

Exhibit “1”

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COHEN-JOHNSON, LLC
255 E. Warm Springs Road, Suite 100
Las Vegas, Nevada 89119
(702) 823-3500 FAX: (702) 823-3400

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COHEN-JOHNSON, LLC
H. STAN JOHNSON
Nevada Bar No. 00265
sjohnson@cohenjohnson.com
STEVEN B. COHEN, ESQ.
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Telephone: (702) 823-3500
Facsimile: (702) 823-3400
Attorneys for Grand Sierra Resort

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

GOLDEN ROAD MOTOR INN, INC., a Nevada
Corporation, d/b/a ATLANTIS CASINO
RESORT SPA,

Plaintiff,

vs.

SUMONA ISLAM, an individual; MEI-GSR
HOLDINGS LLC, A Nevada Limited Liability
Company, d/b/a GRAND SIERRA RESORT;
et.al.

Defendants.

Case No.: CV12-01171

Dept. No.: B7

CASE APPEAL STATEMENT

1. Name of appellant filing in this case appeal statement:

MEI-GSR HOLDINGS LLC, a Nevada Limited Liability Company, d/b/a/ GRAND SIERRA
RESORT (hereinafter "GSR" or "Appellant").

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

The Honorable District Court Judge Patrick Flanagan

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

Appellant, GSR:

H. Stan Johnson, Esq.
Steve Cohen, Esq.
Terry Kinnally, Esq.
Cohen|Johnson
255 E Warm Springs Rd., Suite 100
Las Vegas, Nevada 89119
Tel: (702) 823-3500

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: GOLDEN ROAD MOTOR INN, INC., A Nevada Corporation,
D/B/A ATLANTIS CASINO RESORT SPA (hereinafter "Atlantis" or
"Plaintiff")

Robert A. Dotson, Esq.
Angela Bader, Esq.
Laxalt & Nomura
9600 Gateway Drive
Reno, Nevada 89521
Tel: (775) 322-1170

Robert L. Eisenberg, Esq.
Lemons, Grundy & Eisenberg
6005 Plumas Street, 3rd Floor
Reno, Nevada 89519
Tel: (775) 786-6868

5. Indicate whether an attorney identified above in response to question 3 or 4 is not licensed to practice law in the Nevada, and, if so, whether the district court granted the attorney permission to appeal under SCR 42 (attach a copy of any district court order granting such permission):

All counsel identified in questions 3 and 4 are believed to be licensed to practice law in the State of Nevada.

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

Appellant was represented by retained counsel in the district court.

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

Appellant is represented by retained counsel 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 was not granted leave to proceed *in forma pauperis*.

9. Indicate the date the proceeding commenced in the district court (e.g., date complaint, indictment information, or petition was filed):

The Verified Complaint for Damages was filed in the Second Judicial District Court, State of Nevada, on April 27, 2012.

- 1 **10. Provide a brief description of the nature of the action and result in the**
2 **district court, including the type of judgment or order being appealed and**
3 **the relief granted by the district court:**

4 Plaintiffs Complaint was for Breach of Contract, Conversion, Tortious Interference with
5 Contractual Relations and Prospective Economic Advantage, Violation of Nevada Uniform
6 Trade Secret Act, Declaratory Relief and Injunctive Relief. Of these causes of action, Plaintiff
7 sued GSR for Tortious Interference with Contractual Relations and Prospective Economic
8 Advantage, Violation of Nevada Uniform Trade Secret Act, Declaratory Relief and Injunctive
9 Relief. This Action was tried to the Court. Defendant, SUMONA ISLAM (hereinafter
10 **"Islam"**), was found liable by the Court to Plaintiff for breach of contract and violation of the
11 Nevada Uniform Trade Secret Act and was awarded damages of \$10,814 (Trade Secret Claim)
12 and \$13,060 (Breach of Contract - Confidentiality Agreement), as well as \$20,000 in punitive
13 damages. The Court further issued an injunction against Islam only. With regard to GSR, the
14 Court found in favor of GSR and against Plaintiff on all causes of action. [See Findings of Fact,
15 Conclusions of Law and Judgment, filed on September 27, 2013]. The Court decided GSR's
16 Renewed Motion for Attorney's Fees on March 14, 2014, wherein the Court awarded GSR
17 \$190,124.50 in attorney's fees and \$15,540.85 in costs against Plaintiff. The amount of
18 attorney's fees and costs awarded in favor of GSR and against Plaintiff are the subject of this
19 instant Appeal.
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22 **11. Indicate whether the case has previously been the subject of an appeal to or**
23 **original writ proceeding in the Supreme Court and, if so, the caption and**
24 **Supreme Court docket number of the prior proceedings:**

