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Attorney for *Plaintiffs*,
HOWARD and JENNA SHAPIRO

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Sep 21 2017 04:00 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA**

HOWARD SHAPIRO and JENNA
SHAPIRO,

Plaintiffs,

v.

GLEN WELT, RHODA WELT, LYNN
WELT, MICHELLE WELT, individuals;
CHECKSNET.COM, a corporation; DOES I
through X, and ROE CORPORATIONS I
through X, inclusive,

Defendants.

CASE NO.: A-14-706566-C
DEPT. NO.: XXVII

CASE APPEAL STATEMENT

Pursuant to the Nevada Rules of Appellate Procedure 3(f)(1), Plaintiffs, HOWARD SHAPIRO and JENNA SHAPIRO, (hereinafter referred to as "Plaintiffs"), by and through their attorney of record, ALEX B. GHIBAUDO, ESQ., of the law firm of ALEX B. GHIBAUDO, P.C., hereby submits their Case Appeal Statement:

1. District Court Case Number and Caption Showing Names of All Parties:

Case No.: A-14-706566-C

1 Caption: Howard Shapiro and Jenna Shapiro vs. Glen Welt, Rhoda Welt, Lynne
2 Welt, Michelle Welt, individuals; Checksnet.com, a corporation; DOES I
3 through X, and ROE CORPORATIONS I through X.

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2. Name of the Judge Who Issued the Decision, Judgment, or Order Appealed:

The Honorable Nancy Allf, Eighth Judicial District Court Judge, Dept. 27

3. Appellants and the Name and Address of Counsel for each Appellant:

Appellants: Howard and Jenna Shapiro

Counsel for Appellants: Alex B. Ghibaud, Esq.
ALEX B. GHIBAUDO, P.C.
703 South 8th Street
Las Vegas, Nevada 89101

4. Names and addresses of each of the Respondents and the Address of Counsel for each Respondent (if the name of a respondent's appellate counsel is not known, then the name and address of that respondent's trial counsel):

Respondents: Glen Welt, Rhoda Welt, Lynn Welt and Michelle Welt

Counsel for Respondents: Michael P. Lowery, Esq.
WILSON ELSER MOSKOWITZ
EDELMAN & DICKER, LLP
300 South Fourth Street, 11th Floor
Las Vegas, Nevada 89101

5. Indicate whether an attorney identified in response to Question 3 or 4 is not licensed to practice law in the State of Nevada, and if so, whether the District Court granted that attorney permission to appear under SCR 42 (attach a copy of any District Court Order granting such permission):

Appellants believe that all counsel that are referenced above are licensed to practice law in the State of Nevada.

6. Indicate whether Appellants were represented by appointed counsel in the District Court, and whether the appellants are represented by appointed counsel on appeal:

Appellants are represented by retained counsel.

7. Indicate whether the District Court granted the Appellants leave to proceed *forma pauperis*, and if so, the date of the District Court's order granting that leave:

Appellants have retained counsel to represent them.

1 8. The date that the proceedings commenced in the District Court:

2 Complaint was filed on September 9, 2014

3 9. A brief description of the nature of the action and result in the District Court, including
4 the type of judgment or order being appealed and the relief granted by the District
5 Court:

6 This appeal involves the dismissal of the Appellants' defamation claim based on NRS
7 41.637(4), the State of Nevada's "Anti-SLAPP"

8 10. Indicate whether the case has previously been the subject of an appeal to or original
9 write proceeding in the Supreme Court or Court of Appeals and, if so, the caption and
10 docket number(s) of the prior proceeding(s):

11 Nevada Supreme Court Docket Numbers: 67363 and 67596

12 11. Indicate whether the appeal involves the possibility of settlement:

13 Appellants believe that this case is unlikely to settle.

14 DATED this 13th day of September, 2017.

15 ALEX B. GHIBAUDO, P.C.

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17 By: /s/ Alex B. Ghibaudo, Esq.
18 Alex B. Ghibaudo, Esq.
19 Nevada Bar No.: 010592
20 703 S. 8th Street
21 Las Vegas, Nevada 89101
22 Attorney for *Plaintiffs*,
23 *HOWARD and JENNA SHAPIRO*
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Michael P. Lowery, Esq.
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300 South Fourth Street, 11th Floor
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*Attorneys for Defendants,
Glen Welt, Rhoda Welt, Lynn Welt and Michelle Welt*

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