

IN THE SUPREME COURT OF THE STATE OF NEVADA

UNITED HEALTHCARE INSURANCE
COMPANY, A CONNECTICUT
CORPORATION; UNITED
HEALTHCARE SERVICES, INC., D/B/A
UNITEDHEALTHCARE, A
MINNESOTA CORPORATION; UMR,
INC., D/B/A UNITED MEDICAL
RESOURCES, A DELAWARE
CORPORATION; SIERRA HEALTH
AND LIFE INSURANCE COMPANY,
INC., A NEVADA CORPORATION; AND
HEALTH PLAN OF NEVADA, INC., A
NEVADA CORPORATION,
Appellants,

vs.

FREMONT EMERGENCY SERVICES
(MANDAVIA), LTD., A NEVADA
PROFESSIONAL CORPORATION;
TEAM PHYSICIANS OF NEVADA-
MANDAVIA, P.C., A NEVADA
PROFESSIONAL CORPORATION;
CRUM STEFANKO AND JONES, LTD.,
D/B/A RUBY CREST EMERGENCY
MEDICINE, A NEVADA
PROFESSIONAL CORPORATION,
Respondents.

UNITED HEALTHCARE INSURANCE
COMPANY; UNITED HEALTH CARE
SERVICES, INC.; UMR, INC.; SIERRA
HEALTH AND LIFE INSURANCE
COMPANY, INC.; AND HEALTH PLAN
OF NEVADA, INC.,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE

No. 85525

FILED

OCT 13 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

No. 85656

23-33513

NANCY L. ALLF, DISTRICT JUDGE,
Respondents,
and
FREMONT EMERGENCY SERVICES
(MANDAVIA), LTD.; TEAM
PHYSICIANS OF NEVADA-
MANDAVIA, P.C.; AND CRUM
STEFANKO AND JONES, LTD.,
Real Parties in Interest.

ORDER REGARDING MOTIONS

Proposed amicus Emergency Department Practice Management Association (EDPMA) has filed an unopposed motion for leave to file an amicus brief in support of respondents/real parties in interest.¹ The motion is granted. *See* NRAP 29; *Ryan v. Commodity Futures Trading Comm'n*, 125 F.3d 1062, 1063 (7th Cir. 1997) (explaining that 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 EDPMA’s proposed amicus brief. The cover and signature pages of the proposed amicus brief indicate that the brief was prepared by an out-of-state attorney who is not a member of the State Bar of Nevada. *See* NRAP 29(b) (“If an amicus brief is prepared by an attorney who is not a member of the State Bar of Nevada, that attorney must move for permission to appear before the Supreme Court or Court of Appeals under SCR 42 and comply with [NRAP] 46(a).”). Although EDPMA’s proposed brief states that its out-of-state

¹EDPMA’s motion for an extension of time to file a motion for leave to file an amicus curiae brief is granted. The motion was filed on September 19, 2023.

counsel will submit a pro hac vice application within 14 days, no such submission has been made to date. Accordingly, the clerk shall detach the proposed amicus brief from EDPMA's motion filed on September 19, 2023, and return it unfiled. EDPMA's out-of-state counsel shall have 7 days from the date of this order to move for permission to appear in this matter. Upon this court's resolution of such motion, if granted, EDPMA shall have 7 days to file and serve its proposed amicus brief. Failure to timely comply may result in the imposition of sanctions, including the disposition of this matter without an amicus brief from EDPMA.

Additional proposed amici Reporters Committee for Freedom of the Press and 23 media organizations² (collectively, the Reporters Committee) have also filed an unopposed motion for leave to file an amicus brief in support of respondents/real parties in interest. The motion is granted. *See* NRAP 29; *Ryan*, 125 F.3d at 1063. The clerk of this court shall detach the amicus brief from the motion filed by the Reporters Committee and shall file it separately.

Finally, appellants/petitioners have filed an unopposed motion for extension of time to file a reply brief. Cause appearing, the motion is granted. NRAP 31(b)(3)(B). Accordingly, appellants/petitioners shall have until January 9, 2024, to file and serve their reply brief. Given the length of this initial extension request, no further extensions of time shall be permitted absent demonstration of extraordinary circumstances and extreme need. *Id.* Counsel's caseload normally will not be deemed such a circumstance. *Cf. Varnum v. Grady*, 90 Nev. 374, 528 P.2d 1027 (1974).

²The media organizations are identified in the amicus brief.

Failure to file a timely reply brief may be treated as a waiver of the right to file a reply brief. NRAP 28(c).

It is so ORDERED.

 Stiglin , C.J.

cc: Lewis Roca Rothgerber Christie LLP/Las Vegas
O'Melveny & Myers LLP/Los Angeles
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