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7 *Attorneys for Plaintiff,*  
8 *Charles Schueler*

9 DISTRICT COURT  
10 CLARK COUNTY, NEVADA

11 CHARLES SCHUELER,  
12 Plaintiff,  
13 v.

Case No.: A-15-722391-C  
Dept. No.: XVII

14 MGM GRAND HOTEL, LLC, a Domestic Limited  
15 Liability Company d/b/a MGM GRAND; AD ART,  
INC., A Foreign Corporation; 3A COMPOSITES  
16 USA INC., a Foreign Corporation a/k/a  
ALUCOBOND TECHNOLOGIES  
17 CORPORATION; DOES 1 – 25; ROE  
18 CORPORATIONS 1 - 25; inclusive,  
19 Defendants.

**NOTICE OF APPEAL**

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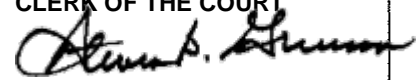
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Electronically Filed  
4/20/2018 10:57 AM  
Steven D. Grierson  
CLERK OF THE COURT

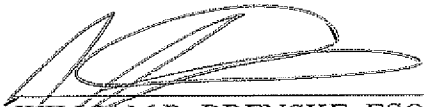


Electronically Filed  
Apr 30 2018 10:57 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

1 Notice is hereby given that Plaintiff Charles Schueler hereby appeals to the Supreme Court  
2 of Nevada from the Order Granting Defendant Ad Art, Inc.'s Motion for Reconsideration on  
3 Motion for Judgment entered March 23, 2018.

4 DATED this 20<sup>th</sup> day of April, 2018.

6 **BRENSKE & ANDREEVSKI**

7   
8 WILLIAM R. BRENSKE, ESQ.

Nevada Bar No. 1806

9 JENNIFER R. ANDREEVSKI, ESQ.

Nevada Bar No. 9095

10 RYAN D. KRAMETBAUER, ESQ.

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3800 Howard Hughes Parkway

Las Vegas, Nevada 89169

11 *Attorneys for Plaintiff,*

12 *Charles Schueler*

**CERTIFICATE OF SERVICE**

I am employed with the law office of Brenske & Andreevski. I am over the age of 18 and not a party to the within action; my business address is 3800 Howard Hughes Parkway, Suite 500, Las Vegas, Nevada 89169. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under its practice mail is to be deposited with the U. S. Postal Service on that same day as stated below, with postage thereon fully prepaid.

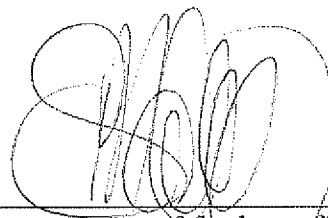
I served the foregoing document described as "**NOTICE OF APPEAL**" on this 20<sup>th</sup> day of April, 2018, to all interested parties as follows:

☐ BY MAIL: Pursuant to NRCP 5(b), I placed a true copy thereof enclosed in a sealed envelope addressed as follows:

☐ BY FACSIMILE: Pursuant to EDCR 7.26, I transmitted a copy of the foregoing document this date via telecopier to the facsimile number shown below:

☒ BY ELECTRONIC SERVICE: by electronically filing and serving the foregoing document with the Eighth Judicial District Court's WizNet system:

Timothy F. Hunter  
RAY LEGO & ASSOCIATES  
7450 Arroya Crossing Party, Suite 250  
Las Vegas, Nevada 89113  
*Attorney For Defendant,*  
*Ad Art, Inc.*  
***Facsimile No.: 702-270-4602***



An employee of the law office of  
Brenske & Andreevski

DEPARTMENT 17  
**CASE SUMMARY**  
**CASE NO. A-15-722391-C**

**Charles Schueler, Plaintiff(s)**  
**vs.**  
**MGM Grand Hotel, LLC, Defendant(s)**

§  
§  
§  
§  
§  
§

Location: **Department 17**  
Judicial Officer: **Villani, Michael**  
Filed on: **07/30/2015**  
Cross-Reference Case Number: **A722391**  
Supreme Court No.: **71882**

**CASE INFORMATION**

Case Type: **Negligence - Other Negligence**  
Case Flags: **Appealed to Supreme Court**  
**Jury Demand Filed**  
**Arbitration Exemption Granted**

**DATE**

**CASE ASSIGNMENT**

**Current Case Assignment**

Case Number A-15-722391-C  
Court Department 17  
Date Assigned 07/30/2015  
Judicial Officer Villani, Michael

**PARTY INFORMATION**

<b>Plaintiff</b>	<b>Schueler, Charles</b>	<b>Brenske, William R.</b> <i>Retained</i> 7023853300(W)
<b>Defendant</b>	<b>3A Composites USA Inc</b> Removed: 04/08/2016 Dismissed	
	<b>3A Composites USA Inc</b>	<b>Sanders, LeAnn</b> <i>Retained</i> 7023847000(W)
	<b>AD Art Inc</b>	<b>Hunter, Timothy F.</b> <i>Retained</i> 702-479-4350(W)
	<b>MGM Grand Hotel, LLC</b>	
	<b>MGM Resorts International</b>	<b>Clayton, Riley A</b> <i>Retained</i> 7023164111(W)














**DATE**

**EVENTS & ORDERS OF THE COURT**














**INDEX**

07/30/2015	 <b>Complaint</b> Filed By: Plaintiff Schueler, Charles	
08/27/2015	 <b>Summons</b> Filed by: Plaintiff Schueler, Charles <i>Summons - MGM Resorts International dba MGM Grand</i>	
08/27/2015	 <b>Summons</b> Filed by: Plaintiff Schueler, Charles <i>Summons - MGM Grand Hotel LLC dba MGM Grand and MGM Resorts International dba MGM Grand, AD Art Inc</i>	

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09/17/2015	 Answer to Complaint Filed by: Defendant MGM Grand Hotel, LLC <i>Defendant MGM Grand Hotel, LLC, d/b/a MGM Grand's Answer to Plaintiff's Complaint</i>
09/17/2015	 Demand for Jury Trial Filed By: Defendant MGM Grand Hotel, LLC <i>Demand for Trial by Jury</i>
09/17/2015	 Initial Appearance Fee Disclosure Filed By: Defendant MGM Grand Hotel, LLC <i>Initial Appearance Fee Disclosure (NRS Chapter 19)</i>
10/09/2015	 Certificate of Service Filed by: Plaintiff Schueler, Charles <i>Certificate Of Service</i>
10/15/2015	 Summons Filed by: Plaintiff Schueler, Charles <i>Summons</i>
10/23/2015	 Answer to Complaint Filed by: Defendant 3A Composites USA Inc <i>3A Composites USA Inc., f/k/a Alucobond Technologies Corporation's Answer to Complaint</i>
10/23/2015	 Initial Appearance Fee Disclosure Filed By: Defendant 3A Composites USA Inc <i>Initial Appearance Fee Disclosure (NRS Chapter 19)</i>
10/23/2015	 Demand for Jury Trial Filed By: Defendant 3A Composites USA Inc <i>Demand for Jury Trial</i>
10/23/2015	 Disclosure Statement Party: Defendant 3A Composites USA Inc <i>3A Composites USA Inc., f/k/a Alucobond Technologies Corporation's NRCP 7.1 Disclosure Statement</i>
10/26/2015	 Commissioners Decision on Request for Exemption - Granted <i>Commissioner's Decision on Request for Exemption</i>
10/28/2015	 Affidavit Filed By: Plaintiff Schueler, Charles <i>Affidavit Of Sonya Sellek</i>
10/28/2015	 Declaration Filed By: Plaintiff Schueler, Charles <i>Declaration Of Non-Service</i>
11/03/2015	 Notice of Early Case Conference Filed By: Plaintiff Schueler, Charles <i>Notice Of Early Case Conference</i>
11/10/2015	

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**CASE SUMMARY**  
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	 Amended Notice of Early Case Conference Filed By: Plaintiff Schueler, Charles <i>First Amended Notice Of Early Case Conference</i>
11/12/2015	 Summons Filed by: Plaintiff Schueler, Charles <i>Summons</i>
11/17/2015	 Initial Appearance Fee Disclosure Filed By: Defendant AD Art Inc <i>Defendant, Ad Art, Inc.'s, Initial Appearance Fee Disclosure (NRS Chapter 19)</i>
11/17/2015	 Disclosure Statement Party: Defendant AD Art Inc <i>Defendant, Ad Art, Inc.'s, Rule 7.1 Disclosure</i>
11/17/2015	 Demand for Jury Trial Filed By: Defendant AD Art Inc <i>Defendant, Ad Art, Inc.'s, Demand for Jury Trial</i>
11/17/2015	 Answer Filed By: Defendant AD Art Inc <i>Defendant, Ad Art, Inc.'s, Answer to Plaintiff's Complaint</i>
11/30/2015	 Production of Documents Filed by: Plaintiff Schueler, Charles <i>Plaintiff's Production Of Documents And List Of Witnesses Pursuant To NRCp 16.1</i>
12/11/2015	 Motion for Judgment Filed By: Defendant MGM Grand Hotel, LLC <i>MGM Grand's Motion for Judgment on the Pleading</i>
12/14/2015	 Joint Case Conference Report Filed By: Plaintiff Schueler, Charles <i>Plaintiff And Defendants' MGM Grand Hotel, LLC, d/b/a MGM Grand; MGM Resorts International d/b/a MGM; And 3A Composites USA Inc., a/k/a Alucobond Technologies Corporation's Joint Case Conference Report</i>
01/27/2016	 Notice of Early Case Conference Filed By: Plaintiff Schueler, Charles <i>Notice Of Supplemental Early Case Conference</i>
01/27/2016	 Motion to Dismiss Filed By: Defendant 3A Composites USA Inc <i>Defendant 3A Composites USA Inc.'s Motion to Dismiss For Lack of Personal Jurisdiction</i>
02/01/2016	 Opposition Filed By: Plaintiff Schueler, Charles <i>Plaintiff Charles Schueler's Opposition To MGM Grand's Motion For Judgment On The Pleading: Alternative Motion For Additional Discovery Pursuant To NRCp 56(f)</i>
02/01/2016	 Supplement Filed by: Plaintiff Schueler, Charles <i>First Supplement To Plaintiff's Production Of Documents And List OF Witnesses Pursuant To</i>













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**CASE SUMMARY**  
**CASE NO. A-15-722391-C**

*NRCP 16.1*

02/05/2016	 Reply in Support Filed By: Defendant MGM Grand Hotel, LLC <i>MGM Grand' Reply in Support of Motion for Judgment on the Pleading</i>
02/10/2016	 <b>Motion for Judgment</b> (3:00 AM) (Judicial Officer: Villani, Michael) <b>02/10/2016, 03/09/2016</b> <i>MGM Grand's Motion for Judgment on the Pleading</i>
02/16/2016	 Opposition Filed By: Plaintiff Schueler, Charles <i>Plaintiff Charles Schueler's Opposition To Defendant 3A Composites USA Inc.'s Motion To Dismiss For Lack Of Personal Jurisdiction; Alternative Request To Conduct Additional Jurisdictional Discovery Pursuant To NRCP 56(f)</i>
03/02/2016	 Notice of Entry of Order Filed By: Defendant MGM Grand Hotel, LLC <i>Notice of Entry of Order Regarding MGM Grand's Motion for Judgment on the Pleading</i>
03/02/2016	 Order Filed By: Defendant MGM Grand Hotel, LLC <i>Order Regarding MGM Grand's Motion for Judgment on the Pleading</i>
03/02/2016	 Reply in Support Filed By: Defendant 3A Composites USA Inc <i>Defendant 3A Composites USA, Inc.'s Reply in Support of Motion to Dismiss for Lack of Personal Jurisdiction</i>
03/08/2016	 Notice to Appear for Discovery Conference <i>Notice to Appear for Discovery Conference</i>
03/09/2016	<b>Motion to Dismiss</b> (8:30 AM) (Judicial Officer: Villani, Michael) <i>Defendant 3A Composites USA Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction</i>
03/09/2016	 <b>All Pending Motions</b> (8:30 AM) (Judicial Officer: Villani, Michael) <i>Defendant 3A Composites USA Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction . . . MGM Grand's Motion for Judgment on the Pleading</i>
03/10/2016	 Notice of Deposition Filed By: Plaintiff Schueler, Charles <i>Notice Of Deposition Of Custodian Of Records Of Yesco Las Vegas</i>
03/15/2016	 Supplemental Joint Case Conference Report
03/16/2016	 Notice Filed By: Plaintiff Schueler, Charles <i>Notice Of Firm Name And Address Change</i>
03/16/2016	 Stipulation and Order for Dismissal Without Prejudice Filed By: Defendant MGM Grand Hotel, LLC <i>Stipulation and Order to Dismiss Defendant MGM Resorts International dba MGM Grand, Only, Without Prejudice</i>
03/16/2016	<b>Order of Dismissal Without Prejudice</b> (Judicial Officer: Villani, Michael)

DEPARTMENT 17  
**CASE SUMMARY**  
**CASE NO. A-15-722391-C**

Debtors: Charles Schueler (Plaintiff)  
Creditors: MGM Resorts International (Defendant)  
Judgment: 03/16/2016, Docketed: 03/23/2016

03/21/2016	 Notice of Entry of Stipulation and Order Filed By: Defendant MGM Grand Hotel, LLC <i>Notice of Entry of Stipulation and Order to Dismiss Defendant MGM Resorts International dba MGM Grand, Only, Without Prejudice</i>
03/23/2016	 <b>Decision</b> (2:00 PM) (Judicial Officer: Villani, Michael) <i>Defendant 3A Composites USA Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction . . . MGM Grand's Motion for Judgment on the Pleading</i>
03/31/2016	 Subpoena Duces Tecum Filed by: Plaintiff Schueler, Charles <i>Subpoena - Civil Duces Tecum</i>
04/08/2016	 Notice of Entry of Order Filed By: Defendant 3A Composites USA Inc <i>Notice of Entry of Order Granting Defendant 3A Composite USA Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction</i>
04/08/2016	 <b>Decision</b> (9:30 AM) (Judicial Officer: Villani, Michael) <i>Decision: Defendant MGM Grand s Motion for Judgment on the Pleading</i>
04/08/2016	 Order Granting Motion Filed By: Defendant 3A Composites USA Inc <i>Order Granting Defendant 3A Composite USA Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction</i>
04/08/2016	<b>Order of Dismissal With Prejudice</b> (Judicial Officer: Villani, Michael) Debtors: Charles Schueler (Plaintiff) Creditors: 3A Composites USA Inc (Defendant) Judgment: 04/08/2016, Docketed: 04/15/2016
04/12/2016	 <b>Discovery Conference</b> (9:00 AM) (Judicial Officer: Bulla, Bonnie)
04/18/2016	 Motion to Reconsider Filed By: Plaintiff Schueler, Charles <i>Plaintiff Charles Schueler's Motion For Reconsideration On Defendant 3A Composites USA Inc.'s Motion To Dismiss For Lack Of Personal Jurisdiction</i>
04/19/2016	 Certificate of Service Filed by: Plaintiff Schueler, Charles <i>Certificate Of Service</i>
05/02/2016	 Opposition to Motion Filed By: Defendant 3A Composites USA Inc <i>Defendant 3A Composites USA Inc.'s Opposition to Plaintiff's Motion for Reconsideration on 3A's Motion to Dismiss for Lack of Personal Jurisdiction</i>
05/06/2016	 Order Denying Motion <i>Order Denying Defendant MGM Grand's Motion for Judgment on the Pleading</i>
05/10/2016	 Scheduling Order



