



**EIGHTH JUDICIAL DISTRICT COURT  
CLERK OF THE COURT  
CIVIL/CRIMINAL DIVISION**

REGIONAL JUSTICE CENTER  
200 LEWIS AVENUE, 3<sup>rd</sup> FL.  
LAS VEGAS, NEVADA 89155-1160  
(702) 671-4554

Steven D. Grierson  
Clerk of the Court

Brandi J. Wendel  
Court Division Administrator

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Instructions for preparing & filing:

**REQUEST FOR FOREIGN  
DEPOSITION SUBPOENA**

(E.D.C.R. 2.80 & N.R.S. 53.170)

## EIGHTH JUDICIAL DISTRICT COURT RULES

### **2.80 Rule - Subpoenas for foreign deposition.**

(a) A party seeking the issuance from the clerk of a subpoena for the purpose of taking a foreign deposition in the district must present and tender to the clerk the following:

(1) Copies of the papers required by the Uniform Foreign Depositions Act, NRS 53.170.

(2) A cover sheet in the form required by Rule 7.20, with the title of the court as "Eighth Judicial District Court" and not the foreign court in which the action is pending. For purposes of Rule 7.20, the cover sheet must be described "Request for Foreign Deposition Subpoena."

(3) Such filing fees as may be required by law.

(b) Upon compliance with subsection (a), the clerk must collect the required fee, assign a case number to the request, and retain for the clerk's records the copies of the papers referred to in subsection (a)(1), as well as the cover sheet required by subsection (a)(2).

(c) Subpoena(s) may then be issued and enforced in conformance with N.R.C.P. 45.

(d) All subsequent proceedings involving the request or the issuance of a subpoena, including show cause proceedings, must be commenced by pleadings or papers bearing the case number as assigned above.

## INTERSTATE DEPOSITIONS AND DISCOVERY (UNIFORM ACT)

### **NRS 53.170 - Request for issuance of subpoena; duties of clerk of court; contents of subpoena.**

1. To request the issuance of a subpoena pursuant to this section, a party must submit a foreign subpoena to the clerk of a court in the county in which discovery is sought to be conducted in this State. A request for the issuance of a subpoena pursuant to this section does not constitute an appearance in the courts of this State.

2. When a party submits a foreign subpoena to the clerk of a court in this State, the clerk, in accordance with that court's procedure, shall promptly issue a subpoena for service upon the person to which the foreign subpoena is directed.

3. A subpoena issued pursuant to subsection 2 must:

(a) Incorporate the terms used in the foreign subpoena; and

(b) Contain or be accompanied by the names, addresses and telephone numbers of all counsel of record in the proceeding to which the subpoena relates and of any party not represented by counsel.



## EIGHTH JUDICIAL DISTRICT COURT CLERK OF THE COURT

### Instructions for filing a Request for Foreign Deposition Subpoena

1. Prepare the Request for Foreign Deposition Subpoena pursuant to EDCR 2.80(a)(2) with a copy of foreign jurisdiction's subpoena as an exhibit thereto.
  - For a sample of Request, see Attachment 1
  - For a sample Subpoena, see Attachment 2
2. Register for Electronic filing with Tyler Technologies, see Attachment 3  
[www.EfileNV.com](http://www.EfileNV.com)
  - Note: the Eighth Judicial District Court mandates electronic filing in all Civil cases.
3. Complete the Civil Coversheet, selecting 'other Civil Matters' for case category. Below is a link to the current Civil Coversheet
  - [http://www.clarkcountycourts.us/res/clerk/civil-criminal-library/Legal\\_Forms2/PDF%20Pro%20Pers/New%20Civil%20Cover%20Sheet.pdf](http://www.clarkcountycourts.us/res/clerk/civil-criminal-library/Legal_Forms2/PDF%20Pro%20Pers/New%20Civil%20Cover%20Sheet.pdf)
4. Scan your documents separately for upload – save as a PDF. We can issue the Subpoena's electronically, effective 5/15/17. If you choose to upload your 8<sup>th</sup> Judicial District Court subpoena's for issuance at the time of Case Initiation, please use the SUBI document code.
  - The images should be scanned in 8 ½ x 11 size; B&W, 200 dpi, with the OCR feature turned off
5. Electronically initiate a new case –
  - See Attachment 3 for more detailed instructions.
  - There is currently a \$270.00 filing fee that will be charged to your credit card
6. If you prefer to submit your Subpoena's for issuance via US Mail, please wait for confirmation of the filing's acceptance. Prepare your Subpoena with the 8<sup>th</sup> Judicial District Court Case number (and with the requesting party/attorney's ink signature) and mail to:

District Court Clerk's Office  
200 Lewis Ave, 3<sup>rd</sup> Floor  
Las Vegas Nevada 89155-1160

7. Serve the Subpoena bearing the Clerk's seal on the intended subject.

# Attachment 1

1 **RFDS**  
2 **NAME**  
3 **BAR NUMBER**  
4 **ADDRESS**  
5 **CITY, STATE ZIP CODE**  
6 **TELEPHONE NUMBER**  
7 **ATTORNEY FOR:**

8 **DISTRICT COURT**  
9 **CLARK COUNTY, NEVADA**

10 **NAME,**

11 **Plaintiff(s),**

12 **-vs-**

13 **CASE NO.**

14 **NAME,**

15 **DEPT. NO.**

16 **Defendant(s).**

17 **REQUEST FOR FOREIGN DEPOSITION SUBPOENA**

18 **COMES NOW (Plaintiff/Defendant),** \_\_\_\_\_, **by and**  
19 **through its counsel of record,** \_\_\_\_\_ **and hereby requests the**  
20 **issuance for the Clerk of a foreign deposition subpoena pursuant to EDCR 2.80 and**  
21 **NRS 53.170.**

22 \_\_\_\_\_  
23 **SIGNATURE**  
24 **NAME**  
25 **BAR NUMBER**  
26 **ADDRESS**  
27 **CITY, STATE ZIP CODE**  
28 **ATTORNEY FOR:**

# Attachment 2

1 **SUB**

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5 **DISTRICT COURT**  
6 **CLARK COUNTY, NEVADA**

7  
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10 Plaintiff(s),

11 -vs-

12  
13 Defendant(s).

CASE NO.

DEPT. NO.

**SUBPOENA – CIVIL**

**REGULAR**  **DUCES TECUM**

14  
15  
16 **THE STATE OF NEVADA SENDS GREETINGS TO:**

17 \_\_\_\_\_  
18

19 **YOU ARE HEREBY COMMANDED** that all and singular, business and excuses  
20 set aside, you appear and attend on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at the  
21 hour of \_\_\_\_\_.M. in Department No. \_\_\_\_\_ of the District Court, Clark County, Nevada.

22 The address where you are required to appear is the Regional Justice Center, 200  
23 Lewis Avenue, Las Vegas, Nevada. Your attendance is required to give testimony  
24 and/or to produce and permit inspection and copying of designated books, documents  
25 or tangible things in your possession, custody or control, or to permit inspection of  
26 premises. You are required to bring with you at the time of your appearance any items  
27  
28

1 set forth below. If you fail to attend, you may be deemed guilty of contempt of Court  
2 and liable to pay all losses and damages caused by your failure to appear. Please see  
3 Exhibit "A" attached hereto for information regarding the rights of the person subject to  
4 this Subpoena.

5  
6 Steven D. Grierson, CLERK OF COURT

7  
8 By: \_\_\_\_\_  
9 Deputy Clerk Date

10 Submitted By: \_\_\_\_\_  
11  
12

13 **AFFIDAVIT OF SERVICE**

14 STATE OF )  
15 ) ss:  
16 COUNTY OF )

17 \_\_\_\_\_, being duly sworn says: That at all times herein affiant was over 18 years  
18 of age, not a party to nor interested in the proceeding in which this affidavit is made.  
19 That affiant received the Subpoena on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, and served  
20 the same on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ by delivering a copy to the witness at  
21 (state address) \_\_\_\_\_  
22 . . .  
23  
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1 I declare under penalty of perjury under the law of the State of Nevada that the  
2 foregoing is true and correct.

