

1 AMEN

2 Robert L. Eisenberg (Bar No. 0950)
3 LEMONS, GRUNDY & EISENBERG
4 6005 Plumas Street, Third Floor
5 Reno, Nevada 89519
Telephone: (775) 786-6868
Facsimile: (775) 786-9716

6 Attorneys for Defendant FIESTA PALMS, LLC, a
7 Nevada Limited Liability Company, d/b/a/ THE
PALMS CASINO RESORT

8
9 DISTRICT COURT
10 CLARK COUNTY, NEVADA

11 ENRIQUE RODRIGUEZ,
12
13 Plaintiffs,
14
15 v.
16 FIESTA PALMS, LLC, et al.,
Defendants.

Case No. A531538

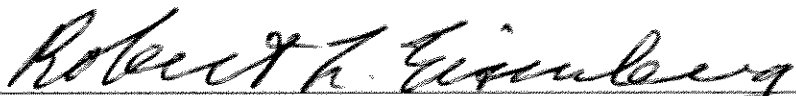
**AMENDED OR SUPPLEMENTAL
NOTICE OF APPEAL**

17
18 Notice is hereby given that defendant FIESTA PALMS, LLC, appeals to the Nevada
19 Supreme Court from the order entered on November 17, 2011 (Exhibit A), granting plaintiff's
20 motion to reconsider costs, and awarding plaintiff's costs in the amount of \$149,146.18.

21 On September 19, 2011, the district court granted defendant's motion to amend the
22 judgment regarding interest. At the present time, however, the district court has not yet entered
23 an actual amended judgment containing amended language. Defendant filed a protective notice
24 of appeal on November 4, 2011. In the meantime, the district court granted reconsideration of
25 its previous order striking plaintiff's claimed costs; and the district court reinstated all of the
26 costs. Plaintiff served notice of entry of the order granting reconsideration regarding costs.
27 Although defendant's appellate counsel still believes the time for appeal will commence upon
28

1 notice of entry of an amended judgment, appellate counsel is not entirely certain as to whether
2 the time for appeal might have already commenced. Accordingly, defendant is filing this
3 amended or supplemental notice of appeal to protect the right to appeal from the costs order,
4 pursuant to *Fernandez v. Infusaid Corp.*, 110 Nev. 187, 192-93, 871 P.2d 292 (1994)
5 (recognizing protective notice of appeal where appeal time is uncertain).
6

7
8 DATED: 12/13/11
9

10 
11 ROBERT L. EISENBERG (Bar No. 0950)
12 Lemons, Grundy & Eisenberg
13 6005 Plumas Street, Third Floor
14 Reno, Nevada 89519
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28
ATTORNEYS FOR DEFENDANT
FIESTA PALMS, LLC

EXHIBIT A

EXHIBIT A



CLERK OF THE COURT

STEVEN M. BAKER
Nevada Bar No. 4522
BENSON, BERTOLDO, BAKER & CARTER
7408 W. Sahara Avenue
Las Vegas, Nevada 89117
Telephone : (702) 228-2600
Facsimile : (702) 228-2333
Attorneys for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

* * *

ENRIQUE RODRIGUEZ, an individual,

Plaintiff,

vs.

FIESTA PALMS, L.L.C., a Nevada Limited
Liability Company, d/b/a PALMS CASINO
RESORT, BRANDY L. BEAVERS,
individually, DOES 1 through X, inclusive,
and ROE BUSINESS ENTITIES I through X,
inclusive,

Defendants.

CASE NO: A531538

DEPT NO: 10

BENCH TRIAL DATE: 10/4/10

ORDER

CAME ON FOR CONSIDERATION, Plaintiff's Motion to Reconsider Order Granting Defendant's Motion to Retax Costs. After considering the Motion, Opposition and pleadings and papers on file, the Court finds the Motion shall be granted.

IT IS HEREBY ORDERED that Plaintiff's Motion for Reconsideration of the Order Granting Defendant's Motion to Retax Costs is hereby granted.

Rodriguez v. Fiesta Palms, L.L.C.
Order Granting Motion for Reconsideration
Page 1


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IT IS FURTHER ORDERED that Plaintiff is awarded costs the amount of \$149,146.18, as previously included in the Judgment on the Verdict.

DATED this 16 day of Nov, 2011.


DISTRICT COURT JUDGE

SUBMITTED BY:


STEVEN M. BAKER
Nevada Bar No. 4522
BENSON, BERTOLDO, BAKER & CARTER
7408 W. Sahara Avenue
Las Vegas, Nevada 89117
Telephone : (702) 228-2600
Facsimile : (702) 228-2333
Attorneys for Plaintiff

1 CERTIFICATE OF SERVICE

2 Pursuant to NRCP 5(b) I certify that I am an employee of Lemons, Grundy & Eisenberg and that
3 on this date I deposited for mailing at Reno, Nevada, postage prepaid, a true copy of the attached
4 document addressed to:

5 Marsha L. Stephenson
6 STEPHENSON & DICKINSON, P.C.
7 2820 West Charleston Boulevard
Suite 19
Las Vegas, Nevada 89102-1942

8 Kenneth C. Ward
9 Keith R. Gillette
ARCHER NORRIS
A Professional Law Corporation
10 2033 North Main Street, Suite 800
P.O. Box 8035
11 Walnut Creek, California 94596-3728

12 Steven M. Baker
13 BENSON, BERTOLDO, BAKER & CARTER
7408 W. Sahara Avenue
Las Vegas, Nevada 89117

14 John Naylor
15 LIONEL SAWYER & COLLINS
300 S. 4th Street, Suite 1700
16 Las Vegas, Nevada 89101

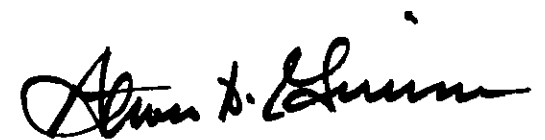
17 Jeffery A. Bendavid
Adam S. Davis
18 MORAN LAW FIRM
630 S. 4th Street
19 Las Vegas, Nevada 89101

20 Michael K. Wall
21 HUTCHISON & STEFFEN
10080 West Alta Drive, Suite 200
Las Vegas, Nevada 89145

22
23 DATED this 13 day of Dec., 2011.

24
25 
26
27
28

ASTA



CLERK OF THE COURT

Robert L. Eisenberg (Bar No. 0950)
LEMONS, GRUNDY & EISENBERG
6005 Plumas Street, Third Floor
Reno, Nevada 89519
Telephone: (775) 786-6868
Facsimile: (775) 786-9716

Attorneys for Defendant FIESTA PALMS, LLC, a
Nevada Limited Liability Company, d/b/a/ THE
PALMS CASINO RESORT

DISTRICT COURT
CLARK COUNTY, NEVADA

ENRIQUE RODRIGUEZ,

Case No. A531538

Plaintiffs,

Dept. X

v.

**AMENDED OR SUPPLEMENTAL CASE
APPEAL STATEMENT**

FIESTA PALMS, LLC, et al.,

Defendants.

Pursuant to NRAP 3(f), Defendant FIESTA PALMS, LLC hereby submits the
following case appeal statement:

A. District court case number and caption, showing names of all parties to the
proceedings (without using *et al.*): The full case numbers and captions, showing names of all
parties, are as follows:

///

///

///

1 ENRIQUE RODRIGUEZ,
2 Plaintiff

3 v .

Case No. A531538

4 FIESTA PALMS, LLC, a Nevada Limited
5 Liability Company, d/b/a THE PALMS
6 CASINO RESORT and BRANDY L. BEAVERS,
Individually,
Defendants

7 B. Name of judge who entered order or judgment being appealed: Honorable Jesse
8 Walsh

9 C. Name of each appellant, and name and address of counsel for each appellant:

10 Fiesta Palms, LLC d/b/a The Palms Casino Resort

11 Marsha L. Stephenson, Esq. (NV Bar No. 6130)
12 STEPHENSON & DICKINSON, P.C.
13 2820 West Charleston Blvd., Suite 19
14 Las Vegas, NV 89102-1942
Telephone: (702) 474-7229
Facsimile: (702) 474-7237

15 Kenneth C. Ward (Bar No. 6530)
16 Keith R. Gillette (Bar No. 11140)
17 ARCHER NORRIS
18 A Professional Law Corporation
19 2033 North Main Street, Suite 800
20 PO Box 8035
Walnut Creek, California 94596-3728
Telephone: (925) 930-6600
Facsimile: (925) 930-6620

21 Robert L. Eisenberg (Bar No. 0950)
22 LEMONS, GRUNDY & EISENBERG
23 6005 Plumas Street, Third Floor
24 Reno, Nevada 89519
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Facsimile: (775) 786-9716

25 Jeffrey A. Bendavid (Bar No. 6220)
26 Adam S. Davis (Bar No. 8046)
27 MORAN LAW FIRM
28 630 South Fourth Street
Las Vegas, Nevada 89101
Telephone: (702) 384-8424
Facsimile: (702) 384-6568

1 John Naylor (Bar No. 5435)
2 LIONEL SAWYER & COLLINS
3 300 S. 4th Street, Suite 1700
4 Las Vegas, Nevada 89101
5 Telephone: (702) 383-8888
6 Facsimile: (702) 383-8645

7 D. Name of each respondent, and name and address of each respondent's appellate
8 counsel, if known:

9 Enrique Rodriguez

10 Steven M. Baker
11 BENSON, BERTOLDO, BAKER & CARTER
12 7408 W. Sahara Avenue
13 Las Vegas, Nevada 89117
14 Telephone: (702) 228-2600
15 Facsimile: (702) 228-2333

16 Michael K. Wall
17 HUTCHISON & STEFFEN
18 10080 West Alta Drive, Suite 200
19 Las Vegas, Nevada 89145
20 Telephone: (702) 385-2500
21 Facsimile: (702) 385-2086

22 E. Whether attorneys identified in subparagraph D are not licensed to practice law
23 in Nevada; and if so, whether the district court granted permission to appear under SCR 42
24 (include copy of district court order granting permission): The attorney identified in response
25 to subparagraph (D) is licensed in Nevada.

26 F. Whether appellant was represented by appointed counsel in the district court or
27 on appeal: No appointed counsel; retained counsel only.

28 G. Whether any appellant was granted leave to proceed *in forma pauperis*: No.

H. Date proceedings were commenced in district court: November 15, 2006

I. Brief description of nature of the action and result in district court, including
type of judgment or order being appealed and relief granted by district court: Personal injury

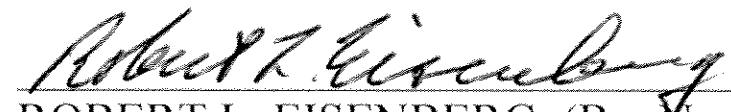
1 action resulting in money judgment against defendant; defendant is appealing from an order
2 re-instating costs.

3 J. Whether case was previously subject of appeal or writ proceeding in Nevada
4 Supreme Court, and if so, caption and docket number of prior proceeding: None

5 K. Whether appeal involves child custody or visitation: Not applicable

6 L. Whether appeal involves possibility of settlement: Possible
7

8
9 DATED: 12/17/11

10 
11 ROBERT L. EISENBERG (Bar No. 0950)
12 Lemons, Grundy & Eisenberg
13 6005 Plumas Street, Third Floor
14 Reno, Nevada 89519
15 775-786-6868
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17 Email: rle@lge.net

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28
ATTORNEYS FOR DEFENDANT
FIESTA PALMS, LLC

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b) I certify that I am an employee of Lemons, Grundy & Eisenberg and that on this date I deposited for mailing at Reno, Nevada, postage prepaid, a true copy of the attached document addressed to:

Marsha L. Stephenson
STEPHENSON & DICKINSON, P.C.
2820 West Charleston Boulevard
Suite 19
Las Vegas, Nevada 89102-1942

Kenneth C. Ward
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MORAN LAW FIRM
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Las Vegas, Nevada 89101

Michael K. Wall
HUTCHISON & STEFFEN
10080 West Alta Drive, Suite 200
Las Vegas, Nevada 89145

DATED this 13 day of Dec., 2011.



