

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

3
4 KRISTI RAE FREDIANELLI,)
5 Appellant,)
6 v.)
7 SEBASTIAN MARTINEZ,)
8 Respondent.)
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Electronically Filed
Sep 16 2016 11:32 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

Supreme Court Case No. 69892
District Court No. D373016

11 **APPELLANT'S APPENDIX**

13 Patricia A. Marr, Esq.
14 Nevada Bar No. 008846
15 2470 St. Rose Parkway, Ste. 106H
16 Henderson, Nevada 89074
17 (702) 353-4225 (telephone)
18 (702) 912-0088 (facsimile)
19 patricia@marrlawlv.com
20 *Attorney for Appellant*
21 KRISTI RAE FREDIANELLI

Sebastian Martinez
261 Lenape Heights
Las Vegas, Nevada 89148

Frances-Ann Fine, Esq.
THE FINE & PRICE LAW GROUP
8975 South Pecos Road, Suite 5
Henderson, Nevada 89074
fran@finepricelaw.com
Respondent

INDEX

FILE DATE/DOCUMENT	PAGE NO.
4/11/07 Petition to Establish Paternity.....	1-4
10/02/14 Notice of Association of Counsel.....	5-6
10/21/15 Notice of Entry of Order.....	7-12
10/21/15 Notice of Withdrawal as Attorney of Record	13-14
11/18/15 Notice of Claim of Lien and Lien.....	15-16
1/07/2016 Motion to Adjudicate the Rights of Counsel, For Enforcement of Attorney's Lien and for Judgment of Attorney's Fees.....	17-40
1/25/2016 Opposition to Motion to Adjudicate the Rights of Counsel, For Enforcement of Attorney's Lien and for Judgment Of Attorney's Fees	41-51
2/02/2016 Reply to Plaintiff's Opposition and Countermotion.....	52-64
2/4/2016 Register of Actions Court Minutes.....	65
2/17/2016 Notice of Entry.....	66-69
-3/14/2016 Notice of Appeal.....	70-75

ORIGINAL

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APR 11 11 06 AM '07

CLERK OF COURT

PETN
DENISE A. PIFER, ESQ.
Nevada Bar No. 005739
HOSKIN HUGHES PIFER
6885 W. Charleston Blvd.
Las Vegas, Nevada 89117
(702) 240-4447
Attorney for Petitioner
Sebastian Martinez

DISTRICT COURT

CLARK COUNTY, NEVADA

SEBASTIAN MARTINEZ,

Petitioner.

vs.

KRISTI RAE FREADIANELLI,

Respondent.

Case No.
Dept No.

D-07-373016-0
B

PETITION TO ESTABLISH PATERNITY

COMES NOW, the Petitioner, SEBASTIAN MARTINEZ, by and through his attorney, DENISE A. PIFER, Attorney at Law, of HOSKIN HUGHES PIFER, and pursuant to NRS Chapter 126, petitions this Court to confirm that he is the biological father of MIKAELLA RAE FLANNERY aka MIKAELLA RAE FREADIANELLI, born January 30, 2007, and resolve the issues of custody, visitation, and child support according to the following allegations:

I.

That Petitioner, SEBASTIAN MARTINEZ, was born on January 25, 1977, and at all times relevant herein was and has been, a resident of Clark County, Nevada.

HOSKIN HUGHES PIFER

ATTORNEYS AT LAW

6885 W. Charleston Blvd., Las Vegas, Nevada 89117
Telephone: (702) 240-4447 Facsimile: (702) 258-4740

1 II.

2 That Respondent, KRISTI RAE FREADIANELLI, is the natural mother of the
3 minor child, MIKAELLA RAE FLANNERY aka MIKAELLA RAE FREADIANELLI, born
4 January 30, 2007, and at all times herein was and has been a resident of Clark County, Nevada.
5

6 III.

7 That the Petitioner, SEBASTIAN MARTINEZ, had sexual relations with the
8 Respondent at or about the time that the minor child was conceived.
9

10 IV.

11 Petitioner, SEBASTIAN MARTINEZ, is confident that he is the natural father of
12 the minor child as he has already obtained a paternity test confirming that fact.
13

14 V.

15 That Petitioner, SEBASTIAN MARTINEZ, seeks formal adjudication that he is
16 the father of MIKAELLA RAE FLANNERY aka MIKAELLA RAE FREADIANELLI.
17

18 VI.

19 That Petitioner, SEBASTIAN MARTINEZ, additionally desires that this
20 Honorable Court award the parties joint legal custody of the minor child with the Petitioner,
21 SEBASTIAN MARTINEZ having primary physical custody subject to the Respondent's right to
22 reasonable specified visitation.
23

24 VII.

25 That Petitioner, SEBASTIAN MARTINEZ, requests that the Respondent be
26 ordered to pay child support to him for the minor child consistent with the formula enunciated in
27 NRS 125B.070 until such time as the minor child emancipates.
28

VIII.

That Petitioner, SEBASTIAN MARTINEZ, requests that he be required to provide a policy of medical insurance for the minor child with the parties sharing equally in the cost of any and all medical expenses not covered by insurance.

IX.

That it has been necessary for Petitioner, SEBASTIAN MARTINEZ, to retain an attorney to bring this action and he should, therefore, be awarded reasonable attorney's fees and costs of bringing this action.

WHEREFORE, Petitioner, SEBASTIAN MARTINEZ, prays for judgment as follows:

1. For an order granting the Petitioner the relief set forth herein; and
2. For such other and further relief as the Court may deem necessary and proper in the premises.

DATED this 11th day of April, 2007.

HOSKIN HUGHES PIFER

By 

DENISE A. PIFER, ESQ.
Nevada Bar No. 005739
6885 W. Charleston Blvd.
Las Vegas, Nevada 89117
Attorney for Petitioner
Sebastian Martinez

HOSKIN HUGHES PIFER

ATTORNEYS AT LAW

6885 W. Charleston Blvd., Las Vegas, Nevada 89117
Telephone: (702) 240-4447 Facsimile: (702) 258-4740

VERIFICATION

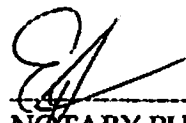
STATE OF NEVADA)
)ss.
COUNTY OF CLARK)

SEBASTIAN MARTINEZ, being first duly sworn, deposes and states:

That I am a Petitioner in the above-entitled action; that I have read the foregoing PETITION TO ESTABLISH PATERNITY and know the contents thereof; that the same is true of my own knowledge except for those matters therein stated upon information and belief and as to those matters, I believe them to be true.


SEBASTIAN MARTINEZ

Signed and Sworn to before
me this 9th day of April, 2007.



NOTARY PUBLIC



NOTARY PUBLIC
ERIN POSTON
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. OCTOBER 8, 2009
No: 01-71688-1


CLERK OF THE COURT

1 ASSC
2 THE FINE & PRICE LAW GROUP
3 FRANCES-ANN FINE, ESQUIRE
4 Nevada Bar No. 0025
5 Suite 5
6 8975 South Pecos Road
7 Henderson, Nevada 89074
8 Telephone: 702/384-8900
9 Facsimile: 702/384-6900
10 Attorney for Defendant
11 KRISTI R. FREDIANELLI

DISTRICT COURT

CLARK COUNTY, NEVADA

12 SEBASTIAN MARTINEZ,

13 Plaintiff,

14 vs.

15 KRISTI R. FREDIANELLI,

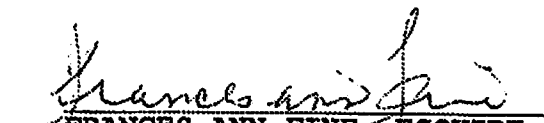
16 Defendant.

CASE NO: D-07-37301b-D
DEPT NO: H

NOTICE OF ASSOCIATION OF COUNSEL

17 PLEASE TAKE NOTICE that Frances-Ann Fine, Esquire, of The
18 Fine and Price Law Group hereby associates with Dayvid Figler, as
19 co-counsel for Defendant, Kristi R. Fredianelli in the above-
entitled proceeding.

20 DATED this 2nd day of October, 2014.

21 
22 FRANCES-ANN FINE, ESQUIRE
23 Nevada Bar No. 0025
24 Suite 5
25 8975 South Pecos Road
26 Henderson, Nevada 89074
27 Attorney for Defendant
28 KRISTI R. FREDIANELLI

1
2
3 CERTIFICATE OF SERVICE

4 I hereby certify that service of the foregoing NOTICE OF
5 ASSOCIATION OF COUNSEL was made on the 2nd day of October, 2014,
6 at Henderson, Nevada, by copy of same being delivered as indicated
7 to the individuals listed below:

8 Patricia A. Ross, Esq.
9 Suite 202
10 8871 West Flamingo Road
11 Las Vegas, NV 89147
12 Attorney@patriciarosslaw.
13 com

☒ Via E-Filing
☒ Via U.S. Mail,
postage prepaid
☐ Via Facsimile
☐ Via Email

14 and

15 Mario Fenu, Esq.
16 1404 South Jones Blvd.
17 Las Vegas, NV 89146

18
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21
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27
28

Shannon Ross

An Employee of The Fine Law Group

NEOJ
THE FINE & PRICE LAW GROUP
FRANCESS-ANN FINE, ESQUIRE
Nevada Bar No. 0025
Suite 5
8975 South Pecos Road
Henderson, Nevada 89074
Telephone: 702/384-8900
Facsimile: 702/384-6900
Email: fran@finepricelaw.com
Attorney for Defendant
Kristi R. Fredianelli


CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

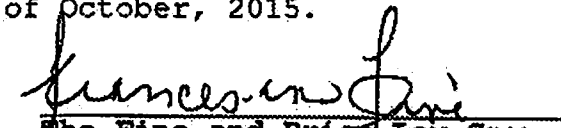
SEBASTIAN MARTINEZ,)	
	)	CASE NO: D-07-37316-D
Plaintiff,	)	DEPT NO: H
)	
vs.)	
)	
KRISTI R. FREDIANELLI,	)	DATE OF HEARING: 10-5-2015
	)	TIME OF HEARING: 10:00 A.M.
Defendant.)	

NOTICE OF ENTRY OF ORDER

TO: SEBASTIAN MARTINEZ; and

YOU AND EACH OF YOU, WILL PLEASE TAKE NOTICE that an ORDER, a copy of which is attached hereto, was entered and filed in the above-entitled matter on the 21st day of October, 2015.

DATED the 21 day of October, 2015.


The Fine and Price Law Group
FRANCES-ANN FINE, ESQUIRE
Nevada Bar No. 0025
Attorney for Defendant


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CERTIFICATE OF SERVICE

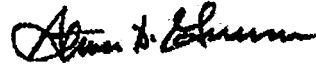
I hereby certify that service of the foregoing NOTICE OF ENTRY OF ORDER, was made on the 21st day of October, 2015, at Henderson, Nevada, by copy of same being delivered as indicated to the individuals listed below:

Sebastian Martinez
261 Lenape Heights
Las Vegas, Nevada 89148

Via E-Filing
X Via U.S. Mail,
postage prepaid
Via Facsimile
Via Email


An Employee of The Fine & Price Law Group

1 ORDER
2 THE Fine & Price Law Group
3 FRANCES-ANN FINE, ESQ.
4 Nevada Bar No. 0025
5 Suite 5
6 8975 South Pecos Road
7 Henderson, Nevada 89074
8 Telephone: 702/384-8900
9 Facsimile: 702/384-6900
10 fran@finepricelaw.com
11 Attorney for Defendant
12 KRISTI FREDIANELLI
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CLERK OF THE COURT

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DISTRICT COURT
FAMILY COURT DIVISION
CLARK COUNTY, NEVADA

SEBASTIAN MARTINEZ,
Plaintiff,
vs.
KRISTI FREDIANELLI,
Defendant.

CASE NO: D-07-373016-P
DEPT NO: H

DATE OF HEARING: 10-5-15
TIME OF HEARING: 10:00 a.m.

ORDER

THIS MATTER having come before the Court on October 5, 2015 for hearing on Defendant's Motion to Resolve Parent-Child Issues and for an Award of Attorney's Fees; and Plaintiff's Countermotion for Statutory Award of Child Support, Good Order and Award of Fees and Costs; Plaintiff, SEBASTIAN MARTINEZ, appearing in proper person; Defendant appearing personally and through her counsel, FRANCES-ANN FINE, ESQ., of The Fine & Price Law Group; the Court having reviewed all papers and pleadings on file herein and having heard the arguments presented and good cause appearing;

IT IS HEREBY ORDERED that Defendant's request for joint physical custody is denied. (VT 10:44:28 - 10:44:44)

/ / /

Agmt-Trial Disposition:
☐ Other
☐ Dismissed - With Prejudice
☐ Dismissed - Without Prejudice
☐ Involuntary (Statutory) Dismissal
☐ Default Judgment
☐ Transferred
☐ Deposed After Trial Start
☐ Judgment Reached by Trial
☐ Settled/Withdrew
☐ Without Judicial Confirmation
☐ With Judicial Confirmation
☐ By ADR

1 IT IS FURTHER ORDERED that Plaintiff's Countermotion is
2 denied without prejudice. (VT 10:54:21 - 10:54:27)

3 IT IS FURTHER ORDERED that Defendant's request to modify
4 visitation is granted. (VT 10:44:45 - 10:44:53)

5 IT IS FURTHER ORDERED that beginning this first weekend
6 following the hearing on October 5, 2015, visitation shall be from
7 10:00 a.m. on Saturday through and including 6:00 p.m. on Sunday.
8 All exchanges at this scheduled time shall be under the supervision
9 of Donna's House. This visitation is on the weekends with the 1st,
10 2nd, 4th and 5th weekends, if there is one (VT 10:44:53-10:44:59).
11 The first weekend is the one with the first Saturday of the month.

