

CODE: \$2515

G. MARK ALBRIGHT, ESQ., #001394

D. CHRIS ALBRIGHT, ESQ., #004904

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Attorneys for Applicants

Electronically Filed
Jun 20 2018 01:46 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

JOHN ILIESCU, JR.; et al,

Applicants,

vs.

MARK B. STEPPAN,

Respondent.

CASE NO. CV07-00341
(Consolidated w/CV07-01021)

DEPT NO. 10

MARK B. STEPPAN,

Plaintiff,

vs.

JOHN ILIESCU, JR., et al.,

Defendants.

**NOTICE OF APPEAL OF
SUMMARY JUDGMENT DISMISSAL
OF THIRD-PARTY CLAIMS**

JOHN ILIESCU, JR. and SONNIA ILIESCU, et
al.,

Third-Party Plaintiffs,

vs.

HALE LANE PEEK DENNISON AND
HOWARD PROFESSIONAL CORPORATION,
a Nevada professional corporation, dba HALE
LANE; et al.,

Third-Party Defendants.

NOTICE is hereby given that JOHN ILIESCU, JR., individually, and JOHN ILIESCU AND SONNIA SANTEE ILIESCU as Trustees of the JOHN ILIESCU, JR. AND SONNIA ILIESCU 1992 FAMILY TRUST AGREEMENT, Third-Party Plaintiffs in Case No. CV07-01021, hereby

1 appeal to the Supreme Court of the State of Nevada from the rulings set forth in the June 12, 2018
2 "Order Granting Third-Party Defendant Hale Lane's Motion for Summary Judgment" (Washoe
3 County Transaction #6724832), which Order was entered against them and in favor of Third-Party
4 Defendant, HALE LANE PEEK DENNISON AND HOWARD PROFESSIONAL
5 CORPORATION ("Hale Lane" or "Third-Party Defendant"), which will be the Respondent in these
6 appellate proceedings. This Notice of Appeal appeals both the ruling granting Hale Lane's Motion
7 for Summary Judgment and also the ruling denying the Iliescus' Countermotions for leave to amend
8 and for more time for discovery, which rulings are all contained within said same Order.

9 DATED this 15th day of June, 2018.

10 **ALBRIGHT, STODDARD, WARNICK & ALBRIGHT**

11 

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13 D. CHRIS ALBRIGHT, ESQ., #004904

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17 gma@albrightstoddard.com / dca@albrightstoddard.com

18 *Counsel for Appellants*

19 **AFFIRMATION**

20 The undersigned does hereby affirm that the preceding document filed in the Second Judicial
21 District Court does not contain the social security number of any person.

22 DATED this 13th day of June, 2018.

23 By 

24 G. MARK ALBRIGHT, ESQ., #001394

25 D. CHRIS ALBRIGHT, ESQ., #004904

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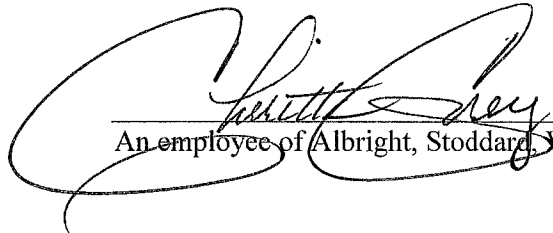
Counsel for Appellants

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that I am an employee of ALBRIGHT, STODDARD, WARNICK & ALBRIGHT and that on this 15th day of June, 2018, service was made by the following mode/method a true and correct copy of the foregoing **NOTICE OF APPEAL OF SUMMARY JUDGMENT DISMISSAL OF THIRD-PARTY CLAIMS** to the following person(s):

David R. Grundy, Esq.
Todd R. Alexander, Esq.,
LEMONS, GRUNDY & EISENBERG
6005 Plumas Street, Third Floor
Reno, Nevada 89519
Tel: (775) 786-6868
drg@lge.net / tra@lge.net
Attorneys for Third-Party Defendant Hale Lane

