

IN THE SUPREME COURT OF THE STATE OF NEVADA

CITY OF LAS VEGAS, A POLITICAL
SUBDIVISION OF THE STATE OF NEVADA,

Appellant,

vs.

180 LAND CO., LLC, A NEVADA LIMITED-
LIABILITY COMPANY; AND FORE STARS,
LTD., A NEVADA LIMITED-LIABILITY
COMPANY,

Respondents.

No. 84345

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Clerk of Supreme Court

180 LAND CO., LLC, A NEVADA LIMITED-
LIABILITY COMPANY; AND FORE STARS,
LTD., A NEVADA LIMITED-LIABILITY
COMPANY,

Appellants/Cross-Respondents,

vs.

CITY OF LAS VEGAS, A POLITICAL
SUBDIVISION OF THE STATE OF NEVADA,

Respondent/Cross-Appellant.

No. 84640

**LANDOWNERS' RESPONSE
TO CITY OF LAS VEGAS'
MOTION REQUESTING
RECUSAL OF THE
HONORABLE JUSTICE
PATRICIA LEE**

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**LANDOWNERS' RESPONSE TO CITY OF LAS VEGAS' MOTION
REQUESTING RECUSAL OF THE HONORABLE JUSTICE PATRICIA LEE**

NRAP Rule 35 governs a party's effort to disqualify (or seek the recusal of) a justice of the Supreme Court. Specifically, NRAP Rule 35 provides "[a] motion to disqualify a justice or judge shall be filed with the clerk of the Supreme Court within 60 days after docketing of the appeal...*the failure to file a timely motion to disqualify shall be deemed a waiver of the moving party's right to object to a justice's or judge's participation in the case.*" Emphasis added.

This case was docketed in early 2022. Justice Lee has been a member of the Supreme Court since November of 2022. The briefing was completed in May of 2023 and as early as August 4, 2023 it was known that this matter would be heard En Banc.

The City's pending Motion was filed on December 21, 2023, two weeks from the date scheduled for oral arguments in this matter. Accordingly, the City is over a year late in filing any motion to disqualify (or seek the recusal of) Justice Lee.

Pursuant to NRAP Rule 35 the City has waived the right to object to Justice Lee's participation in this case.

Dated this 22nd day of December 2023.

CLAGGETT & SYKES LAW FIRM

/s/ Micah S. Echols

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing **LANDOWNERS' RESPONSE TO CITY OF LAS VEGAS' MOTION REQUESTING RECUSAL OF THE HONORABLE JUSTICE PATRICIA LEE** with the Supreme Court of Nevada on the 22nd day of December 2023. I will electronically serve the foregoing document in accordance with the Master Service List as follows:

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