

1 JOHN R. BAILEY  
Nevada Bar No. 0137  
2 DENNIS L. KENNEDY  
Nevada Bar No. 1462  
3 SARAH E. HARMON  
Nevada Bar No. 8106  
4 JOSEPH A. LIEBMAN  
Nevada Bar No. 10125  
5 **BAILEY ❖ KENNEDY**  
8984 Spanish Ridge Avenue  
6 Las Vegas, Nevada 89148-1302  
Telephone: 702.562.8820  
7 Facsimile: 702.562.8821  
JBailey@BaileyKennedy.com  
8 DKennedy@BaileyKennedy.com  
SHarmon@BaileyKennedy.com  
9 JLiebman@BaileyKennedy.com

10 *Attorneys for Appellants/Petitioners*  
Unite Here Health; and Nevada Health  
11 Solutions, LLC

12 IN THE SUPREME COURT OF THE STATE OF NEVADA

13 UNITE HERE HEALTH; AND  
14 NEVADA HEALTH SOLUTIONS, LLC,

15 Appellants,

16 vs.

17 STATE OF NEVADA, EX REL.  
18 COMMISSIONER OF INSURANCE,  
19 BARBARA D. RICHARDSON, IN HER  
20 OFFICIAL CAPACITY AS  
STATUTORY RECEIVER FOR  
DELINQUENT DOMESTIC

Supreme Court No. 82467  
District Court No. A-15-725244-C  
  
(Consolidated with Supreme Court  
No. 82552)

**ERRATA TO CERTIFICATE  
OF SERVICE FOR: (A)  
APPELLANTS/PETITIONERS'  
REPLY IN SUPPORT OF (1)  
PETITION FOR  
EXTRAORDINARY WRIT  
RELIEF (NO. 82552), AND (2)  
APPELLANTS' OPENING  
BRIEF (NO. 82467); (B) REPLY**

Electronically Filed  
Sep 16 2021 03:39 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

INSURER, NEVADA HEALTH CO-OP;  
and GREENBERG TRAUIG, LLP,

Respondents.

UNITE HERE HEALTH; AND  
NEVADA HEALTH SOLUTIONS, LLC,

Petitioners,

vs.

EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK, THE HONORABLE TARA  
CLARK NEWBERRY, DISTRICT  
COURT JUDGE,

Respondent,

and

STATE OF NEVADA, EX REL.  
COMMISSIONER OF INSURANCE,  
BARBARA D. RICHARDSON, IN HER  
OFFICIAL CAPACITY AS  
STATUTORY RECEIVER FOR  
DELINQUENT DOMESTIC INSURER,  
NEVADA HEALTH CO-OP; and  
GREENBERG TRAUIG, LLP,

Parties in Interest.

**APPENDIX (VOLUMES 1 AND  
2); (C)  
APPELLANTS/PETITIONERS'  
MOTION TO SEAL EXHIBIT 2  
IN VOLUME 1 OF 2 OF THE  
REPLY APPENDIX; AND (D)  
EXHIBIT 2 IN VOLUME 1 OF  
2 OF THE REPLY APPENDIX  
(PROPOSED FOR FILING  
UNDER SEAL)**

Supreme Court No. 82552  
District Court No. A-15-725244-C

1                   **ERRATA TO CERTIFICATE OF SERVICE FOR: (A)**  
2                   **APPELLANTS/PETITIONERS’ REPLY IN SUPPORT OF (1)**  
3                   **PETITION FOR EXTRAORDINARY WRIT RELIEF (NO. 82552), AND**  
4                   **(2) APPELLANTS’ OPENING BRIEF (NO. 82467); (B) REPLY**  
5                   **APPENDIX (VOLUMES 1 AND 2); (C) APPELLANTS/PETITIONERS’**  
6                   **MOTION TO SEAL EXHIBIT 2 IN VOLUME 1 OF 2 OF THE REPLY**  
7                   **APPENDIX; AND (D) EXHIBIT 2 IN VOLUME 1 OF 2 OF THE REPLY**  
8                   **APPENDIX (PROPOSED FOR FILING UNDER SEAL)**

9                   On September 10, 2021, Appellants/Petitioners Unite Here Health and  
10                  Nevada Health Solutions, LLC filed:

11                  (A). Appellants/Petitioners’ Reply in Support of (1) Petition for  
12                  Extraordinary Writ Relief (No. 82552), and (2) Appellants’ Opening Brief (No.  
13                  82467);

14                  (B). Reply Appendix (Volumes 1 and 2);

15                  (C). Appellants/Petitioners’ Motion to Seal Exhibit 2 in Volume  
16                  1 of 2 of the Reply Appendix; and

17                  (D). Exhibit 2 in Volume 1 of 2 of the Reply Appendix (which  
18                  was proposed for filing under seal).

