

IN THE SUPREME COURT OF THE STATE OF NEVADA

JA CYNTA McCLENDON,

Appellant,

vs.

DIANE COLLINS and; ROE CORPORATIONS
I through X, inclusive; and DOES I through X,
inclusive,

Respondent,

Case No.: A-13-680935
Electronically Filed
Oct 08 2014 03:35 p.m.
Tracie K. Lindeman
Clerk of Supreme Court
DOCKET STATEMENT
CIVIL APPEALS

1. Judicial District: Eighth Judicial District Department: Thirty County: Clark County
Judge: The Honorable Patrick Chapin, Judge Pro Tempore
District Ct. Docket No: A-13-680935 STP: 13-1744

2. Attorney filing this docketing statement:

Attorney: Adam Brigman, Esq. Telephone: (702) 255-0700
Firm: Cram Valdez Brigman & Nelson
Address: 8831 West Sahara Ave., Las Vegas, NV 89117

Client(s): Ja Cynta McClendon

If this is a joint statement completed on behalf of multiple appellants, add the names and addresses of other counsel and the names of their clients on an additional sheet accompanied by a certification that they concur in the filing of this statement.

3. Attorney(s) representing respondent(s):

Attorney: Byron Browne, Esq. Telephone: (702) 463-1221
Firm: Barski Drake Browne
Address: 10191 Park Run Drive, Suite 110, Las Vegas, Nevada 89145
Client(s): Diane Collins

4. Nature of disposition below (check all that apply):

Other (specify): This appeal follows an order entered one week prior to the short trial of this matter, wherein the court permitted Defendant to de-designate her expert medical witness, preclude that expert's deposition, and remove that expert's written report from use at trial, just 2-3 days before that expert's scheduled deposition, and approximately one week prior to trial. The order also denies Plaintiff the right to use that expert as her own despite designating that expert following Defendant's de-designation.

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5. Does this appeal raise issues concerning any of the following:

This appeal does not raise issues concerning the following:

Child custody, Termination of parental rights, Venue, Grant/Denial of injunction or TRO, Adoption, Juvenile matters

6. Pending and prior proceeding in this court. List the case name and docket number of all appeals or original proceedings presently or previously pending before this court which are related to this appeal:

None

7. Pending and prior proceedings in other courts. List the case name, number and court of all pending and prior proceedings in other courts which are related to this appeal (e.g., bankruptcy, consolidated or bifurcated proceedings) and their dates of disposition:

Prior proceeding:

Ja Cynta McClendon v. Diane Collins

Case No: A-13-680935; STP: 13-1744

8. Nature of the action. Briefly describe the nature of the action, including a list of the causes of action pleaded, and the result below:

This matter involves motor vehicle accident that occurred May 15, 2012. Plaintiff Ja Cynta McClendon was exiting the I-95 Northbound off-ramp onto westbound Lake Mead Blvd., when Defendant Diane Collins failed to stop her vehicle and crashed into the rear of Ja Cynta McClendon's vehicle. As a result of the accident Ja Cynta McClendon sustained injuries, received medical treatment, and incurred significant medical expenses as a result of those injuries.

On April 30, 2013 Ja Cynta McClendon filed a law suit against Defendant Collins in district court under a negligence theory. This matter went through the court mandated arbitration program. Plaintiff prevailed at arbitration. Thereafter, Defendant filed a timely Request for Trial de Novo. Subsequently, short trial was set for August 22, 2014. This matter went before the jury on August 22, 2014, and a verdict for the Defendant was entered that day.

9. Issues on appeal. State concisely the principal issue(s) in this appeal:

Plaintiff appeals the Short Trial Court's August 14, 2014, Order regarding Defendant's designation Dr. Appel, and subsequent protective order, and denying Plaintiff's motion to designate Dr. Appel, and to use his testimony and opinions at trial. Plaintiff appeals this order and all subsequent judgments.

10. Pending proceedings in this court raising the same or similar issues. If you are aware of any proceeding presently pending before this court which raises the same or similar issues raised in this appeal, list the case name and docket number and identify the same or similar issues raised:

I am unaware of any pending proceedings which raise the same or similar issues.

///

///

11. **Constitutional issues.** If this appeal challenges the constitutionality of a statute, and the state agency, or any officer or employee thereof is not a party to this appeal, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

This appeal does not challenge the constitutionality of a statute

12. **Other issues.** Does this appeal involve any of the following issues?

Appellant believes this appeal concerns a substantial issue of first-impression.

