

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'
MOTION TO EXCEED WORD
LIMIT FOR COMBINED
ANSWERING BRIEF ON
APPEAL AND OPENING BRIEF
ON CROSS-APPEAL**

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**LANDOWNERS' MOTION TO EXCEED WORD LIMIT FOR
COMBINED ANSWERING BRIEF ON APPEAL AND OPENING
BRIEF ON CROSS-APPEAL**

Landowners respectfully move this Court, under NRAP 32(a)(7)(D) to exceed the word limit for its combined answering brief on appeal and opening brief on cross-appeal by 19,202 words.

NRAP 28.1(e) limits a combined answering brief on appeal and opening brief on cross-appeal to 40 pages unless it contains no more than 18,500 words. Landowners' combined brief is also responsive to the amici brief. According to NRCP 29(e), the length of an amicus brief can be up to one half the length of the brief it is supporting, without taking into account extensions for longer briefs that are being supported. In this case, the City's opening brief is 21,675 words. The amici brief is 6,991 words. Thus, Landowners were required to respond to 28,666 words in their answering brief, without even taking into account Landowners' cross-appeal. Importantly, NRAP 32(a)(7) allows a party to exceed the page limit by permission of the Court and "upon a showing of diligence and good cause." NRAP 32(a)(7)(D).

Good cause exists to allow the combined answering brief and opening brief to exceed the word limit by 19,202 words for the reasons set forth in the following declaration of counsel for Landowners.

**DECLARATION OF MICAH S. ECHOLS, ESQ., IN SUPPORT OF
MOTION TO EXCEED WORD LIMIT FOR COMBINED
ANSWERING BRIEF ON APPEAL AND OPENING BRIEF ON
CROSS-APPEAL**

Micah S. Echols, Esq., declares as follows:

1. I am over the age of 18 years and have personal knowledge of the facts stated herein, except for those stated upon information and belief, and as to those, I believe them to be true. I am competent to testify as to the facts stated herein in a court of law and will so testify if called upon.

2. I am an attorney with Claggett & Sykes Law Firm, and one of the appellate attorneys for Landowners.

3. On October 17, 2022, the City of Las Vegas (“City”) filed its opening brief consisting of 21,675 words, five main issues and 16 sub-issues. The City filed a motion to exceed word limit, which this Court later granted on October 20, 2022.

4. On December 5, 2022, the Amici supporting the City filed their brief, which contains 6,991 words.

5. Although, I have worked diligently to argue the issues on appeal as concisely and cogently as possible, the additional 19,202 words are needed to adequately argue those issues for this Court’s consideration. The issues in this case involve significant questions of

constitutional magnitude relevant to the Nevada Constitution Just Compensation Clause. Additionally, the record in this case is massive as this matter was tried for nearly five years and involved extensive briefing, oral argument, and evidentiary hearings at the district court level.

6. Based upon good cause, Landowners request that this Court extend the word limit of its combined answering brief on appeal and opening brief on cross-appeal and allow it to be filed.

I declare under penalty and perjury that the foregoing is true and correct.

Dated this 17th day of January 2023.

CLAGGETT & SYKES LAW FIRM

/s/ Micah S. Echols

Micah S. Echols, Esq.

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing **LANDOWNERS' MOTION TO EXCEED WORD LIMIT FOR COMBINED ANSWERING BRIEF ON APPEAL AND OPENING BRIEF ON CROSS-APPEAL** with the Supreme Court of Nevada on the 17th day of January 2023. I will electronically serve the foregoing document in accordance with the Master Service List as follows:

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