

DEPARTMENT CODE LIST

TIME : 09-14-2015 09:28

NO. DEPARTMENT

IT COUNTER

	COLOR			
	COPY	PRINT	TOTAL	LIMIT
LL	0	0	0	
SE	0	0	0	
	0	0	0	0

	TWIN/MONO COLOR		
	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
LL	0	0	0	0	0	
SE	0	0	0	0	0	
	0	0	0	0	0	0

COMMUNICATION

SCAN COUNTER

				FULL COLOR		TWIN/MONO COLOR		BLACK		
TRANSMIT		RECEPTION		COPY	NETWORK	COPY		COPY	FAX	NETWORK
LL	0	0	SMALL	0	0	0		0	0	0
SE	0	0	LARGE	0	0	0		0	0	0
		0	0	0	0	0		0	0	0

NO. DEPARTMENT

12 Bryan, Mary/Hairr

4.00

IT COUNTER

	COLOR			
	COPY	PRINT	TOTAL	LIMIT
LL	0	20	20	
SE	0	0	0	
	0	20	20	0

	TWIN/MONO COLOR		
	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
LL	0	0	0	0	0	
SE	0	0	0	0	0	
	0	0	0	0	0	0

COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK			
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK		
0	0	SMALL	0	0	0	0	0	0	0
0	0	LARGE	0	0	0	0	0	0	0
0	0		0	0	0	0	0	0	0

DEPARTMENT CODE LIST

TIME : 12-07-2015 11:38

NO. DEPARTMENT

42 Bryan, Mary/Hairr - \$210.40

PRINT COUNTER

ALL COLOR

	COPY	PRINT	TOTAL	LIMIT
ALL	0	27	27	
GE	0	0	0	
	0	27	27	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

CK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
LL	237	0	788	0	1025	
BE	0	0	0	0	0	
	237	0	788	0	1025	0

COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK		
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK	
0	0	SMALL	0	0	0	118	0	0
0	0	LARGE	0	0	0	0	0	0
0	0		0	0	0	118	0	0

NO. DEPARTMENT

COUNTER

OLOR

	COPY	PRINT	TOTAL	LIMIT
	0	0	0	
	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
	0	0	0	0	0	
	0	0	0	0	0	
	0	0	0	0	0	0

UNIFICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK		
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK	
0	0	SMALL	0	0	0	0	0	0
0	0	LARGE	0	0	0	0	0	0
0	0		0	0	0	0	0	0

 RK
 0
 0
 0

DEPARTMENT CODE LIST

TIME : 02-04-2016 11:59

T NO. DEPARTMENT

42 Bryan, Mary/Hairr \$190.60

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	33	33	
LARGE	0	0	0	
	0	33	33	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	82	0	838	0	920	
LARGE	0	0	0	0	0	
	82	0	838	0	920	0

FAX COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK			
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK		
SMALL	0	0	0	0	42	0	0		
LARGE	0	0	0	0	0	0	0		
	0	0	0	0	42	0	0		

DEPT NO. DEPARTMENT

D 43 [REDACTED]

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	0	0	
LARGE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	0	0	0	0	0	
LARGE	0	0	0	0	0	
	0	0	0	0	0	0

FAX COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK			
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK		
SMALL	0	0	0	0	0	0	0		
LARGE	0	0	0	0	0	0	0		
	0	0	0	0	0	0	0		

DEPARTMENT CODE LIST

TIME : 03-03-2016 17:53

NO. DEPARTMENT

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	39	39	
LARGE	0	0	0	
	0	39	39	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	0	0	0	0	0	
LARGE	0	0	0	0	0	
	0	0	0	0	0	0

FAX COMMUNICATION

SCAN COUNTER

	TRANSMIT	RECEPTION	FULL COLOR		TWIN/MONO COLOR		BLACK		FAX	NETWORK
			COPY	NETWORK	COPY	COPY	COPY			
SMALL	0	0	SMALL	0	0	0	0	0	0	0
LARGE	0	0	LARGE	0	0	0	0	0	0	0
	0	0		0	0	0	0	0	0	0

PT NO. DEPARTMENT

42 Bryan, Mary/Hairr

\$67.40

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	13	13	
LARGE	0	0	0	
	0	13	13	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	21	0	303	0	324	
LARGE	0	0	0	0	0	
	21	0	303	0	324	0

FAX COMMUNICATION

SCAN COUNTER

	TRANSMIT	RECEPTION	FULL COLOR		TWIN/MONO COLOR		BLACK		FAX	NETWORK
			COPY	NETWORK	COPY	COPY	COPY			
SMALL	0	0	SMALL	0	0	0	21	0	0	0
LARGE	0	0	LARGE	0	0	0	0	0	0	0
	0	0		0	0	0	21	0	0	0

DEPARTMENT CODE LIST

TIME : 04-03-2017 11:00

NO. DEPARTMENT

40

INT COUNTER

LL COLOR

	COPY	PRINT	TOTAL	LIMIT
ALL	0	0	0	
RGE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

ACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
ALL	0	0	0	0	0	
RGE	0	0	0	0	0	
	0	0	0	0	0	0

X COMMUNICATION

SCAN COUNTER

	TRANSMIT	RECEPTION		FULL COLOR		TWIN/MONO COLOR		BLACK	FAX	NETWORK	
				COPY	NETWORK	COPY	COPY				
ALL	0	0	SMALL	0	0	0	0	0	0	0	0
RGE	0	0	LARGE	0	0	0	0	0	0	0	0
	0	0		0	0	0	0	0	0	0	0

PT NO. DEPARTMENT

42 Bryan, Mary/Hairr

- 823.60

INT COUNTER

LL COLOR

	COPY	PRINT	TOTAL	LIMIT
ALL	0	0	0	
RGE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

ACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
ALL	0	0	118	0	118	
RGE	0	0	0	0	0	
	0	0	118	0	118	0

X COMMUNICATION

SCAN COUNTER

	TRANSMIT	RECEPTION		FULL COLOR		TWIN/MONO COLOR		BLACK	FAX	NETWORK	
				COPY	NETWORK	COPY	COPY				
ALL	0	0	SMALL	0	0	0	0	0	0	0	0
RGE	0	0	LARGE	0	0	0	0	0	0	0	0
	0	0		0	0	0	0	0	0	0	0

DEPARTMENT CODE LIST

TIME : 06-08-2017 10:33

DEPARTMENT

PRINT COUNTER

ALL COLOR

	COPY	PRINT	TOTAL	LIMIT
ALL	0	0	0	
RGE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

CHECK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
ALL	0	0	0	0	0	
GE	0	0	0	0	0	
	0	0	0	0	0	0

COMMUNICATION

SCAN COUNTER

FULL COLOR

TWIN/MONO COLOR

BLACK

	TRANSMIT	RECEPTION	SMALL	COPY	NETWORK	COPY	COPY	FAX	NETWORK
LL	0	0	SMALL	0	0	0	0	0	0
GE	0	0	LARGE	0	0	0	0	0	0
	0	0		0	0	0	0	0	0

NO. DEPARTMENT

2 Bryan, Mary/Halrr

- 44-40

PRINT COUNTER

ALL COLOR

	COPY	PRINT	TOTAL	LIMIT
L	0	141	141	
E	0	0	0	
	0	141	141	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
	0	0	81	0	81	
	0	0	0	0	0	
	0	0	81	0	81	0

COMMUNICATION

SCAN COUNTER

FULL COLOR

TWIN/MONO COLOR

BLACK

	TRANSMIT	RECEPTION	SMALL	COPY	NETWORK	COPY	COPY	FAX	NETWORK
	0	0	SMALL	0	0	0	0	0	0
	0	0	LARGE	0	0	0	0	0	0
	0	0		0	0	0	0	0	0

DEPARTMENT CODE LIST

TIME : 09-01-2016 14:18

NO. DEPARTMENT

66

NT COUNTER

L COLOR

	COPY	PRINT	TOTAL	LIMIT
LL	0	0	0	
GE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

CK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
LL	0	0	0	0	0	
GE	0	0	0	0	0	
	0	0	0	0	0	0

COMMUNICATION

SCAN COUNTER

	TRANSMIT	RECEPTION		FULL COLOR		TWIN/MONO COLOR		BLACK	FAX	NETWORK	
				COPY	NETWORK	COPY	COPY	COPY			
LL	0	0	SMALL	0	0	0	0	0	0	0	0
GE	0	0	LARGE	0	0	0	0	0	0	0	0
	0	0		0	0	0	0	0	0	0	0

* NO. DEPARTMENT

12 Bryan, Mary/Hairr

4640

IT COUNTER

L COLOR

	COPY	PRINT	TOTAL	LIMIT
LL	0	0	0	
GE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

K

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
LL	0	0	32	0	32	
GE	0	0	0	0	0	
	0	0	32	0	32	0

COMMUNICATION

SCAN COUNTER

	TRANSMIT	RECEPTION		FULL COLOR		TWIN/MONO COLOR		BLACK	FAX	NETWORK	
				COPY	NETWORK	COPY	COPY	COPY			
LL	0	0	SMALL	0	0	0	0	0	0	0	0
GE	0	0	LARGE	0	0	0	0	0	0	0	0
	0	0		0	0	0	0	0	0	0	0

DEPARTMENT CODE LIST

TIME : 10-31-2016 11:04

DEPT NO. DEPARTMENT

1 42 Bryan, Mary/Hairr - \$51.80

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	47	47	
LARGE	0	0	0	
	0	47	47	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	55	0	157	0	212	
LARGE	0	0	0	0	0	
	55	0	157	0	212	0

FAX COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK		
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK	
SMALL	0	0	5	0	55	0	8	
LARGE	0	0	0	0	0	0	0	
	0	0	5	0	55	0	8	

DEPT NO. DEPARTMENT

1 44 [REDACTED]

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	59	59	
LARGE	0	0	0	
	0	59	59	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	16	0	105	0	121	
LARGE	0	0	0	0	0	
	16	0	105	0	121	0

FAX COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK		
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK	
SMALL	0	0	0	0	16	0	16	
LARGE	0	0	0	0	0	0	0	
	0	0	0	0	16	0	16	

DEPARTMENT CODE LIST

TIME : 01-04-2017 16:18

T NO. DEPARTMENT

37

INT COUNTER

LL COLOR

	COPY	PRINT	TOTAL	LIMIT
ALL	0	0	0	
RGE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

ACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
ALL	0	0	0	0	0	
RGE	0	0	0	0	0	
	0	0	0	0	0	0

X COMMUNICATION

SCAN COUNTER

	TRANSMIT	RECEPTION		FULL COLOR		TWIN/MONO COLOR		BLACK	
				COPY	NETWORK	COPY	COPY	FAX	NETWORK
ALL	0	0	SMALL	0	0	0	0	0	0
RGE	0	0	LARGE	0	0	0	0	0	0
	0	0		0	0	0	0	0	0

EPT NO. DEPARTMENT

42 Bryan, Mary/Hairr

*8/82.80

PRINT COUNTER

ULL COLOR

	COPY	PRINT	TOTAL	LIMIT
ALL	0	20	20	
RGE	0	0	0	
	0	20	20	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	31	0	863	0	894	
RGE	0	0	0	0	0	
	31	0	863	0	894	0

FAX COMMUNICATION

SCAN COUNTER

	TRANSMIT	RECEPTION		FULL COLOR		TWIN/MONO COLOR		BLACK	
				COPY	NETWORK	COPY	COPY	FAX	NETWORK
SMALL	0	0	SMALL	0	2	0	31	0	49
LARGE	0	0	LARGE	0	0	0	0	0	0
	0	0		0	2	0	31	0	49



November 16, 2015 12:51 Page: 1
Receipt #: 0741219978
MasterCard #: XXXXXXXXXXXX8461
2015/11/16 12:36

Qty	Description	Amount
150	ES B&W S/S White 8.5 x11	18.00
SubTotal		18.00
Taxes		1.46
Total		19.46

The Cardholder agrees to pay the Issuer of the charge card in accordance with the agreement between the Issuer and the Cardholder.

FedEx Office Print & Ship Centers

395 Hughes Ctr Dr.
Las Vegas, NV 89109
(702) 951-2400
www.FedExOffice.com

Tell us how we're doing and receive
20% off your next \$35 print order
fedex.com/welisten or 1-800-398-0242
Offer Code: _____ Offer expires 12/31/2015

Please Recycle This Receipt

Bryan/Hairr -
 exhibits to Allen's
 Declaration regarding the
 "Motion To Disqualify"



Shipment Receipt

Address Information

Ship to:

Allen Lichtenstein

3315 Russell Road, No. 222

LAS VEGAS, NV

89120

US

(702) 433-2666

Ship from:

John Houston Scott

Scott Law Firm

1388 Sutter Street, Suite 715

San Francisco, CA

94109

US

4155619601

Shipment Information:

Tracking no.: 775904967664

Ship date: 03/17/2016

Estimated shipping charges: 32.49

Package Information

Pricing option: FedEx Standard Rate

Service type: Priority Overnight

Package type: FedEx Envelope

Number of packages: 1

Total weight: 0.80 LBS

Declared Value: 0.00 USD

Special Services: Residential Delivery

Pickup/Drop-off: Drop off package at FedEx location

Billing Information:

Bill transportation to: MyAccount-722

Your reference: Bryan/Hairr

P.O. no.:

Invoice no.:

Department no.:

Thank you for shipping online with FedEx ShipManager at fedex.com.

Please Note

FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for claims of extraordinary value is \$1000, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits. Consult the applicable FedEx Service Guide for details.

The estimated shipping charge may be different than the actual charges for your shipment. Differences may occur based on actual weight, dimensions, and other factors. Consult the applicable FedEx Service Guide or the FedEx Rate Sheets for details on how shipping charges are calculated.

EXHIBIT 3



FedEx Billing Online

Tracking ID Details

Back

Tracking ID Summary

Help Hide

Billing Information

Tracking ID no. [< Prev](#) 777679212411 [Next >](#)

Invoice no. 4-484-43304

Account no. 2579-5472-2

Bill date 11/09/2016

Total Billed \$115.11

Tracking ID Balance due \$0.00

Status Paid CC

Messages

FedEx has audited this shipment for correct packaging. [Read More...](#)

Distance Based Pricing, Zone 4

Fuel Surcharge - FedEx has applied a fuel surcharge. [Read More...](#)

The package weight exceeds the maximum for the package. [Read More...](#)

[View Invoice History](#)

[View signature proof of delivery](#)

Transaction Details

Help Hide

Sender Information

John Houston Scott
Scott Law Firm
1388 Sutter Street, Suite 715
SAN FRANCISCO CA 94109
US

Recipient Information

Allen Lichanstein
3315 Russell Road, No. 222
LAS VEGAS NV 89120
US

Shipment Details

Ship date 11/09/2016

Payment type Shipper

Service type FedEx Priority Overnight

Zone 04

Package type Customer Packaging

Weight 18.00 lbs

Pieces 1

Meter No. 1443206

Declared value \$0.00

Charges

Transportation Charge	125.09
Fuel Surcharge	2.53
Weekday Delivery	0.00
Automation Bonus Discount	-12.51
Total charges	\$115.11

Original Reference

Customer reference no. BryanHavr

Department no.

Reference #2

Reference #3

Proof of Delivery

Delivery date 11/10/2016 05:48

Service area code A1

Signed by M.MARIUZ

[View signature proof of delivery](#)

Back

Office DEPOT OfficeMax

OFFICE DEPOT STORE #2715
5915 S. EASTERN AVE
LAS VEGAS NV 89119
(702) 736-1427

11/09/2016 16 8.2 5.25 PM
STR 2715 REG 1 TRN 796 EMP 745904

SALE

Product ID	Description	Total
998112	INDEX, READY, 1	
6 @ 5.79		28.95
You Pay		28.9555
Subtotal		28.95
Sales Tax		2.36
Total		31.31
MasterCard 8461:		31.31

AUTH CODE 76832P

IDS Chip Read

AID A0000000041010 MasterCard

TVR 0800008000

CVS No Signature Required

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

ALLEN LICHTENSTEIN ATTORNEY n 332610198

Please create your online rewards
account at officedepot.com/rewards
You must complete your account to
claim your rewards and view your
status.

Shop online at www.officedepot.com

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

WE WANT TO HEAR FROM YOU!

Participate in our online customer
survey and receive a coupon for
\$10 off your next qualifying
purchase of \$50 or more on
office supplies. officedepot.com/survey

FedEx Office

Actual FedEx Office location
for pickup and delivery

11/09/2016 5:33:06 PM EST
Store Manager: Lester H.
Customer: Allen Lichtenstein

11/09/2016 5:33:06 PM EST

Store Manager: Lester H.
Customer: Allen Lichtenstein

ITEMS

Design Paper/Sheet	25.0	* 25.00
100/700 Reg. Price	0.25	
Returned Item		

Sub Total	(0.25)
Tax	(0.00)
Deposit	(0.00)

Total	(0.76)
-------	--------

MasterCard (0)	(0.76)
----------------	--------

Account: 8461

Auth: SysAuth000000

Total Tender	(0.76)
--------------	--------

Change Due



* 1 3 0 1 0 0 3 3 4 0 5 4

FedEx Office

FedEx Office is your destination
for all FedEx and shipping

5915 S. Eastern Ave
Las Vegas, NV 89119
Tel: (702) 736-1402

11/09/2016 4:45:06 PM EST
Store Manager: Lester H.

SALE

Design Paper/Sheet	25.0	* 25.00
100/700 Reg. Price	0.25	
Returned Item		
100/700 Reg. Price	0.25	

Regular Total	21.20
Discounts	(0.00)

Total	21.20
-------	-------

Sub Total	21.20
Tax	(0.75)
Deposit	(0.00)

Total	27.93
-------	-------

MasterCard (0)	27.93
----------------	-------

Account: 8461

Auth: 8905000000

Total Tender	27.93
--------------	-------

Change Due

Total Discounts	(0.00)
-----------------	--------

FedEx Office

FedEx Office is your destination
for printing and shipping.

5775 S Eastern Ave
Las Vegas, NV 89119
Tel: (702) 735-4402

FedEx Office

FedEx Office is your destination
for printing and shipping.

2/16/2017 4:52:05 PM PST
Team Member: Michael S.
Customer: Tasha Lichtenstein

5775 S Eastern Ave
Las Vegas, NV 89119
Tel: (702) 735-4402

SALE

A Day 2 A-14-700018- Qty 1 28.57
Bx 18 on 24# wt 220 8 0.1300 F
000330 Reg. Price 0.14
Coil Mixed Covers 1 8 4.8500 F
000607 Reg. Price 4.99
Price per piece 28.57
Regular Total 28.23
Discounts 1.66

B Day 2 A-14-700018- Qty 1 25.79
Bx 18 on 24# wt 220 8 0.1300 F
000330 Reg. Price 0.14
Coil Mixed Covers 1 8 4.8500 F
000607 Reg. Price 4.99
Price per piece 25.79
Regular Total 27.35
Discounts 1.60

C Day 2 A-14-700018- Qty 1 33.58
Bx 18 on 24# wt 220 8 0.1300 F
000330 Reg. Price 0.14
Coil Mixed Covers 1 8 4.8500 F
000607 Reg. Price 4.99
Price per piece 33.58
Regular Total 35.15
Discounts 1.57

Sub-Total 92.95
Tax 2.84
Deposit 0.00
Total 95.79

3/28/2016 2:37:15 PM PST
Team Member: Michael S.

SALE

Auto Scan-To-PDF 71 8 0.4900 F
002862 Reg. Price 0.89
Regular Total 63.19
Discounts 28.40
Total 34.79

Sub-Total 34.79
Tax 2.84
Deposit 0.00
Total 37.63
MasterCard (S) 37.63
Amount 346*
Auth 37602 (A)
Total Tender 37.63
Change Due 0.00

001903

FedEx Office

Bryan & Aaron
discovery

FedEx Office is your destination
for printing and shipping.

5775 S Eastern Ave
Las Vegas, NV 89119
tel: (702) 735-4402

10/23/2015

1:55:53 PM PST

Team Member: Lester M.

SALE

CD Burn - Add'l	1 @	9.9900
003025 Reg. Price	9.99	
Regular Total	9.99	
Discounts	0.00	
Total	9.99	

Sub-total	9.99
Tax	0.81
Deposit	0.00

Total 10.80

MasterCard (S)
Account: 8461
Auth: 91125P (A)

Total Tender	10.80
Change Due	0.00

FedEx Office

Bryan & Aaron

FedEx Office is your destination
for printing and shipping.

5775 S Eastern Ave
Las Vegas, NV 89119
tel: (702) 735-4402

10/16/2015

1:57:17 PM PST

Team Member: Dustin D
Customer: Laura Lichtenstein

SALE

Quick Order	Qty 1	31.64
WW 15 on 24X WHL	20 @	0.14
000330 Reg. Price	0.14	
CDL Mixed Covers	1 @	4.0000
000807 Reg. Price	4.00	
Price per piece	31.64	
Regular Total	31.60	
Discounts	0.00	

Sub-total	31.64
Tax	2.56
Deposit	0.00

Total 34.22

MasterCard (S)
Account: 8461
Auth: 83000P (A)

Total Tender	34.22
Change Due	0.00

FedEx Office

Bryan & Aaron

FedEx Office is your destination
for printing and shipping.

5775 S Eastern Ave
Las Vegas, NV 89119
tel: (702) 735-4402

10/17/2015

1:57:52 PM PST

Team Member: Michael S.

SALE

WW 15 on 24X WHL	20 @	0.14
000330 Reg. Price	0.14	
Regular Total	2.80	
Discounts	0.00	
Total	2.80	

Sub-total	2.80
Tax	3.19
Deposit	0.00

Total 42.39

MasterCard (S)
Account: 8461
Auth: 00000P (A)

Total Tender	42.39
Change Due	0.00

EXHIBIT 4

STATEMENT

Depo International
703 South Eighth Street
Las Vegas, NV 89101
Phone: 702-386-9322 Fax: 702-386-9825

Account No.	Date
F2961	1/8/2016

Current	30 Days	60 Days
\$0.00	\$5,950.96	\$0.00
90 Days	120 Days & Over	Total Due
\$0.00	\$0.00	\$5,950.96

Accounts Payable
Allen Lichtenstein, Attorney at Law, Ltd.
No. 222
3315 Russel Road
Las Vegas, NV 89120

Page 1 of 1

Invoice Date	Invoice No.	Balance	Job Date	Witness	Case Name
11/10/2015	23223	1,534.68	11/2/2015	Warren McKay	Mary Bryan, et al. vs. Clark County School District, et al.
11/11/2015	23263	1,590.00	11/3/2015	Cheryl Winn	Mary Bryan, et al. vs. Clark County School District, et al.
11/12/2015	23293	877.98	11/2/2015	Warren McKay	Mary Bryan, et al. vs. Clark County School District, et al.
11/18/2015	23417	928.73	11/3/2015	Cheryl Winn	Mary Bryan, et al. vs. Clark County School District, et al.
11/30/2015	23637	603.42	11/16/2015	Deanna Wright	Mary Bryan, et al. vs. Clark County School District, et al.
11/30/2015	23662	416.15	11/16/2015	Deanna Wright	Mary Bryan, et al. vs. Clark County School District, et al.

Tax ID: 45-0581340

Phone: (702) 433-2666 Fax: (702) 433-9591

Please detach bottom portion and return with payment.

Accounts Payable
Allen Lichtenstein, Attorney at Law, Ltd.
No. 222
3315 Russel Road
Las Vegas, NV 89120

Account No. : F2961
Date : 1/8/2016

Total Due : \$ 5,950.96

Remit To: **Depo International**
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD



Cardholder's Name:	
Card Number:	
Exp. Date:	Phone#:
Billing Address:	
Zip:	Card Security Code:
Amount to Charge:	
Cardholder's Signature:	

001906

INVOICE



Depo International
703 South Eighth Street
Las Vegas, NV 89101
Ph: 800.591.9722 Fax: 702.386.9825

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Invoice No.	Invoice Date	Job No.
30047	11/9/2016	19639
Job Date	Case No.	
11/16/2015	A-14-700018-C	
Case Name		
Mary Bryan, et al. vs. Clark County School District, et al.		
Payment Terms		
Due upon receipt (1.5%/mo & collection)		

ORIGINAL TRANSCRIPT

Deanna Wright

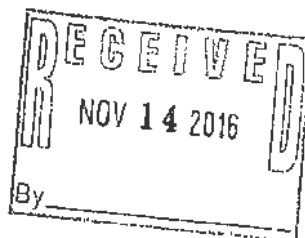
51.00

TOTAL DUE >>>

\$51.00

If you have any questions, you may contact our billing department:
Billing@depointernational.com

Thank you for your business!



Tax ID: 45-0581340

Phone: (415) 561-9601 Fax: (415) 561-9609

Please detach bottom portion and return with payment.

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Job No. : 19639 BU ID : 2-DI LV
Case No. : A-14-700018-C
Case Name : Mary Bryan, et al. vs. Clark County School District, et al.
Invoice No. : 30047 Invoice Date : 11/9/2016
Total Due : \$ 51.00

Remit To: Depo International
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD



Cardholder's Name:

Card Number:

Exp. Date:

Phone#:

Billing Address:

Zip:

Card Security Code:

Amount to Charge:

Cardholder's Signature:

Email:



Depo International
703 South Eighth Street
Las Vegas, NV 89101
Ph: 800.591.9722 Fax: 702.386.9825

INVOICE

Invoice No.	Invoice Date	Job No.
30046	11/9/2016	19282
Job Date	Case No.	
11/2/2015	A-14-700018-C	
Case Name		
Mary Bryan, et al. vs. Clark County School District, et al.		
Payment		
Due upon receipt (1.5%/mo & collection)		

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

ORIGINAL TRANSCRIPT

Warren McKay

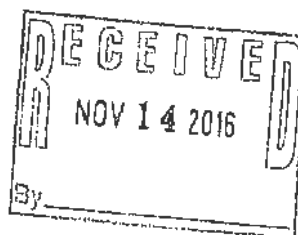
137.00

TOTAL DUE >>>

\$137.00

If you have any questions, you may contact our billing department:
Billing@depointernational.com

Thank you for your business!



Tax ID: 45-0581340

Phone: (415) 561-9601 Fax: (415) 561-9609

Please detach bottom portion and return with payment.

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Job No. : 19282 BU ID : 2-DI LV
Case No. : A-14-700018-C
Case Name : Mary Bryan, et al. vs. Clark County School District, et al.
Invoice No. : 30046 Invoice Date : 11/9/2016
Total Due : \$ 137.00

Remit To: **Depo International**
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD



Cardholder's Name:

Card Number:

Exp. Date:

Phone#:

Billing Address:

Zip:

Card Security Code:

Amount to Charge:

Cardholder's Signature:

Email:

INVOICE



Depo International
703 South Eighth Street
Las Vegas, NV 89101
Ph: 800.591.9722 Fax: 702.386.9825

Invoice No.	Invoice Date	Job No.
30044	11/9/2016	19283
Job Data	Case No.	
11/3/2015	A-14-700018-C	
Case Name		
Mary Bryan, et al. vs. Clark County School District, et al.		
Payment Terms		
Due upon receipt (1.5%/mo & collection)		

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

ORIGINAL TRANSCRIPT

Cheryl Winn

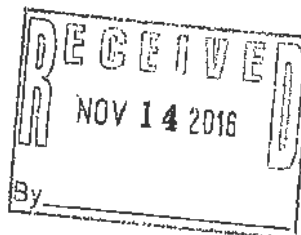
151.00

TOTAL DUE >>>

\$151.00

If you have any questions, you may contact our billing department:
Billing@depointernational.com

Thank you for your business!



Tax ID: 45-0581340

Phone: (415) 561-9601 Fax: (415) 561-9609

Please detach bottom portion and return with payment.

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Job No. : 19283 BU ID : 2-DI LV
Case No. : A-14-700018-C
Case Name : Mary Bryan, et al. vs. Clark County School District, et al.
Invoice No. : 30044 Invoice Date : 11/9/2016
Total Due : \$ 151.00

Remit To: **Depo International**
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD



Cardholder's Name:

Card Number:

Exp. Date:

Phone#:

Billing Address:

Zip:

Card Security Code:

Amount to Charge:

Cardholder's Signature:

Email:

INVOICE

Depo International
703 South Eighth Street
Las Vegas, NV 89101
Ph: 800.591.9722 Fax: 702.386.9825

Invoice No.	Invoice Date	Job No.
30045	11/9/2016	20057
Job Date	Case No.	
1/26/2016	A-14-700018-C	
Case Name		
Mary Bryan, et al. vs. Clark County School District, et al.		
Payment Terms		
Due upon receipt (1.5%/mo & collection)		

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

ORIGINAL TRANSCRIPT

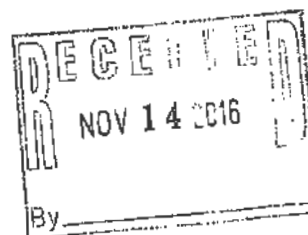
Robert Beasley

46.00

TOTAL DUE >>>**\$46.00**

If you have any questions, you may contact our billing department:
Billing@depointernational.com

Thank you for your business!



Tax ID: 45-0581340

Phone: (415) 561-9601 Fax: (415) 561-9609

Please detach bottom portion and return with payment.

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Job No. : 20057 BU ID : 2-DI LV
Case No. : A-14-700018-C
Case Name : Mary Bryan, et al. vs. Clark County School District, et al.
Invoice No. : 30045 Invoice Date : 11/9/2016
Total Due : \$ 46.00

Remit To: Depo International
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD

Cardholder's Name:

Card Number:

Exp. Date:

Phone#:

Billing Address:

Zip:

Card Security Code:

Amount to Charge:

Cardholder's Signature:

Email:

INVOICE

Depo International
 703 South Eighth Street
 Las Vegas, NV 89101
 Phone: 702-386-9322 Fax: 702-386-9825

Invoice No.	Invoice Date	Job No.
24901	2/4/2016	20059
Job Date	Case No.	
1/28/2016	A-14-700018-C	
Case Name		
Mary Bryan, et al. vs. Clark County School District, et al.		
Payment Terms		
Due upon receipt		

John Houston Scott
 Scott Law Firm
 1388 Sutter Street
 Suite 715
 San Francisco, CA 94109

ORIGINAL & ONE ELECTRONIC CERTIFIED TRANSCRIPT

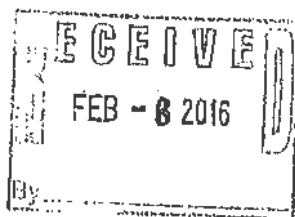
Andre Joseph Long

If you have any questions, you may contact our billing department:
 Billing@depointernational.com

Thank you for your business!

TOTAL DUE >>>

\$947.50



Fax ID: 45-0581340

Phone: (415) 561-9601 Fax: (415) 561-9609

Please detach bottom portion and return with payment.

John Houston Scott
 Scott Law Firm
 1388 Sutter Street
 Suite 715
 San Francisco, CA 94109

Job No. : 20059 BU ID : 2-DI LV
 Case No. : A-14-700018-C
 Case Name : Mary Bryan, et al. vs. Clark County School District, et al.
 Invoice No. : 24901 Invoice Date : 2/4/2016
 Total Due : **\$ 947.50**

emit To: **Depo International**
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD	
Cardholder's Name:	
Card Number:	
Exp. Date:	Phone#:
Billing Address:	
Zip:	Card Security Code:
Amount to Charge:	
Cardholder's Signature:	
Email:	



Depo International
703 South Eighth Street
Las Vegas, NV 89101
Phone: 702.386.9322 Fax: 702.386.9825

Accounts Payable
Allen Lichtenstein, Attorney at Law, Ltd.
3806 Forestcrest Drive
Las Vegas, NV 89121

STATEMENT

Account No.	Date
F2961	4/1/2016

Current	30 Days	60 Days
\$0.00	\$882.59	\$0.00
90 Days	120 Days & Over	Total Due
\$0.00	\$0.00	\$882.59

Page 1 of 1

Invoice Date	Invoice No.	Balance	Job Date	Witness	Case Name
2/4/2016	24899	325.76	1/27/2016	John Edwin Hatpin	Mary Bryan, et al. vs. Clark County School District, et al.
2/4/2016	24902	556.83 556.83	1/28/2016	Andre Joseph Long	Mary Bryan, et al. vs. Clark County School District, et al.

PLEASE SEND
PAYMENT

Tax ID: 45-0581340

Phone: (702) 433-2665 Fax: (702) 433-9591

Please detach bottom portion and return with payment.

Accounts Payable
Allen Lichtenstein, Attorney at Law, Ltd.
3806 Forestcrest Drive
Las Vegas, NV 89121

Account No. : F2961
Date : 4/1/2016

Total Due : \$ 882.59

Remit To: Depo International
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD		AMEX	MAST	VISA
Cardholder's Name:				
Card Number:				
Exp. Date:		Phone#:		
Billing Address:				
Zip:		Card Security Code:		
Amount to Charge:				
Cardholder's Signature:				
Email:				

Depo International
703 South Eighth Street
Las Vegas, NV 89101
Phone: 702-386-9322 Fax: 702-386-9825

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

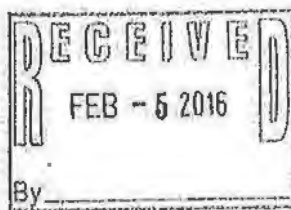
Invoice No.	Invoice Date	Job No.
24805	2/1/2016	20057
Job Date	Case No.	
1/26/2016	A-14-700018-C	
Case Name		
Mary Bryan, et al. vs. Clark County School District, et al.		
Payment Terms		
Due upon receipt		

ORIGINAL & ONE CERTIFIED TRANSCRIPT
Robert Beasley

If you have any questions, you may contact our billing department:
Billing@depointernational.com

Thank you for your business!

533.00
TOTAL DUE >>> \$533.00



fax ID: 45-0581340

Phone: (415) 561-9601 Fax: (415) 561-9609

Please detach bottom portion and return with payment.

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

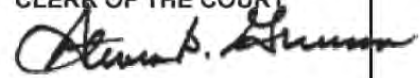
Job No. : 20057 BU ID : 2-DI-LV
Case No. : A-14-700018-C
Case Name : Mary Bryan, et al. vs. Clark County School District, et al.
Invoice No. : 24805 Invoice Date : 2/1/2016
Total Due : \$ 533.00

eml: To: Depo International
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD		AMEX	DISC	VISA
Cardholder's Name:				
Card Number:				
Exp. Date:		Phone#:		
Billing Address:				
Zip:		Card Security Code:		
Amount to Charge:				
Cardholder's Signature:				
Email:				

42

42



1 Allen Lichtenstein (NV State Bar No. 3992)
2 ALLEN LICHTENSTEIN, LTD.
3 3315 Russell Road, No. 222
4 Las Vegas, NV 89120
5 Tel: 702.433-2666
6 Fax: 702.433-9591
7 allaw@lvcoxmail.com

8 John Houston Scott (CA Bar No. 72578)
9 Admitted Pro Hac Vice
10 SCOTT LAW FIRM
11 1388 Sutter Street, Suite 715
12 San Francisco, CA 94109
13 Tel: 415.561-9601
14 john@scottlawfirm.net

15 *Attorneys for Plaintiffs, Mary Bryan, Ethan Bryan,*
16 *Aimée Hairr and Nolan Hairr*

17 DISTRICT COURT
18 CLARK COUNTY, NEVADA

19 MARY BRYAN, mother of ETHAN BRYAN;
20 AIMEE HAIRR, mother of NOLAN HAIRR,

21 Plaintiffs,

22 vs.

23 CLARK COUNTY SCHOOL DISTRICT
24 (CCSD)

25 Defendant.

Case No. A-14-700018-C

Dept. No. XXVII

**ERRATA TO
PLAINTIFFS' RESPONSE TO
DEFENDANTS MOTION TO RETAX
COSTS**

Department: XXVII

Trial Dates: Day 1, 11/15/16; Day 2,
11/16/16; Day 3, 11/17/16; Day 4, 11/18/16;
Day 5, 11/22/16

26 Plaintiffs' Response to Defendants' Motion to Retax Costs, filed August 14, 2017
27 inadvertently omitted page 2. A corrected version with page 2 is attached.

28 Dated this 15th day of August 2017,

Respectfully submitted by:

/s/Allen Lichtenstein
Allen Lichtenstein
Nevada Bar No. 3992
ALLEN LICHTENSTEIN LTD.

3315 Russell Road, No. 222
Las Vegas, NV 89120
Tel: 702.433-2666
Fax: 702.433-9591
allaw@lvcoxmail.com

John Houston Scott (CA Bar No. 72578)
Admitted Pro Hac Vice
SCOTT LAW FIRM
1388 Sutter Street, Suite 715
San Francisco, CA 94109
Tel: 415.561.9601
john@scottlawfirm.net
*Attorneys for Plaintiffs, Mary Bryan, Ethan Bryan,
Aimee Hairr and Nolan Hairr*

CERTIFICATE OF SERVICE

I hereby certify that I served the following Errata to Plaintiffs' Response to Defendants' Motion to Retax Costs via Court's electronic filing and service system and/or United States Mail and/or e-mail on the 15th day of August 2017, to:

Dan Waite
Lewis Rocha Rothgerber Christie
3993 Howard Hughes Pkwy., Suite 600
Las Vegas, NV 89169-5996

DWaite@lrrc.com

/s/ Allen Lichtenstein

1 Allen Lichtenstein (NV State Bar No. 3992)
 ALLEN LICHTENSTEIN, LTD.
 2 3315 Russell Road, No. 222
 Las Vegas, NV 89120
 3 Tel: 702.433-2666
 Fax: 702.433-9591
 4 allaw@lvcoxmail.com

5 John Houston Scott (CA Bar No. 72578)
 Admitted Pro Hac Vice
 6 SCOTT LAW FIRM
 1388 Sutter Street, Suite 715
 7 San Francisco, CA 94109
 Tel: 415.561-9601
 8 john@scottlawfirm.net

9 *Attorneys for Plaintiffs, Mary Bryan, Ethan Bryan,*
Aimee Hairr and Nolan Hairr

10 DISTRICT COURT
 11 CLARK COUNTY, NEVADA
 12

13 MARY BRYAN, mother of ETHAN BRYAN;
 AIMEE HAIRR, mother of NOLAN HAIRR,

14 Plaintiffs,
 15

16 vs.

17 CLARK COUNTY SCHOOL DISTRICT
 (CCSD

18 Defendant .
 19

Case No. A-14-700018-C

Dept. No. XXVII

**PLAINTIFFS' RESPONSE TO
 DEFENDANTS' MOTION TO RETAX
 COSTS**

Department: XXVII

20 Plaintiffs have reviewed Defendant's Motion to Retax Costs that have made the following
 21 adjustments, resulting in a revised total cost amount of \$20, \$672.32, as reflected in attached
 22 Exhibit 1. Defendants' motion listed ten separate areas. Plaintiffs' response to each is as follows.

23 A. The e-file fee has been adjusted to \$280.50. As for the question of an additional
 24 \$30 fee for Aimee Hairr, Plaintiffs are willing to forgo that.

25 B. The supporting documentation for in house copies and faxes can be found in the
 26 attached Exhibit 2.
 27
 28

1 C. The May 13, 2015 FedEx bill for \$41.74 has been removed for lack of
2 documentation, as has any fees for meals. All further documentation for Fedex services has now
3 been provided in the attached Exhibit 3.

4 D. The cost of the November 28, 2016 Court Reporter deposit and service has been
5 adjusted to reflect the \$2000 paid by Plaintiffs, documentation of which has already been
6 provided.

7 E. Pursuant to Kalitta Air L.L.C. v. Cent. Tex. Airborne Sys. Inc., 741 F.3d 955, 958
8 (9th Cir. 2013), Plaintiffs have removed all costs related to John H. Scott's being admitted pro hac
9 vice, and the travel associated with that status. Costs for copying remain pursuant to NRS 18.005
10 (12), Costs for postage remain pursuant to NRS 18.005 (14).

11 F. Costs for serving NERC have been removed.

12 G. The costs for scanning copying and compiling exhibits remain pursuant to
13 NRS.005 (12) and (14). These are not routine overhead costs but were done specifically to
14 produce exhibits in this case. The fact that they were not done in-house is irrelevant to NRS
15 18.005. Lewis Rocha Rothgerber and Christie, LLP is a large multistate law firm with three
16 locations in Nevada alone. The fact that it finds doing its large-scale copying and scanning in the
17 house to be financially advantageous does not mean that the same is true for a sole practitioner. In
18 any case, Defendants cite no legal authority to suggest that NRS 18.005 views these items as
19 routine overhead.

20 H. The \$75.47 June 18 19th and 22nd and printing of disclosures are clearly items that
21 reflect providing Plaintiffs' disclosures to Defendants during discovery, and are therefore properly
22 listed as costs under NRS 18.005 (12) and (14).

23 I. All charges from Depo International referred to in this section are documented by
24 invoices set forth in the attached Exhibit 4. Depositions utilized a Reporter and a Videographer.

1 J. Costs paid by CCSD in the amount of \$182 has been removed.

2 Dated this 14th day of August 2017

3 Respectfully submitted by:

4 /s/Allen Lichtenstein
5 Allen Lichtenstein
6 Nevada Bar No. 3992
7 ALLEN LICHTENSTEIN LTD.
8 3315 Russell Road, No. 222
9 Las Vegas, NV 89120
10 Tel: 702.433-2666
11 Fax: 702.433-9591
12 allaw@lvcoxmail.com

13 John Houston Scott (CA Bar No. 72578)
14 Admitted Pro Hac Vice
15 SCOTT LAW FIRM
16 1388 Sutter Street, Suite 715
17 San Francisco, CA 94109
18 Tel: 415.561.9601
19 john@scottlawfirm.net
20 *Attorneys for Plaintiffs, Mary Bryan, Ethan Bryan,*
21 *Aimee Hairr and Nolan Hairr*

22 **CERTIFICATE OF SERVICE**

23 I hereby certify that I served the following Plaintiffs' Response to Defendants' Motion to
24 Retax Costs via Court's electronic filing and service system and/or United States Mail and/or e-
25 mail on the 14th day of August 2017, to:

26 Dan Polsenberg
27 Dan Waite
28 Lewis Rocha Rothgerber Christie
3993 Howard Hughes Pkwy., Suite 600
Las Vegas, NV 89169-5996

DPolsenberg@lrrc.com
DWaite@lrrc.com

/s/ Allen Lichtenstein

EXHIBIT 1

Plaintiffs' Costs and Disbursements

In Reference To: Mary Bryan and Amy Hairr v Clark County School District (CCSD) et. al,
(Case No. A-14-700018-C)

COSTS	Amount
8/22/2014 Hearing transcript (Lichtenstein).	60.00
6/19/2015 Printing disclosures (Lichtenstein).	63.77
6/22/2015 Mailing disclosures (Lichtenstein).	5.95
6/30/2015 Copies and Faxes made in office 06/01/2015-06/30/2015.	27.20
8/31/2015 Copies and Faxes made in office 08/01/2015-08/31/2015.	4.00
10/23/2015 Discovery CD (Lichtenstein).	10.80
11/2/2015 Deposition of Warren McKay (Depo International Inv #23223).	1,534.68
Deposition transcript of Warren McKay (Depo International Inv #23293).	877.98
11/3/2015 Deposition of Cheryl Winn (Depo International Inv #23263).	1,590.00
Deposition transcript of Cheryl Winn (Depo International Inv #23417).	928.73
11/16/2015 Deposition of Deanna Wright (Depo International Inv #23637).	603.42
Deposition transcript of Deanna Wright (Depo International Inv #23662).	416.15
Wright deposition transcript (Lichtenstein).	19.46
11/30/2015 Copies and Faxes made in office 10/01/2015-11/30/2015.	210.40
12/22/2015 Deposition of Nolan Michael Hairr (Litigation Services, Inv #1044327).	1,183.05
1/5/2016 Deposition of C L (Western Reporting Services, Inv #49962).	372.80
1/6/2016 Deposition of Aimee Olivia Hairr (Litigation Services, Inv #1046125).	960.58
1/13/2016 Deposition of D M (Western Reporting Services, Inv #49981).	379.30
1/21/2016 Deposition of Ethan Bryan (Litigation Services, Inv #1048764).	1,138.50
1/25/2016 Deposition of Leonard Depiazza (Depo International Inv #24752).	815.00
1/26/2016 Deposition of Robert Beaseley (Depo International Inv #24805).	533.00
1/27/2016 Deposition transcript of John Edwin Halpin (Depo International Inv #24899).	325.76
Deposition of John Edwin Halpin (Depo International Inv #24897).	589.50
1/28/2016 Deposition transcript of Andre Joseph Long (Depo International Inv #24902).	556.83
Deposition of Andre Joseph Long (Depo International Inv #24901).	947.50
1/31/2016 Copies and Faxes made in office 01/01/2016-01/31/2016.	190.60
2/5/2016 Deposition of Mary Bryan (Litigation Services, Inv #1051615).	1,031.40
2/16/2016 Deposition of Heath Hairr (Litigation Services, Inv #1051615).	160.00

Deposition of Gina Abbaduto (Litigation Services, Inv #1053295).	607.25
2/19/2016 Deposition of Asheesh Dewan, MD (Litigation Services, Inv #1053578).	135.95
Deposition of Edmond Faro, MD (Litigation Services, Inv #1053610).	182.10
2/24/2016 Deposition of Dennis Moore, MD (Litigation Services, Inv #1052063).	236.35
2/29/2016 Copies and Faxes made in office 02/01/2016-02/29/2016.	67.40
3/17/2016 Federal Express shipment to Allen Lichtenstein, Las Vegas, NV (FedEx #775904967664).	32.49
3/28/2016 Documents scanned to PDF (Lichtenstein)	37.63
4/1/2016 Documents scanned to PDF (Lichtenstein).	42.39
4/21/2016 Efile transactions for Mary Bryan - 04/30/2014-04/21/2016 (Lichtenstein).	280.50
4/29/2016 Lewis Roca transcript fee (Lichtenstein).	90.14
8/31/2016 Copies and Faxes made in office 08/01/2016-08/31/2016.	6.40
10/31/2016 Copies and Faxes made in office 10/01/2016-10/31/2016.	51.80
11/9/2016 Federal Express shipment to Allen Lichtenstein, Las Vegas, NV (FedEx #7777679212411).	115.11
Depo transcript of Robert Beasley, taken 1/26/2016 (Depo International Inv #30045).	46.00
Depo transcript of Cheryl Winn, taken 11/16/2015 (Depo International Inv #30044).	151.00
Depo transcript of Warren McKay, taken 11/2/2015 (Depo International Inv #30046).	137.00
11/9/2016 Depo transcript of Deanna Wright, taken 11/16/2015 (Depo International Inv #30047).	51.00
Binders and tabs for trial (Lichtenstein).	47.48
11/15/2016 District Court Transcript of Trial 11/15/16-11/18/16, 11/22/16	440.00
11/28/2016 Court reporter deposit and service (Kimberly Lawson Karr Reporting Inv #11/28/2016.	2000.00
12/31/2016 Copies and Faxes made in office 12/01/2016-12/31/2016.	182.80
3/15/2017 Copies and binding. (Lichtenstein).	92.95
3/16/2017 Copies and binding. (Lichtenstein).	34.22
3/31/2017 Copies and Faxes made in office 03/01/2017-03/31/2017.	23.60
5/31/2017 Copies and Faxes made in office during 05/01/2017-05/31/2017.	44.40
Total Costs	<u>\$20,672.32</u>

Financial

Bryan, Mary				
Total Financial Assessment				\$280.50
Total Payments and Credits				\$280.50
4/30/2014	Transaction Assessment			\$270.00
4/30/2014	Efile Payment	Receipt # 2014-50310-CCCLK	Bryan, Mary	(\$270.00)
7/27/2015	Transaction Assessment			\$3.50
7/27/2015	Efile Payment	Receipt # 2015-78718-CCCLK	Bryan, Mary	(\$3.50)
3/21/2016	Transaction Assessment			\$3.50
3/21/2016	Efile Payment	Receipt # 2016-28459-CCCLK	Bryan, Mary	(\$3.50)
4/21/2016	Transaction Assessment			\$3.50
4/21/2016	Efile Payment	Receipt # 2016-38796-CCCLK	Bryan, Mary	(\$3.50)
Clark County School District, et al				
Total Financial Assessment				\$182.00
Total Payments and Credits				\$182.00
6/30/2014	Transaction Assessment			\$3.50
6/30/2014	Efile Payment	Receipt # 2014-75526-CCCLK	Clark County School District,	(\$3.50)
7/1/2014	Transaction Assessment			\$3.50
7/1/2014	Efile Payment	Receipt # 2014-75811-CCCLK	Clark County School District,	(\$3.50)
8/1/2014	Transaction Assessment			\$3.50
8/1/2014	Efile Payment	Receipt # 2014-88628-CCCLK	Clark County School District,	(\$3.50)
8/1/2014	Transaction Assessment			\$3.50
8/1/2014	Efile Payment	Receipt # 2014-88733-CCCLK	Clark County School District,	(\$3.50)
8/7/2014	Transaction Assessment			\$3.50
8/7/2014	Efile Payment	Receipt # 2014-90709-CCCLK	Clark County School District,	(\$3.50)
9/10/2014	Transaction Assessment			\$3.50
9/10/2014	Efile Payment	Receipt # 2014-103862-CCCLK	Clark County School District,	(\$3.50)
9/10/2014	Transaction Assessment			\$3.50
9/10/2014	Efile Payment	Receipt # 2014-104055-CCCLK	Clark County School District,	(\$3.50)
11/18/2014	Transaction Assessment			\$3.50
11/18/2014	Efile Payment	Receipt # 2014-129961-CCCLK	Clark County School District,	(\$3.50)
11/20/2014	Transaction Assessment			\$3.50
11/20/2014	Efile Payment	Receipt # 2014-130847-CCCLK	Clark County School District,	(\$3.50)
12/9/2014	Transaction Assessment			\$3.50
12/9/2014	Efile Payment	Receipt # 2014-137192-CCCLK	Clark County School District,	(\$3.50)
12/10/2014	Transaction Assessment			\$3.50
12/10/2014	Efile Payment	Receipt # 2014-137325-CCCLK	Clark County School District,	(\$3.50)
1/16/2015	Transaction Assessment			\$3.50

