AMEN
CHRISTIAN M. MORRIS, ESQ.
Nevada Bar No. 11218
NETTLES LAW FIRM
1389 Galleria Drive, Suite 200
Henderson, Nevada 89014
Telephone: (702) 434-8282
Facsimile: (702) 434-1488
christian@nettleslawfirm.com
Attorney for Defendants, Ingrid Patin and Patin Law Group, PLLC

DISTRICT COURT

CLARK COUNTY, NEVADA

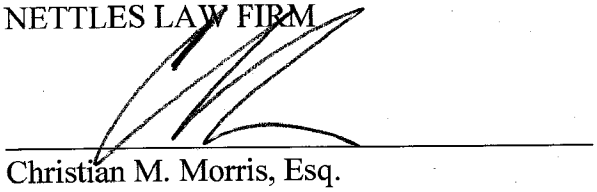
TON VINH LEE, an individual, Plaintiff, v. INGRID PATIN, an individual, and PATIN LAW GROUP, PLLC, a Nevada Professional LLC, Defendants.	CASE NO.: A-15-723134-C DEPT NO.: IX **AMENDED NOTICE OF APPEAL**

Defendants, Ingrid Patin, an individual, and Patin Law Group, PLLC, a Nevada Professional LLC, by and through their counsel of record, Christian M. Morris, Esq. of the Nettles Law Firm, hereby appeal to the Supreme Court of Nevada from the Order [Denying Defendants' Special Motion to Dismiss Pursuant to NRS 41.635-70], filed on February 4, 2016, and previously attached hereto as Exhibit A, and the Order [Denying Defendants' Renewed Special Motion to

dismiss Pursuant to Nevada Revised Statutes 41.635-70], filed on September 29, 2016, and attached hereto as **Exhibit B**.

Dated this 5th day of January, 2017.

NETTLES LAW FIRM



Christian M. Morris, Esq.
Nevada Bar No. 011218
1389 Galleria Drive, Suite 200
Henderson, NV 89014
Attorneys for Defendants, Ingrid Patin and Patin Law Group, PLLC

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Henderson, NV 89014

CERTIFICATE OF SERVICE

Pursuant to NEFCR 9, NRCP (b) and EDCR 7.26, I certify that on this 5 day of January, 2017, I served the foregoing **AMENDED NOTICE OF APPEAL** on the following parties by electronic transmission through the Wiznet system on.

Morris Polich & Purdy LLP	
Contact	**Email**
Cristina Robertson	crobertson@mpplaw.com
Jeremy J. Thompson, Esq.	jthompson@mpplaw.com
Nancy C. Rodriguez	nrodriguez@mpplaw.com
Paul E Larsen, Esq.	plarsen@mpplaw.com
Resnick & Louis	
Contact	**Email**
Coreene Drose	cdrose@rlattorneys.com
Lisa Bell	lbell@rlattorneys.com
Resnick & Louis, P.C.	
Contact	**Email**
Prescott Jones	pjones@rlattorneys.com

An Employee of Nettles Law Firm

CLERK OF THE COURT

CHRISTIAN M. MORRIS, ESQ.
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christian@nettleslawfirm.com
Attorney for Defendants, Ingrid Patin and Patin Law Group, PLLC

DISTRICT COURT

CLARK COUNTY, NEVADA

TON VINH LEE, an individual, Plaintiff, v. INGRID PATIN, an individual, and PATIN LAW GROUP, PLLC, a Nevada Professional LLC, Defendants.	CASE NO. A-15-723134-C DEPARTMENT NO. IX **AMENDED CASE APPEAL STATEMENT**

Defendants, Ingrid Patin, an individual, and Patin Law Group, PLLC, a Nevada Professional LLC, by and through their counsel of record, Christian M. Morris, Esq. of the Nettles Law Firm, hereby file this Amended Case Appeal Statement.

1. Name of appellant filing this Amended Case Appeal Statement: Defendants, Ingrid Patin, an individual, and Patin Law Group, PLLC, a Nevada Professional LLC

2. Identify the Judge issuing the decision, judgment, or order appealed from: Honorable Jennifer Togliatti

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

Appellants: Ingrid Patin, an individual

Patin Law Group, PLLC, a Nevada Professional LLC

...

Attorneys: Christian M. Morris, Esq.
Nettles Law Firm
1389 Galleria Drive, Suite 200
Henderson, NV 89014

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

Respondents: Ton Vinh Lee

Attorneys: Prescott T. Jones, Esq.
RESNICK & LOUIS, P.C.
5940 S. Rainbow Boulevard
Las Vegas, NV 89118

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

6. Indicated whether appellant was represented by appointed or retained counsel in the district court: Retained.

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

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

9. Indicate the date the proceedings commenced in the district court (e.g., date complaint indictment, information, or petition was filed): The complaint was filed on August 17, 2015.

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

This appeal is taken from a defamation per se action brought against Defendants by Plaintiff. Plaintiff alleges that Defendant posted a false and defamatory statement on their business website. The alleged false and defamatory statement relates to a jury verdict rendered

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in favor of Plaintiffs against Defendants Ton V. Lee, DDS, Prof. Corp. d/b/a Summerlin Smiles and Florida Traivai, DMD in the amount of $3,470,000 in Case No. A-12-656091-C. The Judgment on Jury Verdict awarded the total of $3,470,000, plus interest, and costs in the amount of $38,042.64 to Plaintiffs. The alleged false and defamatory statement lists the case name, *Singletary v. Ton Vinh Lee, DDS, et al.*, as well as a detailed description of the case: "A dental malpractice-based wrongful death action that arose out of the death of Decedent Reginald Singletary following the extraction of the No. 32 wisdom tooth by Defendants on or about April 16, 2011. Plaintiff sued the dental office, Summerlin Smiles, the owner, Ton Vinh Lee, DDS, and the treating dentists, Florida Traivai, DMD and Jai Park, DDS, on behalf of the Estate, herself and minor son."

Defendants appealed from the Order [Denying Defendants' Special Motion to Dismiss Pursuant to NRS 41.635-70], filed on February 4, 2016. Defendants now seek to appeal from the Order [Denying Defendants' Renewed Special Motion to Dismiss Pursuant to Nevada Revised Statues 41.635-70].

11. Indicate whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior proceeding: Ingrid Patin, et al. vs. Ton Vinh Lee, Supreme Court No. 69928 is currently pending in the Supreme Court of the State of Nevada.

12. Indicate whether this appeal involves child custody or visitation: N/A.

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

Dated this 28th day of October, 2016.

NETTLES LAW FIRM

/s/ Christian Morris

Christian M. Morris, Esq.
Nevada Bar No. 011218
1389 Galleria Drive, Suite 200
Henderson, NV 89014
Attorneys for Defendants, Ingrid Patin and Patin Law Group, PLLC

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CERTIFICATE OF SERVICE

Pursuant to NEFCR 9, NRCP (b) and EDCR 7.26, I certify that on this 28th day of October, 2016, I served the foregoing **AMENDED CASE APPEAL STATEMENT** on the following parties by electronic transmission through the Wiznet system on.

Morris Polich & Purdy LLP	
Contact	**Email**
Cristina Robertson	crobertson@mpplaw.com
Jeremy J. Thompson, Esq.	jthompson@mpplaw.com
Nancy C. Rodriguez	nrodriguez@mpplaw.com
Paul E Larsen, Esq.	plarsen@mpplaw.com

Nettles Law Firm	
Contact	**Email**
Christian M. Morris, Esq.	christianmorris@nettleslawfirm.com
Jenn Alexy	jenn@nettleslawfirm.com

Patin Law Group, PLLC	
Contact	**Email**
Ingrid Patin, Esq.	ingrid@patinlaw.com

Resnick & Louis	
Contact	**Email**
Coreene Drose	cdrose@rlattorneys.com
Lisa Bell	lbell@rlattorneys.com

Resnick & Louis, P.C.	
Contact	**Email**
Prescott Jones	pjones@rlattorneys.com

/s/ Katherine Gondra
An Employee of Nettles Law Firm

DEPARTMENT 9

CASE SUMMARY

CASE NO. A-15-723134-C

Ton Lee, Plaintiff(s)	§	Location:	**Department 9**
vs.	§	Judicial Officer:	**Togliatti, Jennifer**
Ingrid Patin, Defendant(s)	§	Filed on:	**08/17/2015**
	§	Cross-Reference Case Number:	**A723134**
	§	Supreme Court No.:	**69928**

CASE INFORMATION

Case Type: **Other Tort**

Case Flags: **Appealed to Supreme Court**

DATE — CASE ASSIGNMENT

Current Case Assignment

Case Number	A-15-723134-C
Court	Department 9
Date Assigned	08/17/2015
Judicial Officer	Togliatti, Jennifer

