

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAWRENCE and HEIDI CANARELLI,
and FRANK MARTIN, Special
Administrator of the Estate of Edward C.
Lubbers, Former Trustees,

Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT of the State of Nevada, in and
for the County of Clark; and THE
HONORABLE GLORIA STURMAN,
District Judge,

Respondent,

and

SCOTT CANARELLI, Beneficiary of
The Scott Lyle Graves Canarelli
Irrevocable Trust dated February 24,
1998,

Real Party in Interest.

Case No. 78883

District Court No. A-107312020 02:09 p.m.
Electronically Filed
Elizabeth A. Brown
Clerk of Supreme Court

**NOTICE OF SUPPLEMENTAL
AUTHORITY PURSUANT TO NRAP
31(e)**

When addressing the exception to the attorney-client privilege embodied in NRS 49.115(5), the Former Trustees cited *Hall CA-NV, LLC v. Ladera Dev., LLC*, 2018 WL 6272890, at *6 (D. Nev. Nov. 30, 2018) for the proposition that “[u]nder Nevada law, ‘when a lawyer acts as the common attorney of two parties, their communications to him are privileged as far as they concern strangers, but as to themselves they stand on the same footing as to the lawyer, and either can compel

him to testify against the other as to their negotiations.” (quoting *Livingston v. Wagner*, 23 Nev. 53, 42 P. 290, 292 (1895)). See Pet. at 34.

In preparing for next week’s oral argument, undersigned counsel discovered that the *Hall* decision cited above was superseded by a new opinion issued on October 24, 2019. The new opinion reaffirms the stated principle verbatim, and can be found at: *Hall CA-NV, LLC v. Ladera Dev., LLC*, 2019 WL 5448458, at *9 (D. Nev. Oct. 24, 2019).

DATED this 31st day of January, 2020.

CAMPBELL & WILLIAMS

By /s/ J. Colby Williams
DONALD J. CAMPBELL, ESQ. (1216)
J. COLBY WILLIAMS, ESQ. (5549)
PHILIP R. ERWIN, ESQ. (11563)
700 South Seventh Street
Las Vegas, Nevada 89101

MARQUIS AURBACH COFFING
LIANE K. WAKAYAMA, ESQ. (11313)
10001 Park Run Drive
Las Vegas, Nevada 89145

*Attorneys for Lawrence and Heidi
Canarelli, and Frank Martin, Special
Administrator of the Estate of Edward
C. Lubbers, Former Trustees*

CERTIFICATE OF SERVICE

I certify that I am an employee of Campbell & Williams and that I did, on the 31st day of January, 2020, serve upon the following in this action a copy of the foregoing **Notice of Supplemental Authority Pursuant to NRAP 31(e)** through the Court's e-filing system:

SOLOMON DWIGGINS & FREER, LTD.

Dana Dwiggin, Esq.

Tess Johnson, Esq.

9060 West Cheyenne Avenue

Las Vegas, Nevada 89129

Attorneys for Scott Canarelli

and by United States Mail, postage prepaid to:

HONORABLE GLORIA STURMAN

Department XXVI

Eighth Judicial District Court

200 Lewis Avenue

Las Vegas, Nevada 89155

By: /s/ **John Y. Chong**
An Employee of Campbell & Williams