

SUPREME COURT OF NEVADA

PricewaterhouseCoopers LLP v. District Court (Tricarichi)

PricewaterhouseCoopers · No. 82371; 21-28078 · Decided September 30, 2021

SUMMARY

The Nevada Supreme Court granted PricewaterhouseCoopers LLP's petition for a writ of mandamus and directed the district court to vacate its order denying PWC's motion to strike the jury demand. The court also lifted the stay previously granted pending writ review.

CASE DETAILS

COURT	Supreme Court of Nevada
JURISDICTION	Nevada
DECIDED	September 30, 2021
DOCKET	82371; 21-28078
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Original civil proceeding in which PricewaterCoopers LLP petitioned for a writ of mandamus directing the district court to vacate its order denying PWC's motion to strike the jury demand.
PRECEDENTIAL VALUE	Published
PARTIES	PricewaterCoopers LLP v. Elizabeth Goff Gonzalez, The Eighth Judicial District Court of the State of Nevada, in and for the County of Clark, Michael A. Tricarichi

TOPICS

appellate procedure

civil procedure

remedies

PRACTICE AREAS

civil procedure

appellate procedure

remedies

QUESTIONS PRESENTED

1. Whether the Supreme Court of Nevada should issue a writ of mandamus directing the district court to vacate its order denying PricewaterCoopers LLP's motion to strike the jury demand.

HOLDINGS

1. The petition for a writ of mandamus was granted, and the district court was directed to vacate its order denying PricewaterCoopers LLP's motion to strike the jury demand.

KEY QUOTATIONS

“ORDER the petition GRANTED AND DIRECT THE CLERK TO ISSUE A WRIT OF MANDAMUS instructing the district court to vacate its order denying PWC's motion to strike the jury demand.”

FACTUAL BACKGROUND

The underlying district-court litigation involved PricewaterCoopers LLP and Michael A. Tricarichi. PWC moved to strike the jury demand, but the district court denied that motion. PWC sought extraordinary relief from the Nevada Supreme Court, which granted mandamus relief and directed the district court to vacate its order.

PROCEDURAL HISTORY

PWC filed a petition for writ of mandamus in the Supreme Court of Nevada after the Eighth Judicial District Court denied its motion to strike the jury demand in the underlying action. The Supreme Court stayed the trial pending writ review, ordered an answer, submitted the matter for decision without oral argument, granted the petition, directed issuance of the writ, and later issued a notice in lieu of remittitur closing the case.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

The clerk was directed to issue a writ of mandamus instructing the district court to vacate its order denying PricewaterCoopers LLP's motion to strike the jury demand. The stay previously granted by the Supreme Court was lifted.

OPINION

PER CURIAM.

82371: Case View Nevada Appellate Courts Appellate Case Management System C-Track, the browser based CMS for Appellate Courts Case Search Participant Search Cases Case Search Participant Search 21-28078: This document is currently unavailable. If you need a copy of this document, please contact Clerk's Office at (775)684-1600. Disclaimer: The information and documents available here should not be relied upon as an official record of action.Only filed documents can be viewed.

Some documents received in a case may not be available for viewing.Some documents originating from a lower court, including records and appendices, may not be available for viewing.For official records, please contact the Clerk of the Supreme Court of Nevada at (775) 684-1600. Case Information: 82371 Short Caption:PRICEWATERHOUSECOOPERS LLP VS. DIST. CT.

(TRICARICHI)Court:Supreme Court Related Case(s):73175 Lower Court Case(s):Clark Co. - Eighth Judicial District - A735910Classification:Original Proceeding - Civil - Mandamus Disqualifications:Case Status:Notice in Lieu of Remittitur Issued/Case Closed Replacement:Panel Assigned: Panel To SP/Judge:SP Status: Oral Argument:Oral Argument Location: Submission Date:07/23/2021How Submitted:On Briefs + Party Information RoleParty NameRepresented By PetitionerPricewaterhouseCoopers LLPBradley T. Austin (Snell & Wilmer, LLP/Las Vegas) Patrick G. Byrne (Snell & Wilmer, LLP/Las Vegas) Kelly H. Dove (Snell & Wilmer, LLP/Las Vegas) Christopher D. Landgraff (Bartlit Beck LLP) Mark L. Levine (Bartlit Beck LLP) Katharine A. Roin (Bartlit Beck LLP) Real Party in InterestMichael A. TricarichiThomas D. Brooks (Sperling & Slater) Scott F. Hessell (Sperling & Slater) Mark A. Hutchison (Hutchison & Steffen, LLC/Las Vegas) Todd L. Moody (Hutchison & Steffen, LLC/Las Vegas) Todd W. Prall (Hutchison & Steffen, LLC/Las Vegas) Michael K. Wall (Hutchison & Steffen, LLC/Las Vegas) RespondentElizabeth Goff Gonzalez RespondentThe Eighth Judicial District Court of the State of Nevada, in and for the County of Clark Docket Entries DateTypeDescriptionPending?Document 01/25/2021Filing FeeFiling fee paid.

