

Electronically Filed
CLERK OF THE COURT
Dec 15 2011 11:03 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

1 **NOAS**
GORDON SILVER
2 WILLIAM M. NOALL
Nevada Bar No. 3549
3 Email: wnoall@gordonsilver.com
MARK S. DZARNOSKI
4 Nevada Bar No. 3398
Email: mdzarnoski@gordonsilver.com
5 3960 Howard Hughes Pkwy., 9th Floor
Las Vegas, Nevada 89169
6 Tel: (702) 796-5555
Fax: (702) 369-2666
7 Attorneys for Defendants
Principal Investments, Inc., d/b/a Rapid
8 Cash, Granite Financial Services, Inc., d/b/a
Rapid Cash, FMMR Investments, Inc., d/b/a
9 Rapid Cash, Prime Group, Inc., d/b/a Rapid
Cash and Advance Group, Inc., d/b/a Rapid
10 Cash
11

12 **DISTRICT COURT**

13 **CLARK COUNTY, NEVADA**

14 CASANDRA HARRISON; EUGENE
15 VARCADOS; CONCEPCION QUINTINO; and
MARY DUNGAN, individually and on behalf of
all persons similarly situated,

16 Plaintiffs,
17

18 vs.

19 PRINCIPAL INVESTMENTS, INC. d/b/a
20 RAPID CASH; GRANITE FINANCIAL
SERVICES, INC. d/b/a RAPID CASH; FMMR
21 INVESTMENTS, INC. d/b/a RAPID CASH;
PRIME GROUP, INC. d/b/a RAPID CASH;
22 ADVANCE GROUP, INC. d/b/a RAPID CASH;
MAURICE CARROLL, individually and d/b/a
ON SCENE MEDIATIONS; VILISIA
COLEMAN, and DOES I through X, inclusive,

23 Defendants.
24

CASE NO. A624982
DEPT. XI

NOTICE OF APPEAL

25 ...

26 ...

27 ...

28 ...

1 TO: ALL PARTIES.

2 NOTICE IS HEREBY GIVEN that Defendants Principal Investments, Inc., d/b/a Rapid
3 Cash, Granite Financial Services, Inc., d/b/a Rapid Cash, FMMR Investments, Inc., d/b/a Rapid
4 Cash, Prime Group, Inc., d/b/a Rapid Cash and Advance Group, Inc., d/b/a Rapid Cash (the
5 "Rapid Cash Defendants") hereby appeal to the Supreme Court of Nevada from the Order
6 entered on November 30, 2011, in the Eighth Judicial District Court, Clark County, Nevada,
7 attached hereto as **Exhibit "A"**, and the Notice of Entry of Order was served on December 1,
8 2011, and is attached hereto as **Exhibit "B"**.

9 DATED this 9 day of December, 2011.

10 GORDON SILVER

11 
12 GORDON SILVER

13 WILLIAM M. NOALL

14 Nevada Bar No. 3549

15 MARK S. DZARNOSKI

16 Nevada Bar No. 3398

17 3960 Howard Hughes Pkwy., 9th Floor

18 Las Vegas, Nevada 89169

19 Tel: (702) 796-5555

20 Attorneys for Defendants

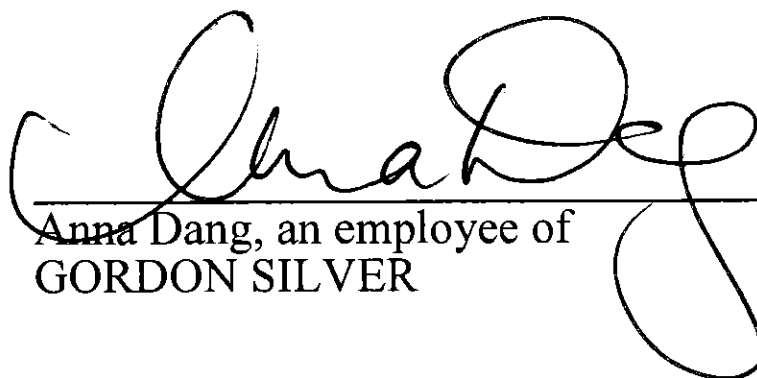
21 Principal Investments, Inc., d/b/a Rapid
22 Cash, Granite Financial Services, Inc., d/b/a
23 Rapid Cash, FMMR Investments, Inc., d/b/a
24 Rapid Cash, Prime Group, Inc., d/b/a Rapid
25 Cash and Advance Group, Inc., d/b/a Rapid
26 Cash
27
28

CERTIFICATE OF SERVICE

The undersigned, an employee of Gordon Silver, hereby certifies that on the 9th day of December, 2011, she served a copy of the **NOTICE OF APPEAL**, by facsimile, and by placing said copy in an envelope, postage fully prepaid, in the U.S. Mail at Las Vegas, Nevada, said envelope addressed to:

Dan L. Wulz, Esq.
Venicia Considine, Esq.
Legal Aid Center of Southern Nevada, Inc.
800 South Eighth Street
Las Vegas, NV 89101
Fax: (702) 388-1642

J. Randall Jones, Esq.
Jennifer C. Dorsey, Esq.
Kemp, Jones & Coulthard, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, NV 89169
Fax: (702) 385-6001



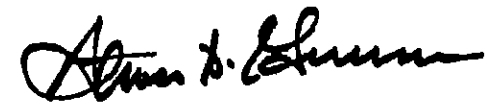
Anna Dang, an employee of
GORDON SILVER

EXHIBIT A

EXHIBIT A

ORIGINAL

Electronically Filed
11/30/2011 04:39:01 PM



CLERK OF THE COURT

1 ORDD

2 Dan L. Wulz, Esq. (5557)

3 Venicia Considine, Esq. (11544)

4 LEGAL AID CENTER OF SOUTHERN NEVADA, INC.

5 800 South Eighth Street

6 Las Vegas, Nevada 89101

7 Telephone: (702) 386-1070 x 106

8 Facsimile: (702) 388-1642

9 dwulz@lacsni.org

10 J. Randall Jones, Esq. (1927)

11 Jennifer C. Dorsey, Esq. (6456)

12 KEMP, JONES & COULTHARD, LLP

13 3800 Howard Hughes Pkwy, 17th Floor

14 Las Vegas, Nevada 89169

15 Telephone: (702) 385-6000

16 Facsimile: (702) 385-6001

17 irj@kempjones.com

18 *Class Counsel*

DISTRICT COURT

CLARK COUNTY, NEVADA

19 CASANDRA HARRISON; EUGENE
20 VARCADOS; CONCEPCION QUINTINO;
21 and MARY DUNGAN, individually and on
22 behalf of all persons similarly situated,

23 Plaintiff,

24 vs.

25 PRINCIPAL INVESTMENTS, INC. d/b/a
26 RAPID CASH; GRANITE FINANCIAL
27 SERVICES, INC. d/b/a RAPID CASH; FMMR
28 INVESTMENTS, INC. d/b/a RAPID CASH;
PRIME GROUP, INC. d/b/a RAPID CASH;
ADVANCED GROUP, INC. d/b/a RAPID
CASH; MAURICE CARROLL, individually
and d/b/a ON SCENE MEDIATIONS; VILISIA
COLEMAN, and DOES I through X, inclusive,

Defendants.

Case No. A624982
Dept. XI

**ORDER DENYING MOTION TO
COMPEL ARBITRATION OF THE
FIRST AMENDED COMPLAINT**

Defendants PRINCIPAL INVESTMENTS, INC. d/b/a RAPID CASH; GRANITE
FINANCIAL SERVICES, INC. d/b/a RAPID CASH; FMMR INVESTMENTS, INC. d/b/a
RAPID CASH; PRIME GROUP, INC. d/b/a RAPID CASH; and ADVANCED GROUP, INC.

1 d/b/a RAPID CASH (hereafter "Rapid Cash") brought this "Motion to Compel Arbitration of
2 First Amended Complaint and Stay All Proceedings" (the "Motion") on for hearing before this
3 Court on October 25, 2011. The Class appeared by and through Class Counsel, J. Randall Jones,
4 Esq., Kemp, Jones and Coulthard, LLP, and Dan L. Wulz, Esq., Legal Aid Center of Southern
5 Nevada, Inc.; the Rapid Cash defendants appeared by counsel Mark S. Dzarnoski, Esq., Gordon
6 & Silver, Ltd. The Court, having reviewed the Motion, the Class's Opposition, Defendants'
7 Reply, the file, and the pleadings on file herein, and having heard and considered the arguments
8 of the parties, hereby FINDS and ORDERS as follows:

10 The Motion is **DENIED**. Despite an arguable jurisdictional issue, the filing of the First
11 Amended Complaint raises some separate issues that allow Rapid Cash to file and the Court to
12 adjudicate the instant motion.

13 The Court finds that *AT&T Mobility LLC v. Concepcion*, 131 S. Ct. 1740 (Apr. 27, 2011),
14 is not dispositive of this case. The decision by the United States Supreme Court in the
15 Concepcion case would not have countenanced the arbitration provision in this case being
16 applied to these particular circumstances where Rapid Cash has utilized the Justice Court system
17 repeatedly with the filing of false affidavits of service, securing of default judgments, and
18 garnishing of wages. To do so would violate the public policy of the State of Nevada. This
19 Court denied a previous motion by Rapid Cash to compel arbitration of the Class Members'
20 claims, and the Court deemed Rapid Cash' arbitration clause unenforceable not under a state-
21 wide policy declaring such clauses unenforceable but because Rapid Cash's own actions resulted
22 in a waiver of its arbitration rights and permitting the Rapid Cash defendants to enforce any
23 portion of their long-ignored arbitration provisions would violate public policy. The Court
24 continues to find that Rapid Cash's conduct in its collection efforts constitutes a waiver of the
25 right to elect arbitration of the claims in this action. Rapid Cash waived its ability to compel
26
27
28

1 arbitration because, *inter alia*, it knew of its right to arbitrate, acted inconsistently with that right
2 in filing thousands of justice court cases against the Class members, and prejudiced the Class
3 members by its inconsistent acts in taking default judgments and pursuing collections. In
4 making that prior determination, and again in issuing this decision and order, this Court has
5 placed, and continues to place, the Rapid Cash contracts on equal footing with other contracts to
6 reach this case-specific conclusion that Rapid Cash's own conduct invalidated and/or resulted in
7 the unenforceability of its arbitration clauses, as *Concepcion* expressly permits. The Court
8 further finds that the Class members' claims fall outside the scope of the arbitration agreement.
9

