

MATTHEW T. DUSHOFF, ESQ.
Nevada Bar No. 004975
JORDAN A. WOLFF, ESQ.
Nevada Bar No. 014968
WILLIAM A. GONZALES, ESQ.
Nevada Bar No. 015230
SALTZMAN MUGAN DUSHOFF
1835 Village Center Circle
Las Vegas, Nevada 89134
Telephone: (702) 405-8500
Fax: (702) 405-8501
E-Mail: mdushoff@nvbusinesslaw.com
jwolff@nvbusinesslaw.com
wgonzales@nvbusinesslaw.com

Electronically Filed
Aug 25 2021 03:13 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Attorneys for Real Parties in Interest
CTC TRANSPORTATION INSURANCE
SERVICES OF MISSOURI, LLC; CTC
TRANSPORTATION INSURANCE
SERVICES LLC; and CTC TRANSPORTATION
INSURANCE SERVICES OF HAWAII LLC

IN THE SUPREME COURT OF THE STATE OF NEVADA

STATE OF NEVADA, EX REL.
COMMISSIONER OF INSURANCE,
BARBARA D. RICHARDSON, IN HER
OFFICIAL CAPACITY AS RECEIVER
FOR SPIRIT COMMERCIAL AUTO
RISK RETENTION GROUP, INC,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT FOR THE STATE OF
NEVADA, IN AND FOR THE COUNTY
OF CLARK; and THE HONORABLE
MARK R. DENTON, DEPT. 13,
Respondents,

Supreme Court Case No: 82701

Dist. Ct. Case No.: A-20-809963-B

**MOTION FOR PERMISSION
TO FILE ANSWER TO
PETITION FOR WRIT OF
MANDAMUS IN EXCESS OF
7000 WORDS**

And Concerning,

THOMAS MULLIGAN, an individual;
CTC TRANSPORTATION INSURANCE
SERVICES OF MISSOURI, LLC, a
Missouri Limited Liability Company;
CTC TRANSPORTATION INSURANCE
SERVICES LLC, a California Limited
Liability Company; CTC
TRANSPORTATION INSURANCE
SERVICES OF HAWAII LLC, a Hawaii
Limited Liability Company; CRITERION
CLAIMS SOLUTIONS OF OMAHA,
INC., a Nebraska Corporation; PAVEL
KAPELNIKOV, an individual;
CHELSEA FINANCIAL GROUP, INC.,
a California Corporation; CHELSEA
FINANCIAL GROUP, INC., a Missouri
Corporation; CHELSEA FINANCIAL
GROUP, INC., a New Jersey Corporation
d/b/a CHELSEA PREMIUM FINANCE
CORPORATION; FOURGOREAN
CAPITAL, LLC, a New Jersey Limited
Liability Company; KAPA
MANAGEMENT CONSULTING, INC. a
New Jersey Corporation; KAPA
VENTURES, INC., a New Jersey
Corporation; GLOBAL FORWARDING
ENTERPRISES LIMITED LIABILITY
COMPANY, a New Jersey Limited
Liability Company; NEW TECH
CAPITAL, LLC, a Delaware Limited
Liability Company; LEXICON
INSURANCE MANAGEMENT LLC, a
North Carolina Limited Liability
Company; ICAP MANAGEMENT
SOLUTIONS, LLC, a Vermont Limited
Liability Company; SIX ELEVEN LLC, a
Missouri Limited Liability Company;
10-4 PREFERRED RISK MANAGERS

INC., a Missouri Corporation; IRONJAB LLC, a New Jersey Limited Liability Company; YANINA G. KAPELNIKOV, an individual; IGOR KAPELNIKOV, an individual; QUOTE MY RIG LLC, a New Jersey Limited Liability Company; MATTHEW SIMON, an individual; DANIEL GEORGE, an individual; JOHN MALONEY, an individual; JAMES MARX, an individual; CARLOS TORRES, an individual; VIRGINIA TORRES, an individual; SCOTT McCRAE, an individual; BRENDA GUFFEY, an individual; and 195 GLUTEN FREE LLC, a New Jersey Limited Liability Company,

Real Parties in Interest.

Pursuant to NRAP 21(d) and NRAP 32(a)(7)(D), Real Parties in Interest, CTC TRANSPORTATION INSURANCE SERVICES OF MISSOURI, LLC (“CTC-MO”); CTC TRANSPORTATION INSURANCE SERVICES LLC (“CTC-CA”); and CTC TRANSPORTATION INSURANCE SERVICES OF HAWAII LLC (“CTC-HI” and hereinafter collectively referred to with CTC-MO and CTC-CA as “CTC”), moves for permission to file its answer in excess of 7000 words. This request exceeds NRAP 21(d)’s new 7000-word limitation, but CTC can show diligence and good cause to justify the additional length.

On April 1, 2021, Petitioner filed her Writ and Motion to Exceed the 7000-word limit. Petitioner's Writ contains approximately 9259 words. *See* Certification in Petitioner's Writ. In order to provide an appropriate response to Petitioner's Writ, CTC will need to exceed NRAP 21(d)'s 7000-word limit.

Because the facts and procedural history are voluminous, 7000 words are simply not sufficient to answer the Writ. This matter involves more than 30 defendants, nineteen causes of action, three relevant and related district court orders requiring analysis, and presents issues of statewide importance. Considerable efforts were made to reduce the length, but even with such efforts, explanation and analysis of the relevant facts and legal issues required more than the 7000 words now permitted. For these reasons, diligence and good cause exist to allow the answer to exceed the 7000-word limit.

