

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

KEOLIS TRANSIT SERVICES, LLC,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF
NEVADA IN AND FOR THE
COUNTY OF CLARK, AND THE
HONORABLE RICHARD SCOTTI,
DEPT. II,

Respondents,

SHAY TOTH,

Real Party In Interest.

Case No. 81637-COA Electronically Filed
Nov 18 2020 01:26 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR EXTENSION OF TIME TO FILE
MOTION FOR LEAVE TO FILE
AMICUS BRIEF OF THE NEVADA JUSTICE ASSOCIATION
(First Request)

The Nevada Justice Association (“NJA”), a proposed *amicus curiae*, is a non-profit organization of independent lawyers in the State of Nevada. NJA is represented in this matter by Micah S. Echols, Esq. of Claggett & Sykes Law Firm, and A. J. Sharp, Esq. of Sharp Law Center, and hereby moves this Court pursuant to 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, which motion will be accompanied by the proposed brief.

Under this Court's Rules, non-governmental amicus curiae "may file a brief only by leave of court granted on motion or at the court's request or if accompanied by written consent of all parties." *See Nev. R. App. P. 29(a)*. Both the proposed amicus brief and the motion for leave must be filed within seven days of the brief of the party being supported. *See Nev. R. App. P. 29(f)*. However, "[t]he court may grant leave for later filing, specifying the time within which the opposing party may answer." *Id.*

Here, Real Party In Interest Shay Toth filed the Answer to the Petition For Writ Of Prohibition on November 12, 2020. Thus, NJA's proposed amicus brief (accompanied by its motion for leave) would be due November 19, 2020. NJA first appeared in this matter on November 18, 2020.

Therefore, NJA respectfully moves this Court for extension of time to file its motion for leave to file an amicus brief, allowing NJA to file both its motion for leave and its proposed brief no later than 30 days after this Court's Order. No other request for an extension of time has been submitted for this motion.

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1. Micah S. Echols, Esq., and A. J. Sharp, Esq. entered an appearance in this matter on November 18, 2020. This requested extension is necessary because NJA's participation in this matter had to be approved by a Committee before counsel could make an appearance.

2. Mr. Echols is currently involved in the briefing of several appeals in the Nevada Supreme Court and other litigation cases that have filing deadlines within the next two weeks.

3. Mr. Sharp currently has pre-planned travel to the Midwest for the upcoming holiday and will be out of state November 25-29, inclusive, and December 3-7, inclusive.

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4. This motion is submitted in good faith and for good cause shown in accordance with NRAP 26(1)(a). For the foregoing reasons, NJA respectfully moves this Court for extension of time to file its motion for leave to file an amicus brief, allowing NJA to file both its motion for leave and its proposed brief no later than 30 days after this Court's Order.

DATED this 18th day of November, 2020.

CLAGGETT & SYKES LAW FIRM

/s/ Micah S. Echols

Micah S. Echols, Esq.
Nevada Bar No. 8437
4101 Meadows Lane
Suite 100
Las Vegas, Nevada 89107
Attorneys for Amicus Curiae
Nevada Justice Association

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **NOTICE OF APPEARANCE OF AMICUS COUNSEL (In Support Of Real Party In Interest)** was filed electronically with the Nevada Court of Appeals on the 18th day of November, 2020. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Cliff W. Marcek
Boyd B. Moss III
Andrew R. Muehlbauer
Sean P. Connell

I further certify that the foregoing document was emailed to the following:

Honorable Richard Scotti, District Judge
Eighth Judicial District Court, Department 2
200 Lewis Avenue
Las Vegas, Nevada 89101
dept02lc@clarkcountycourts.us

/s/ Anna Gresl

Anna Gresl, an employee of
Claggett & Sykes Law Firm