

Electronically Filed  
Jul 20 2023 11:22 AM  
Elizabeth A. Brown  
Clerk of Supreme Court

1 NOTICE

2 Plaintiff, In Proper Person  
3 P.O. Box 650 H.D.S.P. NDOC No. 1210652  
4 Indian Springs, Nevada 89018  
5 MATTHEW TRAVIS HOUSTON  
6 ABA No. 04662784

7 EIGHTH JUDICIAL DISTRICT COURT  
8 CLARK COUNTY NEVADA

9 MATTHEW TRAVIS HOUSTON,  
10 Plaintiff,

Case No. A-22-858580-C  
Dept. No. 4

11 -v-

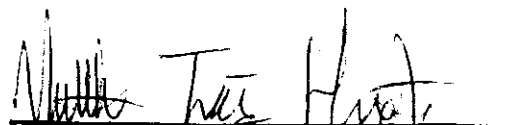
12 DANIEL L. SCHWARTZ ETAL,  
13 Defendant(s),

14 NOTICE OF APPEAL

15 Notice is hereby given that the Plaintiff, Matthew  
16 Travis Houston, by and through himself in proper person, does now appeal  
17 to the Supreme Court of the State of Nevada, the decision of the District  
18 Court from July 11th, 2023.

19  
20  
21 Dated this date, July 11s 2023.

22 Respectfully Submitted,

23   
24 REV. MATTHEW TRAVIS HOUSTON  
25 In Proper Person  
26 American Bar Association  
27 Member ID No. 04662784

28 RECEIVED

29 JUL 17 2023

30 CLERK OF THE COURT

REV. MATTHEW TRAVIS HOUSTON, CHFD

NOCC No 1340652

HDSF

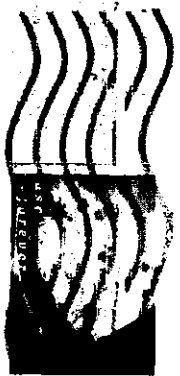
Po Box 650

Indian Springs, NY

89070-0650

LAS VEGAS NV 890

12 JUL 2023 PM 3 L



RECEIVED

JUL 17 2023

CLERK OF THE COURT

Po Box 551601 - ESTD

Attn: H. Ungermann

FWD - CHAMBERS OF THE HON. NANCY ALLE (Dept. # 22)

Law Clerk of Dept. # 19

CHAMBERS OF THE HON. CRYSTAL ELLER

AND

Law Clerk of Dept. # 7  
CHAMBERS OF THE HON. DANIELLE CHIO

Joe Lewis Avenue

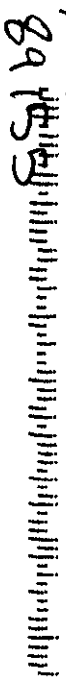
Las Vegas, NV

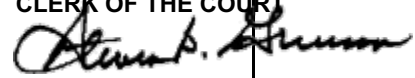
Case No. (s) A-22-862155-C  
C-17, 323614-1, A-23-865442-C,  
A-22-859817-C and A-22-858580-C

American Bar Association Member

ID, No. 04662284

891013300





1 ASTA  
2  
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6

7 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**  
8 **STATE OF NEVADA IN AND FOR**  
9 **THE COUNTY OF CLARK**

10 MATTHEW TRAVIS HOUSTON,

11 Plaintiff(s),

12 vs.

13 DANIEL SCHWARTZ, ESQ.,

14 Defendant(s),  
15

Case No: A-22-858580-C

Dept No: IV

16  
17 **CASE APPEAL STATEMENT**

18 1. Appellant(s): Matthew Travis Houston

19 2. Judge: Nadia Krall

20 3. Appellant(s): Matthew Travis Houston

21 Counsel:

22 Matthew Travis Houston #1210652  
23 P.O. Box 650  
24 Indian Springs, NV 89070

25 4. Respondent (s): Daniel Schwartz, Esq.

26 Counsel:

27 Daniel Schwartz, Esq.  
28 2300 W. Sahara Ave., Ste. 900, Box 28  
Las Vegas, NV 89102

- 1  
2 5. Appellant(s)'s Attorney Licensed in Nevada: N/A  
Permission Granted: N/A  
3  
4 Respondent(s)'s Attorney Licensed in Nevada: Yes  
Permission Granted: N/A  
5  
6 6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No  
7  
8 7. Appellant Represented by Appointed Counsel On Appeal: N/A  
9  
10 8. Appellant Granted Leave to Proceed in Forma Pauperis\*\*: Yes, January 24, 2023  
\*\*Expires 1 year from date filed  
Appellant Filed Application to Proceed in Forma Pauperis: N/A  
Date Application(s) filed: N/A  
11  
12 9. Date Commenced in District Court: September 19, 2022  
13  
14 10. Brief Description of the Nature of the Action: NEGLIGENCE - Other  
Type of Judgment or Order Being Appealed: Misc. Order  
15  
16 11. Previous Appeal: Yes  
Supreme Court Docket Number(s): 86600  
17  
18 12. Child Custody or Visitation: N/A  
19  
20 13. Possibility of Settlement: Unknown

Dated This 18 day of July 2023.

Steven D. Grierson, Clerk of the Court

/s/ Cierra Borum

Cierra Borum, Deputy Clerk  
200 Lewis Ave  
PO Box 551601  
Las Vegas, Nevada 89155-1601  
(702) 671-0512

cc: Matthew Travis Houston

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. A-22-858580-C**

**Matthew Houston, Plaintiff(s)**  
**vs.**  
**Daniel Schwartz, Defendant(s)**

§  
§  
§  
§  
§  
§  
§

Location: **Department 4**  
 Judicial Officer: **Krall, Nadia**  
 Filed on: **09/19/2022**  
 Cross-Reference Case Number: **A858580**  
 Defendant's Scope ID #: **7035801**  
 Supreme Court No.: **86600**

CASE INFORMATION

**Statistical Closures**

07/13/2023 Motion to Dismiss by the Defendant(s)

Case Type: **Legal Malpractice**

Case Status: **07/13/2023 Dismissed**

DATE

CASE ASSIGNMENT

**Current Case Assignment**

Case Number A-22-858580-C  
 Court Department 4  
 Date Assigned 09/19/2022  
 Judicial Officer Krall, Nadia

PARTY INFORMATION

**Plaintiff**

**Houston, Matthew**

*Lead Attorneys*

**Pro Se**

**Defendant**

**Schwartz, Daniel**

**Schwartz, Daniel L**  
*Retained*  
 702-893-3383(W)

DATE

EVENTS & ORDERS OF THE COURT

INDEX

**EVENTS**

09/19/2022



Complaint  
 Filed By: Plaintiff Houston, Matthew  
*[1] Complaint*

09/19/2022



Application to Proceed in Forma Pauperis  
 Filed By: Plaintiff Houston, Matthew  
*[2] Application to Proceed in Forma Pauperis*

