

CLERK OF THE COURT

Electronically Filed
Dec 20 2013 12:17 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

NOAS

GEORGE F. OGILVIE III, ESQ.

Nevada Bar No. 3552

PATRICK J. MURCH, ESQ.

Nevada Bar No. 10162

MCDONALD CARANO WILSON LLP

2300 West Sahara Avenue, Suite 1200

Las Vegas, Nevada 89102

Telephone: (702) 873-4100

Facsimile: (702) 873-9966

Attorneys for McDonald Carano Wilson LLP

DISTRICT COURT

CLARK COUNTY, NEVADA

THE BOURASSA LAW GROUP, LLC

Plaintiff,

vs.

CALIFORNIA BACK SPECIALISTS
MEDICAL GROUP, INC., a California
corporation; CALIFORNIA MINIMALLY
INVASIVE SURGERY CENTER, an
unknown entity; CONEJO NEUROLOGICAL
MEDICAL GROUP, INC., a California
corporation; LOS ANGELES
ORTHOPAEDIC INSTITUTE, INC., a
California corporation; MEDICAL IMAGING
MEDICAL GROUP, an unknown entity;
MOUNTAIN VIEW SURGICAL CENTER,
INC., a California corporation; CHARLES K.
NEAL, an individual; QUEST
DIAGNOSTICS WEST HILLS, a foreign
Delaware corporation; SCREEN ACTORS
GUILD, INC., a California corporation;
THOUSAND OAKS SPINE MEDICAL
GROUP, INC., a California corporation;
STEVEN ZLATT, M.D., INC., a California
corporation; OASIS LEGAL FINANCE, LLC,
a foreign Illinois limited liability company;
MCDONALD CARANO WILSON LLP, a
Nevada limited liability partnership;
IMAGING CENTER OF THE VALLEY AT
SHERMAN OAKS COMMUNITY
HOSPITAL, LTD., A CALIFORNIA LP, a
California limited partnership; VALLEY
OPEN MRI, LLC, a California limited
liability company; and DOES I-V, inclusive;
and ROE CORPORATIONS VI-X, inclusive,

Defendants.

Case No.: A651563

Dept. No.: XXVIII

**NOTICE OF APPEAL TO THE NEVADA
SUPREME COURT FROM
A JUDGMENT OF A DISTRICT COURT**

MCDONALD • CARANO • WILSON LLP
2300 WEST SAHARA AVENUE • SUITE 1200 • LAS VEGAS, NEVADA
PHONE (702) 873-4100 • FAX (702) 873-9966

McDONALD CARANO WILSON LLP, a
Nevada limited liability partnership,

Counterclaimant,

vs.

THE BOURASSA LAW GROUP, LLC, a
Nevada limited liability company; and DOES
I-V, inclusive; and ROE CORPORATIONS
VI-X, inclusive,

Counterclaim Defendants.

McDONALD CARANO WILSON LLP, a
Nevada limited liability partnership,

Cross-Claimant,

vs.

CALIFORNIA BACK SPECIALISTS
MEDICAL GROUP, INC., a California
corporation; CALIFORNIA MINIMALLY
INVASIVE SURGERY CENTER, an
unknown entity; CONEJO NEUROLOGICAL
MEDICAL GROUP, INC., a California
corporation; LOS ANGELES
ORTHOPAEDIC INSTITUTE, INC., a
California corporation; MEDICAL IMAGING
MEDICAL GROUP, an unknown entity;
MOUNTAIN VIEW SURGICAL CENTER,
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NEAL, an individual; QUEST
DIAGNOSTICS WEST HILLS, a foreign
Delaware corporation; SCREEN ACTORS
GUILD, INC., a California corporation;
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GROUP, INC., a California corporation;
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a foreign Illinois limited liability company;
IMAGING CENTER OF THE VALLEY AT
SHERMAN OAKS COMMUNITY
HOSPITAL, LTD., A CALIFORNIA LP, a
California limited partnership; VALLEY
OPEN MRI, LLC, a California limited
liability company; and DOES I-V, inclusive;
and ROE CORPORATIONS VI-X, inclusive,

Cross-Claim Defendants.

1 Notice is hereby given that McDonald Carano Wilson LLP,
2 Defendant/Counterclaimant/Cross-Claimant in the above-captioned action, hereby appeals to
3 the Supreme Court of Nevada from the Amended Order Granting Plaintiff's Motion for
4 Disbursement of Interpleader Funds; and Denying McDonald Carano Wilson LLP's
5 Countermotion for Adjudication of Attorney's Lien and Disbursement of Interpleader Funds,
6 entered in this action on December 6, 2013.

7 Dated: December 13, 2013.

8 MCDONALD CARANO WILSON LLP

9
10 By: Patrick Murch
11 George F. Ogilvie III, Esq. (#3552)
12 Patrick J. Murch, Esq. (#10162)
13 2300 West Sahara Avenue, Suite 1200
14 Las Vegas, Nevada 89102
15 *Attorneys for McDonald Carano Wilson LLP*

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279479

CERTIFICATE OF MAILING

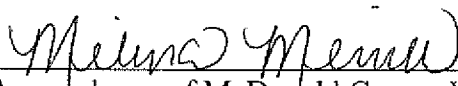
I HEREBY CERTIFY that I am an employee of the law firm of McDonald Carano Wilson LLP and, on December 13, I caused a copy of the foregoing **NOTICE OF APPEAL TO THE SUPREME COURT FROM A JUDGMENT OF A DISTRICT COURT** to be served, via U.S. Mail, upon the following:

Michelle L. Abrams, Esq.
Abrams Probate & Planning Group
530 South Fourth Street
Las Vegas, Nevada 89101
Attorney for Oasis Legal Finance, LLC

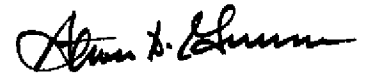
Jacqueline Mary McQuigg, Esq.
Law Offices of
Jacqueline Mary McQuigg, Esq.
2620 Regatta Drive, Suite 102
Las Vegas, Nevada 89128
Attorneys for the Chiu Entities

Mark J. Bourassa, Esq.
Christopher W. Carson, Esq.
The Bourassa Law Group, LLC
8668 Spring Mountain Road, Suite 101
Las Vegas, Nevada 89117
Attorneys for Plaintiff

James T. Studer, Esq.
James Studer & Associates
2513 Morley St.
Simi Valley, CA 93065
Attorneys for the Chiu Entities


An employee of McDonald Carano Wilson LLP

279479



CLERK OF THE COURT

1 **ASTA**
2 **GEORGE F. OGILVIE III, ESQ.**
3 **Nevada Bar No. 3552**
4 **PATRICK J. MURCH, ESQ.**
5 **Nevada Bar No. 10162**
6 **McDONALD CARANO WILSON LLP**
7 **2300 West Sahara Avenue, Suite 1200**
8 **Las Vegas, Nevada 89102**
9 **Telephone: (702) 873-4100**
10 **Facsimile: (702) 873-9966**
11 ***Attorneys for McDonald Carano Wilson LLP***

8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 **THE BOURASSA LAW GROUP, LLC**

11 **Plaintiff,**

12 **vs.**

Case No.: A651563

Dept. No.: XXVIII

13 **CALIFORNIA BACK SPECIALISTS**
14 **MEDICAL GROUP, INC., a California**
15 **corporation; CALIFORNIA MINIMALLY**
16 **INVASIVE SURGERY CENTER, an**
17 **unknown entity; CONEJO NEUROLOGICAL**
18 **MEDICAL GROUP, INC., a California**
19 **corporation; LOS ANGELES**
20 **ORTHOPAEDIC INSTITUTE, INC., a**
21 **California corporation; MEDICAL IMAGING**
22 **MEDICAL GROUP, an unknown entity;**
23 **MOUNTAIN VIEW SURGICAL CENTER,**
24 **INC., a California corporation; CHARLES K.**
25 **NEAL, an individual; QUEST**
26 **DIAGNOSTICS WEST HILLS, a foreign**
27 **Delaware corporation; SCREEN ACTORS**
28 **GUILD, INC., a California corporation;**
THOUSAND OAKS SPINE MEDICAL
GROUP, INC., a California corporation;
STEVEN ZLATT, M.D., INC., a California
corporation; OASIS LEGAL FINANCE, LLC,
a foreign Illinois limited liability company;
McDONALD CARANO WILSON LLP, a
Nevada limited liability partnership;
IMAGING CENTER OF THE VALLEY AT
SHERMAN OAKS COMMUNITY
HOSPITAL, LTD., A CALIFORNIA LP, a
California limited partnership; VALLEY
OPEN MRI, LLC, a California limited
liability company; and DOES I-V, inclusive;
and ROE CORPORATIONS VI-X, inclusive,

Defendants.

McDONALD CARANO WILSON LLP, a
Nevada limited liability partnership,

Counterclaimant,

vs.

THE BOURASSA LAW GROUP, LLC, a
Nevada limited liability company; and DOES
I-V, inclusive; and ROE CORPORATIONS
VI-X, inclusive,

Counterclaim Defendants.

McDONALD CARANO WILSON LLP, a
Nevada limited liability partnership,

Cross-Claimant,

vs.

CALIFORNIA BACK SPECIALISTS
MEDICAL GROUP, INC., a California
corporation; CALIFORNIA MINIMALLY
INVASIVE SURGERY CENTER, an
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MEDICAL GROUP, INC., a California
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California limited partnership; VALLEY
OPEN MRI, LLC, a California limited
liability company; and DOES I-V, inclusive;
and ROE CORPORATIONS VI-X, inclusive,

Cross-Claim Defendants.

CASE APPEAL STATEMENT

1. Name of appellant filing this case appeal statement:

McDonald Carano Wilson LLP (“McDonald Carano”).

2. Identify the judge issuing the decision, judgment, or order appealed from:

The Hon. Ronald J. Israel, Department XXVIII, Eighth Judicial District Court, Clark County.

3. Identify each appellant and the name and address of counsel for each appellant:

Appellant – McDonald Carano Wilson LLP

George F. Ogilvie III
Patrick J. Murch
McDonald Carano Wilson LLP
2300 West Sahara Avenue, Suite 1200
Las Vegas, Nevada 89102

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):

Respondent – The Bourassa Law Group, LLC (the “Bourassa Firm”)

Mark J. Bourassa, Esq.
Christopher W. Carson, Esq.
The Bourassa Law Group, LLC
8668 Spring Mountain Road, Suite 101
Las Vegas, Nevada 89117

Respondent – Oasis Legal Finance, LLC (“Oasis”)

Michelle L. Abrams, Esq.
Abrams Probate & Planning Group
530 South Fourth Street
Las Vegas, Nevada 89101

Respondents - California Back Specialists Medical Group, Inc.
California Minimally Invasive Surgery Center
Thousand Oaks Spine Medical Group, Inc.
Conejo Neurological Medical Group, Inc.
Medical Imaging Medical Group¹

¹ Collectively, the “Chiu Entities.” The Chiu Entities are owned and/or controlled by non-party John C. Chiu, M.D., a California spine surgeon.

Jacqueline Mary McQuigg, Esq.
Law Offices of Jacqueline Mary McQuigg, Esq.
2620 Regatta Drive, Suite 102
Las Vegas, Nevada 89128

James T. Studer, Esq.
James Studer and Associates
1420 Los Angeles Avenue, Suite 203
Simi Valley, California 93065

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:**

James T. Studer is not licensed to practice law in Nevada. The district court did not grant him permission to appear under SCR 42.

6. **Indicate whether appellant was represented by appointed or retained counsel in the district court:**

Appellant, a Nevada law firm, was represented by its own attorneys in the district court action.

7. **Indicate whether appellant is represented by appointed or retained counsel on appeal:**

Appellant is represented by its own attorneys on appeal.

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:**

Appellant has not requested leave to proceed *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 Bourassa Firm filed its Complaint in Interpleader on November 10, 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:**

This action arises out of the settlement of a lawsuit pertaining to an automobile accident during which Robert Cooper ("Cooper") was injured while being transported in a taxicab owned by ABC Union Cab Company ("Union Cab"). To treat his injuries, Cooper obtained medical treatment and services from a number of medical specialists (collectively, the "Medical Providers").

On December 6, 2007, McDonald Carano filed a complaint on Cooper's behalf against, among other parties, Union Cab. On February 13, 2008, Cooper and McDonald Carano entered into a written agreement (the "Engagement Agreement"), pursuant to which McDonald Carano agreed to represent Cooper in the personal injury case, and Cooper agreed that McDonald Carano would receive 40% of "any settlement or judgment," plus any costs incurred by McDonald Carano in connection with the representation.

Between December 6, 2007 and October 20, 2010, McDonald Carano prosecuted the action on Cooper's behalf, by, among other things, drafting and responding to written discovery, preparing for and defending depositions (including several depositions in California involving certain of the Medical Providers), engaging in motion practice, and all other litigation matters. During that time, McDonald Carano incurred in excess of \$100,000.00 in attorney fees, plus \$13,456.62 in costs.

During the course of the litigation, Cooper executed three identical agreements with Oasis, pursuant to which Oasis advanced funds to Cooper in exchange for assignment of an interest in any settlement that Cooper recovered in the personal injury litigation. Each of these agreements stated that Oasis' interest in any settlement proceeds was subordinate to both attorneys' fees and medical liens.

Due to (among other things) a fundamental disagreement with Cooper regarding the direction of the case, McDonald Carano filed a motion to withdraw from representing Cooper

1 on October 8, 2010. The Court granted the motion for good cause following a hearing on
2 October 19, 2010.

3 On October 20, 2010, McDonald Carano recorded a lien in the Office of the Recorder
4 of Clark County, Nevada, pursuant to which it asserted an attorney's lien for compensation in
5 the amount of 40% of the gross amount recovered by settlement or judgment, plus costs in the
6 approximate amount of \$13,500.00, plus interest. On the same day, in accordance with NRS
7 18.015, McDonald Carano mailed a copy of the lien to Cooper via certified mail, and hand-
8 delivered another copy to counsel for Union Cab.

