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Admitted PHV
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Attorney for Plaintiffs

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Elizabeth A. Brown
Clerk of Supreme Court

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.

Case No. 85369

MOTION TO ASSOCIATE COUNSEL

Respondent, SANDRA L. ESKEW, as Special Administrator of the Estate of William George Eskew, hereby moves the Court for an order permitting Robert Daniel Friedman, Esq., to practice in Nevada pursuant to Nevada Supreme Court Rule 42 (SCR 42). This motion is supported by the attached Verified Application for Association of Counsel (Exhibit A), Certificates of Good Standing from the

Supreme Court of New York and the District of Columbia Bar (Exhibit B), and the State Bar of Nevada Statement (Exhibit C).

DATED this 20th day of July 2023.

MATTHEW L. SHARP, LTD.

/s/ Matthew L. Sharp
MATTHEW L. SHARP, ESQ.
Nevada Bar No. 4746
432 Ridge Street
Reno NV 89501
(775) 324-1500
matt@mattsharplaw.com
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

Pursuant to NRAP 5(b), I hereby certify that I am an employee of Matthew L. Sharp, Ltd., and that on this date, I electronically filed the foregoing with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:

D. Lee Roberts, Jr. Esq.; lroberts@wwhgd.com
Phillip N. Smith, Esq.; psmith@wwhgd.com
Ryan T. Gormley, Esq.; rgormley@wwhgd.com
WEINBERG WHEELER HUDGINS GUNN & DIAL LLC
6385 S. Rainbow Blvd., Ste. 400
Las Vegas, NV 89118
Attorneys for Appellant, Sierra Health and Life Insurance Company, Inc.

Thomas H. Dupree Jr.: tdupree@gibsondunn.com
Gibson, Dunn & Crutcher LLP
1050 Connecticut Avenue NW
Washington, DC 20036
Attorneys for Appellant, Sierra Health and Life Insurance Company, Inc.

DATED this 20th day of July 2023.

/s/ Cristin B. Sharp
An employee of Matthew L. Sharp, Ltd.

EXHIBIT 1

EXHIBIT 1

IN THE SUPREME COURT OF NEVADA

SIERRA HEALTH AND LIFE)
INSURANCE CO., INC.,)
)
Respondent,)
)
vs.)
)
SANDRA L. ESKEW, as Special)
Administrator of the Estate of)
William George Eskew,)
)
Defendant.)
_____)

Case No. 85369

**VERIFIED APPLICATION FOR ASSOCIATION
OF COUNSEL UNDER NEVADA SUPREME COURT RULE 42**

Robert Daniel Friedman, Petitioner, respectfully represents:
First Middle Name Last

1. Petitioner resides at 3209 Jocelyn Street, NW
Street Address

Washington, _____, DC,
City County State

200015, (914) 588-4713
Zip Code Telephone

2. Petitioner is an attorney at law and a member of the law firm of Gupta Wessler PLLC

with offices at 2001 K Street NW, Suite 850 North
Street Address

Washington, _____, DC
City County State

20006, (202) 888-1741, admin@guptawessler.com
Zip Telephone Email

3. Petitioner has been retained personally or as a member of the above named law firm by ____
_____Sandra L. Eskew_____ to provide legal representation in connection with the above-entitled
matter now pending before the above referenced court.

4. Since____May 5th____ of 2017____, petitioner has been, and presently is, a member of good
standing of the bar of the highest court of the State of District of Columbia_____ where petitioner
regularly practices law.

