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Lamar Central Outdoor, LLC

9
10 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
11
12 IN AND FOR THE COUNTY OF WASHOE

11 SCENIC NEVADA, INC.,

12
13 Petitioner,

14 vs.

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

17 Respondent.

Case No. CV17-00361

Dept. No. 9

18 LAMAR CENTRAL OUTDOOR, LLC,

19 Respondent in Intervention,

20 vs.

21 SCENIC NEVADA, INC.,

22 Petitioner in Intervention.

23 **LAMAR CENTRAL OUTDOOR, LLC'S MOTION TO INTERVENE**

24 Intervenor Lamar Central Outdoor, LLC ("Lamar"), by and through its counsel, the law

1 firm of Kaempfer Crowell, moves this Court for an order permitting Lamar to intervene as a party
2 respondent and as a real party in interest. Intervention is being sought as a matter of right under
3 NRCP 24(a)(2) and, alternatively, by permission under NRCP 24(b)(2). This Motion is made and
4 based on the pleadings and papers on file, the accompanying Memorandum of Points and
5 Authorities, and any oral argument this Court may consider.

6 MEMORANDUM OF POINTS AND AUTHORITIES

7 **I. INTRODUCTION**

8 Lamar is a party with an interest in this case that will be severely injured if not allowed to
9 intervene. Lamar seeks to intervene as a party to this case to ensure that its rights with respect to
10 the banked receipts under attack in Scenic Nevada's Petition are protected.

11 **II. FACTUAL BACKGROUND**

12 On or about March 29, 2000, Scenic Nevada, Inc. (formerly known as Citizens for a Scenic
13 Reno) ("Scenic Nevada") filed an initiative petition with the City seeking to prohibit the
14 construction of new outdoor advertising displays. Scenic Nevada's initiative petition was
15 qualified, resulting in Ballot Question R-1 appearing on the November 7, 2000 general election
16 ballot. Ballot Question R-1, which read: "The construction of new off-premise advertising
17 displays/billboards is prohibited, and the City of Reno may not issue permits for their
18 construction," passed during the 2000 general election (the "Initiative Ordinance").

19 The Initiative Ordinance was certified by the City Council on November 14, 2000 and
20 became effective and is now codified as Reno Municipal Code ("RMC" or "Code") 18.16.902(a).
21 On or about January 22, 2002, the City enacted Ordinance No. 5295 (the "Conforming
22 Ordinance") which interpreted the Initiative Ordinance's prohibition on new construction as a cap
23 on the number of displays in the City. The Conforming Ordinance stated, "In no event shall the
24 number of off-premises advertising displays exceed the number of existing off-premises

1 advertising displays located within the City on November 14, 2000.” RMC 18.16.902(b).

2 Thereafter, on or about June 11, 2003, the City Council enacted Ordinance No. 5461 (the
3 “Banking Ordinance”), which allows owners of existing, legally established displays to remove the
4 display and “bank” a receipt for up to 15 years in order to relocate it to a different location. RMC
5 18.16.908.

6 Reno’s Municipal Code, Chapter 18.16, Article II, governs off-premises advertising in the
7 City and allows for both static and digital outdoor advertising displays, subject to certain design
8 restrictions set forth in RMC 18.16.905, as well as geographic restrictions as set forth in the Code.
9 Digital displays, however, were not always permitted in the City; in large part due to the fact that
10 the Code had not contemplated the advancement of technology with respect to off-premises
11 advertising.

12 On October 24, 2012, after four years of public process, the City Council enacted
13 Ordinance No. 6258 (the “Digital Ordinance”). Prior to the Digital Ordinance, the Code required
14 that all lights on displays be directed toward the display. However, the Digital Ordinance created
15 an exception for digital advertising displays, along with strict standards regarding illumination,
16 timing, and presentation. In addition to creating the exception for digital displays, the Digital
17 Ordinance also reenacted and amended what are commonly known as the Confirming Ordinance
18 and the Banking Ordinance to accord with the Digital Ordinance. RMC 18.16.905. Before the City
19 Council adopted the Digital Ordinance, the City had established a cap and trade system for
20 advertising displays. This cap and trade system was reaffirmed as an integral part of the Digital
21 Ordinance.

22 RMC 18.16.908(a) provides

23 Except as otherwise provided in this chapter, an existing, legally
24 established, permanent off-premises advertising display may be
 relocated to a permitted location as described in Section 18.16.904
 provided that such existing, legally established, permanent off-

premises advertising display complies with all requirements of this chapter and Chapter 18.08, as amended.

