

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

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

Appellants/Cross-Respondents,

vs.

ETW MANAGEMENT GROUP LLC;  
GLOBAL HARMONY LLC; GREEN  
LEAF FARMS HOLDINGS LLC;  
GREEN THERAPEUTICS LLC;  
HERBAL CHOICE INC.; JUST  
QUALITY LLC; LIBRA WELLNESS  
CENTER LLC; ROMBOUGH REAL  
ESTATE INC. D/B/A MOTHER HERB;  
NEVCANN LLC; RED GARDENS LLC;  
THC NEVADA LLC; ZION GARDENS  
LLC; and MMOF VEGAS RETAIL INC.,

Respondents/Cross-Appellants,

and

THE STATE OF NEVADA  
DEPARTMENT OF TAXATION,

Respondent.

Electronically Filed  
Dec 20 2019 02:04 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

SUPREME COURT CASE  
NO: 79669

DISTRICT COURT CASE  
NO.: A787004

**RESPONSE OF NEVADA ORGANIC REMEDIES, LLC  
TO ORDER TO SHOW CAUSE**

On November 21, 2019, this Court issued an Order to Show Cause as to the Court's jurisdiction in Appeal Nos. 79669, 79670, 79671, 79672, and 79673.<sup>1</sup> The Court directed appellants to show cause as to this Court's jurisdiction over these appeals with the challenged order having been entered in only one of the underlying cases. In connection with the response being concurrently submitted by GreenMart of Nevada NLV, LLC in this case, Nevada Organic Remedies, LLC ("NOR") also submits the following information (which is also contained in GreenMart's response) demonstrating that the Court does have jurisdiction over the above-listed appeals, and that these matters should not be dismissed.

**A. The August 23, 2019 Order Has Been Entered in All the District Court Cases, Which Have Since Been Consolidated.**

In its Order, the Court observed that although an amended notice of entry of the August 23, 2019 order at issue in this appeal had been entered in the underlying district court cases, the order "bears only a single case number and the corresponding caption," and it therefore appeared that the August 23, 2019 order is "not subject to challenge in the context of a notice of appeal filed in those cases." (Order, p. 3.) The underlying cases have since been consolidated, and the August 23, 2019 order has also been entered in each of the district court cases identified by the Court. (*See* GreenMart response and accompanying exhibits.)

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<sup>1</sup> Nevada Organic Remedies, LLC is an appellant only in Appeal Nos. 79668, 79669, and 79670.

The Court also noted that there may be an issue with a tolling motion filed in Case No. 79673, but as NOR is not an appellant in that case, the response being submitted by GreenMart adequately addresses this issue.

Accordingly, NOR respectfully asserts that the Court has jurisdiction over each of the appeals listed in the Order to Show Cause, and NOR requests that this Court proceed with the pending motions and lift any suspension of the briefing schedules in these cases.

Dated: December 20, 2019

DAVID R. KOCH  
KOCH & SCOW, LLC

/s/ David R. Koch  
Attorneys for Appellant Nevada  
Organic Remedies, LLC

## **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing MOTION TO CONSOLIDATE APPEALS was filed electronically with the Nevada Supreme Court on the 20<sup>th</sup> day of December, 2019. Electronic service of the foregoing document shall be made in accordance with the Master Service List as follows:

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