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*Scheduling Order*

05/16/2016	 Motion to Reconsider Filed By: Defendant MGM Grand Hotel, LLC <i>MGM Grand's Motion for Reconsideration on Motion for Judgment on the Pleadings</i>
05/18/2016	 Reply in Support Filed By: Plaintiff Schueler, Charles <i>Plaintiff Charles Schueler's Reply In Support Of His Motion For Reconsideration On Defendant 3A Composites USA Inc.'s Motion To Dismiss For Lack Of Personal Jurisdiction</i>
05/20/2016	 Initial Appearance Fee Disclosure Filed By: Defendant AD Art Inc <i>Defendant, Ad Art, Inc.'s, Initial Appearance Fee Disclosure for Motion for Summary Judgment</i>
05/20/2016	 Motion for Summary Judgment Filed By: Defendant AD Art Inc <i>Defendant Ad Art, Inc.'s Motion for Summary Judgment</i>
05/25/2016	 <b>Motion For Reconsideration</b> (3:00 AM) (Judicial Officer: Villani, Michael) <i>Plaintiff Charles Schueler's Motion for Reconsideration on Defendant 3A Composites USA Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction</i>
05/27/2016	 Order Setting Civil Jury Trial <i>Order Setting Civil Jury Trial and Calendar Call</i>
06/03/2016	 Opposition to Motion Filed By: Plaintiff Schueler, Charles <i>Plaintiff Charles Schueler's Opposition to MGM Grand's Motion for Reconsideration of its Motion For Judgment on the Pleading</i>
06/09/2016	 Opposition to Motion For Summary Judgment Filed By: Plaintiff Schueler, Charles <i>Plaintiff Charles Schueler's Opposition To Ad Art, Inc's Motion For Summary Judgment; Alternative Motion For Additional Discovery Pursuant To NRCP 56(f)</i>
06/14/2016	 Discovery Commissioners Report and Recommendations <i>Discovery Commissioners Report and Recommendations</i>
06/14/2016	 Reply in Support Filed By: Defendant MGM Grand Hotel, LLC <i>Reply in Support of MGM Grand's Motion for Reconsideration on Motion for Judgment on the Pleadings</i>
06/14/2016	<b>Sanctions</b> (Judicial Officer: Villani, Michael) Debtors: Charles Schueler (Plaintiff) Creditors: Legal Aid of Southern Nevada (Other) Judgment: 06/14/2016, Docketed: 06/21/2016 Total Judgment: 50.00
06/16/2016	 Reply in Support Filed By: Defendant AD Art Inc <i>Defendant Ad Art, Inc.'s Reply in Support of Motion for Summary Judgment</i>

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**CASE SUMMARY**  
**CASE NO. A-15-722391-C**













06/22/2016	 <b>Motion For Reconsideration</b> (3:00 AM) (Judicial Officer: Villani, Michael) <b>06/22/2016, 07/13/2016</b> <i>MGM Grand's Motion for Reconsideration on Motion for Judgment on the Pleadings</i>
06/22/2016	 <b>Motion for Summary Judgment</b> (8:30 AM) (Judicial Officer: Vega, Valorie J.) <i>Defendant Ad Art, Inc.'s Motion for Summary Judgment</i>
07/22/2016	 Supplement Filed by: Plaintiff Schueler, Charles <i>Second Supplement To Plaintiff's Production Of Documents And List Of Witnesses Pursuant TO NRCP 16.1</i>
08/15/2016	 Motion for Clarification Filed By: Defendant 3A Composites USA Inc <i>Defendant 3A Composites USA's Motion for Clarification regarding Plaintiff's Motion for Reconsideration</i>
08/23/2016	 Order Granting Motion Filed By: Defendant MGM Grand Hotel, LLC <i>Order Granting MGM Grand's Motion for Reconsideration on Motion for Judgment on the Pleadings</i>
08/23/2016	<b>Order of Dismissal</b> (Judicial Officer: Villani, Michael) Debtors: Charles Schueler (Plaintiff) Creditors: MGM Grand Hotel, LLC (Defendant) Judgment: 08/23/2016, Docketed: 08/30/2016
08/24/2016	 Notice of Entry of Order Filed By: Defendant MGM Grand Hotel, LLC <i>Notice of Entry of Order Granting MGM Grand's Motion for Reconsideration on Motion for Judgment on the Pleadings</i>
09/02/2016	 Opposition to Motion Filed By: Plaintiff Schueler, Charles <i>Plaintiff Charles Schueler's Opposition To Defendant 3A Composites USA Inc.'s Motion For Clarification Regarding Plaintiff's Motion For Reconsideration</i>
09/14/2016	 Notice of Deposition Filed By: Plaintiff Schueler, Charles <i>First Amended Notice Of Deposition Of Custodian Of Records Of Yesco Las Vegas</i>
09/14/2016	 Motion Filed By: Defendant MGM Grand Hotel, LLC <i>Defendant MGM Grand Hotel, LLC d/b/a MGM Grand's Motion to Certify Judgment as Final Pursuant to NRCP 54(b)</i>
09/14/2016	 Reply in Support Filed By: Defendant 3A Composites USA Inc <i>Reply in Support of 3A's Motion for Clarification Regarding Plaintiff's Motion for Reconsideration</i>
09/21/2016	 <b>Motion for Clarification</b> (3:00 AM) (Judicial Officer: Villani, Michael) <i>Defendant 3A Composites USA's Motion for Clarification regarding Plaintiff's Motion for Reconsideration</i>

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**CASE SUMMARY**  
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09/21/2016	 Notice of Non Opposition Filed By: Plaintiff Schueler, Charles <i>Plaintiff Charles Schueler's Notice Of No Opposition To Defendant MGM Grand Hotel, LLC D/B/A MGM Grand's Motion To Certify Judgment As Final Pursuant To NRCP 54(b)</i>
09/28/2016	 Order Filed By: Plaintiff Schueler, Charles <i>Order Re: Plaintiff Charles Schueler's Motion For Reconsideration On Defendant 3A Composites USA Inc's Motion To Dismiss For Lack Of Personal Jurisdiction</i>
09/29/2016	 Notice of Entry of Order Filed By: Plaintiff Schueler, Charles <i>Notice Of Entry Of Order</i>
10/03/2016	 Subpoena Duces Tecum Filed by: Plaintiff Schueler, Charles <i>Subpoena - Civil Duces Tecum</i>
10/10/2016	 Stipulation and Order Filed by: Plaintiff Schueler, Charles <i>Stipulation And Order To Continue Trial Setting And Amended Discovery Deadlines (Before the District Court Judge)</i>
10/11/2016	 Notice of Entry of Order Filed By: Plaintiff Schueler, Charles <i>Notice Of Entry Of Order Re Stipulation And Order To Continue Trial Setting And Amend Discovery Deadlines</i>
10/14/2016	 Order Setting Civil Jury Trial <i>Order Setting Civil Jury Trial and Calendar Call</i>
10/14/2016	 Certificate of Service Filed by: Plaintiff Schueler, Charles <i>Certificate of Service</i>
10/19/2016	 <b>Motion</b> (3:00 AM) (Judicial Officer: Villani, Michael) <i>Defendant MGM Grand Hotel, LLC d/b/a MGM Grand's Motion to Certify Judgment as Final Pursuant to NRCP 54(b)</i>
10/24/2016	<b>CANCELED Minute Order</b> (9:30 AM) (Judicial Officer: Villani, Michael) <i>Vacated - On in Error</i> <i>Defendant MGM Grand Hotel, LLC d/b/a MGM Grand's Motion to Certify Judgment as Final Pursuant to NRCP 54(b)</i>
10/27/2016	 Supplement to List of Witnesses & Documents Party: Plaintiff Schueler, Charles <i>Third Supplement To Plaintiff's Production Of Documents And List Of Witnesses Pursuant To NRCP 16.1</i>
11/04/2016	 Order Granting Motion Filed By: Defendant MGM Grand Hotel, LLC <i>Order on Defendant MGM Grand Hotel, LLC d/b/a MGM Grand's Motion to Certify Judgment as Final Pursuant to NRCP 54(b)</i>
11/07/2016	 Notice of Entry of Order

DEPARTMENT 17  
**CASE SUMMARY**  
**CASE NO. A-15-722391-C**













Filed By: Defendant MGM Grand Hotel, LLC  
*Notice of Entry of Order on Defendant MGM Grand Hotel, LLC d/b/a MGM Grand's Motion to Certify Judgment as Final Pursuant to NRCP 54(b)*

11/22/2016	 Deposition Subpoena Filed By: Plaintiff Schueler, Charles <i>Deposition Subpoena (Duces Tecum) Of Defendant 3A Composites USA Inc. (Subjects 1 - 4) Pursuant To NRCP 30(B)(6)</i>
11/22/2016	 Notice of Deposition Filed By: Plaintiff Schueler, Charles <i>Plaintiff's Notice Of Deposition Of Steve Anderson</i>
11/22/2016	 Notice of Deposition Filed By: Plaintiff Schueler, Charles <i>Plaintiff's Notice Of Deposition Of Doug Robinson</i>
11/22/2016	 Notice of Deposition Filed By: Plaintiff Schueler, Charles <i>Plaintiff's Notice Of Deposition Of Herb Larsen</i>
11/30/2016	 Notice of Appeal Filed By: Plaintiff Schueler, Charles <i>Notice of Appeal</i>
11/30/2016	 Case Appeal Statement Filed By: Plaintiff Schueler, Charles <i>Case Appeal Statement</i>
12/13/2016	 Notice to Vacate Deposition Filed by: Plaintiff Schueler, Charles <i>Notice To Vacate The Deposition Subpoena (Duces Tecum) Of Defendant 3A Composites USA Inc. (Subjects 1-4) Pursuant To N.R.C.P. 30(B)(6)</i>
12/13/2016	 Notice of Vacating Deposition Filed By: Plaintiff Schueler, Charles <i>Plaintiff's Notice To Vacate The Deposition Of Steve Anderson</i>
12/13/2016	 Notice of Vacating Deposition Filed By: Plaintiff Schueler, Charles <i>Plaintiff's Notice To Vacate The Deposition Of Herb Larson</i>
12/13/2016	 Notice to Vacate Deposition Filed by: Plaintiff Schueler, Charles <i>Plaintiff's Notice Of Vacating Deposition Of Doug Robinson</i>
12/15/2016	 Stipulation and Order to Amend Filed By: Plaintiff Schueler, Charles <i>Stipulation and Order To Amend Jurisdictional Discovery Deadline And Remaining Discovery Deadlines</i>
12/16/2016	 Notice of Entry of Order Filed By: Plaintiff Schueler, Charles <i>Notice Of Entry Of Order Re Stipulation And Order To Amend Jurisdictional Discovery Deadline And Remaining Discovery Deadlines</i>

DEPARTMENT 17  
**CASE SUMMARY**  
**CASE NO. A-15-722391-C**

01/10/2017	 Application for Issuance of Commission to Take Deposition Party: Plaintiff Schueler, Charles <i>Application For Commission To Take Deposition Out Of State</i>
01/10/2017	 Notice of Deposition Filed By: Plaintiff Schueler, Charles <i>Plaintiff's Notice Of Deposition Via Video Conference Of Doug Head</i>
01/10/2017	 Application for Issuance of Commission to Take Deposition Party: Plaintiff Schueler, Charles <i>Application For Commission To Take Deposition Out Of State</i>
01/10/2017	 Notice of Deposition Filed By: Plaintiff Schueler, Charles <i>Plaintiff's Notice Of Deposition Via Video Conference Of Terry Long</i>
01/12/2017	 Motion for Protective Order Filed By: Defendant 3A Composites USA Inc <i>Defendant 3A Composites USA Inc.'s Motion for Protective Order on an Order Shortening Time (Before the Discovery Commissioner)</i>
01/13/2017	 Deposition Subpoena Filed By: Plaintiff Schueler, Charles <i>First Amended Deposition Subpoena (Duces Tecum) Of Defendant 3A Composites USA Inc. (Subjects 1-4) Pursuant To N.R.C.P. 30(B)(6)</i>
01/13/2017	 Notice of Deposition Filed By: Plaintiff Schueler, Charles <i>Notice Of Deposition Of Custodian Of Records Of MGM Grand Hotel, LLC and MGM Resorts International</i>
01/13/2017	 Amended Notice of Taking Deposition Filed By: Plaintiff Schueler, Charles <i>Plaintiff's First Amended Notice Of Deposition Of Doug Robinson</i>
01/13/2017	 Amended Notice of Taking Deposition Filed By: Plaintiff Schueler, Charles <i>Plaintiff's First Amended Notice Of Deposition Of Steve Anderson</i>
01/13/2017	 Amended Notice of Taking Deposition Filed By: Plaintiff Schueler, Charles <i>Plaintiff's First Amended Notice Of Deposition Of Herb Larsen</i>
01/13/2017	 Application for Issuance of Commission to Take Deposition Party: Plaintiff Schueler, Charles <i>Application For Commission To Take Deposition Out Of State</i>
01/13/2017	 Application for Issuance of Commission to Take Deposition Party: Plaintiff Schueler, Charles <i>Application For Commission To Take Deposition Out Of State</i>
01/13/2017	 Application for Issuance of Commission to Take Deposition Party: Plaintiff Schueler, Charles