If so, explain:

I believe that the issue of Defendant de-designating their own expert witness days before that expert's scheduled deposition and one week prior to trial, and the Court not allowing Plaintiff to designate the same expert witness raises a substantial issue of first impression. This Honorable Court has not yet addressed this issue.

13. **Trial.** If this action proceeded to trial, how many days did the trial last? 1 day (short trial)

Was it a bench or jury trial? 6-person Jury Trial

14. Judicial disqualification. Do you intend to file a motion to disqualify or have a justice recuse him/herself from participation in this appeal. If so, which Justice? No.

TIMELINESS OF NOTICE OF APPEAL

15. **Date of entry of written judgment or order appealed from:** August 14, 2014.

Attach a copy. If more than one judgment or order is appealed from, attach copies of each judgment or order from which an appeal is taken.

(a) If no written judgment or order was filed in the district court, explain the basis for seeking appellate review n/a

16. **Date written notice of entry of judgment or order served:** August 14, 2014

Attach a copy, including proof of service, for each order or judgment appealed from.

(a) Was service by delivery _____ or by mail X (specify).

17. **If the time for filing the notice of appeal was tolled by a post-judgment motion (NRCP 50(b), 52(b), or 59),**

(a) Specify the type of motion, and the date and method of service of the motion, and the date of filing.

N/A

18. **Date notice of appeal was filed** September 5, 2014

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19. Specify statute or rule governing the time limit for filing the notice of appeal, e.g. NRAP 4(a), NRS 155.190, or other NRAP 4(a)(1)

SUBSTANTIVE APPEALABILITY

20. Specify the statute or other authority granting this court jurisdiction to review the judgment or order appealed from:

Other(specify): NSTR 33

Explain how each authority provides a basis for appeal from the judgment or order:

Nevada Short Trial Rule 33 states: "any party to a case within the short trial program shall have a right to file a direct appeal of the final judgment to the supreme court under the Nevada Rules of Civil Procedure and the Nevada Rules of Appellate Procedure." By extension, under NSTR 33, and under the present facts of this matter as it relates to the timing of the defendant's actions and underlying order that Appellant is appealing, this Court has the authority to rule on this appeal. Additionally, the subject underlying ordered appealed-from directly impacted the short trial of this matter, and the ultimate verdict rendered by the jury.

21. List all parties involved in the action in the district court:

Ja Cynta McClendon, Plaintiff

Diane Collins, Defendant

(a) If all parties in the district court are not parties to this appeal, explain in detail why those parties are not involved in this appeal, e.g., formally dismissed, not served, or other:

N/A

22. Give a brief description (3 to 5 words) of each party's separate claims, counterclaims, cross-claims or third-party claims, and the trial court's disposition of each claim, and how each claim was resolved (i.e., order, judgment, stipulation), and the date of disposition of each claim. Attach a copy of each disposition.

Plaintiff's negligence claim resolved through jury verdict on August 22, 2014.

23. Attach copies of the last-filed version of all complaints, counterclaims, and/or cross-claims filed in the district court.

See attached.

24. Did the judgment or order appealed from adjudicate ALL the claims alleged below and the rights and liabilities of ALL the parties to the action below:

The final judgment in this matter did adjudicate ALL of Plaintiff's claim of Negligence. However, the Order that is the subject of this appeal did not adjudicate any claims, but rather, the effect of the Order had an enormous and undeniable impact on the outcome of the underlying trial and subsequent jury verdict and judgment.

25. If you answered "No" to the immediately previous question, complete the following:

N/A

26. If you answered "No" to any part of questions 25, explain the basis for seeking appellate review (e.g., order is independently appealable under NRAP 3A(b)):

N/A

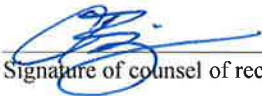
VERIFICATION

I declare under penalty of perjury that I have read this docketing statement, that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief, and that I have attached all required documents to this docketing statement.