10 **IT IS SO ORDERED.**

11 DATED this 30th day of November, 2011.

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DISTRICT COURT JUDGE

Prepared and submitted by:



Dan L. Wulz, Esq. (5557)
Venicia Considine, Esq. (11544)
**LEGAL AID CENTER OF
SOUTHERN NEVADA, INC.**
800 South Eighth Street
Las Vegas, Nevada 89101
Telephone: (702) 386-1070 x 106
Facsimile: (702) 388-1642
dwulz@lacsno.org

J. Randall Jones, Esq. (1927)
Jennifer C. Dorsey, Esq. (6456)
KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Pkwy, 17th Floor
Las Vegas, Nevada 89169
Telephone: (702) 385-6000
Facsimile: (702) 385-6001
jjr@kempjones.com
Class Counsel

EXHIBIT B

EXHIBIT B

1 **NEOJ**

2 Dan L. Wulz, Esq. (5557)

3 Venicia Considine, Esq. (11544)

4 **LEGAL AID CENTER OF SOUTHERN NEVADA, INC.**

5 800 South Eighth Street

6 Las Vegas, Nevada 89101

7 Telephone: (702) 386-1070 x 106

8 Facsimile: (702) 388-1642

9 dwulz@lacsns.org

RECEIVED
FEB 01 2011

10 J. Randall Jones, Esq. (1927)

11 Jennifer C. Dorsey, Esq. (6456)

12 **KEMP, JONES & COULTHARD, LLP**

13 3800 Howard Hughes Pkwy, 17th Floor

14 Las Vegas, Nevada 89169

15 Telephone: (702) 385-6000

16 Facsimile: (702) 385-6001

17 jrj@kempjones.com

BY: _____

18 ***Class Counsel***

19 **DISTRICT COURT**

20 **CLARK COUNTY, NEVADA**

21 Casandra Harrison; Eugene Varcados;
22 Concepcion Quintino; and Mary Dungan,
23 individually and on behalf of all persons
24 similarly situated,

25 **Plaintiffs,**

26 **v.**

27 Principal Investments, Inc. d/b/a Rapid
28 Cash; Granite Financial Services, Inc. d/b/a
Rapid Cash; FMMR Investments, Inc., d/b/a
Rapid Cash; Prime Group, Inc., d/b/a Rapid
Cash; Advance Group, Inc., d/b/a Rapid
Cash; Maurice Carroll, individually and
d/b/a On
Scene Mediations; W.A.M. Rentals, LLC
and d/b/a On Scene Mediations; Vilisia

Case No.: A-10-624982-B

Dept. No.: XI

NOTICE OF ENTRY OF ORDER

1
2
3 **NOTICE OF ENTRY OF ORDER**

4 YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE that the attached **ORDER**
5 **DENYING MOTION TO COMPEL ARBITRATION OF THE FIRST AMENDED**
6 **COMPLAINT** in the above captioned matter was entered on the 30th day of November, 2011.

7 DATED this 1st day of December, 2011.

8 **LEGAL AID CENTER OF**
9 **SOUTHERN NEVADA, INC.**

10 By: /s/ Venicia Considine
11 DAN L. WULZ, ESQ. (5557)
12 VENICIA CONSIDINE, ESQ. (11544)
13 800 South Eighth Street
14 Las Vegas, Nevada 89101

15 *and*

16 J. RANDALL JONES, ESQ. (1927)
17 JENNIFER C. DORSEY, ESQ (6456)
18 KEMP, JONES & COULTHARD, LLP
19 3800 Howard Hughes Parkway
20 Seventeenth Floor
21 Las Vegas, Nevada 89169
22 Class Counsel

23 **CERTIFICATE OF SERVICE**

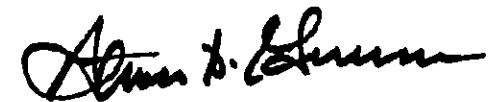
24 I hereby certify that on the 1st day of December, 2011, the foregoing **NOTICE OF**
25 **ENTRY OF ORDER** was served on the following person(s) by U.S. Mail:

26 Mark S. Dzarnoski, Esq.
27 Gordon & Silver, Ltd.
28 3960 Howard Hughes Parkway 9th Floor
Las Vegas, NV 89169

/s/ Rosie Najera
An employee of Legal Aid Center of Southern Nevada

ORIGINAL

Electronically Filed
11/30/2011 04:39:01 PM



CLERK OF THE COURT

ORDD

Dan L. Wulz, Esq. (5557)

Venicia Considine, Esq. (11544)

LEGAL AID CENTER OF SOUTHERN NEVADA, INC.

800 South Eighth Street

Las Vegas, Nevada 89101

Telephone: (702) 386-1070 x 106

Facsimile: (702) 388-1642

dwulz@lacsni.org

J. Randall Jones, Esq. (1927)

Jennifer C. Dorsey, Esq. (6456)

KEMP, JONES & COULTHARD, LLP

3800 Howard Hughes Pkwy, 17th Floor

Las Vegas, Nevada 89169

Telephone: (702) 385-6000

Facsimile: (702) 385-6001

jj@kempjones.com

Class Counsel

DISTRICT COURT

CLARK COUNTY, NEVADA

CASANDRA HARRISON; EUGENE
VARCADOS; CONCEPCION QUINTINO;
and MARY DUNGAN, individually and on
behalf of all persons similarly situated,

Plaintiff,

vs.

PRINCIPAL INVESTMENTS, INC. d/b/a
RAPID CASH; GRANITE FINANCIAL
SERVICES, INC. d/b/a RAPID CASH; FMMR
INVESTMENTS, INC. d/b/a RAPID CASH;
PRIME GROUP, INC. d/b/a RAPID CASH;
ADVANCED GROUP, INC. d/b/a RAPID
CASH; MAURICE CARROLL, individually
and d/b/a ON SCENE MEDIATIONS; VILISIA
COLEMAN, and DOES I through X, inclusive,

Defendants.

Case No. A624982
Dept. XI

**ORDER DENYING MOTION TO
COMPEL ARBITRATION OF THE
FIRST AMENDED COMPLAINT**

Defendants PRINCIPAL INVESTMENTS, INC. d/b/a RAPID CASH; GRANITE
FINANCIAL SERVICES, INC. d/b/a RAPID CASH; FMMR INVESTMENTS, INC. d/b/a
RAPID CASH; PRIME GROUP, INC. d/b/a RAPID CASH; and ADVANCED GROUP, INC.

1 d/b/a RAPID CASH (hereafter "Rapid Cash") brought this "Motion to Compel Arbitration of
2 First Amended Complaint and Stay All Proceedings" (the "Motion") on for hearing before this
3 Court on October 25, 2011. The Class appeared by and through Class Counsel, J. Randall Jones,
4 Esq., Kemp, Jones and Coulthard, LLP, and Dan L. Wulz, Esq., Legal Aid Center of Southern
5 Nevada, Inc.; the Rapid Cash defendants appeared by counsel Mark S. Dzarnoski, Esq., Gordon
6 & Silver, Ltd. The Court, having reviewed the Motion, the Class's Opposition, Defendants'
7 Reply, the file, and the pleadings on file herein, and having heard and considered the arguments
8 of the parties, hereby FINDS and ORDERS as follows:

10 The Motion is **DENIED**. Despite an arguable jurisdictional issue, the filing of the First
11 Amended Complaint raises some separate issues that allow Rapid Cash to file and the Court to
12 adjudicate the instant motion.

13 The Court finds that *AT&T Mobility LLC v. Concepcion*, 131 S. Ct. 1740 (Apr. 27, 2011),
14 is not dispositive of this case. The decision by the United States Supreme Court in the
15 Concepcion case would not have countenanced the arbitration provision in this case being
16 applied to these particular circumstances where Rapid Cash has utilized the Justice Court system
17 repeatedly with the filing of false affidavits of service, securing of default judgments, and
18 garnishing of wages. To do so would violate the public policy of the State of Nevada. This
19 Court denied a previous motion by Rapid Cash to compel arbitration of the Class Members'
20 claims, and the Court deemed Rapid Cash' arbitration clause unenforceable not under a state-
21 wide policy declaring such clauses unenforceable but because Rapid Cash's own actions resulted
22 in a waiver of its arbitration rights and permitting the Rapid Cash defendants to enforce any
23 portion of their long-ignored arbitration provisions would violate public policy. The Court
24 continues to find that Rapid Cash's conduct in its collection efforts constitutes a waiver of the
25 right to elect arbitration of the claims in this action. Rapid Cash waived its ability to compel
26
27
28

1 arbitration because, *inter alia*, it knew of its right to arbitrate, acted inconsistently with that right
2 in filing thousands of justice court cases against the Class members, and prejudiced the Class
3 members by its inconsistent acts in taking default judgments and pursuing collections. In
4 making that prior determination, and again in issuing this decision and order, this Court has
5 placed, and continues to place, the Rapid Cash contracts on equal footing with other contracts to
6 reach this case-specific conclusion that Rapid Cash's own conduct invalidated and/or resulted in
7 the unenforceability of its arbitration clauses, as *Concepcion* expressly permits. The Court
8 further finds that the Class members' claims fall outside the scope of the arbitration agreement.
9


10 **IT IS SO ORDERED.**

11 DATED this 30th day of November, 2011.

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


DISTRICT COURT JUDGE

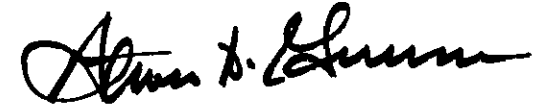
Prepared and submitted by:


Dan L. Wulz, Esq. (5557)
Venicia Considine, Esq. (11544)
**LEGAL AID CENTER OF
SOUTHERN NEVADA, INC.**
800 South Eighth Street
Las Vegas, Nevada 89101
Telephone: (702) 386-1070 x 106
Facsimile: (702) 388-1642
dwulz@lacsni.org

J. Randall Jones, Esq. (1927)
Jennifer C. Dorsey, Esq. (6456)
KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Pkwy, 17th Floor
Las Vegas, Nevada 89169
Telephone: (702) 385-6000
Facsimile: (702) 385-6001
jri@kempjones.com
Class Counsel

1 **NPP**
GORDON SILVER
2 WILLIAM M. NOALL
Nevada Bar No. 3549
3 Email: wnoall@gordonsilver.com
MARK S. DZARNOSKI
4 Nevada Bar No. 3398
Email: mdzarnoski@gordonsilver.com
5 3960 Howard Hughes Pkwy., 9th Floor
Las Vegas, Nevada 89169
6 Tel: (702) 796-5555
Fax: (702) 369-2666
7 Attorneys for Defendants
Principal Investments, Inc., d/b/a Rapid
8 Cash, Granite Financial Services, Inc., d/b/a
Rapid Cash, FMMR Investments, Inc., d/b/a
9 Rapid Cash, Prime Group, Inc., d/b/a Rapid
Cash and Advance Group, Inc., d/b/a Rapid
10 Cash
11
12
13

Electronically Filed
12/12/2011 03:04:28 PM



CLERK OF THE COURT

14 **DISTRICT COURT**

15 **CLARK COUNTY, NEVADA**

16 CASANDRA HARRISON; EUGENE
VARCADOS; CONCEPCION QUINTINO; and
MARY DUNGAN, individually and on behalf of
all persons similarly situated,

CASE NO. A624982
DEPT. XI

NOTICE OF POSTING BOND

17 Plaintiffs,

18 vs.