EXHIBIT 2

001923

DEPARTMENT CODE LIST

TIME : 06-26-2015 13:01

NO. DEPARTMENT

41

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	20	20	
LARGE	0	0	0	
	0	20	20	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	0	0	0	0	0	
LARGE	0	0	0	0	0	
	0	0	0	0	0	0

FAX COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK		
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK	
SMALL	0	0	0	0	0	0	0	0
LARGE	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0

DEPT NO. DEPARTMENT

42

Bryen, Mary/Hairr

-827-20

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	0	0	
LARGE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	0	0	136	0	136	
LARGE	0	0	0	0	0	
	0	0	136	0	136	0

FAX COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK		
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK	
SMALL	0	0	0	0	0	0	0	0
LARGE	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0

DEPARTMENT CODE LIST

TIME : 09-14-2015 09:28

NO. DEPARTMENT

IT COUNTER

COLOR			
COPY	PRINT	TOTAL	LIMIT
LL	0	0	0
SE	0	0	0
	0	0	0

TWIN/MONO COLOR		
COPY	PRINT	TOTAL
SMALL	0	0
LARGE	0	0
	0	0

K						
COPY	FAX	PRINT	LIST	TOTAL	LIMIT	
LL	0	0	0	0	0	
SE	0	0	0	0	0	
	0	0	0	0	0	

COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK		
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK	
LL	0	0	0	0	0	0	0	0
SE	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0

NO. DEPARTMENT

12 Bryan, Mary/Hairr

4.00

IT COUNTER

COLOR			
COPY	PRINT	TOTAL	LIMIT
LL	0	20	20
SE	0	0	0
	0	20	20

TWIN/MONO COLOR		
COPY	PRINT	TOTAL
SMALL	0	0
LARGE	0	0
	0	0

K						
COPY	FAX	PRINT	LIST	TOTAL	LIMIT	
LL	0	0	0	0	0	
SE	0	0	0	0	0	
	0	0	0	0	0	

COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK		
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK	
LL	0	0	0	0	0	0	0	0
SE	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0

DEPARTMENT CODE LIST

TIME : 12-07-2015 11:38

NO. DEPARTMENT

42 Bryan, Mary/Hairr - \$210.40

PRINT COUNTER

ALL COLOR

	COPY	PRINT	TOTAL	LIMIT
ALL	0	27	27	
GE	0	0	0	
	0	27	27	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

CK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
LL	237	0	788	0	1025	
BE	0	0	0	0	0	
	237	0	788	0	1025	0

COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK		
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK	
0	0	SMALL	0	0	0	118	0	0
0	0	LARGE	0	0	0	0	0	0
0	0		0	0	0	118	0	0

NO. DEPARTMENT

COUNTER

OLOR

	COPY	PRINT	TOTAL	LIMIT
	0	0	0	
	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
	0	0	0	0	0	
	0	0	0	0	0	
	0	0	0	0	0	0

UNIFICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK		
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK	
0	0	SMALL	0	0	0	0	0	0
0	0	LARGE	0	0	0	0	0	0
0	0		0	0	0	0	0	0

 RK
 0
 0
 0

DEPARTMENT CODE LIST

TIME : 02-04-2016 11:59

T NO. DEPARTMENT

42 Bryan, Mary/Hairr \$190.60

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	33	33	
LARGE	0	0	0	
	0	33	33	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	82	0	838	0	920	
LARGE	0	0	0	0	0	
	82	0	838	0	920	0

FAX COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK			
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK		
SMALL	0	0	0	0	42	0	0		
LARGE	0	0	0	0	0	0	0		
	0	0	0	0	42	0	0		

DEPT NO. DEPARTMENT

D 43 [REDACTED]

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	0	0	
LARGE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	0	0	0	0	0	
LARGE	0	0	0	0	0	
	0	0	0	0	0	0

FAX COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK			
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK		
SMALL	0	0	0	0	0	0	0		
LARGE	0	0	0	0	0	0	0		
	0	0	0	0	0	0	0		

DEPARTMENT CODE LIST

TIME : 03-03-2016 17:53

PT NO. DEPARTMENT

42

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	39	39	
LARGE	0	0	0	
	0	39	39	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	0	0	0	0	0	
LARGE	0	0	0	0	0	
	0	0	0	0	0	0

FAX COMMUNICATION

SCAN COUNTER

FULL COLOR

TWIN/MONO COLOR

BLACK

	TRANSMIT	RECEPTION		COPY	NETWORK	COPY	COPY	FAX	NETWORK
SMALL	0	0	SMALL	0	0	0	0	0	0
LARGE	0	0	LARGE	0	0	0	0	0	0
	0	0		0	0	0	0	0	0

PT NO. DEPARTMENT

42 Bryan, Mary/Hairr

\$67.40

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	13	13	
LARGE	0	0	0	
	0	13	13	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	21	0	303	0	324	
LARGE	0	0	0	0	0	
	21	0	303	0	324	0

FAX COMMUNICATION

SCAN COUNTER

FULL COLOR

TWIN/MONO COLOR

BLACK

	TRANSMIT	RECEPTION		COPY	NETWORK	COPY	COPY	FAX	NETWORK
SMALL	0	0	SMALL	0	0	0	21	0	0
LARGE	0	0	LARGE	0	0	0	0	0	0
	0	0		0	0	0	21	0	0

DEPARTMENT CODE LIST

TIME : 04-03-2017 11:00

NO. DEPARTMENT

40

INT COUNTER

LL COLOR

	COPY	PRINT	TOTAL	LIMIT
ALL	0	0	0	
RGE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

ACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
ALL	0	0	0	0	0	
RGE	0	0	0	0	0	
	0	0	0	0	0	0

X COMMUNICATION

SCAN COUNTER

	TRANSMIT	RECEPTION		FULL COLOR		TWIN/MONO COLOR		BLACK	FAX	NETWORK	
				COPY	NETWORK	COPY	COPY				
ALL	0	0	SMALL	0	0	0	0	0	0	0	0
RGE	0	0	LARGE	0	0	0	0	0	0	0	0
	0	0		0	0	0	0	0	0	0	0

PT NO. DEPARTMENT

42 Bryan, Mary/Hairr - 823.60

INT COUNTER

LL COLOR

	COPY	PRINT	TOTAL	LIMIT
ALL	0	0	0	
RGE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

ACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
ALL	0	0	118	0	118	
RGE	0	0	0	0	0	
	0	0	118	0	118	0

X COMMUNICATION

SCAN COUNTER

	TRANSMIT	RECEPTION		FULL COLOR		TWIN/MONO COLOR		BLACK	FAX	NETWORK	
				COPY	NETWORK	COPY	COPY				
ALL	0	0	SMALL	0	0	0	0	0	0	0	0
RGE	0	0	LARGE	0	0	0	0	0	0	0	0
	0	0		0	0	0	0	0	0	0	0

DEPARTMENT CODE LIST

TIME : 06-08-2017 10:33

DEPARTMENT

PRINT COUNTER

ALL COLOR

	COPY	PRINT	TOTAL	LIMIT
ALL	0	0	0	
RGE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

CHECK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
ALL	0	0	0	0	0	
GE	0	0	0	0	0	
	0	0	0	0	0	0

COMMUNICATION

SCAN COUNTER

FULL COLOR

TWIN/MONO COLOR

BLACK

	TRANSMIT	RECEPTION	SMALL	COPY	NETWORK	COPY	COPY	FAX	NETWORK
LL	0	0	SMALL	0	0	0	0	0	0
GE	0	0	LARGE	0	0	0	0	0	0
	0	0		0	0	0	0	0	0

NO. DEPARTMENT

2 Bryan, Mary/Halrr

- 44-40

PRINT COUNTER

ALL COLOR

	COPY	PRINT	TOTAL	LIMIT
L	0	141	141	
E	0	0	0	
	0	141	141	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
	0	0	81	0	81	
	0	0	0	0	0	
	0	0	81	0	81	0

COMMUNICATION

SCAN COUNTER

FULL COLOR

TWIN/MONO COLOR

BLACK

	TRANSMIT	RECEPTION	SMALL	COPY	NETWORK	COPY	COPY	FAX	NETWORK
	0	0	SMALL	0	0	0	0	0	0
	0	0	LARGE	0	0	0	0	0	0
	0	0		0	0	0	0	0	0

DEPARTMENT CODE LIST

TIME : 09-01-2016 14:18

NO. DEPARTMENT

86

NT COUNTER

L COLOR

	COPY	PRINT	TOTAL	LIMIT
LL	0	0	0	
GE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

CK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
LL	0	0	0	0	0	
GE	0	0	0	0	0	
	0	0	0	0	0	0

COMMUNICATION

SCAN COUNTER

	TRANSMIT	RECEPTION		FULL COLOR		TWIN/MONO COLOR		BLACK	FAX	NETWORK	
				COPY	NETWORK	COPY	COPY	COPY			
LL	0	0	SMALL	0	0	0	0	0	0	0	0
GE	0	0	LARGE	0	0	0	0	0	0	0	0
	0	0		0	0	0	0	0	0	0	0

* NO. DEPARTMENT

12 Bryan, Mary/Hairr

8640

IT COUNTER

L COLOR

	COPY	PRINT	TOTAL	LIMIT
LL	0	0	0	
GE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

K

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
LL	0	0	32	0	32	
GE	0	0	0	0	0	
	0	0	32	0	32	0

COMMUNICATION

SCAN COUNTER

	TRANSMIT	RECEPTION		FULL COLOR		TWIN/MONO COLOR		BLACK	FAX	NETWORK	
				COPY	NETWORK	COPY	COPY	COPY			
LL	0	0	SMALL	0	0	0	0	0	0	0	0
GE	0	0	LARGE	0	0	0	0	0	0	0	0
	0	0		0	0	0	0	0	0	0	0

DEPARTMENT CODE LIST

TIME : 10-31-2016 11:04

DEPT NO. DEPARTMENT

1 42 Bryan, Mary/Hairr - \$51.80

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	47	47	
LARGE	0	0	0	
	0	47	47	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	55	0	157	0	212	
LARGE	0	0	0	0	0	
	55	0	157	0	212	0

FAX COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK		
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK	
SMALL	0	0	5	0	55	0	8	
LARGE	0	0	0	0	0	0	0	
	0	0	5	0	55	0	8	

DEPT NO. DEPARTMENT

1 44 [REDACTED]

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	59	59	
LARGE	0	0	0	
	0	59	59	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	16	0	105	0	121	
LARGE	0	0	0	0	0	
	16	0	105	0	121	0

FAX COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK		
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK	
SMALL	0	0	0	0	16	0	16	
LARGE	0	0	0	0	0	0	0	
	0	0	0	0	16	0	16	

DEPARTMENT CODE LIST

TIME : 01-04-2017 16:18

T NO. DEPARTMENT

37

INT COUNTER

LL COLOR

	COPY	PRINT	TOTAL	LIMIT
ALL	0	0	0	
RGE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

ACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
ALL	0	0	0	0	0	
RGE	0	0	0	0	0	
	0	0	0	0	0	0

X COMMUNICATION

SCAN COUNTER

	TRANSMIT	RECEPTION		FULL COLOR		TWIN/MONO COLOR		BLACK	
				COPY	NETWORK	COPY	COPY	FAX	NETWORK
ALL	0	0	SMALL	0	0	0	0	0	0
RGE	0	0	LARGE	0	0	0	0	0	0
	0	0		0	0	0	0	0	0

EPT NO. DEPARTMENT

42 Bryan, Mary/Hairr

*8/82.80

PRINT COUNTER

ULL COLOR

	COPY	PRINT	TOTAL	LIMIT
ALL	0	20	20	
RGE	0	0	0	
	0	20	20	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	31	0	863	0	894	
RGE	0	0	0	0	0	
	31	0	863	0	894	0

FAX COMMUNICATION

SCAN COUNTER

	TRANSMIT	RECEPTION		FULL COLOR		TWIN/MONO COLOR		BLACK	
				COPY	NETWORK	COPY	COPY	FAX	NETWORK
SMALL	0	0	SMALL	0	2	0	31	0	49
LARGE	0	0	LARGE	0	0	0	0	0	0
	0	0		0	2	0	31	0	49



November 16, 2015 12:51 Page: 1
 Receipt #: 0741219978
 MasterCard #: XXXXXXXXXXXX8461
 2015/11/16 12:36

Qty	Description	Amount
150	ES B&W S/S White 8.5 x11	18.00
SubTotal		18.00
Taxes		1.46
Total		19.46

The Cardholder agrees to pay the Issuer of the charge card in accordance with the agreement between the Issuer and the Cardholder.

FedEx Office Print & Ship Centers

395 Hughes Ctr Dr.
 Las Vegas, NV 89109
 (702) 951-2400
www.FedExOffice.com

Tell us how we're doing and receive
 20% off your next \$35 print order
fedex.com/we listen or 1-800-398-0242
 Offer Code: _____ Offer expires 12/31/2015

Please Recycle This Receipt

Bryan/Hairr - Page 1 of 1
 exhibits to Allen's
 Declaration regarding the
 "Motion To Disqualify"



Shipment Receipt

Address Information

Ship to:

Allen Lichtenstein

3315 Russell Road, No. 222

LAS VEGAS, NV

89120

US

(702) 433-2666

Ship from:

John Houston Scott

Scott Law Firm

1388 Sutter Street, Suite 715

San Francisco, CA

94109

US

4155619601

Shipment Information:

Tracking no.: 775904967664

Ship date: 03/17/2016

Estimated shipping charges: 32.49

Package Information

Pricing option: FedEx Standard Rate

Service type: Priority Overnight

Package type: FedEx Envelope

Number of packages: 1

Total weight: 0.80 LBS

Declared Value: 0.00 USD

Special Services: Residential Delivery

Pickup/Drop-off: Drop off package at FedEx location

Billing Information:

Bill transportation to: MyAccount-722

Your reference: Bryan/Hairr

P.O. no.:

Invoice no.:

Department no.:

Thank you for shipping online with FedEx ShipManager at fedex.com.

Please Note

FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1000, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits. Consult the applicable FedEx Service Guide for details.

The estimated shipping charge may be different than the actual charges for your shipment. Differences may occur based on actual weight, dimensions, and other factors. Consult the applicable FedEx Service Guide or the FedEx Rate Sheets for details on how shipping charges are calculated.

EXHIBIT 3

001936



FedEx Billing Online

Tracking ID Details

Back

Tracking ID Summary

Help Hide

Billing Information

Tracking ID no. [< Prev](#) 777679212411 [Next >](#)

Invoice no. 4-484-43304

Account no. 2579-5472-2

Bill date 11/09/2016

Total Billed \$115.11

Tracking ID Balance due \$0.00

Status Paid CC

Messages

FedEx has audited this shipment for correct packaging. [Read More...](#)

Distance Based Pricing, Zone 4

Fuel Surcharge - FedEx has applied a fuel surcharge. [Read More...](#)

The package weight exceeds the maximum for the package. [Read More...](#)

[View Invoice History](#)

[View signature proof of delivery](#)

Transaction Details

Help Hide

Sender Information

John Houston Scott
Scott Law Firm
1388 Sutter Street, Suite 715
SAN FRANCISCO CA 94109
US

Recipient Information

Allen Lichanstein
3315 Russell Road, No. 222
LAS VEGAS NV 89120
US

Shipment Details

Ship date 11/09/2016

Payment type Shipper

Service type FedEx Priority Overnight

Zone 04

Package type Customer Packaging

Weight 18.00 lbs

Pieces 1

Meter No. 1443206

Declared value \$0.00

Charges

Transportation Charge	125.09
Fuel Surcharge	2.53
Weekday Delivery	0.00
Automation Bonus Discount	-12.51
Total charges	\$115.11

Original Reference

Customer reference no. BryanHavr

Department no.

Reference #2

Reference #3

Proof of Delivery

Delivery date 11/10/2016 05:48

Service area code A1

Signed by M.MARIUZ

[View signature proof of delivery](#)

Back

Office DEPOT OfficeMax

OFFICE DEPOT STORE #2715
5915 S. EASTERN AVE
LAS VEGAS NV 89119
(702) 736-1427

11/09/2016 16 8.2 5.25 PM
STR 2715 REG 1 TRN 796 EMP 745904

SALE
Product ID Description Total
998112 INDEX, READY, 1
6 @ 5.79 28.95
You Pay 28.9555

Subtotal 28.95
Sales Tax 2.36
Total 31.31
MasterCard 8461: 31.31

AUTH CODE 76832P
IDS Chip Read
AID A0000000041010 MasterCard
TVR 0800008000
CVS No Signature Required
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
ALLEN LICHTENSTEIN ATTORNEY n 332610198
Please create your online rewards
account at officedepot.com/rewards
You must complete your account to
claim your rewards and view your
status.
Shop online at www.officedepot.com

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
WE WANT TO HEAR FROM YOU!

Participate in our online customer
survey and receive a coupon for
**\$10 off your next qualifying
purchase of \$50 or more on
office supplies.**

FedEx Office

Actual FedEx Office location
for pickup and delivery

11/09/2016 5:33:06 PM PM
Store Manager: Lester H.
Customer: Allen Lichtenstein

11/09/2016 5:33:06 PM PM

Store Manager: Lester H.
Customer: Allen Lichtenstein

Design Paper/Sheet 25.00
100/700 Reg. Price 0.25
Returned Item

Sub Total (6.76)
Tax (0.76)
Deposit (0.00)

Total (6.76)

MasterCard (0)
Account: 8461
Auth: SysAuth000000

Total Tender (6.76)
Change Due (0.00)



* 1 3 0 1 0 0 3 3 4 0 5 4 *

FedEx Office

FedEx Office is your destination
for all FedEx and shipping

5915 S. Eastern Ave
Las Vegas, NV 89119
Tel: (702) 736-1402

11/09/2016 4:45:06 PM PM
Store Manager: Lester H.

SALE

Design Paper/Sheet 25.00
100/700 Reg. Price 0.25
Returned Item 0.00
Regular Total 21.26
Discounts 0.00

Total 21.26

Sub Total 21.26
Tax 0.76
Deposit 0.00

Total 22.93

MasterCard (0)
Account: 8461
Auth: 886100 (0)

Total Tender 22.93
Change Due 0.00

Total Discounts 0.00

FedEx Office

FedEx Office is your destination
for printing and shipping.

5775 S Eastern Ave
Las Vegas, NV 89119
Tel: (702) 735-4402

FedEx Office

FedEx Office is your destination
for printing and shipping.

2/16/2017 4:52:05 PM PST
Team Member: Michael S.
Customer: Tasha Lichtenstein

5775 S Eastern Ave
Las Vegas, NV 89119
Tel: (702) 735-4402

SALE

A Day 2 A-14-700018- Qty 1 28.57
Bk 13 on 24# wnt
000330 Reg. Price 0.14
Cofl Mixed Covers 1.00 4.8500 *
000607 Reg. Price 4.99
Price per piece 28.57
Regular Total 28.23
Discounts 1.66

B Day 2 A-14-700018- Qty 1 28.79
Bk 13 on 24# wnt
000330 Reg. Price 0.14
Cofl Mixed Covers 1.00 4.8500 *
000607 Reg. Price 4.99
Price per piece 28.79
Regular Total 27.99
Discounts 1.60

C Day 2 A-14-700018- Qty 1 33.59
Bk 13 on 24# wnt 220.8 0.1300 *
000330 Reg. Price 0.14
Cofl Mixed Covers 1.00 4.8500 *
000607 Reg. Price 4.99
Price per piece 33.59
Regular Total 32.79
Discounts 2.21

Sub-Total 92.95
Tax 7.11
Deposit
Total 92.95

3/28/2016 2:37:15 PM PST
Team Member: Michael S.

SALE

Auto Scan-To-PDF 71.0 0.4900 *
002862 Reg. Price 0.89
Regular Total 63.19
Discounts 28.40
Total 34.79

Sub-Total 34.79
Tax 2.84
Deposit 0.00
Total 37.63
MasterCard (S) 37.63
Amount 346 *
Auth 37602 (A)
Total Tender 37.63
Change Due 0.00

Bryan & Aaron

FedEx Office

Bryan & Aaron
discoveryFedEx Office is your destination
for printing and shipping.5775 S Eastern Ave
Las Vegas, NV 89119
tel: (702) 735-440210/23/2015 1:55:53 PM PST
Team Member: Lester M.

SALE

CD Burn - Add'l	1 @	9.9900
003025 Reg. Price	9.99	
Regular Total	9.99	
Discounts	0.00	
Total	9.99	

Sub-total	9.99
Tax	0.81
Deposit	0.00

Total	10.80
--------------	--------------

MasterCard (S)	10.80
Account: 8461	
Auth: 91125P (A)	

Total Tender	10.80
Change Due	0.00

FedEx Office

FedEx Office is your destination
for printing and shipping.5775 S Eastern Ave
Las Vegas, NV 89119
tel: (702) 735-440210/16/2015 1:57:17 PM PST
Team Member: Dustin D
Customer: Laura Lichtenstein

SALE

Quick Order	Qty 1	31.64
WW 15 on 24X WHL	20 @	0.14
000330 Reg. Price	0.14	
CDL Mixed Covers	1 @	4.0000
000807 Reg. Price	4.00	
Price per piece	31.64	
Regular Total	31.60	
Discounts	0.00	

Sub-total	31.64
Tax	2.56
Deposit	0.00

Total	34.22
--------------	--------------

MasterCard (S)	34.22
Account: 8461	
Auth: 83060P (A)	

Total Tender	34.22
Change Due	0.00

FedEx Office

Bryan & Aaron

FedEx Office is your destination
for printing and shipping.5775 S Eastern Ave
Las Vegas, NV 89119
tel: (702) 735-440210/17/2015 1:57:52 PM PST
Team Member: Michael S.

SALE

WW 15 on 24X WHL	20 @	0.14
000330 Reg. Price	0.14	
Regular Total	2.80	
Discounts	0.00	
Total	2.80	

Sub-total	2.80
Tax	0.19
Deposit	0.00

Total	2.99
--------------	-------------

MasterCard (S)	2.99
Account: 8461	
Auth: 00000P (A)	

Total Tender	2.99
Change Due	0.00

EXHIBIT 4

001941

STATEMENT

Depo International
703 South Eighth Street
Las Vegas, NV 89101
Phone: 702-386-9322 Fax: 702-386-9825

Account No.	Date
F2961	1/8/2016

Current	30 Days	60 Days
\$0.00	\$5,950.96	\$0.00
90 Days	120 Days & Over	Total Due
\$0.00	\$0.00	\$5,950.96

Accounts Payable
Allen Lichtenstein, Attorney at Law, Ltd.
No. 222
3315 Russel Road
Las Vegas, NV 89120

Page 1 of 1

Invoice Date	Invoice No.	Balance	Job Date	Witness	Case Name
11/10/2015	23223	1,534.68	11/2/2015	Warren McKay	Mary Bryan, et al. vs. Clark County School District, et al.
11/11/2015	23263	1,590.00	11/3/2015	Cheryl Winn	Mary Bryan, et al. vs. Clark County School District, et al.
11/12/2015	23293	877.98	11/2/2015	Warren McKay	Mary Bryan, et al. vs. Clark County School District, et al.
11/18/2015	23417	928.73	11/3/2015	Cheryl Winn	Mary Bryan, et al. vs. Clark County School District, et al.
11/30/2015	23637	603.42	11/16/2015	Deanna Wright	Mary Bryan, et al. vs. Clark County School District, et al.
11/30/2015	23662	416.15	11/16/2015	Deanna Wright	Mary Bryan, et al. vs. Clark County School District, et al.

Tax ID: 45-0581340

Phone: (702) 433-2666 Fax: (702) 433-9591

Please detach bottom portion and return with payment.

Accounts Payable
Allen Lichtenstein, Attorney at Law, Ltd.
No. 222
3315 Russel Road
Las Vegas, NV 89120

Account No. : F2961
Date : 1/8/2016

Total Due : \$ 5,950.96

Remit To: **Depo International**
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD



Cardholder's Name: _____
Card Number: _____
Exp. Date: _____ Phone#: _____
Billing Address: _____
Zip: _____ Card Security Code: _____
Amount to Charge: _____
Cardholder's Signature: _____

001942

INVOICE



Depo International
703 South Eighth Street
Las Vegas, NV 89101
Ph: 800.591.9722 Fax: 702.386.9825

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Invoice No.	Invoice Date	Job No.
30047	11/9/2016	19639
Job Date	Case No.	
11/16/2015	A-14-700018-C	
Case Name		
Mary Bryan, et al. vs. Clark County School District, et al.		
Payment Terms		
Due upon receipt (1.5%/mo & collection)		

ORIGINAL TRANSCRIPT

Deanna Wright

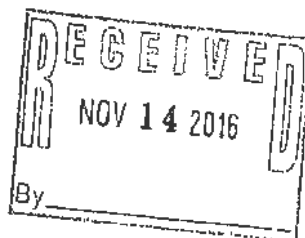
51.00

TOTAL DUE >>>

\$51.00

If you have any questions, you may contact our billing department:
Billing@depointernational.com

Thank you for your business!



Tax ID: 45-0581340

Phone: (415) 561-9601 Fax: (415) 561-9609

Please detach bottom portion and return with payment.

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Job No. : 19639 BU ID : 2-DI LV
Case No. : A-14-700018-C
Case Name : Mary Bryan, et al. vs. Clark County School District, et al.
Invoice No. : 30047 Invoice Date : 11/9/2016
Total Due : \$ 51.00

Remit To: Depo International
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD



Cardholder's Name:

Card Number:

Exp. Date:

Phone#:

Billing Address:

Zip:

Card Security Code:

Amount to Charge:

Cardholder's Signature:

Email:



Depo International
703 South Eighth Street
Las Vegas, NV 89101
Ph: 800.591.9722 Fax: 702.386.9825

INVOICE

Invoice No.	Invoice Date	Job No.
30046	11/9/2016	19282
Job Date	Case No.	
11/2/2015	A-14-700018-C	
Case Name		
Mary Bryan, et al. vs. Clark County School District, et al.		
Payment		
Due upon receipt (1.5%/mo & collection)		

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

ORIGINAL TRANSCRIPT

Warren McKay

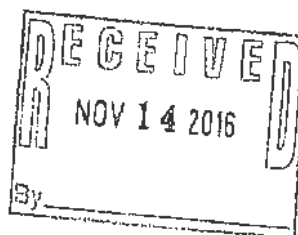
137.00

TOTAL DUE >>>

\$137.00

If you have any questions, you may contact our billing department:
Billing@depointernational.com

Thank you for your business!



Tax ID: 45-0581340

Phone: (415) 561-9601 Fax: (415) 561-9609

Please detach bottom portion and return with payment.

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Job No. : 19282 BU ID : 2-DI LV
Case No. : A-14-700018-C
Case Name : Mary Bryan, et al. vs. Clark County School District, et al.
Invoice No. : 30046 Invoice Date : 11/9/2016
Total Due : \$ 137.00

Remit To: **Depo International**
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD



Cardholder's Name:

Card Number:

Exp. Date:

Phone#:

Billing Address:

Zip:

Card Security Code:

Amount to Charge:

Cardholder's Signature:

Email:

INVOICE



Depo International
703 South Eighth Street
Las Vegas, NV 89101
Ph: 800.591.9722 Fax: 702.386.9825

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Invoice No.	Invoice Date	Job No.
30044	11/9/2016	19283
Job Data	Case No.	
11/3/2015	A-14-700018-C	
Case Name		
Mary Bryan, et al. vs. Clark County School District, et al.		
Payment Terms		
Due upon receipt (1.5%/mo & collection)		

ORIGINAL TRANSCRIPT

Cheryl Winn

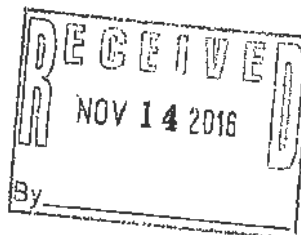
151.00

TOTAL DUE >>>

\$151.00

If you have any questions, you may contact our billing department:
Billing@depointernational.com

Thank you for your business!



Tax ID: 45-0581340

Phone: (415) 561-9601 Fax: (415) 561-9609

Please detach bottom portion and return with payment.

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Job No. : 19283 BU ID : 2-DI LV
Case No. : A-14-700018-C
Case Name : Mary Bryan, et al. vs. Clark County School District, et al.
Invoice No. : 30044 Invoice Date : 11/9/2016
Total Due : \$ 151.00

Remit To: **Depo International**
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD



Cardholder's Name:

Card Number:

Exp. Date:

Phone#:

Billing Address:

Zip:

Card Security Code:

Amount to Charge:

Cardholder's Signature:

Email:

INVOICE

Depo International
703 South Eighth Street
Las Vegas, NV 89101
Ph: 800.591.9722 Fax: 702.386.9825

Invoice No.	Invoice Date	Job No.
30045	11/9/2016	20057
Job Date	Case No.	
1/26/2016	A-14-700018-C	
Case Name		
Mary Bryan, et al. vs. Clark County School District, et al.		
Payment Terms		
Due upon receipt (1.5%/mo & collection)		

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

ORIGINAL TRANSCRIPT

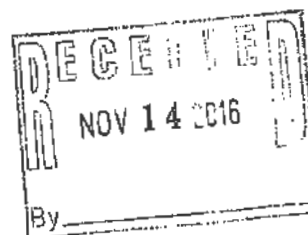
Robert Beasley

46.00

TOTAL DUE >>>**\$46.00**

If you have any questions, you may contact our billing department:
Billing@depointernational.com

Thank you for your business!



Tax ID: 45-0581340

Phone: (415) 561-9601 Fax: (415) 561-9609

Please detach bottom portion and return with payment.

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Job No. : 20057 BU ID : 2-DI LV
Case No. : A-14-700018-C
Case Name : Mary Bryan, et al. vs. Clark County School District, et al.
Invoice No. : 30045 Invoice Date : 11/9/2016
Total Due : \$ 46.00

Remit To: **Depo International**
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD

Cardholder's Name:

Card Number:

Exp. Date:

Phone#:

Billing Address:

Zip:

Card Security Code:

Amount to Charge:

Cardholder's Signature:

Email:

Depo International
703 South Eighth Street
Las Vegas, NV 89101
Phone: 702-386-9322 Fax: 702-386-9825

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

INVOICE

Invoice No.	Invoice Date	Job No.
24901	2/4/2016	20059
Job Date	Case No.	
1/28/2016	A-14-700018-C	
Case Name		
Mary Bryan, et al. vs. Clark County School District, et al.		
Payment Terms		
Due upon receipt		

ORIGINAL & ONE ELECTRONIC CERTIFIED TRANSCRIPT

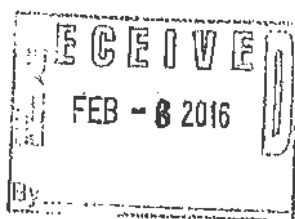
Andre Joseph Long

If you have any questions, you may contact our billing department:
Billing@depointernational.com

Thank you for your business!

TOTAL DUE >>>

\$947.50



Fax ID: 45-0581340

Phone: (415) 561-9601 Fax: (415) 561-9609

Please detach bottom portion and return with payment.

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Job No. : 20059 BU ID : 2-DI LV
Case No. : A-14-700018-C
Case Name : Mary Bryan, et al. vs. Clark County School District, et al.
Invoice No. : 24901 Invoice Date : 2/4/2016
Total Due : **\$ 947.50**

emit To: Depo International
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD	
Cardholder's Name:	
Card Number:	
Exp. Date:	Phone#:
Billing Address:	
Zip:	Card Security Code:
Amount to Charge:	
Cardholder's Signature:	
Email:	



Depo International
703 South Eighth Street
Las Vegas, NV 89101
Phone: 702.386.9322 Fax: 702.386.9825

Accounts Payable
Allen Lichtenstein, Attorney at Law, Ltd.
3806 Forestcrest Drive
Las Vegas, NV 89121

STATEMENT

Account No.	Date
F2961	4/1/2016

Current	30 Days	60 Days
\$0.00	\$882.59	\$0.00
90 Days	120 Days & Over	Total Due
\$0.00	\$0.00	\$882.59

Page 1 of 1

Invoice Date	Invoice No.	Balance	Job Date	Witness	Case Name
2/4/2016	24899	325.76	1/27/2016	John Edwin Hatpin	Mary Bryan, et al. vs. Clark County School District, et al.
2/4/2016	24902	556.83 556.83	1/28/2016	Andre Joseph Long	Mary Bryan, et al. vs. Clark County School District, et al.

PLEASE SEND
PAYMENT

Tax ID: 45-0581340

Phone: (702) 433-2665 Fax: (702) 433-9591

Please detach bottom portion and return with payment.

Accounts Payable
Allen Lichtenstein, Attorney at Law, Ltd.
3806 Forestcrest Drive
Las Vegas, NV 89121

Account No. : F2961
Date : 4/1/2016

Total Due : \$ 882.59

Remit To: Depo International
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD		AMEX	MAST	VISA
Cardholder's Name:				
Card Number:				
Exp. Date:		Phone#:		
Billing Address:				
Zip:		Card Security Code:		
Amount to Charge:				
Cardholder's Signature:				
Email:				

Depo International
703 South Eighth Street
Las Vegas, NV 89101
Phone: 702-386-9322 Fax: 702-386-9825

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

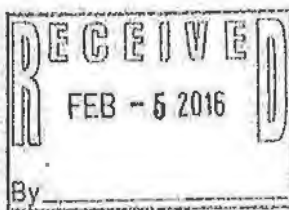
Invoice No.	Invoice Date	Job No.
24805	2/1/2016	20057
Job Date	Case No.	
1/26/2016	A-14-700018-C	
Case Name		
Mary Bryan, et al. vs. Clark County School District, et al.		
Payment Terms		
Due upon receipt		

ORIGINAL & ONE CERTIFIED TRANSCRIPT
Robert Beasley

If you have any questions, you may contact our billing department:
Billing@depointernational.com

Thank you for your business!

533.00
TOTAL DUE >>> \$533.00



fax ID: 45-0581340

Phone: (415) 561-9601 Fax: (415) 561-9609

Please detach bottom portion and return with payment.

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

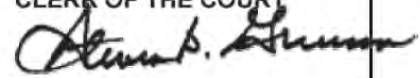
Job No. : 20057 BU ID : 2-DI-LV
Case No. : A-14-700018-C
Case Name : Mary Bryan, et al. vs. Clark County School District, et al.
Invoice No. : 24805 Invoice Date : 2/1/2016
Total Due : \$ 533.00

eml: To: Depo International
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD		AMEX	DISC	VISA
Cardholder's Name:				
Card Number:				
Exp. Date:		Phone#:		
Billing Address:				
Zip:		Card Security Code:		
Amount to Charge:				
Cardholder's Signature:				
Email:				

43

43



1 Allen Lichtenstein (NV State Bar No. 3992)
2 ALLEN LICHTENSTEIN, LTD.
3 3315 Russell Road, No. 222
4 Las Vegas, NV 89120
5 Tel: 702.433-2666
6 Fax: 702.433-9591
7 allaw@lvcoxmail.com

8 John Houston Scott (CA Bar No. 72578)
9 Admitted Pro Hac Vice
10 SCOTT LAW FIRM
11 1388 Sutter Street, Suite 715
12 San Francisco, CA 94109
13 Tel: 415.561-9601
14 john@scottlawfirm.net

15 *Attorneys for Plaintiffs, Mary Bryan, Ethan Bryan,*
16 *Aimée Hairr and Nolan Hairr*

17 DISTRICT COURT
18 CLARK COUNTY, NEVADA

19 MARY BRYAN, mother of ETHAN BRYAN;
20 AIMEE HAIRR, mother of NOLAN HAIRR,

21 Plaintiffs,

22 vs.

23 CLARK COUNTY SCHOOL DISTRICT
24 (CCSD)

25 Defendant.

Case No. A-14-700018-C

Dept. No. XXVII

**NOTICE OF ENTRY OF FINDINGS OF
FACT, CONCLUSIONS OF LAW AND
JUDGMENT IN FAVOR OF
PLAINTIFFS**

26 TO: ALL INTERESTED PARTIES AND THEIR RESPECTIVE ATTORNEYS OF
27 RECORD

28 Please take notice that Findings of Fact, Conclusions of Law and Judgment in Favor of
Plaintiffs were entered in this case, a copy of which is attached..

Dated this 15th day of August 2017,

Respectfully submitted by:

/s/Allen Lichtenstein

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18 CERTIFICATE OF SERVICE

19 I hereby certify that I served the following Notice of Findings of Fact, Conclusions of Law
20 and Judgment in Favor of Plaintiffs via Court's electronic filing and service system and/or United
21 States Mail and/or e-mail on the 15th day of August 2017, to:

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27 /s/ Allen Lichtenstein



DISTRICT COURT
CLARK COUNTY, NEVADA

MARY BRYAN, mother of ETHAN BRYAN;
AIMEE HAIRR, mother of NOLAN HAIRR,

Plaintiffs,

vs.

CLARK COUNTY SCHOOL DISTRICT
(CCSD)

Defendant .

Case No. A-14-700018-C

Dept. No. XXVII

**FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND
JUDGMENT IN FAVOR OF
PLAINTIFFS**

I. Introduction

On June 29, 2017, the Court issued its Decision and Order in favor of Plaintiffs Ethan Bryan and Nolan Hairr and against Defendant Clark County School District (CCSD) on the claims that Defendant violated Plaintiffs' rights under Title IX, 20 USC § 1681(A) and Plaintiffs' rights to Substantive Due Process under the Fourteenth Amendment to the United States Constitution and pursuant to 42 U.S.C. 1983. The Court also ruled that, "Plaintiffs are entitled to a judgment for all damages sought under these two claims asserted in the Complaint, and proven at trial."

II. Procedural History

Plaintiffs filed their Amended Complaint on October 10, 2014 against Defendants: Clark County School District (CCSD), Pat Skorkowsky, in his official capacity as CCSD

1 Superintendent; CCSD Board of School Trustees; Erin A. Cranor, Linda E. Young, Patrice Tew,
2 Stavan Corbett, Carolyn Edwards, Chris Garvey, Deanna Wright, in their official capacities as
3 CCSD Board of School Trustees, Greenspun Jr. High School (GJHS); Principal Warren P.
4 McKay, in his individual and official capacity as principal of GJHS; Leonard DePiazza, in his
5 individual and official capacity as assistant principal at GJHS; Cheryl Winn, in her individual and
6 official capacity as Dean at GJHS; John Halpin, in his individual and official capacity
7 as counselor at GJHS; Robert Beasley, in his individual and official capacity as instructor at
8 GJHS. The Amended Complaint listed five claims for relief: 1) Negligence; 2) Negligence Per
9 Se; 3) Violation of Title IX; 4) Violation of the Right to Equal Protection; 5) Violation of
10 Substantive Due Process.
11

12 In its February 5, 2015 Order, the Court Dismissed Plaintiffs' Claims for Relief No. 1,
13 Negligence, and No. 2, Negligence Per Se. Plaintiffs abandoned their Fourth Claim for Relief,
14 Equal Protection, leaving the Third Claim for Relief, Title IX, and Fifth Claim for Relief,
15 Substantive Due Process, for trial. Defendants filed their Answer on February 25, 2015.
16

17 On March 1, 2016, Defendants filed a Motion for Summary Judgment, which was granted
18 in part and denied in part by the Court in its July 22, 2016 Order. The Court denied Defendants'
19 Motion to dismiss Plaintiffs' Title IX claim against Defendant CCSD. It dismissed the 42 USC
20 1983 Equal Protection claims, which had been abandoned by Plaintiffs. The Court granted
21 Defendants' Motion to dismiss all Defendants except CCSD from the 42 USC 1983 Substantive
22 Due Process claim. Overall, the Court ruled the two remaining claims against CCSD, 1) Title IX;
23 and 2) Substantive Due Process would proceed to trial.
24

25 On or about March 20, 2016, Discovery Commissioner Bulla denied Defendants' Motion
26 to Compel Damages Categories and Calculations, allowing such calculations to be determined by
27
28

1 the Court at trial. The Discovery Commissioner's Report and Recommendations were affirmed
2 and adopted by the Court on April 6, 2016.

3 On August 5, 2016, Defendant CCSD filed a Motion for Partial Reconsideration, or in the
4 Alternative, Motion for Relief Pursuant to NRCP 59(E), 60(A) and 60(B), or Motion in Limiting.
5 On October 26, 2016 the Court denied Defendant's Motion.

6
7 On November 15, 2016, a five-day bench trial was held in Department 27 before the
8 Honorable Judge Nancy L. Alf. Allen Lichtenstein, Esq. and John Houston Scott, Esq. appeared
9 for and on behalf of Plaintiffs Mary Bryan ("Mrs. Bryan") and Aimee Hairr ("Mrs. Hairr"),
10 (collectively Plaintiffs"). Daniel Polsenberg, Esq., Dan Waite, Esq., and Brian D. Blakley, Esq.
11 appeared for and on behalf of Defendant CCSD, ("Defendant") on the Title IX and 42 USC 1983
12 Substitute Due Process claims. Testimony was given by: Nolan Hairr, Ethan Bryan, Aimee Hairr,
13 Mary Bryan, Principal Warren McKay, Vice Principal Leonard DePiazza, Dean Cheryl Winn,
14 Counselor John Halpin and band teacher Robert Beasely. Although neither one of the alleged
15 bullies testified, CL's deposition was introduced into evidence. (For privacy purposes, only the
16 initials of CL and DM are used.)

17
18 Closing arguments were done via written briefs. Briefing was completed on May 26, 2017.
19 On June 29, 2017, the Court issued its Decision and Order, concluding that Defendant CCSD
20 violated both Title IX of the Civil Rights Act and also violated Plaintiffs' Substantive Due Process
21 rights as guaranteed by the Fourteenth Amendment to the United States Constitution pursuant to
22 42 USC 1983. The Court further ordered that after review, "Judgment shall be entered in favor of
23 Plaintiffs Mary Bryan, on behalf of Ethan Bryan and Aimee Hairr on behalf of Nolan Hairr, and
24 that Plaintiffs are entitled to a judgment for all damages sought under these two claims asserted in
25 the Complaint, and proven at trial."
26
27
28

1 **III. Findings of Fact**

2 **A. Ethan Bryan and Nolan Hairr started being bullied almost from the time**
3 **they began attending Greenspun Jr. High School.**

4 In late August 2011, two friends, Ethan Bryan and Nolan Hairr began sixth grade at
5 Greenspun Jr. High School. Both Ethan and Nolan enrolled in Mr. Beasley's third period band
6 class in the trombone section.

7 Almost from the beginning of the school year, Ethan and Nolan began to be bullied by two
8 other trombone students, CL and DM. In sixth grade, at age 11, Nolan was small for his age with
9 long blonde hair. CL and DM taunted him with names like gay and faggot, and called him a girl.
10 CL also touched, pulled, ran his fingers through Nolan's hair and blew in Nolan's face.
11

12 Nolan, following what he believed was proper procedure, went to the Dean's office and
13 filled out a complaint report. He was, however, too embarrassed to mention the homophobic and
14 sexual content of the slurs that he was enduring. Nolan was subsequently called into the Dean's
15 office and met with Dean Winn. He did not feel that she was either sympathetic or even interested,
16 and therefore was reluctant to discuss the homophobic sexually-oriented nature of the bullying.
17

18 Within a day or two of Nolan's meeting with the Dean, on or about September 13, 2011,
19 CL, who was sitting next to Nolan in band class, reached over and stabbed Nolan in the groin
20 with the sharpened end of the pencil. CL said he wanted to see if Nolan was a girl, and also
21 referred to Nolan as a tattletale. Nolan took the tattletale reference as a sign that the stabbing was,
22 at least in part, retaliation for Nolan complaining about the bullying. Because of this fear of
23 retaliation, Nolan decided not to tell any adults about any further bullying directed at him, and
24 instead, to endure the torment in silence.
25

26 A day or two after the stabbing incident, while Nolan was at Ethan's house, Ethan's
27 mother, Mary Bryan overheard Ethan and Nolan talking about some problem taking place at
28 school. After Nolan had gone home, Mary Bryan confronted her son and questioned him

1 concerning what Ethan and Nolan had been discussing. Ethan described to his mother the incident
2 where CL stabbed Nolan in the groin with a pencil, and about the overall bullying occurring in Mr.
3 Beasley's band class.

4 **B. Mary Bryan's September 15, 2011 email**

5 In response, Mary Bryan decided to contact the school officials to report the bullying in
6 general and the stabbing in particular.

7
8 On September 15, 2011, she attempted to telephone Greenspun Principal Warren P.
9 McKay. However, she could not reach him by telephone and was only able to talk to a junior high
10 student volunteer. Mary did not want to leave such a sensitive message with a junior high student
11 and was not transferred to Principal McKay's voicemail. Mary then decided she would email
12 the Principal and got an email address for him from the student volunteer.

13
14 On September 15, 2011, Mary Bryan sent an email to three people: 1) Principal Warren
15 McKay; 2) band teacher Robert Beasley; and 3) school counselor John Halpin, complaining about
16 the bullying and specifically about the stabbing. Both Mr. Beasley and Mr. Halpin acknowledged
17 receiving the September 15, 2011 email from Mary Bryan. Principal McKay said he did not
18 receive it because the email address for him (which Mary Bryan obtained from his own office)
19 was incorrect.

20
21 Both Mr. Beasley and Mr. Halpin were, in 2011, mandatory reporters who were required to
22 report any information concerning bullying, to either the Principal or one of his designees,
23 pursuant to NRS 3.88.1351 (1). In 2011, Principal McKay's designees at Greenspun were Vice
24 Principal Leonard DePiazza and Dean Cheryl Winn.

25 Neither Mr. Beasley nor Mr. Halpin fulfilled their statutory duty to report Mary Bryan's
26 September 15, 2011 email concerning bullying, explaining that because they saw Principal
27
28

1 McKay's name in the address line, they assumed, without verifying, that Dr. McKay, and through
2 him Vice Principal DePiazza and Dean Winn were aware of the situation.

3 These assumptions by Mr. Beasley and Mr. Halpin were incorrect. Moreover, by relying
4 on their assumptions, rather than adhering to the statutory requirement to report any information
5 concerning bullying they received, they both violated the explicit requirements of NRS
6 388.1351(1).
7

8 In response to the September 15, 2011 email, Mr. Beasley changed the seating
9 arrangements in the trombone section of his class. While before, Nolan had been sitting next to
10 Connor, after the change, Nolan sat directly in front of CL.

11 While Mr. Beasley attempted to keep an eye on both bullies and the bullied students, he
12 admitted that he was unable to constantly watch them and still teach his class. Mr. Beasley said
13 that he made the decisions concerning the seating arrangements on his own without consultation
14 with anyone else. This testimony conflicted with that of Dean Winn, who stated that she was
15 involved in the decision.
16

17 The bullying continued. For Ethan Bryan, at the beginning of the school year, most of the
18 taunts at him by CL and DM had to do with his size. He was large for his age and overweight.

19 After the incident where CL stabbed Ethan's friend Nolan with a pencil, the bullying of
20 Ethan began to change. It not only escalated but also shifted from being mostly about his size and
21 weight to also involve homophobic slurs and vile and graphic innuendos concerning sexual
22 relations between Ethan and Nolan.
23

24 Like his friend Nolan, Ethan also chose not to report the bullying that he was enduring for
25 fear of retaliation, and lack of any real interest on the part of Greenspun school officials. Mary
26 Bryan, believing that the school would contact Nolan's parents after Mary sent them the
27
28

1 September 15, 2011 email about the stabbing of Nolan, did not directly inform Nolan's parents
2 herself.

3 **C. Aimee Hairr's September 22, 2011 phone conversation with Vice Principal**
4 **DePiazza and September 23, 2011 phone call with Counselor Halpin**

5 On or about September 21, 2011, while Mary Bryan and Nolan's mother Aimee Hairr were
6 at a birthday party for another of Mary's children, Mary casually asked Aimee about the school's
7 response to the September 15, 2011 email. Aimee responded that she had received no
8 communication from the school, and that she had no knowledge or information about the bullying
9 of her son occurring in Mr. Beasley's band class.
10

11 After talking to Mary, Nolan's parents then confronted him about the bullying. Nolan
12 verified the veracity of the substance of the contents of the September 15, 2011 email. He also
13 admitted to the stabbing incident.

14 On September 22, 2011, Nolan's mother made several phone calls to various school
15 officials in an attempt to contact the school regarding the September 15, 2011 email about the
16 stabbing of their son. She left several messages for different school officials. Finally, Aimee Hairr
17 was able to reach Vice Principal DePiazza, and had a phone conversation with him in which she
18 described the September 15, 2011 email, and the stabbing, including the comment by CL that he
19 did it to see if Nolan was a girl.
20

21 Mr. DePiazza told Aimee Hairr that there were a few options for Nolan, all involving
22 Nolan either transferring out of band class into another class at Greenspun, or transferring out of
23 Greenspun to a different school entirely.

