1	R. DUANE FRIZELL, ESQ. Nevada Bar No. 9807		
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5	Attorney for Plaintiffs-Appellants	Apr 30 2020 04:11 p.m. Elizabeth A. Brown	
6	IN THE SU	JPREME COURT Clerk of Supreme Court	
7	OF THE ST	ATE OF NEVADA	
8	BETTY CHAN and ASIAN	§	
9	AMERICAN REALTY & PROPERTY MANAGEMENT,	§ 8	
10	TROTERTT MANAGEMENT,	§ \$ SUPREME COURT CASE NO. 78666	
10			
12	VS.	§ District Court Case No. A-16-744109-C	
		§	
13		§ Eighth Judicial District Court §	
14	ESTATE CORP.; and JERRIN	§ (Hon. Eric Johnson)	
15	CHIU;	§	
16	Defendants-Respondents.	§ §	
17		§	
18	APPELLANTS' MOTION TO	STRIKE RESPONDENTS' REPLY TO	
19	APPELLANTS' RESPONSE TO ORDER TO SHOW CAUSE, OR IN THE ALTERNATIVE, TO GRANT APPELLANTS		
20	1	FILE SUR-REPLY	
21	D1 ' .'CC A 11 . DETTY	CHAN ((C) 2) 1 ACIAN AMEDICAN	
22	Plaintiffs-Appellants BETTY	CHAN ("Chan") and ASIAN AMERICAN	
23	REALTY & PROPERTY MANAC	GEMENT ("Asian American") (collectively	
24	"Plaintiffs" or "Appellants") now	file this, Appellants' Motion to Strike	
25			
26	Respondents' Reply to Appellants' I	Response to Order to Show Cause, or in the	
27	Alternative, to Grant Appellants Leav	ve to File Sur-Reply. In this connection, Chan	
28	and Asian American would respectful	lly show the Court as follows:	
		1	

On March 9, 2020, the Court entered an Order to Show Cause, in which it noted potential jurisdictional defects. In that Order, the Court directed Appellants "to show cause why this appeal should not be dismissed for lack of jurisdiction." The Order provided a time by which Appellants had to file a response and a time thereafter by which Respondents could file a reply. Appellants timely filed their response on 4/6/2020; Respondents filed their reply on 4/20/2020 and an errata on 4/22/2020. The Order did not allow Appellants to file a sur-reply.

In their reply, Respondents went way beyond the scope of the Order and Appellants' response, attacking Chan personally for simply exercising her rights to an appeal and mischaracterizing the proceedings below. Respondents even went so far as to request an award of attorney fees just because Appellants responded the Court's Order.

Given that Respondent's reply has far exceeded the scope of the Order and Appellants' response, and that Respondents are seeking relief (attorney fees) that was not even contemplated by the Order, Respondents' reply should be stricken or, in the alternative, Appellants should be afforded an opportunity to file a sur-reply.

WHEREFORE, Plaintiffs-Appellants BETTY CHAN ("Chan") and ASIAN AMERICAN REALTY & PROPERTY MANAGEMENT ("Asian American") (collectively "Plaintiffs" or "Appellants") hereby request the Court as follows:

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1	1. to grant Appellants' N	Motion to Strike Respondents' Reply t
2	Appellants' Response to	Order to Show Cause, or in the Alternative
3	to Grant Appellants Leave	e to File Sur-Renly
4		
5	2. to strike Respondents' re	eply from the record, in the alternative, t
6	grant Appellants leave to	file a sur-reply; and
7	3. to grant all such other an	d further relief to which Appellants may b
8	antitled an inathy decomes	ot love on in a quite.
9	entitled or justly deserve a	at law of in equity.
10	DATED: <u>April 30, 2020</u> .	
11		Respectfully submitted,
12		FRIZELL LAW FIRM
13		400 N. Stephanie St., Suite 265
14		Henderson, Nevada 89014
15		Telephone (702) 657-6000 Facsimile (702) 657-0065
16		· · ·
17	II · · · · · · · · · · · · · · · · · ·	<u>/s/R. Duane Frízell</u>
18		R. DUANE FRIZELL, ESQ. Nevada Bar. No 9807
19		DFrizell@FrizellLaw.com
20		Attorney for Plaintiffs-Appellants
21		
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CERTIFICATE OF SERVICE

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2	I hereby certify pursuant to NRAP 25(c), that on April 30, 2020, I served
3	true and correct copy of the forgoing APPELLANTS' MOTION TO STRIK RESPONDENTS' REPLY TO APPELLANTS' RESPONSE TO ORDER T
4	SHOW CAUSE, OR IN THE ALTERNATIVE, TO GRANT APPELLANT
5	LEAVE TO FILE SUR-REPLY, together with any and all exhibits are
6	attachments, via the Supreme Court's Electronic Filing System to the following:
7	MICHAEL A. OLSEN, ESQ.
8	Nevada State Bar No. 6076
9	THOMAS R. GROVER, ESQ. Nevada State Bar No. 12387
10	KEITH D. ROTSONG, ESQ.
	Nevada State Bar No. 14944 BLACKROCK LEGAL, LLC
11	10155 W. Twain Ave., Suite 100
12	Las Vegas, Nevada 89147
13	Attorneys for Defendants-Respondents Wayne Wu, Judith Sullivan, Nevada
14	Real Estate Corp., and Jerrin Chiu
15	
16	
17	
18	/V/P Duano Ivigoll
19	/s/ R. Duane Frizell R. DUANE FRIZELL, ESQ.
20	Nevada Bar. No 9807
21	Attorney for Plaintiffs-Appellants
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