10/10/2022



Motion  
 Filed By: Plaintiff Houston, Matthew  
*[3] Emergency Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative for Appearance by Telephone or Video Conference*

10/17/2022



Motion to Dismiss  
 Filed By: Defendant Schwartz, Daniel  
*[4] Defendant Daniel Schwartz's Motion to Dismiss Plaintiff Matthew Houston's Complaint*

11/07/2022



Clerk's Notice of Nonconforming Document  
*[5] Clerk's Notice of Nonconforming Document*


**CASE SUMMARY**

**CASE NO. A-22-858580-C**

- 11/22/2022  Clerk's Notice of Nonconforming Document and Curative Action  
*[6] Clerk's Notice of Curative Action*
- 11/28/2022  Notice of Intent  
*[7] Notice of Intention to Enter Default*
- 11/29/2022  Clerk's Notice of Hearing  
*[8] Clerk's Notice of Hearing*
- 12/28/2022  Objection  
Filed By: Plaintiff Houston, Matthew  
*[10] Ex Parte Response to Def. Dan Schwartz's Motion to Dismiss Complaint*
- 12/28/2022  Ex Parte Motion  
Filed By: Plaintiff Houston, Matthew  
*[11] Emergency Ex Parte Motion for Leave to File an Amended Complaint*
- 12/28/2022  Clerk's Notice of Hearing  
*[12] Notice of Hearing*
- 12/28/2022  Opposition  
Filed By: Plaintiff Houston, Matthew  
*[13] Emergency Ex Parte Opposition to the False Claims of Lewis Brisbois Bisgaard & Smith Et al*
- 12/28/2022  Clerk's Notice of Hearing  
*[14] Notice of Hearing*
- 12/29/2022  Ex Parte Motion  
Filed By: Plaintiff Houston, Matthew  
*[15] Emergency Ex Parte Motion for Leave to add Defendant(s) Tierra Danielle Jones and Christopher D Burk Esq*
- 12/29/2022  Motion  
Filed By: Plaintiff Houston, Matthew  
*[16] Emergency Motion to Add Defendant(s) Kristina A. Rhodes*
- 12/29/2022  Motion  
Filed By: Plaintiff Houston, Matthew  
*[17] Emergency Motion to Add Defendant(s) not Limited to Office to the Public Defender Benard H. Little*
- 12/29/2022  Clerk's Notice of Hearing  
*[18] Notice of Hearing*
- 12/29/2022  Ex Parte Motion  
Filed By: Plaintiff Houston, Matthew  
*[19] Emergency Ex Parte Motion for an Extension of Time to Prepare and File an Opposition to Defendant's Motion(s) to Dismiss in Case No. A-22-858580-C and Case No. A-22-856372-C*
- 01/24/2023  Application to Proceed in Forma Pauperis  
*[20] Application to Proceed in Forma Pauperis*

**CASE SUMMARY**

**CASE NO. A-22-858580-C**

- 01/24/2023  Order to Proceed In Forma Pauperis  
*[21] Order to Proceed In Forma Pauperis*
- 02/10/2023  Motion  
Filed By: Plaintiff Houston, Matthew  
*[22] Emergency Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative for Appearance by Telephone Video Conference*
- 02/14/2023  Summons  
Filed by: Plaintiff Houston, Matthew  
Party served: Defendant Schwartz, Daniel  
*[23] Summons - Civil*
- 02/15/2023  Opposition  
Filed By: Plaintiff Houston, Matthew  
*[24] Opposition to Defendant Daniel L. Schwartz's Motion to Dismiss Part One*
- 02/16/2023  Motion  
Filed By: Plaintiff Houston, Matthew  
*[25] Emergency Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference Under NRAP 78e*
- 02/16/2023  Clerk's Notice of Hearing  
*[26] Notice of Hearing*
- 02/16/2023  Ex Parte Motion  
Filed By: Plaintiff Houston, Matthew  
*[27] Emergency Ex Parte Motion for an Extension of Time to Prepare and Filed an Opposition to Defendant's Motion(s) to Dismiss in Case No. A-22-858580-C and Case No. A-22-856372-C Under NRAP 27e*
- 02/16/2023  Clerk's Notice of Hearing  
*[28] Notice of Hearing*
- 02/24/2023  Order  
*[29] Order Denying Plaintiff Matthew Travis Houston's Emergency Ex-Parte Opposition to the False Claims of Lewis Brisbois Bisgaard & Smith, and Plaintiff's Motion for Leave to File an Amended Complaint, and Denying Defendant Daniel Schwartz's Motion to Amend Complaint.*
- 02/24/2023  Order  
*[30] Order Denying Plaintiffs Motion to Amended Complaint*
- 03/08/2023  Notice of Intent to Take Default  
Party: Plaintiff Houston, Matthew  
*[31] Renewed Notice of Intent to Enter Default (s)*
- 03/09/2023  Affidavit of Service  
Filed By: Plaintiff Houston, Matthew  
Party Served: Defendant Schwartz, Daniel  
*[32] Emergency Declaration of Matthew Travis Houston and Affidavit of Service - Daniel L. Schwartz d/b/a Louis Brisbois Bisgaard 7 Smith*
- 03/09/2023  Notice of Intent to Take Default  
Party: Plaintiff Houston, Matthew

**CASE SUMMARY**

**CASE NO. A-22-858580-C**

*[33] Notice of Intent to Enter Default - Daniel L. Schwartz*

03/29/2023



Notice of Intent to Take Default

Party: Plaintiff Houston, Matthew

*[34] Notice of Intent to Enter Default*

04/05/2023



Summons Issued

*[35] Summons Issued*

04/11/2023



Opposition

Filed By: Defendant Schwartz, Daniel

*[36] Defendant Daniel Schwartz's Opposition to Plaintiff Matthew Houston's Notice Of Intention To Enter Default*

04/21/2023



Motion to Compel

Filed By: Plaintiff Houston, Matthew

*[37] Emergency Motion to Compel an Answer from Aaron D. Ford, Affidavit of Service as a "Notice of Motion" and Statement of Facts*

04/21/2023



Clerk's Notice of Hearing

*[38] Notice of Hearing*

05/11/2023



Motion

Filed By: Plaintiff Houston, Matthew

*[39] Motion Title: Objection to Defendant Daniel L. Schwartz 's Opposition to Plaintiff Matthew Travis Houston's Notice of Intention to Enter Default and Continued Opposition to Defendants Motion to Dismiss*