9 Thereafter, Cooper retained the Bourassa Firm to represent him in the personal injury
10 case. In May of 2011, Cooper and Union Cab agreed to settle the case for \$55,000.00 (the
11 "Settlement Proceeds"). Immediately upon learning of the settlement, McDonald Carano
12 mailed a copy of its lien to the Bourassa Firm, and asserted an interest in the Settlement
13 Proceeds.

14 The Bourassa Firm then filed a complaint in interpleader to adjudicate the rights of the
15 potential claimants to the Settlement Proceeds, naming as defendants certain of the Medical
16 Providers, McDonald Carano, and Oasis. McDonald Carano filed an answer to the complaint
17 in interpleader and asserted a counterclaim against the Bourassa Firm and cross-claims against
18 all of the other defendants.

19 Thereafter, the Bourassa Firm and McDonald Carano obtained default judgments
20 against certain of the Medical Providers and voluntarily dismissed other defendants who did
21 not provide medical treatment to Cooper in connection with the underlying action. The
22 Bourassa Firm then filed a motion for disbursement of the Settlement Proceeds on March 14,
23 2013 and, on April 1, 2013, McDonald Carano filed an opposition to that motion and a
24 countermotion for adjudication of its attorney's lien and disbursement of the Settlement
25 Proceeds in accordance with NRS 18.015. At that time, the only remaining parties to the
26 interpleader action were the Bourassa Firm, McDonald Carano, the Chiu Entities, and Oasis.

27 On May 14, 2013, the district court held a hearing on the Bourassa Firm's motion and
28 McDonald Carano's countermotion. In ruling in favor of the Bourassa Firm and against

1 McDonald Carano, the court held that, under Argentina v. Jolley Urga, et al., 125 Nev. 527,
2 216 P.3d 779 (2009), McDonald Carano did not have an enforceable charging lien because it
3 voluntarily withdrew from representing Cooper prior to the settlement of the underlying
4 litigation.

5 Although the hearing was in May, the district court did not sign the disbursement order
6 (the "Original Disbursement Order") until September 12, 2013. The order was filed on
7 September 16, at which time the Bourassa Firm caused notice of entry of the Original
8 Disbursement Order to be served on the parties via U.S. Mail.

9 On September 19, 2013, the parties submitted a stipulation and proposed order to the
10 district court, wherein they agreed to stay disbursement of the settlement proceeds pending the
11 resolution of McDonald Carano's anticipated appeal. The district court did not sign the order,
12 instead entering a separate order directing the parties to appear for an additional hearing on
13 October 15, 2013.

14 At the October 15 hearing, the district court entered an oral order staying the Original
15 Disbursement Order and directing the parties to submit supplemental briefs to address the
16 applicability of Leventhal v. Black & LoBello, 129 Nev. Adv. Op. 50 (July 11, 2013) and the
17 2013 amendments to the charging lien statute to the parties' prior arguments regarding
18 disbursement of the Settlement Proceeds. The district court continued the hearing until
19 November 15.

20 On October 28, McDonald Carano filed a motion in the Nevada Supreme court (the
21 "Motion for Publication"), seeking an order directing the publication of an unpublished Order
22 of Reversal in Case No. 57759 (Hoff v. Walters), on the grounds that the Order of Reversal
23 was directly on point regarding the attorney lien issues raised in the interpleader action.
24 McDonald Carano caused notice of its motion to be served on the parties and the district court
25 on October 29.

26 At the November 15 hearing, the parties agreed that neither the recent case law nor the
27 amendments to the charging lien statute impacted the Original Disbursement Order. The
28 district court held that all of the parties' supplemental arguments would relate back to the May

1 15 hearing on the Bourassa Firm's motion and McDonald Carano's counter-motion, and that the
2 court would enter an amended order on the Motion and Counter-motion to preserve McDonald
3 Carano's appeal rights. The district court also stayed the interpleader action pending resolution
4 of the Supreme Court Motion.

5 On November 22, 2013, the Nevada Supreme Court entered an order denying the
6 Motion for Publication. McDonald Carano caused notice of entry of that order to be served on
7 the parties on December 3.

8 The parties delivered a stipulation and proposed Amended Disbursement Order to the
9 district court on December 4, 2013, pursuant to which they agreed that: (1) the district court
10 could enter the Amended Disbursement Order, which incorporated all findings of fact,
11 conclusions of law, and orders contained in the Original Disbursement Order; (2) the Amended
12 Disbursement Order superseded and replaced the Original Disbursement Order; (3) the date of
13 the entry of the Amended Disbursement Order disposed of all issues presented in the case and
14 was the effective date of final judgment in the matter; and (4) the time period for McDonald
15 Carano to file a notice of appeal commenced on the effective date of service of notice of entry
16 of the Amended Disbursement Order. The district court signed the Amended Disbursement
17 Order on December 6, and it was entered on December 9. McDonald Carano caused notice of
18 entry of the Amended Disbursement Order to be served on all parties on December 10.

19 McDonald Carano now appeals from the Amended Disbursement Order.

20 11. **Indicate whether the case has previously been the subject of an appeal to or**
21 **original writ proceeding in the Supreme Court and, if so, the caption and Supreme**
22 **Court docket number of the prior proceeding:**

23 This case has not previously been the subject of an appeal to or original writ proceeding
24 in the Supreme Court.

25 12. **Indicate whether this appeal involves child custody or visitation:**

26 Not applicable.
27
28


13. **If this is a civil case, indicate whether this appeal involves the possibility of settlement:**

Because this appeal involves a fundamental legal issue regarding the validity and enforceability of an attorney charging lien in a case in which an attorney withdraws prior to settlement or judgment, settlement is not possible.

Dated: December 13, 2013.

MCDONALD CARANO WILSON LLP

By:


George F. Ogilvie III, Esq. (#3552)
Patrick J. Murch, Esq. (#10162)
2300 West Sahara Avenue, Suite 1200
Las Vegas, Nevada 89102

Attorneys for McDonald Carano Wilson LLP

CERTIFICATE OF MAILING


I HEREBY CERTIFY that I am an employee of the law firm of McDonald Carano Wilson LLP and, on December 13, 2013, I caused a true and correct copy of the foregoing **CASE APPEAL STATEMENT** to be served, via U.S. Mail, upon the following:

Michelle L. Abrams, Esq.
Abrams Probate & Planning Group
530 South Fourth Street
Las Vegas, Nevada 89101
Attorney for Oasis Legal Finance, LLC

Jacqueline Mary McQuigg, Esq.
Law Offices of
Jacqueline Mary McQuigg, Esq.
2620 Regatta Drive, Suite 102
Las Vegas, Nevada 89128
Attorneys for the Chiu Entities

Mark J. Bourassa, Esq.
Christopher W. Carson, Esq.
The Bourassa Law Group, LLC
8668 Spring Mountain Road, Suite 101
Las Vegas, Nevada 89117
Attorneys for Plaintiff

James T. Studer, Esq.
James Studer & Associates
2513 Morley St.
Simi Valley, CA 93065
Attorneys for the Chiu Entities


An employee of McDonald Carano Wilson LLP

279488

DEPARTMENT 28
CASE SUMMARY
CASE NO. A-11-651563-C

Bourassa Law Group, LLC, Plaintiff(s)
vs.
California Back Specialists Medical Group Inc, Defendant
(s)

§
§
§
§
§

Location: **Department 28**
Judicial Officer: **Israel, Ronald J.**
Filed on: **11/10/2011**
Cross-Reference Case Number: **A651563**

CASE INFORMATION

Statistical Closures
05/17/2013 Summary Judgment

Case Type: **Other Civil Filing**
Subtype: **Other Civil Matters**

Case Flags: **Appealed to Supreme Court**
Arbitration Exemption Granted

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number A-11-651563-C
Court Department 28
Date Assigned 11/10/2011
Judicial Officer Israel, Ronald J.

PARTY INFORMATION

		<i>Lead Attorneys</i>
Plaintiff	Bourassa Law Group, LLC	Bourassa, Mark J. <i>Retained</i> 702-851-2180(W)
Defendant	California Back Specialists Medical Group Inc	Salas-McQuigg, Jaqueline M. <i>Retained</i> 702-925-8701(W)
	California Minimally Invasive Surgery Center	Salas-McQuigg, Jaqueline M. <i>Retained</i> 702-925-8701(W)
	Conejo Neurological Medical Group Inc	
	Imaging Center of the Valley at Sherman Oaks Community Hospital LTD LP	
	Los Angeles Orthopaedic Institute Inc	
	McDonald Carano Wilson LLP	Ogilvie, George F., III <i>Retained</i> 7028734100(W)
	Medical Imaging Medical Group	
	Moutain View Surgical Center Inc Removed: 12/09/2011 Dismissed	
	Neal, Charles K Removed: 12/09/2011 Dismissed	
	Oasis Legal Finance LLC	Abrams, Michelle Lynn, ESQ <i>Retained</i> 702-369-3724(W)
	Quest Diagnostics West Hills Removed: 12/30/2011	

DEPARTMENT 28
CASE SUMMARY
CASE NO. A-11-651563-C

Dismissed

Screen Actors Guild Inc
Removed: 01/04/2012
Dismissed

Steven Zlatt MD Inc

Thousand Oaks Spine Medical Group Inc

Valley Open MRI LLC

Counter Claimant McDonald Carano Wilson LLP

Ogilvie, George F., III
Retained
7028734100(W)

Counter Defendant Bourassa Law Group, LLC

Bourassa, Mark J.
Retained
702-851-2180(W)

Cross Claimant McDonald Carano Wilson LLP

Ogilvie, George F., III
Retained
7028734100(W)

Cross Defendant California Back Specialists Medical Group Inc

Salas-McQuigg, Jaqueline M.
Retained
702-925-8701(W)

California Minimally Invasive Surgery Center

Salas-McQuigg, Jaqueline M.
Retained
702-925-8701(W)

Conejo Neurological Medical Group Inc

Imaging Center of the Valley at Sherman Oaks Community Hospital LTD

Los Angeles Orthopaedic Institute Inc

Medical Imaging Medical Group

Mountain View Surgical Center Inc
Removed: 05/03/2012
Dismissed

Neal, Charles K
Removed: 05/03/2012
Dismissed

Oasis Legal Finance LLC

Abrams, Michelle Lynn, ESQ
Retained
702-369-3724(W)


Quest Diagnostics West Hills
Removed: 05/03/2012
Dismissed

Screen Actors Guild Inc
Removed: 05/03/2012
Dismissed

Steven Zlatt MD Inc

Thousand Oaks Spine Medical Group Inc


Valley Open MRI LLC


DATE	EVENTS & ORDERS OF THE COURT	INDEX
11/10/2011	 Complaint in Interpleader	


DEPARTMENT 28
CASE SUMMARY
CASE NO. A-11-651563-C


Filed By: Plaintiff Bourassa Law Group, LLC
Complaint in Interpleader


11/10/2011 Case Opened


11/23/2011  Summons
Filed by: Plaintiff Bourassa Law Group, LLC
Summons - Valley Open MRI, LLC


11/23/2011  Summons
Filed by: Plaintiff Bourassa Law Group, LLC
Summons - Thousand Oaks Spine Medical Group, Inc.


11/23/2011  Summons
Filed by: Plaintiff Bourassa Law Group, LLC
Summons - Screen Actors Guild, Inc.


11/23/2011  Summons
Filed by: Plaintiff Bourassa Law Group, LLC
Summons - Quest Diagnostics West Hills


11/23/2011  Summons
Filed by: Plaintiff Bourassa Law Group, LLC
Summons - Oasis Legal Finance, LLC


11/23/2011  Summons
Filed by: Plaintiff Bourassa Law Group, LLC
Summons - Mountain View Surgical Center, Inc.


11/23/2011  Summons
Filed by: Plaintiff Bourassa Law Group, LLC
Summons - Medical Imaging Medical Group

11/23/2011  Summons
Filed by: Plaintiff Bourassa Law Group, LLC
Summons - McDonald, Carano & Wilson, LLP

11/23/2011  Summons
Filed by: Plaintiff Bourassa Law Group, LLC
Summons - Los Angeles Orthopaedic Institute, Inc.

11/23/2011  Summons
Filed by: Plaintiff Bourassa Law Group, LLC
Summons - Imaging Center of the Valley at Sherman Oaks Community Hospital, LTD

11/23/2011  Summons
Filed by: Plaintiff Bourassa Law Group, LLC
Summons - Conejo Neurological Medical Group, Inc.

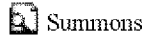
11/23/2011  Summons
Filed by: Plaintiff Bourassa Law Group, LLC
Summons - Charles K. Neal, M.D.

11/23/2011  Summons

DEPARTMENT 28
CASE SUMMARY
CASE NO. A-11-651563-C

Filed by: Plaintiff Bourassa Law Group, LLC
Summons - California Back Specialists Medical Group, Inc.

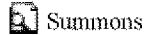
11/23/2011



Summons

Filed by: Plaintiff Bourassa Law Group, LLC
Summons - California Minimally Invasive Surgery Center

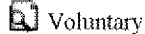
11/23/2011



Summons

Filed by: Plaintiff Bourassa Law Group, LLC
Summons - Steven Zlatt, M.D.

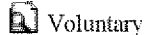
12/09/2011



Voluntary Dismissal

Filed by: Plaintiff Bourassa Law Group, LLC
Voluntary Dismissal of Defendant Mountain View Surgical Center

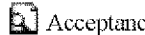
12/09/2011



Voluntary Dismissal

Filed by: Plaintiff Bourassa Law Group, LLC
Voluntary Dismissal of Defendant Charles K. Neal, M.D.

