

IN THE SUPREME COURT OF THE STATE OF NEVADA

MAIDE, L.L.C. d/b/a GENTLE
SPRING CARE HOME; SOKHENA
K. HUCH; MIKI N. TON,

Appellants,

vs.

CORINNE R. DILEO, AS SPECIAL
ADMINISTRATOR FOR THE
ESTATE OF THOMAS DILEO;
THOMAS DILEO, JR., AS
STATUTORY HEIR TO THOMAS
DILEO; AND CINDY DILEO, AS
STATUTORY HEIR TO THOMAS
DILEO,

Respondents.

Case No. 81804

Electronically Filed
May 03 2021 01:18 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

MOTION FOR LEAVE TO FILE AMICUS CURIAE BRIEF OF
THE NEVADA JUSTICE ASSOCIATION
(In Support of Respondents)

The Nevada Justice Association (“NJA”) files this motion seeking leave of this Court to file a proposed amicus curiae brief. This motion is made pursuant to NRAP 29(c) and is based upon the following:

AMICUS INTEREST AND REASONS FOR FILING THE BRIEF

NJA is a non-profit organization of independent lawyers in the State of Nevada who represent consumers and share the common goal of improving the civil justice system. NJA seeks to ensure that access to the courts by Nevadans is not diminished. NJA also works to advance the science of jurisprudence, to promote the administration of justice for the public good, and to uphold the honor and dignity of the legal profession.

Through its proposed amicus curiae brief, NJA seeks to provide this Court with the broader context regarding mandatory arbitration clauses and the specific requirements and rationale of NRS 597.995, as well as the vital Constitutional issues at stake here. The outcome of this matter will reach far beyond the parties and the dispute here, as Defendants seeks to void the Constitutional rights of the Plaintiffs on terms that manifestly contradict unambiguous Nevada statutory law.

In addition, Defendants seek to strip Plaintiffs of those Constitutional rights based upon a contract to which Plaintiffs are not parties and which does not govern the issues here.

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 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).

Accordingly, NJA respectfully requests leave to file the proposed amicus curiae brief.

DATED this 3rd day of May 2021.

CLAGGETT & SYKES LAW FIRM

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing, **MOTION FOR LEAVE TO FILE AMICUS CURIAE BRIEF OF THE NEVADA JUSTICE ASSOCIATION (IN SUPPORT OF RESPONDENTS)** was filed electronically with the Supreme Court of Nevada on the 3rd day of May 2021. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Jamie S. Cogburn
Hunter S. Davidson
John Orr
S. Brent Vogel

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

The Honorable Adriana Escobar, District Judge
Eighth Judicial District Court, Department 14
200 Lewis Avenue
Las Vegas, Nevada 89101
dept14lc@clarkcountycourts.us

/s/ Anna Gresl

Anna Gresl, an employee of
Claggett & Sykes Law Firm