DEPARTMENT 17  
**CASE SUMMARY**  
**CASE NO. A-15-722391-C**

	<i>Application For Commission To Take Deposition Out Of State</i>
01/13/2017	 Application for Issuance of Commission to Take Deposition Party: Plaintiff Schueler, Charles <i>Application For Commission To Take Deposition Out Of State</i>
01/19/2017	 Reply in Support Filed By: Defendant 3A Composites USA Inc <i>Defendant 3A Composites USA Inc.'s Reply in Support of Motion for Protective Order on an Order Shortening Time</i>
01/19/2017	 Opposition to Motion For Protective Order Filed By: Plaintiff Schueler, Charles <i>Plaintiff Charles Schueler's Opposition To Defendant 3A Composites USA Inc.'s Motion For Protective Order On An Order Shortening Time</i>
01/20/2017	 <b>Motion for Protective Order</b> (9:30 AM) (Judicial Officer: Bulla, Bonnie) <i>Defendant 3A Composites USA Inc.'s Motion for Protective Order on an OST (Before the Discovery)</i>
01/20/2017	 Supplement to List of Witnesses & Documents Party: Plaintiff Schueler, Charles <i>Fourth Supplement To Plaintiff's Production Of Documents And List Of Witnesses Pursuant To NRCP 16.1</i>
02/14/2017	 Amended Notice of Taking Deposition Filed By: Plaintiff Schueler, Charles <i>Plaintiff's First Amended Notice Of Deposition Of Doug Head</i>
02/14/2017	 Amended Notice of Taking Deposition Filed By: Plaintiff Schueler, Charles <i>Plaintiff's First Amended Notice Of Deposition Of Terry Long</i>
02/17/2017	<b>CANCELED Status Check: Compliance</b> (11:00 AM) (Judicial Officer: Bulla, Bonnie) <i>Vacated - per Commissioner</i>
02/17/2017	 Amended Notice of Taking Deposition Filed By: Plaintiff Schueler, Charles <i>First Amended Notice Of Deposition Of Custodian Of Records Of MGM Grand Hotel, LLC and MGM Resorts International</i>
03/02/2017	 Notice of Deposition Filed By: Plaintiff Schueler, Charles <i>Plaintiff's Second Amended Notice Of Deposition Of Doug Head</i>
03/02/2017	 Notice of Deposition Filed By: Plaintiff Schueler, Charles <i>Plaintiff's Second Amended Notice Of Deposition Of Terry Long</i>
03/08/2017	 Discovery Commissioners Report and Recommendations Filed By: Defendant 3A Composites USA Inc <i>Discovery Commissioners Report and Recommendations</i>
03/09/2017	 Notice of Entry of Order Filed By: Defendant 3A Composites USA Inc












DEPARTMENT 17  
**CASE SUMMARY**  
**CASE NO. A-15-722391-C**

*Notice of Entry of Discovery Commissioner's Report and Recommendations*

03/21/2017	 Motion for Summary Judgment Filed By: Defendant 3A Composites USA Inc <i>Defendant 3A Composites USA Inc.'s Motion for Summary Judgment Regarding Lack of Personal Jurisdiction Over 3A</i>
03/28/2017	 Affidavit of Service Filed By: Plaintiff Schueler, Charles <i>Affidavit Of Service</i>
04/05/2017	<b>CANCELED Calendar Call</b> (9:00 AM) (Judicial Officer: Villani, Michael) <i>Vacated - per Stipulation and Order</i>
04/06/2017	 Notice of Entry of Stipulation and Order Filed By: Defendant AD Art Inc <i>Notice of Entry of Stipulation &amp; Order to Amend Remaining Discovery Deadlines (Third Request)</i>
04/06/2017	 Amended Order Setting Jury Trial <i>Amended Order Setting Civil Jury Trial and Calendar Call</i>
04/06/2017	 Stipulation and Order to Amend Filed By: Defendant AD Art Inc <i>Stipulation and Order to Amend Remaining Discovery Deadlines (Third Request)</i>
04/07/2017	 Opposition to Motion For Summary Judgment Filed By: Plaintiff Schueler, Charles <i>Plaintiff Charles Schueler's Opposition To Defendant 3A Composites USA Inc.'s Motion For Summary Judgment Regarding Lack Of Personal Jurisdiction</i>
04/17/2017	<b>CANCELED Jury Trial</b> (9:00 AM) (Judicial Officer: Villani, Michael) <i>Vacated - per Stipulation and Order</i>
04/19/2017	 Reply to Motion Filed By: Defendant 3A Composites USA Inc <i>Defendant 3A Composites USA Inc.'s Reply in Support of Motion for Summary Judgement Regarding Lack of Personal Jurisdiction Over 3A</i>
04/26/2017	 <b>Motion for Summary Judgment</b> (8:30 AM) (Judicial Officer: Villani, Michael) <i>Defendant 3A Composites USA Inc.'s Motion for Summary Judgment Regarding Lack of Personal Jurisdiction Over 3A</i>
04/26/2017	 Amended Notice of Taking Deposition Filed By: Plaintiff Schueler, Charles <i>Plaintiff's Third Amended Notice of Deposition of Doug Head</i>
05/04/2017	 Amended Notice of Taking Deposition Filed By: Plaintiff Schueler, Charles <i>Second Amended Notice of Taking Deposition of Custodian of Records of MGM Grand Hotel, LLC and MGM Resorts International</i>
05/04/2017	 Motion Filed By: Plaintiff Schueler, Charles <i>Plaintiffs Charles Scheuler's Motion To Supplement His Opposition To Defendant 3A Composites USA Inc.'s Motion For Summary Judgment Regarding Lack of Personal</i>












DEPARTMENT 17  
**CASE SUMMARY**  
**CASE NO. A-15-722391-C**

*Jurisdiction And To Reopen Discovery On Order Shortening Time*




05/05/2017	 Certificate of Service Filed by: Plaintiff Schueler, Charles <i>Certificate of Service</i>
05/08/2017	 Certificate of Service Filed by: Plaintiff Schueler, Charles <i>Certificate of Service</i>
05/09/2017	 Opposition to Motion Filed By: Defendant 3A Composites USA Inc <i>Defendant 3A Composites USA Inc.'s Opposition to Plaintiff's Motion to Supplement his Opposition to 3A's Motion for Summary Judgement Regarding Lack of Personal Jurisdiction and to Reopen Discovery on Order Shortening Time</i>
05/10/2017	 <b>Motion</b> (8:30 AM) (Judicial Officer: Villani, Michael) <i>Plaintiff Charles Scheuler's Motion To Supplement His Opposition To Defendant 3A Composites USA Inc.'s Motion For Summary Judgment Regarding Lack of Personal Jurisdiction And To Reopen Discovery On Order Shortening Time</i>
05/15/2017	 Supplemental Brief Filed By: Defendant 3A Composites USA Inc <i>Defendant 3A Composites USA Inc.'s Supplemental Brief in Support of 3A's Opposition to Plaintiff's Motion to Supplement His Opposition to 3A's Motion for Summary Judgment Regarding Lack of Personal Jurisdiction and to Re-Open Discovery on OST</i>
05/17/2017	 Affidavit of Service Filed By: Plaintiff Schueler, Charles <i>Affidavit Of Service</i>
05/19/2017	 Supplemental Brief Filed By: Plaintiff Schueler, Charles <i>Plaintiff Charles Schueler's Supplemental Brief in Support of Motion To Supplement His Opposition To Defendant 3A Composites USA Inc.'s Motion for Summary Judgment Regarding Lack of Personal Jurisdiction And To Reopen Discovery On Order Shortening Time</i>
05/25/2017	 Notice of Vacating Deposition Filed By: Plaintiff Schueler, Charles <i>Plaintiff's Notice of Vacating Deposition of Custodian of Records of MGM Hotel, LLC and MGM Resorts International</i>
05/31/2017	<b>CANCELED Minute Order</b> (1:30 PM) (Judicial Officer: Villani, Michael) <i>Vacated - On in Error</i>
05/31/2017	 <b>Minute Order</b> (4:00 PM) (Judicial Officer: Villani, Michael)
06/22/2017	 Motion Filed By: Defendant 3A Composites USA Inc <i>Defendant 3A Composites USA Inc.'s Motion to Certify Summary Judgement in Favor of 3A as Final Pursuant to NRCP 54(b)</i>
06/22/2017	 Order Granting Filed By: Defendant 3A Composites USA Inc <i>Order Granting Defendant 3A Composites USA Inc.'s Motion for Summary Judgement Regarding Lack of Personal Jurisdiction</i>



DEPARTMENT 17  
**CASE SUMMARY**  
**CASE NO. A-15-722391-C**










06/22/2017	 <b>Order Denying</b> Filed By: Defendant 3A Composites USA Inc <i>Order Denying Plaintiff's Motion to Supplement his Opposition to 3A's Motion for Summary Judgement Regarding Lack of Personal Jurisdiction and to Reopen Discovery</i>
06/22/2017	<b>Summary Judgment</b> (Judicial Officer: Villani, Michael) Debtors: Charles Schueler (Plaintiff) Creditors: 3A Composites USA Inc (Defendant) Judgment: 06/22/2017, Docketed: 06/29/2017
06/23/2017	 <b>Notice of Entry of Order</b> Filed By: Defendant 3A Composites USA Inc <i>Notice of Entry of Order Denying Plaintiff'd Motion to Supplement His Opposition to 3A's Motion for Summary Judgement Regarding Lack of Personal Jurisdiction and to Reopen Discovery</i>
06/23/2017	 <b>Notice of Entry of Order</b> Filed By: Defendant 3A Composites USA Inc <i>Notice of Entry of Order Granting Defendant 3A Composites USA Inc.'s Motion for Summary Judgement Regarding Lack of Personal Jurisdiction</i>
06/28/2017	 <b>Memorandum of Costs and Disbursements</b> Filed By: Defendant 3A Composites USA Inc <i>Defendant 3A Composites USA Inc.'s Memorandum of Costs and Disbursements</i>
06/28/2017	 <b>Notice of Change of Address</b> Filed By: Defendant 3A Composites USA Inc <i>Notice of Change of Address</i>
07/06/2017	 <b>Motion to Retax</b> Filed By: Plaintiff Schueler, Charles <i>Motion To Retax Costs</i>
07/10/2017	 <b>Certificate of Service</b> Filed by: Plaintiff Schueler, Charles <i>Certificate of Service</i>
07/13/2017	 <b>Motion for Attorney Fees</b> Filed By: Defendant 3A Composites USA Inc <i>Defendant 3A Composites USA Inc.'s Motion for Attorney's Fees</i>
07/24/2017	 <b>Opposition to Motion</b> Filed By: Defendant 3A Composites USA Inc <i>Defendant 3A Composite USA Inc. a/k/a Alucobond Technologies Corporation's Opposition to Plaintiff's Motion to Retax Costs</i>
07/26/2017	 <b>Motion</b> (3:00 AM) (Judicial Officer: Villani, Michael) <i>Defendant 3A Composites USA Inc.'s Motion to Certify Summary Judgement in Favor of 3A as Final Pursuant to NRCP 54(b)</i>
07/26/2017	 <b>Supplement to List of Witnesses &amp; Documents</b> Party: Plaintiff Schueler, Charles <i>Fifth Supplement To Plaintiff's Production Of Documetns And List Of Witnesses Pursuant To NRCP 16.1</i>

DEPARTMENT 17  
**CASE SUMMARY**  
**CASE NO. A-15-722391-C**













07/27/2017	 Stipulation and Order to Amend Filed By: Defendant AD Art Inc <i>Stipulation and Order to Amende Remaining Discovery Deadlines (Fourth Request)</i>
07/28/2017	 Reply in Support Filed By: Plaintiff Schueler, Charles <i>Reply In Support Of Plaintiffs Motion To Retax Costs</i>
07/28/2017	 Notice of Entry of Stipulation and Order Filed By: Defendant AD Art Inc <i>Notice of Entry of Stipulation &amp; Order to Amend Remaining Discovery Deadlines (Fourth Request)</i>
07/28/2017	 Amended Order Setting Jury Trial <i>Amended Order Setting Jury Trial</i>
07/31/2017	 Opposition to Motion Filed By: Plaintiff Schueler, Charles <i>Plaintiff's Opposition To Defendant 3A Composites USA, Inc.'s Motion For Attorney Fees</i>
08/02/2017	 Initial Appearance Fee Disclosure <i>Defendant, Ad Art, Inc.'s, Initial Appearance Fee Disclosure for Motion for Summary Judgment Fee</i>
08/02/2017	 Motion for Summary Judgment Filed By: Defendant AD Art Inc <i>Defendant Ad Art, Inc.'s Motion for Summary Judgment</i>
08/03/2017	 Notice of Hearing Filed By: Defendant AD Art Inc <i>Notice of Hearing on Defendant, Ad Art, Inc.'s, Motion for Summary Judgment</i>
08/09/2017	 Reply in Support Filed By: Defendant 3A Composites USA Inc <i>Reply in Support of Defendant 3A Composites USA Inc.'s Motion for Attorney's Fees</i>
08/15/2017	 Findings of Fact, Conclusions of Law and Order Filed By: Defendant 3A Composites USA Inc <i>Findings of Fact, Conclusions of Law and Order Granting Defendant 3A Composites USA, Inc.'s Motion to Certify Judgement as Final</i>
08/16/2017	 <b>Motion to Retax</b> (3:00 AM) (Judicial Officer: Villani, Michael) <i>Plaintiff's Motion to Retax Costs</i>
08/16/2017	 <b>Motion for Attorney Fees</b> (3:00 AM) (Judicial Officer: Villani, Michael) <i>Defendant 3A Composites USA Inc.'s Motion for Attorney's Fees</i>
08/16/2017	<b>CANCELED All Pending Motions</b> (3:00 AM) (Judicial Officer: Villani, Michael) <i>Vacated</i>
08/17/2017	 Notice of Entry of Order Filed By: Defendant 3A Composites USA Inc <i>Notice of Entry of Order Granting Defendant 3A Composite USA Inc.'s Motion to Certify</i>

DEPARTMENT 17  
**CASE SUMMARY**  
**CASE NO. A-15-722391-C**






*Judgment as Final Pursuant to NRCP 54(b)*

08/22/2017	 <b>Opposition</b> Filed By: Plaintiff Schueler, Charles <i>Plaintiff Charles Schueler's Opposition To Defendant Ad Art, Inc.'s Motion For Summary Judgment</i>
08/23/2017	<b>CANCELED Calendar Call</b> (9:00 AM) (Judicial Officer: Villani, Michael) <i>Vacated</i>
08/30/2017	 <b>Reply in Support</b> Filed By: Defendant AD Art Inc <i>Defendant Ad Art, Inc.'s Reply in Support of Motion for Summary Judgment</i>
09/05/2017	<b>CANCELED Jury Trial</b> (10:00 AM) (Judicial Officer: Villani, Michael) <i>Vacated - per Stipulation and Order</i>
09/06/2017	 <b>Motion for Summary Judgment</b> (8:30 AM) (Judicial Officer: Villani, Michael) <i>Defendant AD Art Inc's Motion for Summary Judgment</i>
09/13/2017	<b>Order</b> (Judicial Officer: Villani, Michael) Debtors: Charles Schueler (Plaintiff) Creditors: 3A Composites USA Inc (Defendant) Judgment: 09/13/2017, Docketed: 09/13/2017 Total Judgment: 3,889.13
09/13/2017	 <b>Order</b> Filed By: Defendant 3A Composites USA Inc <i>Order Granting in Part and Denying in Part Plaintiff's Motion to Retax Costs</i>
09/15/2017	 <b>Notice of Entry of Order</b> Filed By: Defendant 3A Composites USA Inc <i>Notice of Entry of Order Granting in Part and Denying in Part Plaintiff's Motion to Retax Costs</i>
10/09/2017	 <b>Minute Order</b> (4:00 PM) (Judicial Officer: Villani, Michael) <i>Defendant AD Art Inc's Motion for Summary Judgment</i>
10/23/2017	<b>Summary Judgment</b> (Judicial Officer: Villani, Michael) Debtors: Charles Schueler (Plaintiff) Creditors: AD Art Inc (Defendant) Judgment: 10/23/2017, Docketed: 10/23/2017 Comment: In Part
10/23/2017	 <b>Order</b> Filed By: Plaintiff Schueler, Charles <i>Order Re: Defendant Ad Art, Inc.'s Motion For Summary Judgment</i>
10/24/2017	 <b>Notice of Entry of Order</b> Filed By: Plaintiff Schueler, Charles <i>Notice of Entry of Order Re: Defendant Ad Art, Inc.'s Motion For Summary Judgment</i>
11/30/2017	 <b>Order Denying Motion</b> Filed By: Plaintiff Schueler, Charles <i>Order Re: Defendant 3A Composites USA Inc.'s Motion For Attorney's Fees</i>

DEPARTMENT 17  
**CASE SUMMARY**  
**CASE NO. A-15-722391-C**

12/01/2017	 Notice of Entry Filed By: Plaintiff Schueler, Charles <i>Notice Of Entry Of Order Re: Defendant 3A Composites USA Inc.'s Motion For Attorney Fees</i>
12/05/2017	 Stipulation and Order to Extend Discovery Deadlines Filed By: Defendant AD Art Inc <i>Stipulation and Order to Amend Remaining Discovery Deadlines (Fifth Request)</i>
12/06/2017	 Notice of Entry of Stipulation and Order Filed By: Defendant AD Art Inc <i>Notice of Entry of Stipulation and Order to Amend Remaining Discovery Deadlines (Fifth Request)</i>
12/06/2017	 Amended Order Setting Jury Trial <i>Amended Order Setting Jury Trial</i>
12/07/2017	<b>Judgment Plus Interest</b> (Judicial Officer: Villani, Michael) Debtors: Charles Schueler (Plaintiff) Creditors: 3A Composites USA Inc (Defendant) Judgment: 12/07/2017, Docketed: 12/08/2017 Total Judgment: 3,889.13
12/07/2017	 Judgment Filed By: Defendant 3A Composites USA Inc <i>Judgment in Favor of 3A Composites USA, Inc.</i>
12/18/2017	 Notice of Entry of Judgment Filed By: Defendant 3A Composites USA Inc <i>Notice of Entry of Judgment in Favor of 3A Composites USA, Inc.</i>
12/21/2017	 Motion to Reconsider Filed By: Defendant AD Art Inc <i>Ad Art, Inc.'s Motion for Reconsideration on Motion for Summary Judgment</i>
12/22/2017	 Notice Filed By: Defendant AD Art Inc <i>Notice of Hearing on Ad Art, Inc.'s Motion for Reconsideration on Motion for Summary Judgment</i>
01/10/2018	 Opposition to Motion <i>Plaintiff's Charles Schueler's Opposition to Defendant AD Art, Inc.'S Motion for Reconsideration of Its Motion for Summary Judgment</i>
01/10/2018	 Certificate of Service Filed by: Plaintiff Schueler, Charles <i>Cert of Srv</i>
01/17/2018	 Reply to Opposition Filed by: Defendant AD Art Inc <i>Ad Art, Inc.'s Reply in Support of Motion for Reconsideration on Motion for Summary Judgment</i>
01/24/2018	 <b>Motion For Reconsideration</b> (3:00 AM) (Judicial Officer: Villani, Michael) <i>Defendant Ad Art, Inc.'s Motion for Reconsideration on Motion for Summary Judgment</i>

DEPARTMENT 17  
**CASE SUMMARY**  
**CASE NO. A-15-722391-C**

01/24/2018	<b>CANCELED Calendar Call</b> (9:00 AM) (Judicial Officer: Villani, Michael) <i>Vacated</i>
02/05/2018	<b>CANCELED Jury Trial</b> (9:00 AM) (Judicial Officer: Villani, Michael) <i>Vacated</i>
03/08/2018	 Stipulation and Order to Amend Filed By: Plaintiff Schueler, Charles <i>Stipulation And Order To Amend discovery Deadlines (Sixth Request)</i>
03/19/2018	 Notice of Entry of Order Filed By: Plaintiff Schueler, Charles <i>Notice Of Entry Of Order Re: Stipulation And Order To Amend Discovery Deadlines</i>
03/23/2018	<b>Summary Judgment</b> (Judicial Officer: Villani, Michael) Debtors: Charles Schueler (Plaintiff) Creditors: AD Art Inc (Defendant) Judgment: 03/23/2018, Docketed: 03/23/2018
03/23/2018	 Order Granting Filed By: Defendant AD Art Inc <i>Order Granting Ad Art, Inc.'s Motion for Reconsideration on Motion for Summary Judgment</i>
03/23/2018	 Notice of Entry of Order Filed By: Defendant AD Art Inc <i>Notice of Entry of Order Granting Ad Art, Inc.'s Motion for Reconsideration on Motion for Summary Judgment</i>
04/04/2018	<b>CANCELED Calendar Call</b> (9:00 AM) (Judicial Officer: Villani, Michael) <i>Vacated</i>
04/16/2018	<b>CANCELED Jury Trial</b> (9:00 AM) (Judicial Officer: Villani, Michael) <i>Vacated</i>
04/20/2018	 Notice of Appeal Filed By: Plaintiff Schueler, Charles <i>Notice Of Appeal</i>
08/22/2018	<b>Calendar Call</b> (9:00 AM) (Judicial Officer: Villani, Michael)
09/04/2018	<b>Jury Trial</b> (10:00 AM) (Judicial Officer: Villani, Michael)

DATE	FINANCIAL INFORMATION
	<b>Defendant</b> 3A Composites USA Inc Total Charges 444.00 Total Payments and Credits 444.00 <b>Balance Due as of 4/24/2018 0.00</b>
	<b>Defendant</b> AD Art Inc Total Charges 703.50 Total Payments and Credits 703.50 <b>Balance Due as of 4/24/2018 0.00</b>
	<b>Defendant</b> MGM Grand Hotel, LLC Total Charges 223.00 Total Payments and Credits 223.00 <b>Balance Due as of 4/24/2018 0.00</b>
	<b>Plaintiff</b> Schueler, Charles

DEPARTMENT 17  
**CASE SUMMARY**  
**CASE NO. A-15-722391-C**

Total Charges	318.00
Total Payments and Credits	318.00
<b>Balance Due as of 4/24/2018</b>	<b>0.00</b>
<b>Plaintiff</b> Schueler, Charles	
Appeal Bond Balance as of 4/24/2018	<b>500.00</b>

## DISTRICT COURT CIVIL COVER SHEET

XVII

Clark

County, Nevada

Case No.

(Assigned by Clerk's Office)

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

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

Charles Schuster

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

MGM GRAND HOTEL, LLC, d/b/a MGM GRAND;

MGM RESORTS INTERNATIONAL, d/b/a MGM GRAND; AD ART, INC.; and

SA COMPOSITES USA INC., d/b/a ALUDOROND TECHNOLOGIES CORPORATION

Attorney (name/address/phone):

WILLIAM R. BRENSKE, ESQ.

630 South 3rd Street

Las Vegas, NV 89101

Attorney (name/address/phone):

UNKNOWN

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

Real Property	Negligence	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	<input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input checked="" type="checkbox"/> Other Negligence <b>Malpractice</b> <input type="checkbox"/> Medical/Dental <input 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	Construction Defect & Contract	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</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	

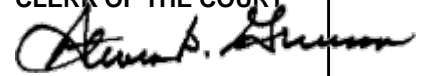
Business Court filings should be filed using the Business Court civil coversheet.

July 30th, 2015

Date

Signature of initiating party or representative

See other side for family-related case filings.



1 **ORD**  
2 TIMOTHY F. HUNTER, ESQ.  
3 Nevada Bar No. 010622  
4 RAY LEGO & ASSOCIATES  
5 7450 Arroyo Crossing Parkway, Suite 250  
6 Las Vegas, NV 89113  
7 Tel: (702) 479-4350  
8 Fax: (702) 270-4602  
9 [tfhunter@travelers.com](mailto:tfhunter@travelers.com)

10 Attorney for Defendant,  
11 **AD ART, INC.**

12 **DISTRICT COURT**  
13 **CLARK COUNTY, NEVADA**

14 CHARLES SCHUELER,

CASE NO.: A-15-722391-C

15 Plaintiff,

DEPT. NO.: XVII

16 vs.

17 MGM GRAND HOTEL, LLC, a Domestic  
18 Limited Liability Company d/b/a MGM  
19 GRAND; MGM RESORTS  
20 INTERNATIONAL, a Foreign Corporation  
21 d/b/a MGM GRAND; AD ART, INC., a  
22 Foreign Corporation; 3A COMPOSITES USA  
23 INC., a Foreign Corporation a/k/a  
24 ALUCOBOND TECHNOLOGIES  
25 COROPORATION; DOES 1 – 25; ROE  
26 CORPORATIONS 1 – 25; inclusive,

27 Defendants.

28 **ORDER GRANTING AD ART, INC.'S MOTION FOR RECONSIDERATION ON**  
**MOTION FOR SUMMARY JUDGMENT**

On December 21, 2017, Defendant, Ad Art, Inc. ("Ad Art"), filed its Motion for Reconsideration on Motion for Summary Judgment. On January 10, 2018, Plaintiff filed his Opposition. On January 17, 2018 Ad Art filed its Reply in Support of Motion for Reconsideration.

In lieu of oral arguments, this Honorable Court, Judge Michael Villani presiding, set the motion for resolution on its Chambers Calendar. After considering the moving, opposing, and reply briefs, and the case authority cited therein and finding good cause, the Court issued a

Ray Lego & Associates  
7450 Arroyo Crossing Parkway, Suite 250  
Las Vegas, Nevada 89113  
Telephone No. (702) 479-4350  
Facsimile No. (702) 270-4602

RECEIVED BY  
DEPT 17 ON  
MAR 15 2018



1 minute order on March 1, 2018 with its ruling on the pending motion for reconsideration, and  
2 now hereby submits its Findings of Facts, Conclusions of Law, and Order.

3 **I. FINDINGS OF FACT**

4 1. The MGM Pylon is a sign located in front of MGM Grand Las Vegas at 3799 S.  
5 Las Vegas Boulevard, Las Vegas, Nevada 89101. The MGM Pylon was originally constructed  
6 in approximately 1993 or 1994 and stands well over 150 feet tall.

7  
8 2. The MGM Pylon is one of a kind object that was not mass produced. The MGM  
9 Pylon was designed under the direct supervision of MGM, who was involved in every aspect of  
10 the design. The MGM Pylon had many different companies involved in its production,  
11 including those involved in the foundation, supply of materials, as well as others. The MGM  
12 Pylon was built for the sole use of MGM, and was not intended to be placed in the stream of  
13 commerce.

14  
15 3. On July 31, 2013, Plaintiff, Charles Schueler, was an employee of Young  
16 Electric Sign Co. When attempting to perform his repair work on the MGM Pylon, Plaintiff lost  
17 his balance and fell approximately 150 feet to the ground below. As a result of the fall, Plaintiff  
18 sustained injuries.

19 4. Plaintiff alleges, generally, that Ad Art was responsible for the fall under a  
20 theory of Premises Liability and Strict Products Liability only. Plaintiff's Premises Liability  
21 Claims were dismissed against Ad Art pursuant to the Court's October 20, 2017 order.

22 **II. CONCLUSIONS OF LAW**

23  
24 1. Under EDCR 2.24, "a district court may reconsider a previously decided issue if  
25 substantially different evidence is introduced or the decision is clearly erroneous." *Masonry &*  
26 *Tile Contractors v. Jolley, Urga & Wirth*, 113 Nev. 7373, 741, 941 P.2d 486, 489 (1997). A  
27 court has the inherent authority to reconsider its prior orders. *Trail v. Faretto*, 91 Nev. 401, 536  
28

1 P.2d 1026 (1975). Moreover, under NRCP 54(b), "the district court may at any time before the  
2 entry of a final judgment, revise orders..." *Barry v. Lindner*, 119 Nev. 661, 670, 81 P.3d 537,  
3 543 (2003).

4         2.       The question of whether the MGM Pylon is a product for the purposes of a Strict  
5 Products Liability analysis centers around the Nevada Supreme Court decision in *Calloway v.*  
6 *City of Reno*, 116 Nev. 250, 992 P.2d 1259 (2000). In *Calloway*, it was alleged that the  
7 construction of townhomes included defective framing. The Court held that townhomes "were  
8 not products for purposes of strict products liability." *Id.* at 268. The Court acknowledged that  
9 some jurisdictions have found that a building can constitute a product under strict product  
10 liability while other have found the opposite. Previously, the court found that a leaky gas line  
11 fitting in a residence fell under the doctrine of strict products liability. *See, Worrell v. Barnes*,  
12 87 Nev. 204, 484 P.2d 573 (1971). The *Calloway* court specifically overruled the *Worrell* court  
13 with respect to its application of strict products liability. *Id.* at 271.  
14

15         3.       In *Martens v. MCL Construction Corp.*, 347 Ill. App. 3d 303, 807 N.E. 2d 480  
16 (2004), the Illinois Court of Appeals dealt with a case similar to the matter at hand. In *Marten*,  
17 the Illinois court dealt with a claim involving a fall from a steel beam at a construction site. In  
18 affirming the Circuit court's granting of summary judgment, the Court of Appeals held that a  
19 "buildings and indivisible component parts of the building structure itself, such as bricks,  
20 supporting beams and railings, are not deemed products for purposes of strict liability in tort."  
21 *Id.* at 320.  
22

23         4.       Here, the MGM Pylon is one of a kind object and not mass produced. Under  
24 such circumstances the MGM Pylon is not a product for strict liability purposes. *See, Dayberry*  
25 *v. City of E. Helena*, 318 Mont. 301, 80 P.3d 1218 (2003).  
26

27 ///  
28

1 **III. ORDER**

2 IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED THAT:

- 3 1. The MGM Pylon is not a product for strict products liability purposes.  
4 2. Ad Art, Inc.'s Motion for Reconsideration is GRANTED.  
5 3. Ad Art, Inc.'s Motion for Summary Judgment is GRANTED in its entirety.  
6 4. Having found that the MGM sign is not a product for strict liability purposes, and  
7 GRANTING Ad Art, Inc.'s Motion for Summary Judgment it need not address  
8 the successor liability issue.  
9


10 DATED this 21 day of March, 2018.

11  
12 

13 DISTRICT COURT JUDGE *flc*

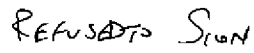
14  
15 Respectfully submitted,

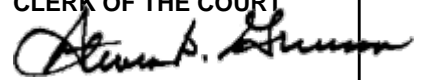
16 RAY LEGO & ASSOCIATES

17   
18 TIMOTHY F. HUNTER, ESQ.  
19 Nevada Bar No. 010622  
20 7450 Arroyo Crossing Parkway, Suite 250  
21 Las Vegas, NV 89113  
22 Attorney for Defendant, **AD ART, INC.**

23 Approved as to form and content:

24 BRENSKE & ANDREEVSKI

25   
26 WILLIAM R. BRENSKE, ESQ., #1806  
27 RYAN D. KRAMETBAUER, ESQ., #12800  
28 3800 Howard Hughes Parkway, Suite 500  
Las Vegas, NV 89169  
Attorneys for Plaintiff, **CHARLES SCHUELER**



1 **NEO**  
2 TIMOTHY F. HUNTER, ESQ.  
3 Nevada Bar No. 010622  
4 RAY LEGO & ASSOCIATES  
5 7450 Arroyo Crossing Parkway, Suite 250  
6 Las Vegas, NV 89113  
7 Tel: (702) 479-4350  
8 Fax: (702) 270-4602  
9 tfhunter@travelers.com

10 Attorney for Defendant,  
11 **AD ART, INC.**

12 **DISTRICT COURT**  
13 **CLARK COUNTY, NEVADA**

14 CHARLES SCHUELER,

CASE NO.: A-15-722391-C

15 Plaintiff,

DEPT. NO.: XVII

16 vs.

