

CLARK COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

Petitioner: Steven B. Wolfson, District Attorney

Recommendation:

Authorize the District Attorney's Office to commence an appellate action in the Supreme Court of Nevada to appeal the denial of Clark County's Motion to Dismiss in the Eighth Judicial District Court action A-22-846422-C 6635 W Oquendo LLC vs. Clark County. (For possible action)

FISCAL IMPACT:

Fund #:	1010.000	Fund Name:	General Fund
Fund Center:	1080716000	Funded PGM/Grant:	N/A
Amount:	Up to \$5,000.00		
Description:	Miscellaneous court fees and related expenses		
Additional Comments:	N/A		

BACKGROUND:

6635 W Oquendo LLC sued Clark County for slander of title and other causes of actions related to Clark County Code Enforcement's decisions to impose civil penalties and record liens against a property for violation of Clark County's short-term rental prohibition. Clark County moved the District Court to dismiss the action pursuant to NRS 41.660 (anti-SLAPP). The District Court denied the motion. The District Attorney's Office believes the motion to dismiss was incorrectly denied and believes there is sufficient legal basis for a successful appeal. Therefore, the District Attorney's Office seeks authorization to commence an appellate action in Supreme Court of Nevada to challenge the denial of the motion. The District Attorney's Office also requests the Board of County Commissioners ratify any actions required to file an appellate action in this matter that may become due before the approval of this agenda item.

The District Attorney's Office recommends that the Board of County Commissioners authorize and ratify such action.

Cleared for Agenda

08/02/2022

File ID#

22-1108