19 PRINCIPAL INVESTMENTS, INC. d/b/a
RAPID CASH; GRANITE FINANCIAL
20 SERVICES, INC. d/b/a RAPID CASH; FMMR
INVESTMENTS, INC. d/b/a RAPID CASH;
21 PRIME GROUP, INC. d/b/a RAPID CASH;
ADVANCE GROUP, INC. d/b/a RAPID CASH;
22 MAURICE CARROLL, individually and d/b/a
ON SCENE MEDIATIONS; VILISIA
23 COLEMAN, and DOES I through X, inclusive,

24 Defendants.

25 ...
26 ...
27 ...
28 ...

1 TO: ALL PARTIES.

2 Notice is hereby given of the posting of bond in the amount of \$500 in support of the
3 Notice of Appeal pursuant to Nevada Rule of Appellate Procedure ("NRAP") 7(b). Said bond
4 was posted December 5, 2011, a copy of which is attached hereto.

5 DATED this 9 day of December, 2011.

6 GORDON SILVER

7 
8 GORDON SILVER

9 WILLIAM M. NOALL

10 Nevada Bar No. 3549

11 MARK S. DZARNOSKI

12 Nevada Bar No. 3398

13 3960 Howard Hughes Pkwy., 9th Floor

14 Las Vegas, Nevada 89169

15 Tel: (702) 796-5555

16 Attorneys for Defendants

17 Principal Investments, Inc., d/b/a Rapid

18 Cash, Granite Financial Services, Inc., d/b/a

19 Rapid Cash, FMMR Investments, Inc., d/b/a


20 Rapid Cash, Prime Group, Inc., d/b/a Rapid

21 Cash and Advance Group, Inc., d/b/a Rapid

22 Cash

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

J. Randall Jones, Esq.
Jennifer C. Dorsey, Esq.
Kemp, Jones & Coulthard, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, NV 89169
Fax: (702) 385-6001



Anna Dang, an employee of
GORDON SILVER

OFFICIAL RECEIPT
Office of the County Clerk
Clark County Family Court
601 North Pecos Rd
Las Vegas, NV 89101

Payor
Gordon Silver

Receipt No.
2011-47624-FAM

Transaction Date
12/12/2011

Description		Amount Paid
On Behalf Of FMMR INVESTMENTS INC.		
A-10-624982-B		
Casandra Harrison, Plaintiff(s) vs. FMMR Investments Inc, Defendant(s)		
APPEAL BOND		
APPEAL BOND		500.00
SUBTOTAL		500.00
PAYMENT TOTAL		500.00
Check (Ref #27631) Tendered		500.00
Total Tendered		500.00
Change		0.00
12/12/2011	Cashier	Audit
10:00 AM	Station WIZ2	27655552

OFFICIAL RECEIPT

Gordon Silver
GENERAL ACCOUNT
 3960 HOWARD HUGHES PARKWAY, 9TH FLOOR
 LAS VEGAS, NEVADA 89169-5978
 (702) 796-5555

Nevada State Bank
 P.O. Box 990
 Las Vegas, NV 89125-0990
 PAR 100371 09196 2001.02.02

27631

94-771224

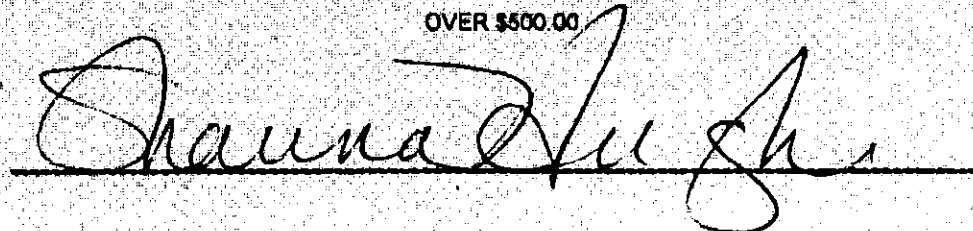
CHECK DATE
 12/5/2011

CHECK AMOUNT
 500.00

PAY Five Hundred & No/100 Dollars

TO THE
 ORDER
 OF: Clerk of the Court

TWO SIGNATURES REQUIRED
 OVER \$500.00



⑈ 27631 ⑈ ⑆ 122400779 ⑆ 0612000102 ⑈

Gordon Silver**GENERAL ACCOUNT****27631**

OUR REF #	YOUR INV #	INVOICE DATE	INVOICE AMOUNT	DESCRIPTION
109789	102593-002	12/5/2011	500.00	Appeal Bond

Gordon Silver**GENERAL ACCOUNT****27631**

OUR REF #	YOUR INV #	INVOICE DATE	INVOICE AMOUNT	DESCRIPTION
109789	102593-002	12/5/2011	500.00	Appeal Bond

DEPARTMENT 11
CASE SUMMARY
CASE No. A-10-624982-B

Casandra Harrison, Plaintiff(s)
vs.
FMMR Investments Inc, Defendant(s)

§
§
§
§
§
§

Location: **Department 11**
Judicial Officer: **Gonzalez, Elizabeth**
Filed on: **09/09/2010**
Conversion Case Number: **A624982**
Supreme Court No.: **57625**

CASE INFORMATION

Case Type: **Business Court**
Sub Type: **Enhanced Case**
Management/Business

Case Flags: **Discovery heard by Department**
Appealed to Supreme Court

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	A-10-624982-B
Court	Department 11
Date Assigned	09/09/2010
Judicial Officer	Gonzalez, Elizabeth

PARTY INFORMATION

		<i>Lead Attorneys</i>
Plaintiff	Dungan, Mary	Wulz, Dan L <i>Retained</i> 7023861070(W)
	Harrison, Casandra	Wulz, Dan L <i>Retained</i> 7023861070(W)
	Quintino, Concepcion	Wulz, Dan L <i>Retained</i> 7023861070(W)
	Varcados, Eugene	Wulz, Dan L <i>Retained</i> 7023861070(W)
Defendant	Advance Group Inc	Noall, William M. <i>Retained</i> 7027965555(W)
	Carroll, Maurice	
	Coleman, Vilisia	
	FMMR Investments Inc	Noall, William M. <i>Retained</i> 7027965555(W)
	Granite Financial Services Inc	Noall, William M. <i>Retained</i> 7027965555(W)
	Prime Group Inc	Noall, William M. <i>Retained</i> 7027965555(W)
	Principal Investments Inc	Noall, William M.












DEPARTMENT 11
CASE SUMMARY
CASE No. A-10-624982-B

Retained
7027965555(W)














Principle Investments Inc

Noall, William M.
Retained
7027965555(W)

W A M Rentals LLC


DATE	EVENTS & ORDERS OF THE COURT	INDEX
09/09/2010	 Complaint Filed By: Plaintiff Harrison, Casandra <i>Class Action Complaint</i>	
09/09/2010	 Statement of Legal Aid Representation and Fee Waiver For: Plaintiff Harrison, Casandra <i>Statement of Legal Aid Representation (Pursuant to NRS 12.015)</i>	
09/09/2010	 Motion to Certify Class Filed By: Plaintiff Harrison, Casandra <i>Plaintiffs' Motion to Certify Class</i>	
09/09/2010	 Motion Filed By: Plaintiff Harrison, Casandra <i>Plaintiffs' Motion for Rule 23 No Contact Order or, Alternatively, for A Preliminary Injunction</i>	
09/09/2010	Case Opened	
09/27/2010	 Affidavit Filed By: Defendant FMMR Investments Inc <i>Affidavit of Richard Duke Gee</i>	
09/28/2010	 Summons Filed by: Plaintiff Harrison, Casandra <i>Summons - Principal Investments Inc DBA Rapid Cash</i>	
09/28/2010	 Summons Filed by: Plaintiff Harrison, Casandra <i>Summons - Advance Group Inc DBA Rapid Cash</i>	
09/28/2010	 Summons Filed by: Plaintiff Harrison, Casandra <i>Summons - Prime Group Inc DBA Rapid Cash</i>	
09/28/2010	 Summons Filed by: Plaintiff Harrison, Casandra <i>Summons - Granite Financial Services Inc DBA Rapid Cash</i>	
09/28/2010	 Summons Filed by: Plaintiff Harrison, Casandra <i>Summons - FMMR Investments Inc DBA Rapid Cash</i>	
09/28/2010	 Receipt of Copy Filed by: Defendant FMMR Investments Inc <i>Receipt of Copy</i>	

DEPARTMENT 11
CASE SUMMARY
CASE No. A-10-624982-B

09/30/2010	 Order Shortening Time Filed By: Defendant FMMR Investments Inc <i>Motion to Compel Arbitration and Stay All Proceedings; Application for Order Shortening Time</i>
10/01/2010	 Subpoena Duces Tecum Filed by: Plaintiff Harrison, Casandra <i>Subpoena Duces Tecum; Affidavit of Service</i>
10/04/2010	 Initial Appearance Fee Disclosure Filed By: Defendant FMMR Investments Inc <i>Initial Appearance Fee Disclosure</i>
10/05/2010	 Certificate of Mailing Filed By: Plaintiff Harrison, Casandra <i>Certificate of Mailing</i>
10/05/2010	 Certificate of Mailing Filed By: Plaintiff Harrison, Casandra <i>Certificate of Mailing</i>
10/06/2010	 Certificate of Mailing Filed By: Plaintiff Harrison, Casandra <i>Certificate of Mailing</i>
10/07/2010	 Opposition to Motion Filed By: Plaintiff Harrison, Casandra <i>Opposition to Motion to Compel Arbitration and Stay All Proceedings</i>
10/07/2010	 Summons Filed by: Plaintiff Harrison, Casandra Party served: Defendant Coleman, Vilisia <i>Summons - Vilisia Coleman</i>
10/08/2010	 Opposition Filed By: Defendant FMMR Investments Inc <i>Opposition to Motion to Certify Class</i>
10/08/2010	 Opposition Filed By: Plaintiff Harrison, Casandra <i>Opposition to Plaintiffs' Motion for Rule 23 No Contact Order Or, Alternatively, For a Preliminary Injunction</i>
10/08/2010	 Affidavit of Service Filed By: Plaintiff Harrison, Casandra Party Served: Defendant Carroll, Maurice <i>Affidavit of Service - Maurice Carroll</i>
10/08/2010	 Reply to Opposition Filed by: Defendant FMMR Investments Inc <i>Reply to Opposition to Motion to Compel Arbitration and Stay All Proceedings</i>
10/11/2010	 Receipt of Copy Filed by: Defendant FMMR Investments Inc

