

ORIGINAL

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CLARK COUNTY SCHOOL DISTRICT,

Supreme Court No. 73525

Appellant,

District Court Case No. A750151

vs.

FILED

LAS VEGAS REVIEW-JOURNAL,

AUG 16 2017

Respondent.

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

**MOTION FOR LEAVE TO FILE MOTION
IN EXCESS OF FIVE-PAGE LIMITATION
ON REPLY IN SUPPORT OF
EMERGENCY MOTION FOR STAY PENDING APPEAL**

COMES NOW, Appellant, CLARK COUNTY SCHOOL DISTRICT (“CCSD”), by and through its undersigned counsel, Carlos McDade, General Counsel, and Adam Honey, Assistant General Counsel, and hereby moves to exceed the five-page limit imposed by Nevada Rules of Appellate Procedure (“NRAP”) 27(d)(2) on its Reply in Support of Emergency Motion for Stay Pending Appeal, or in the Alternative Stay Pending Petition for Writ of Mandamus or Prohibition (“Reply in Support of Motion for Stay”).

This Motion to Exceed Page Limit is made pursuant to NRAP 8 and NRAP 27, the pleadings and papers on file, the following points and

RECEIVED


AUG 14 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

17-901654

1 authorities, and any argument the Court may allow regarding this matter.

2 DATED: August 8, 2017

3 
4 CARLOS MCDADE,
5 Nevada Bar No. 11205
6 ADAM HONEY
7 Nevada Bar No. 9588
8 Clark County School District
9 Office of General Counsel
10 5100 W. Sahara Avenue
11 Las Vegas, NV 89146
12 (702)799-5373
13 Email: cmcdade@interact.ccsd.net
14 ahoney@interact.ccsd.net

11 **MEMORANDUM OF POINTS AND AUTHORITIES**


13 CCSD requests that this Court allow its Reply in Support of Motion
14 for Stay to exceed the five-page limitation imposed by NRAP 27(d)(2) based
15 upon the complexity of the issues, specificity required, and importance of
16 the issues at stake in the litigation. CCSD has been diligent and has good
17 cause to exceed the page limit.

19 CCSD, in its Reply in Support of Motion for Stay, is required to
20 support its argument that the four factors of NRAP 8(c) are satisfied for this
21 Court to grant the relief requested. NRAP 8(c) requires CCSD to address:
22 (1) whether the object of the appeal will be defeated without a stay;
23 (2) whether appellant will suffer irreparable harm/serious injury without a
24 stay; (3) whether respondent will suffer irreparable harm/serious injury if a
25 stay is granted; and (4) appellant's likeliness of prevailing on appeal.
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1 *See Fritz Hansen A/S v. Eighth Judicial District Court*, 116 Nev. 650, 6 P.3d
2 982 (2000). In order to address each of the NRAP 8(c) factors, CCSD's
3 Reply in Support of Motion for Stay is 12 pages in length. In particular, in
4 order to show that CCSD will suffer irreparable injury if the Motion for Stay
5 is not granted and in order to show that CCSD is likely to prevail on the
6 merits of the appeal, at least an appropriate summary argument is required,
7 which increased the length to exceed five pages.
8

10 Based upon the above, CCSD respectfully requests permission to file
11 its Reply in Support of Motion for Stay in excess of the five-page limitation.
12

13 DATED: August 8, 2017

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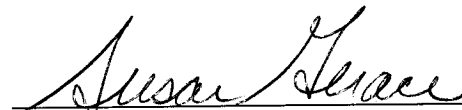
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CERTIFICATE OF SERVICE

I certify that I am an employee of Clark County School District,
Office of the General Counsel and that on August 8, 2017, I caused to be
served at Las Vegas, Nevada, a true copy of the Motion for Leave to File
Motion in Excess of Five-Page Limitation on Reply in Support of
Emergency Motion for Stay Pending Appeal addressed to:

The Honorable Timothy C. Williams
Eighth Judicial District Court, Dept. 16
200 Lewis Avenue
Las Vegas, Nevada 89155
Via Hand Delivery

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Las Vegas Review-Journal
Via Email


AN EMPLOYEE OF THE CLARK
COUNTY SCHOOL DISTRICT