

1 **NOAS**  
2 BRANDON L. PHILLIPS, ESQ  
3 Nevada Bar No. 12264  
4 BRANDON L. PHILLIPS, ATTORNEY AT LAW, PLLC  
5 1455 E. Tropicana Ave., Suite 750  
6 Las Vegas, Nevada 89169  
(702) 795-0097, (702) 795-0098 fax  
7 blp@abetterlegalpractice.com  
8 Attorney for Plaintiffs, Tae-Si Kim and Jin-Sung Hong

Electronically Filed  
Jan 05 2018 10:38 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

7 **EIGHT JUDICIAL DISTRICT COURT**  
8 **COUNTY OF CLARK, STATE OF NEVADA**

9 TAE-SI KIM, an Individual, and JIN-SUNG  
10 HONG, an Individual.

CASE NO. A-17-756785-C

11 Plaintiffs,

DEPT. NO. XXIV

12 v.

13 GIBSON LOWRY BURRIS, LLP, (now  
14 known as GIBSON LOWRY, LLP), a  
15 Nevada limited liability partnership;  
16 DICKINSON WRIGHT, PLLC, a Nevada  
17 Professional limited liability company;  
18 STEVE A. GIBSON, ESQ., an Individual;  
19 JODI DONETTA LOWRY, ESQ. an  
20 Individual; JONATHAN M.A. SALLS,  
21 ESQ., an Individual; ERIC DOBBERSTEIN,  
22 ESQ., an Individual; and MICHAEL G.  
23 VARTANIAN, ESQ., an Individual; and  
24 DOES I through X, inclusive, and ROE  
25 BUSINESS ENTITIES XI through XX,  
26 inclusive,

27 Defendants.

28 **NOTICE OF APPEAL**

Please take notice that Plaintiffs, TAE-SI KIM and JIN SUNG HONG as individuals,  
(hereinafter referred to as "Plaintiff") by and through their attorney, BRANDON L. PHILLIPS,  
ESQ., of the law firm of BRANDON L. PHILLIPS, ATTORNEY AT LAW, PLLC hereby appeal  
to the Supreme Court of Nevada and/or the Appeals Court of the State of Nevada from:

1. The Court's Order Granting Defendants' Motion to Dismiss;

1           2.       The Court's Order Denying Plaintiffs' Motion to Reconsider Granting Defendants'  
2                   Motion to Dismiss;

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

5       Dated this 22<sup>nd</sup> day of December, 2017.

6                               BRANDON L. PHILLIPS, ATTORNEY AT LAW, PLLC

7                               /s/ Brandon L. Phillips

8                               BRANDON L. PHILLIPS, ESQ

9                               Nevada Bar No. 12264

10                              1455 E. Tropicana Ave., Suite 750

11                              Las Vegas, Nevada 89119

12                              (702) 795-0097, (702) 795-0098 fax

13                              blp@abetterlegalpractice.com

14                              Attorney for Plaintiffs  
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1 **PROOF OF SERVICE**

2 **CERTIFICATE OF SERVICE**

3 Pursuant of NRCP 5(b), I hereby certify that I am an employee of BRANDON L.  
4 PHILLIPS, ATTORNEY AT LAW, PLLC, and that on the 22<sup>nd</sup> day of December, 2017, I served  
5 a true copy of the of the documents listed below by E-Service and in the U.S. Mail to the  
6 following address:

7 **Document Served: Notice of Appeal**

8 **Person(s) Served:**

9 **Attorneys for Defendants**

10 **Dickinson Wright, PLLC**

11 **Jodi Donetta Lowry, Esq.**

12 **Jonathan M.A. Salls, Esq.**

13 **Eric Dobberstein, Esq.**

**Michael G. Vartanian, Esq.**

14 **Morris Law Group**

15 **Steve Morris, Esq.**

**Ryan M. Lower, Esq.**

16  
17 ☐ Via Facsimile:

18 ☐ Mail

☐ Personal Delivery

19 ☒ Electronic Notice

20  
21  
22 /s/ Brandon L. Phillips

23 An employee of BRANDON L. PHILLIPS,  
24 ATTORNEY AT LAW, PLLC  
25  
26  
27  
28

DEPARTMENT 24  
**CASE SUMMARY**  
**CASE NO. A-17-756785-C**

**Tae-Si Kim, Plaintiff(s)**  
**vs.**  
**Gibson Lowry Burris LLP, Defendant(s)**

§  
§  
§  
§  
§

Location: **Department 24**  
Judicial Officer: **Crockett, Jim**  
Filed on: **06/12/2017**  
Cross-Reference Case Number: **A756785**

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**CASE INFORMATION**

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Case Type: **Legal Malpractice**

Case Flags: **Appealed to Supreme Court**

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**DATE**

**CASE ASSIGNMENT**

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**Current Case Assignment**

Case Number	A-17-756785-C
Court	Department 24
Date Assigned	06/12/2017
Judicial Officer	Crockett, Jim