Ja Cynta McClendon
Name of appellant

Adam Brigman, Esq.
Name of counsel of record

October 7, 2014
Date


Signature of counsel of record

Clark County, Nevada
State and county where signed

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 07 day of October, 2014, I served a true correct copy of this completed docketing statement via electronic service and US Mail to the following person(s):

Byron F. Browne, Esq.
BARSKI DRAKE BROWNE
10191 Park Run Drive, Suite 110
Las Vegas, Nevada 89145
Fax: 702-240-5900
Attorney for Respondent

Nathaniel J. Reed
1405 S. Maryland Parkway
Las Vegas, NV 89104
Ph: (702) 388-0279
Settlement Judge

Employee of CRAM VALDEZ BRIGMAN & NELSON




CLERK OF THE COURT

1 **ORDR**
2 **PATRICK N. CHAPIN, ESQ.**
3 Nevada Bar No. 004946
4 Patrick N. Chapin, Ltd.
5 129 Cassia Way
6 Henderson, Nevada 89014
7 (702) 433-7295
8 Judge Pro Tempore

6 **DISTRICT COURT**
7
8 **CLARK COUNTY, NEVADA**

9 JA CYNTA McCLENDON,)
10)
11 Plaintiff,)
12)
13 v.)
14)
15 DIANE COLLINS and RICHARD COLLINS;)
16 ROE CORPORATIONS I through X, inclusive,)
17 and DOES I through X, inclusive,)
18)
19 Defendants.)

Case No. A-13-680935-C
Dept. No. XXX
STP No. 13-1744

ORDER

16 TO: ADAM E. BRIGMAN, ESQ., CRAM VALDEZ BRIGMAN & NELSON,
17 Attorney for Plaintiff; and
18 TO: BYRON F.L. BROWN BARSKI DRAKE BROWN, Attorney for Defendants.

19 This matter came on for "chambers hearing" on two separate motions that were recently
20 filed. Defendant has filed a Motion for Protective Order. Plaintiff filed a Motion to Designate
21 Eugene L. Appel, M.D., as an expert witness, take his deposition, and use his written opinions
22 and deposition testimony at trial. Moreover, Plaintiff has requested in her instant motion that
23 those legal arguments contained within also serve as an Opposition to Defendant's Motion for
24 Protective Order. The Court having reviewed, in detail, the respective and instant motions filed
25 by Plaintiff and Defendant, and considering all legal arguments within, rules as follows:

26 **IT IS HEREBY ORDERED** that Defendant's Motion for Protective Order is hereby
27 **GRANTED**, in full, whereby Plaintiff is barred from taking the deposition of Defendant's de-
28 signated expert witness, Eugene L. Appel, M.D. The Court's decision to grant Defendant's

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1 Motion for Protective Order is based significantly on the fact that Dr. Appel, prior to Defendant
2 de-designating him as an expert witness, had not performed a Rule 35 examination on the
3 Plaintiff.

4 **IT IS FURTHER ORDERED** that Plaintiff's Motion to Designate Eugene L. Appel,
5 M.D. as an expert witness, take his deposition, and use his written opinions and deposition
6 testimony at trial is hereby **DENIED** in full.

7 **IT IS SO ORDERED.**

8 DATED this 14th day of August, 2014.

9 PATRICK N. CHAPIN, LTD.

10 
11 PATRICK N. CHAPIN, ESO.
12 Nevada Bar No. 004946
13 129 Cassia Way
14 Henderson, Nevada 89014
15 Judge Pro Tempore
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PATRICK N. CHAPIN, LTD.
129 Cassia Way, Henderson, NV 89014
Telephone: (702) 433-7295 Facsimile: (702) 403-1919

CERTIFICATE OF SERVICE


I hereby certify that on the 14th day of August, 2014, I served a copy of the foregoing
ORDER by electronic service via the Odyssey File and Serve system within the Eighth Judicial
District Court addressed to the following:

Adam E. Brigman, Esq.
Cram Valdez Brigman & Nelson
8831 West Sahara Avenue
Las Vegas, NV 89117
abrigman@cvbnlaw.com
Attorney for Plaintiff

Byron F.L. Browne, Esq.
Barksi Drake Brown
10191 Park Run Drive #110
Las Vegas, NV 89145
bbrowne@bdbattorneys.com
Attorney for Defendant



An Employee of Patrick N. Chapin, Esq.
Judge Pro Tempore



CLERK OF THE COURT

JUVV

BYRON F. BROWNE, ESQ.
Nevada Bar No. 9769

BARSKI DRAKE BROWNE, PLC
10191 Park Run Drive, Suite 110
Las Vegas, Nevada 89145
702-463-1221/F: 702-920-8420
E-mail: bbrowne@bdbattorneys.com
Attorneys for Defendant,
DIANE COLLINS

DISTRICT COURT

CLARK COUNTY, NEVADA

JACYNTA McCLENDON,

Plaintiff,

-vs-

DIANE COLLINS, et al.,

Defendants.

