

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE: D.O.T. LITIGATION

TGIG, LLC; NEVADA HOLISITIC
MEDICINE, LLC; GBS NEVADA
PARTNERS, LLC; FIDELIS
HOLDINGS, LLC; GRAVITAS
NEVADA, LLC; NEVADA PURE,
LLC; MEDIFARM, LLC; MEDIFARM
IV LLC; THC NEVADA, LLC;
HERBAL CHOICE, INC.; RED
EARTH LLC; NEVCANN LLC,
GREEN THERAPEUTICS LLC; AND
GREAN LEAF FARMS HOLDINGS
LLC,

Appellants,

vs.

THE STATE OF NEVADA, ON
RELATION OF ITS DEPARTMENT
OF TAXATION,

Respondent.

Electronically Filed
Supreme Court Case No. 83014
Aug 03 2022 03:01 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

District Court Case No.:

A-19-787004-B

CONSOLIDATED WITH:

A-18-785818-W

A-18-786357-W

A-19-786962-B

A-19-787035-C

A-19-787540-W

A-19-787726-C

A-19-801416-B

**NOTICE OF ISSUANCE OF ORDER CERTIFYING ORDERS ON
APPEAL AS FINAL PURSUANT TO NRCP 54(b) IN COMPLIANCE WITH
SUPREME COURT ORDER DATED JUNE 8, 2022**

Pursuant to the Nevada Supreme Court Order dated June 8, 2022, Notice is
hereby given that the District Court has certified the Orders subject to this appeal
as final pursuant to NRCP 54(b).

///

Attached hereto as Exhibit A is the Notice of Entry of Order filed and served on August 4, 2022.

Dated this 5th day of August 2022.

CLARK HILL PLLC

/s/ Mark S. Dzarnoski, Esq.

Dominic P. Gentile, Esq. (NSBN 1923)

Ross Miller, Esq. (NSBN 8190)

Mark S. Dzarnoski, Esq. (NSBN 3398)

John A. Hunt, Esq. (NSBN 1888)

A. William Maupin (NSBN 21315)

3800 Howard Hughes Pkwy, Suite 500

Las Vegas, Nevada 89169

Attorneys for Appellants

CERTIFICATE OF SERVICE

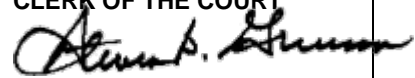
I HEREBY CERTIFY that pursuant to NRAP 25(1(d) on the 5th day of August 2022, I did serve at Las Vegas, Nevada a true and correct copy of **NOTICE OF ISSUANCE OF ORDER CERTIFYING ORDERS ON APPEAL AS FINAL PURSUANT TO NRCP 54(b) IN COMPLIANCE WITH SUPREME COURT ORDER DATED JUNE 8, 2022** on all parties to this action by Electronic Filing.

/s/ Clarissa Reyes

An employee of Clark Hill PLLC

Exhibit A

Exhibit A



James J. Pisanelli, Esq., Bar No. 4027
JJP@pisanellibice.com

Todd L. Bice, Esq., Bar No. 4534
TLB@pisanellibice.com

Jordan T. Smith, Esq., Bar No. 12097
JTS@pisanellibice.com

PISANELLI BICE PLLC
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101
Telephone: 702.214.2100
Facsimile: 702.214.2101

*Attorneys for Integral Associates LLC
d/b/a Essence Cannabis Dispensaries,
Essence Tropicana, LLC, Essence Henderson, LLC*

DISTRICT COURT
CLARK COUNTY, NEVADA

In Re: D.O.T. Litigation,

Case No.: A-19-787004-B
Dept. No.: XXXI

CONSOLIDATED WITH:

A-785818
A-786357
A-786962
A-787035
A-787540
A-787726
A-801416

NOTICE OF ENTRY OF ORDER

1 PLEASE TAKE NOTICE that an "Order Granting Motion to Certify Trial Phases 1 and 2
2 as Final Under NRCP 54(b)" was entered in the above-captioned matter on August 4, 2022, a true
3 and correct copy of which is attached hereto.

