

1 CODE NO.
2 MARY LOU WILSON
3 Attorney at Law
4 132 Rue De La Noir
5 Sparks, Nevada 89434
6 775-771-8620
7 Attorney for Petitioner

ORIGINAL

FILED

2021 APR 15 AM 10:40

STOREY COUNTY CLERK

Electronically Filed
Apr 26 2021 02:03 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

8 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

9 IN AND FOR THE COUNTY OF STOREY

10 MARY LOU MCSWEENEY-WILSON,
11 Petitioner,

12 vs.

Case No. 200C 0005 1E

Dept. 1

13 STOREY COUNTY COMMISSIONERS, and
14 STERICYCLE, INC.,
15 Respondents.

16 NOTICE OF APPEAL

17 COMES NOW MARY LOU MCSWEENEY-WILSON, and hereby files this Notice of
18 Appeal from the district court's Notice of Entry of Order filed March 16, 2021, Order Granting
19 Stericycle, Inc.'s Motion to Dismiss.
20

21 DATED this 15th day of April, 2021.

22 By:

Mary Lou Wilson
MARY LOU WILSON

23 Nevada Bar No. 3329
24 132 Rue De La Noir
25 Sparks, Nevada 89434
775-771-8620
Attorney for Petitioner

FILED

2021 APR 15 AM 10:39

STOREY COUNTY CLERK

BY A. Duke
DEPUTY

1 CODE NO.
2 MARY LOU WILSON
3 Attorney at Law
4 132 Rue De La Noir
5 Sparks, Nevada 89434
6 775-771-8620
7 Attorney for Petitioner

 ORIGINAL

8
9 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

10
11 IN AND FOR THE COUNTY OF STOREY

12
13 MARY LOU MCSWEENEY-WILSON,
14 Petitioner,

15
16 vs.

Case No. 200C 00005 1E

Dept. 1

17
18 STOREY COUNTY COMMISSIONERS, and
19 STERICYCLE, INC.,
20 Respondents.

21
22 NOTICE OF APPEAL

23
24 COMES NOW MARY LOU MCSWEENEY-WILSON, and hereby files this Notice of
25 Appeal from the district court's Notice of Entry of Order filed March 17, 2021, Order of
Dismissal.

DATED this 15th day of April, 2021.

By: Mary Lou Wilson
MARY LOU WILSON
Nevada Bar No. 3329
132 Rue De La Noir
Sparks, Nevada 89434
775-771-8620
Attorney for Petitioner

1 AFFIRMATION PURSUANT TO NRS 239B.030

2 The undersigned does hereby affirm that the preceding document does not contain the social
3 security number of any person.

4 DATED this 15th day of April, 2021.

5 By: Mary Lou Wilson
6 MARY LOU WILSON
7 Attorney At Law, Bar #3329
8 132 Rue De La Noir
 Sparks, Nevada 89434
 775-771-8620

1 CERTIFICATE OF SERVICE

2 I, Mary Lou Wilson, hereby affirm that on the 15th day of April, 2021, the aforementioned
3 document was filed through and hard copies sent through the U.S. Mail to the following parties:

4 The Storey County Clerk of the Court
5 26 S. B Street
6 Drawer D
7 Virginia City, Nevada 89440

8 The Honorable Judge James Todd Russell
9 First Judicial District Court, Department 1
10 885 Musser Street
11 Carson City, Nevada 89701

12 Assistant District Attorney Keith Loomis
13 Storey County District Attorney
14 201 S C St.
15 Virginia City, Nevada 89440

16 Commissioners Jay Carmona
17 and Marshall McBride
18 P.O. Box 176
19 26 South B Street
20 Virginia City, Nevada 89440

21 Stericycle Biohazardous Medical Waste Disposal
22 c/o McDonald/Carano
23 100 West Liberty Street
24 10th Floor
25 Reno, Nevada 89501

Office of the Attorney General
100 North Carson Street
Carson City, Nevada 89701-4717

FILED

2021 APR 15 AM 10:41

STOREY COUNTY CLERK

BY

DEPUTY

CODE NO.
MARY LOU WILSON
Attorney at Law
132 Rue De La Noir
Sparks, Nevada 89434
775-771-8620
Attorney for Petitioner

ORIGINAL

IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF STOREY

MARY LOU MCSWEENEY-WILSON,
Petitioner,

vs.

Case No. 20OC 0005 1E

Dept. 1

STOREY COUNTY COMMISSIONERS, and
STERICYCLE, INC.,
Respondents.

CASE APPEAL STATEMENT

1. Name of appellant filing this case appeal statement: Mary Lou McSweeney-Wilson.
2. Identify the judge issuing the decision, judgment, or order appealed from: The Honorable Judge James Todd Russell, Department 1, First Judicial District Court, Carson City, Nevada, Order Granting Stericycle, Inc.'s Motion to Dismiss.
3. Identify all the parties to the proceedings in the district court: Respondents, Assistant District Attorney of Storey County, Keith Loomis, representing Storey County Commissioners, Jay Carmona and Marshall McBride, Michael Pagni and Chelsea Latino, McDonald Carano Law Firm, representing Stericycle, Inc., and Petitioner, Mary Lou McSweeney-Wilson, representing herself.

1 4. Identify all parties involved in this appeal: Respondents, Assistant District Attorney of
2 Storey County, Keith Loomis, representing Storey County Commissioners, Jay Carmona
3 and Marshall McBride, Michael Pagni and Chelsea Latino, McDonald Carano Law Firm,
4 representing Stericycle, Inc., and Petitioner, Mary Lou McSweeney-Wilson, representing
5 herself.

6 5. Set forth the name, law firm, address, and telephone number of all counsel on appeal and
7 identify the party or parties whom they represent: Respondents, Assistant District
8 Attorney of Storey County, Keith Loomis, representing Storey County Commissioners,
9 Storey County District Attorney's Office, 775-847-0964.
10

11 Storey County District Attorney
12 201 S C St.
13 Virginia City, Nevada 89440

14 Commissioners Jay Carmona
15 and Marshall McBride
16 P.O. Box 176
17 26 South B Street
18 Virginia City, Nevada 89440

19 Stericycle Biohazardous Medical Waste Disposal
20 c/o McDonald/Carano
21 100 West Liberty Street
22 10th Floor
23 Reno, Nevada 89501

24 Michael Pagni and Chelsea Latino, McDonald Carano Law Firm, 775-788-2000

25 Petitioner, Mary Lou McSweeney-Wilson, 132 Rue De La Noir, Sparks, Nevada 89434,
775771-8620, representing herself.

6. Respondents, Assistant District Attorney of Storey County, Keith Loomis, representing
Storey County Commissioners, Michael Pagni and Chelsea Latino, McDonald Carano
Law Firm, representing Stericycle, Inc., and Petitioner, Mary Lou McSweeney-Wilson,
representing herself.