Further, RMC 18.16.908(e)(3) provides:

The owner of an existing, legally established, permanent advertising display that has been removed and banked pursuant to subsection (b), prior to July 19, 2012, has 15 years in which to apply for and obtain a permit to relocate the existing, legally established, permanent advertising displays. Any permanent advertising display that has been removed and banked pursuant to subsection (b), after July 18, 2012, has three years in which to apply for and obtain a permit to relocate the existing, legally established, permanent advertising display. The 15 or three years shall run from the date the city approves all work performed under subsection (c), in writing, and/or releases the letter of credit. The permit to relocate an existing, legally established, permanent off-premises advertising display may be sold or otherwise conveyed at the discretion of the owner. If the banked advertising displays are not used within the 15 or three years they will become unrelocatable.

On November 16, 2012, Scenic Nevada filed a complaint for judicial review, and sought to invalidate the Digital Ordinance. It alleged that any digital displays erected pursuant to the Digital Ordinance would necessarily be “new billboards” prohibited by the 2000 Initiative Ordinance and, to the extent that they were allowed as an existing display under the Conforming and Banking Ordinances, those ordinances were invalidly enacted. After the District Court granted the City’s motion to dismiss, Scenic Nevada filed an amended complaint requesting declaratory relief. The District Court held a bench trial, after which it entered judgment for the City. On appeal to the Nevada Supreme Court, Scenic Nevada did not seek to disturb any ostensibly vested rights arising under the 2002 and 2003 Conforming and Banking Ordinances, but, rather, to invalidate the 2012 Digital Ordinance. The Supreme Court ultimately affirmed the District Court, albeit for a different reason than given by the District Court. *See Scenic Nevada, Inc. vs. City of Reno*, 132 Nev. ___, 373 P.3d 873 (2016).

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1 On or about January 7, 2016, Lamar commenced its operations in Reno, having purchased
2 the inventory of displays and banked receipts owned by Clear Channel Outdoor (“Clear Channel”)
3 in Northern Nevada, including Clear Channel’s inventory in Reno with the intent to continue to
4 use the displays and the banked receipts based on market conditions and as allowed by the Code.
5 Lamar’s purchase of Clear Channel’s property interest in the displays was made in accordance
6 with applicable law, as was Lamar’s purchase of Clear Channel’s banked receipts, as contemplated
7 by RMC 18.16.908(e)(3). Lamar, therefore, stands in the shoes of Clear Channel, who surrendered
8 its property rights in these lawfully erected displays in exchange for banked receipts, with the
9 expectation that the banked receipts could be used to erect displays or convert existing displays to
10 digital displays, as provided by the Code.

11 Based on the City’s own records, Lamar owns 106 outdoor advertising displays within the
12 boundaries of the City, as well as 61 banked receipts issued by the City under the City’s cap and
13 trade system between November 14, 2000 and October 24, 2012. The City’s records also indicate
14 there are 32 displays with “unknown” ownership. Lamar’s records reflect ownership and
15 maintenance of 140 displays. Further, some of Lamar’s banked receipts were issued by the City to
16 provide compensation for displays that were required to be removed as a result of the City’s
17 ReTRAC project, which depressed over two miles of railroad tracks in downtown Reno.

18 Scenic Nevada brings the instant Petition in an effort to prohibit the City from allowing
19 companies like the Lamar to use their banked receipts received during the period of November 14,
20 2000 to October 24, 2012. At no point prior to the instant Petition has Scenic Nevada challenged
21 the City’s issuance of banked receipts.

22 /././

23 /././

24 /././

1 **III. LEGAL ANALYSIS**

2 **A. Lamar Can Seek To Intervene In This Proceeding Pursuant to NRS 12.130**
3 **And NRCP 24.**

4 “Before the trial, any person may intervene in an action or proceeding who has an interest
5 in the matter in litigation, in the success of either of the parties, or an interest against both.” NRS
6 12.130(a). “An intervention takes place when a third person is permitted to become a party to an
7 action or proceeding between other persons ... by uniting with the defendant in resisting the claims
8 of the plaintiff” NRS 12.130(b). “Intervention is made as provided by the Nevada Rules of
9 Civil Procedure.” NRS 12.130(c). “NRCP 24 governs intervention, providing for both
10 intervention of right and permissive intervention.” *Am. Home Assur. Co. v. Eighth Judicial Dist.*
11 *Comt ex rel. Cntv. of Clark*, 122 Nev. 1229, 1235, 147 P.3d 1120, 1124 (2006). Rule 24(a),
12 “[i]ntervention of right,” states, in pertinent part:

13 Upon timely application anyone shall be permitted to intervene in an action: . . .

14 (2) when the applicant claims an interest relating to the property or transaction
15 which is the subject of the action and the applicant is so situated that the disposition
16 of the action may as a practical matter impair or impede the applicant’s ability to
17 protect that interest, unless the applicant’s interest is adequately represented by
18 existing parties.