12/09/2011



Acceptance of Service

Filed By: Plaintiff Bourassa Law Group, LLC
Acceptance of Service of Summons and Complaint to McDonald Wilson & Carano, LLP

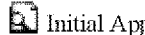
12/09/2011

Voluntary Dismissal (Judicial Officer: Israel, Ronald J.)
Debtors: Mountain View Surgical Center Inc (Defendant)
Creditors: Bourassa Law Group, LLC (Plaintiff)
Judgment: 12/09/2011, Docketed: 12/29/2011

12/09/2011

Voluntary Dismissal (Judicial Officer: Israel, Ronald J.)
Debtors: Charles K Neal (Defendant)
Creditors: Bourassa Law Group, LLC (Plaintiff)
Judgment: 12/09/2011, Docketed: 12/29/2011

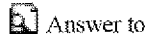
12/20/2011



Initial Appearance Fee Disclosure

Filed By: Defendant McDonald Carano Wilson LLP
Initial Appearance Fee Disclosure

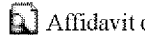
12/20/2011



Answer to Complaint

Filed by: Defendant McDonald Carano Wilson LLP
McDonald Carano Wilson LLP's Answer to Complaint in Interpleader, Counterclaim, and Cross-Claim

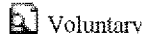
12/27/2011



Affidavit of Service

Filed By: Plaintiff Bourassa Law Group, LLC
Affidavit of Service - Screen Actors Guild, Inc.

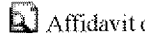
12/30/2011



Voluntary Dismissal

Filed by: Plaintiff Bourassa Law Group, LLC
Voluntary Dismissal of Defendant Quest Diagnostic West Hills

12/30/2011



Affidavit of Service











Filed By: Plaintiff Bourassa Law Group, LLC
Affidavit of Service of California Minimally Invasive Surgery Center

12/30/2011



Affidavit of Service













DEPARTMENT 28
CASE SUMMARY
CASE NO. A-11-651563-C

	Filed By: Plaintiff Bourassa Law Group, LLC <i>Affidavit of Service of Los Angeles Orthopaedic Institute, Inc.</i>
12/30/2011	 Affidavit of Service Filed By: Plaintiff Bourassa Law Group, LLC <i>Affidavit of Service of Steven Zlatt, M.D.</i>
12/30/2011	 Affidavit of Service Filed By: Plaintiff Bourassa Law Group, LLC <i>Affidavit of Service of Valley Open MRI, LLC</i>
12/30/2011	 Affidavit of Service Filed By: Plaintiff Bourassa Law Group, LLC <i>Affidavit of Service of Thousand Oaks Spine Medical Group, Inc.</i>
12/30/2011	 Affidavit of Service Filed By: Plaintiff Bourassa Law Group, LLC Party Served: Defendant Medical Imaging Medical Group <i>Affidavit of Service - Medical Imaging Medical Group</i>
12/30/2011	 Affidavit of Service Filed By: Plaintiff Bourassa Law Group, LLC Party Served: Defendant Imaging Center of the Valley at Sherman Oaks Community Hospital LTD LP <i>Affidavit of Service - Imaging Center of the Valley at Sherman Oaks Community Hospital Ltd</i>
12/30/2011	 Affidavit of Service Filed By: Plaintiff Bourassa Law Group, LLC Party Served: Defendant Conejo Neurological Medical Group Inc <i>Affidavit of Service -- Conej Neurological Medical Group</i>
12/30/2011	 Affidavit of Service Filed By: Plaintiff Bourassa Law Group, LLC Party Served: Defendant California Back Specialists Medical Group Inc <i>Affidavit of Service -California Back Specialists Medical Group Inc</i>
12/30/2011	Voluntary Dismissal (Judicial Officer: Israel, Ronald J.) Debtors: Quest Diagnostics West Hills (Defendant) Creditors: Bourassa Law Group, LLC (Plaintiff) Judgment: 12/30/2011, Docketed: 01/10/2012
01/04/2012	 Voluntary Dismissal Filed by: Plaintiff Bourassa Law Group, LLC <i>Voluntary Dismissal of Defendant Screen Actors Guild, Inc.</i>
01/04/2012	Voluntary Dismissal (Judicial Officer: Israel, Ronald J.) Debtors: Screen Actors Guild Inc (Defendant) Creditors: Bourassa Law Group, LLC (Plaintiff) Judgment: 01/04/2012, Docketed: 01/10/2012
01/26/2012	 Affidavit of Service Filed By: Plaintiff Bourassa Law Group, LLC <i>Affidavit of Service For Conejo Neurological Medical Group, Inc.</i>
01/26/2012	 Affidavit of Service Filed By: Plaintiff Bourassa Law Group, LLC

CASE SUMMARY

CASE NO. A-11-651563-C

Affidavit of Service For California Back Specialists Medical Group, Inc

01/26/2012	 Affidavit of Service Filed By: Plaintiff Bourassa Law Group, LLC <i>Affidavit of Service For Imaging Center of the Valley at Sherman Oaks Community Hospital, LTD</i>
01/26/2012	 Affidavit of Service Filed By: Plaintiff Bourassa Law Group, LLC <i>Affidavit of Service For Los Angeles Orthopaedic Institute, INC</i>
01/26/2012	 Affidavit of Service Filed By: Plaintiff Bourassa Law Group, LLC <i>Affidavit of Service For Screen Actors Guild, INC</i>
01/26/2012	 Affidavit of Service Filed By: Plaintiff Bourassa Law Group, LLC <i>Affidavit of Service California Minimally Invasive Surgery Center</i>
01/26/2012	 Affidavit of Service Filed By: Plaintiff Bourassa Law Group, LLC <i>Affidavit of Service Quest Diagnostics - West Hills</i>
01/26/2012	 Affidavit of Service Filed By: Plaintiff Bourassa Law Group, LLC <i>Affidavit of Service For Thousand Oaks Spine Medical Center, Inc.</i>
01/26/2012	 Affidavit of Service Filed By: Plaintiff Bourassa Law Group, LLC <i>Affidavit of Service For Medical Imaging Medical Group</i>
01/27/2012	 Affidavit of Service Filed By: Plaintiff Bourassa Law Group, LLC <i>Affidavit of Service For Oasis Legal Finance, LLC</i>
01/27/2012	 Application for Entry of Default Filed By: Plaintiff Bourassa Law Group, LLC <i>Application for Entry of Default For California Minimally Invasive Surgery Center</i>
01/27/2012	 Application for Entry of Default Filed By: Plaintiff Bourassa Law Group, LLC <i>Application for Entry of Default For Medical Imaging Medical Group</i>
01/27/2012	 Application for Entry of Default Filed By: Plaintiff Bourassa Law Group, LLC <i>Application for Entry of Default For Quest Diagnostics - West Hills</i>
01/27/2012	 Application for Entry of Default Filed By: Plaintiff Bourassa Law Group, LLC <i>Application for Entry of Default For Thousand Oaks Spine Medical Group, Inc.</i>
01/30/2012	 Application for Entry of Default Filed By: Plaintiff Bourassa Law Group, LLC <i>Application for Entry of Default of Defendant Imaging Center of the Valley at Sherman Oaks</i>

DEPARTMENT 28
CASE SUMMARY
CASE NO. A-11-651563-C

Community Hospital, LTD.

01/30/2012	 Application for Entry of Default Filed By: Plaintiff Bourassa Law Group, LLC <i>Application for Entry of Default of Defendant Los Angeles Orthopaedic Institute, Inc.</i>
02/07/2012	 Affidavit of Service Filed By: Plaintiff Bourassa Law Group, LLC <i>Affidavit of Service For Steven Zlatt, M.D., Inc.</i>
02/17/2012	 Certificate of Service Filed by: Defendant McDonald Carano Wilson LLP <i>Certificate of Service</i>
02/17/2012	 Certificate of Service Filed by: Defendant McDonald Carano Wilson LLP <i>Certificate of Service- Steven Zlatt M D</i>
02/17/2012	 Certificate of Service Filed by: Defendant McDonald Carano Wilson LLP <i>Certificate of Service - Valley Open MRI LLC</i>
02/17/2012	 Certificate of Service Filed by: Defendant McDonald Carano Wilson LLP <i>Certificate of Service - Oasis Legal Finance LLC</i>
02/22/2012	 Certificate of Service Filed by: Defendant McDonald Carano Wilson LLP <i>Certificate of Service - Los Angeles Orthopaedic Institute Inc</i>
02/22/2012	 Certificate of Service Filed by: Defendant McDonald Carano Wilson LLP <i>Certificate of Service - Imaging Center of the Valley at Sherman Oak Community Hospital Ltd</i>
02/23/2012	 Answer Filed By: Defendant Oasis Legal Finance LLC <i>Answer of Oasis Legal Finance, LLC</i>
03/01/2012	 Commissioners Decision on Request for Exemption - Granted <i>Commissioner s Decision on Request for Exemption - Granted</i>
03/09/2012	 Default Filed By: Plaintiff Bourassa Law Group, LLC <i>Default of Defendant Imaging Center of the Valley at Sherman Oaks Community Hospital, LTD</i>
03/09/2012	 Default Filed By: Plaintiff Bourassa Law Group, LLC <i>Default of Defendant Los Angeles Orthopaedic Institute, Inc.</i>
03/09/2012	 Notice of Entry of Default Party: Plaintiff Bourassa Law Group, LLC <i>Notice of Entry of Default of Defendant Imaging Center of the Valley at Sherman Oaks Community Hospital, LTD.</i>

DEPARTMENT 28
CASE SUMMARY
CASE NO. A-11-651563-C

03/09/2012	 Notice of Entry of Default Party: Plaintiff Bourassa Law Group, LLC <i>Notice of Entry of Default Los Angeles Orthopaedic Institute, Inc.</i>
03/19/2012	 Application for Entry of Default Filed By: Defendant McDonald Carano Wilson LLP <i>Application for Entry of Default Against California Back Specialists Medical Group, Inc.</i>
03/19/2012	 Application for Entry of Default Filed By: Defendant McDonald Carano Wilson LLP <i>Application for Entry of Default Against California Minimally Invasive Surgery Center</i>
03/19/2012	 Application for Entry of Default Filed By: Defendant McDonald Carano Wilson LLP <i>Application for Entry of Default Against Conejo Neurological Medical Group, Inc.</i>
03/19/2012	 Application for Entry of Default Filed By: Defendant McDonald Carano Wilson LLP <i>Application for Entry of Default Against Imaging Center of the Valley at Sherman Oaks Community Hospital, Ltd., a California LP</i>
03/19/2012	 Application for Entry of Default Filed By: Defendant McDonald Carano Wilson LLP <i>Application for Entry of Default Against Los Angeles Orthopaedic Institute, Inc.</i>
03/19/2012	 Application for Entry of Default Filed By: Defendant McDonald Carano Wilson LLP <i>Application for Entry of Default Against Medical Imaging Medical Group</i>
03/19/2012	 Application for Entry of Default Filed By: Defendant McDonald Carano Wilson LLP <i>Application for Entry of Default Against Thousand Oaks Spine Medical Group, Inc.</i>
03/19/2012	 Application for Entry of Default Filed By: Defendant McDonald Carano Wilson LLP <i>Application for Entry of Default Against Valley Open MRI, LLC</i>
03/19/2012	 Application for Entry of Default Filed By: Defendant McDonald Carano Wilson LLP <i>Application for Entry of Default Against Steven Zlatt, M.D., Inc.</i>
03/21/2012	 Notice of Intent Filed By: Defendant McDonald Carano Wilson LLP <i>Notice of Intent to Take Default Against Defendants California Back Specialists Medical Group, Inc., California Minimally Invasive Surgery Center, Conejo Neurological Medical Group, Inc. Medical Imaging group, Thousand Oaks Spine Medical Group, Inc.</i>
03/21/2012	 Errata Filed By: Defendant McDonald Carano Wilson LLP <i>Errata to McDonald Carano Wilson, LLP's Application for Entry of Default Against Valley Open MRI</i>
03/21/2012	 Errata

CASE SUMMARY

CASE NO. A-11-651563-C

Filed By: Defendant McDonald Carano Wilson LLP
Errata to McDonald Carano Wilson LLP's Application for Entry of Default Against Imaging Center5 of the Valley at Sherman Oaks Community Hospital, Ltd., A California LP

03/21/2012



Errata

Filed By: Defendant McDonald Carano Wilson LLP
Errata to McDonald Carano Wilson LLP's Application for Entry of Default Against Steven Zlatt, M.D., Inc.

03/21/2012



Errata

Filed By: Defendant McDonald Carano Wilson LLP
Errata to McDonald Carano Wilson LLP's Application for Entry of Default Against Los Angeles Orthopaedic Institute Inc.

03/29/2012



Arbitration File

04/19/2012



Motion to Extend Time to Serve

Party: Defendant McDonald Carano Wilson LLP
McDonald Carano Wilson's Motion to Enlarge Time for Service of Defendants/Cross-claim Defendants Imaging Center of the Valley at Sherman Oaks Community Hospital, Ltd. and Steven Zlatt, M.D., Inc. and for Order Authorizing Service of Imaging Center of the Valley at Sherman Oaks Community Hospital, Ltd. by Publication; and for an Order Shortening Time

04/19/2012



Supplement

Filed by: Defendant McDonald Carano Wilson LLP
Supplement to McDonald Carano Wilson's Motion to Enlarge Time for Service of Defendants/Cross-Claim Defendants Imaging Center of the Valley at Sherman Oaks Community Hospital, Ltd., and Steven Zlatt, M.D., Inc.; and for Order Authorizing Service of Imaging Center of the Valley at Sherman Oaks Community Hospital, Ltd. by Publication

04/20/2012



Certificate of Service

Filed by: Defendant McDonald Carano Wilson LLP
Certificate of Service

04/25/2012



Application for Entry of Default

Filed By: Plaintiff Bourassa Law Group, LLC
Application for Entry of Default of Defendant Steven Zlatt, M.D. Inc.

05/01/2012



Motion for Order Extending Time (3:00 AM) (Judicial Officer: Israel, Ronald J.)