DEPARTMENT 10
CASE SUMMARY
CASE No. 06A531538

Enrique Rodriguez
vs
Fiesta Palms LLC

§
§
§
§
§
§

Location: **Department 10**
Judicial Officer: **Walsh, Jessie**
Filed on: **11/15/2006**
Conversion Case Number: **A531538**
Supreme Court No.: **59630**

CASE INFORMATION

Case Type: **Negligence - Premises Liability**

Case Flags: **Appealed to Supreme Court**
Jury Demand Filed

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number 06A531538
Court Department 10
Date Assigned 11/15/2006
Judicial Officer Walsh, Jessie

PARTY INFORMATION

Plaintiff

Rodriguez, Enrique

Lead Attorneys

WEBER, JOHN
Retained

Defendant

Beavers, Brandy L

Removed: 04/12/2011
Judgment Against

Fiesta Palms LLC

Removed: 04/12/2011
Judgment Against

Bendavid, Jeffrey A.
Retained
7023848424(W)

**Conversion
Extended**

No Convert Value @ 06A531538

Removed: 04/24/2009

Connection Type

Converted From Blackstone

Doing Business As




Palms Casino Resort

Bendavid, Jeffrey A.
Retained
7023848424(W)










DATE

EVENTS & ORDERS OF THE COURT






INDEX

11/15/2006	 Complaint COMPLAINT FILED Fee \$148.00	06A5315380001.tif pages
11/15/2006	 Initial Appearance Fee Disclosure Filed By: Plaintiff Rodriguez, Enrique INITIAL APPEARANCE FEE DISCLOSURE	06A5315380002.tif pages
12/11/2006	 Affidavit Filed By: Plaintiff Rodriguez, Enrique AFFIDAVIT OF SERVICE	06A5315380003.tif pages
12/26/2006	Appearance APPEARANCE	06A5315380004.tif pages









DEPARTMENT 10
CASE SUMMARY
CASE No. 06A531538

12/26/2006	 Motion <i>DEFT FIESTA PALMS'S MTN TO DISMISS PLTFS THIRD CAUSE OF ACTION/1 VR 1/30/07</i>	<i>06.45315380005.tif pages</i>
12/26/2006	 Initial Appearance Fee Disclosure Filed By: Defendant Fiesta Palms LLC <i>INITIAL APPEARANCE FEE DISCLOSURE</i>	<i>06.45315380006.tif pages</i>
01/26/2007	 Judgment <i>ORDR OF DISMISSAL W/O PREJ(CERTAIN CLAIM</i>	<i>06.45315380007.tif pages</i>
01/26/2007	Order of Dismissal Without Prejudice (Judicial Officer: Walsh, Jessie) Converted Disposition: Entry Date & Time: 01/29/2007 @ 12:32 Description: ORDR OF DISMISSAL W/O PREJ(CERTAIN CLAIM Debtor: Rodriguez, Enrique Creditor: Multiple Parties Amount Awarded: \$0.00 Attorney Fees: \$0.00 Costs: \$0.00 Interest Amount: \$0.00 Total: \$0.00	
01/30/2007	 Notice of Entry of Order Filed By: Defendant Fiesta Palms LLC <i>NOTICE OF ENTRY OF ORDER</i>	<i>06.45315380008.tif pages</i>
01/31/2007	CANCELED Motion to Dismiss (9:00 AM) (Judicial Officer: Walsh, Jessie) Events: 12/26/2006 Motion <i>Vacated</i>	
04/23/2007	 Answer Filed By: Defendant Fiesta Palms LLC <i>DEFENDANT FIESTA PALM'S LLC DBA PALMS CASINO RESORT'S ANSWER TO PLAINTIFF'S COMPLAINT</i>	<i>06.45315380009.tif pages</i>
04/23/2007	Answer Filed By: Doing Business As Palms Casino Resort <i>DEFENDANT FIESTA PALM'S LLC DBA PALMS CASINO RESORT'S ANSWER TO PLAINTIFF'S COMPLAINT</i>	<i>06.45315380010.tif pages</i>
06/21/2007	 Commissioner's Decision On Request For Exemption <i>COMMISSIONERS DECISION ON REQUEST FOR EXEMPTION</i>	<i>06.45315380011.tif pages</i>
06/29/2007	 Notice of Early Case Conference Filed By: Plaintiff Rodriguez, Enrique <i>NOTICE OF EARLY CASE CONFERENCE</i>	<i>06.45315380012.tif pages</i>
09/24/2007	 List of Witnesses Filed By: Plaintiff Rodriguez, Enrique <i>PLAINTIFFS 16.1 LIST OF DOCUMENTS AND WITNESSES</i>	<i>06.45315380013.tif pages</i>
10/29/2007	 Joint Case Conference Report Filed By: Plaintiff Rodriguez, Enrique <i>JOINT CASE CONFERENCE REPORT</i>	<i>06.45315380014.tif pages</i>

DEPARTMENT 10
CASE SUMMARY
CASE No. 06A531538

11/05/2007	 Discovery Scheduling Order <i>DISCOVERY SCHEDULING ORDER</i>	06.45315380015.tif pages
01/14/2008	 List of Witnesses Filed By: Plaintiff Rodriguez, Enrique <i>PLTFS FIFTH SUPPLEMENTAL EARLY CASE CONFERENCE LIST OF DOCUMENTS AND WITNESSES</i>	06.45315380016.tif pages
01/25/2008	 Supplemental Case Conference Report Filed by: Plaintiff Rodriguez, Enrique <i>PLTFS SIXTH SUPPLEMENTAL EARLY CASE CONFERENCE LIST OF DOCUMENTS AND WITNESSES</i>	06.45315380017.tif pages
02/05/2008	Conversion Case Event Type <i>PRETRIAL CONFERENCE VJ 11/14/08</i>	06.45315380019.tif pages
02/05/2008	 Order Setting Civil Non-Jury Trial <i>ORDER SETTING CIVIL BENCH TRIAL</i>	06.45315380021.tif pages
04/14/2008	 Association of Counsel Filed By: Defendant Fiesta Palms LLC <i>ASSOCIATION OF COUNSEL</i>	06.45315380022.tif pages
07/01/2008	 Supplemental Filed by: Plaintiff Rodriguez, Enrique <i>PLAINTIFFS SEVENTH SUPPLEMENT EARLY CASE CONFERENCE LIST OF DOCUMENTS AND WITNESSES</i>	06.45315380023.tif pages
07/02/2008	 Association of Counsel Filed By: Defendant Fiesta Palms LLC <i>ASSOCIATION OF COUNSEL</i>	06.45315380024.tif pages
07/25/2008	 List of Witnesses Filed By: Plaintiff Rodriguez, Enrique <i>PLAINTIFFS EIGHTH SUPPLEMENTAL EARLY CASE CONFERENCE LIST OF DOCUMENTS AND WITNESSES</i>	06.45315380025.tif pages
10/09/2008	 Discovery Conference <i>DISCOVERY CONFERENCE</i>	06.45315380026.tif pages
10/13/2008	 Supplemental Filed by: Plaintiff Rodriguez, Enrique <i>PLAINTIFFS NINTH SUPPLEMENTAL EARLY CASE CONFERENCE LIST OF DOCUMENTS AND WITNESSES</i>	06.45315380027.tif pages
10/30/2008	 Supplemental Filed by: Plaintiff Rodriguez, Enrique <i>PLTFS TENTH SUPPLEMENTAL EARLY CASE CONFERENCE LIST OF DOCUMENTS AND WITNESSES</i>	06.45315380028.tif pages
10/30/2008	 List of Witnesses Filed By: Plaintiff Rodriguez, Enrique <i>PLAINTIFFS EXPERT DISCLOSURE</i>	06.45315380029.tif pages
10/30/2008		06.45315380030.tif pages

DEPARTMENT 10
CASE SUMMARY
CASE No. 06A531538

	 Supplemental Filed by: Plaintiff Rodriguez, Enrique <i>PLAINTIFFS ELEVENTH SUPPLEMENT EARLY CASE CONFERENCE LIST OF DOCUMENT AND WITNESSES</i>	
11/04/2008	Discovery Conference (9:00 AM) (Judicial Officer: Bulla, Bonnie) Events: 10/09/2008 Discovery Conference <i>DISCOVERY CONFERENCE Court Clerk: Jennifer Lott Heard By: BONNIE BULLA</i>	
11/14/2008	Discovery Conference (9:00 AM) (Judicial Officer: Bulla, Bonnie) <i>DISCOVERY CONFERENCE Court Clerk: Jennifer Lott Heard By: BONNIE BULLA</i>	
11/25/2008	 Scheduling Order <i>AMENDED SCHEDULING ORDER</i>	06A5315380034.tif pages
11/26/2008	Conversion Case Event Type <i>PRETRIAL CONFERENCE</i>	06A5315380032.tif pages
11/26/2008	 Order Setting Civil Non-Jury Trial <i>ORDER SETTING CIVIL NON-JURY TRIAL</i>	06A5315380035.tif pages
02/03/2009	 Motion <i>DEFT'S MTN TO COMPEL VR 3/5/09 FOR PRODUCTION OF DOCS/09</i>	06A5315380037.tif pages
02/11/2009	 Notice Filed By: Plaintiff Rodriguez, Enrique <i>NOTICE OF DEPO DUCES TECUM OF BRANDY BEAVERS</i>	06A5315380038.tif pages
03/09/2009	 Notice Filed By: Defendant Fiesta Palms LLC <i>NOTICE TO TAKE DEPOSITION OF DR JOHN G NORK MD</i>	06A5315380040.tif pages
03/10/2009	 Opposition Filed By: Plaintiff Rodriguez, Enrique <i>OPPOSITION TO MTN TO COMPEL RESPONSES TO REQUEST FOR PRODUCTION OF DOCUMENTS TO COMPEL FURTHER RESPONSES TO INTERROGATORIES FOR SANCTIONS AND MTN TO COMPEL INDEPENDENT MEDICAL EXAMINATIONS OF PLAINTIFF</i>	06A5315380041.tif pages
03/11/2009	CANCELED Motion to Compel (9:00 AM) (Judicial Officer: Bulla, Bonnie) Events: 02/03/2009 Motion <i>Vacated</i>	
03/16/2009	CANCELED Pre Trial Conference (9:00 AM) (Judicial Officer: Walsh, Jessie) Events: 02/05/2008 Conversion Case Event Type <i>Vacated</i>	
03/30/2009	CANCELED Calendar Call (3:00 PM) (Judicial Officer: Walsh, Jessie) <i>Vacated</i>	
04/06/2009	CANCELED Bench Trial (9:00 AM) (Judicial Officer: Walsh, Jessie) <i>Vacated</i>	
04/14/2009	 Demand for Jury Trial Filed By: Defendant Fiesta Palms LLC <i>DEMAND FOR JURY TRIAL</i>	06A5315380043.tif pages

DEPARTMENT 10
CASE SUMMARY
CASE No. 06A531538












04/14/2009	Demand for Jury Trial Filed By: Doing Business As Palms Casino Resort <i>DEMAND FOR JURY TRIAL</i>	06A5315380044.tif pages
05/01/2009	 Supplement Filed by: Plaintiff Rodriguez, Enrique <i>Plaintiff's Fourteenth Supplemental Early Case Conference List of Documents and Witnesses</i>	
05/01/2009	 Supplement Filed by: Plaintiff Rodriguez, Enrique <i>Plaintiff's Thirteenth Supplemental Early Case Conference List of Documents and Witnesses</i>	
05/08/2009	 Motion to Amend Complaint Filed By: Plaintiff Rodriguez, Enrique <i>NRCP 10 (a) Motion to Amend Complaint to Substitute Party</i>	
06/08/2009	 Motion to Amend Complaint (3:00 AM) (Judicial Officer: Walsh, Jessie) Events: 05/08/2009 Motion to Amend Complaint <i>NRCP 10 (a) Motion to Amend Complaint to Substitute Party</i>	
07/08/2009	 Amended Complaint Filed By: Plaintiff Rodriguez, Enrique	
07/10/2009	 Order Filed By: Plaintiff Rodriguez, Enrique <i>Order After Hearing</i>	
08/05/2009	 Notice of Entry of Order Filed By: Plaintiff Rodriguez, Enrique	
08/20/2009	 Affidavit of Due Diligence Filed By: Plaintiff Rodriguez, Enrique	
08/24/2009	 Motion for Order Filed By: Plaintiff Rodriguez, Enrique <i>Motion For Order fro Publication and Posting of Summons and Affidavit in Support of Motion and Order</i>	
09/03/2009	 Certificate of Service Filed by: Plaintiff Rodriguez, Enrique	
09/30/2009	 Motion (3:00 AM) (Judicial Officer: Walsh, Jessie) Events: 08/24/2009 Motion for Order <i>Plaintiff's Motion For Order for Publication and Posting of Summons and Affidavit in Support of Motion and Order</i>	
10/23/2009	 Motion to Extend <i>Motion for Extension of Time to Service Amended Summons Amended Complaint</i>	
11/09/2009	CANCELED Pre Trial Conference (9:00 AM) (Judicial Officer: Walsh, Jessie) <i>Vacated</i>	