Case No.: A-13-680935

Dept No.: XXX

JUDGMENT UPON JURY VERDICT

The above-referenced matter came on regularly for Short Trial on August 22, 2014 before Short Trial Judge Patrick N. Chapin. The jury returned a Verdict in the favor of Defendant on August 22, 2014.

The Defendant, DIANE COLLINS, is awarded attorney's fees in the amount of THREE THOUSAND DOLLARS AND NO CENTS (\$3,000.00); and costs in the amount of THREE THOUSAND EIGHT HUNDRED TWENTY-EIGHT DOLLARS AND 71 CENTS (\$3,828.71)

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<input type="checkbox"/> Non-Jury Disposed After Trial Start	<input type="checkbox"/> Jury Disposed After Trial Start
<input type="checkbox"/> Non-Jury Judgment Reached	<input checked="" type="checkbox"/> Jury Verdict Reached
<input type="checkbox"/> Transferred before Trial	<input type="checkbox"/> Other - _____

1 for a total award of SIX THOUSAND EIGHT HUNDRED TWENTY-EIGHT DOLLARS AND
2 71 CENTS (\$6,828.71).

3
4 Dated: September 18th, 2014

SHORT TRIAL JUDGE


Patrick N. Chapin
129 Cassia Way
Henderson, NV 89014
Telephone: (702) 433-7295

10
11 IT IS SO ORDERED this 24 day of September, 2014.



DISTRICT COURT JUDGE

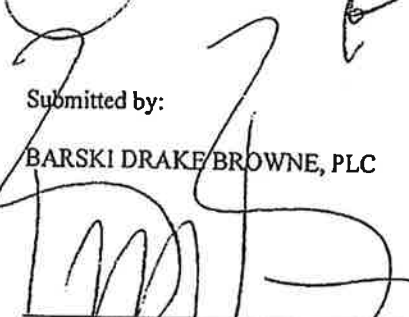
17 Approved as to Content and Form:

18 CRAM VALDEZ BRIGMAN & NELSON

Submitted by:

BARSKI DRAKE BROWNE, PLC

20
21 
Adam E. Birgman, Esq.
8831 W. Sahara Ave.
Las Vegas, NV 89117
Telephone: (702) 255-0700
Facsimile: (702) 255-2159
Attorneys for Plaintiff
JACYNTA McCLENDON


Byron F. Browne, Esq.
10191 Park Run Drive, Suite 110
Las Vegas, NV 89145
Telephone: (702) 463-1221
Facsimile: (702) 920-8420
Attorneys for Defendant
DIANE COLLINS

1 for a total award of SIX THOUSAND EIGHT HUNDRED TWENTY-EIGHT DOLLARS AND
2 71 CENTS (\$6,828.71).
3

4 Dated: September __, 2014

SHORT TRIAL JUDGE


Patrick N. Chapin
129 Cassia Way
Henderson, NV 89014
Telephone: (702) 433-7295

11 IT IS SO ORDERED this ____ day of September, 2014.
12
13

DISTRICT COURT JUDGE

17 Approved as to Content and Form:
18 CRAM VALDEZ BRIGMAN & NELSON

Submitted by:
BARSKI DRAKE BROWNE, PLC

21 
Adam E. Birgman, Esq.
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Telephone: (702) 463-1221
Facsimile: (702) 920-8420
Attorneys for Defendant
DJANE COLLINS


CLERK OF THE COURT

1 **COMP**
2 ROGER M. CRAM, ESQ.
3 Nevada Bar No.: 006612
4 **CRAM VALDEZ BRIGMAN & NELSON**
5 8831 W. Sahara
6 Las Vegas, Nevada 89117
7 Telephone (702) 255-0700
8 *Attorney for Plaintiff*

DISTRICT COURT
CLARK COUNTY, NEVADA

--o0o--

A-13-680935-C

9 JA CYNTA McCLENDON,
10
11 Plaintiff,

CASE NO.:
DEPT NO.: XXX

12 vs.

13 DIANE COLLINS and RICHARD COLLINS;
14 ROE CORPORATIONS I through X, inclusive;
15 and DOES I through X, inclusive,

COMPLAINT

16 Plaintiff JA CYNTA McCLENDON (Plaintiff), by and through her undersigned counsel,
17 ROGER M. CRAM, ESQ., of CRAM VALDEZ BRIGMAN & NELSON, and for her action against
18 Defendants, complains and alleges as follows:

19 I.
20

21 IDENTIFICATION OF THE PARTIES

22 1. At all times mentioned and relevant herein Plaintiff was and is a resident of Clark County,
23 Nevada.

