

In the NEWS

Major Federal Court Victory Reinforcing Nevada's Property and Constitutional Rights

Along with clients he describes as "tenacious," Mark Hutchison recently discussed in a news interview a major federal court victory reinforcing Nevada's property and constitutional rights in the context of short-term rentals.



Hutchison & Steffen Partner Recognized by State Bar of Nevada for Civility in Practice

Hutchison & Steffen Partner Shannon R. Wilson has been recognized by the State Bar of Nevada for exemplifying professionalism and civility in legal practice. The recognition will appear in an upcoming State Bar publication focused on promoting civility within the legal profession.

Wilson was highlighted for her conduct during a high-conflict family law matter, where professionalism, respect, and adherence to courtroom decorum remained central throughout the proceedings. Her approach reflects the importance of respectful advocacy, particularly in matters involving heightened emotion and complexity.

As part of the State Bar's civility initiative, a brief courtroom video excerpt was selected to illustrate professional conduct in practice. The clip underscores the Bar's emphasis on preparation, professionalism, and mutual respect within the legal system.

"Civility is fundamental to the integrity of the legal system," said Mark A. Hutchison, Founding

Partner at Hutchison & Steffen. "Shannon's approach reflects the standards we strive to uphold as a Firm — professionalism, respect for the process, and leadership by example."

Wilson's recognition underscores the Firm's long-standing commitment to ethical advocacy and responsible legal practice. Hutchison & Steffen continues to emphasize professionalism and civility as essential components of effective representation, particularly in emotionally complex matters.

Shannon R. Wilson is a Partner at Hutchison & Steffen, practicing in the Firm's litigation department. Her work focuses on family law, and she also practices commercial litigation, insurance defense in the Firm's Healthcare Professionals Advocacy Group, and administrative law, including defending professionals before licensing Boards and handling complaints involving Medicare/Medicaid billing, quality of care matters, hospital bylaw proceedings, and HIPAA compliance programs. Shannon has been a member of the Firm since 2006.

"Shannon's approach reflects the standards we strive to uphold as a Firm — professionalism, respect for the process, and leadership by example."



More information about Shannon can be found on HUTCHLEGAL.COM.

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- Workers' Compensation



LEGAL MATTERS

CELEBRATING **30 years** OF SERVICE



As we open this first 2026 edition of Legal Matters, we find ourselves reflecting on a journey that began exactly three decades ago. In 1996, the Firm was established with a clear yet ambitious vision: to build a premier, homegrown practice rooted in Nevada's unique landscape while providing the highest level of legal advocacy and personal service to the people and businesses we serve. Today, we are proud to have grown into one of the largest firms born and raised in this State, and we are humbled by the trust you continue to place in us.

The year 2026 is a momentous one, not only for the Firm, but for the entire nation. As the United States celebrates its 250th anniversary, we are honored to align our own milestone with this historic Semi-quincentennial. You may have already noticed our commemorative "250/30" logo appearing in recent communications and advertisements. This theme reflects our deep gratitude for the freedoms and legal foundations of our country that allow a firm like ours to thrive, serve its community, and stand the test of time.

Beyond legal excellence, we have always been defined by our connection to the communities we serve. Our growth has been shaped by Nevada itself, and we remain deeply committed to supporting the local organizations and initiatives that make this State such a dynamic place to live and work. Throughout the year, we will be honoring this dual celebration through several initiatives and campaigns that reflect both our history and our continued evolution.

While we are eager to share more, we are saving deeper reflections on our journey, proudest moments, community milestones, and the Firm's expansion for a special "Big 30th Anniversary" issue coming later this summer.

For now, we simply want to say thank you. Whether you have been with us since 1996 or have joined our client family more recently, you are the reason we continue to strive for excellence in every matter we handle. We look forward to celebrating this landmark year with you.

Thank you.



DISCOVERY Best Practices in Nevada Commercial Litigation:

How Businesses Can Reduce Risk Before a Dispute Ever Begins



by PIERS R. TUELLER

In Nevada commercial litigation, discovery problems rarely begin in the courtroom. They start months — or years — earlier, within a company's data systems, communication habits, and internal controls. The Nevada Rules of Civil Procedure (NRCP) play a key role by providing businesses with a roadmap to structure internal processes and procedures in order to avoid future litigation problems. Under NRCP 26(b)(1), parties may obtain records that are relevant to the claims and defenses and proportional to the needs of the case, considering factors such as the importance of the issues, the amount in controversy, access to information, and the burden and expense of the discovery sought. As Nevada courts place increasing emphasis on proportionality, efficiency, and defensible discovery practices, businesses that take proactive steps can significantly reduce litigation risk, control costs, and avoid the kinds of discovery disputes (and sanctions) that can derail otherwise strong cases.

The most effective discovery strategy is not reactive; it is built into day-to-day operations.

Treat Discovery Readiness as a Business Function

One of the most common discovery failures is treating litigation readiness as a purely legal issue. In reality, discovery implicates IT, human resources, compliance, and senior management. Nevada courts expect organizations — particularly sophisticated commercial actors — to understand where their data resides and how it is managed.

Best Practices Include:

- Maintaining a clear data map identifying key systems, platforms, and custodians;
- Understanding retention policies across email, messaging applications, cloud storage, and backups; and

- Regularly auditing whether written policies match actual practices.

When litigation arises, companies that can quickly explain their data environment and gain immediate credibility — and avoid costly fishing expeditions.

