

IN THE SUPREME COURT OF THE STATE OF NEVADA

RUTH L. COHEN, AN INDIVIDUAL,

Appellant,

vs.

PAUL S. PADDA, AN INDIVIDUAL;
AND PAUL PADDA LAW, PLLC, A
NEVADA PROFESSIONAL LIMITED
LIABILITY COMPANY,

Respondents.

PAUL S. PADDA, AN INDIVIDUAL;
AND PAUL PADDA LAW, PLLC, A
NEVADA PROFESSIONAL LIMITED
LIABILITY COMPANY,

Appellants,

vs.

RUTH L. COHEN, AN INDIVIDUAL,

Respondent.

Case No. 81018

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Elizabeth A. Brown
Clerk of Supreme Court

Case No. 81172

REPLY IN SUPPORT OF MOTION FOR EXTENSION OF TIME TO FILE
MOTION FOR LEAVE TO FILE AMICUS BRIEF OF
CLAGGETT & SYKES LAW FIRM
(First Request)

Claggett & Sykes Law Firm, a proposed *amicus curiae*, is a law firm in Las Vegas, Nevada. Claggett & Sykes Law Firm is represented in this matter by Sean K. Claggett, Esq.; William T. Sykes, Esq.; Matthew S. Granda, Esq.; and Micah S. Echols, Esq. and hereby files this reply in support of its motion pursuant to

Page 1 of 5

NRAP 26(1)(A) for an extension of time of 30 days from the Court's Order to file its motion for leave to file an amicus brief and the proposed amicus brief.

In its motion, Claggett & Sykes asked this Court for an extension of time to file its proposed amicus brief, as well as a motion for leave to file the proposed amicus brief. Appellant's opposition largely misconstrues the purpose of the instant motion and, instead, attempts to attack what Appellant believes will be included in Claggett & Sykes' yet-to-be-filed proposed amicus brief.¹ Indeed, Appellant goes so far as to contend that Claggett & Sykes' amicus brief will be duplicative of the briefing that is already on file. Of course, the Court cannot make such a judgment call until after Claggett & Sykes has presented its proposed amicus brief. But, Claggett & Sykes' proposed amicus brief will not simply duplicate the parties' briefing. Rather, Claggett & Sykes will not only offer supplemental authorities beyond the parties' briefing, but it will also offer a perspective to this Court on how the decision of the presented issues will affect similarly-situated attorneys who are not parties to this litigation. Amicus intervention is appropriate where "the amicus has unique information or perspective that can help the Court beyond the help that the lawyers for the parties are able to provide." *Ryan v. Commodity Futures Trading*

¹ As Claggett & Sykes explained in its motion, it expects additional attorneys and/or law firms to join in the amicus brief once it is presented to the Court.

Comm'n, 125 F.3d 1062, 1063 (7th Cir. 1997); *see also Miller-Wohl Co. v. Comm'r of Labor & Indus.*, 694 F.2d 203, 204 (9th Cir. 1982) (indicating that the classic role of an amicus curiae is to assist in cases of general public interest and to supplement the efforts of counsel by drawing the Court's attention to law that may have escaped consideration).

With respect to Claggett & Sykes' requested extension, Appellant argues that she is concerned that she will miss her preferential trial date if the proceedings in this Court are prolonged by 30 days due to the filing of Claggett & Sykes' amicus brief. This argument is of no consequence because Appellant has no trial date, let alone a preferential trial date, and the numerous extensions already requested by the parties and granted by the Court belie Appellant's argument against a 30-day extension.

Finally, Appellant asserts that Micah S. Echols, Esq., one of the attorneys for Claggett & Sykes, has a conflict of interest. But, Appellant does not support her argument with any legal authority, such that this Court should simply ignore the assertion. *See Edwards v. Emperor's Garden Rest.*, 122 Nev. 317, 330 n.38, 130 P.3d 1280, 1288 n.38 (2006) (confirming that this Court does not consider unsupported arguments).

For the foregoing reasons, Claggett & Sykes Law Firm respectfully moves this Court for an extension of time to file its motion for leave to file an amicus brief and its proposed brief to no later than 30 days after this Court's Order.

DATED this 30th day of March 2021.

CLAGGETT & SYKES LAW FIRM

/s/ Micah S. Echols

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **REPLY IN SUPPORT OF MOTION FOR EXTENSION OF TIME TO FILE MOTION FOR LEAVE TO FILE AMICUS BRIEF OF CLAGGETT & SYKES LAW FIRM (First Request)** was filed electronically with the Supreme Court of Nevada on the 30th day of March 2021. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Respondents – Paul Padda Law, PLLC and Paul S. Padda

Nikki L. Baker (Peterson Baker, PLLC)
Joel D. Henriod (Lewis Roca Rothgerber Christie LLP/Las Vegas)
Paul S. Padda (Paul Padda Law, PLLC)
J. Stephen Peek (Former) (Holland & Hart LLP/Las Vegas)
Tamara Beatty Peterson (Peterson Baker, PLLC)
Daniel F. Polsenberg (Lewis Roca Rothgerber Christie LLP/Las Vegas)
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Jessica E. Whelan (Holland & Hart LLP/Las Vegas)

Appellant – Ruth L. Cohen

Donald J. Campbell (Campbell & Williams)
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Liane K. Wakayama (Hayes Wakayama)

/s/ Anna Gresl

Anna Gresl, an employee of
Claggett & Sykes Law Firm