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Elizabeth A. Brown
Clerk of Supreme Court

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

10
11 O.P.H. OF LAS VEGAS INC.,

Supreme Court No. 76966

12 Appellant,

13 vs.

**MOTION TO REMOVE OREGON
MUTUAL INSURANCE COMPANY FROM
SERVICE LIST AND CAPTION**

14 OREGON MUTUAL INSURANCE
COMPANY; DAVE SANDIN; and SANDIN
15 & CO.,

16 Respondents.

17
18 Oregon Mutual Insurance Company ("OMI") is in receipt of this Court's April 16, 2019
19 *Order to File Answering Brief*. However, OMI is not a party to this appeal. All claims against
20 OMI in the District Court Action from which this appeal arises were dismissed with prejudice on
21 September 7, 2018, prior to the date of this Appeal on September 18, 2018. See Notice of Entry of
22 Order, Exhibit A. Additionally, the Notice of Appeal specifically includes only the March 14,
23 2018 *Finding of Facts, Conclusions of Law and Judgment in Favor of Dave Sandin and Sandin &*
24 *Co. on their Motion for Attorneys' Fees and Costs*, and the subsequent motion to reconsider the
25 same. The appeal does not include any order which involves OMI. It is unclear why Appellant
26 included, and continues to include, OMI on the caption, however, as a result, OMI is currently
27 being threatened with sanctions and this firm has been forced to incur fees in preparing and filing
28 this document, fees which it cannot recover as this case has long been closed.

1 As such, OMI requests this Court remove OMI from the service list and Order Appellant to
2 remove OMI from the caption. Additionally, the undersigned requests \$200 in fees incurred in
3 preparing this Request as a result of Appellant's improper inclusion of OMI in this appeal.

4 DATED this 19th day of April, 2019.

5 LEWIS BRISBOIS BISGAARD & SMITH LLP

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7 By /s/ Robert W. Freeman
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CERTIFICATE OF MAILING

Pursuant to NRCP 5(b), I hereby certify that on this 19th day of April, 2019, I did cause a true copy of the foregoing **MOTION TO REMOVE OREGON MUTUAL INSURANCE COMPANY FROM SERVICE LIST AND CAPTION** in *O.P.H. of Las Vegas, Inc. v. Oregon Mutual Ins. Co.*, et. al., Nevada Supreme Court Case No. 76966 to be served electronically using the eFlex Electronic Service system, to all parties with an email-address on record.

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