24 Aimee found these so-called solutions to be both inadequate and inappropriate because if
25 anyone were to be moved, it should be the perpetrator of the bullying who assaulted her son not
26 the victim, Nolan.
27
28

1 Vice Principal DePiazza denied that he ever had a phone conversation with Aimee Hairr.
2 According to his version of events, some time in either September or October 2011 (he could not
3 remember when) there was a meeting in his office attended by Aimee Hairr, Dean Cheryl Winn
4 and possibly Nolan Hairr. Mr. DePiazza claimed that while there was some generalized discussion
5 about the "situation" in the band room, nothing specific about the stabbing or the September 15,
6 2011 email was ever mentioned. Neither Aimee Hairr, Nolan Hairr nor Cheryl Winn corroborated
7 Mr. DePiazza's version of events about this supposed meeting, or even that it took place.
8

9 On or about September 23, 2011, Mrs. Hairr received a return phone call from counselor
10 John Halpin. Aimee knew Mr. Halpin because she was his dental hygienist. Mr. Halpin told her he
11 had received this September 15, 2011 email and was aware of its contents. He said he had
12 previously spoken to Nolan and would do so again to make sure that Nolan made a formal
13 complaint about the stabbing to the Dean. He said he believed that Dean Winn knew about it, but
14 wanted to make sure.
15

16 Later that day, Nolan met with Mr. Halpin. Both agreed that the counselor wanted Nolan to
17 go to the Dean's office to fill out an incident report. Mr. Halpin said that he accompanied Nolan to
18 Ms. Winn's office, while Nolan said he was sent there and went by himself. Mr. Halpin also said
19 that since the Dean was not in the office, he left a message for Dean Winn with Harriet Clark, her
20 secretary, recounting the stabbing incident and the bullying. He gave that message to the Dean's
21 secretary with instructions to relay that message to Dean Winn. The Dean did not report receiving
22 Mr. Halpin's message from her secretary.
23

24 Nolan, still trying to "tough it out" and not make more trouble for himself by complaining
25 and thereby risking further retaliation, wrote a bland and rather innocuous version of what he was
26 enduring in band class. He did not mention the stabbing nor the homophobic, sexually-oriented
27 slurs.
28

1 Dean Winn said she could not remember whether she met with Nolan on or after
2 September 22, 2011. Nolan said that no such meeting took place on or after September 22, 2011.
3 Aimee Hairr said she never had a meeting with Dean Winn.

4 Dean Winn said testified did not learn of the stabbing incident until the following year,
5 February 2012.

6
7 **D. Mary Bryan's October 19, 2011 email to school officials and October 19,**
8 **2011 meeting with Dean Winn**

9 On or about October 19, 2011, Mary Bryan noticed that Ethan had come home from school
10 with scratches on his leg. When she confronted him about the scratches, he told her that at the end
11 of band class, while Mr. Beasley was out of the room, one of the bullies who was behind Ethan,
12 removed a rubber stopper out of a piece of his trombone and started hitting Ethan in the legs with
13 the remaining sharp piece of the instrument.

14 Upon questioning by his parents, Ethan also disclosed that CL and DM continued to make
15 lewd sexual comments including calling both Ethan and Nolan gay, faggots and other similar
16 names, and also talked about Ethan and Nolan jerking each other off and otherwise engaging in
17 homosexual acts with each other.

18
19 Ethan's parents, enraged that this was going on -- particularly after the September 15, 2011
20 email -- decided to confront school officials. On October 19, 2011 Mary Bryant sent a second
21 email addressed to Principal McKay, Mr. Beasley, and Mr. Halpin, describing the continuing
22 bullying and also the hitting scratching of Ethan's leg.

23 Mr. and Mrs. Bryan met with Dean Winn at the Dean's office on October 19, 2011. They
24 described the bullying endured by both Ethan and Nolan, specifically mentioning the physical
25 assaults as well as the vile homophobic slurs that both boys were subjected to by CL and DM. The
26 Bryans made it clear that they would not tolerate a continuation of this bullying.
27
28

1 Dean Winn denied the occurrence of this meeting. She also denied that she knew anything
2 about the, emails, the physical assaults and the homophobic slurs in October 2011. She said she
3 only learned of the October 19, 2011 email the following year, in February 2012.

4 **E. The October 19, 2011 Administrator's meeting where John Halpin informed**
5 **Principal McKay and Vice Principal DePiazza of Mary Bryan's emails**

6 Mr. Halpin, who was a recipient of the October 19, 2011 email, said he forwarded that
7 email to Dean Winn to make sure she was aware of the situation. Dean Winn denied having
8 received the October 19, 2011 email from Mr. Halpin.

9
10 Also on October 19, 2011, Mr. Halpin attended a weekly administrators meeting. Principal
11 McKay and Vice Principal DePiazza were at that meeting. Dean Winn, who was a regular
12 participant in those weekly meetings, did not attend that day.

13 Mr. Halpin said that he reported on the bullying that was occurring in Mr. Beasley's band
14 class in considerable detail to both Principal McKay and Vice Principal DePiazza. He also stated
15 that everyone at that meeting knew about the two emails that had been sent by Mary Bryan. He
16 also made it clear that the two assaults were perpetrated by the same two bullies against the same
17 two bullied students. Mr. Halpin specifically recalled Principal McKay telling Vice Principal
18 DePiazza to take care of the matter.
19

20 Dr. McKay stated his recollections from the October 19, 2011, administrators meeting
21 differently. McKay recalled Mr. Halpin bringing up the subject of bullying in Mr. Beasley's class,
22 but without mentioning many specifics. For reasons he did not disclose, McKay stated that he
23 really was not interested in the details of such matters and left it to his subordinates to address the
24 issue.
25

26 Dr. McKay stated that he told Mr. DePiazza and Mr. Halpin to handle the situation. Dr.
27 McKay also stated that he subsequently did not ask the Vice Principal about how the investigation
28 was going or what DePiazza had found out until February 2012.

1 Principal McKay only took action in February 2012 because it was then that he was
2 ordered by his supervisor at the district level and the Assistant Superintendent to investigate the
3 bullying of Ethan and Nolan.

4 Vice Principal DePiazza stated a vague memory of the October 19, 2011 administrative
5 meeting. He recalled that there may have been some discussion about bullying but didn't really
6 remember much. His position was that he definitely did not remember being told by Dr. McKay to
7 conduct an investigation into the bullying reports on October 19, 2011.

9 Principal McKay stated that in 2011 while he never asked his Vice Principal about the
10 bullying investigation, he did, at some point, have a casual discussion with Dean Winn about the
11 matter. He asked her how the investigation was going. Dean Winn replied that she was having
12 trouble getting corroborating statements from other students.

13 Dean Winn's testimony contradicted the Principal's statements by claiming that she did
14 not undertake any investigation of the bullying because she was specifically told by Dr. McKay
15 that it was all being handled by Vice Principal DePiazza. Dr. McKay testified that Dean Winn told
16 him she was investigating by trying to get statements from other students.

18 **F. Although by October 19, 2011, all members of the Greenspun Junior High**
19 **School administration were aware of physical, and discriminatory bullying that**
20 **Ethan and Nolan were experiencing, no investigation was conducted until February**
21 **2012, after both boys had left the school.**

22 Although the school officials all pointed fingers at each other, the one thing that they all
23 agreed upon is that contrary to Nevada statutes, no investigation of the reports of bullying,
24 described in the September 15, 2011, and October 19, 2011 emails from Mary Bryan and the
25 September 22, 2011 phone conversation between Aimee Hairr and Vice Principal DePiazza, the
26 September 23, 2011 phone conversation between Aimee Hairr and Mr. Halpin, and the October
27 19, 2011 meeting between Mr. and Mrs. Bryan and Dean Winn, ever occurred in 2011.

1 Throughout the rest of 2011, the bullying of Ethan and Nolan by CL and DM continued
2 out of the sight of Mr. Beasley.

3 Ethan and Nolan continued to employ the strategy of trying to ignore the problem, feeling
4 that any further complaints would just lead to greater retaliation.

5 When Ethan and Nolan came back to Greenspun for in January 2012, their resolve began
6 to waver. Each boy tried to avoid band class or even school altogether. Ethan feigned illness, and
7 even tried to make himself sick by eating cardboard. Nolan would hang out in the library or in the
8 halls. By the middle of January, both boys had essentially stopped going to school in order to
9 avoid further bullying.

10
11 In January 2012, Ethan Bryan was prevented from attempting to commit suicide by
12 drinking household chemicals, because of a fortuitous intervention from his mother. Ethan's
13 parents refused to send him back to Greenspun after that.

14
15 On or around January 21, 2012 Nolan had, what his mother described as something close
16 to a breakdown because of the bullying that he and others were enduring at Greenspun. Mrs. Hairr
17 decided to pull Nolan out of the school at that time. She also made a report to the police.

18 By early February 2012, both Ethan and Nolan had been removed from Greenspun Jr.
19 High School.

20 Subsequent to the removal of Ethan and Nolan from Greenspun, and also subsequent to the
21 filing of the police report, Principal McKay, on or about February 7, 2012, was contacted by
22 officials from the school district, specifically his direct supervisor Andre Long and the Assistant
23 Superintendent Jolene Wallace. He was ordered by Ms. Wallace to conduct an investigation into
24 the bullying of Ethan Bryan and Nolan Hairr.

25 Because he was ordered by his superiors to investigate, Principal McKay directed Vice
26 Principal DePiazza to conduct a "second" investigation.
27
28

1 This was, in fact, the only investigation done at Greenspun into the bullying of Ethan and
2 Nolan. At trial, no one from the school or the school district testified to seeing any results of any
3 earlier investigation. Nor was any evidence obtained from any earlier investigation introduced.
4 Contrary to the responsibilities under Nevada law, no investigation ever took place while Ethan
5 and Nolan were attending Greenspun Junior High School.

6 7 **IV. Conclusions of Law**

8 **A. The Evidence and Testimony at Trial shows a Title IX Violation.**

9 **1. Title IX Standards**

10 Section 901(a) of Title IX provides, "No person in the United States shall, on the basis of
11 sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination
12 under any education program or activity receiving Federal financial assistance." 20 USC §
13 1681(a). Based on the receipt of federal funds, CCSD is subject to Title IX requirements. 20 USC
14 § 1681(a). Under Title IX, student on student harassment and bullying based upon perceived
15 sexual orientation is actionable.
16

17 For liability under Title IX for student on student sexual harassment: (1) the school district
18 "must exercise substantial control over both the harasser and the context in which the known
19 harassment occurs", (2) the plaintiff must suffer "sexual harassment ... that is so severe, pervasive,
20 and objectively offensive that it can be said to deprive the victims of access to the educational
21 opportunities or benefits provided by the school", (3) the school district must have "actual
22 knowledge of the harassment", and (4) the school district's "deliberate indifference subjects its
23 students to harassment". *Reese v. Jefferson School District No. 14J*, 208 F.3d 736, 739 (9th Cir.
24 2000) (quoting *Davis*, 526 U.S. 629, 119 S. Ct. 1661, 1675 (1999)). See also, *Henkle v. Gregory*,
25 150 F.Supp.2d 1067, 1077-1078 (D. Nev. 2001). The Ninth Circuit defines deliberate indifference
26 as "the conscious or reckless disregard of the consequences of one's acts or omissions," *Henkle v.*
27
28

1 *Gregory*, 150 F.Supp. 2d 1067,1077-78 (D. Nev. 2001); See also 9th Cir. Civ. Jury Instr. 11.3.5
2 (1997)(citing *Redman v. County of San Diego*, 942 F.2d 1435, 1442 (9th Cir. 1991), *cert. denied*,
3 502 U.S. 1074 (1992). A Plaintiff bringing a claim under Title IX must prove his or her claim by a
4 preponderance of the evidence. Whether conduct rises to the level of actionable "harassment"
5 thus "depends on a constellation of surrounding circumstances, expectations, and
6 relationships," *Oncale v. Sundowner Offshore Services, Inc.*, 523 U.S. 75, 82 (1998).
7

8 In the instant case, the testimony at trial showed that: 1) Greenspun Junior High School
9 exercised substantial control over both the students involved in the bullying and the context in
10 which the harassment occurred; 2) both Ethan and Nolan were bullied at school; 3) the harassment
11 they endured was sexual in nature; 4) the harassment was so severe, pervasive, and objectively
12 offensive that it deprived Ethan and Nolan of access to the educational opportunities and benefits
13 provided by the school; 5) the appropriate school officials had actual knowledge of the bullying
14 and sexual discrimination suffered by Ethan and Nolan; and, 6) the appropriate school officials
15 demonstrated deliberate indifference to the bullying endured by Ethan and Nolan.
16

17 **2. Ethan and Nolan were bullied in Mr. Beasley's band class.**

18 Ethan and Nolan were bullied in Mr. Beasley's band class by two other students. They
19 were not only called names, but both were physically assaulted by the bullies. On September 13,
20 2011, CL stabbed Nolan in the groin with a pencil during Mr. Beasley's band class. On October
21 18, 2011 Ethan was physically assaulted by one of the bullies at the end of band class by having
22 his legs hit and scratched with a trombone from which the rubber stopper had been removed.
23

24 **3. The bullying was sexual in nature.**

25 From the very beginning of the school year Nolan was called names such as "faggot,
26 fucking fat faggot, fucking faggot, gay, gay boyfriend, cunt." This began when he was 11 years
27 old at the beginning of sixth grade. Nolan was a small child who had blonde hair down to his
28 shoulders.

1 While Ethan had been bullied by CL and DM from the beginning of the school year, their
2 comments had started off being directed at his size and weight, after the stabbing incident, the
3 bullies also began directing their homophobic slurs against Ethan as well. The bullies continuously
4 taunted Ethan and Nolan with homophobic slurs and innuendo, and specifically made statements
5 concerning homosexual relations and explicit sexual acts between Ethan and Nolan in vile and
6 graphic terms.
7

8 **4. The bullying of Ethan and Nolan was severe, pervasive, and objectively**
9 **unreasonable, and deprived them of significant educational opportunities.**

10 The nature of the bullying was severe, pervasive, and objectively unreasonable. It involved
11 verbal abuse of a sexual and homophobic nature beginning from the start of the school year and
12 only ceased when Ethan and Nolan were forced to stop attending Greenspun. Both boys suffered
13 so severely from the bullying that they did whatever they could to not attend school in order to
14 avoid the bullying. In January 2012, Ethan feigned illness in order to stay home from school. He
15 would eat paper in order to make himself sick. For Ethan, the bullying was so severe and
16 pervasive that he saw suicide as his only way out. Fortunately, he was prevented from doing so
17 by his mother's intervention. At that point, she was forced to take him out of Greenspun.
18

19 In January 2012, Nolan stopped going to band class in order to avoid the bullying by CL.
20 Nolan then had a breakdown due to the constant bullying that forced his parents also to remove
21 him from Greenspun. The creation of a sufficiently hostile environment forced Ethan and Nolan's
22 parents to remove them from Greenspun Jr. High School and thus deprived them of educational
23 opportunities.
24

25 The severity of the hostile environment forced both Nolan and Ethan to quit Greenspun to
26 escape both verbal and sometimes physical harassment from CL and DM that school officials were
27 aware of, and allowed to continue. This was clearly a loss of educational opportunity.
28

1 **5. Appropriate school officials had actual notice of the existence and the**
2 **discriminatory nature of the bullying.**

3 Appropriate school officials had notice of the existence and nature of the bullying suffered
4 by Ethan and Nolan. *See, Gebser v. Lago Vista Indep. Sch. Dist.*, 524 U.S. 274, 290 (1998).

5 [I]n cases like this one that do not involve official policy of the recipient entity, we
6 hold that a damages remedy will not lie under Title IX unless an official who at a
7 minimum has authority to address the alleged discrimination and to institute
8 corrective measures on the recipient's behalf has actual knowledge of
9 discrimination in the recipient's programs and fails adequately to respond.

10 524 U.S. at 290.

11 The Court in *Warren v. Reading Sch. Dist.*, 278 F.3d 163 (3rd Cir. 2002) stated that the
12 school principal was the appropriate person for Title IX purposes, while in *Murrell v. Sch. Dist.*
13 *No. 1*, 186 F.3d 1238, 1247 (10th Cir. 1999) the Court considered an individual who exercises
14 substantial control, for Title IX purposes, to be anyone with the authority to take remedial action.
15 Several Greenspun personnel had authority to take remedial disciplinary actions when appropriate,
16 including, band teacher Beasley, Principal McKay, Vice Principal DePiazza, and Dean Winn.
17 Both Mr. Beasley and Mr. Halpin admitted to receiving Mary Bryan's September 15, 2011 and
18 October 19, 2011 emails.

19 Five separate contacts by Ethan or Nolan's parents to Greenspun personnel put the school
20 on actual notice of the verbal, physical and sexual nature of the bullying. On September 15, 2011,
21 Mary Bryan sent an email to Dr. McKay, Mr. Halpin and Mr. Beasley concerning the stabbing of
22 Nolan. On September 22, Aimee Hairr spoke to Mr. DePiazza about the general bullying and the
23 assault on her son. She spoke to Mr. Halpin by phone the next day.

24 On October 19, 2011, Mary Bryan sent another email to Dr. McKay, Mr. Halpin and Mr.
25 Beasley, this time regarding the assault on Ethan. The same day, she and her husband met with
26 Dean Winn to discuss the bullying of Ethan and Nolan, and particularly about its sexual,
27
28

1 homophobic nature. All of these parental contacts gave the school actual notice to appropriate
2 persons of the existence and nature of the bullying of both Ethan and Nolan.

3 **6. Greenspun school officials acted with deliberate indifference for Title**
4 **IX violation purposes.**

5 Deliberate indifference is "the conscious or reckless disregard of the consequences of one's
6 acts or omissions." *Henkle v. Gregory*, 150 F. Supp. 2d at 1078. Deliberate indifference occurs
7 where the recipient's response to the harassment or lack thereof is clearly unreasonable in light of
8 the known circumstances. *Reese v. Jefferson Sch. Dist. No. 14J*, 208 F.3d 736, 739 (9th Cir.
9 2000). It must, at a minimum, "cause students to undergo harassment or make them liable or
10 vulnerable to it." *Id.*, citing *Davis*, 526 U.S. at 645. "[I]f an institution either fails to act, or acts in
11 a way which could not have reasonably been expected to remedy the violation, then the institution
12 is liable for what amounts to an official decision not to end discrimination." *Gebser v. Lago Vista*
13 *Ind. School Dist.*, 524 U.S. 274, 290 (1998); *See, Jane Doe A v. Green*, 298 F. Supp.2d 1025, 1035
14 (D. Nev. 2004). Greenspun officials' failure to take further action once they received actual notice
15 of the bullying and its nature showed deliberate indifference. *See, Flores v. Morgan Hill Unified*
16 *School Dist.*, 324 F.3d 1130, 1136 (9th Cir. 2003), *Vance v. Spencer County Public School Dist.*,
17 231 F.3d 253 (6th Cir. 2000).

18 Even though NRS 3.88.1351 (1) requires that once a report of bullying is received, the
19 Principal or his or her designee begin an immediate investigation, no investigation, much less one
20 conforming to statute, was ever undertaken in 2011. The only time an investigation occurred was
21 in February 2012, when it was ordered by the District. This, however, occurred well after both
22 Ethan and Nolan had been removed from Greenspun, and a police report had been filed. This
23 constituted deliberate indifference on the part of school officials who had actual notice of the
24 physical and homophobic bullying to which Ethan and Nolan were subjected.

25 **B. The Evidence and Testimony at Trial shows a Substantive Due Process**
26 **Violation.**

27 Under *DeShaney v. Winnebago County Department of Social Services*, 489 U.S. 189
28 (1989), the Due Process Clause of the United States Constitution does not require state actors to

1 protect private citizens from harm inflicted by other private citizens. *DeShaney*, however, is
2 inapplicable because of the state created danger exception.

3 **1. Plaintiffs had a constitutionally protected interest in their safety and in**
4 **their education.**

5 State law can create a liberty or property interest. *Vitek v Jones*, 445 U.S. 480 (1980);
6 *Carlo v. City of Chino*, 105 F.3d 493 (9th Cir. 1997). The Supreme Court stated in *Goss v. Lopez*,
7 419 U.S. 565, 576 (1975), that a student's right to a public education is a property interest
8 protected by the Due Process Clause. See also, *Henry A. v. Willden*, 678 F.3d 991 (9th Cir. 2012).

9
10 **2. Defendant acted with deliberate indifference for substantive due**
11 **process violation purposes.**

12 The "state-created danger exception" — when "the state affirmatively places the Plaintiff
13 in danger by acting with 'deliberate indifference' to a 'known and obvious danger,'" is manifested
14 here. The standard for deliberate indifference does not vary between Title IX and 42 USC 1983
15 cases. *Doe A. v. Green*, 298 F.Supp.2d 1025, 1035 (D.Nev., 2004) see also *Willden, supra*.
16 Deliberate indifference consists of deliberate action or deliberate inaction. *Wereb v. Maui County*,
17 727 F.Supp.2d 898, 921 (D. Haw., 2010) citing, *Long v. County of Los Angeles*, 442 F.3d 1178,
18 1185 (9th Cir., 2006); *City of Canton v. Harris*, 489 U.S. 378, 388 (1989).

19 In other cases, Defendants have been "charged with knowledge" of unconstitutional
20 conditions when they persistently violated a statutory duty to inquire about such conditions and to
21 be responsible for them. *Wright v. McMann*, 460 F.2d 126 (2nd Cir. 1972); *United States ex rel.*
22 *Larkins v. Oswald*, 510 F.2d 583 (2nd Cir. 1975); *Doe v. N.Y.C. Dep't of Soc. Servs.*, 649 F.2d 134
23 (2nd Cir. 1981). The failure to investigate the reported physical, sexual, and other verbal bullying,
24 in the face of clear statutory mandates to do so is significant evidence of an overall posture of
25 deliberate indifference toward Ethan's and Nolan's welfare.

26 **3. CCSD is subject to Monell liability.**

27 In *Menotti v. City of Seattle*, 409 F.3d 1113, 1147 (9th Cir. 2005), the Ninth Circuit stated
28 that there are three distinct alternative theories of municipal liability, by showing: (1) a

1 longstanding practice or custom which constitutes the 'standard operating procedure' of the local
2 government entity; (2) that the decision-making official was, as a matter of state law, a final
3 policymaking authority whose edicts or acts may fairly be said to represent official policy in the
4 area of decision; or (3) that an official with final policymaking authority either delegated that
5 authority to, or ratified the decision of, a subordinate. *See also, Trevino v. Gates*, 99 F.3d 911, 918
6 (9th Cir. 1996).

8 Liability can be established by the existence of a government policy or custom that leads
9 to a constitutional deprivation. *Monell v. Department of Social Services of New York*, 436 U.S.
10 658, 694 (1978); *Ulrich v. City and County of San Francisco*, 308 F.3d 968, 983 (9th Cir. 2002);
11 *Weiner v. San Diego County*, 210 F.3d 1025, 1028 (9th Cir. 2000). The other two theories of
12 municipal liability attach when a final policymaker for the government acts in a manner that can
13 fairly be said to represent official action. *See City of St. Louis v. Praprotnik*, 485 U.S. 112, (1988);
14 *Pembaur v. City of Cincinnati*, 475 U.S. 469, 479-80 (1986).

16 Liability may attach either when the final policymaker is a final policymaking authority
17 who made the allegedly unconstitutional action, or when that action is ratified, or delegated to a
18 subordinate. *Menotti*, 409 F.3d at 1147; *Ulrich*, 308 F.3d at 984-85. A policy includes "a course
19 of action tailored to a particular situation and not intended to control decisions in later situations."
20 *Pembaur*, 475 U.S. at 481. When determining whether an individual has final policymaking
21 authority, the pertinent query is whether he or she has authority "in a particular area, or on a
22 particular issue." *McMillian v. Monroe County*, 520 U.S. 781 (1997). The individual must be in a
23 position of authority to the extent that a final decision by that person may appropriately be
24 attributed to the District. *Lytle v. Carl*, 382 F.3d 978, 983 (9th Cir. 2004); *see also, Christie v. Iopa*,
25 176 F.3d 1231, 1235 (9th Cir. 1999). A government entity can be liable for an isolated
26 constitutional violation. *Id.*

Principals can act as final policymakers for the purposes of *Monell* liability with respect to student discipline issues. *Williams v. Fulton Cnty. Sch. Dist.*, 181 F. Supp. 3d 1089, 1126-27 (N.D. Ga. 2016), *citing*, *Holloman v. Harland*, 370 F.3d 1252, 1293 (11th Cir. 2004); *see also*, *Bowen v. Watkins*, 669 F.2d 979 (5th Cir. 1982); *Rabideau v. Beekmantown Cent. Sch. Dist.*, 89 F. Supp. 2d 263, 268 (N.D.N.Y. 2000), *citing* *Luce v. Board of Educ.*, 2 A.D.2d 502, 505, 157 N.Y.S.2d 123, 127 (3d Dep't 1956), *aff'd*, 3 N.Y.2d 792, 143 N.E.2d 797, 164 N.Y.S.2d 43 (1957).

4. NRS 388.1351(2) specifically tasks the school Principal with responsibility for investigating reports of bullying.

The question of whether a particular individual has policymaking authority is a question of state law. *Pembaur, supra*, 475 U.S. at 483; *St. Louis v. Praprotnik*, 485 U.S. 112, 124 (1988); *Lytle*, 382 F.3d at 982-83. NRS 388.1351(2) required that once a report of bullying is received, the Principal or his or her designee shall initiate an investigation not later than one day after receiving notice of the violation, and that the investigation must be completed within 10 days after the date on which the investigation is initiated.

The legislature explicitly gave a statutory mandate to investigate reports of bullying in school to the school "Principal or his or her designee." There is absolutely no legislative authority for the CCSD to designate somebody else at the District level to override the delegation of responsibility and authority. Thus, under the NRS 388.1351(2), because the final policymaker relating to the failure of Principal McKay or any of his designees to conduct the requisite investigation on the reports of the bullying of Ethan and Nolan, was the Principal himself, Defendant CCSD is liable for the substantive due process violation under *Monell*.

V. Damages

In its June 29, 2017 Decision and Order, the Court ruled that "Plaintiffs are entitled to a judgment for all damages sought under these two claims asserted in the Complaint, and proven at trial." On April 6, 2016, Discovery Commissioner Bulla denied Defendants' Motion to Compel

1 Damages Categories and Calculations, thus allowing these calculations to be determined by the
2 Court at trial. The Discovery Commissioner's Report and Recommendations were affirmed and
3 adopted by the Court. Plaintiffs Mary Bryan and Aimee Hairr testified that their out of pocket
4 expenses for schooling for Ethan and Nolan outside of CCSD is approximately ten thousand
5 dollars (\$10,000) per year starting in eighth grade, or approximately fifty thousand dollars
6 (\$50,000) total for each child to date.

8 Beyond these out of pocket expenses both Ethan and Nolan suffered from physical attacks
9 and relentless homophobic slurs. A seminal Nevada case can serve as a guideline for damages in
10 similar school bullying cases. In *Henkel*, (150 F. Supp. 2d at 1069), "during school hours and on
11 school property, he endured constant harassment, assaults, intimidation, and discrimination by
12 other students because he is gay and male and school officials, after being notified of the
13 continuous harassment, failed to take any action." The Washoe County School District agreed to
14 pay Mr. Henkel four hundred, fifty-one thousand (\$451,000) dollars as damages. Using *Henkel* as
15 a guidepost, the \$451,000 award in 2001 would be equivalent to approximately \$625,000 in
16 today's dollars. Therefore, awards of six hundred thousand dollars (\$600,000), apiece to each
17 Plaintiff, Mary Bryan on behalf of Ethan Bryan and Aimee Hairr on behalf of Nolan Hairr, is
18 appropriate.

20 VI. Judgment

21 Judgment is hereby entered in favor of Plaintiffs Mary Bryan on behalf of Ethan Bryan and
22 Aimee Hairr on behalf of Nolan Hairr, and against Defendant Clark County School District on the
23 Title IX and Substantive Due Process claims. It is further ordered that Defendant shall pay to each
24 Plaintiff, Ethan Bryan and Nolan Hairr, the sum of ^{three hundred} ~~six~~ hundred thousand dollars (\$600,000) for
25 physical and emotional distress damages and costs for alternative schooling. These awards are
26 exclusive of any costs or attorneys fees accrued.
27
28

1 Dated this 20 day of July 2007

Nancy L. Allf
NANCY L. ALLF
District Court Judge

3 Respectfully submitted by:

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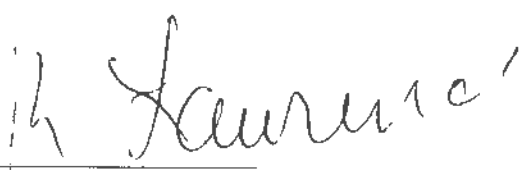
1
2 **CERTIFICATE OF SERVICE**
3

4 I hereby certify that on or about the date signed I caused the foregoing document to be
5 electronically served pursuant to EDCR 8.05(a) and 8.05(f), through the Eighth Judicial
6 District Court's electronic filing system, with the date and time of the electronic service
substituted for the date and place of deposit in the mail and/or by email to:

7 Allen Lichtenstein, Esq.
8 aljjc@aol.com

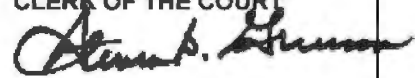
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*Attorneys for Defendants Clark County School
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DISTRICT COURT**CLARK COUNTY, NEVADA**

MARY BRYAN, mother of ETHAN
BRYAN; AIMEE HAIR, mother of
NOLAN HAIR,

Case No. A-14-700018-C

Dept. No. XXVII

Plaintiffs,

vs.

CLARK COUNTY SCHOOL DISTRICT
(CCSD); PRINCIPAL WARREN P.
MCKAY, in his individual and official
capacity as principal of GJHS;
LEONARD DEPIAZZA, in his individual
and official capacity as assistant
principal at GJHS; CHERYL WINN, in
her individual and official capacity as
Dean at GJHS; JOHN HALPIN, in his
individual and official capacity as
counselor at GJHS; ROBERT BEASLEY,
in his individual and official capacity
as instructor at GJHS,

Defendants.

NOTICE OF APPEAL

Please take notice that defendant Clark County School District hereby
appeals to the Supreme Court of Nevada from:

1. All judgments and orders in this case;
2. "Decision and Order," filed on June 29, 2017 (Exhibit A);

3. “Findings of Fact, Conclusions of Law and Judgment in Favor of Plaintiffs,” filed July 20, 2017, notice of entry of which was served electronically on August 15, 2017 (Exhibit B); and

4. All rulings and interlocutory orders made appealable by any of the foregoing.

Dated this 23rd day of August, 2017.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ Abraham G. Smith

DANIEL F. POLSENBURG (SBN 2376)

DAN R. WAITE (SBN 4078)

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Attorneys for Defendants

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of Lewis Roca Rothgerber Christie LLP, and that on this day, I caused a true and correct copy of the "Notice of Appeal" to be filed, via the Court's E-Filing System, and served on all interested parties via U.S. Mail, postage pre-paid and courtesy email.

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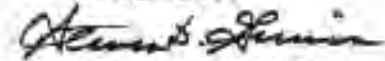
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(Admitted Pro Hac Vice)

Dated this 23rd day of August, 2017

/s/ Luz Horvath
 An Employee of Lewis Roca Rothgerber Christie LLP

EXHIBIT A

EXHIBIT A


CLERK OF THE COURT

ORDR

**DISTRICT COURT
CLARK COUNTY, NEVADA**

MARY BRYAN, mother of ETHAN BRYAN;
AIMEE HAIRR, mother of NOLAN HAIRR,

Plaintiffs,

CASE NO: A-14-700018

DEPARTMENT 27

v.

CLARK COUNTY SCHOOL DISTRICT
(CCSD); Pat Skorkowsky, in his official
capacity as CCSD superintendent; CCSD
BOARD OF SCHOOL TRUSTEES; Erin A.
Cranor, Linda E. Young, Patrice Tew, Stavan
Corbett, Carolyn Edwards, Chris Garvey,
Deanna Wright, in their official capacities as
CCSD BOARD OF SCHOOL TRUSTEES;
GREENSPUN JUNIOR HIGH SCHOOL
(GJHS); Principal Warren P. McKay, in his
individual and official capacity as principal of
GJHS; Leonard DePiazza, in his individual and
official capacity as assistant principal at GJHS;
Cheryl Winn, in her individual and official
capacity as Dean at GJHS; John Halpin, in his
individual and official capacity as counselor at
GJHS; Robert Beasley, in his individual and
official capacity as instructor at GJHS;

Defendants.

DECISION AND ORDER

This case arises under Title IX and 42 U.S.C. § 1983, based on allegations that two students (C.L. and D.M.) verbally and physically mistreated Ethan Bryan and Nolan Hairr, sons of the Plaintiffs, based on sex, as defined by Title IX. On November 15, 2016, a five-day bench trial commenced in Department 27 before the Honorable Judge Nancy L. Alf. Allen Lichtenstein, Esq. and John Houston Scott, Esq. appeared for and on behalf of Plaintiffs Mary Bryan ("Mrs. Bryan") and Aimee Hairr ("Mrs. Hairr"),

1 (collectively "Plaintiffs"). Daniel Polsenberg, Esq., Dan Waite, Esq., and Brian D.
2 Blakley, Esq. appeared for and on behalf of Defendant Clark County School District
3 (CCSD), ("Defendant").

4 At trial, Plaintiffs' case was narrowed to two separate claims for relief—(1) a
5 violation of Title IX of the Civil Rights Act, and (2) a violation of Plaintiffs' substantive
6 due process rights as guaranteed by the Fourteenth Amendment to the United States
7 Constitution pursuant to 42 U.S.C. § 1983. To prevail, the claims require a showing that
8 the Defendant was aware of the bullying and that CCSD officials, who were required to
9 respond to reports of bullying pursuant to NRS Chapter 388, failed to act in manner that
10 equates to deliberate indifference.
11

12 The Court having heard arguments of counsel, testimony, and being fully briefed
13 on the matter finds as follows:

14 BACKGROUND

15
16 Ethan Bryan and Nolan Hairr entered the sixth grade at Greenspun Jr. High
17 School in August of 2011. Both students were enrolled in Mr. Beasley's third period
18 band class in the trombone section. Nolan, eleven years old, reported being small for his
19 age and wore long blonde hair. From almost the outset of their enrollment, both boys
20 began to be bullied by C.L. and D.M. On numerous occasions, C.L. and D.M. taunted
21 Nolan with homophobic slurs and sexual expletives, touching, pulling, and running their
22 fingers through Nolan's hair and blowing in his face. Nolan reported the behavior by
23 filling out a complaint report at the Dean's office. However, at this time, Nolan did not
24 mention the homophobic and sexual content of the slurs that he was enduring and a
25 subsequent meeting with Dean Winn did not proffer resolution.
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1 On or about September 13, 2011, C.L., who was sitting next to Nolan in band
2 class, reached over and stabbed Nolan in the groin with the sharpened end of the pencil
3 (the "September 13th Incident"). C.L. remarked that he did so to see if Nolan was a girl
4 and also referred to Nolan as a tattletale. Nolan took the tattletale reference as a sign that
5 the stabbing was, at least in part, retaliation for Nolan filing a complaint report.
6

7 On or about September 15, 2011, while Nolan was at Ethan's house, Mrs. Bryan
8 overheard Ethan and Nolan talking about an issue that took place at school. After Nolan
9 went home, Mrs. Bryan questioned Ethan about what the two boys had been discussing.
10 In response, Ethan described to his mother the incident where C.L. stabbed Nolan in the
11 groin and about the overall bullying occurring in Mr. Beasley's band class. This
12 conversation sparked a series of complaints and reports that is the foundation for the
13 claims asserted against CCSD.
14

15 The first parental complaint occurred via email on September 15, 2011
16 ("September 15th Email") from Mrs. Bryan, addressed to Nolan's band teacher, Mr.
17 Beasley, Counselor Halpin, and Principal McKay—all of whom were mandatory
18 reporters under N.R.S. § 388.1351. The September 15th Email identified C.L. and D.M.
19 by name and described the physical assaults and verbal abuse. Both Mr. Beasley and
20 Counselor Halpin acknowledged receiving the September 15, 2011 Email. However,
21 Principal McKay's email address was incorrect, so he did not receive the original
22 complaint contained within the September 15th Email. While Mr. Beasley and Counselor
23 Halpin admitted that neither of them followed up on the September 15th Email, this Court
24 does not find this failure alone deliberately indifferent. However, actual knowledge of
25 the bullying was triggered upon the receipt of the September 15th Email.
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1 In response to the September 15th Email, Mr. Beasley changed the arrangements
2 in the trombone section of his band class so that Nolan sat in front of C.L. and not next to
3 him. Mr. Beasley made this decision without consulting with anyone else, especially
4 Principal McKay.

5 Like Nolan, Ethan was also subjected to bullying by C.L. and D.M. After the
6 September 13th Incident, the bullying escalated where C.L. and D.M. taunted him about
7 his weight and made homophobic slurs and vile and graphic innuendos concerning sexual
8 relations between Ethan and Nolan.

9 The second parental complaint occurred on September 22, 2011 from Mrs. Hairr,
10 via a telephone conversation with Vice Principal DePiazza. During this conversation,
11 Mrs. Hairr told Vice Principal DePiazza about the stabbing of Nolan's genitals by another
12 student in band class.

13 On or about October 19, 2011, Ethan told his mother that C.L. and D.M. had
14 removed the rubber stopper out of a piece of his trombone and repeatedly hit Ethan in the
15 legs with the remaining sharp piece of the instrument leaving scratch marks on his legs.
16 Ethan also informed his mother that C.L. and D.M. continued to make lewd sexual
17 comments including calling both Ethan and Nolan "gay," "faggots," and made references
18 about the two boys engaging in gay sex together.

19 On or about October 19, 2011, Mrs. Bryan sent a second email ("October 19th
20 Email") addressed to the same three individuals as the September 15th Email. Mr.
21 Beasley and Counselor Halpin both acknowledged receipt of this email, but because it
22 was addressed to the same email addresses, Principal McKay did not receive it. Later
23 that day, on October 19, 2011, Mrs. Bryan and her husband went to the school where they
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1 met with Dean Winn for approximately one hour to discuss the bullying, specifically the
2 physical assaults and homophobic slurs.

3 On or about October 19, 2011, Counselor Halpin attended a weekly
4 administrators meeting with Principal McKay and Vice Principal DePiazza. Counselor
5 Halpin testified that he reported the bullying that was occurring in Mr. Beasley's band
6 class in considerable detail and disclosed the September 15th Email and the October 19th
7 Email. Counselor Halpin specifically recalled Principal McKay directing Vice Principal
8 DePiazza to take care of the matter. Principal McKay testified that he was not interested
9 in the details of such matters and left it to his subordinates to address the issue. Principal
10 McKay further testified that he did not follow up with Vice Principal DePiazza about
11 how the investigation was going or what the investigation uncovered until February 2012.
12 All of the school officials had conflicting testimony about who was tasked with the
13 investigation into the bullying, but all testified that no investigation into the bullying was
14 conducted until February 2012.

15
16
17 The bullying and harassment continued throughout the fall and into early 2012.
18 Both boys avoided band class and school altogether. Ethan faked illness to avoid class
19 and Nolan would try to avoid C.L. and D.M. by lingering in the halls and in the library.
20 By the middle of January, both boys had almost completely stopped going to school
21 altogether to avoid the continuous bullying.

22
23 Mrs. Bryan pulled Ethan out of Greenspun Jr. High in January 2012 after Ethan
24 contemplated suicide. On or about January 21, 2012, Mrs. Hair pulled Nolan out of
25 Greenspun Jr. High after Nolan had an emotional breakdown because of the bullying.
26 Mrs. Hair filed a police report, reporting the bullying and harassment.

1 On or about February 7, 2012, Mrs. Bryan and Mrs. Hairr removed the boys from
2 Greenspun Jr. High. Subsequently, Assistant Superintendent Jolene Wallace and
3 Principal McKay's direct supervisor, ordered Principal McKay to conduct an
4 investigation into the bullying of Ethan and Nolan. This is the only investigation that
5 took place into the bullying of the Ethan and Nolan.

6 DISCUSSION

7 **A. Legal Standard - Title IX of the Civil Rights Act**

8
9 Title IX of the Civil Rights Act of 1964 provides, in part, "[n]o person in the
10 United States shall, on the basis of sex, be excluded from participation in, be denied the
11 benefits of, or be subjected to discrimination under any education program or activity
12 receiving Federal financial assistance." 20 U.S.C § 1681(a). A school district in receipt
13 of federal funds is liable for monetary damages for violations of Title IX. *Davis Next*
14 *Friend LaShonda D. v. Monroe Cty. Bd. of Educ.*, 526 U.S. 629, 642, 119 S. Ct. 1661,
15 1671, 143 L. Ed. 2d 839 (1999) ("we concluded that *Pennhurst* does not bar a private
16 damages action under Title IX where the funding recipient engages in intentional conduct
17 that violates the clear terms of the statute,").

18
19 In *Reese v. Jefferson School District No. 14J*, the Ninth Circuit adopted the
20 framework set out in *Davis* and set forth four requirements for imposition of school
21 district liability under Title IX for student-student sexual harassment: (1) the school
22 district "must exercise substantial control over both the harasser and the context in which
23 the known harassment occurs," (2) the plaintiff must suffer "sexual harassment ... that is
24 so severe, pervasive, and objectively offensive that it can be said to deprive the victims of
25 access to the educational opportunities or benefits provided by the school," (3) the school
26 district must have "actual knowledge of the harassment," and (4) the school district's
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28

1 “deliberate indifference subjects its students to harassment.” 208 F.3d 736, 739 (9th Cir.
2 2000) (quoting *Davis*, 119 S. Ct. 1661, 1675 (1999)).

3 The Ninth Circuit defines deliberate indifference as “the conscious or reckless
4 disregard of the consequences of ones acts or omissions.” *Henkle v. Gregory*, 150 F.
5 Supp. 2d 1067, 1077–78 (D. Nev. 2001); *See also* 9th Cir. Civ. Jury Instr. 11.3.5 (1997)
6 (citing *Redman v. County of San Diego*, 942 F.2d 1435, 1442 (9th Cir.1991), cert. denied,
7 502 U.S. 1074, 112 S.Ct. 972, 117 L.Ed.2d 137 (1992)). A plaintiff bringing a claim
8 under Title IX must prove her claim by a preponderance of the evidence.
9

10 **B. Legal Standard - 42 U.S.C. § 1983**

11 A student’s right to a public education is a property interest protected by the Due
12 Process Clause. *Goss v. Lopez*, 419 U.S. 565, 573, 95 S. Ct. 729, 735, 42 L. Ed. 2d 725
13 (1975) (“Here, on the basis of state law, appellees plainly had legitimate claims of
14 entitlement to a public education . . .”). As a general matter, the Fourteenth Amendment
15 to the United States Constitution does not “require[] the State to protect the life, liberty,
16 and property of its citizens against invasion by private actors.” *DeShaney v. Winnebago*
17 *County Dep’t of Social Servs.*, 489 U.S. 189, 195, 109 S.Ct. 998, 103 L.Ed.2d 249
18 (1989). In fact, “the Fourteenth Amendment’s Due Process Clause . . . does not confer
19 any affirmative right to governmental aid and typically does not impose a duty on the
20 state to protect individuals from third parties.” *Henry A. v. Willden*, 678 F.3d 991, 998
21 (9th Cir.2012) (quotations and citation omitted).
22
23

24 This rule, however, is subject to two specific exceptions; (1) the special
25 relationship exception, and (2) the state-created danger exception. *Id.* at 998. Under the
26 special relationship exception, the government may be liable for its failure to protect if a
27 “special relationship” exists between it and the plaintiff such that the government has
28

1 assumed "some responsibility for the plaintiff's safety and well-being." *Id.* Under the
2 state-created danger exception, the government may be liable for its failure to protect
3 where "the state affirmatively places the plaintiff in danger by acting with 'deliberate
4 indifference' to a 'known and obvious danger[.]'" *Id.* In determining whether the state-
5 created exception applies, the Court assesses: "(1) whether any affirmative actions of the
6 official placed the individual in danger he otherwise would not have faced; (2) whether
7 the danger was known or obvious; and (3) whether the officer acted with deliberate
8 indifference to that danger." *Id.* at 1002. Under either exception, the government's
9 failure to protect renders it liable under a § 1983 claim. *Id.*

11 **C. Nevada law mandates public school officials to report bullying and**
12 **harassment**

13 Nevada Revised Statute § 388.135 provide that:

14 "[a] member of the board of trustees of a school
15 district, any employee of the board of trustees, including,
16 without limitation, an administrator, *principal, teacher or*
17 *other staff member . . . or any pupil shall not engage in*
18 *bullying or cyber-bullying on the premises of any public*
19 *school, at an activity sponsored by a public school or on*
20 *any school bus."*

21
22 (Emphasis added).

23 Furthermore, Nevada Revised Statute § 388.135(1) provides that:

24 "[a] teacher . . . principal . . . or other staff member who
25 witnesses a violation of NRS 388.135 or receives
26 information that a violation of NRS 388.135 has occurred
27 shall report the violation to the principal . . . as soon as
28

1 practicable, but not later than a time during the same day on
2 which [they] witnessed the violation or received
3 information regarding the occurrence of a violation.”

4 (Emphasis added).

5 Nevada statutes make it clear that any public school employee who either
6 witnesses bullying or is informed that bullying has occurred or is occurring, is obligated
7 by statute to report the bullying to the principal of the public school. Upon information
8 that bullying has occurred or is occurring, Nevada Revised Statute § 388.1351(2)
9 mandate that “the principal or designee *shall* immediately take any necessary action to
10 stop the bullying . . . and ensure the safety and well-being of the reported victim or
11 victims . . . and shall begin an investigation into the report.” N.R.S. § 388.1351(1)(2).
12 (emphasis added).
13

14 **D. CCSD Officials’ conduct was deliberately indifferent.**

15 Through the testimony presented at trial, Plaintiffs have satisfied the four
16 requirements of the Davis framework for imposition of school district liability under Title
17 IX for student-student sexual harassment. First, CCSD, as a public high school,
18 exercised substantial control over both the harassers and the context in which the known
19 harassments occurs. In this case, C.L. and D.M. engaged in excessive and continuous
20 homophobic slurs and sexual expletives directed at Nolan and Ethan in the band class
21 classroom. C.L. and D.M.’s daily references to Nolan and Ethan as “faggot, fucking fat
22 faggot, fucking faggot, gay, gay boyfriend, and cunt” were so severe, pervasive, and
23 objectively offensive that it deprived the boys of access to school’s educational
24 opportunities and benefits available to students. Testimony revealed that the bullying
25 was so severe that the boys had to avoid going to band class altogether just to avoid the
26
27
28

1 victimization. Moreover, Ethan contemplated suicide as a result of months of bullying
2 and harassment, and Nolan had an emotional breakdown—both of these events triggered
3 the parents to withdraw their children from Greenspun Jr. High. Nolan and Ethan were
4 unable to take advantage of the educational opportunities provided by the school and
5 being accessed by students not subjected to bullying and harassment.
6

7 The third requirement of the Davis framework requires the school to have actual
8 knowledge of the harassment. There were three separate parental complaints, all of
9 which should have prompted a mandatory investigation under N.R.S. § 388.1351(1)(2).
10 The September 15th Email, October 19th Email, and the October 19th meeting with Dean
11 Winn, each put the school officials responsible for reporting the information to the
12 Principal McKay on notice that bullying had occurred and was continuing to occur on
13 campus. Counselor Halpin, Mr. Beasley, and Dean Winn all failed to immediately report
14 the complaints to Principal McKay. Notwithstanding, Counselor Halpin did inform
15 Principal McKay of the complaints and the bullying at the October 19th administrative
16 meeting and yet CCSD offered zero evidence to indicate that an investigation was ever
17 conducted in 2011.
18

19 The fourth requirement of the Davis framework requires the school to have acted
20 with "deliberate indifference" that subjects its students to the harassment. As federal
21 funding recipients, CCSD officials had a duty under Title IX, and under Nevada law, to
22 follow up and investigate any reports of bullying and harassment occurring on school
23 property. CCSD's failure to conduct any type of investigation after three separate
24 complaints of bullying and an administrative meeting discussing the bullying, constitutes
25 at the very least, reckless disregard of the consequences of its acts or omissions.
26 Accordingly, CCSD's failure to timely investigate and take any type of remedial action
27
28

1 constitutes deliberate indifference. This deliberate indifference was the causation that led
2 to the escalation of the bullying and harassment endured by the Plaintiffs' children.
3 Therefore, Plaintiffs have proven their Title IX claim by a preponderance of the evidence
4 submitted at trial.

5 **E. CCSD created the dangerous environment**

6
7 CCSD's deliberate indifference to the numerous complaints of bullying forced
8 Nolan and Ethan to remain in a known and obviously dangerous environment, which
9 further subjected them to severe and pervasive bullying and harassment that was
10 objectively offensive. For CCSD to be liable under the state-created exception, this
11 Court asked: (1) whether any affirmative actions of the official placed the individual in
12 danger he otherwise would not have faced; (2) whether the danger was known or
13 obvious; and (3) whether the officer acted with deliberate indifference to that danger."
14 *Henry A.* at 1002. This Court finds in the affirmative to all three inquiries.

15
16 Here, the first inquiry does not require CCSD to do more than "expose the
17 plaintiff to a danger that already existed." *Id.* To the contrary, a test such as this would
18 render the state-created doctrine futile. In *Henry A.*, the Ninth Circuit explained that "by
19 its very nature, the doctrine only applies in situations where the plaintiff was directly
20 harmed by a third party—a danger that, in every case, could be said to have 'already
21 existed.'" *Id.* (internal citations omitted). It follows that to be liable under the state-
22 created exception, CCSD was not required to take an affirmative action that made the
23 bullying and harassment worse. Instead it was CCSD's failure to take affirmative action
24 that subjected Nolan and Ethan to further bullying and harassment. Thus, this Court finds
25 the first inquiry is satisfied.
26
27
28

Accordingly, the Plaintiffs have proven their 42 U.S.C. § 1983 claim by a preponderance of the evidence submitted at trial. Nolan and Ethan had a constitutional right to a public education, and CCSD is liable under 42 U.S.C. § 1983 for its failure to protect Nolan and Ethan by acting with deliberate indifference to the known dangers that existed in Mr. Beasley's band class. CCSD's deliberate indifference deprived Nolan and Ethan of these educational rights secured by Fourteenth Amendment Due Process Clause of the United States Constitution.

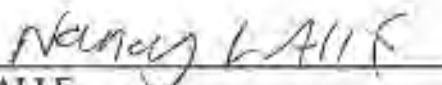
COURT ORDERS for good cause appearing and after review, Defendant CCSD violated Title IX of the Civil Rights Act.

COURT FURTHER ORDERS for good cause appearing and after review Judgment shall be entered in favor of Plaintiffs Mary Bryan, on behalf of Ethan Bryan.