4 DATED this 4th day of August, 2022.

5 PISANELLI BICE PLLC

6
7 By: /s/ Jordan T. Smith
8 James J. Pisanelli, Esq., Bar No. 4027
9 Todd L. Bice, Esq., Bar No. 4534
Jordan T. Smith, Esq., Bar No. 12097
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101

10 *Attorneys for Defendants in Intervention,*
11 *Integral Associates LLC d/b/a Essence Cannabis*
12 *Dispensaries, Essence Tropicana, LLC, Essence*
13 *Henderson, LLC*
14
15
16
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Pisanelli Bice PLLC, and that on this 4th day of August, 2022, I caused to be served via the Court's e-filing/e-service system true and correct copies of the above **NOTICE OF ENTRY OF ORDER** to all parties listed on the Court's Master Service List.

/s/ Shannon Dinkel
An employee of Pisanelli Bice PLLC

OGM

James J. Pisanelli, Esq., Bar No. 4027

JJP@pisanellibice.com

Todd L. Bice, Esq., Bar No. 4534

TLB@pisanellibice.com

Jordan T. Smith, Esq., Bar No. 12097

JTS@pisanellibice.com

PISANELLI BICE PLLC

400 South 7th Street, Suite 300

Las Vegas, Nevada 89101

Telephone: 702.214.2100

Facsimile: 702.214.2101

*Attorneys for Integral Associates LLC
d/b/a Essence Cannabis Dispensaries,
Essence Tropicana, LLC, Essence Henderson, LLC*

DISTRICT COURT

CLARK COUNTY, NEVADA

In Re: D.O.T. Litigation,

Case No.: A-19-787004-B

Dept. No.: XXXI

CONSOLIDATED WITH:

A-785818

A-786357

A-786962

A-787035

A-787540

A-787726

A-801416

**ORDER GRANTING MOTION TO
CERTIFY TRIAL PHASES 1 AND 2 AS
FINAL UNDER NRCP 54(b)**

This matter came before the Court on Integral Associates LLC d/b/a Essence Cannabis Dispensaries, Essence Tropicana, LLC, Essence Henderson, LLC's ("the Essence Entities") Motion to Certify Trial Phases 1 and 2 as Final Under NRCP 54(b) and Request for an Order Shortening Time (the "Motion") on July 20, 2022.

Having considered the briefing, the relevant legal authorities, the oral arguments of counsel, and good cause appearing, THE COURT HEREBY FINDS as follows:

1. The Motion is substantively unopposed under EDCR 2.20(e).
2. The requirements of NRCP 54(b) have been substantively met to certify as final the Trial Phase 1 Findings of Fact and Conclusions of Law and Permanent Injunction, dated

September 16, 2020, and the Trial Phase 2 Findings of Fact, Conclusions of Law and Permanent Injunction, dated September 3, 2020.

3. There is no just reason for delaying entry of final judgment as to Phase 1 or Phase 2. NRCP 54(b).

ACCORDINGLY, THE COURT HEREBY ORDERS that the Motion to Certify Trial Phases 1 and 2 as Final Under NRCP 54(b) is GRANTED.

IT IS SO ORDERED.

DATED this __ day of August, 2022.

Dated this 4th day of August, 2022


DISTRICT COURT JUDGE

Respectfully submitted by:

PISANELLI BICE PLLC

6BA 7AA F272 DCFF
Joanna S. Kushner
District Court Judge

By: /s/ Jordan T. Smith
James J. Pisanelli, Esq., #4027
Todd L. Bice, Esq., #4534
Jordan T. Smith, Esq., #12097
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101

*Attorneys for Integral Associates LLC
d/b/a Essence Cannabis Dispensaries,
Essence Tropicana, LLC, Essence Henderson, LLC*

Approved as to Form and Content by:

HOWARD & HOWARD ATTORNEYS
PLLC

ROBERTSON, JOHNSON, MILLER &
WILLIAMSON

By: /s/ L. Christopher Rose
L. Christopher Rose, Esq., #7500
3800 Howard Hughes Pkwy,
Suite 1000
Las Vegas, Nevada 89169

By: /s/ Richard D. Williamson
Richard D. Williamson, Esq., #9932
50 West Liberty Street, Suite 600
Reno, Nevada 89501

