

IN THE SUPREME COURT OF THE STATE OF NEVADA

BARRY JAMES RIVES, M.D.; and
LAPAROSCOPIC SURGERY OF
NEVADA, LLC,

Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
CLARK COUNTY; AND THE
HONORABLE JOANNA S. KISHNER,
DISTRICT JUDGE,

Respondents,

and

TITINA FARRIS and PATRICK FARRIS,

Real Parties in Interest.

Case No. 85143

Electronically Filed
Aug 16 2022 09:52 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

**PETITIONERS' NOTICE
REGARDING STATUS OF
DISTRICT COURT MOTION
FOR STAY**

Petitioners hereby provide this court with notice of the status of the district court motion for a stay of proceedings. The petition for writ of mandamus contained a notice on page 1, regarding a possible emergency motion for stay in this court. The notice in the petition indicated:

NOTICE OF POTENTIAL EMERGENCY MOTION FOR STAY

The second multi-week medical malpractice trial in this case is scheduled for September 6, 2022. Petitioners are in the process of requesting the district court to stay the trial, pending the outcome of this writ petition. If the district court denies a stay or fails to rule on

the requested stay, petitioners intend to file an emergency motion in this court to stay the trial pending the outcome of this petition.

On Friday, August 12, 2022, Petitioners submitted a district court motion for a stay of proceedings pending the outcome of the writ petition. The motion was submitted with a request for an order shortening time. The district court granted the order shortening time on Monday, August 15, 2022. At that time the motion was formally e-filed. The motion is set for a hearing on Tuesday, August 23, 2022, at 9:00 a.m. If the district court denies the stay at the hearing on August 23, 2022, Petitioners intend to file an emergency motion the same day with this court, pursuant to NRAP 8 and 27(e). Petitioners will comply with the notice requirements of NRAP 27(e).

Dated: August 16, 2022

/s/ Robert L. Eisenberg
ROBERT L. EISENBERG (SBN 950)
6005 Plumas Street, Third Floor
Reno, Nevada 89519
775-786-6868 (telephone)
rle@lge.net

ATTORNEYS FOR PETITIONERS

CERTIFICATE OF SERVICE

I certify that I am an employee of LEMONS, GRUNDY & EISENBERG and that on this date, the foregoing ***Petitioners' Notice Regarding Status of District Court Motion for Stay*** was filed electronically with the Clerk of the Nevada Supreme Court, and service was made in accordance with the master service list as follows:

George F. Hand
Hand & Sullivan, LLC
3442 North Buffalo Drive
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Kimball J. Jones
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Attorneys for Real Parties in Interest

I further certify that I served the within document by placing said document, postage prepaid, in the U.S. mail to the following:

Hon. Joanna Kishner
Eighth Judicial District Court, Dept. 31
Regional Justice Center
200 Lewis Avenue
Las Vegas, NV 89155
Respondent

Dated: August 16, 2022

/s/ Margie Nevin
Margie Nevin