Implement and Enforce Reasonable Data Retention Policies and Related Employee Training to Control and Mitigate Risk

Text messages, personal email accounts, and collaboration platforms (Slack, Teams, WhatsApp) are among the fastest-growing sources of discovery disputes. Employee behavior often creates discovery exposure unintentionally, especially in employment matters. Casual messages, undocumented decisions, and inconsistent record-keeping can complicate discovery. Nevada courts increasingly expect businesses to account for these communication channels, particularly when they are used for substantive decision-making. However, over-retention is just as problematic as under-retention. Keeping everything indefinitely increases discovery costs, expands exposure, and complicates proportionality arguments.

Businesses Should:

- Adopt written retention schedules tied to business needs and regulatory requirements and apply those schedules consistently across departments;
- Limit business use of personal devices and accounts, establish clear rules for messaging platforms, and centralize key communications within auditable systems; and
- Conduct periodic training addressing appropriate business communications, records management expectations, and routine deletion practices.

While Nevada courts are receptive to reasonable and consistently applied retention policies, they are far less forgiving of ad hoc or selectively enforced practices. Businesses that fail to implement effective internal controls often lose proportionality arguments before they begin. A defensible retention policy, coupled with well-trained employees, can reduce both discovery volume and risk and often serves as the strongest shield against overbroad discovery demands.

Act Immediately When Litigation Is Reasonably Anticipated and Be Strategic About Vendors and Third Parties

Preservation failures remain one of the fastest paths to sanctions. In Nevada, courts do not require bad faith to impose consequences — sloppy or delayed preservation may be sufficient. Additionally, many businesses outsource document-intensive functions (e.g., cloud hosting, payroll, CRM systems, document management) to third-party vendors. Courts may hold parties accountable for managing those vendor relationships for discovery purposes.

Best Practices Include:

- Issuing tailored litigation holds promptly and periodically reassessing preservation scope as claims evolve;
- Coordinating with IT to suspend routine deletions for relevant custodians;
- Knowing which vendors possess potentially responsive data; and
- Ensuring contracts address data access and cooperation obligations in litigation.



Failing to account for third-party data often leads to delays, disputes, and credibility concerns.

Align Discovery Readiness with Litigation Strategy and Use Proportionality as Both a Planning Tool and a Defense

Overly broad claims and defenses invite expansive discovery. See NRCP 26(b)(1). Accordingly, the most effective use of proportionality occurs before disputes arise. Businesses that demonstrate discipline, consistency, and transparency are better positioned to limit scope, shift costs, and avoid judicial intervention. In Nevada commercial litigation, judges reward preparation and penalize excuses. Discovery is no longer a blunt-force process — it is a test of organizational maturity.

Nevada judges respond favorably to parties who can articulate why certain discovery is unnecessary, not merely inconvenient. Businesses can therefore mitigate discovery risk by working with counsel early to define material issues.

This Includes:

- Narrowing issues before discovery begins;
- Identifying key custodians rather than defaulting to unqualified employees; and
- Supporting proportionality arguments with concrete facts.

The Takeaway

Discovery problems are rarely solved after litigation begins; they are prevented through planning, discipline, and informed decision-making. Discovery misconduct can carry serious consequences. Spoliation — the failure to preserve relevant evidence — may be sanctioned under NRCP 37(b) and through the court's inherent authority even where no preservation order exists. Nevada precedent emphasizes that sanctions must be proportionate to the conduct and resulting prejudice.

Nevertheless, Nevada's proportionality-focused discovery landscape provides businesses with a clear roadmap: know your data, control your systems, act early, and proceed deliberately. Businesses that follow these best practices not only reduce litigation risk — they gain leverage, protect credibility, and prevent discovery from becoming the case itself.

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3 HUTCHISON & STEFFEN ATTORNEYS NAMED PARTNER

Hutchison & Steffen is pleased to announce that Heather Armantrout, Brittany A. Lewis, and Piers R. Tueller have been unanimously approved to advance to the position of Partner. Each has demonstrated exceptional legal skill, professional judgment, and a sustained commitment to client service and the values of the Firm. All three attorneys are based in the Firm's Las Vegas office.



HEATHER
ARMANTROUT

has been with the Firm since 2017. Her practice focuses on medical malpractice defense and healthcare law, where she brings extensive experience and insight to matters involving healthcare professionals and institutions. Heather's advancement reflects her long-standing dedication to the Firm, her depth of legal knowledge, and her leadership within the practice.



BRITTANY A.
LEWIS

has been with the Firm since 2018. Her practice centers on medical negligence defense, insurance defense, and healthcare-related matters. Brittany is known for her thoughtful advocacy, strong preparation, and commitment to achieving effective outcomes for clients. Her promotion recognizes her growing leadership and meaningful contributions to the Firm.



PIERS R.
TUELLER

has been with the Firm since 2017. He practices primarily in litigation, handling administrative and regulatory matters. Piers is valued for his analytical approach, sound judgment, and professionalism, and his advancement reflects his role in the Firm's continued growth and success.

The Firm Welcomes 4 New Attorneys in the Las Vegas Office



KARL L.
NIELSON
PARTNER



BAXTER L.
WILDE
ASSOCIATE



KEVIN M.
SUTEHALL
PARTNER



JESSICA R.
GANDY
PARTNER

The Firm is pleased to welcome our newest attorneys — Karl L. Nielson, Baxter L. Wilde, Kevin M. Sutehall, and Jessica R. Gandy — who have joined our Las Vegas office. Each brings a strong commitment to client service, sound judgment, and professional excellence. We are excited to have them on board and look forward to the impact they will make as part of the Firm.

More information about our attorneys can be found on HUTCHLEGAL.COM.