05/11/2023



Clerk's Notice of Hearing

*[40] Notice of Hearing*

05/12/2023



Order

*[41] ORDER DENYING EMERGENCY MOTION TO COMPEL*

05/16/2023



Notice of Appeal (Criminal)

*[42] Notice of Appeal*

05/17/2023



Case Appeal Statement

*[43] Case Appeal Statement*

05/18/2023



Affidavit of Service

*[44] Affidavit of Service*

05/24/2023



Motion

Filed By: Plaintiff Houston, Matthew

*[51] Emergency Motion and Order for Transportation (In All Cases of Mr. Matthew Travis Houston) of Inmate for Court Appearance Under NRAP 3C/27E or, in the Alternative, for Appearance by Telephone or Video Conference*

05/24/2023



Clerk's Notice of Hearing

*[52] Notice of Hearing*

06/12/2023
















Order

*[53] Order for Production of an Inmate Matthew Houston, BAC #1210652*



**CASE SUMMARY**

**CASE NO. A-22-858580-C**

- 06/29/2023  Motion  
Filed By: Plaintiff Houston, Matthew  
*[54] Emergency Motion to Add Defendant Elham Roohani as an Expedited Notice of Intention to Enter Default*
- 06/29/2023  Clerk's Notice of Hearing  
*[55] Notice of Hearing*
- 06/29/2023  Motion  
Filed By: Plaintiff Houston, Matthew  
*[56] Emergency Motion Under NRAP 27(e) to Add Defendant(s) Not Limited to Linda Sakalauskas and Nevada Attorney for Injured Workers and Renewed Application to Proceed in Forma Pauperis ; NAIW Hearing after ( includes Financial Statement)*
- 06/29/2023  Clerk's Notice of Hearing  
*[57] Notice of Hearing*
- 06/30/2023  Demand for Jury Trial  
Filed By: Plaintiff Houston, Matthew  
*[58] Demand for Jury Trial and Statement of Facts*
- 07/01/2023  Supplemental  
Filed by: Plaintiff Houston, Matthew  
*[59] Supplemental Civil Rights Complaint Pursuant to 42 U.S.C. 1983, Joinder to A-22-856372-C/ A-22-853203-W, Motion to Add Defendant Kelsey Bernstein and Notice of Motion*
- 07/05/2023  NV Supreme Court Clerks Certificate/Judgment - Dismissed  
*[60] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed*
- 07/06/2023  Motion  
Filed By: Plaintiff Houston, Matthew  
*[61] Emergency Motion For An Order To Determine the Relationship, if any, between the Hon. Jennifer Schwartz, Daniel L. Schwartz, and Karen Schwartz aka Genex as a Notice of Motion*
- 07/06/2023  Clerk's Notice of Hearing  
*[62] Notice of Hearing*
- 07/07/2023  Audiovisual Transmission Equipment Appearance Consent  
Party: Defendant Schwartz, Daniel  
*[63] Defendant's Notice Of Intent To Appear By Simultaneous Audiovisual Transmission Equipment*
- 07/13/2023  Order  
*[64] Order Granting Defendant Daniel Schwartz's Motion to Dismiss Matthew Houston's Complaint*
- 07/13/2023  Notice of Entry of Order  
Filed By: Defendant Schwartz, Daniel  
*[65] Notice of Entry of Order*
- 07/17/2023  Notice of Appeal  
*[66] Notice of Appeal*

**CASE SUMMARY**

**CASE NO. A-22-858580-C**

07/18/2023



Case Appeal Statement

*Case Appeal Statement*

**HEARINGS**

01/10/2023



**Minute Order** (3:00 AM) (Judicial Officer: Krall, Nadia)

Minute Order - No Hearing Held;

Journal Entry Details:

*NRCP 1 and NRCP 1.10 state that the procedures in district court shall be administered to secure efficient, just and inexpensive determinations in every action and proceeding. Pursuant to EDCR 2.23(c), the judge may consider the motion on its merits at any time with or without oral argument, and grant or deny it. Defendant Daniel Schwartz's Motion to Dismiss Pro Se Plaintiff Matthew Travis Houston's Complaint filed on 10/17/2022 and Pro Se Plaintiff Matthew Travis Houston's Emergency Ex Parte Motion for an Extension of Time to Prepare and File an Opposition to Defendant's Motion(s) to Dismiss in Case No A-22-858580-C- and Case No. A-22-856372-C Filed on 12/29/2022. The Court reviewed all of the pleadings and attached exhibits regarding the pleadings on file. COURT ORDERED, Defendant Daniel Schwartz's Motion to Dismiss Plaintiff Matthew Houston's Complaint filed on 10/17/2022 is CONTINUED for 90 days to 4/12/2023 at 9:00 A.M. to allow Pro Se Plaintiff Matthew Travis Houston additional time to file an Opposition to Defendant Daniel Schwartz's Motion to Dismiss. COURT FURTHER ORDERED, Pro Se Plaintiff Matthew Travis Houston deadline to file an opposition is 3/29/2023 by 5:00 P.M. COURT FURTHER ORDERED, Defendant Daniel Schwartz to file his Reply no later than 4/5/2023 by 5:00 P.M. COURT FURTHER ORDERED, Defendant Daniel Schwartz's Motion to Dismiss Pro Se Plaintiff Matthew Travis Houston's Complaint filed on 10/17/2022 currently scheduled for hearing on 1/11/2023 at 9:00 A.M. is CONTINUED to 4/12/2023 at 9:00 A.M. 04/12/2023 09:00 AM MOTION TO DISMISS CLERK'S NOTE: This minute order was electronically served and mailed to Pro Se Plaintiff at the address on file by Courtroom Clerk, Pharan Burchfield, to all registered parties for Odyssey File & Serve./pb/1/10/23.;*

01/31/2023

**Motion to Amend Complaint** (9:00 AM) (Judicial Officer: Krall, Nadia)

*Plaintiff's Emergency Ex Parte Motion for Leave to File an Amended Complaint*

Denied;

01/31/2023

**Opposition** (9:00 AM) (Judicial Officer: Krall, Nadia)

*Plaintiff's Emergency Ex Parte Opposition to the False Claims of Lewis Brisbois Bisgaard & Smith*

Moot;

01/31/2023



**All Pending Motions** (9:00 AM) (Judicial Officer: Krall, Nadia)

Matter Heard;

Journal Entry Details:

*PLAINTIFF'S EMERGENCY EX PARTE OPPOSITION TO THE FALSE CLAIMS OF LEWIS BRISBOIS BISGAARD & SMITH . . . PLAINTIFF'S EMERGENCY EX PARTE MOTION FOR LEAVE TO FILE AN AMENDED COMPLAINT COURT NOTED Opposition not being a proper pleading and the Court cannot make a ruling. Therefore, COURT ORDERED, Plaintiff's Emergency Ex Parte Opposition To The False Claims Of Lewis Brisbois Bisgaard & Smith DENIED AS MOOT. COURT FURTHER NOTED Motion for Leave to File Amended Complaint was filed without an attached proposed Amended Complaint. COURT FURTHER ORDERED, Plaintiff's Emergency Ex Parte Motion For Leave To File An Amended Complaint DENIED; and Mr. Schwartz to prepare the Order.;*

02/07/2023

**Motion** (9:00 AM) (Judicial Officer: Krall, Nadia)

*Plaintiff's - Emergency Ex Parte Motion for Leave to add Defendant(s) Tierra Danielle Jones and Christopher D Burk Esq*

Denied;

02/07/2023

**Motion** (9:00 AM) (Judicial Officer: Krall, Nadia)

*Plaintiff's - Emergency Motion to Add Defendant(s) Kristina A. Rhodes*

Denied;

02/07/2023

**Motion** (9:00 AM) (Judicial Officer: Krall, Nadia)

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-22-858580-C

*Plaintiff's - Emergency Motion to Add Defendant(s) not Limited to Office to the Public Defender Benard H. Little*  
Denied;

02/07/2023

 **All Pending Motions** (9:00 AM) (Judicial Officer: Krall, Nadia)

Matter Heard;

Journal Entry Details:

*PLAINTIFF'S - EMERGENCY EX PARTE MOTION FOR LEAVE TO ADD DEFENDANT(S) TIERRA DANIELLE JONES AND CHRISTOPHER D BURK ESQ. . . . PLAINTIFF'S - EMERGENCY MOTION TO ADD DEFENDANT(S) KRISTINA A. RHODES . . . PLAINTIFF'S - EMERGENCY MOTION TO ADD DEFENDANT(S) NOT LIMITED TO OFFICE TO THE PUBLIC DEFENDER BENARD H. LITTLE COURT NOTED that there being no attached proposed Complaint to the Motions. COURT stated its FINDINGS and ORDERED, Plaintiff's Emergency Ex Parte Motion for Leave to Add Defendants Tierra Danielle Jones and Christopher D Burk Esq. DENIED; Plaintiff's Emergency Motion to Add Defendant Kristina A. Rhodes DENIED; Plaintiff's Emergency Motion to Add Defendants Not Limited to Office to the Public Defender Benard H. Little DENIED; and Mr. Schwartz to prepare the Order ;*

03/28/2023

**Motion** (9:00 AM) (Judicial Officer: Krall, Nadia)

*Plaintiff / Inmate's - Emergency Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference Under NRAP 78(e)*

Granted; Plaintiff / Inmate's - Emergency Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference Under NRAP 78(e)

03/28/2023

**Motion** (9:00 AM) (Judicial Officer: Krall, Nadia)

*Plaintiff / Inmate's Ex Parte Motion for an Extension of Time to Prepare and Filed an Opposition to Defendant's Motion(s) to Dismiss in Case No. A-22-858580-C and Case No. A-22-856372-C Under NRAP 27(e)*

Granted; Plaintiff / Inmate's Ex Parte Motion for an Extension of Time to Prepare and Filed an Opposition to Defendant's Motion(s) to Dismiss in Case No. A-22-858580-C and Case No. A-22-856372-C Under NRAP 27(e)

03/28/2023


 **All Pending Motions** (9:00 AM) (Judicial Officer: Krall, Nadia)

Matter Heard;

Journal Entry Details:

*PLAINTIFF / INMATE'S - EMERGENCY MOTION AND ORDER FOR TRANSPORTATION OF INMATE FOR COURT APPEARANCE OR IN THE ALTERNATIVE FOR APPEARANCE BY TELEPHONE OR VIDEO CONFERENCE UNDER NRAP 78(E) . . . PLAINTIFF / INMATE'S EX PARTE MOTION FOR AN EXTENSION OF TIME TO PREPARE AND FILED AN OPPOSITION TO DEFENDANT'S MOTION(S) TO DISMISS IN CASE NO. A-22-858580-C AND CASE NO. A-22-856372-C UNDER NRAP 27(E) Mr. Schwartz confirmed Plaintiff has not yet received anything in response to his Motion to Dismiss. COURT ORDERED, Plaintiff / Inmate's - Emergency Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference Under NRAP 78(e) GRANTED; Plaintiff / Inmate's Ex Parte Motion for an Extension of Time to Prepare and Filed an Opposition to Defendant's Motion(s) to Dismiss in Case No. A-22-858580-C and Case No. A-22-856372-C Under NRAP 27(e) GRANTED; the 4/12/23 hearing on Defendant Daniel Schwartz's Motion to Dismiss Plaintiff Matthew Houston's Complaint CONTINUED; and the Court will prepare an Order with the Opposition date, Reply date, and new hearing date. COURT FURTHER ORDERED, Defendant's appearance via IN-PERSON with Transport Order or appearance via telephone or video conference. CLERK'S NOTE: This minute order was electronically served by Courtroom Clerk, Pharan Burchfield, to all registered parties for Odyssey File & Serve; this minute order was also served by First Class U.S. Mail postage full prepaid to Plaintiff at High Desert State Prison.//pb/3/29/23.;*

05/12/2023

 **Minute Order** (3:00 AM) (Judicial Officer: Krall, Nadia)

Minute Order - No Hearing Held;

Journal Entry Details:


*The Court reviewed all of the pleadings and attached exhibits regarding the pleadings on file. COURT ORDERED, Plaintiff/Inmate's Emergency Motion to Compel an Answer from Aaron D. Ford, Affidavit of Service as a Notice of Motion and Statement of Facts shall be DENIED*

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-22-858580-C

as MOOT; pursuant to the Nevada Rules of Civil Procedure Defendant's Motion to Dismiss is an appropriate responsive pleading; and the hearing date of May 24, 2023 shall be VACATED. CLERK'S NOTE: This minute order was electronically served by Courtroom Clerk, Pharan Burchfield, to all registered parties for Odyssey File & Serve; this minute order was also served by First Class U.S. Mail postage full prepaid to Plaintiff Matthew Houston at High Desert State Prison.//pb/5/12/23.;

