

Case No. 80636

IN THE SUPREME COURT OF THE STATE OF NEVADA

In re: Newport Corporation Shareholder Litigation
Hubert C. Pincon; Locals 302 and 612 of the International Union of Operating
Engineers-Employers Construction Industry Retirement Trust

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Elizabeth A. Brown
Clerk of Supreme Court

Appellants,

v.

Robert J. Phillippy; Kenneth F. Potashner; Christopher Cox; Siddhartha C. Kadia;
Oleg Khaykin; and Peter J. Simone

Respondents,

JOINT MOTION TO APPEAR AT ORAL ARGUMENT VIRTUALLY

In response to the COVID-19 pandemic, this Court entered AO-0015, which required that all oral arguments be conducted remotely by “videoconferencing or other remote means.” On June 10, 2021, this Court entered AO-0020, which reinstated in-person oral arguments “unless otherwise ordered in a particular case.”

Given the danger posed by COVID-19 and newly discovered variants, all parties and counsel respectfully request leave to appear at the December 15, 2021, 11:30 a.m. oral argument by videoconference. The need for remote appearances is particularly acute because the parties and their counsel are located throughout the

United States, including locations that have had troubling rates of infection. The parties further request leave to remain seated for the duration of the oral argument.

DATED this 1st day of December,
2021.

By: /s/ Maximilien D. Fetaz
MAXIMILIEN FETAZ, ESQ.
Nevada Bar No. 12737
ERIC D. WALTHER, ESQ.
Nevada Bar No. 13611
BROWNSTEIN HYATT FARBER
SCHRECK, LLP
100 North City Parkway, Suite 1600
Las Vegas, NV 89106-4614
Telephone: 702.382.2101
Facsimile: 702.382.8135

JOSHUA S. LIPSHUTZ, ESQ.
(*pro hac vice*)
ANDREW J. WILHELM, ESQ.
(*pro hac vice*)
GIBSON, DUNN & CRUTCHER
LLP
1050 Connecticut Ave.
Washington, DC 20036-5306
Telephone: 202.955.8217
Facsimile: 202.530.9614

BRIAN M. LUTZ, ESQ.
(*pro hac vice*)
GIBSON, DUNN & CRUTCHER
LLP
555 Mission Street, Suite 3000
San Francisco, CA 94105-0921
Telephone: 415.393.8200
Facsimile: 415.393.8306

DATED this 1st day of December,
2021.

By: /s/ Joel Z. Schwarz
ERIC. D. HONE, ESQ.
Nevada Bar No. 8499
JOEL Z. SCHWARZ, ESQ.
Nevada Bar No. 9181
JAMIE L. ZIMMERMAN, ESQ.
Nevada Bar No. 11749
H1 LAW GROUP
701 N. Green Valley Pkwy., Suite 200
Telephone: 702.608.3720
Facsimile: 702.703.1063

DAVID T. WISSBROECKER, ESQ.
(*pro hac vice*)
DAVID A. KNOTTS, ESQ.
(*pro hac vice*)
ROBBINS GELLER RUDMAN &
DOWD LLP
655 West Broadway, Ste. 1900
San Diego, CA 92101
Telephone: 619.231.1058
Facsimile: 619.231.7423

*Attorneys for Plaintiffs-Appellants
Hubert C. Pincon and Locals 302 and
612 of the International Union of
Operating Engineers-Employers
Construction Industry Retirement Trust*

COLIN B. DAVIS, ESQ.
(*pro hac vice*)
GIBSON, DUNN & CRUTCHER
LLP
3161 Michelson Drive
Irvine, CA 92612-4412
Telephone: 949.451.3800
Facsimile: 949.451.4220

Attorneys for Defendants-Respondents
Robert J. Phillippy, Kenneth F.
Potashner, Christopher Cox,
Siddhartha C. Kadia, Oleg Khaykin,
and Peter J. Simone

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I electronically filed and served the foregoing **JOINT MOTION TO APPEAR AT ORAL ARGUMENT VIRTUALLY** with the Clerk of the Court of the Supreme Court of Nevada by using the Court's Electronic Filing System on December 1, 2021.

/s/ Wendy Cosby
an employee of Brownstein Hyatt Farber Schreck,
LLP