25 This Action is currently pending on appeal in the Supreme Court, bearing Supreme Court
26 Case No.: 64349 relating to the appeal filed by Atlantis and the cross-appeal filed by Islam. The
27 caption for the appeal is: GOLDEN ROAD MOTOR INN, LLC, A NEVADA CORPORATION
28 D/B/A ATLANTIS CASINO RESORT SPA, Appellants/Cross-Respondents, vs. SUMONA

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1 ISLAM, AN INDIVIDUAL, Respondent/Cross-Appellant, and MEI-GSR HOLDINGS LLC, A
2 NEVADA LIMITED LIABILITY COMPANY, D/B/A/ GRAND SIERRA RESORT,
3 Respondent.

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

5 This appeal does not involve child custody or visitation.

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

8 By order of the Supreme Court, dated April 24, 2014, this appeal will not be assigned to
9 the settlement program.

10 **Affirmation Pursuant to NRS 239B.030**

11 The undersigned does hereby affirm that the preceding document does not contain the
12 social security number of any person.

13 DATED this 30th day of April, 2014.

14
15
16 **COHEN-JOHNSON, LLC**

17 /s/ H. Stan Johnson
18 H. STAN JOHNSON
19 Nevada Bar No. 00265
20 STEVEN B. COHEN, ESQ.
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27
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CERTIFICATE OF MAILING

I hereby certify that on the 30th day of May, 2014, I served a copy of the foregoing **CASE APPEAL STATEMENT** upon each of the parties via email and by depositing a copy of the same in a sealed envelope in the United States Mail, Las Vegas, Nevada, First-Class Postage fully prepaid, and addressed to:

Robert A. Dotson, Esq.
rdotson@laxalt-nomura.com
Angela M. Bader, Esq.
Laxalt & Nomura, Ltd.
9600 Gateway Drive
Reno, Nevada 89521
Attorney for Plaintiff

Mark Wray, Esq.
Law Office of Mark Wray
608 Lander Street
Reno, Nevada 89509
Facsimile (775) 348-8351
Attorney for Sumona Islam

and that there is a regular communication by mail between the place of mailing and the places so addressed.

/s/ Kelly J. Montgomery
An employee of Cohen-Johnson, LLC

COHEN-JOHNSON, LLC
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Electronically Filed
May 12 2014 09:00 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

IN THE SUPREME COURT FOR THE STATE OF NEVADA

GOLDEN ROAD MOTOR INN, INC., a Nevada
Corporation, d/b/a ATLANTIS CASINO
RESORT SPA,

Plaintiff,

vs.

SUMONA ISLAM, an individual; MEI-GSR
HOLDINGS LLC, A Nevada Limited Liability
Company, d/b/a GRAND SIERRA RESORT;
et.al.

Defendants.

Case No.: CV12-01171

Dept. No.: B7

NOTICE OF FILING CASE APPEAL STATEMENT

Notice is hereby given that Appellant, MEI-GSR HOLDINGS LLC, a Nevada Limited Liability Company, d/b/a GRAND SIERRA RESORT, filed its Case Appeal Statement relating to the above-referenced Appeal with the *Second Judicial District Court* on May 1, 2014, a file-stamped copy of which is attached hereto as Exhibit "1" respectively.

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Affirmation Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED this 9th day of May 2014

COHEN-JOHNSON, LLC

/s/ H. Stan Johnson

H. STAN JOHNSON, ESQ.

Nevada Bar No. 265

STEVEN B. COHEN, ESQ.

Nevada Bar No. 2327

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Exhibit	Description	Pages
1	Case Appeal Statement	6

CERTIFICATE OF MAILING

I hereby certify that on the 9th day of MayMay, 2014, **NOTICE OF FILING CASE
APPEAL STATEMENT**, was served on ALL INTERESTED PARTIES via email and by
mailing a copy thereof to their last-known address, first class mail, postage prepaid, to:

Robert A. Dotson, Esq.
Angela M. Bader, Esq.
Laxalt & Nomura, Ltd.
9600 Gateway Drive
Reno, Nevada 89521
rdotson@laxalt-nomura.com

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Reno, Nevada 89519
rle@lge.net

Mark Wray, Esq.
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608 Lander Street
Reno, Nevada 89509
mwray@markwraylaw.com

/s/ Kelly J. Montgomery

An agent and/or employee of COHEN-JOHNSON, LLC