DEPARTMENT 10
CASE SUMMARY
CASE No. 06A531538

11/09/2009	 Certificate of Service Filed by: Plaintiff Rodriguez, Enrique
11/23/2009	 Motion (3:00 AM) (Judicial Officer: Walsh, Jessie) Events: 10/23/2009 Motion to Extend <i>Motion for Extension of Time to Service Amended Summons Amended Complaint</i>
11/23/2009	Calendar Call (3:00 PM) (Judicial Officer: Walsh, Jessie) <i>CALENDAR CALL</i>
11/24/2009	 Stipulation and Order Filed by: Defendant Fiesta Palms LLC; Doing Business As Palms Casino Resort <i>Stipulation and Order to Continue Discovery and Trial (Second Request)</i>
11/25/2009	 Notice of Entry of Order <i>Notice of Entry of Order</i>
12/04/2009	 Order Granting Motion Filed By: Plaintiff Rodriguez, Enrique <i>Order Granting Motion for Publication and Posting of Amended Summons</i>
12/04/2009	 Order Granting Motion Filed By: Plaintiff Rodriguez, Enrique <i>Order Granting Motion for Extension of Time to Serve Amended Summons and Amended Complaint</i>
12/07/2009	CANCELED Jury Trial (9:00 AM) (Judicial Officer: Walsh, Jessie) <i>Vacated - per Stipulation and Order</i>
01/11/2010	 Affidavit of Publication
01/22/2010	 Affidavit of Posting Filed By: Plaintiff Rodriguez, Enrique
01/26/2010	 Affidavit of Compliance Filed By: Plaintiff Rodriguez, Enrique
02/25/2010	 Default Filed By: Plaintiff Rodriguez, Enrique Default Prty: Defendant Beavers, Brandy L <i>Default _ Brandy L Beavers</i>
03/03/2010	 Request <i>Request for Trial Setting</i>
05/11/2010	 Amended Order <i>Amended Order Setting Bench Trial</i>
06/15/2010	 Disclosure of Expert Filed By: Defendant Fiesta Palms LLC <i>Fiesta Palms, LLC, a Nevada Limited Liability Company, d/b/a/ The Palms Casino Resort's Disclosure of Experts</i>
07/14/2010	 Designation of Witness

DEPARTMENT 10
CASE SUMMARY
CASE No. 06A531538

Filed By: Defendant Fiesta Palms LLC
Rebuttal Expert Disclosure













07/28/2010	 Motion Filed By: Defendant Fiesta Palms LLC <i>Motion to Compel Responses to Request for Production of Documents, to Compel Further Responses to Interrogatories; Request for Sanctions; and Motion to Compel Independent Medical Examination of Plaintiff</i>
07/28/2010	 Affidavit Filed By: Defendant Fiesta Palms LLC <i>Affidavit of Keith R. Gillette in Support of Motion to Compel Independent Medical Examination of Plaintiff</i>
08/03/2010	 Affidavit in Support Filed By: Defendant Fiesta Palms LLC <i>Affidavit of Keith R. Gillette in Support of Application for Order Shortening Time on Hearing of Defendant's Motion to Compel Independent Medical Examination of Plaintiff; and Order Shortening Time</i>
08/06/2010	 Receipt of Copy Filed by: Defendant Fiesta Palms LLC <i>Receipt of Copy</i>
08/06/2010	 Amended Notice Filed By: Defendant Fiesta Palms LLC <i>Amended Notice of Motion</i>
08/09/2010	 Opposition <i>Plaintiff's Opposition To Defendant's Motion To Compel Responses To Request For Production Of Documents, To Compel Further Responses To Interrogatories; Request For Sanctions; And Motion To Compel Independent Medical Examination Of Plaintiff</i>
08/11/2010	 Motion to Compel (10:00 AM) (Judicial Officer: Bulla, Bonnie) Events: 08/06/2010 Amended Notice <i>Affidavit of Keith R. Gillette in Support of Application for Order Shortening Time on Hearing of Defendant's Motion to Compel Independent Medical Examination of Plaintiff; and Order Shortening Time</i>
08/20/2010	 Notice of Motion Filed By: Defendant Fiesta Palms LLC <i>Notice Of Defendant Fiesta Palms, LLC, A Nevada Limited Liability Company, D/B/A/ The Palms Casino Resort, Et Al's Motion In Limine To Exclude Evidence (No. 1) Of Punitive Damages</i>
08/26/2010	 Order Shortening Time Filed By: Plaintiff Rodriguez, Enrique <i>Plaintiff's Motion to Strike Defendant's Rebuttal Expert Witnesses on Ex Parte Application for Order Shortening Time; Order Shortening Time</i>
08/26/2010	 Certificate of Mailing Filed By: Defendant Fiesta Palms LLC <i>Certificate of Mailing</i>
08/30/2010	 Certificate of Mailing Filed By: Plaintiff Rodriguez, Enrique

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09/01/2010	CANCELED Motion to Compel (9:00 AM) (Judicial Officer: Bulla, Bonnie) <i>Vacated</i> <i>matter heard on ost on 8/11/10.</i>
09/02/2010	 Opposition to Motion in Limine Filed By: Plaintiff Rodriguez, Enrique <i>Plaintiff's Opposition to Defendant Fiesta Palms, L.L.C., d/b/a Palms Resort Casino's Motion in Limine to Exclude Evidence (No. 1) of Punitive Damages</i>
09/07/2010	 Opposition to Motion Filed By: Defendant Fiesta Palms LLC <i>Defendant's Opposition to Plaintiff's Motion on Shortened Time to Strike Defendants' Rebuttal Expert Witnesses</i>
09/07/2010	 Affidavit Filed By: Defendant Fiesta Palms LLC <i>Affidavit of Keith R. Gillette in Support of Defendant's Opposition to Plaintiff's Motion to Strike Defendant's Rebuttal Expert Witnesses</i>
09/13/2010	 Reply in Support Filed By: Defendant Fiesta Palms LLC <i>Reply in Support of Defendant Fiesta Palms, LLC's Motion in Limine No. 1 to Exclude Punitive Damages</i>
09/15/2010	 Pre Trial Conference (9:00 AM) (Judicial Officer: Walsh, Jessie) Events: 05/11/2010 Amended Order
09/15/2010	 Motion to Strike (9:00 AM) (Judicial Officer: Walsh, Jessie) Events: 08/26/2010 Order Shortening Time <i>Plaintiff's Motion to Strike Defendant's Rebuttal Expert Witnesses on Ex Parte Application for Order Shortening Time; Order</i>
09/24/2010	CANCELED Calendar Call (9:00 AM) (Judicial Officer: Walsh, Jessie) <i>Vacated</i>
09/27/2010	 Pre-trial Memorandum Filed by: Plaintiff Rodriguez, Enrique <i>Plaintiff's Pre-Trial Memorandum</i>
09/29/2010	 Motion to Strike Filed By: Plaintiff Rodriguez, Enrique <i>Plaintiff's Motion to Strike Defendants' Expert Witnesses on Ex Parte Application for Order Shortening Time; Order</i>
10/04/2010	 Opposition Filed By: Defendant Fiesta Palms LLC <i>Defendant Fiesta Palms, LLC's Opposition to Plaintiff's Motion to Strike Defendant's Expert Witnesses</i>
10/04/2010	 Affidavit Filed By: Defendant Fiesta Palms LLC <i>Affidavit of Kenneth C. Ward in Support of Defendant Fiesta Palms, LLC's Opposition to Plaintiff's Motion to Strike Defendant's Expert Witnesses</i>

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10/04/2010	 Certificate of Service Filed by: Plaintiff Rodriguez, Enrique <i>Certificate of Service</i>
10/04/2010	CANCELED Bench Trial (9:00 AM) (Judicial Officer: Walsh, Jessie) <i>Vacated</i>
10/06/2010	 Motion to Strike (9:30 AM) (Judicial Officer: Bulla, Bonnie) <i>Plaintiff's Motion to Strike Defendants' Expert Witnesses on Ex Parte Application for Order Shortening Time; Order</i>
10/06/2010	 Pre-trial Memorandum Filed by: Defendant Fiesta Palms LLC <i>Fiesta Palms, LLC's Pre-Trial Memorandum</i>
10/07/2010	 Order Denying Motion Filed By: Defendant Fiesta Palms LLC <i>Order Denying Plaintiff's Motion on Shortened Time to Strike Defendant's Rebuttal Expert Witnesses</i>
10/12/2010	Calendar Call (9:00 AM) (Judicial Officer: Walsh, Jessie)
10/13/2010	 Motion in Limine (11:00 AM) (Judicial Officer: Walsh, Jessie) <i>Defendant Fiesta Palms, LLC, A Nevada Limited Liability Company, D/B/A/ The Palms Casino Resort, Et Al's Motion In Limine To Exclude Evidence (No. 1) Of Punitive Damages(Via - Court Call System)</i>
10/18/2010	 Motion Filed By: Defendant Fiesta Palms LLC <i>Defendant's Motion to Set Matter for Jury Trial On Ex Parte Application for Order Shortening Time; Order</i>
10/19/2010	 Opposition to Motion Filed By: Plaintiff Rodriguez, Enrique <i>Plaintiff's Opposition to Motion to Set Matter for Jury Trial</i>
10/20/2010	 Motion (9:00 AM) (Judicial Officer: Walsh, Jessie) Events: 10/18/2010 Motion <i>Defendant's Motion to Set Matter for Jury Trial On Ex Parte Application for Order Shortening Time; Order</i>
10/25/2010	 Jury Trial (9:00 AM) (Judicial Officer: Walsh, Jessie) 10/25/2010-10/26/2010
10/27/2010	 Bench Trial (12:00 PM) (Judicial Officer: Walsh, Jessie) 10/27/2010-10/28/2010, 11/01/2010-11/05/2010, 11/08/2010-11/10/2010
11/10/2010	 Motion to Strike Filed By: Plaintiff Rodriguez, Enrique <i>Plaintiff's Motion to Strike</i>
11/10/2010	 Motion for Judgment Filed By: Plaintiff Rodriguez, Enrique <i>Plaintiff's Rule 50 Motion for Judgment on Liability</i>

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11/18/2010	 Reporters Transcript <i>Reporter s Partial Transcript Bench Trial Testimony of Vikki Kooinga</i>
11/18/2010	 Reporters Transcript <i>Reporter s Partial Transcript Bench Trial Testimony of Sheri Long</i>
11/18/2010	 Reporters Transcript <i>Reporter s Partial Transcript Bench Trial Testimony of Dr. Louis Mortillaro</i>
11/18/2010	 Reporters Transcript <i>Reporter s Partial Transcript Bench Trial Testimony of Enrique Rodriguez Volume II</i>
11/18/2010	 Reporters Transcript <i>Reporter s Partial Transcript Bench Trial Testimony of Enrique Rodriguez Volume I</i>
11/18/2010	 Reporters Transcript <i>Reporter s Partial Transcript Bench Trial Testimony of Dr. Maryanne Shannon</i>
11/18/2010	 Reporters Transcript <i>Reporter s Partial Transcript Bench Trial Testimony of Dr. Joseph Schifini</i>
11/18/2010	 Reporters Transcript <i>Reporter s Partial Transcript Bench Trial Testimony of Dr. Joseph Schifini</i>
11/18/2010	 Reporters Transcript <i>Reporter s Partial Transcript Bench Trial Testimony of Dr. Russell Shah Volume I</i>
11/18/2010	 Reporters Transcript <i>Reporter s Partial Transcript Bench Trial Testimony of Enrique Rodriguez Volume III</i>
11/18/2010	 Reporters Transcript <i>Reporter s Partial Transcript Bench Trial Testimony of Dr. Russell Shah Volume II</i>
11/18/2010	 Reporters Transcript <i>Reporter s Partial Transcript Bench Trial Testimony of Forrest P. Franklin</i>
11/18/2010	 Reporters Transcript <i>Reporter s Partial Transcript Bench Trial Testimony of Maria Perez</i>
11/18/2010	 Reporters Transcript <i>Reporter s Partial Transcript Bench Trial Testimony of Frank Sciulla</i>
11/18/2010	 Reporters Transcript <i>Reporter s Partial Transcript Bench Trial Testimony of Dr. Thomas Cargill</i>
11/18/2010	 Reporters Transcript <i>Reporter s Partial Transcript Bench Trial</i>
11/22/2010	 Reporters Transcript Filed By: Plaintiff Rodriguez, Enrique <i>Thursday, November 4, 2010 Reporter s Partial Transcript Bench Trial Testimony Of Terrance Dinneen</i>

