

1                   IN THE SUPREME COURT OF THE STATE OF NEVADA

2 Margaret Reddy, Mohan Thalamarla,  
3 Max Global, INC.

Supreme Court No. 83763

4                   Appellants,

5                   vs.

6 MEDAPPEAL, LLC, an Illinois  
7 limited liability company

8                   Respondent.

Electronically Filed  
Jan 12 2022 10:25 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

9  
10                   **APPELLANTS' MOTION TO CONSOLIDATE APPEALS**

11                   Pursuant to NRAP 3(b)(2), Appellants move to consolidate their  
12 appeals, numbered 83253 and 83763 in accordance with the facts, points  
13 and authorities cited herein.  
14

15                   **I. STATEMENT OF THE ISSUE.**

16                   Appellants filed two separate appeals and wish to consolidate them  
17 together and to submit their appeals to the jurisdiction of the  
18 settlement judge in the latter appeal, appeal number 83763 to attempt  
19 to resolve both appeals. In the event that settlement is not  
20 successful, Appellants wish to file their opening brief in both  
21 appeals, as the issues in both appeals are based on the same case and  
22 the same circumstances.  
23

24                   **II. FACTS.**

25                   Appellants have filed two separate appeals from separate rulings  
26 and final orders in their underlying District Court case numbered A-19-  
27 792836-C. Two separate timely notices of appeal were filed. Case  
28 appeal statements and docketing statements have been filed. The first

1 appeal's opening brief is due on January 12, 2022. The second appeal  
2 is still in the settlement program. Appellants believe there is a  
3 reasonable chance of settlement and wish to pursue that course of  
4 action with both appeals consolidated. In the event that settlement is  
5 not successful, Appellants would like to file their opening brief with  
6 all issues from both appeals consolidated into one briefing schedule.

7 Appellants are prepared to immediately begin the settlement  
8 process, file the settlement briefs and have the settlement conference  
9 within the month of January if schedules of Respondent, Respondent's  
10 attorney and the settlement judge are available.

12 Based on other movements with the other Defendants in this matter,  
13 who are not represented by the undersigned and are not part of this  
14 appeal, it seems likely that settlement is more likely than it was in  
15 2021 with just the one appeal having been filed.

16 Appellants are prepared to make their settlement brief to the  
17 settlement judge in this case within the month of January to expedite  
18 and further the efficient disposition of both appeals.

### 19 **III. POINTS AND AUTHORITIES**

#### 20 **A. CONSOLIDATION OF THESE TWO APPEALS IS IN THE BEST INTEREST OF ALL** 21 **PARTIES AND UTILIZES SCARCE JUDICIAL RESOURCES MOST EFFICIENTLY**

22 NRAP 3(b) (2) states:

23  
24 "When the parties have filed separate timely  
25 notices of appeal, the appeals may be joined or  
26 consolidated by the court upon its own motion or  
upon motion of a party.

27 Currently, the briefing schedule in this appeal was suspended for  
28 settlement purposes. The briefing schedule in the first appeal (83253)

1 is due for opening brief to be filed on January 12, 2022. Appellants  
2 and Respondent were not able to settle the first appeal and Appellants  
3 filed a second appeal. That appeal is currently in the settlement  
4 program and Appellants think that settlement is possible. As  
5 Appellants filed two appeals regarding the same underlying matter, they  
6 are moving to consolidate both appeals and to place both appeals into  
7 the settlement program currently being conducted in this, the second  
8 appeal, 83763.

9  
10 Separately, in the first appeal, Appellants will move separately  
11 to stay the filing of the opening brief until after the cases are  
12 consolidated and after the settlement program has been successful or  
13 the consolidated appeal is deemed not ripe / appropriate for settlement  
14 by the Supreme Court Settlement Judge. Appellants believe that a stay  
15 of a short duration of no more than 60 days would suffice to either  
16 resolve both appeals or would confirm that these appeals together are  
17 not ripe for settlement purposes.  
18

#### 19 **IV. CONCLUSION**

20 Therefore, as Counsel has shown good cause for why this  
21 consolidation is requested, that Appellants believe consolidation is in  
22 the best interest of the parties and best utilizes the resources of  
23 this Court, and since the request is in compliance with NRAP 3,

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1 Appellants request approval of their motion to consolidate.

2 Dated this 12<sup>th</sup> day of January, 2022

3 Attorney for Appellants

4 THE WASIELEWSKI LAW FIRM, LTD.

5 /s/ Andrew Pastwick, #9146

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY AND AFFIRM that this document was filed electronically with the Nevada Supreme Court on January 12, 2022. Electronic service of the foregoing document shall be made in accordance with the Master Service List as follows:

STEPHEN HABERFELD, Esq.  
Supreme Court Settlement Judge

Zachary Ball, Esq.

Attorney for Respondent