

IN THE SUPREME COURT OF THE STATE OF NEVADA

DARIA HARPER, AN INDIVIDUAL;
AND DANIEL WININGER, AN
INDIVIDUAL,

Appellants,

vs.

COPPERPOINT MUTUAL INSURANCE
HOLDING COMPANY, AN ARIZONA
CORPORATION; COPPERPOINT
GENERAL INSURANCE COMPANY,
AN ARIZONA CORPORATION; LAW
OFFICES OF MARSHALL
SILBERBERG, P.C., A CALIFORNIA
CORPORATION; KENNETH
MARSHALL SILBERBERG, A/K/A
MARSHALL SILBERBERG, A/K/A K.
MARSHALL SILBERBERG, AN
INDIVIDUAL; THOMAS S. ALCH,
A/K/A THOMAS STEVEN ALCH, AN
INDIVIDUAL; AND SHOOP, A
PROFESSIONAL LAW CORPORATION,
A CALIFORNIA CORPORATION,

Respondents.

No. 82158

FILED

MAR 19 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

*ORDER REINSTATING BRIEFING, DENYING MOTION TO JOIN
APPEAL, AND REGARDING CAPTION*

On January 21, 2021, this court entered an order directing appellants to show cause why this appeal should not be dismissed for lack of jurisdiction. It appeared that claims remained pending in the district court such that the order challenged on appeal was not appealable as a final judgment under NRAP 3A(b)(1). In response, appellants have provided this court with a copy of a district court order properly certifying the challenged order as final under NRCP 54(b). Accordingly, this appeal may proceed.

The January 21, 2021, order also noted it appeared that the only respondents to this appeal are Copperpoint Mutual Insurance Holding Company and Copperpoint General Insurance Company, and the caption of this appeal should be modified by removing the remaining respondents. If any party objected to such modification, the party was to so inform this court, in writing, by February 5, 2021. The order stated that if no objection is timely filed in this court, this appeal would proceed with Copperpoint Mutual Insurance Holding Company and Copperpoint General Insurance Company as the only respondents.

Respondents Law Offices of Marshall Silberberg, P.C., and Kenneth Marshall Silberberg (Silberberg) have now filed a motion to join in the appeal. They state that the district court's ruling will impact the remaining attorney defendants but appellants' position is closely aligned with theirs. Silberberg specifically requests to join in the appeal filed by appellants and to adopt the notice of appeal, docketing statement, and case appeal statement. An appeal may only be taken "by filing a notice of appeal with the district court clerk within the time allowed by [NRAP] 4." See NRAP 3(a)(1). Thus, the motion to join appeal is denied. However, because it appears that Silberberg has an interest in this appeal, they shall remain as respondents.

Respondents Thomas S. Alch and Shoop, A Professional Law Corporation, have not filed an objection to being removed as respondents. Accordingly, the clerk shall remove them as respondents to this appeal.

Appellants shall have 7 days from the date of this order to serve and file, in this court, a file-stamped transcript request form. NRAP 9(a). If no transcript is to be requested, appellants shall file and serve a certificate to that effect within the same time period. *Id.* Appellants shall

have 90 days from the date of this order to file and serve the opening brief and appendix. Thereafter, briefing shall proceed in accordance with NRAP 31(a)(1). Failure to timely comply with this order may result in the imposition of sanctions, including the dismissal of this appeal. See NRAP 9(a)(7); NRAP 31(d).

It is so ORDERED.

1. J. J. J., C.J.

cc: Maier Gutierrez & Associates
Blumberg Law Corporation
Hooks Meng & Clement
Lipson Neilson P.C.
McBride Hall
Kjar, McKenna & Stockalper LLP