

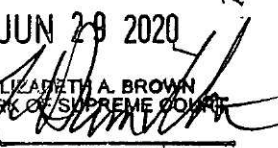
IN THE SUPREME COURT OF THE STATE OF NEVADA

MARK E. SMITH, AN INDIVIDUAL, D/B/A
LAKE TAHOE WALL OF SHAME,
Appellant,
vs.
CARL LACKEY,
Respondent.

Supreme Court No. 74461
District Court Case No. CV1700434

FILED

JUN 29 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: 
DEPUTY CLERK

REMITTITUR

TO: Jacqueline Bryant, Washoe District Court Clerk

Pursuant to the rules of this court, enclosed are the following:

Certified copy of Judgment and Opinion/Order.
Receipt for Remittitur.

DATE: June 01, 2020

Elizabeth A. Brown, Clerk of Court

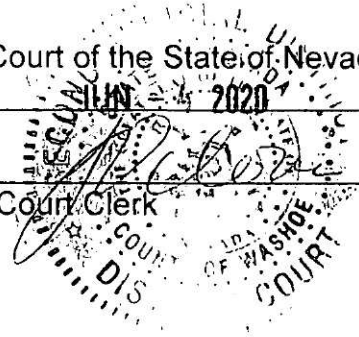
By: Monique Mercier
Administrative Assistant

cc (without enclosures):

Hon. Connie J. Steinheimer, District Judge
Madelyn Shipman, Settlement Judge
Winter Street Law Group \ Delmar L. Hardy
Midtown Reno Law \ Stephanie R. Rice
Rose Law Office \ Sean P. Rose
Durney & Brennan, Ltd./Reno \ Thomas R. Brennan

RECEIPT FOR REMITTITUR

Received of Elizabeth A. Brown, Clerk of the Supreme Court of the State of Nevada, the
REMITTITUR issued in the above-entitled cause, on JUN 29 2020


District Court Clerk

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CLERK'S CERTIFICATE

STATE OF NEVADA, ss.

I, Elizabeth A. Brown, the duly appointed and qualified Clerk of the Supreme Court of the State of Nevada, do hereby certify that the following is a full, true and correct copy of the Judgment in this matter.

JUDGMENT

The court being fully advised in the premises and the law, it is now ordered, adjudged and decreed, as follows:

"ORDER the judgment of the district court REVERSED AND REMAND this matter to the district court with instructions for it to address prong two of the anti-SLAPP analysis. We further instruct the district court to consider the applicability of the Communications Decency Act, § 230 (2012) in considering whether Smith can "demonstrate[] with prima evidence a probability of prevailing on the claim."

Judgment, as quoted above, entered this 7th day of May, 2020.

IN WITNESS WHEREOF, I have subscribed
my name and affixed the seal of the Supreme
Court at my Office in Carson City, Nevada this
June 01, 2020.

Elizabeth A. Brown, Supreme Court Clerk

By: Monique Mercier
Administrative Assistant