

IN THE SUPREME COURT OF THE STATE OF NEVADA

OLENA KARPENKO,

Appellant,

vs.

THE EIGHTH JUDICIAL  
DISTRICT COURT OF THE  
STATE OF NEVADA, IN AND  
FOR THE COUNTY OF CLARK,  
AND THE HONORABLE DAWN  
THRONE, DISTRICT COURT  
JUDGE,

Respondents,

and

ENRIQUE SCHAEERER; and  
DOES I through X,

Real Parties in Interest

Electronically Filed  
CASE NO. 831709 09 2022 02:06 p.m.  
Elizabeth A. Brown  
District Court Case No. Clerk of Supreme Court  
D-21-628008-C

**MOTION TO DIVERT MATTER TO SUPREME COURT SETTLEMENT  
PROGRAM AND TO SUSPEND BRIEFING**

Real Party in Interest, Enrique Schaerer, and Petitioner, Olena Karpenko, are in the process of addressing Paternity in the District Court listed as Respondent herein. The pending *Writ* has arisen from decisions issued in that matter. During the preceding week, Enrique has retained new counsel to assist him with addressing both the underlying District Court case as well as this *Writ*. In a recent discussion, counsel for Petitioner, Mr. Marshal Willick, Esq., and undersigned counsel, Ms. Racheal H. Mastel, Esq, discussed the potential for settlement in this matter. Both Mr. Willick and Ms. Mastel agreed that



1 the parties would be interested in resolving the litigation, which would include resolving  
2 the issues directly related to the *Writ* itself.

3  
4 Both counsel believe that mediation with a skilled mediator who has a background  
5 in family law would be of great benefit to this case. As such, both counsel are requesting  
6 that the Court enter an Order diverting this matter to the Supreme Court Settlement  
7 Program pursuant to NRAP 16.  
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9  
10 While Ms. Mastel understands that, generally, NRAP 16 is used to resolve appeals,  
11 the purpose of the program is to assist in the resolution of matters on the appellate court  
12 docket without litigation. As such, and given that is the goal of the parties and their  
13 counsel in this instance, undersigned counsel believes that it would be of great benefit,  
14 if the Court would permit and Order participation in that program.  
15

16  
17 Presently, this Court has ordered Enrique to answer the *Writ*. That Answer is due  
18 March 16, 2022. Should this Court be inclined to divert the parties to the Settlement  
19 Program, Enrique requests, and Mr. Willick does not object, that, pursuant to NRAP  
20 16(a)(1), this Court suspend the briefing, including Enrique's Answer, while the parties  
21 participate in Mediation.  
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1 Therefore, Enrique requests an Order (with the agreement of Mr. Willick, Olena's  
2 counsel) that the parties be diverted to the Supreme Court Settlement Program, and that  
3 briefing, including Enrique's Answer, be suspended while they participate in the same.  
4

5 Dated this 9 day of March, 2022  
6

7 ~~KAINEN LAW GROUP, PLLC~~

8 By: 

9 RACHEAL H. MASTEL, ESQ.

10 Nevada Bar No. 11646

11 3303 Novat Street, Suite 200

12 Las Vegas, Nevada 89129

13 Attorney for Real Party in Interest  
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NRAP 27(e) CERTIFICATE

1. The telephone numbers and office addresses for all counsel and unrepresented parties in this matter are:

MARSHAL WILLICK, ESQ.  
(702) 438-4100  
3591 E. Bonanza Road, Suite 200  
Las Vegas, Nevada 89110.  
District Court and Appellate Court Counsel for Petitioner


RACHEAL H. MASTEL, ESQ.  
(702)823-4900  
3303 Novat Street, Suite 200,  
Las Vegas, Nevada 89129.  
District Court and Appellate Court Counsel for Real Party in Interest

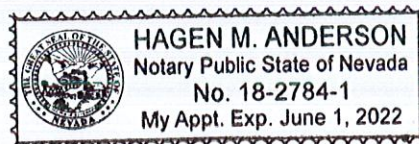
There are no unrepresented parties in this appeal.

2. Because this is a Motion for Diversion to the Settlement Program and Suspension of Briefing, all counsel and litigants will be notified via service of this Motion to the counsel listed above. Counsel will be served via the Court's electronic filing system.

  
RACHEAL H. MASTEL, ESQ.

SUBSCRIBED AND SWORN to before me  
this 9 day of March, 2022.

  
NOTARY PUBLIC in and for said  
County and State





**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 9<sup>th</sup> day of March, 2022, I caused to be served the *Motion to Divert Matter to Supreme Court Settlement Program and Suspend Briefing* to all interested parties as follows:

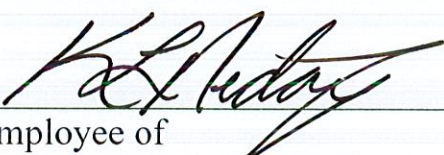
\_\_\_ BY MAIL: Pursuant to NRCP 5(b), I caused a true copy thereof to be placed in the U.S. Mail, enclosed in a sealed envelope, postage fully prepaid thereon, addressed as follows:

\_\_\_ BY CERTIFIED MAIL: I caused a true copy thereof to be placed in the U.S. Mail, enclosed in a sealed envelope, certified mail, return receipt requested, postage fully paid thereon, addressed as follows:

\_\_\_ BY FACSIMILE: Pursuant to EDCR 7.26, I caused a true copy thereof to be transmitted, via facsimile, to the following number(s):

X BY ELECTRONIC MAIL: Pursuant to NRAP 25(c) and NEFCR Rule 9, I caused a true copy thereof to be served via electronic mail, via the Supreme Court Electronic Filing System.

Marshal Willick, Esq.

  
An Employee of  
KAINEN LAW GROUP, PLLC