12 IT IS FURTHER ORDERED that Defendant shall have
13 visitation from Thursday, after school through and 10:00 a.m., if
14 there is no school, to and including Friday at 6:00 p.m. Said
15 exchange shall take place at the school where the minor child
16 attends, on the Thursday preceding the third Saturday of the month,
17 Defendant shall take the minor child to school on Friday morning,
18 pick her up after school and return her to Donna's House at 6:00
19 p.m., on Friday evening, in the security center. If there is no
20 school on Thursday, Defendant shall retrieve the minor child at
21 10:00 a.m. at the entrance to the Family Courthouse, inside the
22 Marshall's station where there are video cameras.

23 IT IS FURTHER ORDERED that this school time visitation is
24 an opportunity for the Defendant to participate/volunteer in school
25 activities during her Thursday through Friday visitation, during
26 school hours, unless it is an after school program that Mikaela is
27 involved in. In that case, Defendant is welcome to participate.

28 IT IS FURTHER ORDERED that Plaintiff shall have the 3rd

1 weekend, which will be identified as the week with the 3rd Saturday
2 of the month. (VT 10:45:46-10:45:48)

3 IT IS FURTHER ORDERED that on those third weekends of the
4 month, Defendant will have the child the Thursday preceding the
5 third Saturday of the month from 10:00 a.m. until Friday at 6:00
6 p.m. Defendant will have custodial responsibility for picking
7 Mikaela up from school at the end of the day; returning her to
8 school on Friday; picking her up after school and returning her to
9 Donna's House for the exchange at 6:00 p.m. on Friday. (VT
10 10:45:34 - 10:45:42)

11 IT IS FURTHER ORDERED that the exchanges will be
12 supervised as previously ordered at Donna's House on Saturday at
13 10:00 a.m. and Sunday at 6:00 p.m.; and the third Friday night of
14 each month. If there is no school for the child on the Thursday
15 visitation, the parties shall exchange at the entrance to the
16 Family Courthouse, but the return on Friday evening at 6:00 p.m.
17 shall be at Donna's House. (VT 10:47:14 - 10:47:27)

18 IT IS FURTHER ORDERED that the parties will discuss
19 holiday time share and attempt to resolve extra time among
20 themselves. However, the holidays that remain the same are Mothers
21 Day and Mother's birthday with Defendant and Fathers Day and
22 Father's birthday with Plaintiff.

23 IT IS FURTHER ORDERED that if the plaintiff plans on
24 removing the minor child from the jurisdiction for any reason,
25 prior to their departure, he must provide an itinerary of where
26 they are traveling to, telephone numbers and addresses of where
27 they will be staying.

28 IT IS FURTHER ORDERED that plaintiff is to provide

1 attorney Fine with the child's social security number and the
2 insurance card by the end of the week or by October 9, 2015. (VT
3 10:51:34 - 10:52:02)

4 IT IS FURTHER ORDERED that attorney Fine shall prepare
5 the order. (VT 10:46:41 - 10:46:45)

6 DATED this 30 day of October, 2015.

7

8

9

10 SUBMITTED BY:

11

12

13 Frances-Ann Fine
The Fine & Price Law Group
FRANCES-ANN FINE, ESQUIRE
Nevada Bar No. 25
702-364-8907
Attorney for Defendant
15 Kristi Fredianelli

16

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28

Art Ritchie, Jr.
DISTRICT COURT JUDGE
T ART RITCHIE, JR. AP

APPROVED TO CONTENT AND FORM BY:

Sebastian Martinez
261 Lenape Heights Ave.
Las Vegas, NV 89148
(702) 858-0889
Plaintiff in Proper Person



CLERK OF THE COURT

1 WITH
2 The Fine & Price Law Group
3 FRANCES-ANN FINE, ESQUIRE
4 Nevada Bar No. 25
5 8975 South Pecos Road
6 Henderson, Nevada 89074
7 Telephone: 702/384-8900
8 Facsimile: 702/384-6900
9 fran@finepricelaw.com
10 Attorney for Defendant
11 KRISTI RAE FREDIANELLI

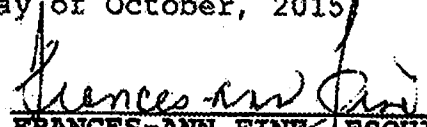
7 DISTRICT COURT
8 CLARK COUNTY, NEVADA

9 SEBASTIAN MARTINEZ,)
10 Plaintiff;) CASE NO: D-07-373016
11 v.) DEPT NO: H
12 KRISTI FREDIANELLI,)
13 Defendant.)

14 NOTICE OF WITHDRAWAL AS ATTORNEY OF RECORD

15 NOTICE IS HEREBY GIVEN that pursuant to Supreme Court
16 Rule 46, there being no further proceedings before the Court,
17 FRANCES-ANN FINE, ESQUIRE of The Fine & Price Law Group, hereby
18 withdraws as attorney of record for Plaintiff, KRISTI FREDIANELLI,
19 in the above-entitled matter. Further notice may be given to the
20 Defendant at her last known address, to-wit: 2516 Leigh Avenue, Las
21 Vegas, NV 89120.

22 DATED this 21st day of October, 2015

23 
24 FRANCES-ANN FINE, ESQUIRE
25 Nevada Bar No. 0025
26 Attorney for Defendant
27
28

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CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing NOTICE OF WITHDRAWAL AS ATTORNEY OF RECORD was made on the 21st day of October, 2015, at Henderson, Nevada, by copy of same being delivered as indicated to the individuals listed below:

Kristi Fredianelli
2516 Leigh Avenue
Las Vegas, NV 89120

- ☐ Via E-Filing
- ☒ Via U.S. Mail,
postage prepaid
- ☐ Via Facsimile
- ☐ Via Email

and

Sebastian Martinez
261 Lenape Heights
Las Vegas, NV 89148

Melissa Khleber
An Employee of The Fine & Price Law Group


CLERK OF THE COURT

NOTC
The Fine and Price Law Group
FRANCES-ANN FINE, ESQUIRE
Nevada Bar No. 0025
8975 South Pecos Road, Suite 5
Henderson, Nevada 89074
Telephone: 702/384-8900
Facsimile: 702/384-6900
Former Attorney for Defendant
Kristi R. Fredianelli

DISTRICT COURT
CLARK COUNTY, NEVADA

SEBASTIAN MARTINEZ,)	
)	
Plaintiff,	)	Case No.: D-07-373016-D
	)	Dept No.: H
vs.)	
)	
KRISTI R. FREDIANELLI,)	
)	
Defendant.)	

NOTICE OF CLAIM OF LIEN AND LIEN

TO: EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF
NEVADA, IN AND FOR THE COUNTY OF CLARK;

TO: SEBASTIAN MARTINEZ, Plaintiff; and

TO: KRISTI R. FREDIANELLI, Defendant:

NOTICE IS HEREBY GIVEN that The Fine & Price Law Group,
(hereinafter, "Counsel") claims a retaining lien pursuant to NRS
18.015(1)(b) against Kristi R. Fredianelli (hereafter, "Client"),
in the amount of Thirteen Thousand Seven Hundred One Dollars and
82/100 (\$13,701.82) for legal services provided and costs advanced
on Client's behalf.

/ / /

/ / /

/ / /

1 Pursuant to NRS 18.015(4) (b), this lien attaches to any property or
2 file documents, including copies of original documents, in the
3 possession of Counsel pursuant to Counsel's representation of
4 Client in the above-entitled action.

5 DATED this 16 day of November, 2015.

6
7 THE FINE AND PRICE LAW GROUP

8 By: Frances Ann Fine
9 FRANCES-ANN FINE, Esquire
NEVADA BAR NO. 0025
Former Attorney for Defendant

10
11 CERTIFICATE OF SERVICE

12 I hereby certify that service of the foregoing Notice of
13 Claim of Lien was made on the ___ day of November, 2015, at
14 Henderson, Nevada, by copy of same being sent by certified mail,
15 return receipt requested, to the individuals listed below:

16 Sebastian Martinez
17 261 Lenape Heights
Las Vegas, Nevada 89148
18 CERTIFIED MAIL:7007 0220 0000 8166 3891

X Via E-Filing
X Via U.S. Mail,
postage prepaid
Via Facsimile
Via Email

19 Kristi R. Fredianelli
20 2516 Leigh Avenue
Las Vegas, Nevada 89120
CERTIFIED MAIL:7007 0220 0000 8166 3907

21
22 Stephanie Buttle
23 An Employee of The Fine and Price Law Group
24
25
26
27

Ann L. Lamm

CLERK OF THE COURT

1 MOT
2 The Fine and Price Law Group
3 CORINNE PRICE, ESQUIRE
4 Nevada Bar No. 10237
5 8975 South Pecos Road Suite 5
6 Henderson, Nevada 89074
7 Telephone: 702/384/8900
8 Facsimile: 702/384/6900
9 Movant

DISTRICT COURT, FAMILY DIVISION
CLARK COUNTY, NEVADA

9 SEBASTIAN MARTINEZ,

10 Plaintiff,

11 vs.

12 KRISTI R. FREDIANELLI,
13 Defendant.

Case No.: D-07-370316-D
Dept No.: H

Date of Hearing: 2/9/16
Time of Hearing: 11:00 AM

15 ORAL ARGUMENT REQUESTED: YES X NO

16 NOTICE: YOU ARE REQUIRED TO FILE A WRITTEN RESPONSE TO THIS MOTION WITH THE
17 CLERK OF THE COURT AND TO PROVIDE THE UNDER-SIGNED WITH A COPY OF YOUR
18 RESPONSE WITHIN TEN (10) DAYS OF YOUR RECEIPT OF THIS MOTION. FAILURE TO FILE A
19 WRITTEN RESPONSE WITH THE CLERK OF THE COURT WITHIN TEN (10) DAYS OF YOUR
20 RECEIPT OF THIS MOTION MAY RESULT IN THE REQUESTED RELIEF BEING GRANTED BY THE

COUNSEL'S MOTION TO ADJUDICATE THE RIGHTS OF COUNSEL, FOR
ENFORCEMENT OF ATTORNEY'S LIEN AND FOR JUDGMENT OF ATTORNEY'S
FEES

21 COMES NOW, Frances-Ann Fine, Esquire of The Fine and
22 Price Law Group, hereafter, "Counsel", former counsel for KRISTI R.
23 FREDIANELLI (hereinafter "Client"), and pursuant to NRS 18.015,
24 moves this Court for Enforcement of Attorney's Lien, Adjudication
25 of Rights of Counsel and for a Judgment of Attorney's Fees against
26 Defendant. This Motion is made and based upon the Memorandum of
27 Points and Authorities set forth herein, the Affidavit of Counsel
28

1 submitted herewith, and oral argument of Counsel to be adduced at
2 the time of the hearing of this matter.

3 DATED this 6th day of January, 2016.

4
5 THE FINE AND PRICE LAW GROUP

6 By: Frances-Ann Fine
7 Frances-Ann Fine
8 Bar No. 0025
9 Movant
The Fine & Price Law Group

10 NOTICE OF MOTION

11 TO: SEBASTIAN MARTINEZ, Plaintiff; and

12 TO: KRISTI R. FREDIANELLI, Defendant:

13 PLEASE TAKE NOTICE that Counsel will bring the above and
14 foregoing Motion on for hearing before the Court H on the
15 9th day of February, 2016, at the hour of 11:00 AM
16 _____.m., or as soon thereafter as counsel can be heard.

17 DATED this 6th day of January, 2016.

18
19 THE FINE AND PRICE LAW GROUP

20 By: Frances-Ann Fine
21 Frances-Ann Fine Esquire
22 Nevada Bar No. 0025
23 Movant
The Fine & Price Law Group

24 I.

25 POINTS AND AUTHORITIES

26 Client retained Counsel to represent Client in the
27 above-entitled action. A signed credit card authorization approving
28 The Fine & Price Law Group to charge the client's mother credit

1 card for all attorney fees and costs, a copy of which is attached
2 hereto as Exhibit "1". During the period of time in which Counsel
3 represented Client, fees were incurred and/or costs were advanced
4 which are still outstanding pursuant to the terms of said
5 agreement.

6 A Notice of Claim of Lien has been filed prior to or
7 contemporaneously with the filing of this Motion. A file-stamped
8 copy of said Notice together with this Motion will be served upon
9 all interested parties, including Client.

10 NRS 18.015 states, in part, as follows:

11 1. An attorney at law shall have a lien:

12 (a) . . .
13 (b) In any civil action, upon any file or other
property properly left in the possession of the attorney
by a client.

14 2. A lien pursuant to subsection 1 is for the amount
of any fee which has been agreed upon by the attorney and
15 client. In the absence of an agreement, the lien is for
a reasonable fee for the services which the attorney has
16 rendered for the client.

17 3. An attorney perfects a lien described in
subsection 1 by serving notice in writing, in person or
18 by certified mail, return receipt requested, upon his or
her client and, if applicable, upon the party against
19 whom the client has a cause of action, claiming the lien
and stating the amount of the lien.

20 4. A lien pursuant to:

21 (a) . . .
22 (b) Paragraph (b) of subsection 1 attaches to
any file or other property properly left in the
possession of the attorney by his or her client,
including, without limitation, copies of the attorney's
23 file if the original documents received from the client
have been returned to the client, and authorizes the
attorney to retain any such file or property until such
24 time as an adjudication is made pursuant to subsection 6,
from the time of service of the notices requested by this
25 section.

