

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

**McKenzie Keller aka Marcy C. v. MGM Resorts International, LLC,
et al.**

Keller v. MGM Resorts · No. 2:24-cv-02027-JCM-MDC · Decided January 16, 2026

SUMMARY

The United States District Court for the District of Nevada grants Treasure Island, LLC's unopposed motion to remove Emily Garnett as counsel of record and to remove her email address from CM/ECF service. The court also directs the Clerk to identify Madyson B. Bathke as an attorney of Brownstein Hyatt Farber Schreck, LLP.

CASE DETAILS

COURT	United States District Court for the District of Nevada
WRITING FOR THE COURT	Maximiliano D. Couvillier, III
JURISDICTION	United States District Court for the District of Nevada
DECIDED	January 16, 2026
DOCKET	2:24-cv-02027-JCM-MDC
DISPOSITION	other
PROCEDURAL POSTURE	Defendant Treasure Island, LLC moved to remove Emily Garnett, Esq. as counsel of record and to remove her email address from the CM/ECF service list.
PRECEDENTIAL VALUE	unpublished

TOPICS

[civil procedure](#) [commercial litigation](#)

PRACTICE AREAS

[civil procedure](#) [commercial litigation](#)

QUESTIONS PRESENTED

- Whether good cause existed to remove Emily Garnett as counsel of record for Treasure Island, LLC and remove her email address from the CM/ECF service list.
- Whether the Clerk should correct Madyson B. Bathke's law-firm affiliation in the CM/ECF service list.

HOLDINGS

1. The court granted Treasure Island, LLC's unopposed motion to remove Emily Garnett as counsel of record and to remove her email address from CM/ECF service.
2. The Clerk was sua sponte directed to list Madyson B. Bathke as an attorney of Brownstein Hyatt Farber Schreck, LLP in the CM/ECF service list.

KEY QUOTATIONS

“For good cause shown and because the Motion is unopposed, the Court grants the Motion.” (at 1)

“Emily Garnett, Esq., is to be removed as counsel of record for defendant Treasure Island, LLC and the email egarnett@bhfs.com is to be removed from CM/ECF service in this matter.” (at 2)

FACTUAL BACKGROUND

Emily Garnett was listed as counsel of record for Treasure Island, LLC. Treasure Island represented that Garnett was no longer with Brownstein Hyatt Farber Schreck, LLP, the firm representing Treasure Island. Other Brownstein attorneys, including Gregory A. Brower, Emily L. Dyer, and Madyson B. Bathke, would continue representing Treasure Island.

PROCEDURAL HISTORY

The action was pending in the United States District Court for the District of Nevada. Treasure Island, LLC filed an unopposed motion to remove its former attorney from the case and service list. The court granted the motion and directed the Clerk to correct the firm affiliation listed for another Treasure Island attorney.

DISPOSITION

other

CASES CITED

- Thomas v. Arn, 474 U.S. 140, 142 (1985)
- Martinez v. Yist, 951 F.2d 1153, 1157 (9th Cir. 1991)
- Britt v. Simi Valley United Sch. Dist., 708 F.2d 452, 454 (9th Cir. 1983)

OPINION

1 UNITED STATES DISTRICT COURT 2 DISTRICT OF NEVADA 3 McKenzie Keller aka Marcy C., Case No. 2:24-cv-02027-JCM-MDC 4 Plaintiff, ORDER GRANTING MOTION TO 5 vs. REMOVE ATTORNEY (ECF NO. 175) 6 MGM Resorts International, LLC, et al., 7 Defendants. 8 The Court has reviewed the Motion to Remove Attorney (ECF No. 175) (“Motion”). Defendant 9 Treasure Island, LLC (“Treasure Island”) requests to remove Emily Garnett, Esq. as counsel of record in 10 this matter and that the email address egarnett@bhfs.com be removed from the service list.

ECF No. 11 175. Treasure Island represents that Ms. Garnett is longer part of Brownstein Hyatt Farber Schreck, LLP 12 (“Brownstein”), the law firm representing it. Id. Gregory A. Brower, Esq., Emily L. Dyer, Esq., and 13 Madyson B. Bathke, Esq. from Brownstein will continue as counsel for Treasure Island.

For good cause 14 shown and because the Motion is unopposed, the Court grants the Motion. The Court also sua sponte 15 instructs the Clerk of Court to list that Ms. Bathke is an attorney of Brownstein and not the Claggett & 16 Sykes Law Firm as currently listed on CM/ECF Service in this matter. 17 // 18 // 19 // 20 // 21 // 22 // 23 // 24 // 25 1 1 ACCORDINGLY, 2 IT IS ORDERED that: 3 1.

The Motion to Remove Attorney (ECF No. 175) is GRANTED. 4 2. Emily Garnett, Esq., is to be removed as counsel of record for defendant Treasure Island, 5 LLC and the email egarnett@bhfs.com is to be removed from CM/ECF service in this matter. 6 3.

The Clerk of Court is sua sponte instructed to list that Madyson B. Bathke, Esq. is an 7 attorney of Brownstein Hyatt Farber Schreck, LLP on CM/ECF Service in this matter. 8 DATED: January 16, 2026. 9 IT IS SO ORDERED. fe) a Hon,Maximiljéno D. Céuvillier, III 11 Unked sae Judge 12 13 NOTICE 14 Pursuant to Local Rules IB 3-1 and IB 3-2, a party may object to orders and reports and 15 || recommendations issued by the magistrate judge.

Objections must be in writing and filed with the Clerk 16 || of the Court within fourteen days. LR IB 3-1, 3-2. The Supreme Court has held that the courts of appeal 17 || may determine that an appeal has been waived due to the failure to file objections within the specified 18 || time. Thomas v. Arn, 474 U.S. 140, 142 (1985). 19 This circuit has also held that (1) failure to file objections within the specified time and (2) 20 || failure to properly address and brief the objectionable issues waives the right to appeal the District 21 || Court's order and/or appeal factual issues from the order of the District Court.

Martinez v. Yist, 951 F.2d 22 1153, 1157 (Oth Cir. 1991); Britt v. Simi Valley United Sch. Dist., 708 F.2d 452, 454 (9th Cir. 1983). 23 || Pursuant to LR JA 3-1, the plaintiff must immediately file written notification with the court of any 24 || change of address.

The notification must include proof of service upon each opposing party’s attorney, 25 1 or upon the opposing party if the party is unrepresented by counsel. Failure to comply with this rule may 2 result in dismissal of the action. 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 3