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11/22/2010	 Reporters Transcript <i>Thursday, November 5, 2010 Reporter s Partial Transcript Bench Trial Testimony Of Dr. George Becker</i>
11/22/2010	 Reporters Transcript <i>Thursday, November 4, 2010 Reporter s Partial Transcript Bench Trial Testimony Of Nicholas Tavaglione</i>
11/22/2010	 Reporters Transcript <i>Friday, November 5, 2010 Reporter s Partial Transcript Bench Trial Testimony Of Dr. Jacob Tauber</i>
11/23/2010	 Opposition to Motion Filed By: Defendant Fiesta Palms LLC <i>Defendant's Opposition to Plaintiff's Rule 50 Motion for Judgment on Liability</i>
11/23/2010	 Opposition to Motion Filed By: Defendant Fiesta Palms LLC <i>Defendant The Palms' Opposition to Plaintiff's Motion to Strike</i>
11/24/2010	Brief Filed By: Defendant Fiesta Palms LLC <i>Defendant The Palms' Post-Trial Brief</i>
12/08/2010	 Reply to Opposition Filed by: Plaintiff Rodriguez, Enrique <i>Plaintiff's Reply to Opposition to Motion to Strike Expert Witnesses' Trial Testimony</i>
12/08/2010	 Reply to Opposition Filed by: Plaintiff Rodriguez, Enrique <i>Plaintiff's Reply to Opposition to Plaintiff's Rule 50 Motion for Judgment on Liability</i>
12/08/2010	 Motion to Strike Filed By: Plaintiff Rodriguez, Enrique <i>Plaintiff's Motion to Strike Defendant's Post-Trial Brief on Ex Parte Application for Order Shortening Time; Order</i>
12/10/2010	 Certificate of Service Filed by: Plaintiff Rodriguez, Enrique <i>Certificate of Service</i>
12/13/2010	 Opposition to Motion Filed By: Defendant Fiesta Palms LLC <i>Defendant's Opposition To Plaintiff's Motion To Strike Palms' Posttrial Brief</i>
01/11/2011	 Reply to Opposition Filed by: Plaintiff Rodriguez, Enrique <i>Plaintiff's Reply to Defendant's Opposition to Plaintiff's Motion to Strike Post-Trial Brief</i>
01/13/2011	 Trial Memorandum Filed by: Plaintiff Rodriguez, Enrique <i>Plaintiff's Confidential Trial Brief</i>
01/14/2011	

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	 Certificate of Service Filed by: Plaintiff Rodriguez, Enrique <i>Certificate of Service</i>
01/14/2011	 Opposition to Motion Filed By: Plaintiff Rodriguez, Enrique <i>Plaintiff's Opposition to Defendants' Motion for Mistrial</i>
01/18/2011	 Certificate of Service Filed by: Defendant Fiesta Palms LLC <i>Certificate of Service for Defendants Fiesta Palms, Motion for Mistrial, or, alternately, Motion to Strike Plaintiffs Confidential Pretrial Briefs on Ex Parte Application for Order Shortening Time; Order</i>
01/20/2011	 Motion Filed By: Defendant Fiesta Palms LLC; Doing Business As Palms Casino Resort <i>Defendant Fiesta Palms LLC's Motion for Mistrial OR Alternatively Motion to Strike Plaintiffs Confidential Pretrial and Trial Briefs on Ex Parte Application for Order Shoring Time; Order</i>
01/26/2011	 Reply in Support Filed By: Defendant Fiesta Palms LLC <i>Reply in Support of the Palms' Motion for Mistrial, or, Alternatively, Motion to Strike Plaintiffs Confidential Pretrial and Trial Briefs</i>
01/27/2011	 Hearing (9:30 AM) (Judicial Officer: Walsh, Jessie) <i>Pltf's Rule 50 Motion re: Liability</i>
01/27/2011	Motion to Strike (9:30 AM) (Judicial Officer: Walsh, Jessie) <i>Motion to Strike Expert Witness Testimony</i>
01/27/2011	Motion to Strike (9:30 AM) (Judicial Officer: Walsh, Jessie) <i>Plaintiff's Motion to Strike Defendant's Post-Trial Brief</i>
01/27/2011	Motion (9:30 AM) (Judicial Officer: Walsh, Jessie) Events: 01/20/2011 Motion <i>Defendant's Motion for Mistrial, or Alternatively, Motion to Strike Plaintiff's Confidential Pretrial and Trial Briefs</i>
03/10/2011	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff Rodriguez, Enrique <i>Findings of Fact, Conclusions of Law, and Order</i>
03/10/2011	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff Rodriguez, Enrique <i>Findings of Fact, Conclusions of Law, and Order</i>
03/10/2011	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff Rodriguez, Enrique <i>Findings of Fact, Conclusions of Law, and Order</i>
03/10/2011	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff Rodriguez, Enrique <i>Findings of Fact, Conclusions of Law and Order</i>
03/14/2011	 Notice of Entry of Order

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	Filed By: Plaintiff Rodriguez, Enrique <i>Notice of Entry of Order</i>
03/14/2011	 Notice of Entry of Order Filed By: Plaintiff Rodriguez, Enrique <i>Notice of Entry of Order</i>
03/14/2011	 Notice of Entry of Order Filed By: Plaintiff Rodriguez, Enrique <i>Notice of Entry of Order</i>
03/14/2011	 Notice of Entry of Order Filed By: Plaintiff Rodriguez, Enrique <i>Notice of Entry of Order</i>
03/14/2011	 Verdict <i>Verdict</i>
03/14/2011	Verdict (Judicial Officer: Walsh, Jessie) Debtors: Fiesta Palms LLC (Defendant), Palms Casino Resort (Doing Business As), Brandy L Beavers (Defendant) Creditors: Enrique Rodriguez (Plaintiff) Judgment: 03/14/2011, Docketed: 03/18/2011
03/15/2011	 Memorandum of Costs and Disbursements Filed By: Plaintiff Rodriguez, Enrique <i>Plaintiff's Memorandum of Costs and Disbursements Pursuant to NRS 18.020</i>
03/17/2011	 Notice of Entry Filed By: Plaintiff Rodriguez, Enrique <i>Notice of Entry of Verdict</i>
03/21/2011	 Motion Filed By: Defendant Fiesta Palms LLC <i>Defendant Fiesta Palms, LLC, a Nevada Limited Liability Company, d/b/a/ The Palms Casino Resorts' Notice of Motion and Motion to Tax Costs</i>
03/22/2011	 Memorandum Filed By: Plaintiff Rodriguez, Enrique <i>Memorandum Re: Pre-Judgment Interest</i>
03/25/2011	 Points and Authorities Filed by: Defendant Fiesta Palms LLC <i>DEFENDANT FIESTA PALMS, LLC DBA THE PALMS CASINO RESORT S MEMORANDUM OF POINTS & AUTHORITIES IN SUPPORT OF ITS MOTION FOR NEW TRIAL</i>
03/25/2011	 Declaration Filed By: Defendant Fiesta Palms LLC <i>Declaration of Kenneth C Ward in Support of Defendant Fiesta Palms LLC's Motion for New Trial</i>
03/25/2011	 Declaration Filed By: Defendant Fiesta Palms LLC <i>Declaration of Kenneth C Ward in Support of Defendant Fiesta Palms LLC's Motion for</i>

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New Trial

03/28/2011	 Points and Authorities Filed by: Defendant Fiesta Palms LLC <i>Defendant Fiesta Palms, Llc dba The Palms Casino Resort s Memorandum of Points & Authorities in Support of its Motion for New Trial</i>
03/28/2011	 Declaration Filed By: Defendant Fiesta Palms LLC <i>Declaration of Kenneth C. Ward in Support of Defendant Fiesta Palms, Llc s Motion for New Trial</i>
03/28/2011	 Certificate of Mailing Filed By: Defendant Fiesta Palms LLC <i>Certificate of Service of Defendant Fiesta Palms, Llc's Motion for New Trial</i>
03/28/2011	 Notice of Motion Filed By: Defendant Fiesta Palms LLC; Doing Business As Palms Casino Resort <i>Defendant Fiesta Palms, LLC's Notice of Motion and Motion for New Trial</i>
03/29/2011	 Motion for Stay of Execution Filed By: Defendant Fiesta Palms LLC; Doing Business As Palms Casino Resort
04/01/2011	 Motion Filed By: Defendant Fiesta Palms LLC <i>Defendant Fiesta Plams, LLC, a Nevada Limited Liability Company, d/b/a/ The Palms Casino Resports' Motion or Request for The Court to Enter its Findings of Facts, Conclusions of Law, and Judgment in Accordance with NRCP 52 and 58</i>
04/01/2011	 Reply Filed by: Defendant Fiesta Palms LLC <i>Defendant Fiesta Plams, LLC's Reply Memorandum/Opposition to Plaintiff's Memorandum Re: Pre-Judgment Interest</i>
04/04/2011	 Opposition to Motion Filed By: Plaintiff Rodriguez, Enrique <i>Opposition to Motion to Stay Execution of Judgment</i>
04/04/2011	 Certificate of Service Filed by: Defendant Fiesta Palms LLC <i>Certificate of Service of Defendant Fiesta Palms, LLc's Motion for New Trial</i>
04/05/2011	Motion for Stay of Execution (9:00 AM) (Judicial Officer: Walsh, Jessie) Events: 03/29/2011 Motion for Stay of Execution <i>Deft Fiesta Palms, LLC's Motion For Stay of Execution of Judgment and Order Shortening Time; Affidavit of Keith R. Gillette In Support Thereof; Memorandum of Points and Authorities</i>
04/05/2011	 Memorandum Filed By: Plaintiff Rodriguez, Enrique <i>Amended Memorandum Re: Pre-Judgment Interest</i>
04/05/2011	 Opposition to Motion Filed By: Plaintiff Rodriguez, Enrique <i>Opposition to Defendant Fiesta Palms, L.L.C., d/b/a The Palms Casino's Motion to Tax [SIC] Costs</i>

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04/11/2011	 Notice Filed By: Defendant Fiesta Palms LLC <i>Notice of Hearing of Defendant Fiesta Palms, LLC's Motion to Stay Execution of Judgment</i>
04/11/2011	 Notice Filed By: Defendant Fiesta Palms LLC <i>Notice of Hearing on Defendant Fiesta Palms, LLC's Motion to Tax Costs</i>
04/12/2011	 Judgment on Jury Verdict Filed By: Plaintiff Rodriguez, Enrique <i>Judgment on the Verdict</i>
04/13/2011	 Reply Filed by: Defendant Fiesta Palms LLC <i>Defendant Fiesta Palms, LLC, a Nevada Limited Liability Company, d/b/a/ The Palms Casino Resorts' Reply to Plaintiff's Opposition to the Motion to Tax Costs</i>
04/14/2011	 Certificate of Mailing <i>Certificate of Service Re Hearing On Defendant Fiesta Palms LLC's Motion to Stay Execution of Judgment [May 12, 2011]</i>
04/14/2011	 Certificate of Mailing <i>Certificate of Service Re Hearing On Defendant Fiesta Palms, LLC's Motion to Tax Costs [May 12, 2011]</i>
04/15/2011	 Notice of Entry of Judgment Filed By: Plaintiff Rodriguez, Enrique <i>Notice of Entry of Judgment</i>
04/21/2011	 Finding of Fact and Conclusions of Law Filed By: Plaintiff Rodriguez, Enrique <i>Finding of Fact and Conclusion of Law in Support of Verdict</i>
04/22/2011	 Opposition to Motion Filed By: Plaintiff Rodriguez, Enrique <i>Plaintiff's Opposition to Defendants' Motion for New Trial</i>
04/27/2011	 Notice of Entry Filed By: Plaintiff Rodriguez, Enrique <i>Notice of Entry of Findings of Fact and Conclusions of Law in Support of Verdict</i>
04/28/2011	CANCELED Motion (3:00 AM) (Judicial Officer: Walsh, Jessie) <i>Vacated - On in Error</i> <i>Notice of Motion not filed.</i>
05/02/2011	 Notice of Motion Filed By: Defendant Fiesta Palms LLC <i>Notice of Motion and Motion to Amend Judgment on the Verdict</i>
05/02/2011	 Reply Filed by: Defendant Fiesta Palms LLC <i>Defendant Fiesta Palms, LLC, A Nevada Limited Liability Company, d/b/a The Palms Casino Resort's Reply to Plaintiff's Opposition to the Motion for New Trial</i>