5. Petitioner was admitted to practice before the following United States District Courts, United States
Circuit Courts of Appeal, the Supreme Court of the United States, and/or courts of other states on the
dates indicated for each, and is presently a member in good standing of the bars of said Courts:

DATE ADMITTED

U.S. Court of Appeals for the Third Circuit – April 9, 2020

U.S. Court of Appeals for the Fourth Circuit – September 2, 2021

U.S. Court of Appeals for the Tenth Circuit – December 26, 2018

U.S. District Court for the Northern District of Illinois – June 6, 2021

U.S. District Court for the Eastern District of Wisconsin – February 21, 2017

U.S. District Court for the District of Columbia– May 5, 2017

New York – July 14, 2014

6. Is Petitioner currently suspended or disbarred in any court? You must answer yes or no. If yes, give
particulars; e.g., court, jurisdiction, date:_____ No_____

7. Is Petitioner currently subject to any disciplinary proceedings by any organization with authority at law? You must answer yes or no. If yes, give particulars, e.g. court, discipline authority, date, status:

No

8. Has Petitioner ever received public discipline including, but not limited to, suspension or disbarment, by any organization with authority to discipline attorneys at law? You must answer yes or no. If yes, give particulars, e.g. court, discipline authority, date, status: No

9. Has Petitioner ever had any certificate or privilege to appear and practice before any regulatory administrative body suspended or revoked? You must answer yes or no. If yes, give particulars, e.g. date, administrative body, date of suspension or reinstatement: No

10. Has Petitioner, either by resignation, withdrawal, or otherwise, ever terminated or attempted to terminate Petitioner's office as an attorney in order to avoid administrative, disciplinary, disbarment, or suspension proceedings? You must answer yes or no. If yes, give particulars: No

11. Petitioner, or any member of petitioner's firm, has/have filed the following application(s) to appear as counsel under Nevada Supreme Court Rule 42 during the past three (3) years in the following matter(s), if none, indicate so: *(do not include Federal Pro Hacs)*

<u>Date of Application</u>	<u>Cause</u>	<u>Title of Court Administrative Body or Arbitrator</u>	<u>Was Application Granted or Denied?</u>
<u>Matthew W.H. Wessler (07/14/2022)</u>	<u><i>Eskew vs. Sierra Health, et al.</i></u>	<u>Second Judicial</u>	<u>Granted</u>
<u>Deepak Gupta (07/14/2022)</u>	<u><i>Eskew vs. Sierra Health, et al.</i></u>	<u>Second Judicial</u>	<u>Granted</u>

(If more space is needed, you may list previous applications on a separate attachment.)

12. Nevada Counsel of Record for Petition in this matter is:

(must be the same as the signature on the Nevada Counsel consent page)

<u>Matthew</u>	<u>L.</u>	<u>Sharp</u>	<u>4746</u>
First Name	Middle Name	Last Name	NV Bar #

who has offices at Matthew L. Sharp, Ltd.
Firm Name/Company

<u>432 Ridge Street</u>	<u>Reno</u>	<u>Washoe</u>
Street Address	City	County

<u>89501</u>	<u>(775) 324-1500</u>
Zip Code	Phone Number

13. The following accurately represents the names and addresses of each party in this matter, WHETHER OR NOT REPRESENTED BY COUNSEL, and the names and addresses of each counsel of record who appeared for said parties: (You may attach as an Exhibit if necessary.)

NAME

MAILING ADDRESS

See attached

14. Petitioner agrees to comply with the provisions of Nevada Supreme Court Rule 42(3) and (13) and Petitioner consents to the jurisdiction of the courts and disciplinary boards of the State of Nevada in accordance with provisions as set forth in SCR 42(3) and (13). Petitioner respectfully requests that Petitioner be admitted to practice in the above-entitled court FOR THE PURPOSES OF THIS MATTER ONLY.

15. Petitioner has disclosed in writing to the client that the applicant is not admitted to practice in this jurisdiction and that the client has consented to such representation.

Creed of Professionalism and Civility

PREAMBLE

A lawyer should always show personal courtesy and professional integrity in the fullest sense of those terms.

In fulfilling our duty to represent a client vigorously as lawyers, we will honor our obligations to the administration of justice, which is a truth-seeking process designed to resolve human and societal problems in a rational, peaceful, and efficient manner. We remain committed to the rule of law as the foundation for a just and peaceful society.

Uncivil, abrasive, abusive, hostile, or obstructive conduct impedes the fundamental goal of resolving disputes rationally, peacefully, and efficiently. Incivility tends to delay, and often deny, justice.

