

VOLUME 1

1 LEON GREENBERG, ESQ., SBN 8094
2 DANA SNIEGOCKI, ESQ., SBN 11715
3 Leon Greenberg Professional Corporation
4 2965 South Jones Blvd- Suite E4
5 Las Vegas, Nevada 89146
6 (702) 383-6085
7 (702) 385-1827(fax)
8 leongreenberg@overtimelaw.com
9 dana@overtimelaw.com

10 Attorneys for Plaintiffs

11 **DISTRICT COURT**
12 **CLARK COUNTY, NEVADA**

13 NEAL GOLDEN and ABAIKARIM
14 HASSAN,

15 Plaintiffs,

16 vs.

17 SUN CAB, INC. doing business as
18 NELLIS CAB CO.,

19 Defendant.

Case No.: A-13-678109-C

Dept.: XIV

DECLARATION

20 Neal Golden hereby affirms and declares under penalty of perjury the following:

21 1. I am one of the plaintiffs in this lawsuit seeking unpaid minimum wages from
22 the defendant.

23 2. I was employed by defendant as a taxi cab driver from May of 2002 until
24 May of 2010. During that entire period of employment defendant never furnished me
25 with any written document stating I was entitled to any minimum hourly wage for my
26 work for defendant. Nor did defendant ever orally advise me that I was entitled to any
27 minimum hourly wage.

28 3. In August of 2010 I filed a written complaint with the Nevada Labor
Commissioner about the wages I was paid by the defendant while I was employed by
the defendant. As part of that complaint I explained to the Nevada Labor

1 Commissioner's office that I was being paid less than the minimum hourly wage, some
2 days earning as little as \$3.00 or \$4.00 an hour (not including tips) from my work for
3 the defendant.

4 4. The Nevada Labor Commissioner's office took no action on my behalf, of
5 which I am aware, to collect any of the unpaid minimum wages I told them I thought I
6 was owed by Nellis Cab. They never collected anything for me on the claim that I filed
7 with them. It is my understanding that such office after some period of time decided
8 to close its file on my complaint and take no action. The personnel at that office never
9 orally or in writing advised me that I was entitled under the law to the minimum wages
10 I was requesting in the complaint that I had filed. They left me with the understanding
11 that it was not possible for me to pursue a claim for minimum wages against Nellis
12 Cab. I do not have any memory of the Nevada Labor Commissioner's office advising
13 me of any time limit for me to pursue a legal claim, and file a lawsuit, against Nellis
14 Cab for my unpaid minimum wages. Since the Nevada Labor Commissioner's office
15 seemed unable to do anything about my claim for unpaid minimum wages from Nellis
16 Cab I concluded there was nothing further I could do to collect those unpaid minimum
17 wages.

18 I have read the foregoing and affirm under penalty of perjury that the same is
19 true and correct.

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Neal Golden

Date

IN THE SUPREME COURT OF THE STATE OF NEVADA

NEVADA YELLOW CAB CORPORATION, NEVADA
CHECKER CAB CORPORATION,
and NEVADA STAR CAB CORPORATION,

Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK;
AND THE HONORABLE RONALD J. ISRAEL, DISTRICT JUDGE,

Respondents,

and

CHRISTOPHER THOMAS; AND
CHRISTOPHER CRAIG,

Real Parties in Interest.

Case No. 68975 Electronically Filed
Nov 13 2015 09:00 a.m.
District Court Case No. 12-66126-0
Tia A. K. Looe
Clerk of Supreme Court
Dept. No. XXVIII

AMICUS CURIAE'S APPENDIX

RICK D. ROSKELLEY, ESQ., NV Bar # 3192
ROGER L. GRANDGENETT, ESQ., NV Bar # 6323
MONTGOMERY Y. PAEK, ESQ., NV Bar # 10176
CRYSTAL J. HERRERA, ESQ., NV Bar # 12396
LITTLER MENDELSON, P.C.
3960 Howard Hughes Parkway, Suite 300
Las Vegas, Nevada 89169
Telephone: 702.862.8800
Fax No.: 702.862.8811

*Attorneys for Amicus Curiae SUN CAB, INC. dba
NELLIS CAB CO.*

1.

INDEX OF APPENDIX

<u>Name of Document</u>	<u>Appendix</u>	<u>Page Number</u>
Neal Golden's Declaration Attached as Exhibit "A" to Plaintiffs' Opposition to Defendant's Motion for Partial Summary Judgment and to Dismiss, in Eighth Judicial District Court Case No.: A-13-678109-C	Vol. I	001-002

CERTIFICATE OF SERVICE

I am a resident of the State of Nevada, over the age of eighteen years, and not a party to the within action. My business address is 3960 Howard Hughes Parkway, Suite 300, Las Vegas, Nevada 89109-0920. On November 5, 2015, the following document was served on the following:

AMICUS CURIAE'S APPENDIX

- By **United States Mail** – a true copy of the document listed above for collection and mailing following the firm's ordinary business practice in a sealed envelope with postage thereon fully prepaid for deposit in the United States mail at Las Vegas, Nevada addressed as set forth below.

Marc C. Gordon, Esq.
Tamer B. Botros, Esq.
Yellow Checker Star
Transportation co. Legal dept.
5225 W. Post Road
Las Vegas, Nevada 89118
Attorneys for Petitioners

Leon Greenberg, Esq.
Dana Sniegocki, Esq.
Leon Greenberg PC
2965 South Jones Blvd., Suite E4
Las Vegas, NV 89146

Honorable Ronald J. Israel
Eighth Judicial District Court, Dept. 28
200 Lewis Avenue
Las Vegas, NV 89155

I am readily familiar with the firm's practice of collection and processing correspondence for mailing and for shipping via overnight delivery service. Under that practice it would be deposited with the U.S. Postal Service or if an overnight delivery service shipment, deposited in an overnight delivery service pick-up box or office on the same day with postage or fees thereon fully prepaid in the ordinary course of business. I declare under penalty of perjury that the foregoing is true and correct. Executed on November 5, 2015 at Las Vegas, Nevada.

/s/ Erin J. Melwak

Erin J. Melwak