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05/02/2011	 Notice Filed By: Defendant Fiesta Palms LLC <i>Notice of Hearing on Motion to Amend Judgment on the Verdict</i>
05/05/2011	 Certificate of Mailing Filed By: Defendant Fiesta Palms LLC <i>Certificate of Service Re Hearing on Defendant Fiesta Palms, LLC's Motion to Amend Judgment on the Verdict</i>
05/11/2011	 Association of Counsel Filed By: Defendant Fiesta Palms LLC <i>Association of Counsel</i>
05/12/2011	 Stipulation and Order Filed by: Plaintiff Rodriguez, Enrique <i>Stipulation and Order</i>
05/13/2011	 Notice of Entry of Stipulation and Order Filed By: Plaintiff Rodriguez, Enrique <i>Notice of Entry of Order</i>
05/18/2011	 Mediation Settlement Party: Plaintiff Rodriguez, Enrique <i>Mediation Settlement</i>
05/31/2011	CANCELED Motion For Stay (9:00 AM) (Judicial Officer: Walsh, Jessie) <i>Vacated</i>
06/15/2011	 Memorandum of Points and Authorities Filed By: Defendant Fiesta Palms LLC <i>Memorandum of Points and Authorities in Support of Fiesta Palms, LLC's Motion to Lift Stay of Proceedings Subject to Mediation Settlement Dated May 16, 2011</i>
06/15/2011	 Affidavit in Support Filed By: Defendant Fiesta Palms LLC <i>Affidavit of Keith R. Gillette in Support of Defendant's Motion to Lift Stay of Proceedings Subject to Mediation Settlement Dated May 16, 2011; and [Proposed Order]</i>
06/15/2011	 Affidavit in Support Filed By: Defendant Fiesta Palms LLC <i>Affidavit of Keith R. Gillette in Support of Application for Order Shortening Time on Hearing of Defendant's Motion to Lift Say of Proceedings Subject to Mediation Settlement Dated May 16, 2011; and [Proposed] Order</i>
06/16/2011	 Motion Filed By: Doing Business As Palms Casino Resort
06/17/2011	 Receipt of Copy Filed by: Defendant Fiesta Palms LLC <i>Receipt of Copy</i>
06/21/2011	 Motion (9:00 AM) (Judicial Officer: Walsh, Jessie) Events: 06/16/2011 Motion <i>Application for Order Shortening Time, Notice of Motion and Motion To Lift Stay of</i>

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Proceedings Subject to Mediation Settlement Dated May 16, 2011

06/27/2011	 Notice of Hearing Filed By: Defendant Fiesta Palms LLC <i>Notice of Hearings Re: (1) Motion to Tax Costs; (2) Motion for New Trial; (3) Motion to Amend Judgment on the Verdict.</i>
06/30/2011	 Amended Notice Filed By: Defendant Fiesta Palms LLC <i>Amended Notice of Hearings Re: (1) Motion to Tax Costs; (2) Motion for New Trial; (3) Motion to Amend Judgment on the Verdict</i>
07/05/2011	Motion for New Trial (11:00 AM) (Judicial Officer: Walsh, Jessie) <i>Deft's Motion for a New Trial - (Court Call)</i>
07/05/2011	Motion (11:00 AM) (Judicial Officer: Walsh, Jessie) <i>Deft's Motion to Tax Costs</i>
07/05/2011	Motion to Amend Judgment (11:00 AM) (Judicial Officer: Walsh, Jessie) Events: 05/02/2011 Notice of Motion <i>Deft Fiesta Palms Notice of Hearing on Motion to Amend Judgment on the Verdict - Court Call</i>
07/05/2011	 All Pending Motions (11:00 AM) (Judicial Officer: Walsh, Jessie)
08/18/2011	 Motion Filed By: Plaintiff Rodriguez, Enrique <i>Motion to Require Posting of Supersedeas Bond; Application for Order Shortening Time; Order</i>
08/19/2011	 Certificate of Service Filed by: Plaintiff Rodriguez, Enrique <i>Certificate of Service</i>
08/29/2011	 Amended Notice Filed By: Plaintiff Rodriguez, Enrique <i>Amended Notice of Hearing Regarding Plaintiff's Motion to Require Posting of Supersedeas Bond</i>
08/30/2011	 Opposition to Motion Filed By: Defendant Fiesta Palms LLC <i>Defendant's Opposition to Plaintiff's Motion to Require Posting of Supersedeas Bond</i>
08/30/2011	 Affidavit in Support Filed By: Defendant Fiesta Palms LLC <i>Affidavit of Keith R. Gillette in Support of Opposition to Plaintiff's Motion to Require Posting of Supersedeas Bond</i>
09/02/2011	 Reply to Opposition Filed by: Plaintiff Rodriguez, Enrique <i>Reply to Opposition to Motion to Require Defendants to Post Supersedeas Bond</i>
09/06/2011	 Motion (9:00 AM) (Judicial Officer: Walsh, Jessie) Events: 08/18/2011 Motion <i>Pltf's Motion to Require Posting of Supersedeas Bond; Application for Order Shortening Time; Order</i>

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09/19/2011	 Order Filed By: Defendant Fiesta Palms LLC <i>Order After Hearing</i>
09/19/2011	 Findings of Fact, Conclusions of Law and Order Filed By: Defendant Fiesta Palms LLC <i>Findings of Fact, Conclusions of Law and Order</i>
09/19/2011	 Findings of Fact, Conclusions of Law and Order Filed By: Defendant Fiesta Palms LLC <i>Findings of Fact, Conclusions of Law and Order</i>
09/19/2011	Amended Judgment Modified (Judicial Officer: Walsh, Jessie) Debtors: Fiesta Palms LLC (Defendant), Palms Casino Resort (Doing Business As), Brandy L Beavers (Defendant) Creditors: Enrique Rodriguez (Plaintiff) Judgment: 09/19/2011, Docketed: 04/20/2011 Total Judgment: 7,960,823.76 Comment: Costs disallowed per Order 09-19-2011
09/22/2011	 Notice of Entry of Order Filed By: Doing Business As Palms Casino Resort <i>Notice of Entry of Order - Motion to Tax Costs</i>
09/22/2011	 Notice of Entry of Order Filed By: Defendant Fiesta Palms LLC <i>Notice of Entry of Order - Motion to Lift Stay of Proceedings</i>
09/22/2011	 Notice of Entry of Order Filed By: Defendant Fiesta Palms LLC <i>Notice of Entry of Order - Motion to Amend Judgment</i>
09/29/2011	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff Rodriguez, Enrique <i>Findings of Fact, Conclusions of Law, and Order Denying Defendant's Motion for New Trial</i>
10/04/2011	 Notice of Entry of Order Filed By: Plaintiff Rodriguez, Enrique <i>Notice of Entry of Order</i>
10/05/2011	 Motion to Reconsider Filed By: Plaintiff Rodriguez, Enrique <i>Plaintiff's Motion for Reconsideration of Order Granting Defendant's Motion to Retax Costs; Ex Parte Application for Order Shortening Time; Order</i>
10/14/2011	 Opposition Filed By: Defendant Fiesta Palms LLC <i>Defendant Fiesta Palms, LLC, A Nevada Limited Liability Company, d/b/a The Palms Casino Resorts' Opposition to Plaintiff's Motion for Reconsideration of Order to Retax Costs</i>
10/18/2011	 Association of Counsel Filed By: Doing Business As Palms Casino Resort <i>Association of Counsel</i>

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10/18/2011	 Reply to Opposition Filed by: Plaintiff Rodriguez, Enrique <i>Plaintiff's Reply to Defendant's Opposition to Motion for Reconsideration of Order Granting Defendant's Motion to Retax Costs</i>
10/18/2011	 Notice of Motion Filed By: Defendant Fiesta Palms LLC <i>Notice of Motion and Motion to Amend the Order Denying Defendant's Motion for a New Trial</i>
10/18/2011	 Memorandum of Points and Authorities Filed By: Defendant Fiesta Palms LLC <i>Memorandum of Points and Authorities in support of Motion to Amend the Order Denying Defendant's Motion for New Trial</i>
10/18/2011	 Affidavit in Support Filed By: Defendant Fiesta Palms LLC <i>Affidavit of Keith R. Gillette in Support of Motion to Amend Order Denying Defendant's Motion for New Trial</i>
10/20/2011	 Certificate of Mailing Filed By: Doing Business As Palms Casino Resort <i>Certificate of Mailing</i>
10/25/2011	 Certificate of Service Filed by: Plaintiff Rodriguez, Enrique <i>Certificate of Service</i>
10/27/2011	 Motion to Reconsider (3:00 AM) (Judicial Officer: Walsh, Jessie) <i>Pltf's Motion for Reconsideration of Order Granting Deft's Motion to Retax Costs</i>
11/04/2011	 Notice of Appeal Filed By: Defendant Fiesta Palms LLC <i>Notice of Appeal</i>
11/04/2011	 Opposition to Motion Filed By: Plaintiff Rodriguez, Enrique <i>Opposition to Motion to Amend the Order Denying Defendant's Motion for New Trial</i>
11/04/2011	 Notice of Appeal Filed By: Defendant Fiesta Palms LLC <i>Notice of Appeal</i>
11/04/2011	 Case Appeal Statement Filed By: Defendant Fiesta Palms LLC <i>Case Appeal Statement</i>
11/08/2011	 Order Shortening Time Filed By: Plaintiff Rodriguez, Enrique <i>Plaintiff's Renewed Motion to Require Posting of Supersedeas Bond; Ex Parte Application for Order Shortening Time; Order</i>
11/09/2011	 Certificate of Service

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Filed by: Plaintiff Rodriguez, Enrique
Certificate of Service

11/09/2011	 Notice of Entry of Order Filed By: Defendant Fiesta Palms LLC <i>Notice of Entry of Order After Hearing Re Plaintiff's Motion to Require Posting of Supersedeas Bond</i>
11/14/2011	 Opposition to Motion Filed By: Defendant Fiesta Palms LLC <i>Fiesta Palms, LLC, d/b/a The Palms Casino Resort's Opposition to Plaintiff's Renewed Motion to Require Supersedeas Bond</i>
11/14/2011	 Declaration Filed By: Defendant Fiesta Palms LLC <i>Declaration of Jason A. Rose in Support of Fiesta Palms, LLC, d/b/a The Palms Casino Resort's Opposition to Plaintiff's Renewed Motion to Require Supersedeas Bond</i>
11/15/2011	 Motion (9:30 AM) (Judicial Officer: Walsh, Jessie) <i>Pltf's Renewed Motion to Require Posting of Supersedeas Bond</i>
11/17/2011	 Notice of Entry of Order Filed By: Plaintiff Rodriguez, Enrique <i>Notice of Entry of Order</i>
11/17/2011	 Notice of Entry of Order Filed By: Plaintiff Rodriguez, Enrique <i>Notice of Entry of Order</i>
11/17/2011	 Order Granting Motion Filed By: Plaintiff Rodriguez, Enrique <i>Order</i>
11/17/2011	 Order Granting Motion Filed By: Plaintiff Rodriguez, Enrique <i>Order</i>
11/17/2011	Judgment (Judicial Officer: Walsh, Jessie) Debtors: Fiesta Palms LLC (Defendant), Palms Casino Resort (Doing Business As), Brandy L Beavers (Defendant) Creditors: Enrique Rodriguez (Plaintiff) Judgment: 11/17/2011, Docketed: 12/05/2011 Total Judgment: 149,146.18
11/28/2011	 Transcript of Proceedings <i>Transcript of Proceedings Plaintiffs' Renewed Motion To Require Posting Of Supercedes Bond November 15, 2011</i>
12/01/2011	 Motion (3:00 AM) (Judicial Officer: Walsh, Jessie) <i>Def't's Motion to Amend the Order Denying Defendant's Motion for a New Trial</i>
12/13/2011	 Amended Filed By: Defendant Fiesta Palms LLC <i>Amended or Supplemental Notice of Appeal</i>

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12/13/2011



Case Appeal Statement

Filed By: Defendant Fiesta Palms LLC

Amended or Supplemental Case Appeal Statement

DATE	FINANCIAL INFORMATION
	Defendant Fiesta Palms LLC
	Total Charges 48.00
	Total Payments and Credits 48.00
	Balance Due as of 12/16/2011 0.00
	Conversion Extended Connection Type No Convert Value @ 06A531538
	Total Charges 249.00
	Total Payments and Credits 249.00
	Balance Due as of 12/16/2011 0.00
	Plaintiff Rodriguez, Enrique
	Total Charges 243.00
	Total Payments and Credits 243.00
	Balance Due as of 12/16/2011 0.00

● ORIGINAL ●

CIVIL COVER SHEET

CLARK County Nevada
Case No. 4831538
(Assigned by Clerk's Office)

I. Party Information

Plaintiff(s) (name/address/phone):

Enrique Rodriguez

Plaintiff's City, State, ZIP & Phone

Attorney (name/address/phone):

W. Jonathan Weber, Esq. (NBN: 7554)

Benson, Bertoldo, Baker & Carter, Chtd.