Lawyers should exhibit courtesy, candor, and cooperation when participating in the legal system and dealing with the public. These standards encourage lawyers to fulfill obligations to each other, to litigants, and to justice. These honorable actions achieve the twin goals of civility and professionalism, both of which are hallmarks of a learned profession dedicated to public service.

While these standards are voluntary and not a basis for litigation or sanctions, violations of these standards may trigger sanctions under Rules 4.4, 8.4(b), or others. Ethical problems arise from the conflict between a lawyer's responsibilities to clients, to the legal system, and to the lawyer's own interests. The Rules of Professional Conduct resolve such conflicts. The Rules, however, cannot address every conflict that may arise. These standards honor the spirit of the Rules by balancing a lawyer's obligation to protect and pursue a client's legitimate interests zealously, within the bounds of the law, while maintaining a professional, courteous, and civil attitude toward all persons in the legal system.

The Court expects lawyers to commit to the spirit and letter of these standards, affirming that these guidelines do not denigrate the lawyer's duty of zealous representation. Law schools and continuing legal education courses should incorporate these standards when teaching professionalism to law students and practicing lawyers alike. Lawyers should make copies available to clients and adjudicators should reinforce these standards in the courtroom to reinforce our obligation to maintain and foster these standards and to make it clear that incivility may hurt the client's case.

CREED

1. We will strive to find harmony in our responsibilities as a representative of clients, as officers of the legal system, and as public citizens.
2. We will treat all participants of the legal system in a civil and courteous manner, not only in court, but also in all other written and oral communications.
3. We will never permit zealous advocacy to carry us beyond sobriety and decorum to disparaging personal remarks or acrimony.
4. We will demonstrate civility, professional integrity, personal dignity, respect, courtesy, and cooperation because they are essential to the fair administration of justice and conflict resolution.
5. We will not encourage or knowingly authorize any person under our control to engage in uncivil conduct.
6. We will not, absent good cause, attribute bad motives or improper conduct to other counsel or bring the profession into disrepute by unfounded accusations of impropriety.
7. We will avoid ex parte communications with the court or tribunal, including the judge's staff, on pending matters, except when permitted by law.
8. Honesty and fair dealing are integral components of civility. We will adhere to promises and agreements fairly reached, whether orally or in writing, in good faith. When reiterating oral promises or agreements in writing, we will fairly, completely, and in good faith, restate all elements of the parties' oral agreement.
9. We will confer early with other counsel to assess settlement possibilities. We will not falsely hold out the possibility of settlement to adjourn discovery or to delay trial.
10. We will stipulate to undisputed matters unless we have a good-faith basis not to stipulate.
11. We will try in good faith to resolve our objections with opposing counsel.
12. We will not time the filing or service of motions or pleadings in any way that unfairly limits another party's opportunity to respond.
13. We will not request an extension of time without just cause.
14. We will consult other counsel regarding scheduling matters in a good-faith effort to avoid scheduling conflicts.
15. We will endeavor to accommodate previously scheduled dates for hearings, depositions, meetings, conferences, vacations, seminars, or other functions of other counsel.
16. We will explain to our clients that cooperation is the professional norm. We will explain how procedural agreements do not compromise the clients' interests.
17. We will draft document requests and interrogatories without placing an undue burden or expense on any party.
18. We will ensure that our clients respond to document requests and interrogatories without strained interpretation. We will not produce documents or answer interrogatories in a manner designed to hide or obscure the existence of documents or information.
19. We will be punctual and prepared for all Court appearances so that all hearings, conferences, and trials may commence on time.
20. We will not engage in conduct that brings disorder or disruption to the legal proceeding. We will advise our clients and witnesses of the proper conduct expected and, to the best of our ability, prevent our clients and witnesses from creating disorder or disruption.

