed a premature motion for extension of time to file a brief of amicus curiae because the Landry's Amici had not filed a written consent of all the parties to file a brief. Respectfully, the consent of all parties to file a brief was filed on October 19, 2016, the same day as the Motion seeking an extension of time. That consent is attached hereto as Exhibit 1.

Dated this 4th day of November, 2016.

JACKSON LEWIS P.C.

/s/ Elayna J. Youchah

Elayna J. Youchah, Bar #5837  
3800 Howard Hughes Parkway, Suite 600  
Las Vegas, Nevada 89169

*Attorneys for Amici Curiae*

**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of Jackson Lewis P.C. and that on this 4th day of November, 2016, I caused to be served a true and correct copy of the above and foregoing **NOTICE REGARDING FILING OF CONSENT TO PARTICIPATE AS AMICI CURIAE** via the Court's Electronic Filing System, postage prepaid, properly addressed to the following:

Nicolas M. Wieczorek  
Deanna L. Forbush  
Jeremy J. Thompson  
Morris Polich & Purdy LLP  
3800 Howard Hughes Parkway, Suite 500  
Las Vegas, Nevada 89169

*Attorneys for Petitioners*

Don Springmeyer  
Bradley Schragger  
Daniel Bravo  
Wolf Rifkin Shapiro Shulman & Rabkin LLP  
3556 E. Russell Road, 2nd Floor  
Las Vegas, Nevada 89120

*Attorneys for Real Parties in Interest*

                  /s/ Emily Santiago                    
An Employee of Jackson Lewis P.C.

**EXHIBIT 1**

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**IN THE SUPREME COURT OF THE STATE OF NEVADA**

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Respondents

and

PAULETTE DIAZ; LAWANDA GAIL WILBANKS; SHANNON OLSZYNSKI; and CHARITY FITZLAFF, an individual, on behalf of themselves and all similarly-situated individuals,

Real Parties In Interest.

Case No. 71289 Electronically Filed  
Oct 19 2016 09:55 a.m.  
District Court No. Elizabeth A. Brown  
Clerk of Supreme Court  
Department No. XVI

**NOTICE OF CONSENT TO PARTICIPATE AS AMICI CURIAE**

**JACKSON LEWIS P.C.**

Elayna J. Youchah, Bar No. 5837  
3800 Howard Hughes Parkway, #600  
Las Vegas, Nevada 89169  
(702) 921-2460

*Attorneys for Amici Curiae*

**CONSENT TO PARTICIPATION OF PROPOSED AMICI CURIAE**

Pursuant to Nev. R. App. Proc. 29(a), amici curiae may file a brief “if accompanied by written consent of all parties.” The below listed parties hereby consent to proposed amici curiae CLAIM JUMPER ACQUISITION COMPANY, LLC, LANDRY’S, INC., BUBBA GUMP SHRIMP CO., RESTAURANTS, INC., BERTOLINI’S OF LAS VEGAS, INC., D/B/A TREVI, and MORTON OF CHICAGO/FLAMINGO ROAD CORP., D/B/A MORTON’S THE STEAKHOUSE, by and through their undersigned attorneys, Jackson Lewis P.C., participation as amici curiae:

- PETITIONERS: MDC RESTAURANTS, LLC; LAGUNA RESTAURANTS, LLC; and INKA, LLC.
- REAL PARTY IN INTEREST: PAULETTE DIAZ; LAWANDA GAIL WILBANKS; SHANNON OLSZYNSKI; CHARITY FITZLAFF, all on behalf of themselves and all similarly-situated individuals.

/s/ Jeremy Thompson  
Nicholas M. Wieczorek  
Deanna L. Forbush  
Jeremy J. Thompson  
Morris Polich & Purdy LLP  
3800 Howard Hughes Parkway, Suite 500  
Las Vegas, Nevada 89169

Dated: October 19, 2016.

*Attorneys for Petitioners*

/s/ Bradley Schrager  
Don Springmeyer  
Bradley Schrager  
Daniel Bravo  
Wolf Rifkin Shapiro Shulman & Rabkin LLP  
3556 E. Russell Road, 2nd Floor  
Las Vegas, Nevada 89120

Dated: October 19, 2016.

*Attorneys for Real Party in Interest*

