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10 *145 East Harmon II Trust,*
11 *Anthony Tan as Trustee of the 145 East Harmon Trust*

Electronically Filed
Jun 11 2018 09:32 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

12 **IN THE SUPREME COURT FOR THE STATE OF NEVADA**

13 145 EAST HARMON II TRUST,
14 ANTHONY TAN AS TRUSTEE OF THE
15 145 EAST HARMON II TRUST,

16 Appellant,

17 vs.

18 MGM RESORTS INTERNATIONAL;
19 MGM GRAND CONDOMINIUMS, LLC;
20 SIGNATURE TOWER I, LLC; THE
21 RESIDENCES AT MGM GRAND –
22 TOWER A OWNERS’ ASSOCIATION;
23 DOES I through X;

24 Respondent,

Appeal No.: 75920

District Court Case No.: A-16-733764-C

CASE APPEAL STATEMENT

- 25 1. Name of appellant filing case appeal statement: 145 East Harmon II
26 Trust, Anthony Tan as Trustee of the 145 East Harmon Trust (“Trust”).
- 27 2. Counsel for appellant: Luis A. Ayon, Esq., Ayon Law, PLLC, 8716
28 Spanish Ridge Avenue, Suite 115, Las Vegas, Nevada 89148.
3. Name of judge who entered order or judgment being appealed: The
Honorable Mark B. Bailus, Department XVIII, Eighth Judicial District Court, Clark
County, Nevada.
4. Name of respondent: Residences at MGM Grand – Tower A Owners’
Association (“Association”).

1 5. Name of appellate counsel for Respondent, if known (if not known,
2 name of counsel in district court): Brent Larsen, Esq. of Singer & Larsen P.C. at
3 4475 S. Pecos Road, Las Vegas, Nevada 89121.

4 6. Whether any of the attorneys above are not licensed to practice law in
5 Nevada: Not applicable.

6 7. Whether appellant was represented by appointed counsel in district
7 court, and whether they are represented by appointed counsel on appeal: Appellant
8 was represented by retained counsel in district court: Stephen K. Lewis, Esq.
9 Appellant is represented by retained counsel on appeal: Luis A. Ayon, Esq. of Ayon
10 Law, PLLC.

11 8. Whether the district court permitted appellant to appear in forma
12 pauperis: Not applicable.

13 9. Date proceedings commenced in district court: The Complaint was filed
14 in district court on March 21, 2016.

15 10. Brief description of nature of action and result in district court,
16 including type of judgment or order being appealed and relief granted by district
17 court:

18 The nature of this action concerns a property that the Trust owned in Tower
19 A of the MGM Signature. An individual associated with the MGM entered without
20 authorization at a time when no one else was present in the property and caused
21 substantial damage. Plaintiff filed suit against the defendants to recover for that
22 damage. The MGM was not forthcoming as to which of its many entities were the
23 correct defendants responsible for the damage. As a result, Plaintiff sued multiple
24 defendants, including the Association. The Association claimed that it was not the
25 correct defendant and ultimately moved to recover its attorneys' fees.

26 On February 13, 2018, the Court granted the Association's motion for
27 attorneys' fees. The order appealed from is the Court's February 13, 2018 order
28

1 granting the Association's motion for attorneys' fees, entered on April 16, 2018.

2 11. Whether the case has been the subject of a previous appeal to, or original
3 writ proceeding in the Supreme Court or Court of Appeals: Not applicable.

4 12. Whether the appeal involved child custody or visitation: No.

5 13. Whether the appeal involves the possibility of settlement:

6 The Trust is not opposed to settlement discussions.

7 DATED this 8th day of June, 2018.

8
9 Respectfully submitted,

10 **AYON LAW, PLLC**

11
12 /s/ Luis A. Ayon

13 LUIS A. AYON, ESQ.

14 Nevada Bar No. 9752

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16 Las Vegas, Nevada 89148

17 *Attorneys for Plaintiff*

18 *145 East Harmon II Trust, Anthony Tan as*

19 *Trustee of the 145 East Harmon Trust*

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CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing **CASE APPEAL STATEMENT** was made on this 8th of June, 2018, via the Court’s File & Serve system to all parties and counsel as identified on the Court-generated Notice of Electronic Filing.

Attorney for MGM Grand – Tower A Owners’ Association:

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