19 Rule 24(b), “[p]ermissive intervention,” states, in pertinent part: “Upon timely application anyone
20 may be permitted to intervene in an action: . . . (2) when an applicant’s claim or defense and the
21 main action have a question of law or fact in common. . . .” “A person desiring to intervene shall
22 serve a motion to intervene upon the parties . . . [which] shall state the grounds therefor and shall
23 be accompanied by a pleading setting forth the claim or defense for which intervention is sought. .
24 . . .” NRCP 24(c).

 While the burden is on the applicant to establish that the conditions for intervention are
satisfied, “Rule 24 is broadly construed in favor of applicants for intervention. And there is a
strong policy that intervention should be granted to ‘as many apparently concerned persons as is

compatible with efficiency and due process.” *Oregon Natural Res. Council Inc. v. Bureau of Reclamation*, 980 F.2d 738, at 1 (9th Cir. 1992) (applying Fed. R. Civ. P. 24)¹ (emphasis added)(internal citation omitted) (quoting *Portland Audubon Soc’y v. Hodel*, 866 F.2d 302, 308 (9th Cir. 1989) (quoting *County of Fresno v. Andrus*, 622 F.2d 436, 438 (9th Cir. 1980)), abrogated on other grounds by *Wilderness Soc. v. U.S. Forest Serv.*, 630 F.3d 1173 (9th Cir. 2011)). “Courts are to take all well-pleaded, nonconclusory allegations in the motion to intervene, the proposed complaint or answer in intervention, and declarations supporting the motion as true absent sham, frivolity or other objections.” *Southwest Ctr. for Biological Diversity v. Berg*, 268 F.3d 810, 820 (9th Cir. 2001).

B. Lamar Is Entitled To Intervene, As A Matter of Right, Under NRCP 24(a)(2).

To intervene as a matter of right under NRCP 24(a)(2), an applicant must meet four requirements:

(1) that it has a sufficient interest in the litigation’s subject matter, (2) that it could suffer an impairment of its ability to protect that interest if it does not intervene, (3) that its interest is not adequately represented by existing parties, and (4) that its application is timely.

Am. Home Assur. Co., 122 Nev. at 1238, 147 P.3d at 1126. “Determining whether an applicant has met these four requirements is within the district court’s discretion.” *Id.* “When evaluating motions to intervene as a matter of right, courts construe Rule 24 liberally in favor of potential intervenors, focusing on practical considerations rather than technical distinctions.” *PEST Comm. v. Miller*, 648 F. Supp. 2d 1202, 1211 (D. Nev. 2009) (emphasis added), *aff’d*, 626 F.3d 1097 (9th Cir. 2010).

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¹ “Federal cases interpreting the Federal Rules of Civil Procedure ‘are strong persuasive authority because the Nevada Rules of Civil Procedure are based in large part upon their federal counterparts.’” *Executive Mgmt., Ltd. v. Ticor Title Ins. Co.*, 118 Nev. 46, 53, 38 P.3d 872, 876 (2002) (quoting *Las Vegas Novelty v. Fernandez*, 106 Nev. 113, 119, 787 P.2d 772, 776 (1990) (emphasis added)).