DEPARTMENT 11
CASE SUMMARY
CASE No. A-10-624982-B

Receipt of Copy















10/11/2010	 Receipt of Copy Filed by: Defendant FMMR Investments Inc <i>Receipt of Copy</i>
10/11/2010	 Receipt of Copy Filed by: Defendant FMMR Investments Inc <i>Receipt of Copy</i>
10/11/2010	 Receipt of Copy Filed by: Defendant FMMR Investments Inc <i>Receipt of Copy</i>
10/12/2010	Motion (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 10/12/2010, 10/21/2010 Events: 09/09/2010 Motion <i>Plaintiffs' Motion for Rule 23 No Contact Order or, Alternatively, for A Preliminary Injunction</i>
10/12/2010	Motion to Compel (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 09/30/2010 Order Shortening Time <i>Defts' Motion to Compel Arbitration and Stay All Proceedings; Application for Order Shortening Time</i>
10/12/2010	 All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>ALL PENDING MOTIONS (10/12/10)</i>
10/12/2010	 Order Admitting to Practice Filed By: Defendant FMMR Investments Inc; Defendant Granite Financial Services Inc; Defendant Principle Investments Inc; Defendant Prime Group Inc; Defendant Principal Investments Inc <i>Order Admitting to Practice</i>
10/14/2010	 Affidavit of Attempted Service Filed By: Plaintiff Harrison, Casandra <i>Affidavit of Attempted Service RE: Rescue Bail Bonds</i>
10/15/2010	 Reply to Opposition Filed by: Plaintiff Harrison, Casandra <i>Plaintiff's Reply to Opposition to Motion For Rule 23 No Contact Order or, Alternatively, For A Preliminary Injunction</i>
10/15/2010	 Notice of Entry of Order Filed By: Defendant FMMR Investments Inc <i>Notice of Entry of Order</i>
10/15/2010	 Transcript of Proceedings <i>Transcript of Proceedings Hearing on Motions</i>
10/18/2010	 Reply in Support Filed By: Plaintiff Harrison, Casandra <i>Reply in Support of Motion to Certify Class</i>
10/19/2010	 Certificate of Mailing Filed By: Plaintiff Harrison, Casandra

DEPARTMENT 11
CASE SUMMARY
CASE No. A-10-624982-B













Certificate of Mailing

10/19/2010	 Certificate of Mailing Filed By: Plaintiff Harrison, Casandra <i>Certificate of Mailing</i>
10/19/2010	 Subpoena Duces Tecum Filed by: Plaintiff Harrison, Casandra <i>Subpoena Duces Tecum</i>
10/19/2010	 Certificate of Mailing Filed By: Defendant FMMR Investments Inc <i>Certificate of Mailing</i>
10/20/2010	 Affidavit of Attempted Service Filed By: Plaintiff Harrison, Casandra <i>Affidavit of Attempted Service Re: W.A.M. Rentals, LLC d/b/a On Scene Mediations</i>
10/20/2010	 Affidavit of Attempted Service Filed By: Plaintiff Harrison, Casandra <i>Affidavit of Attempted Service Re: Maurice Carroll d/b/a On Scene Mediations</i>
10/20/2010	 Notice of Appearance Party: Defendant FMMR Investments Inc; Defendant Granite Financial Services Inc; Defendant Principle Investments Inc; Defendant Prime Group Inc; Defendant Principal Investments Inc <i>Notice of Appearance</i>
10/20/2010	 Affidavit of Attempted Service Filed By: Plaintiff Harrison, Casandra <i>Affidavit of Attempted Service Re: Maurice Carrol, Individually</i>
10/21/2010	Motion to Certify Class (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 09/09/2010 Motion to Certify Class <i>Plaintiffs' Motion to Certify Class</i>
10/21/2010	 All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>All Pending Motions (10/21/10)</i>
10/27/2010	 Transcript of Proceedings Party: Plaintiff Harrison, Casandra <i>Transcript of Proceedings Hearing on Motion for Class Certification</i>
11/01/2010	 Affidavit Filed By: Defendant FMMR Investments Inc <i>Rapid Cash Defendants' Submission of Affidavits in Opposition to Motion for Preliminary Injunction</i>
11/02/2010	Status Check (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Status Check: Class Notice</i>
11/02/2010	Preliminary Injunction Hearing (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Preliminary Injunction Hearing</i>
11/02/2010	 All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)














DEPARTMENT 11
CASE SUMMARY
CASE No. A-10-624982-B

11/02/2010	 Temporary Restraining Order Filed by: Defendant FMMR Investments Inc <i>Temporary Restraining Order and Order Terminating Wage Garnishments</i>
11/02/2010	 Notice Filed By: Plaintiff Harrison, Casandra <i>Notice of Posting Bond on Temporary Restraining Order</i>
11/03/2010	 Receipt <i>REPRINTED RECEIPT - TEMPORARYRESTRAINING ORDER</i>
11/04/2010	 Notice of Entry of Order Filed By: Defendant FMMR Investments Inc <i>Notice of Entry of Order</i>
11/19/2010	 Stipulation and Order Filed by: Defendant FMMR Investments Inc <i>Stipulation and Order to Continue Preliminary Injunction Hearing</i>
11/22/2010	 Notice of Entry of Order Filed By: Defendant FMMR Investments Inc <i>Notice of Entry of Order</i>
11/29/2010	 Order Denying Filed By: Defendant FMMR Investments Inc; Defendant Granite Financial Services Inc; Defendant Principle Investments Inc; Defendant Prime Group Inc; Defendant Principal Investments Inc; Defendant Carroll, Maurice; Defendant Coleman, Vilisia <i>Order Denying Motion to Compel Arbitration</i>
12/03/2010	 Affidavit of Attempted Service Filed By: Plaintiff Harrison, Casandra <i>Affidavit of Attempted Service</i>
12/03/2010	 Affidavit of Due Diligence Filed By: Plaintiff Harrison, Casandra <i>Affidavit of Due Diligence</i>
12/03/2010	 Notice of Entry of Order Filed By: Defendant FMMR Investments Inc <i>Notice of Entry of Order</i>
12/14/2010	 Preliminary Injunction Hearing (9:30 AM) (Judicial Officer: Gonzalez, Elizabeth)
12/14/2010	 Stipulation and Order Filed by: Plaintiff Harrison, Casandra <i>Stipulation and Order</i>
12/16/2010	 Motion to Dismiss Filed By: Defendant Principle Investments Inc <i>Motion to Dismiss for Lack of Subject Matter Jurisdiction and for Failure to State a Claim Upon Which Relief May Be Granted</i>
12/16/2010	 Notice of Intent to take Default

DEPARTMENT 11
CASE SUMMARY
CASE No. A-10-624982-B

	Party: Plaintiff Harrison, Casandra <i>Notice of Intent to Take Default</i>
12/16/2010	 Notice of Intent to take Default Party: Plaintiff Harrison, Casandra <i>Notice of Intent to Take Default</i>
12/17/2010	 Notice Filed By: Defendant Principle Investments Inc <i>Notice of Filing Writ Petition</i>
12/20/2010	 Notice of Entry of Order Filed By: Plaintiff Harrison, Casandra
12/27/2010	 Notice of Hearing Filed By: Defendant Principle Investments Inc <i>Notice of Hearing</i>
01/06/2011	 Opposition to Motion Filed By: Plaintiff Harrison, Casandra <i>Opposition to Motion to Dismiss for Lack of Subject Matter Jurisdiction and for Failure to State a Claim Upon Which Relief May Be Granted</i>
01/07/2011	 Notice of Intent to take Default Party: Plaintiff Harrison, Casandra <i>Second Notice of Intent to Take Default</i>
01/11/2011	 Motion Filed By: Plaintiff Harrison, Casandra <i>Plaintiffs' Motion to Clarify Class Notice Process</i>
01/12/2011	 Application for Entry of Default Filed By: Plaintiff Harrison, Casandra <i>Application for Entry of Default</i>
01/19/2011	 Certificate of Mailing Filed By: Plaintiff Harrison, Casandra <i>Certificate of Mailing</i>
01/20/2011	 Reply to Opposition Filed by: Defendant FMMR Investments Inc; Defendant Granite Financial Services Inc; Defendant Principle Investments Inc; Defendant Prime Group Inc; Defendant Principal Investments Inc <i>Reply to Opposition to Motion to Dismiss for Lack Of Subject Matter Jurisdiction and for Failure to State a Claim Upon Which Relief May Be Granted</i>
01/21/2011	 Notice of Appeal Filed By: Defendant Principle Investments Inc <i>Notice of Appeal</i>
01/21/2011	 Application for Entry of Default Filed By: Plaintiff Harrison, Casandra <i>Application for Entry of Default</i>
01/24/2011	