17 MGM GRAND HOTEL, LLC, a Domestic  
18 Limited Liability Company d/b/a MGM  
19 GRAND; MGM RESORTS  
20 INTERNATIONAL, a Foreign Corporation  
21 d/b/a MGM GRAND; AD ART, INC., a  
22 Foreign Corporation; 3A COMPOSITES USA  
23 INC., a Foreign Corporation a/k/a  
24 ALUCOBOND TECHNOLOGIES  
25 COROPORATION; DOES 1 - 25; ROE  
26 CORPORATIONS 1 - 25; inclusive,

27 Defendants.

28 **NOTICE OF ENTRY OF ORDER GRANTING AD ART, INC.'S MOTION FOR  
RECONSIDERATION ON MOTION FOR SUMMARY JUDGMENT**

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

**PLEASE TAKE NOTICE** that an Order in the above-captioned matter was entered on

///

///

///

///

///

Ray Lego & Associates  
7450 Arroyo Crossing Parkway, Suite 250  
Las Vegas, Nevada 89113  
Telephone No. (702) 479-4350  
Facsimile No. (702) 270-4602

the 23rd day of March, 2018. A copy of said Order is attached hereto.

DATED this 23<sup>rd</sup> day of March, 2018.

Respectfully submitted,

RAY LEGO & ASSOCIATES

 #7107  
TIMOTHY F. HUNTER, ESQ.

Nevada Bar No. 010622

7450 Arroyo Crossing Parkway, Suite 250  
Las Vegas, NV 89113

Attorney for Defendant, **AD ART, INC.**

**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I hereby certify that I am an employee of RAY LEGO & ASSOCIATES and that on the 23<sup>RD</sup> day of March, 2018 I caused the foregoing **NOTICE OF ENTRY OF ORDER GRANTING AD ART, INC.'S MOTION FOR RECONSIDERATION ON MOTION FOR SUMMARY JUDGMENT** to be served as follows:

  X   pursuant to N.E.F.C.R. 9 by serving it via electronic service.

To the attorneys listed below:

William R. Brenske, #001806  
BRENSKE & ANDREEVSKI  
3800 Howard Hughes Parkway, #500  
Las Vegas, NV 89169  
wbrenske@hotmail.com

P: 702/385-3300  
F: 702/385-3823  
Attorneys for Plaintiff, **CHARLES SCHUELER**

  
An employee of RAY LEGO & ASSOCIATES

ORIGINAL

Electronically Filed  
3/23/2018 10:41 AM  
Steven D. Grierson  
CLERK OF THE COURT

*Steven D. Grierson*

1 **ORD**

2 TIMOTHY F. HUNTER, ESQ.

3 Nevada Bar No. 010622

4 RAY LEGO & ASSOCIATES

5 7450 Arroyo Crossing Parkway, Suite 250

6 Las Vegas, NV 89113

7 Tel: (702) 479-4350

8 Fax: (702) 270-4602

9 [tfhunter@travelers.com](mailto:tfhunter@travelers.com)

10 Attorney for Defendant,

11 AD ART, INC.

12 **DISTRICT COURT**

13 **CLARK COUNTY, NEVADA**

14 CHARLES SCHUELER,

CASE NO.: A-15-722391-C

15 Plaintiff,

DEPT. NO.: XVII

16 vs.

17 MGM GRAND HOTEL, LLC, a Domestic  
18 Limited Liability Company d/b/a MGM  
19 GRAND; MGM RESORTS  
20 INTERNATIONAL, a Foreign Corporation  
21 d/b/a MGM GRAND; AD ART, INC., a  
22 Foreign Corporation; 3A COMPOSITES USA  
23 INC., a Foreign Corporation a/k/a  
24 ALUCOBOND TECHNOLOGIES  
25 CORPORATION; DOES 1 - 25; ROE  
26 CORPORATIONS 1 - 25; inclusive,

27 Defendants.

28 **ORDER GRANTING AD ART, INC.'S MOTION FOR RECONSIDERATION ON  
MOTION FOR SUMMARY JUDGMENT**

On December 21, 2017, Defendant, Ad Art, Inc. ("Ad Art"), filed its Motion for Reconsideration on Motion for Summary Judgment. On January 10, 2018, Plaintiff filed his Opposition. On January 17, 2018 Ad Art filed its Reply in Support of Motion for Reconsideration.

In lieu of oral arguments, this Honorable Court, Judge Michael Villani presiding, set the motion for resolution on its Chambers Calendar. After considering the moving, opposing, and reply briefs, and the case authority cited therein and finding good cause, the Court issued a

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Las Vegas, Nevada 89113  
Telephone No. (702) 479-4350  
Facsimile No. (702) 270-4602

RECEIVED BY  
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MAR 15 2018

1 minute order on March 1, 2018 with its ruling on the pending motion for reconsideration, and  
2 now hereby submits its Findings of Facts, Conclusions of Law, and Order.

3 **I. FINDINGS OF FACT**

4 1. The MGM Pylon is a sign located in front of MGM Grand Las Vegas at 3799 S.  
5 Las Vegas Boulevard, Las Vegas, Nevada 89101. The MGM Pylon was originally constructed  
6 in approximately 1993 or 1994 and stands well over 150 feet tall.

7  
8 2. The MGM Pylon is one of a kind object that was not mass produced. The MGM  
9 Pylon was designed under the direct supervision of MGM, who was involved in every aspect of  
10 the design. The MGM Pylon had many different companies involved in its production,  
11 including those involved in the foundation, supply of materials, as well as others. The MGM  
12 Pylon was built for the sole use of MGM, and was not intended to be placed in the stream of  
13 commerce.

14  
15 3. On July 31, 2013, Plaintiff, Charles Schueler, was an employee of Young  
16 Electric Sign Co. When attempting to perform his repair work on the MGM Pylon, Plaintiff lost  
17 his balance and fell approximately 150 feet to the ground below. As a result of the fall, Plaintiff  
18 sustained injuries.

19 4. Plaintiff alleges, generally, that Ad Art was responsible for the fall under a  
20 theory of Premises Liability and Strict Products Liability only. Plaintiff's Premises Liability  
21 Claims were dismissed against Ad Art pursuant to the Court's October 20, 2017 order.

22  
23 **II. CONCLUSIONS OF LAW**

24 1. Under EDCR 2.24, "a district court may reconsider a previously decided issue if  
25 substantially different evidence is introduced or the decision is clearly erroneous." *Masonry &*  
26 *Tile Contractors v. Jolley, Urga & Wirth*, 113 Nev. 7373, 741, 941 P.2d 486, 489 (1997). A  
27 court has the inherent authority to reconsider its prior orders. *Trail v. Fareto*, 91 Nev. 401, 536  
28



1 P.2d 1026 (1975). Moreover, under NRCP 54(b), "the district court may at any time before the  
2 entry of a final judgment, revise orders..." *Barry v. Lindner*, 119 Nev. 661, 670, 81 P.3d 537,  
3 543 (2003).

4 2. The question of whether the MGM Pylon is a product for the purposes of a Strict  
5 Products Liability analysis centers around the Nevada Supreme Court decision in *Calloway v.*  
6 *City of Reno*, 116 Nev. 250, 992 P.2d 1259 (2000). In *Calloway*, it was alleged that the  
7 construction of townhomes included defective framing. The Court held that townhomes "were  
8 not products for purposes of strict products liability." *Id.* at 268. The Court acknowledged that  
9 some jurisdictions have found that a building can constitute a product under strict product  
10 liability while other have found the opposite. Previously, the court found that a leaky gas line  
11 fitting in a residence fell under the doctrine of strict products liability. *See, Worrell v. Barnes*,  
12 87 Nev. 204, 484 P.2d 573 (1971). The *Calloway* court specifically overruled the *Worrell* court  
13 with respect to its application of strict products liability. *Id.* at 271.

14 3. In *Martens v. MCL Construction Corp.*, 347 Ill. App. 3d 303, 807 N.E. 2d 480  
15 (2004), the Illinois Court of Appeals dealt with a case similar to the matter at hand. In *Marten*,  
16 the Illinois court dealt with a claim involving a fall from a steel beam at a construction site. In  
17 affirming the Circuit court's granting of summary judgment, the Court of Appeals held that a  
18 "buildings and indivisible component parts of the building structure itself, such as bricks,  
19 supporting beams and railings, are not deemed products for purposes of strict liability in tort."  
20 *Id.* at 320.

21 4. Here, the MGM Pylon is one of a kind object and not mass produced. Under  
22 such circumstances the MGM Pylon is not a product for strict liability purposes. *See, Dayberry*  
23 *v. City of E. Helena*, 318 Mont. 301, 80 P.3d 1218 (2003).

24  
25  
26  
27  
28  
///

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Las Vegas, Nevada 89113  
Telephone No. (702) 479-4350  
Facsimile No. (702) 270-4602

1 **III. ORDER**

2 IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED THAT:

- 3 1. The MGM Pylon is not a product for strict products liability purposes.  
4 2. Ad Art, Inc.'s Motion for Reconsideration is GRANTED.  
5 3. Ad Art, Inc.'s Motion for Summary Judgment is GRANTED in its entirety.  
6 4. Having found that the MGM sign is not a product for strict liability purposes, and  
7 GRANTING Ad Art, Inc.'s Motion for Summary Judgment it need not address  
8 the successor liability issue.  
9

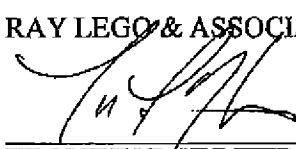
10 DATED this 21 day of March, 2018.

11 

12 DISTRICT COURT JUDGE *fu*

13 Respectfully submitted,

14 RAY LEGO & ASSOCIATES

15   
16  
17 TIMOTHY F. HUNTER, ESQ.

18 Nevada Bar No. 010622

19 7450 Arroyo Crossing Parkway, Suite 250

20 Las Vegas, NV 89113

21 Attorney for Defendant, AD ART, INC.

22 Approved as to form and content:

23 BRENSKE & ANDREEVSKI

24 *REJECTED SIGN*

25 WILLIAM R. BRENSKE, ESQ., #1806

26 RYAN D. KRAMETBAUER, ESQ., #12800

27 3800 Howard Hughes Parkway, Suite 500

28 Las Vegas, NV 89169

Attorneys for Plaintiff, CHARLES SCHUELER

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Other Negligence**

**COURT MINUTES**

**February 10, 2016**

---

A-15-722391-C      Charles Schueler, Plaintiff(s)  
vs.  
MGM Grand Hotel, LLC, Defendant(s)

---

**February 10, 2016      3:00 AM      Motion for Judgment      MGM Grand's  
Motion for Judgment  
on the Pleading**

**HEARD BY:** Villani, Michael

**COURTROOM:** RJC Courtroom 11A

**COURT CLERK:** Carol Donahoo

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Defendant MGM Grand Hotel's Motion for Judgment on the Pleading came before this Court on the February 10, 2016, Chamber Calendar. MGM Grand Hotel's Motion for Judgment on the Pleadings is essentially a motion to dismiss, and it is this Court's policy to place dispositive motions on the oral calendar for argument. Therefore COURT ORDERED, the Defendant MGM Grand Hotel's Motion for Judgment on the Pleading is CONTINUED. Counsel for MGM Grand Hotel is directed to submit a proposed order consistent with the foregoing within ten (10) days after counsel is notified of the ruling and distribute a filed copy to all parties involved pursuant to EDCR 7.21.

CONTINUED TO: 03/09/16 8:30 AM

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder of Riley A. Clayton, Esq.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Other Negligence**

**COURT MINUTES**

**March 09, 2016**

---

A-15-722391-C      Charles Schueler, Plaintiff(s)  
vs.  
MGM Grand Hotel, LLC, Defendant(s)

---

**March 09, 2016      8:30 AM      All Pending Motions**

**HEARD BY:** Villani, Michael      **COURTROOM:** RJC Courtroom 11A

**COURT CLERK:** Carol Donahoo

**RECORDER:** Michelle Ramsey

**REPORTER:**

**PARTIES**

**PRESENT:**      Brenske, William R.      Attorney  
Clayton, Riley A      Attorney  
Silverman, Edward      Attorney

**JOURNAL ENTRIES**

- DEFENDANT 3A COMPOSITES USA INC.'S MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION . . . MGM GRAND'S MOTION FOR JUDGMENT ON THE PLEADING

This is the time set for hearing on the above-named Motions.

Motion to Dismiss for Lack of Personal Jurisdiction: the Court has reviewed the Defendant's Motion to Dismiss for Lack of Personal Jurisdiction, the Plaintiff Charles Schueler's Opposition and Alternative Request to Conduct Additional Jurisdictional Discovery Pursuant to NRCP 56(f) and the Defendant's Reply in Support of Motion to Dismiss for Lack of Personal Jurisdiction. After hearing arguments of counsel COURT ORDERED, decision DEFERRED a written decision will be prepared.