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**PARTY INFORMATION**

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**Plaintiff**

**Hong, Jin-Sung**

**Phillips, Brandon L**  
*Retained*  
702-795-0097(W)

**Kim, Tae-Si**

**Phillips, Brandon L**  
*Retained*  
702-795-0097(W)

**Defendant**

**Dickinson Wright PLLC**  
Removed: 10/17/2017  
Dismissed

**Dobberstein, Eric, ESQ**  
Removed: 10/17/2017  
Dismissed

**Donetta Lowry, Jodi, ESQ**  
Removed: 10/17/2017  
Dismissed

**Gibson Lowry Burris LLP**

**Gibson, Steven A.**  
*Retained*  
702-541-7888(W)

**Gibson, Steve A, ESQ**

**Salls, Jonathan M A, ESQ**  
Removed: 10/17/2017  
Dismissed

**Vartanian, Michael G, ESQ**  
Removed: 10/17/2017  
Dismissed

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**DATE**

**EVENTS & ORDERS OF THE COURT**

**INDEX**














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06/12/2017















Complaint  
Filed By: Plaintiff Kim, Tae-Si  
*Complaint*

DEPARTMENT 24  
**CASE SUMMARY**  
**CASE NO. A-17-756785-C**

06/12/2017	 Initial Appearance Fee Disclosure Filed By: Plaintiff Hong, Jin-Sung <i>Initial Appearance Fee Disclosure (NRS Chapter 19)</i>
06/16/2017	 Summons Electronically Issued - Service Pending Party: Plaintiff Kim, Tae-Si; Plaintiff Hong, Jin-Sung <i>Summons</i>
07/12/2017	 Affidavit of Service Filed By: Plaintiff Kim, Tae-Si; Plaintiff Hong, Jin-Sung <i>Affidavit of Service</i>
07/12/2017	 Affidavit of Service Filed By: Plaintiff Kim, Tae-Si; Plaintiff Hong, Jin-Sung <i>Affidavit of Service</i>
07/12/2017	 Affidavit of Service Filed By: Plaintiff Kim, Tae-Si; Plaintiff Hong, Jin-Sung <i>Affidavit of Service</i>
07/12/2017	 Affidavit of Attempted Service Filed By: Plaintiff Kim, Tae-Si; Plaintiff Hong, Jin-Sung <i>Affidavit of Attempts</i>
07/12/2017	 Affidavit of Attempted Service Filed By: Plaintiff Kim, Tae-Si; Plaintiff Hong, Jin-Sung <i>Affidavit of Attempts</i>
07/19/2017	 Affidavit of Attempted Service Filed By: Plaintiff Kim, Tae-Si; Plaintiff Hong, Jin-Sung <i>Affidavit of Attempts</i>
07/21/2017	 Affidavit of Service Filed By: Plaintiff Kim, Tae-Si; Plaintiff Hong, Jin-Sung <i>Affidavit of Service</i>
07/21/2017	 Affidavit of Service Filed By: Plaintiff Kim, Tae-Si; Plaintiff Hong, Jin-Sung <i>Affidavit of Service</i>
08/08/2017	 Motion to Dismiss Filed By: Defendant Dickinson Wright PLLC; Defendant Donetta Lowry, Jodi, ESQ; Defendant Salls, Jonathan M A, ESQ; Defendant Dobberstein, Eric, ESQ; Defendant Vartanian, Michael G, ESQ <i>Dickinson Wright's Motion to Dismiss</i>
08/08/2017	 Initial Appearance Fee Disclosure Filed By: Defendant Donetta Lowry, Jodi, ESQ; Defendant Salls, Jonathan M A, ESQ; Defendant Dobberstein, Eric, ESQ; Defendant Vartanian, Michael G, ESQ <i>Initial Appearance Fee Disclosure</i>
09/07/2017	 Opposition to Motion to Dismiss Filed By: Plaintiff Kim, Tae-Si; Plaintiff Hong, Jin-Sung <i>Plaintiffs' Opposition to Defendants' Motion to Dismiss</i>

DEPARTMENT 24  
**CASE SUMMARY**  
**CASE NO. A-17-756785-C**





09/14/2017	 Affidavit of Attempted Service Filed By: Plaintiff Kim, Tae-Si; Plaintiff Hong, Jin-Sung <i>Affidavit of Attempts</i>
09/14/2017	 Affidavit of Attempted Service Filed By: Plaintiff Kim, Tae-Si; Plaintiff Hong, Jin-Sung <i>Affidavit of Attempts</i>
09/19/2017	 Reply in Support Filed By: Defendant Dickinson Wright PLLC; Defendant Donetta Lowry, Jodi, ESQ; Defendant Salls, Jonathan M A, ESQ; Defendant Dobberstein, Eric, ESQ; Defendant Vartanian, Michael G, ESQ <i>Reply in Support of Dickinson Wright's Motion to Dismiss</i>
09/26/2017	 <b>Motion to Dismiss</b> (9:00 AM) (Judicial Officer: Crockett, Jim) <i>Defendants Dickinson Wright's Motion to Dismiss</i>
09/29/2017	 Amended Affidavit of Service Party: Plaintiff Kim, Tae-Si; Plaintiff Hong, Jin-Sung <i>Affidavit of Attempts</i>
10/03/2017	 Affidavit of Service Filed By: Plaintiff Kim, Tae-Si; Plaintiff Hong, Jin-Sung <i>Affidavit of Service</i>
10/05/2017	 Affidavit of Attempted Service Filed By: Plaintiff Kim, Tae-Si; Plaintiff Hong, Jin-Sung <i>Affidavit of Attempts</i>
10/05/2017	 Affidavit of Attempted Service Filed By: Plaintiff Kim, Tae-Si; Plaintiff Hong, Jin-Sung <i>Affidavit of Attempts</i>
10/05/2017	 Affidavit of Attempted Service Filed By: Plaintiff Kim, Tae-Si; Plaintiff Hong, Jin-Sung <i>Affidavit of Attempts</i>
10/05/2017	 Affidavit of Attempted Service Filed By: Plaintiff Kim, Tae-Si; Plaintiff Hong, Jin-Sung <i>Affidavit of Attempts</i>
10/05/2017	 Affidavit of Due Diligence Filed By: Plaintiff Kim, Tae-Si; Plaintiff Hong, Jin-Sung <i>Affidavit of Due Diligence</i>
10/10/2017	 Motion to Extend Time to Serve Party: Plaintiff Kim, Tae-Si; Plaintiff Hong, Jin-Sung <i>Motion to Extend Time for Service and For Publication Of Summons and Complaint; Affidavit of Brandon L. Phillips, Esq., In Support Thereof</i>
10/17/2017	<b>Order of Dismissal Without Prejudice</b> (Judicial Officer: Crockett, Jim) Debtors: Tae-Si Kim (Plaintiff), Jin-Sung Hong (Plaintiff) Creditors: Dickinson Wright PLLC (Defendant), Jodi Donetta Lowry, ESQ. (Defendant), Jonathan M A Salls, ESQ. (Defendant), Eric Dobberstein, ESQ. (Defendant), Michael G