DEPARTMENT 11
CASE SUMMARY
CASE No. A-10-624982-B

	 Notice of Posting Bond Filed By: Defendant Principle Investments Inc <i>Notice of Posting Bond</i>
01/25/2011	 Motion to Dismiss (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 12/16/2010 Motion to Dismiss <i>Defts Principal Investments, Granite Financial Services, FMMR Investments, Prime Group, Cash and Advance Group's Motion to Dismiss for Lack of Subject Matter Jurisdiction and for Failure to State a Claim Upon Which Relief May Be Granted</i>
01/25/2011	 Application for Default Judgment Party: Plaintiff Harrison, Casandra <i>Applcation for Default Judgment</i>
01/27/2011	 Receipt <i>Receipt o Bond \$8,000.00 Warren W. Waldroop</i>
01/28/2011	 Certificate of Mailing Filed By: Plaintiff Harrison, Casandra <i>Certificate of Mailing</i>
01/28/2011	 Affidavit of Service Filed By: Plaintiff Harrison, Casandra <i>Affidavit of Service</i>
01/28/2011	 Default Filed By: Plaintiff Harrison, Casandra Default Prty: Defendant Carroll, Maurice <i>Default - Maurice Carroll</i>
01/31/2011	 Transcript of Proceedings <i>Transcript of Proceedings</i>
02/03/2011	 Default <i>Default</i>
02/04/2011	 Opposition Filed By: Defendant Principle Investments Inc <i>Opposition to Motion to Clarify Class Notice</i>
02/09/2011	 Default <i>Default</i>
02/10/2011	 Case Appeal Statement Filed By: Defendant Principle Investments Inc <i>Case Appeal Statement</i>
02/11/2011	 Order Granting Filed By: Defendant FMMR Investments Inc; Defendant Granite Financial Services Inc; Defendant Principle Investments Inc; Defendant Prime Group Inc <i>Order on Defendants' Motion to Dismiss</i>
02/11/2011	 Reply in Support Filed By: Plaintiff Harrison, Casandra; Plaintiff Varcados, Eugene; Plaintiff Quintino,

DEPARTMENT 11
CASE SUMMARY
CASE No. A-10-624982-B

	Concepcion; Plaintiff Dungan, Mary <i>Reply in Support of Motion to Clarify Class Notice Process</i>
02/14/2011	 Notice of Entry of Order Filed By: Defendant FMMR Investments Inc; Defendant Granite Financial Services Inc; Defendant Principle Investments Inc; Defendant Prime Group Inc
02/15/2011	 Motion (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 01/11/2011 Motion <i>Plaintiffs' Motion to Clarify Class Notice Process</i>
02/18/2011	 Status Check (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 02/18/2011, 03/04/2011, 03/25/2011, 04/22/2011, 05/20/2011 <i>RE: Appointment of Class Administrator</i>
02/28/2011	 Amended Complaint Filed By: Plaintiff Harrison, Casandra <i>First Amended Class Action Complaint</i>
06/02/2011	 Status Check (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 06/02/2011, 07/22/2011, 08/25/2011
09/01/2011	 Status Report Filed By: Defendant Principle Investments Inc <i>Status Report</i>
09/15/2011	 Status Check (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 09/15/2011, 09/22/2011-09/23/2011 <i>Status Check: Further Proceedings</i>
09/21/2011	 Motion Filed By: Defendant Advance Group Inc <i>Motion to Compel Arbitration of First Amended Complaint and Stay All Proceedings</i>
09/22/2011	 Notice of Hearing Filed By: Defendant Principle Investments Inc <i>Notice of Hearing</i>
09/29/2011	 Order Granting <i>Order Granting Class Certification And Appointing Class Counsel</i>
10/07/2011	 Motion Filed By: Defendant Principle Investments Inc <i>Motion to Reconsider Class Certification Or, In the Alternative, Motion to Decertify Class</i>
10/07/2011	 Opposition to Motion Filed By: Plaintiff Harrison, Casandra <i>Opposition to Motion to Compel Arbitration and Stay All Proceedings</i>
10/10/2011	 Request Filed by: Defendant Principle Investments Inc <i>Request for Hearing</i>
10/12/2011	 Notice of Hearing

DEPARTMENT 11
CASE SUMMARY
CASE NO. A-10-624982-B

	Filed By: Defendant Principle Investments Inc <i>Notice of Hearing</i>
10/14/2011	 Motion Filed By: Plaintiff Harrison, Casandra <i>Plaintiff's Motion to Approve Notice</i>
10/14/2011	 Certificate of Mailing Filed By: Plaintiff Harrison, Casandra <i>Certificate of Service</i>
10/18/2011	 Reply Filed by: Defendant Principle Investments Inc <i>Reply to Opposition to Motion to Compel Arbitration of First Amended Complaint and Stay All Proceedings</i>
10/25/2011	 Opposition to Motion Filed By: Plaintiff Harrison, Casandra <i>Opposition to Motion to Reconsider Class Certification or, in the Alternative, Motion to Decertify Class</i>
10/25/2011	 Motion to Compel (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Motion to Compel Arbitration of First Amended Complaint and Stay All Proceedings</i>
11/02/2011	 Opposition Filed By: Defendant Principle Investments Inc <i>Opposition to Plaintiffs' Motion to Approve Notice</i>
11/08/2011	 Transcript of Proceedings Party: Plaintiff Harrison, Casandra <i>Transcript of Proceedings Hearing On Motion To Compel Arbitration October 25, 2011</i>
11/10/2011	 Reply Filed by: Defendant Principal Investments Inc <i>Reply in Support of Defendants' Motion to Reconsider Class Certification or in the Alternative for Declarification</i>
11/14/2011	 Reply in Support Filed By: Plaintiff Harrison, Casandra <i>The Class's Reply in Support of Motion to Approve Class Notice</i>
11/18/2011	Motion to Reconsider (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 11/18/2011, 11/22/2011 Events: 10/07/2011 Motion <i>Motion to Reconsider Class Certification Or, In the Alternative, Motion to Decertify Class</i>
11/18/2011	Motion (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 11/18/2011, 11/22/2011 <i>Plaintiff's Motion to Approve Notice</i>
11/18/2011	 All Pending Motions (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
11/22/2011	Motion to Reconsider (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 10/12/2011 Notice of Hearing <i>Notice of Hearing on Motion to Reconsider</i>

DEPARTMENT 11
CASE SUMMARY
CASE NO. A-10-624982-B

11/22/2011	 All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
11/28/2011	 Transcript of Proceedings <i>Transcript of Proceedings Hearing On Motions November 11, 2011</i>
11/30/2011	 Order Denying Filed By: Plaintiff Harrison, Casandra <i>Order Denying Motion to Compel Arbitration of the First Amended Complaint</i>
12/01/2011	 Notice of Entry of Order Filed By: Defendant Principle Investments Inc <i>Notice of Entry of Order</i>
12/05/2011	 Order Denying Motion Filed By: Plaintiff Harrison, Casandra <i>Order Denying Motion to Reconsider Class Certification or, in the Alternative, Motion to Decertify Class</i>
12/09/2011	 Notice of Appeal Filed By: Defendant Principle Investments Inc <i>Notice of Appeal</i>
12/09/2011	 Notice of Entry of Order Filed By: Plaintiff Harrison, Casandra <i>Notice of Entry of Order to Reconsider Class Certification or, in the Alternative, Motion to Decertify Class</i>
12/12/2011	 Notice of Posting Bond Filed By: Defendant FMMR Investments Inc <i>Notice of Posting Bond</i>
12/12/2011	 Request Filed by: Defendant Principle Investments Inc <i>Request for Transcripts</i>

DATE	FINANCIAL INFORMATION	
	Defendant FMMR Investments Inc	
	Total Charges	1,483.00
	Total Payments and Credits	1,483.00
	Balance Due as of 12/13/2011	0.00
	Defendant Granite Financial Services Inc	
	Total Charges	30.00
	Total Payments and Credits	30.00
	Balance Due as of 12/13/2011	0.00
	Defendant Prime Group Inc	
	Total Charges	30.00
	Total Payments and Credits	30.00
	Balance Due as of 12/13/2011	0.00
	Defendant Principal Investments Inc	
	Total Charges	30.00
	Total Payments and Credits	30.00
	Balance Due as of 12/13/2011	0.00

DEPARTMENT 11
CASE SUMMARY
CASE No. A-10-624982-B

Defendant Principle Investments Inc	
Total Charges	81.50
Total Payments and Credits	81.50
Balance Due as of 12/13/2011	0.00
Plaintiff Harrison, Casandra	
Total Charges	37.50
Total Payments and Credits	37.50
Balance Due as of 12/13/2011	0.00
Defendant FMMR INVESTMENTS INC.	
APPEAL BOND Balance as of 12/13/2011	500.00
Defendant FMMR INVESTMENTS INC.	
APPEAL BOND Balance as of 12/13/2011	500.00
Plaintiff Harrison, Casandra	
TEMPORARY RESTRAINING ORDER Balance as of 12/13/2011	50.00

CIVIL COVER SHEET

A-10-624982-B

Clark County, Nevada

XI

Case No. _____
(Assigned by Clerk's Office)**I. Party Information**

Plaintiff: Casandra Harrison; Eugene Varcados; Concepcion Quintino; and Mary Dungan, individually and on behalf of all persons similarly situated,

Attorney: Dan L. Wulz, Nev. Bar #5557, Legal Aid Center of Southern Nevada, 800 S. Eighth Street, Las Vegas, NV 89101 (702) 386-1070

Defendant: Principal Investments, Inc. d/b/a Rapid Cash; Granite Financial Services, Inc. d/b/a Rapid Cash; FMMR Investments, Inc., d/b/a Rapid Cash; Prime Group, Inc., d/b/a Rapid Cash; Advance Group, Inc., d/b/a Rapid Cash; Maurice Carroll, individually and d/b/a On Scene Mediations; W.A.M. Rentals, LLC and d/b/a On Scene Mediations; Vilisia Coleman, and DOES I through X, inclusive,

Attorney (name/address/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 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	
Estimated Estate Value: _____ <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/Agmt/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"/> Foreclosure Mediation <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.)

- | | | |
|---|--|---|
| <input type="checkbox"/> NRS Chapters 78-88 | <input type="checkbox"/> Investments (NRS 104 Art. 8) | <input checked="" type="checkbox"/> Enhanced Case Mgmt/Business |
| <input type="checkbox"/> Commodities (NRS 90) | <input type="checkbox"/> Deceptive Trade Practices (NRS 598) | <input type="checkbox"/> Other Business Court Matters |
| <input type="checkbox"/> Securities (NRS 90) | <input type="checkbox"/> Trademarks (NRS 600A) | |

SEPT. 9, 2010
Date

Signature of initiating party or representative

ORDD

Dan L. Wulz, Esq. (5557)

Venicia Considine, Esq. (11544)

LEGAL AID CENTER OF SOUTHERN NEVADA, INC.

