

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

DIAMOND NATURAL RESOURCES  
PROTECTION & CONSERVATION  
ASSOCIATION, et al.,

Appellants,

vs.

TIMOTHY LEE BAILEY;  
CONSTANCE MARIE BAILEY; FRED  
BAILEY; CAROLYN BAILEY;  
SADLER RANCH, LLC; IRA R.  
RENNER AND MONTIRA RENNER,

Respondents.

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Jul 16 2020 09:07 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**Case No. 81224**

**BAILEY RESPONDENTS' MOTION FOR LEAVE TO FILE SURREPLY  
RE DNRPCA APPELLANTS' MOTION FOR STAY PENDING APPEAL**

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*Attorneys for Bailey Respondents*

Respondents Timothy Lee Bailey & Constance Marie Bailey and Fred Bailey & Carolyn Bailey (collectively, the “Baileys”), hereby respectfully move for permission to file a brief Surreply to the Emergency Motion for Stay Pending Appeal. A copy of the Surreply is attached hereto as Exhibit 1.

**MEMORANDUM OF POINTS AND AUTHORITIES**

The Baileys respectfully request leave to file the attached Surreply to correct one of the more glaring factual errors in DNRPCA’s Reply in Support of their Emergency Motion for Stay Pending Appeal. Because that error goes to an alternative form of relief requested by DNRPCA, and it goes to the Baileys strong opposition to that alternative form of relief, the Baileys respectfully request that the Court entertain the brief Surreply, which contains no argument but only advises the Court of the locations of the corresponding filings where the error is made and where the resolution is located.

Respectfully submitted July 16, 2020.

**WOLF, RIFKIN, SHAPIRO,  
SCHULMAN & RABKIN, LLP**

By: /s/ Chris Mixson  
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**CERTIFICATE OF SERVICE**

The undersigned does hereby certify that on July 16, 2020, a true and correct copy of the foregoing **BAILEY RESPONDENTS' MOTION TO EXCEED PAGE LIMIT FOR OPPOSITION TO DNRPCA APPELLANTS' MOTION FOR STAY PENDING APPEAL and DECLARATION OF CHRISTOPHER MIXSON IN SUPPORT OF BAILEY RESPONDENTS' MOTION TO EXCEED PAGE LIMITS** was electronically filed with the Clerk of the Court for the Nevada Supreme Court by using the Nevada Supreme Court's E-Filing system (E-Flex). Participants in the case who are registered with E-Flex as users will be served by the EFlex system.

I FURTHER CERTIFY that a true and correct copy of the foregoing was served via U.S. Mail, postage prepaid, to the following:

Beth Mills, Trustee  
Marshall Family Trust  
HC 62 Box 62138  
Eureka, NV 89316

John E. Marvel, Esq.  
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Elko, NV 89801

Dated: July 16, 2020

By: /s/ Christie Rehfeld  
Christie Rehfeld, an Employee of  
WOLF, RIFKIN, SHAPIRO,  
SCHULMAN & RABKIN, LLP