1 1. *Lamar Has A Sufficient Interest In The Litigation's Subject Matter, And It*
2 *Could Suffer An Impairment Of Its Ability To Protect That Interest If It Does*
3 *Not Intervene.*

4 With regard to the first NRCP 24(a)(2) requirement, that the applicant have a sufficient
5 interest in the litigation's subject matter, "no 'bright-line' test to determine an alleged interest's
6 sufficiency exists." *American Home Assur. Co.*, 122 Nev. at 1238, 147 P.3d at 1127. "A general,
7 indirect, contingent or insubstantial interest is insufficient, however." *Id.* at 1238-39, 147 P.3d at
8 1127. "Instead, an applicant must show a 'significantly protectable interest.'" *Id.* at 1239, 147
9 P.3d at 1127 (quoting *Donaldson v. United States*, 400 U.S. 517, 542 (1971), superseded in part by
10 statute as stated in *Ip v. U.S.*, 205 F.3d 1168, 1172 (9th Cir. 2000), and cited in *Sierra Club v. EPA*,
11 995 F.2d 1478, 1482 (9th Cir. 1993)). "A 'significantly protectable interest' has been described,
12 by the Ninth Circuit Court of Appeals, as one that is protected under the law and bears a
13 relationship to the plaintiff's claims." *Id.* (citing *Southern Cal. Edison Co. v. Lynch*, 307 F.3d
14 794, 803 (9th Cir. 2002)). An applicant demonstrates a "significantly protectable interest" when
15 the relief sought by the plaintiff "will have direct, immediate, and harmful effects upon a third
16 party's legally protectable interests." *Sw. Ctr. for Biological Diversity v. Berg*, 268 F.3d 810, 818
17 (9th Cir. 2001) (quoting *Forest Conservation Council v. U.S. Forest Serv.*, 66 F.3d 1489, 1494 (9th
18 Cir. 1995), abrogated on other grounds by *Wilderness Soc. v. U.S. Forest Serv.*, 630 F.3d 1173 (9th
Cir. 2011)).

19 With regard to the second NRCP 24(a)(2) requirement, that the applicant could suffer an
20 impairment of its ability to protect its interest if it does not intervene, "[i]f an absentee would be
21 substantially affected in a practical sense by the determination made in an action, he should, as a
22 general rule, be entitled to intervene. . . ." *Citizens for Balanced Use v. Montana Wilderness*
23 *Ass'n*, 647 F.3d 893, 898 (9th Cir. 2011) (quoting Fed. R. Civ. P. 24 advisory committee's note).

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1 Lamar can easily demonstrate a significantly protectable interest. Neither Scenic Nevada
2 nor the City has any property interest in the banked receipts under attack in Scenic Nevada's
3 Petition. By contrast, Lamar is the owner of at least 61 banked receipts that it received. Most
4 were obtained between November 14, 2000 and October 24, 2012. Should the banked receipts be
5 invalidated, Lamar risks losing its rights in those banked receipts, each of which is worth
6 significant money based on the displays that were not only taken down, but future revenue
7 generated from relocated displays. In fact, in the event Scenic Nevada is successful in its Petition
8 – though Lamar contends it neither should nor will be – Lamar will be left with no recourse but to
9 file a separate lawsuit against the City for the loss of its property rights and interests in its banked
10 receipts, similar to the separate action Lamar has filed recently against the City as Case No. CV17-
11 00474. This action, thus, has a significant, direct, immediate, and harmful impact on Lamar's
12 interest in the banked receipts. For these same reasons Lamar will be substantially affected in a
13 practical sense by the determination in this action. Accordingly, Lamar meets the first two NRCP
14 24(a)(2) requirements, i.e., that it has a sufficient interest in the litigation's subject matter and
15 could suffer an impairment of its ability to protect that interest if it does not intervene.

16 *2. Lamar's Interest Is Not Adequately Represented By Existing Parties.*

17 With regard to the third NRCP 24(a)(2) requirement, that the applicant's interest is not
18 adequately represented by existing parties, the applicant's "burden to prove this requirement has
19 been described as 'minimal[.]'" *American Home Assur. Co.*, 122 Nev. at 1241, 147 P.3d at 1128.
20 When the applicant's interest or ultimate objective in the litigation is the same as an existing
21 party's interest, however, or is subsumed within the existing party's objective, the existing party's
22 "representation should generally be adequate, unless the [applicant] demonstrates otherwise." *Id.*

23 In assessing the adequacy of an existing party's representation, several factors are
24 considered, "including whether the [party] will undoubtedly make all of the intervenor's

1 arguments, whether the [party] is capable of and willing to make such arguments, and whether the
2 intervenor offers a necessary element to the proceedings that would be neglected.” *Sagebrush*
3 *Rebellion, Inc. v. Watt*, 713 F.2d 525, 528 (9th Cir. 1983); see *In re Guardianship of A.M.*, No.
4 59116, 2013 WL 3278878, at *2 (Nev. May 24, 2013) (applying *Sagebrush Rebellion* factors).²