26 5. A lien pursuant to paragraph (b) of subsection 1
must not be construed as inconsistent with the attorney's
27 professional responsibilities to the client.

28 6. On motion filed by an attorney having a lien
under this section, the attorney's client or any party

1 who has been served with notice of the lien, the court
2 shall, after 5 days' notice to all interested parties,
3 adjudicate the rights of the attorney, client or other
4 parties and enforce the lien.

5 7. Collection of attorney's fees by a lien under
6 this section may be utilized with, after or independently
7 of any other method of collection.

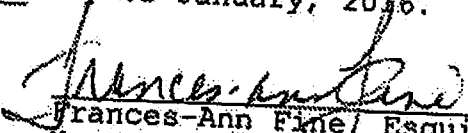
8 Section 2. The amendatory provisions of this act
9 apply to any fee for the services of any attorney
10 incurred by a client for services rendered before, on or
11 after July 1, 2013.

12 Section 3. This act becomes effective on July 1,
13 2013.

14 In the State of Nevada it is clear that an attorney's
15 right to compensation is not based upon or limited to his lien;
16 such right is based upon an express or implied contract and the
17 lien is but security for the attorney's right. *Gordon v. Stewart*,
18 74 Nev. 115, 324, P.2d 234, 235 (1958).

19 Pursuant to the above statute and case law, Counsel
20 requests this Court to enter a Judgment in favor of Counsel in the
21 amount of Thirteen Thousand Seven Hundred One Dollars and 82/100
22 (\$13,701.82), as and for attorney's fees and costs due and owing by
23 Client to Counsel, together with interest thereon at the
24 contractual rate of interest of 12%, compounded monthly, from the
25 date of entry of this Order until paid in full, and all post
26 judgment costs.

27 DATED this 6th day of January, 2016.

28 
Frances-Ann Fine, Esquire
Nevada Bar No. 0025
Movant

1 AFFIDAVIT OF FRANCES-ANN FINE, ESQUIRE IN SUPPORT OF COUNSEL'S
2 MOTION TO ADJUDICATE THE RIGHTS OF COUNSEL, ENFORCEMENT OF
3 ATTORNEY'S LIEN AND FOR JUDGMENT OF ATTORNEY'S FEES

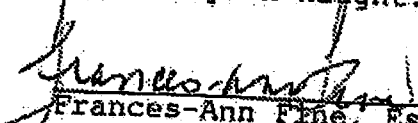
3 STATE OF NEVADA)
4 COUNTY OF CLARK) ss.

5 Frances-Ann Fine, being duly sworn, deposes and says;

6 That Affiant is an attorney duly licensed to practice law
7 in the State of Nevada (hereinafter, "Counsel") and formerly
8 represented Kristi R. Fredianelli, (hereinafter, "Client") in the
9 above-entitled matter. Counsel has personal knowledge of the
10 matters contained herein and is competent to testify thereto.

11 Client entered into a written fee agreement for payment
12 of fees and costs with Counsel, and currently owes a balance of
13 Thirteen Thousand Seven Hundred One Dollars and 82/100
14 (\$13,701.82). Considering the fact that Counsel advanced work for
15 Client, and Counsel's billing remains unpaid, it is fair that a
16 Judgment for these monies be entered so that Counsel can proceed to
17 collect payment. A copy of Counsel's redacted billing statement is
18 attached hereto as Exhibit "2."

19 Further your affiant sayeth naught.

20
21 
22 Frances-Ann Fine, Esquire

23 SUBSCRIBED to and SWORN before me
24 this 6th day of January, 2016.


25 
26 NOTARY PUBLIC in and for said
27 County and State



EXHIBIT "1"

THE

Fine & Price

LAW GROUP

8975 South Pecos Road
Suite 3
Henderson, Nevada 89074
Telephone: 702/384-8900
Facsimile: 702/384-6900
Family Law Attorneys

CREDIT/DEBIT CARD AUTHORIZATION FORM

CLIENT: Kristi Fredianelli

CARD HOLDER INFORMATION:

Name on Card: Beverley J. Flannery

I hereby authorize The Fine & Price Law Group to charge the amount indicated to the credit/debit card specified on this authorization form. I understand that my credit/debit card will continue to be billed this payment as long as a balance remains outstanding on my account unless alternative payment arrangements have been made.

Cardholder's Signature: Beverley J. Flannery - Mother of Client
Print Name: Beverley Flannery Date: 10/17/14

AA023

EXHIBIT "2"

The Fine & Price Law Group

8975 South Pecos Road

Suite 5

Henderson, NV 89074

Ph: 702-384-8900

Fax: 702-384-6900

Kristi Fredianelli
2516 Leigh Ave.
Las Vegas, NV
89120

November 16, 2015

Attention: kfredianelli@gmail.com

File #: FredK001
Inv #: Settle

RE:

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Oct-01-14	TC with Dayvid Figler.	0.70	280.00	FAF
Oct-02-14	Initial consult review file; Prepare Notice of Association of Counsel and Retainer Agreement; forward to client.	1.50	600.00	FAF
Oct-03-14	Continue review of file and prepare for upcoming hearing; order videotranscripts.	1.00	400.00	FAF
Oct-07-14	Continue review of file and work on trying to get the hearing tomorrow taken off calendar.	1.00	400.00	FAF
Oct-08-14	TC with Michael Carmen regarding bill; Review stipulation and order and deliver to court; deliver check to M. Carmen.	0.70	280.00	FAF
Oct-09-14	Prepare for hearing on Friday, review file and begin preparation of examination questions for both Martinez and Kristi.	3.00	1,200.00	FAF
	Prepare for hearing on Friday, review file and begin preparation of examination questions for both Martinez and Kristi.	3.00	1,200.00	FAF
Oct-10-14	Prepare for and appear in court for Evidentiary Hearing; meet with client to prepare and review.	4.40	1,760.00	FAF
Oct-12-14	Emails to and from client; to and from Dayvid Figler and Mario Fenu- Travel to courthouse to	2.00	800.00	FAF

	confirm Martinez as a no-show; Respond to Tony Fredianelli's emails; begin draft of OST.			
Oct-13-14	Countinue emails amd drafting Order to Show Cause; TC with Mario Fenu and with client regarding Wednesday visitation from 2 p.m. to 6 p.m. and then will move on from there; Mario will be in attendance.	0.80	320.00	FAF
Oct-14-14	Numerous email and text strings and arrange for visitation tomorrow; meet with Mario Fenu to discuss the behavior of Sebastian an darrange for visitation tomorrow.	1.00	400.00	FAF
Oct-15-14	Travel to court to observe visitation; Telephone conference with GAL; Email string with client.	0.70	280.00	FAF
Oct-16-14	Email to both client and Martinez regarding strategy of dealing with the case; set up time to meet with client and her mom re billing and review email from client re her concerns	1.00	400.00	FAF
	Email both to client and Martinez regarding strategy of dealing with the case; Set up time to meet with client and her mom regarding billing and review email from client regarding her concerns.	1.00	400.00	FAF
Oct-17-14	Meet with client to discuss Strategy (.2) and bill (.3 n/c); Review email from Mario Fenu, GAL and respond regarding his disagreement with therapy at this time and our request for compensatory time and schedules for soccer games as well as telephone contact twice a week on Tuesdays and Thursdays-- awaiting response from Sebastian (.4); Review email from Donna's House and respond regarding this week's visitation confirmation (.1); Review email in response to Mario's and my email from Sebastian and consider response (.2); Review email from Tony and respond (.2).	1.20	480.00	FAF
Oct-20-14	Review numerous emails from client and Tony and respond to many of them.	0.70	280.00	FAF
Oct-24-14	Review file to determine when to contact Mario Fenu, Esq. to inquire as to whether or	0.20	80.00	FAF

	not he believes visitation should be expanded, determined to notify him after November visit.			
Oct-27-14	Review and respond to numerous emails.	0.50	200.00	FAF
Oct-28-14	Review email from client and respond to Mario Fenu; Awaiting response.	0.20	80.00	FAF
Oct-29-14	Begining draft of Order; Review letter from Mario Fenu and telephonic response; Forward to client.	0.30	120.00	FAF
Oct-30-14	Continue draft of order; Review and revise Order; Telephone Conference with Mario Fenu; Draft email to Sebastian and review and revise email to Sebastian regarding expansion of time.	2.00	800.00	FAF
Nov-02-14	Review email from client regarding the visit and the birthday; Requires the Order to get done ASAP.	0.30	120.00	FAF
Nov-04-14	Review numerous text messages from Martinez attempting to show co-parenting but clearly attempting to remain in control; Emails from Tony Fredianelli and Kristi Fredianelli.	1.00	400.00	FAF
Nov-05-14	Review and respond to more emails from Martinez received from clients; Review all emails from GAL and to and from Plaintiff.	0.60	240.00	FAF
	Email from Mario regarding working on GAL report; Review email from Tony.	0.30	120.00	FAF
Nov-07-14	Review email from opposing party regarding comensatory time; Forward same to client and GAL; Review voicemail from GAL and respond; Review response to opposing party's suggestion regarding compensatory time from client; Forward same to GAL and opposing party.	0.70	280.00	FAF
Nov-10-14	Email to Mario Fenu regarding yesterday's visit and his visit today with Kristi and Mika.	0.40	160.00	FAF
Nov-11-14	Review numerous emails from client; Review text messages from opposing party; Respond in detail.	0.80	320.00	FAF
Nov-12-14	Emails between clients and counsel; order completed and coordinate delivery to court.	0.40	160.00	FAF

Nov-14-14	Review emails and attempt to respond.	0.70	280.00	FAF
Nov-17-14	Confirm Order had arrived back from court as this weekend is her birthday weekend which provides her with both Saturday and Sunday visitation.	0.30	120.00	FAF
	Request client take final order from Oct. 10 hearing to Donna's House for weekend visit.	0.30	120.00	FAF
Nov-19-14	Begin review of GAL draft report; Review email from Tony; Review email from Sebastian and respond.	0.70	280.00	FAF
Nov-20-14	Review GAL report and email communication with client to come review; Brief discussion with client regarding same.	1.00	400.00	FAF
Nov-21-14	Email string regarding client's efforts to review and or draft motion and resolve parent-child issues.	1.00	400.00	FAF
	Reviewed GAL report; arranged for client to come into office to review GAL report and sign prepared Affidavit for proposed emergency Motion to be filed before opposing counsel files Notice of Appeal; discussed matter with client when she came in	1.50	225.00	LA
Nov-24-14	Finalize Motion for resolution of parent-child issues based upon Mario Fenu's GAL report.	1.50	600.00	FAF
Dec-03-14	Review file documents; Interoffice conference with law clerk re OST application and drafting of supplemental affidavit.	0.40	90.00	ETA
	E-mail exchange w/ FAF re: how to proceed after our OST was rejected; interoffice conference with EA re: review of motion and whether to file a supplemental client affidavit to the motion or submit a renewed OST	0.50	75.00	LA
Dec-04-14	Telephone conversation w/ client re: scheduled appointment for her to come in and sign supplemental affidavit to motion; reviewed motion and recent e-mails from client; prepared Supplemental Affidavit to Motion to Resolve Parent-Child Issues	1.30	195.00	LA
Dec-05-14	Review emails and begin draft of affidavit;	0.50	200.00	FAF

	Review email from former counsel regarding Kristi's default on payment to his firm.			
Dec-08-14	Review and revise Affidavit for Kristi and sign and arrange for filing and service.	2.00	800.00	FAF
	Numerous communication from Martinez (1) and then to and from client regarding Parent Teacher-Conference and why Tony cannot go, nor should he at this juncture. Let's get a Teacher-Parent Conference set up for Kristi and Tony after this.	0.40	160.00	FAF
	Reviewed e-mails from client re: issues she is having with child and Sebastian Martinez, helped FAF revise Supplemental Affidavit to Motion for client to sign	0.50	75.00	LA
Dec-09-14	Advice regarding parent-teacher conference regarding review emails and respond.	0.30	120.00	FAF
Dec-10-14	Review email from client and respond.	0.20	80.00	FAF
Dec-11-14	Review emails from client and respond.	0.50	200.00	FAF
Dec-18-14	Review and respond to email from Tony.	0.20	80.00	FAF
Dec-24-14	Review emails between FAF and opposing party; Interoffice conference with FAF.	0.20	45.00	ETA
Jan-05-15	Pulled, reviewed, and organized all weekly e-mail reports from client since November 2014, all e-mails between FAF and Plaintiff, and all-emails between FAF and Mario Fenu; Drafted COS to include opposing party as a recipient of our Supplemental Affidavit to Motion	0.80	120.00	LA
Jan-06-15	Review email from client regarding Sunday's visit; Begin review of opposition and countermotion from Martinez; TC with Mario Fenu.	0.50	200.00	FAF
Jan-07-15	Initial review of opposition from opposing party.	0.30	67.50	ETA
Jan-08-15	Review and revise Reply and prepare for upcoming hearing.	0.50	200.00	FAF