☐ Certified Mail
☒ Electronic Filing/Service
☐ Email
☐ Facsimile
☐ Hand Delivery
☐ Regular Mail


An employee of Albright, Stoddard, Warnick & Albright

1 **CODE: 1310**

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3 D. CHRIS ALBRIGHT, ESQ., #004904

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8 gma@albrightstoddard.com

9 dca@albrightstoddard.com

10 *Attorneys for Applicants*

11 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**

12 **IN AND FOR THE COUNTY OF WASHOE**

13 JOHN ILIESCU, JR., et al,

14 Applicants,

15 vs.

16 MARK B. STEPPAN,

17 Respondent.

18 MARK B. STEPPAN,

19 Plaintiff,

20 vs.

21 JOHN ILIESCU, JR., et al.,

22 Defendants.

23 JOHN ILIESCU, JR. and SONNIA ILIESCU, et
24 al.,

25 Third-Party Plaintiffs,

26 vs.

27 HALE LANE PEEK DENNISON AND
28 HOWARD PROFESSIONAL CORPORATION,
a Nevada professional corporation, dba HALE
LANE; et al.,

Third-Party Defendants.

CASE NO. CV07-00341
(Consolidated w/CV07-01021)

DEPT NO. 10

CASE APPEAL STATEMENT

NOTICE is hereby given that JOHN ILIESCU, JR., individually, and JOHN ILIESCU AND SONNIA SANTEE ILIESCU as Trustees of the JOHN ILIESCU, JR. AND SONNIA ILIESCU

1 1992 FAMILY TRUST AGREEMENT, Third-Party Plaintiffs in Case No. CV07-01021, hereby
2 appeal to the Supreme Court of the State of Nevada from the following orders, judgments and rulings
3 entered against them and in favor of Third-Party Defendant, HALE LANE PEEK DENNISON AND
4 HOWARD PROFESSIONAL CORPORATION ("Hale Lane" or "Third-Party Defendant"), the
5 Respondent in these appellate proceedings:

6 1. The names of the Appellants filing this Case Appeal Statement are: John Iliescu, Jr.,
7 individually, and John Iliescu and Sonnia Santee Iliescu as Trustees of the John Iliescu, Jr. and
8 Sonnia Iliescu 1992 Family Trust Agreement, which Appellants were the Third-Party Plaintiffs in
9 Consolidated Case No. CV07-01021.

10 2. The following Judge issued the decision(s), judgment(s), or order(s) appealed from:
11 The Honorable Elliott A. Sattler, Second Judicial District Court, Washoe County, Nevada.

12 3. The identity of each Appellant and the name and address of counsel for each
13 Appellant are as follows:

14 APPELLANTS: John Iliescu, Jr., individually, and John Iliescu and
15 Sonnia Santee Iliescu as Trustees of the John
16 Iliescu, Jr. and Sonnia Iliescu 1992 Family Trust
Agreement, the Third-Party Plaintiffs in
Consolidated Case No. CV07-01021.

17 APPELLANTS' COUNSEL: G. Mark Albright, Esq.
18 Nevada Bar No. 001394
19 D. Chris Albright, Esq.
20 Nevada Bar No. 004904
21 ALBRIGHT, STODDARD, WARNICK & ALBRIGHT
22 801 South Rancho Drive, Suite D-4
23 Las Vegas, Nevada 89106
Tel: (702) 384-7111
Fax: (702) 384-0605
gma@albrightstoddard.com
dca@albrightstoddard.com

24 4. The identify of each Respondent and the name and address of anticipated appellate
25 counsel, which was also district court counsel, for each Respondent are as follows:

26 RESPONDENT: Hale Lane Peek Dennison and Howard Professional
27 Corporation (dba Hale Lane)
28

RESPONDENT'S COUNSEL: David R. Grundy, Esq.
Todd R. Alexander, Esq.,
LEMONS, GRUNDY & EISENBERG
6005 Plumas Street, Third Floor
Reno, Nevada 89519
Tel: (775) 786-6868
drg@lge.net / tra@lge.net

