

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

2 MINERAL COUNTY; AND WALKER)
3 LAKE WORKING GROUP,)

4 Appellants,)

5 vs.)

6 LYON COUNTY; CENTENNIAL)
7 LIVESTOCK; BRIDGEPORT)
8 RANCHERS; SCHROEDER GROUP;)
9 WALKER RIVER IRRIGATION)
10 DISTRICT; STATE OF NEVADA)
11 DEPARTMENT OF WILDLIFE; AND)
12 COUNTY OF MONO, CALIFORNIA,)

13 Respondents.)
14 _____)

Case No. 75917 Electronically Filed
Jul 25 2018 12:57 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

15 **JOINT MOTION FOR MODIFICATION OF BRIEFING SCHEDULE**

16 Pursuant to Nev. R. App. Proc., Rule 31(b)(3), Appellants Mineral County and
17 Walker Lake Working Group, and Respondents Walker River Irrigation District, Lyon
18 County, Nevada, the Schroeder Group, and the State of Nevada Department of Wildlife,
19 (collectively “the Parties”), by and through undersigned counsel, respectfully jointly
20 move the Court to modify the briefing schedule set by the Court in its July 18, 2018,
21
22 *Order Accepting Certified Question and Directing Briefing* as follows:

23 1. Extend the deadline for filing Appellants’ Opening Briefs from August 17,
24 2018, until September 24, 2018;
25
26
27
28

2. Extend the deadline for filing Respondents' Response Briefs from September 17, 2018, until November 26, 2018; and

3. Extend the deadline for filing Appellants' Reply Briefs from October 8, 2018, until December 28, 2018.

As grounds for this motion the Parties state as follows:

1. Because the question certified to the Nevada Supreme Court by the Ninth Circuit Court of Appeals is of enormous import to these parties, their respective constituents, and to the State of Nevada as a whole, the Parties seek the requested modifications in the current briefing schedule;

2. Counsel for all Parties have a number of filing deadlines and/or travel in other matters during the summer and fall months that are very difficult to rearrange and that will interfere with the Parties' ability to devote the time and attention required for their respective briefs on the schedule set in the July 18, 2018, Order, and the Parties require more time than ordinarily allowed for preparation of their respective briefs;

3. No modification of the briefing schedule set by the Court on July 18, 2018, has been sought by any other party to date; and

4. Counsel for the Parties are aware of no prejudice to any party resulting from the requested modification.

5. Counsel for Bridgeport Ranchers, Centennial Livestock, and County of Mono, California, have been contacted and support this motion. However, while they

1 intend to file applications for admission *pro hac vice*, they have not yet been admitted
2 to the bar of this Court, and therefore cannot sign on to this motion.

3
4 WHEREFORE, the Parties respectfully request that the Court modify the briefing
5 schedule as stated above.

6 Respectfully submitted this 25th day of July, 2018,
7

8 /s Simeon Herskovits

9 Simeon Herskovits, Nevada Bar No. 11155
10 ADVOCATES FOR COMMUNITY AND
11 ENVIRONMENT

12 P.O. Box 1075

13 El Prado, NM 87529

14 Phone: (575) 758-7202

15 Email: simeon@communityandenvironment.net

16 Sean Rowe, Nevada Bar No. 10977

17 Mineral County District Attorney

18 P.O. Box 1210

19 Hawthorne, NV 89415

20 Phone: 775-945-3636

21 Email: srowe@mineralcountynv.org

22 *Attorneys for Appellants Mineral County, Nevada*
23 *and Walker Lake Working Group.*
24
25
26
27
28

1 /s Gordon DePaoli

2 Gordon H. DePaoli, Nevada Bar No. 195
3 Dale E. Ferguson, Nevada Bar No. 4986
4 Woodburn and Wedge
5 6100 Neil Road, Suite 500
6 Reno, NV 89511
7 Phone: (775) 688-3000
8 Email: GDePaoli@woodburnandwedge.com
9 Email: DFerguson@woodburnandwedge.com

10 *Attorneys for Respondent Walker River Irrigation*
11 *District*

12 /s Jerry Snyder

13 Jerry M. Snyder, Nevada Bar No. 6830
14 429 West Plumb
15 Reno, NV 89509
16 Phone: (775) 499-5647
17 Email: Nevadajerrysnyder@gmail.com

18 *Attorney for Respondent Lyon County, Nevada*

19 /s Therese Ure

20 Therese Ure, Nevada Bar No. 10255
21 Schroeder Law Offices, P.C.
22 10615 Double R. Blvd., Ste. 100
23 Reno, NV 89521
24 Phone: (775) 786-8800
25 Email: counsel@water-law.com

26 *Attorneys for Respondent the Schroeder Group*

1 /s Bryan Stockton

2 Adam Paul Laxalt, Attorney General
3 Bryan L. Stockton, Senior Deputy Attorney
4 General
5 Nevada Bar No. 4764
6 100 North Carson Street
7 Carson City, NV 89701-4717
8 Phone: (775) 684-1228
9 Email: bstockton@ag.nv.gov

10 *Attorneys for Respondent Nevada Department of*
11 *Wildlife*

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

Stephen B. Rye	Bryan Stockton
Jerry M. Snyder	Adam Laxalt
Gordon DePaoli	Therese Ure

Stacey Simon, Acting County Counsel	Dale Ferguson
Stephen M. Kerins, Deputy County Counsel	Woodburn and Wedge
Office of the County Counsel	6100 Neil Road, Suite 500
County of Mono	Reno, NV 89511
P.O. Box 2415	
Mammoth Lakes, CA 93546	

Dale Ferguson
Woodburn and Wedge
6100 Neil Road, Suite 500
Reno, NV 89511

/s/ Iris Thornton
Iris Thornton