*Attorneys for Wellness Connection of
Nevada LLC*

Attorneys for Deep Roots Medical, LLC

KING SCOW KOCH DURHAM LLC

OFFICE of the ATTORNEY GENERAL

By: /s/ David Koch
David Koch, Esq., #8830
11500 S. Eastern, Suite 210
Henderson, Nevada 89052

By: /s/ Steven G. Shevorski
Steven G. Shevorski, Esq., #8256
555 E. Washington Ave., Suite 3900
Las Vegas, Nevada 89101

Attorneys for Nevada Organic Remedies, LLC

Attorneys for State of Nevada ex rel. its Dept. of Taxation and Cannabis Compliance Board

BLACK & WADHAMS

N.R. DONATH & ASSOCIATES PLLC

By: /s/ Rusty Graf
Rusty Graf, Esq., #6322
10777 W. Twain Ave., Suite 300
Las Vegas, Nevada 89135

By: /s/ Nicolas R. Donath
Nicolas R. Donath, Esq., #13106
871 Coronado Center Dr., Suite 200
Henderson, Nevada 89052

Attorneys for Clear River, LLC

Attorneys for Green Leaf Farms Holdings LLC, Green Therapeutics LLC, NevCann LLC, and Red Earth LLC

CLARK HILL, PLLC

By: /s/ Mark S. Dzarnoski
John A. Hunt, Esq., #1888
Dominic P. Gentile, Esq., #1923
Mark S. Dzarnoski, Esq., #3398
A. William Maupin, Esq., #1150
3800 Howard Hughes Pkwy, #500
Las Vegas, Nevada 89169

Attorneys for TGIG, LLC

From: [L. Christopher Rose](#)
To: [Jordan T. Smith](#)
Subject: Order Granting Motion to Certify
Date: Thursday, July 28, 2022 11:11:54 AM
Attachments: [hh_logo_0f1dbcb0-80ba-4943-b445-368a57555dd0.png](#)

CAUTION: This message is from an EXTERNAL SENDER.

Jordan

You may use my electronic signature for the order granting the motion to certify Phase 1 and 2 as final.

Here is the signature block:

Approved as to form:

/s/ L. Christopher Rose
L. CHRISTOPHER ROSE, ESQ.
Nevada Bar No. 7500
HOWARD & HOWARD ATTORNEYS PLLC
3800 Howard Hughes Parkway, Suite 1000
Las Vegas, Nevada 89169
(702) 257-1483
Fax (702) 567-1568
lcr@h2law.com



L. Christopher Rose

Attorney

3800 Howard Hughes Pkwy, STE 1000, Las Vegas, NV 89169

D: 702.667.4852 | **C:** 702.355.2973 | **F:** 702.567.1568

[lcr@h2law.com](#) | [Bio](#) | [vCard](#) | [LinkedIn](#)

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From: [Rich Williamson](#)
To: [Joel Schwarz](#); [Jordan T. Smith](#); [Joseph Gutierrez](#); [Dennis Prince](#); [dkoch.kochscow.com](#); [Steven G. Shevorski](#); [Rusty Graf](#); [Akke Levin](#)
Cc: [Todd Bice](#); [Ashley R. Ellison](#); [Eric Hone](#); [Jamie Zimmerman](#); [Karen Morrow](#)
Subject: RE: In Re DOT
Date: Friday, July 29, 2022 12:47:10 PM

CAUTION: This message is from an EXTERNAL SENDER.

Jordan,

On a separate but related matter, you have my approval as to form and content of the proposed order to certify.

Thanks,

Rich

Richard D. Williamson, Esq.
Robertson, Johnson, Miller & Williamson
50 West Liberty Street, Suite 600
Reno, Nevada 89501
Telephone: (775) 329-5600
Facsimile: (775) 348-8300
Email: Rich@NVLawyers.com
Please visit our Website at: www.nvlawyers.com

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From: aeshenbaugh@kochscow.com
To: [Jordan T. Smith](#)
Cc: dkoch@kochscow.com
Subject: A-19-787004-B Order on Motion to Certify
Date: Friday, July 29, 2022 9:19:45 AM
Attachments: [2022.07.29 For proposed Order Granting Motion to Certify Trial Phases 1 and 2 as Final.docx](#)

CAUTION: This message is from an EXTERNAL SENDER.