Motion for Judgment on the Pleading: the Court has reviewed the Motion for Judgment on the Pleadings, the Plaintiff Charles Schueler's Opposition and Alternative Motion for Additional Discovery Pursuant to NRCP 56(f), and the Defendant's Reply in support of Motion for Judgment on the Pleading. After hearing arguments of counsel COURT ORDERED, decision DEFERRED a written

decision will be prepared.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Other Negligence****COURT MINUTES****March 23, 2016**

A-15-722391-C      Charles Schueler, Plaintiff(s)  
                                  vs.  
                                  MGM Grand Hotel, LLC, Defendant(s)

**March 23, 2016****2:00 PM****Decision****HEARD BY:** Villani, Michael**COURTROOM:** RJC Courtroom 11A**COURT CLERK:** Carol Donahoo**RECORDER:****REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- Defendant 3A Composite USA Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction and MGM Grand's Motion for Judgment on the Pleading came before the Court on the March 9, 2016, Oral Calendar. The Court DEFERRED its decision and both Motions and now rules as follows on the Motion to Dismiss for Lack of Personal Jurisdiction:

Defendant 3A Composite USA Inc. ("3A") seeks to dismiss Plaintiff's Complaint for lack of both general jurisdiction and specific jurisdiction. At the outset, the Court recognizes that 3A is a Missouri Corporation with its principle place of business in North Carolina. On or around April 6, 1998, 3A sold the product at issue in this case ("Alucobond") to a California company named Interstate Electric Co. ("Interstate"). Interstate obtained the Alucobond in Kentucky, and part of Interstate's order was first shipped to Montana before ultimately arriving in Nevada.

First, a district court has general jurisdiction over a non-resident defendant when the defendant's affiliations with the forum state are so constant and pervasive "as to render [it] essentially at home in the forum state." Daimler AG v. Bauman, 134 S.Ct. 746 (2014) (quoting Goodyear Dunlop Tires Ops., S.A. v. Brown, 131 S.Ct. 2846 (2011)). Goodyear made clear that a limited set of affiliations within a forum state would render a defendant amenable to general jurisdiction. Id. For a corporation, the state of incorporation and principal place of business are the primary considerations for general

jurisdiction. Id. "Mere business transactions, even if occurring at regular intervals" are not enough to warrant a court's assertion of general jurisdiction over a non-resident corporation in a cause of action unrelated to those transactions. Id. The placement of a product into the stream of commerce may bolster a claim for specific jurisdiction, but these contacts do not warrant a finding of general jurisdiction. Id.

Additionally, a district court has general jurisdiction over a non-resident defendant when the defendant's activities in the forum state are "substantial" or "continuous and systematic" such that the assertion of personal jurisdiction over the non-resident defendant is constitutionally fair even where the claims are unrelated to those contacts. *Trump v. Eighth Judicial Dist. Ct.*, 109 Nev. 687 (1993). The United States Supreme Court recently held in *Daimler AG v. Bauman*, that when a foreign corporation has its principal place of business in another state, even proof of a "substantial, continuous, and systematic course of business" in the forum is not enough to assert general jurisdiction over it, but its affiliations with the state must be "so continuous and systematic" as to render it essentially at home in the forum state.

Lastly, a district court has specific jurisdiction over a non-resident defendant when the defendant purposefully enters the forum state's market or establishes contacts in the forum state, affirmatively directs conduct there, and the claims must also arise from that purposeful conduct. *Viega v. Eighth Judicial Dist. Ct.*, 130 Nev. Adv. Op. 40 (2014). The claims must have a "specific and direct relationship or be intimately related to the forum contacts." *Munley v. Second Dist. Ct.*, 104 Nev. 492 (1988). To exercise specific personal jurisdiction over a non-resident defendant, the plaintiff must demonstrate that (1) the defendant purposefully avails himself of the privilege of serving the forum state or enjoys the protection of the laws of the forum state, or that the defendant purposefully established contacts with and affirmatively directed conduct towards the forum state; and (2) the cause of action arises from that purposeful contact with the forum state. *Trump v. Eighth Judicial District Ct.*, 109 Nev. 687 (1993). The court must also consider whether it is reasonable for the defendant to defend the suit there. *Baker v. Eighth Judicial Dist. Ct.*, 116 Nev. 527 (2000).

The COURT FINDS that 3A's affiliations with Nevada are not so continuous and systematic as to render 3A essentially at home in Nevada. 3A is a Missouri Corporation with its principal place of business in North Carolina. The COURT FURTHER FINDS that 3A's contacts with Nevada do not rise to the level of purposeful contact or that 3A was affirmatively directing commerce to Nevada. The sale's invoice for the transaction consummated in 1998 was part of a larger transaction whose final destination could be changed at the whim of Interstate. 3A had no knowledge that its Alucobond would purposefully end up in Nevada. 3A's other contacts also do not rise to the level of purposeful contact or that 3A was affirmatively directing commerce to Nevada.

Therefore, COURT ORDERED Defendant 3A Composite USA Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction is GRANTED. Counsel for Defendant 3A Composite USA Inc. is directed to submit a proposed order consistent with the foregoing within ten (10) days after counsel is notified of the ruling and distribute a filed copy to all parties involved pursuant to EDCR 7.21. Such Order should set forth a synopsis of the supporting reasons proffered to the Court in briefing.

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder of Edward Silverman, Esq., (Alverson, Taylor, Mortensen & Sanders).



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Other Negligence****COURT MINUTES****April 08, 2016**

A-15-722391-C

Charles Schueler, Plaintiff(s)

vs.

MGM Grand Hotel, LLC, Defendant(s)

**April 08, 2016****9:30 AM****Decision**

**Defendant MGM  
Grand's Motion for  
Judgment on the  
Pleading**

**HEARD BY:** Villani, Michael**COURTROOM:** RJC Courtroom 11A**COURT CLERK:** Carol Donahoo**RECORDER:****REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- Defendant MGM Grand's Motion for Judgment on the Pleading and Defendant 3A Composite USA Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction came before this Court on the March 9, 2016, Oral Calendar. This COURT DEFERRED its decision on Defendant MGM Grand's Motion for Judgment on the Pleading and Defendant 3A Composite USA Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction. The Court ruled on Defendant 3A Composite USA Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction on March 23, 2016, and now rules on Defendant MGM Grand's Motion for Judgment on the Pleading as follows:

MGM Grand brings the present motion under NRCP 12(c). As such, a motion for judgment on the pleading is to be determined similarly to a motion to dismiss for failure to state a claim pursuant to NRCP 12(b)(5). See *Guise v. GWM Mortgage, LLC*, 377 F.3d 795 (7th Cir. 2004). In ruling upon a motion to dismiss, the court recognizes all factual allegations in the complaint as true and draws all inferences in its favor. *Buzz Stew, LLC v. City of N. Las Vegas*, 124 Nev. 224 (2008). The complaint should be dismissed under NRCP 12(b)(5) only if it appears beyond a doubt that a party could prove no set of facts, which, if true, would entitle the party to relief. *Id.* Allegations within the complaint

must be taken at face value and construed favorably in the nonmoving party's behalf. *Edgar v. Wagner*, 101 Nev. 226 (1985).

Plaintiff alleges that MGM owned, operated, maintained, controlled, implemented and/or designed a sign. Plaintiff further alleges that MGM had a duty to provide a safe and defect free environment with the sign and reasonably and adequately repair or warn of dangerous conditions with the sign. MGM argues that Schueler's fall from the sign was an open and obvious danger and MGM had no duty to warn Schueler of the danger. In *Sierra Pacific Power Co. v. Rinehard*, 99 Nev. 557 (1983), the Nevada Supreme Court found that the plaintiff's fall from a cooling tower was an open and obvious danger. In the present case, Schueler did not fall by merely working on the sign. Schueler fell when a walkway or platform collapsed under his weight within the sign. The COURT FINDS that falling from within the MGM sign from a collapsed walkway or platform is not an open and obvious danger.

In the alternative, MGM Grand argues that MGM is a statutory employer of Schueler and is immune from suit. See NRS 616.560; NRS 618.395. The Court must look at the type of work performed to determine whether or not MGM is a statutory employer of Schueler. The COURT FINDS that the work performed by Schueler was not the kind of work normally conducted by employees of MGM Grand. *Meers v. Haughton Elevator*, 101 Nev. 283 (1985). The specialized work performed by Schueler required skill and expertise that the employees of MGM do not possess. Accordingly, at this stage of the proceedings, the Court cannot state as a matter of law that MGM Grand is a statutory employer to warrant granting a motion for judgment on the pleading.

Therefore, COURT ORDERED Defendant MGM Grand's Motion for Judgment on the Pleading is DENIED. Counsel for Plaintiff is directed to submit a proposed order consistent with the foregoing within ten (10) days after counsel is notified of the ruling and distribute a filed copy to all parties involved pursuant to EDCR 7.21. Such Order should set forth a synopsis of the supporting reasons proffered to the Court in briefing.

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder of William R. Brenske, Esq., (Law Offices of William R. Brenske).

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Other Negligence**

**COURT MINUTES**

**April 12, 2016**

---

A-15-722391-C      Charles Schueler, Plaintiff(s)  
vs.  
MGM Grand Hotel, LLC, Defendant(s)

---

**April 12, 2016      9:00 AM      Discovery Conference**

**HEARD BY:** Bulla, Bonnie

**COURTROOM:** RJC Level 5 Hearing Room

**COURT CLERK:** Alan Castle

**RECORDER:** Francesca Haak

**REPORTER:**

**PARTIES**

**PRESENT:**      Andreevski, Jennifer R., ESQ      Attorney  
                 Clayton, Riley A      Attorney  
                 Hunter, Timothy F.      Attorney

**JOURNAL ENTRIES**

- COMMISSIONER RECOMMENDED, Ms. Andreevski to PAY \$50.00 contribution to Legal Aid Center of Southern Nevada (Clark County Pro Bono Project) for her firm's failing to provide a courtesy copy of the report to the Discovery Commissioner; payment DUE within 30 days; a proof of payment must be submitted to the Discovery Commissioner. FURTHER, opposing counsel admonished regarding following up on compliance and non-receipt of a timely scheduling order. Discovery Commissioner will prepare the recommendation. Counsel anticipate 10 - 12 days for trial re: Personal Injury - Fall. No settlement conference requested. COMMISSIONER RECOMMENDED, discovery cutoff is 02/02/17; adding parties, amended pleadings, and initial expert disclosures DUE 11/04/16; rebuttal expert disclosures DUE 12/02/16; dispositive motions TO BE FILED BY 03/03/17. Scheduling Order will issue.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Other Negligence****COURT MINUTES****May 25, 2016**

A-15-722391-C      Charles Schueler, Plaintiff(s)  
vs.  
MGM Grand Hotel, LLC, Defendant(s)

<b>May 25, 2016</b>	<b>3:00 AM</b>	<b>Motion For Reconsideration</b>	<b>Plaintiff Charles Schueler's Motion for Reconsideration on Defendant 3A Composites USA Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction</b>
---------------------	----------------	---------------------------------------	--

**HEARD BY:** Villani, Michael**COURTROOM:** RJC Courtroom 11A**COURT CLERK:** Carol Donahoo**RECORDER:****REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- Plaintiff's Motion for Reconsideration on Defendant 3A Composites USA Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction came before this Court on the May 25, 2016, Chamber Calendar.

During argument on Defendant 3A Composites USA Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction, Plaintiff's counsel stated, "We don't need 56(f) [relief]." When issuing its decision, the Court did not recall that in summation Plaintiff modified its position and stated "So there's plenty of . . . specific jurisdiction in this case, your honor. And if for any reason you don't believe that's correct, then we do discovery like they did in Trump and the other Nevada Supreme Court cases that allow you to do that." Defendant 3A Composites USA Inc. submitted matters outside of the pleadings to the Motion to Dismiss (i.e. an invoice), so the Motion to Dismiss must be treated as a Motion for Summary Judgment. *Stevens v. McGimsey*, 99 Nev. 840, 840, 673 P.2d 499, 500 (1983). As such,

Plaintiff's request for jurisdictional discovery and supporting affidavit were appropriate under NRCp 56(f).

Therefore, COURT ORDERED Motion for Reconsideration on Defendant 3A Composites USA Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction is GRANTED. Plaintiff's Countermotion to Conduct Additional Discovery is GRANTED. Plaintiff may conduct jurisdictional discovery to the extent set forth in Plaintiff's affidavit. Counsel for Plaintiff is directed to submit a proposed order consistent with the foregoing within ten (10) days after counsel is notified of the ruling and distribute a filed copy to all parties involved pursuant to EDCR 7.21. Such Order should set forth a synopsis of the supporting reasons proffered to the Court in briefing.

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder of Riley A. Clayton, Esq., (Hall Jaffe & Clayton, LLP).

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Other Negligence**

**COURT MINUTES**

**June 22, 2016**

---

A-15-722391-C      Charles Schueler, Plaintiff(s)  
vs.  
MGM Grand Hotel, LLC, Defendant(s)

---

**June 22, 2016**

**3:00 AM**

**Motion For  
Reconsideration**

**MGM Grand's  
Motion for  
Reconsideration on  
Motion for Judgment  
on the Pleadings**

**HEARD BY:** Vega, Valorie J.

**COURTROOM:** RJC Courtroom 11A

**COURT CLERK:** Carol Donahoo

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- MGM Grand's Motion for Reconsideration of Motion for Judgment on the Pleadings came before this Court on the June 22, 2016, Chamber Calendar. COURT ORDERED Motion for Reconsideration of Motion for Judgment on the Pleadings CONTINUED for Judge Villani's consideration.

CONTINUED TO: 08/13/16 CHAMBER CALENDAR

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Other Negligence****COURT MINUTES****June 22, 2016**

A-15-722391-C      Charles Schueler, Plaintiff(s)  
vs.  
MGM Grand Hotel, LLC, Defendant(s)

<b>June 22, 2016</b>	<b>8:30 AM</b>	<b>Motion for Summary Judgment</b>	<b>Defendant Ad Art, Inc.'s Motion for Summary Judgment</b>
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**HEARD BY:** Vega, Valorie J.**COURTROOM:** RJC Courtroom 11A**COURT CLERK:** Carol Donahoo**RECORDER:** Michelle Ramsey**REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- This is the time set for hearing on Defendant Ad Art, Inc.'s Motion for Summary Judgment.

Mr. Hunter advised that Ad Art, Inc. is a new corporation formed by the former officers and employees of Ad Art Electric Sign Corporation which was sold to become a division of La-Man, Inc. which later became Display Technologies, Inc. Later, NASCO Electric Sign Company purchased the naming rights to Ad Art. However, in March 2003 the new corporation Ad Art, Inc. was formed. Mr. Hunter's client only purchased the NAME Ad Art. Ad Art was liquidated and NASCO only purchased the ability to use the name Ad Art; the new corporation was formed in 2003. This is not a successor corporation; Ad Art Electric Sign Company or the Company that purchased them La-Man, Inc. or Display Technologies which is what La-Man changed their name to, those are the companies which were successor entities.

