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Clerk of Supreme Court

6 *Amicus Curiae In Proper Person*

7  
8 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

9 DAVID MCNEELY & 5 ALPHA INDUSTRIES,  
10 *Petitioners,*

11 v.

12 THE SECOND JUDICIAL DISTRICT COURT,  
13 STATE OF NEVADA, WASHOE COUNTY, and  
14 the HON. DAVID A. HARDY, DISTRICT  
15 JUDGE, DEPT. 15,  
16 *Respondents,*

Case No. 86559

17 *and*

18 HILLARY SCHIEVE, VAUGHN HARTUNG,  
19 and JOHN DOE, /  
20 *Real Parties in Interest.*

21 **AMICUS CURIAE ROST C. OLSEN'S MOTION FOR LEAVE TO FILE**  
22 **AMICUS BRIEF, PURSUANT TO NRAP 29**

23 *Amicus Curiae* Rost C. Olsen, appearing in proper person, respectfully moves this  
24 Court for leave to file the *amicus curiae* brief (the "Brief") accompanying this Motion.  
25 This Motion is supported by the following memorandum of points and authorities.

26 **MEMORANDUM OF POINTS AND AUTHORITIES**

27 This Court may allow the filing of *amicus curiae* briefs by individuals upon the  
28 individual's motion leave to file such a brief, the Court's invitation, or by written consent  
of all parties. *See* NRAP 29(a). When an *amicus curiae* moves for leave, the motion must  
demonstrate: (1) the movant's interest; and (2) the reasons why an *amicus* brief would  
be desirable. NRAP 29(c).

1 Here, while representing only himself in this proceeding, the Undersigned is one  
2 of over 17,000 state employees whose rights would be adversely affected by a granting  
3 of this writ petition. An amicus brief from a public employee such as the Undersigned  
4 would be desirable to the Court in this matter because it would help illuminate potentially  
5 unintended consequences that granting this writ petition could have for a significant  
6 number of public employees in the State.

7 Granting this writ would not just affect elected officials. Rather, it would set  
8 disastrous precedent for the rank-and-file workers in our state workforce, such as  
9 Undersigned, who wish to do their jobs and go about their lives peacefully without  
10 tortious harassment from conspiracists armed with private investigators.

11 Accordingly, Undersigned respectfully requests leave to file the accompanying  
12 amicus brief.

13 **I. AMICUS'S INTEREST**

14 The Undersigned is an unelected attorney working for a state agency.<sup>1</sup> Like all  
15 state agencies, the state agency for which Undersigned works is not immune from  
16 dealing with contentious issues that may draw the ire of certain segments of the public.  
17 While Undersigned fully champions and supports government transparency, and  
18 encourages his neighbors and fellow citizens to become involved in governmental and  
19 political processes, the relief Petitioners seek in this case goes beyond the pale.

20 If granted, the relief sought by Petitioners would set a disturbing precedent  
21 essentially allowing principals to use private investigators as agents to engage in tortious  
22 behavior against public employees such as Undersigned. It would bless a course of  
23 conduct allowing quixotic self-proclaimed government watchdogs to use private  
24 investigators to trespass against their neighbors working for public entities. Such a  
25 precedent would not only affect elected and appointed officials, but even unelected and  
26 unappointed state, county, and local workers, such as Undersigned.

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28 <sup>1</sup> The Undersigned is representing himself in this matter, and does not represent the  
views of his employer.



1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCPC 5(b), I certify that I served the foregoing document with its  
3 accompanying attachment on the parties in said case by electronically filing via the  
4 Court's e-filing system, as follows:

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20 The Honorable David A. Hardy  
21 Second Judicial District Court  
22 Dept. 15  
23 75 Court Street  
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24 Dated: July 13, 2023

25 */s/ Rost C. Olsen*  
26 \_\_\_\_\_  
27 *Amicus Curiae In Proper Person*