

IN THE SUPREME COURT OF THE STATE OF NEVADA

R.J. REYNOLDS TOBACCO COMPANY,
A FOREIGN CORPORATION,
INDIVIDUALLY, AND AS
SUCCESSOR-BY-MERGER TO
LORILLARD TOBACCO COMPANY
AND AS SUCCESSOR-IN-INTEREST
TO THE UNITED STATES TOBACCO
BUSINESS OF BROWN &
WILLIAMSON TOBACCO
CORPORATION, WHICH IS THE
SUCCESSOR-BY-MERGER TO THE
AMERICAN TOBACCO COMPANY,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
NADIA KRALL, DISTRICT JUDGE,
Respondents,

and

SANDRA CAMACHO, INDIVIDUALLY;
ANTHONY CAMACHO,
INDIVIDUALLY; PHILIP MORRIS USA,
INC., A FOREIGN CORPORATION;
LIGGETT GROUP, LLC, A FOREIGN
CORPORATION; AND ASM
NATIONWIDE CORPORATION, D/B/A
SILVERADO SMOKES & CIGARS, A
DOMESTIC CORPORATION,
Real Parties in Interest.

No. 83724

FILED


OCT 25 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DENYING REHEARING

Having considered the petition for rehearing and with a tie vote in the resolution of the petition, rehearing is denied. NRAP 40(c).

It is so ORDERED.¹


_____, J.
Cadish

PICKERING, J., concurring in part and dissenting in part:

I agree that the tie vote results in a denial of panel rehearing but for the reasons expressed in my earlier separate concurrence I would resolve this writ petition on procedural grounds and submit that, if the court is to reach the merits of the substantive issue presented, that should be done by the en banc court, not a split panel.


_____, J.
Pickering

cc: Hon. Nadia Krall, District Judge
Bailey Kennedy
King & Spalding, LLP/Charlotte
King & Spalding LLP/Atlanta
Shook, Hardy & Bacon LLP/Kansas City
Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC/Las Vegas
Lewis Roca Rothgerber Christie LLP/Las Vegas
Kelley Uustal/Fort Lauderdale
Kasowitz Benson Torres LLP/Miami
Haggard Law Firm/FL
Claggett & Sykes Law Firm
Hersh Kirtman PLLC/Boca Raton FL
Eighth District Court Clerk

¹Having retired, the Honorable Abbi Silver did not participate in the decision on rehearing.