- 1 7. Indicate whether Appellant was represented by appointed or retained counsel in the
2 district court: Mary Lou McSweeney-Wilson represented herself in the District Court, the
3 Honorable Judge James Todd Russell.
4
5 8. Indicate whether Appellant is represented by appointed or retained counsel on appeal:
6 Mary Lou McSweeney-Wilson represented herself in this appeal.
7
8 9. Indicate the date of the proceedings commenced in the district court: Petition for Judicial
Review was filed on September 10, 2020.

9 DATED this 15th day of April, 2021.

10 By: Mary Lou Wilson
11 MARY LOU WILSON
12 Attorney At Law, Bar #3329
13 132 Rue De La Noir
14 Sparks, Nevada 89434
15 775-771-8620

16 AFFIRMATION PURSUANT TO NRS 239B.030

17 The undersigned does hereby affirm that the preceding document does not contain the social
18 security number of any person.

19 DATED this 15th day of April, 2021.

20 By: Mary Lou Wilson
21 MARY LOU WILSON
22 Attorney At Law, Bar #3329
23 132 Rue De La Noir
24 Sparks, Nevada 89434
25 775-771-8620

1 CERTIFICATE OF SERVICE

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3 document was filed through and hard copies sent through the U.S. Mail to the following parties:

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17 and Marshall McBride
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20 Virginia City, Nevada 89440

21 Stericycle Biohazardous Medical Waste Disposal
22 c/o McDonald/Carano
23 100 West Liberty Street
24 10th Floor
25 Reno, Nevada 89501

Office of the Attorney General
100 North Carson Street
Carson City, Nevada 89701-4717

Judge: RUSSELL, JUDGE JAMES Case No. 20 OC 00005 1E

TODD

Ticket No.
CTN:

MCSWEENEY-WILSON, MARY LOU et
al

By:

-vs-

STOREY COUNTY
COMMISSIONERS

DRSPND

By:

Dob: Sex:
Lic: Sid:

Plate#: Make: Year: Accident:
Type: Venue: Location:

HOMEOWNERS OF RAINBOW PLNTPET Bond: Set:
BEND COMMUNITY Type: Posted:
MCSWEENEY-WILSON, MARY LOU PLNTPET
STOREY COUNTY RESIDENTS PLNTPET

Charges:

Cts: Offense Dt: Cvr:
Arrest Dt:
Comments:

Sentencing:

No.	Filed	Action	Operator	Fine/Cost	Due
1	04/15/21	REQUEST FOR NONTRANSCRIPT Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
2	04/15/21	CASE APPEAL STATEMENT Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
3	04/15/21	NOTICE OF APPEAL Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
4	04/15/21	REQUEST FOR NONTRANSCRIPT Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
5	04/15/21	CASE APPEAL STATEMENT Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
6	04/15/21	NOTICE OF APPEAL FILED Receipt: 6859 Date: 04/15/2021 Attorney: WILSON, MARY LOU (3329)	1EADUKE	24.00	0.00
7	04/02/21	STERICYCLE INC.'S OPPOSITION TO PETITIONER'S MOTION FOR STAY Attorney: Chelsea Latino (14227)	1EADUKE	0.00	0.00
8	03/17/21	NOTICE OF ENTRY OF ORDER Attorney: LOOMIS, KEITH (1912)	1EADUKE	0.00	0.00
9	03/17/21	MOTION FOR STAY OF ORDER OF DISMISSAL AND ORDER GRANTING STERICYCLE, INC.'S MOTION TO DISMISS Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
10	03/16/21	MOTION TO DISMISS BY DEFENDANT	1EADUKE	0.00	0.00
11	03/16/21	NOTICE OF ENTRY OF ORDER Attorney: Chelsea Latino (14227)	1EADUKE	0.00	0.00
12	03/12/21	ORDER OF DISMISSAL	1EADUKE	0.00	0.00
13	03/12/21	ORDER GRANTING STERICYCLE, INC.'S MOTION TO DISMISS	1EADUKE	0.00	0.00

No.,	Filed,	Action	Operator	Fine/Cost	Due
14	03/10/21	ORDER DENYING PETITIONER'S MOTION FOR RECONSIDERATION	1EADUKE	0.00	0.00
15	03/08/21	REQUEST FOR SUBMISSION Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
16	03/08/21	REPLY TO OPPOSITIONS TO MOTION TO CORRECT ORDER CHANGING CAPTION TO ELIMINATE HOMEOWNERS OF RAINBOW BEND AND STOREY COUNTY PER FJDCR 3.13 Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
17	03/03/21	STERICYCLE, INC'S OPPOSITION TO PETITIONER'S FEBRUARY 17, 2021 MOTION PURSUANT TO FJDCR 3.13 Attorney: Chelsea Latino (14227)	1EADUKE	0.00	0.00
18	03/02/21	STOREY COUNTY COMMISSIONERS OPPOSITION TO MOTION TO SHORTEN TIME AND LEAVE OF COURT TO CORRECT JUDGE'S ORDER CHANGING THE CAPTION TO ELIMINATE HOMEOWNERS OF RAINBOW BEND COMMUNITY AND STOREY COUNTY RESIDENT'S PURSUANT TO FJDCR 3.13 Attorney: LOOMIS, KEITH (1912)	1EADUKE	0.00	0.00
19	02/24/21	ORDER OF CONTINUANCE	1EADUKE	0.00	0.00
20	02/18/21	STOREY COUTY COMMISSIONERS LIST OF ADDITIONAL EXHIBITS FOR EVIDENTIARY HEARING Attorney: LOOMIS, KEITH (1912)	1EADUKE	0.00	0.00
21	02/17/21	MOTION TO SHORTEN TIME AND LEAVE OF COURT TO CORRECT JUDGES ORDER CHANGING THE CAPTION TO ELIMINATE HOMEOWNERS OF RAINBOW BEND COMMUNITY, AND STOREY COUNTY RESIDENTS PURSUANT TO FJDCR 3.13	1EADUKE	0.00	0.00
22	02/16/21	PETITIONER'S EVIDENTIARY HEARING STATEMENT Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
23	02/12/21	STOREY COUNTY COMMISSIONERS EVIDENTIARY HEARING STATEMENT Attorney: LOOMIS, KEITH (1912)	1EADUKE	0.00	0.00
24	02/12/21	NOTICE OF ADDITIONAL ARGUMENT UNDER NRS241.020 TO INCLUDE THE LEGISLATIVE HISTORY Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
25	02/12/21	STERICYCLE, INC'S HEARING STATEMENT Attorney: PAGNI, MICHAEL T (6444)	1EADUKE	0.00	0.00
26	02/10/21	HEARING SCHEDULED: Event: MOTION HEARING - CIVIL (STOREY) Date: 02/19/2021 Time: 10:00 am Judge: WILSON JR, JAMES E Location: DEPT II - STOREY COUNTY Result: VACATED PROCEEDINGS	1EADUKE	0.00	0.00
27	01/29/21	FILE TO JUDGE	1EADUKE	0.00	0.00
28	01/29/21	REQUEST FOR SUBMISSION	1EADUKE	0.00	0.00