1 and Aimee Hairr, on behalf of Nolan Hairr. Plaintiffs are entitled to a judgment for all
2 damages sought under these two claims asserted in the Complaint, and proven at trial.

3 **COURT FURTHER ORDERS** for good cause appearing and after review that
4 Plaintiffs shall prepare Findings of Fact, Conclusions of Law and a Judgment consistent
5 with this Decision, and submit it the Court for review. They may include all factual
6 findings contained in Plaintiffs' post trial briefs. At the time of submission to the Court,
7 copies shall be transmitted to Defendant's counsel.
8

9
10 Dated: June 27, 2017


11 NANCY ALLF
12 DISTRICT COURT JUDGE

13 **CERTIFICATE OF SERVICE**

14
15 I hereby certify that on or about the date signed I caused the foregoing document to be
16 electronically served pursuant to EDCR 8.05(a) and 8.05(f), through the Eighth Judicial
17 District Court's electronic filing system, with the date and time of the electronic service
substituted for the date and place of deposit in the mail and/or by email to:

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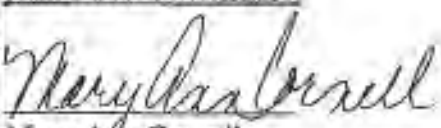
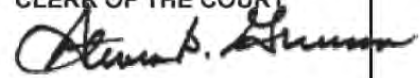
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EXHIBIT B

EXHIBIT B



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15 *Attorneys for Plaintiffs, Mary Bryan, Ethan Bryan,*
16 *Aimée Hairr and Nolan Hairr*

17 DISTRICT COURT
18 CLARK COUNTY, NEVADA

19 MARY BRYAN, mother of ETHAN BRYAN;
20 AIMEE HAIRR, mother of NOLAN HAIRR,

21 Plaintiffs,

22 vs.

23 CLARK COUNTY SCHOOL DISTRICT
24 (CCSD)

25 Defendant.

Case No. A-14-700018-C

Dept. No. XXVII

**NOTICE OF ENTRY OF FINDINGS OF
FACT, CONCLUSIONS OF LAW AND
JUDGMENT IN FAVOR OF
PLAINTIFFS**

26 TO: ALL INTERESTED PARTIES AND THEIR RESPECTIVE ATTORNEYS OF
27 RECORD

28 Please take notice that Findings of Fact, Conclusions of Law and Judgment in Favor of
Plaintiffs were entered in this case, a copy of which is attached..

Dated this 15th day of August 2017,

Respectfully submitted by:

/s/Allen Lichtenstein

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16 *Attorneys for Plaintiffs, Mary Bryan, Ethan Bryan,*
17 *Aimee Hairr and Nolan Hairr*

18 CERTIFICATE OF SERVICE

19 I hereby certify that I served the following Notice of Findings of Fact, Conclusions of Law
20 and Judgment in Favor of Plaintiffs via Court's electronic filing and service system and/or United
21 States Mail and/or e-mail on the 15th day of August 2017, to:

22 Dan Waite
23 Lewis Rocha Rothgerber Christie
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25 Las Vegas, NV 89169-5996

26 DWaite@lrrc.com

27 /s/ Allen Lichtenstein



DISTRICT COURT
CLARK COUNTY, NEVADA

MARY BRYAN, mother of ETHAN BRYAN;
AIMEE HAIRR, mother of NOLAN HAIRR,

Plaintiffs,

vs.

CLARK COUNTY SCHOOL DISTRICT
(CCSD)

Defendant .

Case No. A-14-700018-C

Dept. No. XXVII

**FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND
JUDGMENT IN FAVOR OF
PLAINTIFFS**

I. Introduction

On June 29, 2017, the Court issued its Decision and Order in favor of Plaintiffs Ethan Bryan and Nolan Hairr and against Defendant Clark County School District (CCSD) on the claims that Defendant violated Plaintiffs' rights under Title IX, 20 USC § 1681(A) and Plaintiffs' rights to Substantive Due Process under the Fourteenth Amendment to the United States Constitution and pursuant to 42 U.S.C. 1983. The Court also ruled that, "Plaintiffs are entitled to a judgment for all damages sought under these two claims asserted in the Complaint, and proven at trial."

II. Procedural History

Plaintiffs filed their Amended Complaint on October 10, 2014 against Defendants: Clark County School District (CCSD), Pat Skorkowsky, in his official capacity as CCSD

1 Superintendent; CCSD Board of School Trustees; Erin A. Cranor, Linda E. Young, Patrice Tew,
2 Stavan Corbett, Carolyn Edwards, Chris Garvey, Deanna Wright, in their official capacities as
3 CCSD Board of School Trustees, Greenspun Jr. High School (GJHS); Principal Warren P.
4 McKay, in his individual and official capacity as principal of GJHS; Leonard DePiazza, in his
5 individual and official capacity as assistant principal at GJHS; Cheryl Winn, in her individual and
6 official capacity as Dean at GJHS; John Halpin, in his individual and official capacity
7 as counselor at GJHS; Robert Beasley, in his individual and official capacity as instructor at
8 GJHS. The Amended Complaint listed five claims for relief: 1) Negligence; 2) Negligence Per
9 Se; 3) Violation of Title IX; 4) Violation of the Right to Equal Protection; 5) Violation of
10 Substantive Due Process.
11

12 In its February 5, 2015 Order, the Court Dismissed Plaintiffs' Claims for Relief No. 1,
13 Negligence, and No. 2, Negligence Per Se. Plaintiffs abandoned their Fourth Claim for Relief,
14 Equal Protection, leaving the Third Claim for Relief, Title IX, and Fifth Claim for Relief,
15 Substantive Due Process, for trial. Defendants filed their Answer on February 25, 2015.
16

17 On March 1, 2016, Defendants filed a Motion for Summary Judgment, which was granted
18 in part and denied in part by the Court in its July 22, 2016 Order. The Court denied Defendants'
19 Motion to dismiss Plaintiffs' Title IX claim against Defendant CCSD. It dismissed the 42 USC
20 1983 Equal Protection claims, which had been abandoned by Plaintiffs. The Court granted
21 Defendants' Motion to dismiss all Defendants except CCSD from the 42 USC 1983 Substantive
22 Due Process claim. Overall, the Court ruled the two remaining claims against CCSD, 1) Title IX;
23 and 2) Substantive Due Process would proceed to trial.
24

25 On or about March 20, 2016, Discovery Commissioner Bulla denied Defendants' Motion
26 to Compel Damages Categories and Calculations, allowing such calculations to be determined by
27
28

1 the Court at trial. The Discovery Commissioner's Report and Recommendations were affirmed
2 and adopted by the Court on April 6, 2016.

3 On August 5, 2016, Defendant CCSD filed a Motion for Partial Reconsideration, or in the
4 Alternative, Motion for Relief Pursuant to NRCP 59(E), 60(A) and 60(B), or Motion in Limiting.
5 On October 26, 2016 the Court denied Defendant's Motion.

6
7 On November 15, 2016, a five-day bench trial was held in Department 27 before the
8 Honorable Judge Nancy L. Alf. Allen Lichtenstein, Esq. and John Houston Scott, Esq. appeared
9 for and on behalf of Plaintiffs Mary Bryan ("Mrs. Bryan") and Aimee Hairr ("Mrs. Hairr"),
10 (collectively Plaintiffs"). Daniel Polsenberg, Esq., Dan Waite, Esq., and Brian D. Blakley, Esq.
11 appeared for and on behalf of Defendant CCSD, ("Defendant") on the Title IX and 42 USC 1983
12 Substitute Due Process claims. Testimony was given by: Nolan Hairr, Ethan Bryan, Aimee Hairr,
13 Mary Bryan, Principal Warren McKay, Vice Principal Leonard DePiazza, Dean Cheryl Winn,
14 Counselor John Halpin and band teacher Robert Beasely. Although neither one of the alleged
15 bullies testified, CL's deposition was introduced into evidence. (For privacy purposes, only the
16 initials of CL and DM are used.)

17
18 Closing arguments were done via written briefs. Briefing was completed on May 26, 2017.
19 On June 29, 2017, the Court issued its Decision and Order, concluding that Defendant CCSD
20 violated both Title IX of the Civil Rights Act and also violated Plaintiffs' Substantive Due Process
21 rights as guaranteed by the Fourteenth Amendment to the United States Constitution pursuant to
22 42 USC 1983. The Court further ordered that after review, "Judgment shall be entered in favor of
23 Plaintiffs Mary Bryan, on behalf of Ethan Bryan and Aimee Hairr on behalf of Nolan Hairr, and
24 that Plaintiffs are entitled to a judgment for all damages sought under these two claims asserted in
25 the Complaint, and proven at trial."
26
27
28

1 **III. Findings of Fact**

2 **A. Ethan Bryan and Nolan Hairr started being bullied almost from the time**
3 **they began attending Greenspun Jr. High School.**

4 In late August 2011, two friends, Ethan Bryan and Nolan Hairr began sixth grade at
5 Greenspun Jr. High School. Both Ethan and Nolan enrolled in Mr. Beasley's third period band
6 class in the trombone section.

7 Almost from the beginning of the school year, Ethan and Nolan began to be bullied by two
8 other trombone students, CL and DM. In sixth grade, at age 11, Nolan was small for his age with
9 long blonde hair. CL and DM taunted him with names like gay and faggot, and called him a girl.
10 CL also touched, pulled, ran his fingers through Nolan's hair and blew in Nolan's face.
11

12 Nolan, following what he believed was proper procedure, went to the Dean's office and
13 filled out a complaint report. He was, however, too embarrassed to mention the homophobic and
14 sexual content of the slurs that he was enduring. Nolan was subsequently called into the Dean's
15 office and met with Dean Winn. He did not feel that she was either sympathetic or even interested,
16 and therefore was reluctant to discuss the homophobic sexually-oriented nature of the bullying.
17

18 Within a day or two of Nolan's meeting with the Dean, on or about September 13, 2011,
19 CL, who was sitting next to Nolan in band class, reached over and stabbed Nolan in the groin
20 with the sharpened end of the pencil. CL said he wanted to see if Nolan was a girl, and also
21 referred to Nolan as a tattletale. Nolan took the tattletale reference as a sign that the stabbing was,
22 at least in part, retaliation for Nolan complaining about the bullying. Because of this fear of
23 retaliation, Nolan decided not to tell any adults about any further bullying directed at him, and
24 instead, to endure the torment in silence.
25

26 A day or two after the stabbing incident, while Nolan was at Ethan's house, Ethan's
27 mother, Mary Bryan overheard Ethan and Nolan talking about some problem taking place at
28 school. After Nolan had gone home, Mary Bryan confronted her son and questioned him

1 concerning what Ethan and Nolan had been discussing. Ethan described to his mother the incident
2 where CL stabbed Nolan in the groin with a pencil, and about the overall bullying occurring in Mr.
3 Beasley's band class.

4 **B. Mary Bryan's September 15, 2011 email**

5 In response, Mary Bryan decided to contact the school officials to report the bullying in
6 general and the stabbing in particular.

7
8 On September 15, 2011, she attempted to telephone Greenspun Principal Warren P.
9 McKay. However, she could not reach him by telephone and was only able to talk to a junior high
10 student volunteer. Mary did not want to leave such a sensitive message with a junior high student
11 and was not transferred to Principal McKay's voicemail. Mary then decided she would email
12 the Principal and got an email address for him from the student volunteer.

13
14 On September 15, 2011, Mary Bryan sent an email to three people: 1) Principal Warren
15 McKay; 2) band teacher Robert Beasley; and 3) school counselor John Halpin, complaining about
16 the bullying and specifically about the stabbing. Both Mr. Beasley and Mr. Halpin acknowledged
17 receiving the September 15, 2011 email from Mary Bryan. Principal McKay said he did not
18 receive it because the email address for him (which Mary Bryan obtained from his own office)
19 was incorrect.

20
21 Both Mr. Beasley and Mr. Halpin were, in 2011, mandatory reporters who were required to
22 report any information concerning bullying, to either the Principal or one of his designees,
23 pursuant to NRS 3.88.1351 (1). In 2011, Principal McKay's designees at Greenspun were Vice
24 Principal Leonard DePiazza and Dean Cheryl Winn.

25 Neither Mr. Beasley nor Mr. Halpin fulfilled their statutory duty to report Mary Bryan's
26 September 15, 2011 email concerning bullying, explaining that because they saw Principal
27
28

1 McKay's name in the address line, they assumed, without verifying, that Dr. McKay, and through
2 him Vice Principal DePiazza and Dean Winn were aware of the situation.

3 These assumptions by Mr. Beasley and Mr. Halpin were incorrect. Moreover, by relying
4 on their assumptions, rather than adhering to the statutory requirement to report any information
5 concerning bullying they received, they both violated the explicit requirements of NRS
6 388.1351(1).
7

8 In response to the September 15, 2011 email, Mr. Beasley changed the seating
9 arrangements in the trombone section of his class. While before, Nolan had been sitting next to
10 Connor, after the change, Nolan sat directly in front of CL.

11 While Mr. Beasley attempted to keep an eye on both bullies and the bullied students, he
12 admitted that he was unable to constantly watch them and still teach his class. Mr. Beasley said
13 that he made the decisions concerning the seating arrangements on his own without consultation
14 with anyone else. This testimony conflicted with that of Dean Winn, who stated that she was
15 involved in the decision.
16

17 The bullying continued. For Ethan Bryan, at the beginning of the school year, most of the
18 taunts at him by CL and DM had to do with his size. He was large for his age and overweight.

19 After the incident where CL stabbed Ethan's friend Nolan with a pencil, the bullying of
20 Ethan began to change. It not only escalated but also shifted from being mostly about his size and
21 weight to also involve homophobic slurs and vile and graphic innuendos concerning sexual
22 relations between Ethan and Nolan.
23

24 Like his friend Nolan, Ethan also chose not to report the bullying that he was enduring for
25 fear of retaliation, and lack of any real interest on the part of Greenspun school officials. Mary
26 Bryan, believing that the school would contact Nolan's parents after Mary sent them the
27
28

Case Nos. 73856 & 74566

In the Supreme Court of Nevada

CLARK COUNTY SCHOOL DISTRICT,
Appellant,

vs.

MARY BRYAN, mother of ETHAN
BRYAN; and AIMEE HAIRR,
mother of NOLAN HAIRR,
Respondents.

Electronically Filed
Jun 04 2018 10:13 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

APPEAL

from the Eighth Judicial District Court, Clark County
The Honorable NANCY ALLF, District Judge
District Court Case No. A-14-700018-C

**APPELLANT'S APPENDIX
VOLUME 8
PAGES 1751-2000**

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40	Plaintiffs' Errata to Plaintiffs' August 9, 2017 Motion for Fees and Costs	08/10/17	7 8	1716–1750 1751–1880
41	Plaintiffs' Response to Defendants' Motion to Retax Costs	08/14/17	8	1881–1913
42	Errata to Plaintiffs' Response to Defendants' Motion to Retax Costs	08/15/17	8	1914–1949
43	Notice of Findings of Fact, Conclusions of Law and Judgment	08/15/17	8	1950–1974
44	Notice of Appeal	08/23/17	8 9	1975–2000 2001–2017
45	Case Appeal Statement	08/23/17	9	2018–2024
46	CCSD's Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs	08/28/17	9	2025–2073
47	CCSD's Reply in Support of Motion to Retax Memorandum of Costs and Disbursements	08/29/17	9	2074–2088
48	Transcript of Proceedings – Clark County School District's Motion to Retax Memorandum of Costs and Disbursements	09/06/17	9	2089–2102
49	Notice of Entry of Order on CCSD's Motion to Retax Memorandum of Costs and Disbursements	09/19/17	9	2103–2107
50	Plaintiffs' Reply to Defendants' Opposition to Plaintiffs' Motion for Fees and Costs	09/27/17	9	2108–2151
51	Notice of Entry of Order Granting Stay of Execution Pending Appeal	11/08/17	9	2152–2156

52	Notice of Entry of Order Re: Plaintiffs' Motion for Attorneys' Fees	11/20/17	9	2157–2161
53	Amended Notice of Appeal	11/22/17	9	2162–2210
54	Amended Case Appeal Statement	11/22/17	9	2211–2217
55	Trial Exhibit No. 3 – CCSD Policy Excerpt		9	2218–2224
56	Trial Exhibit No. 4 – September 15, 2011 Email		9	2225
57	Trial Exhibit No. 5 – Behavior Chronology		9	2226–2227
58	Trial Exhibit No. 8 – October 19, 2011 Email		9	2228–2229
59	Trial Exhibit No. 9 – September 22, 2011 N. Hairr Incident Report		9	2230
60	Trial Exhibit No. 506 – October 19, 2011 E. Bryan Incident Report		9	2231
61	Trial Exhibit No. 525 – February 7, 2012 Email		9	2232–2235
62	Trial Exhibit No. 547 – February 8, 2012 N. Hairr Incident Report		9	2236–2239
63	Trial Exhibit No. 555 – E. Bryan Grades		9	2240
64	Trial Exhibit No. 560 – N. Hairr Grades		9	2241
65	Plaintiffs' Response to Defendants' Motion to Compel a Rule 35 Examination	01/19/16	9	2242–2248

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53	Amended Notice of Appeal	11/22/17	9	2162–2210
45	Case Appeal Statement	08/23/17	9	2018–2024
20	CCSD’s Individual Pretrial Memorandum	11/07/16	2	283–351
37	CCSD’s Motion to Retax Memorandum of Costs and Disbursements	07/31/17	7	1530–1550
31	CCSD’s Motion to Strike Portions of Plaintiffs’ Closing Rebuttal Brief	06/02/17	6	1416–1430
46	CCSD’s Opposition to Plaintiffs’ Motion for Attorneys’ Fees and Costs	08/28/17	9	2025–2073
34	CCSD’s Reply in Support of Its Motion to Strike Portions of Plaintiffs’ Closing Rebuttal Brief	07/06/17	6	1461–1476
47	CCSD’s Reply in Support of Motion to Retax Memorandum of Costs and Disbursements	08/29/17	9	2074–2088
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07	Decision and Order Granting in Part and Denying in Part Defendants’ Motion to Dismiss and Denying Plaintiffs’ Countermotion to Strike	02/10/15	1	150–155
29	Defendant CCSD’s Closing Arguments	04/26/17	6	1311–1378
08	Defendants CCSD, Warren P. McKay, Leonard DePiazza, Cheryl Winn, John Halpin and Robert Beasley’s Answer to	02/25/15	1	156–176

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42	Errata to Plaintiffs' Response to Defendants' Motion to Retax Costs	08/15/17	8	1914–1949
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03	Notice of Entry of Order Granting in Part and Denying in Part District, William P. McKay, Leonard DePiazza, Cheryl Winn, John Halpin and Robert Beasley's Motion to Dismiss	09/10/14	1	62–67
51	Notice of Entry of Order Granting Stay of Execution Pending Appeal	11/08/17	9	2152–2156
49	Notice of Entry of Order on CCSD's Motion to Retax Memorandum of Costs and Disbursements	09/19/17	9	2103–2107
52	Notice of Entry of Order Re: Plaintiffs' Motion for Attorneys' Fees	11/20/17	9	2157–2161
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28	Plaintiffs' Closing Argument Memorandum	03/20/17	6	1252–1310
30	Plaintiffs' Closing Argument Rebuttal Brief	05/26/17	6	1379–1415
40	Plaintiffs' Errata to Plaintiffs' August 9, 2017 Motion for Fees and Costs	08/10/17	7 8	1716–1750 1751–1880
39	Plaintiffs' Motion for Attorneys Fees and Costs	08/09/17	7	1553–1715
32	Plaintiffs' Opposition to Defendant's Motion to Strike Plaintiffs' Closing Rebuttal Brief	06/15/17	6	1431–1447
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50	Plaintiffs' Reply to Defendants' Opposition to Plaintiffs' Motion for Fees and Costs	09/27/17	9	2108–2151
65	Plaintiffs' Response to Defendants' Motion to Compel a Rule 35 Examination	01/19/16	9	2242–2248
41	Plaintiffs' Response to Defendants' Motion to Retax Costs	08/14/17	8	1881–1913
36	Plaintiffs' Verified Memorandum of Costs and Disbursements	07/27/17	6 7	1483–1500 1501–1529

13	Recorder's Transcript of Proceedings – Defendants' Motion to Compel Rule 35 Examinations	02/10/16	1	210–218
14	Recorders Transcript of Hearing – Motion to Compel Damages Categories and Calculations from Plaintiff Aimee Hairr; Motion to Compel Damages Categories and Calculations from Plaintiff Mary Bryan on OST	02/17/16	1	219–228
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48	Transcript of Proceedings – Clark County School District's Motion to Retax Memorandum of Costs and Disbursements	09/06/17	9	2089–2102
18	Transcript of Proceedings – Defendants' Motion for Partial Reconsideration, or in the Alternative, Motion for Relief Pursuant to NRCP 59(e), 60(a), and 60(b), or Motion in Limine	08/31/16	2	266–280
23	Transcript of Proceedings: Bench Trial - Day 1	11/15/16	2 3	433–500 501–637
24	Transcript of Proceedings: Bench Trial - Day 2	11/16/16	3 4	638–750 751–803
25	Transcript of Proceedings: Bench Trial - Day 3	11/17/16	4	804–963
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16	Transcript of Proceedings: Defendants' Motion for Summary Judgment; Defendants' Motion for Leave to File Excess Pages	04/21/16	1 2	231–250 251–258
55	Trial Exhibit No. 3 – CCSD Policy Excerpt		9	2218–2224
56	Trial Exhibit No. 4 – September 15, 2011 Email		9	2225
57	Trial Exhibit No. 5 – Behavior Chronology		9	2226–2227
60	Trial Exhibit No. 506 – October 19, 2011 E. Bryan Incident Report		9	2231
61	Trial Exhibit No. 525 – February 7, 2012 Email		9	2232–2235
62	Trial Exhibit No. 547 – February 8, 2012 N. Hairr Incident Report		9	2236–2239
63	Trial Exhibit No. 555 – E. Bryan Grades		9	2240
64	Trial Exhibit No. 560 – N. Hairr Grades		9	2241
58	Trial Exhibit No. 8 – October 19, 2011 Email		9	2228–2229
59	Trial Exhibit No. 9 – September 22, 2011 N. Hairr Incident Report		9	2230

JOHN HOUSTON SCOTT**SCOTT LAW FIRM**

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Tel.: (415) 561-9601 • E-MAIL: john@scottlawfirm.net**EDUCATION:**

Golden Gate University
 San Francisco, California
 J.D., 1976

University of California, Santa Barbara
 Santa Barbara, California
 B.A., Religious Studies, 1970

BAR MEMBERSHIP:

Supreme Court of the State of California
 Supreme Court of the United States of America
 United States Court of Appeals, Ninth Circuit
 United States District Court, Northern District of California
 United States District Court, Southern District of California
 United States District Court, Eastern District of California
 United States District Court, Central District of California

EXPERIENCE:**2002 – PRESENT**

SCOTT LAW FIRM
 1388 SUTTER STREET, SUITE 715
 SAN FRANCISCO, CALIFORNIA

In 2003 Liza de Vries joined the firm and we have focused on complex civil rights and elder financial abuse litigation.

1995 – 2002

PRENTICE & SCOTT
 433 TURK STREET
 SAN FRANCISCO, CALIFORNIA

Partner and founder of small general practice firm with emphasis on civil-rights litigation.

1985 – 1995

LAW OFFICE OF JOHN HOUSTON SCOTT
 433 TURK STREET
 SAN FRANCISCO, CALIFORNIA

Private practice with emphasis in civil-rights litigation.

1978 – 1984

COLE AND SCOTT
 2256 VAN NESS AVENUE
 SAN FRANCISCO, CALIFORNIA

Partner and founder of small general practice firm with emphasis on civil-rights litigation.

**REPORTED
 DECISIONS:**

(Attached)

**MAJOR
 ACCOMPLISHMENTS:**

Co-Counsel with the Regional Counsel for the NAACP, Western Region, representing Plaintiffs in major civil-rights litigation against the City of Richmond. *White v. City of Richmond*, 713 F.2d 458(9th Cir. 1983); 599 F. Supp. 127 (N.D. Cal. 1982) and *Roman v. City of Richmond*, 570 F. Supp. 1544 and 570 F. Supp. 1554 (N.D. Cal. 1983). In June 1983 that litigation culminated in a \$3million dollar jury verdict arising out of a pattern and practice/ wrongful death case. As a result of this litigation significant reforms were implemented in the Richmond Police Department and the Chief of Police resigned.

In *Estate of Adams v. Gomez*, N.D. Cal No. C 95-0701 WHO the plaintiffs brought a lawsuit claiming that the shooting death of an inmate at San Quentin State Prison resulted from the implementation of an unconstitutional shooting policy. In November 1998 a federal jury returned a \$2.3 million dollar verdict against three defendants including \$1.5 million dollars in punitive damages against the former Director of the Department of Corrections. Shortly after the verdict the Department of Corrections significantly changed its shooting policy resulting in the number of shootings and shooting deaths to drop dramatically.

I was co-counsel with John Burris and James Chanin in the Oakland "Riders" litigation (*Delphine Allen, et. al. v. City of Oakland, et al.*, N.D. Cal. No. 00-4599 THE), where we represented 119 victims of a cadre of corrupt OPD officers who subjected numerous citizens, most of them African-American, to violations of their civil-rights. In 2003, after over two years of litigation, the City of Oakland agreed to a monetary settlement in excess of ten million dollars and a consent decree intended to substantially reform the OPD's Internal Affairs Division and the manner in which the OPD monitors and supervises its officers.

References available upon request -- revised May 2013

PUBLISHED DECISIONS

FEDERAL COURTS:

Boyd v. Bechtel Corp., 485 F.Supp. 610 (N.D. Cal. 1979)
White v. City of Richmond, 559 F.Supp. 127 (N.D. Cal. 1982)
White v. City of Richmond, 713 F.2d 458 (9th Cir. 1983)
Roman v. City of Richmond, 570 F.Supp. 1554 (N.D. Cal. 1983)
Estate of Cartwright v. City of Concord, 618 F.Supp. 722 (N.D. Cal. 1985)
Estate of Conners v. O'Connor, 846 F.2d 1205 (9th Cir. 1988)
Schwarzman v. Valenzuela, 846 F.2d 1209 (9th Cir. 1988)
Estate of Cartwright v. City of Concord, 856 F.2d 1437 (9th Cir. 1988)
Fuller v. City of Oakland, 47 F.3d 1522 (9th Cir. 1995)
Gaston v. Colio, 883 F.Supp. 508 (S.D. Cal. 1995)
Thompson v. Mahre, 110 F.3d 716 (9th Cir. 1997)
Jeffers v. Gomez, 267 F.3d 895 (9th Cir. 2001)
Estate of Ford v. Ramirez-Palmer, 301 F.3d 1043 (9th Cir. 2001)
Sepatis v. City & County of San Francisco, 217 F.Supp. 2d 992 (N.D. Cal. 2002)
Miles v. State of California, 320 F.3d 986 (9th Cir. 2003)
Estate of Imrie v. Golden Gate Bridge Highway and Transp. Dist., 282 F.Supp. 2d 1145 (N.D. Cal. 2003)
Laurie Q. v. Contra Costa County, 304 F.Supp.2d 1185 (N.D. Cal. 2004)
Tennison v. City and County of San Francisco, 548 F.3d 1293 (9th Cir. 2008)
Antoine v. County of Sacramento, 583 F.Supp.2d 1174 (E.D. Cal. 2008)
Tennison v. City and County of San Francisco, 570 F.3d 1078 (9th Cir. 2009)
Vinatieri v. Mosley, 787 F.Supp.2d 1022 (N.D. Cal. 2011)
A. D. v. State of Cal. Highway Patrol, 712 F.3d 446 (9th Cir. 2013), cert. denied, 134 S.Ct. 531, 187 L. Ed. 2d 394 (Nov. 4, 2013)
Martensen v. Koch, 942 F. Supp. 2d 983 (N.D. Cal. 2013)

STATE COURTS:

Alarcon v. Murphy, 201 Cal.App.3d 1 (1988)
Baber v. Napa State Hosp., 209 Cal.App.3d 213 (1989)
Kagy v. Napa State Hosp., 28 Cal.App.4th 1 (1994)
Flannery v. California Highway Patrol, 61 Cal.App.4th 629 (1998)

Exhibit B

Scott Law Firm

1388 Sutter Street, Suite 715 San Francisco, CA 94109 (415) 561-9600

John Scott's Hours re: Mary Bryan and Amy Hairr

			<u>Hours</u>
3/16/2015	JHS	Telephone conference with Allen Lichtenstein re possible association.	0.50
4/9/2015	JHS	Telephone conference with Allen Lichtenstein re potential fee agreement.	0.30
4/10/2015	JHS	Review pleadings.	1.30
4/15/2015	JHS	Email from Allen Lichtenstein re fee agreement.	0.20
4/20/2015	JHS	Telephone conference with Allen Lichtenstein re background and history of case.	0.80
5/13/2015	JHS	Association of counsel.	0.20
5/27/2015	JHS	Telephone conference with Allen Lichtenstein.	0.30
6/18/2015	JHS	Telephone conference with Allen Lichtenstein re initial disclosures.	0.50
6/22/2015	JHS	Review initial disclosures.	0.70
7/14/2015	JHS	Email re scheduling of depositions.	0.20
7/20/2015	JHS	Email re scheduling of depositions.	0.20
7/27/2015	JHS	Review Joint Case Conference Report.	0.30
8/13/2015	JHS	Telephone conference with Allen Lichtenstein re: scheduling depositions	0.40
8/17/2015	JHS	Telephone conference with Allen Lichtenstein re: scheduling depositions.	0.20
9/28/2015	JHS	Email re deposition schedule.	0.20
10/1/2015	JHS	Email re deposition schedule.	0.20
10/2/2015	JHS	Email re deposition schedule.	0.20
10/14/2015	JHS	Telephone conference with Allen Lichtenstein re: discovery and depositions.	0.80
10/16/2015	JHS	Telephone conference with Allen Lichtenstein review documents	2.30
10/20/2015	JHS	Telephone conference with Allen Lichtenstein re statutes and regulations.	0.50
10/23/2015	JHS	Telephone conference with Allen Lichtenstein re school district and parallel litigation.	0.40
10/25/2015	JHS	Obtain information and timelines from clients.	1.50
10/28/2015	JHS	Email - confirm depositions; prep for depositions.	1.80
10/29/2015	JHS	Telephone conference with Allen Lichtenstein; email from Allen; prep for Winn. deposition.	3.50
10/30/2015	JHS	Emails with Allen Lichtenstein; travel to Las Vegas; for depositions.	5.20
11/1/2015	JHS	Prep for depositions; telephone conference with clients; meet with Allen.	6.50
11/02/2015	JHS	Prep for deposition; deposition of Warren McKay; confer with Allen Lichtenstein.	10.50
11/03/2015	JHS	Prep for deposition; deposition of Cheryl Winn; confer with Allen Lichtenstein; return to	11.50
11/04/2015	JHS	Telephone conference with Allen Lichtenstein; obtain information from clients.	1.30
11/05/2015	JHS	Emails re settlement potential and strategy.	0.40
11/06/2015	JHS	Telephone conference with Allen Lichtenstein; emails from clients re verdicts in similar cases.	0.70
11/07/2015	JHS	Review and revise timeline.	0.50
11/09/2015	JHS	Telephone conference with Allen Lichtenstein re discovery responses.	0.30
11/10/2015	JHS	Review draft of discovery responses; telephone conference with Allen Lichtenstein.	1.20

11/11/2015	JHS	Multiple emails re discovery responses; telephone conference with Allen Lichtenstein.	2.50
11/12/2015	JHS	Telephone conference with Allen Lichtenstein and email re scheduling depositions and strategy.	0.50
11/13/2015	JHS	Telephone conference with Allen Lichtenstein and email re protective order re medical records.	0.30
11/15/2015	JHS	Summarize Winn deposition; email to Allen Lichtenstein.	4.40
11/16/2015	JHS	Telephone conference with Allen Lichtenstein.	0.50
11/19/2015	JHS	Email re scheduling of Ethan's and Nolan's depositions.	0.20
11/20/2015	JHS	Stipulation re expert discovery.	0.20
11/24/2015	JHS	Telephone conference with Allen Lichtenstein.	0.20
11/30/2015	JHS	Review transcript of Wright deposition and responses to discovery requests.	3.20
12/01/2015	JHS	Telephone conference with Allen Lichtenstein.	0.20
12/02/2015	JHS	Email re scheduling of depositions; telephone conference with Allen Lichtenstein.	0.30
12/03/2015	JHS	Notice depositions.	0.40
12/04/2015	JHS	Telephone conference with Allen Lichtenstein.	0.50
12/07/2015	JHS	Request def's counsel to include me in emails.	0.20
12/09/2015	JHS	Emails re discovery issues.	0.20
12/10/2015	JHS	Schedule depositions of Connor and Dante.	0.20
12/11/2015	JHS	Telephone conference with Allen Lichtenstein.	0.20
12/15/2015	JHS	Emails re depositions of treating doctors and plaintiffs.	0.20
12/20/2015	JHS	Telephone conference with Allen Lichtenstein.	0.30
12/22/2015	JHS	Telephone conference with Allen Lichtenstein.	0.20
12/24/2015	JHS	Email re damage calculation dispute; telephone conference with Allen Lichtenstein	0.50
12/28/2015	JHS	Review stipulation re discovery dispute.	0.20
01/04/2016	JHS	Telephone conference with Allen Lichtenstein.	0.20
01/05/2016	JHS	Review deposition of Nolan Hairr; telephone conference with Allen Lichtenstein.	2.60
01/06/2016	JHS	Consult with Allen Lichtenstein re discovery dispute re medical records.	0.50
01/08/2016	JHS	Telephone conference with Allen Lichtenstein re discovery matters.	0.30
01/11/2016	JHS	Multiple emails re scheduling of deposition and discovery issues and motion to compel.	0.60
01/13/2016	JHS	Multiple emails re motion to compel damage calculation.	0.30
01/14/2016	JHS	Telephone conference with Allen Lichtenstein and emails re discovery issues.	0.50
01/19/2016	JHS	Multiple emails re discovery issues; telephone conference with Allen Lichtenstein re upcoming depositions; review depositions of Connor and Dante.	2.30
01/20/2016	JHS	Review response to motion to compel; legal research; prep for depositions.	3.50
01/21/2016	JHS	Emails regarding scheduling of depositions; prep for depositions.	3.00
01/22/2016	JHS	Multiple emails; telephone conference with Allen Lichtenstein; prep for depositions.	4.80
01/24/2016	JHS	Travel to Las Vegas; meet with Allen L. and clients; prep for depositions.	9.00
01/25/2016	JHS	Prep for depositions; deposition of Leonard DePiazza; meet with Allen Lichtenstein.	8.30
01/26/2016	JHS	Prep for depositions; deposition of Robert Beasley; meet with Allen Lichtenstein.	7.50
01/27/2016	JHS	Prep for depositions; deposition of John Halpin; meet with Allen Lichtenstein.	8.50
01/28/2016	JHS	Prep for deposition; deposition of Andre Long; meet with Allen Lichtenstein; travel to SF.	9.50
01/29/2017	JHS	Telephone conference with Allen Lichtenstein; review supplemental disclosures	0.50
02/01/2016	JHS	Multiple emails; telephone conference with Allen Lichtenstein.	0.60
02/02/2016	JHS	Multiple emails; review information from clients; telephone conference with Allen Lichtenstein	1.20

02/03/2018	JHS	Telephone conference with Allen Lichtenstein.	0.20
02/12/2018	JHS	Telephone conference with Allen Lichtenstein.	0.20
02/16/2018	JHS	Telephone conference with Allen Lichtenstein.	0.50
02/17/2018	JHS	Telephone conference with Allen Lichtenstein.	0.20
02/22/2018	JHS	Review demand letter; telephone conference with Allen Lichtenstein.	0.70
02/24/2018	JHS	Telephone conference with Allen Lichtenstein.	0.20
02/25/2018	JHS	Review and revise letter; telephone conference with Allen Lichtenstein.	0.80
02/28/2018	JHS	Telephone conference with Allen Lichtenstein.	0.30
03/02/2018	JHS	Telephone conference with Allen Lichtenstein re MSJ.	0.50
03/03/2018	JHS	Emails re Defendants MSJ; legal research; summarize depositions.	6.50
03/07/2018	JHS	Initial draft of facts in opposition to MSJ; review transcripts.	5.30
03/08/2018	JHS	Multiple emails; telephone conference with Allen Lichtenstein.	0.80
03/09/2018	JHS	Prep memo re factual disputes; multiple emails; telephone conference with Allen Lichtenstein.	4.80
03/10/2018	JHS	Draft opposition to MSJ; multiple emails; telephone conference with Allen Lichtenstein.	5.00
03/11/2018	JHS	Draft opposition to MSJ; multiple emails.	6.40
03/14/2018	JHS	Multiple emails; telephone conference with Allen Lichtenstein re MSJ, discovery and trial date	3.50
03/15/2018	JHS	Telephone conference with Allen Lichtenstein.	0.20
03/16/2018	JHS	Telephone conference with Allen Lichtenstein.	0.20
03/17/2018	JHS	Stipulation re trial date; review transcripts.	2.50
03/18/2018	JHS	Telephone conference with Allen Lichtenstein; email from Allen; prep for Winn deposition.	3.30
03/21/2018	JHS	Telephone conference with Allen Lichtenstein re discovery order and MSJ; telephone conference with clients re key events; review transcripts.	3.50
03/24/2018	JHS	Telephone conference Dan Siegel; telephone conference with Jim Quadra; google research re bullying and gender issues.	2.80
03/25/2018	JHS	Review transcripts of Ethan, Nolan, Connor and Dante – compare to Beasley and Winn.	4.50
03/28/2018	JHS	Revise and expand statement of facts in opposition to MSJ; prep declaration and review exhibits.	6.00
03/29/2018	JHS	Telephone conference with Allen Lichtenstein; opposition to MSJ.	5.50
03/30/2018	JHS	Multiple emails; telephone conference with Allen Lichtenstein; review and revise opposition to MSJ.	4.20
03/31/2018	JHS	Multiple emails; review and revise opposition to MSJ.	2.50
04/01/2018	JHS	Telephone conference with Allen Lichtenstein; multiple emails re MSJ; final edits and revisions.	3.50
04/02/2018	JHS	Multiple emails.	0.30
04/11/2018	JHS	Telephone conference with Allen Lichtenstein.	0.20
04/13/2018	JHS	Telephone conference with Allen Lichtenstein.	0.20
04/19/2018	JHS	Telephone conference with Allen Lichtenstein; review reply brief.	1.80
04/21/2018	JHS	Telephone conference with Allen Lichtenstein.	0.50
04/26/2018	JHS	Telephone conference with Allen Lichtenstein; multiple emails.	0.50
05/04/2018	JHS	Multiple emails.	0.30
05/05/2018	JHS	Multiple emails; telephone conference with Allen Lichtenstein.	0.50
05/08/2018	JHS	Multiple emails.	0.40
05/09/2018	JHS	Multiple emails; telephone conference with Allen Lichtenstein.	0.40
05/10/2018	JHS	Multiple emails.	0.30
05/13/2018	JHS	Telephone conference with Allen Lichtenstein; multiple emails.	0.50
05/17/2018	JHS	Telephone conference with Allen Lichtenstein.	0.20
05/18/2018	JHS	Telephone conference with Allen Lichtenstein.	0.20
07/25/2018	JHS	Telephone conference with Allen Lichtenstein re order on MSJ; review order.	1.50

07/26/2016	JHS	Telephone conference with Allen Lichtenstein.	0.20
08/05/2016	JHS	Telephone conference with Allen Lichtenstein.	0.20
08/12/2016	JHS	Telephone conference with Allen Lichtenstein re motion for reconsideration.	0.50
08/24/2016	JHS	Telephone conference with Allen Lichtenstein.	0.20
08/30/2016	JHS	Email re motion to consider.	0.20
08/31/2016	JHS	Email; telephone conference with Allen Lichtenstein.	0.50
10/16/2016	JHS	Multiple emails re trial and trial preparation.	0.40
10/16/2016	JHS	Telephone conference with Allen Lichtenstein; multiple emails.	0.80
10/17/2016	JHS	Telephone conference with Allen Lichtenstein; multiple emails; trial preparation.	2.30
10/18/2016	JHS	Telephone conference with Allen Lichtenstein; multiple emails; trial preparation.	2.50
10/19/2016	JHS	Telephone conference with Allen Lichtenstein.	0.20
10/21/2016	JHS	Trial preparation; telephone conference with Allen Lichtenstein; multiple emails.	2.70
10/24/2016	JHS	Telephone conference with Allen Lichtenstein; trial preparation; multiple emails.	3.80
10/26/2016	JHS	Telephone conference with Allen Lichtenstein; trial preparation; multiple emails.	2.20
10/27/2016	JHS	Telephone conference with Allen Lichtenstein; trial preparation; multiple emails.	3.00
10/28/2016	JHS	Conference call; multiple emails; trial preparation.	4.50
11/01/2016	JHS	Telephone conference with Allen Lichtenstein.	0.40
11/02/2016	JHS	Trial preparation; multiple emails.	2.50
11/03/2016	JHS	Telephone conference with Allen Lichtenstein.	0.20
11/08/2016	JHS	Trial preparation; multiple emails; telephone conference with Allen Lichtenstein.	3.80
11/09/2016	JHS	Trial preparation; multiple emails.	3.00
11/10/2016	JHS	Trial preparation; multiple emails.	4.50
11/11/2016	JHS	Trial preparation; multiple emails.	3.30
11/13/2016	JHS	Trial preparation.	5.50
11/14/2016	JHS	Travel to Las Vegas; trial preparation.	8.50
11/15/2016	JHS	Trial preparation and trial.	11.50
11/16/2016	JHS	Trial preparation and trial.	11.00
11/17/2016	JHS	Trial preparation and trial.	11.50
11/18/2016	JHS	Trial preparation and trial.	9.50
11/20/2016	JHS	Trial preparation.	2.30
11/21/2016	JHS	Trial preparation.	3.80
11/22/2016	JHS	Trial preparation and trial; travel to SF.	7.50
01/03/2017	JHS	Telephone conference with Allen Lichtenstein.	0.20
01/05/2017	JHS	Telephone conference with Allen Lichtenstein re delay in getting trial transcripts.	0.20
01/06/2017	JHS	Multiple emails re stipulation to extend briefing schedule.	0.30
01/09/2017	JHS	Email re delay in transcripts.	0.20
01/10/2017	JHS	Telephone conference with Allen Lichtenstein.	0.20
01/11/2017	JHS	Emails re stipulation to extend briefing schedule.	0.30
01/13/2017	JHS	Review stipulation to extend briefing schedule.	0.20
02/14/2017	JHS	Telephone conference with Allen Lichtenstein.	0.20
02/16/2017	JHS	Receive trial transcripts and commence review.	1.20
02/20/2017	JHS	Telephone conference with Allen Lichtenstein re division of labor.	0.50
02/22/2017	JHS	Telephone conference with Allen Lichtenstein.	0.20

02/23/2017	JHS	Telephone conference with Allen Lichtenstein.	0.20
03/08/2017	JHS	Review and summarize trial transcripts.	5.50
03/07/2017	JHS	Review and summarize trial transcripts.	3.80
03/08/2017	JHS	Review and summarize trial transcripts.	4.40
03/08/2017	JHS	Compare and contrast trial testimony.	6.50
09/10/2017	JHS	Telephone conference with Allen Lichtenstein re Closing Brief.	0.50
03/19/2017	JHS	Review and revise Closing Argument.	1.80
03/20/2017	JHS	Telephone conference with Allen Lichtenstein; review and revise Closing Argument.	2.30
04/07/2017	JHS	Telephone conference with Allen Lichtenstein.	0.20
04/13/2017	JHS	Telephone conference with Allen Lichtenstein.	0.20
04/17/2017	JHS	Emails regarding extension to file Defendant's Closing; telephone conference with Allen Lichtenstein	0.30
04/20/2017	JHS	Telephone conference with Allen Lichtenstein.	0.20
04/21/2017	JHS	Telephone conference with Allen Lichtenstein.	0.20
05/01/2017	JHS	Review Defendant's Closing Brief	1.70
05/03/2017	JHS	Telephone conference with Allen Lichtenstein re Reply Brief.	0.60
05/09/2017	JHS	Telephone conference with Allen Lichtenstein.	0.20
05/23/2017	JHS	Telephone conference with Allen Lichtenstein.	0.20
05/24/2017	JHS	Review emails; telephone conference with Allen Lichtenstein.	0.50
05/25/2017	JHS	Review and revise Reply Brief; telephone conference with Allen Lichtenstein.	2.80
05/26/2017	JHS	Multiple emails; review and revise Reply Brief.	3.50
06/04/2017	JHS	Receive and review motion to strike.	1.50
06/17/2017	JHS	Multiple emails; telephone conference with Allen Lichtenstein re opposition to motion to strike; legal research.	3.60
06/12/2017	JHS	Multiple emails, review opposition to motion to strike; telephone conference with Allen Lichtenstein.	2.20
06/22/2017	JHS	Telephone conference with Allen Lichtenstein.	0.20
06/30/2017	JHS	Review Decision and Order.	1.50
07/06/2017	JHS	Telephone conference with Allen Lichtenstein re Finding of Fact and Conclusions of Law.	0.50
07/10/2017	JHS	Telephone conference with Allen Lichtenstein.	0.20
07/13/2017	JHS	Telephone conference with Allen Lichtenstein.	0.20
07/14/2017	JHS	Telephone conference with Allen Lichtenstein re damage issue.	0.40
07/16/2017	JHS	Review and revise Findings of fact and Conclusions of Law.	1.30
07/17/2017	JHS	Telephone conference with Allen Lichtenstein; review and revise Findings of fact and Conclusions of Law.	2.50

Timekeeper Summary
John Houston Scott

Hours
383.50

Exhibit C

1
2
3
4
5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
7

8 A.D., a minor, *et al.*,

No. C 07-5483 SI

9 Plaintiffs,

**ORDER GRANTING PLAINTIFFS'
SUPPLEMENTAL MOTION FOR
ATTORNEYS' FEES AND COSTS**

10 v.

11 STATE OF CALIFORNIA HIGHWAY
12 PATROL, *et al.*,

13 Defendants.
14 _____/

15 Now before the Court is plaintiffs' supplemental motion for attorneys' fees and expenses. For
16 the reasons set forth below, the Court GRANTS plaintiffs' motion. Docket No. 173.

17 **BACKGROUND**

18 A jury trial was held in this wrongful death case from April 27 - May 7, 2009. The jury found
19 in favor of plaintiffs A.D. and J.E. on their claim that defendant Markgraf violated their Fourteenth
20 Amendment rights by unlawfully depriving them of their liberty interest in their family relationship with
21 their mother, Karen Eklund. In a bifurcated damages phase, the jury awarded \$30,000 to each plaintiff.
22 The Court entered final judgment on May 8, 2009, and by order filed June 23, 2009, denied defendant's
23 renewed motion for judgment as a matter of law and motion for a new trial. On July 9, 2009, defendant
24 filed a notice of appeal.

25 In an order filed November 10, 2009, the Court granted plaintiffs' motion for attorneys' fees and
26 costs. The Court rejected defendant's argument that the fee award should be reduced because plaintiffs
27 had achieved "limited success" at trial:
28

1 Although plaintiffs did not obtain substantial monetary damages, they received
2 much more than the nominal damages urged by defendant. Moreover, "[s]uccess is
3 measured not only by the amount of the recovery but also in terms of the significance
4 of the legal issue on which the plaintiff prevailed and the public purpose the litigation
5 served." *Morales v. City of San Rafael*, 96 F.3d 357, 365 (9th Cir. 1996). Plaintiffs
6 fully prevailed on their claims at trial, and in so doing vindicated their constitutional
7 rights. Wrongful death cases such as the instant one present questions of vital
8 importance to the public. In addition to obtaining relatively modest damages, plaintiffs
9 achieved "significant nonmonetary results" in that the jury's verdict will likely deter
10 defendant Markgraf from engaging in future unconstitutional conduct. *See id.* at 365.
11 Because of the significance of the legal issues and the deterrent effect of this case, the
12 Court rejects defendant's contention that the lodestar should be reduced due to the
13 discrepancy between the damages claimed in the litigation and the damages awarded.

14 Defendant also asserts that "the low verdict amount is not explained by the
15 difficulty or complexity of the case," and that the lodestar should be reduced because
16 this was "a straightforward police shooting case." Defendant's current position that
17 this case was simple is belied by the vigorous defense of this case; defendants moved
18 to dismiss, moved for summary judgment, contested liability at trial, and filed post-trial
19 motions seeking judgment as a matter of law and a new trial. Contrary to defendant's
20 assertions, this case was factually and legally complicated, and posed numerous
21 challenges for plaintiffs. Plaintiffs had to overcome defendants' assertion of qualified
22 immunity, and had to establish that defendant Markgraf acted with a purpose to harm
23 unrelated to a legitimate law enforcement objective, a very high standard. The only
24 witnesses to the incident were law enforcement officers, and there were factual
25 disputes about whether Eklund was attempting to run over officers when she was shot.
26 The complexity of the case is illustrated by the fact that defendants retained several
27 experts and prepared sophisticated and complicated video and computerized
28 reconstructions of the car chase and events leading up to the shooting.

16 Docket No. 144 at 3-4 (footnote omitted). Citing *McCown v. City of Fontana*, 565 F.3d 1097, 1102 (9th
17 Cir. 2009), the Court also held that it could not consider the parties' settlement negotiations in
18 determining a reasonable fee. *See id.* at 4. The Court awarded plaintiffs their lodestar and denied
19 plaintiffs' request for a multiplier. Defendant appealed the fee order.

