



IN THE SUPREME COURT OF THE STATE OF NEVADA

KALSHIEX, LLC,
Appellant,
v.
THE STATE OF NEVADA GAMING
CONTROL BOARD,
Respondent.

No. 92771

ORDER GRANTING MOTIONS TO ASSOCIATE AND DENYING STAY

This is an appeal from a district court preliminary injunction in a declaratory and injunctive relief action concerning Nevada's gaming laws.

Appellant has filed an emergency motion for stay of the preliminary injunction pending appeal, and respondent has filed an opposition. Respondent has also moved to associate attorneys Nicole A. Saharsky and Minh Nguyen-Dang, both of Mayer Brown LLP, in this matter pursuant to SCR 42.

Attached to the motions to associate are verified applications, certificates of good standing from the Virginia and DC Bars (Saharsky) and DC and California Bars (Nguyen-Dang), and Supreme Court Rule 42(3)(b) statements from the Nevada State Bar. The Rule 42 statements indicate that neither Saharsky nor Nguyen-Dang have applied to appear in Nevada courts in the last three years. *See* SCR 42(6) (repeated appearances by any person or firm pursuant to this rule shall be cause for denial of a motion). The motions are granted. Saharsky and Nguyen-Dang shall be permitted to appear on behalf of respondent in this appeal. Nevada attorney Jessica A. Whelan of the Nevada Office of Attorney General shall be responsible for all matters presented by Saharsky and Nguyen-Dang in this matter. *See* SCR 42(14) (the active member of the State Bar of Nevada who is attorney of record shall be

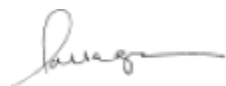
present at all matters in open court); NRAP 25(a)(5) (all documents submitted to the supreme court for filing by a represented party shall include the original signature of at least one attorney of record who is an active member of the State Bar of Nevada). Saharsky and Nguyen-Dang shall have 14 days from the date of this order to obtain electronic filing accounts with this court, if they have not done so already. They may request an account by going to <https://efiling-nv.com/portal>. Failure to comply may result in the imposition of sanctions.

In determining whether to grant a stay pending appeal, this court considers the following factors: (1) whether the object of the appeal will be defeated if the stay is not granted, (2) whether appellant will suffer irreparable or serious injury if the stay is denied, (3) whether respondent will suffer irreparable or serious injury if the stay is granted, and (4) whether appellant is likely to prevail on the merits of the appeal. NRAP 8(c). Having considered the parties' arguments in light of these factors, we are not persuaded that the factors militate in favor of a stay. Accordingly, the motion is denied.

It is so ORDERED.



Pickering, J.



Parraguirre, J.



Bell, J.

cc: Hon. Jason Woodbury, District Judge
Attorney General/Carson City
Attorney General/Las Vegas
Bailey Kennedy
Guild, Gallagher & Fuller, Ltd.
Milbank LLP/New York
Milbank LLP/Washington DC
Mayer Brown LLP/Washington DC
The First Judicial District Court of the State of Nevada, in and for the
County of Carson City, District Court Clerk