No.	File#	Action	Operator	Fine/Cost	Due
29	01/29/21	STOREY COUNTY COMMISSIONERS REPLY TO OPPOSITION TO MOTION AND CORRECTED MOTION IN LIMINE Attorney: LOOMIS, KEITH (1912)	1EADUKE	0.00	0.00
30	01/25/21	OPPOSITION TO MOTION AND CORRECTED MOTION IN LIMINE Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
31	01/22/21	CORRECTED STOREY COUNTY COMMISSIONERS MOTION IN LIMINE Attorney: LOOMIS, KEITH (1912)	1EADUKE	0.00	0.00
32	01/21/21	STOREY COUNTY COMMISSIONERS MOTION IN LIMINE Attorney: LOOMIS, KEITH (1912)	1EADUKE	0.00	0.00
33	01/15/21	SUBPOENA (X3) PHILLIP HILTON, SCOTT MARTIN, LARRY HUDDLESON Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
34	01/15/21	NOTICE OF APPEARANCE Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
35	01/15/21	NOTICE OF ENTRY OF ORDER Attorney: LOOMIS, KEITH (1912)	1EADUKE	0.00	0.00
36	01/12/21	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1EADUKE	0.00	0.00
37	01/12/21	ORDER ON MOTION TO CORRECT CAPTION	1EADUKE	0.00	0.00
38	01/12/21	FILE TO JUDGE	1EADUKE	0.00	0.00
39	01/08/21	REQUEST FOR SUBMISSION Attorney: LOOMIS, KEITH (1912)	1EADUKE	0.00	0.00
40	01/08/21	STOREY COUNTY COMMISSIONERS REPLY TO OPPOSITION TO MOTION TO STOREY COUNTY COMMISSIONERS MOTION TO CORRECT CAPTION FILED DECEMBER 28, 2020 Attorney: LOOMIS, KEITH (1912)	1EADUKE	0.00	0.00
41	01/04/21	OPPOSITION TO MOTION TO STOREY COUNTY COMMISSIONER'S MOTION TO CORRECT CAPTION FILED DECEMBER 28, 2020 Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
42	12/28/20	STOREY COUNTY COMMISSIONER'S MOTION TO CORRECT CAPTION Attorney: Keith Loomis (1912)	1EADUKE	0.00	0.00
43	12/04/20	ORDER CONTINUING HEARING	1EADUKE	0.00	0.00
44	12/04/20	HEARING SCHEDULED: Event: MOTION HEARING - CIVIL (STOREY) Date: 02/19/2021 Time: 10:30 am Judge: RUSSELL, JUDGE JAMES TODD Location: DEPT I - STOREY COUNTY Result: NO HEARING HELD	1EADUKE	0.00	0.00
45	12/04/20	CONTINUED The following event: MOTION HEARING - CIVIL (STOREY) scheduled for 12/18/2020 at 10:30 am has been resulted as follows: Result: CONTINUED Judge: RUSSELL, JUDGE JAMES TODD Location: DEPT I - STOREY COUNTY	1EADUKE	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
46	12/02/20	NOTICE OF WITNESSES AND EXHIBITS FOR HEARING Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
47	11/23/20	REQUEST FOR SUBMISSION Attorney: PAGNI, MICHAEL T (6444)	1EADUKE	0.00	0.00
48	11/23/20	REPLY MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF STERICYCLE, INC.'S MOTION TO DISMISS Attorney: PAGNI, MICHAEL T (6444)	1EADUKE	0.00	0.00
49	11/18/20	HEARING SCHEDULED: Event: MOTION HEARING - CIVIL (STOREY) Date: 12/18/2020 Time: 10:30 am Judge: RUSSELL, JUDGE JAMES TODD Location: DEPT I - STOREY COUNTY Result: CONTINUED	1EADUKE	0.00	0.00
50	11/18/20	MOTION TO CONTINUE HEARING DATE OF DECEMBER 18, 2020 DUE TO CHRISTMAS PLANS IN FLORIDA Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
51	11/16/20	ORDER SETTING HEARING	1EADUKE	0.00	0.00
52	11/13/20	OPPOSITION TO MOTION TO DISMISS PETITION FOR DISTRICT COURT REVIEW OF STOREY COUNTY COMMISSIONERS VOTE TO PERMIT STERICYCLE'S SPECIAL USE PERMIT, IN VIOLATION OF PUBLIC HEALTH, SAFETY, AND WELFARE FILED BY STERICYCLE Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
53	11/04/20	REQUEST FOR SUBMISSION Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
54	10/28/20	NOTICE OF ENTRY OF ORDER Attorney: PAGNI, MICHAEL T (6444)	1EADUKE	0.00	0.00
55	10/28/20	STERICYCLE, INC.'S MOTION TO DISMISS Attorney: PAGNI, MICHAEL T (6444)	1EADUKE	0.00	0.00
56	10/27/20	ORDER GRANTING STERICYCLE, INC.'S MOTION TO INTERVENE	1EADUKE	0.00	0.00
57	10/27/20	MOTION FOR LEAVE TO SUPPLEMENT OPPOSITION TO MOTION TO INTERVENE BY STERICYCLE IN THE PETITION FOR DISTRICT COURT REVIEW OF STOREY COUNTY COMMISSIONERS VOTE TO PERMIT STERICYCLE'S SPECIAL USE PERMIT, IN VIOLATION OF PUBLIC HEALTH, SAFETY, AND WELFARE Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
58	10/26/20	MOTION FOR LEAVE OF COURT TO ALLOW FOR THE OPPOSITIONS TO REQUEST SUBMISSION FILED BY THE STATE AND STERICYCLE Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
59	10/23/20	MOTION TO STRIKE OPPOSITION TO REQUEST FOR SUBMISSION Attorney: LANGER, ANNE M (3345) Attorney: Keith Loomis (1912)	1EADUKE	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
60	10/19/20	OPPOSITION TO REQUEST FOR SUBMISSION BASED UPON NOTICE OF MOTION TO INTERVENE REGARDING JUDICIAL REVIEW OF SUP OF STERICYCLE, WHICH WAS APPROVED ON AUGUST 18, 2020 Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
61	10/14/20	OPPOSITION TO REQUEST FOR SUBMISSION BASED UPON NOTICE OF DECLARATIONS CONTRADICTING THE STATE'S REPLY TO OPPOSITION TO MOTION TO DISMISS REGARDING JUDICIAL REVIEW OF SUP OF STERICYCLE, WHICH WAS APPROVED ON AUGUST 18, 2020 Attorney: MCSWEEENEY- WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
62	10/12/20	REQUEST FOR SUBMISSION Attorney: LANGER, ANNE M (3345)	1EADUKE	0.00	0.00
63	10/12/20	REPLY TO OPPOSITION TO MOTION TO DISMISS PETITION FOR DISTRICT COURT REVIEW OF STOREY COUNTY COMMISSIONERS VOTE TO PERMIT STERICYCLE'S SPECIAL USE PERMIT, IN VIOLATION OF PUBLIC HEALTH SAFETY AND WELFARE Attorney: LANGER, ANNE M (3345)	1EADUKE	0.00	0.00
64	10/12/20	REQUEST FOR SUBMISSION Attorney: PAGNI, MICHAEL T (6444)	1EADUKE	0.00	0.00
65	10/12/20	STERICYCLE, INC'S REPLY IN SUPPORT OF MOTION TO INTERVENE Attorney: PAGNI, MICHAEL T (6444)	1EADUKE	0.00	0.00
66	10/02/20	OPPOSITION TO MOTION TO INTERVENE PETITION FOR DISTRICT COURT REVIEW OF STOREY COUNTY COMMISSIONERS VOTE TO PERMIT STERICYCLE'S SPECIAL USE PERMIT, IN VIOLATION OF PUBLIC HEALTH, SAFETY, AND WELFARE Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
67	10/01/20	OPPOSITION TO MOTION TO DISMISS PETITION FOR DISTRICT COURT REVIEW OF STOREY COUNTY COMMISSIONERS VOTE TO PERMIT STERICYCLE'S SPECIAL USE PERMIT, IN VIOLATION OF PUBLIC HEALTH, SAFETY, WELFARE Attorney: WILSON, MARY LOU (3329)	1EADUKE	0.00	0.00
68	09/25/20	STERICYCLE, INC.'S MOTION TO INTERVENE Attorney: PAGNI, MICHAEL T (6444)	1EADUKE	0.00	0.00
69	09/25/20	AFFIRMATION PURSUANT TO NRS 239.030 Attorney: PAGNI, MICHAEL T (6444)	1EADUKE	0.00	0.00
70	09/25/20	ANSWER FILED Receipt: 6574 Date: 09/25/2020 ON BEHALF OF STERICYCLE INC. Attorney: PAGNI, MICHAEL T (6444)	1EADUKE	198.00	0.00
71	09/23/20	MOTION TO DISMISS FOR LACK OF UNDERSTANDING Attorney: LANGER, ANNE M (3345) Attorney: LOOMIS, KEITH (1912)	1EADUKE	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
72	09/10/20	PETITION/COMPLAINT FILED: Receipt: 6550 Date: 09/10/2020	1EADUKE	245.00	0.00
Total:				467.00	0.00
Totals By: COST				467.00	0.00
INFORMATION				0.00	0.00
*** End of Report ***					

CIVIL COVER SHEET

County, Nevada

Case No. _____

(Assigned by Clerk's Office)

I. Party Information

Plaintiff(s) (name/address/phone):

MARY LOU McLENNAN - WILSON

Defendant(s) (name/address/phone):

STOCKLEY COUNTY COMMISSIONERS

Attorney (name/address/phone):

MARY LOU WILSON
2004 REPERT ST
RENO NV
89509

Attorney (name/address/phone):

DISTRICT ATTORNEY ANNE LANGER
STOCKLEY COUNTY DISTRICT ATTORNEY
201 S.C. STREET
VIRGINIA CITY NV 89440

II. Nature of Controversy (Please check applicable bold category and applicable subcategory, if appropriate)

☐ Arbitration Requested

Civil Cases

Real Property

- ☐ Landlord/Tenant
 - ☐ Unlawful Detainer
- ☐ Title to Property
 - ☐ Foreclosure
 - ☐ Liens
 - ☐ Quiet Title
 - ☐ Specific Performance
- ☐ Condemnation/Eminent Domain
- ☐ Other Real Property
 - ☐ Partition
 - ☐ Planning/Zoning

Negligence

- ☐ Negligence -- Auto
- ☐ Negligence -- Medical/Dental
- ☐ Negligence -- Premises Liability (Slip/Fall)
- ☐ Negligence -- Other

Torts

- ☐ Product Liability
 - ☐ Product Liability/Motor Vehicle
 - ☐ Other Torts/Product Liability
- ☐ Intentional Misconduct
 - ☐ Torts/Defamation (Libel/Slander)
 - ☐ Interfere with Contract Rights
- ☐ Employment Torts (wrongful termination)
- ☐ Other Torts
 - ☐ Anti-trust
 - ☐ Fraud/Misrepresentation
 - ☐ Insurance
 - ☐ Legal Tort
 - ☐ Unfair competition