I, Robert Friedman, do hereby swear/affirm under penalty of perjury that the assertions

Print Petitioner Name

of this application and the following statements are true:

- 1) That I am the Petitioner in the above-entitled matter.
- 2) That I have received a copy of, read, and will adhere to the Nevada Creed of Professionalism and Civility.
- 3) That I have read Supreme Court Rule (SCR) 42 and meet all requirements contained therein, including, without limitation, the requirements set forth in SCR 42(2), as follows:
 - (A) I am not a member of the State Bar of Nevada;
 - (B) I am not a resident of the State of Nevada;
 - (C) I am not regularly employed as a lawyer in the State of Nevada;
 - (D) I am not engaged in substantial business, professional, or other activities in the State of Nevada;
 - (E) I am a member in good standing and eligible to practice before the bar of any jurisdiction of the United States; and
 - (F) I have associated a lawyer who is an active member in good standing of the State Bar of Nevada as counsel of record in this action or proceeding.
- 4) That I have read the foregoing application and know the contents thereof; that the same is true of my own knowledge except as to those matters therein stated on information and belief, and as to the matter I believe them to be true.

That I further certify that I am subject to the jurisdiction of the Courts and disciplinary boards of this state with respect to the law of this state governing the conduct of attorneys to the same extent as a member of the State Bar of Nevada; that I understand and shall comply with the standards of

professional conduct required by members of the State Bar of Nevada; and that I am subject to the disciplinary jurisdiction to the State Bar of Nevada with respect to any of my actions occurring in the course of such appearance.

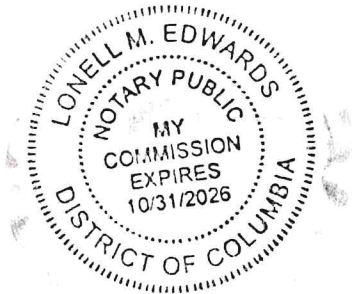
DATED this 6th day of June, 2023

Pol Zuckerman
Petitioner/Affiant (blue ink)

STATE OF DC)
COUNTY OF NA) ss

Subscribed and sworn to before me
this 30 day of June, 2023

JHE
Notary Public



DESIGNATION, CERTIFICATION AND CONSENT OF NEVADA COUNSEL

SCR 42(14) Responsibilities of Nevada attorney of record.

(a) The Nevada attorney of record shall be responsible for and actively participate in the representation of a client in any proceeding that is subject to this rule.

(b) The Nevada attorney of record shall be present at all motions, pre-trials, or any matters in open court unless otherwise ordered by the court.

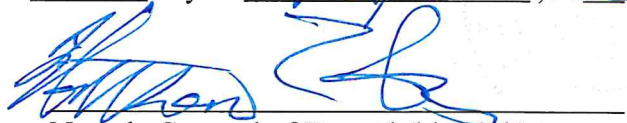
(c) The Nevada attorney of record shall be responsible to the court, arbitrator, mediator, or administrative agency or governmental body for the administration of any proceeding that is subject to this rule and for compliance with all state and local rules of practice. It is the responsibility of Nevada counsel to ensure that the proceeding is tried and managed in accordance with all applicable Nevada procedural and ethical rules.

I Matthew L. Sharp hereby agree to associate with Petitioner referenced hereinabove

Print Nevada Counsel Name

and further agree to perform all of the duties and responsibilities as required by Nevada Supreme Court Rule 42.

DATED this 6th day of July, 2023


Nevada Counsel of Record (blue ink)

STATE OF Nevada)
COUNTY OF Washoe) ss

Subscribed and sworn to before me
this 6th day of July, 2023


Notary Public



EXHIBIT 2

EXHIBIT 2



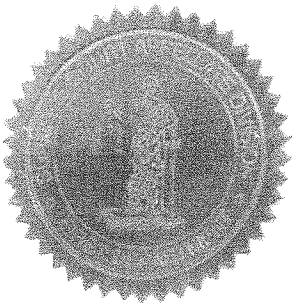
*Appellate Division of the Supreme Court
of the State of New York
First Judicial Department*

*I, Susanna M. Rojas, Clerk of the Appellate Division of the
Supreme Court of the State of New York, First Judicial
Department, do hereby certify that*

