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Steven D. Grierson
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LUBA DACE
[redacted]
Pro Per

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

LUBA DACE, Plaintiff, v. MELVIN GRIMES, BENJAMIN CHILDS, LAW OFFICE OF BENJAMIN B. CHILDS, MARY PERRY, Defendants.	Case No.: A-25-922833-C Dept. No.: 29 **EX PARTE MOTION FOR ORDER SHORTENING TIME** HEARING NOT REQUESTED

Plaintiff Luba Dace, appearing in proper person, respectfully moves this Court ex parte for an Order Shortening Time ("OST") on the following pending motions:

1. **Plaintiff's Motion for Leave to File Amended Complaint** (filed Aug. 20, 2025);
2. **Plaintiff's Motion to Preserve and Compel Production of Communications** (filed Aug. 21, 2025); and
3. **Plaintiff's Motion for Expedited Deposition of Defendant Melvin Grimes** (filed Aug. 20, 2025).

Case Number: A-25-922833-C

I. LEGAL STANDARD

Under **EDCR 2.26** and **NRCP 6(c)(1)(C)**, this Court may shorten the notice period for motions upon a showing of good cause. Nevada law recognizes that trial courts have broad discretion in controlling scheduling to prevent injustice. *Maheu v. Eighth Judicial Dist. Court*, 89 Nev. 214, 510 P.2d 627 (1973). Courts uphold OSTs where delay would cause irreparable harm. *Avery v. Gilliam*, 97 Nev. 181, 625 P.2d 1166 (1981).

In the discovery context, courts further recognize that expedited depositions are appropriate where a witness's health makes future testimony uncertain. *Club Vista Fin. Servs., LLC v. Eighth Judicial Dist. Court*, 128 Nev. 222, 228, 276 P.3d 246 (2012); *In re Air Crash Disaster at Stapleton Int'l Airport*, 720 F. Supp. 1505, 1520 (D. Colo. 1989).

II. GOOD CAUSE EXISTS FOR EXPEDITED HEARING

1. **Critical Medical Condition of Defendant Grimes**. On information and belief, Defendant Melvin Grimes is gravely ill and may not survive long enough for these matters to be resolved under ordinary briefing schedules. If his testimony is lost, Plaintiff will suffer irreparable prejudice in the ability to prove her claims. Courts have consistently held that such circumstances justify expedited deposition and accelerated motion practice.
2. **Judicial Economy**. Consolidating the three motions under one OST avoids piecemeal litigation, conserves judicial resources, and ensures efficient management of the case. A hearing date of **September 25, 2025, at 9:00 a.m.** is already reserved in this matter and Plaintiff respectfully requests the three matters be heard then or earlier as the Court's calendar reasonably permits. Utilizing that date, or an earlier one if available, promotes both fairness to the parties and efficiency in the administration of this case.

3. **No Prejudice to Defendants**. Opposing parties retain adequate opportunity to brief the motions under a shortened but reasonable schedule. Any inconvenience is outweighed by the prejudice to Plaintiff if testimony and evidence are lost due to delay.
4. **Protection of the Integrity of the Proceedings**. The Motion to Preserve Communications involves sworn testimony that ex parte emails were sent by Defendant Perry's chambers directing opposing counsel. Prompt judicial intervention is necessary to preserve and protect this evidence from risk of spoliation.
5. **All Defendants have been duly served**. This process was executed through the Sheriff's Department, and thus no party will be prejudiced by an expedited schedule.

III. REQUEST FOR RELIEF

For the foregoing reasons, Plaintiff respectfully requests that this Court:

1. Grant this **Ex Parte Motion for OST**;
2. Direct that the following motions be heard on **September 25, 2025, at 9:00 a.m. or earlier**:
    - Motion to Amend Complaint,
    - Motion to Preserve and Compel Production of Communications, and
    - Motion for Expedited Deposition of Defendant Grimes;
3. Set an expedited briefing schedule as follows:
    - Oppositions due by **September 18, 2025**;
    - Replies due by **September 22, 2025**.

IV. CONCLUSION

Given Defendant Grimes's critical illness, the risk of irreparable prejudice, and the need to preserve the integrity of this litigation, good cause exists for an order shortening time. Plaintiff therefore respectfully requests that this Court grant this motion and set the three pending matters for expedited hearing on September 25, 2025.

DATED this 22nd day of August 2025.

Respectfully submitted,

/s/ Luba Dace

LUBA DACE, Plaintiff Pro Se

VERIFICATION

I, **Luba Dace**, declare as follows:

1. I am the Plaintiff in the above-entitled action.
2. I have read the foregoing **Ex Parte Motion for Order Shortening Time** and know the contents thereof.
3. The facts stated therein are true of my own knowledge, except as to those matters stated on information and belief, and as to those matters, I believe them to be true.
4. I make this verification under penalty of perjury under the laws of the State of Nevada.

Executed this 22nd day of August, 2025, in Clark County, Nevada.

/s/Luba Dace

Luba Dace, Plaintiff Pro Per

CERTIFICATE OF SERVICE

I hereby certify that on or around the 22nd day of August, 2025, I caused a true and correct copy of the foregoing **Ex Parte Motion for Order Shortening Time** to be served upon all parties as follows:

- **By electronic service** through the Court's e-filing system (Odyssey File & Serve), addressed to registered counsel of record; and
- **By U.S. Mail, postage prepaid**, addressed to:

Melvin Grimes

[redacted]

Mary Perry

[redacted]

This service is made pursuant to **NRCP 5(a)(1)**, which requires service of all motions (other than those heard ex parte) on every party, and **EDCR 2.26**, which requires that any order shortening time granted ex parte be promptly served on all opposing parties.

DATED this 22nd day of August, 2025.

Respectfully submitted,

/s/Luba Dace

Luba Dace, Plaintiff Pro Se