

RECEIVED
Las Vegas Drop Box
CLERK OF SUPREME COURT

Electronically Filed
09/18/2012 11:01:15 AM

2013 JAN -3 PM 4:06

Allen L. Linn
CLERK OF THE COURT

FILED

JAN 08 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *H. Wilcox*
DEPUTY CLERK

1 ASTA

2 Jennifer R. Lloyd-Robinson, Esq.
3 Nevada Bar No. 9617

4 Marisa L. Maskas, Esq.
5 Nevada Bar No. 10928

6 PEZZILLO ROBINSON
7 6725 Via Austi Parkway, Suite 290
8 Las Vegas, Nevada 89119
9 Tel: 702 233-4225
10 Fax: 702 233-4252

11 jrobinson@pezzillorobinson.com
12 mmaskas@pezzillorobinson.com
13 *Attorneys for Plaintiff,*
14 *Cashman Equipment Company*

DISTRICT COURT

CLARK COUNTY, NEVADA

61715

15 CASHMAN EQUIPMENT COMPANY, a
16 Nevada corporation,

17 Plaintiff,

18 vs.

CASE NO.: A642583
DEPT.: 32

Consolidated with Case No.: A653029

19 CAM CONSULTING INC., a Nevada
20 corporation; ANGELO CARVALHO, an
21 individual; JANEL RENNIE aka JANEL
22 CARVALHO, an individual; WEST EDNA
23 ASSOCIATES, LTD., dba MOJAVE
24 ELECTRIC, a Nevada corporation; WESTERN
25 SURETY COMPANY, a surety; THE
26 WHITING TURNER CONTRACTING
27 COMPANY, a Maryland corporation;
28 FIDELITY AND DEPOSIT COMPANY OF
29 MARYLAND, a surety; DOES 1 - 10, inclusive;
30 and ROE CORPORATIONS 1 - 10, inclusive;

Defendants.

AND ALL RELATED MATTERS.

CASE APPEAL STATEMENT

Plaintiff, CASHMAN EQUIPMENT COMPANY ("CASHMAN"), by and through its
counsel of record, PEZZILLO ROBINSON, hereby submits the following Case Appeal Statement:

JAN 07 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

1. Name of appellant filing this case appeal statement: CASHMAN EQUIPMENT COMPANY.
2. Identify the judge issuing the decision, judgment, or order appealed from: Hon. Rob Bare
3. Identify each appellant and the name and address of counsel for each appellant: CASHMAN EQUIPMENT COMPANY c/o Jennifer R. Lloyd-Robinson, Esq., Pezzillo Robinson, 6725 Via Austi Pkwy., Suite 290, Las Vegas, NV 89119.
4. Identify each respondent and the name and address of appellate counsel, if known, for each respondent (if the name of a respondent's appellate counsel is unknown, indicate as much and provide the name and address of that respondent's trial counsel): WEST EDNA ASSOCIATES, LTD., dba MOJAVE ELECTRIC, c/o Brian Boschee, Esq., Cotton, Driggs, et al., 400 S. 4th St., 3rd Fl., Las Vegas, NV 89101.
5. Indicate whether any attorney identified above in response to question 3 or 4 is not licensed to practice law in Nevada and, if so, whether the district court granted that attorney permission to appear under SCR 42 (attach a copy of any district court order granting such permission): Not applicable in this matter.
6. Indicate whether appellant was represented by appointed or retained counsel in the district court: Retained counsel.
7. Indicate whether appellant is represented by appointed or retained counsel on appeal: Retained counsel.
8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave: Not appearing in forma pauperis.
9. Indicate the date the proceedings commenced in the district court (e.g., date complaint, indictment, information, or petition was filed): The initial complaint was filed on June 3, 2011.
10. Provide a brief description of the nature of the action and result in the district court, including the type of judgment or order being appealed and the relief granted by the district court: Plaintiff filed action alleging breach of contract, lien foreclosure and associated claims seeking payment for equipment supplied to the New Las Vegas City Hall Project. Defendants filed a Motion to Procure Codes seeking a preliminary injunction from the Court requiring Cashman to start up the equipment even though Cashman has not received payment for the equipment from the party with which it contracted. The Court granted the Motion and issued the preliminary injunction without making the required findings in support.

PEZZILLO ROBINSON
6725 VIA AUSTI PARKWAY, SUITE 290
LAS VEGAS, NEVADA 89119
TEL. 702 233-4225

11. Indicate whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior proceeding: Not applicable in this matter.
12. Indicate whether this appeal involves child custody or visitation: Not applicable in this matter.
13. If this is a civil case, indicate whether this appeal involves the possibility of settlement: Appellant believes settlement is a possibility.

DATED: September 17, 2012

PEZZILLO ROBINSON

By: 

Jennifer R. Lloyd-Robinson, Esq.

Nevada Bar No. 9617

Marisa L. Maskas, Esq.

Nevada Bar No. 10928

6725 Via Austi Parkway, Suite 290

Las Vegas, Nevada 89119

Attorneys for Plaintiff,

Cashman Equipment Company