

In the Supreme Court 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 DENTON, District Judge,
Respondents,

and

JGB VEGAS RETAIL LESSEE, LLC,
Real Party in Interest.

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Clerk of Supreme Court

District Court Case No.
A-20-816628-B

PETITIONER'S SIXTH NOTICE OF SUPPLEMENTAL AUTHORITIES

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Petitioner Starr provides the following supplemental authority from the Colorado Supreme Court.

MJB Motels LLC v. County of Jefferson Board of Equalization presented the question whether COVID-19 was an “unusual condition[] in or related to any real property which would result in an increase or decrease in actual value” of that property. 2023 CO 26, ___ P.3d ___, 2023 WL 3706206 (Colo. May 30, 2023). The court determined it was not, observing:

Whether COVID-19 is viewed as a virus or a pandemic, it did not resemble the natural events—earthquakes, floods, and tornados—that we consider acts of nature. Moreover, the COVID-19 pandemic was not ‘in or related to any real property.’ COVID-19 may have infected people who were on the property. But COVID-19 did not infect the property itself.

Id. at ¶¶ 22-23 (internal citations omitted).

M.J.B. Motel supports Starr’s contention that COVID-19 does not constitute or cause “direct physical loss or damage” to JGB’s property. The virus has no real effect on the property itself. It is also another brick in the wall of authority in Starr’s favor.

Respectfully submitted.

DATED: June 1, 2023.

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CERTIFICATE OF SERVICE

I certify that on June 1, 2023, I submitted the foregoing “Sixth Notice of Supplemental Authority” for filing *via* the Court’s eFlex electronic filing system. Electronic notification will be sent to the following:

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I further certify that I served a copy of this document by United States mail, postage prepaid, at Las Vegas, Nevada, a true and correct copy thereof, as follows:

The Honorable Mark Denton
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Respondent

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