- 05/24/2023 **CANCELED Motion to Compel** (9:00 AM) (Judicial Officer: Krall, Nadia)  
*Vacated*  
*Plaintiff/Inmate's Emergency Motion to Compel an Answer from Aaron D. Ford, Affidavit of Service as a "Notice of Motion" and Statement of Facts*
- 07/11/2023 **Motion to Dismiss** (9:00 AM) (Judicial Officer: Krall, Nadia)  
*Defendant Daniel Schwartz's Motion to Dismiss Plaintiff Matthew Houston's Complaint per 1/10/23 minute order*  
*Granted With Prejudice; Defendant Daniel Schwartz's Motion to Dismiss Plaintiff Matthew Houston's Complaint*
- 07/11/2023 **Motion** (9:00 AM) (Judicial Officer: Krall, Nadia)  
*Plaintiff's- Motion Title: Objection to Defendant Daniel L. Schwartz 's Opposition to Plaintiff Matthew Travis Houston's Notice of Intention to Enter Default and Continued Opposition to Defendants Motion to Dismiss*  
*Off Calendar; Plaintiff's- Motion Title: Objection to Defendant Daniel L. Schwartz 's Opposition to Plaintiff Matthew Travis Houston's Notice of Intention to Enter Default and Continued Opposition to Defendants Motion to Dismiss*
- 07/11/2023  **All Pending Motions** (9:00 AM) (Judicial Officer: Krall, Nadia)  
*Matter Heard;*  
*Journal Entry Details:*  
*DEFENDANT DANIEL SCHWARTZ'S MOTION TO DISMISS PLAINTIFF MATTHEW HOUSTON'S COMPLAINT . . . PLAINTIFF'S- MOTION TITLE: OBJECTION TO DEFENDANT DANIEL L. SCHWARTZ 'S OPPOSITION TO PLAINTIFF MATTHEW TRAVIS HOUSTON'S NOTICE OF INTENTION TO ENTER DEFAULT AND CONTINUED OPPOSITION TO DEFENDANTS MOTION TO DISMISS MATTER TRAILED due to audio difficulties. MATTER RECALLED. All parties present as before. MATTER TRAILED as Mr. Houston seems to be muted. MATTER RECALLED. All parties present as before. Arguments made by Mr. Aicklen regarding Motion to Dismiss, noting that Defendant Mr. Schwartz represented the Worker's Compensation company. Mr. Houston explained there being newly discovered evidence and requested leave to amend the Complaint. Mr. Aicklen added that the Complaint does not allege Defendant Mr. Schwartz had anything to do with Mr. Houston's incarceration. COURT stated its FINDINGS and ORDERED, Defendant Daniel Schwartz's Motion to Dismiss Plaintiff Matthew Houston's Complaint GRANTED WITH PREJUDICE; COURT FINDS amendment to be futile; all future hearings VACATED; and Mr. Aicklen to prepare the Order.;*
- 07/18/2023 **CANCELED Motion** (9:00 AM) (Judicial Officer: Krall, Nadia)  
*Vacated - per Judge*  
*Plaintiff/Inmate's Emergency Motion and Order for Transportation (In All Cases of Mr. Matthew Travis Houston) of Inmate for Court Appearance Under NRAP 3C/27E or, in the Alternative, for Appearance by Telephone or Video Conference*
- 08/15/2023 **CANCELED Motion** (9:00 AM) (Judicial Officer: Krall, Nadia)  
*Vacated - per Judge*  
*Plantiff/Inmate's- Emergency Motion For An Order To Determine the Relationship, if any, between the Hon. Jennifer Schwartz, Daniel L. Schwartz, and Karen Schwartz aka Genex as a Notice of Motion*
- 08/16/2023 **CANCELED Motion** (9:00 AM) (Judicial Officer: Krall, Nadia)  
*Vacated - per Judge*  
*Plaintiff / Inmate's - Emergency Motion to Add Defendant Elham Roohani as an Expedited Notice of Intention to Enter Default*
- 08/16/2023 **CANCELED Motion** (9:00 AM) (Judicial Officer: Krall, Nadia)

**CASE SUMMARY**

**CASE NO. A-22-858580-C**

*Vacated - per Judge*

*Plaintiff / Inmate's - Emergency Motion Under NRAP 27(e) to Add Defendant(s) Not Limited to Linda Sakalauskas and Nevada Attorney for Injured Workers and Renewed Application to Proceed in Forma Pauperis ; NAIW Hearing after*

# DISTRICT COURT CIVIL COVER SHEET

Clark

County, Nevada

A-22-858580-C

Case No. \_\_\_\_\_

Dept. 4

(Assigned by Clerk's Office)

**I. Party Information** (provide both home and mailing addresses if different)

|  |   |
|--|---|
| Plaintiff(s) (name/address/phone):<br>Matthew Travis Houston No. 13<br>No. 1210652 H.D.S.P.<br>P.O. Box 650<br>Indian Springs, NV 89070-0650 | Defendant(s) (name/address/phone): P: 702-382-2200<br>Lina Sakalauskas, Dan Schwartz<br>Nevada Attorney For Injured No. 5<br>2200 Rancho L.B.B.S. Workers<br>Las Vegas, NV aka "N.A.I.W." |
| Attorney (name/address/phone):<br>pro se No. 16 Louis (L.)<br>(714) 916-7431 No. 17<br>No(s). 18 + 19<br>(No. 5) Daniel Schwartz @           | Attorney (name/address/phone): unknown, refer<br>to: State Bar of Nevada<br>3100 W. Charleston Blvd.<br>Suite No. 100 Las Vegas, NV<br>89102 P: (702) 382-0504                            |