24 2. Plaintiff is informed and believes, and thereon alleges, that, at all times relevant herein,
25 Defendants DIANE COLLINS and RICHARD COLLINS (Defendants), were, and are, residents of
26 Clark County, Nevada.

27 3. The true names of DOES I through X, their citizenship and capacities, whether individual,
28 corporate, associate, partnership or otherwise, are unknown to Plaintiff, who therefore sues the

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Defendants by such fictitious names. Plaintiff is informed and believes, and therefore alleges, that each of the Defendants, designated as DOES I through X, are, or may be, legally responsible for the events referred to in this action, and caused damages to Plaintiff, as herein alleged, and Plaintiff will ask leave of this Court to amend the Complaint to insert the true names and capacities of such Defendants, when the same have been ascertained, and to join them in this action, together with the proper charges and allegations.

4. DOES I through V and/or ROE Corporations XI through XV are Defendants and/or employers of named and/or unnamed Defendants who may be liable in negligence generally, or pursuant to N.R.S. 41.130, which states:

[e]xcept as otherwise provided in N.R.S. 41.745, whenever any person shall suffer personal injury by wrongful act, neglect or default of another, the person causing the injury is liable to the person injured for damages; and where the person causing the injury is employed by another person or corporation responsible for her conduct, that person or corporation so responsible is liable to the person injured for damages.

5. DOES VI through X may be immediate family members of Defendants, who may be liable for Defendants' negligence, pursuant to NRS 41.440, which states:

any liability imposed upon a wife, husband, son, daughter, father, mother, brother, sister or other immediate member of a family arising out of her or her driving and operating a motor vehicle upon a highway with the permission, express or implied, of such owner is hereby imposed upon the owner of the motor vehicle, and such owner shall be jointly and severally liable with her or her wife, husband, son, daughter, father, mother, brother, sister, or other immediate member of the family for any damages proximately resulting from such negligence or willful misconduct, and such negligent or willful misconduct shall be imputed to the owner of the motor vehicle for all purposes of civil damages.

II.

GENERAL ALLEGATIONS

6. Plaintiff hereby repeats, and realleges, Paragraphs 1 through 5 of this Complaint as though fully set forth herein.

7. At all times material to this Complaint, the acts and omissions giving rise to this action occurred in Clark County, Nevada.

8. That, on or about May 15, 2012, Plaintiff was driving on the off-ramp of US-95 North, heading towards W. Lake Mead Blvd. in her vehicle in Clark County, Nevada.

9. At or about the same time, Defendant DIANE COLLINS was also operating a vehicle registered to Defendant RICHARD COLLINS in Clark County, Nevada, immediately behind Plaintiff's vehicle.

10. While still on the off-ramp, Plaintiff came to a complete stop yielding for westbound traffic on W. Lake Mead Blvd.

11. Defendant DIANE COLLINS failed to use due care and caused a rear-end collision with Plaintiff's vehicle.

12. Plaintiff suffered injuries as a result of the May 15, 2012, collision.

III.

FIRST CLAIM FOR RELIEF
(General Negligence Against DEFENDANTS)

13. Plaintiff hereby repeats, and realleges, Paragraphs 1 through 12 of this Complaint as though fully set forth herein.

14. Plaintiff is informed, and believes, and thereupon alleges, that Defendants owed Plaintiff multiple duties to use reasonable care and diligence in the performance of various functions and acts. Such duties to use reasonable care and diligence owed to Plaintiff by Defendants include, but are not limited to: the duty to use reasonable care and diligence in the operation of the subject vehicle and the duty to avoid the subject collision with Plaintiff.

15. Defendants breached their duties to Plaintiff when DIANE COLLINS negligently and carelessly performed various functions and acts, including, but not limited to, the negligent operation of a motor vehicle and his negligence when causing collision.

1 16. Plaintiff is informed, and believes, and thereupon alleges, that Defendants knew or should
2 have known through the exercise of due care that the negligent and unsafe manner of operations of the
3 vehicle posed a risk to the public safety, and could result in a motor vehicle collision.