3  
4 EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

5  
6 \_\_\_\_\_  
7 Signature of person making service

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8 **ITEMS TO BE PRODUCED**

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**EXHIBIT "A"**  
**NEVADA RULES OF CIVIL PROCEDURE**

Rule 45

**(c) Protection of Persons Subject to Subpoena.**

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party,

the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

**(d) Duties in Responding to Subpoena.**

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

# Attachment 3

# 8<sup>TH</sup> Judicial District Court – Clark County, Nevada Odyssey File and Serve Registration Instructions

## How Do I Register To File?

- Video Walkthrough available at <http://www.clarkcountycourts.us/fns/#Register>
- Please follow the steps below to register for a new account
- Navigate to <https://nevada.tylerhost.net/OfsWeb/> in your web browser.

Click the Green Register Icon

Video Walkthrough available at <http://www.clarkcountycourts.us/fns/#Register>



You will be directed to the **User Information page**.

- Complete all fields with red borders.
- Password parameters: Your password must be at least 8 characters and include an upper case letter, a lowercase letter, and a number or special character.
- Click Next

A screenshot of the "Register" form. The form has a dark header with the word "Register" in white. Below the header, there are navigation links: "User Information", "Firm Information", "Terms and Conditions", and "Complete". The form contains several input fields with red borders: "First Name" (containing "John"), "Middle" (empty), and "Last Name" (containing "Doe"). Below these is a note: "A valid email address is required for filing notifications. Your email address will also be used to sign in. Please select a password that is easy for you to remember, but would be difficult for others to guess." There are fields for "Email Address" (containing "johndoe@yahoo.com") and "Password" (containing "\*\*\*\*\*"). Below that is a "Security Question" field (containing "What is my first pets name?") and a "Security Answer" field (containing "Fishy"). A blue "Next" button is located at the bottom right of the form.

You will be directed to the Registration Options. Select the Firm Account option. This is the appropriate option for both attorneys and Justice Partners.

A screenshot of a form titled "Register for a Firm Account". It contains a section labeled "Perfect for:" with three bullet points: "- Attorneys", "- Firms with multiple filers", and "- Solo Attorney Practitioners". There is an empty checkbox to the right of the list.

Please Note: The account approval box should remain unchecked. The User Approval feature is not available at this time.

Require administrator approval of new user registration



Complete the Contact information and click **Next**.

You will be redirected to a success page. Please go to your email to activate your e-filing account.

## Initial Filing

Video Walkthrough available at <http://www.clarkcountycourts.us/file-and-serve/#Initial-Filing>

For each new Civil case, our Court requires:

1. a completed Civil Coversheet – with 1 Case Category selected (only 1)
2. a Complaint/Petition/Request/Application, and
3. an Initial Appearance Fee Disclosure form

You can include other documents in your envelope, including Summons and Subpoena's for Issuance, if appropriate

Prepare your documents and save them electronically.

If you scan them, please insure that OCR is turned off, and the scanner is set to Black & White, and 200 dpi

With File & Serve, firms are able to submit multiple filings for the same case in a single envelope (as long as total file size is under 40 MB), saving E-File fees. Perform the following steps to file a new case:

On the Home Page, click on the blue **Start a New Case** button.

Complete the details for the new case by using the drop down lists in the case information section. Fields with a red border are required.

For Foreign Judgment in a Civil action:

- Location - select Clark District Civil CriminalClick
- Category – select Civil
- Case Type – select the category marked on your Coversheet

## Save Changes.

Start a New Case

Case Information [Need Help?](#)

Location

Click to select Location

Category

Click to select Category

Case Type

Click to select Case Type

Undo Save Changes

## Input the Party Information.

Party Information
Need Help?

Party Type	Party Name	Lead Attorney
Plaintiff		Required Party <span style="float: right;">^</span>
Defendant		Required Party <span style="float: right;">v</span>

[+ Add Another Party](#)

**Enter details for this Party**

Party is a Business/Agency

First Name

Middle Name

Last Name

Suffix

Lead Attorney

Click to select Lead Attorney v

**Additional Attorneys**

Add Attorneys ≡

Undo Save Changes

- The system will normally pre-populate the required party types based on the selected case type.
- Check the Business/Agency box if applicable.
- Enter your party's first and last name and any other information you would like to include.
- If you are an attorney or filing on behalf of attorney, select your lead attorney from the drop down box.
- You may add multiple attorneys. To do so, select Add Attorneys.
- Click on Save Changes.
- Enter the information for the other party following the previous steps.