E-Payment \$250.00 from Kelly H. Dove. (SC) 01/25/2021Petition/WritFiled Petition for Writ of Mandamus. (SC)21-02177 01/25/2021AppendixFiled Appendix to Petition for Writ - Volume I. (SC)21-02178 01/25/2021AppendixFiled Appendix to Petition for Writ - Volume II. (SC)21-02179 01/25/2021AppendixFiled Appendix to Petition for Writ - Volume III. (SC)21-02180 01/25/2021AppendixFiled Appendix to Petition for Writ - Volume IV.

(SC)21-02181 01/25/2021AppendixFiled Appendix to Petition for Writ - Volume V. (SC)21-02182 01/25/2021AppendixFiled Appendix to Petition for Writ - Volume VI. (SC)21-02183 01/25/2021AppendixFiled Appendix to Petition for Writ - Volume VII. (SC)21-02184 02/02/2021MotionFiled Petitioner's Expedited Motion to Stay Trial Pending Writ Review (Relief Requested by March 5, 2021).

(SC)21-03198 02/09/2021MotionFiled Michael Tricarichi's Response to Pricewaterhousecoopers LLP's Expedited Motion to Stay Trial Pending Writ Review. (REJECTED PER NOTICE ISSUED 02/09/21). (SC) 02/09/2021Notice/OutgoingIssued Notice Of Rejection - No Notice Of Appearance. (SC)21-03947 02/10/2021Notice/IncomingFiled Real Party in Interest's Notice of Appearance for Michael K. Wall.

(SC)21-03986 02/10/2021MotionFiled Michael Tricarichi's Response to Pricewaterhousecoopers LLP's Expedited Motion to Stay Trial Pending Writ Review. (SC)21-04008 02/16/2021MotionFiled Petitioner's Reply in support of Expedited Motion to Stay Trial Pending Writ Review. (SC)21-04396 02/18/2021Notice/IncomingFiled Petitioner's Notice Regarding Expedited Motion to Stay Trial Pending Writ Review.

(SC)21-04853 02/26/2021Order/ProceduralFiled Order Directing Answer and Granting Stay. Real party in interest, on behalf of respondents, shall have 28 days from the date of this order to file and serve an answer including authorities, against issuance of the requested writ. Petitioner shall have 14 days from service of the answer to file and serve any reply.

Petitioner has filed a motion to stay trial pending writ review. We grant petitioner's motion to stay pending further order of this court. (SC)21-05786 03/26/2021Petition/WritFiled Real Party in Interest Michael Tricarichi's Answer to Pricewaterhousecoopers, LLP's Petition for Writ of Mandamus. (SC)21-08765 03/26/2021AppendixFiled Michael Tricarichi's Appendix - Volume 1.

(SC)21-08767 04/09/2021BriefFiled Petitioner's Reply in Support of Petition for Writ of Mandamus. (SC)21-10299 04/12/2021Case Status UpdateBriefing Completed/To Screening. (SC) 07/23/2021Order/ProceduralFiled Order Submitting for Decision Without Oral Argument. (SC)21-21273 09/30/2021Order/DispositionalFiled Order Granting Petition for Writ of Mandamus. "ORDER the petition GRANTED AND DIRECT THE CLERK TO ISSUE A WRIT OF MANDAMUS instructing the district court to vacate its order denying PWC's motion to strike the jury demand." fn1 [In light of this determination, we lift the stay granted by this court on February 26, 2021.]

SNP21 - RP/LS/AS (SC)21-28078 09/30/2021WritIssued Writ with letter. Original and two copies of writ and two copies of order mailed to attorney Kelly Dove for service upon Chief Judge Linda Marie Bell and Department 11. (SC)21-28081 10/07/2021WritFiled Returned Writ. Original Writ returned. Served on Chief Judge Linda Marie Bell and Judge Elizabeth Gonzalez on October 4, 2021.

(SC)21-28860 10/26/2021RemittiturIssued Notice in Lieu of Remittitur. (SC)21-30861 10/26/2021Case Status UpdateNotice in Lieu of Remittitur Issued/Case Closed. (SC) Combined Case View