

1  
2 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

3 W. CHRIS WICKER; WOODBURN  
4 AND WEDGE,

5 Petitioners,  
6 vs.

7 THE EIGHTH JUDICIAL DISTRICT  
8 COURT FOR THE STATE OF  
9 NEVADA, IN AND FOR THE  
10 COUNTY OF CLARK, AND THE  
HONORABLE JIM CROCKETT,

11 Respondents,

12 SHAE E. GITTER; JARED  
13 SHAFER,

14 Real Parties in Interest, /

No. Electronically Filed  
Mar 15 2016 10:19 a.m.  
Tina K. Lindeman  
Appeal from the Eighth Judicial District Court, Clark County,  
Clerk of Supreme Court  
Case No. A697642

15  
16 **PETITIONERS', W. CHRIS WICKER AND WOODBURN AND  
17 WEDGE, APPENDIX, VOLUME II**

18 **WOODBURN AND WEDGE**

19 W. Chris Wicker, Esq. (NV Bar No. 1037)  
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## **ALPHABETICAL INDEX TO APPENDIX**

<u><b>DOCUMENT</b></u>	<u><b>DATE</b></u>	<u><b>VOL.</b></u>	<u><b>PAGE NO.</b></u>
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Motion for Partial Summary Judgment (Gitter)	10/27/2014	I	App. 44-129
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Opposition to PERS' Motion to Retax Costs	11/19/2015	III	App. 519-525
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Order Granting Plaintiffs' Motion for Partial Summary Judgment and Denying			

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Reply in Support of Motion for Attorneys' Fees	01/11/2016	III	App. 559-569
Reply to Plaintiffs' Opposition to Defendant's Motion for Summary Judgment	11/21/2014	I	App. 158-164
Reply in Support of Plaintiffs' Motion Partial for Summary Judgment	11/21/2014	I	App. 150-157
Reply in Support of Plaintiffs' Motion for Pre-Judgment and Post-Judgment Interest	08/14/2015	I	App. 208-221
Reply in Support of Motion to Retax Costs	01/12/2016	III	App. 570-578
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Motion for Pre-Judgment and Post-Judgment Interest (Gitter)	07/31/2015	I	App. 180-197
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Reply in Support of Plaintiffs' Motion for Pre-Judgment and Post-Judgment Interest	08/14/2015	I	App. 208-221
Order Granting Plaintiffs' Motion for Pre-Judgment and Post-Judgment Interest and Final Judgment	10/16/2015	I	App. 222-227
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Notice of Appeal	11/13/2015	III	App. 516-518
Opposition to PERS' Motion to Retax Costs	11/19/2015	III	App. 519-525
Opposition to Plaintiffs' Motion for Attorneys' Fees	12/02/2015	III	App. 526-558
Reply in Support of Motion for Attorneys' Fees	01/11/2016	III	App. 559-569

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Transcript of Proceedings (Plaintiffs' Motion for Partial Summary Judgment, and Defendant's Motion for Summary Judgment)	01/29/2016	IV	App. 625-637
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Notice of Entry of Order (granting Defendant's Motion to Retax Costs)	02/10/2016	IV	Appt. 654-661

Dated this 14<sup>th</sup> day of March, 2016.

WOODBURN AND WEDGE

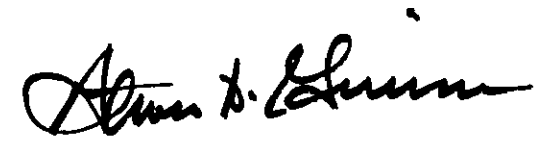
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Nevada Bar No. 11326

Chris Nielsen  
Nevada Bar No. 8206

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Nevada Bar No. 8206

Attorneys for Appellants

  
CLERK OF THE COURT

**MEMC**  
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KELLY B. STOUT  
Nevada Bar No. 12105  
MARK HESIAK  
Nevada Bar No. 12397  
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Attorneys for Plaintiffs  
SHAE E. GITTER, and JARED SHAFER  
as Special Administrator of the Estate of  
Kristine Jo Freshman

DISTRICT COURT  
CLARK COUNTY, NEVADA

SHAE E. GITTER, an individual, and JARED  
SHAFER, as Special Administrator of the  
Estate of Kristine Jo Freshman,

Plaintiffs,

vs.

PUBLIC EMPLOYEES' RETIREMENT  
SYSTEM OF NEVADA, a public entity and  
component unit of the State of Nevada,

Defendant.

Case No. A-14-697642-C

Dept. No. XXIV

**PLAINTIFFS' MEMORANDUM OF COSTS AND DISBURSEMENTS**

**A. Clerks' Fees .....\$520.00**

A1	12.31.2013	Certified Copy of Letters of Special Administration	Ex. 35; see also Ex. 1 at ¶ 39	\$ 5.00
A2	03.13.2014	Filing fee for Verified Complaint	Ex. 7; see also Ex. 1 at ¶ 7	\$ 309.00
A3	10.27.2014	Filing fee for Plaintiffs' Motion for Partial Summary Judgment	Ex. 11 see also Ex. 1 at ¶ 11	\$ 206.00

**B. Electronic Filing Fees.....\$84.00**

B1	10.07.2013	Petition to Reopen Probate Administration, Appointment of Administrator, and for Issuance of Letters of Administration	Ex. 3; see also Ex. 1 at ¶ 3	\$ 3.50
B2	12.12.2013	Verified Ex-Parte Petition for Appointment of Special Administrator and Issuance of Letters of Special Administration	Ex. 4; see also Ex. 1 at ¶ 4	\$ 3.50
B3	12.26.2013	Order Approving Ex-Parte Petition for Appointment of Special Administrator and Issuance of Letters of Special Administration	Ex. 5; see also Ex. 1 at ¶ 5	\$ 3.50
B4	12.27.2013	Letters of Special Administration	Ex. 6; see also Ex. 1 at ¶ 6	\$ 3.50
B5	03.03.2014	Verified Complaint	Ex. 7; see also Ex. 1 at ¶ 7	\$ 3.50
B6	03.13.2014	Initial Appearance Fee Disclosure	Ex. 8; see also Ex. 1 at ¶ 8	\$ 3.50
B7	03.25.2014	Summons	Ex.9; see also Ex. 1 at ¶ 9	\$ 3.50
B8	05.28.2014	Plaintiff's Demand of Jury Trial	Ex. 10; see also Ex. 1 at ¶ 10	\$ 3.50
B9	10.27.2014	Plaintiffs' Motion for Partial Summary Judgment	Ex. 11; see also Ex. 1 at ¶ 11	\$ 3.50
B10	10.28.2014	Notice of Hearing on Plaintiffs' Motion for Partial Summary Judgment	Ex. 12; see also Ex. 1 at ¶ 12	\$ 3.50
B11	10.28.2014	Errata to Plaintiffs' Motion for Partial Summary Judgment	Ex. 13; see also Ex. 1 at ¶ 13	\$ 3.50
B12	11.17.2014	Plaintiffs' Opposition to Public Employees Retirement System of Nevada's Motion for Summary Judgment	Ex. 14; see also Ex. 1 at ¶ 14	\$ 3.50
B13	11.21.2014	Reply in Support of Plaintiff's Motion for Partial Summary Judgment	Ex. 15; see also Ex. 1 at ¶ 15	\$ 3.50
B14	01.29.2015	Order Granting Plaintiffs' Motion for Partial Summary Judgment and Denying Defendant's Motion for Summary Judgment	Ex. 16; see also Ex. 1 at ¶ 16	\$ 3.50
B15	01.29.2015	Notice of Entry of Order Granting Plaintiffs' Motion for Partial Summary Judgment and Denying Defendant's Motion for Summary Judgment	Ex. 17; see also Ex. 1 at ¶ 17	\$ 3.50

1	B16	02.12.2015	Stipulation and Order to Extend Trial Date	Ex. 18; see also Ex. 1 at ¶ 18	\$ 3.50
2					
3	B17	02.13.2015	Notice of Entry of Stipulation and Order to Extend Trial Date	Ex. 19; see also Ex. 1 at ¶ 19	\$ 3.50
4	B18	07.15.2015	Notice of Entry of Stipulation and Order to Extend Trial Date (Second Request)	Ex. 20; see also Ex. 1 at ¶ 20	\$ 3.50
5					
6	B19	07.15.2015	Stipulation and Order to Extend Trial Date (Second Request)	Ex. 21; see also Ex. 1 at ¶ 21	\$ 3.50
7	B20	07.31.2015	Plaintiffs' Motion for Pre-Judgment and Post-Judgment Interest	Ex. 22; see also Ex. 1 at ¶ 22	\$ 3.50
8	B21	08.14.2015	Reply in Support of Plaintiffs' Motion for Pre-Judgment and Post-Judgment Interest	Ex. 23; see also Ex. 1 at ¶ 23	\$ 3.50
9					
10	B22	10.16.2015	Order Granting Plaintiffs' Motion for Pre- Judgment and Post-Judgment Interest and Final Judgment	Ex. 24; see also Ex. 1 at ¶ 24	\$ 3.50
11					
12	B23	10.16.2015	Notice of Entry of Order Granting Plaintiffs' Motion for Pre-Judgment and Post- Judgment Interest and Final Judgment	Ex. 25; see also Ex. 1 at ¶ 25	\$ 3.50
13					
14	B24	10.22.2015	Amended Certificate of Service [Regarding the Notice of Entry of Order Granting Plaintiffs' Motion for Pre-Judgment and Post-Judgment Interest and Final Judgment]	Ex. 36; see also Ex. 1 at ¶ 80.	\$ 3.50
15					
16					
17	<b>C. Expert Witnesses.....</b>				<b>\$5,000.00</b>
18	C1	06.01.2015	Expert witness fee for financial consultant, JW Advisors	Ex. 26; see also Ex. 1 at ¶ 26	\$5,000.00
19	<b>D. Service of Process.....</b>				<b>\$127.70</b>
20	D1	03.17.2014	Service of Summons and Verified Complaint on Defendant Employees' Retirement System of Nevada (PERS)	Ex. 27; see also Ex. 1 at ¶ 27	\$ 50.00
21					
22	D2	03.20.2014	Service of Summons and Verified Complaint on the Office of the Attorney General	Ex. 28; see also Ex. 1 at ¶ 28	\$ 77.70
23					
24	<b>E. Online Legal Research.....</b>				<b>\$1,333.00</b>
25	E1	08.29.2014	Legal research concerning PERS and Nevada's Slayer Statutes, in preparation of Shae's Motion for Partial Summary Judgment	Ex. 1 at ¶ 29	\$ 73.00
26					
27					
28					



1	E2	10.31.2014	Legal research concerning legal authorities cited by Defendant in its Motion for Summary Judgment, Nevada's Slayer Statute, and breach of contract in preparation of Shae's Opposition to Motion for Summary Judgment.	Ex. 1 at ¶ 30	\$ 810.00
2					
3					
4	E3	08.27.2015	Legal research concerning pre-judgment and post-judgment interest in preparation of Shae's Motion for Pre-Judgment and Post-Judgment Interest	Ex. 1 at ¶ 31	\$ 360.00
5					
6					
7	E4	09.28.2015	Legal research concerning pre-judgment and post-judgment interest in preparation of Shae's Motion for Pre-Judgment and Post-Judgment Interest	Ex. 1 at ¶ 32	\$ 90.00
8					
9					
10	<b>F. Parking .....</b>				<b>\$41.00</b>
11	F1	07.15.2014	Kelly B. Stout to attend Discovery Conference	Ex. 29; see also Ex. 1 at ¶ 33	\$ 6.00
12	F2	12.02.2014	Kelly B. Stout to attend hearing on summary judgment motions	Ex. 30; see also Ex. 1 at ¶ 34	\$ 6.00
13					
14	F3	06.11.2015	Kelly B. Stout to attend Status Check	Ex. 31; see also Ex. 1 at ¶ 35	\$ 8.00
15	F4	09.01.2015	Dennis L. Kennedy to attend hearing on Motion for Pre-Judgment and Post-Judgment Interest	Ex. 32; see also Ex. 1 at ¶ 36	\$ 9.00
16					
17	F5	09.01.2015	Kelly B. Stout to attend hearing on Motion for Pre-Judgment and Post-Judgment Interest	Ex. 33; see also Ex. 1 at ¶ 37	\$ 8.00
18					
19	F6	09.17.2015	Kelly B. Stout to attend Status Check	Ex. 34; see also Ex. 1 at ¶ 38	\$ 4.00
20					
21	<b>G. Photocopies .....</b>				<b>\$269.25</b>
22	G1	05.02.2012	Relates to Shae's file regarding Kristine Freshman's NVPERS account	Ex. 1 at ¶ 40	\$ 1.75
23	G2	05.31.2012	Relates to letter to Office of the Attorney General regarding Kristine Freshman's NVPERS account	Ex. 1 at ¶ 41	\$ 0.25
24					
25	G3	06.30.2012	Relates to letter to Office of the Attorney General regarding Kristine Freshman's NVPERS account	Ex. 1 at ¶ 42	\$ 0.75
26					
27	G4	05.31.2013	Relates to letter to Office of the Attorney General regarding Estate of Kristine Freshman's request for documents	Ex. 1 at ¶ 43	\$ 2.00
28					

1	G5	06.03.2013	Relates to letter to Office of the Attorney General regarding Estate of Kristine Freshman's request for documents	Ex. 1 at ¶ 44	\$ 2.25
2					
3	G6	06.28.2013	Relates to letter to Office of the Attorney General regarding its refusal to release documents requested by the Estate of Kristine Freshman	Ex. 1 at ¶ 45	\$ 0.50
4					
5	G7	10.07.2013	Relates to the drafting and filing of Shae's Petition to Reopen Probate Administration, Appointment of Administrator, and for Issuance of Letters of Administration	Ex. 1 at ¶ 46	\$ 18.00
6					
7					
8	G8	10.31.2013	Relates to the drafting and filing of Shae's Petition to Reopen Probate Administration, Appointment of Administrator, and for Issuance of Letters of Administration	Ex. 1 at ¶ 47	\$ 2.25
9					
10					
11	G9	11.30.2013	Relates to the drafting and filing of Shae's Verified Ex-Parte Petition for Appointment of Special Administrator and Issuance of Letters of Special Administration	Ex. 1 at ¶ 48	\$ 9.50
12					
13	G10	11.30.2013	Relates to the drafting and filing of Shae's Verified Ex-Parte Petition for Appointment of Special Administrator and Issuance of Letters of Special Administration	Ex. 1 at ¶ 48	\$ 8.75
14					
15					
16	G11	12.11.2013	Relates to the drafting and filing of Shae's Verified Ex-Parte Petition for Appointment of Special Administrator and Issuance of Letters of Special Administration	Ex. 1 at ¶ 49	\$ 7.75
17					
18					
19	G12	12.11.2013	Relates to the drafting and filing of Shae's Verified Ex-Parte Petition for Appointment of Special Administrator and Issuance of Letters of Special Administration	Ex. 1 at ¶ 49	\$ 9.50
20					
21	G13	12.31.2013	Relates to obtaining Certified Copy of Letters of Special Administration	Ex. 1 at ¶ 50	\$ 1.50
22					
23	G14	12.31.2013	Relates to the drafting and filing of Shae's Verified Ex-Parte Petition for Appointment of Special Administrator and Issuance of Letters of Special Administration	Ex. 1 at ¶ 49	\$ 18.00
24					
25	G15	12.31.2013	Relates to the drafting and filing of Shae's Verified Ex-Parte Petition for Appointment of Special Administrator and Issuance of Letters of Special Administration	Ex. 1 at ¶ 49	\$ 19.25
26					
27					
28					