DEPARTMENT 24  
**CASE SUMMARY**  
**CASE NO. A-17-756785-C**

Vartanian, ESQ. (Defendant)  
Judgment: 10/17/2017, Docketed: 10/17/2017

10/17/2017	 <b>Order Granting Motion</b> Filed By: Defendant Dickinson Wright PLLC; Defendant Donetta Lowry, Jodi, ESQ; Defendant Salls, Jonathan M A, ESQ; Defendant Dobberstein, Eric, ESQ; Defendant Vartanian, Michael G, ESQ <i>Order Granting Dickinson Wright's Motion to Dismiss</i>
10/17/2017	 <b>Notice of Entry</b> <i>Notice of Entry of Order</i>
10/23/2017	 <b>Motion to Dismiss</b> Filed By: Defendant Gibson Lowry Burris LLP <i>Defendant Gibson Lowry Burris LLP's Motion to Dismiss</i>
10/23/2017	 <b>Initial Appearance Fee Disclosure</b> Filed By: Defendant Gibson Lowry Burris LLP <i>Defendant Gibson Lowry Burris LLP's Initial Appearance Fee Disclosure</i>
10/26/2017	 <b>Opposition to Motion</b> Filed By: Defendant Dickinson Wright PLLC <i>Opposition to Plaintiffs' Motion to Extend Time for Service and for Publication of Summons and Complaint</i>
11/06/2017	 <b>Motion to Reconsider</b> Filed By: Plaintiff Kim, Tae-Si; Plaintiff Hong, Jin-Sung <i>Motion to Reconsider</i>
11/13/2017	 <b>Notice of Change of Hearing</b> <i>Notice of Change of Hearing</i>
11/14/2017	 <b>Motion (3:00 AM) (Judicial Officer: Crockett, Jim)</b> <b>11/14/2017, 12/05/2017</b> <i>Plaintiffs' Motion to Extend Time for Service and For Publication Of Summons and Complaint; Affidavit of Brandon L. Phillips, Esq., In Support Thereof</i>
11/22/2017	 <b>Notice of Non Opposition</b> Filed By: Defendant Gibson Lowry Burris LLP <i>Notice of Non-Opposition to Defendant Gibson Lowry Burris LLPs Motion to Dismiss</i>
11/28/2017	 <b>Opposition to Motion</b> Filed By: Defendant Dickinson Wright PLLC <i>Opposition to Plaintiffs' Motion for Reconsideration of Dismissal of Plaintiffs' Claims Against Dickinson Wright</i>
12/05/2017	<b>Motion to Dismiss (9:00 AM) (Judicial Officer: Crockett, Jim)</b> <i>Defendant Gibson Lowry Burris LLP's Motion to Dismiss</i>
12/05/2017	<b>Motion For Reconsideration (9:00 AM) (Judicial Officer: Crockett, Jim)</b> <i>Plaintiffs' Motion to Reconsider Dismissal of Plaintiffs' Claims Against Dickinson Wright</i>
12/12/2017	 <b>Order Denying Motion</b> Filed By: Defendant Dickinson Wright PLLC <i>Order Denying Plaintiffs' Motion to Reconsider Dismissal of Plaintiffs' Claims Against</i>

DEPARTMENT 24  
**CASE SUMMARY**  
**CASE NO. A-17-756785-C**

	<i>Dickinson Wright</i>	
12/12/2017	 Order Denying Motion Filed By: Defendant Dickinson Wright PLLC <i>Order Denying Motion to Extend Time for Service and Publication of Summons and Complaint</i>	
12/12/2017	 Notice of Entry Filed By: Defendant Dickinson Wright PLLC <i>Notice of Entry of Order</i>	
12/12/2017	 Notice of Entry Filed By: Defendant Dickinson Wright PLLC <i>Notice of Entry of Order</i>	
12/22/2017	 Notice of Appeal Filed By: Plaintiff Kim, Tae-Si; Plaintiff Hong, Jin-Sung <i>Notice of Appeal</i>	

DATE	FINANCIAL INFORMATION	
	<b>Defendant</b> Dickinson Wright PLLC	
	Total Charges	343.00
	Total Payments and Credits	343.00
	<b>Balance Due as of 12/27/2017</b>	<b>0.00</b>
	<b>Defendant</b> Gibson Lowry Burriss LLP	
	Total Charges	223.00
	Total Payments and Credits	223.00
	<b>Balance Due as of 12/27/2017</b>	<b>0.00</b>
	<b>Plaintiff</b> Kim, Tae-Si	
	Total Charges	324.00
	Total Payments and Credits	324.00
	<b>Balance Due as of 12/27/2017</b>	<b>0.00</b>



## DISTRICT COURT CIVIL COVER SHEET

County, Nevada

Department 24

Case No. \_\_\_\_\_

(Assigned by Clerk's Office)

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

Plaintiff(s) (name/address/phone):

Tae-Si Kim and Jin-Aung Hong

Defendant(s) (name/address/phone):

Gibson Lowry Burris, LLP

Dickinson Wright, PLLC

Attorney (name/address/phone):

Brandon Phillips, Esq.

1455 E. Tropicana Ave., Ste. 750

Las Vegas, NV 89119

Attorney (name/address/phone):

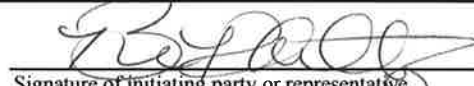
**II. Nature of Controversy** (please select the one most applicable filing type below)**Civil Case Filing Types**

Real Property	Torts
<b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <b>Title to Property</b> <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property <b>Other Real Property</b> <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<b>Negligence</b> <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence <b>Malpractice</b> <input type="checkbox"/> Medical/Dental <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice <b>Other Torts</b> <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
Probate	Judicial Review/Appeal
<b>Probate</b> (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate <b>Estate Value</b> <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	<b>Construction Defect &amp; Contract</b> <b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <b>Contract Case</b> <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract <b>Judicial Review</b> <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency <b>Nevada State Agency Appeal</b> <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency <b>Appeal Other</b> <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
Civil Writ	Other Civil Filing
<b>Civil Writ</b> <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ	<b>Other Civil Filing</b> <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

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

5/18/17

Date

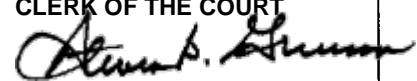
  
 Signature of initiating party or representative

See other side for family-related case filings.

**MORRIS LAW GROUP**

411 E. BONNEVILLE AVE., STE. 360 • LAS VEGAS, NEVADA 89101  
702/474-9400 • FAX 702/474-9422

Electronically Filed  
10/17/2017 9:52 AM  
Steven D. Grierson  
CLERK OF THE COURT



**OGM**

Steve Morris, NV Bar No. 1543  
Ryan M. Lower, NV Bar No. 9108  
MORRIS LAW GROUP  
411 E. Bonneville Ave., Ste. 360  
Las Vegas, Nevada 89101  
Telephone: (702) 474-9400  
Email: [sm@morrislawgroup.com](mailto:sm@morrislawgroup.com)  
Email: [rml@morrislawgroup.com](mailto:rml@morrislawgroup.com)

Attorneys for Defendants  
Dickinson Wright, PLLC,  
Jodi Donetta Lowry, Jonathan M.A.  
Salls, Eric Dobberstein, and  
Michael G. Vartanian

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

TAE-SI KIM, an Individual, and  
JIN-SUNG HONG, an Individual,

Plaintiffs,

v.