PARTY INFORMATION

		Lead Attorneys
Plaintiff	**Lee, Ton Vinh**	**Jones, Prescott T.** *Retained* 702-258-6665(W)
Defendant	**Patin Law Group PLLC**	**Morris, Christian** *Retained* 702-360-4949(W)
	Patin, Ingrid	**Larsen, Paul Edward** *Retained* 7023838888(W)
Cross Claimant	**Patin, Ingrid**	**Larsen, Paul Edward** *Retained* 7023838888(W)
Cross Defendant	**Patin Law Group PLLC**	**Morris, Christian** *Retained* 702-360-4949(W)

DATE — EVENTS & ORDERS OF THE COURT — INDEX

08/17/2015
Complaint
Filed By: Plaintiff Lee, Ton Vinh
Complaint

08/31/2015
Affidavit of Service
Filed By: Plaintiff Lee, Ton Vinh
Affidavit of Service

09/08/2015
Motion to Dismiss
Filed By: Plaintiff Lee, Ton Vinh
Defendants' Motion to Dismiss

09/23/2015
Affidavit of Service
Filed By: Plaintiff Lee, Ton Vinh

Affidavit of Service

09/25/2015 Opposition to Motion to Dismiss
Filed By: Plaintiff Lee, Ton Vinh
Plaintiff's Opposition To Defendants' Motion To Dismiss

10/06/2015 Initial Appearance Fee Disclosure
Filed By: Plaintiff Lee, Ton Vinh
Defendants' Initial Appearance Fee Disclosure

10/06/2015 Reply to Opposition
Filed by: Cross Claimant Patin, Ingrid
Defendants' Reply to Plaintiff's Opposition to Motion to Dismiss

10/14/2015 Supplement to Opposition
Filed By: Plaintiff Lee, Ton Vinh
Plaintiff's Supplement to Opposition to Defendants' Motion to Dismiss

10/14/2015 **Motion to Dismiss** (9:00 AM) (Judicial Officer: Togliatti, Jennifer)
Defendants' Motion to Dismiss

10/16/2015 Motion
Filed By: Plaintiff Lee, Ton Vinh
Special Motion to Dismiss Pursuant to Nevada Revised Statute 41.635-70 or in the Alternative Motion to Dismiss Pursuant to NRS 12(b)(5)

10/20/2015 Objection
Filed By: Plaintiff Lee, Ton Vinh
Plaintiff's Objection To Defendant's Request For Expedited Hearing On Special Motion To Dismiss

10/22/2015 Order Denying Motion
Filed By: Plaintiff Lee, Ton Vinh
Order Denying Defendants' Motion to Dismiss

10/23/2015 Notice of Entry of Order
Filed By: Plaintiff Lee, Ton Vinh
Notice Of Entry Of Order Denying Defendants' Motion To Dismiss

11/02/2015 Opposition to Motion
Filed By: Plaintiff Lee, Ton Vinh
Plaintiff's Opposition To Defendants' Special Motion To Dismiss Pursuant To NRS 41.635-70, Or In The Alternative Motion To Dismiss Pursuant To NRS 12(B)(5)

11/12/2015 Reply
Filed by: Cross Claimant Patin, Ingrid
Reply to Plaintiff's Opposition to Defendants' Special Motion to Dismiss Pursuant to Nevada Revised Statute 41.635-70, Or In The Alternative Motion to Dismiss Pursuant to NRS 12(b)(5)

11/16/2015 Motion to Strike
Filed By: Plaintiff Lee, Ton Vinh
Plaintiff's Motion To Strike Defendants' Reply In Support Of Special Motion To Dismiss; Or In The Alternative Plaintiff's Motion To Continue Hearing On Order Shortening Time

11/17/2015

	Reply to Opposition Filed by: Plaintiff Lee, Ton Vinh *Plaintiff's Sur-Reply in Opposition to Defendant's Special Motion to Dismiss*
11/18/2015	**Motion to Dismiss** (9:00 AM) (Judicial Officer: Togliatti, Jennifer) **11/18/2015, 12/02/2015** *Defendants' Special Motion to Dismiss Pursuant to Nevada Revised Statute 41.635-70 or in the Alternative Motion to Dismiss Pursuant to NRS 12(b)(5)*
11/18/2015	**Motion to Strike** (9:00 AM) (Judicial Officer: Togliatti, Jennifer) *Plaintiff's Motion To Strike Defendants' Reply In Support Of Special Motion To Dismiss; Or In The Alternative Plaintiff's Motion To Continue Hearing On Order Shortening Time*
11/18/2015	**All Pending Motions** (9:00 AM) (Judicial Officer: Togliatti, Jennifer)
11/25/2015	Supplemental Filed by: Plaintiff Lee, Ton Vinh *Supplement To Plaintiff's Sur-Reply In Opposition To Defendants' Special Motion To Dismiss*
12/09/2015	**Status Check** (3:00 AM) (Judicial Officer: Togliatti, Jennifer) *Decision*
01/13/2016	**Status Check** (3:00 AM) (Judicial Officer: Togliatti, Jennifer)
01/13/2016	*CANCELED* **Minute Order** (1:00 PM) (Judicial Officer: Barker, David) *Vacated - On in Error*
01/27/2016	Motion to Dismiss Filed By: Cross Claimant Patin, Ingrid *Defendants' Motion to Dismiss Pursuant to NRCP 12(b)(5)*
02/04/2016	Order Denying Filed By: Plaintiff Lee, Ton Vinh *Order Denying Defendants' Special Motion to Dismiss Pursuant to NRS 41.635-70, or in the Alternative, Motion to Dismuss Pursuant to NRCP 12(b)(5)*
02/04/2016	Notice of Entry of Order Filed By: Plaintiff Lee, Ton Vinh *Notice Of Entry Of Order Denying Defendants' Special Motion To Dismiss Pursuant To NRS 41.635-70, Or In The Alternative, Motion To Dismiss Pursuant To NRCP 12(B)(5)*
02/05/2016	Motion to Strike Filed By: Plaintiff Lee, Ton Vinh *Plaintiff's Motion To Strike Defendants' Third-Filed Motion To Dismiss Pursuant To NRCP 12 (B)(5) On Order Shortening Time*
02/09/2016	Opposition to Motion Filed By: Cross Claimant Patin, Ingrid *Defendants' Opposition to Plaintiff's Motion to Strike Defendants' Third-Filed Motion to Dismiss Pursuant to NRCP 12(b)(5) on Order Shortening Time*
02/09/2016	Reply in Support Filed By: Plaintiff Lee, Ton Vinh *Plaintiff's Reply in Support of Motion to Strike Defendants' Third-Filed Motion to Dismiss Pursuant to NRCP, 12(B)(5) on Order Shortening Time*

02/10/2016	**Motion to Strike** (9:30 AM) (Judicial Officer: Togliatti, Jennifer) **02/10/2016, 02/16/2016** *Plaintiff's Motion To Strike Defendants' Third-Filed Motion To Dismiss Pursuant To NRCP 12 (B)(5) On Order Shortening Time*
02/22/2016	Motion to Reconsider Filed By: Cross Claimant Patin, Ingrid *Defendants' Motion for Reconsideration*
02/23/2016	Amended Complaint Filed By: Plaintiff Lee, Ton Vinh *First Amended Complaint*
02/23/2016	Opposition to Motion to Dismiss Filed By: Plaintiff Lee, Ton Vinh *Plaintiff's Opposition To Defendants' Motion To Dismiss*
02/29/2016	Order Filed By: Plaintiff Lee, Ton Vinh *Order Denying Plaintiff's Motion to Strike Defendants' Third-Filed Motion to Dismiss Pursuant to NRCP 12(B)(5) on Order Shortening Time*
03/01/2016	Notice of Entry of Order Filed By: Cross Defendant Patin Law Group PLLC *Notice of Entry of Order*
03/02/2016	Reply to Opposition Filed by: Cross Claimant Patin, Ingrid *Defendant's Reply to Plaintiff's Opposition to Defendant's [sic] Motion to Dismiss Pursuant to NRCP 12(b)(5)*
03/04/2016	Notice of Appeal Filed By: Cross Claimant Patin, Ingrid *Notice of Appeal*
03/04/2016	Case Appeal Statement Filed By: Cross Claimant Patin, Ingrid *Case Appeal Statement*
03/09/2016	**Motion to Dismiss** (9:00 AM) (Judicial Officer: Togliatti, Jennifer) **03/09/2016, 03/16/2016** *Defendants' Motion to Dismiss Pursuant to NRCP 12(b)(5)*
03/11/2016	Opposition Filed By: Plaintiff Lee, Ton Vinh *Plaintiff's Opposition to Defendants' Motion for Reconsideration*
03/23/2016	Reply to Opposition Filed by: Cross Claimant Patin, Ingrid *Defendants' Reply to Plaintiff's Opposition to Defendant's Motion for Reconsideration*
03/30/2016	**Motion For Reconsideration** (3:00 AM) (Judicial Officer: Togliatti, Jennifer) *Defendants' Motion for Reconsideration*