1	G16	01.31.2014	Relates to letter to Office of the Attorney General regarding Letters of Special Administration	Ex. 1 at ¶ 51	\$ 2.75
2					
3	G17	02.28.2014	Relates to the drafting, filing, and service of Shae's Verified Complaint	Ex. 1 at ¶ 52	\$ 31.75
4	G18	03.31.2014	Relates to Summons	Ex. 1 at ¶ 53	\$ 5.50
5	G19	05.28.2014	Relates to drafting of Shae's interrogatories and requests for admission	Ex. 1 at ¶ 54	\$ 2.25
6					
7	G20	05.31.2014	Relates to copies of Shae's Demand for Jury Trial	Ex. 1 at ¶ 55	\$ 0.75
8	G21	06.25.2014	Relates to copies of Joint Case Conference Report	Ex. 1 at ¶ 56	\$ 2.25
9					
10	G22	06.30.2014	Relates to drafting and filing Notice to Appear for Discovery Conference	Ex. 1 at ¶ 57	\$ 2.50
11	G23	06.30.2014	Relates to drafting and filing Notice to Appear for Discovery Conference	Ex. 1 at ¶ 57	\$ 2.50
12	G24	07.31.2014	Relates to the Scheduling Order	Ex. 1 at ¶ 58	\$ 0.25
13	G25	09.30.2014	Relates to PERS' responses to interrogatories and requests for admission	Ex. 1 at ¶ 59	\$ 2.00
14					
15	G26	10.31.2014	Relates to PERS' Motion for Summary Judgment and the drafting and filing of Plaintiffs' Motion for Partial Summary Judgment	Ex. 1 at ¶ 60	\$ 46.00
16					
17	G27	12.31.2014	Relates to documents for hearing on summary judgment motions	Ex. 1 at ¶ 61	\$ 0.25
18					
19	G28	12.31.2014	Relates to documents for hearing on summary judgment motions	Ex. 1 at ¶ 61	\$ 32.75
20					
21	G29	01.31.2015	Relates to Notice of Entry of Order Granting Plaintiff's Motion for Partial Summary Judgment and Denying Defendant's Motion for Summary Judgment	Ex. 1 at ¶ 62	\$ 1.75
22					
23	G30	02.28.2015	Relates to drafting and filing of Stipulation and Order to Extend Trial Date	Ex. 1 at ¶ 63	\$ 3.75
24					
25	G31	03.31.2015	Relates to Judgment	Ex. 1 at ¶ 64	\$ 3.75
26	G32	07.09.2015	Relates to expert retention	Ex. 1 at ¶ 65	\$ 1.25
27					
28	G33	07.31.2015	Relates to drafting and filing of Shae's Motion for Pre-Judgment and Post-Judgment Interest	Ex. 1 at ¶ 66	\$ 3.25

1	G34	08.13.2015	Relates to Shae’s Motion for Pre-Judgment and Post-Judgment Interest	Ex. 1 at ¶ 67	\$ 5.00
2	G35	08.31.2015	Relates to copies of documents for hearing regarding Shae’s Motion for Pre-Judgment and Post-Judgment Interest	Ex. 1 at ¶ 68	\$ 3.50
3					
4	G36	08.31.2015	Relates to copies of documents for hearing regarding Shae’s Motion for Pre-Judgment and Post-Judgment Interest	Ex. 1 at ¶ 68	\$ 12.00
5					
6	G37	10.05.2015	Relates to Order/Judgment on Shae’s Motion for Pre-Judgment and Post-Judgment Interest	Ex. 1 at ¶ 69	\$ 1.50
7					
8	<b>H. Postage .....\$17.44</b>				
9	H1	06.03.2013	Relates to letter to Office of the Attorney General regarding Estate of Kristine Freshman’s request for documents	Ex. 1 at ¶ 70	\$ 0.66
10					
11	H2	01.08.2014	Relates to letter to Office of the Attorney General regarding Letters of Special Administration	Ex. 1 at ¶ 71	\$ 1.12
12					
13	H3	08.14.2014	Service of Plaintiff’s First Set of Requests for Production	Ex. 1 at ¶ 72	\$ 2.38
14					
15	H4	10.27.2014	Service of Plaintiffs' Motion for Partial Summary Judgment	Ex. 1 at ¶ 73	\$ 10.70
16	H5	10.28.2014	Service of Errata to Plaintiffs' Motion for Partial Summary Judgment	Ex. 1 at ¶ 74	\$ 1.38
17					
18	H6	07.09.2015	Relates to expert retention	Ex. 1 at ¶ 75	\$ 1.20
19	<b>I. Other.....\$194.90</b>				
20	I1	05.23.2014	Relates to uploading documents into case management program	Ex. 1 at ¶ 76	\$ 30.00
21	I2	05.27.2014	Relates to coding of electronic documents in case management program	Ex. 1 at ¶ 77	\$ 9.70
22					
23	I3	06.05.2014	Relates to the production of documents in case management program	Ex. 1 at ¶ 78	\$ 30.00
24	I4	10.03.2014	Relates to uploading documents into case management program	Ex. 1 at ¶ 79	\$ 30.00
25					
26	I5	10.03.2014	Relates to coding of 9552 fields of electronic documents in case management program	Ex. 1 at ¶ 79	\$ 95.20
27	///				
28	///				

1 I, Kelly B. Stout, being duly sworn, state that I am the attorney for Plaintiffs Shae E. Gitter,  
2 and Jared Shafer as Special Administrator of the Estate of Kristine Jo Freshman, and I have personal  
3 knowledge of the above costs and disbursements expended. I further state that the items contained  
4 in the above memorandum are true and correct to the best of my knowledge and belief, and that said  
5 disbursements have been necessarily incurred and paid in this action.

6 I declare under penalty of perjury under the law of the State of Nevada that the foregoing is  
7 true and correct.

8 EXECUTED this 23rd day of October, 2015.

9  
10   
11 Kelly B. Stout, Esq.

**CERTIFICATE OF SERVICE**

I certify that I am an employee of BAILEY ❖ KENNEDY and that on the 23rd day of October, 2015, service of the foregoing PLAINTIFFS' MEMORANDUM OF COSTS AND DISBURSEMENTS was made by mandatory electronic service through the Eighth Judicial District Court's electronic filing system and/or by depositing a true and correct copy in the U.S. Mail, first class postage prepaid, and addressed to the following at their last known address:

W. CHRIS WICKER  
**WOODBURN AND WEDGE**  
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Attorneys for Defendant  
**PUBLIC EMPLOYEES' RETIREMENT  
SYSTEM OF NEVADA**

/s/ Jennifer Kennedy  
An Employee of BAILEY ❖ KENNEDY

# EXHIBIT 1

# EXHIBIT 1

**DECLARATION OF KELLY B. STOUT IN SUPPORT OF PLAINTIFFS'**  
**MEMORANDUM OF COSTS AND DISBURSEMENTS**

I, Kelly B. Stout, declare as follows:

1. I am an attorney with the law firm of Bailey ❖ Kennedy, counsel of record for Shae E. Gitter, an individual, and Jared Shafer, as Special Administrator of the Estate of Kristine Jo Freshman, ("Shae"), in *Gitter v. Public Employee's Retirement System of Nevada*, Case No. A-14-697642-C, which is pending before this Court. I have personal knowledge of and am competent to testify to the facts contained in this declaration. I make this declaration in support of Plaintiffs' Memorandum of Costs and Disbursements.

2. Attached as Exhibit 2 is a true and correct copy of Bailey ❖ Kennedy's Transaction Listing Report, which details the costs charged to Shae in this action through September 30, 2015.

3. Attached as Exhibit 3 is a true and correct copy of the October 7, 2013 E-Filing Details Report for the filing fee for Petition to Reopen Probate Administration, Appointment of Administrator, and for Issuance of Letters of Administration.

4. Attached as Exhibit 4 is a true and correct copy of the December 12, 2013 E-Filing Details Report for the filing fee for the Verified Ex-Parte Petition for Appointment of Special Administrator and Issuance of Letters of Special Administration.

5. Attached as Exhibit 5 is a true and correct copy of the December 26, 2013 E-Filing Details Report for the filing fee for Order Approving Ex Parte Petition for Appointment of Special Administrator and Issuance of Letters of Special Administration.

6. Attached as Exhibit 6 is a true and correct copy of the December 27, 2013 E-Filing Details Report for the filing fee for Letters of Special Administration.

7. Attached as Exhibit 7 is a true and correct copy of the March 3, 2014 E-Filing Details Report for the filing fee for Verified Complaint.

8. Attached as Exhibit 8 is a true and correct copy of the March 13, 2014 E-Filing Details Report for the filing fee for Initial Appearance Fee Disclosure.

9. Attached as Exhibit 9 is a true and correct copy of the March 25, 2014 E-Filing Details Report for the filing fee for Summons.



1 10. Attached as Exhibit 10 is a true and correct copy of the May 28, 2014 E-Filing Details  
2 Report for the filing fee for Plaintiffs' Demand of Jury Trial.

3 11. Attached as Exhibit 11 is a true and correct copy of the October 27, 2014 E-Filing Details  
4 Report for the filing fee for Plaintiffs' Motion for Partial Summary Judgment.

5 12. Attached as Exhibit 12 is a true and correct copy of the October 28, 2014 E-Filing Details  
6 Report for the filing fee for Notice of Hearing on Plaintiffs' Motion for Partial Summary Judgment.

7 13. Attached as Exhibit 13 is a true and correct copy of the October 28, 2014 E-Filing Details  
8 Report for the filing fee for Errata to Plaintiffs' Motion for Partial Summary Judgment.

9 14. Attached as Exhibit 14 is a true and correct copy of the November 17, 2014 E-Filing  
10 Details Report for the filing fee for Plaintiffs' Opposition to Public Employees Retirement System of  
11 Nevada's Motion for Summary Judgment.

12 15. Attached as Exhibit 15 is a true and correct copy of the November 21, 2014 E-Filing  
13 Details Report for the filing fee for Reply in Support of Plaintiffs' Motion for Partial Summary  
14 Judgment.

15 16. Attached as Exhibit 16 is a true and correct copy of the January 29, 2015 E-Filing Details  
16 Report for the filing fee for Order Granting Plaintiffs' Motion for Partial Summary Judgment and  
17 Denying Defendant's Motion for Summary Judgment.

18 17. Attached as Exhibit 17 is a true and correct copy of the January 29, 2015 E-Filing Details  
19 Report for the filing fee for Notice of Entry of Order Granting Plaintiffs' Motion for Partial Summary  
20 Judgment and Denying Defendant's Motion for Summary Judgment.

21 18. Attached as Exhibit 18 is a true and correct copy of the February 12, 2015 E-Filing  
22 Details Report for the filing fee for Stipulation and Order to Extend Trial Date.

23 19. Attached as Exhibit 19 is a true and correct copy of the February 13, 2015 E-Filing  
24 Details Report for the filing fee for Notice of Entry of Stipulation and Order to Extend Trial Date.

25 20. Attached as Exhibit 20 is a true and correct copy of the July 15, 2015 E-Filing Details  
26 Report for the filing fee for Notice of Entry of Stipulation and Order to Extend Trial Date (Second  
27 Request).

21. Attached as Exhibit 21 is a true and correct copy of the July 15, 2015 E-Filing Details Report for the filing fee for Stipulation and Order to Extend Trial Date (Second Request).

22. Attached as Exhibit 22 is a true and correct copy of the July 31, 2015 E-Filing Details Report for the filing fee for Plaintiffs' Motion for Pre-Judgment and Post-Judgment Interest.

23. Attached as Exhibit 23 is a true and correct copy of the August 14, 2015 E-Filing Details Report for the filing fee for Reply in Support of Plaintiffs' Motion for Pre-Judgment and Post-Judgment Interest.

24. Attached as Exhibit 24 is a true and correct copy of the October 16, 2015 E-Filing Details Report for the filing fee for the Order Granting Plaintiffs' Motion for Pre-Judgment and Post-Judgment Interest.

25. Attached as Exhibit 25 is a true and correct copy of the October 16, 2015 E-Filing Details Report for the filing fee for the Notice of Entry of Order Granting Plaintiffs' Motion for Pre-Judgment and Post-Judgment Interest.

26. Attached as Exhibit 26 is a true and correct copy of the July 31, 2015 JW Advisors invoice, for which the retainer fee of \$5,000.00 was applied (the remaining \$535 was waived). The expert witness retainer fee of \$5,000.00, which was charged to Shae on June 1, 2015, relates to service provided by JW Advisors as an expert witness regarding the calculation of benefits and interest.

27. Attached as Exhibit 27 is a true and correct copy of the March 17, 2014 Bill of Lading from Nationwide Legal to Bailey❖Kennedy for service of the Summons and Verified Complaint on Defendant Public Employees' Retirement System of Nevada (PERS).

28. Attached as Exhibit 28 is a true and correct copy of the March 20, 2014 Bill of Lading from Legal Process Service to Bailey❖Kennedy for service of the Summons and Verified Complaint on Public Employees' Retirement System of Nevada at the Office of the Attorney General.

29. The on-line legal research fee of \$73.00, which was charged to Shae on August 29, 2014, relates to legal research concerning PERS and Nevada's Slayer Statutes, in preparation of Shae's Motion for Partial Summary Judgment.

30. The on-line legal research fee of \$810.00, which was charged to Shae on October 31, 2014, relates to legal research concerning the legal authorities cited by Defendant in its Motion for

1 Summary Judgment, Nevada's Slayer Statute, and breach of contract in preparation of Shae's Opposition  
2 to Motion for Summary Judgment.

3 31. The on-line legal research fee of \$360.00, which was charged to Shae on August 27,  
4 2015, relates to legal research concerning pre-judgment and post-judgment interest in preparation of  
5 Shae's Motion for Pre-Judgment and Post-Judgment Interest.

6 32. The on-line legal research fee of \$90.00, which was charged to Shae on September 28,  
7 2015, relates to legal research concerning pre-judgment and post-judgment interest in preparation of  
8 Shae's Motion for Pre-Judgment and Post-Judgment Interest.

9 33. Attached as Exhibit 29 is a true and correct copy of the July 15, 2014 Receipt for parking  
10 near the courthouse. This fee relates to my appearance at the Discovery Conference.

11 34. Attached as Exhibit 30 is a true and correct copy of the December 2, 2014 Receipt for  
12 parking near the courthouse. This fee relates to my appearance at the hearing on both summary  
13 judgment motions.

14 35. Attached as Exhibit 31 is a true and correct copy of the June 11, 2015 Receipt for parking  
15 near the courthouse. This fee relates to my appearance at the Status Check.

16 36. Attached as Exhibit 32 is a true and correct copy of the September 1, 2015 Receipt for  
17 parking near the courthouse. This fee relates to Dennis L. Kennedy's appearance at the hearing on  
18 Shae's Motion for Pre-Judgment and Post-Judgment Interest.

19 37. Attached as Exhibit 33 is a true and correct copy of the September 1, 2015 Receipt for  
20 parking near the courthouse. This fee relates to my appearance at the hearing on Shae's Motion for Pre-  
21 Judgment and Post-Judgment Interest.

22 38. Attached as Exhibit 34 is a true and correct copy of the September 17, 2015 Receipt for  
23 parking near the courthouse. This fee relates to my appearance at the Status Check.

24 39. Attached as Exhibit 35 is a true and correct copy of check no. 18815, dated December 13,  
25 2013, which relates to the Certified Copy of Letters of Special Administration.

26 40. The copy charge of \$1.75, which was charged to Shae on May 2, 2012, relates to copies  
27 of Shae's file concerning the events at issue in the action.  
28

1           41.     The copy charge of \$0.25, which was charged to Shae on May 31, 2012, relates to a letter  
2 to the Office of the Attorney General regarding Kristine Freshman's NVPERS account.

3           42.     The copy charge of \$0.75, which was charged to Shae on June 30, 2012, relates to a letter  
4 to the Office of the Attorney General regarding Kristine Freshman's NVPERS account.

5           43.     The copy charge of \$2.00, which was charged to Shae on May 31, 2013, relates to a letter  
6 to the Office of the Attorney General regarding Kristine Freshman's NVPERS account.

7           44.     The copy charge of \$2.25, which was charged to Shae on June 3, 2013, relates to a letter  
8 to the Office of the Attorney General regarding Kristine Freshman's NVPERS account.

9           45.     The copy charge of \$0.50, which was charged to Shae on June 28, 2013, relates to letter  
10 to Office of the Attorney General regarding its refusal to release documents requested by the Estate of  
11 Kristine Freshman.

12          46.     The copy charge of \$18.00, which was charged to Shae on October 7, 2013, relates to the  
13 drafting and filing of Shae's Petition to Reopen Probate Administration, Appointment of Administrator,  
14 and for Issuance of Letters of Administration.

15          47.     The copy charge of \$2.25, which was charged to Shae on October 31, 2013, relates to the  
16 drafting and filing of Shae's Petition to Reopen Probate Administration, Appointment of Administrator,  
17 and for Issuance of Letters of Administration.

18          48.     The copy charges of \$8.75 and \$9.50, which were charged to Shae on November 30,  
19 2013, relate to the drafting and filing of Shae's Verified Ex-Parte Petition for Appointment of Special  
20 Administrator and Issuance of Letters of Special Administration.

21          49.     The copy charges of \$7.75 and \$9.50, which were charged to Shae on December 11,  
22 2013, and the copy charges of \$18.00 and \$19.25, which were charged to Shae on December 31, 2013,  
23 relate to the drafting and filing of Shae's Verified Ex-Parte Petition for Appointment of Special  
24 Administrator and Issuance of Letters of Special Administration.

25          50.     The copy charge of \$1.50, which was charged to Shae on December 31, 2013, relates to  
26 the Certified Copy of the Letters of Special Administration.

27          51.     The copy charge of \$2.75, which was charged to Shae on January 31, 2014, relates to a  
28 letter to the Office of the Attorney General regarding Letters of Special Administration.

52. The copy charge of \$31.75, which was charged to Shae on February 28, 2014, relates to the drafting, filing, and serving of Shae's Verified Complaint.

53. The copy charge of \$5.50, which was charged to Shae on March 31, 2014, relates to the Summons.

54. The copy charge of \$2.25, which was charged to Shae on May 28, 2014, relates to drafting Shae's interrogatories and requests for admission.

55. The copy charge of \$0.75, which was charged to Shae on May 31, 2014, relates to copies of Shae's Demand for Jury Trial.

56. The copy charge of \$2.25, which was charged to Shae on June 25, 2014, relates to copies of Joint Case Conference Report.

57. The copy charges of \$2.50 and \$2.50, which were charged to Shae on June 30, 2014, relate to drafting and filing Notice to Appear for Discovery Conference.

58. The copy charge of \$0.25, which was charged to Shae on July 31, 2014, relates to the Scheduling Order.

59. The copy charge of \$2.00, which was charged to Shae on September 30, 2014, relates to PERS' responses to interrogatories and requests for admission.

60. The copy charge of \$46.00, which was charged to Shae on October 31, 2014, relates to PERS' Motion for Summary Judgment and the drafting and filing of Plaintiffs' Motion for Partial Summary Judgment.

61. The copy charges of \$32.75 and \$0.25, which were charged to Shae on December 31, 2014, relate to documents for the hearing on summary judgment motions.

62. The copy charge of \$1.75, which was charged to Shae on January 31, 2015, relates to Notice of Entry of Order Granting Plaintiffs' Motion for Partial Summary Judgment and Denying Defendant's Motion for Summary Judgment.

63. The copy charge of \$3.75, which was charged to Shae on February 28, 2015, relates to drafting and filing of Stipulation and Order to Extend Trial Date.

64. The copy charge of \$3.75, which was charged to Shae on March 31, 2015, relates to Judgment.

65. The copy charge of \$1.25, which was charged to Shae on July 9, 2015, relates to expert retention.

66. The copy charge of \$3.25, which was charged to Shae on July 31, 2015, relates to drafting and filing of Shae's Motion for Pre-Judgment and Post-Judgment Interest.

67. The copy charge of \$5.00, which was charged to Shae on August 13, 2015, relates to copies of documents for the hearing regarding Shae's Motion for Pre-Judgment and Post-Judgment Interest.

68. The copy charges of \$3.50 and \$12.00, which were charged to Shae on August 31, 2015, relate to copies of documents for hearing regarding Shae's Motion for Pre-Judgment and Post-Judgment Interest.

69. The copy charge of \$1.50, which was charged to Shae on October 5, 2015, relates to copies of documents for the hearing regarding Shae's Motion for Pre-Judgment and Post-Judgment Interest.

70. The postage charge of \$0.66, which was charged to Shae on June 3, 2013, relates to letter to Office of the Attorney General regarding Estate of Kristine Freshman request for documents.

71. The postage charge of \$1.12, which was charged to Shae on January 8, 2014, relates to letter to Office of the Attorney General regarding Letters of Special Administration.

72. The postage charge of \$2.38, which was charged to Shae on August 14, 2014, relates to Plaintiffs' First Set of Requests for Production.

73. The postage charge of \$10.70, which was charged to Shae on October 27, 2014, relates to service of Plaintiffs' Motion for Partial Summary Judgment

74. The postage charge of \$1.38, which was charged to Shae on October 28, 2014, relates to service of Errata to Plaintiffs' Motion for Partial Summary Judgment.

75. The postage charge of \$1.20, which was charged to Shae on July 9, 2015, relates expert retention.

76. The charge of \$30.00, which was charged to Shae on May 23, 2014, relates to uploading documents into case management program.

1           77.     The charge of \$9.70, which was charged to Shae on May 27, 2014, relates to uploading  
2 documents into case management program.

3           78.     The charge of \$30.00, which was charged to Shae on June 5, 2014, relates to uploading  
4 documents into case management program.

5           79.     The charges of \$95.20 and \$30.00, which were charged to Shae on October 3, 2014,  
6 relate to uploading documents into case management program.

7           80.     Attached as Exhibit 36 is a true and correct copy of the October 22, 2014 E-Filing Details  
8 Report for the filing fee for Amended Certificate of Service [Regarding the Notice of Entry of Order  
9 Granting Plaintiffs' Motion for Pre-Judgment and Post-Judgment Interest and Final Judgment].

10          81.     Plaintiffs' expert fees in excess of \$1,500.00 are reasonable and were necessary under the  
11 circumstances.

- 12           a.     Plaintiffs needed to retain a financial expert to evaluate PERS' determination of past  
13 due benefits because the complexity of the formula used to calculate PERS benefits  
14 requires specialized skills.
- 15           b.     Plaintiffs' expert was required to perform an independent analysis in order to verify  
16 the accuracy of PERS' calculations. This included reviewing the statutes to identify  
17 the formula used to calculate survivor benefits and reviewing PERS' records related  
18 to Kristine Freshman's account to identify the individualized values for the  
19 calculation.
- 20           c.     Plaintiffs' expert is fully qualified and appropriately credentialed and educated for the  
21 tasks performed. A true and correct copy of the curriculum vitae for Kirk Jacobson is  
22 included in Exhibit 26.
- 23           d.     Plaintiffs retained only one expert in this matter, and the cost is relatively minor in  
24 relation to the damages recovered. As of September 1, 2015, PERS owed Shae more  
25 than 5½ years of back payments, totaling approximately \$270,000.00 (\$203,231.76 in  
26 back payments, and \$69,340.40 in accrued interest). However, the total amount of  
27 damages recovered is far greater because Shae is entitled to lifetime benefits.  
28

1 e. The role of Plaintiffs' expert was crucial in resolving the case. As a direct result of  
2 Plaintiffs' expert, the Parties were able to avoid further discovery and motion practice  
3 and/or a trial on damages and enter into a stipulated judgment.

4 f. Plaintiffs' expert charged reasonable hourly fees, appropriately allocated work to an  
5 associate charging significantly lower rates, and ultimately discounted the cost of his  
6 services by approximately 10%.

7 82. Furthermore, the Parties entered into a series of stipulations designed to minimize the scope  
8 and expense of discovery for both Parties. Although both Parties derived significant savings  
9 in attorney hours and costs from these stipulations, the agreed upon limits increased the  
10 importance of Shae's expert.

11 a. Early in the case, the Parties agreed to bifurcate discovery in an effort to limit each  
12 Party's costs, which is reflected in the Joint Case Conference Report. They agreed to  
13 a short discovery period (90 days) after which the Parties would file cross-motions for  
14 summary judgment. The Parties anticipated reopening discovery if Plaintiffs  
15 prevailed on the issue of liability so they could conduct further discovery regarding  
16 the amount of damages. Both Parties experienced at least one significant benefit;  
17 Plaintiffs did not choose to depose a representative of PERS, saving both parties the  
18 expense of preparing and taking a deposition.

19 b. During discovery, Plaintiffs disputed the adequacy of PERS' responses to many of  
20 Plaintiffs' written discovery requests. However, the Parties agreed that Plaintiffs  
21 would stay their efforts to compel supplemental responses until after the Court ruled  
22 on PERS' liability. Thus, both Parties avoided the time and cost associated with the  
23 discovery dispute process, supplemental responses, and a motion to compel.

24 c. After the Court ruled in Plaintiffs' favor on summary judgment, the Parties agreed to  
25 forgo further discovery in lieu of an informal exchange of information regarding  
26 PERS' calculation of damages. PERS agreed to provide Plaintiffs with its  
27 calculations regarding the amount of past-due benefits so Plaintiffs experts could  
28



1 review the calculations. Thus, the Parties avoided the additional costs associated with  
2 formal discovery.

3 83. Each of the preceding costs are correct to the best of my knowledge and belief, and the  
4 costs were necessarily incurred in this action.

5 84. I declare under penalty of perjury under the laws of the State of Nevada that the  
6 foregoing is true and correct.

7 EXECUTED on this 23rd day of October, 2015.

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10 KELLY B. STOUT  
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# EXHIBIT 2

# EXHIBIT 2

Bailey Kennedy, LLP  
Transactions Listing (Wide) Report

Search Description:  
Search for: 10655-001   Search by: Matter ID   Stage: WIP   Type: All costs

		MatterID/Client Sort			Component		
		Matter Description			Task Code	Units	Price
Date	Prof	Narrative					Value
Component: Coding							
5/27/2014	BRO	10655-001 / Gitter, Shae Ellen / NVPERS Coding of Electronic Documents in CaseLogistix			Coding	97.0000	0.1000
10/3/2014	BRO	10655-001 / Gitter, Shae Ellen / NVPERS Coding of 952 fields of Electronic Documents in CaseLogistix			Coding	952.0000	0.1000
					Component: Coding	1,049.0000	
Component: Copies							
5/2/2012	MOC	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction			Copies	7.0000	0.2500
5/31/2012	TLL	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction			Copies	1.0000	0.2500
6/30/2012	TLL	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction			Copies	3.0000	0.2500
5/31/2013	DD	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction			Copies	8.0000	0.2500
6/3/2013	KJR	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction			Copies	9.0000	0.2500
6/28/2013	ANO	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction			Copies	2.0000	0.2500
8/30/2013	MMF	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction			Copies	9.0000	0.2500
10/7/2013	JJK	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction			Copies	72.0000	0.2500
10/23/2015 4:21 PM					Page: 1		

**Bailey Kennedy, LLP**  
Transactions Listing (Wide) Report

Search Description:  
Search for: 10655-001   Search by: Matter ID   Stage: WIP   Type: All costs

Date	Prof	MatterID/Client Sort	Component	Units	Price	Value
		Matter Description Narrative				
10/31/2013	AO	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	9.0000	0.2500	2.2500
11/30/2013	AO	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	35.0000	0.2500	8.7500
11/30/2013	AO	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	38.0000	0.2500	9.5000
12/11/2013	JJK	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	31.0000	0.2500	7.7500
12/11/2013	JJK	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	38.0000	0.2500	9.5000
12/31/2013	AO	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	72.0000	0.2500	18.0000
12/31/2013	AO	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	77.0000	0.2500	19.2500
12/31/2013	JJK	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	6.0000	0.2500	1.5000
1/31/2014	AO	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	11.0000	0.2500	2.7500
2/28/2014	JD	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	127.0000	0.2500	31.7500
3/31/2014	AO	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	22.0000	0.2500	5.5000
5/28/2014	KJR	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	9.0000	0.2500	2.2500
5/31/2014	AO	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	3.0000	0.2500	0.7500
10/23/2015 4:21 PM			Page: 2			

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Transactions Listing (Wide) Report

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Search for: 10655-001   Search by: Matter ID   Stage: WIP   Type: All costs

Date	Prof	MatterID/Client Sort	Component Task Code	Units	Price	Value
		Matter Description Narrative				
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6/30/2014	AO	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	10.0000	0.2500	2.5000
6/30/2014	AO	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	10.0000	0.2500	2.5000
7/31/2014	AO	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	1.0000	0.2500	0.2500
9/30/2014	JJK	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	8.0000	0.2500	2.0000
10/31/2014	AO	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	184.0000	0.2500	46.0000
12/31/2014	ES	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	131.0000	0.2500	32.7500
12/31/2014	AO	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	1.0000	0.2500	0.2500
1/31/2015	ES	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	7.0000	0.2500	1.7500
2/28/2015	ES	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	15.0000	0.2500	3.7500
3/31/2015	LBH	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	15.0000	0.2500	3.7500
7/9/2015	KJR	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	5.0000	0.2500	1.2500
7/31/2015	ES	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	13.0000	0.2500	3.2500
10/23/2015 4:21 PM			Page: 3			

**Bailey Kennedy, LLP**  
Transactions Listing (Wide) Report

Search Description:  
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		Matter Description				
Date	Prof	Narrative	Component Task Code	Units	Price	Value
8/13/2015	KBS	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction - Plaintiff's Motion for Award of Pre-Judgment and Post-Judgment Interest	Copies	20.0000	0.2500	5.0000
8/31/2015	ES	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction	Copies	14.0000	0.2500	3.5000
8/31/2015	KBS	10655-001 / Gitter, Shae Ellen / NVPERS Document Reproduction - print briefing on Motion for Pre-Judgment and Post-Judgment Interest (Motion, Opposition, and Reply).	Copies	48.0000	0.2500	12.0000
			Component: Copies	1,080.0000		270.0000
<b>Component: Courier</b>						
3/17/2014	AO	10655-001 / Gitter, Shae Ellen / NVPERS Nationwide Legal Order No. 21038691; Delivery of Summons, Civil Cover Sheet, Initial Appearance Fee Disclosure, and Verified Complaint to Public Employees' Retirement System, Las Vegas, NV 89119	Courier	1.0000	50.0000	50.0000
			Component: Courier	1.0000		50.0000
<b>Component: EF</b>						
10/7/2013	AO	10655-001 / Gitter, Shae Ellen / NVPERS Electronic Filing Fee for Petition to Reopen Probate Administration, Appointment of Administrator, and for Issuance of Letters of Administration	EF	1.0000	3.5000	3.5000
12/12/2013	AO	10655-001 / Gitter, Shae Ellen / NVPERS Electronic Filing Fee for Verified Ex-Parte Petition for Appointment of Special Administrator and Issuance of Letters of Special Administration	EF	1.0000	3.5000	3.5000

**Bailey Kennedy, LLP**  
Transactions Listing (Wide) Report

Search Description:

Search for: 10655-001   Search by: Matter ID   Stage: WIP   Type: All costs

Date	Prof	MatterID/Client Sort	Component Task Code	Units	Price	Value
		Matter Description Narrative				
12/26/2013	AO	10655-001 / Gitter, Shae Ellen / NVPERS Electronic Filing Fee for Order Approving Ex-Parte Petition for Appointment of Special Administrator and Issuance of Letters of Special Administration	EF	1.0000	3.5000	3.5000
12/27/2013	AO	10655-001 / Gitter, Shae Ellen / NVPERS Electronic Filing Fee for Letters of Special Administration	EF	1.0000	3.5000	3.5000
3/13/2014	AO	10655-001 / Gitter, Shae Ellen / NVPERS Electronic Filing Fee for Verified Complaint	EF	1.0000	3.5000	3.5000
3/13/2014	AO	10655-001 / Gitter, Shae Ellen / NVPERS Electronic Filing Fee for Initial Appearance Fee Disclosure	EF	1.0000	3.5000	3.5000
3/25/2014	AO	10655-001 / Gitter, Shae Ellen / NVPERS Electronic Filing Fee for Summons	EF	1.0000	3.5000	3.5000
5/28/2014	AO	10655-001 / Gitter, Shae Ellen / NVPERS Electronic Filing Fee for Plaintiffs' Demand for Jury Trial	EF	1.0000	3.5000	3.5000
10/28/2014	AO	10655-001 / Gitter, Shae Ellen / NVPERS Electronic Filing Fee for Notice of Hearing on Plaintiffs' Motion for Partial Summary Judgment	EF	1.0000	3.5000	3.5000
10/28/2014	AO	10655-001 / Gitter, Shae Ellen / NVPERS Electronic Filing Fee for Errata to Plaintiffs' Motion for Partial Summary Judgment	EF	1.0000	3.5000	3.5000
10/27/2014	AO	10655-001 / Gitter, Shae Ellen / NVPERS Electronic Filing Fee for Plaintiffs' Motion for Partial Summary Judgment	EF	1.0000	3.5000	3.5000
11/17/2014	AO	10655-001 / Gitter, Shae Ellen / NVPERS Electronic Filing Fee for Plaintiffs' Opposition to Public Employees Retirement System of Nevada's Motion for Summary Judgment	EF	1.0000	3.5000	3.5000
11/21/2014	ES	10655-001 / Gitter, Shae Ellen / NVPERS Electronic Filing Fee for Reply In Support of Plaintiff's Motion for Partial Summary Judgment	EF	1.0000	3.5000	3.5000
1/29/2015	ES	10655-001 / Gitter, Shae Ellen / NVPERS Electronic Filing Fee for Order Granting Plaintiff's Motion for Partial Summary Judgment and	EF	1.0000	3.5000	3.5000

10/23/2015 4:21 PM

Page: 5

Bailey Kennedy, LLP  
Transactions Listing (Wide) Report

Search Description:  
Search for: 10655-001   Search by: Matter ID   Stage: WIP   Type: All costs

		MatterID/Client Sort			Component		
Date	Prof	Matter Description	Narrative	Task Code	Units	Price	Value
1/29/2015	ES		Denying Defendant's Motion for Summary Judgment 10655-001 / Gitter, Shae Ellen / NVPERS	EF	1.0000	3.5000	3.5000
2/13/2015	ES		Electronic Filing Fee for Notice of Entry of Order Granting Plaintiff's Motion for Partial Summary Judgment and Denying Defendant's Motion for Summary Judgment 10655-001 / Gitter, Shae Ellen / NVPERS	EF	1.0000	3.5000	3.5000
2/12/2015	ES		Electronic Filing Fee for Notice of Entry of Stipulation and Order to Extend Trial Date 10655-001 / Gitter, Shae Ellen / NVPERS	EF	1.0000	3.5000	3.5000
7/15/2015	ES		Electronic Filing Fee for Stipulation and Order to Extend Trial Date 10655-001 / Gitter, Shae Ellen / NVPERS	EF	1.0000	3.5000	3.5000
7/15/2015	ES		Electronic Filing Fee for Notice of Entry of Stipulation and Order to Extend Trial Date (Second Request) 10655-001 / Gitter, Shae Ellen / NVPERS	EF	1.0000	3.5000	3.5000
7/31/2015	JJK		Electronic Filing Fee for Stipulation and Order to Extend Trial Date (Second Request) 10655-001 / Gitter, Shae Ellen / NVPERS	EF	1.0000	3.5000	3.5000
8/14/2015	ES		Electronic Filing Fee for Plaintiffs' Motion for Pre-Judgment and Post-Judgment Interest. 10655-001 / Gitter, Shae Ellen / NVPERS	EF	1.0000	3.5000	3.5000
			Electronic Filing Fee for Reply in Support of Plaintiffs' Motion for Pre-Judgment and Post-Judgment Interest				
				Component: EF	21.0000		73.5000
Component: Expert							
6/1/2015	LBH		10655-001 / Gitter, Shae Ellen / NVPERS	Expert	1.0000	5,000.0000	5,000.0000
			Retainer for Expert Witness				
				Component: Expert	1.0000		5,000.0000



**Bailey Kennedy, LLP**  
Transactions Listing (Wide) Report

Search Description:  
Search for: 10655-001   Search by: Matter ID   Stage: WIP   Type: All costs

		MatterID/Client Sort			Component		
		Matter Description			Task Code	Units	Price
Date	Prof	Narrative					Value
<b>Component: f</b>							
12/31/2013		10655-001 / Gitter, Shae Ellen / NVPERS Court Fee for Certified Copy of Letters of Special Administration			f	1.0000	5.0000
3/13/2014	AO	10655-001 / Gitter, Shae Ellen / NVPERS Court Fee for filing of Verified Complaint			f	1.0000	309.0000
10/27/2014	AO	10655-001 / Gitter, Shae Ellen / NVPERS Court Fee for filing of Plaintiffs' Motion for Partial Summary Judgment			f	1.0000	206.0000
					Component: f	3.0000	520.0000
<b>Component: Parking</b>							
7/15/2014	LBH	10655-001 / Gitter, Shae Ellen / NVPERS Courthouse Parking for Kelly B. Stout, Esq. to attend Discovery Conference			Parking	1.0000	6.0000
12/2/2014	LBH	10655-001 / Gitter, Shae Ellen / NVPERS Courthouse Parking for Kelly B. Stout to attend hearing on summary judgment motions			Parking	1.0000	6.0000
6/11/2015	LBH	10655-001 / Gitter, Shae Ellen / NVPERS Courthouse Parking for Kelly B. Stout on June 11, 2015 to attend Status Check			Parking	1.0000	8.0000
9/1/2015	ANO	10655-001 / Gitter, Shae Ellen / NVPERS Courthouse Parking for Dennis L. Kennedy to attend Motion for Interest			Parking	1.0000	9.0000
9/1/2015	ANO	10655-001 / Gitter, Shae Ellen / NVPERS Courthouse Parking for Kelly B. Stout to attend hearing on Motion for Interest			Parking	1.0000	8.0000
9/17/2015	ANO	10655-001 / Gitter, Shae Ellen / NVPERS Courthouse Parking for Kelly B. Stout to attend Status Check			Parking	1.0000	4.0000
					Component: Parking	6.0000	41.0000

Bailey Kennedy, LLP  
Transactions Listing (Wide) Report

Search Description:  
Search for: 10655-001   Search by: Matter ID   Stage: WIP   Type: All costs

		MatterID/Client Sort			Component		
		Matter Description			Task Code	Units	Price
Date	Prof	Narrative					Value
<b>Component: Postage</b>							
6/3/2013	KJR	10655-001 / Gitter, Shae Ellen / NVPERS Postage			Postage	1.0000	0.6600
1/8/2014	JJK	10655-001 / Gitter, Shae Ellen / NVPERS Postage			Postage	1.0000	1.1200
8/14/2014	JJK	10655-001 / Gitter, Shae Ellen / NVPERS Postage			Postage	2.0000	1.1900
10/27/2014	JJK	10655-001 / Gitter, Shae Ellen / NVPERS Postage			Postage	2.0000	5.3500
10/28/2014	JJK	10655-001 / Gitter, Shae Ellen / NVPERS Postage			Postage	2.0000	0.6900
7/9/2015	KJR	10655-001 / Gitter, Shae Ellen / NVPERS Postage			Postage	1.0000	1.2000
8/24/2015	JJK	10655-001 / Gitter, Shae Ellen / NVPERS Postage			Postage	1.0000	0.4900
Component: Postage						10.0000	17.9300
<b>Component: process</b>							
3/20/2014	LBH	10655-001 / Gitter, Shae Ellen / NVPERS Legal Process Service Invoice No. 1402647: Service on Amanda White at the Governor's office			process	1.0000	77.7000
Component: process						1.0000	77.7000
10/23/2015 4:21 PM					Page: 8		

Bailey Kennedy, LLP  
Transactions Listing (Wide) Report

Search Description:  
Search for: 10655-001   Search by: Matter ID   Stage: WIP   Type: All costs

		MatterID/Client Sort			Component		
		Matter Description			Task Code	Units	Price
Date	Prof	Narrative					Value
Component: Production							
6/5/2014	BRO	10655-001 / Gitter, Shae Ellen / NVPERS Production of Documents in CaseLogistix			Production	1.0000	30.0000
					Component: Production	1.0000	30.0000
Component: Upload							
5/23/2014	BRO	10655-001 / Gitter, Shae Ellen / NVPERS Uploading of Documents into CaseLogistix			Upload	1.0000	30.0000
10/3/2014	BRO	10655-001 / Gitter, Shae Ellen / NVPERS Uploading of Documents into CaseLogistix			Upload	1.0000	30.0000
					Component: Upload	2.0000	60.0000
Component: Westlaw							
8/29/2014	LBH	10655-001 / Gitter, Shae Ellen / NVPERS On-line Legal Research			Westlaw	1.0000	73.0000
10/31/2014	AO	10655-001 / Gitter, Shae Ellen / NVPERS On-line Legal Research			Westlaw	1.0000	810.0000
8/27/2015	ES	10655-001 / Gitter, Shae Ellen / NVPERS On-line Legal Research			Westlaw	1.0000	360.0000
9/28/2015	ES	10655-001 / Gitter, Shae Ellen / NVPERS On-line Legal Research			Westlaw	1.0000	90.0000
					Component: Westlaw	4.0000	1,333.0000

**Bailey Kennedy, LLP**  
Transactions Listing (Wide) Report

Search Description:  
Search for: 10655-001   Search by: Matter ID   Stage: WIP   Type: All costs

		MatterID/Client Sort				
		Matter Description				
Date	Prof	Narrative	Component Task Code	Units	Price	Value
			Grand Total	2,179.0000		7,578.0300

# EXHIBIT 3

# EXHIBIT 3

**Details of filing:** *Petition to Reopen Probate Administration, Appointment of Administrator, and for Issuance of Letters of Administration*

**Filed in Case Number:** P-09-067265-E

**E-File ID:** 4858585

**Lead File Size:** 523272 bytes

**Date Filed:** 2013-10-07 15:26:39.0

**Case Title:** P-09-067265-E

**Case Name:** In the Matter of Kristine Freshman, Deceased

**Filing Title:** Petition to Reopen Probate Administration, Appointment of Administrator, and for Issuance of Letters of Administration

**Filing Type:** EFO

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** PET

**Amount:** \$ 3.50

**Court Fee:** \$ 0.00

**Card Fee:** \$ 0.00

**Payment:** 09-OCT-2013 11:28:38 AM: Approved \$3.50 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-7466]

**Comments:**

**Courtesy Copies:** kstout@baileykennedy.com; jkennedy@baileykennedy.com

**Firm Name:** Law Offices of John R. Bailey

**Your File Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2013-10-09 08:28:56.0

**Review Comments:**

**Reviewer:** Ford, Diane

**File Stamped** P-09-067265-E-

**Copy:** 4858585 PET Petition to Reopen Probate Administration Appointment of Administrator and for Iss.pdf

Cover Document:

**Documents:** Lead Document: Petition to Reopen Probate.PDF 523272 bytes

Attachment # 1: Exhibits to Petition.PDF 1958436 bytes

**Data Reference ID:**

**Credit Card** System Response: VPFC9F4FC6ED

**Response:** Reference:

# EXHIBIT 4

# EXHIBIT 4

**Details of filing:** *Verified Ex-Parte Petition for Appointment of Special Administrator and Issuance of Letters of Special Administration*

**Filed in Case Number:** P-09-067265-E

**E-File ID:** 5097261

**Lead File Size:** 2799699 bytes

**Date Filed:** 2013-12-12 15:11:49.0

**Case Title:** P-09-067265-E

**Case Name:** In the Matter of Kristine Freshman, Deceased

**Filing Title:** Verified Ex-Parte Petition for Appointment of Special Administrator and Issuance of Letters of Special Administration

**Filing Type:** EFO

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** EXPP

**Amount:** \$ 3.50

**Court Fee:** \$ 0.00

**Card Fee:** \$ 0.00

**Payment:** 13-DEC-2013 10:51:20 AM: Approved \$3.50 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-7466]

**Comments:**

**Courtesy Copies:** jkennedy@baileykennedy.com

**Firm Name:** Law Offices of John R. Bailey

**Your File Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2013-12-13 07:59:57.0

**Review Comments:**

**Reviewer:** Andrew Watson

**File Stamped** P-09-067265-E-

**Copy:** 5097261 EXPP Verified Ex Parte Petition for Appointment of Special Administrator and Issuance of.pdf

Cover Document:

**Documents:**

Lead Document: EXPP Gitter.PDF 2799699 bytes

**Data Reference ID:**

**Credit Card** System Response: VXJCB485B11A

**Response:** Reference:



# EXHIBIT 5

# EXHIBIT 5

**Details of filing:** *Order Approving Ex Parte Petition for Appointment of Special Administrator and Issuance of Letters of Special Administration*

**Filed in Case Number:** P-09-067265-E

**E-File ID:** 5141644

**Lead File Size:** 160283 bytes

**Date Filed:** 2013-12-26 15:34:35.0

**Case Title:** P-09-067265-E

**Case Name:** In the Matter of Kristine Freshman, Deceased

**Filing Title:** Order Approving Ex Parte Petition for Appointment of Special Administrator and Issuance of Letters of Special Administration

**Filing Type:** EFO

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** EXPR

**Amount:** \$ 3.50

**Court Fee:** \$ 0.00

**Card Fee:** \$ 0.00

**Payment:** 27-DEC-2013 11:11:42 AM: Approved \$3.50 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-7466]

**Comments:**

**Courtesy Copies:** jkennedy@baileykennedy.com

**Firm Name:** Law Offices of John R. Bailey

**Your File Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2013-12-27 08:12:29.0

**Review Comments:**

**Reviewer:** Desiree

**File Stamped** P-09-067265-E-

**Copy:** 5141644 EXPR Order Approving Ex Parte Petition for Appointment of Special Administrator and Issu.pdf

Cover Document:

**Documents:**

Lead Document: EXPR.pdf 160283 bytes

**Data Reference ID:**

**Credit Card** System Response: VQECA3CBBEC6

**Response:** Reference:

# EXHIBIT 6

# EXHIBIT 6

**Details of filing:** *Letters of Special Administration*  
**Filed in Case Number:** P-09-067265-E

**E-File ID:** 5146358

**Lead File Size:** 277714 bytes

**Date Filed:** 2013-12-27 16:00:41.0

**Case Title:** P-09-067265-E

**Case Name:** In the Matter of Kristine Freshman, Deceased

**Filing Title:** Letters of Special Administration

**Filing Type:** EFO

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** LSA

**Amount:** \$ 3.50

**Court Fee:** \$ 0.00

**Card Fee:** \$ 0.00

**Payment:** 27-DEC-2013 07:59:44 PM: Approved \$3.50 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-7466]

**Comments:**

**Courtesy Copies:** jkennedy@baileykennedy.com

**Firm Name:** Law Offices of John R. Bailey

**Your File Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2013-12-27 17:00:28.0

**Review Comments:**

**Reviewer:** Alvarenga, Maritza

**File Stamped Copy:** P-09-067265-E-5146358 LSA Letters of Special Administration.pdf

**Documents:**  
Cover Document:  
Lead Document: Letters of Spec Admn.pdf 277714 bytes

**Data Reference ID:**

**Credit Card Response:** System Response: VLFA55C6B78  
Reference:

# EXHIBIT 7

# EXHIBIT 7

**Details of filing:** *Verified Complaint*  
**Filed in Case Number:** A-14-697642-C

**E-File ID:** 5414933

**Lead File Size:** 691854 bytes

**Date Filed:** 2014-03-13 16:34:49.0

**Case Title:** A-14-697642-C

**Case Name:** SHAE E GITTER VS. PUBLIC EMPLOYEES' RETIREMENT SYSTEM OF NEVADA

**Filing Title:** Verified Complaint

**Filing Type:** EFO

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** COMP

**Amount:** \$ 3.50

**Court Fee:** \$ 300.00

**Card Fee:** \$ 9.00

**Payment:** 13-MAR-2014 08:18:03 PM: Approved \$281.60 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-7466]

**Comments:**

**Courtesy Copies:** jkennedy@baileykennedy.com

**Firm Name:** Law Offices of John R. Bailey

**Your File Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2014-03-13 17:18:20.0

**Review Comments:**

**Reviewer:** Patty Azucena

**File Stamped Copy:** A-14-697642-C-5414933 COMP Verified Complaint.pdf

**Documents:**  
Cover Document: Civil Cover Sheet.PDF 73306 bytes  
Lead Document: Compl.PDF 691854 bytes

**Data Reference ID:**

**Credit Card Response:** System Response: VPECA827A63B  
Reference:

# EXHIBIT 8

# EXHIBIT 8

**Details of filing:** *Initial Appearance Fee Disclosure*  
**Filed in Case Number:** A-14-697642-C

**E-File ID:** 5414946

**Lead File Size:** 65616 bytes

**Date Filed:** 2014-03-13 16:36:39.0

**Case Title:** A-14-697642-C

**Case Name:** SHAE E GITTER VS. PUBLIC EMPLOYEES' RETIREMENT SYSTEM OF NEVADA

**Filing Title:** Initial Appearance Fee Disclosure

**Filing Type:** EFO

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** IAFD

**Amount:** \$ 3.50

**Court Fee:** \$ 0.00

**Card Fee:** \$ 0.00

**Payment:** 14-MAR-2014 01:04:43 AM: Approved \$3.50 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-7466]

**Comments:**

**Courtesy Copies:** jkennedy@baileykennedy.com

**Firm Name:** Law Offices of John R. Bailey

**Your File Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2014-03-13 22:04:56.0

**Review Comments:**

**Reviewer:** Ivonne Hernandez

**File Stamped Copy:** A-14-697642-C-5414946 IAFD Initial Appearance Fee Disclosure.pdf

**Documents:**  
Cover Document:  
Lead Document: IAFD.PDF 65616 bytes

**Data Reference ID:**

**Credit Card Response:** System Response: VTJCB9DB3703  
Reference:



# EXHIBIT 9

# EXHIBIT 9

**Details of filing:** *Summons***Filed in Case Number:** A-14-697642-C**E-File ID:** 5456654**Lead File Size:** 177715 bytes**Date Filed:** 2014-03-25 14:20:03.0**Case Title:** A-14-697642-C**Case Name:** Shae Gitter, Plaintiff(s) vs. Public Employees Retirement System of Nevada, Defendant(s)**Filing Title:** Summons**Filing Type:** EFO**Filer's Name:** John R. Bailey**Filer's Email:** jbailey@baileykennedy.com**Account Name:** Bailey Kennedy, LLP**Filing Code:** SUMM**Amount:** \$ 3.50**Court Fee:** \$ 0.00**Card Fee:** \$ 0.00**Payment:** 25-MAR-2014 06:34:56 PM: Approved \$3.50 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-7466]**Comments:****Courtesy Copies:** jkennedy@baileykennedy.com**Firm Name:** Law Offices of John R. Bailey**Your File Number:** 10655-001**Status:** Accepted - (A)**Date Accepted:** 2014-03-25 15:35:23.0**Review Comments:****Reviewer:** Kory Schlitz**File Stamped Copy:** A-14-697642-C-5456654 SUMM Summons.pdf

**Documents:** Cover Document:  
Lead Document: Summons.PDF 177715 bytes

**Data Reference ID:**

**Credit Card Response:** System Response: VRFA955777E  
Reference:

# EXHIBIT 10

# EXHIBIT 10

**Details of filing:** *Plaintiffs' Demand for Jury Trial*  
**Filed in Case Number:** A-14-697642-C

**E-File ID:** 5697054

**Lead File Size:** 95269 bytes

**Date Filed:** 2014-05-28 16:16:34.0

**Case Title:** A-14-697642-C

**Case Name:** Shae Gitter, Plaintiff(s) vs. Public Employees Retirement System of Nevada, Defendant(s)

**Filing Title:** Plaintiffs' Demand for Jury Trial

**Filing Type:** EFO

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** DMJT

**Amount:** \$ 3.50

**Court Fee:** \$ 0.00

**Card Fee:** \$ 0.00

**Payment:** 29-MAY-2014 08:10:47 AM: Approved \$3.50 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-7466]

**Comments:**

**Courtesy Copies:** krodman@baileykennedy.com

**Firm Name:** Law Offices of John R. Bailey

**Your File Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2014-05-29 05:11:07.0

**Review Comments:**

**Reviewer:** Norreta Caldwell

**File Stamped Copy:** A-14-697642-C-5697054 DMJT Plaintiffs Demand for Jury Trial.pdf

**Documents:**  
Cover Document:  
Lead Document: 14.05.28 Jury Demand.PDF 95269 bytes

**Data Reference ID:**

**Credit Card Response:** System Response: VUYCBDF2976E  
Reference:

# EXHIBIT 11

# EXHIBIT 11

**Details of filing:** *Plaintiffs' Motion for Partial Summary Judgment*  
**Filed in Case Number:** A-14-697642-C

**E-File ID:** 6320365

**Lead File Size:** 4932782 bytes

**Date Filed:** 2014-10-27 18:12:39.0

**Case Title:** A-14-697642-C

**Case Name:** Shae Gitter, Plaintiff(s) vs. Public Employees Retirement System of Nevada, Defendant(s)

**Filing Title:** Plaintiffs' Motion for Partial Summary Judgment

**Filing Type:** EFO

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** MPSJ

**Amount:** \$ 3.50

**Court Fee:** \$ 200.00

**Card Fee:** \$ 6.00

**Payment:** 27-OCT-2014 11:25:40 PM: Approved \$209.50 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-7466]

**Comments:**

**Courtesy Copies:** jkennedy@baileykennedy.com

**Firm Name:** Law Offices of John R. Bailey

**Your File Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2014-10-27 20:25:43.0

**Review Comments:**

**Reviewer:** Ivonne Hernandez

**File Stamped Copy:** A-14-697642-C-6320365 MPSJ Plaintiffs Motion for Partial Summary Judgment.pdf

**Documents:** Cover Document:

Lead Document: 14.10.27 Pls' MPSJ.pdf 4932782 bytes

**Data Reference ID:**

**Credit Card Response:** System Response: VTYCC6C793A2  
Reference:

# EXHIBIT 12

# EXHIBIT 12

**Details of filing:** *Notice of Hearing on Plaintiffs' Motion for Partial Summary Judgment*  
**Filed in Case Number:** A-14-697642-C

**E-File ID:** 6322342

**Lead File Size:** 105613 bytes

**Date Filed:** 2014-10-28 11:36:18.0

**Case Title:** A-14-697642-C

**Case Name:** Shae Gitter, Plaintiff(s) vs. Public Employees Retirement System of Nevada, Defendant(s)

**Filing Title:** Notice of Hearing on Plaintiffs' Motion for Partial Summary Judgment

**Filing Type:** EFS

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** NOH

**Amount:** \$ 3.50

**Court Fee:** \$ 0.00

**Card Fee:** \$ 0.00

**Payment:** 28-OCT-2014 05:37:30 PM: Approved \$3.50 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-7466]

**Comments:**

**Courtesy Copies:** jkennedy@baileykennedy.com

**Firm Name:** Law Offices of John R. Bailey

**Your File Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2014-10-28 14:37:47.0

**Review Comments:**

**Reviewer:** Kory Schlitz

**File Stamped Copy:** A-14-697642-C-6322342 NOH Notice of Hearing on Plaintiffs Motion for Partial Summary Judgment.pdf

**Documents:**  
Cover Document:  
Lead Document: 14.10.28 NOH.PDF 105613 bytes

**Data Reference ID:**

**Credit Card Response:** System Response: VTYCC6D343DE  
Reference:



# EXHIBIT 13

# EXHIBIT 13

**Details of filing:** *Errata to Plaintiffs' Motion for Partial Summary Judgment*  
**Filed in Case Number:** A-14-697642-C

**E-File ID:** 6322315

**Lead File Size:** 163072 bytes

**Date Filed:** 2014-10-28 11:31:52.0

**Case Title:** A-14-697642-C

**Case Name:** Shae Gitter, Plaintiff(s) vs. Public Employees Retirement System of Nevada, Defendant(s)

**Filing Title:** Errata to Plaintiffs' Motion for Partial Summary Judgment

**Filing Type:** EFS

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** ERR

**Amount:** \$ 3.50

**Court Fee:** \$ 0.00

**Card Fee:** \$ 0.00

**Payment:** 28-OCT-2014 05:30:56 PM: Approved \$3.50 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-7466]

**Comments:**

**Courtesy Copies:** jkennedy@baileykennedy.com

**Firm Name:** Law Offices of John R. Bailey

**Your File Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2014-10-28 14:30:59.0

**Review Comments:**

**Reviewer:** Kory Schlitz

**File Stamped Copy:** A-14-697642-C-6322315 ERR Errata to Plaintiffs Motion for Partial Summary Judgment.pdf

**Documents:**  
Cover Document:  
Lead Document: 14.10.28 Errata to MPSJ.PDF 163072 bytes

**Data Reference ID:**

**Credit Card Response:** System Response: VQFCB56E8B38  
Reference:

# EXHIBIT 14

# EXHIBIT 14

**Details of filing:** *Plaintiffs' Opposition to PERS' Motion for Summary Judgment*  
**Filed in Case Number:** A-14-697642-C

**E-File ID:** 6382923

**Lead File Size:** 410071 bytes

**Date Filed:** 2014-11-17 16:21:08.0

**Case Title:** A-14-697642-C

**Case Name:** Shae Gitter, Plaintiff(s) vs. Public Employees Retirement System of Nevada, Defendant(s)

**Filing Title:** Plaintiffs' Opposition to PERS' Motion for Summary Judgment

**Filing Type:** EFS

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** OMSJ

**Amount:** \$ 3.50

**Court Fee:** \$ 0.00

**Card Fee:** \$ 0.00

**Payment:** 18-NOV-2014 12:43:14 AM: Approved \$3.50 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-7466]

**Comments:**

**Courtesy Copies:** jkennedy@baileykennedy.com

**Firm Name:** Law Offices of John R. Bailey

**Your File Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2014-11-17 21:43:38.0

**Review Comments:**

**Reviewer:** Ivonne Hernandez

**File Stamped Copy:** A-14-697642-C-6382923 OMSJ Plaintiffs Opposition to PERS Motion for Summary Judgment.pdf

**Documents:**  
Cover Document:  
Lead Document: OMSJ.pdf 410071 bytes

**Data Reference ID:**

**Credit Card Response:** System Response: VSHCC61179C1  
Reference:

# EXHIBIT 15

# EXHIBIT 15

**Details of filing:** *Reply In Support of Plaintiffs' Motion for Partial Summary Judgment*  
**Filed in Case Number:** A-14-697642-C