5 Here, the existing parties do not share in the ultimate objective of ensuring that the existing
6 rights of banked receipt holders are protected. To the contrary, Scenic Nevada is attempting to
7 invalidate those receipts banked during the “interim period,” with the ultimate goal of making it
8 impossible for companies like Lamar to use the banked receipts for the intended purpose of
9 relocating displays in accordance with the City’s cap and trade system. Scenic Nevada is
10 essentially trying to eviscerate Lamar’s - and similarly situated holders of banked receipts - rights
11 to banked receipts without bringing Lamar into the lawsuit, and thus without the need to post a
12 bond with this Court, had Scenic Nevada tried to stop Lamar or others similarly situated from
13 using a banked receipt via injunction.

14 Meanwhile, while the City does have an interest in responding to the Petition and ensuring
15 that its lawfully enacted ordinances are defended, it has absolutely no interest in whether the
16 banked receipts are actually utilized and used to relocate displays. And likewise, in the event
17 Scenic Nevada is successful in its Petition – though Lamar contends it neither should nor will be –
18 other than having to defend against a possible takings action by Lamar and/or other banked receipt
19 owners, the City will not have lost any rights, as it receives no direct benefit from the banked
20 receipts. As a holder of banked receipts subject to being lost as a result of this Petition, Lamar
21 offers a necessary element to the proceedings – an uncompromising opposition to Scenic Nevada’s
22 request to invalidate the receipts banked during the “interim period.” Stated simply, Lamar’s

23 ² In accordance with SCR 123, this unpublished opinion of the Nevada Supreme Court is not cited herein as precedent
24 or legal authority. Rather, this unpublished opinion is offered as information, only, to be considered in this Court’s
discretion.

1 interest is not adequately represented by the existing Parties.

2 3. *Lamar's Motion to Intervene Is Timely.*

3 "The most important question to be resolved in the determination of the timeliness of an
4 application for intervention is not the length of the delay by the intervenor but the extent of
5 prejudice to the rights of existing parties resulting from the delay." *Dangberg Holdings Nev.,*
6 *L.L.C. v. Douglas Cnty. & its Bd. Of Cnty. Comm'rs*, 115 Nev. 129, 141, 978 P.2d 311, 318 (1999)
7 (quoting *Lawler v. Ginochio*, 94 Nev. 623, 626, 584 P.2d 667, 669 (1978)). "Determining whether
8 an application is timely under NRCP 24 involves examining "the extent of prejudice to the rights
9 of existing parties resulting from the delay and then weighing that prejudice against any prejudice
10 resulting to the applicant if intervention is denied." *American Home Assur. Co.*, 122 Nev. at 1244,
11 147 P.3d at 1130 (internal quotation omitted). Nevada Supreme Court "cases generally reflect that
12 intervention is timely if the procedural posture of the action allows the intervenor to protect its
13 interest." *Estate of Lomastro ex rel. Lomastro v. Am. Family Ins. Grp.*, 124 Nev. 1060, 1071, n.29,
14 195 P.3d 339, 347 n.29 (2008).

15 Lamar's application for intervention is timely. Scenic Nevada just filed its Petition on
16 February 21, 2017, and no decision has been made on that Petition, nor has the City even filed its
17 formal response thereto. Additionally, so as to not delay the proceedings, Lamar is providing with
18 this Motion substantive arguments to Scenic Nevada's Petition, and is thus in conformity with the
19 deadlines set by this Court in its March 8, 2017 Order for Briefing Schedule. If intervention is
20 denied, however, Lamar will be unable to protect its legal interests in the banked receipts, its rights
21 under the existing Ordinances will be violated, and Lamar will consequently suffer great prejudice.
22 Accordingly, Lamar meets the fourth NRCP 24(a)(2) requirement that its application is timely.

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1 Construing Rule 24 liberally in favor of intervention – as this Court must do – it is evident
2 that Lamar has met the four requirements for intervention, as a matter of right, under NRCP
3 24(a)(2).

4 **C. If The Court Concludes That Lamar Is Not Entitled to Intervene As A Matter**
5 **of Right, Then Lamar Should Be Permitted to Intervene under NRCP 24(b)(2).**

6 NRCP 24(b)(2) states, in pertinent part:

7 Upon timely application anyone may be permitted to intervene in an action: . . .
8 when an applicant's claim or defense and the main action have a question of law or
9 fact in common. In exercising its discretion the court shall consider whether the
intervention will unduly delay or prejudice the adjudication of the rights of the
original parties.