04/11/2016	Order Filed By: Plaintiff Lee, Ton Vinh *Order Denying Defendants' Motion To Dismiss Pursuant To NRCP 12(B)(5)*
04/11/2016	Second Amended Complaint Filed By: Plaintiff Lee, Ton Vinh *Second Amended Complaint*
04/11/2016	Notice of Entry of Order Filed By: Plaintiff Lee, Ton Vinh *Notice of Entry of Order Denying Defendants' Motion to Dismiss Pursuant to NRCP 12 (B)(5)*
04/11/2016	**Order of Dismissal** (Judicial Officer: Togliatti, Jennifer) Debtors: Ingrid Patin (Defendant), Patin Law Group PLLC (Defendant) Creditors: Ton Vinh Lee (Plaintiff) Judgment: 04/11/2016, Docketed: 04/18/2016 Comment: Certain Claims
04/22/2016	Motion to Stay Filed By: Cross Claimant Patin, Ingrid *Motion for Stay Pending Appeal on Order Shortening Time*
05/02/2016	Motion Filed By: Cross Claimant Patin, Ingrid *Defendants' Motion for Enlargement of Time to Respond to Plaintiff's Second Amended Complaint on an Order Shortening Time*
05/03/2016	Opposition Filed By: Plaintiff Lee, Ton Vinh *Plaintiff's Opposition to Defendants' Motion for Stay Pending Appeal on Order Shortening Time*
05/04/2016	**Motion For Stay** (3:00 AM) (Judicial Officer: Togliatti, Jennifer) *Defendants' Motion for Stay Pending Appeal on Order Shortening Time*
05/09/2016	Opposition to Motion Filed By: Plaintiff Lee, Ton Vinh *Plaintiff's Opposition To Defendants' Motion For Enlargement Of Time To Respond To Plaintiff's Second Amended Complaint On An Order Shortening Time*
05/11/2016	**Motion** (3:00 AM) (Judicial Officer: Togliatti, Jennifer) *Defendants' Motion for Enlargement of Time to Respond to Plaintiff's Second Amended Complaint on an Order Shortening Time*
05/12/2016	Order Filed By: Cross Claimant Patin, Ingrid *Order Partially Granting and Partially Denying Defendant's Motion for Stay Pending Appeal*
05/16/2016	Notice of Entry of Order Filed By: Cross Claimant Patin, Ingrid *Notice of Entry of Order*
05/24/2016	Motion to Dismiss Filed By: Cross Claimant Patin, Ingrid

	Defendants' Renewed Special Motion to Dismiss Pursuant to Nevada Revised Statutes 41.635-70
06/13/2016	Opposition Filed By: Plaintiff Lee, Ton Vinh *Plaintiff's Opposition to Defendants' "Renewed" Special Motion to Dismiss Pursuant To NRS 41.635-70*
06/22/2016	Reply to Opposition Filed by: Cross Claimant Patin, Ingrid *Defendants' Reply to Plaintiff's Opposition to Renewed Special Motion to Dismiss Pursuant to Nevada Revised Statutes 41.635-70*
06/29/2016	**Motion to Dismiss** (9:00 AM) (Judicial Officer: Togliatti, Jennifer) **06/29/2016, 07/20/2016, 07/27/2016, 08/10/2016** *Defendants' Renewed Special Motion to Dismiss Pursuant to Nevada Revised Statutes 41.635-70*
09/07/2016	Substitution of Attorney Filed by: Plaintiff Lee, Ton Vinh *Substitution of Counsel*
09/29/2016	Notice of Entry Filed By: Plaintiff Lee, Ton Vinh *Notice of Entry of Order Denying Defendants' Renewed Special Motion to Dismiss Pursuant to Nevada Revised Statutes 41.635-70*
09/29/2016	Order Denying Motion Filed By: Plaintiff Lee, Ton Vinh *Order Denying Defendants' Renewed Special Motion to Dismiss Pursuant to Nevada Revised Statute 41.635-70*
10/06/2016	Substitution of Attorney Filed by: Cross Claimant Patin, Ingrid *Substitution of Counsel*
10/07/2016	Answer and Crossclaim Filed By: Cross Claimant Patin, Ingrid *Defendant, Ingrid Patin's Answer to Plaintiff's Second Complaint and Counterclaim against Patin Law Group, PLLC*
10/18/2016	Answer Filed By: Cross Defendant Patin Law Group PLLC *Defendant Patin Law Group, PLLC's Answer to Plaintiff's Second Amended Complaint And Defendant Ingrid Patin's Crossclaim*
10/28/2016	Amended Case Appeal Statement Party: Cross Claimant Patin, Ingrid *Amended Case Appeal Statement*
01/05/2017	Amended Notice of Appeal Party: Cross Claimant Patin, Ingrid *Amended Notice of Appeal*

DATE	FINANCIAL INFORMATION
	Cross Defendant Patin Law Group PLLC

Total Charges	30.00
Total Payments and Credits	30.00
Balance Due as of 1/9/2017	**0.00**
Cross Claimant Patin, Ingrid	
Total Charges	247.00
Total Payments and Credits	247.00
Balance Due as of 1/9/2017	**0.00**
Plaintiff Lee, Ton Vinh	
Total Charges	270.00
Total Payments and Credits	270.00
Balance Due as of 1/9/2017	**0.00**
Cross Claimant Patin, Ingrid	
Appeal Bond Balance as of 1/9/2017	**500.00**

DISTRICT COURT CIVIL COVER SHEET

A-15-723134-C

Clark County, Nevada

IX

Case No. _____
(Assigned by Clerk's Office)

I. Party Information *(provide both home and mailing addresses if different)*

Plaintiff(s) (name/address/phone):	Defendant(s) (name/address/phone):
Ton V. Lee, DDS	Ingrid Patin, individual; Patin Law Group, PLLC
9525 W. Russell Rd.	6671 S. Las Vegas, Blvd., Suite 210
Las Vegas, NV 89148	Las Vegas, NV 89119
(702) 579-7645	(702) 461-5241
Attorney (name/address/phone):	**Attorney (name/address/phone):**
Prescott T. Jones, Esq.--Bremer Whyte Brown & O'Meara, LLP	Patin Law Group, PLLC
1160 North Town Center Dr., Suite 250	6671 S. Las Vegas Blvd., Suite 210
Las Vegas, NV 89144	Las Vegas, NV 89119
(702) 258-6665	(702) 461-5241

II. Nature of Controversy *(please select the one most applicable filing type below)*

Civil Case Filing Types

Real Property	Torts	
Landlord/Tenant	**Negligence**	**Other Torts**
☐ Unlawful Detainer	☐ Auto	☐ Product Liability
☐ Other Landlord/Tenant	☐ Premises Liability	☐ Intentional Misconduct
Title to Property	☐ Other Negligence	☐ Employment Tort
☐ Judicial Foreclosure	**Malpractice**	☐ Insurance Tort
☐ Other Title to Property	☐ Medical/Dental	☒ Other Tort
Other Real Property	☐ Legal	
☐ Condemnation/Eminent Domain	☐ Accounting	
☐ Other Real Property	☐ Other Malpractice	

Probate	Construction Defect & Contract	Judicial Review/Appeal
Probate *(select case type and estate value)*	**Construction Defect**	**Judicial Review**
☐ Summary Administration	☐ Chapter 40	☐ Foreclosure Mediation Case
☐ General Administration	☐ Other Construction Defect	☐ Petition to Seal Records
☐ Special Administration	**Contract Case**	☐ Mental Competency
☐ Set Aside	☐ Uniform Commercial Code	**Nevada State Agency Appeal**
☐ Trust/Conservatorship	☐ Building and Construction	☐ Department of Motor Vehicle
☐ Other Probate	☐ Insurance Carrier	☐ Worker's Compensation
Estate Value	☐ Commercial Instrument	☐ Other Nevada State Agency
☐ Over $200,000	☐ Collection of Accounts	**Appeal Other**
☐ Between $100,000 and $200,000	☐ Employment Contract	☐ Appeal from Lower Court
☐ Under $100,000 or Unknown	☐ Other Contract	☐ Other Judicial Review/Appeal
☐ Under $2,500		

Civil Writ		Other Civil Filing
Civil Writ		**Other Civil Filing**
☐ Writ of Habeas Corpus	☐ Writ of Prohibition	☐ Compromise of Minor's Claim
☐ Writ of Mandamus	☐ Other Civil Writ	☐ Foreign Judgment
☐ Writ of Quo Warrant		☐ Other Civil Matters

Business Court filings should be filed using the Business Court civil coversheet.

August 17, 2015
Date

Signature of initiating party or representative

See other side for family-related case filings.

Electronically Filed
02/04/2016 11:25:50 AM

CLERK OF THE COURT

ORDR
PRESCOTT T. JONES, ESQ.
Nevada State Bar No. 11617
AUGUST B. HOTCHKIN, ESQ.
Nevada State Bar No. 12780
BREMER WHYTE BROWN & O'MEARA LLP
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pjones@bremerwhyte.com
ahotchkin@bremerwhyte.com

Attorneys for Plaintiff,
TON VINH LEE

DISTRICT COURT

CLARK COUNTY; NEVADA

TON VINH LEE, an individual, Plaintiff, vs. INGRID PATIN, an individual; and PATIN LAW GROUP, PLLC, a Nevada Professional LLC, Defendants.	Case No. A-15-723134 Dept. No.: IX **ORDER DENYING DEFENDANTS' SPECIAL MOTION TO DISMISS PURSUANT TO NRS 41.635-70, OR IN THE ALTERNATIVE, MOTION TO DISMISS PURSUANT TO NRCP 12(B)(5)**

Defendants INGRID PATIN and PATIN LAW GROUP, PLLC's (collectively "Defendants") Special Motion to Dismiss Pursuant to NRS 41.635-70, or in the Alternative, Motion to Dismiss Pursuant to NRCP 12(b)(5) came on for hearing before this Court on December 2, 2015. The Court, having read all of the pleadings and papers on file herein, and good cause appearing, therefore, it is hereby:

ORDERED, ADJUDGED AND DECREED that Defendants' Motion is timely filed pursuant to NRS 41.660.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the communication at issue (as detailed by the Plaintiff Ton Vinh Lee in his Opposition to this Motion) under the circumstances of the nature, content, and location of the communication is not a good faith

communication in furtherance of the right to petition or the right to free speech in direct connection with an issue of public concern. Specifically, NRS 41.637(3) does not apply because the communication does not reference an appeal, nor does there appear to be any connection to the communication and its timing to any purpose other than attorney advertising. NRS 41.637(4) does not apply because it appears there is no direct connection to a matter of public interest, and instead it appears to be for the purpose of attorney advertising. However, even if NRS 41.637(3) or (4) did apply to complained-of communication, this Court cannot find at this juncture that the Plaintiff hasn't put forth prima facie evidence demonstrating a probability of prevailing on this claim. This is particularly true because the truth or falsity of an allegedly defamatory statement is an issue for the jury to determine. Posadas v. City of Reno, 109 Nev. 448, 453 (1993). Further, because if found to be defamatory and the statement is such that would tend to injure the Plaintiff in his business or profession, then it will be deemed defamation per se and damages will be presumed. Nevada Ind. Broadcasting v. Allen, 99 Nev. 404, 409 (1983).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that as set forth herein, the Special Motion to Dismiss pursuant to Nevada's Anti-SLAPP law is DENIED.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all of Defendants' other arguments are not properly decided in a Motion to Dismiss and/or are without merit. Defendants' Alternative 12(b)(5) Motion to Dismiss is DENIED.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff's Countermotion for attorney's fees and costs is DENIED as this Court does not find the Special Motion to be frivolous or vexatious.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the misstatement of the evidentiary burden cannot be considered more than a harmless error on the part of counsel considering the facts here.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the parties have not in any Motion to Dismiss thus far distinguished between allegations of conduct of the individual Defendant versus the corporate Defendant, and therefore, any rulings herein and regarding the previous Motion to Dismiss do not address this issue.

BREMER WHYTE BROWN & O'MEARA LLP
1160 N. Town Center Drive
Suite 250
Las Vegas, NV 89144
(702) 258-6665

IT IS SO ORDERED.

DATED this 3rd day of January, 2018. February 8.

A723134
Order Denying Defendants' Special Motion to Dismiss Pursuant to NRS 41.635-70 Or, in the Alternative, Motion to Dismiss Pursuant

Jennifer P. Zeiser
DISTRICT COURT JUDGE

Respectfully submitted, to NRCP 12(b)(5)

BREMER WHYTE BROWN & O'MEARA LLP

By: _____ # 12780
Prescott T. Jones, Esq.
Nevada State Bar No. 11617
August B. Hotchkin, Esq.
Nevada State Bar No. 12780

Approved as to form and content,

NETTLES LAW GROUP

By: _____
Christian M. Morris, Esq.
Nevada State Bar No. 11218

BREMER WHYTE BROWN & O'MEARA LLP
1160 N. Town Center Drive
Suite 250
Las Vegas, NV 89144
(702) 258-6665

CERTIFICATE OF SERVICE

I hereby certify that on 4th day of February, 2016, the following document was electronically served to all registered parties for case number A723134 as follows:

Name	Email	Select
Christian M. Morris, Esq.	christianmorris@nettleslawfirm.com	✓
Kim Alverson	kim@nettleslawfirm.com	✓

Patin Law Group, PLLC

Name	Email	Select
Ingrid Patin, Esq.	ingrid@patinlaw.com	✓

Jo Peters, an employee of Bremer Whyte Brown & O'Meara

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pjones@bremerwhyte.com
ahotchkin@bremerwhyte.com

Attorneys for Plaintiff,
TON VINH LEE

DISTRICT COURT

CLARK COUNTY; NEVADA

TON VINH LEE, an individual, Plaintiff, vs. INGRID PATIN, an individual; and PATIN LAW GROUP, PLLC, a Nevada Professional LLC, Defendants.	Case No. A-15-723134 Dept. No.: IX **NOTICE OF ENTRY OF ORDER DENYING DEFENDANTS' SPECIAL MOTION TO DISMISS PURSUANT TO NRS 41.635-70, OR IN THE ALTERNATIVE, MOTION TO DISMISS PURSUANT TO NRCP 12(B)(5)**

PLEASE TAKE NOTICE that an **ORDER DENYING DEFENDANTS' SPECIAL MOTION TO DISMISS PURSUANT TO NRS 41.635-70, OR IN THE ALTERNATIVE, MOTION TO DISMISS PURSUANT TO NRCP 12(B)(5)** was entered on February 3, 2016. A copy of said ORDER is attached hereto.

Dated: February 4, 2016

BREMER WHYTE BROWN & O'MEARA LLP

By: _____
Prescott T. Jones, Esq., Bar No. 11617
August B. Hotchkin, Esq., Bar No. 12780
Attorneys for Plaintiff
TON VINH LEE

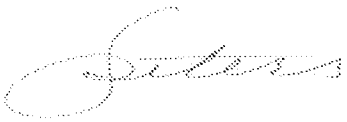
CERTIFICATE OF SERVICE

I hereby certify that on 4th day of February, 2016, a true and correct copy of the foregoing document was electronically served on Wiznet upon all parties on the master e-file and serve list.

Name	Email	Select
Christian M. Morris, Esq.	christianmorris@nettleslawfirm.com	☑
Kim Alverson	kim@nettleslawfirm.com	☑

Patin Law Group, PLLC

Name	Email	Select
Ingrid Patin, Esq.	ingrid@patinlaw.com	☑



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CLERK OF THE COURT

ORDR
PRESCOTT T. JONES, ESQ.
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pjones@bremerwhyte.com
ahotchkin@bremerwhyte.com

Attorneys for Plaintiff,
TON VINH LEE

DISTRICT COURT

CLARK COUNTY; NEVADA

TON VINH LEE, an individual, Plaintiff, vs. INGRID PATIN, an individual; and PATIN LAW GROUP, PLLC, a Nevada Professional LLC, Defendants.	Case No. A-15-723134 Dept. No.: IX **ORDER DENYING DEFENDANTS' SPECIAL MOTION TO DISMISS PURSUANT TO NRS 41.635-70, OR IN THE ALTERNATIVE, MOTION TO DISMISS PURSUANT TO NRCP 12(B)(5)**

Defendants INGRID PATIN and PATIN LAW GROUP, PLLC's (collectively "Defendants") Special Motion to Dismiss Pursuant to NRS 41.635-70, or in the Alternative, Motion to Dismiss Pursuant to NRCP 12(b)(5) came on for hearing before this Court on December 2, 2015. The Court, having read all of the pleadings and papers on file herein, and good cause appearing, therefore, it is hereby:

ORDERED, ADJUDGED AND DECREED that Defendants' Motion is timely filed pursuant to NRS 41.660.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the communication at issue (as detailed by the Plaintiff Ton Vinh Lee in his Opposition to this Motion) under the circumstances of the nature, content, and location of the communication is not a good faith

communication in furtherance of the right to petition or the right to free speech in direct connection with an issue of public concern. Specifically, NRS 41.637(3) does not apply because the communication does not reference an appeal, nor does there appear to be any connection to the communication and its timing to any purpose other than attorney advertising. NRS 41.637(4) does not apply because it appears there is no direct connection to a matter of public interest, and instead it appears to be for the purpose of attorney advertising. However, even if NRS 41.637(3) or (4) did apply to complained-of communication, this Court cannot find at this juncture that the Plaintiff hasn't put forth prima facie evidence demonstrating a probability of prevailing on this claim. This is particularly true because the truth or falsity of an allegedly defamatory statement is an issue for the jury to determine. Posadas v. City of Reno, 109 Nev. 448, 453 (1993). Further, because if found to be defamatory and the statement is such that would tend to injure the Plaintiff in his business or profession, then it will be deemed defamation per se and damages will be presumed. Nevada Ind. Broadcasting v. Allen, 99 Nev. 404, 409 (1983).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that as set forth herein, the Special Motion to Dismiss pursuant to Nevada's Anti-SLAPP law is DENIED.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all of Defendants' other arguments are not properly decided in a Motion to Dismiss and/or are without merit. Defendants' Alternative 12(b)(5) Motion to Dismiss is DENIED.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff's Countermotion for attorney's fees and costs is DENIED as this Court does not find the Special Motion to be frivolous or vexatious.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the misstatement of the evidentiary burden cannot be considered more than a harmless error on the part of counsel considering the facts here.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the parties have not in any Motion to Dismiss thus far distinguished between allegations of conduct of the individual Defendant versus the corporate Defendant, and therefore, any rulings herein and regarding the previous Motion to Dismiss do not address this issue.

BREMER WHYTE BROWN & O'MEARA LLP
6160 N. Town Center Drive
Suite 250
Las Vegas, NV 89145
(702) 258-6665

IT IS SO ORDERED.

DATED this 3rd day of January, 2018. February 8.

A723134
Order Denying Defendants' Special Motion to Dismiss Pursuant to NRS 41.660 or, in the Alternative, Motion to Dismiss Pursuant to NRCP 12(b)(5)

Jennifer P. Togliatti
DISTRICT COURT JUDGE

Respectfully submitted,

BREMER WHYTE BROWN & O'MEARA LLP

By: _____ # 12780
Prescott T. Jones, Esq.
Nevada State Bar No. 11617
August B. Hotchkin, Esq.
Nevada State Bar No. 12780

Approved as to form and content,

NETTLES LAW GROUP

By: _____
Christian M. Morris, Esq.
Nevada State Bar No. 11218

BREMER WHYTE BROWN & O'MEARA LLP
1160 N. Town Center Drive
Suite 250
Las Vegas, NV 89144
(702) 258-6665

CERTIFICATE OF SERVICE

I hereby certify that on 4th day of February, 2016, the following document was electronically served to all registered parties for case number A723134 as follows:

Name	Email	Select
Christian M. Morris, Esq.	christianmorris@nettleslawfirm.com	☑
Kim Alverson	kim@nettleslawfirm.com	☑

Patin Law Group, PLLC

Name	Email	Select
Ingrid Patin, Esq.	ingrid@patinlaw.com	☑

Jo Peters, an employee of Bremer Whyte Brown & O'Meara

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Las Vegas, NV 89144
(702) 258-6665

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CLERK OF THE COURT

ORDR
RESNICK & LOUIS, P.C.
PRESCOTT JONES
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pjones@rlattorneys.com
5940 S. Rainbow Blvd.
Las Vegas, Nevada 89118
Telephone: (702) 997-3800
Facsimile: (702) 997-3800
Attorneys for Plaintiff,
Ton Vinh Lee

DISTRICT COURT

CLARK COUNTY, NEVADA

TON VINH LEE, Plaintiff, v. INGRID PATIN, an individual, and PATIN LAW GROUP, PLLC, a Nevada Professional LLC, Defendants.	CASE NO.: A-15-723134-C DEPT: IX **ORDER DENYING DEFENDANTS' RENEWED SPECIAL MOTION TO DISMISS PURSUANT TO NEVADA REVISED STATUTES 41.635-70**

Defendants INGRID PATIN and PATIN LAW GROUP, PLLC's (collectively "Defendants") Renewed Special Motion to Dismiss Pursuant to NRS 41.635-70 came on for hearing before this Court on August 10, 2016. The Court, having read all of the pleadings and papers on file herein, and good cause appearing, therefore, it is hereby:

ORDERED, ADJUDGED AND DECREED that the communication at issue (as detailed by the Plaintiff Ton Vinh Lee in his Opposition to this Motion) under the circumstances of the nature, content, and location of the communication is not a good faith communication in furtherance of the right to petition or the right to free speech in direct connection with an issue of public concern. Specifically, NRS 41.637(3) does not apply because the communication does

not reference an appeal, nor does there appear to be any connection to the communication and its timing to any purpose other than attorney advertising. NRS 41.637(4) does not apply because it appears there is no direct connection to a matter of public interest, and instead it appears to be for the purpose of attorney advertising. However, even if NRS 41.637(3) or (4) did apply to complained-of communication, this Court cannot find at this juncture that the Plaintiff hasn't put forth prima facie evidence demonstrating a probability of prevailing on this claim. This is particularly true because the truth or falsity of an allegedly defamatory statement is an issue for the jury to determine. Posadas v. City of Reno, 109 Nev. 448, 453 (1993). Further, because if found to be defamatory and the statement is such that would tend to injure the Plaintiff in his business or profession, then it will be deemed defamation per se and damages will be presumed. Nevada Ind. Broadcasting v. Allen, 99 Nev. 404, 409 (1983).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that as set forth herein, the Renewed Special Motion to Dismiss pursuant to Nevada's Anti-SLAPP law is DENIED as it relates to the Second Amended Complaint.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the stay of discovery previously imposed by this Court, pursuant to NRS 41.660(3)(e)(2), remains in effect until the appeal addressing the Special Motion to Dismiss is decided.

IT IS SO ORDERED.

DATED this 28th day of September, 2016.

DISTRICT COURT JUDGE

Respectfully submitted,
RESNICK & LOUIS, P.C.

By: _____
Prescott T. Jones, Esq.
Nevada State Bar No. 11617

Approved as to form and content,

NETTLES LAW GROUP

By: _____
Christian M. Morris, Esq.
Nevada State Bar No. 11218

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that service of the foregoing **ORDER DENYING DEFENDANTS' RENEWED SPECIAL MOTION TO DISMISS PURSUANT TO NEVADA REVISED STATUTE 41.635-70** was served this 29th day of September, 2016, by:

[ ] **BY U.S. MAIL**: by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Las Vegas, Nevada, addressed as set forth below.

[ ] **BY FACSIMILE**: by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m. pursuant to EDCR Rule 7.26(a). A printed transmission record is attached to the file copy of this document.

[ ] **BY PERSONAL SERVICE**: by causing personal delivery by an employee of Resnick & Louis, P.C. of the document(s) listed above to the person(s) at the address(es) set forth below.

[X] **BY ELECTRONIC SERVICE**: by transmitting via the Court's electronic filing services the document(s) listed above to the Counsel set forth on the service list on this date pursuant to EDCR Rule 7.26(c)(4).

An Employee of Resnick & Louis, P.C.

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CLERK OF THE COURT

NEO
RESNICK & LOUIS, P.C.
PRESCOTT JONES
Nevada Bar No. 11617
pjones@rlattorneys.com
5940 S. Rainbow Blvd.
Las Vegas, Nevada 89118
Telephone: (702) 997-3800
Facsimile: (702) 997-3800
Attorneys for Plaintiff,
Ton Vinh Lee

DISTRICT COURT

CLARK COUNTY, NEVADA

TON VINH LEE, Plaintiff, v. INGRID PATIN, an individual, and PATIN LAW GROUP, PLLC, a Nevada Professional LLC, Defendants.	CASE NO.: A-15-723134-C DEPT: IX **NOTICE OF ENTRY OF ORDER DENYING DEFENDANTS' RENEWED SPECIAL MOTION TO DISMISS PURSUANT TO NEVADA REVISED STATUTES 41.635-70**

PLESE TAKE NOTICE that the Order Denying Defendants' Renewed Special Motion to Dismiss Pursuant to Nevada Revised Statutes 41.635-70 was entered on September 29, 2016. A copy of the document is attached.

DATED this 29th day of September, 2016.

RESNICK & LOUIS, P.C.

/s/ Prescott T. Jones
PRESCOTT JONES
Nevada Bar No. 11617
5940 S. Rainbow Blvd.
Las Vegas, NV 89118
pjones@rlattorneys.com
Telephone: (702) 997-3800
Facsimile: (702) 997-3800
Attorneys for Plaintiff,
Ton Vinh Lee

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that service of the foregoing **NOTICE OF ENTRY OF ORDER DENYING DEFENDANTS' RENEWED SPECIAL MOTION TO DISMISS PURSUANT TO NEVADA REVISED STATUTES 41.635-70** was served this 29th day of September, 2016, by:

[ ] **BY U.S. MAIL**: by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Las Vegas, Nevada, addressed as set forth below.

[ ] **BY FACSIMILE**: by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m. pursuant to EDCR Rule 7.26(a). A printed transmission record is attached to the file copy of this document.

[ ] **BY PERSONAL SERVICE**: by causing personal delivery by an employee of Resnick & Louis, P.C. of the document(s) listed above to the person(s) at the address(es) set forth below.

[X] **BY ELECTRONIC SERVICE**: by transmitting via the Court's electronic filing services the document(s) listed above to the Counsel set forth on the service list on this date pursuant to EDCR Rule 7.26(c)(4).

An Employee of Resnick & Louis, P.C.

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CLERK OF THE COURT

ORDR
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Las Vegas, Nevada 89118
Telephone: (702) 997-3800
Facsimile: (702) 997-3800
Attorneys for Plaintiff,
Ton Vinh Lee

DISTRICT COURT

CLARK COUNTY, NEVADA

TON VINH LEE, Plaintiff, v. INGRID PATIN, an individual, and PATIN LAW GROUP, PLLC, a Nevada Professional LLC, Defendants.	CASE NO.: A-15-723134-C DEPT: IX **ORDER DENYING DEFENDANTS' RENEWED SPECIAL MOTION TO DISMISS PURSUANT TO NEVADA REVISED STATUTES 41.635-70**

Defendants INGRID PATIN and PATIN LAW GROUP, PLLC's (collectively "Defendants") Renewed Special Motion to Dismiss Pursuant to NRS 41.635-70 came on for hearing before this Court on August 10, 2016. The Court, having read all of the pleadings and papers on file herein, and good cause appearing, therefore, it is hereby:

ORDERED, ADJUDGED AND DECREED that the communication at issue (as detailed by the Plaintiff Ton Vinh Lee in his Opposition to this Motion) under the circumstances of the nature, content, and location of the communication is not a good faith communication in furtherance of the right to petition or the right to free speech in direct connection with an issue of public concern. Specifically, NRS 41.637(3) does not apply because the communication does

not reference an appeal, nor does there appear to be any connection to the communication and its timing to any purpose other than attorney advertising. NRS 41.637(4) does not apply because it appears there is no direct connection to a matter of public interest, and instead it appears to be for the purpose of attorney advertising. However, even if NRS 41.637(3) or (4) did apply to complained-of communication, this Court cannot find at this juncture that the Plaintiff hasn't put forth prima facie evidence demonstrating a probability of prevailing on this claim. This is particularly true because the truth or falsity of an allegedly defamatory statement is an issue for the jury to determine. Posadas v. City of Reno, 109 Nev. 448, 453 (1993). Further, because if found to be defamatory and the statement is such that would tend to injure the Plaintiff in his business or profession, then it will be deemed defamation per se and damages will be presumed. Nevada Ind. Broadcasting v. Allen, 99 Nev. 404, 409 (1983).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that as set forth herein, the Renewed Special Motion to Dismiss pursuant to Nevada's Anti-SLAPP law is DENIED as it relates to the Second Amended Complaint.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the stay of discovery previously imposed by this Court, pursuant to NRS 41.660(3)(e)(2), remains in effect until the appeal addressing the Special Motion to Dismiss is decided.

IT IS SO ORDERED.

DATED this 28th day of September, 2016.

DISTRICT COURT JUDGE

Respectfully submitted,
RESNICK & LOUIS, P.C.

By: _____
Prescott T. Jones, Esq.
Nevada State Bar No. 11617

Approved as to form and content,

NETTLES LAW GROUP

By: _____
Christian M. Morris, Esq.
Nevada State Bar No. 11218

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Tort	**COURT MINUTES**	**October 14, 2015**

A-15-723134-C Ton Lee, Plaintiff(s)
vs.
Ingrid Patin, Defendant(s)

October 14, 2015 **9:00 AM** **Motion to Dismiss**

HEARD BY: Togliatti, Jennifer **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES PRESENT:

Jones, Prescott T.	Attorney
Morris, Christian	Attorney

JOURNAL ENTRIES

- Court made a record of all documents reviewed. Ms. Morris advised an anti-slap law may also be applicable and noted the bar complaint has been dealt with. Court advised it does not think professional conduct is relevant and the motion is really a Motion for Summary Judgment. Court reviewed the statement made and noted the verdict was against a dba, which is not a legal entity. Court requested information as to who owns the dba corporation. Ms. Morris advised she can get the information from the Secretary of State, noting that she believes Summerlin Smiles is owned by Ton V. Lee. Colloquy regarding the owner. Mr. Jones argued there is no verdict against his client as it was vacated by the Judge, although it is on appeal. Court made a record of Exhibit B and the 12 page order it has reviewed. Colloquy regarding the documenting statement. Mr. Jones objected to the statement of facts since they did not have an opportunity to respond. COURT ORDERED, motion DENIED WITHOUT PREJUDICE, noting any further motions must be re-filed. Further, Court noted if the Motion is treated as a Motion for Summary Judgment the motion is denied 56F. Mr. Jones to prepare the order and submit to opposing counsel prior to final submission to the Court.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Tort **COURT MINUTES** **November 18, 2015**

A-15-723134-C Ton Lee, Plaintiff(s)
vs.
Ingrid Patin, Defendant(s)

November 18, 2015 **9:00 AM** **All Pending Motions**

HEARD BY: Togliatti, Jennifer **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES PRESENT:

Jones, Prescott T.	Attorney
Morris, Christian	Attorney
Patin, Ingrid	Defendant

JOURNAL ENTRIES

- DEFENDANTS' SPECIAL MOTION TO DISMISS PURSUANT TO NEVADA REVISED STATUTE 41.635-70 OR IN THE ALTERNATIVE MOTION TO DISMISS PURSUANT TO NRS 12(B)(5) ... PLAINTIFF'S MOTION TO STRIKE DEFENDANTS' REPLY IN SUPPORT OF SPECIAL MOTION TO DISMISS; OR IN THE ALTERNATIVE PLAINTIFF'S MOTION TO CONTINUE HEARING ON ORDER SHORTENING TIME

Mr. Jones argued the Plaintiff's Motion is untimely and argued for the reply to be stricken, noting there are arguments made for the first time in the brief. Ms. Morris argued there are no new facts in the brief. COURT ORDERED, Plaintiff Motion to Strike Defendant's Reply in Support of Special Motion to Dismiss DENIED; Motion to Continued GRANTED to allow a sur-reply to be filed.

12/02/15 9:00 AM DEFENDANTS' SPECIAL MOTION TO DISMISS PURSUANT TO NEVADA REVISED STATUTE 41.635-70 OR IN THE ALTERNATIVE MOTION TO DISMISS PURSUANT TO NRS 12(B)(5)

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Tort	**COURT MINUTES**	**December 02, 2015**

A-15-723134-C Ton Lee, Plaintiff(s)
vs.
Ingrid Patin, Defendant(s)

December 02, 2015 **9:00 AM** **Motion to Dismiss**

HEARD BY: Togliatti, Jennifer **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES PRESENT:

Hotchkin, August B., ESQ	Attorney
Jones, Prescott T.	Attorney
Morris, Christian	Attorney
Patin, Ingrid	Defendant

JOURNAL ENTRIES

- Also present: Edward Wynder, Esq. on behalf of Defendant.

Ms. Morris argued in support of the motion, noting that the statement is accurate. Further, Ms. Morris argued that it is free speech and an issue for public concern. Ms. Morris advised the Plaintiff must prove a false and defamatory statement and they cannot prove damages. With respect to the Motion to Dismiss, Ms. Morris argued that Ton V. Lee DDS is the owner of Summerlin Smiles and the statement in the advertisement is factually correct. Mr. Jones argued there is no verdict for the Plaintiff. Upon Court's inquiry, Mr. Jones advised the Plaintiff filed a counter appeal for fees and costs only, not for any verdict unless the Nevada Supreme Court reverses the Judge's ruling. Mr. Jones further argued against the motion noting the statement is defamatory and that the verdict as vacated. Further argument by counsel. COURT ORDERED, matter UNDER ADVISEMENT and matter SET for status check, noting a minute order will issue.