The MGM pylon sign that is outside the MGM Grand Hotel was built in either 1993 or 1994, which is ten (10) years before the formation of this corporation. Ad Art Electric Sign Corporation did not merge with Ad Art, Inc. The company that bought Ad Art, Inc. was dissolved in 2001 and then the new corporation was formed two (2) years later in 2003. Plaintiff has not provided any evidence that

Ad Art, Inc. was in existence back in 1993 when the sign was actually built.

Additionally, Mr. Hunter advised that the Plaintiff is requesting NRCP 56(f) relief; the relief is not relevant because they are looking for information on the predecessor entities and there were no predecessor entities to Ad Art, Inc. Therefore, there is no relevance to anything that the predecessor entity may have done involving the MGM pylon sign and/or who the employees of Ad Art Inc. or the corporate designees of Ad Art Electric Sign Corporation were, which is the old corporation.

Mr. Brenske advised that no discovery has been done in this case. The purpose of discovery is to determine whether or not the current Deft. is liable for the injuries to his client. If you have a successor corporation, they are liable for the debts of a prior corporation. The Plaintiff is required to provide certain issues of fact in order to keep Ad Art, Inc. in this case. That is why the Plaintiff filed the Rule 56(f) motion because discovery needs to be done to determine those things and that is why the Rule 56(f) motion is relevant. Mr. Brenske requested that this Court deny the Motion for Summary Judgment, without prejudice, but alternatively, grant the motion under Rule 56(f); he would like one hundred twenty (120) days to perform some written discovery and take some depositions.

The COURT FINDS, that this is a recently filed case with no discovery having been conducted to date and that there are genuine issues of material fact as to whether successor liability exists and whether or not Ad Art, Inc. is a continued entity of the same corporation. Discovery needs to be conducted to flush out the facts and for the facts to become known to counsel; at this juncture it is difficult to determine how much time would be needed to conduct that discovery. The Court would have been inclined to a continuance under Rule 56(f) but because no discovery has been done yet, it is difficult to ascertain how much time is going to be needed. Therefore, COURT ORDERED, Motion for Summary Judgment DENIED, without prejudice. However, the Court will allow the discovery to go forward and then once the facts are flushed out and there is actual evidence and/or testimony that can be presented to attach as exhibits to this motion it may be brought anew. The denial is pursuant to Wood v. Safeway.

Mr. Hunter advised that some discovery has been done; Plaintiff propounded some written discovery upon his client and it was responded to; therefore, Mr. Hunter requested that this Court impose a discovery deadline. Court noted that counsel has the EDCR's the NRCP's and the Discovery Commissioner at his assistance.

Mr. Brenske to prepare the Order approved as to form and content.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Other Negligence****COURT MINUTES****July 13, 2016**

A-15-722391-C

Charles Schueler, Plaintiff(s)

vs.

MGM Grand Hotel, LLC, Defendant(s)

**July 13, 2016****3:00 AM****Motion For  
Reconsideration****MGM Grand's  
Motion for  
Reconsideration on  
Motion for Judgment  
on the Pleadings****HEARD BY:** Villani, Michael**COURTROOM:** RJC Courtroom 11A**COURT CLERK:** Carol Donahoo**RECORDER:****REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- Defendant MGM Grand's Motion for Reconsideration on Motion for Judgment on the Pleadings came before this Court on the July 13, 2016, Chamber Calendar.

On April 8, 2016, this Court issued a Minute Order denying Defendant's Motion for Judgment on the Pleadings. Defendant now requests this Court reconsider its previous ruling. Schueler was an employee of YESCO and injured when he fell from a platform on the premises of the MGM Grand while he replaced LED lights for a marquee sign. It is undisputed that YESCO is a licensed contractor. Schueler filed suit against MGM for premises liability.

In *Richards v. Republic Silver State Disposal, Inc.*, 122 Nev. 1213, 148 P.3d 684 (2006), Richards brought suit against Republic for an injury Richards sustained when he fell from a ladder while descending from the rooftop of Republic. Richards was installing a swamp cooler, which Republic contracted Richard's employer to complete. The facts in Richards are strikingly similar to those in the present matter.

Here, MGM Grand contracted YESCO, a licensed contractor, to perform the replacement of the LED lights in the marquee sign. Schueler alleges that his injuries resulted from his fall from the marquee sign, but this fall resulted from a risk directly associated with working on the sign. Upon further review of these facts and applicable law regarding statutory immunity, the COURT FINDS that Schueler's claim is related to a risk arising out of his duties with YESCO and that YESCO was a licensed contractor hired by MGM. Therefore, MGM is a statutory employer immune from suit. *Id.*; see also *Harris v. Rio Hotel & Casino, Inc.*, 117 Nev. 482, 25 P.3d 206 (2001).

Therefore, COURT ORDERED MGM Grand's Motion for Reconsideration on Motion for Judgment on the Pleadings is GRANTED. Counsel for MGM Grand is directed to submit a proposed order consistent with the foregoing within ten (10) days after counsel is notified of the ruling and distribute a filed copy to all parties involved pursuant to EDCR 7.21. Such Order should set forth a synopsis of the supporting reasons proffered to the Court in briefing.

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder of Riley Clayton, Esq., (Hall Jaffe & Clayton, LLP).

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Negligence - Other Negligence

# COURT MINUTES

September 21, 2016

A-15-722391-C Charles Schueler, Plaintiff(s)  
vs.  
MGM Grand Hotel, LLC, Defendant(s)

**September 21, 2016      3:00 AM      Motion for Clarification**

**HEARD BY:** Villani, Michael                      **COURTROOM:** Chambers

**COURT CLERK:** Keri Cromer

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

## JOURNAL ENTRIES

- Defendant 3A Composites USA Inc. s Motion for Clarification came before this Court on the September 21, 2016, Chamber Calendar. Having considered the papers and pleadings on file herein for these Motions, the COURT FINDS as follows:

(1) This Court's decision on Plaintiff's Motion for Reconsideration granted on 5/25/16 ordered Plaintiff to prepare a proposed order pursuant to EDCR 7.21. As of 9/20/16, no such order has been proposed. Plaintiff's counsel is once again directed to submit the proposed order. If said order is not submitted on or before 9/30/16 sanctions will be imposed.

(2) The intent of the court's minute entry dated 5/25/16 was to allow Plaintiff the opportunity to conduct discovery on all aspects of jurisdiction, both general and specific.

(3) Since Plaintiff has had since 5/25/16 to formulate a plan for jurisdictional discovery, the Court is limiting any further jurisdictional discovery to 90 days. Discovery on this jurisdictional issue will therefore close on 12/20/2016. All other discovery matters are stayed as it related to 3A Composites USA Inc.

Plaintiff is directed to submit a proposed order consistent with the foregoing within ten (10) days after counsel is notified of the ruling and distribute a filed copy to all parties involved pursuant to EDCR 7.21. Such Order should set forth a synopsis of the supporting reasons proffered to the Court

in briefing.

CLERK'S NOTE: The above minute order has been distributed via facsimile to: William Brenske, Esq. (702-385-3823), Timothy Hunter, Esq. (702-270-4602), and Riley Clayton, Esq. (702-316-4114)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Other Negligence**

**COURT MINUTES**

**October 19, 2016**

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A-15-722391-C	Charles Schueler, Plaintiff(s)
	vs.
	MGM Grand Hotel, LLC, Defendant(s)

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**October 19, 2016      3:00 AM      Motion**

**HEARD BY:** Villani, Michael      **COURTROOM:** RJC Courtroom 11A

**COURT CLERK:** Olivia Black

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Defendant's Motion to Certify Judgment as Final Pursuant to NRCP 54(b) came before this Court on the October 19, 2016, Chamber Calendar. This Court, having reviewed the pleadings and papers on file herein and Plaintiff filing Notice of No Opposition, COURT ORDERED Motion to Certify Judgment as Final Pursuant to NRCP 54(b) GRANTED. Defendant is directed to submit a proposed order consistent with the foregoing within ten (10) days after counsel is notified of the ruling and distribute a filed copy to all parties involved pursuant to EDCR 7.21. Such Order should set forth a synopsis of the supporting reasons proffered to the Court in briefing.

CLERK'S NOTE: A copy of this Minute Order has been placed in the attorney folder of William Brenske, Esq., Timothy Hunter, Esq., and Riley Clayton, Esq.//ob/10/24/16.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Other Negligence**

**COURT MINUTES**

**January 20, 2017**

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A-15-722391-C      Charles Schueler, Plaintiff(s)  
vs.  
MGM Grand Hotel, LLC, Defendant(s)

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<b>January 20, 2017</b>	<b>9:30 AM</b>	<b>Motion for Protective Order</b>	<b>Defendant 3A Composites USA Inc.'s Motion for Protective Order on an OST (Before the Discovery)</b>
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**HEARD BY:** Bulla, Bonnie

**COURTROOM:** RJC Level 5 Hearing Room

**COURT CLERK:** Jennifer Lott

**RECORDER:** Francesca Haak

**REPORTER:**

**PARTIES**

**PRESENT:** Krametbauer, Ryan D.      Attorney

**JOURNAL ENTRIES**

- Edward Silverman, Esquire, for 3A Composites USA Inc.

Arguments by counsel. COMMISSIONER RECOMMENDED, motion is GRANTED but WITHOUT PREJUDICE to renew certain requests for documents in the future; 1997 to 2000 documents are PROTECTED; if documents become critical, bring to Commissioner's attention for consideration again.

MATTER TRAILED AND RECALLED: Mr. Krametbaur read excerpts of Stipulation and Order. Complete depositions by 3/20/17; if necessary, counsel agreed to bring a Motion for jurisdiction discovery; all discovery in case EXTENDED to 6/23/17; adding parties, amended pleadings, and

initial expert disclosures DUE 4/20/17; rebuttal expert disclosures DUE 5/22/17; FILE dispositive motions by 7/21/17; 9/5/17 Trial date STANDS.

Mr. Silverman to prepare the Report and Recommendations, and Mr. Krametbaur to approve as to form and content. A proper report must be timely submitted within 10 days of the hearing. Otherwise, counsel will pay a contribution. Mr. Silverman to appear at status check hearing to report on the Report and Recommendations.

2/17/17 11:00 a.m. Status Check: Compliance

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Other Negligence**

**COURT MINUTES**

**April 26, 2017**

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A-15-722391-C      Charles Schueler, Plaintiff(s)  
vs.  
MGM Grand Hotel, LLC, Defendant(s)

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**April 26, 2017      8:30 AM      Motion for Summary  
Judgment**

**HEARD BY:** Villani, Michael

**COURTROOM:** RJC Courtroom 11A

**COURT CLERK:** Olivia Black

**RECORDER:** Michelle Ramsey

**REPORTER:**

**PARTIES**

**PRESENT:**      Brenske, William R.      Attorney  
                 Hunter, Timothy F.      Attorney  
                 Krametbauer, Ryan D.      Attorney

**JOURNAL ENTRIES**

- Edward Silverman, Esq. appearing on behalf of Defendant 3A Composites USA Inc.'s

Arguments by counsel regarding the merits of the motion. Court stated due the nature of the motion, COURT ORDERED, Decision DEFERRED. The Court will prepare a written decision.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Other Negligence**

**COURT MINUTES**

**May 10, 2017**

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A-15-722391-C      Charles Schueler, Plaintiff(s)  
vs.  
MGM Grand Hotel, LLC, Defendant(s)

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**May 10, 2017**

**8:30 AM**

**Motion**

**HEARD BY:** Villani, Michael

**COURTROOM:** RJC Courtroom 11A

**COURT CLERK:** Olivia Black

**RECORDER:** Cynthia Georgilas

**REPORTER:**

**PARTIES**

**PRESENT:**      Hunter, Timothy F.      Attorney  
                         Krametbauer, Ryan D.      Attorney

**JOURNAL ENTRIES**

- Edward Silverman, Esq. appearing on behalf of 3A Composites USA Inc.'s

Arguments by counsel regarding the merits of the motion. COURT ORDERED, decision DEFERRED.  
The Court will prepare a written decision.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Other Negligence**

**COURT MINUTES**

**May 31, 2017**

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A-15-722391-C      Charles Schueler, Plaintiff(s)  
vs.  
MGM Grand Hotel, LLC, Defendant(s)

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**May 31, 2017**

**4:00 PM**

**Minute Order**

**HEARD BY:** Villani, Michael

**COURTROOM:** Chambers

**COURT CLERK:** Olivia Black

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of Timothy Hunter, Esq., Ryan Krametbauer, Esq., William Brenske, Esq. and Edward Silverman, Esq.//ob/05/31/17.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Other Negligence**

**COURT MINUTES**

**July 26, 2017**

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A-15-722391-C	Charles Schueler, Plaintiff(s)
	vs.
	MGM Grand Hotel, LLC, Defendant(s)

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**July 26, 2017**

**3:00 AM**

**Motion**

**HEARD BY:** Villani, Michael

**COURTROOM:** RJC Courtroom 11A

**COURT CLERK:** Olivia Black

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- Defendant's Motion to Certify Judgment as Final Pursuant to NRCP 54(b) came before this Court on the July 26, 2017, Chamber Calendar. This Court, having reviewed the pleadings and papers on file and no opposition on file and pursuant to EDCR 2.20(e), COURT ORDERED Motion to Certify Judgment as Final Pursuant to NRCP 54(b) GRANTED. Defendant is directed to submit a proposed order consistent with the foregoing within ten (10) days after counsel is notified of the ruling and distribute a filed copy to all parties involved pursuant to EDCR 7.21. Such Order should set forth a synopsis of the supporting reasons proffered to the Court in briefing.

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of William Brenske, Esq. LeAnn Sanders, Esq., Timothy Hunter, Esq., Riley Clayton, Esq.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Other Negligence**

**COURT MINUTES**

**August 16, 2017**

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A-15-722391-C      Charles Schueler, Plaintiff(s)  
vs.  
MGM Grand Hotel, LLC, Defendant(s)

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**August 16, 2017      3:00 AM      Motion for Attorney Fees**

**HEARD BY:** Villani, Michael      **COURTROOM:** Chambers

**COURT CLERK:** Olivia Black

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Defendant 3A Composites USA, Inc.'s Motion for Attorney's Fees came before this Court on August 16, 2017, Chamber Calendar. The Court finds as follows:

Defendant 3A Composites filed a Motion to Dismiss, which was granted by this Court on 3/23/16. Thereafter, Plaintiff filed a Motion for Reconsideration, which was granted on 5/25/16. Finally, Defendant 3A Composites filed a Motion for Clarification, which was ruled upon on 9/21/16. The Court ultimately held on 5/31/17 that Defendant 3A Composites lacked personal jurisdiction in Nevada, and therefore, granted the Motion for Summary Judgment based on Lack of Personal Jurisdiction. Defendant 3A Composites now asks for attorney s fees pursuant to NRS 18.010(2)(b). Subsequent to receiving the documents relating to the motion, the Court requested redacted attorney statements for review. The Court received and reviewed the attorney statements and rules as follows:

NRS 18.010(2)(b) governs the award of attorney's fees. In the instant case, Defendant 3A Composites was the prevailing party on the jurisdictional issue. Although the Court found that jurisdiction was lacking against 3A Composites, it cannot, and does not, find that Plaintiff's claim against 3A Composites "was brought or maintained without reasonable ground or to harass the prevailing party." NRS 18.010(2)(b). Further, the Court is mindful that an award for attorney's fees should be

liberally construed in appropriate situations. Here, the Court finds this is not the appropriate situation since the claim for jurisdiction was not maintained without reasonable ground or to harass.