**E-File ID:** 6403423

**Lead File Size:** 387580 bytes

**Date Filed:** 2014-11-21 17:03:58.0

**Case Title:** A-14-697642-C

**Case Name:** Shae Gitter, Plaintiff(s) vs. Public Employees Retirement System of Nevada, Defendant(s)

**Filing Title:** Reply In Support of Plaintiffs' Motion for Partial Summary Judgment

**Filing Type:** EFS

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** RIS

**Amount:** \$ 3.50

**Court Fee:** \$ 0.00

**Card Fee:** \$ 0.00

**Payment:** 24-NOV-2014 10:55:14 AM: Approved \$3.50 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-7466]

**Comments:**

**Courtesy Copies:** jkennedy@baileykennedy.com

**Firm Name:** Law Offices of John R. Bailey

**Your File Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2014-11-24 07:55:14.0

**Review Comments:**

**Reviewer:** Terri Stringer

**File Stamped Copy:** A-14-697642-C-6403423 RIS Reply In Support of Plaintiffs Motion for Partial Summary Judgment.pdf

**Documents:**  
Cover Document:  
Lead Document: 14.11.21 Pls' Reply ISO MPSJ.pdf 387580 bytes

**Data Reference ID:**

**Credit Card Response:** System Response: VQCCB713CDAB  
Reference:

# EXHIBIT 16

# EXHIBIT 16

**Details of filing:** *Order Granting Plaintiffs' Motion for Partial Summary Judgment and Denying Defendant's Motion for Summary Judgment*

**Filed in Case Number:** A-14-697642-C

**E-File ID:** 6603286

**Lead File Size:** 301988 bytes

**Date Filed:** 2015-01-29 14:13:37.0

**Case Title:** A-14-697642-C

**Case Name:** Shae Gitter, Plaintiff(s) vs. Public Employees Retirement System of Nevada, Defendant(s)

**Filing Title:** Order Granting Plaintiffs' Motion for Partial Summary Judgment and Denying Defendant's Motion for Summary Judgment

**Filing Type:** EFS

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** ORDG

**Amount:** \$ 3.50

**Court Fee:** \$ 0.00

**Card Fee:** \$ 0.00

**Payment:** 29-JAN-2015 07:51:24 PM: Approved \$3.50 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-4101]

**Comments:**

**Courtesy Copies:** jkennedy@baileykennedy.com

**Firm Name:** Law Offices of John R. Bailey

**Your File Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2015-01-29 16:51:27.0

**Review Comments:**

**Reviewer:** Ivonne Hernandez

**File Stamped** A-14-697642-C-

**Copy:** 6603286 ORDG Order Granting Plaintiffs Motion for Partial Summary Judgment and Denying Defendan.pdf

Cover Document:

**Documents:**

Lead Document: ORDG.PDF 301988 bytes

**Data Reference ID:**

**Credit Card** System Response: VLECBCD82F9E

**Response:** Reference:



# EXHIBIT 17

# EXHIBIT 17

**Details of filing:** *Notice of Entry of Order Granting Plaintiffs' Motion for Partial Summary Judgment and Denying Defendant's Motion for Summary Judgment*  
**Filed in Case Number:** A-14-697642-C

**E-File ID:** 6605075

**Lead File Size:** 335003 bytes

**Date Filed:** 2015-01-29 17:00:20.0

**Case Title:** A-14-697642-C

**Case Name:** Shae Gitter, Plaintiff(s) vs. Public Employees Retirement System of Nevada, Defendant(s)

**Filing Title:** Notice of Entry of Order Granting Plaintiffs' Motion for Partial Summary Judgment and Denying Defendant's Motion for Summary Judgment

**Filing Type:** EFS

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** NEOJ

**Amount:** \$ 3.50

**Court Fee:** \$ 0.00

**Card Fee:** \$ 0.00

**Payment:** 29-JAN-2015 08:27:46 PM: Approved \$3.50 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-4101]

**Comments:**

**Courtesy Copies:** jkennedy@baileykennedy.com

**Firm Name:** Law Offices of John R. Bailey

**Your File Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2015-01-29 17:27:48.0

**Review Comments:**

**Reviewer:** Leona Asifoa

**File Stamped** A-14-697642-C-  
**Copy:** 6605075 NEOJ Notice of Entry of Order Granting Plaintiffs Motion for Partial Summary Judgment a.pdf

**Documents:**  
Cover Document:  
Lead Document: 15.01.29 NEOJ-Order on MSJs.pdf 335003 bytes

**Data Reference ID:**

**Credit Card Response:** System Response: VRFCBB5AC344  
Reference:

# EXHIBIT 18

# EXHIBIT 18

**Details of filing:** *Stipulation and Order to Extend Trial Date*  
**Filed in Case Number:** A-14-697642-C

**E-File ID:** 6653391

**Lead File Size:** 183182 bytes

**Date Filed:** 2015-02-12 14:41:55.0

**Case Title:** A-14-697642-C

**Case Name:** Shae Gitter, Plaintiff(s) vs. Public Employees Retirement System of Nevada, Defendant(s)

**Filing Title:** Stipulation and Order to Extend Trial Date

**Filing Type:** EFS

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** SAO

**Amount:** \$ 3.50

**Court Fee:** \$ 0.00

**Card Fee:** \$ 0.00

**Payment:** 12-FEB-2015 06:41:52 PM: Approved \$3.50 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-4101]

**Comments:**

**Courtesy Copies:** jkennedy@baileykennedy.com; mcbridea@clarkcountycourts.us

**Firm Name:** Law Offices of John R. Bailey

**Your File Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2015-02-12 15:41:54.0

**Review Comments:**

**Reviewer:** Michelle McCarthy

**File Stamped Copy:** A-14-697642-C-6653391 SAO Stipulation and Order to Extend Trial Date.pdf

**Documents:**  
Cover Document:  
Lead Document: 15.02.12 SAO to Extd Trial.PDF 183182 bytes

**Data Reference ID:**

**Credit Card Response:** System Response: VQCCBBED9463  
Reference:

# EXHIBIT 19

# EXHIBIT 19

**Details of filing:** *Notice of Entry of Stipulation and Order to Extend Trial Date*  
**Filed in Case Number:** A-14-697642-C

**E-File ID:** 6655777

**Lead File Size:** 295985 bytes

**Date Filed:** 2015-02-13 09:54:09.0

**Case Title:** A-14-697642-C

**Case Name:** Shae Gitter, Plaintiff(s) vs. Public Employees Retirement System of Nevada, Defendant(s)

**Filing Title:** Notice of Entry of Stipulation and Order to Extend Trial Date

**Filing Type:** EFS

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** NTSO

**Amount:** \$ 3.50

**Court Fee:** \$ 0.00

**Card Fee:** \$ 0.00

**Payment:** 13-FEB-2015 01:28:15 PM: Approved \$3.50 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-4101]

**Comments:**

**Courtesy Copies:** jkennedy@baileykennedy.com

**Firm Name:** Law Offices of John R. Bailey

**Your File Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2015-02-13 10:28:18.0

**Review Comments:**

**Reviewer:** Josie San Juan

**File Stamped Copy:** A-14-697642-C-6655777 NTSO Notice of Entry of Stipulation and Order to Extend Trial Date.pdf

**Documents:** Cover Document:

Lead Document: 15.02.13 NTSO-SAO to Extd Trial.PDF 295985 bytes

**Data Reference ID:**

**Credit Card Response:** System Response: VQFCBBF85C1A  
Reference:

# EXHIBIT 20

# EXHIBIT 20

**Details of filing:** *Notice of Entry of Stipulation and Order to Extend Trial Date (Second Request)*  
**Filed in Case Number:** A-14-697642-C

**E-File ID:** 7186623

**Lead File Size:** 335682 bytes

**Date Filed:** 2015-07-15 15:40:42.0

**Case Title:** A-14-697642-C

**Case Name:** Shae Gitter, Plaintiff(s) vs. Public Employees Retirement System of Nevada, Defendant(s)

**Filing Title:** Notice of Entry of Stipulation and Order to Extend Trial Date (Second Request)

**Filing Type:** EFS

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** NTSO

**Amount:** \$ 3.50

**Court Fee:** \$ 0.00

**Card Fee:** \$ 0.00

**Payment:** 15-JUL-2015 07:55:02 PM: Approved \$3.50 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-4101]

**Comments:**

**Courtesy Copies:** jkennedy@baileykennedy.com

**Firm Name:** Law Offices of John R. Bailey

**Your File  
Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2015-07-15 16:56:55.0

**Review  
Comments:**

**Reviewer:** Heather Lofquist

**File Stamped** A-14-697642-C-

**Copy:** 7186623 NTSO Notice of Entry of Stipulation and Order to Extend Trial Date Second Request .pdf

Cover Document:

**Documents:**

Lead Document: 15.07.15 NTSO-SAO to Extd Trial (2d Req).PDF 335682 bytes

**Data Reference  
ID:**

**Credit Card** System Response: AR1CC48A092E  
**Response:** Reference:



# EXHIBIT 21

# EXHIBIT 21

**Details of filing:** *Stipulation and Order to Extend Trial Date (Second Request)*

**Filed in Case Number:** A-14-697642-C

**E-File ID:** 7185258

**Lead File Size:** 318618 bytes

**Date Filed:** 2015-07-15 13:32:42.0

**Case Title:** A-14-697642-C

**Case Name:** Shae Gitter, Plaintiff(s) vs. Public Employees Retirement System of Nevada, Defendant(s)

**Filing Title:** Stipulation and Order to Extend Trial Date (Second Request)

**Filing Type:** EFS

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** SAO

**Amount:** \$ 3.50

**Court Fee:** \$ 0.00

**Card Fee:** \$ 0.00

**Payment:** 15-JUL-2015 06:06:43 PM: Approved \$3.50 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-4101]

**Comments:**

**Courtesy Copies:** jkennedy@baileykennedy.com

**Firm Name:** Law Offices of John R. Bailey

**Your File Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2015-07-15 15:06:45.0

**Review Comments:**

**Reviewer:** Joshua Raak

**File Stamped Copy:** A-14-697642-C-7185258 SAO Stipulation and Order to Extend Trial Date Second Request .pdf

**Documents:**  
Cover Document:  
Lead Document: 15.07.15 SAO to Extd Trial.pdf 318618 bytes

**Data Reference ID:**

**Credit Card Response:** System Response: AQ1CC450DF23  
Reference:

# EXHIBIT 22

# EXHIBIT 22

**Details of filing:** *Plaintiffs' Motion for Pre-Judgment and Post-Judgment Interest*  
**Filed in Case Number:** A-14-697642-C

**E-File ID:** 7244247

**Lead File Size:** 1202790 bytes

**Date Filed:** 2015-07-31 16:14:35.0

**Case Title:** A-14-697642-C

**Case Name:** Shae Gitter, Plaintiff(s) vs. Public Employees Retirement System of Nevada, Defendant(s)

**Filing Title:** Plaintiffs' Motion for Pre-Judgment and Post-Judgment Interest

**Filing Type:** EFS

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** MOT

**Amount:** \$ 3.50

**Court Fee:** \$ 0.00

**Card Fee:** \$ 0.00

**Payment:** 31-JUL-2015 07:42:28 PM: Approved \$3.50 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-4101]

**Comments:**

**Courtesy Copies:** jkennedy@baileykennedy.com

**Firm Name:** Law Offices of John R. Bailey

**Your File Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2015-07-31 16:42:29.0

**Review Comments:**

**Reviewer:** Theresa Atimalala

**File Stamped Copy:** A-14-697642-C-7244247 MOT Plaintiffs Motion for Pre Judgment and Post Judgment Interest.pdf

**Documents:**  
Cover Document:  
Lead Document: 15.07.31 Mot for Interest.pdf 1202790 bytes

**Data Reference ID:**

**Credit Card Response:** System Response: AX1CD68D3D21  
Reference:

# EXHIBIT 23

# EXHIBIT 23

**Details of filing:** *Reply in Support of Plaintiffs' Motion for Pre-Judgment and Post-Judgment Interest*  
**Filed in Case Number:** A-14-697642-C

**E-File ID:** 7291025

**Lead File Size:** 249037 bytes

**Date Filed:** 2015-08-14 16:25:32.0

**Case Title:** A-14-697642-C

**Case Name:** Shae Gitter, Plaintiff(s) vs. Public Employees Retirement System of Nevada, Defendant(s)

**Filing Title:** Reply in Support of Plaintiffs' Motion for Pre-Judgment and Post-Judgment Interest

**Filing Type:** EFS

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** RIS

**Amount:** \$ 3.50

**Court Fee:** \$ 0.00

**Card Fee:** \$ 0.00

**Payment:** 14-AUG-2015 08:20:53 PM: Approved \$3.50 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-4101]

**Comments:**

**Courtesy Copies:** jkennedy@baileykennedy.com

**Firm Name:** Law Offices of John R. Bailey

**Your File  
Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2015-08-14 17:20:55.0

**Review  
Comments:**

**Reviewer:** Leona Asifoa

**File Stamped** A-14-697642-C-

**Copy:** 7291025 RIS Reply in Support of Plaintiffs Motion for Pre Judgment and Post Judgment Interest.pdf

Cover Document:

**Documents:**

Lead Document: 15.08.14 Reply ISO Mot for Interest.pdf 249037 bytes

**Data Reference  
ID:**

**Credit Card** System Response: AX1CD75869F7

**Response:** Reference:

# EXHIBIT 24

# EXHIBIT 24

**Details of filing:** *Order Granting Plaintiffs' Motion for Pre-Judgment and Post-Judgment Interest and Final Judgment*  
**Filed in Case Number:** A-14-697642-C

**E-File ID:** 7493965

**Lead File Size:** 350873 bytes

**Date Filed:** 2015-10-16 09:48:54.0

**Case Title:** A-14-697642-C

**Case Name:** Shae Gitter, Plaintiff(s) vs. Public Employees Retirement System of Nevada, Defendant(s)

**Filing Title:** Order Granting Plaintiffs' Motion for Pre-Judgment and Post-Judgment Interest and Final Judgment

**Filing Type:** EFS

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** ORDG

**Amount:** \$ 3.50

**Court Fee:** \$ 0.00

**Card Fee:** \$ 0.00

**Payment:** 16-OCT-2015 05:32:55 PM: Approved \$3.50 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-4101]

**Comments:**

**Courtesy**  
**Copies:** JKennedy@BaileyKennedy.com

**Firm Name:** Law Offices of John R. Bailey

**Your File**  
**Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2015-10-16 14:32:58.0

**Review**  
**Comments:**

**Reviewer:** Joshua Raak

**File Stamped** A-14-697642-C-  
**Copy:** 7493965 ORDG Order Granting Plaintiffs Motion for Pre Judgment and Post Judgment Interest and F.pdf

**Documents:** Cover Document:  
Lead Document: 15.10.07 Order Grant'g Mot for Interest & Judgment.PDF 350873 bytes

**Data**  
**Reference ID:**  
**Credit Card** System Response: AL1CCB1DAB76  
**Response:** Reference:



# EXHIBIT 25

# EXHIBIT 25

**Details of filing:** *Notice of Entry of Order Granting Plaintiffs' Motion for Pre-Judgment and Post-Judgment Interest and Final Judgment*

**Filed in Case Number:** A-14-697642-C

**E-File ID:** 7497063

**Lead File Size:** 458464 bytes

**Date Filed:** 2015-10-16 15:55:48.0

**Case Title:** A-14-697642-C

**Case Name:** Shae Gitter, Plaintiff(s) vs. Public Employees Retirement System of Nevada, Defendant(s)

**Filing Title:** Notice of Entry of Order Granting Plaintiffs' Motion for Pre-Judgment and Post-Judgment Interest and Final Judgment