4 17. That, as a direct, and proximate, result of the negligence, and carelessness, and/or
5 recklessness of Defendants, Plaintiff sustained severe bodily trauma, all or some of which may be
6 permanent and disabling in nature, all to her general and compensatory damage, in an amount in
7 excess of \$10,000.00. In addition, Plaintiff was required to incur expenses for medical care, treatment
8 and expenses incidental thereto, all to her detriment, in an amount unknown at this time, and may be
9 required in the future to incur expenses for medical care and treatment, including surgery, physicians,
10 nurses, physical therapists, hospitalization, x-rays, medicine and general medical care in an amount
11 not yet ascertained, and in this regard Plaintiff prays leave of the Court to insert all said damages
12 herein when the same have been fully ascertained or proven at the time of trial herein.

13 18. As a direct, and proximate, result of the negligence, carelessness, and/or recklessness of
14 Defendants, Plaintiff has endured pain and suffering, worry, anxiety, emotional distress, loss of
15 enjoyment of life, and will continue to endure said losses for an indefinite period of time in the future,
16 in an amount in excess of \$10,000.00, and in this regard Plaintiff prays leave of the Court to insert all
17 said damages herein when the same have been fully ascertained or proven at the time of trial herein.

18 19. That as a further direct, and proximate, result of the aforesaid negligence of Defendants,
19 Plaintiff has incurred additional damages, such as lost income, loss of earning capacity, and other
20 incidental damages in a sum to be determined at the time of trial.

21 20. It has been necessary for Plaintiff to retain the services of counsel to represent her interests
22 in the above-entitled matter, and that he should be awarded reasonable attorney's fees and costs.

23 ///

24 ///

25 ///

IV.

SECOND CLAIM FOR RELIEF
(Negligence *Per Se* Against DEFENDANTS)

21. Plaintiff hereby repeats, and realleges, Paragraphs 1 through 20 of this Complaint as though fully set forth herein.

22. Plaintiff is informed, and believes, and thereupon alleges that Defendants operated a motor vehicle in a manner which violates State of Nevada, County of Clark, and City of Las Vegas statutes, laws, and ordinances, including, but not limited to, failure to use due care in the operation of her vehicle and her failure to avoid the collision with Plaintiff.

23. Plaintiff is within the class of persons intended to be protected by the statutes, laws, and ordinances of the State of Nevada, County of Clark, and City of Las Vegas, which were violated by Defendants.

24. The injuries suffered by Plaintiff were of the type against which the statutes, laws, and ordinances of the State of Nevada, County of Clark, and City of Las Vegas were intended to protect.

25. That, as a direct, and proximate, result of the negligence of Defendants, Plaintiff sustained severe bodily trauma, all or some of which may be permanent and disabling in nature, all to her general and compensatory damage, in an amount in excess of \$10,000.00. In addition, Plaintiff was required to incur expenses for medical care, treatment and expenses incidental thereto, all to her detriment, in an amount unknown at this time, and may be required in the future to incur expenses for medical care and treatment, including surgery, physicians, nurses, physical therapists, hospitalization, x-rays, medicine and general medical care in an amount not yet ascertained, and in this regard Plaintiff prays leave of the Court to insert all said damages herein when the same have been fully ascertained or proven at the time of trial herein.

26. As a direct, and proximate, result of the negligence of Defendants, Plaintiff has endured pain and suffering, worry, anxiety, emotional distress, loss of enjoyment of life, and will continue to endure said losses for an indefinite period of time in the future, in an amount in excess of

1 \$10,000.00, and in this regard Plaintiff prays leave of the Court to insert all said damages herein when
2 the same have been fully ascertained or proven at the time of trial herein.

3 27. That as a further direct, and proximate, result of the aforesaid negligence of Defendants,
4 Plaintiff has incurred additional damages, such as lost income, loss of earning capacity, and other
5 incidental damages in a sum to be determined at the time of trial.

6 28. It has been necessary for Plaintiff to retain the services of counsel to represent her interests
7 in the above-entitled matter, and that he should be awarded reasonable attorney's fees and costs.
8

9
10 **PRAYER FOR RELIEF**

11 Wherefore, Plaintiff prays for relief and judgment as against Defendants, and each of them, as
12 follows:

- 13 1. General and special damages in excess of \$10,000.00, according to proof at trial;
14 2. Pre-judgment and post-judgment interest, as allowed by law;
15 3. Costs of suit and attorney fees; and,
16 4. For such other and further relief as the court may deem appropriate.
17

18 DATED this 29th day of April 2013.

19
20 CRAM VALDEZ BRIGMAN & NELSON

21
22 By: 

23 ROGER M. CRAM, ESQ.
24 Nevada Bar No. 006612
25 8831 W. Sahara
26 Las Vegas, Nevada 89117
27 Telephone (702) 255-0700
28 *Attorney for Plaintiff*