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Elizabeth A. Brown
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

Edgardo P. Yusi; Keolis Transit Services, LLC,
Supreme Ct. No.: 82625

Dist. Ct. Case No.: A-18-781000-C

Petitioner,

vs.

The Eighth Judicial District Court of the
State of Nevada and the Honorable
Nancy Allf, Judge,

**Edgardo Yusi & Keolis Transit
Services, LLC's Motion to Stay**

Emergency Motion Under NRAP 27(e)

Respondents.

and

Heather Felsner,

Real Party in Interest.

This motion concerns an initial expert disclosure deadline presently
scheduled for January 31, 2022.

NRAP 27(e) Certificate

1. The parties appearing in this matter are all represented by counsel, who are listed below. Prior filings in this matter indicate all are subscribed for electronic service in this case. Petitioners served this motion via the same electronic service that has been previously used in the case.

John B. Shook, Esq. Shook & Stone 710 South Fourth Street Las Vegas, NV 89101 702.385.2220 Attorneys for Heather Felsner	Tom W. Stewart, Esq. Ryan T. O'Malley, Esq. The Powell Law Firm 8918 Spanish Ridge Ave, Suite 100 Las Vegas, NV 89148 702.728.5500 Attorneys for Heather Felsner
	Evan D. Schwab Schwab Law Firm 7455 Arroyo Crossing Pkwy., Suite 220 Las Vegas, NV 89113 702.761.6438 Attorneys for American Board of Professional Neuropsychology

2. This writ petition concerns Petitioners' request for a neuropsychological examination. The examination has not occurred, and Petitioners believe it cannot occur, for the reasons at issue in the substantive briefing. Petitioners also believe that the physician who performs a neuropsychological examination must be designated an initial expert. The district court set January 31, 2022 as the deadline to disclose initial experts, denied Petitioners' motion to stay the case, and stated the initial expert disclosure

1 deadline would not be moved again. Petitioners believe that if the initial
2 expert disclosure deadline expires, then the object of this petition is lost, for
3 the reasons described in their pending motion to stay.

4 3. Petitioners filed a motion in this writ proceeding to stay per NRAP 8, but the
5 motion remains pending and the disclosure deadline is now just 11 days
6 away.

7 4. I declare under penalty of perjury that the foregoing is true and correct.

8 /s/ Michael P. Lowry
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1 **Memorandum of Points & Authorities**

2 As described in the NRAP 27(e) certificate, Petitioners' have moved to stay
3 discovery, including the January 31, 2022 initial expert disclosure deadline,
4 pending the disposition of this writ petition. The district court denied their motion
5 to stay, so Petitioners then filed a motion to stay in this proceeding per NRAP 8
6 on October 28, 2021. The real party in interest responded on November 4 and
7 Petitioners replied on November 9. The motion remains pending.

8 Petitioners understand this matter is not the Court's only one, but the
9 January 31, 2022 disclosure deadline is just 11 days away. If it expires,
10 Petitioners are concerned that may moot the object of their petition, for the
11 reasons described in their motion to stay. Petitioners bring this emergency motion
12 principally to raise their concern about this potential in hopes the pending motion
13 to stay will then be decided. Petitioners do not present any new arguments
14 regarding the merits of the motion to stay.

15 DATED this 20th day of January, 2022.



18 /s/ Michael P. Lowry
19 MICHAEL P. LOWRY, ESQ.
20 6689 Las Vegas Blvd. South, Suite 200
Las Vegas, Nevada 89119
Attorneys for Edgardo P. Yusi; Keolis
Transit Services, LLC

Certificate of Service

Per NRAP 21(a) and 25(c), I certify that I am an employee of Wilson Elser Moskowitz Edelman & Dicker LLP, and that on January 20, 2022, **Edgardo Yusi & Keolis Transit Services, LLC's Motion to Stay** was served via electronic means by operation of the Court's electronic filing system.

John B. Shook, Esq. Shook & Stone 710 South Fourth Street Las Vegas, NV 89101 Attorneys for Heather Felsner	Judge Nancy Alf Eighth Judicial District Court Department 27 200 Lewis Ave. Las Vegas, NV 89155
Tom W. Stewart, Esq. Ryan T. O'Malley, Esq. The Powell Law Firm 8918 Spanish Ridge Ave, Suite 100 Las Vegas, NV 89148 Attorneys for Heather Felsner	Evan D. Schwab Schwab Law Firm 7455 Arroyo Crossing Pkwy., Suite 220 Las Vegas, NV 89113 Attorneys for American Board of Professional Neuropsychology

BY: /s/ Michael Lowry
An Employee of

