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CLERK OF THE COURT  
Apr 14 2016 02:42 p.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

**CASEAPP**

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Attorney for Counterclaimants/Appellants  
ALEX PENLY and EAGLE JET AVIATION

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

MILTON WOODS; CIRRUS AVIATION	)	Case No.: A-07-546250-B
SERVICES INC., a Washington Corporation,	)	Dept. No.: XXVII
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
EAGLE JET AVIATION INC. , a Nevada	)	
Corporation; ALEX PENLY; STUART M.	)	
WARREN; PRIVATE JET SERVICES INC., a	)	
Nevada Corporation; MILT'S EAGLE LLC, a	)	
Nevada Limited Liability Company; DOES I	)	
through x, Inclusive,	)	
	)	
Defendants.	)	

**AMENDED CASE APPEAL STATEMENT**

1. Name of appellants filing this case appeal statement:

Eagle Jet Aviation Inc. and Alex Penly, Individually.

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

The Honorable Elizabeth Goff Gonzalez and The Honorable Nancy Allf

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

2                   Mark C. Fields, Esq.  
3                   LAW OFFICES OF MARK C. FIELDS, APC  
4                   333 South Hope Street, 35<sup>th</sup> Floor  
5                   Los Angeles, California 90071  
6                   Telephone: (213) 617-5225  
7                   fields@markfieldslaw.com

8                   Jay A. Shafer, Esq.  
9                   PREMIER LEGAL GROUP  
10                  1333 North Buffalo Drive, Suite 210  
11                  Las Vegas, Nevada 89128  
12                  (702) 794-4411  
13                  jshafer@premierlegalgroup.com

14           4.   Identify each respondent and the name and address of appellate counsel, if known, for  
15           each respondent (if the name of a respondent's appellate counsel is unknown, indicate as much  
16           and provide the name and address of that respondent's trial counsel):

17                   Mark Connot, Esq.  
18                   FOX ROTHSCHILD  
19                   1980 Festival Plaza Drive, Suite 700  
20                   Las Vegas, Nevada 89135  
21                   Counsel for Plaintiffs/Respondents

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

26                   Not Applicable.

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

29                   Retained.

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

31                   Retained

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1        8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date  
2 of entry of the district court order granting such leave:

3            Not Applicable.

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

6            August 10<sup>th</sup>, 2007

7        10. Provide a brief description of the nature of the action and result in the district court,  
8 including the type of judgment or order being appealed and the relief granted by the district  
9 court:

10           This action arises out of claims and counterclaims related to the operation of Appellant  
11 Eagle Jet Aviation and acts of Respondents Milton Woods and Cirrus Aviation in relation to  
12 Appellants. The matter was referred to John Bailey, Esq. as Arbitrator. Proceedings occurred  
13 both before the Arbitrator and the District Court during the pendency of the Arbitration.  
14 Ultimately facts came to light which had never been disclosed regarding the Arbitrator which led  
15 Appellants to seek recusal or disqualification of the Arbitrator, which was denied. On September  
16 18<sup>th</sup>, 2015, the District Court denied Appellant's Motion to Modify or Correct Arbitration Award  
17 and Denying Motion to Vacate Arbitration Award and entered an Order affirming the Arbitration  
18 Award. On January 20<sup>th</sup>, 2016, the District Court entered a Judgment on the Arbitration Award.  
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20        11. Indicate whether the case has previously been the subject of an appeal to or original  
21 writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number  
22 of the prior proceeding:

23            Not applicable.

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

25            Not Applicable.

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

Unlikely.

Dated this 2<sup>nd</sup> day of March, 2016.

LAW OFFICE OF MARK C. FIELDS APC

By: /s/ Mark. C. Fields  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 2<sup>ND</sup> day of March, 2016, I served a copy of the foregoing AMENDED CASE APPEAL STATEMENT in the following manner upon the parties so indicated therein as having received service in accordance herewith:

- **NEFCR System upon the following Parties in accordance with NEFCR 9 and 13:**

Mark Connot, Esq. FOX ROTHSCHILD 1980 Festival Plaza Drive, Suite 700 Las Vegas, Nevada 89135 Counsel for Respondents	
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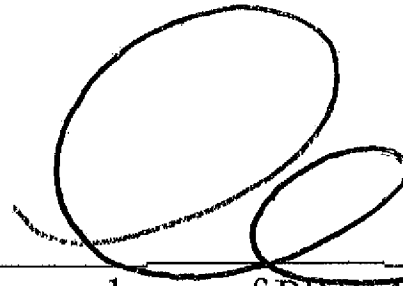
- **First-Class United States mail, postage fully prepaid upon the following Parties who are not registered users in accordance with NEFCR 9(d) a sealed envelope, postage prepaid to the following counsel and/or parties to this matter:**

Mark Connot, Esq. FOX ROTHSCHILD 1980 Festival Plaza Drive, Suite 700 Las Vegas, Nevada 89135 Counsel for Respondents	
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**Personal Service upon the following users or their Counsel:**

**By direct email upon the following Parties, for whom I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.**

**By fax or other electronic transmission in accordance with NRCP 5(D) upon the following Parties, for which proof of successful transmission is attached hereto:**



An employee of PREMIER LEGAL GROUP