GIBSON LOWRY BURRIS, LLP,  
(now known as GIBSON LOWRY,  
LLP), a Nevada limited liability  
partnership; DICKINSON  
WRIGHT, PLLC, a Nevada  
Professional limited liability  
company; STEVE A. GIBSON, ESQ.,  
an Individual; JODI DONETTA  
LOWRY, ESQ., an Individual;  
JONATHAN M.A. SALLS, ESQ., an  
Individual; ERIC DOBBERSTEIN,  
ESQ., an Individual; and MICHAEL  
G. VARTANIAN, ESQ., an  
Individual; and DOES I through X,  
inclusive, and ROE BUSINESS  
ENTITIES XI through XX, inclusive,

Defendants.

) Case No. A-17-756785-C

)  
) Dept. No. XXIV

) **ORDER GRANTING DICKINSON  
WRIGHT'S MOTION TO DISMISS**

1 This matter came before the Court on September 26, 2017 for  
2 hearing on Defendants Dickinson Wright, PLLC, Jodi Donetta Lowry,  
3 Jonathan M.A. Salls, Eric Dobberstein, and Michael G. Vartanian's  
4 (collectively "Dickinson Wright") Motion to Dismiss. Brandon Phillips  
5 appeared for Plaintiffs. Ryan Lower appeared for Dickinson Wright. The  
6 Court, having considered the motion papers filed in support of and in  
7 opposition to Dickinson Wright's motion to dismiss, and having heard the  
8 argument of counsel, HEREBY FINDS:

9 (1) The plaintiffs allege the defendants committed malpractice  
10 because they did not file a legal malpractice action in state court against  
11 attorney Charles Damus on or before September 2011, after that claim  
12 against Damus in a multi-party case in federal court had been dismissed on  
13 December 6, 2010 in a non-final and non-appealable order;

14 (2) Under 28 U.S.C. § 1367(d), the statute of limitations against  
15 Damus was tolled until September 4, 2015 when the federal action was  
16 finally dismissed. Plaintiffs' claims against Damus could have been  
17 brought in state court at that time and thereafter, as Dickinson Wright  
18 clearly advised plaintiffs when the firm terminated its representation of  
19 them on July 30, 2015;

20 (3) Based on Nevada's litigation tolling rule, plaintiffs' legal  
21 malpractice claim against Damus did not accrue until the conclusion of the  
22 federal action when their damages became certain;

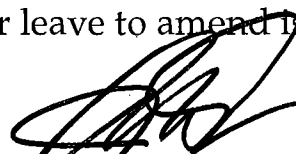
23 (4) Under the attorney judgment rule, Dickinson Wright's  
24 exercise of professional judgment as to when plaintiffs could re-file their  
25 claims against Damus in state court is not, as a matter of law, actionable in  
26 this case;

27 (5) The plaintiffs' claims against Dickinson Wright are time-  
28 barred under NRS 11.270;  
207  
NRS

(6) Plaintiffs included new allegations in their opposition (Opp. 2:27-3:11, 5:17-22, 8:11-9:2, 10:14-11:7) that were not alleged in the complaint and an improper request for leave to amend (Opp. 12:4-9) that did not comply with EDCR 2.30(a); nevertheless, the new allegations did not plead any facts or legal theories that would overcome the deficiencies in the complaint or require the Court to deny this motion.

Based on these FINDINGS, and good cause appearing IT IS  
HEREBY ORDERED that:

- (1) Dickinson Wright's Motion to Dismiss is GRANTED;
- (2) The action is DISMISSED, without prejudice; and
- (3) Plaintiffs' request for leave to amend is DENIED.


  
DISTRICT COURT JUDGE  
DATED: October 12, 2017

Approved by:  
BRANDON L. PHILLIPS,  
ATTORNEY AT LAW, PLLC

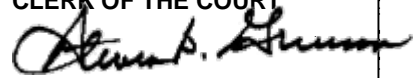
By: **NOT SIGNED**

Brandon L. Phillips, NV Bar No. 12264  
1455 E. Tropicana Ave., Suite 750  
Las Vegas, Nevada 89169

Submitted by:  
MORRIS LAW GROUP

By:   
Steve Morris, NV Bar No. 1543  
Ryan M. Lower, NV Bar No. 9108  
411 E. Bonneville Ave., Ste. 360  
Las Vegas, Nevada 89101

Attorneys for Defendants  
Dickinson Wright, PLLC,  
Jodi Donetta Lowry, Jonathan M.A.  
Salls, Eric Dobberstein, and  
Michael G. Vartanian



**NEO**  
Steve Morris, NV Bar No. 1543  
Ryan M. Lower, NV Bar No. 9108  
**MORRIS LAW GROUP**  
411 E. Bonneville Ave., Ste. 360  
Las Vegas, Nevada 89101  
Telephone: (702) 474-9400  
Email: [sm@morrislawgroup.com](mailto:sm@morrislawgroup.com)  
Email: [rml@morrislawgroup.com](mailto:rml@morrislawgroup.com)

Attorneys for Defendants  
Dickinson Wright, PLLC,  
Jodi Donetta Lowry, Jonathan M.A.  
Salls, Eric Dobberstein, and  
Michael G. Vartanian

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

TAE-SI KIM, an Individual, and JIN- ) Case No. A-17-756785-C  
SUNG HONG, an Individual, )  
 ) Dept. No. XXIV  
Plaintiffs, )  
v. )

**NOTICE OF ENTRY OF ORDER**  
GIBSON LOWRY BURRIS, LLP, )  
(now known as GIBSON LOWRY, )  
LLP), a Nevada limited liability )  
partnership; DICKINSON WRIGHT, )  
PLLC, a Nevada Professional )  
limited liability company; STEVE A. )  
GIBSON, ESQ., an Individual; JODI )  
DONETTA LOWRY, ESQ., an )  
Individual; JONATHAN M.A. )  
SALLS, ESQ., an Individual; ERIC )  
DOBBERSTEIN, ESQ., an )  
Individual; and MICHAEL G. )  
VARTANIAN, ESQ., an Individual; )  
and DOES I through X, inclusive, )  
and ROE BUSINESS ENTITIES XI )  
through XX, inclusive, )  
 )  
Defendants. )

1 PLEASE TAKE NOTICE that an Order Granting Dickinson  
2 Wright's Motion to Dismiss ("Order") was entered in this action on the 17th  
3 day of October, 2017. A copy of the Order is attached hereto as Exhibit A.