Good Morning,

Attached is a signature block for Mr. Koch on behalf of Nevada Organic Remedies, LLC. Mr. Koch authorizes you to use his e-signature for the proposed *Order Granting Motion to Certify Trial Phases 1 and 2 as Final* in case no.: A-19-787004-B.

Respectfully,

[Andrea W. Eshenbaugh](#)

Legal Assistant

Koch & Scow LLC

11500 S. Eastern Ste. 210

Henderson, NV 89052

702-318-5040

aeshenbaugh@kochscow.com

From: [Steven G. Shevorski](#)
To: [Rich Williamson](#); [Joel Schwarz](#); [Jordan T. Smith](#); [Joseph Gutierrez](#); [Dennis Prince](#); [dkoch kochscow.com](#); [Rusty Graf](#); [Akke Levin](#)
Cc: [Todd Bice](#); [Ashley R. Ellison](#); [Eric Hone](#); [Jamie Zimmerman](#); [Karen Morrow](#)
Subject: Re: In Re DOT
Date: Friday, July 29, 2022 12:52:42 PM

CAUTION: This message is from an EXTERNAL SENDER.
Me too.

-Shevorski

From: Rich Williamson <rich@nvlawyers.com>
Sent: Friday, July 29, 2022 12:47 PM
To: Joel Schwarz <jschwarz@hone.law>; Jordan T. Smith <JTS@pisanellibice.com>; Joseph Gutierrez <jag@mgalaw.com>; Dennis Prince <dprince@thedplg.com>; dkoch kochscow.com <dkoch@kochscow.com>; Steven G. Shevorski <SShevorski@ag.nv.gov>; Rusty Graf <rgraf@blackwadhamns.law>; Akke Levin <ALevin@ag.nv.gov>
Cc: Todd Bice <tlb@pisanellibice.com>; Ashley R. Ellison <are@pisanellibice.com>; Eric Hone <ehone@hone.law>; Jamie Zimmerman <jzimmerman@hone.law>; Karen Morrow <kmorrow@hone.law>
Subject: RE: In Re DOT

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Jordan,

On a separate but related matter, you have my approval as to form and content of the proposed order to certify.

Thanks,

Rich

Richard D. Williamson, Esq.
Robertson, Johnson, Miller & Williamson
50 West Liberty Street, Suite 600
Reno, Nevada 89501
Telephone: (775) 329-5600
Facsimile: (775) 348-8300
Email: Rich@NVLawyers.com
Please visit our Website at: www.nvlawyers.com

IMPORTANT NOTICE:

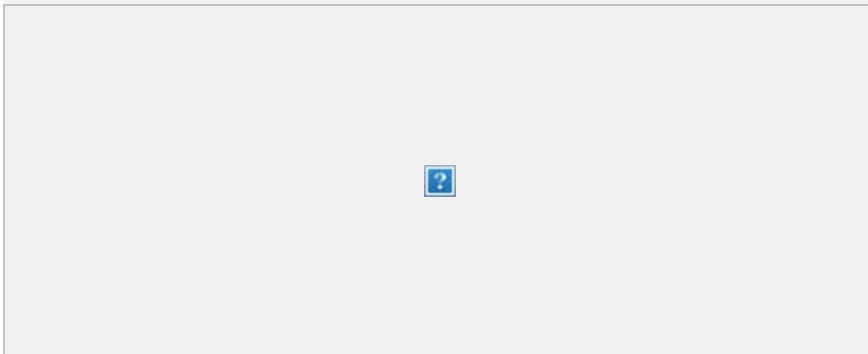
From: [Rusty Graf](#)
To: [Rich Williamson](#); [Joel Schwarz](#); [Jordan T. Smith](#); [Joseph Gutierrez](#); [Dennis Prince](#); [dkoch kochscow.com](#); [Steven G. Shevorsi](#); [Akke Levin](#)
Cc: [Todd Bice](#); [Ashley R. Ellison](#); [Eric Hone](#); [Jamie Zimmerman](#); [Karen Morrow](#)
Subject: RE: In Re DOT
Date: Friday, July 29, 2022 1:52:57 PM
Attachments: [image001.png](#)

CAUTION: This message is from an EXTERNAL SENDER.
Same as to Clear River. You have our approval.

Thank you and Stay safe!

Rusty Graf, Esq.

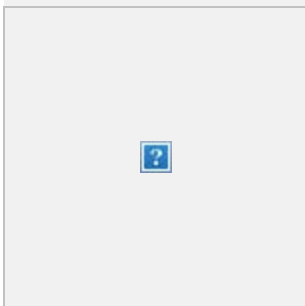
Partner



p: (702)869-8801
f: (702)869-2669
a: 10777 W. Twain Ave., Suite 300
Las Vegas, NV 89135

W: www.blackwadhamslaw.com

E: rgraf@blackwadhamslaw.com



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From: [Nicolas Donath](#)
To: [Jordan T. Smith](#)
Subject: In Re DOT - Order Granting Mot to Certify Phases 1 and 2
Date: Sunday, July 31, 2022 12:42:14 PM

CAUTION: This message is from an EXTERNAL SENDER.

Hello Jordan,

I am fine with the proposed order as is. You may affix my e-signature:

/s/ Nicolas R. Donath

Nicolas R. Donath Esq.

NVBN 13106

N.R. DONATH & ASSOCIATES PLLC

871 Coronado Center Dr., Ste. 200

Henderson, NV 89052

Attorneys for

Green Leaf Farms Holdings LLC, Green Therapeutics LLC,

NevCann LLC, and Red Earth LLC

Thanks,

Nick

Nicolas Donath, Esq.

Attorney at Law

N.R. Donath & Associates, PLLC



702-460-0718 (direct)

702-446-8063 (fax)

871 Coronado Center Drive Suite 200

Henderson, NV 89052

<http://www.nrdarelaw.com>

nick@nrdarelaw.com

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to the sender advising of the error in transmission and immediately delete/destroy the message and any accompanying documents, or immediately call [+1.702.460.0718](tel:+17024600718) to arrange for return via U.S. postal delivery at our expense. Thank you.

From: [Dzarnoski, Mark](#)
To: [Jordan T. Smith](#)
Cc: [Bain, Tanya](#)
Subject: Proposed 54b Certification Order
Date: Tuesday, August 2, 2022 3:34:33 PM

CAUTION: This message is from an EXTERNAL SENDER.

I am OK with the Proposed Order for certification e-served upon me on 7/28/22. You have my authority to affix my e-signature to the Proposed Order.

CLARK HILL, PLLC

By /s/ Mark S. Dzarnoski, Esq.
John A. Hunt, Esq. (NSBN 1888)
Dominic P. Gentile, Esq. (NSBN 1923)
Mark S. Dzarnoski, Esq. (NSBN 3398)
A. William Maupin (NSBN 1150)
3800 Howard Hughes Pkwy., #500
Las Vegas, Nevada 89169
Attorneys for TGIG Plaintiffs

Mark Dzarnoski

Senior Counsel

Clark Hill LLP

3800 Howard Hughes Parkway, Ste 500, Las Vegas, NV 89169
(702) 697-7506 (office) | (702) 778-9709 (fax)
mdzarnoski@ClarkHill.com | www.clarkhill.com



JORDAN T. SMITH
ATTORNEY AT LAW
JTS@PISANELLIBICE.COM

July 28, 2022

VIA E-SERVE

To All Parties:

**Re: *In Re: D.O.T. Litigation –*
Eighth Judicial District Court Case No. A-19-787004-B**

Counsel:

Please see the attached proposed Order Granting Motion to Certify Trial Phases 1 and 2 as Final Under NRCP 54(b). Please email any proposed edits to me (jts@pisanellibice.com) by noon next Tuesday, August 2, 2022. If you have no edits, please also email your approval to attach your e-signature and a copy of the signature block that you would like attached. The deadline to submit the order is next Wednesday, August 3, 2022.

Feel free to call me with any questions.

