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Attorney for Plaintiff
SCENIC NEVADA, INC.

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

SCENIC NEVADA, INC.,

Plaintiff,

Case No. CV12-02863

vs.

Dept. 7

CITY OF RENO, a political subdivision
of the State of Nevada, and the CITY
COUNCIL thereof,


Defendant.

ORDER DENYING MOTION TO DISMISS

The Defendant City of Reno moved pursuant to NRCP 12(b)(5) to dismiss the First Amended Complaint to Invalidate City of Reno Digital Billboard Ordinance. The motion came on for hearing on July 18, 2013 at 2:30 p.m. before the Honorable Patrick Flanagan, District Judge. The City of Reno was represented by Deputy City Attorney Jonathan Shipman and Plaintiff Scenic Nevada, Inc. was represented by Mark Wray. The Court considered the oral arguments of counsel, the pleadings, motion, opposition, reply, and supplemental briefs. Applying the standards for dismissal set forth in the case law

1 interpreting NRCP 12(b)(5), the Court determined that the First Amended Complaint was
2 not subject to dismissal under Rule 12(b)(5).

3 IT IS THEREFORE ORDERED that the motion to dismiss under NRCP 12(b)(5)
4 is DENIED.

5 
6 PATRICK FLANAGAN
7 District Judge

8 DATED: July 23, 2013
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