**Filing Type:** EFS

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** NEOJ

**Amount:** \$ 3.50

**Court Fee:** \$ 0.00

**Card Fee:** \$ 0.00

**Payment:** 16-OCT-2015 07:20:06 PM: Approved \$3.50 on MasterCard account "Bailey Kennedy, LLP" [\*\*\*\*-4101]

**Comments:**

**Courtesy Copies:** JKennedy@BaileyKennedy.com

**Firm Name:** Law Offices of John R. Bailey

**Your File Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2015-10-16 16:20:07.0

**Review Comments:**

**Reviewer:** Walter Abregow

**File Stamped** A-14-697642-C-

**Copy:** 7497063 NEOJ Notice of Entry of Order Granting Plaintiffs Motion for Pre Judgment and Post Judg.pdf

Cover Document:

**Documents:**

Lead Document: 15.10.16 NEOJ-Order on Mot for Interest and Final Judgmentt.PDF 458464 bytes

**Data Reference ID:**

**Credit Card** System Response: AR1CC9C3EE33

**Response:** Reference:

# EXHIBIT 26

# EXHIBIT 26

# **JW Advisors**

9139 W Russell Road STE 200  
Las Vegas, NV 89148  
(702) 304-0405

Bailey Kennedy, LLP re: Shae Gitter  
Attn: Mark Hesiak  
8984 Spanish Ridge Ave.  
Las Vegas, NV 89148

Invoice No. 1072  
Date 07/31/2015  
Client No. 1139.000

---

## **Current Professional Services:**

For professional forensic accounting services rendered:

Staff	Description of Services Rendered	Hours	Rate	
William Hinsdale	Litigation support services including analyses and calculations; telephone conferences, file documentation, etc.	23.25	\$180	\$ 4,185.00
Kirk Jacobson	Litigation support services including supervision and review of analyses and calculations.	4.50	\$300	<u>1,350.00</u>

Current Amount Due \$ 5,535.00

Prior Balance 0.00

Total Amount Due \$ 5,535.00

0 - 30	31 - 60	61 - 90	91 - 120	Over 120	Balance
5,535.00	0.00	0.00	0.00	0.00	5,535.00

Please make your check payable to JW Advisors. Thank you.

**Bailey Kennedy, LLP re: Shae Gitter**  
**Attn: Mark Hesiak**  
**8984 Spanish Ridge Ave.**  
**Las Vegas, NV 89148**

Invoice No. 1072  
Date 7/31/2015  
Client No. 1139

Current Professional Services:

For professional forensic accounting services rendered:

Staff	Date	Description	Rate	Hours	Total
Hinsdale, William	06/25/15	File setup and documentation	\$180	0.50	\$ 90
Hinsdale, William	07/08/15	File setup and documentation	\$180	1.00	180
Hinsdale, William	07/09/15	Analysis and documentation	\$180	0.50	90
Hinsdale, William	07/13/15	Document Communications	\$180	0.25	45
Hinsdale, William	07/14/15	Document Communications	\$180	0.25	45
Hinsdale, William	07/15/15	Review NRS sections provided by Bailey Kennedy, analysis of NV PERS; calculation of service history	\$180	5.50	990
Hinsdale, William	07/16/15	Communications with Bailey Kennedy	\$180	0.75	135
Hinsdale, William	07/20/15	Analysis, calculation of amount owed with interest; file documentation	\$180	4.50	810
Hinsdale, William	07/21/15	Communications with Bailey Kennedy	\$180	0.25	45
Hinsdale, William	07/22/15	Analysis including recalculation using simple interest	\$180	3.00	540
Hinsdale, William	07/27/15	Analysis, recalculation using new interest % provided; file documentation	\$180	0.50	90
Hinsdale, William	07/28/15	Analysis, recalculation using new interest % provided; file documentation	\$180	2.50	450
Hinsdale, William	07/29/15	Analysis, recalculation using new interest % provided; file documentation	\$180	3.25	585
Hinsdale, William	07/30/15	Communications with Bailey Kennedy; file documentation	\$180	<u>0.50</u>	90
		Sub-total - Hinsdale		23.25	
Jacobson, Kirk	07/20/15	Supervision; review analyses, calculations etc.	\$300	2.50	750
Jacobson, Kirk	07/29/15	Supervision; review analyses, calculations, file documentation, etc.	\$300	<u>2.00</u>	600
		Sub-total - Jacobson		4.50	
	Total				<u>\$ 5,535</u>

## **Curriculum Vitae of**

**Kirk Jacobson, CPA, CFE, CFF, CITP, ABV, CGMA**

**Managing Member – JW Advisors LLC**

Kirk Jacobson is a Las Vegas native who graduated from Brigham Young University in 1982 with a bachelor of science in accounting and a minor in economics. Mr. Jacobson began his career in the Las Vegas office of KMG Main Hurdman. KMG Main Hurdman subsequently merged with Peat Marwick to form *KPMG*, one of the largest accounting and consulting firms in the world. Mr. Jacobson was a Combined Services Senior (audit/tax/consulting) when he accepted a position with Citibank's Internal Audit Department in 1985. Mr. Jacobson returned to public accounting in 1986, with one of the largest local firms in Nevada at that time, Bradshaw Smith & Co. Mr. Jacobson was the partner responsible for quality control of the Audit/Accounting Department of Bradshaw Smith & Co. until his resignation in 1995, when he joined with Gary Johnson and Chris Wilcox to form the highly regarded and award winning firm, Johnson Jacobson Wilcox. On January 1, 2015 Mr. Jacobson and Chris Wilcox launched a new full-service CPA and consulting firm named JW Advisors.

Mr. Jacobson's professional qualifications and certifications are summarized as follows:

- American Institute of Certified Public Accountants (AICPA) certifications:
  - Certified Public Accountant (CPA)
  - Certified in Financial Forensics (CFF)
  - Certified Information Technology Professional (CITP)
  - Accredited in Business Valuation (ABV)
  - Chartered Global Management Accountant (CGMA)
- Association of Certified Fraud Examiners (ACFE)
  - Certified Fraud Examiner (CFE).

### **Certifications explained:**

Mr. Jacobson is a certified public accountant and a member of the American Institute of Certified Public Accountants (AICPA). He is also a member of the Association of Certified Fraud Examiners (ACFE) and is a certified fraud examiner (CFE). The ACFE is the leading anti-fraud association in the world, providing knowledge and training used to reduce the occurrence of corporate fraud. The CFE credential is globally preferred by businesses and government entities around the world and indicates expertise in all areas of fraud prevention and detection. Mr. Jacobson is also a member of the Forensic and Valuation Section of the AICPA and is certified in financial forensics (CFF) and is accredited in business valuations (ABV). The CFF and ABV credentials combine specialized forensic accounting and business valuation expertise with the core knowledge and skills that make CPAs among the most trusted business advisers. Mr. Jacobson is also certified as an AICPA Information Technology Professional (CITP). A CITP is a CPA recognized for their unique ability to provide business insight by leveraging knowledge of information relationships and supporting technologies. Mr. Jacobson is also a Chartered Global Management Accountant (CGMA). The CGMA credential demonstrates management

accounting expertise in such areas as leading strategically with management to make more informed decisions; helping organizations manage change, risk and uncertainty; protecting corporate assets; and promoting operational efficiency and effectiveness.

Mr. Jacobson's technical expertise is primarily in the areas of assurance and business consulting services, including litigation support services. His credentials, training and experience encompass fundamental and specialized forensic accounting skills that have been applied in a variety of service areas, including, but not limited to, the following:

- Fraud prevention and detection
- Forensic investigations
- Economic damages / lost profits
- Family law
- Commercial litigation
- Shareholder and partner disputes
- Contractual disputes
- Bankruptcy matters
- Tax controversies
- Business valuation issues

Mr. Jacobson has provided professional services to clients in a number of industries, including dealerships, gaming-hospitality, software development, manufacturing and employee benefit plans.

Mr. Jacobson has participated in and/or directed a number of forensic accounting and litigation support engagements on behalf of Bradshaw Smith & Co., Johnson Jacobson Wilcox and JW Advisors. He has been retained by bankruptcy trustees to perform forensic accounting services on several significant bankruptcies. Mr. Jacobson has also been appointed as a Chapter 11 Examiner in Federal Bankruptcy Court by Judge Gregg W. Zive and as a Special Master in Nevada District Court. Mr. Jacobson has testified as an expert witness in Federal Bankruptcy Court (approximately 1990 and in 2005), and has testified in various other legal proceedings.

Mr. Jacobson has been a member of the Nevada Society of Certified Public Accountants since 1982. He has served on the Society's Gaming Committee, Ethics Committee, and Auditing Standards and Accounting Principles Committee and currently serves as a board member for the Society's Las Vegas Chapter. Mr. Jacobson has served as the Treasurer for the Lied Discovery Children's Museum and Safe Nest. Mr. Jacobson is also an associate member of the Clark County Bar Association and currently serves as a board trustee for the Nevada Bar Foundation. Mr. Jacobson was also recently appointed as a lay member to the State Bar of Nevada's Clients' Security Fund Committee.

### ***Summary of expert testimony in the previous four years***

Mr. Jacobson has testified as an expert at trial or by deposition in the previous four years, as follows:

October 2011; deposition in the matter of: Ion Baroi, et al., v. Platinum Condominium Development LLC, et al. United States District Court, District of Nevada; Case No. 2:09-Cv-00671-PMP-GWF (*confidential - pursuant to protective order*)

### ***Presentations and Publications***

Following are presentations and publications by Mr. Jacobson in the previous 10 years:

#### **Presentations**

Presentation, "Fraud and the Characteristics and Skills of the Forensic Accountant"; Lee Business School, University of Nevada, Las Vegas, September 2014 and February 2014, 2013 and 2012

Presentation, "Fraud Prevention & Detection", Findlay Automotive Group Manager Meeting, April 2013

Presentation, "Dealership Fraud", Findlay Automotive Group Manager Meeting, October 2012

Presentation, "Fraud", Southern Nevada Dealership Roundtable, December 2006

#### **Publications**

Mr. Jacobson currently serves on the editorial board for "Auto Focus", a quarterly dealership industry publication produced by PDI Global, a Thompson Reuters company. As an editorial board member, Mr. Jacobson suggests topics, provides article content, reviews and edits articles prior to publishing. Johnson Jacobson Wilcox owns certain territorial rights to publish Auto Focus articles directly under Mr. Jacobson's name and Mr. Jacobson takes responsibility for their content. Accordingly, most of the dealership articles which follow were published under those conditions.

Publication, "To Catch a Thief – How Dealer-owners Can Take Charge of Employee Theft", Nevada Automotive Professional Magazine, Winter 2014

Publication, "Protecting Your Assets in Divorce", Nevada Automotive Professional Magazine, Summer 2012

Publication, "Interview with Kirk Jacobson, Johnson Jacobson Wilcox", Nevada Automotive Professional Magazine, Spring 2012

Publication, "Unclaimed Property – It's not a matter of 'finders, keepers'", Nevada Automotive Professional Magazine, Winter 2012

Publication, "Can You Expense Your Repairs", Nevada Automotive Professional Magazine, Fall 2011

Publication, "Estate Planning: How to make use of today's window of opportunity", Nevada Automotive Professional Magazine, Summer 2011

Publication, "Internal Controls - The Best Defense is a Good Offense", Nevada Automotive Professional Magazine, Spring 2011

Publication, "Post Recession Move - Determining Your Dealership's Value" Nevada Automotive Professional Magazine, Winter 2011

Publication, "Parts and Service Lifeline – A Well-run Back Shop Can Save Your Dealership" Nevada Automotive Professional Magazine, Fall 2009



Publication, "Finance & Insurance Compliance Areas That Demand Your Attention", Nevada Automotive Professional Magazine, Summer 2009

Publication, "Prepare for the unexpected with a buy-sell agreement", Nevada Automotive Professional Magazine, Spring 2009

Publication, "Estate Planning – Is it time to gift?", Nevada Automotive Professional Magazine, Winter 2009

Publication, "Cash Flow - Baby, its cold outside; tap into your frozen cash stash", Nevada Automotive Professional Magazine, Winter 2009

# EXHIBIT 27

# EXHIBIT 27

# Bill of Lading

**User Name:** RECEPTIONIST  
**Company:** BAILEY KENNEDY/LV

Offices in:    Las Vegas       New York       Phoenix       Sacramento       San Francisco       Santa Ana  
                 Los Angeles      Oakland       Riverside      San Diego       San Jose       Tucson

## Nationwide Legal

**Control Number:** 21038691    **eTrac Number:** 116243781

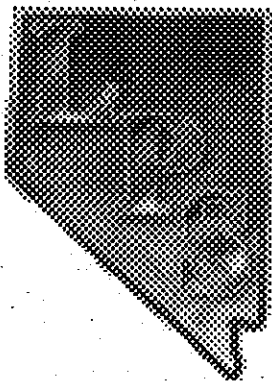
Submitter Information	Shipping Information
<b>Account:</b> 21006 <b>Name:</b> BAILEY KENNEDY, LLP <b>Requested By:</b> JENNIFER KENNEDY <b>Reference:</b> 10655-001 <b>BOL No.:</b> SEE NOTEPAD!!! <b>Entered:</b> 17-MAR-2014 13:48 <b>Last Updated:</b> 19-MAR-2014 19:00 (EST)	<b>Service Type:</b> PRS STND-48HRS <b>Return Service:</b> None <b>Pieces:</b> 0 <b>Weight:</b> 0.0 Lbs. <b>Charges:</b> 50.00 <b>Quote:</b> 0.00
Pick Up From	Deliver To
BAILEY KENNEDY, LLP 8984 SPANISH RIDGE AVENUE LAS VEGAS, NV 89148 <b>Phone:</b> 702-562-8820	PUBLIC EMPLOYEES' RETIREMENT SYSTEM 5820 S. EASTERN AVENUE SUITE 220 LAS VEGAS, NV 89119
Pickup Details	Special Instructions
<b>Requested Date:</b> 17-MAR-2014 <b>Ready Time:</b> NOW  <b>Pickup Instructions:</b> <b>Case Number:</b> A-14-697642-C <b>Case Name:</b> GITTER V. PERS <b>Type of Docs:</b> SUMMONS + CIVIL COVER SHEET + IAFD + VERIFIED COMPLAINT  <b>Actual Date:</b> <b>Arrival Time:</b> <b>Departure Time:</b>	<b>Requested Date:</b> 17-MAR-2014 <b>Deliver By:</b> 13:48  Please serve the attached documents on Public Empl oyees' Retirement System of Nevada (PERS); PLEASE USE THE AFFIDAVIT OF SERVICE PROVIDED. Thank you.  <b>Actual Date:</b> 18-MAR-2014 <b>Arrival Time:</b> 13:10 <b>Departure Time:</b> 13:10
<b>Driver:</b> _____ <b>Date:</b> _____ <b>Time:</b> _____	<b>Received by:</b> <b>X</b> S/MARIE BOQUIST <b>Print Name:</b> _____

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eTrac Order Entry  
© 2013 eTrac All rights reserved.

