

**NRCP 21(a)(6) Certificate of Compliance
and Affidavit of Charles R. Kozak, Esq.**

STATE OF NEVADA)
) SS:
COUNTY OF WASHOE)

Electronically Filed
Dec 28 2016 08:57 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

I, Charles R. Kozak, Esq., being duly sworn, deposes and states as follows:

- 1) That I have read the NRAP 21(a)(6) Emergency Petition for Writ of Mandamus and know the contents thereof; that the same is true to my knowledge, except for those matters stated on information and belief, and as to those matters, I believe them to be true.
2. Adjudication of the attached NRAP 21(a)(6) Emergency Petition for Writ of Mandamus is needed A.S.A.P. as trial in the matter is scheduled to commence on January 17, 2017.
3. The Petition requests that the disclosure of Defendants' medical expert, Hugh Calkins, M.D., be stricken as coming 39 months after the agreed upon deadline set forth in the parties' 16.1 Case Conference Report.
4. The telephone number and address of Defendants' counsel in the underlying case CV12-00571 is as follows:

Dominique Pollara, Esq. Pollara Law Group 3600 American River Dr., #160 Sacramento, CA 95864 dp@pollara-law.com Phone: (916) 550-5880 Fax: (916) 550-5066	Kim Mandelbaum, Esq. Mandelbaum Ellerton & McBride 2012 Hamilton Lane Las Vegas, Nevada 89106 filing@memlaw.net Phone: (702) 367-1234 Fax: (702) 367-1978
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5. Immediately upon filing of the Emergency Petition, Defendants' counsel will be served a copy of it by U.S. Mail, fax, and email.

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6. Plaintiffs previously moved to strike Dr. Calkins as an expert but the District Court entered an Order denying the Motion to Strike on December 21, 2016. A stay of trial was not first requested in the District Court because of time constraints as trial is scheduled to commence a mere 21 days from now.

Dated this 27th day of December, 2016.

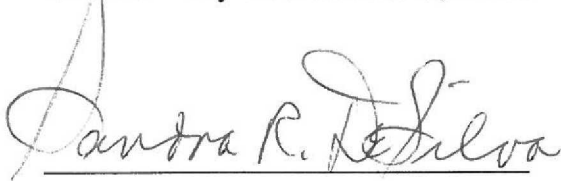


CHARLES R. KOZAK, ESQ.

Subscribed and sworn before me

by Charles R. Kozak

This 27th day of December, 2016



Sandra R. Desilva

Notary Public



CERTIFICATE OF SERVICE

I hereby certify I am an employee of Kozak Lusiani Law, LLC and that on December 27th, 2016, I caused to be delivered a true and correct copy of the **NOTICE OF FILING OF NRAP 21(a)(6) EMERGENCY PETITION FOR WRIT OF MANDAMUS AND REQUEST FOR STAY OF TRIAL** as follows:

By U.S. Mail, Facsimile, and E-mail:

Dominique Pollara, Esq.
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By hand delivery and E-mail:

Judge Patrick Flanagan
Department 7
c/o Judicial Assistant Kathryn Simms
75 Court Street
Reno, NV 89501
kathryn.sims@washoecourts.us

/s/ Dedra Sonne

Dedra Sonne
Employee of Kozak Lusiani Law, LLC