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Electronically Filed
Nov 22 2019 02:28 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

GREENMART OF NEVADA NLV LLC, a
Nevada Limited Liability Company; and
Nevada Organic Remedies, LLC,

Supreme Court Case No.: **79668**

District Court Case No.: A-19-786962-B

Appellants,

vs.

**RESPONDENTS' RESPONSE
TO
APPELLANT, NEVADA
ORGANIC REMEDIES, LLC'S
MOTION TO EXPEDITE
APPEAL**

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.

1 Respondents, less the State of Nevada, Department of Taxation, by and through
2 their attorneys, hereby submit their Opposition to *Nevada Organic Remedies, LLC's*
3 *Motion to Expedite Appeal* ("Motion") filed on October 29, 2019. This Opposition is
4 made and based upon the following points and authorities and the papers and pleadings
5 on file.

6 POINTS & AUTHORITIES

7 I. 8 SUMMARY

9 Nevada Organic Remedies, LLC ("NOR") requests an expedited review of this
10 matter on the grounds that this matter will not be heard and decided prior to June 5, 2020,
11 which is the deadline the Department of Taxation set to conduct final inspections for
12 those who were awarded conditional recreational marijuana licenses. NOR's motion
13 does not provide any compelling reason why this matter needs an expedited briefing
14 schedule. Therefore, NOR's Motion should be denied.

16 II. 17 DISCUSSION

18 On September 25, 2019 this Court issued its Notice of Exemption from Settlement
19 Program/File Documents ("Notice"). The Notice set forth the parties' briefing schedule:
20 Appellants have 120 from the date of the Notice to file and serve the opening brief and
21 appendix. Thereafter, briefing proceeds in accordance with NRAP 31(a)(1).
22 Respondents shall serve their answering briefs within 30 days after the Appellants' brief
23 are served. The Appellants' rely brief must be served and filed within 30 days after the
24 Respondents' brief is served. NOR's Motion appears to request modification of the
25 current briefing schedule in one of two ways: (1) 20 days for the opening brief, 20 days
26 for Respondents' brief, and 10 days for the reply brief; or (2) 14 days for the opening
27 brief, 14 days for Respondents' brief, and seven days for the reply brief. NOR's
28

1 requested modification of the current briefing schedule, in any respect, is completely
2 unnecessary.

3 If NOR desires an expedited briefing schedule, it can simply file its opening brief
4 today, tomorrow, or at some point well within the 120-day deadline set by this Court.
5 Similarly, NOR can file its reply brief *at any time* after Respondents' brief is served as
6 long as it within the 30-day deadline set by this Court. Moreover, NOR provided no
7 reasonable justification to this Court to essentially half the time Respondents have to
8 review opening briefs and to formulate responsive briefs. Reducing the time
9 Respondents currently possesses to submit responsive briefs to 14 or 20 days is not
10 warranted nor is it reasonable in light of the complex issues that are the subject of these
11 appeals. Respondents will need the full 30 days provided by NRAP 31(a)(1) to draft and
12 serve their answering briefs.

13 **III.**
14 **CONCLUSION**

15 Wherefore, consistent with the above, the Court should deny NOR's Motion.

16 Respectfully submitted this 22ND day of NOVEMBER, 2019.

17 **CLARK HILL, PLLC**

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2 **CERTIFICATE OF SERVICE**

3 I hereby certify that pursuant to NRAP 25(1)(d) on the 22 day of
4 November, 2019, I served a true and correct copy of the foregoing
5 **RESPONDENTS' RESPONSE TO MOTION FOR EXPEDITED APPEAL** via the
6 appellate CM/ECF electronic filing system to all parties currently on the electronic
7 service list.
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11 An employee of Clark Hill PLLC

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