# EXHIBIT 28

# EXHIBIT 28



## Legal Process Service

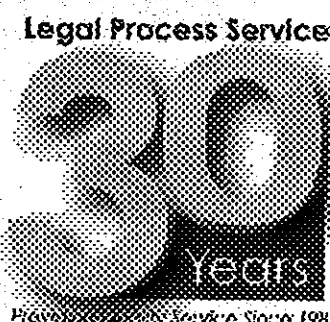
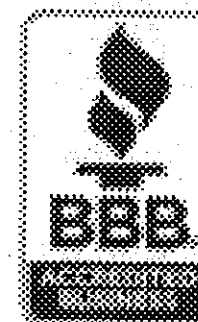
Professional Service Since 1982

626 S. Eighth Street, Las Vegas, Nevada 89101-7005

Telephone (702) 471-7255 Fax (702) 471-7248

Tax ID - 88-0293775 State Lic. #604

www.LPSNV.com contact@LPSNV.com



Invoice # 1402647

Invoice Date: 03/20/2014

Insured:

Gitter (10655-001)

Attention:

JENNIFER KENNEDY

**Bailey Kennedy, LLP**  
Dennis L. Kennedy, Esq.  
Attention: Jennifer Kennedy  
8984 Spanish Ridge Ave.  
Las Vegas, NV 89148-1302

\*\*\*Served c/o Amanda White @ Governor's office. Thank you! Norma (3/20/2014)

### THANK YOU FOR CHOOSING LPS!

Plaintiff(s)	Shae E. Gitter an individual, et al	Court: District Court
Defendant(s)	Public Employees' Retirement System of Nevada, a public entity and component unit of the State of Nevada	County: Clark County,
Re:	Public Employees' Retirement System of Nevada, a public entity and component	Case No.: A-14-697642-C
Documents Served or Service Provided	Summons; Verified Complaint; Civil Cover Sheet; Initial Appearance Fee Disclosure	Dept. No.: XVIII
		Your File Gitter (10655-001)
		Hearing Date
		Date Served: 03/20/2014
		Time Served: 8:20am

Date	ServiceDescription	Service Fee	Date Paid	Check# / Auth #	Fee Paid
03/20/14	18 Pages @ \$ .15/Page	\$2.70			
03/20/14	Served Res. Agent c/o Amanda White @ Office of the Atty General	\$75.00			

Please detach and return this section with your payment. Make checks payable to Legal Process Service

Bailey Kennedy, LLP  
Dennis L. Kennedy, Esq.  
8984 Spanish Ridge Ave.  
Las Vegas, NV 89148-1302

*We appreciate your business!*

Remit Payment to:

Legal Process Service  
626 South 8th Street  
Las Vegas, NV 89101

Work Order # 1402647

Invoice Date: 03/20/2014

Client ID# A566

Total Amount Due = \$77.70

APP0325

# EXHIBIT 29

# EXHIBIT 29

KBS 10655-001  
Discovery Conf.

Transaction Info:

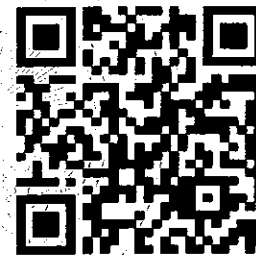
EXPIRES LOT 71 SPACE 34 EXTEND CODE 4459  
07/15 12:36 PM

Purchase Date/Time  
07/15/14 08:36 AM \$ 6.00

Transaction ID:

Meter ID:  
2000304

For Las Vegas parking  
info, scan here.



[www.lasvegasnevada.gov/parking](http://www.lasvegasnevada.gov/parking)



# EXHIBIT 30

# EXHIBIT 30

Transaction Info:  
EXPIRES LOT 71 SPACE 34 EXTEND CODE 3524  
12/02 12:00 PM  
Purchase Date/Time  
12/02/14 07:26 AM \$ 6.00  
Transaction ID:  
Meter ID:  
2000304

KBS Gitter 10655-001  
HRG on PLS' MPSJ/DEF'S MST  
For Las Vegas parking  
info, scan here.  
  
[www.lasvegasnevada.gov/parking](http://www.lasvegasnevada.gov/parking)

# EXHIBIT 31

# EXHIBIT 31

Transaction Info:

LOT 71 SPACE 18 EXTEND CODE 0416  
EXPIRES 06/11 12:00 PM

Purchase Date/Time  
06/11/15 07:43 AM \$ 8.00

Transaction ID:

10655-001/GITTER: ATTEND

Meter ID:  
2000304

STATUS  
CHECK

For Las Vegas parking  
info, scan here.



[www.lasvegasnevada.gov/parking](http://www.lasvegasnevada.gov/parking)

# EXHIBIT 32

# EXHIBIT 32

Bank of America Plaza  
300 S. 4th Las Vegas, NV  
200803  
Payoff 09/01/15 09:55  
Receipt 023324

Short-term parking tkt  
1 1/2 No. 075514  
09/01/15 08:32 -  
09/01/15 10:04 -  
Period 0d1h33'  
(Tax) \$9.00  
Sub Total \$9.00  
Tax \$0.00  
Total \$9.00

Payment Received \$9.00  
Cash

All Amounts in USD.

Operated by  
Douglas Parking  
(702) 382-7988

074ABDFE - 1/1

Gitter

# EXHIBIT 33

# EXHIBIT 33

Transaction Info:

EXPIRES LOT

71

SPACE

33

EXTEND  
CODE

4469

EXPIRES

09/01 12:00 PM

Purchase Date/Time

09/01/15 07:51 AM

\$ 8.00

Transaction ID:

Meter ID:

2000304

KBS TO ATTEND HRG.  
ON MOT. FOR INTEREST  
GITTER/10655-001

To give feedback SCAN HERE



[www.lasvegasnevada.gov/parking](http://www.lasvegasnevada.gov/parking)



# EXHIBIT 34

# EXHIBIT 34

Transaction Info:

GITTER 10655-001  
KBS TO ATTEND  
STATUS CHECK

EXPIRES LOT 71 SPACE 33 EXTEND CODE 2560  
09/17 10:50 AM

To give feedback SCAN HERE

Purchase Date/Time  
09/17/15 08:50 AM \$ 4.00

Transaction ID:

Meter ID:  
2000304



[www.lasvegasnevada.gov/parking](http://www.lasvegasnevada.gov/parking)

# EXHIBIT 35

# EXHIBIT 35

**BAILEY KENNEDY, LLP** 09-09  
**GENERAL ACCOUNT**  
8984 SPANISH RIDGE AVENUE  
LAS VEGAS, NV 89148-1302  
(702) 562-8820

**BANK OF GEORGE**  
3275 ST. ROSE PARKWAY  
HENDERSON, NV 89052  
94-236/1224

18815

12/31/2013

**PAY TO THE ORDER OF** **Clerk of the Court - Family**  
**Five & No/100 Dollars**

\$ 5.00

DOLLARS

Clerk of the Court - Family  
601 North Pecos Road  
Las Vegas, Nevada 89101

MEMO

Estate of K. Freshman; Certified Copy of Letters of S.A.



AUTHORIZED SIGNATURE

**BAILEY KENNEDY, LLP/GENERAL ACCOUNT**  
12/31/2013 Clerk of the Court - Family

18815

Invoice Date	Invoice No.	Description	Matter ID	Amount
12/31/2013	10655-001	Certified Copy	10655-001	5.00

# EXHIBIT 36

# EXHIBIT 36

**Details of filing:** *Amended Certificate of Service*  
**Filed in Case Number:** A-14-697642-C

**E-File ID:** 7513779

**Lead File Size:** 59662 bytes

**Date Filed:** 2015-10-22 11:05:43.0

**Case Title:** A-14-697642-C

**Case Name:** Shae Gitter, Plaintiff(s) vs. Public Employees Retirement System of Nevada, Defendant(s)

**Filing Title:** Amended Certificate of Service

**Filing Type:** EFS

**Filer's Name:** John R. Bailey

**Filer's Email:** jbailey@baileykennedy.com

**Account Name:** Bailey Kennedy, LLP

**Filing Code:** ACOS

**Amount:** \$ 3.50

**Court Fee:** \$ 0.00

**Card Fee:** \$ 0.00

**Payment:** Processing complete. Payment not yet captured.

**Comments:**

**Courtesy Copies:** jkennedy@baileykennedy.com

**Firm Name:** Law Offices of John R. Bailey

**Your File Number:** 10655-001

**Status:** Accepted - (A)

**Date Accepted:** 2015-10-22 16:57:20.0

**Review Comments:**

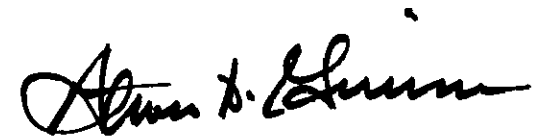
**Reviewer:** Vivian Canela

**File Stamped Copy:** A-14-697642-C-7513779 ACOS Amended Certificate of Service.pdf

**Documents:**  
Cover Document:  
Lead Document: 15.10.22 ACOS re 15.10.16 NEOJ.pdf 59662 bytes

**Data Reference ID:**

**Credit Card Response:** System Response: 0  
Reference:



CLERK OF THE COURT

0085

W. CHRIS WICKER  
Nevada State Bar No. 1037  
Woodburn and Wedge  
6100 Neil Road, Suite 500  
Reno, NV 89511  
Telephone: (775) 688-3000  
Facsimile: (775) 688-3088

Chris Nielsen, Esq.  
Nevada Bar No. 8206  
PUBLIC EMPLOYEES RETIREMENT SYSTEM  
693 W. Nye Lane  
Carson City, NV 89703  
Telephone: (775) 687-4200

*Attorneys for the Public Employees'  
Retirement System of Nevada*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

SHAE E. GITTER, an individual, and JARED  
SHAFFER, as Special Administrator of the Estate  
of Kristine Jo Freshman

Case No. A-14-697642-C

Dept. No. XXI

Plaintiffs,

vs.

**MOTION TO RETAX COSTS**

PUBLIC EMPLOYEES RETIREMENT  
SYSTEM OF NEVADA, a public entity and  
Component unit of the State of Nevada,

Defendant.

Defendant, PUBLIC EMPLOYEES RETIREMENT SYSTEM OF NEVADA

("PERS"), by and through its attorneys of record, pursuant to NRS 18.110(4), hereby objects to  
the expert witness costs submitted by Plaintiffs, SHAE E. GITTER, an individual, and JARED  
SHAFFER, as Special Administrator of the Estate of Kristine Jo Freshman and moves to retax

///

1 and remove them as costs. This Motion is based upon the pleadings and papers on file herein  
2 and the following.

3 DATED this 29<sup>th</sup> day of October, 2015.

4 WOODBURN AND WEDGE

5  
6 By: /s/ W. Chris Wicker  
7 W. Chris Wicker, Esq.  
8 Nevada Bar No. 1037

9 Chris Nielsen, Esq.  
10 Nevada Bar No. 8206  
11 PUBLIC EMPLOYEES RETIREMENT  
12 SYSTEM

13 Attorneys for Public Employees'  
14 Retirement System of Nevada  
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YOU WILL PLEASE TAKE NOTICE that counsel for Defendant, PUBLIC EMPLOYEES RETIREMENT SYSTEM OF NEVADA, will bring the foregoing Motion to Retax Costs for hearing before the above-entitled Court located in the Regional Justice Center, 200 Lewis Avenue, Las Vegas, Nevada 89155 12-15-15, 2015, at 9:00A AM/PM, or as soon thereafter as counsel may be heard.

WOODBURN AND WEDGE

Attorneys for Public Employees'  
Retirement System of Nevada

1 **OBJECTIONS**

2 Defendant objects as follows:

3 **I. Section C. Expert Witnesses**

4 Defendant objects to the expert witness fees for JW Advisors in the amount of  
5 \$5,000.00 as the expert witness did not prepare a report, was never sworn and did not testify  
6 at trial. *See*, NRS 18.005(5). The total amount objected to by Defendant on Section C is  
7 \$5,000.00.

8 Exhibit 26 of Plaintiffs' Memorandum of Costs contains the support for Plaintiffs'  
9 claim for expert witness fees pursuant to NRS 18.005(5). The primary charges are logged by  
10 William Hinsdale at \$180 per hour which represents \$4,185 of the requested amount. There  
11 is no evidence whatsoever that Mr. Hinsdale could be certified as an expert in the analysis of  
12 the PERS formulas for the calculation of benefits.

13 There is a Curriculum Vitae of Kirk Jacobson who logged 4.50 hours at \$300 per  
14 hour. However, Mr. Jacobson's CV provides no information that he could be qualified as an  
15 expert in the analysis of the PERS calculation of benefits under NRS Chapter 286. Rather,  
16 his expertise appears to be fraud investigations and business disputes, none of which were  
17 relevant to this case.

18 More importantly, neither person was sworn and testified at a trial or even in an  
19 affidavit. Neither was disclosed by Plaintiffs as an expert witness. The allowance of costs is  
20 for "expert witnesses". The fee is limited to \$1,500 per witness "unless the Court allows a  
21 larger fee after determining that the circumstance surrounding the expert's testimony were of  
22 such necessity to require the larger fee". [emphasis added] NRS 18.005(5). By its own terms,  
23 expert fees are limited to experts who testify. In this case, neither person is qualified as  
24 expert and neither person testified. *Mays v. Todaro*, Nev., 626 P.2d 260, 263 (1981) (Expert  
25 witness fees can be awarded "if the witness had been sworn and testified".) *See, Maxwell v.*  
26 *Amaral*, 79 Nev. 323, 383 P.2d 365, 368 (1963) (Expert provided written report, but did not  
27 testify to fees were not awarded.).

28 ///

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**CONCLUSION**

Defendant requests the total amount of Five Thousand and No/100 Dollars (\$5,000.00) be removed from Plaintiffs’ Memorandum of Costs filed on October 23, 2015.

**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 29<sup>th</sup> day of October, 2015.

WOODBURN AND WEDGE

By: /s/ W. Chris Wicker  
W. Chris Wicker, Esq.  
Nevada Bar No. 1037

Chris Nielsen, Esq.  
Nevada Bar No. 8206  
PUBLIC EMPLOYEES RETIREMENT  
SYSTEM

Attorneys for Public Employees’  
Retirement System of Nevada

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**CERTIFICATE OF SERVICE**

I certify that I am an employee of Woodburn and Wedge, and that on this 29<sup>th</sup> day of October, 2015., I caused to be sent via electronic mail, through the Court’s filing system, a true and correct copy of the foregoing MOTION TO RETAX COSTS, addressed as follows

Dennis L. Kennedy  
Kelly B. Stout  
Bailey Kennedy  
8984 Spanish Ridge Avenue  
Las Vegas, NV 89148  
  
Chris Nielsen, Esq.  
PUBLIC EMPLOYEES RETIREMENT SYSTEM  
693 W. Nye Lane  
Carson City, NV 89703

By: /s/ Kelly N. Weaver  
Kelly N. Weaver