**II. Nature of Controversy** (please select the one most applicable filing type below)

**Civil Case Filing Types**

|   |  |  |
|---|--|--|
| <b>Real Property</b><br><input type="checkbox"/> Landlord/Tenant<br><input type="checkbox"/> Unlawful Detainer<br><input type="checkbox"/> Other Landlord/Tenant<br><input type="checkbox"/> Title to Property<br><input type="checkbox"/> Judicial Foreclosure<br><input type="checkbox"/> Other Title to Property<br><input type="checkbox"/> Other Real Property<br><input type="checkbox"/> Condemnation/Eminent Domain<br><input type="checkbox"/> Other Real Property   | <b>Negligence</b><br><input type="checkbox"/> Auto<br><input type="checkbox"/> Premises Liability<br><input type="checkbox"/> Other Negligence<br><b>Malpractice</b><br><input type="checkbox"/> Medical/Dental<br><input checked="" type="checkbox"/> Legal<br><input type="checkbox"/> Accounting<br><input type="checkbox"/> Other Malpractice  | <b>Torts</b><br><b>Other Torts</b><br><input type="checkbox"/> Product Liability<br><input type="checkbox"/> Intentional Misconduct<br><input type="checkbox"/> Employment Tort<br><input type="checkbox"/> Insurance Tort<br><input type="checkbox"/> Other Tort  |
| <b>Probate</b><br>Probate (select case type and estate value)<br><input type="checkbox"/> Summary Administration<br><input checked="" type="checkbox"/> General Administration<br><input type="checkbox"/> Special Administration<br><input type="checkbox"/> Set Aside<br><input type="checkbox"/> Trust/Conservatorship<br><input type="checkbox"/> Other Probate<br><b>Estate Value</b><br><input type="checkbox"/> Over \$200,000<br><input type="checkbox"/> Between \$100,000 and \$200,000<br><input type="checkbox"/> Under \$100,000 or Unknown<br><input checked="" type="checkbox"/> Under \$2,500 | <b>Construction Defect &amp; Contract</b><br><b>Construction Defect</b><br><input type="checkbox"/> Chapter 40<br><input type="checkbox"/> Other Construction Defect<br><b>Contract Case</b><br><input type="checkbox"/> Uniform Commercial Code<br><input type="checkbox"/> Building and Construction<br><input type="checkbox"/> Insurance Carrier<br><input type="checkbox"/> Commercial Instrument<br><input type="checkbox"/> Collection of Accounts<br><input type="checkbox"/> Employment Contract<br><input type="checkbox"/> Other Contract | <b>Judicial Review/Appeal</b><br><b>Judicial Review</b><br><input type="checkbox"/> Foreclosure Mediation Case<br><input type="checkbox"/> Petition to Seal Records<br><input type="checkbox"/> Mental Competency<br><b>Nevada State Agency Appeal</b><br><input type="checkbox"/> Department of Motor Vehicle<br><input type="checkbox"/> Worker's Compensation<br><input type="checkbox"/> Other Nevada State Agency<br><b>Appeal Other</b><br><input type="checkbox"/> Appeal from Lower Court<br><input type="checkbox"/> Other Judicial Review/Appeal |
| <b>Civil Writ</b><br><input checked="" type="checkbox"/> Writ of Habeas Corpus<br><input type="checkbox"/> Writ of Mandamus<br><input type="checkbox"/> Writ of Quo Warrant<br><input type="checkbox"/> Writ of Prohibition<br><input type="checkbox"/> Other Civil Writ  | <b>Other Civil Filing</b><br><input type="checkbox"/> Compromise of Minor's Claim<br><input type="checkbox"/> Foreign Judgment<br><input type="checkbox"/> Other Civil Matters   |  |

Business Court filings should be filed using the Business Court civil coversheet.

May 5th 2022  
Date

*[Signature]*  
Signature of initiating party or representative

See other side for family-related case filings.

2:22-cv-00693-JAD-NJK  
 2:21-cv-00499-JAD-DJA  
 2:22-cv-01285-MMD-VCF

1 **ORDR**  
2 DANIEL L. SCHWARTZ, ESQ.  
3 Nevada Bar No. 005125  
4 **LEWIS BRISBOIS BISGAARD & SMITH LLP**  
5 2300 W. Sahara Ave., Ste. 900, Box 28  
6 Las Vegas, NV 89102  
7 Tel.: (702) 830-9042  
8 Fax: (702) 366-9563  
9 E-Mail: [Daniel.Schwartz@lewisbrisbois.com](mailto:Daniel.Schwartz@lewisbrisbois.com)  
10 *Attorney for Defendant*  
11 **DANIEL SCHWARTZ**

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

11 MATTHEW TRAVIS HOUSTON,  
12  
13 Plaintiff,

14 vs.

14 DANIEL SCHWARTZ, ESQ., an individual,  
15  
16 Defendant.

CASE NO.: A-22-858580-C  
DEPT. NO.: IV

**ORDER GRANTING DEFENDANT  
DANIEL SCHWARTZ'S MOTION TO  
DISMISS MATTHEW HOUSTON'S  
COMPLAINT**

Hearing Date: July 11, 2023  
Hearing Time: 9:00 a.m.

18 PLEASE TAKE NOTICE that Defendant Daniel Schwartz's Motion to Dismiss  
19 Plaintiff Matthew Travis Houston's Complaint With Prejudice came on for hearing on July  
20 11, 2023. Josh Cole Aicklen, Esq. of Lewis Brisbois, Bisgaard & Smith LLP appeared on  
21 behalf of Defendant Daniel Schwartz ("Defendant" or "Schwartz"). Matthew Travis Houston  
22 ("Plaintiff" or "Houston") appeared in proper via audio visual call. The matter was heard by  
23 the Honorable Nadia Krall.

24 After due consideration of the Motion to Dismiss, Plaintiff's Opposition, and following  
25 oral argument thereon, the Court ruled as follows:

26 Plaintiff's Complaint has failed to allege a claim for relief against Defendant Daniel  
27 Schwartz. In the allegations of the Complaint, Mr. Houston alleges that Schwartz was the  
28 attorney for Sedgwick, who was the adjuster for Mr. Houston's workers compensation





1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

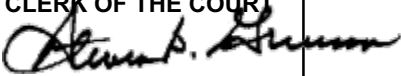
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| 6 | Matthew Houston, Plaintiff(s) | CASE NO: A-22-858580-C |
| 7 | vs.                           | DEPT. NO. Department 4 |
| 8 | Daniel Schwartz, Defendant(s) |                        |
| 9 |                               |                        |

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District  
12 Court. The foregoing Order was served via the court's electronic eFile system to all  
13 recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 7/13/2023

|    |                 |                                   |
|----|-----------------|-----------------------------------|
| 15 | Daniel Schwartz | daniel.schwartz@lewisbrisbois.com |
| 16 | Adrina Harris   | Adrina.Harris@lewisbrisbois.com   |
| 17 | Nancy Alarcon   | nancy.alarcon@lewisbrisbois.com   |
| 18 | Josh Aicklen    | josh.aicklen@lewisbrisbois.com    |
| 19 |                 |                                   |
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1 NEOJ  
2 DANIEL L. SCHWARTZ, ESQ.  
3 Nevada Bar No. 05125  
4 LEWIS BRISBOIS BISGAARD & SMITH LLP  
5 2300 W. Sahara Avenue, Ste. 900, Box 28  
6 Las Vegas, NV 89102  
7 (702) 830-9042  
8 Fax: (702) 366-9563  
9 E-Mail: [Daniel.Schwartz@lewisbrisbois.com](mailto:Daniel.Schwartz@lewisbrisbois.com)  
10 *Attorney for Defendant*  
11 DANIEL SCHWARTZ

DISTRICT COURT  
CLARK COUNTY, NEVADA

12 MATTHEW TRAVIS HOUSTON,  
13 Plaintiff,  
14 vs.  
15 DANIEL SCHWARTZ, ESQ., an individual,  
16 Defendant.

CASE NO. A-22-858580-C  
DEPT. NO.: 4

NOTICE OF ENTRY OF ORDER

17 PLEASE TAKE NOTICE that the Court has hereby granted and entered an Order in  
18 the above matter on July 13, 2023. A copy is attached hereto as Exhibit One.