4 MORRIS LAW GROUP

5  
6 By: 

7 Steve Morris, NV Bar No. 1543  
8 Ryan M. Lower, NV Bar No. 9108  
9 411 E. Bonneville Ave., Ste. 360  
10 Las Vegas, Nevada 89101

11 Attorneys for Defendants  
12 Dickinson Wright, PLLC,  
13 Jodi Donetta Lowry, Jonathan M.A.  
14 Salls, Eric Dobberstein, and  
15 Michael G. Vartanian  
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**CERTIFICATE OF SERVICE**

Pursuant to Nev. R. Civ. P. 5(b)(2)(D) and E.D.C.R. 8.05, I certify that I am an employee of MORRIS LAW GROUP and that on the date below, I caused the following document to be served via the Court's Odyssey E-Filing system: **NOTICE OF ENTRY OF ORDER**. The date and time of the electronic proof of service is in place of the date and place of deposit in the mail.

TO:

Brandon L. Phillips, NV Bar No. 12264  
BRANDON L. PHILLIPS, ATTORNEY AT LAW, PLLC  
1455 E. Tropicana Ave., Suite 750  
Las Vegas, Nevada 89169  
blb@abetterlegalpractice.com

Attorneys for Plaintiffs

DATED this 17<sup>th</sup> day of October, 2017.

By: Patty Cammer

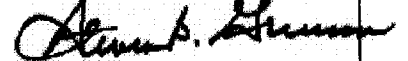
# EXHIBIT A



**MORRIS LAW GROUP**

411 E. BONNEVILLE AVE., STE. 360 · LAS VEGAS, NEVADA 89101  
702/474-9400 · FAX 702/474-9422

Electronically Filed  
10/17/2017 9:52 AM  
Steven D. Grierson  
CLERK OF THE COURT



**OGM**

Steve Morris, NV Bar No. 1543  
Ryan M. Lower, NV Bar No. 9108  
MORRIS LAW GROUP  
411 E. Bonneville Ave., Ste. 360  
Las Vegas, Nevada 89101  
Telephone: (702) 474-9400  
Email: [sm@morrislawgroup.com](mailto:sm@morrislawgroup.com)  
Email: [rml@morrislawgroup.com](mailto:rml@morrislawgroup.com)

Attorneys for Defendants  
Dickinson Wright, PLLC,  
Jodi Donetta Lowry, Jonathan M.A.  
Salls, Eric Dobberstein, and  
Michael G. Vartanian

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

TAE-SI KIM, an Individual, and  
JIN-SUNG HONG, an Individual,

Plaintiffs,

v.

GIBSON LOWRY BURRIS, LLP,  
(now known as GIBSON LOWRY,  
LLP), a Nevada limited liability  
partnership; DICKINSON  
WRIGHT, PLLC, a Nevada  
Professional limited liability  
company; STEVE A. GIBSON, ESQ.,  
an Individual; JODI DONETTA  
LOWRY, ESQ., an Individual;  
JONATHAN M.A. SALLS, ESQ., an  
Individual; ERIC DOBBERSTEIN,  
ESQ., an Individual; and MICHAEL  
G. VARTANIAN, ESQ., an  
Individual; and DOES I through X,  
inclusive, and ROE BUSINESS  
ENTITIES XI through XX, inclusive,

Defendants.

) Case No. A-17-756785-C

) Dept. No. XXIV

) **ORDER GRANTING DICKINSON  
WRIGHT'S MOTION TO DISMISS**

1 This matter came before the Court on September 26, 2017 for  
2 hearing on Defendants Dickinson Wright, PLLC, Jodi Donetta Lowry,  
3 Jonathan M.A. Salls, Eric Dobberstein, and Michael G. Vartanian's  
4 (collectively "Dickinson Wright") Motion to Dismiss. Brandon Phillips  
5 appeared for Plaintiffs. Ryan Lower appeared for Dickinson Wright. The  
6 Court, having considered the motion papers filed in support of and in  
7 opposition to Dickinson Wright's motion to dismiss, and having heard the  
8 argument of counsel, HEREBY FINDS:

9 (1) The plaintiffs allege the defendants committed malpractice  
10 because they did not file a legal malpractice action in state court against  
11 attorney Charles Damus on or before September 2011, after that claim  
12 against Damus in a multi-party case in federal court had been dismissed on  
13 December 6, 2010 in a non-final and non-appealable order;

14 (2) Under 28 U.S.C. § 1367(d), the statute of limitations against  
15 Damus was tolled until September 4, 2015 when the federal action was  
16 finally dismissed. Plaintiffs' claims against Damus could have been  
17 brought in state court at that time and thereafter, as Dickinson Wright  
18 clearly advised plaintiffs when the firm terminated its representation of  
19 them on July 30, 2015;

20 (3) Based on Nevada's litigation tolling rule, plaintiffs' legal  
21 malpractice claim against Damus did not accrue until the conclusion of the  
22 federal action when their damages became certain;

23 (4) Under the attorney judgment rule, Dickinson Wright's  
24 exercise of professional judgment as to when plaintiffs could re-file their  
25 claims against Damus in state court is not, as a matter of law, actionable in  
26 this case;

27 (5) The plaintiffs' claims against Dickinson Wright are time-  
28 barred under NRS 11.270;  
207  
(NRS)

(6) Plaintiffs included new allegations in their opposition (Opp. 2:27-3:11, 5:17-22, 8:11-9:2, 10:14-11:7) that were not alleged in the complaint and an improper request for leave to amend (Opp. 12:4-9) that did not comply with EDCR 2.30(a); nevertheless, the new allegations did not plead any facts or legal theories that would overcome the deficiencies in the complaint or require the Court to deny this motion.

Based on these FINDINGS, and good cause appearing IT IS  
HEREBY ORDERED that:

- (1) Dickinson Wright's Motion to Dismiss is GRANTED;
- (2) The action is DISMISSED, without prejudice; and
- (3) Plaintiffs' request for leave to amend is DENIED.

