

IN THE SUPREME COURT OF THE STATE OF NEVADA

GREENMART OF NEVADA NLV LLC,
a Nevada limited liability company;
NEVADA ORGANIC REMEDIES, LLC;
and LONE MOUNTAIN PARTNERS,
LLC, a Nevada limited liability company,

Appellants,

vs.

SERENITY WELLNESS CENTER LLC,
a Nevada limited liability company; TGIG,
LLC, a Nevada limited liability company;
NULEAF INCLINE DISPENSARY, LLC,
a Nevada limited liability company;
NEVADA HOLISTIC MEDICINE, LLC,
a Nevada limited liability company;
TRYKE COMPANIES SO NV, LLC, a
Nevada limited liability company;. TRYKE
COMPANIES RENO, LLC, a
Nevada limited liability company;
PARADISE WELLNESS CENTER, LLC,
a Nevada limited liability company; GBS
NEVADA PARTNERS, LLC, a Nevada
limited liability company; FIDELIS
HOLDINGS, LLC, a Nevada limited
liability company; GRAVITAS NEVADA,
LLC, a Nevada limited liability company;
NEVADA PURE, LLC, a Nevada limited
liability company; MEDIFARM, LLC, a
Nevada limited liability company;
MEDIFARM IV LLC, a Nevada limited
liability company; and THE STATE OF
NEVADA DEPARTMENT OF
TAXATION,

Respondents.

Electronically Filed
Nov 08 2019 05:01 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

SUPREME COURT CASE NO:
79668

DISTRICT COURT CASE NO.:
A785818

**MOTION FOR LEAVE TO FILE
MOTION IN EXCESS OF
PAGE/TYPE VOLUME
LIMITATION**

Appellant GreenMart of Nevada NLV, LLC (“GreenMart”), by and through its counsel, Alina M. Shell, hereby moves this Court, pursuant to Nevada Rule of Appellate Procedure (“NRAP”) 32(a)(7)(D), for leave to file a Motion to Suspend Preliminary Injunction Pending Appeal that exceeds the ten-page limit imposed by NRAP 27(d)(2). This Motion is supported by the attached declaration of counsel.

DATED this the 8th day of November, 2019.

/s/ Alina M. Shell

Margaret A. McLetchie, Nevada Bar No. 10931

Alina M. Shell, Nevada Bar No. 11711

MCLECHIE LAW

701 East Bridger Ave., Suite 520

Las Vegas, Nevada 89101

Counsel for Appellant, GreenMart of Nevada NLV LLC

DECLARATION OF ALINA M. SHELL

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

I, Alina M. Shell, declare, pursuant to Nev. Rev. Stat. § 53.330, as follows:

1. I am counsel for Appellant GreenMart of Nevada NLV LLC (“GreenMart”) in this matter. I have personal knowledge of all matters contained herein and am competent to testify thereto.

2. GreenMart is appealing from the order of a district court for the Eighth Judicial District Court granting Respondents’ motion for a preliminary injunction.

3. Pursuant to NRAP 27(d)(2), a motion may not exceed 10 pages absent leave from the Court.

4. In preparing GreenMart’s proposed Motion to Suspend Preliminary Injunction Pending Appeal (“Motion”), which I have been working on diligently, I have endeavored to present the arguments as succinctly as possible. However, given the complex procedural history of the case and the importance of the issues presented in the instant appeal, I have required more than the 10-page limit set by NRAP 27(d)(2) to sufficiently brief the issues for this Court’s consideration.

5. I believe that limiting GreenMart’s Motion to ten (10) pages would materially detract from GreenMart’s presentation of its Motion.

6. Thus, I require the additional pages to adequately explain the history of this case and present the legal grounds which weigh in favor of a stay of the district court's orders.

7. The Motion is very important to GreenMart and the community.

8. I therefore respectfully request that this Court grant GreenMart's leave to file a Motion in excess of the normal page limitations.

9. Specifically, I hereby respectfully request this Court to permit me to file a Motion not to exceed 20 pages in length.

10. This Motion is not made for the purposes of delay, or any other improper purpose, but only to ensure that I provide competent and effective representation to GreenMart. *See Nev. R. Prof. Conduct 1.1.*

I certify under the penalty of perjury that the foregoing is true and correct.

EXECUTED this the 8th day of November, 2019.

/s/ Alina M. Shell

Margaret A. McLetchie, Nevada Bar No. 10931

Alina M. Shell, Nevada Bar No. 11711

MCLECHIE LAW

701 East Bridger Ave., Suite 520

Las Vegas, Nevada 89101

Counsel for Appellant, GreenMart of Nevada NLV LLC

CERTIFICATE OF SERVICE

I hereby certify that the foregoing MOTION FOR LEAVE TO FILE MOTION IN EXCESS OF PAGE/TYPE VOLUME LIMITATION was filed electronically with the Nevada Supreme Court on the 8th day of November, 2019. Electronic service of the foregoing document shall be made in accordance with the Master Service List as follows:

Michael V. Cristalli, Dominic P. Gentile, Ross J. Miller, and Vincent Savarese, III

Clark Hill PLLC

Counsel for Respondents,

Serenity Wellness Center LLC, TGIG LLC, NuLeaf Incline Dispensary LLC, Nevada Holistic Medicine LLC, Tryke Companies So NV LLC, Tryke Companies Reno LLC, Fidelis Holdings, LLC, GBS Nevada Partners LLC, Gravitas Nevada Ltd., Nevada Pure LLC, MediFarm LLC, and MediFarm IV LLC

Ketan D. Bhirud, Aaron D. Ford, Theresa M. Haar, David J. Pope, and Steven G. Shevorski

Office of the Attorney General

Counsel for Respondent,

The State of Nevada Department of Taxation

David R. Koch, Steven B. Scow, Daniel G. Scow, and Brody R. Wight

Koch & Scow, LLC

Counsel for Appellant,

Nevada Organic Remedies, LLC

Eric D. Hone, Moorea L. Katz, and Jamie L. Zimmerman

H1 Law Group

Counsel for Appellant,

Lone Mountain Partners, LLC

/s/ Pharan Burchfield

Employee of McLetchie Law