

IN THE SUPREME COURT OF THE STATE OF NEVADA

STATE OF NEVADA EX REL. NICOLE J. CANNIZZARO, IN HER OFFICIAL CAPACITY AS SENATE MAJORITY LEADER OF THE SENATE OF THE STATE OF NEVADA; CLAIRE J. CLIFT, IN HER OFFICIAL CAPACITY AS SECRETARY OF THE SENATE OF THE STATE OF NEVADA; LEGISLATIVE COUNSEL BUREAU, LEGAL DIVISION, IN ITS OFFICIAL CAPACITY AS THE LEGAL AGENCY OF THE LEGISLATIVE DEPARTMENT OF THE STATE OF NEVADA; BRENDA J. ERDOES, ESQ., IN HER OFFICIAL CAPACITY AS LEGISLATIVE COUNSEL AND CHIEF OF THE LEGISLATIVE COUNSEL BUREAU, LEGAL DIVISION, AND IN HER PROFESSIONAL CAPACITY AS AN ATTORNEY AND LICENSED MEMBER OF THE STATE BAR OF NEVADA; AND KEVIN C. POWERS, ESQ., IN HIS OFFICIAL CAPACITY AS CHIEF LITIGATION COUNSEL OF THE LEGISLATIVE COUNSEL BUREAU, LEGAL DIVISION, AND IN HIS PROFESSIONAL CAPACITY AS AN ATTORNEY AND LICENSED MEMBER OF THE STATE BAR OF NEVADA,
Petitioners,

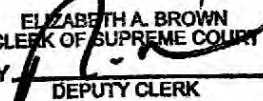
vs.

THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CARSON CITY; AND THE HONORABLE JAMES TODD RUSSELL, DISTRICT JUDGE,
Respondents,

No. 80313

FILED

JAN 10 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

and
JAMES A. SETTELMAYER; JOSEPH P.
HARDY; HEIDI SEEVERS GANSERT;
SCOTT T. HAMMOND; PETE
GOICOECHEA; BEN KIECKHEFER;
IRA D. HANSEN; AND KEITH F.
PICKARD, IN THEIR OFFICIAL
CAPACITIES AS MEMBERS OF THE
SENATE OF THE STATE OF NEVADA
AND INDIVIDUALLY,
Real Parties in Interest.

*ORDER DIRECTING ANSWER,
GRANTING STAY, AND SCHEDULING ORAL ARGUMENT*

This original petition for a writ of mandamus challenges a district court order granting a motion to disqualify the Legislative Counsel Bureau, Legal Division, as counsel for petitioners Senate Majority Leader Nicole Cannizzaro and Secretary of the Senate Claire Clift. Petitioners have also moved for a stay of the district court proceedings pending our resolution of this matter. Real parties in interest have filed an opposition, and petitioners have filed a reply.¹

Having reviewed the petition and supporting documentation, it appears that an answer may assist this court in resolving this matter. Therefore, real parties in interest, on behalf of respondents, shall have 14 days from the date of this order to file and serve an answer, including authorities, against issuance of the requested writ. NRAP 21(b)(1). Petitioners shall then have 7 days from service of the answer to file and serve any reply. The NRAP 32(a)(7) page limits and type-volume

¹Petitioners' January 8, 2020, motion for leave to file a reply in excess of the page limit is granted. NRAP 27(d)(2). The reply was filed on January 8, 2020.

limitations for answering and reply briefs shall apply to the answer and reply, respectively, and no requests for an extension of time will be granted except upon motion demonstrating extreme and unforeseeable circumstances. NRAP 2.

Further, having considered the stay motion, opposition thereto, and reply in light of the NRAP 8(c) factors, we conclude that the factors militate in favor of a stay. *See Fritz Hansen A/S v. Dist. Court*, 116 Nev. 650, 657, 6 P.3d 982, 985 (2000). Accordingly, we grant the motion and stay the district court proceedings underlying this matter pending further order of this court.

Finally, we conclude that oral argument may assist this court in the resolution of this writ petition. Accordingly, oral argument in this matter is scheduled for Tuesday, February 11, 2020, at 11:00 a.m., before the en banc court in Las Vegas. Oral argument shall be limited to 30 minutes.

It is so ORDERED.

Pickering, C.J.
Pickering

Gibbons, J.
Gibbons

Parraguirre, J.
Parraguirre

Cadish, J.
Cadish

Hardesty, J.
Hardesty

Stiglich, J.
Stiglich

Silver, J.
Silver

cc: Hon. James Todd Russell, District Judge
Legislative Counsel Bureau Legal Division
Allison MacKenzie, Ltd.
Carson City Clerk