12/09/15 (CHAMBERS) STATUS CHECK: DECISION

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Tort	**COURT MINUTES**	**December 09, 2015**

A-15-723134-C Ton Lee, Plaintiff(s)
vs.
Ingrid Patin, Defendant(s)

December 09, 2015 **3:00 AM** **Status Check**

HEARD BY: Togliatti, Jennifer **COURTROOM:**

COURT CLERK: Athena Trujillo

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- COURT ORDERED, matter CONTINUED.

CONTINUED TO: 1/13/16 (CHAMBERS)

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Tort **COURT MINUTES** **January 13, 2016**

A-15-723134-C Ton Lee, Plaintiff(s)
vs.
Ingrid Patin, Defendant(s)

January 13, 2016 **3:00 AM** **Status Check**

HEARD BY: Togliatti, Jennifer **COURTROOM:**

COURT CLERK: Phyllis Irby

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- This Court having considered the Defendants Special Motion to Dismiss Pursuant to NRS 41.635-70, or in the Alternative Motion to Dismiss Pursuant to NRS 12(b)(5), all related pleadings, and oral arguments of counsel, first FINDS Defendants Motion is timely filed pursuant to NRS 41.660. Next, this Court FINDS the communication at issue (as detailed by the Plaintiff in his Opposition to this Motion) under the circumstances of the nature, content, and location of the communication is not a good faith communication in furtherance of the right to petition or the right to free speech in direct connection with an issue of public concern. Specifically, NRS 41.637(3) doesn t apply because the communication does not reference an appeal, nor does there appear to be any connection to the communication and its timing to any purpose other than attorney advertising. NRS 41.637(4) does not apply because it appears there is no direct connection to a matter of public interest, and instead it appears to be for the purpose of attorney advertising.

However, even if NRS 41. 637(3) or (4) did apply to complained of communication, this Court cannot find at this juncture that the Plaintiff hasn t put forth prima facie evidence demonstrating a probability of prevailing on this claim. This is particularly true because the truth or falsity of an allegedly defamatory statement is an issue for the jury to determine. Posadas v. City of Reno, 109 Nev. 448, 453 (1993). Further, because if found to be defamatory and the statement is such that would tend to injure the Plaintiff in his business or profession, then it will be deemed defamation per se and

damages will be presumed. Nevada Ind. Broadcasting v. Allen, 99 Nev. 404, 409 (1983). Therefore, for the reasons stated herein Court ORDERS Special Motion to Dismiss pursuant to Nevada s anti-SLAPP laws DENIED.

Next, this Court FINDS all of Defendants other arguments are not properly decided in a Motion to Dismiss and/or are without merit and ORDERS Defendants Alternative 12(b)(5) Motion to Dismiss DENIED. Further, this Court DENIES Plaintiff s Countermotion for attorney s fees and costs as this Court does not find the special motion to be frivolous or vexatious. Further, the misstatement of the evidentiary burden cannot be considered more than a harmless error on the part of counsel considering the facts here.

Finally, this Court notes that the parties have not in any Motion to Dismiss thus far distinguished between allegations of conduct of the individual Defendant versus the corporate Defendant, and therefore, this Court notes that any rulings herein and regarding the previous Motion to Dismiss do not address that issue. Counsel for the Plaintiff is to prepare the proposed order tracking the language of this minute order and allow for Defendants counsel s signature as to form and content.

CLERK'S NOTE: A copy of this Minute Order shall be placed in the Attorney folders for the following:
Prescott T. Jones, Esq., August B. Hotchkin, Esq., and Bremer Whyte Brown & O'Meara LLP./pi

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Tort	**COURT MINUTES**	**February 10, 2016**

A-15-723134-C Ton Lee, Plaintiff(s)
vs.
Ingrid Patin, Defendant(s)

February 10, 2016 **9:30 AM** **Motion to Strike**

HEARD BY: Togliatti, Jennifer **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES PRESENT:

Jones, Prescott T.	Attorney
Morris, Christian	Attorney
Patin, Ingrid	Defendant

JOURNAL ENTRIES

- Court made a record of all documents reviewed. Mr. Jones argued in support of the motion, noting a subsequent 12(b) motion cannot be filed after the first 12(b) motion was filed. Further, Mr. Jones moved to strike the Motion to Dismiss and requested the answer be filed. Ms. Morris argued the motion was filed for a failure to state a claim against the Defendant individually and there is not a claim against the LLC. Upon Court's inquiry, Ms. Morris advised the LLC has not answered yet as time has not run out yet. Further argument by counsel. COURT ORDERED, matter CONTINUED for decision, noting a minute order will issue.

CONTINUED TO: 2/17/16 (CHAMBERS)

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Tort	**COURT MINUTES**	**February 16, 2016**

A-15-723134-C Ton Lee, Plaintiff(s)
vs.
Ingrid Patin, Defendant(s)

February 16, 2016 **3:00 AM** **Motion to Strike**

HEARD BY: Togliatti, Jennifer **COURTROOM:**

COURT CLERK: Athena Trujillo

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- This Court, having considered the motion to Strike Defendants Third-Filed Motion to Dismiss Pursuant to NRCP 12(b)(5), the Opposition to the Motion, Reply in Support of Motion, and oral arguments of counsel ORDERS the Motion to Strike DENIED. Further, this Court ORDERS the Defendants Countermotion for Attorney s Fees and Costs DENIED, as the Court does not find that the Motion was filed for the purposes of harassment. Counsel for Defendants is directed to prepare the proposed order for the Court s signature.

CLERK'S NOTE: A copy of this minute order has been e-mailed to Prescott Jones, Esq. and Christian Morris, Esq.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Tort	**COURT MINUTES**	**March 09, 2016**

A-15-723134-C Ton Lee, Plaintiff(s)
vs.
Ingrid Patin, Defendant(s)

March 09, 2016 **9:00 AM** **Motion to Dismiss**

HEARD BY: Togliatti, Jennifer **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES PRESENT:

Jones, Prescott T.	Attorney
Morris, Christian	Attorney
Patin, Ingrid	Defendant

JOURNAL ENTRIES

- Argument by Ms. Morris, noting the First Amended Complaint is a rogue document and cannot be addressed. Mr. Jones argued they are allowed to amend the complaint. Further arguments by counsel in support of their respective positions. Court noted Mr. Jones has advised he will only focus on the alleged tortuous acts. COURT Sua Sponte ORDERED Mr. Jones to file a Second Amended Complaint to remove the allegations of alter ego and noted that no discovery into the corporate assets, bank accounts, or anything solely related to alter ego will be allowed. Further, Court noted any language as to personal gain is to be STRICKEN. COURT ORDERED, Motion CONTINUED to the Court's Chamber Calendar for decision.

CONTINUED TO: 3/16/16 (CHAMBERS)

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Tort	**COURT MINUTES**	**March 16, 2016**

A-15-723134-C Ton Lee, Plaintiff(s)
vs.
Ingrid Patin, Defendant(s)

March 16, 2016 **3:00 AM** **Motion to Dismiss**

HEARD BY: Togliatti, Jennifer **COURTROOM:**

COURT CLERK: Athena Trujillo

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- This Court having considered the Defendant s Motion to Dismiss Pursuant to NRCP 12(b)(5), and the arguments of counsel FINDS that because Defendants have not yet answered there is a properly filed Amended Complaint on file without leave of the Court which alleges that the individual Defendant Patin directed the alleged statement be published on the firm website. In light of the allegations in the Amended Complaint which this Court must accept as true, the Court ORDERS the Motion to Dismiss DENIED. This Court GRANTS the Motion to Dismiss as to the alter ego claim as Plaintiff s allegations on information and belief amount to a fishing expedition and potentially could result in abusive and harassing litigation tactics. Counsel for the Plaintiff is to prepare an order consistent with these minutes and the minutes for the hearing date on March 9, 2016.