Probate

- ☐ Summary Administration
- ☐ General Administration
- ☐ Special Administration
- ☐ Set Aside Estates
- ☐ Trust/Conservatorships
 - ☐ Individual Trustee
 - ☐ Corporate Trustee
- ☐ Other Probate

Other Civil Filing Types

- ☐ Construction Defect
 - ☐ Chapter 40
 - ☐ General
- ☐ Breach of Contract
 - ☐ Building & Construction
 - ☐ Insurance Carrier
 - ☐ Commercial Instrument
 - ☐ Other Contracts/Acct/Judgment
 - ☐ Collection of Actions
 - ☐ Employment Contract
 - ☐ Guarantee
 - ☐ Sale Contract
 - ☐ Uniform Commercial Code
- ☐ Civil Petition for Judicial Review
 - ☒ Other Administrative Law
 - ☐ Department of Motor Vehicles
 - ☐ Employer's Insurance of Nevada
- ☐ Appeal from Lower Court (also check applicable civil case box)
 - ☐ Transfer from Justice Court
 - ☐ Justice Court Civil appeal
- ☐ Civil Writ
- ☐ Other Special Proceeding
- ☐ Other Civil Filing
 - ☐ Compromise of Minor's Claim
 - ☐ Conversion of Property
 - ☐ Damage to Property
 - ☐ Employment Security
 - ☐ Enforcement of Judgment
 - ☐ Foreign Judgment - Civil
 - ☐ Other Personal Property
 - ☐ Recover of Property
 - ☐ Stockholder Suit
 - ☐ Other Civil Matters

III. Business Court Requested (Please check applicable category; for Clark and Washoe Counties only.)

- ☐ NRS Chapters 78-88
- ☐ Commodities (NRS 90)
- ☐ Securities (NRS 90)
- ☐ Investments (NRS 104B)
- ☐ Deceptive Trade Practices (NRS 598)
- ☐ Trademarks (NRS 600A)
- ☐ Enhanced Case Mgmt/Business
- ☐ Other Business Court Matters

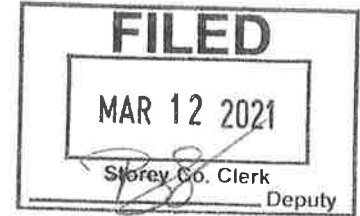
Date

September 10, 2020

Signature of initiating party or representative

Mary Lou McLennan Wilson

See other side for family-related case filings.



FIRST JUDICIAL DISTRICT COURT OF NEVADA
STOREY COUNTY

* * * * *

MARY LOU MCSWEENEY-WILSON,

CASE NO.: 20 OC 00051E

Petitioner,

DEPT NO.: 1

vs.

STOREY COUNTY COMMISSIONERS;
STERICYCLE, INC.,

Respondents.

ORDER GRANTING STERICYCLE, INC.'S MOTION TO DISMISS

Currently before the Court is Respondent Stericycle, Inc's Motion to Dismiss. Having reviewed and considered the pleadings, the Motion and all related documents, the applicable law and facts, and good cause appearing, the Court finds and concludes as follows:

FACTUAL BACKGROUND

1. In or about June of 2020, Stericycle applied to Storey County for a special use permit ("SUP") for development of a medical and other specialty waste incinerator facility at 1655 Milan Drive in the Tahoe-Reno Industrial Center ("TRI Center") (the "SUP Application"). *See* Pet. at Ex. 1.

2. The Storey County Planning Commission ("Planning Commission") considered the SUP Application at two regularly scheduled, public meetings on July 16, 2020 and August 6, 2020. By majority vote on August 6, 2020, the Planning Commission recommended approval of Stericycle's SUP Application to the Board. *See id.*

3. At a regular meeting of the Storey County Board of Commissioners (“Board”) on August 18, 2020, the Board approved Stericycle’s SUP Application. *See* Pet. at Ex. 1 pp. 1, 7-12.

4. Petitioner Mary Lou McSweeney-Wilson concedes she did not appear in opposition of Stericycle’s SUP Application at either the July 16, 2020 or August 6, 2020 Planning Commission meeting, did not appeal the decision of the Planning Commission to the Board, and did not appear in opposition of Stericycle’s SUP Application at the August 18, 2020 Board meeting. *See* Pet. at 16-17.

5. On September 10, 2020, Petitioner filed a *Petition for District Court Review of Storey County Commissioners Vote to Permit Stericycle’s Special Use Permit, In Violation of Public Health, Safety, and Welfare* (“Petition”). Petitioner seeks judicial review of the Board’s decision with respect to Stericycle’s SUP Application and requests that the Court “rescind” approval of the same under NRS 278.3195 and NRS 278.0235.

6. After intervening, Stericycle moved to dismiss the Petition for, among other things, lack of standing under NRS Chapter 278.

LEGAL ANALYSIS

NRS 278.3195(1) requires local governments to adopt an ordinance allowing “any person who is aggrieved by a decision” of a planning commission created under NRS 278.030 or “other person appointed or employed by the governing body who is authorized to make administrative decisions regarding the use of land” to “appeal the decision to the governing body.” NRS 278.3195(1)(a), (d). After the governing body renders its decision in an administrative appeal, judicial review is available to a limited category of persons, as follows:

Any person who:

(a) Has appealed a decision to the governing body in accordance with an ordinance adopted pursuant to subsection 1; and

(b) Is aggrieved by the decision of the governing body, may appeal that decision to the district court of the proper county by filing a petition for judicial review within 25 days after the date of filing of notice of the decision with the clerk or secretary of the governing body, as set forth in NRS 278.0235.

NRS 278.3195(4).

Accordingly, NRS 278.3195(4) affords a limited right to request judicial review of final local zoning and land use planning decisions only to a person who (1) has filed an administrative appeal and (2) is aggrieved by the administrative decision. *See Kay v. Nunez*, 122 Nev. 1100, 1105, 146 P.3d 801, 804 (2006) (“NRS 278.3195(4) is clear and unambiguous, and thus, we follow its plain meaning.”); *see also City of Reno v. Citizens for Cold Springs*, 126 Nev. 263, 270, 236 P.3d 10, 15 (2010) (acknowledging that “the express language in NRS 278.3195(4) . . . sets forth that a person who administratively appeals a zoning decision under the applicable ordinance to the governing board and is aggrieved by the board’s decision may appeal by timely filing a petition for judicial review in district court”); Storey County Code of Ordinances (“SCC”) § 17.03.130(B)(1) (defining “aggrieved party . . . as a person with a legal or equitable interest in the property affected by the final decision or property located within the notice area of the property that is entitled by law to notice”); NRS 278.315(3)(b)-(c) (requiring notice be sent to owners and certain tenants of property “located within 300 feet of the property in question”).