Defendant(s) (name/address/phone):

Fiesta Palms, L.L.C.

Defendant's City, State, ZIP & Phone

Attorney (name/address/phone):

Attorney's Name/Address

Attorney's City, State, ZIP & Phone

II. Nature of Controversy (Please check applicable bold category and applicable subcategory, if appropriate)

☐ **Arbitration Requested**

Civil Cases

Real Property	Torts	
<input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Title to Property <input type="checkbox"/> Foreclosure <input type="checkbox"/> Liens <input type="checkbox"/> Quiet Title <input type="checkbox"/> Specific Performance <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property <input type="checkbox"/> Partition <input type="checkbox"/> Planning/Zoning	<input type="checkbox"/> Negligence <input type="checkbox"/> Negligence – Auto <input type="checkbox"/> Negligence – Medical/Dental <input checked="" type="checkbox"/> Negligence – Premises Liability (Slip/Fall) <input type="checkbox"/> Negligence – Other	<input type="checkbox"/> Product Liability <input type="checkbox"/> Product Liability/Motor Vehicle <input type="checkbox"/> Other Torts/Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Torts/Defamation (Libel/Slander) <input type="checkbox"/> Interfere with Contract Rights <input type="checkbox"/> Employment Torts (Wrongful termination) <input type="checkbox"/> Other Torts <input type="checkbox"/> Anti-trust <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Insurance <input type="checkbox"/> Legal Tort <input type="checkbox"/> Unfair Competition
Probate	Other Civil Filing Types	
<input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside Estates <input type="checkbox"/> Trust/Conservatorships <input type="checkbox"/> Individual Trustee <input type="checkbox"/> Corporate Trustee <input type="checkbox"/> Other Probate	<input type="checkbox"/> Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> General <input type="checkbox"/> Breach of Contract <input type="checkbox"/> Building & Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Other Contracts/Acct/Judgment <input type="checkbox"/> Collection of Actions <input type="checkbox"/> Employment Contract <input type="checkbox"/> Guarantee <input type="checkbox"/> Sale Contract <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Civil Petition for Judicial Review <input type="checkbox"/> Other Administrative Law <input type="checkbox"/> Department of Motor Vehicles <input type="checkbox"/> Worker's Compensation Appeal	<input type="checkbox"/> Appeal from Lower Court (also check applicable civil case box) <input type="checkbox"/> Transfer from Justice Court <input type="checkbox"/> Justice Court Civil Appeal <input type="checkbox"/> Civil Writ <input type="checkbox"/> Other Special Proceeding <input type="checkbox"/> Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Conversion of Property <input type="checkbox"/> Damage to Property <input type="checkbox"/> Employment Security <input type="checkbox"/> Enforcement of Judgment <input type="checkbox"/> Foreign Judgment – Civil <input type="checkbox"/> Other Personal Property <input type="checkbox"/> Recovery of Property <input type="checkbox"/> Stockholder Suit <input type="checkbox"/> Other Civil Matters

III. Business Court Requested (Please check applicable category; for Clark or Washoe Counties only)

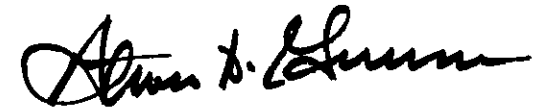
☐ NRS Chapters 78-88
☐ Commodities (NRS 90)
☐ Securities (NRS 90)

☐ Investments (NRS 104 Art. 8)
☐ Deceptive Trade Practices (NRS 598)
☐ Trademarks (NRS 600A)

☐ Enhanced Case Mgmt/Business
☐ Other Business Court Matters

Date

Signature of initiating party or representative



CLERK OF THE COURT

STEVEN M. BAKER
Nevada Bar No. 4522
BENSON, BERTOLDO, BAKER & CARTER
7408 W. Sahara Avenue
Las Vegas, Nevada 89117
Telephone : (702) 228-2600
Facsimile : (702) 228-2333
Attorneys for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

* * *

ENRIQUE RODRIGUEZ, an individual,

Plaintiff,

vs.

FIESTA PALMS, L.L.C., a Nevada Limited
Liability Company, d/b/a PALMS CASINO
RESORT, BRANDY L. BEAVERS,
individually, DOES 1 through X, inclusive,
and ROE BUSINESS ENTITIES I through X,
inclusive,

Defendants.

CASE NO: A531538

DEPT NO: 10

BENCH TRIAL DATE: 10/4/10

ORDER

CAME ON FOR CONSIDERATION, Plaintiff's Motion to Reconsider Order Granting Defendant's Motion to Retax Costs. After considering the Motion, Opposition and pleadings and papers on file, the Court finds the Motion shall be granted.

IT IS HEREBY ORDERED that Plaintiff's Motion for Reconsideration of the Order Granting Defendant's Motion to Retax Costs is hereby granted.

Rodriguez v. Fiesta Palms, L.L.C.
Order Granting Motion for Reconsideration
Page 1



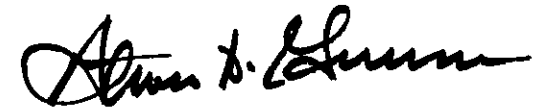
1 IT IS FURTHER ORDERED that Plaintiff is awarded costs the amount of
2 \$149,146.18, as previously included in the Judgment on the Verdict.

3 DATED this 16 day of Nov, 2011.

4
5 
6 DISTRICT COURT JUDGE

7 SUBMITTED BY:

8
9 
10 STEVEN M. BAKER
11 Nevada Bar No. 4522
12 BENSON, BERTOLDO, BAKER & CARTER
13 7408 W. Sahara Avenue
14 Las Vegas, Nevada 89117
15 Telephone : (702) 228-2600
16 Facsimile : (702) 228-2333
17 Attorneys for Plaintiff



CLERK OF THE COURT

STEVEN M. BAKER
Nevada Bar No. 4522
BENSON, BERTOLDO, BAKER & CARTER
7408 W. Sahara Avenue
Las Vegas, Nevada 89117
Telephone : (702) 228-2600
Facsimile : (702) 228-2333
Attorneys for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

ENRIQUE RODRIGUEZ, an individual,

CASE NO: A531538

Plaintiff,

DEPT NO: 10

vs.

FIESTA PALMS, L.L.C., a Nevada Limited
Liability Company, d/baa/a PALMS CASINO
RESORT, BRANDY L. BEAVERS, individually,
DOES 1 through X, inclusive, and ROE
BUSINESS ENTITIES I through X, inclusive,

Defendants.

NOTICE OF ENTRY OF ORDER

TAKE NOTICE that an Order was entered in the above-captioned matter granting Plaintiff's Motion to Reconsider Order Granting Defendant's Motion to Retax Costs. A copy of said Order is attached hereto.

Dated this 17th day of November, 2011.



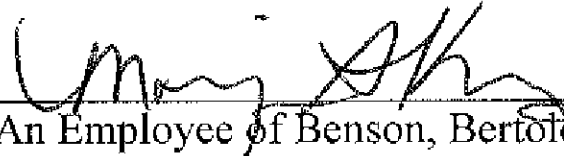
STEVEN M. BAKER
Nevada Bar No. 4522
BENSON, BERTOLDO, BAKER & CARTER
7408 W. Sahara Avenue
Las Vegas, Nevada 89117
Telephone : (702) 228-2600
Facsimile : (702) 228-2333
Attorneys for Plaintiff



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of Nov, 2011, I served a true and correct copy of the NOTICE OF ENTRY OF ORDER was served as indicated below to the following interested parties:

<p>VIA HAND-DELIVERY/RECEIPT OF COPY</p> <p>Marsha L. Stephenson, Esq. Stephenson & Dickinson 2820 West Charleston Blvd., Suite 19 Las Vegas, Nevada 89102-1942 Co-counsel for Defendant</p>	<p><u>VIA 1st Class, U.S. Mail, postage prepaid</u> <u>Courtesy Copy by fax: 925-930-6620</u> Keith Gillette, Esq. Archer, Norris 2033 North Main Street, Suite 800 P.O. Box 8035 Walnut Creek, California 94596-3728 925-930-6600 Telephone 925-930-6620 Facsimile Attorneys for Defendants</p>
<p><u>VIA 1st Class, U.S. Mail, postage prepaid</u> <u>Courtesy Copy by fax: 775-786-9716</u> Robert L. Eisenberg, Esq. Lemons, Grundy & Eisenberg 6005 Plumas Street, Third Floor Reno, NV 89519 Co-Counsel for Fiesta Palms, L.L.C.</p>	


An Employee of Benson, Bertoldo, Baker & Carter



CLERK OF THE COURT

STEVEN M. BAKER
Nevada Bar No. 4522
BENSON, BERTOLDO, BAKER & CARTER
7408 W. Sahara Avenue
Las Vegas, Nevada 89117
Telephone : (702) 228-2600
Facsimile : (702) 228-2333
Attorneys for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

* * *

ENRIQUE RODRIGUEZ, an individual,
Plaintiff,

CASE NO: A531538

DEPT NO: 10

vs.

BENCH TRIAL DATE: 10/4/10

FIESTA PALMS, L.L.C., a Nevada Limited
Liability Company, d/b/a PALMS CASINO
RESORT, BRANDY L. BEAVERS,
individually, DOES 1 through X, inclusive,
and ROE BUSINESS ENTITIES I through X,
inclusive,

Defendants.

ORDER

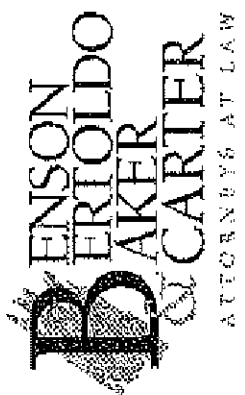
CAME ON FOR CONSIDERATION, Plaintiff's Motion to Reconsider Order Granting Defendant's Motion to Retax Costs. After considering the Motion, Opposition and pleadings and papers on file, the Court finds the Motion shall be granted.

IT IS HEREBY ORDERED that Plaintiff's Motion for Reconsideration of the Order Granting Defendant's Motion to Retax Costs is hereby granted.

Rodriguez v. Fiesta Palms, L.L.C.
Order Granting Motion for Reconsideration
Page 1

7408 WEST SAHARA AVENUE • LAS VEGAS, NEVADA 89117 • (702) 228-2600 • FAX (702) 228-2333


BENSON
BERTOLDO
BAKER
& CARTER
ATTORNEYS AT LAW



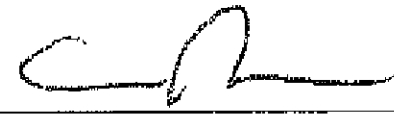
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IT IS FURTHER ORDERED that Plaintiff is awarded costs the amount of \$149,146.18, as previously included in the Judgment on the Verdict.

DATED this 16 day of Nov, 2011.


