

IN THE SUPREME COURT OF THE STATE OF NEVADA

CLARK COUNTY EDUCATION  
ASSOCIATION, A LABOR UNION;  
CLARK COUNTY STAFF  
ORGANIZATION, A LABOR UNION;  
AND JOHN VELLARDITA,  
EXECUTIVE DIRECTOR OF CCEA,  
Appellants,  
vs.  
ALEXANDER ROCHE,  
Respondent.

No. 86552

**FILED**  
MAY 15 2024  
ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

This is an appeal from a district court order denying an anti-SLAPP motion to dismiss. Eighth Judicial District Court, Clark County; Crystal Eller, Judge.

Appellant Clark County Education Association and its executive director, appellant John Vellardita (collectively, CCEA) challenges the district court's April 20, 2023, order denying its anti-SLAPP motion.<sup>1</sup> CCEA first contends that the district court should not have granted respondent Alexander Roche leave to file amended counterclaims while CCEA's anti-SLAPP motion was pending. But as the district court accurately found, CCEA's motion had not been filed in state court following remand from federal court, and we are not persuaded that the district court otherwise abused its discretion in granting Roche leave to amend his

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<sup>1</sup>While listed as an appellant, Clark County Staff Organization has no apparent interest in the outcome of this appeal.

pleading.<sup>2</sup> See *MEI-GSR Holdings, LLC v. Peppermill Casinos, Inc.*, 134 Nev. 235, 239, 416 P.3d 249, 254 (2018) (observing that “leave [to amend a pleading] shall be freely given when justice so requires” and that “a motion for leave to amend pursuant to NRCP 15(a) is addressed to the sound discretion of the trial court” (internal quotation marks omitted)).

CCEA next contends that the district court’s February 28, 2023, minute order granting Roche leave to amend was ineffective, such that CCEA properly filed its anti-SLAPP motion on March 10, 2023, before Roche filed his amended counterclaims. We disagree. District court minute orders that are “administrative in nature,” such as those dealing with “case management issues [or] scheduling . . . that do not allow a party to gain a procedural or tactical advantage are valid and enforceable.” *Nalder v. Eighth Jud. Dist. Ct.*, 136 Nev. 200, 208, 462 P.3d 677, 685 (2020); see also *State, Div. of Child & Fam. Servs. v. Eighth Jud. Dist. Ct.*, 120 Nev. 445, 454, 92 P.3d 1239, 1245 (2004) (same). Here, the district court’s minute order was “administrative in nature,” such that it was effective to alert CCEA that Roche would be filing amended counterclaims that would become Roches’s operative pleading. We are not persuaded by CCEA’s suggestion that the minute order enabled Roche to gain a procedural or tactical advantage, as CCEA acknowledges that Roche’s amended counterclaims could still be subject to an anti-SLAPP motion.

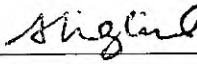
Finally, CCEA contends that the district court’s imposition of sanctions should be reversed. But as CCEA correctly observes, the district

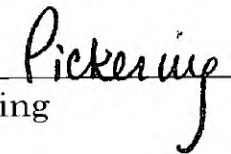
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<sup>2</sup>CCEA has not coherently argued—nor do we believe—that attaching the anti-SLAPP motion to CCEA’s “Request for Hearing” constituted filing the motion in state district court.

court's April 20, 2023, order did not actually award attorney fees as a sanction, so this issue not ripe. Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>3</sup>

  
\_\_\_\_\_, J.  
Stiglich

  
\_\_\_\_\_, J.  
Pickering

  
\_\_\_\_\_, J.  
Parraguirre

cc: Hon. Crystal Eller, District Judge  
Paul M. Haire, Settlement Judge  
Law Office of Daniel Marks  
Steven O. Sorensen  
Robert S. Melcic  
Eighth District Court Clerk

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<sup>3</sup>To the extent that CCEA has raised arguments on appeal that we did not specifically address, we are not persuaded that those arguments warrant reversal. Roche's request for costs under NRAP 38 is denied.