Here, on the face of the Petition, Petitioner concedes she did not appeal the decision of the Planning Commission to the Board as required under NRS 278.3195(4)(a). In addition, despite alleging a generalized interest in protecting the “the health, safety, and welfare” of Storey County and “its surrounding areas” from “potential” adverse affects of the Board’s decision approving Stericycle’s SUP Application, *see* Pet. at 17-18, Petitioner cannot establish she is aggrieved by that decision as required under NRS 278.3195(4)(b) because it is undisputed that Petitioner has no “legal or equitable interest in the property affected by the final decision or property located within the notice area of the property that is entitled by law to notice.” SCC § 17.03.130(B); NRS 278.315(3). Thus, Petitioner lacks standing to petition for judicial review under the plain language of NRS 278.3195(4). *See Kay*, 122 Nev. at 1106, 146 P.3d at 806; *see also Holt-Still v. Washoe Cty. Bd. of Cty. Comm’rs*, No. 78784, 2020 WL 3570377, at *2 (Nev. June 30, 2020) (“Because appellants did not appeal to the governing body, the district court correctly concluded that they lacked standing to petition for judicial review.”).

Accordingly, and good cause appearing,

IT IS SO ORDERED that Stericycle's Motion to Dismiss is GRANTED and the Petition is dismissed WITH PREJUDICE.

IT IS FURTHER ORDERED that Stericycle shall serve a notice of entry of this order on all other parties and file proof of such service within 7 days after this order is sent.

Dated this 12th day of March, 2021.

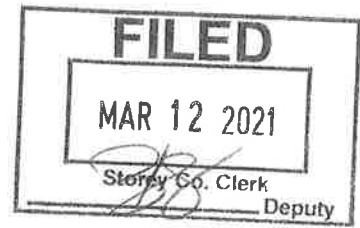

DISTRICT COURT JUDGE

Respectfully submitted by:

/s/ Chelsea Latino

Michael A.T. Pagni (NSBN 6444)
Chelsea Latino (NBSN 14227)
McDONALD CARANO LLP
100 West Liberty Street, 10th Floor
Reno, NV 89501
(775) 788-2000
mpagni@mcdonaldcarano.com
clatino@mcdonaldcarano.com

Attorneys for Respondent Stericycle, Inc.



IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF STOREY

MARY LOU MCSWEENEY-WILSON,
Petitioner,

vs.

STOREY COUNTY COMMISSIONERS,
STERICYCLE, INC.

Respondents.

Case No. 20 OC 00005 1E

Dept. No. 1

ORDER OF DISMISSAL

This case arises out of the filing by Petitioner Mary Lou McSweeney-Wilson (Wilson) of a pleading entitled **Petition for District Court Review of Storey County Commissioners Vote to Permit Stericycle's Special Use Permit, In Violation of Public Health, Safety, and Welfare** (hereafter Petition). Both the Storey County Commissioners and Stericycle Inc. have moved to dismiss the Petition on the ground that Petitioner lacks standing to seek review of the decision of the Board of County Commissioners granting Stericycle Inc. a special use permit. The Court agrees and will subsequently expand upon the reason for that opinion.

Preliminarily, there is a pending motion for reconsideration of this court's order granting a motion to correct the caption of this case. The court's order removed two fictitious entities as plaintiffs in this case, i.e., Storey County Residents and Homeowners

1 of Rainbow Bend Community as well as an et al designation following petitioner's name.
2 A motion for reconsideration can be made if the court overlooked or misunderstood a
3 material fact, or overlooked, misunderstood, or misapplied law that directly controls a dispositive
4 issue. FJDCR 3.13(1). Petitioner contends that because she has recently discovered an actual
5 Storey County resident and a homeowner within Rainbow Bend, that she would like to include as
6 plaintiffs, that the order granting correction of the caption should be reconsidered. Such a
7 contention does not demonstrate a misunderstanding or the overlooking of a material fact, nor
8 does it demonstrate the overlooking, the misunderstanding or the misapplication of law.
9 Accordingly, that motion is denied.

10 That leaves the court with the substantive issue of Petitioner's standing to seek review of
11 the Board decision to issue a special use permit to Stericycle Inc. NRS 278.3195(1) a party
12 aggrieved by a decision of the planning commission, may appeal the decision to the governing
13 body. Under NRS 278.3195(4) any person who has appealed the decision to the governing body
14 and is aggrieved by the decision of the governing body may appeal that decision to the district
15 court by filing a petition for judicial review. While the Legislature has defined whom is an
16 aggrieved party to mean a person who appeared in person or through an authorized
17 representative or in writing before e.g., a planning commission in counties whose population is
18 700,000 or more, it has not provided a similar definition for counties with a lesser population. In
19 *City of Las Vegas v. Eighth Judicial District Court*, 122 Nev. 1197, 1206 (2006) the court
20 explained that the Legislature did not define "aggrieved" for appeals in smaller counties
21 in order to allow ordinances adopted pursuant to NRS 278.3195(1) to address who may
22 appeal from a planning commission decision. In Storey County, the Planning
23 Commission is advisory only to the Board and does not make decisions other than to
24 recommend approval or denial of an application. Decisions are made by the Board.
25 Planning staff has some authority to make final decisions. See Storey County Code
26 (hereafter SCC) Section 17.03,110. In order to appeal a staff decision, the aggrieved
27 party must have participated in the administrative process. SCC 17.030.130(B)(1). In
28 *Holt-Still v. Washoe Cty. Bd. Of Cty. Comm'rs*, 2020 Nev. Unpub LEXIS 649, the Court

1 held that under NRS 278.3195(4) an aggrieved party must have appealed to the governing
2 body and be a party aggrieved by the governing body's decision. Again, participation in
3 the administrative process is required. In *Kay v. Nunez*, 122 Nev. 1100 (2006) an
4 appellant clearly had standing where he appealed a decision of the planning commission
5 to the governing body and then filed a petition for judicial review challenging the
6 governing body's decision. In all these cases and statutes and ordinances some
7 participation in the process was required. In this case there is no allegation of any
8 participation in the proceedings by Ms. Wilson and she has essentially acknowledged that
9 she did not participate in any of the proceedings for which she now seeks judicial review.
10 For that reason, Petitioner lacks standing to seek review of the Board's decision to issue a
11 special use permit to Stericycle Inc. Accordingly the Petition for Review is dismissed.