20 The merits and fees appeals were briefed, and on November 30, 2010, the Ninth Circuit held oral
21 argument. On April 6, 2011, the Ninth Circuit issued its first opinion in this case. Docket No. 157. In
22 a published opinion, the Ninth Circuit reversed the judgment and held that defendant was entitled to
23 qualified immunity, and vacated the fee order in light of the disposition on the merits. *A.D. v. Markgraf*,
24 636 F.3d 555 (9th Cir. 2011). On April 20, 2011, plaintiffs filed a petition for rehearing en banc. On
25 May 10, 2011, the Ninth Circuit directed defendant to file a response. Docket No. 158. The Ninth
26 Circuit granted plaintiffs leave to file a reply, which plaintiffs filed on June 12, 2011. Docket No. 160.

27 On April 11, 2012, the Ninth Circuit withdrew its original opinion and issued an order directing
28 supplemental briefing. Docket No. 161. The Ninth Circuit directed the parties to answer two questions:

(1) "How should the qualified immunity framework be applied based on the jury's finding that Defendant-Appellant violated Plaintiffs-Appellees' Fourteenth Amendment right to a familial relationship?"; and (2) "Does the subjective requirement in this case that the Defendant-Appellant act with a purpose to harm unrelated to a legitimate law enforcement objective in order to violate the Plaintiffs-Appellees' Fourteenth Amendment right to familial association affect the qualified immunity inquiry?" *Id.* The parties filed supplemental briefs, and on September 18, 2012, the Ninth Circuit held a second argument on the appeals.

On April 3, 2013, the Ninth Circuit issued a new published opinion affirming this Court's denial of defendant's motion for judgment as a matter of law. *See A.D. v. California Highway Patrol*, 712 F.3d 446 (9th Cir. 2013). The Court of Appeals held that there was sufficient evidence to support the jury's verdict that defendant shot Karen Eklund with a purpose to harm unrelated to a legitimate law enforcement objectives, and therefore that defendant was not entitled to qualified immunity.

The Ninth Circuit also reversed and remanded the fee award "so that the district court may consider the amounts of Markgraf's settlement offers in determining a reasonable fee . . . in light of an intervening change in Ninth Circuit law holding that Federal Rule of Evidence 408 does not bar district courts in the Ninth Circuit from considering amounts discussed in settlement negotiations as evidence of the extent of the plaintiff's success." *Id.* at 460-61 (citing *In re Kekaouha-Alisa*, 674 F.3d 1083, 1093-94 (9th Cir. 2012); *Ingram v. Oroudjian*, 647 F.3d 925, 927 (9th Cir. 2011)). The court further instructed:

On remand, the district court has the discretion (1) to consider the amounts discussed in settlement negotiations, or not; and (2) to give those amounts as much or as little weight as it sees fit. *See Lohman v. Duryea Borough*, 574 F.3d 163, 169 (3d Cir.2009) (acknowledging that settlement offers are "clearly only one factor to be considered in the award of fees," and that the district court "is also free to reject such evidence as not bearing on success"); *cf. In re Kekaouha-Alisa*, 674 F.3d at 1093-94; *Ingram*, 647 F.3d 925 (adopting *Lohman*'s holding that Federal Rule of Evidence 408 does not bar consideration of settlement offers when making attorneys' fee awards). It is not our place to opine as to how that discretion should be exercised.

Id. at 461.

The plaintiffs filed a motion to transfer consideration of attorneys' fees for the appeal to this Court. The Ninth Circuit granted the motion as to the merits appeal, but ruled that plaintiffs are not

1 entitled to fees for the appeal of the fee award.

2 In August 2013, defendant filed a petition for writ of certiorari in the United States Supreme
3 Court. On November 4, 2013, the Supreme Court denied the petition. *Markgraf v. A.D.*, No. 13-365,
4 2013 WL 5297886 (U.S. Nov. 4, 2013).

6 DISCUSSION

7 Plaintiffs seek attorneys' fees and expenses, broken down as follows: (1) the original fee award
8 pre-appeal of \$559,861.45 (merits fees of \$489,631.00; merits expenses of \$6,402.59; fees for original
9 fee petition of \$63,490.00; and fees expenses of \$337.86); (2) merits appeal work in the amount of
10 \$288,080.00; (3) work on the supplemental fee petition in the amount of \$57,428.90 (fees of \$57,285.00
11 and expenses of \$143.90); (4) post-appeal merits work of \$580.00; and (5) fees related to defendant's
12 petition for certiorari to the United States Supreme Court in the amount of \$3,012.50. In support of the
13 supplemental fee petition, plaintiffs have incorporated their submissions from the original fee petition,
14 and submitted supplemental declarations from John Scott and Thomas Greerty, Amitai Schwartz, and
15 Moira Duvernay. Mr. Scott and Mr. Greerty were trial counsel and the primary lawyers on the merits
16 appeal until the Ninth Circuit issued its first decision reversing the judgment. Mr. Schwartz initially
17 represented the plaintiffs on the appeal of the fee award, and provided editing and consulting support
18 on the first phase of the merits appeal. After the Ninth Circuit reversed the judgment in this case, Mr.
19 Schwartz took the lead in drafting the petition for rehearing and on the subsequent merits appeal work.
20 Ms. Duvernay is an associate at Mr. Schwartz's office and she worked on both the appeal and the
21 supplemental fee petition. The lawyers' declarations describe their professional experience and their
22 work on this case, and they have submitted summaries of the time they spent on this case, as well as a
23 listing of expenses incurred. In support of the hourly rates sought, plaintiffs have also submitted the
24 declaration of Steven Mayer, a director of the firm of Howard, Rice, Nemerovski, Canady, Falk &
25 Rabin, evidence regarding hourly rates charged by Bay Area lawyers, and recent court decisions
26 awarding Bay Area lawyers fees.

27 Under 42 U.S.C. § 1988(b), the Court has discretion to award plaintiffs their reasonable
28 attorneys' fees and expenses. Reasonable attorneys' fees are determined by the "lodestar method,"

1 which is obtained by multiplying the number of hours reasonably expended on litigation by a reasonable
2 hourly rate. *Hensley v. Eckerhart*, 461 U.S. 424 (1983). In determining the appropriate number of hours
3 to be included in a lodestar calculation, the Court should exclude hours “that are excessive, redundant,
4 or otherwise unnecessary.” *Id.* at 434. “The party seeking the award should provide documentary
5 evidence to the court concerning the number of hours spent, and how it determined the hourly rate(s)
6 requested.” *McCown v. City of Fontana*, 565 F.3d 1097, 1102 (9th Cir. 2009).

7
8 **I. Level of success/consideration of settlement negotiations**

9 In opposition to the supplemental fee petition, defendant argues that the previous fee award
10 should be reduced because plaintiffs’ level of success at trial “never came close to exceeding any of their
11 pretrial demands or the settlement negotiations.” Docket No. 181 at 4:6-7. Defendant relies on the
12 declaration of Tom Blake, who represented defendant throughout the pretrial proceedings and at trial.
13 Mr. Blake describes the parties’ negotiations and settlement demands made by plaintiffs, and states that
14 the parties discussed settlement in the range of \$100,000 to \$300,000, and that Mr. Scott “indicated an
15 interest” in a settlement of \$75,000 per plaintiff and \$100,000 in attorneys’ fees. Blake Decl. ¶¶ 5-6.
16 It is undisputed that defendant never made plaintiffs a settlement offer. However, defendant argues that
17 plaintiffs never agreed to a “potential settlement” that was more than double the amount that each
18 plaintiff received at trial, and thus their lodestar should be reduced to reflect their limited monetary
19 success.

20 Plaintiffs respond that the Court should exercise its discretion and give no weight to amounts
21 discussed in the settlement negotiations for two reasons. First, plaintiffs argue that this Court has
22 already determined that plaintiffs achieved significant nonmonetary success vindicating their
23 constitutional rights and serving the public purpose of deterring the unlawful use of deadly force, and
24 they cite numerous cases for the proposition that the lodestar should not be reduced when civil rights
25 plaintiffs achieve modest monetary success but significant nonmonetary success. Second, plaintiffs
26 argue that the Court should not reduce the lodestar on account of the parties’ settlement negotiations
27 because defendant never made a settlement offer. Plaintiffs note that the Ninth Circuit’s instructions
28 on remand were explicit: “We reverse and remand the fee award so that the district court may consider

1 the amounts of Markgraf's *settlement offers* in determining a reasonable fee." *A.D.*, 712 F.3d at 460
2 (emphasis added). Plaintiffs argue that defendant cannot now claim that this case could have settled for
3 an amount that he never offered, and they argue that the cases cited in the Ninth Circuit's decision and
4 relied on by defendant are all distinguishable because they involved plaintiffs who rejected settlement
5 offers. *See Lohman v. Duryea Borough*, 574 F.3d 163, 169 (3d Cir. 2009) (plaintiff rejected three
6 settlement offers, one of which was six times the amount ultimately awarded by the jury); *see also In*
7 *re Kekaouha-Alisa*, 674 F.3d at 1094 ("Therefore, the bankruptcy court may consider evidence of a
8 settlement offer to the degree such evidence is relevant to the calculation of reasonable attorneys' fees
9 under Hawaii law."); *Ingram*, 647 F.3d at 927 (plaintiff rejected \$30,000 settlement offer, leading to
10 further litigation, and ultimately settled for \$30,000).

11 The Court exercises its discretion and concludes that amounts discussed in the parties' settlement
12 negotiations do not bear on an evaluation of plaintiffs' success in this case. *See Lohman*, 574 F.3d at
13 169 (acknowledging that settlement offers are "clearly only one factor to be considered in the award of
14 fees," and that the district court "is also free to reject such evidence as not bearing on success"). As the
15 Court found in its original fee order, plaintiffs fully prevailed on their constitutional claims at trial and
16 the verdict serves the important public purpose of deterrence. "Success is measured not only by the
17 amount of the recovery but also in terms of the significance of the legal issue on which the plaintiff
18 prevailed and the public purpose the litigation served." *Morales v. City of San Rafael*, 96 F.3d 357, 365
19 (9th Cir. 1996). The Ninth Circuit has expressed "difficulty imagining a more important issue than the
20 legality of state-sanctioned force resulting in death. It is obviously of supreme importance to anyone
21 who might be subject to such force. But it is also of great importance to a law enforcement officer who
22 is placed in a situation where deadly force may be appropriate." *Mahach-Watkins v. Deppe*, 593 F.3d
23 1054, 1062 (9th Cir. 2010) (affirming attorneys' fee award in wrongful death case where the jury found
24 in favor of the plaintiff but awarded only nominal damages). Because this case was about much more
25 than money damages, the Court finds that the parties' settlement negotiations are not probative of
26 evaluating plaintiffs' success at trial.

27 Further, to the extent that the Court assesses success by looking at plaintiffs' monetary recovery,
28 the parties' settlement negotiations are not helpful because defendant did not actually make a settlement

1 offer, and thus defendant's assertion that this case could have settled for \$75,000 per plaintiff is entirely
2 speculative.

3 Accordingly, the Court reaffirms the previous pre-appeal fee award in its entirety. Interest is
4 awarded on the original award of merits fees and expenses from May 8, 2009, the date of the judgment,
5 and on the fees for the fee petition from November 10, 2009, when the order awarding fees was filed.
6

7 II. Merits Appeal

8 Plaintiffs seek \$288,080.00 for time spent on the merits appeal. Defendant objects to counsel's
9 requested hourly rates, and contends that some of the time spent was unnecessary and duplicative.
10

11 A. Hourly rates

12 A court awarding attorney fees must look to the prevailing market rates in the relevant
13 community. See *Blum v. Stenson*, 465 U.S. 886, 895 (1984); *Bell v. Clackamas County*, 341 F.3d 858,
14 860 (9th Cir. 2003). Plaintiffs seek to be compensated at their 2013 hourly rates for the time spent on
15 the merits appeal beginning in 2010. Plaintiffs seek \$725 per hour for Mr. Greerty, Mr. Scott and Mr.
16 Schwartz, and \$425 per hour for Ms. Duvernay. In 2009, the Court awarded \$600 per hour for each of
17 the senior attorneys, and \$300 per hour for Ms. Duvernay.¹ Mr. Greerty has 34 years experience
18 practicing law, Mr. Scott has 37 years experience, Mr. Schwartz has over 40 years experience, and Ms.
19 Duvernay has 9 years of experience.

20 Defendant contends that it is unreasonable to award 2013 rates for work largely performed in
21 2010 and 2011. However, the Supreme Court has held that an enhancement for delay in payment, where
22 appropriate, is part of calculating a "reasonable" fee under Section 1988:

23 Clearly, compensation received several years after the services were rendered – as it
24 frequently is in complex civil rights litigation – is not equivalent to the same dollar
25 amount received reasonably promptly as the legal services are performed, as would
26 normally be the case with private billings. We agree, therefore, that an appropriate
adjustment for delay in payment – whether by the application of current rather than
historic hourly rates or otherwise – is within the contemplation of the statute.

27
28 ¹ By reaffirming the previous fee award, the Court awards fees for that portion of counsel's work
at the 2009 rates.

1 *Missouri v. Jenkins*, 491 U.S. 274, 283-84 (1989); *see also Bell*, 341 F.3d at 868 (citing *Jenkins* and
2 holding that “[t]he court may also award rates at an attorney’s current rate where appropriate to
3 compensate for the lengthy delay in receiving payment”). Here, the Court finds it appropriate to award
4 2013 rates for the merits appeal work because of the substantial delay in payment.

5 Defendant also contends that the 2013 rates sought are unreasonable because those rates are
6 twenty and forty percent above the 2009 rates. Defendant cites the Laffey Matrix, the formulaic
7 attorneys’ fees schedule used in the District of Columbia, to argue that “reasonable rate increases do not
8 exceed ten to fifteen percent over a period of four years.” Docket No. 181 at 9:10-12. However, the
9 Ninth Circuit has questioned the relevance of the Laffey Matrix to determining a reasonable rate in the
10 Bay Area. *See Prison Legal News v. Schwarzenegger*, 608 F.3d 446, 454 (9th Cir. 2010) (“But just
11 because the Laffey matrix has been accepted in the District of Columbia does not mean that it is a sound
12 basis for determining rates elsewhere, let alone in a legal market 3,000 miles away. It is questionable
13 whether the matrix is a reliable measure of rates even in Alexandria, Virginia, just across the river from
14 the nation’s capital.”).

15 In any event, the question is not whether the percentage increase from 2009 to 2013 is too great,
16 but rather whether the 2013 rates sought are reasonable and within the prevailing market rates. Plaintiffs
17 have shown that those rates are reasonable for attorneys with similar or less experience than plaintiffs’
18 counsel. *See Supp. Mayer Decl.* ¶¶ 2-6 (1974 law school graduate practicing at Arnold & Porter, LLP
19 in San Francisco charges \$910 per hour; current hourly rates for attorneys who graduated between 1972
20 and 1978 range between \$800-\$875; standard rate for 2004 graduate is \$625 per hour); *Supp. Req. for*
21 *Judicial Notice*, Ex. 4 (exhibit to declaration filed in *Apple Inc. v. Samsung Elec. Co.*, Case No. 11-cv-
22 01846-LHK (PSG), showing that “average partner rate” at Quinn Emanuel Urquhart & Sullivan, LLP
23 is \$821 per hour and “average associate rate” is \$448 per hour). The requested rates are also in line with
24 those awarded in recent fee awards, and indeed some of those fee awards show that the rates sought are
25 comparable to market rates approved for work performed in 2010 and 2011, and earlier. *See Recouvreur*
26 *v. Carreon*, 940 F. Supp. 2d 1063, 1070 (N.D. Cal. 2013) (approving \$700 hourly rate for public interest
27 lawyer with 20 years of experience); *Armstrong v. Brown*, 805 F. Supp. 2d 918, 921 (N.D. Cal. 2011)
28 (approving 2010 rates of \$700 per hour for 1978 and 1980 law graduates and between \$325-\$480 for

1 attorneys graduating between 2003-2008); *Campbell v. Nat'l Passenger R.R. Corp.*, 718 F. Supp. 2d
2 1093, 1099-1100 (N.D. Cal. 2010) (finding reasonable \$700 hourly rate for civil rights attorney
3 practicing since 1982); *see also Prison Legal News*, 608 F.3d 455 (holding district court did not abuse
4 its discretion in awarding 2008 hourly rates of \$875 for a partner, \$700 for an attorney with 23 years of
5 experience, and \$425 for a 2003 law graduate).

6
7 **B. "Unnecessary or redundant" time**

8 Next, defendant challenges as unnecessary or redundant the following time spent on the merits
9 appeal: (1) time spent by Scott, Greerty and Schwartz reviewing the excerpts of record; (2) time spent
10 by Schwartz and Greerty editing the original answering brief written by Scott; and (3) time spent by
11 Scott and Greerty preparing for the original appellate argument and by Schwartz preparing for the
12 supplemental oral argument. Defendant argues that some of this "redundant" time was expended as a
13 result of the switch from Scott to Schwartz as the lead counsel handling the merits appeal (such as the
14 time spent reviewing the excerpts of record), and other time is simply excessive and unnecessary (such
15 as the time spent editing and preparing for oral argument).

16 "Participation of more than one attorney does not necessarily amount to unnecessary duplication
17 of effort." *Democratic Party of Washington State v. Reed*, 388 F.3d 1281, 1286 (9th Cir. 2004). As the
18 Ninth Circuit has instructed,

19 The court may reduce the number of hours awarded because the lawyer
20 performed unnecessarily duplicative work, but determining whether work is
21 unnecessarily duplicative is no easy task. When a case goes on for many years, a lot of
22 legal work product will grow stale; a competent lawyer won't rely entirely on last year's,
23 or even last month's, research: Cases are decided; statutes are enacted; regulations are
24 promulgated and amended. A lawyer also needs to get up to speed with the research
25 previously performed. All this is duplication, of course, but it's necessary duplication;
it is inherent in the process of litigating over time. Here, there was a previous appeal (of
the district court's grant of summary judgment) which would have added to the delay
and rendered much of the research stale. One certainly expects some degree of
duplication as an inherent part of the process. There is no reason why the lawyer should
perform this necessary work for free.

26 It must also be kept in mind that lawyers are not likely to spend unnecessary time
27 on contingency fee cases in the hope of inflating their fees. The payoff is too uncertain,
28 as to both the result and the amount of the fee. It would therefore be the highly atypical
civil rights case where plaintiff's lawyer engages in churning. By and large, the court
should defer to the winning lawyer's professional judgment as to how much time he was
required to spend on the case; after all, he won, and might not have, had he been more

1 of a slacker.

2 *Moreno v. City of Sacramento*, 534 F.3d 1106, 1112 (9th Cir. 2008).

3 The issues in this case were difficult and complex, and litigation of the appeal was especially
4 complicated. The decision to change lead counsel after the initial loss on appeal was a strategic choice
5 that brought a fresh perspective to the issues raised on rehearing and in the supplemental briefing. After
6 the Ninth Circuit's initial 3-0 decision reversing the judgment, plaintiffs faced the formidable task of
7 persuading the Ninth Circuit to reconsider its decision. That plaintiffs were successful in doing so,
8 resulting in a 3-0 published decision affirming the judgment, validates plaintiffs' counsel's decisions
9 about how to staff and litigate the appeal. The Court also notes that Schwartz and Duvernay do not seek
10 to be compensated for all of the time they spent on the merits appeal. *See* Second Supp. Schwarz Decl.
11 ¶¶17-18. Defendant has not shown that any of the work performed was unnecessary, and considering
12 the complexity of this case it is reasonable that plaintiffs' counsel would need to ensure that they were
13 familiar with the district court record, review and edit pleadings prepared by others, and prepare
14 assiduously for important oral arguments. The Court is satisfied that the fees requested are reasonable
15 and justified by the results obtained, and finds it inappropriate and unnecessary to speculate about
16 whether different staffing decisions would have led to the same results at a lower cost.

17 Accordingly, the Court grants plaintiffs' request for fees for the merits appeal, and interest is
18 awarded on the merits appeal fees from May 24, 2013, the date the mandate of the Court of Appeals was
19 filed in this Court. Docket No. 169.

20
21 **III. Supplemental fee petition**

22 Plaintiffs seek \$57,428.90 in fees and expenses incurred in litigating the supplemental fee
23 petition. Defendant generally objects that the amount of time spent on the supplemental fee petition
24 "appears distorted" because counsel spent at as much time on the supplemental fee petition as Scott and
25 Greerty spent on the merits appeal. Defendant does not identify any specific time that he contends was
26 unnecessary or unreasonable.

27 As an initial matter, the Court notes that the vast majority of the time spent on the supplemental
28 fee petition was performed by Ms. Duvernay, the attorney with the lowest hourly rate. The Court also

1 finds that simply comparing the time spent on the fee motion and time spent on one part of the merits
2 appeal does not establish that the time spent on the supplemental fee motion was excessive. *See Golden*
3 *Gate Audubon Soc., Inc. v. U.S. Army Corps of Engineers*, 732 F. Supp. 1014, 1022 (N.D. Cal. 1989)
4 (rejecting as unpersuasive "summary opposition" that fees on fees were excessive based solely on
5 comparison to merits time because "[r]igid comparisons with the amount of fees for the merits shed little
6 light" on determining "what is a reasonable number of hours in light of the issues and tasks involved.").
7 The Court finds that the time spent litigating the supplemental fee petition was reasonable because
8 plaintiffs have the burden of supporting the rates sought and time spent, and they were required to
9 review pertinent legal authority, obtain declarations, gather and present time records, research current
10 hourly rates for Bay Area attorneys, and prepare the motion papers. The Court finds it noteworthy that
11 defendant did not identify any particular time spent as excessive or unnecessary, instead relying on a
12 blanket objection. Further, due to defendant's tenacious litigation of the fee issue, plaintiffs' counsel
13 was required "to expend significantly more time on fee issues than would have otherwise been
14 required." *Id.*

15
16 **IV. Other fees and expenses**

17 Plaintiffs seek post-appeal merits work of \$580.00, and fees related to defendant's petition for
18 certiorari to the United States Supreme Court in the amount of \$3,012.50. Defendant does not object
19 to these amounts, and the Court finds that these fees are reasonable and recoverable.

20
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CONCLUSION

For the foregoing reasons, the Court GRANTS plaintiffs' motion for attorneys' fees and expenses as follows: (1) the original fee award pre-appeal of \$559,861.45 (merits fees of \$489,631.00; merits expenses of \$6,402.59; fees for original fee petition of \$63,490.00; and fees expenses of \$337.86); (2) merits appeal fees in the amount of \$288,080.00; (3) fees and expenses for the supplemental fee petition in the amount of \$57,428.90; (4) post-appeal merits work of \$580.00; and (5) fees related to defendant's petition for certiorari to the United States Supreme Court in the amount of \$3,012.50.

IT IS SO ORDERED.

Dated: November 27, 2013



SUSAN ILLSTON
United States District Judge

United States District Court
For the Northern District of California

EXHIBIT 2

DECLARATION OF ALLEN LICHTENSTEIN

001773

1 Allen Lichtenstein (NV State Bar No. 3992)
 2 ALLEN LICHTENSTEIN, LTD.
 3 3315 Russell Road, No. 222
 4 Las Vegas, NV 89120
 5 Tel: 702.433-2666
 6 Fax: 702.433-9591
 7 allaw@lvcoxmail.com

8 John Houston Scott (CA Bar No. 72578)
 9 Admitted Pro Hac Vice
 10 SCOTT LAW FIRM
 11 1388 Sutter Street, Suite 715
 12 San Francisco, CA 94109
 13 Tel: 415.561-9601
 14 john@scottlawfirm.net

15 *Attorneys for Plaintiffs, Mary Bryan, Ethan Bryan,*
 16 *Aimee Hairr and Nolan Hairr*

17 DISTRICT COURT
 18 CLARK COUNTY, NEVADA

19 MARY BRYAN, mother of ETHAN BRYAN;
 20 AIMEE HAIRR, mother of NOLAN HAIRR,

21 Plaintiffs,

22 vs.

23 CLARK COUNTY SCHOOL DISTRICT
 24 (CCSD)

25 Defendant .

Case No. A-14-700018-C

Dept. No. XXVII

**DECLARATION OF ALLEN
 LICHTENSTEIN**

Department: XXVII

Trial Dates: Day1, 11/15/16; Day 2,
 11/16/16; Day 3, 11/17/16; Day 4, 11/18/16;
 Day 5, 11/22/16

26 Allen Lichtenstein, declares under perjury pursuant to the laws of Nevada as follows:

- 27 1. I am an attorney licensed to practice law in the State of Nevada.
- 28 2. I have personal knowledge of the matters set forth herein, except for those matters
 29 known on information and belief, and for those matters, I believe them to be true.
- 30 3. I am competent to testify to the same; and, I make this Declaration in support of the
 31 foregoing Motion for Attorney Fees and Cost of which this Declaration is made a part.
- 32 4. I worked with co-counsel in the preparation of the foregoing Motion

1 for Attorney Fees and Costs; and all the facts set forth therein are true and correct to the best of
2 my knowledge, information and belief.

3 5. I have been practicing law for 27 years. I was admitted to practice in Nevada in
4 1990, and my Bar Number is 3992. I am also licensed to practice law in California.

5 6. After being admitted to practice. I have maintained a practice of law with an
6 emphasis on constitutional law and civil rights matters.

7 7. I was also General Counsel for the ACLU of Nevada for 17 years, starting in 1997.

8 8. I have practiced in federal and state courts in Nevada and California, including:
9 Federal District Courts, Nevada State District Courts, Justice Courts and Municipal Courts.

10 9. I have also argued before the Nevada Supreme Court, the Ninth Circuit Court of
11 Appeals, and the United State Supreme Court.

12 10. I was retained by Plaintiffs since the onset of this case: first as General Counsel for
13 the ACLU of Nevada, then as a private attorney

14 11. From the beginning of the case until July 31, 2014, while the ACLUN was
15 representing Plaintiffs, I was in charge of the case in my capacity as General Counsel.

16 12. For the time the ACLUN was representing Plaintiffs the attorney hours and rates
17 were as follows: (See Attachment 3)

	rate per hr.	hrs expended	total
Fees for the ACLUN	var	70.45	\$ 19,356.25
Lichtenstein	\$600	9.6	\$5,670.00
Pratt	\$450	8.6	\$3,870.00
Morgan	\$225	31.95	\$7,188.75
Interns	\$125	20.3	\$2,537.50

13. After July 31, 2014, I represented Plaintiffs as a private attorney. I worked 690.77 hours as a private attorney on the case at a rate of \$600 per hour, totaling \$414,460.00. From July 31, 2014, Staci Pratt worked 20.8 hours on the case at a rate of \$450 per hour, totaling \$10,980.00.

14. Ms. Pratt left the case and changed her Nevada Bar membership to inactive status in early December 2014.

15. Attached hereto as Attachment 1 is a true and correct copy of the billing on this case by Allen Lichtenstein, as a private attorney from July 31, 2014 to present. Attachment 2 is a true and correct of copy of the billing by Staci Pratt for work done as a private attorney on this case from. Attachment 3 is a true and correct copy of the billing for this case by the ACLUN. Attachment 4 states the adjusted cost along with supporting documentation.

16. On July 7, 2015, John H. Scott entered the case as co-counsel, pro hac vice.

17. From the time Mr. Scott entered the case, I was the primary person involved with motion work, briefing and legal analysis. Mr. Scott, however, was also involved in briefing, particularly with Opposition to Defendants' Motion for Summary Judgment. We both were involved with discovery and trial preparation.

18. At trial, Mr. Scott did all of the witness examination. I took the role of second chair. I was primarily responsible for the closing statement briefs.

19. The services rendered as reflected on Exhibit 2 were reasonable and necessary to provide legal representation for Plaintiffs.

20. The total fees and costs accrued in this case are as follows:

	rate per hr.	hrs expended	total
Fees for John H. Scott:	\$650	383.50	\$249,275.00
Fees for Allen Lichtenstein: (as a private attorney)	\$600	690.77	\$414,460.00

1	Staci Pratt	\$450	20.80	\$ 10,980.00
2	(as a private attorney)			
3				
4	Fees for the ACLUN	var	70.45	\$ 19,356.25
5	Lichtenstein	\$600	9.6	\$5,670.00
6	Pratt	\$450	8.6	\$3,870.00
7	Morgan	\$225	31.95	\$7,188.75
8	Interns	\$125	20.3	\$2,537.50
9				
10	Total fees			\$694,071.25
11	Costs:			\$ 22,619.81
12	Total			\$716,691.06

13 I affirm that the foregoing is true and correct, and this Declaration is executed under
 14 penalty of perjury this 9th day of August, 2017 in Las Vegas, Nevada.


15 
 16 Allen Lichtenstein

EXHIBIT 2

ATTACHMENT 1

**ALLEN LICHTENSTEIN HOURS AS A PRIVATE
ATTORNEY**

001778

001778

8/8/2017
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Allen Lichtenstein
Slip Listing

Page 1

Selection Criteria

Slip.Date 7/31/2014 - Latest
Slip.Classification Open
Clie.Selection Include: Bryan and Hairr

Rate Info - identifies rate source and level

Slip ID	Dates and Time	Timekeeper	Units	Rate	Slip Value
Posting Status		Activity	DNB Time	Rate Info	
Description		Client	Est. Time	Bill Status	
		Reference	Variance		
2798	TIME	Allen	0.60	600.00	360.00
7/31/2014		document draft	0.00	T	
WIP		Bryan and Hairr	0.00		
Substitution of Plaintiffs' Attorneys			0.00		
2799	TIME	Allen	0.10	600.00	60.00
8/1/2014		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review Stipulation to Continue hearing			0.00		
2280	TIME	Allen	1.30	600.00	780.00
8/9/2014		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review Defendants' Reply to Plaintiffs' Response to Defendants' Motion to Dismiss Plaintiffs' Complaint			0.00		
2281	TIME	Allen	0.30	600.00	180.00
8/12/2014		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with NERC attorney			0.00		
2282	TIME	Allen	0.20	600.00	120.00
8/15/2014		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review of Alicia Lerod email			0.00		
2283	TIME	Allen	5.90	600.00	3540.00
8/20/2014		Court Preparation	0.00	T	
WIP		Bryan and Hairr	0.00		
Preparation for oral argument			0.00		
2284	TIME	Allen	3.10	600.00	1860.00
8/21/2014		hearing	0.00	T	
WIP		Bryan and Hairr	0.00		
Hearing on motion to dismiss			0.00		
2285	TIME	Allen	1.10	600.00	660.00
8/23/2014		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review transcript of hearing on Motion to Dismiss			0.00		

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Slip ID	Dates and Time	Posting Status	Description	Timekeeper Activity	Client Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
2286	8/25/2014	TIME	WIP Reviewed letter from Lerod	Allen	document review Bryan and Hairr	0.30 0.00 0.00 0.00	600.00 T	180.00
2800	9/4/2014	TIME	WIP Review proposed order	Allen	document review Bryan and Hairr	0.90 0.00 0.00 0.00	600.00 T	540.00
2801	9/10/2014	TIME	WIP Review Court Order on Motion to Dismiss	Allen	document review Bryan and Hairr	0.20 0.00 0.00 0.00	600.00 T	120.00
2802	10/10/2014	TIME	WIP Draft Amended Complaint	Allen	document draft Bryan and Hairr	4.30 0.00 0.00 0.00	600.00 T	2580.00
2803	10/15/2014	TIME	WIP Draft and file Plaintiffs' First Amended Complaint and Exhibits	Allen	document draft Bryan and Hairr	6.10 0.00 0.00 0.00	600.00 T	3660.00
2804	11/17/2014	TIME	WIP Draft and file Errata	Allen	document draft Bryan and Hairr	0.70 0.00 0.00 0.00	600.00 T	420.00
2805	11/18/2014	TIME	WIP Review Defendants' Motion to Dismiss Plaintiffs' First Amended Complaint	Allen	document review Bryan and Hairr	1.20 0.00 0.00 0.00	600.00 T	720.00
2806	11/20/2014	TIME	WIP Review Notice of Hearing	Allen	document review Bryan and Hairr	0.10 0.00 0.00 0.00	600.00 T	60.00
2807	12/9/2014	TIME	WIP Stipulation and Order to Continue Hearing	Allen	document review Bryan and Hairr	0.10 0.00 0.00 0.00	600.00 T	60.00
2377	12/24/2014	TIME	12/31/2014 WIP Researched EDCR 2.24(b) and law of the case and use of case citations; draft brief	Allen	research Bryan and Hairr	7.30 0.00 0.00 0.00	600.00 T	4380.00

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Slip ID	Dates and Time	Posting Status	Description	Timekeeper Activity	Client Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
2808	12/25/2014	TIME	WIP Research qualified and discretionary immunity; draft brief	Allen research	Bryan and Hairr	6.70 0.00 0.00 0.00	600.00 T	4020.00
2809	12/26/2014	TIME	WIP Research Monell and punitive damages; draft brief	Allen research	Bryan and Hairr	7.90 0.00 0.00 0.00	600.00 T	4740.00
2810	12/27/2014	TIME	WIP Research Title IX, negligence, deliberate indifference; draft brief	Allen research	Bryan and Hairr	8.40 0.00 0.00 0.00	600.00 T	5040.00
2812	12/29/2014	TIME	WIP Draft brief	Allen document draft	Bryan and Hairr	7.70 0.00 0.00 0.00	600.00 T	4620.00
2813	12/30/2014	TIME	WIP Draft and edit brief	Allen document draft	Bryan and Hairr	9.20 0.00 0.00 0.00	600.00 T	5520.00
2814	12/31/2014	TIME	WIP Finalized and filed Plaintiffs' Response to Defendants' Motion to Dismiss Plaintiffs' First Amended Complaint	Allen editing	Bryan and Hairr	10.20 0.00 0.00 0.00	600.00 T	6120.00
2815	1/15/2015	TIME	WIP Review Defendants' Reply to Plaintiffs' Motion to Dismiss Plaintiffs' Amended Complaint	Allen document review	Bryan and Hairr	1.40 0.00 0.00 0.00	600.00 T	840.00
2816	1/27/2015	TIME	WIP Stipulation to Continue Hearing	Allen document review	Bryan and Hairr	0.10 0.00 0.00 0.00	600.00 T	60.00
2817	1/28/2015	TIME	WIP Preparation for Hearing	Allen Court Preparation	Bryan and Hairr	2.30 0.00 0.00 0.00	600.00 T	1380.00

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Slip Listing

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Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
2818	TIME	Allen	1.70	600.00	1020.00
1/29/2015		hearing	0.00	T	
WIP		Bryan and Hairr	0.00		
Hearing on Defendants' Motion to Dismiss			0.00		
Amended Complaint					
2819	TIME	Allen	0.20	600.00	120.00
2/10/2015		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review Court's Order on Defendants' Motion to Dismiss			0.00		
2820	TIME	Allen	0.90	600.00	540.00
2/25/2015		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review Defendants' Answer			0.00		
2385	TIME	Allen	1.20	600.00	720.00
3/16/2015		meeting	0.00	T	
WIP		Bryan and Hairr	0.00		
Meeting with clients			0.00		
2384	TIME	Allen	0.50	600.00	300.00
3/16/2015		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott Re: possible association			0.00		
2387	TIME	Allen	1.20	600.00	720.00
3/19/2015		legal services	0.00	T	
WIP		Bryan and Hairr	0.00		
16.1 conference			0.00		
2947	TIME	Allen	0.30	600.00	180.00
4/9/2015		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott Re: potential fee agreement			0.00		
2951	TIME	Allen	0.20	600.00	120.00
4/15/2015		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Email to John Scott Re: fee agreement			0.00		
2821	TIME	Allen	1.20	600.00	720.00
4/20/2015		document draft	0.00	T	
WIP		Bryan and Hairr	0.00		
Draft Request for Exemption from Arbitration			0.00		
2948	TIME	Allen	0.80	600.00	480.00
4/20/2015		phone	0.00	T	
WIP		Bryan and Hairr	0.00		

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Slip ID	Timekeeper	Units	Rate	Slip Value
Dates and Time	Activity	DNB Time	Rate Info	
Posting Status	Client	Est. Time	Bill Status	
Description	Reference	Variance		
Telephone conference with John Scott Re: background and history of case		0.00		
2822 TIME	Allen	0.10	600.00	60.00
5/21/2015	document review	0.00	T	
WIP	Bryan and Hairr	0.00		
Review Commissioner's Decision on Request for Exemption from Arbitration		0.00		
2949 TIME	Allen	0.30	600.00	180.00
5/27/2015	phone	0.00	T	
WIP	Bryan and Hairr	0.00		
Telephone conference with John Scott		0.00		
2823 TIME	Allen	0.80	600.00	480.00
6/4/2015	document draft	0.00	T	
WIP	Bryan and Hairr	0.00		
Draft and file Motion on Plaintiffs' Request to Associate Counsel		0.00		
2950 TIME	Allen	0.50	600.00	300.00
6/18/2015	phone	0.00	T	
WIP	Bryan and Hairr	0.00		
Telephone conference with John Scott Re: initial disclosures		0.00		
2444 TIME	Allen	8.10	600.00	4860.00
6/18/2015	legal services	0.00	T	
WIP	Bryan and Hairr	0.00		
Initial Disclosures		0.00		
2952 TIME	Allen	0.20	600.00	120.00
7/14/2015	Email	0.00	T	
WIP	Bryan and Hairr	0.00		
Email from John Scott Re: scheduling of depositions		0.00		
2953 TIME	Allen	0.20	600.00	120.00
7/20/2015	Email	0.00	T	
WIP	Bryan and Hairr	0.00		
Email from John Scott Re: scheduling of depositions		0.00		
2824 TIME	Allen	2.10	600.00	1260.00
7/21/2015	Court Preparation	0.00	T	
WIP	Bryan and Hairr	0.00		
Preparation for Early Case Conference		0.00		

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Slip ID	Dates and Time	Posting Status	Description	Timekeeper Activity	Client Reference	Units DNB	Time Est.	Rate Rate Info	Slip Value
								Bill Status	
2825	TIME			Allen		0.90		600.00	540.00
	7/22/2015			hearing		0.00		T	
	WIP			Bryan and Hairr		0.00			
	Early Case Conference					0.00			
2826	TIME			Allen		1.00		600.00	600.00
	7/27/2015			Court Preparation		0.00		T	
	WIP			Bryan and Hairr		0.00			
	Joint Case Conference Report					0.00			
2954	TIME			Allen		0.40		600.00	240.00
	8/13/2015			phone		0.00		T	
	WIP			Bryan and Hairr		0.00			
	Telephone conference with John Scott					0.00			
2955	TIME			Allen		0.20		600.00	120.00
	8/17/2015			phone		0.00		T	
	WIP			Bryan and Hairr		0.00			
	Telephone conference with John Scott					0.00			
2827	TIME			Allen		1.20		600.00	720.00
	8/31/2015			Court Preparation		0.00		T	
	WIP			Bryan and Hairr		0.00			
	Scheduling Order					0.00			
2828	TIME			Allen		0.10		600.00	60.00
	9/25/2015			document review		0.00		T	
	WIP			Bryan and Hairr		0.00			
	Order setting bench trial and calendar call					0.00			
2956	TIME			Allen		0.20		600.00	120.00
	9/28/2015			Email		0.00		T	
	WIP			Bryan and Hairr		0.00			
	Email Re: deposition schedule					0.00			
2957	TIME			Allen		0.20		600.00	120.00
	10/1/2015			Email		0.00		T	
	WIP			Bryan and Hairr		0.00			
	Email Re: deposition schedule					0.00			
2958	TIME			Allen		0.20		600.00	120.00
	10/2/2015			Email		0.00		T	
	WIP			Bryan and Hairr		0.00			
	Email Re: deposition schedule					0.00			
2959	TIME			Allen		0.80		600.00	480.00
	10/14/2015			phone		0.00		T	
	WIP			Bryan and Hairr		0.00			
	Telephone conference with John Scott Re: discovery and depositions					0.00			

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Slip Listing

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Slip ID	Dates and Time	Timekeeper Activity	Units DNB Time	Rate Rate Info	Slip Value
Posting Status	Description	Client Reference	Est. Time Variance	Bill Status	
2960	TIME	Allen	0.50	600.00	300.00
10/16/2015		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
	Telephone conference with John Scott		0.00		
2961	TIME	Allen	0.50	600.00	300.00
10/20/2015		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
	Telephone conference with John Scott Re: statutes and regulations		0.00		
2937	TIME	Allen	2.50	600.00	1500.00
10/22/2015		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
	Review Defendants' Discovery Requests		0.00		
2962	TIME	Allen	0.40	600.00	240.00
10/23/2015		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
	Telephone conference with John Scott Re: school district and parallel litigation		0.00		
2963	TIME	Allen	1.50	600.00	900.00
10/25/2015		Court Preparation	0.00	T	
WIP		Bryan and Hairr	0.00		
	Obtain information and timelines from clients		0.00		
2964	TIME	Allen	0.20	600.00	120.00
10/28/2015		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
	Email Re: confirm depositions		0.00		
2965	TIME	Allen	0.80	600.00	480.00
10/29/2015		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
	Email to John Scott; telephone conference with John Scott		0.00		
2559	TIME	Allen	4.50	600.00	2700.00
10/29/2015		Deposition	0.00	T	
WIP		Bryan and Hairr	0.00		
	Preparation for Winn and McKay depositions		0.00		
2966	TIME	Allen	0.30	600.00	180.00
10/30/2015		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
	Emails with John Scott		0.00		
2563	TIME	Allen	6.05	600.00	3630.00
11/1/2015		Deposition	0.00	T	
WIP		Bryan and Hairr	0.00		
	Preparation for deposition; telephone conference		0.00		

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Slip Listing

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Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
with clients; meeting with John Scott					
2564	TIME	Allen	10.50	600.00	6300.00
11/2/2015		Deposition	0.00	T	
WIP		Bryan and Hairr	0.00		
Preparation for McKay deposition; McKay deposition; confer with John Scott			0.00		
2566	TIME	Allen	7.90	600.00	4740.00
11/3/2015		Deposition	0.00	T	
WIP		Bryan and Hairr	0.00		
Winn Deposition; confer with John Scott			0.00		
2829	TIME	Allen	5.20	600.00	3120.00
11/4/2015		Court Preparation	0.00	T	
WIP		Bryan and Hairr	0.00		
Prepared Aimee Hairr Discovery Response			0.00		
2967	TIME	Allen	0.30	600.00	180.00
11/4/2015		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		
2968	TIME	Allen	0.40	600.00	240.00
11/5/2015		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Emails Re: settlement potential and strategy			0.00		
2969	TIME	Allen	0.30	600.00	180.00
11/6/2015		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		
2970	TIME	Allen	0.30	600.00	180.00
11/9/2015		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott Re: discovery responses			0.00		
2971	TIME	Allen	0.40	600.00	240.00
11/10/2015		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		
2832	TIME	Allen	4.20	600.00	2520.00
11/11/2015		document draft	0.00	T	
WIP		Bryan and Hairr	0.00		
Prepared Mary Bryan written discovery response			0.00		
2972	TIME	Allen	2.50	600.00	1500.00
11/11/2015		Email	0.00	T	
WIP		Bryan and Hairr	0.00		

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Allen Lichtenstein
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Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
Multiple emails and telephone conference with John Scott Re: discovery responses			0.00		
2938	TIME	Allen	1.20	600.00	720.00
11/12/2015		document draft	0.00	T	
WIP		Bryan and Hairr	0.00		
Draft Plaintiffs' Request for Documents			0.00		
2973	TIME	Allen	0.50	600.00	300.00
11/12/2015		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference and email with John Scott Re: scheduling depositions and strategy			0.00		
2974	TIME	Allen	0.30	600.00	180.00
11/13/2015		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference and email with John Scott Re: protective order Re: medical records			0.00		
2830	TIME	Allen	2.10	600.00	1260.00
11/15/2015		Deposition	0.00	T	
WIP		Bryan and Hairr	0.00		
Preparation for Wright deposition			0.00		
2975	TIME	Allen	0.80	600.00	480.00
11/15/2015		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Email from John Scott			0.00		
2976	TIME	Allen	0.50	600.00	300.00
11/16/2015		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		
2831	TIME	Allen	1.20	600.00	720.00
11/16/2015		Deposition	0.00	T	
WIP		Bryan and Hairr	0.00		
Deanna Wright deposition			0.00		
2977	TIME	Allen	0.20	600.00	120.00
11/19/2015		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Email from John Scott Re: Ethan's and Nolan's depositions			0.00		
2978	TIME	Allen	0.20	600.00	120.00
11/24/2015		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		

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Dates and Time	Activity	DNB Time	Rate Info	
Posting Status	Client	Est. Time	Bill Status	
Description	Reference	Variance		
2979	Allen	0.20	600.00	120.00
12/1/2015	phone	0.00	T	
WIP	Bryan and Hairr	0.00		
Telephone conference with John Scott		0.00		
2980	Allen	0.30	600.00	180.00
12/2/2015	Email	0.00	T	
WIP	Bryan and Hairr	0.00		
Email and telephone conference with John Scott		0.00		
Re: Scheduling depositions				
2981	Allen	0.50	600.00	300.00
12/4/2015	phone	0.00	T	
WIP	Bryan and Hairr	0.00		
Telephone conference with John Scott		0.00		
2982	Allen	0.20	600.00	120.00
12/9/2015	Email	0.00	T	
WIP	Bryan and Hairr	0.00		
Emails with John Scott Re: discovery issues		0.00		
2983	Allen	0.20	600.00	120.00
12/11/2015	phone	0.00	T	
WIP	Bryan and Hairr	0.00		
Telephone conference with John Scott		0.00		
2833	Allen	0.30	600.00	180.00
12/14/2015	document review	0.00	T	
WIP	Bryan and Hairr	0.00		
Stipulated Protective Order		0.00		
2984	Allen	0.20	600.00	120.00
12/15/2015	Email	0.00	T	
WIP	Bryan and Hairr	0.00		
Emails from John Scott Re: depositions of treating doctors and plaintiffs		0.00		
2985	Allen	0.30	600.00	180.00
12/20/2015	phone	0.00	T	
WIP	Bryan and Hairr	0.00		
Telephone conference with John Scott		0.00		
2834	Allen	4.70	600.00	2820.00
12/21/2015	Deposition	0.00	T	
WIP	Bryan and Hairr	0.00		
Preparation for Nolan Hairr deposition		0.00		
2835	Allen	7.82	600.00	4690.00
12/22/2015	Deposition	0.00	T	
WIP	Bryan and Hairr	0.00		
Nolan Hairr deposition		0.00		

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Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
2986	TIME	Allen	0.20	600.00	120.00
12/22/2015		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		
2987	TIME	Allen	0.50	600.00	300.00
12/24/2015		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Email and telephone conference with John Scott			0.00		
Re: damage calculation dispute					
2836	TIME	Allen	0.90	600.00	540.00
1/4/2016		Deposition	0.00	T	
WIP		Bryan and Hairr	0.00		
Preparation for CL deposition			0.00		
2988	TIME	Allen	0.20	600.00	120.00
1/4/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		
2839	TIME	Allen	2.30	600.00	1380.00
1/5/2016		Deposition	0.00	T	
WIP		Bryan and Hairr	0.00		
CL deposition			0.00		
2838	TIME	Allen	0.30	600.00	180.00
1/5/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		
2837	TIME	Allen	0.50	600.00	300.00
1/5/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Stipulation and Order to permit Defendants to			0.00		
extend time for Defendants to make initial expert					
disclosures; Review Defendants' Motion to					
Compel Rule 35 Exam					
2989	TIME	Allen	0.50	600.00	300.00
1/6/2016		Consultation	0.00	T	
WIP		Bryan and Hairr	0.00		
Consult with John Scott Re: discovery dispute			0.00		
Re: medical records					
2840	TIME	Allen	2.90	600.00	1740.00
1/7/2016		Deposition	0.00	T	
WIP		Bryan and Hairr	0.00		
Preparation for Aimee Hairr deposition			0.00		

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Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
2990	TIME	Allen	0.30	600.00	180.00
1/8/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott Re: discovery matters			0.00		
2841	TIME	Allen	6.70	600.00	4020.00
1/8/2016		Deposition	0.00	T	
WIP		Bryan and Hairr	0.00		
Aimee Hairr deposition			0.00		
2991	TIME	Allen	0.60	600.00	360.00
1/11/2016		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Multiple emails with John Scott Re: depositions, discovery issues, and motion to compel			0.00		
2599	TIME	Allen	1.10	600.00	660.00
1/11/2016		meeting	0.00	T	
WIP		Bryan and Hairr	0.00		
Meeting with Mary Bryan Re: written discovery			0.00		
2598	TIME	Allen	0.30	600.00	180.00
1/11/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Reviewed Motion to Compel damages categories and calculations from Plaintiff Aimee Hairr			0.00		
2939	TIME	Allen	2.10	600.00	1260.00
1/11/2016		document draft	0.00	T	
WIP		Bryan and Hairr	0.00		
Draft Bryan Amended Responses			0.00		
2842	TIME	Allen	0.50	600.00	300.00
1/12/2016		Deposition	0.00	T	
WIP		Bryan and Hairr	0.00		
Preparation for DM deposition			0.00		
2992	TIME	Allen	0.30	600.00	180.00
1/13/2016		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Emails from John Scott Re: motion to compel damage calculation			0.00		
2600	TIME	Allen	2.00	600.00	1200.00
1/13/2016		Deposition	0.00	T	
WIP		Bryan and Hairr	0.00		
DM deposition			0.00		

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Posting Status		Client Reference	Est. Time	Bill Status	
Description			Variance		
2622	TIME	Allen	0.30	600.00	180.00
1/14/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with therapist Gina Abbeduto.			0.00		
2993	TIME	Allen	0.50	600.00	300.00
1/14/2016		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Emails and telephone conference with John Scott Re: discovery issues			0.00		
2843	TIME	Allen	4.50	600.00	2700.00
1/18/2016		research	0.00	T	
WIP		Bryan and Hairr	0.00		
Research Rule 35 examination issue			0.00		
2994	TIME	Allen	0.60	600.00	360.00
1/19/2016		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Emails and telephone conference with John Scott Re: discovery issues and upcoming depositions			0.00		
2844	TIME	Allen	3.40	600.00	2040.00
1/19/2016		document draft	0.00	T	
WIP		Bryan and Hairr	0.00		
Draft Plaintiffs' Response to Defendants' Motion to Compel Rule 35 Exam			0.00		
2845	TIME	Allen	4.50	600.00	2700.00
1/20/2016		Deposition	0.00	T	
WIP		Bryan and Hairr	0.00		
Preparation for Ethan Bryan deposition			0.00		
2995	TIME	Allen	0.20	600.00	120.00
1/21/2016		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Emails Re: scheduling of depositions			0.00		
2847	TIME	Allen	0.10	600.00	60.00
1/21/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Order Shortening Time Re: Defendants' Motion to Compel Rule 35			0.00		
2846	TIME	Allen	7.60	600.00	4560.00
1/21/2016		Deposition	0.00	T	
WIP		Bryan and Hairr	0.00		
Ethan Bryan deposition			0.00		