DISTRICT COURT JUDGE

SUBMITTED BY:


STEVEN M. BAKER
Nevada Bar No. 4522
BENSON, BERTOLDO, BAKER & CARTER
7408 W. Sahara Avenue
Las Vegas, Nevada 89117
Telephone : (702) 228-2600
Facsimile : (702) 228-2333
Attorneys for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

November 14, 2008

06A531538 Enrique Rodriguez
vs
Fiesta Palms LLC

November 14, 2008 9:00 AM Discovery Conference

HEARD BY: Bulla, Bonnie

COURTROOM: RJC Level 5 Hearing Room

COURT CLERK: Jennifer Lott

RECORDER:

REPORTER:

PARTIES

PRESENT: Baker, Steven M Attorney
Stephenson, Marsha Attorney
L

JOURNAL ENTRIES

- COMMISSIONER RECOMMENDED, 4/6/09 trial date VACATED; discovery cutoff is EXTENDED to 8/28/09; adding parties, amended pleadings, and initial expert disclosures DUE 5/29/09; rebuttal expert disclosures DUE 6/29/09; dispositive motions TO BE FILED BY 9/28/09. Amended Scheduling Order will issue.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

June 08, 2009

06A531538 Enrique Rodriguez
 vs
 Fiesta Palms LLC

**June 08, 2009 3:00 AM Motion to Amend
 Complaint**

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Teri Braegelmann

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- There being no opposition, COURT ORDERED motion GRANTED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

September 30, 2009

06A531538 Enrique Rodriguez
vs
Fiesta Palms LLC

September 30, 2009 3:00 AM Motion

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Teri Braegelmann

RECORDER:

REPORTER:

PARTIES
PRESENT:

JOURNAL ENTRIES

- COURT ORDERED, matter CONTINUED for Plaintiff to demonstrate why Beavers cannot be served at an address she gave during her deposition, or why she cannot be served at the address of her California attorney.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

November 23, 2009

06A531538 Enrique Rodriguez
vs
Fiesta Palms LLC

November 23, 2009 3:00 AM Motion

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Teri Braegelmann

RECORDER:

REPORTER:

PARTIES
PRESENT:

JOURNAL ENTRIES

- Following review of the papers and pleadings on file herein, COURT ORDERED motion GRANTED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

August 11, 2010

06A531538 Enrique Rodriguez
 vs
 Fiesta Palms LLC

August 11, 2010	10:00 AM	Motion to Compel	Affidavit of Keith R. Gillette in Support of Application for Order Shortening Time on Hearing of Deft's Motion to Compel Independent Medical Examination of Pltf; and Order Shortening Time
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HEARD BY: Bulla, Bonnie

COURTROOM: RJC Level 5 Hearing Room

COURT CLERK: Jennifer Lott

RECORDER:

REPORTER:

PARTIES

PRESENT: Baker, Steven M Attorney

JOURNAL ENTRIES

- Marshal Wilds present; Keith Gillette, Esquire, for Deft (Telephonic Conf).

Arguments by counsel. Mr. Baker confirmed Pltf's psychological injury has not resolved. COMMISSIONER RECOMMENDED, Deft's Motion for Psychological IME is DENIED WITHOUT PREJUDICE; NO IME; 10/4/10 trial date STANDS; Deft's expert can testify on the psychological aspect (based on records) if appropriately designated and consistent with his report; scope will be determined by the Court; if trial does not go forward, Commissioner would reconsider ruling. Mr. Baker prepare recommendation; Mr. Gillette approve form and content.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

September 15, 2010

06A531538 Enrique Rodriguez
 vs
 Fiesta Palms LLC

September 15, 2010 9:00 AM Motion to Strike**Pltf's Motion to
Strike Deft's Rebuttal
Expert Witnesses on
Ex-Parte Applicatio
for OST; Order****HEARD BY:** Walsh, Jessie**COURTROOM:** RJC Courtroom 14B**COURT CLERK:** Karina Kennedy;**RECORDER:** Victoria Boyd**REPORTER:****PARTIES**

PRESENT: Baker, Steven M Attorney
 Ward Esq, Kenneth C. Attorney

JOURNAL ENTRIES

- Mr. Baker argued expert reports were untimely and the two experts should be stricken. Mr. Ward argued it is past expert deadline but not Discovery deadline. Arguments between counsel regarding taking Economist and Security experts depositions. The Court FINDS Mr. Ward needs to make experts available to Mr. Baker for depositions, therefore, COURT ORDERED, Motion DENIED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

September 15, 2010

06A531538 Enrique Rodriguez
 vs
 Fiesta Palms LLC

September 15, 2010 9:00 AM Pre Trial Conference

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Teri Braegelman

RECORDER:

REPORTER:

PARTIES

PRESENT: Baker, Steven M Attorney
 Ward Esq, Kenneth C. Attorney

JOURNAL ENTRIES

- Counsel advised they have 17-18 witnesses trial. Following meeting in chambers, COURT ORDERED, trial date VACATED and RESET.

10/25/10 9:00 AM BENCH TRIAL

10/12/10 9:00 AM (CHAMBERS) CALENDAR CALL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

October 06, 2010

06A531538 Enrique Rodriguez
 vs
 Fiesta Palms LLC

October 06, 2010	9:30 AM	Motion to Strike	Plaintiff's Motion to Strike Defendants' Expert Witnesses on Ex Parte Applicaiton for Order Shortening Time; Order
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HEARD BY: Bulla, Bonnie

COURTROOM: RJC Level 5 Hearing
Room

COURT CLERK: Jennifer Lott

RECORDER:

REPORTER:

PARTIES

PRESENT: Baker, Steven M Attorney
 Ward Esq, Kenneth C. Attorney

JOURNAL ENTRIES

- Marshal Wilds present.

Arguments by counsel. COMMISSIONER RECOMMENDED, motion is DENIED WITHOUT PREJUDICE, and DENIED from a discovery perspective; admissibility of Dr. Becker's testimony is DEFERRED to the Judge as discussed in Open Court; Dr. Smith cannot testify at trial, and his report cannot be admitted. Mr. Baker prepare recommendation; Mr. Ward approve form and content.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

October 13, 2010

06A531538 Enrique Rodriguez
vs
Fiesta Palms LLC

October 13, 2010 11:00 AM Motion in Limine

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Phyllis Irby

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT: Cardenas, Robert S. Attorney
Ward Esq, Kenneth C. Attorney

JOURNAL ENTRIES

- Mr. Ward (telephonically) stated the request are stricken regarding punitive damages; will submit based on the pleadings. Mr. Cardenas advised he will submit on the opposition. COURT ORDERED, MOTION DENIED. Mr. Cardenas to prepare the Order and run pass other counsel before submitting to the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES**October 20, 2010**

06A531538 Enrique Rodriguez
 vs
 Fiesta Palms LLC

October 20, 2010 9:00 AM Motion

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Phyllis Irby

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT: Baker, Steven M Attorney
 Cardenas, Robert S. Attorney
 Stephenson, Marsha Attorney
 L

JOURNAL ENTRIES

- Court Noted, it hasn't had a chance to read Opposition. Ms. Stephenson stated defense counsel preferred to have a Non-Jury Trial; at no time did defense want to WAIVE Jury trial, this is appropriate for Jury Trial. Mr. Baker informed the Court an Order for Non-Jury Trial was sent out in February and no Opposition was filed. Therefore, this should be a Non-Jury trial; there is prejudice for Plaintiff's counsel to request a Jury Trial 5 days before trial. Court Noted, there are good points made by both parties; therefore, COURT ORDERED, MOTION DENIED. Mr. Baker to prepare the Order and run pass Ms. Stephenson before submitting to the Court for signature.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

October 25, 2010

06A531538 Enrique Rodriguez
vs
Fiesta Palms LLC

October 25, 2010 9:00 AM Jury Trial

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Phyllis Irby

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT: Baker, Steven M Attorney
Rodriguez, Enrique Plaintiff
Ward Esq, Kenneth C. Attorney

JOURNAL ENTRIES

- Opening statements. Testimony & exhibits presented (see worksheet.) COURT ORDERED, MATTER CONTINUED.

10-26-10 1:00 PM BENCH TRIAL (DEPT. X)

October 26, 2010

06A531538 Enrique Rodriguez
vs
Fiesta Palms LLC

October 26, 2010 1:00 PM Jury Trial

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Phyllis Irby

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT: Baker, Steven M Attorney
Cardenas, Robert S. Attorney
Rodriguez, Enrique Plaintiff
Ward Esq, Kenneth C. Attorney

JOURNAL ENTRIES

- Testimony and exhibits presented (see worksheet). COURT ORDERED, MATTER CONTINUED.

10-27-10 1:00 PM BENCH TRIAL (DEPT. X)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

October 27, 2010

06A531538 Enrique Rodriguez
vs
Fiesta Palms LLC

October 27, 2010 12:00 AM Bench Trial

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Teri Braegelmann

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT: Baker, Steven M Attorney
Cardenas, Robert S. Attorney
Rodriguez, Enrique Plaintiff
Ward Esq, Kenneth C. Attorney

JOURNAL ENTRIES

- Mr. Baker continued with his case in chief. Testimony and exhibits presented. (See worksheets). Following testimony of Dr. Shannon, court instructed parties to return tomorrow at the given time.

10/28/10 1:30 PM BENCH TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

October 28, 2010

06A531538 Enrique Rodriguez
vs
Fiesta Palms LLC

October 28, 2010 1:30 PM Bench Trial

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Teri Braegelmann

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT: Baker, Steven M Attorney
Cardenas, Robert S. Attorney
Rodriguez, Enrique Plaintiff
Ward Esq, Kenneth C. Attorney

JOURNAL ENTRIES

- Mr. Baker continued with his case in chief. Testimony and exhibits presented. (See worksheets). Following testimony of Dr. Schfini, court instructed parties to return Monday at the given time.

11/01/10 9:00 AM BENCH TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

November 01, 2010

06A531538 Enrique Rodriguez
vs
Fiesta Palms LLC

November 01, 2010 9:00 AM Bench Trial

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Teri Braegelmann

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT: Baker, Steven M Attorney
Cardenas, Robert S. Attorney
Rodriguez, Enrique Plaintiff
Ward Esq, Kenneth C. Attorney

JOURNAL ENTRIES

- Mr. Baker continued with his case in chief. Testimony and exhibits presented. (See worksheets). Following testimony of Dr. Schifini, court instructed the parties to return at the given time.

11/02/10 1:00 PM BENCH TRIAL

November 02, 2010

November 04, 2008

November 03, 2010

06A531538 Enrique Rodriguez
vs
Fiesta Palms LLC

November 03, 2010 1:00 PM Bench Trial

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Teri Braegelmann

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT: Baker, Steven M Attorney
Cardenas, Robert S. Attorney
Rodriguez, Enrique Plaintiff
Ward Esq, Kenneth C. Attorney

JOURNAL ENTRIES

- Colloquy regarding clarification of exhibits. Continued Testimony and exhibits presented. (See worksheets). Following testimony of Ms. Perez, Court instructed parties to return tomorrow at the given time.

11/04/10 1:00 PM BENCH TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

November 04, 2010

06A531538 Enrique Rodriguez
 vs
 Fiesta Palms LLC

November 04, 2010 1:00 PM Bench Trial

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Teri Braegelmann

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT: Baker, Steven M Attorney
 Bendavid, Jeffrey A. Attorney
 Rodriguez, Enrique Plaintiff
 Ward Esq, Kenneth C. Attorney

JOURNAL ENTRIES

- Continued Testimony and exhibits presented. (See worksheets). Following testimony of Mr. Tavaglione, Court instructed parties to return tomorrow at the given time.

11/5/10 9:00 AM BENCH TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

November 05, 2010

06A531538 Enrique Rodriguez
vs
Fiesta Palms LLC

November 05, 2010 9:00 AM Bench Trial

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Teri Braegelmann

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT: Baker, Steven M Attorney
Bendavid, Jeffrey A. Attorney
Rodriguez, Enrique Plaintiff
Ward Esq, Kenneth C. Attorney

JOURNAL ENTRIES

- Continued Testimony and exhibits presented. (See worksheets). Following testimony of Dr. Tauber, Court instructed the parties to return on Monday at the given time.

11/08/10 9:00 AM BENCH TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

November 08, 2010

06A531538 Enrique Rodriguez
vs
Fiesta Palms LLC

November 08, 2010 9:00 AM Bench Trial

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Teri Braegelmann

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT: Baker, Steven M Attorney
Bendavid, Jeffrey A. Attorney
Rodriguez, Enrique Plaintiff
Ward Esq, Kenneth C. Attorney

JOURNAL ENTRIES

- Continued Testimony and exhibits presented. (See worksheets). Following testimony of Dr. Kidwell, Court instructed the parties to return tomorrow at the given time.

11/09/10 1:00 PM BENCH TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

November 09, 2010

06A531538 Enrique Rodriguez
vs
Fiesta Palms LLC

November 09, 2010 1:00 PM Bench Trial

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Teri Braegelmann

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT: Baker, Steven M Attorney
Bendavid, Jeffrey A. Attorney
Rodriguez, Enrique Plaintiff
Ward Esq, Kenneth C. Attorney

JOURNAL ENTRIES

- Continued Testimony and exhibits presented. (See worksheets). Following testimony of Dr. Mortillaro, Court instructed parties to return tomorrow at the given time.