12 Mr. Loomis shall serve a notice of entry of this order on all other parties and file
13 proof of such service within 7 days after the date the court sent the order to the attorney.

14 IT IS SO ORDERED.

15
16 DATED this 12th day of March, 2021.

17
18 
19 DISTRICT COURT JUDGE


20 Submitted this 11th day of March, 2021.

21 By _____
22 Keith Loomis Chief Deputy District Attorney for Storey County
23 201 South C Street/Post Office Box 496, Virginia City, NV 89440
24 Telephone (775) 847-0964
25 e-mail kloomis@storeycounty.org
26
27
28

[illegible]

Anne Langer, District Attorney
Keith Loomis, Deputy District Attorney
Storey County
201 S. C St.
Virginia City, NV 89440

Michael Pagni, Esq.
Chelsea Latino, Esq.
McDonald Carano
100 W. Liberty St., 10th Flr.
Reno, NV 89501


Kimberly M. Carrubba, Esq.
Law Clerk, Dept. 1

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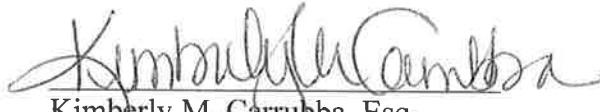
CERTIFICATE OF MAILING

Pursuant to NRCP 5(b), I certify that I am an employee of the First Judicial District Court, and that on this 12th day of March, 2021, I served the foregoing Order by depositing a copy thereof in the United States Mail at Carson City, Nevada, postage paid, addressed as follows:

Anne Langer, District Attorney
Keith Loomis, Deputy District Attorney
Storey County
201 S. C St.
Virginia City, NV 89440

Mary Lou McSweeney-Wilson, Esq.
Michael E. Wilson, Esq.
2064 Regent St.
Reno, NV 89509

Michael Pagni, Esq.
Chelsea Latino, Esq.
McDonald Carano
100 W. Liberty St., 10th Flr.
Reno, NV 89501


Kimberly M. Carrubba, Esq.
Law Clerk, Dept. 1

Michael A.T. Pagni (NSBN 6444)
Chelsea Latino (NBSN 14227)
McDONALD CARANO LLP
100 West Liberty Street, 10th Floor
Reno, NV 89501
Telephone: (775) 788-2000
Facsimile: (775) 788-2020
mpagni@mcdonaldcarano.com
clatino@mcdonaldcarano.com

Attorneys for Intervenor Stericycle, Inc.

FIRST JUDICIAL DISTRICT COURT OF NEVADA
STOREY COUNTY

* * * * *

MARY LOU MCSWEENEY-WILSON, ET.
AL., HOMEOWNERS OF RAINBOW
BEND COMMUNITY AND STOREY
COUNTY RESIDENTS,

Petitioners,

vs.

STOREY COUNTY COMMISSIONERS,
and STERICYCLE, INC.

Respondent.

CASE NO.: 20 OC 00051E

DEPT NO.: 1

NOTICE OF ENTRY OF ORDER

PLEASE TAKE NOTICE that on March 12, 2021, the above-entitled Court entered its ORDER GRANTING STERICYCLE, INC.'S MOTION TO DISMISS. A true and correct copy of that Order is attached hereto as Exhibit 1.

Dated this 16th day of March, 2021.

McDONALD CARANO, LLP

By

Chelsea Latino
Michael A.T. Pagni (NSBN 6444)

Chelsea Latino (NBSN 14227)

Attorneys for Proposed Intervenor Stericycle, Inc.

FILED

2021 MAR 16 PM 1:23

STOREY COUNTY CLERK

BY

DEPUTY

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that I am an employee of McDONALD CARANO LLP and that I served the foregoing NOTICE OF ENTRY OF ORDER by placing a true and correct copy thereof enclosed in a sealed envelope, upon which first class postage was prepaid, in the United States mail addressed to the following party at the addresses listed below:

Anne Langer
Keith Loomis
Storey County District Attorney's Office
201 S. C Street, P.O. Box 496
Virginia City, NV 89440

And also on this day, I caused an envelope, containing a true and correct copy of the foregoing NOTICE OF ENTRY OF ORDER, to be hand-delivered to following person at the address listed below:

Mary Lou Wilson
2064 Regent Street
Reno, NV 89509

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

DATED: March 16, 2021.

By: _____
An Employee of McDonald Carano LLP

INDEX OF EXHIBITS

<u>Exhibit</u>	<u>Description</u>	<u>Pages</u>
1	Order Granting Stericycle, Inc.'s Motion to Dismiss	4

4844-5073-3281, v. 1

ORIGINAL

FILED

2021 MAR 17 PM 4:22

STOREY COUNTY CLERK

BY [Signature]
DEPUTY

Anne M. Langer, SBN #3345
Keith Loomis, SBN #1912
Storey County District Attorney's Office
P.O. Box 496, 201 South C Street
Virginia City, Nevada 89440
(775) 847-0964

IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF STOREY

MARY LOU MCSWEENEY-WILSON,

Case No.: 20 OC 00005 1E

Petitioner,

Dept. No. 1

vs.

STOREY COUNTY COMMISSIONERS,
and STERICYCLE, INC.

Respondents.

NOTICE OF ENTRY OF ORDER

NOTICE is hereby given that on March 12, 2021, the Court duly entered an ORDER OF DISMISSAL in the above-referenced matter. A copy of said Order is attached hereto as Exhibit 1.

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned affirms that the preceding document does not contain the social security number of any person.

DATED this 17th day of March, 2021.