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Posting Status		Activity	DNB Time	Rate Info	
Description		Client	Est. Time	Bill Status	
		Reference	Variance		
2996	TIME	Allen	0.40	600.00	240.00
1/22/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference and emails with John Scott Re: upcoming depositions			0.00		
2848	TIME	Allen	0.10	600.00	60.00
1/22/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Stipulation to extend date for hearing on Rule 35 Motion			0.00		
2997	TIME	Allen	3.50	600.00	2100.00
1/24/2016		meeting	0.00	T	
WIP		Bryan and Hairr	0.00		
Meeting with John Scott and clients; preparation for depositions			0.00		
2998	TIME	Allen	1.80	600.00	1080.00
1/25/2016		meeting	0.00	T	
WIP		Bryan and Hairr	0.00		
Meeting with John Scott			0.00		
2849	TIME	Allen	0.30	600.00	180.00
1/27/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review Defendants' Reply Re: Motion to Compel Rule 35 examinations			0.00		
2850	TIME	Allen	5.40	600.00	3240.00
1/28/2016		Deposition	0.00	T	
WIP		Bryan and Hairr	0.00		
Preparation for deposition; Andre Long deposition; meeting with John Scott			0.00		
2999	TIME	Allen	0.20	600.00	120.00
1/29/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		
2940	TIME	Allen	1.00	600.00	600.00
1/30/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review Defendants' 1st supplement to NRCP 16.1 (A)(1) Disclosures			0.00		
2851	TIME	Allen	6.70	600.00	4020.00
1/31/2016		research	0.00	T	
WIP		Bryan and Hairr	0.00		
Research and draft Plaintiffs' Opposition to Motion to Compel 1/11/16 Motion to Compel Damages Categories and Calculations from			0.00		

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Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
Plaintiff Aimee Hairr					
3000	TIME	Allen	0.60	600.00	360.00
2/1/2016		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Emails and telephone conference with John Scott			0.00		
3001	TIME	Allen	0.40	600.00	240.00
2/2/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Emails and telephone conference with John Scott			0.00		
2852	TIME	Allen	3.90	600.00	2340.00
2/3/2016		Deposition	0.00	T	
WIP		Bryan and Hairr	0.00		
Preparation for Mary Bryan deposition; telephone conference with John Scott			0.00		
2853	TIME	Allen	0.90	600.00	540.00
2/4/2016		Deposition	0.00	T	
WIP		Bryan and Hairr	0.00		
Deposition of Dr. Moore			0.00		
2854	TIME	Allen	6.30	600.00	3780.00
2/5/2016		Deposition	0.00	T	
WIP		Bryan and Hairr	0.00		
Deposition of Mary Bryan			0.00		
2856	TIME	Allen	0.80	600.00	480.00
2/8/2016		Court Preparation	0.00	T	
WIP		Bryan and Hairr	0.00		
Preparation for Rule 38 Hearing			0.00		
2857	TIME	Allen	1.00	600.00	600.00
2/10/2016		hearing	0.00	T	
WIP		Bryan and Hairr	0.00		
Hearing denying Defendants' Motion to compel Rule 35 Examination			0.00		
2855	TIME	Allen	2.30	600.00	1380.00
2/10/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review Defendants' Reply Re: Motion to Compel Categories and Calculations			0.00		
2858	TIME	Allen	0.10	600.00	60.00
2/11/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Order setting Civil Jury Trial, Pretrial and Calendar Call			0.00		

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Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
2859	TIME	Allen	0.70	600.00	420.00
2/12/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review Motion to Compel Damages Categories and Calculations from Plaintiff Mary Bryan on Shortening Time; telephone conference with John Scott			0.00		
2941	TIME	Allen	0.80	600.00	480.00
2/13/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review Defendants' 2nd 16.1 Supplement			0.00		
2860	TIME	Allen	1.20	600.00	720.00
2/15/2016		Deposition	0.00	T	
WIP		Bryan and Hairr	0.00		
Preparation for Heath Hairr and Gina Abbeduto depositions			0.00		
2861	TIME	Allen	4.80	600.00	2880.00
2/16/2016		Deposition	0.00	T	
WIP		Bryan and Hairr	0.00		
Depositions of Heath Hairr and Gina Abbeduto			0.00		
2862	TIME	Allen	0.50	600.00	300.00
2/16/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		
2863	TIME	Allen	0.20	600.00	120.00
2/17/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		
2864	TIME	Allen	2.50	600.00	1500.00
2/17/2016		hearing	0.00	T	
WIP		Bryan and Hairr	0.00		
Preparation for hearing; Hearing with Discovery Commissioner Re: Defendants' Motions to Compel Damages Categories and Calculations			0.00		
2865	TIME	Allen	1.40	600.00	840.00
2/19/2016		Deposition	0.00	T	
WIP		Bryan and Hairr	0.00		
Depositions of Dr. Edmund Faro and Dr. Asheesh Dewann			0.00		
2866	TIME	Allen	0.70	600.00	420.00
2/22/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott Re: demand letter			0.00		

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Posting Status		Activity	DNB Time	Rate Info	
Description		Client	Est. Time	Bill Status	
		Reference	Variance		
3002	TIME	Allen	0.20	600.00	120.00
2/24/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		
3003	TIME	Allen	0.40	600.00	240.00
2/25/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott Re: demand letter			0.00		
2942	TIME	Allen	1.30	600.00	780.00
2/26/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review Defendants' 3rd 16.1 Supplement; telephone conference with John Scott			0.00		
2867	TIME	Allen	3.90	600.00	2340.00
3/2/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review Defendants' Motion for Summary Judgment; telephone conference with John Scott			0.00		
2868	TIME	Allen	1.70	600.00	1020.00
3/7/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review "facts" in dispute Re: depositions for Defendants' Summary Judgment motion			0.00		
3004	TIME	Allen	0.60	600.00	360.00
3/8/2016		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Emails and telephone conference with John Scott			0.00		
3005	TIME	Allen	0.80	600.00	480.00
3/9/2016		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Emails and telephone conference with John Scott Re: factual disputes			0.00		
3006	TIME	Allen	1.00	600.00	600.00
3/10/2016		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Emails and telephone conference with John Scott Re: Motion for Summary Judgment			0.00		
3007	TIME	Allen	3.50	600.00	2100.00
3/14/2016		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Emails and telephone conference with John Scott Re: Motion for Summary Judgment, discovery and trial date			0.00		

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Slip ID	Dates and Time	Timekeeper Activity	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
3008	TIME 3/15/2016 WIP Telephone conference with John Scott	Allen phone Bryan and Hairr	0.20 0.00 0.00 0.00	600.00 T	120.00
3009	TIME 3/16/2016 WIP Telephone conference with John Scott	Allen phone Bryan and Hairr	0.20 0.00 0.00 0.00	600.00 T	120.00
3010	TIME 3/18/2016 WIP Telephone conference with John Scott	Allen phone Bryan and Hairr	0.30 0.00 0.00 0.00	600.00 T	180.00
2869	TIME 3/21/2016 WIP Review Order denying Defendants' Motion to Compel a Rule 35 Examination; telephone conference with John Scott	Allen document review Bryan and Hairr	0.60 0.00 0.00 0.00	600.00 T	360.00
2870	TIME 3/23/2016 WIP Stipulation and Order to continue trial and Defendants' Summary Judgment Motion	Allen document review Bryan and Hairr	0.20 0.00 0.00 0.00	600.00 T	120.00
2871	TIME 3/24/2016 WIP Research Title IX and Title VII case Re: sexual discrimination perceived sexual orientation and gender stereotyping	Allen research Bryan and Hairr	7.80 0.00 0.00 0.00	600.00 T	4680.00
2872	TIME 3/25/2016 WIP Order setting Civil Bench Trial	Allen document review Bryan and Hairr	0.10 0.00 0.00 0.00	600.00 T	60.00
2873	TIME 3/27/2016 WIP Research loss of educational opportunity and draft Summary Judgment brief	Allen research Bryan and Hairr	6.80 0.00 0.00 0.00	600.00 T	4080.00
2874	TIME 3/28/2016 WIP Research failure to comply with statutory duties and draft brief; telephone conference with John Scott	Allen research Bryan and Hairr	6.50 0.00 0.00 0.00	600.00 T	3900.00

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Posting Status		Activity	DNB Time	Rate Info	
Description		Client	Est. Time	Bill Status	
		Reference	Variance		
2875	TIME	Allen	6.50	600.00	3900.00
3/29/2016		research	0.00	T	
WIP		Bryan and Hairr	0.00		
Further research on discrimination on the basis of sex (Title IX) and deliberate indifference; telephone conference with John Scott			0.00		
2876	TIME	Allen	8.40	600.00	5040.00
3/30/2016		document draft	0.00	T	
WIP		Bryan and Hairr	0.00		
Draft brief; emails and telephone conference with John Scott			0.00		
2877	TIME	Allen	9.20	600.00	5520.00
3/31/2016		editing	0.00	T	
WIP		Bryan and Hairr	0.00		
Draft, edit brief			0.00		
2878	TIME	Allen	9.30	600.00	5580.00
4/1/2016		editing	0.00	T	
WIP		Bryan and Hairr	0.00		
Finalized and filed Plaintiffs' Opposition to Defendants' Summary Judgment Motion; emails and telephone conference with John Scott			0.00		
3011	TIME	Allen	0.20	600.00	120.00
4/2/2016		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Emails from John Scott			0.00		
3012	TIME	Allen	0.20	600.00	120.00
4/11/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		
3013	TIME	Allen	0.20	600.00	120.00
4/13/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		
2879	TIME	Allen	2.60	600.00	1560.00
4/19/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review Defendants' Reply Re: Defendants' Summary Judgment Motion; telephone conference with John Scott			0.00		
2881	TIME	Allen	1.70	600.00	1020.00
4/20/2016		Court Preparation	0.00	T	
WIP		Bryan and Hairr	0.00		
Preparation for Hearing on Defendants' Motion for Summary Judgment			0.00		

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Posting Status		Activity	DNB Time	Rate Info	
Description		Client	Est. Time	Bill Status	
		Reference	Variance		
2880	TIME	Allen	0.10	600.00	60.00
4/20/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review Discovery Commissioner's Report and Recommendation			0.00		
2882	TIME	Allen	3.00	600.00	1800.00
4/21/2016		hearing	0.00	T	
WIP		Bryan and Hairr	0.00		
Hearing on Defendants' Motion for Summary Judgment; telephone conference with John Scott			0.00		
2883	TIME	Allen	0.70	600.00	420.00
4/26/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review transcript on Defendants' Motion for Summary Judgment			0.00		
3014	TIME	Allen	0.50	600.00	300.00
4/28/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with and emails from John Scott			0.00		
3015	TIME	Allen	0.30	600.00	180.00
5/4/2016		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Emails from John Scott			0.00		
3016	TIME	Allen	0.50	600.00	300.00
5/5/2016		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Emails and telephone conference with John Scott			0.00		
3017	TIME	Allen	0.40	600.00	240.00
5/6/2016		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Emails from John Scott			0.00		
3018	TIME	Allen	0.40	600.00	240.00
5/9/2016		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Emails and telephone conference with John Scott			0.00		
3019	TIME	Allen	0.30	600.00	180.00
5/10/2016		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Emails from John Scott			0.00		
2884	TIME	Allen	1.30	600.00	780.00
5/13/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		

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Slip ID	Dates and Time	Timekeeper	Units	Rate	Slip Value
Posting Status		Activity	DNB Time	Rate Info	
Description		Client	Est. Time	Bill Status	
		Reference	Variance		
		Review Defendants' Proposed Order Re: Defendants' Motion for Summary Judgment; emails and telephone conference with John Scott	0.00		
2886	TIME	Allen	2.00	600.00	1200.00
5/17/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
		Review Defendants' Reply to Plaintiffs' Objection	0.00		
2885	TIME	Allen	1.70	600.00	1020.00
5/17/2016		document draft	0.00	T	
WIP		Bryan and Hairr	0.00		
		Draft Plaintiffs' Objection to Defendants' Proposed Order Re: Summary Judgment; telephone conference with John Scott	0.00		
3020	TIME	Allen	0.20	600.00	120.00
5/18/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
		Telephone conference with John Scott	0.00		
2887	TIME	Allen	0.20	600.00	120.00
7/23/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
		Order Re: Defendants' Motion for Summary Judgment	0.00		
3021	TIME	Allen	0.30	600.00	180.00
7/25/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
		Telephone conference with John Scott Re: order	0.00		
3022	TIME	Allen	0.20	600.00	120.00
7/26/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
		Telephone conference with John Scott	0.00		
3023	TIME	Allen	0.20	600.00	120.00
8/5/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
		Telephone conference with John Scott	0.00		
2888	TIME	Allen	2.50	600.00	1500.00
8/7/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
		Review Defendants' Motion for Partial Reconsideration	0.00		
2889	TIME	Allen	0.10	600.00	60.00
8/11/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
		Defendant's Motion for Oral ARgument Re:	0.00		

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Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
Defendants' Motion for Reconsideration					
3024	TIME	Allen	0.50	600.00	300.00
8/12/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott Re: Motion for reconsideration			0.00		
2890	TIME	Allen	4.70	600.00	2820.00
8/15/2016		research	0.00	T	
WIP		Bryan and Hairr	0.00		
Research Rules for: Motions for Reconsideration, NRCP 59(e), NRCP 60(b), and Motions in Limine			0.00		
2891	TIME	Allen	2.70	600.00	1620.00
8/17/2016		research	0.00	T	
WIP		Bryan and Hairr	0.00		
Further research on gender stereotyping and perceived sexual orientation discrimination			0.00		
2892	TIME	Allen	1.50	600.00	900.00
8/19/2016		research	0.00	T	
WIP		Bryan and Hairr	0.00		
Research on prejudice			0.00		
2893	TIME	Allen	5.20	600.00	3120.00
8/20/2016		document draft	0.00	T	
WIP		Bryan and Hairr	0.00		
Draft Brief Re: Defendants' Motion for Reconsideration			0.00		
2894	TIME	Allen	2.90	600.00	1740.00
8/22/2016		editing	0.00	T	
WIP		Bryan and Hairr	0.00		
Finalized and filed Plaintiffs' Response to Defendants' Motion for Reconsideration			0.00		
3025	TIME	Allen	0.20	600.00	120.00
8/24/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		
2895	TIME	Allen	4.20	600.00	2520.00
8/30/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review Defendants' Reply Re: Motion for Reconsideration; preparation for hearing on motion			0.00		

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Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
2896	TIME	Allen	0.20	600.00	120.00
8/30/2016		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Email from John Scott			0.00		
2897	TIME	Allen	2.20	600.00	1320.00
8/31/2016		hearing	0.00	T	
WIP		Bryan and Hairr	0.00		
Hearing denying Defendants' Motion for Reconsideration; telephone conference with John Scott			0.00		
2898	TIME	Allen	0.50	600.00	300.00
10/12/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review Defendants' Offer of Judgment with clients			0.00		
2899	TIME	Allen	1.10	600.00	660.00
10/14/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review Defendants' Pre-trial disclosures			0.00		
3026	TIME	Allen	0.40	600.00	240.00
10/15/2016		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Emails from John Scott Re: trial and trial preparation			0.00		
3027	TIME	Allen	0.80	600.00	480.00
10/16/2016		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Multiple emails and telephone conference with John Scott			0.00		
3028	TIME	Allen	2.30	600.00	1380.00
10/17/2016		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Emails and telephone conference with John Scott Re: trial preparation			0.00		
3029	TIME	Allen	2.50	600.00	1500.00
10/18/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference and emails from John Scott Re: trial preparation			0.00		
3030	TIME	Allen	0.20	600.00	120.00
10/19/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		

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Slip ID	Dates and Time	Timekeeper	Units	Rate	Slip Value
Posting Status		Activity	DNB Time	Rate Info	
Description		Client	Est. Time	Bill Status	
		Reference	Variance		
3031	TIME	Allen	2.70	600.00	1620.00
10/21/2016		Court Preparation	0.00	T	
WIP		Bryan and Hairr	0.00		
Multiple emails and telephone conference with John Scott; trial preparation			0.00		
3032	TIME	Allen	1.80	600.00	1080.00
10/24/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott and multiple emails			0.00		
2900	TIME	Allen	1.40	600.00	840.00
10/26/2016		document draft	0.00	T	
WIP		Bryan and Hairr	0.00		
Draft and file Order denying Defendants' Motion for Reconsideration; telephone conference with John Scott			0.00		
3033	TIME	Allen	0.50	600.00	300.00
10/27/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		
3034	TIME	Allen	2.30	600.00	1380.00
10/28/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Conference call and emails with John Scott			0.00		
3035	TIME	Allen	0.40	600.00	240.00
11/1/2016		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		
3036	TIME	Allen	0.40	600.00	240.00
11/2/2016		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Emails from John Scott			0.00		
2901	TIME	Allen	1.20	600.00	720.00
11/3/2016		Court Preparation	0.00	T	
WIP		Bryan and Hairr	0.00		
Pre-trial Calendar call; telephone conference with John Scott			0.00		
2902	TIME	Allen	0.90	600.00	540.00
11/7/2016		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review Defendants' Individual Pre-trial Memorandum			0.00		

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Slip ID	Timekeeper	Units	Rate	Slip Value
Dates and Time	Activity	DNB Time	Rate Info	
Posting Status	Client	Est. Time	Bill Status	
Description	Reference	Variance		
3047	Allen	0.20	600.00	120.00
1/9/2017	Email	0.00	T	
WIP	Bryan and Hairr	0.00		
Email from John Scott Re: transcripts delay		0.00		
3048	Allen	0.20	600.00	120.00
1/10/2017	phone	0.00	T	
WIP	Bryan and Hairr	0.00		
Telephone conference with John Scott		0.00		
2911	Allen	0.30	600.00	180.00
1/23/2017	document review	0.00	T	
WIP	Bryan and Hairr	0.00		
Stipulation and Order Re: Closing argument briefing		0.00		
3049	Allen	0.20	600.00	120.00
2/14/2017	phone	0.00	T	
WIP	Bryan and Hairr	0.00		
Telephone conference with John Scott		0.00		
2912	Allen	9.20	600.00	5520.00
2/20/2017	document review	0.00	T	
WIP	Bryan and Hairr	0.00		
Review trial transcripts; telephone conference with John Scott		0.00		
3050	Allen	0.20	600.00	120.00
2/22/2017	phone	0.00	T	
WIP	Bryan and Hairr	0.00		
Telephone conference with John Scott		0.00		
3051	Allen	0.20	600.00	120.00
2/23/2017	phone	0.00	T	
WIP	Bryan and Hairr	0.00		
Telephone conference with John Scott		0.00		
2913	Allen	7.90	600.00	4740.00
3/8/2017	document draft	0.00	T	
WIP	Bryan and Hairr	0.00		
Review trial transcripts; draft closing brief		0.00		
3052	Allen	0.50	600.00	300.00
3/10/2017	phone	0.00	T	
WIP	Bryan and Hairr	0.00		
Telephone conference with John Scott Re: Closing Brief		0.00		

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Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
2914	TIME	Allen	6.40	600.00	3840.00
3/17/2017		document draft	0.00	T	
WIP		Bryan and Hairr	0.00		
Review trial transcript; draft closing brief			0.00		
2915	TIME	Allen	8.40	600.00	5040.00
3/18/2017		document draft	0.00	T	
WIP		Bryan and Hairr	0.00		
Draft closing argument			0.00		
2916	TIME	Allen	9.90	600.00	5940.00
3/19/2017		editing	0.00	T	
WIP		Bryan and Hairr	0.00		
Draft and edit closing argument			0.00		
2917	TIME	Allen	10.30	600.00	6180.00
3/20/2017		editing	0.00	T	
WIP		Bryan and Hairr	0.00		
Finalized and filed Plaintiffs' Closing Argument brief; telephone conference with John Scott			0.00		
3053	TIME	Allen	0.20	600.00	120.00
4/7/2017		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		
3054	TIME	Allen	0.20	600.00	120.00
4/13/2017		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		
3055	TIME	Allen	0.30	600.00	180.00
4/17/2017		Email	0.00	T	
WIP		Bryan and Hairr	0.00		
Emails and telephone conference with John Scott			0.00		
2918	TIME	Allen	0.30	600.00	180.00
4/20/2017		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Stipulation and Order to extend the deadline for Defendant to file its Post trial Closing Argument Brief; telephone conference with John Scott			0.00		
3056	TIME	Allen	0.20	600.00	120.00
4/21/2017		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		

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Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
2919	TIME	Allen	3.70	600.00	2220.00
4/30/2017		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review Defendants' Closing Argument Brief			0.00		
2920	TIME	Allen	8.70	600.00	5220.00
5/2/2017		research	0.00	T	
WIP		Bryan and Hairr	0.00		
Research CCSD liability, actual notice issued			0.00		
3057	TIME	Allen	0.60	600.00	360.00
5/3/2017		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott Re: Reply Brief			0.00		
2921	TIME	Allen	6.50	600.00	3900.00
5/7/2017		research	0.00	T	
WIP		Bryan and Hairr	0.00		
Research claim of special relationship applying only to negligence and Defendants' "negligence per se" deliberate indifference claim			0.00		
3058	TIME	Allen	0.20	600.00	120.00
5/9/2017		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		
2922	TIME	Allen	6.20	600.00	3720.00
5/22/2017		research	0.00	T	
WIP		Bryan and Hairr	0.00		
Research deliberate indifference; draft rebuttal			0.00		
2923	TIME	Allen	4.90	600.00	2940.00
5/23/2017		research	0.00	T	
WIP		Bryan and Hairr	0.00		
Research constitutionally protected interest; draft rebuttal; telephone conference with John Scott			0.00		
2924	TIME	Allen	6.00	600.00	3600.00
5/24/2017		research	0.00	T	
WIP		Bryan and Hairr	0.00		
Research Title IX; pervasive severe and objectively unreasonable; loss of educational opportunity; draft rebuttal; emails and telephone conference with John Scott			0.00		
2925	TIME	Allen	7.70	600.00	4620.00
5/25/2017		editing	0.00	T	
WIP		Bryan and Hairr	0.00		
Draft and edit rebuttal; telephone conference with John Scott			0.00		

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Slip ID	Timekeeper	Units	Rate	Slip Value
Dates and Time	Activity	DNB Time	Rate Info	
Posting Status	Client	Est. Time	Bill Status	
Description	Reference	Variance		
2926	TIME	Allen	600.00	5820.00
5/26/2017	editing	9.70	T	
WIP	Bryan and Hairr	0.00		
Finalized and filed Plaintiffs' Closing Rebuttal brief		0.00		
2927	TIME	Allen	600.00	3180.00
6/5/2017	document review	5.30	T	
WIP	Bryan and Hairr	0.00		
Review Defendants' Motion to Strike Portions of Plaintiffs' Closing Rebuttal brief; Research Re: Motion to Strike		0.00		
2928	TIME	Allen	600.00	2520.00
6/6/2017	document review	4.20	T	
WIP	Bryan and Hairr	0.00		
Review Defendants' cited cases		0.00		
2786	TIME	Allen	600.00	2160.00
6/7/2017	Email	3.60	T	
WIP	Bryan and Hairr	0.00		
Multiple emails and telephone conference with John Scott Re: Motion to Strike		0.00		
2929	TIME	Allen	600.00	3180.00
6/8/2017	research	5.30	T	
WIP	Bryan and Hairr	0.00		
Research difference between appellate briefs and written closing arguments		0.00		
2930	TIME	Allen	600.00	1860.00
6/9/2017	research	3.10	T	
WIP	Bryan and Hairr	0.00		
Research prejudice in closing arguments in bench trial and court discretion; review record for prior rulings on legal issues		0.00		
2931	TIME	Allen	600.00	2880.00
6/11/2017	document draft	4.80	T	
WIP	Bryan and Hairr	0.00		
Draft Plaintiffs' Opposition to Motion to Strike		0.00		
2932	TIME	Allen	600.00	3300.00
6/12/2017	document draft	5.50	T	
WIP	Bryan and Hairr	0.00		
Draft Plaintiffs' Opposition to Motion to Strike; emails and telephone conference with John Scott		0.00		
2933	TIME	Allen	600.00	4080.00
6/13/2017	editing	6.80	T	
WIP	Bryan and Hairr	0.00		
Edited and finalized Response to Defendants'		0.00		

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Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
Motion to Strike Plaintiffs' Rebuttal Defendants' Reply					
3059	TIME	Allen	0.20	600.00	120.00
6/22/2017		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		
2934	TIME	Allen	1.70	600.00	1020.00
6/29/2017		document review	0.00	T	
WIP		Bryan and Hairr	0.00		
Review decision and order			0.00		
2935	TIME	Allen	5.20	600.00	3120.00
7/6/2017		document draft	0.00	T	
WIP		Bryan and Hairr	0.00		
Draft findings of fact, conclusions of law; telephone conference with John Scott			0.00		
2936	TIME	Allen	3.80	600.00	2280.00
7/7/2017		document draft	0.00	T	
WIP		Bryan and Hairr	0.00		
Draft finding of fact and conclusions of law and judgment			0.00		
3060	TIME	Allen	0.20	600.00	120.00
7/10/2017		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		
3061	TIME	Allen	0.20	600.00	120.00
7/13/2017		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott			0.00		
3062	TIME	Allen	0.40	600.00	240.00
7/14/2017		phone	0.00	T	
WIP		Bryan and Hairr	0.00		
Telephone conference with John Scott Re: damage issue			0.00		
3063	TIME	Allen	4.70	600.00	2820.00
7/15/2017		document draft	0.00	T	
WIP		Bryan and Hairr	0.00		
Draft proposed finding of fact and conclusions of law and judgment			0.00		
3064	TIME	Allen	6.90	600.00	4140.00
7/17/2017		editing	0.00	T	
WIP		Bryan and Hairr	0.00		
Edited and finalized findings of fact and conclusions of law and judgment; telephone			0.00		

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Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
conference with John Scott					
3066	TIME	Allen	3.10	600.00	1860.00
7/19/2017		hearing	0.00	T	
WIP		Bryan and Hairr	0.00		
Preparation for Hearing; Hearing on Motion to Strike; telephone conference with John Scott			0.00		
3067	TIME	Allen	2.10	600.00	1260.00
7/27/2017		document draft	0.00	T	
WIP		Bryan and Hairr	0.00		
Memorandum of Costs and Disbursements			0.00		
3068	TIME	Allen	7.60	600.00	4560.00
8/7/2017		research	0.00	T	
WIP		Bryan and Hairr	0.00		
Research and prepare fee petition			0.00		
3069	TIME	Allen	6.30	600.00	3780.00
8/8/2017		editing	0.00	T	
WIP		Bryan and Hairr	0.00		
Edited and finalized fee petition			0.00		
Grand Total					
		Billable	690.77		414460.00
		Unbillable	0.00		0.00
		Total	690.77		414460.00

001808

EXHIBIT 2

ATTACHMENT 2

STACI PRATT HOURS AS A PRIVATE ATTORNEY

001809

Date	Time	Activity	Activity Type	Rate	Slip Value
7/23/2014	0.50	Client communication--substitution of counsel	Communication	450.00	\$225.00
7/26/2014	0.70	Review of complaint for editing	Document draft	450.00	\$315.00
		Client communication--receipt of letter from NERC and review			
7/30/2014	0.80	of correspondence	Document review	450.00	\$360.00
7/31/2014	0.10	Review of substitution of counsel	Document review	450.00	\$45.00
		Review of Defendants' Reply to Plaintiffs' Response to			
8/9/2014	1.20	Defendants' Motion to Dismiss Plaintiffs' Complaint	Document review	450.00	\$540.00
8/12/2014	0.10	Client communication--Aimee Hairr	Communication	450.00	\$45.00
8/15/2014	0.20	Review of Alicia Lerod email	Document review	450.00	\$90.00
8/20/2014	2.60	Prepare background materials for oral argument	Document preparation and review for court	450.00	\$1,170.00
		Support Allen Lichtenstein in oral argument in hearing on			
8/21/2014	3.10	Bryan and Hairr	Hearing on Motion to Dismiss	450.00	\$1,395.00
8/21/2014	1.20	Client communication regarding oral argument	Conversation	450.00	\$540.00
8/22/2014	0.30	Review transcript	Document review	450.00	\$135.00
8/22/2014	0.50	Client communication with Mary Bryan	Conversation	450.00	\$225.00
8/25/2014	0.20	Review email from Alicia Lerod dated 8/21/2014	Document review	450.00	\$90.00
		Research and draft letter response to Alicia Lerod related to			
8/25/2014	1.30	communication and substitution of counsel	Document draft	450.00	\$585.00
8/26/2015	0.30	Finalize draft and send letter reply to Alicia Lerod	Document draft and Email	450.00	\$135.00
		Review draft order from hearing on motion to dismiss--as sent			
9/2/2014	0.60	by Dan Waite, opposing counsel	Document review	450.00	\$270.00
9/5/2014	0.10	approve draft order	Communication	450.00	\$45.00
10/9/2014	4.20	Prepare First Amended Complaint	Document draft	450.00	\$1,890.00
10/10/2014	0.60	Discuss litigation strategy with co-counsel	Analysis	450.00	\$270.00
		Review Nov. 6 letter from opposing counsel regarding First			
11/6/2014	0.70	Amended Complaint	Document review	450.00	\$315.00
11/10/2014	1.80	Prepare motion to correct errata and amend complaint	Document draft	450.00	\$810.00
11/17/2014	0.20	Review client communication--Aimee Hairr	Document review	450.00	\$90.00
		Prepare draft of proposed changes to NRS Chapter 388 to			
11/25/2014	2.60	address client concerns	Document draft	450.00	\$1,170.00
11/30/2014	0.30	Review final proposal	Document review	450.00	\$135.00
12/2/2014	0.20	Review client communication--Mary Bryan	Communication	450.00	\$90.00
Total:	20.80				\$10,980.00

EXHIBIT 2
ATTACHMENT 3
ACLUN HOURS

001811

ACLU of Nevada

601 South Rancho Dr.
Suite B-11
Las Vegas, NV 89101
702-366-1536

August 08, 2017

Invoice # 10000

Billing for: 1/1/2014 to

Client ID: Bryan et al. v

Professional Services

<u>Hours</u>		<u>Rate</u>
1/10/2014 S. Pr	Review all relevant emails on timeline. 0.90	\$450.00/hr
1/21/2014 S. Pr	Review and analyze Clark County School District non-discrimination policy. 1.10	\$450.00/hr
1/23/2014 AM	Research school discrimination section for complaint. 1.50	\$225.00/hr
1/24/2014 AM	Continue to research and analyze cases and arguments regarding discrimination and public accommodations for incorporation into complaint. 2.00	\$225.00/hr
	AM Research Nevada Equal Rights Commission, powers and duties. 1.50	\$225.00/hr
1/27/2014 S. Pr	Email plaintiffs and address concerns regarding litigation. 0.30	\$450.00/hr
	AM Research and analysis regarding anti-bullying statutes in Nevada and CCSD policies. 2.50	\$225.00/hr
	AM Draft outline for complaint. 1.50	\$225.00/hr
1/31/2014 AM	Begin initial draft of Complaint. 2.50	\$225.00/hr

To ensure proper credit, please include your client id and invoice number on your payment. Thank you.

ACLU of Nevada

Client ID: Bryan et al. v.

Page 2

August 08, 2017

Hours		Rate
2/7/2014 AM	Review client correspondence with trustees.	
1.50		\$225.00/hr
AM	Make revisions and additions to the factual background section of the NERC complaint.	
1.75		\$225.00/hr
2/13/2014 TS	Review and respond to multiple correspondence to and from clients.	
0.40		\$125.00/hr
2/14/2014 AM	Continue to make revisions and additions to the factual background for the complaint.	
2.25		\$225.00/hr
2/21/2014 AM	Draft causes of action for complaint regarding the Fourteenth Amendment	
3.00		\$225.00/hr
AM	Continue drafting causes of action section for complaint.	
1.25		\$225.00/hr
2/23/2014 AM	Continue revisions to both plaintiffs' factual background sections of the complaint.	
2.25		\$225.00/hr
2/24/2014 AM	Incorporate S. Pratt edits into the complaint.	
0.75		\$225.00/hr
AM	Meeting with Plaintiffs to discuss complaint.	
2.00		\$225.00/hr
AM	Continue edits and research on the negligence cause of action of the complaint.	
2.00		\$225.00/hr
2/25/2014 AM	Telephone call with head of NERC and draft notes for complaint.	
1.00		\$225.00/hr
AM	Make final edits to the negligence cause of action and public accommodation sections of the complaint.	
2.00		\$225.00/hr
2/26/2014 AM	Review and respond to multiple e-mails from clients.	
0.50		\$225.00/hr
3/17/2014 S. Pr	Telephone conference with legal staff regarding pending investigation of client's complaints.	
1.00		\$450.00/hr
S. Pr	Meeting with clients.	
1.20		\$450.00/hr

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ACLU of Nevada

Client ID: Bryan et al. v

Page 3

August 08, 2017

Hours		Rate
3/17/2014 S. Pr	Review complaint and research potential causes of action. 1.60	\$450.00/hr
4/28/2014 TS	Email correspondence with A. Morgan regarding complaint and filing timeline. 0.20	\$125.00/hr
AM	Draft civil cover sheet. 0.20	\$225.00/hr
AL	E-mail Paige regarding press conference timeline. 0.20	\$600.00/hr
4/29/2014 TS	File the complaint and appropriate documents. 0.30	\$125.00/hr
5/14/2014 TS	Draft summonses and coordinate the service of the summonses. 1.50	\$125.00/hr
5/27/2014 AL	Meeting with KNPR and parents 1.20	\$600.00/hr
6/5/2014 AL	Meeting with A. Lerud and A.G. attorneys regarding case. 1.20	\$600.00/hr
6/10/2014 JZ	Review of entire case materials. 3.00	\$125.00/hr
JZ	Review case materials with A. Morgan and discuss issues and concerns, found during research and analysis. 1.20	\$125.00/hr
6/11/2014 JZ	Research issues regarding Nevada Equal Rights Commission duties. 2.00	\$125.00/hr
6/13/2014 JZ	Continue research regarding NERC duties and powers. 1.50	\$125.00/hr
6/17/2014 JZ	Review and analyze motion to dismiss. 1.50	\$125.00/hr
JZ	Continue research regarding issues raised in Motion to Dismiss and damage cases for use in written opposition. 4.00	\$125.00/hr
JZ	Begin research on issues raised in motion to dismiss. 3.00	\$125.00/hr

To ensure proper credit, please include your client id and invoice number on your payment. Thank you

ACLU of Nevada

Client ID: Bryan et al. v.

Page 4

August 08, 2017

<u>Hours</u>		<u>Rate</u>
7/1/2014 TS	Research Rule 2.2 regarding time and response to motions and email the team regarding the same.	
0.50		\$125.00/hr
7/2/2014 TS	Review and calendar opposition deadline dates to motion to dismiss.	
0.20		\$125.00/hr
7/8/2014 S. Pr	Review the arguments for opposition to motion to dismiss related to 42 USC 1983, for violations of	
2.50	state and US Constitutions.	\$450.00/hr
AL	Respond to all the Negligence Per Se arguments (addressing all arguments made in pages 12-19 of the	
2.30	Motion to Dismiss). Draft response to the argument that we cannot sue an individual school within a district.	\$600.00/hr
TS	Create hearing Binder for attys regarding Motion to Dismiss and hearing on Motion to Dismiss.	
0.50		\$125.00/hr
7/9/2014 TS	Calendar and review dates regarding opposition to motion.	
0.10		\$125.00/hr
TS	Research rules for service via mail.	
0.20		\$125.00/hr
7/11/2014 AL	Media discussions regarding the case.	
1.00		\$600.00/hr
7/18/2014 AL	Review and make edits to opposition to the motion to dismiss.	
1.20		\$600.00/hr
7/31/2014 AL	Attend hearing on Motion to Dismiss	
2.50		\$600.00/hr
9/9/2014 TS	Review email and correspond with A. Lichtenstein regarding the same.	
0.20		\$125.00/hr
Total for professional services rendered		70.45 \$19,356.25
Balance due		<u>\$19,356.25</u>

To ensure proper credit, please include your client id and invoice number on your payments. Thank you.

EXHIBIT 2

ATTACHMENT 4

COSTS WITH SUPPORTING DOCUMENTATION

001816

001816

Plaintiffs' Costs and Disbursements

In Reference To: Mary Bryan and Amy Hairr v Clark County School District (CCSD) et. al,
(Case No. A-14-700018-C)

COSTS	Amount
5/19/2014 Messenger service to Attorney General (ACLU)	116.88
8/22/2014 Hearing transcript (Lichtenstein).	60.00
5/12/2015 Association of Counsel application fee (State Bar of Nevada CK #1643).	550.00
6/18/2015 Mailing disclosures (Lichtenstein).	5.75
6/19/2015 Printing disclosures (Lichtenstein).	63.77
6/22/2015 Mailing disclosures (Lichtenstein).	5.95
6/30/2015 Copies and Faxes made in office 06/01/2015-06/30/2015.	27.20
8/31/2015 Copies and Faxes made in office 08/01/2015-08/31/2015.	4.00
10/23/2015 Discovery CD (Lichtenstein).	10.80
11/2/2015 Deposition of Warren McKay (Depo International Inv #23223).	1,534.68
Deposition transcript of Warren McKay (Depo International Inv #23293).	877.98
Roundtrip travel to from SNA to LAS to SFO for Bryan/Hairr depositions (Southwest).	209.20
Meals during travel to Las Vegas for Bryan/Hairr depositions (The Sicilian Ristorante).	126.48
11/3/2015 Deposition of Cheryl Winn (Depo International Inv #23263).	1,590.00
Deposition transcript of Cheryl Winn (Depo International Inv #23417).	928.73
Taxi service in Las Vegas for Bryan/Hairr depositions (Thanh Ngoc).	52.00
Meals during travel to Las Vegas for Bryan/Hairr depositions (Arawan Thai Bistro).	25.51
Meals during travel to Las Vegas for Bryan/Hairr depositions (Gandhi India Cuisine).	25.84
11/16/2015 Deposition of Deanna Wright (Depo International Inv #23637).	603.42
Deposition transcript of Deanna Wright (Depo International Inv #23662).	416.15
Wright deposition transcript (Lichtenstein).	19.46
11/30/2015 Copies and Faxes made in office 10/01/2015-11/30/2015.	210.40
12/22/2015 Deposition of Nolan Michael Hairr (Litigation Services, Inv #1044327).	1,183.05
1/5/2016 Deposition of C L (Western Reporting Services, Inv #49962).	372.80
1/6/2016 Deposition of Aimee Olivia Hairr (Litigation Services, Inv #1046125).	960.58
1/13/2016 Deposition of D M (Western Reporting Services, Inv #49981).	379.30
1/21/2016 Deposition of Ethan Bryan (Litigation Services, Inv #1048764).	1,138.50
1/24/2016 Travel to from New Orleans to LAS for Bryan/Hairr depositions (Southwest).	221.23
1/25/2016 Deposition of Leonard Depiazza (Depo International Inv #24752).	815.00

1/26/2016 Deposition of Robert Beaseley (Depo International Inv #24805).	533.00
1/27/2016 Deposition transcript of John Edwin Halpin (Depo International Inv #24899).	325.76
Deposition of John Edwin Halpin (Depo International Inv #24897).	589.50
1/28/2016 Deposition transcript of Andre Joseph Long (Depo International Inv #24902).	556.83
Deposition of Andre Joseph Long (Depo International Inv #24901).	947.50
Travel from LAS to SFO - Bryan/Hairr depositions (Southwest).	114.60
1/31/2016 Copies and Faxes made in office 01/01/2016-01/31/2016.	190.60
2/5/2016 Deposition of Mary Bryan (Litigation Services, Inv #1051615).	1,031.40
2/16/2016 Deposition of Heath Hairr (Litigation Services, Inv #1051615).	160.00
Deposition of Gina Abbaduto (Litigation Services, Inv #1053295).	607.25
2/19/2016 Deposition of Asheesh Dewan, MD (Litigation Services, Inv #1053578).	135.95
Deposition of Edmond Faro, MD (Litigation Services, Inv #1053610).	182.10
2/24/2016 Deposition of Dennis Moore, MD (Litigation Services, Inv #1052063).	236.35
2/29/2016 Copies and Faxes made in office 02/01/2016-02/29/2016.	67.40
3/17/2016 Federal Express shipment to Allen Lichtenstein, Las Vegas, NV (FedEx #775904967664).	32.49
3/28/2016 Documents scanned to PDF (Lichtenstein)	37.63
4/1/2016 Documents scanned to PDF (Lichtenstein).	42.39
4/21/2016 Efile transactions for Mary Bryan - 04/30/2014-04/21/2016 (Lichtenstein).	280.50
4/29/2016 Lewis Roca transcript fee (Lichtenstein).	90.14
8/31/2016 Copies and Faxes made in office 08/01/2016-08/31/2016.	6.40
10/31/2016 Copies and Faxes made in office 10/01/2016-10/31/2016.	51.80
11/9/2016 Federal Express shipment to Allen Lichtenstein, Las Vegas, NV (FedEx #7777679212411).	115.11
Depo transcript of Robert Beasley, taken 1/26/2016 (Depo International Inv #30045).	46.00
Depo transcript of Cheryl Winn, taken 11/16/2015 (Depo International Inv #30044).	151.00
Depo transcript of Warren McKay, taken 11/2/2015 (Depo International Inv #30046).	137.00
11/9/2016 Depo transcript of Deanna Wright, taken 11/16/2015 (Depo International Inv #30047).	51.00
Binders and tabs for trial (Lichtenstein).	47.48
11/15/2016 District Court Transcript of Trial 11/15/16-11/18/16, 11/22/16	440.00
11/28/2016 Court reporter deposit and service (Kimberly Lawson Karr Reporting Inv #11/28/2016).	2000.00
12/31/2016 Copies and Faxes made in office 12/01/2016-12/31/2016.	182.80

3/15/2017 Copies and binding. (Lichtenstein).	92.95
3/16/2017 Copies and binding. (Lichtenstein).	34.22
3/31/2017 Copies and Faxes made in office 03/01/2017-03/31/2017.	23.60
5/31/2017 Copies and Faxes made in office during 05/01/2017-05/31/2017.	44.40
Assoc. of Counsel Renewal - Case A-14-700018 C (State of Nevada)	500.00
	<hr/>
Total Costs	<u>\$22,619.81</u>

Reno/Carson Messenger Service, Inc.
 185 Martin Street
 Reno, NV 89509
 tel 775.322.2424 fax 775.322.3408
 process@renocarson.com
 Federal Tax ID: 88-0306306
 NV STATE LIC#322



Process Server - Messenger Service
RENO / CARSON / LAS VEGAS
 *** WE MAKE DEADLINES ***

Invoice #: 48398
 Date: 05/19/2014



INVOICE FOR SERVICE:

Amount Due: \$90.44

AMERICAN CIVIL LIBERTIES UNION OF NEVADA
 601 S RANCHO DR, SUITE B11,
 LAS VEGAS, NV 89106

Phone number: 702 366-9109
 Fax number: 702 366-1331
 Email Address:

Requestor: TAMIKA SHAUNTEE
 Your File# BRYAN V. CCSD

Service #49261: KARA JENKINS IN HER INDIVIDUAL AND OFFICIAL
 CAPACITY AS COMMISSION ADMINISTRATOR OF NERC
 Manner of Service: CORP/BUSINESS

Completion Information/Received by: AMANDA WHITE

Service Date/Time: 05/16/2014 10:55 AM

Service address: 100 N. CARSON ST NEVADA ATTORNEY GENERAL'S OFFICE CARSON
 CITY NV 89705

Served by: WADE MORLAN R-006823

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Caucasian	Blonde	20-30	5ft 6in	141-150lbs
Other Features:					

EIGHTH JUDICIAL DISTRICT COURT-STATE OF NEVADA, CLARK COUNTY

MARY BRYAN, ET AL v. CLARK COUNTY SCHOOL DISTRICT (CCSD); ET AL

Service Documents: SUMMONS; COMPLAINT FOR DECLARATORY RELIEF, INJUNCTIVE
 RELIEF, AND DAMAGES; CIVIL COVER SHEET

CASE#: A-14-700018-C

Service Comments:

Copy/Print/Fax Service	\$6.44
Standard Service	\$40.00
RUSH CHARGE	\$20.00
SPECIAL MILEAGE	\$24.00
TOTAL CHARGES:	\$90.44
BALANCE:	\$90.44

CREDIT TERMS ARE NET 30. INVOICES NOT PAID WITHIN TERMS WILL BE ASSESSED A 1.5% PER MONTH
 FINANCE CHARGE

Reno/Carson Messenger Service, Inc.
 185 Martin Street
 Reno, NV 89509
 tel 775.322.2424 fax 775.322.3408
 process@renocarson.com
 Federal Tax ID: 88-0306306
 NV STATE LIC#322



Process Server - Messenger Service
RENO / CARSON / LAS VEGAS
 *** WE MAKE DEADLINES ***

Invoice #: 48396
 Date: 05/19/2014



INVOICE FOR SERVICE:

Amount Due: \$26.44

AMERICAN CIVIL LIBERTIES UNION OF NEVADA
 601 S RANCHO DR, SUITE B11,
 LAS VEGAS, NV 89106

Phone number: 702 366-9109
 Fax number: 702 366-1331
 Email Address:

Requestor: TAMIKA SHAUNTEE
 Your File# BRYAN V. CCSD

Service #49263: NEVADA EQUAL RIGHTS COMMISSION (NERC)
 Manner of Service: CORP/BUSINESS

Completion Information/Received by: AMANDA WHITE

Service Date/Time: 05/16/2014 10:55 AM

Service address: 100 N. CARSON ST NEVADA ATTORNEY GENERAL'S OFFICE CARSON
 CITY NV 89705

Served by: WADE MORLAN R-006823

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Caucasian	Blonde	20-30	5ft 6in	141-150lbs
Other Features:					

EIGHTH JUDICIAL DISTRICT COURT-STATE OF NEVADA, CLARK COUNTY MARY BRYAN, ET AL v. CLARK COUNTY SCHOOL DISTRICT (CCSD); ET AL

Service Documents: SUMMONS; COMPLAINT FOR DECLARATORY RELIEF, INJUNCTIVE
 RELIEF, AND DAMAGES; CIVIL COVER SHEET

CASE#: A-14-700018-C

Service Comments:

Copy/Print/Fax Service	\$6.44
2nd Def	\$20.00

TOTAL CHARGES: **\$26.44**


BALANCE: **\$26.44**

CREDIT TERMS ARE NET 30. INVOICES NOT PAID WITHIN TERMS WILL BE ASSESSED A 1.5% PER MONTH
 FINANCE CHARGE

**TRANSCRIBER'S BILLING INFORMATION
DISTRICT COURT XXVII**

DATE OF INVOICE: 8/22/14

CASE #	A700018		
CASE NAME:	Mary Bryan vs. Clark County School District, et al		
HEARING DATE:	8/21/14		
DEPARTMENT #	DISTRICT COURT 27		
ORDERED BY:	Allen Lichtenstein, Esq.		
FIRM:			
EMAIL:	allaw@lvcoxmail.com		
COURT RECORDER: Traci Rawlinson			
PHONE NUMBER: 702-671-0883			
PAYABLE TO:	Make check payable to: Clark County Treasurer County Tax ID#: 88-6000028 Include case number on check <u>Mailing Address:</u> Regional Justice Center Fiscal Services Attn: Kim Ockey 200 Lewis Ave. Las Vegas, NV 89155		
BILL AMOUNT:		CDs @ \$25 each =	\$
	1	hours @ \$30 an hour recording fee =	\$ 30
	4	pages @ \$ 7.50 per page of trans.	\$ 30
	TOTAL		\$ 60
PAYABLE TO OUTSIDE TRANSCRIBER:	Make check payable to:		
BILL AMOUNT:		pages @	\$ per page of trans \$
DATE PAID:			
TRANSCRIPTS WILL NOT BE FILED OR RELEASED UNTIL PAYMENT IS RECEIVED			

SCOTT LAW FIRM GENERAL ACCOUNT 1388 SUTTER ST. STE 715 SAN FRANCISCO, CA 94109		Bank of America ACH AIT 121000369	1643 11/30/2010 51827
PAY TO THE ORDER OF State Bar of Nevada Five Hundred Fifty and 00/100		\$ 550.00	5/12/2015
MEMO Association of Counsel Application Fee - Half		AUTHORIZED SIGNATURE 	
State Bar of Nevada		DOLLARS	
⑈001643⑈ ⑈121000369⑈ 325011994540⑈		Security Features Included	

EAST LAS VEGAS BR
LAS VEGAS, Nevada
891219995
3148830009-0098
06/18/2015 (800)275-8777 03:29:05 PM

Product Description	Sale Unit Qty	Unit Price	Final Price
---------------------	---------------	------------	-------------

ROCKFORD IL 61103-7203			\$5.75
Zone-7			
Priority Mail 3-Day			
Flat Rate Env			
1 lb. 8.20 oz.			
Expected Delivery: Mon 06/22/15			
USPS Tracking #:			
9114 9999 4431 4835 6172 01			
Includes up to \$50 insurance			

Issue Postage: \$5.75

Total: \$5.75

Paid by: MasterCard \$5.75
Account #: XXXXXXXXXXXX8461
Approval #: 39281P
Transaction #: 169
23903170041

For tracking or inquiries go to
USPS.com or call 1 800-275-8777.