	Interoffice conference with law clerk re status.	0.10	22.50	ETA
Jan-09-15	Review all relevant file documents; Draft reply to opposition and counter-motion.	1.30	292.50	ETA
	Review all relevant documents; Draft reply to opposition and counter-motion.	1.30	292.50	ETA
	Reviewed all exhibits attached to Plaintiff's Opposition to our Motion to Resolve Parent/Child Issues et al.; e-mailed FAF re: analysis of said exhibits; prepared file for upcoming hearing	1.00	150.00	LA
Jan-12-15	Forward reply to opposition and counter-motion to opposing party via email.	0.10	22.50	ETA
Jan-13-15	Prepare for hearing tomorrow.	0.60	240.00	FAF
	Review opposing party's supplemental exhibit; Interoffice conference with FAF re same.	0.10	22.50	ETA
Jan-21-15	Review and respond to email.	0.20	80.00	FAF
Jan-26-15	Review letters from District Attorney; Email to Mario Fenu; Email to and from client and call court regarding name change.	0.60	240.00	FAF
Jan-27-15	Email communications regarding Family Support.	0.20	80.00	FAF
Jan-29-15	Review email from client regarding concern over possible warrants and email to D. Figler asking him for check.; As of 2/9/15 no response from Dayvid.	0.20	80.00	FAF
Feb-08-15	Review letter from Family Support and leave message for office to contact Counsel and Family Support to advise them what is going on; Call Monet Woods first thing Monday morning.	0.30	120.00	FAF
Feb-09-15	Efforts made to speak to DA and to set an appointment.	0.70	280.00	FAF
	Review emails with client.	0.10	22.50	ETA
Feb-10-15	Draft letter to Michelle Anthony at Family Support.	2.00	800.00	FAF

	Review draft of letter to DA; Interoffice conference with FAF re same.	0.10	22.50	ETA
Mar-02-15	Review emails from client and respond regarding dental appointments and Family Wizard.	0.30	120.00	FAF
Mar-03-15	Review email from client regarding dental appointment and respond advising that everyone can go to a dental appointment, but neither should hover; Also requested that they forward Family Wizard screen shots rather than my having to stop what I'm doing and look up passwords.	0.30	120.00	FAF
Mar-25-15	Review court file documents re child support issue.	1.00	225.00	ETA
Mar-26-15	Complete review of relevant documents; Draft email to FAF re results of review.	0.40	90.00	ETA
Mar-30-15	Review email from FAF.	0.10	22.50	ETA
Mar-31-15	Review relevant documents; Draft email to FAF.	0.30	67.50	ETA
Apr-01-15	Review email correspondence with client; Interoffice conference with CJA.	0.20	45.00	ETA
	Prepared Request For Conference form re: child support case; telephone conversation w/ client to come in and sign document; prepared ROC for document	0.50	75.00	LA
Apr-02-15	Interoffice conference with CJA.	0.10	22.50	ETA
	Client came into office to sign Request For Conference and review child support case documents; prepared for service on Family Support Division Office	0.30	45.00	LA
Apr-03-15	Review email from client regarding a myriad of items and responded (4-11-15) requesting clarification of what she was indeed wanting to clarify.	0.20	80.00	FAF
	Review client's email; Interoffice conference with FAF re same.	0.10	22.50	ETA

Apr-07-15	Review client's email; Interoffice conference with FAF re same.	0.10	22.50	ETA
Apr-09-15	Review emails from client and respond; More unnecessary drama-- Tony's recover in his lawsuit has noting to do with child support.	0.40	160.00	FAF
Apr-15-15	Review numerous emails to and from client and her email to the school.	0.60	240.00	FAF
Apr-16-15	Reviewed videotranscript from 1.14.15 hearing; drafted proposed Order from hearing with time stamps and letter to Judge for FAF final review	2.50	375.00	LA
Apr-17-15	Review emails regarding birth certificate and respond.	0.40	160.00	FAF
Apr-20-15	Interoffice conference with FAF re status.	0.10	22.50	ETA
May-01-15	Interoffice conference with CIA.	0.30	67.50	ETA
	Prepared file for child support hearing and e-mailed FAF regarding same	0.40	60.00	LA
May-04-15	Review additional order filed by opposing party and served today; Interoffice conference with FAF re same.	0.20	45.00	ETA
May-05-15	Review fugitive order submitted by Martinez and signed by the Court; No Amended Order simply an order; Telephone conferece with Court as to how this could happen without a hearing; Letter to Court requesting clarification and/or insturctions regarding same.	1.00	400.00	FAF
May-07-15	Prepare for and appear in court relative to Martinez' application for child support; Matter dismissed from Family Support who indicated that unless Welfare is involved that only Judge Ritchie can award child support.	1.50	600.00	FAF
May-26-15	Reviewed and analyzed conflicting Orders from 1.14.15 hearing, the court minutes from both hearings, and Court's ultimate Order to determine the basis of court's decision; organized same for FAF review and strategy moving forward	0.50	75.00	LA

Jun-02-15	Numerous emails from client about graduation of child's brother and attempt to review emails but unsuccessfully delivered; Asked they be delivered to the office by hand.	0.30	120.00	FAF
Jun-03-15	Review family wizard messages; Numerous requests to bring in the actual documents to avoid wasting time trying to format and organize.	1.00	400.00	FAF
Jun-04-15	More review of Family Wizard documents.	0.30	120.00	FAF
Jun-15-15	Review email from client regarding Martinex sitting in wait. (by the way, he did the same thing to me at Family Support Court. He stood by his truck for 45 minutes after the hearing watching me as I sat in my car responding to emails.)	0.20	80.00	FAF
Jun-17-15	Review emails from client and attempt to respond.	0.50	200.00	FAF
Jun-19-15	Interoffice conference with FAF.	0.20	45.00	ETA
Jun-22-15	Draft email to client.	0.30	67.50	ETA
Jun-24-15	Review emails from client regarding state department and respond.	0.30	120.00	FAF
Jun-26-15	Review client's email and advise them to contact the state department to prevent Mika from being taken out of the country.	0.30	120.00	FAF
Jun-30-15	Review email from client telling me she did not ask for a certified copy but she is so worried about the kid being highjacked that I told her to take the certified copy to the State Department so that Mika is put on a watch list.	0.30	120.00	FAF
Jul-01-15	Email string with client and father of child re child's medical condition and insurance cards	0.30	120.00	FAF
Jul-06-15	Review numerous emails from client and attempt to respond	0.20	80.00	FAF
Jul-06-15	Review client's diatribes and over the weekend and attempt to respond	0.50	200.00	FAF
	Review email from client; Interoffice conference with FAF re same.	0.10	22.50	ETA

November 16, 2015

Date	Description	Hours	Rate	Agency
Jul-09-15	Attempt to read Family Wizard Communicatins between Kristi and SM	0.70	280.00	FAF
Aug-04-15	Review email correspondence with client; Interoffice conference with FAF re same.	0.10	0.00	ETA
Aug-10-15	Review prior video transcripts and discuss how to best proceed; email to Sebastian requesting that we resolve everything through mediation rather than court intervention; review the emails on family wizard	1.00	0.00	FAF
Aug-21-15	Email communication and review of file in stragegizing motion	0.30	120.00	FAF
Aug-24-15	Continue draft and finalize Motion for extended custody	1.00	400.00	FAF
Aug-25-15	Review and revise proposed Motion to Resolve Parent-Child Issues	0.70	280.00	FAF
	Review and revise initial draft of motion to modify custody.	1.50	412.50	ETA
Aug-31-15	Review file and update CSL; review phone message regarding Argentinean Family residing in home	0.30	120.00	FAF
	Interoffice conference with FAF re status.	0.10	27.50	ETA
Sep-01-15	Review message regarding Mika reporting guests at opposing parties house; advise client how to handle	0.20	80.00	FAF
Sep-11-15	Review emails and respond; propose and draft email for client to send to SM	0.30	120.00	FAF
Sep-16-15	Begin review of Kristi's FDF	0.30	120.00	FAF
Sep-17-15	Email communications with Opposing Party regarding if and when we will receive Opposition	0.40	160.00	FAF
Sep-20-15	Email client wanting 2500.00 by Friday the 25th at noon. and then \$1000 a month payment plan until paid in full; several emails back and forth regarding same	0.50	200.00	FAF
Sep-22-15	Continue to review Opposition and Counter	0.40	160.00	FAF

	motion and begin reply and review and revise FDF			
Sep-24-15	Interoffice conference re status; Review client's emails.	0.20	80.00	ETA
Sep-30-15	Begin review of documents in order to prepare Reply	1.00	400.00	FAF
	Initial review of opposing party's supplemental exhibits and client's email re same.	0.30	82.50	ETA
Oct-01-15	Complete the draft of the Reply and coordinate filing	2.00	800.00	FAF
	Review initial draft of Reply; Interoffice conferences with FAF re same.	0.30	82.50	ETA
Oct-02-15	Emails from client making demands to answer requests from Opposing Party	0.40	160.00	FAF
	Email correspondence with client.	0.20	55.00	ETA
Oct-05-15	Prepare for and appear in court on Our Motion to Resolve Parent/Child Issues	3.00	1,200.00	FAF
Oct-06-15	Order Hearing Video; begin draft of Order	0.30	120.00	FAF
	Interoffice conference with FAF re status.	0.10	27.50	ETA
Oct-12-15	Review Minutes.	0.10	27.50	ETA
Oct-13-15	Draft order and revise same; review e-mail from Martinez and forward proposed order	1.00	400.00	FAF
Oct-14-15	continue drafting and revising of the order; numerous emails with Martinez and the court re signing off on the Order	0.70	280.00	FAF
Oct-16-15	Courtesy Discounts	1.00	-10,000.00	FAF
	Review and revise order that was sent to the court; draft a stipulation and send to client and Sebastian and receive rude harassing responses from both Tony and Sebastian	1.30	520.00	FAF
	Review FAF email correspondence with opposing party and with client.	0.10	27.50	ETA

Oct-21-15	Review signed order and have filed; prepare notice of entry of order and notice of withdrawal; email to client re same	0.50	200.00	FAF
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Totals

93.30	<u>\$22,380.00</u>
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DISBURSEMENTS

	Filing Fee	
	Postage Expense	65.75
Oct-10-14	Postage - 09/22/14 through 10/08/2014	2.09
	Parking meter/fee	0.96
	Miscellaneous - Video Transcripts	6.00
	E-Filing and processing Fee- 09/28/2014 through 10/10/14	15.00
Oct-14-14	Postage--October 14, 2014 through October 24, 2014	10.00
Oct-23-14	E-Filing and processing Fee - Notice of Change of Address	0.48
Oct-25-14	Videotranscript fee - Hearing Video	10.00
Nov-17-14	E-Filing and processing Fee - Order	5.00
Nov-19-14	E-Filing and processing Fee - NEO	10.00
Nov-24-14	E-Filing and processing Fee - Motion to Resolve	10.00
Nov-25-14	E-Filing and processing Fee - Certificate of Service	29.25
Nov-26-14	E-Filing and processing Fee - Certificate of Service	10.00
Nov-29-14	Photocopies - November 53 @ \$.25 per copy	10.00
Dec-11-14	Postage - December 11- 22, 2014	13.25
Dec-22-14	Photocopies December 11-22, 2014 4 @ .25 a copy	0.69
Jan-05-15	Postage - COS and Supplemental Affidavit to Martienez	1.00
	E-Filing and processing Fee - Certificate of Service	0.69
Jan-09-15	E-Filing and processing Fee - Reply	10.00
Jan-12-15	Photocopies - December 19, 2014 through January 12, 2015 6 copies @ .25	1.50
Jan-16-15	Videotranscript fee	5.00
Feb-06-15	Photocopies 1/12/15 - 2/6/15 16 @ .25	4.00
Apr-03-15	Mileage Expense - Travel to and from DA Family Support Division	12.29
Apr-24-15	E-Filing and processing Fee -- NEO	10.00
Jun-01-15	E-Filing and processing Fee - Notice of Hearing	10.00
Aug-21-15	Photocopy Expense 8-9-15 - 8-21-15	0.25

November 16, 2015

Sep-04-15	Photocopy Expense 08-22-15 - 09-4-15	0.25
	Postage Expense 08/22/2015-09/04/2015-	0.93
	COS with Motion to Resolve	
Sep-21-15	Postage - FDF	0.71
Sep-30-15	Postage - Reply to Plt's opposition to defendants motion	0.71
Oct-01-15	Postage - Plt's NRCP 16.2 Disclosure	2.52
Oct-05-15	Parking meter/fee	3.25
Oct-08-15	Photocopy Expense 09/20/2015-10/8/2015	4.50
Oct-21-15	E-Filing and processing Fee - Notice of Withdrawal of Attorney	10.00
	E-Filing and processing Fee - Notice of Entry of Order	10.00
Oct-22-15	E-Filing and processing Fee - Order	10.00
	Photocopies 10/8/2015 - 10/22/2015	5.75
Totals		<u>\$311.82</u>

Total Fee & Disbursements for all charges on this matter

\$22,691.82**PAYMENT DETAILS**

Oct-16-14	Payment for invoice: 10199	2,500.00
Oct-17-14	Payment on Account - MC	500.00
Nov-10-14	Payment on Account CK#1119	150.00
Nov-25-14	Payment on Account - CK# 1121	100.00
Dec-08-14	Payment on Account - CK # 1122	100.00
Dec-19-14	Payment on Account - Mastercard	150.00
Jan-27-15	Payment for invoice: 10517	150.00
Feb-24-15	Payment for invoice: 10646	250.00
Mar-20-15	Payment for invoice: 10780	250.00
Apr-23-15	Payment for invoice: 10915	250.00
May-27-15	Payment for invoice: 11046	845.00
Jun-25-15	Payment for invoice: 11135	345.00
Jul-28-15	Payment for invoice: 11305	400.00
Aug-25-15	Payment for invoice: 11433	350.00
Sep-23-15	Payment for invoice: 11559	500.00
Sep-30-15	Payment for invoice: 11605	2,000.00
Oct-26-15	Payment for invoice: 11691	150.00
Total Payments		<u>\$8,990.00</u>

