

Glen Rothner (*Pro hac vice*)
Jonathan M. Cohen (10551)
Maria Keegan Myers (12049)
ROTHNER, SEGALL & GREENSTONE
510 South Marengo Avenue
Pasadena, California 91101
Telephone: (626) 796-7555
Facsimile: (626) 577-0124
E-mail: grothner@rsglabor.com
jcohen@rsglabor.com
mmyers@rsglabor.com

Electronically Filed
Aug 25 2020 03:35 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Attorneys for Respondent
SERVICE EMPLOYEES INTERNATIONAL UNION

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT CLARKE, AN INDIVIDUAL,

Appellant,

v.

SERVICE EMPLOYEES
INTERNATIONAL UNION, A
NONPROFIT COOPERATIVE
CORPORATION; AND CLARK
COUNTY PUBLIC EMPLOYEES
ASSOCIATION, A/K/A SEIU 1107, A
NON-PROFIT COOPERATIVE
CORPORATION,

Respondents.

Supreme Court No. 80520
District Case No. A764942

**STIPULATION AND
PROPOSED ORDER
REGARDING BRIEFING
SCHEDULE IN CASE
NUMBERS 80520 AND 81166**

The parties, by and through their undersigned counsel of record, hereby stipulate as follows:

1. In the above-captioned appeal, case number 80520, appellant Robert Clarke has appealed the district court's grant of summary judgment in favor of respondents Service Employees International Union ("SEIU") and Clarke County Public Employees Association, a/k/a SEIU 1107 ("Local 1107") in district court

case number A764942.

2. In case number 81166, appellants SEIU and Local 1107 have appealed the district court's denial of their motions for attorneys' fees following the district court's grant of summary judgment in favor of SEIU and Local 1107 in district court case number A764942.

3. There is a substantial overlap of issues involved in case numbers 80520 and 81166, because the district court's denial of attorneys' fees at issue in case number 81166 is intertwined with and related to the district court's grant of summary judgment at issue in case number 80520.

4. In order to conserve the resources of the Supreme Court and the parties, and to reduce the number of briefs necessary to resolve these appeals, the parties, by and through their undersigned counsel of record, hereby agree to treat case numbers 80520 and 81166 as cross-appeals pursuant to NRAP 28.1 for purposes of the briefing in these appeals.

5. Pursuant to the parties' agreement to treat case numbers 80520 and 81166 as cross-appeals:

- a. Robert Clarke shall file an opening brief in case number 80520.
- b. SEIU and Local 1107 shall thereafter each file a combined answering brief in case number 80520, and opening brief in case number 81166.
- c. Robert Clarke shall thereafter file a combined reply brief in case number 80520, and, along with Dana Gentry, the other respondent in case number 81166, answering brief in case number 81166.
- d. SEIU and Local 1107 shall thereafter each file a reply brief in case number 81166.

6. Nothing herein bars any party from requesting additional time to file a brief, requesting additional pages for any brief, or seeking any other relief in accordance with the Nevada Rules of Appellate Procedure.

DATED: August 24, 2020

CHRISTENSEN JAMES & MARTIN

By *Evan James*
EVAN JAMES
Attorneys for Respondent Clarke County
Public Employees Association, a/k/a
SEIU 1107

DATED: August __, 2020

MICHAEL J. MCAVOYAMAYA

By _____
MICHAEL J. MCAVOYAMAYA
Attorney for Appellants Dana Gentry and
Robert Clarke

DATED: August 24, 2020

ROTHNER, SEGALL & GREENSTONE
CHRISTENSEN JAMES & MARTIN

By _____
JONATHAN COHEN
Attorneys for Respondent Service
Employees International Union

IT IS SO ORDERED.

DATED: _____

By: _____

6. Nothing herein bars any party from requesting additional time to file a brief, requesting additional pages for any brief, or seeking any other relief in accordance with the Nevada Rules of Appellate Procedure.

DATED: August __, 2020

CHRISTENSEN JAMES & MARTIN

By _____
EVAN JAMES
Attorneys for Respondent Clarke County
Public Employees Association, a/k/a
SEIU 1107

DATED: August 24, 2020

MICHAEL J. MCAVOYAMAYA

By 
MICHAEL J. MCAVOYAMAYA
Attorney for Appellants Dana Gentry and
Robert Clarke

DATED: August 24, 2020

ROTHNER, SEGALL & GREENSTONE

CHRISTENSEN JAMES & MARTIN

By _____
JONATHAN COHEN
Attorneys for Respondent Service
Employees International Union

IT IS SO ORDERED.

DATED: _____

By: _____

6. Nothing herein bars any party from requesting additional time to file a brief, requesting additional pages for any brief, or seeking any other relief in accordance with the Nevada Rules of Appellate Procedure.

DATED: August __, 2020

CHRISTENSEN JAMES & MARTIN

By _____
EVAN JAMES
Attorneys for Respondent Clarke County
Public Employees Association, a/k/a
SEIU 1107


DATED: August __, 2020

MICHAEL J. MCAVOYAMAYA

By _____
MICHAEL J. MCAVOYAMAYA
Attorney for Appellants Dana Gentry and
Robert Clarke

DATED: August 24, 2020

ROTHNER, SEGALL & GREENSTONE
CHRISTENSEN JAMES & MARTIN

By  _____
JONATHAN COHEN
Attorneys for Respondent Service
Employees International Union

IT IS SO ORDERED.

DATED: _____

By: _____

CERTIFICATE OF SERVICE

Clarke v. Service Employees International Union, et al.

Supreme Court No. 80520

Case No. A-17-764942-C

I hereby certify that on this date 25th day of August, 2020, I submitted the foregoing **STIPULATION AND PROPOSED ORDER REGARDING BRIEFING SCHEDULE IN CASE NUMBERS 80520 AND 81166** for filing and service through the Court's eFlex electronic filing service. According to the system, electronic notification will automatically be sent to the following:

Michael J. Mcavoyamaya 4539 Paseo Del Ray Las Vegas, NV 89121 Tel: (702) 685-0879 Email:Mmcavoyamayalaw@gmail.com	Evan L. James Christensen James & Martin 7440 W. Sahara Avenue Las Vegas, NV 89117 Tel: (702) 255-1718 Fax: (702) 255-0871 Email: elj@cjmlv.com
---	---

/s/ Jonathan Cohen

Jonathan Cohen