

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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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' OPPOSITION
TO MOTION FOR
EXTENSION OF TIME TO
FILE BRIEF OF AMICUS
CURIAE BY CITY OF RENO
IN SUPPORT OF APPELLANT**

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**LANDOWNERS' OPPOSITION TO MOTION FOR EXTENSION
OF TIME TO FILE BRIEF OF AMICUS CURIAE BY CITY OF
RENO IN SUPPORT OF APPELLANT**

In its motion, proposed amicus, City of Reno, represents that several municipalities are considering the possibility of filing amici briefs in this case to support City of Las Vegas. City of Reno belatedly asks for an extension of 25 days to file any amici briefs that are approved by the municipalities' governing bodies according to the principles articulated in *Comm'n on Ethics v. Hansen*, 134 Nev. 304, 419 P.3d 140 (2018). The City of Reno also claims that other government entities are considering whether to join but require an open meeting of their governing body and thus, need more time. 180 Land Co., LLC and Fore Stars Ltd. (collectively "Landowners") take issue with respect to City of Reno's requested extension of time to the extent it serves to further delay this matter. The City of Las Vegas has already extended their time by sixty days. Undoubtably, given the media attention these cases have garnered, other entities have had knowledge and time to seek any such required approvals for joining amici briefing⁴.

⁴ Landowners expect to see proof of approval from the municipalities' governing bodies for any such amici briefs that are filed in this case.

City of Reno also proposes that Landowners timely file their combined answering brief on appeal and opening brief on cross-appeal which is due on November 16, 2022. City of Reno would then file its amicus brief *two days later* on November 18, 2022 (along with any other amici briefs). This would give the City of Reno, and any others who chose to file, the unfair advantage of the addressing Landowners arguments in their opening briefs.

City of Reno also suggests that Landowners could separately respond to the amici briefs. Landowners also object to this suggestion and prefer to respond to City of Las Vegas' opening brief and any amici briefs within the same responsive brief, particularly because Landowners expect the amici briefs to be largely duplicative of City of Las Vegas' opening brief. *See, e.g., Ryan v. Commodity Futures Trading Comm'n*, 125 F.3d 1062, 1063 (7th Cir. 1997) ("The vast majority of amicus curiae briefs are filed by allies of litigants and duplicate the arguments made in the litigants' briefs, in effect merely extending the length of the litigant's brief."). As such, requiring Landowners to file a separate response to the amici briefs would be unnecessarily costly to the Landowner and would

needlessly prolong this appeal, even though the Court expedited this appeal in its June 20, 2022 order.

Landowners have been fighting for their constitutionally protected land rights for more than five years and have previously informed the Court of the extreme financial hardship these delays are causing the Landowner. (See June 20, 2022 Order Regarding Motions). Accordingly, it is respectfully requested that this Court deny the City of Reno's request for more time while its counsel seemingly fishes for additional government entities to participate. Should the Court grant the City of Reno's request, the Landowners request the Court not require separate responses to the amici briefs and instead allow for those responses within the already scheduled briefing.

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Finally, if the Court grants City of Reno's requested extension, Landowners would necessarily need to request their own extension to integrate their response to the amici briefs into Landowners' combined answering brief on appeal and opening brief on cross-appeal.

Dated this 27th day of October 2022.

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing **LANDOWNERS' OPPOSITION TO MOTION FOR EXTENSION OF TIME TO FILE BRIEF OF AMICUS CURIAE BY CITY OF RENO IN SUPPORT OF APPELLANT** with the Supreme Court of Nevada on the 27th day of October 2022. I will electronically serve the foregoing document in accordance with the Master Service List as follows:

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