800 South Eighth Street

Las Vegas, Nevada 89101

Telephone: (702) 386-1070 x 106

Facsimile: (702) 388-1642

dwulz@lacsnsn.org

J. Randall Jones, Esq. (1927)

Jennifer C. Dorsey, Esq. (6456)

KEMP, JONES & COULTHARD, LLP3800 Howard Hughes Pkwy, 17th Floor

Las Vegas, Nevada 89169

Telephone: (702) 385-6000

Facsimile: (702) 385-6001

irj@kempjones.com*Class Counsel***DISTRICT COURT****CLARK COUNTY, NEVADA**

CASANDRA HARRISON; EUGENE
VARCADOS; CONCEPCION QUINTINO;
and MARY DUNGAN, individually and on
behalf of all persons similarly situated,

Plaintiff,

vs.

PRINCIPAL INVESTMENTS, INC. d/b/a
RAPID CASH; GRANITE FINANCIAL
SERVICES, INC. d/b/a RAPID CASH; FMMR
INVESTMENTS, INC. d/b/a RAPID CASH;
PRIME GROUP, INC. d/b/a RAPID CASH;
ADVANCED GROUP, INC. d/b/a RAPID
CASH; MAURICE CARROLL, individually
and d/b/a ON SCENE MEDIATIONS; VILISIA
COLEMAN, and DOES I through X, inclusive,

Defendants.

Case No. A624982
Dept. XI**ORDER DENYING MOTION TO
COMPEL ARBITRATION OF THE
FIRST AMENDED COMPLAINT**

Defendants PRINCIPAL INVESTMENTS, INC. d/b/a RAPID CASH; GRANITE
FINANCIAL SERVICES, INC. d/b/a RAPID CASH; FMMR INVESTMENTS, INC. d/b/a
RAPID CASH; PRIME GROUP, INC. d/b/a RAPID CASH; and ADVANCED GROUP, INC.

1 d/b/a RAPID CASH (hereafter "Rapid Cash") brought this "Motion to Compel Arbitration of
2 First Amended Complaint and Stay All Proceedings" (the "Motion") on for hearing before this
3 Court on October 25, 2011. The Class appeared by and through Class Counsel, J. Randall Jones,
4 Esq., Kemp, Jones and Coulthard, LLP, and Dan L. Wulz, Esq., Legal Aid Center of Southern
5 Nevada, Inc.; the Rapid Cash defendants appeared by counsel Mark S. Dzarnoski, Esq., Gordon
6 & Silver, Ltd. The Court, having reviewed the Motion, the Class's Opposition, Defendants'
7 Reply, the file, and the pleadings on file herein, and having heard and considered the arguments
8 of the parties, hereby FINDS and ORDERS as follows:

10 The Motion is **DENIED**. Despite an arguable jurisdictional issue, the filing of the First
11 Amended Complaint raises some separate issues that allow Rapid Cash to file and the Court to
12 adjudicate the instant motion.

14 The Court finds that *AT&T Mobility LLC v. Concepcion*, 131 S. Ct. 1740 (Apr. 27, 2011),
15 is not dispositive of this case. The decision by the United States Supreme Court in the
16 Concepcion case would not have countenanced the arbitration provision in this case being
17 applied to these particular circumstances where Rapid Cash has utilized the Justice Court system
18 repeatedly with the filing of false affidavits of service, securing of default judgments, and
19 garnishing of wages. To do so would violate the public policy of the State of Nevada. This
20 Court denied a previous motion by Rapid Cash to compel arbitration of the Class Members'
21 claims, and the Court deemed Rapid Cash' arbitration clause unenforceable not under a state-
22 wide policy declaring such clauses unenforceable but because Rapid Cash's own actions resulted
23 in a waiver of its arbitration rights and permitting the Rapid Cash defendants to enforce any
24 portion of their long-ignored arbitration provisions would violate public policy. The Court
25 continues to find that Rapid Cash's conduct in its collection efforts constitutes a waiver of the
26 right to elect arbitration of the claims in this action. Rapid Cash waived its ability to compel
27
28

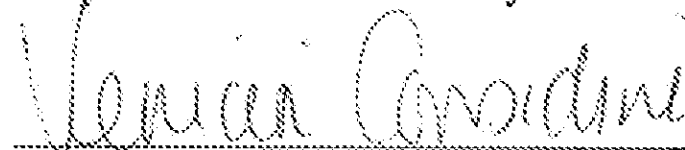
1 arbitration because, *inter alia*, it knew of its right to arbitrate, acted inconsistently with that right
2 in filing thousands of justice court cases against the Class members, and prejudiced the Class
3 members by its inconsistent acts in taking default judgments and pursuing collections. In
4 making that prior determination, and again in issuing this decision and order, this Court has
5 placed, and continues to place, the Rapid Cash contracts on equal footing with other contracts to
6 reach this case-specific conclusion that Rapid Cash's own conduct invalidated and/or resulted in
7 the unenforceability of its arbitration clauses, as *Concepcion* expressly permits. The Court
8 further finds that the Class members' claims fall outside the scope of the arbitration agreement.
9

10 **IT IS SO ORDERED.**

11 DATED this 30th day of November, 2011.
12

13
14 
DISTRICT COURT JUDGE

15 Prepared and submitted by:

16 

17 Dan L. Wulz, Esq. (5557)

18 Venicia Considine, Esq. (11544)

19 **LEGAL AID CENTER OF
SOUTHERN NEVADA, INC.**

20 800 South Eighth Street

21 Las Vegas, Nevada 89101

22 Telephone: (702) 386-1070 x 106

Facsimile: (702) 388-1642

dwulz@laesn.org

23 J. Randall Jones, Esq. (1927)

24 Jennifer C. Dorsey, Esq. (6456)

KEMP, JONES & COULTHARD, LLP

25 3800 Howard Hughes Pkwy, 17th Floor

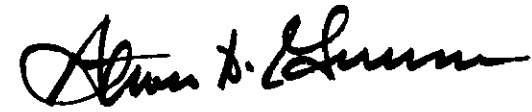
Las Vegas, Nevada 89169

26 Telephone: (702) 385-6000

Facsimile: (702) 385-6001

27 jrj@kempjones.com

28 ***Class Counsel***



CLERK OF THE COURT

NEOJ

Dan L. Wulz, Esq. (5557)

Venicia Considine, Esq. (11544)

LEGAL AID CENTER OF SOUTHERN NEVADA, INC.

800 South Eighth Street

Las Vegas, Nevada 89101

Telephone: (702) 386-1070 x 106

Facsimile: (702) 388-1642

dwulz@lacsns.org

J. Randall Jones, Esq. (1927)

Jennifer C. Dorsey, Esq. (6456)

KEMP, JONES & COULTHARD, LLP

3800 Howard Hughes Pkwy, 17th Floor

Las Vegas, Nevada 89169

Telephone: (702) 385-6000

Facsimile: (702) 385-6001

jjr@kempjones.com

Class Counsel

DISTRICT COURT

CLARK COUNTY, NEVADA

Cassandra Harrison; Eugene Varcados;
Concepcion Quintino; and Mary Dungan,
individually and on behalf of all persons
similarly situated,

Plaintiffs,

v.

Principal Investments, Inc. d/b/a Rapid
Cash; Granite Financial Services, Inc. d/b/a
Rapid Cash; FMMR Investments, Inc., d/b/a
Rapid Cash; Prime Group, Inc., d/b/a Rapid
Cash; Advance Group, Inc., d/b/a Rapid
Cash; Maurice Carroll, individually and
d/b/a On
Scene Mediations; W.A.M. Rentals, LLC
and d/b/a On Scene Mediations; Vilisia

Case No.: A-10-624982-B

Dept. No.: XI

NOTICE OF ENTRY OF ORDER

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

DATED this 1st day of December, 2011.

By: /s/ Venicia Considine
 DAN L. WULZ, ESQ. (5557)
 VENICIA CONSIDINE, ESQ. (11544)
 800 South Eighth Street
 Las Vegas, Nevada 89101

J. RANDALL JONES, ESQ. (1927)
JENNIFER C. DORSEY, ESQ (6456)
KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
Class Counsel

Mark S. Dzarnoski, Esq.
Gordon & Silver, Ltd.
3960 Howard Hughes Parkway 9th Floor
Las Vegas, NV 89169

2

ORDD

Dan L. Wulz, Esq. (5557)

Venicia Considine, Esq. (11544)

LEGAL AID CENTER OF SOUTHERN NEVADA, INC.

800 South Eighth Street

Las Vegas, Nevada 89101

Telephone: (702) 386-1070 x 106

Facsimile: (702) 388-1642

dwulz@lacsna.org

J. Randall Jones, Esq. (1927)

Jennifer C. Dorsey, Esq. (6456)

KEMP, JONES & COULTHARD, LLP3800 Howard Hughes Pkwy, 17th Floor

Las Vegas, Nevada 89169

Telephone: (702) 385-6000

Facsimile: (702) 385-6001

jrj@kempjones.com*Class Counsel***DISTRICT COURT****CLARK COUNTY, NEVADA**

CASANDRA HARRISON; EUGENE
VARCADOS; CONCEPCION QUINTINO;
and MARY DUNGAN, individually and on
behalf of all persons similarly situated,

Plaintiff,

vs.

PRINCIPAL INVESTMENTS, INC. d/b/a
RAPID CASH; GRANITE FINANCIAL
SERVICES, INC. d/b/a RAPID CASH; FMMR
INVESTMENTS, INC. d/b/a RAPID CASH;
PRIME GROUP, INC. d/b/a RAPID CASH;
ADVANCED GROUP, INC. d/b/a RAPID
CASH; MAURICE CARROLL, individually
and d/b/a ON SCENE MEDIATIONS; VILISIA
COLEMAN, and DOES I through X, inclusive,

Defendants.

Case No. A624982
Dept. XI**ORDER DENYING MOTION TO
COMPEL ARBITRATION OF THE
FIRST AMENDED COMPLAINT**

Defendants PRINCIPAL INVESTMENTS, INC. d/b/a RAPID CASH; GRANITE
FINANCIAL SERVICES, INC. d/b/a RAPID CASH; FMMR INVESTMENTS, INC. d/b/a
RAPID CASH; PRIME GROUP, INC. d/b/a RAPID CASH; and ADVANCED GROUP, INC.

1 d/b/a RAPID CASH (hereafter "Rapid Cash") brought this "Motion to Compel Arbitration of
2 First Amended Complaint and Stay All Proceedings" (the "Motion") on for hearing before this
3 Court on October 25, 2011. The Class appeared by and through Class Counsel, J. Randall Jones,
4 Esq., Kemp, Jones and Coulthard, LLP, and Dan L. Wulz, Esq., Legal Aid Center of Southern
5 Nevada, Inc.; the Rapid Cash defendants appeared by counsel Mark S. Dzarnoski, Esq., Gordon
6 & Silver, Ltd. The Court, having reviewed the Motion, the Class's Opposition, Defendants'
7 Reply, the file, and the pleadings on file herein, and having heard and considered the arguments
8 of the parties, hereby FINDS and ORDERS as follows:

10 The Motion is **DENIED**. Despite an arguable jurisdictional issue, the filing of the First
11 Amended Complaint raises some separate issues that allow Rapid Cash to file and the Court to
12 adjudicate the instant motion.

