

**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; 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 17 2020 03:54 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

SUPREME COURT CASE  
NO: 79669

**APPELLANT/CROSS-RESPONDENT NEVADA ORGANIC REMEDIES,  
LLC’S MOTION FOR VOLUNTARY DISMISSAL OF APPEAL**

Appellant/Cross-Respondent Nevada Organic Remedies, LLC (“NOR”) now voluntarily moves for the Court to dismiss its appeal in the above-captioned matter pursuant to Nev. R. App. P. 42(b) and this Court’s order filed on December 14, 2020.

On November 3, 2020, Appellant GreenMart of Nevada NLV, LLC (“GreenMart”) filed a motion to voluntarily dismiss its appeal in the above-captioned case pursuant to NRAP 42(b) based on the fact that the appeal challenged the imposition of a preliminary injunction in the district court, and the appeal is now moot because the district court has entered a permanent injunction. Before filing, counsel for GreenMart contacted counsel for NOR and counsel for NOR communicated that it did not oppose the dismissal of the appeal.

After Respondents THC Nevada, LLC and Herbal Choice Inc. opposed the motion and GreenMart replied to the oppositions, this Court entered an order on December 14, 2020, granting GreenMart’s motion and directing any other party seeking to dismiss the appeals or cross-appeals, to file a motion to dismiss within 14 days. NOR is filing this motion in response to the Court Order.

NOR’s appeal should be dismissed for the same reasons this Court dismissed GreenMart’s appeal. NOR’s appeal challenges the same preliminary injunction and is now moot due to the imposition of a permanent injunction. For that reason, the Court should grant the motion and dismiss NOR’s appeal.

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NOR also notes that the cross-appeals filed in this action are similarly based on the same preliminary injunction and seek to expand the scope of the preliminary injunction. The cross-appeals are, therefore, moot for the same reasons as GreenMart and NOR's appeals and should be dismissed.

Dated: December 17, 2020

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 **APPELLANT/CROSS-RESPONDENT NEVADA ORGANIC REMEDIES, LLC'S MOTION FOR VOLUNTARY DISMISSAL OF APPEAL** was filed electronically with the Nevada Supreme Court on the 17th day of December, 2020. Electronic service of the foregoing document shall be made in accordance with the Master Service List with all registered parties.

/s/ Andrea W. Eshenbaugh  
Employee of Koch & Scow