  
DISTRICT COURT JUDGE


DATED: October 12, 2017

Approved by:  
BRANDON L. PHILLIPS,  
ATTORNEY AT LAW, PLLC

By: **NOT SIGNED**

Brandon L. Phillips, NV Bar No. 12264  
1455 E. Tropicana Ave., Suite 750  
Las Vegas, Nevada 89169

Submitted by:  
MORRIS LAW GROUP

By:   
Steve Morris, NV Bar No. 1543  
Ryan M. Lower, NV Bar No. 9108  
411 E. Bonneville Ave., Ste. 360  
Las Vegas, Nevada 89101

Attorneys for Defendants  
Dickinson Wright, PLLC,  
Jodi Donetta Lowry, Jonathan M.A.  
Salls, Eric Dobberstein, and  
Michael G. Vartanian

Steve Morris, NV Bar No. 1543  
Ryan M. Lower, NV Bar No. 9108  
MORRIS LAW GROUP  
411 E. Bonneville Ave., Ste. 360  
Las Vegas, Nevada 89101  
Telephone: (702) 474-9400  
Email: [sm@morrislawgroup.com](mailto:sm@morrislawgroup.com)  
Email: [rml@morrislawgroup.com](mailto:rml@morrislawgroup.com)

DISTRICT COURT

TAE-SI KIM, an Individual, and  
JIN-SUNG HONG, an Individual,  
Plaintiffs,  
v.

) Dept. No. XXIV

**) ORDER DENYING PLAINTIFFS'  
) MOTION TO RECONSIDER  
) DISMISSAL OF PLAINTIFFS'  
) CLAIMS AGAINST DICKINSON  
) WRIGHT**

Case Number: A-17-756785-C

This matter came before the Court on December 5, 2017 for hearing on Plaintiffs' Motion to Reconsider Dismissal of Plaintiffs' Claims against Dickinson Wright. Brandon Phillips appeared for Plaintiffs. Ryan Lower appeared for Dickinson Wright, PLLC, Jodi Donetta Lowry, Jonathan M.A. Salls, Eric Dobberstein, and Michael G. Vartanian (collectively "Dickinson Wright"). Jodi Donetta Lowry appeared for Gibson Lowry Burris LLP, a non-existent entity. The Court, having considered the motion papers filed in support of and in opposition to the motion, and having heard the argument of counsel, HEREBY FINDS:

(1) Plaintiffs' motion fails to address 28 U.S.C. § 1367(d)—a dispositive part of the court's October 17, 2017 order—which renders reconsideration a moot point;

(2) Plaintiffs' motion does not meet the standard for reconsideration;

(3) Plaintiffs' motion does not present any newly discovery or substantially different evidence;

(4) Plaintiffs' motion re-argues their prior opposition to the motion to dismiss and makes arguments they could have raised before; and

(5) Plaintiffs fail to show that the dismissal order was clearly erroneous.

Based on these FINDINGS, and good cause appearing IT IS HEREBY ORDERED that:

(1) Plaintiffs' Motion to Reconsider Dismissal of Plaintiffs' Claims against Dickinson Wright is DENIED;

(2) Dickinson Wright's request for sanctions is DENIED.



12/11/17  
DISTRICT COURT JUDGE

DATED: \_\_\_\_\_

Approved by:  
BRANDON L. PHILLIPS,  
ATTORNEY AT LAW, PLLC

By: 

Brandon L. Phillips, NV Bar No. 12264  
1455 E. Tropicana Ave., Suite 750  
Las Vegas, Nevada 89169

Submitted by:  
MORRIS LAW GROUP

By: 

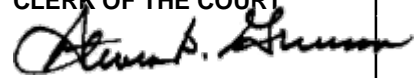
Steve Morris, NV Bar No. 1543  
Ryan M. Lower, NV Bar No. 9108  
411 E. Bonneville Ave., Ste. 360  
Las Vegas, Nevada 89101

Attorneys for Defendants  
Dickinson Wright, PLLC,  
Jodi Donetta Lowry, Jonathan M.A.  
Salls, Eric Dobberstein, and  
Michael G. Vartanian

**MORRIS LAW GROUP**

411 E. BONNEVILLE AVE., STE. 360 · LAS VEGAS, NEVADA 89101  
702/474-9400 · FAX 702/474-9422

Electronically Filed  
12/12/2017 2:54 PM  
Steven D. Grierson  
CLERK OF THE COURT



NEO  
Steve Morris, NV Bar No. 1543  
Ryan M. Lower, NV Bar No. 9108  
MORRIS LAW GROUP  
411 E. Bonneville Ave., Ste. 360  
Las Vegas, Nevada 89101  
Telephone: (702) 474-9400  
Email: [sm@morrislawgroup.com](mailto:sm@morrislawgroup.com)  
Email: [rml@morrislawgroup.com](mailto:rml@morrislawgroup.com)

Attorneys for Defendants  
Dickinson Wright, PLLC,  
Jodi Donetta Lowry, Jonathan M.A.  
Salls, Eric Dobberstein, and  
Michael G. Vartanian

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

TAE-SI KIM, an Individual, and JIN- ) Case No. A-17-756785-C  
SUNG HONG, an Individual, )  
Plaintiffs, ) Dept. No. XXIV

v. )

**NOTICE OF ENTRY OF ORDER**

GIBSON LOWRY BURRIS, LLP, )  
(now known as GIBSON LOWRY, )  
LLP), a Nevada limited liability )  
partnership; DICKINSON WRIGHT, )  
PLLC, a Nevada Professional )  
limited liability company; STEVE A. )  
GIBSON, ESQ., an Individual; JODI )  
DONETTA LOWRY, ESQ., an )  
Individual; JONATHAN M.A. )  
SALLS, ESQ., an Individual; ERIC )  
DOBBERSTEIN, ESQ., an )  
Individual; and MICHAEL G. )  
VARTANIAN, ESQ., an Individual; )  
and DOES I through X, inclusive, )  
and ROE BUSINESS ENTITIES XI )  
through XX, inclusive, )

Defendants. )

1 PLEASE TAKE NOTICE that an Order Denying Plaintiffs'  
2 Motion to Reconsider Dismissal of Plaintiffs' Claims Against Dickinson  
3 Wright was entered in this action on the 12th day of December, 2017. A  
4 copy of the Order is attached hereto as Exhibit A.

