

No. 83156
Supreme Court of Nevada

MARIA DEL ROSARIO CERVANTES-GUEVARA,

Petitioner,

VS.

CLARK COUNTY DISTRICT COURT, THE HONORABLE
JUDGE ERIKA BALLOU, DISTRICT JUDGE, DEPARTMENT 23

Respondents,

AND

MARK THOMAS ANDERSON; THOR DEVELOPMENT, LLC, a
limited liability corporation;
Real Parties In Interest

**SUPPLEMENTAL APPENDIX TO
PETITION FOR WRIT OF
MANDAMUS**

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Nevada Bar No.: 12335

EVAN K. SIMONSEN, ESQ.

Nevada Bar No. 13762

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Elizabeth A. Brown
Clerk of Supreme Court

Attorneys for Petitioner
CHRONOLOGICAL INDEX TO APPENDIX

LOCATION	PAGES	DOCUMENT
Petitioner's Vol. 2	0161- 0166	Order Denying Plaintiff's Ex Parte Motion to Enlarge Time for Service and Serve by Publication and Granting Defendants' Opposition and Countermotion to Dismiss Plaintiff's Complaint

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Mark Thomas Anderson and Shari Anderson

DISTRICT COURT

CLARK COUNTY, NEVADA

MARIA DEL ROSARIO CERVANTES-
GUEVARA;

Plaintiff,

v.

MARK THOMAS ANDERSON; THOR
DEVELOPMENT, LLC, a limited liability
corporation; DOE OWNERS I-V; DOE
DRIVERS I-V; DOE EMPLOYEES I-V; ROE
OWNERS I-V; ROE EMPLOYERS I-X; and
ROE COMPANIES I-X,

Defendants.

CASE NO. A-20-808004-C

DEPT. NO. 24

**ORDER DENYING PLAINTIFF'S EX
PARTE MOTION TO ENLARGE TIME
FOR SERVICE AND SERVE BY
PUBLICATION AND GRANTING
DEFENDANTS' OPPOSITION AND
COUNTERMOTION TO DISMISS
PLAINTIFF'S COMPLAINT**

This matter was heard on December 15, 2020, wherein Defendants MARK THOMAS ANDERSON and SHARI ANDERSON (hereinafter "Defendants") were represented by their counsel of record Scott L. Rogers, Esq. of MESSNER REEVES LLP, and Plaintiff MARIA DEL ROSARIO CERVANTES-GUEVARA (hereinafter "Plaintiff") was represented by her counsel of record Evan K. Simonsen, Esq. of BIGHORN LAW. The Court, having considered the pleadings

1 and arguments of the parties, including the Order of Judge Gonzalez that Plaintiff submitted
2 following oral argument, HEREBY FINDS and ORDERS as follows:

3 **THE COURT FINDS** that the Order by Judge Gonzalez concerns the statute of limitations
4 for the commencement of a legal action and is therefore inapplicable to the instant Motions before
5 this Court.

6 **THE COURT FURTHER FINDS** that the time allowed for service was not tolled by the
7 Governor's Order; therefore, Plaintiff's Motion is untimely pursuant to Administrative Order 20-17.
8

9 **IT IS HEREBY ORDERED** that Plaintiff's Ex Parte Motion to Enlarge Time for Service
10 and Serve by Publication is DENIED.

11 **IT IS FURTHER ORDERED** that Defendants' Dismiss Plaintiff's Case as to Defendants
12 MARK THOMAS ANDERSON and SHARI ANDERSON is **DENIED**.

13 Dated this 13th day of July, 2021

14 

15 **DISTRICT COURT JUDGE**
16 **0F8 588 C9B2 AD8B**
17 **Erika Ballou**
18 **District Court Judge**

17 Respectfully submitted by:

Approved as to Form and Content:

18 **MESSNER REEVES LLP**

BIGHORN LAW

19 /s/ Scott L. Rogers

/s/ Evan K. Simonsen

20 Scott L. Rogers, Esq.
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23 Las Vegas, NV 89148
24 *Attorneys for Defendants*
25 *Mark Thomas Anderson and*
26 *Shari Anderson*

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Attorneys for Plaintiff

From: [Evan Simonsen, Esq.](#)
To: [Scott Rogers](#)
Cc: [Jackie Olivo](#); [Nuria Forsyth](#); [Emily Bordelove](#)
Subject: Re: Cervantes-Guevara v. Anderson, et al.: Proposed Order Denying Plaintiff's Motion to Enlarge Time and Granting Defendants' Counter-Motion to Dismiss
Date: Tuesday, July 13, 2021 12:08:34 PM

Yes, I approve.



Evan K. Simonsen, Esq.
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On Tue, Jul 6, 2021 at 10:30 AM Scott Rogers <srogers@messner.com> wrote:

| Evan,

Please see the attached Order Denying Plaintiff's Motion to Enlarge Time and Granting Defendants' Counter-Motion to Dismiss along with the Court's Minute Order for your reference. Please advise I have your permission to affix your e-signature.



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1 **CSERV**

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3 DISTRICT COURT
CLARK COUNTY, NEVADA

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6 Maria Del Rosario Cervantes-
Guevara, Plaintiff(s)

CASE NO: A-20-808004-C

7 vs.

DEPT. NO. Department 24

8
9 Mark Anderson, Defendant(s)

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Order was served via the court's electronic eFile system to all
recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 7/13/2021

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