19                  Appellants/Petitioners inadvertently omitted the law firm of Lewis Roca  
20                  Rothgerber Christie LLP (“Lewis Roca”)<sup>1</sup> (co-counsel for the Respondent,

---

<sup>1</sup> Respondent’s counsel Greenberg Traurig, LLP was timely served with all of the above-referenced documents on September 10, 2021, including the Exhibit 2 that was submitted for filing under seal.

1 Barbara Richardson, in her official capacity as statutory Receiver for  
2 delinquent domestic insurer Nevada Health CO-OP) from the Certificates of  
3 Service for these documents, although Lewis Roca was e-served with the  
4 Reply, both volumes of the Reply Appendix, and the Motion to Seal on  
5 September 10, 2021. Attached as Exhibit 1 is an amended Certificate of  
6 Service reflecting that Lewis & Roca was served with these documents, and  
7 Appellants/Petitioners have served Lewis Roca with a copy of Exhibit 2 in  
8 Volume 1 of 2 of the Reply Appendix by U.S. mail concurrently with this  
9 filing.

10 DATED this 16th day of September, 2021.

11 BAILEY ❖ KENNEDY

12 By: /s/ Sarah E. Harmon

13 JOHN R. BAILEY  
14 DENNIS L. KENNEDY  
15 SARAH E. HARMON  
16 JOSEPH A. LIEBMAN

17 *Attorneys for Appellants/Petitioners*  
18 *Unite Here Health; and Nevada Health*  
19 *Solutions, LLC*  
20

**CERTIFICATE OF SERVICE**

I certify that I am an employee of BAILEY ❖ KENNEDY and that on the 16th day of September, 2021, service of the foregoing **ERRATA TO CERTIFICATE OF SERVICE FOR: (A) APPELLANTS/PETITIONERS' REPLY IN SUPPORT OF (1) PETITION FOR EXTRAORDINARY WRIT RELIEF (NO. 82552), AND (2) APPELLANTS' OPENING BRIEF (NO. 82467); (B) REPLY APPENDIX (VOLUMES 1 AND 2); (C) APPELLANTS/PETITIONERS' MOTION TO SEAL EXHIBIT 2 IN VOLUME 1 OF 2 OF THE REPLY APPENDIX; AND (D) EXHIBIT 2 IN VOLUME 1 OF 2 OF THE REPLY APPENDIX (PROPOSED FOR FILING UNDER SEAL)** was made by electronic service through Nevada Supreme Court's electronic filing system and/or by depositing a true and correct copy in the U.S. Mail, first class postage prepaid, and addressed to the following at their last known address:

MARK E. FERRARIO  
DONALD L. PRUNTY  
TAMI D. COWDEN

Email: ferrariom@gtlaw.com  
pruntyd@gtlaw.com  
cowdent@gtlaw.com

**GREENBERG TRAUIG, LLP**  
10845 Griffith Peak Drive, Suite 600  
Suite 600  
Las Vegas, Nevada 89135

*Attorneys for Respondents/Real Parties in Interest*  
STATE OF NEVADA, EX REL.  
COMMISSIONER OF  
INSURANCE, BARBARA D.  
RICHARDSON, IN HER OFFICIAL  
CAPACITY AS RECEIVER FOR

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

NEVADA HEALTH CO-OP; AND  
GREENBERG TRAUIG, LLP

MICHAEL P. MCNAMARA  
**JENNER & BLOCK LLP**  
633 West Fifth Street, Suite 3600  
Los Angeles, California 90071

Email: mmcnamara@jenner.com  
  
*Attorney for Respondent/Real Party  
in Interest*  
GREENBERG TRAUIG, LLP

DAVID JIMENEZ-EKMAN  
**JENNER & BLOCK LLP**  
353 North Clark Street, Suite 3900  
Chicago, Illinois 60654

Email: djimenez-ekman@jenner.com  
  
*Attorney for Respondent/Real Party  
in Interest*  
GREENBERG TRAUIG, LLP

DANIEL F. POLSENBERG  
JOEL D. HENRIOD  
ABRAHAM G. SMITH  
**LEWIS ROCA ROTHGERBER  
CHRISTIE LLP**

Email: dpolsenberg@lewisroca.com  
jhenriod@lewisroca.com  
asmith@lewisroca.com  
  
*Attorneys for Respondents/Real  
Parties in Interest*  
STATE OF NEVADA, EX REL.  
COMMISSIONER OF  
INSURANCE, BARBARA D.  
RICHARDSON, IN HER OFFICIAL  
CAPACITY AS RECEIVER FOR  
NEVADA HEALTH CO-OP; AND  
GREENBERG TRAUIG, LLP

