

LAWRENCE J. SEMENZA, III, ESQ., Bar No. 7174  
E-mail: ljs@skrlawyers.com  
CHRISTOPHER D. KIRCHER, ESQ., Bar No. 11176  
Email: cdk@skrlawyers.com  
JARROD L. RICKARD, ESQ., Bar No. 10203  
Email: jlr@skrlawyers.com  
LAWRENCE J. SEMENZA, III, P.C.  
10161 Park Run Drive, Suite 150  
Las Vegas, Nevada 89145  
Telephone: (702) 835-6803  
Facsimile: (702) 920-8669

*Attorneys for Appellant Wynn Las Vegas, LLC  
d/b/a Wynn Las Vegas*

Electronically Filed  
Jan 17 2017 08:32 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

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

WYNN LAS VEGAS, LLC d/b/a WYNN  
LAS VEGAS,

Appellant,

v.

YVONNE O'CONNELL, AN INDIVIDUAL,

Respondent.

**Supreme Court Case No. 71789**

District Court Case No. A655992

**JOINT MOTION TO CONSOLIDATE  
APPEAL WITH APPEAL NUMBER  
70583**

The underlying case involves Appellant Yvonne O'Connell's ("O'Connell") alleged slip and fall accident at Respondent Wynn Las Vegas, LLC's ("Wynn") Las Vegas resort on February 8, 2010. The parties' jury trial went forward November 4, 2015, through November 15, 2015. At the conclusion of the trial, O'Connell was awarded damages for past and future pain and suffering in the total amount of \$240,000.00. O'Connell was also awarded pre-judgment interest in the sum of \$17,190.96, increasing the total judgment to \$257,190.96.

Following denial of Wynn's post-trial motions, Wynn filed a Notice of Appeal on June 8, 2016; Case No. 70583 (the "First Appeal"). The parties' completed their mandatory Supreme Court settlement conference on August 30, 2016. Pursuant to this Court's Order Reinstating

1 Briefing, Wynn's Opening Brief was due December 5, 2016. On November 21, 2016, the parties  
2 filed a Joint Motion to Continue Deadline for Opening Brief ("Joint Motion"). As the parties  
3 stated in their Joint Motion, the extension was sought in order to provide sufficient time for the  
4 parties to move for consolidation of a related appeal and "propose a reasonable briefing  
5 schedule."

6 As noted in the Joint Motion, O'Connell submitted a Motion to Tax Costs and for Fees and  
7 Post-Judgment Interest following the Judgment. Additionally, Wynn filed a Motion to Retax  
8 Costs. On November 9, 2016, the District Court entered its Order "Partially Granting and  
9 Partially Denying Defendant's Motion to Retax Costs and Plaintiff's Motion to Tax Costs and for  
10 Fees, Costs and Post-Judgment Interest" (the "Costs and Fees Order"). Notice of entry of the  
11 Costs and Fees Order was provided on November 10, 2015.

12 O'Connell filed a Notice of Appeal of the Costs and Fees Order on November 17, 2016,  
13 and a Case Appeal Statement that same day; Case No. 71789 (the "Second Appeal"). On  
14 December 1, 2016, the Court issued an Order exempting the Second Appeal from the Settlement  
15 Program and setting a deadline for her Opening Brief.

16 The First Appeal and Second Appeal involve the same parties, same underlying facts, and  
17 overlapping issues. Consolidation will serve the interests of judicial efficiency and reduce the  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

28 ///

1 total number of briefs. Therefore, the parties respectfully request that these appeals be  
2 consolidated. *See* NRAP 3(b)(2).<sup>1</sup>

3 DATED this 13th day of January, 2017.

DATED this 13th day of January, 2017

4 NETTLES LAW FIRM

LAWRENCE J. SEMENZA, III, P.C.

6  
7 By: Jon J. Carlston

Brian D. Nettles, Esq., Bar No. 7462

8 Christian M. Morris, Esq., Bar No. 11218

Jon J. Carlston, Esq., Bar No. 10869

9 1389 Galleria Drive, Suite 200

10 Henderson, Nevada 89014

11 *Attorneys for Appellant*

By: /s/Jarrold L. Rickard

Lawrence J. Semenza, III, Esq., Bar No. 7174

Christopher D. Kircher, Esq., Bar No. 11176

Jarrold L. Rickard, Esq., Bar No. 10203

10161 Park Run Drive, Suite 150

Las Vegas, Nevada 89145

*Attorneys for Respondent*

---

18  
19  
20  
21  
22  
23  
24  
25  
26 <sup>1</sup> The parties filed a similar motion in Case Number 70583. In addition to consolidation, the  
27 parties also jointly request that a new briefing schedule be set. In particular, the parties request  
28 that the Opening Brief under the consolidated appeal be due no sooner than the current deadline  
this appeal – March 31, 2017. This additional time is needed to, among other things, prepare an  
expanded Joint Appendix for the consolidated appeal.