Events: 04/19/2012 Motion to Extend Time to Serve
McDonald Carano Wilson's Motion to Enlarge Time for Service of Defendants/Cross-claim Defendants Imaging Center of the Valley at Sherman Oaks Community Hospital, Ltd. and Steven Zlatt, M.D., Inc. and for Order Authorizing Service of Imaging Center of the Valley at Sherman Oaks Community Hospital, Ltd. by Publication; and for an Order Shortening Time

05/03/2012



Certificate of Service

Filed by: Defendant McDonald Carano Wilson LLP
Certificate of Service

05/03/2012



Voluntary Dismissal

Filed by: Defendant McDonald Carano Wilson LLP
Voluntary Dismissal of Cross-Claim Defendant Screen Actors Guild, Inc.










05/03/2012





Voluntary Dismissal

Filed by: Defendant McDonald Carano Wilson LLP
Voluntary Dismissal of Cross-Claim Defendant Charles K. Neal, M.D.

DEPARTMENT 28
CASE SUMMARY
CASE NO. A-11-651563-C

05/03/2012	 Voluntary Dismissal Filed by: Defendant McDonald Carano Wilson LLP <i>Voluntary Dismissal of Cross-Claim Defendant Mountain View Surgical Center, Inc.</i>
05/03/2012	 Voluntary Dismissal Filed by: Defendant McDonald Carano Wilson LLP <i>Voluntary Dismissal of Cross-Claim Defendant Quest Diagnostics West Hills</i>
05/03/2012	Voluntary Dismissal (Judicial Officer: Israel, Ronald J.) Debtors: Quest Diagnostics West Hills (Cross Defendant) Creditors: McDonald Carano Wilson LLP (Cross Claimant) Judgment: 05/03/2012, Docketed: 05/21/2012
05/03/2012	Voluntary Dismissal (Judicial Officer: Israel, Ronald J.) Debtors: Mountain View Surgical Center Inc (Cross Defendant) Creditors: McDonald Carano Wilson LLP (Cross Claimant) Judgment: 05/03/2012, Docketed: 05/21/2012
05/03/2012	Voluntary Dismissal (Judicial Officer: Israel, Ronald J.) Debtors: Charles K Neal (Cross Defendant) Creditors: McDonald Carano Wilson LLP (Cross Claimant) Judgment: 05/03/2012, Docketed: 05/21/2012
05/03/2012	Voluntary Dismissal (Judicial Officer: Israel, Ronald J.) Debtors: Screen Actors Guild Inc (Cross Defendant) Creditors: McDonald Carano Wilson LLP (Cross Claimant) Judgment: 05/03/2012, Docketed: 05/21/2012
05/08/2012	 Answer to Counterclaim Filed By: Defendant Oasis Legal Finance LLC <i>Oasis Legal Finance, LLC's Answer to Cross-Claim</i>
05/16/2012	 Notice of Entry of Default Party: Plaintiff Bourassa Law Group, LLC <i>Notice of Entry of Default of Defendant Steven Zlatt, M.D., Inc.</i>
05/16/2012	 Default Filed By: Plaintiff Bourassa Law Group, LLC Default Prty: Defendant Steven Zlatt MD Inc <i>Default of Steven Zlatt, M.D., Inc</i>
05/30/2012	 Application for Entry of Default Filed By: Defendant McDonald Carano Wilson LLP <i>Application for Entry of Default Against Steven Zlatt, M.D., Inc.</i>
05/30/2012	 Application for Entry of Default Filed By: Defendant McDonald Carano Wilson LLP <i>Application for Entry of Default Against Los Angeles Orthopaedic Institute</i>
05/30/2012	 Application for Entry of Default Filed By: Defendant McDonald Carano Wilson LLP <i>Application for Entry of Default Against Imaging Center of the Valley at Sherman Oaks Community Hospital, Ltd., A California LP</i>
06/07/2012	 Default

DEPARTMENT 28
CASE SUMMARY
CASE NO. A-11-651563-C

	Filed By: Defendant McDonald Carano Wilson LLP <i>Default</i>
06/07/2012	 Default Filed By: Defendant McDonald Carano Wilson LLP <i>Default</i>
06/11/2012	 Notice of Entry of Default Party: Defendant McDonald Carano Wilson LLP <i>Notice of Entry of Default</i>
06/11/2012	 Notice of Entry of Default Party: Defendant McDonald Carano Wilson LLP <i>Notice of Entry of Default</i>
06/14/2012	 Affidavit Filed By: Defendant McDonald Carano Wilson LLP <i>Affidavit of Service</i>
06/21/2012	 Default Filed By: Defendant McDonald Carano Wilson LLP <i>Default</i>
06/27/2012	 Notice of Entry of Default Party: Defendant McDonald Carano Wilson LLP <i>Notice of Entry of Default</i>
08/09/2012	 Application for Default Judgment Party: Plaintiff Bourassa Law Group, LLC <i>Application for Entry of Judgment By Default as To Defendant Imaging Center of the Valley at Sherman Oaks Community Hospital, LTD.</i>
08/09/2012	 Application for Default Judgment Party: Plaintiff Bourassa Law Group, LLC <i>Application for Entry of Judgment by default as to defendant Steven Zlatt, M.D., Inc.</i>
08/09/2012	 Application for Default Judgment Party: Plaintiff Bourassa Law Group, LLC <i>Application for Entry of Judgment by default as to defendant Los Angeles Orthopaedic Institute, Inc.</i>
08/10/2012	 Application for Default Judgment Party: Defendant McDonald Carano Wilson LLP <i>Application for Entry of Default Judgment</i>
08/31/2012	Default Judgment (Judicial Officer: Israel, Ronald J.) Debtors: Los Angeles Orthopaedic Institute Inc (Cross Defendant), Steven Zlatt MD Inc (Cross Defendant), Imaging Center of the Valley at Sherman Oaks Community Hospital LTD (Cross Defendant) Creditors: McDonald Carano Wilson LLP (Cross Claimant) Judgment: 08/31/2012, Docketed: 09/07/2012
08/31/2012	 Default Judgment Filed By: Defendant McDonald Carano Wilson LLP <i>Default Judgment Against 1) Los Angeles Orthopaedic, Inc.; 2) Imaging Center of the Valley</i>

CASE SUMMARY

CASE NO. A-11-651563-C

at Sherman Oaks Hospital, Ltd., A California LP; and 3) Steven Zlatt, M.D., Inc.

09/05/2012	 Default Judgment Filed By: Plaintiff Bourassa Law Group, LLC <i>Default Judgment as to Defendant Steven Zlatt, MD, Inc.</i>
09/05/2012	 Default Judgment Filed By: Plaintiff Bourassa Law Group, LLC <i>Default Judgment as to Defendant Los Angeles Orthopaedic Institute, Inc.</i>
09/05/2012	 Default Judgment Filed By: Plaintiff Bourassa Law Group, LLC <i>Default Judgment as to Defendant Imaging Center of the Valley at Sherman Oaks Community Hospital, LTD</i>
09/05/2012	 Notice of Entry of Default Judgment Filed By: Plaintiff Bourassa Law Group, LLC <i>Notice of Entry of Default Judgment of Defendant Imaging Center of the Valley at Sherman Oaks Community Hospital, Inc.</i>
09/05/2012	 Notice of Entry of Default Judgment Filed By: Plaintiff Bourassa Law Group, LLC <i>Notice of Entry of Default Judgment of Defendant Steven Zlatt MD, Inc.</i>
09/05/2012	 Notice of Entry of Default Judgment Filed By: Plaintiff Bourassa Law Group, LLC <i>Notice of Entry of Default Judgment of Defendant Los Angeles Orthopaedic Institute, Inc.</i>
09/05/2012	Default Judgment (Judicial Officer: Israel, Ronald J.) Debtors: Los Angeles Orthopaedic Institute Inc (Defendant) Creditors: Bourassa Law Group, LLC (Plaintiff) Judgment: 09/05/2012, Docketed: 09/07/2012
09/05/2012	Default Judgment (Judicial Officer: Israel, Ronald J.) Debtors: Imaging Center of the Valley at Sherman Oaks Community Hospital LTD LP (Defendant) Creditors: Bourassa Law Group, LLC (Plaintiff) Judgment: 09/05/2012, Docketed: 09/07/2012
09/05/2012	Default Judgment (Judicial Officer: Israel, Ronald J.) Debtors: Steven Zlatt MD Inc (Defendant) Creditors: Bourassa Law Group, LLC (Plaintiff) Judgment: 09/05/2012, Docketed: 09/07/2012
09/06/2012	 Notice of Entry of Default Judgment Filed By: Defendant McDonald Carano Wilson LLP <i>Notice of Entry of Default Judgment Against 1) Los Angeles Orthopaedic Institute, Inc.; 2) Imaging Center of the Valley at Sherman Oaks Hospital, Ltd., A California LP; and 3) Steven Zlatt, M.D., Inc.</i>
03/14/2013	 Motion for Distribution Filed By: Plaintiff Bourassa Law Group, LLC <i>Plaintiff's Motion for Distribution of Interpleader Funds</i>
03/20/2013	 Errata Filed By: Plaintiff Bourassa Law Group, LLC

DEPARTMENT 28
CASE SUMMARY
CASE NO. A-11-651563-C

Errata to Plaintiff's Motion for Distribution of Interpleader Funds

03/20/2013



Notice of Hearing

Filed By: Plaintiff Bourassa Law Group, LLC

Notice of Hearing on Plaintiff's Motion for Distribution of Interpleader Funds

03/29/2013



Certificate of Mailing

Filed By: Defendant Oasis Legal Finance LLC

Certificate of Mailing

03/29/2013



Joinder

Filed By: Defendant Oasis Legal Finance LLC

Joinder in Motion for Distribution of Interpleader Funds

04/01/2013



Opposition to Motion

Filed By: Defendant McDonald Carano Wilson LLP

McDonald Carano Wilson LLP's Opposition to Plaintiff's Motion for Disbursement of Interpleader Funds; and Countermotion for Adjudication of Attorney's Lien and Disbursement of Interpleader Funds

04/12/2013



Answer

Filed By: Defendant California Back Specialists Medical Group Inc

Answer California Back Specialists Medical Group, INC., California Minimally Invasive Surgery Center, Thousand Oaks, Spine Medical Group, Conejo, Medical Imaging Medical Group To Complaint of The Bourassa Law Group, LLC For Interpleader

04/12/2013



Initial Appearance Fee Disclosure

Filed By: Defendant California Back Specialists Medical Group Inc

Initial Appearance Fee Disclosure

04/12/2013



Answer to Crossclaim

Filed By: Defendant California Back Specialists Medical Group Inc

Answer California Back Specialists Medical Group, INC., California Minimally Invasive Surgery Center, Thousand Oaks Spine Medical Group, California Neurological Medical Group, Medical Imaging Medical Group To Cross Claim of McDonald Carano Wilson, LLP.

04/16/2013

Motion for Distribution (9:00 AM) (Judicial Officer: Israel, Ronald J.)

04/16/2013, 05/14/2013

Events: 03/14/2013 Motion for Distribution

Plaintiff's Motion for Distribution of Interpleader Funds

04/16/2013

Joinder (9:00 AM) (Judicial Officer: Israel, Ronald J.)

04/16/2013, 05/14/2013

Events: 03/29/2013 Joinder

Joinder in Motion for Distribution of Interpleader Funds

04/16/2013

Opposition and Countermotion (9:00 AM) (Judicial Officer: Israel, Ronald J.)

04/16/2013, 05/14/2013

Events: 04/01/2013 Opposition to Motion

McDonald Carano Wilson LLP's Opposition to Plaintiff's Motion for Disbursement of Interpleader Funds; and Countermotion for Adjudication of Attorney's Lien and Disbursement of Interpleader Funds

04/16/2013



All Pending Motions (9:00 AM) (Judicial Officer: Israel, Ronald J.)

05/06/2013



Supplemental Brief

Filed By: Plaintiff Bourassa Law Group, LLC

CASE SUMMARY

CASE NO. A-11-651563-C

Plaintiff's Supplemental Brief Regarding the Argentina Case in Further Support of Plaintiff's Motion for Disbursement of Interpleader Funds

05/07/2013	 Supplement Filed by: Defendant McDonald Carano Wilson LLP <i>Supplement to McDonald Carano Wilson LLP's Opposition to Plaintiff's Motion for Disbursement of Interpleader Funds; and Counter-motion for Adjudication of Attorney's Lien and Disbursement of Interpleader Funds</i>
05/14/2013	 All Pending Motions (9:00 AM) (Judicial Officer: Israel, Ronald J.) <i>All Pending Motions (05/14/13)</i>
05/17/2013	 Order to Statistically Close Case <i>Civil Order To Statistically Close Case</i>
09/16/2013	 Notice of Entry of Order Filed By: Plaintiff Bourassa Law Group, LLC <i>Notice Of Entry Of Order Granting Plaintiff's Motion For Disbursement Of Interpleader Funds; And Denying McDonald Carano Wilson LLP's Counter-motion For Adjudication Of Attorney's Lien And Disbursement Of Interpleader Funds</i>
09/16/2013	 Order Granting Motion Filed By: Plaintiff Bourassa Law Group, LLC <i>Order Granting Plaintiff's Motion for Disbursement of Interpleader Funds; and Denying McDonald Carano Wilson LLP's Counter-motion for Adjudication of Attorney's Lien and Disbursement of Interpleader Funds</i>
09/16/2013	Order (Judicial Officer: Israel, Ronald J.) Debtors: California Back Specialists Medical Group Inc (Defendant), California Minimally Invasive Surgery Center (Defendant), Conejo Neurological Medical Group Inc (Defendant), Medical Imaging Medical Group (Defendant), Thousand Oaks Spine Medical Group Inc (Defendant), Oasis Legal Finance LLC (Defendant), McDonald Carano Wilson LLP (Defendant) Creditors: Bourassa Law Group, LLC (Plaintiff) Judgment: 09/16/2013, Docketed: 09/24/2013 Total Judgment: 22,030.89
09/24/2013	 Order <i>Order Scheduling Hearing: Disbursement Of Interpleader Funds</i>
10/15/2013	 Hearing (9:00 AM) (Judicial Officer: Israel, Ronald J.) 10/15/2013, 11/12/2013 Events: 09/24/2013 Order <i>Hearing Re: Disbursement Of Interpleader Funds & 45 Day Stay</i>
10/29/2013	 Notice Filed By: Defendant McDonald Carano Wilson LLP <i>Notice of Filing Motion to Publish Order of Reversal as a Published Opinion</i>
11/05/2013	 Supplement Filed by: Defendant McDonald Carano Wilson LLP <i>Second Supplement to McDonald Carano Wilson LLP's Opposition to Plaintiff's Motion for Disbursement of Interpleader Funds; and Counter-motion for Adjudication of Attorney's Lien and Disbursement of Interpleader Funds</i>
11/08/2013	 Joinder Filed By: Defendant Oasis Legal Finance LLC <i>Joinder in Plaintiff's Further Supplemental Brief in Support of Plaintiff's Motion for</i>

