

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

STEVE SANSON, AN INDIVIDUAL;  
AND ROB LAUER, AN  
INDIVIDUAL,

Appellants,

v.

LAWRA KASSEE BULEN,

Respondent.

Electronically Filed  
Jun 25 2021 02:06 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

SUPREME COURT CASE NO. 82393

Dist. Court Case No. A-18-784807-C

**APPELLANT’S NOTICE OF ADDITIONAL OR  
INTERVENING AUTHORITY**

Appellants, Sanson and Lauer, filed their Opening Brief on May 28, 2021, concerning application of NRS § 41.670(a)(b) (Nevada’s Anti-SLAPP laws) and its discretionary \$10,000 sanction to a prevailing defendant.

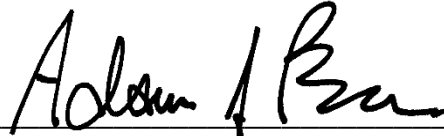
Unknown to Appellant’s counsel at the time, on March 4, 2021, this Court entered an advance opinion in the matter of *Smith v. Zilverberg*, 137 Nev. Adv. Op. 7, 481 P.3d 1222 (2021). In the *Smith* case, the Nevada Supreme Court authoritatively decided that the \$10,000 discretionary sanction in NRS § 41.670(a)(b) is up to \$10,000 *per defendant*, not \$10,000 *per action* or lawsuit.

The ruling in *Smith* is the same legal position taken by the Appellants in this action but was technically not decided at an appellate level at the time of the District Court’s ruling in this case.

The *Smith* decision does not otherwise adjudicate the main issue presented by this appeal, i.e. under what test or under what factors should the District Court use to exercise its discretion under NRS § 41.670(a)(b). However, counsel felt compelled to disclose the additional authority on one issue tangentially presented by this appeal which has now been decided in the Appellant's favor.

Dated this 25<sup>th</sup> day of June, 2021.

**BREEDEN & ASSOCIATES, PLLC**

A handwritten signature in black ink, appearing to read "Adam J. Breiden", is written over a horizontal line.

**ADAM J. BREIDEN, ESQ.**

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 25<sup>th</sup> day of June 2021, I served a copy of the foregoing legal document entitled **APPELLANTS' NOTICE OF ADDITIONAL OR INTERVENING AUTHORITY** via the method indicated below:

X	Pursuant to NRAP 25(c), by electronically serving all counsel and e-mails registered to this matter on the Supreme Court Electronic Filing System.
X	<p>Pursuant to NRCP 5, by placing a copy in the US mail, postage pre-paid to the following counsel of record or parties in proper person:</p> <p style="text-align: center;">Lawra Kasee Bulen Brandon L. Phillips, Esq. <b>BRANDON L. PHILLIPS ATTORNEY AT LAW PLLC</b> 1455 E. Tropicana Avenue, Suite 750 Las Vegas, Nevada 89119 <i>Attorneys for Respondent</i></p>
	Via receipt of copy (proof of service to follow)

An Attorney or Employee of the firm:

/s/ Kristy Johnson  
**BREEDEN & ASSOCIATES PLLC**