

IN THE SUPREME COURT OF THE STATE OF NEVADA

SIERRA HEALTH AND LIFE
INSURANCE COMPANY, INC.,

Appellant,

vs.

SANDRA L. ESKEW, as special
administrator of the Estate of William
George Eskew,

Respondent.

Supreme Court No. 85369

District Court No. A-19-788630-C

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Elizabeth A. Brown
Clerk of Supreme Court

CERTIFICATE OF NO TRANSCRIPT REQUEST

Pursuant to NRAP 9, notice is hereby given that Appellant Sierra Health and Life Insurance Company, Inc. is not requesting the preparation of transcripts for this appeal as the below transcripts have already been prepared and filed in the district court:

- 02/10/22 (All Pending Motions Hearing) (filed 02/23/22)
- 02/11/22 (All Pending Motions Hearing) (filed 02/23/22)
- 03/14/22 (Jury Trial Day 1) (filed 07/06/22)
- 03/15/22 (Jury Trial Day 2) (filed 07/06/22)
- 03/16/22 (Jury Trial Day 3) (filed 07/06/22)
- 03/21/22 (Jury Trial Day 4) (filed 07/06/22)

- 03/22/22 (Jury Trial Day 5) (filed 07/06/22)
- 03/23/22 (Jury Trial Day 6) (filed 07/06/22)
- 03/24/22 (Jury Trial Day 7) (filed 07/06/22)
- 03/25/22 (Jury Trial Day 8) (filed 07/06/22)
- 03/28/22 (Jury Trial Day 9) (filed 07/06/22)
- 03/29/22 (Jury Trial Day 10) (filed 07/06/22)
- 03/30/22 (Jury Trial Day 11) (filed 07/06/22)
- 04/04/22 (Jury Trial Day 12) (filed 07/06/22)
- 04/05/22 (Jury Trial Day 13) (filed 07/06/22)
- 10/18/22 (Hearing re Entry of Express Findings as Required by *Lioce v. Cohen*) (filed 10/21/22)¹

¹ Appellant recognizes that NRAP 9(a)(1)(B) instructs that “appellant shall file a transcript request form in accordance with Rule 9(a)(3) when a verbatim record was made of the district court proceedings and the necessary portions of the transcript were not prepared and filed in the district court before the appeal was docketed under Rule 12.” This appeal was docketed on September 19, 2022. All of the above transcripts were filed in the district court before that date except for the 10/18/22 hearing on Plaintiff’s Motion for Entry of Express Findings as Required by *Lioce v. Cohen*, which was filed in the district court on 10/21/22. Yet, because this transcript has already been prepared and filed in the district court and the related hearing was conducted prior to notice of entry of the orders resolving post-judgment tolling motions, it appears that requesting the preparation of this transcript and certifying that it has been ordered and deposit made, consistent with NRAP 9(a)(3), would be unnecessarily duplicative and confusing, particularly as Appellant in this matter is represented by counsel and plans to submit an appendix in support of the appeal. To the extent that Appellant has misinterpreted the requirements of NRAP 9 with respect to this transcript, Appellant respectfully requests leave to otherwise comply.

DATED: January 11, 2023

/s/ Ryan T. Gormley

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CERTIFICATE OF SERVICE

Pursuant to NRAP 25(c), I hereby certify that on January 11, 2023, I served a true and correct copy of the foregoing **CERTIFICATE OF NO TRANSCRIPT REQUEST** by electronic service via the Nevada Supreme Court's eFlex program upon all parties and their respective counsel of record.

/s/ Cynthia S. Bowman

An employee of WEINBERG, WHEELER,
HUDGINS GUNN & DIAL, LLC