

**In the Supreme Court of Nevada**

MOTOR COACH INDUSTRIES, INC.,

Appellant,

*vs.*

KEON KHIABANI; ARIA KHIABANI,  
minors, by and through their  
guardian MARIE-CLAUDE RIGAUD;  
SIAMAK BARIN, as executor of the  
ESTATE OF KAYVAN KHIABANI, M.D.  
(decedent); THE ESTATE OF KAYVAN  
KHIABANI, M.D. (decedent); SIAMAK  
BARIN, as executor of the ESTATE OF  
KATAYOUN BARIN, DDS (decedent);  
and the ESTATE OF KATAYOUN BARIN,  
DDS (decedent),

Respondents.

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Elizabeth A. Brown  
Clerk of Supreme Court

**MOTION TO EXCEED WORD LIMIT  
FOR OPENING BRIEF**

Appellant Motor Coach Industries, Inc. (“MCI”) requests leave under NRAP 28(g) and NRAP 32(a)(7)(D) to file an opening brief that exceeds the 14,000 word limit in NRAP(32)(a)(7)(A)(ii). MCI’s opening brief contains 18,638 words.

This case presents several issues of statewide importance, including (1) whether a plaintiff in a failure-to-warn products liability

case need prove only that a warning would have been heeded, without regard to whether the absence of an adequate warning *caused* the injury; and (2) whether a defendant in a strict products-liability action is categorically disentitled to an offset for settlement proceeds paid by other defendants.

Leave to exceed the word limit is necessary in order to adequately address these important topics, which have wide-sweeping implications for manufacturers, sellers, and users of products in this state. As this Court commonly looks to other jurisdictions for guidance in the development of this Court's jurisprudence, MCI's brief also directs this Court to extensive authorities throughout the country on each of these issues and others. MCI has presented all relevant authorities and considerations in this important appeal as thoroughly and succinctly as possible.

Dated this 4th day of December, 2019.

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**CERTIFICATE OF SERVICE**

I certify that on December 4, 2019, I submitted the foregoing  
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Court’s eFlex electronic filing system. Electronic notification will be  
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