CTC has streamlined its answer as much as possible while still addressing the critical facts, procedural history, and legal arguments. The proposed answer is 2,326 words over the maximum allowed limitation of 7000 words. Because of what is at stake, CTC respectfully requests permission from this Court to file its answer to the Petition for Writ of Mandamus, filed concurrently with this motion. The

//

//

//

undersigned counsel of record certifies that the following are persons and entities as described in NRAP 26.1(a), and must be disclosed. These representations are made in order that the Justices of this Court may evaluate possible disqualification or recusal.

DATED this 25th day of August, 2021.

SALTZMAN MUGAN DUSHOFF

By 

MATTHEW T. DUSHOFF, ESQ.

Nevada Bar No. 004975

JORDAN A. WOLFF, ESQ.

Nevada Bar No. 14968

WILLIAM A. GONZALES, ESQ.

Nevada Bar No. 015230

1835 Village Center Circle

Las Vegas, Nevada 89134

Attorneys for CTC Parties

CERTIFICATE OF SERVICE

Pursuant to NRAP 25(c)(1)(B), I hereby certify that I am an employee of Saltzman Mugan Dushoff, and that on the 25th day of August, 2021, I submitted the foregoing **MOTION FOR PERMISSION TO FILE ANSWER TO PETITION FOR WRIT OF MANDAMUS IN EXCESS OF 7000 WORDS** to the Supreme Court of Nevada's electronic docket for filing and service upon the following:

William R. Urga, Esq.
David J. Malley, Esq.
Michael R. Ernst, Esq.
Jolley Urga Woodbury & Holthus
330 S. Rampart Blvd., Suite 380
Las Vegas, Nevada 89145
wru@juwlaw.com; djm@juwlaw.com;
mre@juwlaw.com
Attorneys for Real Parties in Interest
Thomas Mulligan

John R. Bailey, Esq.
Joshua M. Dickey, Esq.
Rebecca L. Crooker, Esq.
Bailey Kennedy
8984 Spanish Ridge Avenue
Las Vegas, Nevada 89148
JBailey@BaileyKennedy.com
JDickey@BaileyKennedy.com
RCrooker@BaileyKennedy.com
Attorneys for Real Parties in Interest
Criterion Claim Solutions of Omaha,
Inc.

Thomas E. McGrath, Esq.
Russell D. Christian, Esq.
Tyson & Mendes LLP
3960 Howard Hughes Parkway, #600
Las Vegas, Nevada 89169
tmcgrath@tysonmendes.com
rchristian@tysonmendes.com
Attorneys for Real Parties in Interest
Kapelnikov; Chelsea Financial
Group, Inc.; Chelsea Financial
Group, Inc.; Global Forwarding
Enterprises, LLC; Kapa Management
Consulting, Inc.; Kapa Ventures, Inc.;
and Igor and Yanina Kapelnikov

L. Christopher Rose, Esq.
Kirill V. Mikhaylov, Esq.
Howard & Howard Attorneys
3800 Howard Hughes Pkwy, #1000
lcr@h2law.com; kvm@h2law.com
wag@h2law.com
Attorneys for Real Parties in Interest
Six Eleven LLC; Quote My Rig, LLC;
New Tech Capital LLC; 195 Gluten
Free LLC; 10-4 Preferred Risk
Managers, Inc.; Ironjab, LLC;
Fourgorean Capital LLC; Chelsea
Financial Group, Inc.

Robert S. Larsen, Esq.
Wing Yan Wong, Esq.
Gordon Rees Scully Mansukhani,
300 South Fourth Street, Suite 1550
Las Vegas, Nevada 89101
rlarsen@grsm.com
wwong@grsm.com
Attorneys for Real Parties in Interest
Lexicon Insurance Management LLC,
Daniel George and ICAP
Management Solutions, LLC

Tamara Beatty Peterson, Esq.
Nikki L. Baker, Esq.
David E. Astur, Esq.
Peterson Baker, PLLC
701 S. 7th Street
Las Vegas, Nevada 89101
tpeterson@petersonbaker.com
nbaker@petersonbaker.com
dastur@petersonbaker.com
Attorneys for Real Parties in Interest
Matthew Simon Jr. and Scott McCrae


Sheri M. Thome, Esq.
Rachel L. Wise, Esq.
Wilson, Elser, Moskowitz,
Edelman & Dicker LLP
6689 Las Vegas Blvd., Suite 200
Las Vegas, Nevada 89119
Sheri.Thome@wilsonelser.com
Rachel.Wise@wilsonelser.com
Attorneys for Real Parties in Interest
James Marx, John Maloney, Virginia
Torres, and Carlos Torres

Kurt R. Bonds, Esq.
Trevor R. Waite, Esq.
Alverson Taylor & Sanders
6605 Grand Montecito Pkwy, Ste 200
Las Vegas, Nevada 89149
efile@alversontaylor.com
Attorneys for Real Parties in Interest
Brenda Guffey

With a courtesy copy via email (pursuant to March 20, 2020 Order of the Chief Judge of the EDJC that courtesy copies be submitted via email) to:

The Honorable Mark R. Denton
Eighth Judicial District Court, Dept. 13
Regional Justice Center
200 Lewis Ave.
Las Vegas, NV 89155

via email on April 25, 2021 to Dept13lc@clarkcountycourts.us.


An Employee of SALTZMAN MUGAN
DUSHOFF