## Enter the Filing Information

Filings
Need Help?

**Enter the details for this filing**

Filing Type ?

EFile v

Filing Code

Click to select Filing Code v

Filing Description

Enter the document title i

Client Reference Number ?

Comments to Court

There is a 30 character limit

Courtesy Copies

**Lead Document** (Required)

Computer

↑  
↓

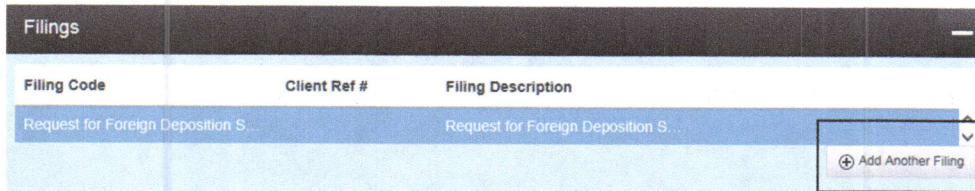
**Optional Services and Fees**

Optional Services and Fees	Fee Amount	Quantity	Fee Total
<a href="#">+ Add Optional Services and Fees</a>			

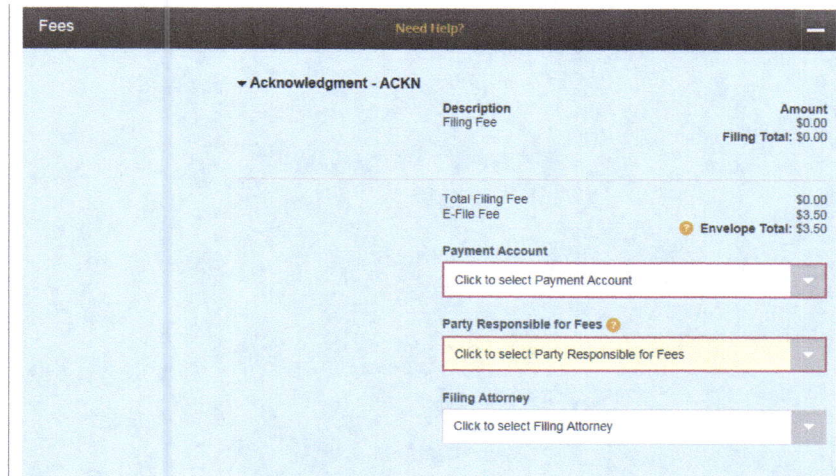
Undo Save Changes

- Enter the proper **Filing Code**
  - **RFDS - Request for Foreign Deposition Subpoena;**
- **Filing Description** (the title of your pleading)
- Upload your Lead Document (**Required**):
- Click on **Save Changes**.
- Optional Services will appear after you save changes to your Lead Document. If you need to add any Additional Filing Fees, such as the statutory fee or the additional \$30 party fees, click on **Add Optional Services and Fees**. Then, click in the dropdown box where it says **Click to select Optional Service and Fee** and add the proper item:
  - 01 - \$270 for a new Civil action
  - 01G - \$30 additional Plaintiff fee
- You may repeat this process multiple times by clicking on the **Add Optional Services and Fees** button again.
- Click **Save Changes**

Click on Add Another Filing, and repeat the process for the Coversheet and any other pleadings. PLEASE DO NOT use this feature for Exhibits to your pleadings. Exhibits must be scanned as part of the related pleading.



### Complete the Fee Section



- Confirm that the fees have been applied
- Choose the proper Payment Account
- Select a Party Responsible for Fees
- Select The Filing Attorney
- Click Save Changes

Once you have filled in all of the above information, click **Summary**. Review your filing on the next page. If you are satisfied and wish to file, click **Submit**. If you wish to edit your envelope, click **Back**.