Save this receipt as evidence of
insurance. For information on filing
an insurance claim go to
usps.com/ship/file-domestic-claims.htm

Order stamps at usps.com/shop or
call 1-800-Stamp24. Go to
usps.com/ship to print
shipping labels with postage. For
other information call
1-800-ASK-USPS.

XXXXXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Get your mail when and where you
want it with a Secure Post Office
Box. Sign up for a box online at

Sugar-Hair

EAST LAS VEGAS BR
LAS VEGAS, Nevada
891219995
3148830009-0099
06/22/2015 (800)275-8777 04:43:04 PM

Product Description	Sale Unit Qty	Unit Price	Final Price
---------------------	---------------	------------	-------------

LAS VEGAS NV			\$5.95
89169-5996 Zone 1			
Priority Mail 1 Day Ev			
Weight			
1 lb. 6.50 oz.			
Expected Delivery: Tue 06/23/15			
USPS Tracking #:			
9114 9999 4431 4845 6195 49			
Includes up to \$50 insurance			

Issue Postage: \$5.95

Total: \$5.95

Paid by: MasterCard \$5.95
Account #: XXXXXXXXXXXX8461
Approval #: 92101P
Transaction #: 672
23903170041

For tracking or inquiries go to
USPS.com or call 1 800-275-8777.

Save this receipt as evidence of
insurance. For information on filing
an insurance claim go to
usps.com/ship/file-domestic-claims.htm

Order stamps at usps.com/shop or

FedEx Office

FedEx Office is your destination
for printing and shipping.

395 Hughes Center Dr
Las Vegas, NV 89169
Tel: (702) 951 2400

6/19/2015 4:07:21 PM PST
Team Member: Hiroko Y.

SALE

002302 Reg. Price	200 g	0.2500
ClipIt Flash 81k 4GB	1 k	8.9900
01093F Reg. Price		8.99

Reg. Price Total: 186.99
Discounts: 128.00

Total: 58.99

Sub-Total: 58.99
Tax: 4.78
Deposit: 0.00

Total: 63.77

Disa: 63.77

Account: 5130
Auth: 061408 (A)

Total Tender: 63.77
Change Due: 0.00

Bogon/Hair

THANH NGOC PHAM TAI
1398 PLYMOUTH AVE
SAN FRANCISCO, CA 94111

THE SICILIAN RISTORANT
3520 E TROPICANA AVE #A
LAS VEGAS, NV 89121

20:41:52

11/03/2015

11/02/2015

thwestAirlines@luv.southwest.com>

15 5:45 PM

Merchant ID:

000000

Terminal ID:

372238562881

CREDIT CARD

VISA SALE

XXXXXXXXXXXX2430

on (HZ2PYY) | 30OCT15 | SFO-SNA-LAS | Scott/John

CREDIT CARD

VISA SALE

CARD #

INVOICE

Batch #:

Approval Code:

Entry Method:

Mode:

CARD #

INVOICE

SEQ #:

Batch #:

SERVER

Approval Code:

Entry Method:

Mode:

0026

0023

001282

0009

045670

Striped

Online

PRE-TIP AMT

\$106.48

TIP

TOTAL AMOUNT

126.48

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everything you need to

CUSTOMER COPY

CUSTOMER COPY

AIR Confirmation: HZ2PYY

Confirmation Date: 10/13/2015

Passenger(s)	Rapid Rewards #	Ticket #	Expiration	Est. Points Earned
SCOTT/JOHN	217659913	5282150860085	Oct 8, 2016	0

Rapid Rewards points from your original booking have been redeposited in account 00000217659913
18802 Rapid Rewards points have been redeemed for new ticket: 5282150860085

Date	Flight	Departure/Arrival

Departure: 11:40 PM
Arrival: 12:40 PM
Flight: 1201 (SFO-LAS)
Class: Y
Fare: \$299

Date	Flight	Departure/Arrival

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Special
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check-in
for you.

only
\$12⁵⁰
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Book a hotel >

Sun Nov 1

4049

Depart **ORANGE COUNTY/SANTA ANA, CA (SNA)** on Southwest Airlines at **12:35 PM**
 Arrive in **LAS VEGAS, NV (LAS)** at **1:40 PM**
 Travel Time 1 hrs 5 mins
[Wanna Get Away](#)

-  **Check in for your flight(s):** 24 hours before your trip on [Southwest.com](#) or your mobile device to secure your boarding position. You'll be assigned a boarding position based on your check-in time. The earlier you check in within 24 hours of your flight, the earlier you get to board.
-  **Bags fly free®:** First and second checked bags. Weight and size limits apply. One small bag and one personal item are permitted as carryon items, free of charge.
-  **30 minutes before departure:** We encourage you to arrive in the gate area no later than 30 minutes prior to your flight's scheduled departure as we may begin boarding as early as 30 minutes before your flight.
-  **10 minutes before departure:** You must obtain your boarding pass(es) and be in the gate area for boarding at least 10 minutes prior to your flight's scheduled departure time. If not, Southwest may cancel your reserved space and you will not be eligible for denied boarding compensation.
-  **If you do not plan to travel on your flight:** In accordance with Southwest's No Show Policy, you must notify Southwest at least 10 minutes prior to your flight's scheduled departure if you do not plan to travel on the flight. If not, Southwest will cancel your reservation and all funds will be forfeited.

Air Cost: 11.20

Fare Rule(s): Valid only on Southwest Airlines. All travel involving funds from this Confirmation Number must be completed by the expiration date. Unused travel funds may only be applied toward the purchase of future travel for the individual named on the ticket. Any changes to this itinerary may result in a fare increase. Failure to cancel reservations for a Wanna Get Away fare segment at least 10 minutes prior to travel will result in the forfeiture of all remaining unused funds.

SFO WN SNA0.00M/MFF WN LAS0.00R/RFF 0.00 END AY11.20\$SFO5.80
 SNA5.80



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Learn about inflight
WiFi & entertainment ➤

Cost and Payment Summary

✈ AIR - HZ2PYY



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John H. Scott

From: Southwest Airlines <SouthwestAirlines@luv.southwest.com>
Sent: Tuesday, October 13, 2015 5:52 PM
To: John H. Scott
Subject: Flight reservation (H35ED7) | 03NOV15 | LAS-SFO | Scott/John

Thanks for choosing Southwest® for your trip.

Southwest
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[Check In
Online](#)
[Check Flight
Status](#)
[Change
Flight](#)
[Special
Offers](#)
[Hotel
Offers](#)
[Car
Offers](#)
Ready for takeoff!

Thanks for choosing Southwest® for your trip. You'll find everything you need to know about your reservation below. Happy travels!

Upcoming Trip: 11/03/15 - San Francisco

[Air itinerary](#)
AIR Confirmation: H35ED7

Confirmation Date: 10/13/2015

Passenger(s)	Rapid Rewards #	Ticket #	Expiration	Est. Points Earned
SCOTT/JOHN	217859913	5282150862870	Oct 12, 2016	0

Date	Flight	Departure/Arrival
Tue Nov 3	2054	Depart LAS VEGAS, NV (LAS) on Southwest Airlines at 7:40 PM Arrive in SAN FRANCISCO, CA (SFO) at 9:16 PM Travel Time 1 hrs 35 mins Wanna Get Away



Check in for your flight(s): 24 hours before your trip on [Southwest.com](#) or your mobile device to secure your boarding position. You'll be assigned a boarding position based on your check-in time. The earlier you check in within 24 hours of your flight, the earlier you get to board.

Save up to 35% plus any up to 2,400 Rapid Rewards® points.

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30 minutes before departure: We encourage you to arrive in the gate area no later than 30 minutes prior to your flight's scheduled departure as we may begin boarding as early as 30 minutes before your flight.



10 minutes before departure: You must obtain your boarding pass(es) and be in the gate area for boarding at least 10 minutes prior to your flight's scheduled departure time. If not, Southwest may cancel your reserved space and you will not be eligible for denied boarding compensation.



If you do not plan to travel on your flight: In accordance with Southwest's No Show Policy, you must notify Southwest at least 10 minutes prior to your flight's scheduled departure if you do not plan to travel on the flight. If not, Southwest will cancel your reservation and all funds will be forfeited.

Air Cost: 5.60

Fare Rule(s): 5282150862870: 1234.

Valid only on Southwest Airlines. All travel involving funds from this Confirmation Number must be completed by the expiration date. Unused travel funds may only be applied toward the purchase of future travel for the individual named on the ticket. Any changes to this itinerary may result in a fare increase. Failure to cancel reservations for a Wanna Get-Away fare segment at least 10 minutes prior to travel will result in the forfeiture of all remaining unused funds.

LAS WN SFO0.00T/TFF 0.00 END AY5.60\$LAS5.60



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Learn about inflight WiFi & entertainment >

Cost and Payment Summary

✈ AIR - H35ED7

Base Fare	\$ 0.00	Payment information
Excise Taxes	\$ 0.00	Payment Type: 1947 Rapid Rewards Points
Segment Fee	\$ 0.00	00000217859913
Passenger Facility Charge	\$ 0.00	Date: Oct 13, 2015
September 11th Security Fee	\$ 5.60	
Total Air Cost	\$ 5.60	

FLIGHT

99.00

104.60

Payment Type: Visa XXXXXXXXXXXXX2430

Date: Oct 13, 2015

Payment Amount: \$5.60

RT 8/209.20

Base Fare \$ 0.00
 Excise Taxes \$ 0.00
 Segment Fee \$ 0.00
 Passenger Facility Charge \$ 0.00
 September 11th Security Fee \$ 11.20
Total Air Cost \$ 11.20

Payment Information
 Payment Type: 18802 Rapid Rewards Points
 00000217859913
 Date: Oct 13, 2015

Payment Type: Ticket Exchange
 Date: Oct 13, 2015
 Payment Amount: \$11.20

Exchange Detail

Oct 9, 2015 From ticket # 5262149771424 to ticket
 # 5262150860085

Useful Tools

[Check In Online](#)
[Early Bird Check-In](#)
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[Cancel Air Reservation](#)
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[Flight Status Notification](#)
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[Book a Hotel](#)

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¹ All travel involving funds from this Confirmation Number must be completed by the expiration date.

² Security Fee is the government-imposed September 11th Security Fee

See [Southwest Airlines Co. Notice of Incorporation](#)

See [Southwest Airlines Limit of Liability](#)

Southwest Airlines
 P.O. Box 36847-1CR

STATEMENT

Depo International
703 South Eighth Street
Las Vegas, NV 89101
Phone: 702-386-9322 Fax: 702-386-9825

Account No.	Date
F2961	1/8/2016

Accounts Payable
Allen Lichtenstein, Attorney at Law, Ltd.
No. 222
3315 Russel Road
Las Vegas, NV 89120

Current	30 Days	60 Days
\$0.00	\$5,950.96	\$0.00
90 Days	120 Days & Over	Total Due
\$0.00	\$0.00	\$5,950.96

Page 1 of 1

3/8/16
-112075

Invoice Date	Invoice No.	Balance	Job Date	Witness	Case Name
11/10/2015	23223	1,534.68	11/2/2015	Warren McKay	Mary Bryan, et al. vs. Clark County School District, et al.
11/11/2015	23263	1,590.00	11/3/2015	Cheryl Winn	Mary Bryan, et al. vs. Clark County School District, et al.
11/12/2015	23293	877.98	11/2/2015	Warren McKay	Mary Bryan, et al. vs. Clark County School District, et al.
11/18/2015	23417	928.73	11/3/2015	Cheryl Winn	Mary Bryan, et al. vs. Clark County School District, et al.
11/30/2015	23637	603.42	11/16/2015	Deanna Wright	Mary Bryan, et al. vs. Clark County School District, et al.
11/30/2015	23662	416.15	11/16/2015	Deanna Wright	Mary Bryan, et al. vs. Clark County School District, et al.

PLEASE SEND
PAYMENT

Tax ID: 45-0581340

Phone: (702) 433-2666 Fax: (702) 433-9591

Please detach bottom portion and return with payment

Accounts Payable
Allen Lichtenstein, Attorney at Law, Ltd.
No. 222
3315 Russel Road
Las Vegas, NV 89120

Account No. : F2961
Date : 1/8/2016

Total Due : \$ 5,950.96

Remit To: **Depo International**
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD

Cardholder's Name: _____
Card Number: _____
Exp. Date: _____ Phone#: _____
Billing Address: _____
Zip: _____ Card Security Code: _____
Amount to Charge: _____
Cardholder's Signature: _____
Email: _____



November 16, 2015 12:51 Page: 1
Receipt #: 0741219978
MasterCard #: XXXXXXXXXXXX8481
2015/11/16 12:36

Qty	Description	Amount
150	ES B&W S/S White 8.5 x11	18.00
SubTotal		18.00
Taxes		1.46
Total		19.46

The Cardholder agrees to pay the issuer of the charge card in accordance with the agreement between the issuer and the Cardholder.

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TERMS: NET 30 DAYS - A Late Payment
Charge of 1 1/2% per month (18% per
annum) will be assessed on balances 30
days or more overdue.

DATE 1/19/2016 INVOICE 49962

TO:

IN RE:

BRYAN V. CCSD

Allen K. Lichtenstein, Esq.
3315 East Russell Road
Suite 222
Las Vegas, Nevada 89120

INVOICE

DEPOSITION OF C [REDACTED] 1/5/16

348.10

Transcript, Copy

(Electronic Format)

19.50

Statutory administration of transcript subsequent to publication

7.20

Standard/Black and White Exhibit(s) - Electronic format

POSTED

4/6/16
#12097

REPORTER:

L. Unruh

BALANCE DUE:

\$372.80

509.186.40



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702/474-6255 • fax 702/474-6257
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Federal ID No. 88-0263740

TERMS: NET 30 DAYS - A Late Payment
Charge of 1 1/2% per month (18% per
annum) will be assessed on balances 30
days or more overdue.

DATE INVOICE
1/22/2016 49981

TO

IN RE

BRYAN V. CCSD

Allen K. Lichtenstein, Esq.
3315 East Russell Road
Suite 222
Las Vegas, Nevada 89120

INVOICE

DEPOSITION OF DAVID M. [REDACTED], 1/13/16

349.15

Transcript, Copy

(Electronic Format)

19.50

Statutory administration of transcript subsequent to publication

8.40

Standard/Black and White Exhibit(s) - Electronic format

2.25

Color exhibit(s) - Electronic format

REPORTER:

L. Unruh

BALANCE DUE

\$379.30

4/16/16
2097
E 75210

AIR Confirmation: R4MXTP

Confirmation Date: 12/1/2015

Passenger(s)	Rapid Rewards #	Ticket #	Expiration	Est. Points Earned
SCOTT/JOHN HOUS TON	217859913	5262163210458	Nov 30, 2016	2290

Rapid Rewards points earned are only estimates. Visit your (MySouthwest, Southwest.com or Rapid Rewards) account for the most accurate totals - including A-List & A-List Preferred bonus points.

Date	Flight	Departure/Arrival
------	--------	-------------------

Fri Jan 23	209	Depart SAN FRANCISCO, CA (SFO) on Southwest Airlines at 4:30 PM Arrive in LAS VEGAS, NV (LAS) at 9:20 AM Travel Time 4 hrs 0 mins Wanna Get Away
		Depart LAS VEGAS, NV (LAS) on Southwest Airlines at 10:10 AM Arrive in SAN FRANCISCO, CA (SFO) at 12:10 PM Travel Time 2 hrs 0 mins Wanna Get Away

Date	Flight	Departure/Arrival
------	--------	-------------------

Sun Jan 24	209	Depart NEW ORLEANS, LA (MSY) on Southwest Airlines at 4:30 PM Arrive in LAS VEGAS, NV (LAS) at 8:30 PM Travel Time 4 hrs 0 mins Wanna Get Away
------------	-----	---

Check in for your flight(s): 24 hours before your trip on Southwest.com or your mobile device to secure your boarding position. You'll be assigned a boarding position based on your check-in time. The earlier you check in within 24 hours of your flight, the earlier you get to board.

Bags fly free®: First and second checked bags. Weight and size limits apply. One small bag and one personal item are permitted as carryon items, free of charge.

30 minutes before departure: We encourage you to arrive in the gate area no later than 30 minutes prior to your flight's scheduled departure as we may begin boarding as early as 30 minutes before your flight.

10 minutes before departure: You must obtain your boarding pass(es) and be in the gate area for boarding at least 10 minutes prior to your flight's scheduled departure time. If not, Southwest may cancel your reserved space and you will not be eligible for denied boarding compensation.

If you do not plan to travel on your flight: In accordance with Southwest's No Show Policy, you must notify Southwest at least 10 minutes prior to your flight's scheduled departure if you do not plan to travel on the flight. If not, Southwest will cancel your reservation and all funds will be forfeited.

Air Cost: 442.46

Fare Rule(s): 5262163210458: NONREF/NONTRANSFERABLE/STANDBY REQ UPGRADE TO Y.

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SFO WN X/PHX WN MSY184.54OLAVHNRO WN LAS197.10WLVNHNH
381.64 END ZPSFOPHXMSY XFSFO4.5PHX4.5 AY11.20\$SFO5.60 MSY5.60

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boarding process

Learn about inflight
WiFi & entertainment

Cost and Payment Summary

AIR - R4MXTP

Base Fare	\$ 381.64	Payment Information
Excise Taxes	\$ 28.62	Payment Type: Visa XXXXXXXXXXXXX2430
Segment Fee	\$ 12.00	Date: Dec 1, 2015
Passenger Facility Charge	\$ 9.00	Payment Amount: \$442.46
September 11th Security Fee	\$ 11.20	
Total Air Cost	\$ 442.46	

$442.46 / 2 = \$221.23$

INVOICE

Depo International
703 South Eighth Street
Las Vegas, NV 89101
Phone: 702-386-9322 Fax: 702-386-9825

Invoice No.	Invoice Date	Job No.
24752	1/28/2016	20056
Job Date	Case No.	
1/25/2016	A-14-700018-C	
Case Name		
Mary Bryan, et al. vs. Clark County School District, et al.		
Payment Terms		
Due upon receipt		

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

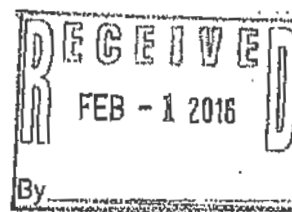
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Leonard Deplazza

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815.00
TOTAL DUE >>> \$815.00



ax ID: 45-0581340

Phone: (415) 561-9601 Fax: (415) 561-9609

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John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Job No. : 20056 BU ID : 2-DI LV
Case No. : A-14-700018-C
Case Name : Mary Bryan, et al. vs. Clark County School District, et al.
Invoice No. : 24752 Invoice Date : 1/28/2016
Total Due : \$ 815.00

Attn To: Depo International
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD				
Cardholder's Name:				
Card Number:				
Exp. Date:		Phone#:		
Billing Address:				
Zip:		Card Security Code:		
Amount to Charge:				
Cardholder's Signature:				
Email:				

Depo International
703 South Eighth Street
Las Vegas, NV 89101
Phone: 702-386-9322 Fax: 702-386-9825

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Invoice No.	Invoice Date	Job No.
24897	2/4/2016	20058
Job Date	Case No.	
1/27/2016	A-14-700018-C	
Case Name		
Mary Bryan, et al. vs. Clark County School District, et al.		
Payment Terms		
Due upon receipt		

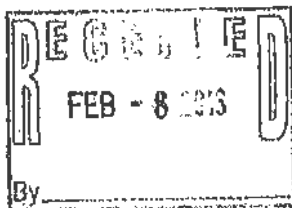
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John Edwin Halpin

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589.50
TOTAL DUE >>> ~~589.50~~
50.20 294.28



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John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Job No. : 20058 BU ID : 2-DI LV
Case No. : A-14-700018-C
Case Name : Mary Bryan, et al. vs. Clark County School District, et al.
Invoice No. : 24897 Invoice Date : 2/4/2016
Total Due : \$ 589.50

emit To: Depo International
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD				
Cardholder's Name:				
Card Number:				
Exp. Date:		Phone#:		
Billing Address:				
Zip:		Card Security Code:		
Amount to Charge:				
Cardholder's Signature:				
Email:				

Depo International
703 South Eighth Street
Las Vegas, NV 89101
Phone: 702-386-9322 Fax: 702-386-9825

John Houston Scott
Scott Law Firm
1388 Sutter Street
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San Francisco, CA 94109

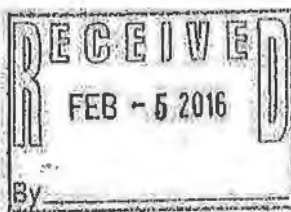
Invoice No.	Invoice Date	Job No.
24805	2/1/2016	20057
Job Date	Case No.	
1/26/2016	A-14-700018-C	
Case Name		
Mary Bryan, et al. vs. Clark County School District, et al.		
Payment Terms		
Due upon receipt		

ORIGINAL & ONE CERTIFIED TRANSCRIPT

Robert Beasley

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Billing@depointernational.com

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533.00
TOTAL DUE >>> \$533.00

ax ID: 45-0581340

Phone: (415) 561-9601 Fax: (415) 561-9609

Please detach bottom portion and return with payment.

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Job No. : 20057 BU ID : 12-DI-LV
Case No. : A-14-700018-C
Case Name : Mary Bryan, et al. vs. Clark County School District, et al.
Invoice No. : 24805 Invoice Date : 2/1/2016
Total Due : \$ 533.00

Mail To: Depo International
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD	
Cardholder's Name:	
Card Number:	
Exp. Date:	Phone#:
Billing Address:	
Zip:	Card Security Code:
Amount to Charge:	
Cardholder's Signature:	
Email:	



Depo International
703 South Eighth Street
Las Vegas, NV 89101
Phone: 702.386.9322 Fax: 702.386.9825

Accounts Payable
Allen Lichtenstein, Attorney at Law, Ltd.
3806 Forestcrest Drive
Las Vegas, NV 89121

STATEMENT

Account No.	Date
F2961	4/1/2016

Current	30 Days	60 Days
\$0.00	\$882.59	\$0.00
90 Days	120 Days & Over	Total Due
\$0.00	\$0.00	\$882.59

Page 1 of 1

Invoice Date	Invoice No.	Balance	Job Date	Witness	Case Name
2/4/2016	24899	325.76	1/27/2016	John Edwin Halpin	Mary Bryan, et al. vs. Clark County School District, et al.
2/4/2016	24902	556.83	1/28/2016	Andre Joseph Long	Mary Bryan, et al. vs. Clark County School District, et al.

PLEASE SEND
PAYMENT

Tax ID: 45-0581340

Phone: (702) 433-2686 Fax: (702) 433-9591

Please detach bottom portion and return with payment.

Accounts Payable
Allen Lichtenstein, Attorney at Law, Ltd.
3806 Forestcrest Drive
Las Vegas, NV 89121

Account No. : F2961
Date : 4/1/2016

Total Due : \$ 882.59

Remit To: Depo International
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD		AMEX	MAST	VISA
Cardholder's Name:				
Card Number:				
Exp. Date:		Phone#:		
Billing Address:				
Zip:		Card Security Code:		
Amount to Charge:				
Cardholder's Signature:				
Email:				

INVOICE

Depo International
703 South Eighth Street
Las Vegas, NV 89101
Phone: 702-386-9322 Fax: 702-386-9825

Invoice No.	Invoice Date	Job No.
24901	2/4/2016	20059
Job Date	Case No.	
1/28/2016	A-14-700018-C	
Case Name		
Mary Bryan, et al. vs. Clark County School District, et al.		
Payment Terms		
Due upon receipt		

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

ORIGINAL & ONE ELECTRONIC CERTIFIED TRANSCRIPT

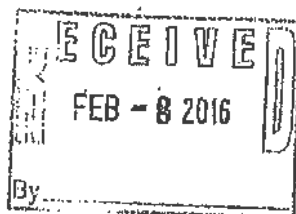
Andre Joseph Long

If you have any questions, you may contact our billing department:
Billing@depoInternational.com

Thank you for your business!

TOTAL DUE >>>

\$947.50



Fax ID: 45-0581340

Phone: (415) 561-9601 Fax: (415) 561-9609

Please detach bottom portion and return with payment.

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Job No. : 20059 BU ID : 2-DI LV
Case No. : A-14-700018-C
Case Name : Mary Bryan, et al. vs. Clark County School District, et al.
Invoice No. : 24901 Invoice Date : 2/4/2016
Total Due : **\$ 947.50**

emit To: Depo International
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD	
Cardholder's Name: _____	
Card Number: _____	
Exp. Date: _____	Phone#: _____
Billing Address: _____	
Zip: _____	Card Security Code: _____
Amount to Charge: _____	
Cardholder's Signature: _____	
Email: _____	

John H. Scott

From: Southwest Airlines <SouthwestAirlines@luv.southwest.com>
Sent: Monday, January 11, 2016 7:30 PM
To: John H. Scott
Subject: Flight reservation (RYNHEH) | 28JAN16 | LAS-SFO | Scott/John

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[Air itinerary](#)

AIR Confirmation: RYNHEH

Confirmation Date: 01/11/2016

Passenger(s)	Rapid Rewards #	Ticket #	Expiration	Est. Points Earned
SCOTT/JOHN	217859913	5282173005456	Jan 10, 2017	0

Date	Flight	Departure/Arrival
Thu Jan 28	595	Depart LAS VEGAS, NV (LAS) on Southwest Airlines at 4:40 PM Arrive in SAN FRANCISCO, CA (SFO) at 6:10 PM Travel Time 1 hrs 30 mins Wanna Get Away



Check in for your flight(s): 24 hours before your trip on [Southwest.com](#) or your mobile device to secure your boarding position. You'll be assigned a boarding position based on your check-in time. The earlier you check in within 24 hours of your flight, the earlier you get to board.



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L 10 minutes before departure: You must obtain your boarding pass(es) and be in the gate area for boarding at least 10 minutes prior to your flight's scheduled departure time. If not, Southwest may cancel your reserved space and you will not be eligible for denied boarding compensation.

i If you do not plan to travel on your flight: In accordance with Southwest's No Show Policy, you must notify Southwest at least 10 minutes prior to your flight's scheduled departure if you do not plan to travel on the flight. If not, Southwest will cancel your reservation and all funds will be forfeited.

Air Cost: 5.60

Fare Rule(s): 5262173005456: 1234.

Valid only on Southwest Airlines. All travel involving funds from this Confirmation Number must be completed by the expiration date. Unused travel funds may only be applied toward the purchase of future travel for the individual named on the ticket. Any changes to this itinerary may result in a fare increase. Failure to cancel reservations for a Wanna Get Away fare segment at least 10 minutes prior to travel will result in the forfeiture of all remaining unused funds.

LAS WN SFO0.00N/NFF 0.00 END AY5.60SLAS5.60



Learn about our
boarding process



Learn about inflight
WiFi & entertainment

Cost and Payment Summary

AIR - RYNHEH

Base Fare	\$ 0.00
Excise Taxes	\$ 0.00
Segment Fee	\$ 0.00
Passenger Facility Charge	\$ 0.00
September 11th Security Fee	\$ 5.60
Total Air Cost	\$ 5.60

Payment information

Payment Type: 4746 Rapid Rewards Points
00000217859913
Date: Jan 11, 2016

Payment Type: Visa XXXXXXXXXXXXX2430
Date: Jan 11, 2016
Payment Amount: \$5.60

109.00
114.60



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Bryan, et al. vs. CCSD, et al. - Statement

Remit To: Litigation Services and Technologies of Nevada, LLC
PO Box 643266
Los Angeles, CA 90064-3298
Phone: 800-380-1112 Fax: 762-631-7351

Accounts Payable
Allen Lichtenstein, Law Offices
3815 East Russell Road, Suite 222
Las Vegas, NV 89120
Phone: 702-433-3666 Fax: 702-433-4291

Account No.	Date
F2753	3/11/2016

Current	30 Days	60 Days
2,136.76	2,099.08	1,183.05
90 Days	120 Days & Over	Total Due
0.00	0.00	5,398.83

Job Date	Witness	Client No.	Contact	Cases Name	Invoice No.	Invoice Date	Invoice Amount	Payment Received	Payment Received From	Balance
12/22/2015	Helen McNeal Hall		Lichtenstein, Esq., Allen	Bryan, et al. vs. CCSD, et al.	1044317	1/29/2016	1,075.58			1,183.05
1/15/2016	Aurora Olivia Hight		Lichtenstein, Esq., Allen	Bryan, et al. vs. CCSD, et al.	1046125	3/18/2016	873.25			960.58
3/21/2016	Edison Bryan		Lichtenstein, Esq., Allen	Bryan, et al. vs. CCSD, et al.	1048764	2/17/2016	1,035.08			1,138.50
2/19/2016	Mary Bryan		Lichtenstein, Esq., Allen	Bryan, et al. vs. CCSD, et al.	1051615	2/22/2016	1,032.49			1,081.40
2/16/2016	Heath Hall		Lichtenstein, Esq., Allen	Bryan, et al. vs. CCSD, et al.	1052384	3/2/2016	160.00			181.79
2/16/2016	Gina Abbateuto, MS, CPC		Lichtenstein, Esq., Allen	Bryan, et al. vs. CCSD, et al.	1053288	2/29/2016	607.25			607.25
2/19/2016	Ashesh Desai, M.D.		Lichtenstein, Esq., Allen	Bryan, et al. vs. CCSD, et al.	1053578	2/29/2016	115.95			135.95
2/19/2016	Edward Fawc, M.D.		Lichtenstein, Esq., Allen	Bryan, et al. vs. CCSD, et al.	1053610	3/2/2016	182.10			182.10
Total Balance Due:										5,398.83

Doc ID: 27-5114755

POSTED

Bryan et al. vs. Clark County School District, et al. - Statement

Remit To: Litigation Services and Technologies of Nevada, LLC
PO Box 843293
Las Vegas, NV 89120
Phone: 800-570-1112 Fax: 702-431-7351

Accounts Payable
Allen Lichtenstein, Law Office
3315 East Russell Road, Suite 212
Las Vegas, NV 89120
Phone: 702-433-2666 Fax: 702-433-9591

Account No.	Date
72755	3/11/2016

Current	30 Days	60 Days
236.35	0.00	0.00
90 Days	120 Days & Over	Total Due
0.00	0.00	236.35

Date	Invoice No.	Invoice Date	Invoice Amount	Payment Received	Payment Received From	Balance
2/4/2016	1052853	2/24/2016	236.35			236.35
Total Balance Due:						236.35

Tax ID: 27-3114753

Bryan/Hairr - Page 1 of 1
 exhibit 15 to Allen's
 Declaration regarding the
 "Motion To Disqualify"



Shipment Receipt

Address Information

Ship to:

Allen Lichtenstein

3315 Russell Road, No. 222

LAS VEGAS, NV

89120

US

(702) 433-2666

Ship from:

John Houston Scott

Scott Law Firm

1388 Sutter Street, Suite 715

San Francisco, CA

94109

US

4155619601

Shipment Information:

Tracking no.: 775904967664

Ship date: 03/17/2016

Estimated shipping charges: 32.49

Package Information

Pricing option: FedEx Standard Rate

Service type: Priority Overnight

Package type: FedEx Envelope

Number of packages: 1

Total weight: 0.80 LBS

Declared Value: 0.00 USD

Special Services: Residential Delivery

Pickup/Drop-off: Drop off package at FedEx location

Billing Information:

Bill transportation to: MyAccount-722

Your reference: Bryan/Hairr

P.O. no.:

Invoice no.:

Department no.:

Thank you for shipping online with FedEx ShipManager at fedex.com.

Please Note

FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1000, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits; Consult the applicable FedEx Service Guide for details.

The estimated shipping charge may be different than the actual charges for your shipment. Differences may occur based on actual weight, dimensions, and other factors. Consult the applicable FedEx Service Guide or the FedEx Rate Sheet for details on how shipping charges are calculated.

Financial

Bryan, Mary				
Total Financial Assessment				\$280.50
Total Payments and Credits				\$280.50
4/30/2014	Transaction Assessment			\$270.00
4/30/2014	Efile Payment	Receipt # 2014-50310-CCCLK	Bryan, Mary	(\$270.00)
7/27/2015	Transaction Assessment			\$3.50
7/27/2015	Efile Payment	Receipt # 2015-78718-CCCLK	Bryan, Mary	(\$3.50)
3/21/2016	Transaction Assessment			\$3.50
3/21/2016	Efile Payment	Receipt # 2016-28459-CCCLK	Bryan, Mary	(\$3.50)
4/21/2016	Transaction Assessment			\$3.50
4/21/2016	Efile Payment	Receipt # 2016-38796-CCCLK	Bryan, Mary	(\$3.50)
Clark County School District, et al				
Total Financial Assessment				\$182.00
Total Payments and Credits				\$182.00
6/30/2014	Transaction Assessment			\$3.50
6/30/2014	Efile Payment	Receipt # 2014-75526-CCCLK	Clark County School District,	(\$3.50)
7/1/2014	Transaction Assessment			\$3.50
7/1/2014	Efile Payment	Receipt # 2014-75811-CCCLK	Clark County School District,	(\$3.50)
8/1/2014	Transaction Assessment			\$3.50
8/1/2014	Efile Payment	Receipt # 2014-88628-CCCLK	Clark County School District,	(\$3.50)
8/1/2014	Transaction Assessment			\$3.50
8/1/2014	Efile Payment	Receipt # 2014-88733-CCCLK	Clark County School District,	(\$3.50)
8/7/2014	Transaction Assessment			\$3.50
8/7/2014	Efile Payment	Receipt # 2014-90709-CCCLK	Clark County School District,	(\$3.50)
9/10/2014	Transaction Assessment			\$3.50
9/10/2014	Efile Payment	Receipt # 2014-103862-CCCLK	Clark County School District,	(\$3.50)
9/10/2014	Transaction Assessment			\$3.50
9/10/2014	Efile Payment	Receipt # 2014-104055-CCCLK	Clark County School District,	(\$3.50)
11/18/2014	Transaction Assessment			\$3.50
11/18/2014	Efile Payment	Receipt # 2014-129961-CCCLK	Clark County School District,	(\$3.50)
11/20/2014	Transaction Assessment			\$3.50
11/20/2014	Efile Payment	Receipt # 2014-130847-CCCLK	Clark County School District,	(\$3.50)
12/9/2014	Transaction Assessment			\$3.50
12/9/2014	Efile Payment	Receipt # 2014-137192-CCCLK	Clark County School District,	(\$3.50)
12/10/2014	Transaction Assessment			\$3.50
12/10/2014	Efile Payment	Receipt # 2014-137325-CCCLK	Clark County School District,	(\$3.50)
1/16/2015	Transaction Assessment			\$3.50

1/16/2015	Efile Payment	Receipt # 2015-05163-CCCLK	Clark County School District,	(\$3.50)
1/27/2015	Transaction Assessment			\$3.50
1/27/2015	Efile Payment	Receipt # 2015-08735-CCCLK	Clark County School District,	(\$3.50)
1/27/2015	Transaction Assessment			\$3.50
1/27/2015	Efile Payment	Receipt # 2015-08914-CCCLK	Clark County School District,	(\$3.50)
2/25/2015	Transaction Assessment			\$3.50
2/25/2015	Efile Payment	Receipt # 2015-19983-CCCLK	Clark County School District,	(\$3.50)
10/8/2015	Transaction Assessment			\$3.50
10/8/2015	Efile Payment	Receipt # 2015-106564-CCCLK	Clark County School District, et al	(\$3.50)
12/2/2015	Transaction Assessment			\$3.50
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12/2/2015	Transaction Assessment			\$3.50
12/2/2015	Efile Payment	Receipt # 2015-125157-CCCLK	Clark County School District, et al	(\$3.50)
12/17/2015	Transaction Assessment			\$3.50
12/17/2015	Efile Payment	Receipt # 2015-130465-CCCLK	Clark County School District, et al	(\$3.50)
1/5/2016	Transaction Assessment			\$3.50
1/5/2016	Efile Payment	Receipt # 2016-00767-CCCLK	Clark County School District, et al	(\$3.50)
1/5/2016	Transaction Assessment			\$3.50
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1/5/2016	Transaction Assessment			\$3.50
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1/11/2016	Transaction Assessment			\$3.50
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1/13/2016	Transaction Assessment			\$3.50
1/13/2016	Efile Payment	Receipt # 2016-03788-CCCLK	Clark County School District, et al	(\$3.50)
1/21/2016	Transaction Assessment			\$3.50
1/21/2016	Efile Payment	Receipt # 2016-06717-CCCLK	Clark County School District, et al	(\$3.50)
1/27/2016	Transaction Assessment			\$3.50
1/27/2016	Efile Payment	Receipt # 2016-08613-CCCLK	Clark County School District, et al	(\$3.50)
2/9/2016	Transaction Assessment			\$3.50
2/9/2016	Efile Payment	Receipt # 2016-13414-CCCLK	Clark County School District, et al	(\$3.50)
2/12/2016	Transaction Assessment			\$3.50
2/12/2016	Efile Payment	Receipt # 2016-15079-CCCLK	Clark County School District, et al	(\$3.50)
2/16/2016	Transaction Assessment			\$3.50
2/16/2016	Efile Payment	Receipt # 2016-15142-CCCLK	Clark County School District, et al	(\$3.50)
3/1/2016	Transaction Assessment			\$3.50
3/1/2016	Efile Payment	Receipt # 2016-21162-CCCLK	Clark County School District, et al	(\$3.50)
3/1/2016	Transaction Assessment			\$3.50

3/1/2016	Efile Payment	Receipt # 2016-21168-CCCLK	Clark County School District, et al	(\$3.50)
3/2/2016	Transaction Assessment			\$3.50
3/2/2016	Efile Payment	Receipt # 2016-21394-CCCLK	Clark County School District, et al	(\$3.50)
3/23/2016	Transaction Assessment			\$3.50
3/23/2016	Efile Payment	Receipt # 2016-29482-CCCLK	Clark County School District, et al	(\$3.50)
3/24/2016	Transaction Assessment			\$3.50
3/24/2016	Efile Payment	Receipt # 2016-29855-CCCLK	Clark County School District, et al	(\$3.50)
3/24/2016	Transaction Assessment			\$3.50
3/24/2016	Efile Payment	Receipt # 2016-29902-CCCLK	Clark County School District, et al	(\$3.50)
4/6/2016	Transaction Assessment			\$3.50
4/6/2016	Efile Payment	Receipt # 2016-33970-CCCLK	Clark County School District, et al	(\$3.50)
4/7/2016	Transaction Assessment			\$3.50
4/7/2016	Efile Payment	Receipt # 2016-34549-CCCLK	Clark County School District, et al	(\$3.50)
4/14/2016	Transaction Assessment			\$3.50
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4/18/2016	Transaction Assessment			\$3.50
4/18/2016	Efile Payment	Receipt # 2016-37752-CCCLK	Clark County School District, et al	(\$3.50)
5/16/2016	Transaction Assessment			\$3.50
5/16/2016	Efile Payment	Receipt # 2016-47125-CCCLK	Clark County School District, et al	(\$3.50)
5/17/2016	Transaction Assessment			\$3.50
5/17/2016	Efile Payment	Receipt # 2016-47876-CCCLK	Clark County School District, et al	(\$3.50)
7/25/2016	Transaction Assessment			\$3.50
7/25/2016	Efile Payment	Receipt # 2016-71205-CCCLK	Clark County School District, et al	(\$3.50)
7/26/2016	Transaction Assessment			\$3.50
7/26/2016	Efile Payment	Receipt # 2016-71557-CCCLK	Clark County School District, et al	(\$3.50)
8/5/2016	Transaction Assessment			\$3.50
8/5/2016	Efile Payment	Receipt # 2016-75551-CCCLK	Clark County School District, et al	(\$3.50)
8/11/2016	Transaction Assessment			\$3.50
8/11/2016	Efile Payment	Receipt # 2016-77728-CCCLK	Clark County School District, et al	(\$3.50)
8/31/2016	Transaction Assessment			\$3.50
8/31/2016	Efile Payment	Receipt # 2016-84835-CCCLK	Clark County School District, et al	(\$3.50)
11/8/2016	Transaction Assessment			\$3.50
11/8/2016	Efile Payment	Receipt # 2016-108915-CCCLK	Clark County School District, et al	(\$3.50)
11/10/2016	Transaction Assessment			\$3.50
11/10/2016	Efile Payment	Receipt # 2016-110202-CCCLK	Clark County School District, et al	(\$3.50)
11/15/2016	Transaction Assessment			\$3.50
11/15/2016	Efile Payment	Receipt # 2016-111279-CCCLK	Clark County School District, et al	(\$3.50)
4/20/2017	Transaction Assessment			\$3.50

From: "Allen Lichtenstein" <allaw@lvcoxmail.com>
To: "Paula Newman" <paula.allaw@lvcoxmail.com>
Date: 04/28/2016 06:39:12 EDT
Subject: **FW: Bryan and Hairr v. CCSD - MSJ Order**
Attachments: [image removed] (2Kb)

Allen Lichtenstein
Attorney at Law, Ltd.
3315 Russell Road, No. 222
Las Vegas, NV 89120
(702) 433-2666 phone
(702) 433-9591 fax

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----- Begin forwarded message -----
Subject: Bryan and Hairr v. CCSD - MSJ Order
Date: 4/28/16 12:17:35 PM
From: "Horvath, Luz" <[redacted]>
To: "Waite, Dan R." <[redacted]>
Cc: "Allen Lichtenstein" <[redacted]>, "John Scott" <[redacted]>

Dan, half the fees for recording and transcript are \$90.14. Thank you.

Luz Horvath

Legal Secretary

702.474.2649 office

(702) 216-6169 fax

Lewis Roca Rothgerber Christie LLP

Lewis Roca Rothgerber Christie LLP

3993 Howard Hughes Parkway, Suite 600

Las Vegas, Nevada 89169-5996

lvrrc.com<[redacted]>

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FedEx Billing Online

Tracking ID Details

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Tracking ID Summary

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Billing Information

Tracking ID no. [< Prev](#) 777679212411 [Next >](#)

Invoice no. 4-484-43301

Account no. 2579-5472-2

Bill date 11/09/2016

Total Billed \$115.11

Tracking ID Balance due \$0.00

Status Paid CC

Messages

FedEx has applied this shipment for correct package [Read More...](#)

Distance Based Pricing, Zone 4

Fuel Surcharge - FedEx has applied a fuel surcharge [Read More...](#)

The package weight exceeds the maximum for the pac [Read More...](#)

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Transaction Details

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Sender Information

John Houston Scott
Scott Law Firm
1388 Sutter Street, Suite 715
SAN FRANCISCO CA 94109
US

Recipient Information

Alan Lichenslein
3315 Russell Road, No. 222
LAS VEGAS NV 89120
US

Shipment Details

Ship date 11/09/2016

Payment type Shipper

Service type FedEx Priority Overnight

Zone 04

Package type Customer Packaging

Weight 16.00 lbs

Pieces 1

Master No. 1443208

Declared value \$0.00

Charges

Transportation Charge	125.09
Fuel Surcharge	2.53
Weekend Delivery	0.00
Automation Bonus Discount	-12.51
Total charges	\$115.11

Original Reference

Customer reference no. Bryan/Hair

Department no.

Reference #2

Reference #3

Proof of Delivery

Delivery date 11/10/2016 09:48

Service area code A1

Signed by W.MAR.JZ

[View signature proof of delivery](#)[Back](#)



Depo International
703 South Eighth Street
Las Vegas, NV 89101
Ph: 800.591.9722 Fax: 702.386.9825

INVOICE

Invoice No.	Invoice Date	Job No.
30045	11/9/2016	20057
Job Date	Case No.	
1/26/2016	A-14-700018-C	
Case Name		
Mary Bryan, et al. vs. Clark County School District, et al.		
Payment Terms		
Due upon receipt (1.5%/mo & collection)		

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

ORIGINAL TRANSCRIPT

Robert Beasley

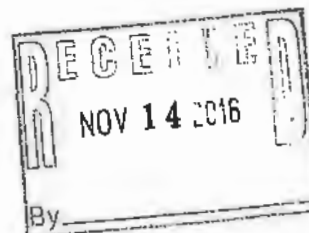
46.00

TOTAL DUE >>>

\$46.00

If you have any questions, you may contact our billing department:
Billing@depointernational.com

Thank you for your business!



Tax ID: 45-0581340

Phone: (415) 561-9601 Fax: (415) 561-9609

Please detach bottom portion and return with payment.

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Job No. : 20057 BU ID : 2-DI LV
Case No. : A-14-700018-C
Case Name : Mary Bryan, et al. vs. Clark County School District, et al.
Invoice No. : 30045 Invoice Date : 11/9/2016
Total Due : \$ 46.00

Remit To: Depo International
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD



Cardholder's Name: _____
Card Number: _____
Exp. Date: _____ Phone#: _____
Billing Address: _____
Zip: _____ Card Security Code: _____
Amount to Charge: _____
Cardholder's Signature: _____
Email: _____

INVOICE



Depo International
703 South Eighth Street
Las Vegas, NV 89101
Ph: 800.591.9722 Fax: 702.386.9825

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Invoice No.	Invoice Date	Job No.
30044	11/9/2016	19283
Job Date	Case No.	
11/3/2015	A-14-700018-C	
Case Name		
Mary Bryan, et al. vs. Clark County School District, et al.		
Payment Terms		
Due upon receipt (1.5%/mo & collection)		

ORIGINAL TRANSCRIPT

Cheryl Winn

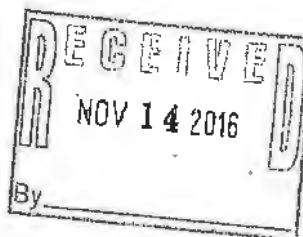
151.00

TOTAL DUE >>>

\$151.00

If you have any questions, you may contact our billing department:
Billing@depointernational.com

Thank you for your business!



Tax ID: 45-0581340

Phone: (415) 561-9601 Fax: (415) 561-9609

Please detach bottom portion and return with payment.

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Job No. : 19283 BU ID : 2-DI LV
Case No. : A-14-700018-C
Case Name : Mary Bryan, et al. vs. Clark County School District, et al.
Invoice No. : 30044 Invoice Date : 11/9/2016
Total Due : \$ 151.00

Remit To: **Depo International**
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD



Cardholder's Name:

Card Number:

Exp. Date:

Phone#:

Billing Address:

Zip:

Card Security Code:

Amount to Charge:

Cardholder's Signature:

Email:

INVOICE

Depo International
703 South Eighth Street
Las Vegas, NV 89101
Ph: 800.591.9722 Fax: 702.386.9825

Invoice No.	Invoice Date	Job No.
30046	11/9/2016	19282
Job Date	Case No.	
11/2/2015	A-14-700018-C	
Case Name		
Mary Bryan, et al. vs. Clark County School District, et al.		
Payment Terms		
Due upon receipt (1.5%/mo & collection)		

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

ORIGINAL TRANSCRIPT

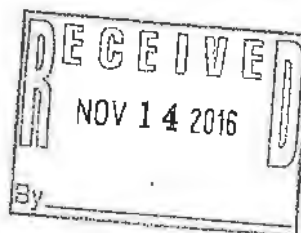
Warren McKay

137.00

TOTAL DUE >>>**\$137.00**

If you have any questions, you may contact our billing department:
Billing@depointernational.com

Thank you for your business!



Tax ID: 45-0581340

Phone: (415) 561-9601 Fax: (415) 561-9609

Please detach bottom portion and return with payment.

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Job No. : 19282 BU ID : 2-DI LV
Case No. : A-14-700018-C
Case Name : Mary Bryan, et al. vs. Clark County School District, et al.
Invoice No. : 30046 Invoice Date : 11/9/2016
Total Due : \$ 137.00

Remit To: **Depo International**
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD

Cardholder's Name: _____
Card Number: _____
Exp. Date: _____ Phone#: _____
Billing Address: _____
Zip: _____ Card Security Code: _____
Amount to Charge: _____
Cardholder's Signature: _____
Email: _____

INVOICE

Depo International
703 South Eighth Street
Las Vegas, NV 89101
Ph: 800.591.9722 Fax: 702.386.9825

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Invoice No.	Invoice Date	Job No.
30047	11/9/2016	19639
Job Date	Case No.	
11/16/2015	A-14-700018-C	
Case Name		
Mary Bryan, et al. vs. Clark County School District, et al.		
Payment Terms		
Due upon receipt (1.5%/mo & collection)		

ORIGINAL TRANSCRIPT

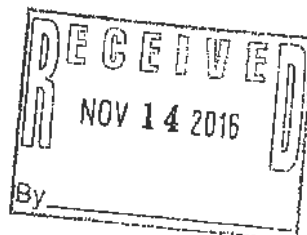
Deanna Wright

51.00

TOTAL DUE >>>**\$51.00**

If you have any questions, you may contact our billing department:
Billing@depointernational.com

Thank you for your business!

**Tax ID: 45-0581340**

Phone: (415) 561-9601 Fax: (415) 561-9609

Please detach bottom portion and return with payment.

John Houston Scott
Scott Law Firm
1388 Sutter Street
Suite 715
San Francisco, CA 94109

Job No. : 19639 BU ID : 2-DI LV
Case No. : A-14-700018-C
Case Name : Mary Bryan, et al. vs. Clark County School District, et al.
Invoice No. : 30047 Invoice Date : 11/9/2016
Total Due : \$ 51.00

Remit To: **Depo International**
703 South Eighth Street
Las Vegas, NV 89101

PAYMENT WITH CREDIT CARD

Cardholder's Name:

Card Number:

Exp. Date:

Phone#:

Billing Address:

Zip:

Card Security Code:

Amount to Charge:

Cardholder's Signature:

Email:

Office DEPOT OfficeMax

OFFICE DEPOT STORE #2715

5915 S. EASTERN AVE

LAS VEGAS NV 89119

(702) 736-1427

11/09/2016 16:8 2 5:25 PM

STR 2715 REG 1 TRN 796 EMP 745904

SALE

Product ID	Description	Total
998112	INDEX, READY, 1-	
5 @ 5.79		28.95
You Pay		28.95SS
Subtotal:		28.95
Sales Tax:		2.36
Total:		31.31
MasterCard 8461:		31.31

AUTH CODE 76832P

TDS Chip Read

AID A0000000041010 MasterCard

TVR 0800008000

CVS No Signature Required

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

ALLEN LICHTENSTEIN ATTORNEY A 332610198

Please create your online rewards account at officedepot.com/rewards. You must complete your account to claim your rewards and view your status.

