IN THE SUPREME COURT OF THE STATE OF NEVADA

STARR SURPLUS LINES INSURANCE
CO.,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
MARK R. DENTON, DISTRICT JUDGE,
Respondents,
 and
JGB VEGAS RETAIL LESSEE, LLC,
Real Party in Interest.

No. 84986

FILED

JUL 2 9 2022

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

*ORDER DIRECTING ANSWER, GRANTING MOTION FOR LEAVE TO
FILE A BRIEF OF AMICUS CURIAE, AND GRANTING
MOTION TO EXTEND DISTRICT COURT'S STAY*

This original petition for a writ of mandamus or prohibition challenges a district court order denying, in part, a motion for summary judgment in litigation over insurance coverage that arises out of the COVID-19 pandemic and related losses.

Having reviewed the petition and supporting documentation, it appears that an answer may assist this court in resolving this matter. Therefore, real party in interest, on behalf of respondents, shall have 28 days from the date of this order to file and serve an answer, including authorities, against issuance of the requested writ. Petitioner shall have 14 days from service of the answer to file and serve any reply.
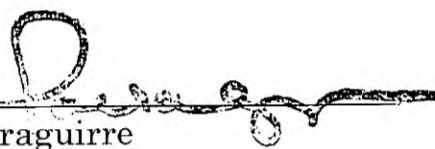
The American Property Casualty Insurance Association ("APCIA") has filed an unopposed motion for leave to file a brief of amicus curiae in support of petitioner. The motion is granted. NRAP 29; *Ryan v.*

Commodity Futures Trading Comm'n, 125 F.3d 1062, 1063 (7th Cir. 1997) (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"). However, we are unable to accept the proposed amicus brief. The cover of the proposed brief does not identify the party supported and whether the brief supports granting or denying the petition. *See* NRAP 29(d). Additionally, the proposed brief exceeds the permissible page and type-volume limitations, *see* NRAP 29(e) (stating that "[e]xcept by the court's permission, an amicus brief may be no more than one-half the maximum length authorized by these Rules for a party's brief"); NRAP 21(d) (providing that "[a] petition shall not exceed 15 pages unless it contains no more than 7,000 words (or 650 lines of text in a monospaced typeface) or the court grants leave to file a longer petition"), and APCIA was not granted leave to file a longer brief. Accordingly, the clerk shall detach the proposed amicus brief from the motion filed on July 15, 2022, and return it unfiled. APCIA shall have 7 days from the date of this order to file and serve a brief of amicus curiae that complies with NRAP 29(d) and does not exceed 7.5 pages or 3,500 words. Failure to timely comply may result in the imposition of sanctions, including the disposition of this matter without an amicus brief from APCIA. The answer of real party in interest should also address the arguments set forth in APCIA's amicus brief.
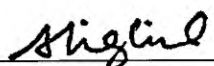
Finally, below, the district court entered a 21-day stay of proceedings on July 11, 2022. Petitioner filed a motion to extend the district court's stay, and real party in interest opposed the motion. Petitioner filed a reply. Subsequently, petitioner filed a request to convert its motion for stay into an emergency motion under NRAP 27(e). We grant petitioner's motion to covert its motion for stay into an emergency motion under NRAP

27(e), and having considered the stay motion, opposition, and reply, we further conclude that the relevant factors weigh in favor of the requested stay. *See* NRAP 8(c). Accordingly, we grant petitioner's motion and hereby stay the district court proceedings pending further order of this court.

It is so ORDERED.

_____ C.J.
Parraguirre

_____ , J.
Hardesty

_____ , J.
Stiglich

cc: Hon. Mark R. Denton, District Judge
       Lewis Roca Rothgerber Christie LLP/Las Vegas
       Clyde & Co US LLP/Las Vegas
       Wolf, Rifkin, Shapiro, Schulman & Rabkin, LLP/Las Vegas
       Cohen Ziffer Frenchman & McKenna LLP/NY
       Kravitz Schnitzer Johnson Watson & Zeppenfeld, Chtd.
       Eighth District Court Clerk