10 “[C]ourts have discretion to permit an entity to intervene if the entity raises a claim [or defense]
11 that has a legal or factual issue or issues in common with the underlying action.” *In re Benny*, 791
12 F.2d 712, 722 (9th Cir. 1986). “In exercising their discretion, courts must consider whether
13 intervention will unduly delay or prejudice the existing parties.” *Id.*

14 Lamar's defenses and the main action have both questions of law and fact in common.
15 Scenic Nevada's Petition seeks to invalidate the receipt banked during the “interim period,” of
16 which Lamar is the owner of the majority of such banked receipts issued by the City. As a holder
17 of banked receipts, Lamar has a vital interest in seeing that the denial of the Petition, which seeks
18 to invalidate the banked receipts, is accomplished. In addition, as discussed above, the
19 intervention will not unduly delay or prejudice the adjudication of the rights of the original parties.
20 There are no compelling reasons against Lamar's intervention, and thus permission to intervene
21 should be granted as a matter of course.

22 **IV. CONCLUSION**

23 Based on the foregoing, Lamar should be permitted to intervene as a matter of right under
24 NRCP 24(a)(2) or, alternatively, by permission under NRCP 24(b)(2). Lamar respectfully requests

1 that this Court grant the present Motion with leave to file the Response to Petition for Writ of
2 Mandate,³ attached hereto as **Exhibit 1**.

3 The undersigned does hereby affirm that the preceding document does not contain the
4 social security number of any person.

5 DATED this 31st day of March, 2017.

6 KAEMPFER CROWELL

7 By: 

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18 *Attorneys for Intervenor*

19 *Lamar Central Outdoor, LLC*

20 ³ Lamar requests that this Court permit it to file a response to Scenic Nevada's Petition for Writ of Mandate as its
21 responsive pleading in intervention. While the issue does not appear to have been addressed by the Nevada Supreme
22 Court, there are a number of federal cases, including from the Ninth Circuit, that have permitted other submission,
23 such as for example a motion to dismiss, to serve as the "pleading" for intervention purposes, so long as the position of
24 the movant is ascertainable from the filing. *See Beckman Indus. v. Int'l Ins. Co.*, 966 F.2d 470, 474 (9th Cir. 1992);
Piambino v. Bailey, 757 F.2d 1112 (11th Cir. 1985) (rejecting a strict reading of Rule 24(c)); *Danner Constr. Co. v.*
Hillsborough County, 2009 U.S. Dist. LEXIS 79488 (M.D. Fla. Aug. 17, 2009) (permitting the filing of a motion to
dismiss instead of a pleading because it provided sufficient notice of the position, claim, and relief sought by the
intervenor); *New Century Bank v. Open Sols., Inc.*, 2011 U.S. Dist. LEXIS 47340 (E.D. Pa. May 2, 2011); *In re Co.*
Petro Marketing Group, Inc., 11 B.R. 546 (B.A.P. 9th Cir. 1981) ("The Commission filed and served a motion to
dismiss, which satisfies the pleading requirement"). As noted, above, "[f]ederal cases interpreting the Federal Rules of
Civil Procedure 'are strong persuasive authority because the Nevada Rules of Civil Procedure are based in large part
upon their federal counterparts.'" *Executive Mgmt.*, 118 Nev. at 53, 38 P.3d at 876 (quoting *Las Vegas Novelty v.*
Fernandez, 106 Nev. 113, 119, 787 P.2d 772, 776 (1990) (emphasis added)).

1 CERTIFICATE OF SERVICE

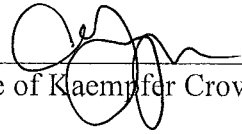
2 Pursuant to NRCP 5(b), I certify that I am an employee of Law Offices of Kaempfer
3 Crowell, that I am over the age of 18 and not a party to the above-referenced case, and that on
4 March 31, 2017 I filed and served the foregoing **LAMAR CENTRAL OUTDOOR, LLC'S**
5 **MOTION TO INTERVENE**. Service was made this date via U.S. Mail, addressed to the
6 following:

7 Mark Wray
8 608 Lander Street
9 Reno, Nevada 89509

10 Karl Hall
11 Reno City Attorney
12 1 East First Street, 3rd Floor
13 Reno, Nevada 89505

14 I declare under penalty of perjury that the foregoing is true and correct.

15 DATED this 31st day of March, 2017.

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An employee of Kaempfer Crowell

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