14 The Court finds that *AT&T Mobility LLC v. Concepcion*, 131 S. Ct. 1740 (Apr. 27, 2011),
15 is not dispositive of this case. The decision by the United States Supreme Court in the
16 Concepcion case would not have countenanced the arbitration provision in this case being
17 applied to these particular circumstances where Rapid Cash has utilized the Justice Court system
18 repeatedly with the filing of false affidavits of service, securing of default judgments, and
19 garnishing of wages. To do so would violate the public policy of the State of Nevada. This
20 Court denied a previous motion by Rapid Cash to compel arbitration of the Class Members'
21 claims, and the Court deemed Rapid Cash' arbitration clause unenforceable not under a state-
22 wide policy declaring such clauses unenforceable but because Rapid Cash's own actions resulted
23 in a waiver of its arbitration rights and permitting the Rapid Cash defendants to enforce any
24 portion of their long-ignored arbitration provisions would violate public policy. The Court
25 continues to find that Rapid Cash's conduct in its collection efforts constitutes a waiver of the
26 right to elect arbitration of the claims in this action. Rapid Cash waived its ability to compel
27
28

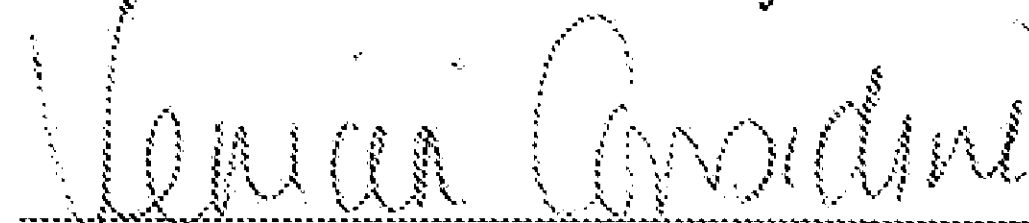
1 arbitration because, *inter alia*, it knew of its right to arbitrate, acted inconsistently with that right
2 in filing thousands of justice court cases against the Class members, and prejudiced the Class
3 members by its inconsistent acts in taking default judgments and pursuing collections. In
4 making that prior determination, and again in issuing this decision and order, this Court has
5 placed, and continues to place, the Rapid Cash contracts on equal footing with other contracts to
6 reach this case-specific conclusion that Rapid Cash's own conduct invalidated and/or resulted in
7 the unenforceability of its arbitration clauses, as *Concepcion* expressly permits. The Court
8 further finds that the Class members' claims fall outside the scope of the arbitration agreement.
9

10 **IT IS SO ORDERED.**

11 DATED this 30th day of November, 2011.
12

13
14 
DISTRICT COURT JUDGE

15 Prepared and submitted by:

16 

17 Dan L. Wulz, Esq. (5557)

18 Venicia Considine, Esq. (11544)

19 **LEGAL AID CENTER OF
SOUTHERN NEVADA, INC.**

20 800 South Eighth Street

21 Las Vegas, Nevada 89101

22 Telephone: (702) 386-1070 x 106

Facsimile: (702) 388-1642

dwulz@lacsnsn.org

23 J. Randall Jones, Esq. (1927)

24 Jennifer C. Dorsey, Esq. (6456)

KEMP, JONES & COULTHARD, LLP

25 3800 Howard Hughes Pkwy, 17th Floor

26 Las Vegas, Nevada 89169

Telephone: (702) 385-6000

Facsimile: (702) 385-6001

27 jrj@kempjones.com

28 ***Class Counsel***

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

October 12, 2010

A-10-624982-B Casandra Harrison, Plaintiff(s)
vs.
FMMR Investments Inc, Defendant(s)

October 12, 2010 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Susan Jovanovich

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Dorsey, Jennifer C., Attorney
ESQ
Dzarnoski, Mark S. Attorney
Jones, Jon Randall Attorney
Wulz, Dan L Attorney

JOURNAL ENTRIES

- Martin Brice, Esq., (pro hoc vice), is also present on behalf of Defts.

DEFTS' MOTION TO COMPEL ARBITRATION AND STAY ALL PROCEEDINGS

Arguments by counsel regarding arbitration agreement having good clause information, supplemental briefs, additional Rapid Cash cases from lower level Justice Court, waivers, and arbitration provisions. Further arguments as to foreseeability. COURT ORDERED, Motion DENIED.

COURT FURTHER ORDERED, Motion to Certify Class currently scheduled for October 15 in Chambers is RESET to October 21, 2010 for oral arguments.

PLAINTIFFS' MOTION FOR RULE 23 NO CONTACT ORDER, OR, ALTERNATIVELY, FOR A PRELIMINARY INJUNCTION

Statements by counsel. Court stated it is inclined to continue this motion, for Court to make decision

PRINT DATE: 12/13/2011

Page 1 of 20

Minutes Date:

October 12, 2010

on Pltf's Motion to Certify Class. There being no objection, COURT ORDERED, Motion CONTINUED.

10/21/10 9:00 AM PLTFS' MOTION TO CERTIFY CLASS...PLAINTIFFS' MOTION FOR RULE 23 NO CONTACT ORDER, OR, ALTERNATIVELY, FOR A PRELIMINARY INJUNCTION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

October 21, 2010

A-10-624982-B Casandra Harrison, Plaintiff(s)
vs.
FMMR Investments Inc, Defendant(s)

**October 21, 2010 9:00 AM All Pending Motions All Pending Motions
(10/21/10)**

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Kathy Klein

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Dorsey, Jennifer C., Attorney
ESQ
Dzarnoski, Mark S. Attorney
Polsenberg, Daniel F. Attorney
Wulz, Dan L Attorney

JOURNAL ENTRIES

- PLAINTIFFS' MOTION TO CERTIFY CLASS...PLAINTIFFS' MOTION FOR RULE 23 NO CONTACT ORDER OR, ALTERNATIVELY, FOR A PRELIMINARY INJUNCTION

Court noted disclosures. Arguments by Counsel regarding motion to certify class. Colloquy regarding liability, process server and executing on default judgments. Court stated its findings and ORDERED, Plaintiff's Motion to Certify Class, GRANTED In Part. All Customers in Rapid Cash in Clark County Nevada who obtained Justice Court Judgments and claim they were not served. Ms. Dorsey inquired of a list of the individuals with default judgments and further noted she would like to have a published notice. Court had no problem with a published notice, and directed Counsel to notice the last known addresses. Court directed Counsel to provide a list. COURT ORDERED, matter set for a status check regarding the class notice.

Arguments by Counsel regarding a preliminary injunction. COURT ORDERED, Motion Granted as Injunctive Relief, and ORDERED a Temporary Restraining Order (TRO), with a Bond of \$50.00.

PRINT DATE: 12/13/2011

Page 3 of 20

Minutes Date:

October 12, 2010

Alternative relief defined in subpart 5 of Plaintiff's motion, as to only the collections. COURT ORDERED, matter set for a Preliminary Injunction Hearing. Court noted if Counsel is to call live witnesses, this hearing may need to be rescheduled. Court further directed Counsel to let the court know, at the next hearing, as to how many defaults were set aside.

11/02/10 9:00 AM STATUS CHECK: CLASS NOTICE...PRELIMINARY INJUNCTION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

November 02, 2010

A-10-624982-B Casandra Harrison, Plaintiff(s)
vs.
FMMR Investments Inc, Defendant(s)

November 02, 2010 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Susan Jovanovich

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Dorsey, Jennifer C., Attorney
ESQ
Dzarnoski, Mark S. Attorney
Polsenberg, Daniel F. Attorney
Wulz, Dan L Attorney

JOURNAL ENTRIES

- STATUS CHECK: CLASS NOTICE...PRELIMINARY INJUNCTION (NO WITNESSES)

Ms. Dorsey advised the TRO is not in effect yet and the wage garnishments have not been halted, due to issues arising from the Constable's office. Statements by Mr. Dzarnoski. Thereafter, counsel requested an additional two weeks for preliminary injunction hearing to be scheduled. Upon Court's inquiry, Ms. Dorsey advised parties will meet to discuss on the status of Rapid Cash retrieving documentation, as parties are seeking to conduct formal discovery. COURT ORDERED, matter SET for preliminary injunction. Order SIGNED IN OPEN COURT. Ms. Dorsey to notify staff members on strategy Pltfs. are seeking to do. Statements by Mr. Dzarnoski regarding number of cases, records, judgments that have been entered, and service issues. Colloquy as to decertification. Counsel for Pltf. to send proposed order as to Court's ruling on the arbitration, to Deft's counsel. Following colloquy, Court stated if the order for the Constable is not sufficient, this Court may consider having the Constable make an appearance by telephonic conference call, to provide any information the Constable's office may need to stop the garnishments. Parties acknowledged.

A-10-624982-B

11/19/10 9:30 AM PRELIMINARY INJUNCTION HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

December 14, 2010

A-10-624982-B Casandra Harrison, Plaintiff(s)
vs.
FMMR Investments Inc, Defendant(s)

**December 14, 2010 9:30 AM Preliminary Injunction
Hearing**

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Kathy Klein; ; Damedia Scott

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- There being no appearance, COURT NOTED, OFF CALENDAR pursuant to stipulation.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

January 25, 2011

A-10-624982-B Casandra Harrison, Plaintiff(s)
vs.
FMMR Investments Inc, Defendant(s)

January 25, 2011 9:00 AM Motion to Dismiss

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Damedia Scott

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Dorsey, Jennifer C., Attorney
ESQ
Dzarnoski, Mark S. Attorney
Polsenberg, Daniel F. Attorney
Wulz, Dan L Attorney

JOURNAL ENTRIES

- After arguments by counsel, COURT stated its findings and ORDERED, Motion GRANTED IN PART.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

February 15, 2011

A-10-624982-B Casandra Harrison, Plaintiff(s)
vs.
FMMR Investments Inc, Defendant(s)

February 15, 2011 9:00 AM Motion

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Damedia Scott

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Dorsey, Jennifer C., Attorney
ESQ
Dzarnoski, Mark S. Attorney
Polsenberg, Daniel F. Attorney
Wulz, Dan L Attorney

JOURNAL ENTRIES

- COURT CLARIFIED Order regarding Class Notice Process. Upon request of counsel and colloquy regarding appointment of a Class Administrator, COURT SET matter on Chambers calendar.