Therefore, COURT ORDERED Defendant 3A Composites USA, Inc.'s Motion for Attorney's Fees DENIED. Counsel for Plaintiff is directed to submit a proposed order consistent with the foregoing within ten (10) days after counsel is notified of the ruling and distribute a filed copy to all parties involved pursuant to EDCR 7.21. Such Order should set forth a synopsis of the supporting reasons proffered to the Court in briefing and be approved as to form and content by Plaintiff.

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of William Brenske, Esq., LeAnn Sanders, Esq., Timothy Hunter, Esq. and Riley Clayton, Esq. //ob/10/25/17.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Other Negligence**

**COURT MINUTES**

**August 16, 2017**

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A-15-722391-C      Charles Schueler, Plaintiff(s)  
vs.  
MGM Grand Hotel, LLC, Defendant(s)

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**August 16, 2017      3:00 AM      Motion to Retax**

**HEARD BY:** Villani, Michael      **COURTROOM:** Chambers

**COURT CLERK:** Olivia Black

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Plaintiff's Motion to Retax Costs came before this Court on August 16, 2017, Chamber Calendar.  
The Court finds as follows:

"The party in whose favor judgment is rendered, and who claims costs, must file with the clerk, and serve a copy upon the adverse party, within 5 days after the entry of judgment, or such further time as the court or judge may grant, a memorandum of the items of the costs in the action or proceeding, which memorandum must be verified by the oath of the party, or the party's attorney or agent, or by the clerk of the party's attorney, stating that to the best of his or her knowledge and belief the items are correct, and that the costs have been necessarily incurred in the action or proceeding." NRS 18.110(1). Additionally, a court may then award "[a]ny other reasonable and necessary expense incurred in connection with the action, including reasonable and necessary expenses for computerized services for legal research." NRS 18.005(17).

The COURT FINDS that Plaintiff sought relief that had value in excess of \$2,500 and Defendant is therefore entitled to an award of costs as the prevailing party. NRS 18.020(3). The COURT FURTHER FINDS:

(1) Defendant's \$139.55 in photocopy costs are reasonable and proper pursuant to NRS 18.005(12);

(2) Defendant's \$331.69 in miscellaneous charges for legal research, facsimile costs, CDs/DVDs of hearings are reasonable pursuant to NRS 18.005(16) and (17);

(3) Defendant's \$435.64 hotel expenses were reasonable pursuant to NRS 18.005(15) given the time of day of the deposition;

(4) Defendant's \$232.52 in rental vehicle expenses were reasonable pursuant to NRS 18.005(15); and

(5) Defendant's \$169.41 in meal expenses were fair and reasonable pursuant to NRS 18.005(15).

The COURT FURTHER FINDS Defendant's airfare in the amount of \$2,212.90 was excessive; Defendant could have rebooked the flight if the deposition was cancelled and been reimbursed for any additional fees incurred due to the cancellation. The Court independently reviewed airfare costs and finds \$750.00 to be the average expense. Therefore, only \$750.00 for airfare is reasonable and proper under NRS 18.005(15).

Therefore, COURT ORDERED Plaintiff's Motion to Retax GRANTED IN PART and DENIED IN PART, and Defendant is entitled to costs in the amount of \$3,889.13. Counsel for Defendant is directed to submit a proposed order consistent with the foregoing within ten (10) days after counsel is notified of the ruling and distribute a filed copy to all parties involved pursuant to EDCR 7.21. Such Order should set forth a synopsis of the supporting reasons proffered to the Court in briefing and be approved as to form and content by Plaintiff.

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of William Brenske, Esq., LeAnn Sanders, Esq., Timothy Hunter, Esq. and Riley Clayton, Esq. //ob/08/18/17.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Other Negligence**

**COURT MINUTES**

**September 06, 2017**

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A-15-722391-C      Charles Schueler, Plaintiff(s)  
vs.  
MGM Grand Hotel, LLC, Defendant(s)

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**September 06, 2017    8:30 AM      Motion for Summary  
Judgment**

**HEARD BY:** Villani, Michael      **COURTROOM:** RJC Courtroom 11A

**COURT CLERK:** Olivia Black

**RECORDER:** Cynthia Georgilas

**REPORTER:**

**PARTIES**

**PRESENT:**      Hunter, Timothy F.      Attorney  
                         Krametbauer, Ryan D.      Attorney

**JOURNAL ENTRIES**

- Dana Long, Esq. appearing telephonically on behalf of Defendant

Arguments by counsel regarding the merits of the motion. COURT ORDERED, Decision DEFERRED. The Court will prepare a written decision.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Other Negligence****COURT MINUTES****October 09, 2017**

A-15-722391-C      Charles Schueler, Plaintiff(s)  
    vs.  
    MGM Grand Hotel, LLC, Defendant(s)

**October 09, 2017      4:00 PM      Minute Order**

**HEARD BY:** Villani, Michael      **COURTROOM:** Chambers

**COURT CLERK:** Olivia Black

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Defendant Ad Art, Inc. s Motion for Summary Judgment came before this Court on the September 6, 2017 oral calendar. The Court having further reviewed the pleadings, files, and argument finds as follows:

Summary judgment is appropriate when the pleadings and other evidence on file demonstrate no genuine issue as to any material fact [remains] and the moving party is entitled to judgment as a matter of law. See NRCP 56(c); Wood v. Safeway, Inc., 121 Nev. 724, 731, 121 P.3d 1026, 1031 (2005). In ruling upon a motion for summary judgment, the Court must view all evidence and inferences in the light most favorable to the non-moving party. See Torrealba v. Kesmetis, 124 Nev. 95, 178 P.3d 716 (2008). To rebut a motion for summary judgment, the nonmoving party must present some specific facts to demonstrate that a genuine issue of material fact exists. Forouzan, Inc. v. Bank of George, 128 Nev. 896, 381 P.3d 612 (2012).

Defendant Ad Art, Inc. seeks summary judgment based on claims that (1) old Ad Art completed the work on the MGM pylon sign at issue; (2) the current Ad Art was not in existence at the time of its construction; (3) Ad Art is not a successor corporation of old Ad Art; (4) the MGM pylon sign at issue was not a product to which products liability can apply; (5) the Statue of Repose applies; and (6) Plaintiff s premise liability claim fails because Ad Art was not the owner, occupier, designer, manufacturer, constructor, or maintainer of the MGM pylon sign.

Old Ad Art vs. current Ad Art

The Court finds ownership of Ad Art to be a question of fact for the jury. The Clark County Building Department Permit dated 10/5/93 (provided on page 4 of Plaintiff s Opposition) lists Ad Art, Inc. as the contractor. Although this runs counter to the statements made by Terry Long, the sale agreement between NASCO and Ad Art, Inc., and printout from the Nevada Secretary of State s website, it creates a question of fact as to which Ad Art was involved in the design, manufacture, creation, or maintenance of the sign. Therefore, the Motion is DENIED as to this issue.

**Strict products liability vs. premise liability**

Under *Calloway v. City of Reno*, one is strictly liable from a dangerously defective product only if one is a seller engaged in the business of selling such a product. 116 Nev. 250 (2000). The Court finds Ad Art is a manufacturer of signs. The fact that the MGM sign is one of a kind does not preclude such a claim against its manufacturer, Ad Art. Further, it follows that if the MGM pylon sign is a product, then it cannot be a premise to which premises liability can attach. Therefore, the Motion is GRANTED as to the premises liability claim against Defendant Ad Art, Inc.

**Statute of Repose**

Under NRS 11.190, NRS 11.220, and *Fisher v. Prof l Compounding Ctrs of Am., Inc.*, the statute of limitations for product liability cases is 4 years. 311 F. Supp. 2d. 1008, 1017-18 (Nev. 2012). That period does not run from the date of injury, rather, it starts when the injured party discovers or reasonably should have discovered facts supporting a cause of action. *Fisher*. The Court finds Plaintiff s Complaint stems from the personal injuries he suffered as a result of the defective product. Under NRS 11.190(4), the statute of limitations is 2 years. Plaintiff fell on 7/31/13; his Complaint was filed on 7/30/15. Therefore, the Complaint was filed within the requisite time frame. Therefore, the Motion is DENIED as to this issue.

Therefore, COURT ORDERED Defendant Ad Art, Inc. s Motion for Summary Judgment DENIED IN PART and GRANTED IN PART. Counsel for Plaintiff is directed to submit a proposed order consistent with the foregoing within ten (10) days after counsel is notified of the ruling and distribute a filed copy to all parties involved pursuant to EDCR 7.21. Such Order should set forth a synopsis of the supporting reasons proffered to the Court in briefing and be approved as to form and content by all parties.

CLERK'S NOTE: A copy of the foregoing minute order has been electronically distributed to all registered parties.//ob/10/9/17

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Other Negligence**

**COURT MINUTES**

**January 24, 2018**

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A-15-722391-C	Charles Schueler, Plaintiff(s)
	vs.
	MGM Grand Hotel, LLC, Defendant(s)

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<b>January 24, 2018</b>	<b>3:00 AM</b>	<b>Motion For Reconsideration</b>
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**HEARD BY:** Villani, Michael

**COURTROOM:** Chambers

**COURT CLERK:** Olivia Black

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- Defendant Ad Art, Inc. s Motion for Reconsideration on Motion for Summary Judgment came before this Court on the January 24, 2018 Chamber Calendar. This Court, having reviewed the pleadings and papers on file herein, finds as follows:

A district court may reconsider a previously decided issue if substantially different evidence is subsequently introduced or if the prior decision was clearly erroneous. *Masonry & Tile Contractors Ass n of Southern Nevada v. Jolley, Urga & Wirth, Ltd.*, 113 Nev. 737 (1976); *Moore v. City of Las Vegas*, 92 Nev. 402, 404 (1976).

Defendant Ad Art s Motion for Reconsideration centers on the question as to whether or not MGM s pylon business sign should be considered a product for purposes of Plaintiff s Second Cause of Action claim Products Liability. The Second Cause of Action alleges that Defendant Ad Art designed, manufactured, constructed, assembled, sold and/or distributed the MGM pylon sign. See Pl. Compl., 6:9-11.

Plaintiff s First Cause of Action alleged that the sign in question was a premise for purposes of its premises liability claim. The Court dismissed this Cause of Action by determining that an

advertising sign would not be covered under a legal theory of premises liability.

Both parties agree that the aforementioned question is answered by an analysis of *Calloway v. City of Reno*, 116 Nev. 250, 992 P.2d 1259 (2000). In *Calloway*, it was alleged that the construction of townhomes included defective framing. The Court held that the economic loss rule applied to construction defect cases. Further, it held that townhomes were not products for purposes of strict products liability. *Id.* at 268. The Court acknowledged that some jurisdictions have found that a building can constitute a product under strict liability while others have found the opposite. Previously, the Court found that a leaky gas line fitting in a residence fell under the doctrine of strict liability. See *Worrell v. Barnes*, 87 Nev. 204, 484 P.2d 573 (1971). The *Calloway* court specifically overruled the *Worrell* court with respect to its application of strict products liability. *Id.* at 271.

In *Martens v. MCL Construction Corp.*, 347 Ill. App. 3d 303, 807 N.E. 2d 480 (2004), the Illinois Court of Appeals dealt with a case similar to matter at hand. In *Marten*, the Illinois court dealt with a claim involving a fall from a steel beam at a construction site. In affirming the Circuit Court's granting of summary judgment, the Court of Appeals held that buildings and indivisible component parts of the building structure itself, such as bricks, supporting beams and railings, are not deemed products for purposes of strict liability in tort. *Id.* at 320. Here, the MGM sign is a one of a kind object and not mass produced. Under such circumstances the MGM sign is not a product for strict liability purposes. See *Dayberry v. City of E. Helena*, 318 Mont. 301, 80 P.3d 1218 (2003).

Since the Court has determined that the MGM sign is not a product for strict liability purposes, it need not address the successor in liability issue. Additionally, the Court notes Plaintiff's Complaint does not allege a negligence claim or claim for failure to warn workers who perform maintenance work on the sign.

Therefore, the Court has reconsidered its previous decision and GRANTS Defendant Ad Art's Motion for Summary Judgment.

Therefore, COURT ORDERED Defendant Ad Art, Inc.'s Motion for Reconsideration on Motion for Summary Judgment GRANTED. Counsel for Defendant Ad Art, Inc. is directed to submit a proposed order consistent with the foregoing within ten (10) days after counsel is notified of the ruling and distribute a filed copy to all parties involved pursuant to EDCR 7.21. Such Order should set forth a synopsis of the supporting reasons proffered to the Court in briefing and be approved as to form and content by all parties.

CLERK'S NOTE: A copy of the foregoing minute order has been electronically distributed to all registered parties and placed in the attorney folder of LeAnn Sanders, Esq.//ob/03/01/18.



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

**WILLIAM R. BRENSKE, ESQ.**  
**3800 HOWARD HUGHES PKWY., SUITE 500**  
**LAS VEGAS, NV 89169**

**DATE: April 24, 2018**  
**CASE: A-15-722391-C**

**RE CASE:** CHARLES SCHUELER vs. MGM GRAND HOTEL, LLC dba MGM GRAND; AD  
ART, INC.; 3A COMPOSITES USA INC. aka ALUCOBOND TECHNOLOGIES CORPORATION

NOTICE OF APPEAL FILED: April 20, 2018

**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

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**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.*

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*\*\*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 AD ART, INC.'S MOTION FOR RECONSIDERATION ON MOTION FOR SUMMARY JUDGMENT; NOTICE OF ENTRY OF ORDER GRANTING AD ART, INC.'S MOTION FOR RECONSIDERATION ON MOTION FOR SUMMARY JUDGMENT; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

CHARLES SCHUELER,

Plaintiff(s),

vs.

MGM GRAND HOTEL, LLC dba MGM  
GRAND; AD ART, INC.; 3A COMPOSITES  
USA INC. aka ALUCOBOND  
TECHNOLOGIES CORPORATION,

Defendant(s),

Case No: A-15-722391-C

Dept No: XVII

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 24 day of April 2018.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk