

IN THE SUPREME COURT OF THE STATE OF NEVADA

FRANCISCO SILVA,

Appellant,

vs.

ED CLAY; SCOTT NELSON; and

DEDDRICK PERRY, et.al.

Respondents.

Docket No. 90651

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RESPONDENT'S RESPONSE TO APPELLANT'S DOCKETING STATEMENT

Pursuant to NRAP 14(f), Respondents submit this Response to Appellant's Docketing Statement in light of Appellant's inaccurate statement of the issues on appeal. Appellant seeks review of the Court's Order Denying Plaintiff's Application for Preliminary Injunction pursuant to NRAP 3(A)(b)(3). Appellant's Application for Preliminary Injunction was based solely on Plaintiff's Conversion claim against the members of CPI Management Group, a limited liability company, in their individual capacities.

The issues on appeal listed in Appellant's Docketing Statement contain several errors. Appellant inaccurately states that the nature of the action concerns the alleged "conversion of [A]ppellant's membership and financial interests in CPI." Appellant based his claim for conversion on allegations that Respondents purportedly converted Appellant's stem cells and scientific processes for stem cell duplication, not his "membership and financial interests in CPI."

Moreover, the Court's Order denying Appellant's Application for Preliminary Injunction was not based on Appellant's rights and withdrawal of consent for the use of "his" biological material. Appellant alleges in his Complaint that his children - and not Appellant - were the source of the "biological material" supposedly at issue. As such, Appellant's contention that the issue on appeal concerns his alleged withdrawal of consent as the source of biological material deliberately misstates the alleged facts and this appeal does not involve a "substantial issue of first impression" or "issue of public policy."

The sole issue on appeal is whether the District Court committed an abuse of discretion in its determination that Appellant was not likely to succeed on the merits of his conversion claim and that Appellant would not suffer irreparable harm in the absence of an injunction.

DATED this 6th day of June 2025.

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CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of June, 2025. I served the foregoing Response to Docketing Statement, upon each of the parties to this action via electronic service through the Supreme Court of the State of Nevada File & Serve system and U.S. Postal Service.

Dated this 6th day of June, 2025.

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