Thank you,

Jordan T. Smith

Jordan T. Smith

JTS/smd

Encl: As Stated

1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 In Re: D.O.T. Litigation

CASE NO: A-19-787004-B

7 DEPT. NO. Department 31
8

9 **AUTOMATED CERTIFICATE OF SERVICE**

10 This automated certificate of service was generated by the Eighth Judicial District
11 Court. The foregoing Order Granting Motion was served via the court's electronic eFile
12 system to all recipients registered for e-Service on the above entitled case as listed below:

13 Service Date: 8/4/2022

14 Amy Reams

areams@naylorandbrasterlaw.com

15 John Naylor

jnaylor@naylorandbrasterlaw.com

16 Jennifer Braster

jbraster@naylorandbrasterlaw.com

17 Heather Motta

hmotta@mcllawfirm.com

18 Peter Christiansen

pete@christiansenlaw.com

19 Whitney Barrett

wbarrett@christiansenlaw.com

20 R. Todd Terry

tterry@christiansenlaw.com

21 Eloisa Nunez

enunez@pnalaw.net

22 Margaret McLetchie

maggie@nvlitigation.com

23 Teresa Stovak

teresa@nvlawyers.com

24 Eileen Conners

eileen@nvlawyers.com

25 Jonathan Crain

26 jcrain@christiansenlaw.com
27
28

1	Todd Bice	tlb@pisanellibice.com
2	Debra Spinelli	dls@pisanellibice.com
3	Dustun Holmes	dhh@pisanellibice.com
4	Mariella Dumbrique	mdumbrique@blacklobello.law
5	Steven Scow	sscow@kskdllaw.com
6	David Koch	dkoch@kskdllaw.com
7	MGA Docketing	docket@mgallaw.com
8	Sarah Harmon	sharmon@baileykennedy.com
9	Dennis Kennedy	dkennedy@baileykennedy.com
10	Bailey Kennedy, LLP	bkfederaldownloads@baileykennedy.com
11	Patricia Stoppard	p.stoppard@kempjones.com
12	Ali Augustine	a.augustine@kempjones.com
13	Nathanael Rulis	n.rulis@kempjones.com
14	Chandi Melton	chandi@christiansenlaw.com
15	David Pope	dpope@ag.nv.gov
16	Kimberly Burns	kimberly.burns@wilsonelser.com
17	Norma Richter	nrichter@jfnvllaw.com
18	Adam Fulton	afulton@jfnvllaw.com
19	Jared Jennings	jjennings@jfnvllaw.com
20	Andrea Eshenbaugh	andrea@kskdllaw.com
21	Theodore Parker III	tparker@pnallaw.net
22	Alicia Ashcraft	ashcrafta@ashcraftbarr.com
23	Efile LasVegas	efilelasvegas@wilsonelser.com
24		
25		
26		
27		
28		

1	Jorge Ramirez	jorge.ramirez@wilsonelser.com
2	Daniel Scow	dscow@kskdllaw.com
3	Olivia Swibies	oswibies@nevadafirm.com
4	Richard Holley, Esq.	rholley@nevadafirm.com
5	Lee Iglody	lee@iglody.com
6	Jennifer DelCarmen	jdelcarmen@pnalaw.net
7	Steven Shevorski	sshevorski@ag.nv.gov
8	Joseph Gutierrez	jag@mgallaw.com
9	Jared Kahn	jkahn@jk-legalconsulting.com
10	David Koch	dkoch@kochscow.com
11	Steven Scow	sscow@kochscow.com
12	Leilani Gamboa	lgamboa@bendavidfirm.com
13	Mark Dzarnoski	mdzarnoski@clarkhill.com
14	Joel Schwarz	jschwarz@hone.law
15	Lawrence Semenza	ljs@skrlawyers.com
16	Steven Handelin	steve@handelinlaw.com
17	Richard Williamson	rich@nvlawyers.com
18	Kathleen McConnell	khmccconnell@frontiernet.net
19	Kenneth Ching	ken@argentumnv.com
20	Dan Reaser	dwheelen@fclaw.com
21	D. Neal Tomlinson	neal@hyperionlegal.com
22	Michael Becker	Michael@702defense.com
23	Rory Vohwinkel	rory@vohwinkellaw.com
24		
25		
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1	Rick Hsu	rhsu@mcllawfirm.com
2	Clarence Gamble	Clarence@ramoslaw.com
3	Jeffrey Whittemore	chase@sandelawgroup.com
4	Ben Ross	ben@litigationservices.com
5	Gia Marina	gmarina@clarkhill.com
6	Judah Zakalik	jz@pandalawfirm.com
7	Eric Hone	ehone@hone.law
8	Jamie Zimmerman	jzimmerman@hone.law
9	Lisa Holding	lholding@lawhjc.com
10	Stephanie George	sg@h2law.com
11	Daniel Tetreault	dtetreault@lawhjc.com
12	James Pisanelli	lit@pisanellibice.com
13	Logan Willson	Logan@jfnvlaw.com
14	Jordan Smith	jts@pisanellibice.com
15	Anastasia Noe	anastasia@pandalawfirm.com
16	Shannon Dinkel	sd@pisanellibice.com
17	Eservice Filing	eservice@thedplg.com
18	Phyllis Cameron	pcameron@clarkhill.com
19	John Savage	jsavage@nevadafirm.com
20	Katherine MacElwain	kmacelwain@nevadafirm.com
21	Karen Morrow	kmorrow@hone.law
22	Dominic Gentile	dgentile@clarkhill.com
23	Ross Miller	rmiller@clarkhill.com
24		
25		
26		
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28		

