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Feb 23 2021 02:24 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

7 SUPREME COURT
8 STATE OF NEVADA

9 DAPHNE WILLIAMS,

No. 80350

10 Appellant,

11 vs.

12 CHARLES "RANDY" LAZER,

13 Respondent.
14

15 **RESPONDENT'S MOTION FOR CLARIFICATION**
16 **REGARDING LENGTH OF ANSWERING BRIEF**

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19 Attorney for Plaintiff/Respondent
Charles "Randy" Lazer
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1 Respondent Charles “Randy” Lazer, by and through his attorney, Adam R.
2 Trippiedi, Esq., hereby moves this court for clarification regarding the length of
3 Respondent’s Answering Brief. This motion is based on the declaration of Adam
4 R. Trippiedi, Esq., as stated below.
5

6 DATED this 23rd day of February, 2021
7

8 BOHN & TRIPPIEDI

9 By: / s / Adam R. Trippiedi, Esq.
10 Michael F. Bohn, Esq.
11 Adam R. Trippiedi, Esq.
12 2260 Corporate Circle, Suite 480
Henderson, Nevada 89074
Attorneys for Respondent

13 **DECLARATION OF ADAM R. TRIPPIEDI, ESQ.**

14 ADAM R. TRIPPIEDI, ESQ. states:

15 1. Declarant is the attorney for the Respondent in this case and makes this
16 declaration based upon personal knowledge.
17

18 2. On February 4, 2021, this Court entered an order directing Respondent to
19 file an Answering Brief in response to Appellant’s Petition for Review.
20

21 3. On February 16, 2021, this Court entered an order granting Respondent’s
22 telephonic request for an extension of time to file an Answering Brief, thereby
23 extending the deadline to March 4, 2021.

24 4. On February 22, 2021, this Court entered an order directing Respondent
25 to file a brief responding to not only Appellant’s Petition for Review, but also to
26
27

1 the amicusUS briefs filed by the ACLU and the First Amendment Lawyers
2 Association respectively.

3 5. As a result, Respondent must now file one brief in response to three
4 briefs.
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6 6. NRAP 40(B) does not explicitly set a word or page limit for a brief filed
7 in response to a Petition for Review. As a result, Respondent planned to follow
8 the page and word limits applicable to the Petition for Review as contained in
9 NRAP 40(B)(d).
10

11 7. However, because Respondent must now respond to three separate briefs,
12 Respondent is requesting guidance and relief from this Court as to the page and
13 word limitations for Respondent's Answering Brief.
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15 8. This Court's February 22, 2021, order does not provide specifications as
16 to the word or page limit for Respondent's Answering Brief.

17 9. On February 23, 2021, I called the Nevada Supreme Court Clerk's Office
18 and spoke with an employee who informed me that my best option would be to file
19 a motion with the court to clarify any concerns I had regarding the February 22,
20 2021, order.
21

22 10. Accordingly, Respondent hereby requests this Court allow Respondent
23 a word limitation of 9,333 words in Respondent's Answering Brief.
24

25 11. Under NRAP 40B(a)(3), Appellant's word limitation was 4,667.

26 12. Further, under NRAP 29(e), each amicus brief was limited to half of the
27

1 length of Appellant's Petition for Review, or 2,333 words per amicus brief.

2 13. Thus, the combined word limitation of the three filed briefs supporting
3 Appellant's position is 9,333.
4

5 14. Allowing Respondent a word limitation of 9,333 would be a fair
6 resolution to the issue of Respondent having to file one brief in response to three
7 separate briefs.

8 15. If this Court is unwilling to allow 9,333 words for Respondent's
9 Answering Brief, Respondent requests a word-limit increase of whatever amount
10 this Court is willing to provide.
11

12 16. I declare under penalties of perjury under the law of the state of Nevada
13 that the foregoing is true and correct.
14

15 DATED this 23rd day of February, 2021
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17 /s/ Adam R. Trippiedi, Esq.
18 ADAM R. TRIPPIEDI, ESQ.
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