AA037

TRUST STATEMENT

	Disbursements	Receipts
Oct-07-14	Received From: Kristi Fredianelli Retainer --MC-- Retainer Fee	2,500.00
Oct-16-14	Paid To: The Fine & Price Law Group Payment for invoice: 10199	2,500.00
Jan-09-15	Received From: Beverly Flannery for Kristi Fredia Payment on Account - Mastercard	150.00
Jan-23-15	Received From: Bev Flannery for Kristi Fredianelli Payment on Account	100.00
Jan-27-15	Paid To: The Fine & Price Law Group Payment for invoice: 10517	150.00
Feb-11-15	Received From: Bev Flannery for Kristi Fredianelli Payment on Account - Visa	150.00
Feb-24-15	Paid To: The Fine & Price Law Group Payment for invoice: 10646	250.00
Feb-26-15	Received From: Bev Flannery for Kristi Fredianelli Payment on Account	100.00
Mar-13-15	Received From: Bev Flannery for Kristi Fredianelli Payment on Account - Visa	150.00
Mar-20-15	Paid To: The Fine & Price Law Group Payment for invoice: 10780	250.00
Mar-27-15	Received From: Bev Flannery for Kristi Fredianelli Payment on Account - Visa	100.00
Apr-08-15	Received From: Bev Flannery for Kristi Fredianelli Payment on Account - Visa	150.00
Apr-23-15	Received From: Bev Flannery for K. Fredianelli Payment on Account - Visa Paid To: The Fine & Price Law Group Payment for invoice: 10915	150.00 250.00
Apr-24-15	Paid To: Clark County Clerk Clerk Fee for Certified Documents -- Certified Copy of Order	5.00
May-05-15	Received From: Bev Flannery for Kristi Fredianelli Payment on Account - Visa	200.00
May-12-15	Received From: Bev Flannery for Kristi Fredianelli Payment on Account - Visa	500.00
May-27-15	Paid To: The Fine & Price Law Group Payment for invoice: 11046	845.00

November 16, 2015

Jun-01-15	Received From: Bev Flannery for Kristi Fredianelli		
	Payment on Account - Visa		200.00
Jun-15-15	Paid To: Clerk of Court	5.00	
	Clerk Fee for Certified Documents --		
Jun-16-15	Received From: Bev Flannery for Kristi Fredianelli		150.00
	Payment on Account - Visa		
Jun-25-15	Paid To: The Fine & Price Law Group	345.00	
	Payment for invoice: 11135		
Jul-02-15	Received From: Kristi Fredianelli		200.00
	Payment on Account		
Jul-20-15	Received From: Kristi Fredianelli		200.00
	Payment on Account		
Jul-28-15	Paid To: The Fine & Price Law Group	400.00	
	Payment for invoice: 11305		
Aug-07-15	Received From: Kristi Fredianelli		200.00
	Payment on Account		
Aug-20-15	Received From: Kristi Fredianelli		150.00
	Payment on Account		
Aug-25-15	Paid To: The Fine & Price Law Group	350.00	
	Payment for invoice: 11433		
Sep-18-15	Received From: Kristi Fredianelli		500.00
	Payment on Account		
Sep-23-15	Paid To: The Fine & Price Law Group	500.00	
	Payment for invoice: 11559		
Sep-25-15	Received From: Kristi Fredianelli		2,000.00
	Payment on Account		
Sep-30-15	Paid To: The Fine & Price Law Group	2,000.00	
	Payment for invoice: 11605		
Oct-07-15	Received From: Kristi Fredianelli		150.00
	Payment on Account		
Oct-26-15	Paid To: The Fine & Price Law Group	150.00	
	Payment for invoice: 11691		
	Total Trust	<u>\$8,000.00</u>	<u>\$8,000.00</u>
	Trust Balance		\$0.00

MOFI

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

Sebastian Martinez
Plaintiff/Petitioner

Krist. E. Fredanelli
Defendant/Respondent

Case No. D-07-37316-D

Dept. H

MOTION/OPPOSITION
FEE INFORMATION SHEET

Notice: Motions and Oppositions filed after entry of a final order issued pursuant to NRS 125, 125B or 125C are subject to the reopen filing fee of \$25, unless specifically excluded by NRS 19.0312. Additionally, Motions and Oppositions filed in cases initiated by joint petition may be subject to an additional filing fee of \$129 or \$57 in accordance with Senate Bill 388 of the 2015 Legislative Session.

Step 1. Select either the \$25 or \$0 filing fee in the box below.

- ☒ \$25 The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.
-OR-
☐ \$0 The Motion/Opposition being filed with this form is not subject to the \$25 reopen fee because:
☐ The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.
☐ The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.
☐ The Motion/Opposition is for reconsideration or for a new trial, and is being filed within 10 days after a final judgment or decree was entered. The final order was entered on _____.
☐ Other Excluded Motion (must specify) _____

Step 2. Select the \$0, \$129 or \$57 filing fee in the box below.

- ☒ \$0 The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:
☒ The Motion/Opposition is being filed in a case that was not initiated by joint petition.
☐ The party filing the Motion/Opposition previously paid a fee of \$129 or \$57.
-OR-
☐ \$129 The Motion being filed with this form is subject to the \$129 fee because it is a motion to modify, adjust or enforce a final order.
-OR-
☐ \$57 The Motion/Opposition being filing with this form is subject to the \$57 fee because it is an opposition to a motion to modify, adjust or enforce a final order, or it is a motion and the opposing party has already paid a fee of \$129.

Step 3. Add the filing fees from Step 1 and Step 2.

The total filing fee for the motion/opposition I am filing with this form is:
☐ \$0 ☒ \$25 ☐ \$57 ☐ \$82 ☐ \$129 ☐ \$154

Party filing Motion/Opposition: Martinez - The Firm + Price Law Date 1.7.16


Signature of Party or Preparer

Melissa Good

OPP

PATRICIA A. MARR, LTD.
PATRICIA A. MARR, ESQ.
Nevada Bar No. 008846
2470 St. Rose Parkway, Suite 106
Henderson, Nevada 89074
Mailing Address: 9484 S. Eastern Box 399
Las Vegas, Nevada 89123
(702) 353-4225 (telephone)
(702) 912-0088 (facsimile)
patricia@marrlawlv.com
Attorney for Defendant
KRISTI R. FREDIANELLI

Electronically Filed
01/25/2016 08:49:24 AM



CLERK OF THE COURT

IN THE EIGHTH JUDICIAL DISTRICT COURT

FAMILY DIVISION

COUNT OF CLARK STATE OF NEVADA

SEBASTIAN MARTINEZ,

Plaintiff,

v.

KRISTI R. FREDIANELLI,

Defendant.

Case No. D-07-373016-P
Dept. No. H

Date of Hearing: February 9, 2016
Time of Hearing: 11:00 a.m.

**DEFENDANT'S OPPOSITION TO MOTION TO ADJUDICATE THE RIGHTS
OF COUNSEL; FOR ENFORCEMENT OF ATTORNEY'S LIEN AND FOR
JUDGMENT OF ATTORNEY'S FEES**

COMES NOW, Defendant, KRISTI R. FREDIANELLI, and hereby files her *Opposition*
as follows.

Defendant's Opposition is made and based upon the pleadings and papers on file herein,
the following Memorandum of Points and Authorities, and any oral argument that may be heard

1 at the time of hearing for this matter.

2 Dated this 24th day of January, 2016.

3 PATRICIA A. MARR, LTD.

4 /s/Patricia A. Marr, Esq.

5 PATRICIA A. MARR, ESQ.

6 Nevada Bar No. 008846

7 2470 St. Rose Parkway, Suite 106

8 Henderson, Nevada 89074

9 Mailing Address: 9484 S. Eastern Box 399

10 Las Vegas, Nevada 89123

11 (702) 353-4225 (telephone)

12 (702) 912-0088 (facsimile)

13 patricia@marrlawlv.com

14 Attorney for Defendant

15 KRISTI R. FREDIANELLI

16 **MEMORANDUM OF POINTS AND AUTHORITIES**

17 **I.**

18 **FACTS**

19 On April 11, 2007, Plaintiff, Sebastian Martinez ("Sebastian") filed a Complaint for
20 paternity.

21 Thereafter, litigation ensued until the entry of the last order on October 21, 2015.

22 On October 2, 2014, Counsel Fine ("Fine") filed a Notice of Association of counsel.

23 On October 21, 2015, Fine filed her Notice of Withdrawal as counsel.

24 On October 21, 2015, the final Order and Notice of Entry of Order were filed wherein the
25 Court made certain orders regarding, *inter alia*, Defendant's visitation with the minor child.

On November 13, 2015, Fine informed Defendant, Kristi Fredianelli ("Kristi")
that the case was "closed" and "over." (Exhibit A).

On November 18, 2015, Fine filed a Notice of Retaining Lien.

1 On January 7, 2016, Fine filed the instant Motion. Although the Motion asserts
2 "A Notice of Claim of Lien has been filed prior to or contemporaneously with the filing of this
3 Motion," a notice of lien for a *charging* lien has not been filed. (Motion, p. 3, ll. 6-9). Notably,
4 the Motion further asserts "[a] file-stamped copy of said Notice together with this Motion will be
5 served upon all interested parties including Client." *Id.* The alleged "Notice" was never filed
6 and never served.

7 Regardless, Fine's Motion fails as a matter of law because it was filed months after
8 entry of the final order on October 21, 2015.

9 II.

10 ARGUMENT

11 A. FINE'S MOTION MUST BE DENIED IN ITS ENTIRETY AS A MATTER OF 12 LAW.

13 Fine's reliance upon NRS 18.015 in support of her *Motion to Adjudicate the*
14 *Rights of Counsel, For Enforcement of Attorney's Lien and For Judgment of Attorney's Fees* is
15 misplaced and must be denied. In *Leventhal v. Black & LoBello*, 305 P.3d 907 (2013) the Court
16 held that a law firm that represented its client in a divorce proceeding could not enforce a
17 charging lien *after* the entry of a final judgment. Specifically, the Court held:

18 Nevada attorneys have all the usual tools available to creditors to recover payment of
19 their fees. For example, a law firm can sue its client and obtain a money judgment for
20 fees due, thereby acquiring, if recorded, a judgment lien against the client's property.
21 NRS 17.150(2). An attorney also has a passive or retaining lien against files or property
22 held by the attorney for the client. *See Argentea Consol. Mining Co. v. Jolley Urga*
23 *Wirth Woodbury & Standish*, 125 Nev. 527, 532, 216 P.3d 779, 782 (2009). Finally, in an
24 appropriate case, an attorney may assert a charging lien against the client's claim or
25 recovery under NRS 18.015. *Id.*; see NRS 18.015(5) ("Collection of attorney's fees by a
[charging] lien under this section may be utilized with, after or independently of any
other method of collection.").

1 A charging lien is "a unique method of protecting attorneys." *Sowder v. Sowder*, 127
2 N.M. 114, 977 P.2d 1034, 1037 (N.M.Ct.App.1999). Such a lien allows an attorney, on
3 motion in the case in which the attorney rendered the services, to obtain and enforce a
4 lien for fees due for services rendered in the case. *See Argentina*, 125 Nev. at 532, 216
5 P.3d at 782. A charging lien "is not dependent on possession, as in the case of the general
6 or retaining lien. It is based on natural equity—the client should not be allowed to
7 appropriate the whole of the judgment without paying for the services of the attorney who
8 obtained it." 23 Williston on Contracts § 62:11 (4th ed. 2002).

9 ***The four requirements of NRS 18.015 must be met for a court to adjudicate and***
10 ***enforce a charging lien. See Schlang v. Key Airlines, Inc.***, 158 F.R.D. 666, 669
11 (D.Nev.1994) (indicating that, in Nevada, a charging lien is a creature of statute). First,
12 there must be a "claim, demand or cause of action, ... which has been placed in the
13 attorney's hands by a client for suit or collection, or upon which a suit or other action has
14 been instituted." NRS 18.015(1); *see Argentina*, 125 Nev. at 534, 216 P.3d at 783
15 (stating that *where the client "did not seek or obtain any affirmative recovery in the*
16 *underlying action, ... there [is] no basis for a charging lien"*). The lien is in the amount
17 of the agreed-upon fee or, if none has been agreed upon, a reasonable amount for the
18 services rendered "on account of the suit, claim, demand or action." NRS 18.015(1).3
19 Second, the attorney must perfect the lien by serving "notice in writing, in person or by
20 certified mail, return receipt requested, upon his or her client and upon the party against
21 whom the client has a cause of action, claiming the lien and stating the interest which the
22 attorney has in any cause of action." NRS 18.015(2).4 Third, the statute sets a timing
23 requirement: Once perfected, the "lien attaches to any verdict, judgment or decree entered
24 and to any money or property which is recovered on account of the suit or other action,
25 from the time of service of the notices required by this section." NRS 18.015(3). ***Fourth,***
the attorney must timely file and properly serve a motion to adjudicate the lien. NRS
18.015(4).

Leventhal at 908-910. (emphasis added).

The Court further provided:

LoBello argues that the favorable outcomes in the property and child custody settlements
both present recovery to which the lien could attach and that, alternatively, a lien can
attach even where no tangible value is procured. In LoBello's view, *Argentina* incorrectly
precludes charging liens in cases that do not produce an affirmative recovery. LoBello
further argues that *Argentina* unconstitutionally disfavors attorneys who seek to defend
or retain rights rather than procure property. ***LoBello both misunderstands the nature of***
charging liens and ignores the attorney's ability to pursue client fees via other means
available to creditors.