1	Tanya Bain	tbain@clarkhill.com
2	Gail May	Gail@ramoslaw.com
3	Jeffery Bendavid	jbendavid@bendavidfirm.com
4	Stephanie Smith	ssmith@bendavidfirm.com
5	Clarence Gamble	clarence@ramoslaw.com
6	Michelle Miller	michellemiller@millerlawinc.us
7	James Puzey	jpuzey@nevadafirm.com
8	Michael Ayers	mayers@nevadafirm.com
9	James Puzey	jpuzey@nevadafirm.com
10	Craig Slater	efile@luhlaw.com
11	Depository LIT	Depository@litigationservices.com
12	Alicia Vega	avega@litigationservices.com
13	Karen Stecker	kstecker@conantlawfirm.com
14	Brett Scolari	bscolari@trykecompanies.com
15	Paul Conant	pconant@conantlawfirm.com
16	Conant Law Firm	docket@conantlawfirm.com
17	Susan Owens	sao@h2law.com
18	Steven Jaffe	SJaffe@lawhjc.com
19	Clarissa Reyes	creyes@clarkhill.com
20	Kelsey Fusco	kfusco@nevadafirm.com
21	Katherine Rodriguez	krodriguez@nevadafirm.com
22	April Allen	aallen@kskdlaw.com
23	Susan Matejko - Administrative Assistant	smatejko@nevadafirm.com
24		
25		
26		
27		
28		

1	Candice Mata	lawclerk@hone.law
2	L. Christopher Rose	lcr@h2law.com
3	Kiel Ireland	kireland@ag.nv.gov
4	Vernon Nelson	vnelson@nelsonlawfirmnv.com
5	Sigal Chattah	Chattahlaw@gmail.com
6	Sigal Chattah	Chattahlaw@gmail.com
7	Amy Sugden	amy@sugdenlaw.com
8	Anthony Arger	anthony@nvlawyers.com
9	Rusty Graf	rgraf@blackwadhams.law
10	Brigid Higgins	bhiggins@blackwadhams.law
11	Diane Meeter	dmeeter@blackwadhams.law
12	Marsha Stallsworth	mstallsworth@blackwadhams.law
13	Nicolas Donath	Nick@nrdarelaw.com
14	Lucas Combs	ljcombs@ag.nv.gov
15	Kaitlyn Brooks	Kaitlyn.Brooks@wilsonelser.com
16	Staci Ibarra	sibarra@pnalaw.net
17	Shayna Ortega-Rose	srose@lawhjc.com
18	Benjamin Gordon	bgordon@nblawnv.com
19	Misty Janati	misty@jfnvlaw.com
20	Sunny Southworth	ssouthworth@ag.nv.gov
21	Paul Garcia	pgarcia@hone.law
22	Mary Pizzariello	MPizzariello@ag.nv.gov
23		
24		
25		
26		
27		
28		