CLERK S NOTE: A copy of this minute order has been e-mailed to Prescott Jones, Esq. and Christian Morris, Esq. -amt 3/21/16

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Tort	**COURT MINUTES**	**March 30, 2016**

A-15-723134-C Ton Lee, Plaintiff(s)
vs.
Ingrid Patin, Defendant(s)

March 30, 2016 **3:00 AM** **Motion For Reconsideration**

HEARD BY: Togliatti, Jennifer **COURTROOM:**

COURT CLERK: Athena Trujillo

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- This Court, having considered the Defendants Motion for Reconsideration, all related pleadings and the record first FINDS that this matter is properly heard on the Court s chamber calendar without oral argument pursuant to EDCR 2.23. This Court previously found that the matter was not ripe for 12(b)(5) dismissal. Defendant s Motion for Reconsideration arguing that this Court s decision is erroneous does not persuade this Court the previous Motion should have been granted. The allegations in the First Amended Complaint filed 2/23/16, or the previously filed Complaint, if taken as true as this Court must do pursuant to the case law on Motions to Dismiss, could state a claim for which relief may be granted. All facts cited by Defendant, whether supported by affidavit, deposition or judicial notice of facts found in another case, require this Court to look outside of the Plaintiff s Complaint. Defendant refers to Exhibits including Exhibits A,B,C, D, H, I, J, K, L, M in support of reconsideration to address facts outside of the Plaintiff s Complaint, which is why this Court ruled that the issues raised by Defendant are not proper for a Motion to Dismiss or not properly considered in a Motion to Dismiss because the Defendants wish this Court to look outside of Plaintiff s Complaint and dismiss the case based upon facts presented or argued in the Motion to Dismiss. This Court again disagrees with the Defendants position that the Court should review or consider evidence outside, or contradicting, the Complaint and dismiss. Court ORDERS Motion for Reconsideration of Court s Denial of Defendant s Alternative 12(b)(5) Motion to Dismiss DENIED.

CLERK S NOTE: A copy of this minute order has been e-mailed to Prescott Jones, Esq. and Christian Morris, Esq. -amt 4/6/16

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Tort	**COURT MINUTES**	**May 04, 2016**

A-15-723134-C Ton Lee, Plaintiff(s)
vs.
Ingrid Patin, Defendant(s)

May 04, 2016 **3:00 AM** **Motion For Stay**

HEARD BY: Togliatti, Jennifer **COURTROOM:**

COURT CLERK: Athena Trujillo

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- This Court, having considered the Defendant's Motion for Stay and Plaintiff's Opposition GRANTS IN PART and DENIES IN PART Defendant's Motion. NRS 41.660 provides for the mandatory stay of discovery pending disposition of the appeal and therefore the Defendant's Motion to Stay is GRANTED as to discovery. When considering the factors for a stay of the entire litigation, in this Court's view none favor Defendants. First, the object of the appeal will no be defeated. Next, there is no irreparable injury because litigation expenses do not constitute irreparable harm. Here, if the Supreme Court agrees with Defendant's they would recover reasonable costs and attorney's fees from Plaintiff based upon NRS 41.670. Additionally, Plaintiff would face the possibility of up to $10,000.00 in sanctions against Plaintiff, therefore, any financial impact on Defendant's would be rectified if Defendants are successful on appeal. Therefore, the Motion to Stay the Litigation in it's entirety is DENIED IN PART and only discovery is stayed.

CLERK'S NOTE: A copy of this minute order has been e-mailed to Prescott Jones, Esq. and Christian Morris, Esq. -amt 5/4/16

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Tort	**COURT MINUTES**	**May 11, 2016**

A-15-723134-C Ton Lee, Plaintiff(s)
vs.
Ingrid Patin, Defendant(s)

May 11, 2016 **3:00 AM** **Motion**

HEARD BY: Togliatti, Jennifer **COURTROOM:**

COURT CLERK: Athena Trujillo

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- This Court, having reviewed the pleadings, notes, the partial stay, and not withstanding Plaintiff's Opposition, there is nominal prejudice to the Plaintiff when considering the statutorily mandated stay of discovery. COURT ORDERS, Motion for Enlargement of Time GRANTED.

CLERK'S NOTE: A copy of this minute order has been e-mailed to Prescott Jones, Esq. and Christian Morris, Esq. -amt 5/11/16

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Tort	**COURT MINUTES**	**June 29, 2016**

A-15-723134-C Ton Lee, Plaintiff(s)
vs.
Ingrid Patin, Defendant(s)

June 29, 2016 **9:00 AM** **Motion to Dismiss**

HEARD BY: Bixler, James **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES PRESENT:

Carlston, Jon J	Attorney
Patin, Ingrid	Defendant

JOURNAL ENTRIES

- Court advised it was notified that Defense counsel would be requesting a continuance. Colloquy regarding continuance date. COURT ORDERED, matter CONTINUED.

CONTINUED TO: 7/20/16 9:00 AM

CLERK'S NOTE: A copy of this minute order has been e-mailed to Christian Morris, Esq. and Prescott Jones, Esq. -amt 6/29/16

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Tort | **COURT MINUTES** | **July 20, 2016**

A-15-723134-C Ton Lee, Plaintiff(s)
vs.
Ingrid Patin, Defendant(s)

July 20, 2016 **9:00 AM** **Motion to Dismiss**

HEARD BY: Togliatti, Jennifer **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Phyllis Irby

RECORDER: Yvette G. Sison

REPORTER:

PARTIES PRESENT:

Jones, Prescott T.	Attorney
Morris, Christian	Attorney

JOURNAL ENTRIES

- Mr. Morris informed the Court they now have a new Complaint. COURT ORDERED, it will issue a minute order next week on the Chambers calendar.

7-27-16 CHAMBERS CALENDAR (DEPT. IX)

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Tort	**COURT MINUTES**	**July 27, 2016**

A-15-723134-C Ton Lee, Plaintiff(s)
vs.
Ingrid Patin, Defendant(s)

July 27, 2016 **3:00 AM** **Motion to Dismiss**

HEARD BY: Togliatti, Jennifer **COURTROOM:**

COURT CLERK: Athena Trujillo

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Court ORDERS counsel to appear August 10, 2016 at the 9:00 a.m. hearing calendar to further address the Court regarding Defendant s Renewed Special Motion to Dismiss Pursuant to Nevada Revised Statutes 41.635-70 and therefore ORDERS the Defendant s Motion continued to be heard on that date.

CONTINUED TO: 8/10/16 9:00 AM

CLERK'S NOTE: A copy of this Minute Order was placed in the attorney folder of:
Prescott James, Esq. & Christian Morris, Esq. -se8/4/16

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Tort **COURT MINUTES** **August 10, 2016**

A-15-723134-C Ton Lee, Plaintiff(s)
vs.
Ingrid Patin, Defendant(s)

August 10, 2016 **9:00 AM** **Motion to Dismiss**

HEARD BY: Togliatti, Jennifer **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Phyllis Irby

RECORDER: Yvette G. Sison

REPORTER:

PARTIES PRESENT:
Jones, Prescott T. Attorney
Wynder, Edward J. Attorney

JOURNAL ENTRIES

- The Court noted it is aware of a case that counsel needs to do research on Jacobs vs. Sands A627691. There are Orders in that case that was filed on 11/16/15 with a footnote by Judge Gonzalez where she references decisions being applicable to a subsequent Amended Complaint. The Court believes it was done in this case because the Supreme Court and this very issue that Pltf's counsel would suggest is an abusive litigation is exactly what happened in the Jacob vs. Sands case that Judge Gonzales makes reference to in her footnote.
COURT ORDERED, MOTION DENIED as it relates to the Amended Complaint. The previous STAY of the Discovery in the case is in force and effect as it relates to the Amended Complaint. Mr. Jones to prepare an Order consistent with the previous Order.

Certification of Copy

State of Nevada
County of Clark } **SS:**

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

AMENDED NOTICE OF APPEAL; AMENDED CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER DENYING DEFENDANTS' SPECIAL MOTION TO DISMISS PURSUANT TO NRS 41.635-70, OR IN THE ALTERNATIVE, MOTION TO DISMISS PURSUANT TO NRCP 12(B)(5); NOTICE OF ENTRY OF ORDER DENYING DEFENDANTS' SPECIAL MOTION TO DISMISS PURSUANT TO NRS 41.635-70, OR IN THE ALTERNATIVE, MOTION TO DISMISS PURSUANT TO NRCP 12(B)(5); ORDER DENYING DEFENDANTS' RENEWED SPECIAL MOTION TO DISMISS PURSUANT TO NEVADA REVISED STATUTES 41.635-70; NOTICE OF ENTRY OF ORDER DENYING DEFENDANTS' RENEWED SPECIAL MOTION TO DISMISS PURSUANT TO NEVADA REVISED STATUTES 41.635-70; DISTRICT COURT MINUTES

TON VINH LEE,

Plaintiff(s),

vs.

INGRID PATIN; PATIN LAW GROUP, PLLC,

Defendant(s),

Case No: A-15-723134-C

Dept No: IX

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto Set my hand and Affixed the seal of the Court at my office, Las Vegas, Nevada This 9 day of January 2017.

Steven D. Grierson, Clerk of the Court

Heather Ungermann, Deputy Clerk