5 MORRIS LAW GROUP

6  
7 By: 

8 Steve Morris, NV Bar No. 1543  
9 Ryan M. Lower, NV Bar No. 9108  
411 E. Bonneville Ave., Ste. 360  
10 Las Vegas, Nevada 89101

11 Attorneys for Defendants  
12 Dickinson Wright, PLLC,  
13 Jodi Donetta Lowry, Jonathan M.A.  
14 Salls, Eric Dobberstein, and  
15 Michael G. Vartanian  
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CERTIFICATE OF SERVICE

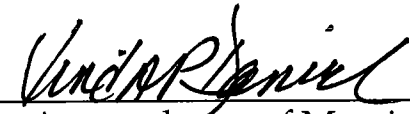
Pursuant to Nev. R. Civ. P. 5(b)(2)(D) and E.D.C.R. 8.05, I certify that I am an employee of MORRIS LAW GROUP and that on the date below, I caused the following document to be served via the Court's Odyssey E-Filing system: **NOTICE OF ENTRY OF ORDER**. The date and time of the electronic proof of service is in place of the date and place of deposit in the mail.

TO:

Brandon L. Phillips, NV Bar No. 12264  
BRANDON L. PHILLIPS, ATTORNEY AT LAW, PLLC  
1455 E. Tropicana Ave., Suite 750  
Las Vegas, Nevada 89169  
[blb@abetterlegalpractice.com](mailto:blb@abetterlegalpractice.com)

Attorneys for Plaintiffs

DATED this 12<sup>th</sup> day of December, 2017.

By:   
An employee of Morris Law Group

# Exhibit A

# Exhibit A

Electronically Filed  
12/12/2017 10:35 AM  
Steven D. Grierson  
CLERK OF THE COURT

SECRETARY OF THE BOARD  
*Alvin B. Harrison*

## ODM

**Steve Morris, NV Bar No. 1543**  
**Ryan M. Lower, NV Bar No. 9108**  
**MORRIS LAW GROUP**  
**411 E. Bonneville Ave., Ste. 360**  
**Las Vegas, Nevada 89101**  
**Telephone: (702) 474-9400**  
**Email: [sm@morrislawgroup.com](mailto:sm@morrislawgroup.com)**  
**Email: [rml@morrislawgroup.com](mailto:rml@morrislawgroup.com)**

**Attorneys for Defendants  
Dickinson Wright, PLLC,  
Jodi Donetta Lowry, Jonathan M.A.  
Salls, Eric Dobberstein, and  
Michael G. Vartanian**

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

**TAE-SI KIM, an Individual, and  
JIN-SUNG HONG, an Individual,  
Plaintiffs,**

v.

GIBSON LOWRY BURRIS, LLP, (now known as GIBSON LOWRY, LLP), a Nevada limited liability partnership; DICKINSON WRIGHT, PLLC, a Nevada Professional limited liability company; STEVE A. GIBSON, ESQ., an Individual; JODI DONETTA LOWRY, ESQ., an Individual; JONATHAN M.A. SALLS, ESQ., an Individual; ERIC DOBBERSTEIN, ESQ., an Individual; and MICHAEL G. VARTANIAN, ESQ., an Individual; and DOES I through X, inclusive, and ROE BUSINESS ENTITIES XI through XX, inclusive,

**Defendants.**

) Case No. A-17-756785-C

) Dept. No. XXIV

**) ORDER DENYING PLAINTIFFS'  
) MOTION TO RECONSIDER  
) DISMISSAL OF PLAINTIFFS'  
) CLAIMS AGAINST DICKINSON  
) WRIGHT**

Case Number: A-17-756785-C

1 This matter came before the Court on December 5, 2017 for  
 2 hearing on Plaintiffs' Motion to Reconsider Dismissal of Plaintiffs' Claims  
 3 against Dickinson Wright. Brandon Phillips appeared for Plaintiffs. Ryan  
 4 Lower appeared for Dickinson Wright, PLLC, Jodi Donetta Lowry,  
 5 Jonathan M.A. Salls, Eric Dobberstein, and Michael G. Vartanian  
 6 (collectively "Dickinson Wright"). Jodi Donetta Lowry appeared for Gibson  
 7 Lowry Burris LLP, a non-existent entity. The Court, having considered the  
 8 motion papers filed in support of and in opposition to the motion, and  
 9 having heard the argument of counsel, HEREBY FINDS:

10 (1) Plaintiffs' motion fails to address 28 U.S.C. § 1367(d)—a  
 11 dispositive part of the court's October 17, 2017 order—which renders  
 12 reconsideration a moot point;

13 (2) Plaintiffs' motion does not meet the standard for  
 14 reconsideration;

15 (3) Plaintiffs' motion does not present any newly discovery or  
 16 substantially different evidence;

17 (4) Plaintiffs' motion re-argues their prior opposition to the  
 18 motion to dismiss and makes arguments they could have raised before; and

19 (5) Plaintiffs fail to show that the dismissal order was clearly  
 20 erroneous.

21 Based on these FINDINGS, and good cause appearing IT IS  
 22 HEREBY ORDERED that:

23 (1) Plaintiffs' Motion to Reconsider Dismissal of Plaintiffs'  
 24 Claims against Dickinson Wright is DENIED;

25 (2) Dickinson Wright's request for sanctions is DENIED.



12/11/17  
 DISTRICT COURT JUDGE

DATED: \_\_\_\_\_

Approved by:  
BRANDON L. PHILLIPS,  
ATTORNEY AT LAW, PLLC

By: 

Brandon L. Phillips, NV Bar No. 12264  
1455 E. Tropicana Ave., Suite 750  
Las Vegas, Nevada 89169

Submitted by:  
MORRIS LAW GROUP

By: 

Steve Morris, NV Bar No. 1543  
Ryan M. Lower, NV Bar No. 9108  
411 E. Bonneville Ave., Ste. 360  
Las Vegas, Nevada 89101

Attorneys for Defendants  
Dickinson Wright, PLLC,  
Jodi Donetta Lowry, Jonathan M.A.  
Salls, Eric Dobberstein, and  
Michael G. Vartanian

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Legal Malpractice

## COURT MINUTES

September 26, 2017

A-17-756785-C      Tae-Si Kim, Plaintiff(s)  
vs.  
Gibson Lowry Burris LLP, Defendant(s)

**September 26, 2017      9:00 AM      Motion to Dismiss**

**HEARD BY:** Crockett, Jim

**COURTROOM:** Phoenix Building Courtroom -  
11th Floor

**COURT CLERK:** Katrina Hernandez

**RECORDED:**

**REPORTER:**

## PARTIES

**PRESENT:** Phillips, Brandon L Attorney

## JOURNAL ENTRIES

- Also present: Ryan Lower, Esq. on behalf of Defendants Vartanian, Dobberstein, Salls, Donetta Lowry, and Dickinson Wright.

Court noted the details of the case, arguments by Counsel, and its inclination. Court stated its findings, noting it is further inclined to deny Plaintiff's motion to amend in opposition because there is no proposed amended complaint. Arguments by Mr. Phillip's in opposition and arguments by Mr. Lower. COURT ORDERED, motion to dismiss GRANTED WITHOUT PREJUDICE. Court stated its findings and noted page 2 of Defendant's reply. Counsel to prepare the order, circulate for approval as to form and content, and submit it to the Court within TEN days per EDCR 7.21.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Legal Malpractice

# COURT MINUTES

November 14, 2017

A-17-756785-C      Tae-Si Kim, Plaintiff(s)  
vs.  
Gibson Lowry Burris LLP, Defendant(s)

**November 14, 2017      3:00 AM      Motion**

**HEARD BY:** Crockett, Jim

**COURTROOM:** Phoenix Building Courtroom -  
11th Floor

**COURT CLERK:** Katrina Hernandez

**RECORDED:**

**REPORTER:**

**PARTIES  
PRESENT:**

## JOURNAL ENTRIES

- Court stated Plaintiff wants to enlarge time to serve Steven Gibson Esq. and noted the other Defendant is the law firm to which Steve Gibson Esq. belongs. Court reviewed the Complaint and noted it doesn't specifically state that Defendant was employed by the Gibson Lowry Law Firm, but noted the Legal directory does indicate such. Court commented on the Complaint and noted that it is possible that it will result of dismissal for the same reasons that granted dismissal of Dickinson Wright. Court also added that it struggles with the notion that Defendant has been at the same address and that the letter from Junes Legal says they were unable to serve. Court noted the motion to dismiss calendared for 12/5/17 and motion to reconsider dismissal against Dickinson Wright on 12/7/17. COURT ORDERED, matter CONTINUED to be heard in conjunction with the two other motions, and consolidated to be heard on 12/5/17 at 9:00 AM.

12/5/17 9:00 AM PLAINTIFF'S MOTION TO EXTEND TIME FOR SERVICE AND FOR PUBLICATION OF SUMMONS AND COMPLAINT; AFFIDAVIT OF BRANDON PHILLIPS ESQ IN SUPPORT THEREOF...DEFENDANT GIBSON LOWRY BURRIS LLP'S MOTION TO DISMISS...PLAINTIFF'S MOTION TO RECONSIDER DISMISSAL OF PLAINTIFFS' CLAIMS AGAINST DICKINSON WRIGHT

\*CLERK'S NOTE: Minute order sent via e-mail to: blp@abetterlegalpractice.com;  
rml@morrislawgroup.com; sgibson@gibsonlowry.com./KH 11-14-17





**EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE**  
**NOTICE OF DEFICIENCY**  
**ON APPEAL TO NEVADA SUPREME COURT**

**BRANDON L. PHILLIPS, ESQ.**  
**1455 E. TROPICANA AVE., SUITE 750**  
**LAS VEGAS, NV 89169**

**DATE: December 27, 2017**  
**CASE: A-17-756785-C**

**RE CASE:** TAE-SI KIM; JIN-SUNG HONG vs. GIBSON LOWRY BURRIS, LLP nka GIBSON LOWRY, LLP;  
DICKINSON WRIGHT, PLLC; STEVE A. GIBSON, ESQ.; JODI DONETTA LOWRY, ESQ.; JONATHAN M.A. SALLS,  
ESQ.; ERIC DOBBERSTEIN, ESQ.; MICHAEL G. VARTANIAN, ESQ.

NOTICE OF APPEAL FILED: December 22, 2017

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)\*\*
  - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)\*\*
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)\*\*
  - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☒ Case Appeal Statement
  - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

---

**NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:**

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. The district court clerk shall apprise appellant of the deficiencies in writing, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

*Please refer to Rule 3 for an explanation of any possible deficiencies.*

---

*\*\*Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.*

# Certification of Copy

State of Nevada }  
County of Clark } SS:

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

NOTICE OF APPEAL; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER GRANTING DICKINSON WRIGHT'S MOTION TO DISMISS; NOTICE OF ENTRY OF ORDER; ORDER DENYING PLAINTIFFS' MOTION TO RECONSIDER DISMISSAL OF PLAINTIFFS' CLAIMS AGAINST DICKINSON WRIGHT; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

TAE-SI KIM; JIN-SUNG HONG,

Plaintiff(s),

vs.

GIBSON LOWRY BURRIS, LLP nka GIBSON LOWRY, LLP; DICKINSON WRIGHT, PLLC; STEVE A. GIBSON, ESQ.; JODI DONETTA LOWRY, ESQ.; JONATHAN M.A. SALLS, ESQ.; ERIC DOBBERSTEIN, ESQ.; MICHAEL G. VARTANIAN, ESQ.,

Defendant(s),

Case No: A-17-756785-C

Dept No: XXIV

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto Set my hand and Affixed the seal of the Court at my office, Las Vegas, Nevada This 27 day of December 2017.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk



**EIGHTH JUDICIAL DISTRICT COURT  
CLERK OF THE COURT**

REGIONAL JUSTICE CENTER  
200 LEWIS AVENUE, 3<sup>rd</sup> FL.  
LAS VEGAS, NEVADA 89155-1160  
(702) 671-4554

Steven D. Grierson  
Clerk of the Court

Brandi J. Wendel  
Court Division Administrator

December 27, 2017

Elizabeth A. Brown  
Clerk of the Court  
201 South Carson Street, Suite 201  
Carson City, Nevada 89701-4702

RE: TAE-SI KIM; JIN-SUNG HONG vs. GIBSON LOWRY BURRIS, LLP nka GIBSON LOWRY, LLP; DICKINSON WRIGHT, PLLC; STEVE A. GIBSON, ESQ.; JODI DONETTA LOWRY, ESQ.; JONATHAN M.A. SALLS, ESQ.; ERIC DOBBERSTEIN, ESQ.; MICHAEL G. VARTANIAN, ESQ.  
D.C. CASE: A-17-756785-C

Dear Ms. Brown:

Please find enclosed a Notice of Appeal packet, filed December 27, 2017. Due to extenuating circumstances minutes from the date(s) listed below have not been included:

December 5, 2017

We do not currently have a time frame for when these minutes will be available.

If you have any questions regarding this matter, please contact me at (702) 671-0512.

Sincerely,  
STEVEN D. GRIERSON, CLERK OF THE COURT

A handwritten signature in black ink, appearing to read "Heather Ungermann".

Heather Ungermann, Deputy Clerk