DEPARTMENT 28
CASE SUMMARY
CASE NO. A-11-651563-C

<i>Disbursement of Interpleader Funds</i>	
11/08/2013	 Certificate of Mailing Filed By: Defendant Oasis Legal Finance LLC <i>Certificate of Mailing</i>
11/08/2013	 Certificate of Service Filed by: Defendant McDonald Carano Wilson LLP <i>Certificate of Service</i>
11/08/2013	 Supplemental Brief Filed By: Plaintiff Bourassa Law Group, LLC <i>Plaintiff's Further Supplemental Brief in Support of Plaintiff's Motion for Disbursement of Interpleader Funds</i>
12/03/2013	 Notice of Entry Filed By: Defendant McDonald Carano Wilson LLP <i>Notice of Entry of Order on Motion to Publish Order of Reversal as a Published Opinion</i>
12/09/2013	 Stipulation and Order Filed by: Defendant McDonald Carano Wilson LLP <i>Stipulation and Amended Order Granting the Bourassa Law Group LLC's Motion for Disbursement of Interpleader Funds; and Denying McDonald Carano Wilson, LLP's Countermotion for Adjudication of Attorney's Lien and Disbursement of Interpleader Funds</i>
12/11/2013	 Notice of Entry of Stipulation and Order Filed By: Defendant McDonald Carano Wilson LLP <i>Notice of Entry of Stipulation and Amended Order Granting the Bourassa Law Group LLC's Motion for Disbursement of Interpleader Funds; and Denying McDonald Carano Wilson LLP's Countermotion for Adjudication of Attorney's Lien and Disbursement of Interpleader Funds</i>
12/13/2013	 Case Appeal Statement Filed By: Defendant McDonald Carano Wilson LLP <i>Case Appeal Statement</i>
12/13/2013	 Notice of Appeal Filed By: Defendant McDonald Carano Wilson LLP <i>Notice of Appeal to the Nevada Supreme Court From a Judgment of a District Court</i>

DATE	FINANCIAL INFORMATION	
	Defendant California Back Specialists Medical Group Inc	
	Total Charges	223.00
	Total Payments and Credits	223.00
	Balance Due as of 12/19/2013	0.00
	Defendant McDonald Carano Wilson LLP	
	Total Charges	247.00
	Total Payments and Credits	247.00
	Balance Due as of 12/19/2013	0.00
	Defendant Oasis Legal Finance LLC	
	Total Charges	223.00
	Total Payments and Credits	223.00
	Balance Due as of 12/19/2013	0.00
	Plaintiff Bourassa Law Group, LLC	
	Total Charges	270.00

DEPARTMENT 28
CASE SUMMARY
CASE NO. A-11-651563-C

Total Payments and Credits
Balance Due as of 12/19/2013

270.00
0.00

CIVIL COVER SHEET A - 11 - 651563 - C
 Clark County, Nevada XXVIII
 Case No. _____
 (Assigned by Clark's Office)

I. Party Information

Plaintiff(s) (name/address/phone):
 THE BOURASSA LAW GROUP, LLC

Attorney (name/address/phone):
 Christopher W. Carson, Esq., The Bourassa Law Group
 3025 W. Sahara Ave., #105, Las Vegas, NV 89102

Defendant(s) (name/address/phone):
 CALIFORNIA BACK SPECIALISTS, et al.

Attorney (name/address/phone):
 N/A

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/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"/> 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 checked="" 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 checked="" type="checkbox"/> Other Civil Matters

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

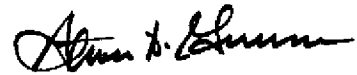
- | | | |
|-----------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------|
| <input type="checkbox"/> NRS Chapters 78-88 | <input type="checkbox"/> Investments (NRS 104 Art. 8) | <input type="checkbox"/> 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) | |

November 10, 2011

Date


 Signature of initiating party or representative

See other side for family-related case filings.



CLERK OF THE COURT

1 **SAO**
2 GEORGE F. OGILVIE III, ESQ.
3 Nevada Bar No. 3552
4 PATRICK J. MURCH, ESQ.
5 Nevada Bar No. 10162
6 McDONALD CARANO WILSON LLP
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9 pmurch@mcdonaldcarano.com
10 Telephone: (702) 873-4100
11 Facsimile: (702) 873-9966
12 *Attorneys for McDonald Carano Wilson LLP*

9 **DISTRICT COURT**

10 **CLARK COUNTY, NEVADA**

11 THE BOURASSA LAW GROUP, LLC

12 Plaintiff,

13 vs.

14 CALIFORNIA BACK SPECIALISTS MEDICAL
15 GROUP, INC., a California corporation;
16 CALIFORNIA MINIMALLY INVASIVE
17 SURGERY CENTER, an unknown entity;
18 CONEJO NEUROLOGICAL MEDICAL
19 GROUP, INC., a California corporation; LOS
20 ANGELES ORTHOPAEDIC INSTITUTE, INC.,
21 a California corporation; MEDICAL IMAGING
22 MEDICAL GROUP, an unknown entity;
23 MOUNTAIN VIEW SURGICAL CENTER, INC.,
24 a California corporation; CHARLES K. NEAL, an
25 individual; QUEST DIAGNOSTICS WEST
26 HILLS, a foreign Delaware corporation; SCREEN
27 ACTORS GUILD, INC., a California corporation;
28 THOUSAND OAKS SPINE MEDICAL GROUP,
INC., a California corporation; STEVEN ZLATT,
M.D., INC., a California corporation; OASIS
LEGAL FINANCE, LLC, a foreign Illinois limited
liability company; McDONALD CARANO
WILSON LLP, a Nevada limited liability
partnership; IMAGING CENTER OF THE
VALLEY AT SHERMAN OAKS COMMUNITY
HOSPITAL, LTD., A CALIFORNIA LP, a
California limited partnership; VALLEY OPEN
MRI, LLC, a California limited liability company;
and DOES I-V, inclusive; and ROE
CORPORATIONS VI-X, inclusive,

Defendants.

Case No.: A651563

Dept. No.: XXVIII

**STIPULATION AND ~~PROPOSED~~
AMENDED ORDER GRANTING THE
BOURASSA LAW GROUP LLC'S
MOTION FOR DISBURSEMENT OF
INTERPLEADER FUNDS;**

AND

**DENYING McDONALD CARANO
WILSON LLP'S COUNTERMOTION FOR
ADJUDICATION OF ATTORNEY'S LIEN
AND DISBURSEMENT OF
INTERPLEADER FUNDS**



1 McDONALD CARANO WILSON LLP, a Nevada
2 limited liability partnership,
3
4 Counterclaimant,
5
6 vs.
7
8 THE BOURASSA LAW GROUP, LLC, a Nevada
9 limited liability company; and DOES I-V,
10 inclusive; and ROE CORPORATIONS VI-X,
11 inclusive,
12
13 Counterclaim Defendants.

9 McDONALD CARANO WILSON LLP, a Nevada
10 limited liability partnership,
11
12 Cross-Claimant,
13
14 vs.
15
16 CALIFORNIA BACK SPECIALISTS MEDICAL
17 GROUP, INC., a California corporation;
18 CALIFORNIA MINIMALLY INVASIVE
19 SURGERY CENTER, an unknown entity;
20 CONEJO NEUROLOGICAL MEDICAL
21 GROUP, INC., a California corporation; LOS
22 ANGELES ORTHOPAEDIC INSTITUTE, INC.,
23 a California corporation; MEDICAL IMAGING
24 MEDICAL GROUP, an unknown entity;
25 MOUNTAIN VIEW SURGICAL CENTER, INC.,
26 a California corporation; CHARLES K. NEAL, an
27 individual; QUEST DIAGNOSTICS WEST
28 HILLS, a foreign Delaware corporation; SCREEN
ACTORS GUILD, INC., a California corporation;
THOUSAND OAKS SPINE MEDICAL GROUP,
INC., a California corporation; STEVEN ZLATT,
M.D., INC., a California corporation; OASIS
LEGAL FINANCE, LLC, a foreign Illinois limited
liability company; IMAGING CENTER OF THE
VALLEY AT SHERMAN OAKS COMMUNITY
HOSPITAL, LTD., A CALIFORNIA LP, a
California limited partnership; VALLEY OPEN
MRI, LLC, a California limited liability company;
and DOES I-V, inclusive; and ROE
CORPORATIONS VI-X, inclusive,

Cross-Claim Defendants.

1 Plaintiff/Counterclaim Defendant The Bourassa Law Group, LLC (the "Bourassa Firm"),
2 Defendant/Counterclaimant/Cross-Claimant McDonald Carano Wilson LLP ("McDonald
3 Carano"), and Defendant/Cross-Claim Defendant Oasis Legal Finance, LLC ("Oasis"), by and
4 through their respective undersigned counsel, stipulate and agree as follows:

5 **A. Original Disbursement Order.**

6 This matter originally came before the Court on April 16, 2013, on the Bourassa Firm's
7 Motion for Distribution of Interpleader Funds ("Motion") and McDonald Carano's
8 Countermotion for Adjudication of Attorney's Lien and Disbursement of Interpleader Funds
9 ("Countermotion"). Mark J. Bourassa appeared on behalf of the Bourassa Firm, Patrick J. Murch
10 and Rory T. Kay appeared on behalf of McDonald Carano, and Michelle Abrams appeared on
11 behalf of Oasis.¹

12 At the April 16 hearing, the Court directed the parties to submit supplemental briefs to
13 address the attorney charging lien issues raised in Argentina v. Jolley Urga, et al., 125 Nev. 527,
14 216 P.3d 779 (2009). The hearing was continued to May 14, 2013.

15 At the May 14 hearing, after considering all of the parties' respective written and oral
16 arguments, the Court made the following findings of fact:

17 On or about December 10, 2005, while riding as a passenger in a taxicab
18 owned and operated by ABC Union Cab Co., Robert Cooper ("Cooper") was
19 involved in an automobile accident in Las Vegas, Nevada. Subsequently, Cooper
20 received medical treatment and/or services related to the automobile accident
21 from various providers.

22 Initially, Cooper retained and was represented by McDonald Carano in a
23 personal injury suit against Union Cab. However, McDonald Carano, on its own
24 motion, withdrew from the underlying case prior to any settlement or judgment
25 being obtained. Immediately thereafter, pursuant to NRS 18.015, McDonald
26 Carano caused an attorney's lien to be recorded in the Office of the Recorder of
27 Clark County, Nevada. Cooper then retained the Bourassa Firm on a contingent
28 basis of 40 percent of the total settlement before deduction of costs or expenses.

26 ¹ Defendants/Cross-Claim Defendants California Back Specialists Medical Group, Inc., California
27 Minimally Invasive Surgery Center, Thousand Oaks Spine Medical Group, Inc., Conejo
28 Neurological Medical Group, or Medical Imaging Medical Group, Inc. (collectively, the "Chiu
Entities") filed their joint answer to the Bourassa Firm's complaint in May 2012. The Chiu
Entities did not file any other documents in this litigation, nor did they appear at any of the
hearings referenced herein.

1 The Bourassa Firm subsequently obtained a settlement on Cooper's behalf in the
2 total amount of \$55,000.00, and incurred costs of \$30.89.

3 The medical bills incurred by Cooper substantially exceeded the
4 settlement amount. Accordingly, the Bourassa Firm filed the instant interpleader
5 action and subsequently, its Motion on or about March 20, 2013. On or about
6 March 29, 2013, Oasis filed a Joinder in the Bourassa Firm's Motion. On or
7 about April 1, 2013, McDonald Carano filed its Countermotion in conjunction
8 with its Opposition to the Bourassa Firm's Motion.

9 See Order Granting [the Bourassa Firm]'s Motion for Disbursement of Interpleader Funds;
10 and Denying McDonald Carano Wilson LLP's Countermotion for Adjudication of Attorney's
11 Lien and Disbursement of Interpleader Funds (the "Original Disbursement Order") (filed Sept. 16,
12 2013), on file with the Court.

13 The Court also made the following conclusions of law:

14 ...

15 A[n] attorney] Charging Lien is a lien on the judgment or settlement that
16 the attorney has obtained for the client. Argentina, 216 P.3d at 783-784
17 (Citations omitted). Following McDonald Carano's withdrawal, the Bourassa
18 Firm represented Cooper in the underlying matter on a contingency basis of 40
19 percent before the deduction of costs or expenses. Because the Bourassa Firm
20 was representing Cooper at the time of settlement, the Bourassa Firm has a
21 charging lien on the settlement funds and is entitled to enforce its charging lien
22 against the settlement proceeds for its attorney fees in the amount of \$22,000.00,
23 plus costs of \$30.89.

