

FILED

MAY 22 2009

HOWARD W. CONYERS, CLERK
By: 
DEPUTY CLERK

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IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

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IN THE FOR THE COUNTY OF WASHOE

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IN THE ADMINISTRATIVE MATTER OF:
THE ASSIGNMENT OF BUSINESS COURT
DOCKETS AND CASES PURSUANT TO
ADKT NO. 398

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ADMINISTRATIVE ORDER 09-03

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WHEREAS, on October 2, 2006, the Nevada Supreme Court amended the Local
Rules for the Second Judicial District Court that provide for a business court; and

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WHEREAS, on November 6, 2008, the Nevada Supreme Court entered an order
scheduling a public hearing concerning the operation of the business court docket in the
Second Judicial District Court and suggestions to improve the handling of business
court cases; and

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WHEREAS, on December 9, 2008, the Nevada Supreme Court held a public
hearing and considered information from the chief judges, other judges, and court
administrators of the Second and Eighth Judicial District Courts; and

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WHEREAS, based on the information provided to the Nevada Supreme Court,
the Court decided an amendment of the Local Rules of Practice for the Second Judicial
District Court was warranted; and

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EXHIBIT A

AMENDMENTS TO THE LOCAL RULES OF PRACTICE FOR THE SECOND JUDICIAL DISTRICT COURT

Rule 2.1. Business court docket.

1. A civil action shall be assigned to the business court docket if, regardless of the nature of relief sought, the primary subject matter of the action is:

(a) A dispute concerning the validity, control, operation or governance of entities created under NRS Chapters 78-88, including shareholder derivative actions;

(b) A dispute concerning a trade-mark or trade name; a claim asserted pursuant to the Nevada Trade Secrets Act, NRS 600A.010, et seq.; a claim asserted pursuant to the Nevada Securities Act, NRS 90.211, et seq.; a claim asserted pursuant to the Nevada Deceptive Trade Practices Act, NRS 598.0903, et seq.; a claim involving investment securities governed by NRS 104.8101, et seq.; or,

(c) Any dispute among business entities if the presiding judge of the business court docket determines that the case would benefit from enhanced case management.

2. Actions in which the primary claim alleges personal injury or products liability, damage of a consumer by a business, wrongful termination of employment, or actions arising from a landlord-tenant relationship shall not be included in the business court docket.

3. A party in an action assigned to another department of the court may request that the action be transferred to the business court docket. Upon filing of such a request, the clerk shall transfer the case file to the presiding judge of the business court docket who shall thereupon determine whether to assume jurisdiction of the case. The decision of the presiding judge of the

business court docket to accept or decline jurisdiction of the action is final, and is not appealable nor reviewable upon any petition for extraordinary relief.

4. The ~~[presiding]~~ judges of the business court docket may hear and decide all other civil and criminal actions assigned to such judge as any other general jurisdiction district court judge.

5. The ~~[presiding judge of the business court docket shall be appointed by the chief judge]~~ chief judge shall assign at least two judges of the district to the business court docket. The judges so selected shall ~~[and must]~~ have experience as a judge or practitioner in the subject matters listed in subsection 1 of this rule, ~~[-The judge so selected]~~ and shall serve for a term of two years unless reappointed. Each judge assigned to the business court docket shall receive an equal, random assignment of business court cases. Management of the business court docket shall be the highest case management priority of the ~~[presiding]~~ judges of the business court docket, who may request reassignment by the chief judge of civil or criminal cases, as necessary, consistent with this case management priority.

6. Subject to approval by the ~~[presiding]~~ judges of the business court docket and the chief judge, an action filed in any other judicial district may be transferred to the business court docket of this district if all parties and the district judge assigned to the case consent.

7. The ~~[presiding]~~ judges of the business court docket may transfer a business action to another judge of this district for any and all proceedings, subject to the consent of the judge to whom the action is transferred.

8. If ~~[the presiding]~~ any judge of the business court docket is the subject of a peremptory challenge pursuant to S.C.R. 48.1, the clerk shall randomly reassign the case to another department of the court.

1 CERTIFICATE OF SERVICE

2 I certify that I am an employee of SECOND JUDICIAL DISTRICT COURT; that
3 on the 22nd day of May, 2009, I hand delivered, a true and correct copy of the attached
4 Administrative Order, addressed to:

5 Judges of the Second Judicial District Court

6 Honorable Janet J. Berry - Department 1

7 Honorable David Hardy – Department 2

8 Honorable Jerry Polaha – Department 3

9 Honorable Deborah Schumacher – Department 5

10 Honorable Brent Adams – Department 6

11 Honorable Patrick Flanagan – Department 7

12 Honorable Steven R. Kosach – Department 8

13 Honorable Robert Perry – Department 9

14 Honorable Steven P. Elliott – Department 10

15 Honorable Chuck Weller – Department 11

16 Honorable Frances Doherty – Department 12

17 Honorable Bridget Robb Peck – Department 13

18 Honorable Linda Gardner – Department 14

19 Howard W. Conyers

20 Clerk of the Court

21 Second Judicial District Court

22 Further, I certify that I deposited in the county mailing system for postage and
23 mailing with the U.S. Postal Service in Reno, Nevada, a true and correct copy of the
24 attached document, addressed to:

25 Chief Justice James W. Hardesty

26 Nevada Supreme Court

27 201 South Carson St.

28 Carson City, NV 89701-4702



Audrey A. Kay
Judicial Assistant