**VIA E-MAIL**  
  
HONORABLE TARA CLARK NEWBERRY  
**EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF  
NEVADA, IN AND FOR THE  
COUNTY OF CLARK**  
Department XXI

Email:  
DC21Inbox@ClarkCountyCourts.us  
Dept21LC@ClarkCountyCourts.us  
Dept21JEA@ClarkCountyCourts.us  
  
*Respondent*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

200 Lewis Avenue  
Las Vegas, Nevada 89155

/s/ Angelique Mattox  
Employee of BAILEY ❖ KENNEDY

**EXHIBIT 1**

**EXHIBIT 1**

1 **CERTIFICATE OF SERVICE**

2 I certify that I am an employee of BAILEY ❖ KENNEDY and that on the  
3 10th day of September, 2021, the **APPELLANTS/PETITIONERS' REPLY**  
4 **IN SUPPORT OF (1) PETITION FOR EXTRAORDINARY WRIT**  
5 **RELIEF (NO. 82552), AND (2) APPELLANTS' OPENING BRIEF (NO.**  
6 **82467); REPLY APPENDIX (VOLUMES 1 AND 2);**  
7 **APPELLANTS/PETITIONERS' MOTION TO SEAL EXHIBIT 2 IN**  
8 **VOLUME 1 OF 2 OF THE REPLY APPENDIX; AND EXHIBIT 2 IN**  
9 **VOLUME 1 OF 2 OF THE REPLY APPENDIX (PROPOSED FOR**  
10 **FILING UNDER SEAL)<sup>1</sup> was made by electronic service through Nevada**  
11 **Supreme Court's electronic filing system and/or by depositing a true and**  
12 **correct copy in the U.S. Mail, first class postage prepaid, and addressed to the**  
13 **following at their last known address:**

14 MARK E. FERRARIO	Email: ferrariom@gtlaw.com
15 DONALD L. PRUNTY	pruntyd@gtlaw.com
16 TAMI D. COWDEN	cowdent@gtlaw.com
<b>GREENBERG TRAUIG, LLP</b>	
10845 Griffith Peak Drive, Suite 600	<i>Attorneys for Respondents/Real</i>
Suite 600	<i>Parties in Interest</i>
Las Vegas, Nevada 89135	STATE OF NEVADA, EX REL.
	COMMISSIONER OF

19 \_\_\_\_\_  
20 <sup>1</sup> The law firm of Lewis Roca Rothgerber Christie LLP was also served a copy of Exhibit 2 in Volume 1 of 2 of the Reply Appendix (which was submitted for proposed filing under seal) by U.S. Mail on September 16, 2021.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

INSURANCE, BARBARA D.  
RICHARDSON, IN HER OFFICIAL  
CAPACITY AS RECEIVER FOR  
NEVADA HEALTH CO-OP; AND  
GREENBERG TRAUIG, LLP

MICHAEL P. MCNAMARA  
**JENNER & BLOCK LLP**  
633 West Fifth Street, Suite 3600  
Los Angeles, California 90071

Email: mmcnamara@jenner.com  
*Attorney for Respondent/Real Party  
in Interest*  
GREENBERG TRAUIG, LLP

DAVID JIMENEZ-EKMAN  
**JENNER & BLOCK LLP**  
353 North Clark Street, Suite 3900  
Chicago, Illinois 60654

Email: djimenez-ekman@jenner.com  
*Attorney for Respondent/Real Party  
in Interest*  
GREENBERG TRAUIG, LLP

DANIEL F. POLSENBERG  
JOEL D. HENRIOD  
ABRAHAM G. SMITH  
**LEWIS ROCA ROTHGERBER  
CHRISTIE LLP**  
3993 Howard Hughes Parkway,  
Suite 600  
Las Vegas, Nevada 89169

Email: dpolsenberg@lewisroca.com  
jhenriod@lewisroca.com  
asmith@lewisroca.com  
*Attorneys for Respondents/Real  
Parties in Interest*  
STATE OF NEVADA, EX REL.  
COMMISSIONER OF  
INSURANCE, BARBARA D.  
RICHARDSON, IN HER OFFICIAL  
CAPACITY AS RECEIVER FOR  
NEVADA HEALTH CO-OP; AND  
GREENBERG TRAUIG, LLP

**VIA E-MAIL**

HONORABLE TARA CLARK NEWBERRY  
**EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF**

Email:  
DC21Inbox@ClarkCountyCourts.us  
Dept21LC@ClarkCountyCourts.us  
Dept21JEA@ClarkCountyCourts.us

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

**NEVADA, IN AND FOR THE  
COUNTY OF CLARK**  
Department XXI  
200 Lewis Avenue  
Las Vegas, Nevada 89155

*Respondent*

*/s/ Angelique Mattox*  
Employee of BAILEY ❖ KENNEDY