Fundamentally, NRS 18.015(3) requires a client to assert an affirmative claim to relief
from which some affirmative recovery can result. A charging lien cannot attach to the
benefit gained for the client by securing a dismissal; it attaches to "the tangible fruits" of
the attorney's services. *Glickman v. Scherer*, 566 So.2d 574, 575 (Fla.Dist.Ct.App.1990);

1 *see also Argentina*, 125 Nev. at 534, 216 P.3d at 783--84; *Sawder*, 977 P.2d at 1037. This
2 "fruit" is generally money, property, or other actual proceeds gained by means of the
3 claims asserted for the client in the litigation.⁵ See *Glickman*, 566 So.2d at 575; see
4 ABA/BNA Lawyers' Manual on Professional Conduct, at 41:21 [4] (2002) (discussing the
5 types of property needed for a charging lien to attach); *see also Mitchell v. Coleman*, 868
6 So.2d 639, 642 (Fla. Dist. Ct. App. 2004).

7 *Argentina* is controlling precedent. There, the parties settled a personal injury action, and
8 all claims against Argentina were dismissed. 125 Nev. at 530, 216 P.3d at 781.
9 Argentina's counsel moved to adjudicate its charging lien, but the only result obtained in
10 that case was that the claims against Argentina were dismissed; Argentina did not assert
11 any counterclaims or obtain an affirmative recovery. *Id.* Although Argentina
12 unquestionably benefited from the dismissal, there was no recovery to which a charging
13 lien could attach. *Id.* at 534, 216 P.3d at 784.

14 Attempting to distinguish *Argentina*, LoBello argues that Leventhal did obtain an
15 affirmative recovery in the underlying case, namely the property retained in the divorce
16 through the property settlement and the "financial benefits associated with ... child
17 custody," including tax benefits and value in avoiding increased child support.

18 As to the child-custody benefits, LoBello fails to identify any tangible recovery derived
19 from the resolution of this issue that is appropriately subject to a charging lien. A child-
20 custody agreement wherein Leventhal retained his share of custody and the associated
21 benefits does not demonstrate any affirmative claim to, or recovery of, money or
22 property. Rather, LoBello preserved Leventhal's previously established joint custody
23 rights against his ex-wife's attempt to revise them. This is similar to *Argentina*, where the
24 attorney's efforts led to the dismissal of the case but did not involve an affirmative claim
25 or recovery.

26 As to the assets distributed pursuant to the property settlement and divorce decree,⁶ a
27 problem arises because the property settlement *911 took place eight months before
28 LoBello filed and made even a colorable attempt at perfecting its lien, see *supra* note 4.
29 NRS 18.015(3) imposes a time requirement on attorneys seeking to perfect, adjudicate
30 and enforce a charging lien: "The lien attaches ... from the time of service of the notices
31 required by this section." Although we have never expressly interpreted this section,
32 Nevada's federal district court did so in *Schlang v. Key Airlines, Inc.*, 158 F.R.D. 666
33 (D. Nev. 1994).

34 In *Schlang*, the parties settled a wrongful termination action and their appeals were
35 dismissed. *Id.* at 667--68. Former counsel filed a charging lien but failed to serve the
36 notice required to perfect the lien until the settlement was consummated. *Id.* at 669--70.
37 The federal court, citing NRS 18.015(3),⁷ found that because the attorney did not perfect
38 his lien before the settlement agreement was carried out, "there no longer existed any
39 proceeds to which the lien could attach."⁸ *Id.* at 670. It therefore declined to adjudicate
40 and enforce the lien.

1 We agree with *Schlang*, and hold that under NRS 18.015(3), the lien attaches to a
2 judgment, verdict, or decree entered, or to money or property recovered, after the notice
3 is served. This interpretation harmonizes NRS 18.015(3)'s attachment provisions with
4 NRS 18.015(2)'s requirement that a lien be perfected by proper notice. See *Tonopah*
5 *Lumber Co. v. Nev. Amusement Co.*, 30 Nev. 445, 455, 97 P. 636, 639 (1908) ("[A] lien
6 can only legally exist when perfected in the manner prescribed by the statute creating it
7" (internal quotation omitted)). Thus, if an attorney waits to perfect the lien until
8 judgment has been entered and the proceeds of the judgment have been distributed, the
9 right to the charging lien may be lost. See *Sowder*, 977 P.2d at 1038.

10 Basic notice and fairness requirements support this interpretation. Nevada attorneys must
11 notify their clients in writing of any interest the attorney has that is adverse to a client.
12 RPC 1.8(a); *In re Singer*, 109 Nev. 1117, 1118, 865 P.2d 315, 315 (1993). Other courts
13 have found that charging liens constitute adverse interests and applied a similar written
14 notice rule. See *Fletcher v. Davis*, 33 Cal.4th 61, 14 Cal.Rptr.3d 58, 90 P.3d 1216, 1221
15 (2004). NRS 18.015(3) promotes these policies by requiring an attorney to serve notice
16 and perfect a charging lien in a timely manner.

17 Diligent perfection of the lien under NRS 18.015(3) ensures that the client, the client's
18 opponent in the litigation, and others have notice of the attorney's lien and may conduct
19 the litigation and deal with any recovery it produces accordingly. A timely motion to
20 adjudicate and enforce the charging lien under NRS 18.015(4) also enables the court to
21 evaluate the lien while it has jurisdiction over any affirmative recovery, while the
22 attorney's performance is fresh in its mind, and before the judgment is satisfied and the
23 proceeds are distributed. See *Weiland v. Weiland*, 814 So.2d 1252, 1253
24 (Fla. Dist. Ct. App. 2002) (holding that notice was untimely where the attorney waited to
25 establish the lien until approximately two months after the case concluded); *Sowder*, 977
P.2d at 1038 (holding that a law firm waived its right to assert its charging lien when it
waited several months after the property was distributed to assert its charging lien). See
also *Anderson v. Farmers Coop. Elevator Ass'n, Inc.*, 874 F.Supp. 989, 992
(D.Neb. 1995) (quashing the attorney charging lien because notice of the lien was
untimely, made after the property had been transferred to the opposing party); *Libner v.*
Maine Cnty. Comm'rs Ass'n, 845 A.2d 570, 573 (Me. 2004) (holding that no lien may be
imposed without direct and specific notice to the fund of an opposing party or its carriers
that a lien is asserted before the proceeds are disbursed). ***It would be unreasonable and***
unfair to clients and to third parties to allow attorneys to claim a lien on any judgment
at any time, no matter how much time has passed since the case concluded.

26 *Leventhal* at 910-911. (emphasis added).

27 In this action Fine represented Kristi in a paternity action regarding, custodial and
28 visitation issues. Thus, there was never any "affirmative recovery of money and/or property –
29 something tangible" upon which to place a charging lien. Moreover, there is no prospect of post-

1 perfection recovery from any post-judgment custody dispute that may occur because the action is
2 a *paternity* action.¹

3 Albeit there was never and will never be any tangible recovery upon which to place a
4 charging lien in this action, as in *Leventhal*, Fine failed to file her Motion to adjudicate and
5 enforce a charging lien until months after the last order was entered and the case
6 was closed. Indeed, by her own acknowledgement, Fine informed Kristi that the “case was
7 closed” and “over.”

8 Accordingly, the Court should apply the law in *Leventhal* to this case and
9 deny Fine’s Motion in its entirety. Kristi reserves any and all right to oppose Fine’s billing and
10 related issues, on other grounds.

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24 ¹ Notably, the *Leventhal* case involved post-divorce litigation wherein property division was at
25 issue, while this case is a paternity action without any prospect of property division or
affirmative tangible recovery from an attorney’s services. There is no tangible “fruit” of an
attorney’s services to which a charging lien may attach.

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III.

CONCLUSION

As a matter of law, Fine's Motion should be denied in its entirety.

Dated this 24th day of January, 2016.

PATRICIA A. MARR, LTD.

/s/Patricia A. Marr, Esq.

PATRICIA A. MARR, ESQ.

Nevada Bar No. 008846

2470 St. Rose Parkway, Suite 106

Henderson, Nevada 89074

Mailing Address: 9484 S. Eastern Box 399

Las Vegas, Nevada 89123

(702) 353-4225 (telephone)

(702) 912-0088 (facsimile)

Lvlaw03@yahoo.com

Attorney for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing, Defendant's *OPPOSITION* was served via E-Service and/or U.S. Mail, postage prepaid on January 25, 2015, to the following:

Sebastian Martinez
261 Lenape Heights
Las Vegas, Nevada 89148

Frances-Ann Fine, Esq. @
fran@finepricelaw.com

/s/Patricia A. Marr, Esq.

An employee of Patricia A. Marr, Ltd.

EXHIBIT A

On Nov 13, 2015 1:10 PM, "Fran Fine" <Fran@finepricelaw.com> wrote:

I DON'T HAVE TO FILE A MOTION TO WITHDRAW. THE CASE WAS CLOSED AND OVER AND THEREFORE I AM PERMITTED BY STATUTE AND LOCAL RULE TO WITHDRAW.

HAVE A NICE DAY.

Frances- Ann Fine, Esquire
The Fine & Price Law Group
8975 South Pecos Road, Suite 5
Henderson, Nevada 89074

p: [702-384-8900](tel:702-384-8900)

f: [702-384-6900](tel:702-384-6900)

e: fran@finepricelaw.com

NOTICE: The above information is for the sole use of the intended recipient and contains information belonging to The Fine Law Group, which is confidential and may be legally privileged. If you are not the intended recipient, or believe that you have received this communication in error, you are hereby notified that any printing, copying, distribution, use or taking of any action in reliance on the contents of this e-mail information is strictly prohibited. If you have received this e-mail in error, please immediately (1) notify the sender by reply e-mail; (2) call our office at [\(702\) 384-8900](tel:702-384-8900) to inform the sender of the error; and (3) destroy all copies of the original message, including ones on your computer system and all drives.

IRS CIRCULAR 230 DISCLOSURE: As required by U.S. Treasury Regulations governing tax practice, you are hereby advised that any written tax advice contained herein was not written or intended to be used (and cannot be used) by any taxpayer for the purpose of avoiding penalties that may be imposed under the U.S. Internal Revenue Code.

Please consider the environment before printing this e-mail

MOFI

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

Sebastian Martinez
Plaintiff/Petitioner

Kristi R. Fredianelli
Defendant/Respondent

Case No. D-07-373016-P

Dept. H

MOTION/OPPOSITION
FEE INFORMATION SHEET

Notice: Motions and Oppositions filed after entry of a final order issued pursuant to NRS 125, 125B or 125C are subject to the reopen filing fee of \$25, unless specifically excluded by NRS 19.0312. Additionally, Motions and Oppositions filed in cases initiated by joint petition may be subject to an additional filing fee of \$129 or \$57 in accordance with Senate Bill 388 of the 2015 Legislative Session.

Step 1. Select either the \$25 or \$0 filing fee in the box below.

- ☒ **\$25** The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.
-OR-
☐ **\$0** The Motion/Opposition being filed with this form is not subject to the \$25 reopen fee because:
☐ The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.
☐ The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.
☐ The Motion/Opposition is for reconsideration or for a new trial, and is being filed within 10 days after a final judgment or decree was entered. The final order was entered on _____.
☐ Other Excluded Motion (must specify) _____.

Step 2. Select the \$0, \$129 or \$57 filing fee in the box below.

- ☒ **\$0** The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:
☒ The Motion/Opposition is being filed in a case that was not initiated by joint petition.
☐ The party filing the Motion/Opposition previously paid a fee of \$129 or \$57.
-OR-
☐ **\$129** The Motion being filed with this form is subject to the \$129 fee because it is a motion to modify, adjust or enforce a final order.
-OR-
☐ **\$57** The Motion/Opposition being filing with this form is subject to the \$57 fee because it is an opposition to a motion to modify, adjust or enforce a final order, or it is a motion and the opposing party has already paid a fee of \$129.

Step 3. Add the filing fees from Step 1 and Step 2.

The total filing fee for the motion/opposition I am filing with this form is:
☐ \$0 ☐ \$25 ☐ \$57 ☐ \$82 ☐ \$129 ☐ \$154

Party filing Motion/Opposition: Kristi R. Fredianelli Date 1-25-16

Signature of Party or Preparer Candy Wilgier

AA051

1 RPLY

2 The Fine & Price Law Group
3 FRANCES-ANN FINE, ESQ.
4 Nevada Bar No. 0025 Suite 5
5 8975 South Pecos Road,
6 Henderson, Nevada 89074
7 Telephone: 702/384-8900
8 Facsimile: 702/384-6900
9 Email: fran@finepricelaw.com
10 Attorney for Movant



CLERK OF THE COURT

8 DISTRICT COURT

9 CLARK COUNTY, NEVADA

10 SEBASTIAN MARTINEZ,

11 Plaintiff,

12 vs.

13 KRISTI R. FREDIANELLI,


14 Defendant.

)
) CASE NO: D-07-373016-D
) DEPT NO: H
)
) DATE OF HEARING: 2/9/16
) TIME OF HEARING: 11:00 a.m.
)
)
)
)

15 REPLY TO PLAINTIFF'S OPPOSITION AND COUNTERMOTION

16 COMES NOW Movant, FRANCES-ANN FINE, ESQ., of The Fine &
17 Price Law Group, and submits Counsel's reply to Defendant's
18 opposition filed on January 24, 2016.

19 DATED this 2nd day of February, 2016.

20
21 
22 The Fine & Price Law Group
23 FRANCES-ANN FINE, ESQ.
24 Nevada Bar No. 0025
25 Attorney for MOVANT
26
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23

1 lien.