19 DATED this 13<sup>th</sup> day of July, 2023.

LEWIS BRISBOIS BISGAARD & SMITH LLP

By           /s/ Daniel L. Schwartz            
DANIEL L. SCHWARTZ, ESQ.  
Nevada Bar No. 05125  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
2300 W. Sahara Avenue, Ste. 900, Box 28  
Las Vegas, NV 89102  
*Attorney for Defendant*  
DANIEL SCHWARTZ, ESQ.

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CERTIFICATE OF MAILING

Pursuant to Nevada Rules of Civil Procedure 5(b), I hereby certify that service of the foregoing NOTICE OF ENTRY OF ORDER was made on July 13, 2023, by depositing a true and correct copy of the same for mailing, postage prepaid thereon, in an envelope to the following:

LINA SAKALAUSKAS, ESQ.  
NEVADA ATTORNEY FOR INJURED WORKERS  
2200 S. RANCHO DRIVE, STE. 230  
LAS VEGAS, NV 89102

MATTHEW TRAVIS HOUSTON  
P.O. BOX 0650  
INDIAN SPRINGS, NV 89070-0650

ENCORE EVENT TECHNOLOGIES  
ATTN: RISK MANAGEMENT  
8850 W. SUNSET ROAD, 3<sup>RD</sup> FLOOR  
LAS VEGAS, NV 89148

SEDGWICK CMS  
ATTN.: DIANE FERRANTE  
P.O. BOX 14483  
LEXINGTON, KY 40512

/s/ Adrina Harris  
An employee of  
LEWIS BRISBOIS BISGAARD & SMITH LLP

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EXHIBIT ONE

EXHIBIT ONE

1 **ORDR**  
2 DANIEL L. SCHWARTZ, ESQ.  
3 Nevada Bar No. 005125  
4 **LEWIS BRISBOIS BISGAARD & SMITH LLP**  
5 2300 W. Sahara Ave., Ste. 900, Box 28  
6 Las Vegas, NV 89102  
7 Tel.: (702) 830-9042  
8 Fax: (702) 366-9563  
9 E-Mail: [Daniel.Schwartz@lewisbrisbois.com](mailto:Daniel.Schwartz@lewisbrisbois.com)  
10 *Attorney for Defendant*  
11 **DANIEL SCHWARTZ**

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

11 MATTHEW TRAVIS HOUSTON,  
12  
13 Plaintiff,

14 vs.

15 DANIEL SCHWARTZ, ESQ., an individual,  
16  
17 Defendant.

CASE NO.: A-22-858580-C  
DEPT. NO.: IV

**ORDER GRANTING DEFENDANT  
DANIEL SCHWARTZ'S MOTION TO  
DISMISS MATTHEW HOUSTON'S  
COMPLAINT**

Hearing Date: July 11, 2023  
Hearing Time: 9:00 a.m.

18 PLEASE TAKE NOTICE that Defendant Daniel Schwartz's Motion to Dismiss  
19 Plaintiff Matthew Travis Houston's Complaint With Prejudice came on for hearing on July  
20 11, 2023. Josh Cole Aicklen, Esq. of Lewis Brisbois, Bisgaard & Smith LLP appeared on  
21 behalf of Defendant Daniel Schwartz ("Defendant" or "Schwartz"). Matthew Travis Houston  
22 ("Plaintiff" or "Houston") appeared in proper via audio visual call. The matter was heard by  
23 the Honorable Nadia Krall.

24 After due consideration of the Motion to Dismiss, Plaintiff's Opposition, and following  
25 oral argument thereon, the Court ruled as follows:

26 Plaintiff's Complaint has failed to allege a claim for relief against Defendant Daniel  
27 Schwartz. In the allegations of the Complaint, Mr. Houston alleges that Schwartz was the  
28 attorney for Sedgwick, who was the adjuster for Mr. Houston's workers compensation

1 claim. As a consequence, attorney Schwartz was adverse to Mr. Houston and owed him  
2 no duties under Nevada law. Further, any amendment to the complaint would be futile as  
3 Mr. Houston could not allege any duty that attorney Schwartz owed to Houston.

4 As a consequence, the court GRANTS the Motion to Dismiss With Prejudice and  
5 vacates all pending hearing dates in this matter as they are rendered moot.

6 IT IS SO ORDERED.

7 DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

8

Dated this 13th day of July, 2023

9



10

DISTRICT COURT JUDGE

11

96B AFC C22B 9B44  
Nadia Krall  
District Court Judge

12 Respectfully submitted,

13 LEWIS BRISBOIS BISGAARD & SMITH LLP

14

By:           /s/ Daniel L. Schwartz          

15

DANIEL L. SCHWARTZ, ESQ.

16

Nevada Bar No. 005125

17

LEWIS BRISBOIS BISGAARD & SMITH LLP

18

2300 W. Sahara Ave., Ste. 900, Box 28

19

Las Vegas, NV 89102

20

Attorneys for Defendant

21

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CSERV

DISTRICT COURT  
CLARK COUNTY, NEVADA

|                               |                        |
|-------------------------------|------------------------|
| Matthew Houston, Plaintiff(s) | CASE NO: A-22-858580-C |
| vs.                           | DEPT. NO. Department 4 |
| Daniel Schwartz, Defendant(s) |                        |

**AUTOMATED CERTIFICATE OF SERVICE**

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Order was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

Service Date: 7/13/2023

- |                 |                                   |
|-----------------|-----------------------------------|
| Daniel Schwartz | daniel.schwartz@lewisbrisbois.com |
| Adrina Harris   | Adrina.Harris@lewisbrisbois.com   |
| Nancy Alarcon   | nancy.alarcon@lewisbrisbois.com   |
| Josh Aicklen    | josh.aicklen@lewisbrisbois.com    |

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Legal Malpractice**

**COURT MINUTES**

**January 10, 2023**

---

A-22-858580-C      Matthew Houston, Plaintiff(s)  
vs.  
Daniel Schwartz, Defendant(s)

---

**January 10, 2023      3:00 AM      Minute Order**

**HEARD BY:** Krall, Nadia      **COURTROOM:** Chambers

**COURT CLERK:** Pharan Burchfield

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- NRCP 1 and NRCP 1.10 state that the procedures in district court shall be administered to secure efficient, just and inexpensive determinations in every action and proceeding.