2/18/11 STATUS CHECK: Class Administrator (CHAMBERS)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

February 18, 2011

A-10-624982-B Casandra Harrison, Plaintiff(s)
vs.
FMMR Investments Inc, Defendant(s)

February 18, 2011 3:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Damedia Scott

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Upon request of counsel, COURT ORDERED, matter CONTINUED.

3/4/11 (CHAMBERS) Status Check

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

May 20, 2011

A-10-624982-B Casandra Harrison, Plaintiff(s)
vs.
FMMR Investments Inc, Defendant(s)

May 20, 2011 3:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Damedia Scott

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT ORDERED, Parties are to appear for a status check on June 2 at 9 a.m.

6/2/11 9:00 AM STATUS CHECK

CLERKS NOTE: A copy of this minute order mailed and/or placed in attorney folders for Dan Wulz, Esq., Legal Aid Center, 800 S. Eighth St., Las Vegas, NV 89101 and for William Noall, Esq. (GORDON SILVER) (DS 5/24/11).

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

June 02, 2011

A-10-624982-B Casandra Harrison, Plaintiff(s)
vs.
FMMR Investments Inc, Defendant(s)

June 02, 2011 9:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Damedia Scott

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Dzarnoski, Mark S. Attorney
 Wulz, Dan L Attorney

JOURNAL ENTRIES

- Mr. Dzarnoski advised general settlement and requested matter continued. Upon advise of counsel that they will meet and confer, COURT ORDERED, matter CONTINUED for Status Check.

6/17/11 CHAMBERS CALENDAR STATUS CHECK: SETTLEMENT REPORT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

July 22, 2011

A-10-624982-B Casandra Harrison, Plaintiff(s)
vs.
FMMR Investments Inc, Defendant(s)

July 22, 2011 3:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Damedia Scott

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- As no settlement documents received, COURT ORDERED, matter CONTINUED.

8/18/11 9:00 AM STATUS CHECK

CLERKS NOTE: A copy of this minute order mailed and/or placed in Regional Justice Center attorney folders for Dan Wulz, Esq., Legal Aid Center, 800 S. Eighth Street, Las Vegas, NV 89101; and, for William Noall, Esq. (GORDON SILVER) (DS 7/26/11).

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

August 25, 2011

A-10-624982-B Casandra Harrison, Plaintiff(s)
vs.
FMMR Investments Inc, Defendant(s)

August 25, 2011 9:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Damedia Scott

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Considine, Venicia G. Attorney
Dzarnoski, Mark S. Attorney

JOURNAL ENTRIES

- Upon Court's inquiry as to whether agreement reached on class notice issue, Mr. Dzarnoski advised still in negotiations. COURT ORDERED, Status Check SET and, if no agreement, Court will set hearing on class notice and appoint an administrator.

9/2/11 CHAMBERS CALENDAR STATUS CHECK RE: CLASS NOTICE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

September 15, 2011

A-10-624982-B	Casandra Harrison, Plaintiff(s) vs. FMMR Investments Inc, Defendant(s)
---------------	--

September 15, 2011 9:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Phyllis Irby

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Dorsey, Jennifer C., Attorney
ESQ
Dzarnoski, Mark S. Attorney
Wulz, Dan L Attorney

JOURNAL ENTRIES

- Mr. Dzarnoski informed the Court we've worked out our differences on appointment of class administrator; had an agreement on the notice but the language wasn't correct and would have reached a settlement. Ms. Dorsey stated they will give the notice one more shot. COURT ORDERED, parties are to have the AGREED NOTICE in the Court's hand by 9/21/11 at 2:00 pm, if parties are unable to provide that to the Court. Parties are to be present before this Court at 9:00 am on 9/22/11. If parties do not agree, will need to have the notice to the Court no later than 5:00 pm on 9/21 so the Court can review it on 9/22. If parties do not have the 2 word version; the Court will work through it and get out a Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

September 22, 2011

A-10-624982-B Casandra Harrison, Plaintiff(s)
vs.
FMMR Investments Inc, Defendant(s)

September 22, 2011 9:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Billie Jo Craig

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Dorsey, Jennifer C.,	Attorney
	ESQ	
	Dzarnoski, Mark S.	Attorney
	Wulz, Dan L	Attorney

JOURNAL ENTRIES

- Colloquy regarding status of case. Court noted it read the First Amended Complaint and transcript. Court directed counsel to E-mail their draft Orders to the Court with recommended versions. COURT ORDERED, matter CONTINUED to the Chambers Calendar.

CONTINUED TO: 9/23/11 CHAMBERS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

September 23, 2011

A-10-624982-B Casandra Harrison, Plaintiff(s)
vs.
FMMR Investments Inc, Defendant(s)

September 23, 2011 3:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Billie Jo Craig

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- See written Order to be filed. COURT ADOPTS THE FORM OF NOTICE provided by Plaintiff's counsel incorporating the postcard, but RECOMMENDS that the following changes be made prior to submission of the Notice for Approval by the Court upon Motion:

Paragraph B. Include the name and address of the Class Administrator.

Paragraph C. Change "were not served" to track postcard by checking "was not" box; incorporate instructions to check the "was" box.

Mr. Wulz to be notified by way of minute order and to notify appropriate parties.

CLERK'S NOTE: A copy of this minute order was mailed to:

Dan L. Wulz, Esq. (Legal Aid Center, 800 Eighth Street, Las Vegas, NV 89101).

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

October 25, 2011

A-10-624982-B Casandra Harrison, Plaintiff(s)
vs.
FMMR Investments Inc, Defendant(s)

October 25, 2011 9:00 AM Motion to Compel

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Billie Jo Craig

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Dzarnoski, Mark S. Attorney
 Jones, Jon Randall Attorney
 Wulz, Dan L Attorney

JOURNAL ENTRIES

- Arguments by counsel. Court stated its findings, and ORDERED, while there is a potential jurisdictional issue, the amendment of the Complaint raises a separate ability of the defendants to raise this issue anew. The Court does not believe the kind of activities that occurred and are alleged in this Complaint and certified as a class are within the scope of the arbitration provision. Mr. Jones to prepare the Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

November 18, 2011

A-10-624982-B Casandra Harrison, Plaintiff(s)
vs.
FMMR Investments Inc, Defendant(s)

November 18, 2011 3:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Billie Jo Craig

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- MOTION TO RECONSIDER CLASS CERTIFICATION OR, IN THE ALTERNATIVE, MOTION TO DECERTIFY CLASS...PLAINTIFF'S MOTION TO APPROVE NOTICE

COURT ORDERED, both Motions CONTINUED to the oral Calendar.

CONTINUED TO: 11/22/11 9:00 AM ABOVE MOTIONS

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of:
Dan L. Wulz, Esq. (Legal Aid Center of Southern Nevada); William M. Noall, Esq. (Gordon Silver).

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

November 22, 2011

A-10-624982-B Casandra Harrison, Plaintiff(s)
vs.
FMMR Investments Inc, Defendant(s)

November 22, 2011 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Billie Jo Craig

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Dorsey, Jennifer C., Attorney
ESQ
Dzarnoski, Mark S. Attorney

JOURNAL ENTRIES

- NOTICE OF HEARING ON MOTION TO RECONSIDER...MOTION TO RECONSIDER CLASS
CERTIFICATION OR, IN THE ALTERNATIVE, MOTION TO DECERTIFY CLASS...PLAINTIFF'S
MOTION TO APPROVE NOTICE

Attorney Venicia Considine also present with Ms. Dorsey.

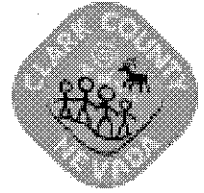
AS TO MOTION TO RECONSIDER: Arguments by counsel. COURT ORDERED, Motion to Reconsider is DENIED.

AS TO MOTION FOR DECERTIFICATION: Arguments by counsel. Court stated its findings, and ORDERED, Motion for Decertification is DENIED.

AS TO PLAINTIFF'S MOTION TO APPROVE NOTICE: Arguments by counsel. Court stated its findings, and ORDERED, Defendants to bear the burden of costs of mailing. The Court previously approved the notice. Court directed counsel to get the notice out and to submit Orders in a timely fashion from now on.



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT



WILLIAM M. NOALL
3960 HOWARD HUGHED PKWY., 9TH FLOOR
LAS VEGAS, NV 89169

DATE: December 13, 2011
CASE: A624982

RE CASE: CASANDRA HARRISON; EUGENE VARCADOS; CONCEPCION QUINTINO; MARY DUGAN vs. PRINCIPAL INVESTMENTS, INC. d/b/a RAPID CASH; GRANITE FINANCIAL SERVICES, INC. d/b/a RAPID CASH; FMMR INVESTMENTS, INC. d/b/a RAPID CASH; PRIME GROUP, INC. d/b/a RAPID CASH; ADVANCE GROUP, INC. d/b/a RAPID CASH; MAURICE CARROLL d/b/a ON SCENE MEDIATIONS; VILISIA COLEMAN; W. A. M. RENTALS, LLC d/b/a ON SCENE MEDIATIONS

NOTICE OF APPEAL FILED: December 9, 2011

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)
- ☐ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☒ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

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; NOTICE OF POSTING BOND; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER DENYING MOTION TO COMPEL ARBITRATION OF THE FIRST AMENDED COMPLAINT; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

CASANDRA HARRISON; EUGENE
VARCADOS; CONCEPCION QUINTINO;
MARY DUGAN,

Plaintiff(s),

vs.

PRINCIPAL INVESTMENTS, INC. d/b/a
RAPID CASH; GRANITE FINANCIAL
SERVICES, INC. d/b/a RAPID CASH; FMMR
INVESTMENTS, INC. d/b/a RAPID CASH;
PRIME GROUP, INC. d/b/a RAPID CASH;
ADVANCE GROUP, INC. d/b/a RAPID CASH;
MAURICE CARROLL d/b/a ON SCENE
MEDIATIONS; VILISIA COLEMAN; W. A.
M. RENTALS, LLC d/b/a ON SCENE
MEDIATIONS,


Defendant(s).

Case No: A624982
Dept No: XI

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 13 day of December 2011.

Steven D. Grierson, Clerk of the Court


Heather Ungermann, Deputy Clerk