11/10/10 1:00 PM BENCH TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

November 10, 2010

06A531538 Enrique Rodriguez
vs
Fiesta Palms LLC

November 10, 2010 1:00 PM Bench Trial

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Teri Braegelmann

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT: Baker, Steven M Attorney
Bendavid, Jeffrey A. Attorney
Rodriguez, Enrique Plaintiff
Ward Esq, Kenneth C. Attorney

JOURNAL ENTRIES

- Colloquy regarding admitted exhibits. Upon Court's inquiry, Counsel for plaintiff and defense rested. Mr. Baker advised he would like to submit and file in open court, plaintiff's motion to Strike and plaintiff's rule 50 motion for judgment on liability. COURT SO ORDERED. Argument. Mr. Ward stated he's just been presented these motions and requested the opportunity to brief the motions. Following representations, COURT ORDERED, briefing schedule set as follows: 11/24/10 for opposition and 12/01/10 for reply. Further COURT ORDERED, matter set for argument on 12/15/10. Closing arguments by Mr. Baker and Mr. Ward. Court thanked counsel and advised this court's JEA will contact counsel if the hearing for argument on the motions is vacated.

12/15/10 10:00 AM HEARING: PENDING MOTIONS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

January 27, 2011

06A531538 Enrique Rodriguez
vs
Fiesta Palms LLC

January 27, 2011 9:30 AM Hearing

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Teri Braegelmann

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT: Baker, Steven M Attorney
Cardenas, Robert S. Attorney
Gillete, Keith R. Attorney

JOURNAL ENTRIES

- Defendant's Motion for Mistrial, or Alternatively, Motion to Strike Plaintiff's Confidential Pretrial and Trial Briefs...Plaintiff's Motion to Strike Defendant's Post-Trial Brief...Motion to Strike Expert Witness Testimony...Pltf's Rule 50 Motion re: Liability

Followings arguments by counsel, Court Stated Its Findings, and ORDERED, as to Defendant's Motion for Mistrial, or Alternatively, Motion to Strike Plaintiff's Confidential Pretrial and Trial Briefs, COURT ORDERED, motion DENIED. As to Plaintiff's Motion to Strike Defendant's Post-Trial Brief, GRANTED. As to Motion to Strike Expert Witness Testimony, GRANTED. As to Pltf's Rule 50 Motion re: Liability, GRANTED. Plaintiff's Motion for Sanctions, WITHDRAWN. Mr. Baker to prepare the order and submit to opposing counsel for review before final submission to the court. Further, Mr. Baker to prepare proposed verdict form and submit to opposing counsel for review before final submission to the court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES**June 21, 2011**

06A531538 Enrique Rodriguez
 vs
 Fiesta Palms LLC

June 21, 2011 9:00 AM Motion

HEARD BY: Walsh, Jessie**COURTROOM:** RJC Courtroom 14B**COURT CLERK:** Teri Braegelmann**RECORDER:** Victoria Boyd**REPORTER:****PARTIES****PRESENT:** Baker, Steven M Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Keith Gillette Esq., Pro Hac Vice for deft., Fiesta Palms present.

Mr. Gillette advised he spoke to Mr. Baker yesterday and he is supposed to be here. Court noted it didn't see an opposition. Matter trailed for Mr. Baker's presence. Later matter recalled. Mr. Baker stated they are not opposing the motion. Court having reviewed the papers and pleadings on file herein, and there being no opposition, COURT ORDERED motion GRANTED. Colloquy regarding pending motions. COURT ORDERED, pending motions SET. Counsel advised the Motion to Lift Stay is rendered Moot. Court so Noted.

07/05/11 9:00 AM Deft's Motion for New Trial... Deft Fiesta Palms Motion to Amend Judgment on the Verdict...Deft's Motion to tax Costs

CLERK'S NOTE: On 09/19/11, Minutes amended to reflect Motion to Lift Stay is rendered Moot. tb.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

July 05, 2011

06A531538 Enrique Rodriguez
vs
Fiesta Palms LLC

July 05, 2011 11:00 AM All Pending Motions

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Teri Braegelmann

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT: Baker, Steven M Attorney
Cardenas, Robert S. Attorney
Gillete, Keith R. Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Mr. Gillete present Via Court Call.

DEFT'S MOTION FOR A NEW TRIAL....DEFT. FIESTA PALMS MOTION TO AMEND JUDGMENT
ON THE VERDICT...DEFT'S MOTION TO TAX COSTS

Counsel noted they agree as to Deft. Fiesta Palms Motion to Amend Judgment on the Verdict. COURT ORDERED motion GRANTED as it is unopposed.

Following arguments by Mr. Gillete and Mr. Baker, Court Stated Its Findings and ORDERED, Deft's Motion for A New Trial, DENIED. FURTHER COURT ORDERED, Deft's Motion to Tax Costs, GRANTED. Mr. Baker to prepare the order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

September 06, 2011

06A531538 Enrique Rodriguez
vs
Fiesta Palms LLC

September 06, 2011 9:00 AM Motion

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Teri Braegelmann

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT: Baker, Steven M Attorney
Gillete, Keith R. Attorney
Naylor, John M Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Robert L. Eisenberg Esq., present.

Following arguments by counsel, Court Stated Its Findings and ORDERED, Pltf's Motion to Require Posting of Supersedeas Bond; DENIED. Mr. Gillette to prepare the order.

October 27, 2011

October 27, 2011 3:00 AM Motion to Reconsider

HEARD BY: Walsh, Jessie **COURTROOM:** RJC Courtroom 14B

COURT CLERK: Teri Braegelmann

REPORTER:

PARTIES
PRESENT:

JOURNAL ENTRIES

- Following review of the papers and pleadings on file herein, COURT ORDERED motion GRANTED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

November 15, 2011

06A531538 Enrique Rodriguez
 vs
 Fiesta Palms LLC

November 15, 2011 9:30 AM Motion

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Teri Braegelmann

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT: Baker, Steven M Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Mr. Gillete Esq., present via Court Call for deft. Fiesta Palms.

Argument by Mr. Baker in support of Pltf's Renewed Motion to Require Posting of Supersedeas Bond. Argument by Mr. Gillete in opposition. Following arguments by counsel, COURT ORDERED, motion GRANTED. FURTHER COURT ORDERED, Supersedeas Bond to be posted in the amount of \$1,500.000.00 by Deft., Fiesta Palms LLC., within ten days from the date the order is signed by the court. Mr. Baker to prepare the order and submit to Mr. Gillete for review before final submission to the court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability COURT MINUTES

December 01, 2011

06A531538 Enrique Rodriguez
vs
Fiesta Palms LLC

December 01, 2011 3:00 AM Motion

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Teri Braegelmann

RECORDER:

REPORTER:

PARTIES
PRESENT:

JOURNAL ENTRIES

- Following review of the papers and pleadings on file herein, COURT ORDERED, motion GRANTED IN PART and DENIED IN PART. The Order should be amended to reflect that defendant deposed two medical providers. Defendant s other proposed changes are argumentative and inconsistent with this courts prior rulings.

ORIGINAL

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Facsimile : (702) 228-2333
monique@bensonlawyers.com
Attorneys for Plaintiff

DISTRICT COURT CLARK COUNTY, NEVADA

ENRIQUE RODRIGUEZ, an individual,

Plaintiff,

vs.

FIESTA PALMS, L.L.C., a Nevada Limited Liability Company, d/b/a PALMS CASINO RESORT, BRANDY L. BEAVERS, individually, DOES 1 through X, inclusive, and ROE BUSINESS ENTITIES I through X, inclusive,

Defendants.

CASE NO: A531538

DEPT NO: 10

PLAINTIFF'S EXHIBIT LIST

NON-JURY TRIAL DATE: 10/25/10

Tab No.	Exhibit		
1	List of Past Medical Expenses		
2 Adm 10-27-10	Medical records and billing statement from American Medical Response (AMR 0001-4)	N	Y
3 ADM 10-25-10	Medical records and billing statement from Spring Valley Hospital Medical Center (Spring Valley 0001 - 0011)		
4 ADM 10-25-10	Medical records and billing statement from Desert Radiologists (Desert Radiologist 0000001-2)		
5 ADM 10-25-10	Medical records and billing statement from Shadow Emergency Physicians (Shadow Emergency 0000001-4)		
6 10-27-10	Medical records and billing statement from Associated Physicians (Associated Physicians 0000001-16)	N	Y
7 Adm 10-27-10	Medical records and billing statement from Open MRI of Inland Valley (OPEN MRI 0000001-4)	Y	Y
8 10-27-10	Medical records and billing statement from Wellness Group (Wellness Center 0000001-14)	N	Y
9 Adm 10-26-10	Medical records and billing statement from Vision Radiology (Vision Radiology	N	Y

[illegible]



1	Tab No.	Exhibit	Ob	Admit
2	54	2001 Tax Return (W-2 2001 00000001-8)	N	Y
3	55	2004 Tax Return (W-2 2004 00000001-10)	N	Y
4	56	Expert Report of Terrence Dinneen (incl. report by Kathleen Hartmann)		
5	57	Expert Report of Steven T. Baker		
6	58	Palms Casino Resort security incident report (FP0118 – FP0120)	N	Y
7	59	Palms Casino Resort Guest/Employee Voluntary Statement by Enrique Rodriguez (FP0121)		
8	60	Palms Casino Resort Guest/Employee Voluntary Statement by Chris Poe (FP0122)		
9	61	Palms Casino Resort Guest/Employee Voluntary Statement by Josh Gonzales (FP0123)		
10	62	Waiver of Medical Treatment (FP 0124)	N	Y
11	63	Palms Security Manual (FP5007-5174)		
12	64	Security Interview Questions (FP5175 – 5178)		
13	65	Standard Operation Procedures until 3-2006		
14	66	Expert Report of George Becker, M.D.	N	Y
15	67	Expert Report of Thomas F. Cargill	N	Y
16	68	Expert Report of Forrest P. Franklin	N	Y
17	69	Plaintiff's Responses to First Set of Interrogatories		
18	70	Plaintiff's Responses to Second Set of Interrogatories		
19	71	Defendant Fiesta Palms's Responses to First Set of Interrogatories		
20	72	Defendant Fiesta Palms's Responses to Second Set of Interrogatories		

21	73	Affidavit of Non-Serious	N	10-25
22	74	Affidavit of Non-Serious	N	10-25
23	75	Diagram	N	10-25
24	76	Contingency Agreement	Y	10-26
25	77	Rancho Physical Therapy	N	10-27
26		Diagram		10-27
27				
28				

EXHIBITS

CASE NO. A531538

[illegible]

ORIGINAL

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DISTRICT COURT CLARK COUNTY, NEVADA

ENRIQUE RODRIGUEZ,
Plaintiff,

v.

FIESTA PALMS, LLC, a Nevada Limited
Liability Company, d/b/a THE PALMS
CASINO RESORT, et al. ,
Defendants.

Case No. A531538

DEFENDANT'S TRIAL EXHIBIT LIST

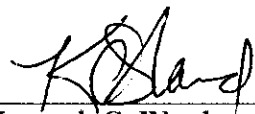
NON-JURY TRIAL DATE: 10/25/2010

TAB	EXHIBIT DESCRIPTION	Offered Date	Objection	Admitted	Admitted Date
A	Medical records and billing of Riverside Community Hospital (RIVERSIDE COMMUNITY HOSPITAL 00001 – 00275)				

TAB	EXHIBIT DESCRIPTION	Offered Date	Objection	Admitted	Admitted Date
B	Medical records of Magnolia Medical Clinic (MAGNOLIA MEDICAL CLINIC 000001 – 00034)				
C	Report by George E. Becker, M.D., dated May 21, 2009				
D	Report by Carole Hyland, dated June 11, 2010				
E	Supplemental Report by Thomas F. Cargill, dated October 5, 2010				
F	Curriculum Vitae	Strip	N	Y	11-5-10

Dated: November 2, 2010

ARCHER NORRIS


Kenneth C. Ward
Attorneys for Defendant
FIESTA PALMS, LLC, a Nevada Limited
Liability Company, d/b/a THE PALMS
CASINO RESORT

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):

AMENDED OR SUPPLEMENTAL NOTICE OF APPEAL; AMENDED OR SUPPLEMENTAL CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; EXHIBITS LIST

ENRIQUE RODRIGUEZ,

Plaintiff(s),

vs.

FIESTA PALMS, LLC dba THE PALMS
CASINO RESORT; ET AL. ,

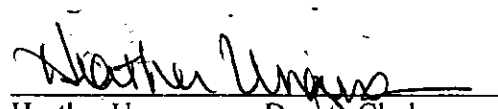
Defendant(s).

Case No: A531538
Dept No: X

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 16 day of December 2011.

Steven D. Grierson, Clerk of the Court


Heather Ungermann, Deputy Clerk