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Electronically Filed
Jan 21 2016 02:45 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

6 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

7 ESTATE OF MICHAEL DAVID
8 ADAMS, BY AND THROUGH HIS
9 MOTHER JUDITH ADAMS,
INDIVIDUALLY AND ON
BEHALF OF THE ESTATE,

10 Appellant,

11 v.

12 SUSAN FALLINI,

13 Respondent.
14

Supreme Court No.: 68033

District Court Case No.: CV24539

MOTION FOR ACCEPTANCE
AND REVIEW OF VIDEO
EXHIBIT

15 Appellant Judith Adams, Individually and on Behalf of The Estate of Michael
16 David Adams, ("Appellant"), by and through her attorney of record, John P.
17 Aldrich, Esq. of the Aldrich Law Firm, Ltd., hereby moves this Court to accept and
18 review a video exhibit. The video exhibit is a video recording of a hearing that
19 occurred on July 28, 2014, which Plaintiff's counsel obtained directly from the Nye
20 County Clerk's Office, and which is part of the district court's record.

21 Around May 20, 2014, Defendant/Respondent filed a Motion for Relief from
22 Judgment Pursuant to NRCP 60(b), alleging Plaintiff's counsel committed fraud on
23 the Court. Plaintiff opposed, and a hearing was held on July 28, 2014. Prior to the
24 hearing on July 28, 2014, Defendant and/or her counsel rounded up dozens of
25 friends and ranchers to attend the hearing.

26 While the transcript advises this Court of what was said at the July 28, 2014
27 hearing, the subject video shows what a transcript cannot – dozens of ranchers
28 pouring into the courtroom and "observing" court proceedings, in what Plaintiff

1 believes was an attempt to inappropriately influence the Court and intimidate
2 Plaintiff's counsel. Simply reading the transcript does not allow the Court to gauge
3 the reality and gravity of the situation; the Court must view for itself the video from
4 that day. Plaintiff asserts that the video is a necessary part of the trial record that the
5 Court should review. See NRAP 10(a)(1).

6 Following the July 28, 2014 hearing, on or about August 6, 2014, the district
7 court granted Defendant's motion, despite the fact that this Court had already ruled
8 on the issues before the district court that day.

9 Therefore, Respondents respectfully request that the Court accept and review
10 the video of the July 28, 2014 hearing. This Motion is submitted in good faith and
11 in an attempt to ensure that the Court is fully apprised of everything that occurred
12 in proceedings in the district court.

13 DATED this 21st day of January, 2016.

14 Respectfully submitted,

15 **ALDRICH LAW FIRM, LTD.**

16
17 /s/ John P. Aldrich

18 John P. Aldrich, Esq.

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24 *Attorneys for Appellant*

1 **CERTIFICATE OF SERVICE**

2 I HEREBY CERTIFY that the foregoing **MOTION FOR ACCEPTANCE**
3 **AND REVIEW OF VIDEO EXHIBIT** was filed electronically with the Nevada
4 Supreme Court on the 21st day of January, 2016.

5 I further certify that I served a copy of this document by mailing a true and
6 correct copy thereof, postage prepaid, addressed to:

7 David R. Hague
8 Fabian & Clendenin
9 215 S. State Street, Suite 1200
10 Salt Lake City, UT 84111-2323
11 *Attorney for*

12 /s/ E. Engebretson
13 An employee of Aldrich Law Firm, Ltd.