

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAW OFFICE OF DANIEL S. SIMON;
DOES 1 through 10; and, ROE
entities 1 through 10;

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF
NEVADA IN AND FOR THE
COUNTY OF CLARK; THE
HONORABLE TIERRA JONES

Respondents,

and

EDGEWORTH FAMILY TRUST;
AMERICAN GRATING, LLC,

Real Parties in Interest.

SUPREME COURT

CASE NO. 79821

DISTRICT COURT CASE

NO.: A-16-738444-C

Consolidated with:

DISTRICT COURT CASE

NO.: A-18-767242-C

Electronically Filed
Oct 28 2019 10:31 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

MOTION TO CONSOLIDATE WRIT AND APPEAL

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I. INTRODUCTION

Petitioner Attorney Daniel Simon (Simon) moves to consolidate the petition for extraordinary writ (case no. 79821) and the consolidated appeals (case no. 77678 and 78176) currently pending before the Supreme Court. The cases all seek relief from orders adjudicating an attorney lien and resolving a factually related complaint.

The writ petition for extraordinary relief was filed on October 17, 2019 and follows the clients' (Edgeworths) appeal of the same order, which was filed on December 7, 2018.

II. LEGAL ARGUMENT

NRAP 3(b) provides as follows:

(b) Joint or Consolidated Appeals

(1) When two or more parties are entitled to appeal from a district court judgment or order, and their interests make joinder practicable, they may file a joint notice of appeal. They may then proceed on appeal as a single appellant.

(2) When the parties have filed separate timely notices of appeal, the appeals may be joined or consolidated by the court upon its own motion or upon motion of a party.

NRAP 3(b) does not explicitly discuss a petition for an extraordinary writ, however, the same principals should apply. The petition for an extraordinary writ (case no. 79821) and the consolidated appeals (case no. 77678 and 78176) arise from the same district court cases, involve the

same parties, and the consolidated appeal (at least in part) and the petition address the same order.

In the interests of judicial economy, pursuant to NRAP 3(b), Petitioner requests that this Court consolidate the subject petition with the consolidated appeals.

III. CONCLUSION

Petitioner respectfully requests that the Court consolidate the subject petition for an extraordinary writ (case no. 79821) with the consolidated appeals (case no. 77678 and 78176).

Dated this 28th day of October 2019.

/s/ James R. Christensen
JAMES R. CHRISTENSEN, ESQ.
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601 S. 6th Street
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Attorney for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 28th day of October 2019, the foregoing MOTION TO CONSOLIDATE was electronically served to all registered parties for aforementioned case(s).

an employee of
JAMES R. CHRISTENSEN, ESQ.