Pursuant to EDCR 2.23(c), the judge may consider the motion on its merits at any time with or without oral argument, and grant or deny it.

Defendant Daniel Schwartz's Motion to Dismiss Pro Se Plaintiff Matthew Travis Houston's Complaint filed on 10/17/2022 and Pro Se Plaintiff Matthew Travis Houston's Emergency Ex Parte Motion for an Extension of Time to Prepare and File an Opposition to Defendant's Motion(s) to Dismiss in Case No A-22-858580-C- and Case No. A-22-856372-C Filed on 12/29/2022.

The Court reviewed all of the pleadings and attached exhibits regarding the pleadings on file.

COURT ORDERED, Defendant Daniel Schwartz's Motion to Dismiss Plaintiff Matthew Houston's Complaint filed on 10/17/2022 is CONTINUED for 90 days to 4/12/2023 at 9:00 A.M. to allow Pro Se Plaintiff Matthew Travis Houston additional time to file an Opposition to Defendant Daniel Schwartz's Motion to Dismiss.



COURT FURTHER ORDERED, Pro Se Plaintiff Matthew Travis Houston deadline to file an opposition is 3/29/2023 by 5:00 P.M.

COURT FURTHER ORDERED, Defendant Daniel Schwartz to file his Reply no later than 4/5/2023 by 5:00 P.M.

COURT FURTHER ORDERED, Defendant Daniel Schwartz's Motion to Dismiss Pro Se Plaintiff Matthew Travis Houston's Complaint filed on 10/17/2022 currently scheduled for hearing on 1/11/2023 at 9:00 A.M. is CONTINUED to 4/12/2023 at 9:00 A.M.

04/12/2023 09:00 AM MOTION TO DISMISS

CLERK'S NOTE: This minute order was electronically served and mailed to Pro Se Plaintiff at the address on file by Courtroom Clerk, Pharan Burchfield, to all registered parties for Odyssey File & Serve.//pb/1/10/23.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Legal Malpractice**

**COURT MINUTES**

**January 31, 2023**

---

A-22-858580-C      Matthew Houston, Plaintiff(s)  
vs.  
Daniel Schwartz, Defendant(s)

---

**January 31, 2023      9:00 AM      All Pending Motions**

**HEARD BY:** Krall, Nadia      **COURTROOM:** RJC Courtroom 03C

**COURT CLERK:** Pharan Burchfield  
Kimberly Liening

**RECORDER:** Melissa Burgener

**REPORTER:**

**PARTIES**

**PRESENT:** Schwartz, Daniel L      Attorney

**JOURNAL ENTRIES**

- PLAINTIFF'S EMERGENCY EX PARTE OPPOSITION TO THE FALSE CLAIMS OF LEWIS BRISBOIS BISGAARD & SMITH . . . PLAINTIFF'S EMERGENCY EX PARTE MOTION FOR LEAVE TO FILE AN AMENDED COMPLAINT

COURT NOTED Opposition not being a proper pleading and the Court cannot make a ruling. Therefore, COURT ORDERED, Plaintiff's Emergency Ex Parte Opposition To The False Claims Of Lewis Brisbois Bisgaard & Smith DENIED AS MOOT. COURT FURTHER NOTED Motion for Leave to File Amended Complaint was filed without an attached proposed Amended Complaint. COURT FURTHER ORDERED, Plaintiff's Emergency Ex Parte Motion For Leave To File An Amended Complaint DENIED; and Mr. Schwartz to prepare the Order.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Legal Malpractice**

**COURT MINUTES**

**February 07, 2023**

A-22-858580-C      Matthew Houston, Plaintiff(s)  
vs.  
Daniel Schwartz, Defendant(s)

**February 07, 2023      9:00 AM      All Pending Motions**

**HEARD BY:** Krall, Nadia      **COURTROOM:** RJC Courtroom 03C

**COURT CLERK:** Pharan Burchfield  
Kimberly Lienen

**RECORDER:** Melissa Burgener

**REPORTER:**

**PARTIES**

**PRESENT:**      Schwartz, Daniel      Defendant  
                         Schwartz, Daniel L      Attorney

**JOURNAL ENTRIES**

- PLAINTIFF'S - EMERGENCY EX PARTE MOTION FOR LEAVE TO ADD DEFENDANT(S) TIERRA DANIELLE JONES AND CHRISTOPHER D BURK ESQ. . . . PLAINTIFF'S - EMERGENCY MOTION TO ADD DEFENDANT(S) KRISTINA A. RHODES . . . PLAINTIFF'S - EMERGENCY MOTION TO ADD DEFENDANT(S) NOT LIMITED TO OFFICE TO THE PUBLIC DEFENDER BENARD H. LITTLE

COURT NOTED that there being no attached proposed Amended Complaint to the Motions. COURT stated its FINDINGS and ORDERED, Plaintiff's Emergency Ex Parte Motion for Leave to Add Defendants Tierra Danielle Jones and Christopher D Burk Esq. DENIED; Plaintiff's Emergency Motion to Add Defendant Kristina A. Rhodes DENIED; Plaintiff's Emergency Motion to Add Defendants Not Limited to Office to the Public Defender Benard H. Little DENIED; and Mr. Schwartz to prepare the Order



CLERK'S NOTE: This minute order was electronically served by Courtroom Clerk, Pharan Burchfield, to all registered parties for Odyssey File & Serve; this minute order was also served by First Class U.S. Mail postage full prepaid to Plaintiff at High Desert State Prison.//pb/3/29/23.





GRANTED WITH PREJUDICE; COURT FINDS amendment to be futile; all future hearings VACATED; and Mr. Aicklen to prepare the Order.



# Certification of Copy

State of Nevada }  
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER GRANTING DEFENDANT DANIEL SCHWARTZ'S MOTION TO DISMISS MATTHEW HOUSTON'S COMPLAINT; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES

MATTHEW TRAVIS HOUSTON,

Plaintiff(s),

vs.

DANIEL SCHWARTZ, ESQ.,

Defendant(s),

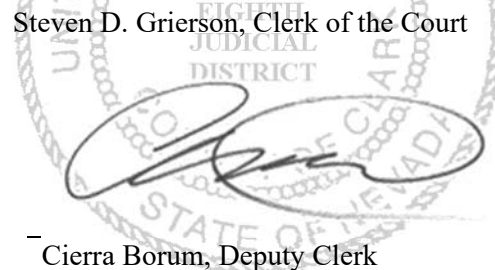
Case No: A-22-858580-C

Dept No: IV

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 18 day of July 2023.

Steven D. Grierson, Clerk of the Court



—  
Cierra Borum, Deputy Clerk