

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

FERRELLGAS, INC., a foreign corporation,
MARIO GONZALEZ and CARL KLEISNER,

Petitioners,

vs.

EIGHTH JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA IN AND FOR
THE COUNTY OF CLARK; THE
HONORABLE JOANNA S. KISHNER,
DISTRICT JUDGE,
and

JOSHUA GREEN,

Respondents.

Supreme Court No. 82670
Electronically Filed
Jul 29 2021 01:09 p.m.
Elizabeth A. Brown
Clerk of Supreme Court
DISTRICT COURT
NO. A-19-795381-C

**PETITIONERS' EMERGENCY REQUEST FOR RULING
ON MOTION TO STAY PROCEEDINGS**

COME NOW Petitioners FERRELLGAS, INC., MARIO GONZALEZ and CARL KLEISNER (collectively "Petitioners"), by and through their attorneys of record, and hereby respectfully submit their Emergency Request for a ruling on their Motion To Stay Proceedings ("Motion") filed on 7/6/2021. Any opposition to the Motion was due 7/13/2021. NRAP 27(a)(3)(A). To date, no opposition has been filed thereto and this Court may conclude that the Real Party in Interest's failure to oppose the motion constitutes an admission that the motion is

meritorious. See, e.g., Savala v. Burns, 134 Nev. 1008, 420 P.3d 550, 2018 WL 2733387, at *1 (2018) citing Foster v. Dingwall, 126 Nev. 56, 66, 227 P.3d 1042, 1049 (2010). **The deadline for the NRCP 35 examination at issue in Petitioners' Writ is 7/31/2021.** (Petitioners' Appendix , at 1 MOT-1 and 9-1).

Accordingly, Petitioners respectfully request a ruling on their Motion.

DATED this 29th day of July, 2021.

DATED this 29th day of July, 2021.

/s/ Felicia Galati, Esq.

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FERRELLGAS, INC.

DATED this 29th day of July, 2021.

/s/ Steven M. Goldstein, Esq.

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/s/Gina Gilbert Winspear, Esq.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of July, 2021, I sent via e-mail a true and correct copy of the above and foregoing **PETITIONERS' EMERGENCY REQUEST FOR RULING ON MOTION TO STAY PROCEEDINGS** by electronic service through the Nevada Supreme Court's website, (or, if necessary, by U.S. Mail, first class, postage pre-paid), upon the following:

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Hon. Joanna S. Kishner
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/s/ Karla Livingston

An employee of OLSON CANNON
GORMLEY & STOBERSKI

Karla Livingston

From: Gina Winspear <gwinspear@dennettwinspear.com>
Sent: Thursday, July 29, 2021 9:58 AM
To: Felicia Galati; Gregorio V. Silva
Cc: Michael C. McMullen; Steven M. Goldstein; Deborah (Deb) A. Ries; Deborah L. Parker; Karla Livingston
Subject: RE: [EXTERNAL SENDER] Green v Ferrellgas

Looks good to me. Thank you Felicia.

GINA WINSPEAR, ESQ.
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From: Felicia Galati <fgalati@ocgas.com>
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Cc: Michael C. McMullen <mmcmullen@bscr-law.com>; Steven M. Goldstein <sgoldstein@pyattsilvestri.com>; Gina Winspear <gwinspear@dennettwinspear.com>; Deborah (Deb) A. Ries <dries@bscr-law.com>; Deborah L. Parker <dparker@bscr-law.com>; Karla Livingston <klivingston@ocgas.com>
Subject: RE: [EXTERNAL SENDER] Green v Ferrellgas

Thank you, Gregorio.

Gina and Steve?

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From: Gregorio V. Silva <gsilva@bscr-law.com>
Sent: Thursday, July 29, 2021 9:46 AM
To: Felicia Galati <fgalati@ocgas.com>

Karla Livingston

From: Steven Goldstein <sgoldstein@pyattsilvestri.com>
Sent: Thursday, July 29, 2021 10:00 AM
To: Felicia Galati; 'Michael C. McMullen (mmcmullen@bscr-law.com)'; Gregorio V. Silva; 'gwinspear@dennettwinspear.com'
Cc: Deborah A. Ries; Deborah L. Parker; Karla Livingston
Subject: RE: Green v Ferrellgas

Looks good to me!

Kindest regards,

Steven M. Goldstein, Esq.



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Cc: Deborah A. Ries <dries@bscr-law.com>; Deborah L. Parker <dparker@bscr-law.com>; Karla Livingston <klivingston@ocgas.com>
Subject: Green v Ferrellgas
Importance: High

Karla Livingston

From: Gregorio V. Silva <gsilva@bscr-law.com>
Sent: Thursday, July 29, 2021 9:46 AM
To: Felicia Galati
Cc: Michael C. McMullen; Steven M. Goldstein; gwinspear@dennettwinspear.com; Deborah (Deb) A. Ries; Deborah L. Parker; Karla Livingston
Subject: Re: [EXTERNAL SENDER] Green v Ferrellgas

Felicia,

This looks good to me

Sent from my iPhone

Gregorio V. Silva
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On Jul 29, 2021, at 6:36 AM, Felicia Galati <fgalati@ocgas.com> wrote: