

Electronically Filed  
Jul 17 2017 10:59 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

IN THE SUPRME COURT OF THE STATE OF NEVADA

HEAT & FROST INSULATORS AND  
ALLIED WORKERS LOCAL 16,

Supreme Court No.: 71848

Appellant,

District Court No. CV16-00353

vs.

LABOR COMMISSIONER OF THE  
STATE OF NEVADA; THE  
UNIVERSITY OF NEVADA, RENO;  
CORE CONSTRUCTION; and RENO  
TAHOE CONSTRUCTION,

Respondents.

**EMERGENCY RESPONSE TO ORDER TO  
FILE ANSWERING BRIEF**

COMES NOW Reno-Tahoe Construction, erroneously identified as a respondent in the above appeal and responds to the Court's Order of July 14, 2017 directing that Reno-Tahoe Construction file an Answering Brief. Reno-Tahoe Construction responds to the Court's Order as follows:

Reno-Tahoe Construction is not a party to the underlying District Court Case giving rise to the instant appeal, having chosen not to participate in judicial review instigated by appellant as NRS 233B.130(3) would timely require.

Reno-Tahoe Construction is not a party to this appeal and lacks standing to file a brief.

///



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1 Reno-Tahoe Construction did not enter an appearance in the underlying District Court  
2 Case as NRS 233B.130(3) would require as such fact is recognized by the District Court's  
3 Order of November 3, 2016, from which this appeal was taken, page 2, footnote 1.

4 Given Reno-Tahoe Construction's non-party status, it seems the lodging of any brief  
5 in this action is support of the District Court's Order dismissing appellant's Petition for  
6 Judicial Review would be appropriate, despite counsel for appellant having inserted and  
7 maintained Reno-Tahoe Construction on the Certificate of Mailing in this matter and as a  
8 named party to its appeal.

9 The undersigned apologizes to the Court for not affirmatively bringing this to the  
10 Court's attention earlier under the mistaken belief that appellant recognized and accordingly  
11 made it clear to this Court that Reno-Tahoe Construction was not a party having never  
12 appeared as the statute required.

13 Respectfully submitted this 17<sup>th</sup> day of July, 2017.

14 REESE KINTZ GUINASSO

15  
16  
17 By: 

18 Michael B. Springer  
19 Nevada Bar No. 1948  
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23 Attorney for Reno-Tahoe Construction  
24  
25



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1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of Reese Kintz Guinasso,  
3 and that on the 17<sup>th</sup> day of July, 2017, I served a true copy of:

4 **Emergency Response to Order to File Answering Brief**

5  
6 on all parties to this action by:

7 placing an original or true copy thereof in a sealed, postage prepaid, envelope in the  
8 United States mail at Reno, Nevada.

9 personal delivery

10 facsimile (fax)

11 Federal Express/UPS or other overnight delivery

12 Reno/Carson Messenger Service

13 E-File

14 addressed as follows:

15 Eric B. Myers  
16 Sarah Varela  
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22 *Workers Local 16*

23 Melissa L. Flatley  
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