

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. 163 Brown
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 Schrager
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

EXHIBIT 1

IN THE SUPREME COURT OF THE STATE OF NEVADA

MDC RESTAURANTS, LLC, a Nevada
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v.

THE EIGHTH JUDICIAL DISTRICT
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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
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. Wiczorek
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

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Jackson Lewis P.C. and that on this 19th day of October, 2016, I caused to be served a true and correct copy of the above and foregoing **NOTICE OF CONSENT TO PARTICIPATE AS AMICI CURIAE** via E-File/U.S. Mail, 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 Schrager
Daniel Bravo
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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.