24 It is undisputed that McDonald Carano withdrew from representing
25 Cooper prior to any settlement being obtained. It is also undisputed that
26 McDonald Carano did not obtain any settlement on behalf of Cooper.
27 Accordingly, based on the plain reading of the definition of a Charging Lien
28 under Argentina – "a lien on the judgment or settlement that the attorney has
obtained for the client" – McDonald Carano cannot have a charging lien because
McDonald Carano withdrew from the Cooper matter prior to any settlement being
obtained and did not obtain a settlement for the client. Id.

Based on the above, McDonald Carano is not entitled to recover any
attorney fees or costs under a theory of a Charging Lien. See Original
Disbursement Order.

...

A Retaining Lien allows a discharged attorney to withhold the client's file and other property until the court, at the request or consent of the client, adjudicates the client's rights and obligations with respect to the lien. [Argentena, 216 P.3d] at 782.

In this instance, McDonald Carano did not retain Cooper's file or property. Accordingly, no Retaining Lien exists and therefore cannot be enforced.

IT IS THEREFORE ORDERED that the Bourassa Law Group, LLC be awarded its requested attorney fees in the amount [of] \$22,000.00, calculated as 40 percent of the total settlement before the deduction of costs and expenses, plus costs in the amount of \$30.89, and that the sum of \$22,030.89 shall be disbursed to The Bourassa Law Group, LLC.

IT IS FURTHER ORDERED that McDonald Carano be awarded nothing from the settlement proceeds.

IT IS FUTHER ORDERED that the remaining settlement proceeds, after payment of The Bourassa Law Group, LLC's fees and costs, total \$32,969.11. Those funds shall be disbursed on a pro-rata basis between the remaining responding parties, as follows:

<u>Claimant</u>	<u>Amount of Claim</u>	<u>Percentage of Total Claim</u>	<u>Amount to be Disbursed</u>
California Back Specialists Medical Group, Inc.	\$85,146.00	34.3553%	\$11,326.64
California Minimally Invasive Surgery Center	\$77,300	31.1896%	\$10,282.93
Thousand Oaks Spine Medical Group, Inc.	\$31,047.50	12.5273%	\$4,130.14
Conejo Neurological Medical Group	\$2,064.00	.8328%	\$274.57
Medical Imaging Medical Group, Inc.	\$10,241.88	4.1325%	\$1,362.45
Oasis Legal Finance, LLC	\$42,040.00	16.9626%	\$5,592.38
TOTAL:	\$247,839.38	100.0%	\$32,969.11

The Clerk of the Court shall disburse the settlement proceeds in accordance with the foregoing within thirty (30) days of the date of entry of this Order." See Original Disbursement Order.

1 Although the hearing was conducted in May 2013, the Original Disbursement Order was
2 not signed until September 12. Id. It was filed on September 16. Id. The same day, the Bourassa
3 Firm caused notice of entry of the Original Disbursement Order to be served on the parties via
4 U.S. Mail. See Notice of Entry of [Original Disbursement Order] (filed Sept. 16, 2013), on file
5 with the Court.

6 **B. Procedural History Following Entry of Original Disbursement Order.**

7 On September 19, 2013, counsel for the Bourassa Firm, McDonald Carano, and Oasis
8 submitted a stipulation and proposed order to the Court, wherein they agreed to stay the
9 disbursement of the settlement proceeds pending the resolution of McDonald Carano's anticipated
10 appeal. The Court did not sign the order, but instead entered a separate order directing the parties
11 to appear for a "Hearing on Disbursement of Interpleader Funds" on October 15, 2013. See Order
12 Scheduling Hearing: Disbursement of Interpleader Funds (entered Oct. 15, 2013), on file with the
13 Court.

14 **1. October 15 Hearing.**

15 At the October 15 hearing, the Court entered an oral order staying the Original
16 Disbursement Order and directing the parties to submit supplemental briefs to address whether
17 Leventhal v. Black & LoBello, 129 Nev., Adv. Op. 50 (filed July 11, 2013) or the July 2013
18 amendments to the attorney lien statute had any impact on the Original Disbursement Order. The
19 hearing was continued to November 15.

20 **2. McDonald Carano's Supreme Court Motion.**

21 On October 28, 2013, McDonald Carano filed a motion in the Nevada Supreme Court,
22 seeking an order directing the publication of an unpublished Order of Reversal in Case No. 57759
23 (Hoff v. Walters), on the grounds that the Order of Reversal was directly on point regarding the
24 attorney lien issues raised in the interpleader action. McDonald Carano caused notice of its
25 motion to be served on the parties and the Court on October 29.

3. November 15 Hearing.

On November 15, 2013, the Court held another hearing to address the issues raised in the parties' supplemental briefs. The parties agreed that neither Leventhal nor the recent amendments to NRS 18.015 had any impact on the Original Disbursement Order. In addition, the Court held that because the decision in Leventhal and the amendments to NRS 18.015 occurred between the May 15 hearing and the date of entry of the Original Disbursement Order, all of the parties' supplemental arguments would relate back to the May 15 hearing, and the Court would enter an amended order on the Motion and Countermotion in order to preserve McDonald Carano's appeal rights. None of the parties objected to that determination. The Court also ordered a stay of the interpleader action pending resolution of McDonald Carano's Supreme Court motion. Finally, Mark Bourassa represented that the \$55,000.00 in settlement proceeds had not been deposited with the Clerk of the Court, but remained in the Bourassa Firm's client trust account pending resolution of this matter.

4. Resolution of McDonald Carano's Supreme Court Motion.

On November 22, 2013, the Nevada Supreme Court entered an order denying McDonald Carano's motion for publication. McDonald Carano caused notice of entry of that order to be served on the parties on December 3.

Based on the foregoing, the parties stipulate and agree as follows:

1. The Court may enter the following Amended Order, which shall incorporate all findings of fact, conclusions of law, and order(s) contained in the Original Disbursement Order, plus all additional stipulated facts contained herein;

2. The Amended Order shall supersede and replace the Original Disbursement Order in its entirety;

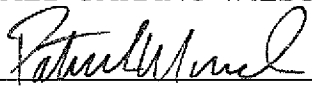
3. The date of entry of the following Amended Order disposes of all the issues presented in the case, and shall be the effective date of final judgment in this matter;

4. The time period for McDonald Carano to file a notice of appeal shall commence on the effective date of service of notice of entry of the following Amended Order; and

5. The settlement proceeds at issue may remain in the Bourassa Firm's client trust account until further order of this Court.

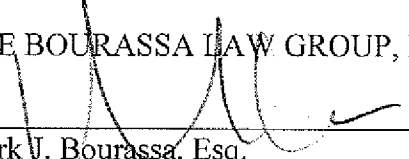
Dated: December 4, 2013.

McDONALD CARANO WILSON LLP


George F. Ogilvie III, Esq. (#3552)
Patrick J. Murch, Esq. (#10162)
2300 West Sahara Avenue, Suite 1200
Las Vegas, Nevada 89102
Attorneys for McDonald Carano Wilson LLP

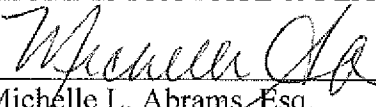
Dated: December 4th, 2013.

THE BOURASSA LAW GROUP, LLC


Mark J. Bourassa, Esq.
Christopher W. Carson, Esq.
8668 Spring Mountain Road, Suite 101
Las Vegas, Nevada 89117
Attorneys for The Bourassa Law Group, LLC

Dated: December 5, 2013.

ABRAMS PROBATE & PLANNING GROUP


Michelle L. Abrams, Esq.
530 South Fourth Street
Las Vegas, Nevada 89101
Attorney for Oasis Legal Finance, LLC

AMENDED ORDER

IT IS SO ORDERED.

Dated this 6 day of Dec 2013.


DISTRICT COURT JUDGE

Submitted by:

McDonald Carano Wilson LLP

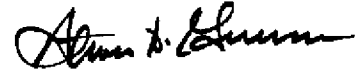
By: 

George F. Ogilvie III Esq. (#3552)
Patrick J. Murch, Esq. (#10162)
2300 West Sahara Avenue, Suite 1200
Las Vegas, Nevada 89102

Attorneys for McDonald Carano Wilson LLP

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3 Nevada Bar No. 3552
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12 *Attorneys for McDonald Carano Wilson LLP*

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CLERK OF THE COURT

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DISTRICT COURT
CLARK COUNTY, NEVADA

THE BOURASSA LAW GROUP, LLC

Plaintiff,

vs.

CALIFORNIA BACK SPECIALISTS MEDICAL GROUP, INC., a California corporation;
CALIFORNIA MINIMALLY INVASIVE SURGERY CENTER, an unknown entity;
CONEJO NEUROLOGICAL MEDICAL GROUP, INC., a California corporation; LOS ANGELES ORTHOPAEDIC INSTITUTE, INC., a California corporation; MEDICAL IMAGING MEDICAL GROUP, an unknown entity; MOUNTAIN VIEW SURGICAL CENTER, INC., a California corporation; CHARLES K. NEAL, an individual; QUEST DIAGNOSTICS WEST HILLS, a foreign Delaware corporation; SCREEN ACTORS GUILD, INC., a California corporation; THOUSAND OAKS SPINE MEDICAL GROUP, INC., a California corporation; STEVEN ZLATT, M.D., INC., a California corporation; OASIS LEGAL FINANCE, LLC, a foreign Illinois limited liability company; McDONALD CARANO WILSON LLP, a Nevada limited liability partnership; IMAGING CENTER OF THE VALLEY AT SHERMAN OAKS COMMUNITY HOSPITAL, LTD., A CALIFORNIA LP, a California limited partnership; VALLEY OPEN MRI, LLC, a California limited liability company; and DOES I-V, inclusive; and ROE CORPORATIONS VI-X, inclusive,

Defendants.

Case No.: A-11-651563-C
Dept. No.: XXVIII

**NOTICE OF ENTRY OF STIPULATION
AND AMENDED ORDER GRANTING
THE BOURASSA LAW GROUP LLC'S
MOTION FOR DISBURSEMENT OF
INTERPLEADER FUNDS;**

AND

**DENYING MCDONALD CARANO
WILSON LLP'S COUNTERMOTION FOR
ADJUDICATION OF ATTORNEY'S LIEN
AND DISBURSEMENT OF
INTERPLEADER FUNDS**

1 McDONALD CARANO WILSON LLP, a Nevada
2 limited liability partnership,

3 Counterclaimant,

4 vs.

5 THE BOURASSA LAW GROUP, LLC, a Nevada
6 limited liability company; and DOES I-V,
7 inclusive; and ROE CORPORATIONS VI-X,
8 inclusive,

8 Counterclaim Defendants.

9 McDONALD CARANO WILSON LLP, a Nevada
10 limited liability partnership,

11 Cross-Claimant,

12 vs.

13 CALIFORNIA BACK SPECIALISTS MEDICAL
14 GROUP, INC., a California corporation;
15 CALIFORNIA MINIMALLY INVASIVE
16 SURGERY CENTER, an unknown entity;
17 CONEJO NEUROLOGICAL MEDICAL
18 GROUP, INC., a California corporation; LOS
19 ANGELES ORTHOPAEDIC INSTITUTE, INC.,
20 a California corporation; MEDICAL IMAGING
21 MEDICAL GROUP, an unknown entity;
22 MOUNTAIN VIEW SURGICAL CENTER, INC.,
23 a California corporation; CHARLES K. NEAL, an
24 individual; QUEST DIAGNOSTICS WEST
25 HILLS, a foreign Delaware corporation; SCREEN
26 ACTORS GUILD, INC., a California corporation;
27 THOUSAND OAKS SPINE MEDICAL GROUP,
28 INC., a California corporation; STEVEN ZLATT,
M.D., INC., a California corporation; OASIS
LEGAL FINANCE, LLC, a foreign Illinois limited
liability company; IMAGING CENTER OF THE
VALLEY AT SHERMAN OAKS COMMUNITY
HOSPITAL, LTD., A CALIFORNIA LP, a
California limited partnership; VALLEY OPEN
MRI, LLC, a California limited liability company;
and DOES I-V, inclusive; and ROE
CORPORATIONS VI-X, inclusive,

Cross-Claim Defendants.

1 TO: ALL PARTIES AND THEIR COUNSEL OF RECORD:
2 PLEASE TAKE NOTICE that a **STIPULATION AND AMENDED ORDER**
3 **GRANTING THE BOURASSA LAW GROUP LLC'S MOTION FOR DISBURSEMENT**
4 **OF INTERPLEADER FUNDS; AND DENYING MCDONALD CARANO WILSON LLP'S**
5 **COUNTERMOTION FOR ADJUDICATION OF ATTORNEY'S LIEN AND**
6 **DISBURSEMENT OF INTERPLEADER FUNDS** was entered on December 9, 2013. A true
7 and correct copy of the Stipulation and Order is attached as Exhibit A.