[Signature]
Keith L. Loomis
Chief Deputy District Attorney

ANNE M. LANGER
STOREY COUNTY DISTRICT ATTORNEY
P.O. Box 496 • 201 South C Street
VIRGINIA CITY, NEVADA 89440
TELEPHONE (775) 847-0964 FAX (775) 847-1007

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of STOREY
3 COUNTY DISTRICT ATTORNEY'S OFFICE and that on this day I
4 personally served a true and correct copy of the NOTICE OF ENTRY OF
5 ORDER by:

- 6 ☒ U.S. Mail
7 ☐ Facsimile Transmission
8 ☐ Personal Service/Hand-Delivery
9 ☐ Reno-Carson Messenger Service
10

11 addressed to the following:

12 Mary Lou Wilson
13 2064 Regent St.
14 Reno, NV 89509

15 Michael A. T. Pagni, Esq.
16 Chelsea Latino, Esq.
17 McDonald Carano LLP
18 100 West Liberty St., 10th floor
19 Reno, NV 89501

20
21 Dated this 17th day of March, 2021.

22
23 
24 Teresa Sargent
25
26
27
28

ANNE M. LANGER
STOREY COUNTY DISTRICT ATTORNEY
P.O. Box 496 • 201 South C Street
VIRGINIA CITY, NEVADA 89440
TELEPHONE (775) 847-0964 FAX (775) 847-1007

EXHIBIT 1



IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF STOREY

MARY LOU MCSWEENEY-WILSON,
Petitioner,

vs.

STOREY COUNTY COMMISSIONERS,
STERICYCLE, INC.

Respondents.

Case No. 20 OC 00005 1E

Dept. No. 1

ORDER OF DISMISSAL

This case arises out of the filing by Petitioner Mary Lou McSweeney-Wilson (Wilson) of a pleading entitled **Petition for District Court Review of Storey County Commissioners Vote to Permit Stericycle's Special Use Permit, In Violation of Public Health, Safety, and Welfare** (hereafter Petition). Both the Storey County Commissioners and Stericycle Inc. have moved to dismiss the Petition on the ground that Petitioner lacks standing to seek review of the decision of the Board of County Commissioners granting Stericycle Inc. a special use permit. The Court agrees and will subsequently expand upon the reason for that opinion.

Preliminarily, there is a pending motion for reconsideration of this court's order granting a motion to correct the caption of this case. The court's order removed two fictitious entities as plaintiffs in this case, i.e., Storey County Residents and Homeowners

1 of Rainbow Bend Community as well as an et al designation following petitioner's name.
2 A motion for reconsideration can be made if the court overlooked or misunderstood a
3 material fact, or overlooked, misunderstood, or misapplied law that directly controls a dispositive
4 issue. FJDCR 3.13(1). Petitioner contends that because she has recently discovered an actual
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7 contention does not demonstrate a misunderstanding or the overlooking of a material fact, nor
8 does it demonstrate the overlooking, the misunderstanding or the misapplication of law.
9 Accordingly, that motion is denied.

10 That leaves the court with the substantive issue of Petitioner's standing to seek review of
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8 participation in the proceedings by Ms. Wilson and she has essentially acknowledged that
9 she did not participate in any of the proceedings for which she now seeks judicial review.
10 For that reason, Petitioner lacks standing to seek review of the Board's decision to issue a
11 special use permit to Stericycle Inc. Accordingly the Petition for Review is dismissed.

12 Mr. Loomis shall serve a notice of entry of this order on all other parties and file
13 proof of such service within 7 days after the date the court sent the order to the attorney.

14 IT IS SO ORDERED.

15
16 DATED this 12th day of March, 2021.

17
18 
19 DISTRICT COURT JUDGE

20 Submitted this 11th day of March, 2021.

21 By _____
22 Keith Loomis Chief Deputy District Attorney for Storey County
23 201 South C Street/Post Office Box 496, Virginia City, NV 89440
24 Telephone (775) 847-0964
25 e-mail kloomis@storeycounty.org
26
27
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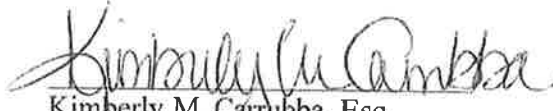
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Michael Pagni, Esq.
Chelsea Latino, Esq.
McDonald Carano
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Reno, NV 89501


Kimberly M. Carrubba, Esq.
Law Clerk, Dept. 1

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Reno, NV 89509

Michael Pagni, Esq.
Chelsea Latino, Esq.
McDonald Carano
100 W. Liberty St., 10th Flr.
Reno, NV 89501


Kimberly M. Carrubba, Esq.
Law Clerk, Dept. 1

FIRST JUDICIAL DISTRICT COURT MINUTES

CASE NO. 20 OC 00005 1E

TITLE: MCSWEENEY-WILSON, MARY LOU VS
STOREY COUNTY COMMISSIONERS,
STERICYCLE INC.

02/18/21 – DEPT. II – HONORABLE JAMES E. WILSON, JR.
A.Duke, Clerk – Not Reported

MOTION TO DISMISS:

Present: Mary Lou Wilson; Mike Wilson, Petitioners; Keith Loomis, Deputy District Attorney; Chelsea Latino, for Stericycle, Inc. All parties appeared telephonically via GoToMeeting in Carson City

Comments were made by Court and Counsel. Ms. Wilson verified she is now the only Pltf. indicated; Judge Russell reduced the caption, removing Rainbow Bend Homeowners and Storey County residents.

Pltf., stated Commission Meeting Agendas were not posted in Lockwood during onset of Covid because of the Governors directive. Court identified the posted locations for the Commission meeting in question. Mr. Loomis indicated the Pltf., has no standing because she had never participated in any hearings or meetings. Pltf., mentioned she became aware of two Storey County residents that attended the meetings, via Zoom, Philip Hilton and Sam Toll. Ms. Wilson further indicated she had just examined the commission meetings because she had only received them 3 days prior. Both residents recently ran for County Commission and verbally opposed Stericycle. Ms. Wilson mentioned taking herself out of the picture and represent the two residents believing they have standing. Mr. Loomis was unclear if the two residents would fall under the “umbrella” as “Storey County Residents” and if they would be able to be substituted in. Ms. Wilson requested a continuance.

Upon inquiry of the Court, Mr. Loomis would like time to research the legal issues.

Ms. Latino asked to have Order modified to identify new information regarding the 2 new witnesses.

COURT ORDERED: Motion to continue GRANTED. Mr. Loomis to prepare Order. Judge Russell will hear motion for reconsideration.

The Court minutes as stated above are a summary of the proceeding and are not a verbatim record. The hearing held on the above date was recorded on the Court’s recording system.