2 DATED this 2nd day of February, 2016.

3
4 
5 The Fine & Price Law Group
6 FRANCES-ANN FINE, ESQ.
7 Nevada Bar No. 0025
8 Attorney for MOVANT

9 CERTIFICATE OF SERVICE

10 I hereby certify that service of the foregoing Reply To
11 Defendant's Opposition was made on the 2nd day of February, 2016,
12 at Henderson, Nevada, by copy of same being delivered as indicated
13 to the individuals listed below:

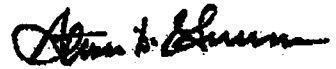
14 Sebastian Martinez
15 261 Lenape Heights
16 Las Vegas, Nevada 89148

☒ Via E-Filing
☒ Via U.S. Mail,
postage prepaid
☐ Via Facsimile
☐ Via Email

17 and

18 Patricia A. Marr, Esq.
19 2470 St. Rose Parkway
20 Suite 106
21 Henderson, Nevada 89074

22
23 
24 An Employee of The Fine & Price Law Group
25
26
27
28


CLERK OF THE COURT

CERT
The Fine and Price Law Group
FRANCES-ANN FINE, ESQUIRE
Nevada Bar No. 0025
8978 South Pecos Road, Suite 5
Henderson, Nevada 89074
Telephone: 702/384-6900
Facsimile: 702/384-6900
Former Attorney for Defendant
Kristi R. Fredianelli

DISTRICT COURT
CLARK COUNTY, NEVADA

SEBASTIAN MARTINEZ,

Plaintiff,

vs.

KRISTI R. FREDIANELLI,

Defendant.

Case No.: D-87-373016-D
Dept No.: H

CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing Counsel's
Motion to Adjudicate the Rights of Counsel, for Enforcement of
Attorney's Lien and for Judgment of Attorney's Fees was made on the
8 day of January, 2016, at Henderson, Nevada, by copy of same
being sent by certified mail, return receipt requested, to the
individuals listed below:

Sebastian Martinez
261 Lenape Heights
Las Vegas, Nevada 89148
Kristi R. Fredianelli
2516 Leigh Avenue
Las Vegas, Nevada 89120

Via E-Filing
X Via U.S. Mail,
postage prepaid
Via Facsimile
Via Email


An Employee of The Fine and Price Law Group


CLERK OF THE COURT

NOTICE
The Fine and Price Law Group
FRANCES-ANN FINE, ESQUIRE
Nevada Bar No. 0025
8975 South Pecos Road, Suite 5
Henderson, Nevada 89074
Telephone: 702/384-8900
Facsimile: 702/384-6900
Former Attorney for Defendant
Kristi R. Fredianelli

DISTRICT COURT
CLARK COUNTY, NEVADA

SEBASTIAN MARTINEZ,

Plaintiff,

vs.

KRISTI R. FREDIANELLI,

Defendant.

Case No.: D-07-373016-D
Dept No.: H

NOTICE OF CLAIM OF LIEN AND LIEN

TO: EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF
NEVADA, IN AND FOR THE COUNTY OF CLARK;

TO: SEBASTIAN MARTINEZ, Plaintiff; and

TO: KRISTI R. FREDIANELLI, Defendant;

NOTICE IS HEREBY GIVEN that The Fine & Price Law Group,
(hereinafter, "Counsel") claims a retaining lien pursuant to NRS
18.015(1)(b) against Kristi R. Fredianelli (hereafter, "Client"),
in the amount of Thirteen Thousand Seven Hundred One Dollars and
82/100 (\$13,701.82) for legal services provided and costs advanced
on Client's behalf.

/ / /

/ / /

/ / /

1 Pursuant to NRS 18.015(4) (b), this lien attaches to any property or
2 file documents, including copies of original documents, in the
3 possession of Counsel pursuant to Counsel's representation of
4 Client in the above-entitled action.

5 DATED this 16 day of November, 2015.

7 THE FINE AND PRICE LAW GROUP

8 By: Frances Ann Fine
9 FRANCES-ANN FINE, Esquire
NEVADA BAR NO. 00295
10 Former Attorney for Defendant

11 CERTIFICATE OF SERVICE

12 I hereby certify that service of the foregoing Notice of
13 Claim of Lien was made on the 16 day of November, 2015, at
14 Henderson, Nevada, by copy of same being sent by certified mail,
15 return receipt requested, to the individuals listed below:

16 Sebastian Martinez
17 261 Lenape Heights
Las Vegas, Nevada 89148
18 CERTIFIED MAIL: 7007 0220 0000 8166 3891

X Via E-Filing
X Via U.S. Mail,
postage prepaid
Via Facsimile
Via Email

19 Kristi R. Fradianelli
20 2518 Leigh Avenue
Las Vegas, Nevada 89120
21 CERTIFIED MAIL: 7007 0220 0000 8166 3907

22 Stephanie Buttle
23 An Employee of The Fine and Price Law Group
24
25
26
27

EXHIBIT "2"

THE

Fine & Price

LAW GROUP

Frances-Ann Fine, Esquire
Corinne Price, Esquire

Litigation Administrator
Earl T. Ayers

January 29, 2016

SENT VIA FACSIMILE: (702) 912-0088
and EMAIL: patricia@marrilawlv.com

Patricia A. Marri, Esquire
2470 St. Rose Parkway, Suite 106
Henderson, Nevada 89074

Re: Sebastian Martinez v. Kristi R. Fredianelli
Case No. D-07-373016-D

THIS LETTER IS SENT PURSUANT TO EDCR 5.11 AND THE "SAFE HARBOR"
PROVISION OF NRCP 11

Dear Patricia:

We have received your *Opposition to Motion to Adjudicate the Rights of Counsel, for Enforcement of Attorney's Lien and For Judgment of Attorney's Fees*. As you may not be aware, NRS 18.015 was amended in 2013 to specifically allow adjudication of an attorney retaining lien following the completion of an action, provided that the attorney still maintained "any file or other property" of a client. Our office still maintains the case file for Ms. Fredianelli and thus we are properly requesting the adjudicate our retaining lien.

The reliance in your *Opposition* on the case of *Levanthal v. Black & Lobello* fails for two reasons. First, as explained in footnote (2) of the decision, the case was decided on the pre-amendment version of NRS 18.015. Second, the *Levanthal* matter was based upon a charging lien, not a retaining lien. I have enclosed an article authored by Glenn Machado, Assistant Bar Counsel, for your review.

Regarding notice and service, I have enclosed a copy of the Certificate of Service for the Notice, as well as the Certified Mail Receipt evidencing delivery upon Ms. Fredianelli.

8975 S. Pecos Road
Suite 5
Henderson, Nevada 89074
Telephone (702) 384-8900 Facsimile (702) 384-6900

AA059

Patricia A. Marr, Esquire
January 29, 2016
Page Two

Based upon the foregoing, it is requested that the Opposition be immediately withdrawn. Should our firm be forced to respond to the legally and factually inaccurate filing, we will of course be seeking an appropriate award of sanctions, fees and costs.

Very truly yours,



FRANCES-ANN FINE

FAF/MG
Enclosure as stated

8975 S. Pecos Road
Suite 5
Henderson, Nevada 89074
Telephone (702) 384-8900 Facsimile (702) 384-6900

AA060



"If you plan on asserting a charging lien, make sure to do so while there are still monies to recover."

Practice Tips

GLENN MACHADO, ASSISTANT BAR COUNSEL

RECENT UPDATES ON CHARGING LIENS AND RETAINING LIENS

Nevada Revised Statute (NRS) 18.015 was recently amended to address retaining liens. The revisions took effect July 1, 2013.

The prior version of NRS 18.015 only addressed "charging" liens. In *Argentina Canal Mining Co. v. Jolley Urgo With Woodbury & Standish*,¹ the Nevada Supreme Court noted that there were two kinds of attorney's liens in existence. The first, a creature of statute, is "a special or charging lien on the judgment or settlement [that] the attorney has obtained for the client." *Argentina* 125 Nev. at 532, 533, 216 P.3d at 782. The second, established at common law, is a general or retaining lien, that allows a discharged attorney to withhold the client's file and other property until the court, at the request or consent of the client, adjudicates the client's rights and obligations with respect to the lien. *Argentina* 125 Nev. at 532, 216 P.3d at 782.

The district court's jurisdiction over these two liens arises, however, in distinctive manners. *Id.*

In regard to charging liens, the district court's in personam jurisdiction to adjudicate a fee dispute based on a charging lien is derived from the fact that the client has already submitted himself or herself to the court's jurisdiction and the court has personal jurisdiction over the attorney due to the attorney's appearance as the client's counsel of record. *Argentina* 125 Nev. at 532, 216 P.3d at 782, 783. Concerning the court's subject matter jurisdiction, the court has in rem jurisdiction to resolve a fee dispute between an attorney and client, which arises from a charging lien, because the attorney's fee "is recovered on account of the suit or other action." *Argentina* 125 Nev. at 532, 216 P.3d at 783.

Regarding the district court's jurisdiction to adjudicate a fee dispute based on a retaining lien, this court has previously held that a retaining lien is a passive lien that cannot be actively enforced by the attorney in judicial proceedings. *Argentina* 125 Nev. at 533, 216 P.3d at 783. Thus, the attorney had no mechanism through which to get the retaining lien adjudicated; only the former client had the ability to do so. The new version of NRS 18.015 addresses this issue.

The revised NRS 18.015(1)(b) specifically gives attorneys the ability to assert retaining liens in a civil action, with the lien

attaching "upon any file or other property properly left in the possession of the attorney by a client." NRS 18.015(6) now allows attorneys to seek adjudication of the retaining lien after five days' notice has been given to all interested parties.

However, the attorney must now serve written notice of the retaining lien to the client in person or by certified mail, return receipt requested, pursuant to NRS 18.015(3). The common law retaining lien was a passive lien; essentially the attorney held on to the file, and that was how the retaining lien became effectuated.

Recent Case Law Regarding Charging Liens

A charging lien only attaches to monies recovered from the time of service of the motion. See NRS 18.015(4). The Nevada Supreme Court recently stated as much in *Leventhal v. Black & Lobello*, 129 Nev. ___, Advance Opinion 50 (Case No. 58055, July 11, 2013). In *Leventhal*, the attorney served notice of the charging lien for unpaid fees incurred in the post-decree portion of a family law case (which apparently settled). The Nevada Supreme Court reversed the district court's adjudication of the lien, stating "that under NRS 18.015(3), the lien attaches to a judgment, verdict, or decree entered, or to money or property recovered, after the notice is served. This interpretation harmonizes NRS 18.015(3)'s attachment provisions with NRS 18.015(2)'s requirement that a lien be perfected by proper notice." *Leventhal* at 4. Essentially, since the case was over, there were no funds to which the lien could attach.

The *Leventhal* opinion noted that the appeal was governed by the pre-amendment version of NRS 18.015. However, the pre-amendment version of NRS 18.015(2) and (3) were not materially revised in regard to the Supreme Court's interpretation of charging liens.

So, if you plan on asserting a retaining lien in the future, make sure it complies with NRS 18.015. If you plan on asserting a charging lien, make sure to do so while there are still monies to recover. ■

1. 125 Nev. 527, 216 P.3d 779 (2009).

Alvin L. Lamm

CLERK OF THE COURT

1 NOTIC
2 The Fine and Price Law Group
3 FRANCES-ANN FINE, ESQUIRE
4 Nevada Bar No. 0025
5 8975 South Pappas Road, Suite 5
6 Henderson, Nevada 89074
7 Telephone: 702/384-8900
8 Facsimile: 702/384-6900
9 Former Attorney for Defendant
10 Kristi R. Fredianelli

11 DISTRICT COURT
12 CLARK COUNTY, NEVADA

13 SEBASTIAN MARTINEZ,

14 Plaintiff,

Case No.: D-07-373016-D
Dept No.: H

15 vs.

16 KRISTI R. FREDIANELLI,

17 Defendant.

18 NOTICE OF CLAIM OF LIEN AND LIEN

19 TO: EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF
20 NEVADA, IN AND FOR THE COUNTY OF CLARK

21 TO: SEBASTIAN MARTINEZ, Plaintiff; and

22 TO: KRISTI R. FREDIANELLI, Defendant;

23 NOTICE IS HEREBY GIVEN that THE Fine & Price Law Group
24 (hereinafter, "Counsel") claims a retaining lien pursuant to NRS
25 18.015(1) (b) against Kristi R. Fredianelli (hereafter, "Client"),
26 in the amount of Thirteen Thousand Seven Hundred One Dollars and
27 82/100 (\$13,701.82) for legal services provided and costs advanced
on Client's behalf.

1 Pursuant to NRS 18.015(4)(b), this lien attaches to any property or
2 file documents, including copies of original documents, in the
3 possession of Counsel pursuant to Counsel's representation of
4 Client in the above-entitled action.