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Las Vegas, NV 89119

Tel: (702) 735-4402

11/9/2016 5:33:06 PM PST

Team Member: Lester M.

Customer: Allen Lichtenstein

BLIND		
Design Paper/Sheet	-25 @	0.2500 T
000700 Reg. Price	0.25	
Returned Item		

Sub-Total	(6.25)
Tax	(0.51)
Deposit	0.00

total	(6.76)
--------------	---------------

MasterCard (S)	(6.76)
Account: 8461	
Auth: SysAuthCode (A)	

Total Tender	(6.76)
Change Due	0.00



* 1 3 0 1 0 0 3 3 4 9 5 *

001855

FedEx Office

FedEx Office is your destination for printing and shipping.

5775 S Eastern Ave

Las Vegas, NV 89119

Tel: (702) 735-4402

11/9/2016 4:45:03 PM PST

Team Member: Lester M

SALE

Design Paper/Sheet	25 @	0.2500 T
000700 Reg. Price	0.25	
Brdr EcoWr. 5inWht 10x	5 @	2.9900 T
004413 Reg. Price	2.99	

Regular Total	21.20
Discounts	0.00

total	21.20
--------------	--------------

Sub-Total	21.20
Tax	1.73
Deposit	0.00

total	22.93
--------------	--------------

MasterCard (S)	22.93
Account: 8461	
Auth: 886294 (A)	

Total Tender	22.93
Change Due	0.00

total Discounts	0.00
------------------------	-------------

**TRANSCRIBER'S BILLING INFORMATION
DISTRICT COURT XXVII**

DATE OF INVOICE: 11/22/16

CASE #	A700018		
CASE NAME:	Mary Bryan vs. Clark County School District, et al		
HEARING DATE:	11/15/16-11/18/16, 11/22/15		
DEPARTMENT #	DISTRICT COURT 27		
ORDERED BY:	Allen Lichtenstein, Esq.		
FIRM:			
EMAIL:	allaw@lvcoxmail.com		
COURT RECORDER: Traci Rawlinson			
PHONE NUMBER: 702-671-0883			
PAYABLE TO:	Make check payable to: Clark County Treasurer County Tax ID#: 88-6000028 Include case number on check <u>Mailing Address:</u> Regional Justice Center Fiscal Services Attn: Kim Ockey 200 Lewis Ave. Las Vegas, NV 89155		
BILL AMOUNT:		CDs @ \$25 each =	\$
	22	hours @ \$40 an hour recording fee =	\$ 880.00
		pages @ \$3.80 per page of trans.=	\$
	TOTAL: (50/50 split between Plaintiff and Defendant) =		\$ 440.00
PAYABLE TO OUTSIDE TRANSCRIBER:	Make check payable to:		
BILL AMOUNT:		pages @	\$ per page of trans \$
DATE PAID:			
TRANSCRIPTS WILL NOT BE FILED OR RELEASED UNTIL PAYMENT IS RECEIVED			

DEPOSIT INVOICE

KIMBERLY LAWSON
 KARR REPORTING, INC.
 25730 East Euclid Drive
 Aurora, CO 80016

Date 11/28/2016

CLIENT

ALLEN K. LICHTENSTEIN, ESQ.
 3315 Russell Road
 No. 222
 Las Vegas, NV. 89120

Due Date 11/30/2016
 Other

Description	Qty	Rate	Amount
****DEPOSIT**** MARY BRYAN V CCSD CASE NO. A700018 DEPT NO. XXVII JUDGE: NANCY ALLF		2,000.00	2,000.00
		Subtotal	\$2,000.00
		Sales Tax (0.0%)	\$0.00
		Total	\$2,000.00

KIMBERLY LAWSON
 karreporting@comcast.net
 Tax ID No. 27-2346646

720-244-3978
 Fax 720-524-7785

FedEx Office 

FedEx Office is your destination
for printing and shipping.

5775 S Eastern Ave
Las Vegas, NV 89119
Tel: (702) 735-4402

3/15/2017 4:32:05 PM PST
Team Member: Michael S.
Customer: Laura Lichtenstein

SALE

A-Day 2 A-14-700018-	Qty 1	26.57
BW 1S on 24# Wht	186 @	0.1300 T
000330 Reg. Price	0.14	
Coil Mixed Covers	1 @	4.9900 T
000887 Reg. Price	4.99	
Price per piece	26.57	
Regular Total	28.23	
Discounts	1.66	

B-Day 2 A-14-700018-	Qty 1	25.79
BW 1S on 24# Wht	180 @	0.1300 T
000330 Reg. Price	0.14	
Coil Mixed Covers	1 @	4.9900 T
000887 Reg. Price	4.99	
Price per piece	25.79	
Regular Total	27.39	
Discounts	1.60	

C-Day 2 A-14-700018-	Qty 1	33.59
BW 1S on 24# Wht	220 @	0.1300 T
000330 Reg. Price	0.14	
Coil Mixed Covers	1 @	4.9900 T
000887 Reg. Price	4.99	
Price per piece	33.59	
Regular Total	35.79	
Discounts	2.20	

Sub-Total	85.95
Tax	7.00
Deposit	0.00

Total	92.95
-------	-------

FedEx Office 

FedEx Office is your destination
for printing and shipping.

5775 S Eastern Ave
Las Vegas, NV 89119
Tel: (702) 735-4402

3/28/2016 2:37:15 PM PST
Team Member: Michael S.


SALE

Auto Scan-To-PDF	71 @	0.4900 T
002662 Reg. Price	0.89	
Regular Total	63.19	
Discounts	28.40	
Total	34.79	

Sub-Total	34.79
Tax	2.84
Deposit	0.00
Total	37.63

MasterCard (S)	37.63
Account: 8461	
Auth: 51780P (A)	

Total Tender	37.63
Change Due	0.00

FedEx Office 

Bryan CCSD
discovery
FedEx Office is your destination
for printing and shipping.

5775 S Eastern Ave
Las Vegas, NV 89119
Tel: (702) 735-4402

10/23/2015 1:55:53 PM PST
Team Member: Lester M.

SALE

CD Burn - Add'l	1 @	9.9900 T
003025 Reg. Price	9.99	
Regular Total	9.99	
Discounts	0.00	
Total	9.99	

Sub-Total	9.99
Tax	0.81
Deposit	0.00

Total 10.80

MasterCard (S) 10.80
Account: 8461
Auth: 91125P (A)

Total Tender	10.80
Change Due	0.00

698100

FedEx Office 

FedEx Office is your destination
for printing and shipping.

5775 S Eastern Ave
Las Vegas, NV 89119
Tel: (702) 735-4402

3/16/2017 1:51:17 PM PST
Team Member: Dustin D.
Customer: Laura Lichtenstein

SALE

Quick Order	Qty 1	31.64
BW 1S on 24# Wht	205 @	0.1300 T
000330 Reg. Price	0.14	
Coil Mixed Covers	1 @	4.9900 T
000887 Reg. Price	4.99	
Price per piece	31.64	
Regular Total	33.69	
Discounts	2.05	

Sub-Total	31.64
Tax	2.58
Deposit	0.00

Total 34.22

MasterCard (S) 34.22
Account: 8461
Auth: 63686P (A)

Total Tender	34.22
Change Due	0.00

FedEx Office 

Bryan & Aaron

FedEx Office is your destination
for printing and shipping.

5775 S Eastern Ave
Las Vegas, NV 89119
Tel: (702) 735-4402

4/17/2016 7:50:52 PM PST
Team Member: Michael S.

SALE

Auto Scan To PDF	80 @	0.4900 T
002862 Reg. Price	0.69	
Regular Total	71.20	
Discounts	32.00	
Total	39.20	

Sub-Total	39.20
Tax	3.19
Deposit	0.00

Total 42.39

Visa (S) 42.39
Account: 5130
Auth: 053106 (A)

Total Tender	42.39
Change Due	0.00

001859

SOUTHWEST.COM
RAPIDREWARDSManage your account online:
www.chase.com/southwestCustomer Service:
1-800-752-0001Mobile: Visit chase.com
on your mobile device

ACCOUNT ACTIVITY

(CONTINUED)

Date of Transaction	Merchant Name or Transaction Description	\$ Amount
10/12	RIVERSIDE SEAFOOD RESTAUR SAN FRANCISCO CA	125.92
10/11	THRIFTY CAR RENTAL BOSTON MA	1,155.26
10/13	OCSF MTA IPS PRKNG METER SAN FRANCISCO CA	2.77
10/13	SAM TRUONGS 78 SAN FRANCISCO CA	45.44
10/19	EMGASSY SUITES BOSTON BOSTON MA	296.64
10/12	NEWSLINK 28 BOS E BOSTON MA	23.20
10/13	SOUTHWES 5282152882870 800-435-9792 TX	6.60
110315 1 T	LAS SFO	
10/17	CHEAP PETES SF SAN FRANCISCO CA	66.70
10/15	HARBOR COMPOUNDING&HOM 848-8420103 CA	216.90
10/16	ANDREW PALLOS DDS LAGUNA NIGUEL CA	600.00
10/19	POINTS RAPID REWARDS 800-435-9792 IL	166.00
10/19	CASA LAGUNA INN & LAGUNA BEACH CA	368.00
10/19	SOUTHWES 5262152638162 800-435-9792 TX	11.20
121215 1 S	SFO SNA	
2 S	SNA SFO	
10/19	SOUTHWES 5262152557976 800-435-9792 TX	11.20
112815 1 O	SFO SNA	
2 S	SNA SFO	
10/19	SOUTHWES 5262152643670 800-435-9792 TX	11.20
122715 1 S	SFO SNA	
2 M	SNA SFO	
10/01	F&O-Frank&Oak 855-3768625 DE	107.00
10/20	SOUTHWES 5282152820815 800-435-9792 TX	166.96
120515 1 S	SNA SFO	
2 T	SFO SNA	
10/20	SOUTHWES 5282152828508 800-435-9792 TX	186.96
111715 1 T	SNA SFO	
2 M	SFO SNA	
10/20	SOUTHWES 5282152827585 800-435-9792 TX	186.96
111015 1 T	SNA SFO	
2 M	SFO SNA	
10/20	JETBLUE 2782140001755 SALT LAKE CTY UT	688.52
121915 1 Y	BTV JFK	
2 Y	JFK SFO	
3 YO	SFO JFK	
4 YX	JFK BTV	
10/22	LUX SALON FULLERTON CA	369.24
10/22	OCSF MTA IPS PRKNG METER SAN FRANCISCO CA	4.77
10/23	ALBORZ RESTAURANT SAN FRANCISCO CA	47.64
10/24	SHELL OIL 57444216204 SAN FRANCISCO CA	39.48
10/24	FULLERTON PHOTOGRAPHIC FULLERTON CA	217.30
10/28	PPONEOC 402-936-2244 CA	550.00
10/27	THRIFTYRENTALFINECOM 677-759,5828 AZ	20.25
10/27	THE BONE ADVENTURE COSTA MESA CA	84.00
10/31	78 10098467 COSTA MESA CA	47.94
11/02	FEDEXOFFICE 000074119 LAS VEGAS NV	16.20
11/02	THE SICILIAN RISTORANTE LAS VEGAS NV	126.48
11/02	GANDHI INDIAS CUISINE LAS VEGAS NV	25.84
11/03	ANDREW PALLOS DDS LAGUNA NIGUEL CA	300.00
11/04	THANH NGOC PHAN TAXICAB SAN FRANCISCO CA	52.00
11/04	OAKLAND PARKING METER 800-500-8484 CA	4.00
11/03	ARAWAN THAI BISTRO DESSE LAS VEGAS NV	25.51
11/08	SEMTA ETH & MISSION CADA SAN FRANCISCO CA	3.50

DEPARTMENT CODE LIST

TIME : 06-26-2015 13:01

NO. DEPARTMENT

41

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	20	20	
LARGE	0	0	0	
	0	20	20	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	0	0	0	0	0	
LARGE	0	0	0	0	0	
	0	0	0	0	0	0

FAX COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK			
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK		
SMALL	0	0	0	0	0	0	0	0	0
LARGE	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0

DEPT NO. DEPARTMENT

42 Bryan, Mary/Hairr

827-20

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	0	0	
LARGE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	0	0	136	0	136	
LARGE	0	0	0	0	0	
	0	0	136	0	136	0

COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK			
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK		
SMALL	0	0	0	0	0	0	0	0	0
LARGE	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0

DEPARTMENT CODE LIST

TIME : 09-14-2015 09:28

NO. DEPARTMENT

IT COUNTER

COLOR				TWIN/MONO COLOR		
	COPY	PRINT	TOTAL	LIMIT		
LL	0	0	0		SMALL	0
SE	0	0	0		LARGE	0
	0	0	0	0		0

K

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
LL	0	0	0	0	0	
SE	0	0	0	0	0	
	0	0	0	0	0	0

COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK		
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK	
LL	0	0	0	0	0	0	0	0
SE	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0

NO. DEPARTMENT

12 Bryan, Mary/Hairr

\$ 4.00

IT COUNTER

COLOR				TWIN/MONO COLOR		
	COPY	PRINT	TOTAL	LIMIT		
L	0	20	20		SMALL	0
SE	0	0	0		LARGE	0
	0	20	20	0		0

K

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
L	0	0	0	0	0	
SE	0	0	0	0	0	
	0	0	0	0	0	0

COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK		
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK	
LL	0	0	0	0	0	0	0	0
SE	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0

DEPARTMENT CODE LIST

TIME : 12-07-2015 11:38

NO. DEPARTMENT

42 Bryan, Mary/Hairr - \$210.40

PRINT COUNTER

LL COLOR

	COPY	PRINT	TOTAL	LIMIT
ALL	0	27	27	
GE	0	0	0	
	0	27	27	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

CK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
LL	237	0	788	0	1025	
SE	0	0	0	0	0	
	237	0	788	0	1025	0

COMMUNICATION

SCAN COUNTER

FULL COLOR

TWIN/MONO COLOR

BLACK

TRANSMIT	RECEPTION		COPY	NETWORK	COPY	COPY	FAX	NETWORK
0	0	SMALL	0	0	0	118	0	0
0	0	LARGE	0	0	0	0	0	0
0	0		0	0	0	118	0	0

NO. DEPARTMENT

COUNTER

OLOR

TWIN/MONO COLOR

COPY	PRINT	TOTAL	LIMIT	COPY	PRINT	TOTAL
0	0	0		SMALL	0	0
0	0	0		LARGE	0	0
0	0	0	0		0	0

COPY	FAX	PRINT	LIST	TOTAL	LIMIT
0	0	0	0	0	
0	0	0	0	0	
0	0	0	0	0	0

UNICATION

SCAN COUNTER

FULL COLOR

TWIN/MONO COLOR

BLACK

TRANSMIT	RECEPTION		COPY	NETWORK	COPY	COPY	FAX	NETWORK
0	0	SMALL	0	0	0	0	0	0
0	0	LARGE	0	0	0	0	0	0
0	0		0	0	0	0	0	0

 K
 0
 0
 0

DEPARTMENT CODE LIST

TIME : 02-04-2016 11:59

T NO. DEPARTMENT

42 Bryan, Mary/Hairr \$190.00

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	33	33	
LARGE	0	0	0	
	0	33	33	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	82	0	838	0	920	
LARGE	0	0	0	0	0	
	82	0	838	0	920	0

FAX COMMUNICATION

SCAN COUNTER

				FULL COLOR		TWIN/MONO COLOR		BLACK		
		TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK	
SMALL	0	0	0	SMALL	0	0	0	42	0	0
LARGE	0	0	0	LARGE	0	0	0	0	0	0
	0	0	0		0	0	0	42	0	0

DEPT NO. DEPARTMENT

D 43

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	0	0	
LARGE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	0	0	0	0	0	
LARGE	0	0	0	0	0	
	0	0	0	0	0	0

FAX COMMUNICATION

SCAN COUNTER

				FULL COLOR		TWIN/MONO COLOR		BLACK		
		TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK	
SMALL	0	0	0	SMALL	0	0	0	0	0	0
LARGE	0	0	0	LARGE	0	0	0	0	0	0
	0	0	0		0	0	0	0	0	0

DEPARTMENT CODE LIST

TIME : 03-03-2016 17:53

PT NO. DEPARTMENT

42

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	39	39	
LARGE	0	0	0	
	0	39	39	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	0	0	0	0	0	
LARGE	0	0	0	0	0	
	0	0	0	0	0	0

FAX COMMUNICATION

SCAN COUNTER

	FULL COLOR		TWIN/MONO COLOR		BLACK			
	TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK
SMALL	0	0	0	0	0	0	0	0
LARGE	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0

PT NO. DEPARTMENT

42 Bryan, Mary/Halrr

567.40

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	13	13	
LARGE	0	0	0	
	0	13	13	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	21	0	303	0	324	
LARGE	0	0	0	0	0	
	21	0	303	0	324	0

FAX COMMUNICATION

SCAN COUNTER

	FULL COLOR		TWIN/MONO COLOR		BLACK			
	TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK
SMALL	0	0	0	0	0	21	0	0
LARGE	0	0	0	0	0	0	0	0
	0	0	0	0	0	21	0	0

DEPARTMENT CODE LIST

TIME : 04-03-2017 11:00

NO. DEPARTMENT

40

INT COUNTER

LL COLOR

	COPY	PRINT	TOTAL	LIMIT
ALL	0	0	0	
RGE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

ACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
ALL	0	0	0	0	0	
RGE	0	0	0	0	0	
	0	0	0	0	0	0

X COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK		
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK	
ALL	0	0	0	0	0	0	0	0
RGE	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0

PT NO. DEPARTMENT

42 Bryan, Mary/Hairr

- 823.60

INT COUNTER

LL COLOR

	COPY	PRINT	TOTAL	LIMIT
ALL	0	0	0	
RGE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

ACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
ALL	0	0	118	0	118	
RGE	0	0	0	0	0	
	0	0	118	0	118	0

X COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK		
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK	
ALL	0	0	0	0	0	0	0	0
RGE	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0

DEPARTMENT CODE LIST

TIME : 06-08-2017 10:33

DEPARTMENT

PRINT COUNTER

ALL COLOR

	COPY	PRINT	TOTAL	LIMIT
ALL	0	0	0	
GE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

FAX

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
ALL	0	0	0	0	0	
GE	0	0	0	0	0	
	0	0	0	0	0	0

COMMUNICATION

SCAN COUNTER

FULL COLOR

TWIN/MONO COLOR

BLACK

	TRANSMIT	RECEPTION		COPY	NETWORK	COPY	COPY	FAX	NETWORK
LL	0	0	SMALL	0	0	0	0	0	0
3E	0	0	LARGE	0	0	0	0	0	0
	0	0		0	0	0	0	0	0

NO. DEPARTMENT

2 Bryan, Mary/Hairr

- 44-40

PRINT COUNTER

ALL COLOR

	COPY	PRINT	TOTAL	LIMIT
L	0	141	141	
...	0	0	0	
	0	141	141	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
	0	0	81	0	81	
	0	0	0	0	0	
	0	0	81	0	81	0

COMMUNICATION

SCAN COUNTER

FULL COLOR

TWIN/MONO COLOR

BLACK

	TRANSMIT	RECEPTION		COPY	NETWORK	COPY	COPY	FAX	NETWORK
	0	0	SMALL	0	0	0	0	0	0
	0	0	LARGE	0	0	0	0	0	0
	0	0		0	0	0	0	0	0

DEPARTMENT CODE LIST

TIME : 09-01-2016 14:18

NO. DEPARTMENT

66

NT COUNTER

L COLOR

	COPY	PRINT	TOTAL	LIMIT
LL	0	0	0	
GE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

CK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
LL	0	0	0	0	0	
GE	0	0	0	0	0	
	0	0	0	0	0	0

COMMUNICATION

SCAN COUNTER

	TRANSMIT	RECEPTION		FULL COLOR		TWIN/MONO COLOR		BLACK	FAX	NETWORK
				COPY	NETWORK	COPY	COPY	COPY		
LL	0	0	SMALL	0	0	0	0	0	0	0
GE	0	0	LARGE	0	0	0	0	0	0	0
	0	0		0	0	0	0	0	0	0

NO. DEPARTMENT

12 Bryan, Mary/Hairr

16.40

IT COUNTER

L COLOR

	COPY	PRINT	TOTAL	LIMIT
LL	0	0	0	
GE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

CK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
LL	0	0	32	0	32	
GE	0	0	0	0	0	
	0	0	32	0	32	0

COMMUNICATION

SCAN COUNTER

	TRANSMIT	RECEPTION		FULL COLOR		TWIN/MONO COLOR		BLACK	FAX	NETWORK
				COPY	NETWORK	COPY	COPY	COPY		
LL	0	0	SMALL	0	0	0	0	0	0	0
GE	0	0	LARGE	0	0	0	0	0	0	0
	0	0		0	0	0	0	0	0	0

DEPARTMENT CODE LIST

TIME : 10-31-2016 11:04

DEPT NO. DEPARTMENT

42 Bryan, Mary/Hairr - 51-80

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	47	47	
LARGE	0	0	0	
	0	47	47	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	55	0	157	0	212	
LARGE	0	0	0	0	0	
	55	0	157	0	212	0

FAX COMMUNICATION

SCAN COUNTER

				FULL COLOR		TWIN/MONO COLOR		BLACK		
		TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK	
SMALL	0	0	SMALL	0	5	0	55	0	8	
LARGE	0	0	LARGE	0	0	0	0	0	0	
	0	0		0	5	0	55	0	8	

DEPT NO. DEPARTMENT

44 [REDACTED]

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	59	59	
LARGE	0	0	0	
	0	59	59	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	16	0	105	0	121	
LARGE	0	0	0	0	0	
	16	0	105	0	121	0

FAX COMMUNICATION

SCAN COUNTER

				FULL COLOR		TWIN/MONO COLOR		BLACK		
		TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK	
SMALL	0	0	SMALL	0	0	0	16	0	16	
LARGE	0	0	LARGE	0	0	0	0	0	0	
	0	0		0	0	0	16	0	16	

DEPARTMENT CODE LIST

TIME : 01-04-2017 16:18

PT NO. DEPARTMENT

37

INT COUNTER

LL COLOR

	COPY	PRINT	TOTAL	LIMIT
ALL	0	0	0	
RGE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

ACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
ALL	0	0	0	0	0	
RGE	0	0	0	0	0	
	0	0	0	0	0	0

X COMMUNICATION

SCAN COUNTER

FULL COLOR

TWIN/MONO COLOR

BLACK

	TRANSMIT	RECEPTION		COPY	NETWORK	COPY	COPY	FAX	NETWORK
ALL	0	0	SMALL	0	0	0	0	0	0
RGE	0	0	LARGE	0	0	0	0	0	0
	0	0		0	0	0	0	0	0

EPT NO. DEPARTMENT

42

Bryan, Mary/Hairr

2/82.80

RINT COUNTER

ULL COLOR

	COPY	PRINT	TOTAL	LIMIT
ALL	0	20	20	
RGE	0	0	0	
	0	20	20	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	31	0	863	0	894	
RGE	0	0	0	0	0	
	31	0	863	0	894	0

FAX COMMUNICATION

SCAN COUNTER

FULL COLOR

TWIN/MONO COLOR

BLACK

	TRANSMIT	RECEPTION		COPY	NETWORK	COPY	COPY	FAX	NETWORK
SMALL	0	0	SMALL	0	2	0	31	0	49
LARGE	0	0	LARGE	0	0	0	0	0	0
	0	0		0	2	0	31	0	49

STATE BAR OF NEVADA

COPY

YOUR ACCOUNT IS PAST DUE
ANNUAL RENEWAL INVOICE FOR ASSOCIATION OF COUNSEL
RETURN THIS FORM WITH ANY CORRESPONDENCE

May 30, 2017

Out of State Counsel ID: 39419
 John Houston Scott
 Scott Law Firm
 1388 Sutter Street
 Suite 715
 San Francisco, CA 94109



3100 W. Charleston Blvd.
 Suite 100
 Las Vegas, NV 89102
 phone 702.382.2200
 toll free 800.254.2797
 fax 702.385.2878

9456 Double R Blvd., Ste. B
 Reno, NV 89521-5977
 phone 775.329.4100
 fax 775.329.0522

www.nvbar.org

Case Name: Mary Bryan v Clark County School District

Case Number: A-14-700018-C

Date of Application: May 28, 2015 Renewal Period: 5/28/2016-5/28/2017

Due Date: Payment is due annually on application date.

**YOU ARE REQUIRED TO NOTIFY THE STATE BAR OF IF THIS CASE HAS CLOSED OR IF
 YOU HAVE WITHDRAWN.**

Your annual renewal fee pursuant to SCR42(9) is PAST DUE. If your admission status is not resolved within 14 days of this letter, the State Bar of will suspend you.

Check those that apply and complete all subsections applicable.

1. ☒ The case remains pending before a state court. A check payable to the State Bar of Nevada in the amount of \$500 representing the annual renewal fee pursuant to SCR 42 (9) is enclosed.

2. ☐ The above-referenced out-of-state attorney has withdrawn from this case. Therefore, no renewal fee under SCR 42 is applicable.

Date out-of-state counsel withdrew: _____

3. ☐ My party, _____, was dismissed, therefore I will no longer be practicing on this case. Date dismissed: _____

4. ☐ The cause has been finally adjudicated SCR 42(9)(a)(2). Date case closed: _____

5. ☐ Attorney is now licensed within the state of . Please provide bar number. No renewal fee due.

Please return only ONE response via email, fax OR mail. Please do not submit duplicate responses.

Payments/Responses should be mailed or emailed to:
 State Bar of Nevada, 3100 W. Charleston Blvd., Suite 100
 Las Vegas, NV 89102
 Phone 702-317-1424, maryj@nvbar.org

SCOTT LAW FIRM
GENERAL ACCOUNT
 1388 SUTTER ST STE 715
 SAN FRANCISCO, CA 94109

Bank of America
 ACH R/T 121000358

2153

11-35/1210 CA
 81302

6/8/2017

PAY TO THE ORDER OF State Bar of Nevada

\$ **500.00

Five Hundred and 00/100

DOLLARS

State Bar of Nevada
 3100 W. Charleston Blvd.
 Suite 100
 Las Vegas, NV 89102



AUTHORIZED SIGNATURE

MEMO Assoc. of Counsel Renewal - Case A-14-700018 C (

⑈002153⑈ ⑆121000358⑆ 325014791640⑈

SCOTT LAW FIRM

GENERAL ACCOUNT

2153

State Bar of Nevada
 Client Costs

6/8/2017

Assoc. of Counsel Renewal - Case A-14-700018 C (

500.00

General Checking acc Assoc. of Counsel Renewal - Case A-14-700018

500.00

SCOTT LAW FIRM

GENERAL ACCOUNT

2153

State Bar of Nevada
 Client Costs

6/8/2017

Assoc. of Counsel Renewal - Case A-14-700018 C (

500.00

General Checking acc Assoc. of Counsel Renewal - Case A-14-700018

500.00

EXHIBIT 3

DECLARATION OF CLYDE DEWITT

001873

001873

1 Clyde DeWitt
 Nevada State Bar No. 9791
 2 California State Bar No. 117911
 Texas State Bar No. 05670700
 3 Law Offices of Clyde DeWitt,
 A Nevada Professional Corporation
 4 410 South Rampart Boulevard, Suite 420
 Las Vegas, NV 89145-5719
 5 (702) 386-1756; fax (702) 441-0308
clydedewitt@earthlink.net
 6

7
 8 **IN THE DISTRICT COURT COURT**
 9 **FOR THE EIGHT JUDICIAL DISTRICT**

10 MARY BRYAN, mother of ETHAN
 11 BRYAN; AIMEE HAIRR, mother of
 NOLAN HAIRR,

12 Plaintiffs,

13 v.

14 CLARK COUNTY SCHOOL DISTRICT,

15 Defendant.
 16
 17
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 22
 23
 24
 25

Case Number A-14-700018-C

Dept. 27

Hon. Nancy L. Alf

**DECLARATION OF CLYDE
 DeWITT IN SUPPORT OF
 PLAINTIFF'S APPLICATION
 FOR ATTORNEYS FEES**

(28 U.S.C. § 1756; 42 U.S.C. § 1988)

1 **DECLARATION OF CLYDE DeWITT**
2 **IN SUPPORT OF PLAINTIFF'S**
3 **APPLICATION FOR ATTORNEYS FEES**
4 **(28 U.S.C. § 1756; 42 U.S.C. § 1988)**
5

6 I, CLYDE DeWITT, declare as follows:

7 1. I am an attorney, practicing in Clark County, Nevada as indicated above,
8 in connection with which I have, unless otherwise indicated, personal knowledge of
9 the following:
10

11 ***Declarant's Background***

12 2. I have been an attorney for just under 44 years, first admitted in Texas
13 in 1973 after graduating from the University of Houston Law Center, where I served
14 on the Board of Editors of the Houston Law Review and received other honors.¹

15 3. I served as an assistant district attorney in Houston (Office of the Harris
16 County District Attorney) for over seven years after graduating from law school,
17 spending approximately three years in the appellate division and the last
18 approximately two years as general counsel for the district attorney. In the latter
19 position, I was responsible for defending lawsuits against the district attorney and
20 members of his office, as well as some against the Harris County Sheriff's
21 Department. Most all of those those lawsuits were brought pursuant to 42 U.S.C.
22 § 1983 ("section 1983").
23

24 ¹ I was admitted in California 1985, practicing there from then until
25 approximately 2012. I was admitted in Nevada in 2006; and have practiced here since
26 2007. (From 2007 to 2012, I maintained offices in both California and Nevada.)

1 4. From 1980 to 2008, I was associated in one form or another with the
2 Beverly Hills, California firm of Brown, Weston & Sarno and its successor firms.²
3 The focus of that firm was the defense of constitutional rights of individuals and
4 businesses engaged in erotic expression of one form or another. That largely
5 consisted of suits pursuant to section 1983, charging local governments with violation
6 of First Amendment rights or threats to enforce ordinances that would do so.

7 5. During my tenure with that firm, Mr. Weston argued six cases that were
8 granted plenary review in the United States Supreme Court, all involving First
9 Amendment rights and all but one filed under section 1983.³ With the exception of
10 the *Brockett* case, I was substantially involved in the preparation of the petition for
11 certiorari or opposition thereto, the briefs on the merits and the oral argument in each
12 of those cases.

13 6. As lead counsel, while in the district attorneys office, I defended lawsuits
14 based primarily on section 1983 in courts in Houston, primarily United States District
15 Court for the Southern District of Texas, including at least several court trials and one
16 jury trial. In private practice since then (both when with a firm and as a sole
17 practitioner), I have been lead plaintiff counsel in dozens of section 1983 actions,
18

19 ² Some dates being approximate, the firm was Brown, Weston & Sarno
20 from 1980 to 1988; Weston & Sarno from 1988 to 1992, Weston Sarno Garrou &
21 DeWitt from 1991 to 1994; Weston, Garrou & DeWitt from 1994 to 2003; and
22 Weston, Garrou, DeWitt & Walters from 2003 until my departure in early 2008.

23 ³ *Brockett v. Spokane Arcades, Inc.*, 472 U.S. 491 (1985); *Fort Wayne*
24 *Books, Inc. v. Indiana*, 489 U.S. 46 (1989); *FW/PBS, Inc. v. Dallas*, 493 U.S. 215
25 (1990); *Alexander v. United States*, 509 U.S. 544 (1993); *Erie v. Pap's AM*, 529 U.S.
26 277 (2000); and *City of Los Angeles v. Alameda Books, Inc.*, 535 U.S. 425 (2002).
27 All of those cases were brought under section 1983 except *Alexander*, which was a
28 First Amendment challenge to a criminal forfeiture in connection with RICO-
obscenity convictions.

1 almost all challenging violations of the First and Fourteenth Amendments by local
2 governmental bodies. As to the latter, those lawsuits have been brought in at least ten
3 United States districts⁴ and in several state courts. As lead counsel, I have briefed and
4 argued section-1983 cases in the United States Courts of Appeals for the Fifth,
5 Seventh, Ninth and Eleventh Circuits, as well as several state appellate courts.

6 7. I am a former president and national chair of the First Amendment
7 Lawyers Association.⁵ Over the last 30 years, I have lectured about constitutional
8 rights, regularly to that organization and periodically to others.⁶

9 8. Pursuant to 42 U.S.C. § 1988, I have been awarded in the neighborhood
10 of a million dollars in attorneys fees over the years in various cases, including by
11 settlement.⁷

12 9. Based upon the above, I have become familiar with the rates charged by
13 attorneys in both Southern California and the Las Vegas community, which I have

14
15 ⁴ The ones I can presently recall are the Central, Northern and Southern
16 Districts of California; the Southern District of Florida; the Northern District of
17 Illinois; the District of Arizona; the Northern District of Texas; the Western District
18 of Missouri; the Northern District of Ohio; and the District of Nevada.

19 ⁵ The First Amendment Lawyers Association ("FALA") is a national
20 group that has been in existence since the 1960s. Its membership has varied over the
21 years, averaging about 150 attorneys whose practice substantially involves First
22 Amendment rights. I was an officer of FALA from approximately 1987 to 1992,
23 being the president and national chair between 1990 and 1992.

24 ⁶ Some that come to mind are the Beverly Hills Bar Association; Western
25 Michigan University Cooley Law School in Grand Rapids, MI; Cal. State University
26 - Fullerton; and the Free Speech Coalition.

27 ⁷ The most recent such case that was contested was *Seven Cities*
28 *Enterprises, Inc. v. City of Salinas*, Case No. 5:08-cv-01563-JW, ECF Docket
Document No. 57 (N.D. Cal., June 3, 2009). There, I sought \$425/hour, my then
current rate; and was awarded \$400/hour, a total of \$81,064.00. Notably, the court there
considered, incorrectly I believe, the fact that I was representing a longstanding client at a reduced
\$390/hour rate.

1 found are not materially different. In particular, I am familiar with the fees awarded
2 in section-1983 cases pursuant to 42 U.S.C. § 1988.

3 10. Additionally, I am familiar with the general market for experienced
4 attorneys in the Southern Nevada and Southern California markets.

5 11. Accordingly, believe that I am capable of evaluating the value of
6 attorney services provided in section-1983 cases in Clark County, Nevada.

7 12. Constitutional law in general and lawsuits under section 1983 in
8 particular are substantial specialties, as much as patent law, trademark law, copyright
9 law and so on. Because the conflict between government, with its instinct to maintain
10 order and the individual liberties granted under the Bill of Rights and federal statutes,
11 many conflicts in this area (including quite a few) are associated with strong political
12 and emotional issues. As such, appellate courts, and particularly the Supreme Court,
13 many times tend to decide cases influenced by political beliefs. Accordingly, analysis
14 of precedent in this area is remarkably complex.

15
16 ***Declarant's Familiarity with Plaintiff's Counsel, Allen Lichtenstein***

17 13. I have known Allen Lichtenstein for at least 15 years. During those
18 years, I have on many occasions discussed issues concerning constitutional rights
19 with him as we each are involved with such litigation; and, accordingly, we often
20 seek ideas from each other about such matters. Additionally, we each are members
21 of FALA, where I have attended quite a few of his lectures. Those impressed me as
22 being thorough, well-researched and including insightful analysis.

23 14. Most significantly, Mr. Lichtenstein and I were involved together in the
24 trial of *S.O.C., Inc., et al. v. Clark County*, No. 2:97-cv-00123-LDG-RJJ, in the
25

1 United States District Court for the District of Nevada. There, I represented Plaintiff
2 Hillsboro Enterprises, Inc.; Mr. Lichtenstein represented Intervener American Civil
3 Liberties Union of Nevada. Accordingly, we worked together, as we were aligned
4 with the same objectives.

5 15. I had the opportunity to review Mr. Lichtenstein's written work in that
6 case, which was absolutely outstanding, and his conduct of the trial, which also was
7 excellent. Particularly, his written work was as thorough and concise as any I have
8 seen.

9
10 ***This Case***

11 16. In the above-captioned matter, I have reviewed the First Amended
12 Complaint (October 10, 2014), Plaintiffs' Pre-Trial Memorandum (November 8,
13 2016); the Court's Decision and Order (June 29, 2017); and the Findings of Fact and
14 Conclusions of Law (July 20, 2017).

15 17. Having done so, I find that Plaintiffs' counsel has accomplished an
16 excellent result in vindicating the rights of victims of violations of the Constitution
17 and federal law. The written work is excellent, typifying Mr. Lichtenstein's abilities.

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27 Page 6

CD

28 DECLARATION OF CLYDE DeWITT

Case Number A-14-700018-C

1 18. I am told that Mr. Lichtenstein seeks \$600/hour pursuant to 42 U.S.C.
2 § 1988. Based upon the above, I believe that to be a reasonable request.⁸

3 I declare under penalty of perjury under the laws of the United States of
4 America that the foregoing is true and correct.

5 Signed this 8th day of August, 2017.

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Clyde DeWitt

21 ⁸ I note, as an aside, that the Laffey Matrix assigns rates well over
22 \$500/hour for Washington D.C. and, particularly Southern California for attorneys,
such as Mr. Lichtenstein, with over 20 years experience.

23 www.justice.gov/usao/dc/divisions/civil.html

24 [http://www.callawyer.com/2015/11/how-to-prove-an-attorneys-reasonable-](http://www.callawyer.com/2015/11/how-to-prove-an-attorneys-reasonable-hourly-rates/)
25 [hourly-rates/](http://www.callawyer.com/2015/11/how-to-prove-an-attorneys-reasonable-hourly-rates/)

(CD)

41

41



Allen Lichtenstein (NV State Bar No. 3992)
ALLEN LICHTENSTEIN, LTD.
3315 Russell Road, No. 222
Las Vegas, NV 89120
Tel: 702.433-2666
Fax: 702.433-9591
allaw@lvcoxmail.com

John Houston Scott (CA Bar No. 72578)
Admitted Pro Hac Vice
SCOTT LAW FIRM
1388 Sutter Street, Suite 715
San Francisco, CA 94109
Tel: 415.561-9601
john@scottlawfirm.net

*Attorneys for Plaintiffs, Mary Bryan, Ethan Bryan,
Aimee Hairr and Nolan Hairr*

DISTRICT COURT
CLARK COUNTY, NEVADA

MARY BRYAN, mother of ETHAN BRYAN;
AIMEE HAIRR, mother of NOLAN HAIRR,

Plaintiffs,

vs.

CLARK COUNTY SCHOOL DISTRICT
(CCSD)

Defendant .

Case No. A-14-700018-C

Dept. No. XXVII

**PLAINTIFFS' RESPONSE TO
DEFENDANTS' MOTION TO RETAX
COSTS**

Department: XXVII

Plaintiffs have reviewed Defendant's Motion to Retax Costs that have made the following adjustments, resulting in a revised total cost amount of \$20, \$672.32, as reflected in attached Exhibit 1. Defendants' motion listed ten separate areas. Plaintiffs' response to each is as follows.

A. The e-file fee has been adjusted to \$280.50. As for the question of an additional \$30 fee for Aimee Hairr, Plaintiffs are willing to forgo that.

B. The supporting documentation for in house copies and faxes can be found in the attached Exhibit 2.

1 J. Costs paid by CCSD in the amount of \$182 has been removed.

2 Dated this 14th day of August 2017

3 Respectfully submitted by:

4 /s/Allen Lichtenstein
5 Allen Lichtenstein
6 Nevada Bar No. 3992
7 ALLEN LICHTENSTEIN LTD.
8 3315 Russell Road, No. 222
9 Las Vegas, NV 89120
10 Tel: 702.433-2666
11 Fax: 702.433-9591
12 allaw@lvcoxmail.com

13 John Houston Scott (CA Bar No. 72578)
14 Admitted Pro Hac Vice
15 SCOTT LAW FIRM
16 1388 Sutter Street, Suite 715
17 San Francisco, CA 94109
18 Tel: 415.561.9601
19 john@scottlawfirm.net
20 *Attorneys for Plaintiffs, Mary Bryan, Ethan Bryan,*
21 *Aimee Hairr and Nolan Hairr*

22 **CERTIFICATE OF SERVICE**

23 I hereby certify that I served the following Plaintiffs' Response to Defendants' Motion to
24 Retax Costs via Court's electronic filing and service system and/or United States Mail and/or e-
25 mail on the 14th day of August 2017, to:

26 Dan Polsenberg
27 Dan Waite
28 Lewis Rocha Rothgerber Christie
3993 Howard Hughes Pkwy., Suite 600
Las Vegas, NV 89169-5996

DPolsenberg@lrrc.com
DWaite@lrrc.com

/s/ Allen Lichtenstein

EXHIBIT 1

Plaintiffs' Costs and Disbursements

In Reference To: Mary Bryan and Amy Hairr v Clark County School District (CCSD) et. al,
(Case No. A-14-700018-C)

COSTS	Amount
8/22/2014 Hearing transcript (Lichtenstein).	60.00
6/19/2015 Printing disclosures (Lichtenstein).	63.77
6/22/2015 Mailing disclosures (Lichtenstein).	5.95
6/30/2015 Copies and Faxes made in office 06/01/2015-06/30/2015.	27.20
8/31/2015 Copies and Faxes made in office 08/01/2015-08/31/2015.	4.00
10/23/2015 Discovery CD (Lichtenstein).	10.80
11/2/2015 Deposition of Warren McKay (Depo International Inv #23223).	1,534.68
Deposition transcript of Warren McKay (Depo International Inv #23293).	877.98
11/3/2015 Deposition of Cheryl Winn (Depo International Inv #23263).	1,590.00
Deposition transcript of Cheryl Winn (Depo International Inv #23417).	928.73
11/16/2015 Deposition of Deanna Wright (Depo International Inv #23637).	603.42
Deposition transcript of Deanna Wright (Depo International Inv #23662).	416.15
Wright deposition transcript (Lichtenstein).	19.46
11/30/2015 Copies and Faxes made in office 10/01/2015-11/30/2015.	210.40
12/22/2015 Deposition of Nolan Michael Hairr (Litigation Services, Inv #1044327).	1,183.05
1/5/2016 Deposition of C L (Western Reporting Services, Inv #49962).	372.80
1/6/2016 Deposition of Aimee Olivia Hairr (Litigation Services, Inv #1046125).	960.58
1/13/2016 Deposition of D M (Western Reporting Services, Inv #49981).	379.30
1/21/2016 Deposition of Ethan Bryan (Litigation Services, Inv #1048764).	1,138.50
1/25/2016 Deposition of Leonard Depiazza (Depo International Inv #24752).	815.00
1/26/2016 Deposition of Robert Beaseley (Depo International Inv #24805).	533.00
1/27/2016 Deposition transcript of John Edwin Halpin (Depo International Inv #24899).	325.76
Deposition of John Edwin Halpin (Depo International Inv #24897).	589.50
1/28/2016 Deposition transcript of Andre Joseph Long (Depo International Inv #24902).	556.83
Deposition of Andre Joseph Long (Depo International Inv #24901).	947.50
1/31/2016 Copies and Faxes made in office 01/01/2016-01/31/2016.	190.60
2/5/2016 Deposition of Mary Bryan (Litigation Services, Inv #1051615).	1,031.40
2/16/2016 Deposition of Heath Hairr (Litigation Services, Inv #1051615).	160.00

Deposition of Gina Abbaduto (Litigation Services, Inv #1053295).	607.25
2/19/2016 Deposition of Asheesh Dewan, MD (Litigation Services, Inv #1053578).	135.95
Deposition of Edmond Faro, MD (Litigation Services, Inv #1053610).	182.10
2/24/2016 Deposition of Dennis Moore, MD (Litigation Services, Inv #1052063).	236.35
2/29/2016 Copies and Faxes made in office 02/01/2016-02/29/2016.	67.40
3/17/2016 Federal Express shipment to Allen Lichtenstein, Las Vegas, NV (FedEx #775904967664).	32.49
3/28/2016 Documents scanned to PDF (Lichtenstein)	37.63
4/1/2016 Documents scanned to PDF (Lichtenstein).	42.39
4/21/2016 Efile transactions for Mary Bryan - 04/30/2014-04/21/2016 (Lichtenstein).	280.50
4/29/2016 Lewis Roca transcript fee (Lichtenstein).	90.14
8/31/2016 Copies and Faxes made in office 08/01/2016-08/31/2016.	6.40
10/31/2016 Copies and Faxes made in office 10/01/2016-10/31/2016.	51.80
11/9/2016 Federal Express shipment to Allen Lichtenstein, Las Vegas, NV (FedEx #7777679212411).	115.11
Depo transcript of Robert Beasley, taken 1/26/2016 (Depo International Inv #30045).	46.00
Depo transcript of Cheryl Winn, taken 11/16/2015 (Depo International Inv #30044).	151.00
Depo transcript of Warren McKay, taken 11/2/2015 (Depo International Inv #30046).	137.00
11/9/2016 Depo transcript of Deanna Wright, taken 11/16/2015 (Depo International Inv #30047).	51.00
Binders and tabs for trial (Lichtenstein).	47.48
11/15/2016 District Court Transcript of Trial 11/15/16-11/18/16, 11/22/16	440.00
11/28/2016 Court reporter deposit and service (Kimberly Lawson Karr Reporting Inv #11/28/2016.	2000.00
12/31/2016 Copies and Faxes made in office 12/01/2016-12/31/2016.	182.80
3/15/2017 Copies and binding. (Lichtenstein).	92.95
3/16/2017 Copies and binding. (Lichtenstein).	34.22
3/31/2017 Copies and Faxes made in office 03/01/2017-03/31/2017.	23.60
5/31/2017 Copies and Faxes made in office during 05/01/2017-05/31/2017.	44.40
Total Costs	<u>\$20,672.32</u>

Financial

Bryan, Mary				
Total Financial Assessment				\$280.50
Total Payments and Credits				\$280.50
4/30/2014	Transaction Assessment			\$270.00
4/30/2014	Efile Payment	Receipt # 2014-50310-CCCLK	Bryan, Mary	(\$270.00)
7/27/2015	Transaction Assessment			\$3.50
7/27/2015	Efile Payment	Receipt # 2015-78718-CCCLK	Bryan, Mary	(\$3.50)
3/21/2016	Transaction Assessment			\$3.50
3/21/2016	Efile Payment	Receipt # 2016-28459-CCCLK	Bryan, Mary	(\$3.50)
4/21/2016	Transaction Assessment			\$3.50
4/21/2016	Efile Payment	Receipt # 2016-38796-CCCLK	Bryan, Mary	(\$3.50)
Clark County School District, et al				
Total Financial Assessment				\$182.00
Total Payments and Credits				\$182.00
6/30/2014	Transaction Assessment			\$3.50
6/30/2014	Efile Payment	Receipt # 2014-75526-CCCLK	Clark County School District,	(\$3.50)
7/1/2014	Transaction Assessment			\$3.50
7/1/2014	Efile Payment	Receipt # 2014-75811-CCCLK	Clark County School District,	(\$3.50)
8/1/2014	Transaction Assessment			\$3.50
8/1/2014	Efile Payment	Receipt # 2014-88628-CCCLK	Clark County School District,	(\$3.50)
8/1/2014	Transaction Assessment			\$3.50
8/1/2014	Efile Payment	Receipt # 2014-88733-CCCLK	Clark County School District,	(\$3.50)
8/7/2014	Transaction Assessment			\$3.50
8/7/2014	Efile Payment	Receipt # 2014-90709-CCCLK	Clark County School District,	(\$3.50)
9/10/2014	Transaction Assessment			\$3.50
9/10/2014	Efile Payment	Receipt # 2014-103862-CCCLK	Clark County School District,	(\$3.50)
9/10/2014	Transaction Assessment			\$3.50
9/10/2014	Efile Payment	Receipt # 2014-104055-CCCLK	Clark County School District,	(\$3.50)
11/18/2014	Transaction Assessment			\$3.50
11/18/2014	Efile Payment	Receipt # 2014-129961-CCCLK	Clark County School District,	(\$3.50)
11/20/2014	Transaction Assessment			\$3.50
11/20/2014	Efile Payment	Receipt # 2014-130847-CCCLK	Clark County School District,	(\$3.50)
12/9/2014	Transaction Assessment			\$3.50
12/9/2014	Efile Payment	Receipt # 2014-137192-CCCLK	Clark County School District,	(\$3.50)
12/10/2014	Transaction Assessment			\$3.50
12/10/2014	Efile Payment	Receipt # 2014-137325-CCCLK	Clark County School District,	(\$3.50)
1/16/2015	Transaction Assessment			\$3.50

001886

EXHIBIT 2

DEPARTMENT CODE LIST

TIME : 06-26-2015 13:01

NO. DEPARTMENT

41

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	20	20	
LARGE	0	0	0	
	0	20	20	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	0	0	0	0	0	
LARGE	0	0	0	0	0	
	0	0	0	0	0	0

FAX COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK		
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK	
SMALL	0	0	0	0	0	0	0	0
LARGE	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0

DEPT NO. DEPARTMENT

42

Bryan, Mary/Hairr

-827-20

PRINT COUNTER

FULL COLOR

	COPY	PRINT	TOTAL	LIMIT
SMALL	0	0	0	
LARGE	0	0	0	
	0	0	0	0

TWIN/MONO COLOR

	COPY	PRINT	TOTAL
SMALL	0	0	0
LARGE	0	0	0
	0	0	0

BLACK

	COPY	FAX	PRINT	LIST	TOTAL	LIMIT
SMALL	0	0	136	0	136	
LARGE	0	0	0	0	0	
	0	0	136	0	136	0

FAX COMMUNICATION

SCAN COUNTER

		FULL COLOR		TWIN/MONO COLOR		BLACK		
TRANSMIT	RECEPTION	COPY	NETWORK	COPY	COPY	FAX	NETWORK	
SMALL	0	0	0	0	0	0	0	0
LARGE	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0