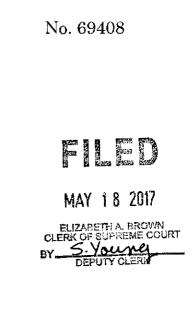
## IN THE SUPREME COURT OF THE STATE OF NEVADA

WESTERN CAB COMPANY, Petitioner, vs. THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK: AND THE HONORABLE LINDA MARIE BELL, DISTRICT JUDGE. Respondents, and LAKSIRI PERERA; IRSHAD AHMED; AND MICHAEL SARGEANT, INDIVIDUALLY AND ON BEHALF OF OTHERS SIMILARLY SITUATED. **Real Parties in Interest.** 



## ORDER DENYING REHEARING<sup>1</sup>

After considering Western Cab Company's two petitions for rehearing in this matter, we conclude that rehearing is not warranted. NRAP 40(c). However, we note that in the opinion we stated that Western previously required its drivers to reimburse Western for fuel costs, when Western had in fact covered its drivers' fuel costs prior to 2012.

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SUPREME COURT OF NEVADA

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<sup>&</sup>lt;sup>1</sup>The Honorable Lidia Stiglich, Justice, did not participate in the decision of this matter.

Nonetheless, this factual discrepancy is immaterial to our holding in the opinion and therefore rehearing is not warranted on this basis.<sup>2</sup>

It is so ORDERED.

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PICKERING, J., dissenting:

I would have ordered the real parties in interest to file an answer to the petitions. Accordingly, I respectfully dissent.

Pickering J.

cc: Hon. Linda Marie Bell, District Judge Hejmanowski & McCrea LLC Leon Greenberg Professional Corporation Wolf, Rifkin, Shapiro, Schulman & Rabkin, LLP/Las Vegas Rodriguez Law Offices, P.C. Thierman Buck LLP Marc C. Gordon Hutchison & Steffen, LLC Eighth District Court Clerk

<sup>2</sup>We deny the motion for leave to file a brief of amicus curiae in support of petitioner's petition for rehearing on ERISA Preemption filed in this court on May 5, 2017.

SUPREME COURT OF NEVADA

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