8 Dated: December 10, 2013.

9 McDONALD CARANO WILSON LLP

10 By: /s/ Patrick J. Murch

11 George F. Ogilvie III, Esq. (#3552)

12 Patrick J. Murch, Esq. (#10162)

13 2300 West Sahara Avenue, Suite 1200

14 Las Vegas, Nevada 89102

15 *Attorneys for McDonald Carano Wilson LLP*
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 MCDONALD-CARANO-WILSON
2200 WEST SAHARA AVENUE • SUITE 100 • LAS VEGAS, NEVADA 89102-4305
PHONE: (702) 873-4100 • FAX: (702) 873-0986

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the law firm of McDonald Carano Wilson LLP, and, on December 10, 2013, I caused a copy of the foregoing **NOTICE OF ENTRY OF STIPULATION AND AMENDED ORDER GRANTING THE BOURASSA LAW GROUP LLC'S MOTION FOR DISBURSEMENT OF INTERPLEADER FUNDS; AND DENYING MCDONALDCARANO WILSON LLP'S COUNTERMOTION FOR ADJUDICATION OF ATTORNEY'S LIEN AND DISBURSEMENT OF INTERPLEADER FUNDS** to be served, via U.S. Mail, upon the following:

Michelle L. Abrams, Esq.
Abrams Probate & Planning Group
530 South Fourth Street
Las Vegas, Nevada 89101
Attorneys for Oasis Legal Finance, LLC

Jacqueline Mary McQuigg, Esq.
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2620 Regatta Drive, Suite 102
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Attorneys for the Chiu Entities

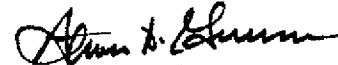
Mark J. Bourassa, Esq.
Christopher W. Carson, Esq.
The Bourassa Law Group, LLC
8668 Spring Mountain Road, Suite 101
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Attorneys for Plaintiff

James T. Studer, Esq.
James Studer & Associates
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Attorneys for the Chiu Entities

/s/ Melissa A. Merrill
An employee of McDonald Carano Wilson LLP

293853.1

EXHIBIT A



CLERK OF THE COURT

1 **SAO**
2 **GEORGE F. OGILVIE III, ESQ.**
3 **Nevada Bar No. 3552**
4 **PATRICK J. MURCH, ESQ.**
5 **Nevada Bar No. 10162**
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10 **Telephone: (702) 873-4100**
11 **Facsimile: (702) 873-9966**
12 ***Attorneys for McDonald Carano Wilson LLP***

13 **DISTRICT COURT**

14 **CLARK COUNTY, NEVADA**

15 **THE BOURASSA LAW GROUP, LLC**

16 **Plaintiff,**

17 **vs.**

18 **CALIFORNIA BACK SPECIALISTS MEDICAL**
19 **GROUP, INC., a California corporation;**
20 **CALIFORNIA MINIMALLY INVASIVE**
21 **SURGERY CENTER, an unknown entity;**
22 **CONEJO NEUROLOGICAL MEDICAL**
23 **GROUP, INC., a California corporation; LOS**
24 **ANGELES ORTHOPAEDIC INSTITUTE, INC.,**
25 **a California corporation; MEDICAL IMAGING**
26 **MEDICAL GROUP, an unknown entity;**
27 **MOUNTAIN VIEW SURGICAL CENTER, INC.,**
28 **a California corporation; CHARLES K. NEAL, an**
individual; QUEST DIAGNOSTICS WEST
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M.D., INC., a California corporation; OASIS
LEGAL FINANCE, LLC, a foreign Illinois limited
liability company; McDONALD CARANO
WILSON LLP, a Nevada limited liability
partnership; IMAGING CENTER OF THE
VALLEY AT SHERMAN OAKS COMMUNITY
HOSPITAL, LTD., A CALIFORNIA LP, a
California limited partnership; VALLEY OPEN
MRI, LLC, a California limited liability company;
and DOES I-V, inclusive; and ROE
CORPORATIONS VI-X, inclusive,

Defendants.

Case No.: A651563

Dept. No.: XXVIII

~~STIPULATION AND PROPOSED~~
AMENDED ORDER GRANTING THE
BOURASSA LAW GROUP LLC'S
MOTION FOR DISBURSEMENT OF
INTERPLEADER FUNDS;

AND

DENYING MCDONALD CARANO
WILSON LLP'S COUNTERMOTION FOR
ADJUDICATION OF ATTORNEY'S LIEN
AND DISBURSEMENT OF
INTERPLEADER FUNDS

12/9/13 (28)

1 McDONALD CARANO WILSON LLP, a Nevada
2 limited liability partnership,

3 Counterclaimant,

4 vs.

5 THE BOURASSA LAW GROUP, LLC, a Nevada
6 limited liability company; and DOES I-V,
7 inclusive; and ROE CORPORATIONS VI-X,
8 inclusive,

8 Counterclaim Defendants.

9 McDONALD CARANO WILSON LLP, a Nevada
10 limited liability partnership,

11 Cross-Claimant,

12 vs.

13 CALIFORNIA BACK SPECIALISTS MEDICAL
14 GROUP, INC., a California corporation;
15 CALIFORNIA MINIMALLY INVASIVE
16 SURGERY CENTER, an unknown entity;
17 CONEJO NEUROLOGICAL MEDICAL
18 GROUP, INC., a California corporation; LOS
19 ANGELES ORTHOPAEDIC INSTITUTE, INC.,
20 a California corporation; MEDICAL IMAGING
21 MEDICAL GROUP, an unknown entity;
22 MOUNTAIN VIEW SURGICAL CENTER, INC.,
23 a California corporation; CHARLES K. NEAL, an
24 individual; QUEST DIAGNOSTICS WEST
25 HILLS, a foreign Delaware corporation; SCREEN
26 ACTORS GUILD, INC., a California corporation;
27 THOUSAND OAKS SPINE MEDICAL GROUP,
28 INC., a California corporation; STEVEN ZLATT,
M.D., INC., a California corporation; OASIS
LEGAL FINANCE, LLC, a foreign Illinois limited
liability company; IMAGING CENTER OF THE
VALLEY AT SHERMAN OAKS COMMUNITY
HOSPITAL, LTD., A CALIFORNIA LP, a
California limited partnership; VALLEY OPEN
MRI, LLC, a California limited liability company;
and DOES I-V, inclusive; and ROE
CORPORATIONS VI-X, inclusive,

Cross-Claim Defendants.

Plaintiff/Counterclaim Defendant The Bourassa Law Group, LLC (the "Bourassa Firm"), Defendant/Counterclaimant/Cross-Claimant McDonald Carano Wilson LLP ("McDonald Carano"), and Defendant/Cross-Claim Defendant Oasis Legal Finance, LLC ("Oasis"), by and through their respective undersigned counsel, stipulate and agree as follows:

A. Original Disbursement Order.

This matter originally came before the Court on April 16, 2013, on the Bourassa Firm's Motion for Distribution of Interpleader Funds ("Motion") and McDonald Carano's Countermotion for Adjudication of Attorney's Lien and Disbursement of Interpleader Funds ("Countermotion"). Mark J. Bourassa appeared on behalf of the Bourassa Firm, Patrick J. Murch and Rory T. Kay appeared on behalf of McDonald Carano, and Michelle Abrams appeared on behalf of Oasis.¹

At the April 16 hearing, the Court directed the parties to submit supplemental briefs to address the attorney charging lien issues raised in Argentina v. Jolley Urga, et al., 125 Nev. 527, 216 P.3d 779 (2009). The hearing was continued to May 14, 2013.

At the May 14 hearing, after considering all of the parties' respective written and oral arguments, the Court made the following findings of fact:

On or about December 10, 2005, while riding as a passenger in a taxicab owned and operated by ABC Union Cab Co., Robert Cooper ("Cooper") was involved in an automobile accident in Las Vegas, Nevada. Subsequently, Cooper received medical treatment and/or services related to the automobile accident from various providers.

Initially, Cooper retained and was represented by McDonald Carano in a personal injury suit against Union Cab. However, McDonald Carano, on its own motion, withdrew from the underlying case prior to any settlement or judgment being obtained. Immediately thereafter, pursuant to NRS 18.015, McDonald Carano caused an attorney's lien to be recorded in the Office of the Recorder of Clark County, Nevada. Cooper then retained the Bourassa Firm on a contingent basis of 40 percent of the total settlement before deduction of costs or expenses.

¹ Defendants/Cross-Claim Defendants California Back Specialists Medical Group, Inc., California Minimally Invasive Surgery Center, Thousand Oaks Spine Medical Group, Inc., Conejo Neurological Medical Group, or Medical Imaging Medical Group, Inc. (collectively, the "Chiu Entities") filed their joint answer to the Bourassa Firm's complaint in May 2012. The Chiu Entities did not file any other documents in this litigation, nor did they appear at any of the hearings referenced herein.

1 The Bourassa Firm subsequently obtained a settlement on Cooper's behalf in the
2 total amount of \$55,000.00, and incurred costs of \$30.89.

3 The medical bills incurred by Cooper substantially exceeded the
4 settlement amount. Accordingly, the Bourassa Firm filed the instant interpleader
5 action and subsequently, its Motion on or about March 20, 2013. On or about
6 March 29, 2013, Oasis filed a Joinder in the Bourassa Firm's Motion. On or
7 about April 1, 2013, McDonald Carano filed its Countermotion in conjunction
8 with its Opposition to the Bourassa Firm's Motion.

9 See Order Granting [the Bourassa Firm]'s Motion for Disbursement of Interpleader Funds;
10 and Denying McDonald Carano Wilson LLP's Countermotion for Adjudication of Attorney's
11 Lien and Disbursement of Interpleader Funds (the "Original Disbursement Order") (filed Sept. 16,
12 2013), on file with the Court.

13 The Court also made the following conclusions of law:

14 ...

15 A[n] attorney] Charging Lien is a lien on the judgment or settlement that
16 the attorney has obtained for the client. Argentina, 216 P.3d at 783-784
17 (Citations omitted). Following McDonald Carano's withdrawal, the Bourassa
18 Firm represented Cooper in the underlying matter on a contingency basis of 40
19 percent before the deduction of costs or expenses. Because the Bourassa Firm
20 was representing Cooper at the time of settlement, the Bourassa Firm has a
21 charging lien on the settlement funds and is entitled to enforce its charging lien
22 against the settlement proceeds for its attorney fees in the amount of \$22,000.00,
23 plus costs of \$30.89.

24 It is undisputed that McDonald Carano withdrew from representing
25 Cooper prior to any settlement being obtained. It is also undisputed that
26 McDonald Carano did not obtain any settlement on behalf of Cooper.
27 Accordingly, based on the plain reading of the definition of a Charging Lien
28 under Argentina – "a lien on the judgment or settlement that the attorney has
obtained for the client" – McDonald Carano cannot have a charging lien because
McDonald Carano withdrew from the Cooper matter prior to any settlement being
obtained and did not obtain a settlement for the client. Id.

Based on the above, McDonald Carano is not entitled to recover any
attorney fees or costs under a theory of a Charging Lien. See Original
Disbursement Order.

...

1 A Retaining Lien allows a discharged attorney to withhold the client's file
2 and other property until the court, at the request or consent of the client,
3 adjudicates the client's rights and obligations with respect to the lien. [Argentina,
216 P.3d] at 782.

4 In this instance, McDonald Carano did not retain Cooper's file or property.
5 Accordingly, no Retaining Lien exists and therefore cannot be enforced.

6 IT IS THEREFORE ORDERED that the Bourassa Law Group, LLC be awarded
7 its requested attorney fees in the amount [of] \$22,000.00, calculated as 40 percent
8 of the total settlement before the deduction of costs and expenses, plus costs in the
amount of \$30.89, and that the sum of \$22,030.89 shall be disbursed to The
Bourassa Law Group, LLC.

9 IT IS FURTHER ORDERED that McDonald Carano be awarded nothing from
10 the settlement proceeds.

11 IT IS FUTHER ORDERED that the remaining settlement proceeds, after payment
12 of The Bourassa Law Group, LLC's fees and costs, total \$32,969.11. Those funds
13 shall be disbursed on a pro-rata basis between the remaining responding parties,
as follows:

<u>Claimant</u>	<u>Amount of Claim</u>	<u>Percentage of Total</u> <u>Claim</u>	<u>Amount to be</u> <u>Disbursed</u>
California Back Specialists Medical Group, Inc.	\$85,146.00	34.3553%	\$11,326.64
California Minimally Invasive Surgery Center	\$77,300	31.1896%	\$10,282.93
Thousand Oaks Spine Medical Group, Inc.	\$31,047.50	12.5273%	\$4,130.14
Conejo Neurological Medical Group	\$2,064.00	.8328%	\$274.57
Medical Imaging Medical Group, Inc.	\$10,241.88	4.1325%	\$1,362.45
Oasis Legal Finance, LLC	\$42,040.00	16.9626%	\$5,592.38
TOTAL:	\$247,839.38	100.0%	\$32,969.11

26 The Clerk of the Court shall disburse the settlement proceeds in
27 accordance with the foregoing within thirty (30) days of the date of entry of this
28 Order." See Original Disbursement Order.

1 Although the hearing was conducted in May 2013, the Original Disbursement Order was
2 not signed until September 12. Id. It was filed on September 16. Id. The same day, the Bourassa
3 Firm caused notice of entry of the Original Disbursement Order to be served on the parties via
4 U.S. Mail. See Notice of Entry of [Original Disbursement Order] (filed Sept. 16, 2013), on file
5 with the Court.

6 **B. Procedural History Following Entry of Original Disbursement Order.**

7 On September 19, 2013, counsel for the Bourassa Firm, McDonald Carano, and Oasis
8 submitted a stipulation and proposed order to the Court, wherein they agreed to stay the
9 disbursement of the settlement proceeds pending the resolution of McDonald Carano's anticipated
10 appeal. The Court did not sign the order, but instead entered a separate order directing the parties
11 to appear for a "Hearing on Disbursement of Interpleader Funds" on October 15, 2013. See Order
12 Scheduling Hearing: Disbursement of Interpleader Funds (entered Oct. 15, 2013), on file with the
13 Court.

14 **1. October 15 Hearing.**

15 At the October 15 hearing, the Court entered an oral order staying the Original
16 Disbursement Order and directing the parties to submit supplemental briefs to address whether
17 Leventhal v. Black & LoBello, 129 Nev., Adv. Op. 50 (filed July 11, 2013) or the July 2013
18 amendments to the attorney lien statute had any impact on the Original Disbursement Order. The
19 hearing was continued to November 15.

20 **2. McDonald Carano's Supreme Court Motion.**

21 On October 28, 2013, McDonald Carano filed a motion in the Nevada Supreme Court,
22 seeking an order directing the publication of an unpublished Order of Reversal in Case No. 57759
23 (Hoff v. Walters), on the grounds that the Order of Reversal was directly on point regarding the
24 attorney lien issues raised in the interpleader action. McDonald Carano caused notice of its
25 motion to be served on the parties and the Court on October 29.