Robert Daniel Friedman

*was duly licensed and admitted to practice as an Attorney and
Counselor at Law in all the courts of this State on July 14, 2014,
has duly taken and subscribed the oath of office prescribed by law,
has been enrolled in the Roll of Attorneys and Counselors at Law
on file in this office, is duly registered with the Administration
Office of the Courts, and according to the records of this Court is
currently in good standing as an Attorney and Counselor-at-Law.*

*In Witness Whereof, I have hereunto set
my hand in the City of New York on
June 27, 2023.*



Susanna M. Rojas

Clerk of the Court

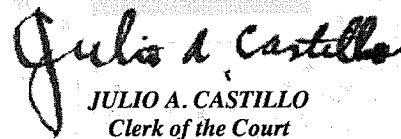


*On behalf of JULIO A. CASTILLO, Clerk of the District of Columbia Court of Appeals,
the District of Columbia Bar does hereby certify that*

Robert Daniel Friedman

*was duly qualified and admitted on May 5, 2017 as an attorney and counselor entitled to
practice before this Court; and is, on the date indicated below, an Active member in good
standing of this Bar.*

*In Testimony Whereof,
I have hereunto subscribed my
name and affixed the seal of this
Court at the City of
Washington, D.C., on June 28, 2023.*


JULIO A. CASTILLO
Clerk of the Court

Issued By:



David Chu - Director, Membership
District of Columbia Bar Membership

*For questions or concerns, please contact the D.C. Bar Membership Office at 202-626-3475 or email
memberservices@dcbar.org.*

EXHIBIT 3

EXHIBIT 3

1 STAT

2
3 IN THE SUPREME COURT OF THE STATE OF NEVADA

4 Case No. 85369

5 Sierra Health and Life
6 Insurance Co., Inc.

7 vs.

8 Sandra L. Eskew
9 _____/

10 STATE BAR OF NEVADA STATEMENT PURSUANT TO SUPREME COURT RULE
11 42 (3) (b)

12 THE STATE BAR OF NEVADA, in response to the application of
13 Petitioner, submits the following statement pursuant to SCR42(3):

14 SCR42(6)**Discretion.** The granting or denial of a motion to associate
15 counsel pursuant to this rule by the court is discretionary. The
16 court, arbitrator, mediator, or administrative or governmental
17 hearing officer may revoke the authority of the person permitted to
18 appear under this rule. Absent special circumstances, repeated
19 appearances by any person or firm of attorneys pursuant to this rule
20 shall be cause for denial of the motion to associate such person.

18 (a) **Limitation.** It shall be presumed, absent special
19 circumstances, and only upon showing of good cause, that
20 more than 5 appearances by any attorney granted under
21 this rule in a 3-year period is excessive use of this
22 rule.

21 (b) **Burden on applicant.** The applicant shall have the
22 burden to establish special circumstances and good cause
23 for an appearance in excess of the limitation set forth
24 in subsection 6(a) of this rule. The applicant shall set
25 forth the special circumstances and good cause in an
26 affidavit attached to the original verified application.

25 1. DATE OF APPLICATION: 7/10/2023

26 2. APPLYING ATTORNEY: Robert Daniel Friedman, Esq.

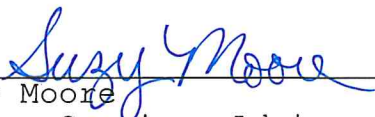
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1 3. FIRM NAME AND ADDRESS: Gupta Wessler, PLLC, 2001 K Street,
2 North, Suite 850, Washington, DC 20006

3 4. NEVADA COUNSEL OF RECORD: Matthew L. Sharp, Esq., Matthew L.
4 Sharp, Ltd., 432 Ridge Street, Reno, NV 89501

5 5. There is no record of previous applications for appearance by
6 petitioner within the past three (3) years.

7 DATED this July 18, 2023

8
9 
10 Suzy Moore
11 Member Services Admin.
12 Pro Hac Vice Processor
13 STATE BAR OF NEVADA
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