5 DATED this 16 day of November, 2015.

6
7 THE FINE AND PRICE LAW GROUP

8 By: Frances-Ann Fine
9 FRANCES-ANN FINE, Esquire
10 NEVADA BAR NO. 0025
11 Former Attorney for Defendant

12 CERTIFICATE OF SERVICE

13 I hereby certify that service of the foregoing Notice of
14 Claim of Lien was made on the 16 day of November, 2015, at
15 Henderson, Nevada, by copy of same being sent by certified mail,
16 return receipt requested, to the individuals listed below:

17 Sebastian Martinez
18 261 Lenape Heights
19 Las Vegas, Nevada 89148
20 CERTIFIED MAIL: 7007 0220 0000 8166 3891

X Via E-Filing
X Via U.S. Mail,
postage prepaid
Via Facsimile
Via Email

21 Kristi R. Fredianelli
22 2516 Leigh Avenue
23 Las Vegas, Nevada 89120
24 CERTIFIED MAIL: 7007 0220 0000 8166 3907

25
26 Stephanie Butler
27 An Employee of The Fine and Price Law Group

Send Result Report

MFP

TASKalfa 4500i

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Total Time: 0'00'41"

Page: 005

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Document:

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THE

Time & Price

LAW GROUP

Francis Ann Price, Esquire
Corinne Price, Esquire

Litigation Administrator
Earl T. Ayers

January 29, 2016

SENT VIA FACSIMILE: (702) 912-0088
and EMAIL: patricia@marrlawlv.com

Patricia A. Marr, Esquire
2470 St. Rose Parkway, Suite 106
Henderson, Nevada 89074

Re: Sebastian Martinez v. Kristi R. Fredianelli
Case No. D-07-373016-D

THIS LETTER IS SENT PURSUANT TO EDCR 5.11 AND THE "SAFE HARBOR"
PROVISION OF NRCP 11

No.	Date and Time	Destination	Times	Type	Result	Resolution/ECH
001	01/29/16 16:09	7029120088	0'00'41"	FAX	OK	200x100 Normal/On

[Skip to Main Content](#) [Logout](#) [My Account](#) [My Cases](#) [Search Menu](#) [New Family Record](#)
[Search](#) [Refine Search](#) [Close](#)

Location : Family Courts [Images](#) [Help](#)

REGISTER OF ACTIONS

CASE No. D-07-373016-P

In the Matter of the Petition by: Sebastian Martinez, Petitioner.

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Case Type: Paternity Complaint
 Date Filed: 04/11/2007
 Location: Department H
 Cross-Reference Case Number: D373016
 Supreme Court No.: 55073
 59272
 69992

PARTY INFORMATION

Defendant	Fredianelli, Kristi Rae 2516 Leigh AVE Las Vegas, NV 89120	Female	Lead Attorneys Patricia A. Marr, ESQ <i>Retained</i> 702-353-4225(W)
Plaintiff	Martinez, Sebastian 261 LENAPE HEIGHTS AVE Las Vegas, NV 89148	Male 5' 11", 170 lbs	Pro Se
Subject Minor	Flannery, Mikaela Rae <i>Now Known As</i> Fredianelli Martinez, Mikaela Rae		

EVENTS & ORDERS OF THE COURT

02/04/2016 [Minute Order](#) (1:30 PM) (Judicial Officer Ritchie, T. Arthur, Jr.)

Minutes

02/04/2016 1:30 PM

- This court reviewed this case pursuant to EDCR 2.23(c) on its chambers calendar prior to the hearing on February 9, 2016. The Fine and Price Law Group represented the Defendant, Kristi Fredianelli, in post-judgment matters before this court. On November 18, 2015, the Fine and Price Law Group filed a Notice of Claim of Lien and Lien. On January 7, 2016, the Fine and Price law Group filed a motion for a judgment on the lien for unpaid attorney s fees alleged to be \$13,701.82, plus contractual interest. The motion was set for hearing on February 9, 2016. Kristi Fredianelli was properly served with the lien and the motion, and through counsel she filed an opposition to the motion on January 25, 2016. The Fine and Price law Group filed a reply to the opposition on February 2, 2016. The court reviewed the papers and pleadings, and concludes that this court has personal jurisdiction and subject matter jurisdiction pursuant to NRS 18.010 (1) (b) to adjudicate this lien claim. COURT ORDERED, the following: The motion has merit and is granted in advance of the hearing. The Fine and Price Law Group is directed to submit an order granting the motion and entering a judgment against Kristi Fredianelli in the amount of the lien. The hearing is vacated, and the case shall be closed by the entry of this order.

[Return to Register of Actions](#)

CLARK COUNTY, NEVADA

SEBASTIAN MARTINEZ,

Plaintiff,

VS.

KRISTI R. FREDIANELLI,

Defendant.

CASE NO: D-07-373016-D
DEPT NO: H

DATE OF HEARING: 2/4/2016
TIME OF HEARING: 1:30 p.m.

NOTICE OF ENTRY OF ORDER

TO: SEBASTIAN MARTINEZ, Plaintiff; and

TO: PATRICIA A. MARR, Esq. Attorney for Defendant;

YOU AND EACH OF YOU, WILL PLEASE TAKE NOTICE that an ORDER GRANTING COUNSEL'S MOTION TO ADJUDICATE THE RIGHTS OF COUNSEL, FOR ENFORCEMENT OF ATTORNEY'S LIEN AND FOR JUDGMENT OF ATTORNEY'S FEES, a copy of which is attached hereto, was entered and filed in the above-entitled matter on the 16th day of February, 2016.

DATED the 16 day of February, 2016.

The Fine and Price Law Group
FRANCES-ANN FINE, ESQUIRE
Nevada Bar No. 0025
Former Attorney for Defendant

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CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing NOTICE OF ENTRY OF ORDER, was made on the 17th day of February, 2016, at Henderson, Nevada, by copy of same being delivered as indicated to the individuals listed below:

Sebastian Martinez
261 Lenape Heights
Las Vegas, Nevada 89148

X Via E-Filing
X Via U.S. Mail,
postage prepaid
Via Facsimile
Via Email

and

Patricia A. Marr, Esq.
2470 St. Rose Parkway Suite 106
Henderson, Nevada 89074
Attorney for Defenant



An Employee of The Fine & Price Law Group

Alvin D. Quinn

CLERK OF THE COURT

ORDER
The Fine & Price Law Group
FRANCES- ANN FINE, ESQUIRE
Nevada Bar No. 0025
8975 South Pecos Road, Suite 5
Henderson, Nevada 89074
Telephone: 702/384-8900
Facsimile: 702/384-6900
Movant

DISTRICT COURT
CLARK COUNTY, NEVADA

SEBASTIAN MARTINEZ,

Plaintiff,

vs.

KRISTI FREDIANELLI,

Defendant.

Case No: D-07-373016-P
Dept No: H

Hearing Date: 02/04/2016
Hearing Time: 1:30 p.m.

ORDER GRANTING COUNSEL'S MOTION TO ADJUDICATE THE RIGHTS OF
COUNSEL, FOR ENFORCEMENT OF ATTORNEY'S LIEN AND FOR JUDGMENT OF
ATTORNEY'S FEES

THIS MATTER having come before the Court on Motion to
Adjudicate the Rights of Counsel, for Enforcement of Attorney's
Lien and for Judgment of Attorney's Fees; the Court having reviewed
all papers and pleadings on file herein, and good cause appearing,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
Counsel's Motion to Adjudicate the Rights of Counsel, for
Enforcement of Attorney's Lien and for Judgment of Attorney's Fees
is hereby GRANTED.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that
judgment is entered in favor of The Fine & Price Law Group, and
against Kristi Fredianelli, in the amount of Thirteen Thousand
Seven Hundred One Dollars & 82/100 (\$13,701.82), together with
interest thereon at the contractual rate of interest of 12%,
compounded monthly, and all post judgment costs. Said amount is

Non-Trial Dispositions:
☐ Other
☐ Dismissed - Want of Prosecution
☐ Involuntary (Salaries) Dismissed
☐ Default Judgment
☐ Transferred
☐ Disposed After Trial Start
☐ Settled/Withdrawn
☐ Without Judicial Conf/Hng
☐ With Judicial Conf/Hng
☐ By ADR
Trial Dispositions:
☐ Judgment Reached by Trial

1 hereby reduced to judgment and collectable by any and all lawful
2 means.

3 DATED this 11 day of February, 2016.

4
5 
6 DISTRICT COURT JUDGE *dp*

T ART RITCHIE, JR.

7 Respectfully submitted by:
8 The Fine and Price Law Group

9 

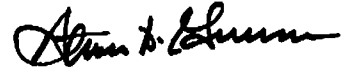
FRANCES-ANN FINE Esq.

Nevada Bar No. 0025

8975 S. Pecos Rd. Ste 5

Henderson, Nevada 89074

(702) 384-8900



CLERK OF THE COURT

1 PATRICIA A. MARR, LTD.
2 PATRICIA A. MARR, ESQ.
3 2470 St. Rose Parkway, Ste. 106H
4 Henderson, Nevada 89074
5 Las Vegas, Nevada 89103
6 (702) 353-4225 (telephone)
7 (702) 912-0088 (facsimile)
8 patricia@marrlawlv.com
9 Mailing Address:
10 9484 South Eastern Ave., #399
11 Las Vegas, Nevada 89123
12 ATTORNEY FOR DEFENDANT
13 KRISTI RAE FREDIANELLI
14

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

13 SEBASTIAN MARTINEZ,)
14) Case No. D-07-373016-P
15 Plaintiff) Dept No. H
16)
17 v.)
18)
19 KRISTI RAE FREDIANELLI,)
20)
21 Defendant.)
22)
23)
24)
25)
26)
27)
28)

NOTICE OF APPEAL

TO: ALL INTERESTES PARTIES.

Notice is hereby given that KRISTI RAE FREDIANELLI, Defendant in the above styled case, hereby appeals to the Supreme Court of Nevada from an Order entered in this action on

///

///

///

///

///

1 February 17, 2016, a copy of which is attached hereto,

PATRICIA A. MARR, LTD.

2
3
4 /s/ Patricia A. Marr, Esq.

PATRICIA A. MARR, ESQ.

5 2470 St. Rose Parkway, Ste. 106H

6 Henderson, Nevada 89074

7 (702) 353-4225 (telephone)

(702) 912-0088 (facsimile)

8 patricia@marrlawlv.com

Mailing Address:

9 9484 South Eastern Ave., #399

10 Las Vegas, Nevada 89123

11 *ATTORNEY FOR DEFENDANT*

KRISTI RAE FREDIANELLI

12
13
14 **CERTIFICATE OF SERVICE**

15 I, hereby certify that on the 14th day of March, 2016, I served a copy of the foregoing

16 *Notice of Appeal* via E-Service and/or U.S. Mail, postage prepaid to the following:

17
18 /s/Patricia A. Marr, Esq.

19
20 An employee of Patricia A. Marr, Ltd.

21 Sebastian Martinez
22 261 Lenape Heights Avenue
23 Las Vegas, Nevada 89148

24 Fran Fine, Esq.
25 8975 S. Pecos Rd., Ste. 5
26 Henderson, Nevada 89074
27
28

1 NEOJ
2 THE FINE & PRICE LAW GROUP
3 FRANCES-ANN FINE, ESQUIRE
4 Nevada Bar No. 0025
5 Suite 5
6 8975 South Pecos Road
7 Henderson, Nevada 89074
8 Telephone: 702/384-8900
9 Facsimile: 702/384-6900
10 Email: fran@finepricelaw.com
11 Former Attorney for Defendant
12 Kristi R. Fredianelli
13
14


CLERK OF THE COURT

DISTRICT COURT

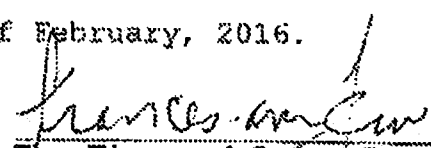
CLARK COUNTY, NEVADA

15 SEBASTIAN MARTINEZ,)	
16 Plaintiff,	)	CASE NO: D-07-373010-D
17	)	DEPT NO: H
18 vs.)	
19 KRISTI R. FREDIANELLI,	)	DATE OF HEARING: 2/4/2016
20 Defendant.	)	TIME OF HEARING: 1:30 p.m.
21)	

NOTICE OF ENTRY OF ORDER

22 TO: SEBASTIAN MARTINEZ, Plaintiff; and
23 TO: PATRICIA A. MARR, Esq. Attorney for Defendant;
24 YOU AND EACH OF YOU, WILL PLEASE TAKE NOTICE that an
25 ORDER GRANTING COUNSEL'S MOTION TO ADJUDICATE THE RIGHTS OF
26 COUNSEL, FOR ENFORCEMENT OF ATTORNEY'S LIEN AND FOR JUDGMENT OF
27 ATTORNEY'S FEES, a copy of which is attached hereto, was entered
28 and filed in the above-entitled matter on the 16th day of February,
2016.

DATED the 16 day of February, 2016.


The Fine and Price Law Group
FRANCES-ANN FINE, ESQUIRE
Nevada Bar No. 0025
Former Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing NOTICE OF ENTRY OF ORDER, was made on the 17th day of February, 2016, at Henderson, Nevada, by copy of same being delivered as indicated to the individuals listed below:

Sebastian Martinez
261 Lenape Heights
Las Vegas, Nevada 89148

X Via E-Filing
X Via U.S. Mail,
postage prepaid
Via Facsimile
Via Email

and

Patricia A. Marr, Esq.
2470 St. Rose Parkway Suite 106
Henderson, Nevada 89074
Attorney for Defenant



An Employee of The Fine & Price Law Group

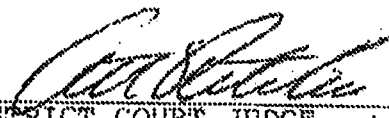
DISTRICT COURT
CLARK COUNTY, NEVADA

Defendant.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that judgment is entered in favor of The Fine & Price Law Group, and against Kristi Fredianelli, in the amount of Thirteen Thousand Seven Hundred One Dollars & 82/100 (\$13,701.82), together with interest thereon at the contractual rate of interest of 12%, compounded monthly, and all post judgment costs. Said amount is

1 hereby reduced to judgment and collectable by any and all lawful
2 means.

3 DATED this 11 day of February, 2016.

4
5
6 
DISTRICT COURT JUDGE *dkp*

T ART RITCHIE, JR.

7 Respectfully submitted by:
8 The Fine and Price Law Group

9 
FRANCES-ANN FINE Esq.

10 Nevada Bar No. 0025
11 8975 S. Pecos Rd. Ste 5
Henderson, Nevada 89074
(702) 384-8900