

IN THE SUPREME COURT OF THE STATE OF NEVADA

PHILIP MORRIS USA INC., A
FOREIGN CORPORATION,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
VERONICA BARISICH, DISTRICT
JUDGE,

Respondents,

and

DOLLY ROWAN, AS AN INDIVIDUAL,
AS SPECIAL ADMINISTRATOR FOR
THE ESTATE OF NOREEN
THOMPSON; NAVONA COLLISON, AS
AN INDIVIDUAL; RUSSELL
THOMPSON, AS AN INDIVIDUAL; R.J.
REYNOLDS TOBACCO COMPANY, A
FOREIGN CORPORATION; LIGGETT
GROUP, LLC, A FOREIGN
CORPORATION; QUICK STOP
MARKET, LLC, A DOMESTIC LIMITED
LIABILITY COMPANY; JOE'S BAR,
INC., A DOMESTIC CORPORATION;
THE POKER PALACE, A DOMESTIC
CORPORATION; SILVER NUGGET
GAMING, LLC, D/B/A SILVER
NUGGET CASINO, A DOMESTIC
LIMITED LIABILITY COMPANY; AND
JERRY'S NUGGET, A DOMESTIC
CORPORATION,

Real Parties in Interest.

No. 84805

FILED

JUL 08 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

*ORDER GRANTING MOTIONS TO FILE AMICUS BRIEF AND TO
ASSOCIATE COUNSEL*

The Product Liability Advisory Council, Inc. (PLAC) has moved for leave to file an amicus brief in support of petitioner's petition for writ of mandamus or prohibition. No opposition has been filed.

PLAC advocates for manufacturers and files amicus briefs in cases that involve product liability litigation and affect PLAC's members. PLAC proposes that the instant case raises issues important to PLAC members because it raises the question of whether a manufacturer may be held liable under Nevada's Deceptive Trade Practices Act even if the manufacturer did not manufacture the specific product that caused injury. PLAC proposes to inform this court regarding principles of product liability law and how the district court's ruling threatens to upend the important public policy considerations that underlie those principles. It appears an amicus brief may be warranted. *See Ryan v. Commodity Future Trading Comm'n*, 125 F.3d 1062, 1063 (7th Cir. 1997) (explaining that an amicus brief is appropriate where "the amicus has unique information or perspective that can help the court beyond the help that the lawyers for the parties are able to provide). The motion is granted. The clerk of this court shall detach the amicus brief from the motion and shall file it separately.

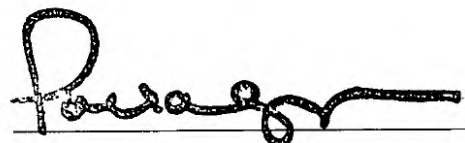
The clerk of this court shall add attorney Bruce Scott Dickinson and the law firm of Stephenson & Dickinson, P.C, to the docket as Nevada counsel for amicus. PLAC has also filed motions to associate attorneys Christopher Dean Dusseault and Sarah Margaret Kushner, both of Gibson, Dunn & Crutcher, LLP, in this matter pursuant to SCR 42.

Attached to the motions to associate Mr. Dusseault and Ms. Kushner are verified applications, certificates of good standing from the California State Bar, and Supreme Court Rule 42 statements. The Rule 42

statements of the State Bar of Nevada indicate that neither Mr. Dusseault nor Ms. Kushner has applied to appear in Nevada courts within the past 3 years. *See* SCR 42(6) (repeated appearances by any person or firm pursuant to this rule shall be cause for denial of a motion).

Accordingly, the motions to associate are granted, and Mr. Dusseault and Ms. Kushner shall be permitted to appear on behalf of amicus PLAC in this appeal. Nevada attorney Bruce Scott Dickinson of Stephenson & Dickinson, P.C, shall be responsible for all matters presented by Mr. Dusseault and Ms. Kushner in this matter. *See* SCR 42(14)(a) (requiring the Nevada attorney of record to be responsible for and actively participate in the representation of a client in these proceedings); NRAP 25(a)(5) (all documents submitted to the supreme court for filing by a represented party shall include the original signature of at least one attorney of record who is an active member of the State Bar of Nevada); NRAP 46(a)(3) (requiring Nevada counsel to sign all briefs, be present during oral argument, and be responsible for all briefs and matters presented by foreign counsel)..

It is so ORDERED.

 C.J.

cc: Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC/Las Vegas
Shook, Hardy & Bacon LLP/Kansas City
Lewis Roca Rothgerber Christie LLP/Las Vegas
Claggett & Sykes Law Firm
Bailey Kennedy
Kelley Uustal/Fort Lauderdale
Kasowitz Benson Torres LLP/Miami
King & Spalding LLP/Atlanta
King & Spalding, LLP/Charlotte
Stephenson & Dickinson, P.C.
Gibson, Dunn & Crutcher, LLP