1 **3. November 15 Hearing.**

2 On November 15, 2013, the Court held another hearing to address the issues raised in the
3 parties' supplemental briefs. The parties agreed that neither Leventhal nor the recent amendments
4 to NRS 18.015 had any impact on the Original Disbursement Order. In addition, the Court held
5 that because the decision in Leventhal and the amendments to NRS 18.015 occurred between the
6 May 15 hearing and the date of entry of the Original Disbursement Order, all of the parties'
7 supplemental arguments would relate back to the May 15 hearing, and the Court would enter an
8 amended order on the Motion and Countermotion in order to preserve McDonald Carano's appeal
9 rights. None of the parties objected to that determination. The Court also ordered a stay of the
10 interpleader action pending resolution of McDonald Carano's Supreme Court motion. Finally,
11 Mark Bourassa represented that the \$55,000.00 in settlement proceeds had not been deposited
12 with the Clerk of the Court, but remained in the Bourassa Firm's client trust account pending
13 resolution of this matter.

14 **4. Resolution of McDonald Carano's Supreme Court Motion.**

15 On November 22, 2013, the Nevada Supreme Court entered an order denying McDonald
16 Carano's motion for publication. McDonald Carano caused notice of entry of that order to be
17 served on the parties on December 3.

18 Based on the foregoing, the parties stipulate and agree as follows:

19 1. The Court may enter the following Amended Order, which shall incorporate all
20 findings of fact, conclusions of law, and order(s) contained in the Original Disbursement Order,
21 plus all additional stipulated facts contained herein;

22 2. The Amended Order shall supersede and replace the Original Disbursement Order
23 in its entirety;

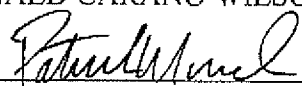
24 3. The date of entry of the following Amended Order disposes of all the issues
25 presented in the case, and shall be the effective date of final judgment in this matter;

26 4. The time period for McDonald Carano to file a notice of appeal shall commence
27 on the effective date of service of notice of entry of the following Amended Order; and
28

5. The settlement proceeds at issue may remain in the Bourassa Firm's client trust account until further order of this Court.

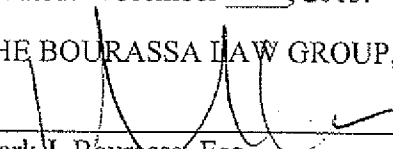
Dated: December 4, 2013.

MCDONALD CARANO WILSON LLP


George F. Ogilvie III, Esq. (#3552)
Patrick J. Murch, Esq. (#10162)
2300 West Sahara Avenue, Suite 1200
Las Vegas, Nevada 89102
Attorneys for McDonald Carano Wilson LLP

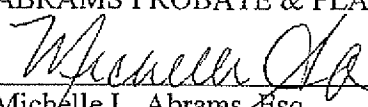
Dated: December 4th, 2013.

THE BOURASSA LAW GROUP, LLC


Mark J. Bourassa, Esq.
Christopher W. Carson, Esq.
8668 Spring Mountain Road, Suite 101
Las Vegas, Nevada 89117
Attorneys for The Bourassa Law Group, LLC

Dated: December 5, 2013.

ABRAMS PROBATE & PLANNING GROUP


Michelle L. Abrams, Esq.
530 South Fourth Street
Las Vegas, Nevada 89101
Attorney for Oasis Legal Finance, LLC

AMENDED ORDER

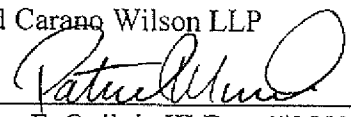
IT IS SO ORDERED.

Dated this 6 day of Dec 2013.


DISTRICT COURT JUDGE

Submitted by:

McDonald Carano Wilson LLP

By: 
George F. Ogilvie III Esq. (#3552)
Patrick J. Murch, Esq. (#10162)
2300 West Sahara Avenue, Suite 1200
Las Vegas, Nevada 89102

Attorneys for McDonald Carano Wilson LLP

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

May 01, 2012

A-11-651563-C	Bourassa Law Group, LLC, Plaintiff(s) vs. California Back Specialists Medical Group Inc, Defendant(s)
---------------	-------------------------------------------------------------------------------------------------------------

May 01, 2012	3:00 AM	Motion for Order Extending Time	McDonald Carano Wilson's Motion to Enlarge Time for Service of Defendants/Cross- claim Defendants Imaging Center of the Valley at Sherman Oaks Community Hospital, Ltd. and Steven Zlatt, M.D., Inc. and for Order Authorizing Service of Imaging Center of the Valley at Sherman Oaks Community Hospital, Ltd. by Publication; and for an Order Shortening Time
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HEARD BY: Israel, Ronald J.

COURTROOM:

COURT CLERK: Kathy Klein

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Upon review of the papers and pleadings on file in this Matter, Court notes although the motion was filed at 121 days, Court finds the Saavedra-Sandoal v. Walmart requirements have been met, However publication is not proper, NRCP 4d(2) provides for service on a foreign corporation through the Secretary of State and not publication. COURT ORDERED, Motion GRANTED In Part as to enlarge time of service and Denied In Part as to publication.

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of: Mark Bourassa, Esq., Michelle Abrams, Esq., and George Ogilvie III, Esq. (McDonald Carano Wilson).

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

April 16, 2013

A-11-651563-C Bourassa Law Group, LLC, Plaintiff(s)
vs.
California Back Specialists Medical Group Inc, Defendant(s)

April 16, 2013 9:00 AM All Pending Motions

HEARD BY: Israel, Ronald J. **COURTROOM:** RJC Courtroom 15C

COURT CLERK: Ying Pan

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT: Abrams, Michelle Lynn, ESQ Attorney
 Bourassa, Mark J. Attorney

JOURNAL ENTRIES

- PLAINTIFF'S MOTION FOR DISTRIBUTION OF INTERPLEADER FUNDS ... JOINDER IN MOTION FOR DISTRIBUTION OF INTERPLEADER FUNDS ... MCDONALD CARANO WILSON LLP'S OPPOSITION TO PLAINTIFF'S MOTION FOR DISBURSEMENT OF INTERPLEADER FUNDS; AND COUNTERMOTION FOR ADJUDICATION OF ATTORNEY'S LIEN AND DISBURSEMENT OF INTERPLEADER FUNDS

Attorneys Patrick Murch (Bar No. 10162) and Rory Kay (Bar No. 12416) appearing for Attorney George Ogilvie, on behalf of Defendant, McDonald Carano Wilson, LLP.

Colloquy between the Court and counsel as to the "Argentina" case law which is regarding attorney liens. COURT ORDERED, matter CONTINUED for counsel to conduct further research of the case law. Mr. Bourassa to re-submit an Amended Brief in two weeks, and Defense counsel's replies are due two weeks after the Amended Brief.

CONTINUED TO: 5/14/13 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

May 14, 2013

A-11-651563-C

Bourassa Law Group, LLC, Plaintiff(s)

vs.

California Back Specialists Medical Group Inc, Defendant(s)

May 14, 2013

9:00 AM

All Pending Motions

All Pending Motions
(05/14/13)

HEARD BY: Israel, Ronald J.

COURTROOM: RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES**PRESENT:**

Abrams, Michelle Lynn, ESQ

Attorney

Bourassa, Mark J.

Attorney

Murch, Patrick J.

Attorney

JOURNAL ENTRIES

- MCDONALD CARANO WILSON LLP'S OPPOSITION TO PLAINTIFF'S MOTION FOR DISBURSEMENT OF INTERPLEADER FUNDS; AND COUNTERMOTION FOR ADJUDICATION OF ATTORNEY'S LIEN AND DISBURSEMENT OF INTERPLEADER FUNDS...JOINDER IN MOTION FOR DISTRIBUTION OF INTERPLEADER FUNDS...PLAINTIFF'S MOTION FOR DISTRIBUTION OF INTERPLEADER FUNDS

Also present Rory Kay, Esq. (#12416), appearing on behalf of Defendants. Court noted it had received the supplemental briefs. Arguments by Counsel. Court finds Argentina v. Jolley Urga, et al, states the remedy would be to pursue the Client, COURT ORDERED, Plaintiff's Motion for distribution of Interpleader Funds, GRANTED, pursuant to Argentina. Mr. Murch requested some time to decide if they will be filing an appeal. Mr. Bourassa had no objection to submitting the entry of order later, 30 days out. Mr. Murch stated he would notify Mr. Bourassa when they have made a decision to appeal or not. COURT ORDERED, Joinder Motion for Distribution of Interpleader Funds, MOOT and FURTHER Defendant's Counter Motion for Adjudication of Attorney's Lien and Disbursement of

A-11-651563-C

Interpleader Funds, DENIED. Mr. Bourassa to prepare the order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

October 15, 2013

A-11-651563-C

Bourassa Law Group, LLC, Plaintiff(s)

vs.

California Back Specialists Medical Group Inc, Defendant(s)

October 15, 2013

9:00 AM

Hearing

**Hearing Re:
Disbursement Of
Interpleader Funds**

HEARD BY: Israel, Ronald J.

COURTROOM: RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT:

Abrams, Michelle Lynn, ESQ

Attorney

Bourassa, Mark J.

Attorney

Murch, Patrick J.

Attorney

JOURNAL ENTRIES

- Mr. Rory Kay, Esq. (bar #12416) appearing for Deft. McDonald C. Wilson. Colloquy regarding a recent statute in affect regarding liens. Court noted its concerns regarding the statute and how it may affect this Court's order of disbursements in this case. Colloquy regarding the liens in this case exceeding the amount held for disbursements. Court directed Counsel to review this issue and submit simultaneous briefs. COURT ORDERED, Matter STAYED 45 Days and Counsel to hold the funds. COURT FURTHER ORDERED, Matter CONTINUED for Counsel to brief this issue. Upon inquiry, Court noted Ms. Abrams will not need to submit a brief. Court directed Mr. Bourassa to prepare the order for stay and hold the money.

11/12/13 9:00 AM HEARING RE: DISBURSEMENT OF INTERPLEADER FUNDS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

November 12, 2013

A-11-651563-C

Bourassa Law Group, LLC, Plaintiff(s)

vs.

California Back Specialists Medical Group Inc, Defendant(s)

November 12, 2013

9:00 AM

Hearing

**Hearing Re:
Disbursement Of
Interpleader Funds &
45 Day Stay**

HEARD BY: Israel, Ronald J.

COURTROOM: RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT:

Abrams, Michelle Lynn, ESQ

Attorney

Bourassa, Mark J.

Attorney

Kay, Rory T.

Attorney

Murch, Patrick J.

Attorney

JOURNAL ENTRIES

- Colloquy regarding Supreme Courts un-published decision and its effect on this case, if published. Court noted Counsel submitted a stipulation and order to stay the disbursement. Upon Court's inquiry, Mr. Bourassa advised the money was still in his trust account. Court stated its findings and ORDERED, Motion to Stay GRANTED. Mr. Bourassa to submit a new order, the stay to retro from October 15th and until 30 days after the Supreme Court rules, if they are going to publish their decision. Mr. Murch stated he would like to preserve the right to appeal, pertaining to the original order. Court suggested Nunc Pro Tunc.



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

GEORGE F. OGILVIE, III, ESQ.
2300 W. SAHARA AVE., SUITE 1200
LAS VEGAS, NV 89102

DATE: December 19, 2013
CASE: A651563

RE CASE: THE BOURASSA LAW GROUP, LLC vs. CALIFORNIA BACK SPECIALISTS MEDICAL GROUP, INC.; CALIFORNIA MINIMALLY INVASIVE SURGERY CENTER; CONEJO NEUROLOGICAL MEDICAL GROUP, INC.; LOS ANGELES ORTHOPAEDIC INSTITUTE, INC.; MEDICAL IMAGING MEDICAL GROUP; THOUSAND OAKS SPINE MEDICAL GROUP, INC.; STEVEN ZLATT, M.D., INC.; OASIS LEGAL FINANCE, LLC; MCDONALD CARANO WILSON, LLP; IMAGING CENTER OF THE VALLEY AT SHERMAN OAKS COMMUNITY HOSPITAL, LTD.; VALLEY OPEN MRI, LLC

NOTICE OF APPEAL FILED: December 13, 2013

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 TO THE NEVADA SUPREME COURT FROM A JUDGMENT OF A DISTRICT COURT; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; STIPULATION AND AMENDED ORDER GRANTING THE BOURASSA LAW GROUP LLC'S MOTION FOR DISBURSEMENT OF INTERPLEADER FUNDS; AND DENYING MCDONALD CARANO WILSON LLP'S COUNTERMOTION FOR ADJUDICATION OF ATTORNEY'S LIEN AND DISBURSEMENT OF INTERPLEADER FUNDS; NOTICE OF ENTRY OF STIPULATION AND AMENDED ORDER GRANTING THE BOURASSA LAW GROUP LLC'S MOTION FOR DISBURSEMENT OF INTERPLEADER FUNDS; AND DENYING MCDONALD CARANO WILSON LLP'S COUNTERMOTION FOR ADJUDICATION OF ATTORNEY'S LIEN AND DISBURSEMENT OF INTERPLEADER FUNDS; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

THE BOURASSA LAW GROUP, LLC,

Plaintiff(s),

vs.

CALIFORNIA BACK SPECIALISTS
MEDICAL GROUP, INC.; CALIFORNIA
MINIMALLY INVASIVE SURGERY
CENTER; CONEJO NEUROLOGICAL
MEDICAL GROUP, INC.; LOS ANGELES
ORTHOPAEDIC INSTITUTE, INC.;
MEDICAL IMAGING MEDICAL GROUP;
THOUSAND OAKS SPINE MEDICAL
GROUP, INC.; STEVEN ZLATT, M.D., INC.;
OASIS LEGAL FINANCE, LLC; MCDONALD
CARANO WILSON, LLP; IMAGING CENTER
OF THE VALLEY AT SHERMAN OAKS
COMMUNITY HOSPITAL, LTD.; VALLEY
OPEN MRI, LLC,

Defendant(s),

Case No: A651563

Dept No: XXVIII

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 19 day of December 2013.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