5. All counsel identified in paragraphs 3 and 4 above are licensed to practice law in the State of Nevada.

6. Appellants were represented by retained counsel in the district court.

7. Appellants are represented by retained counsel on appeal.

8. Appellants have not sought nor have they been granted leave to proceed in forma pauperis.

9. The date(s) the proceedings commenced in the district court are as follows: The Iliescus' Application for release of Steppan's mechanic's lien, commencing Case No. CV07-00341, was filed on February 14, 2007 (said Application has since been fully adjudicated and is not the subject of this appeal); Mark A. Steppan's Complaint to foreclose his mechanic's lien, commencing Case No. CV07-01021 (subsequently consolidated with Case No. CV07-00341) was filed on May 4, 2007 (said Complaint has since been fully adjudicated and is not the subject of this appeal). The Iliescus' Answer containing a Third-Party Complaint alleging legal malpractice claims against Hale Lane was filed on September 27, 2007. These third-party claims were dismissed by the June 12, 2018 Summary Judgment Order which is the subject of this appeal.

10. A brief description of the nature of the action and result in the district court, including the type of judgment and orders being appealed and the relief granted by the district court follows:

These two consolidated cases involved Mark A. Steppan's mechanic's lien against certain property owned by the Appellants. Said mechanic's lien was ultimately invalidated by Nevada Supreme Court decision, *Iliescu v. Steppan*, 394 P.3d 930 (May 25, 2017) Docket No. 68346.

In the meantime, the Iliescus had asserted third-party legal malpractice claims against Respondent Hale Lane arising from the Steppan mechanic's lien. Said claims were stayed by stipulation pending the outcome of the Steppan lien litigation. After Steppan's lien was rejected, Hale Lane filed a motion for summary judgment dismissal of the malpractice claims. The Iliescus opposed said motion and filed a counter-motion for leave to amend and for further time to complete

1 discovery. The district court granted the Hale Lane motion for summary judgment and denied the
2 countermotions. This is an appeal from that decision.

3 11(A). This case has previously been the subject of an appeal to the Supreme Court, under
4 Nevada Supreme Court Case No. 60036, with the following caption:

5 Mark B. Steppan, Appellant

6 vs.

7 John Iliescu, Jr. and Sonnia Santee Iliescu as Trustees of the John Iliescu, Jr.
8 and Sonnia Iliescu 1992 Family Trust Agreement; Holland & Hart; Karen
9 Denise Dennison; R. Craig Howard; Jerry M. Snyder; Hale Lane Peek
Dennison Howard and Anderson; and John Schleining, Respondents

10 John Iliescu, Jr. and Sonnia Santee Iliescu as Trustees of the John Iliescu, Jr.
11 and Sonnia Iliescu 1992 Family Trust Agreement, Appellants

12 vs.

13 Holland & Hart; Karen Denise Dennison; R. Craig Howard; Jerry M. Snyder;
14 Hale Lane Peek Dennison Howard & Anderson, Respondents

15 11(B). This case has also previously been the subject of an appeal to the Supreme Court,
16 under Nevada Supreme Court Case No. 68346, with the following caption:

17 JOHN ILIESCU, individually, JOHN ILIESCU, JR. and SONNIA
18 SANTEE ILIESCU, as Trustees of the JOHN ILIESCU, JR. AND
SONNIA ILIESCU 1992 FAMILY TRUST AGREEMENT,

19 Appellants,

20 vs.

21 MARK B. STEPPAN,

22 Respondent.

23 12. This appeal does not involve child custody or visitation.

24 ///

25 ///

26 ///

27 ///

28 ///

13. It is unknown at this time whether this appeal involves the possibility of settlement.
DATED this 15th day of June, 2018.

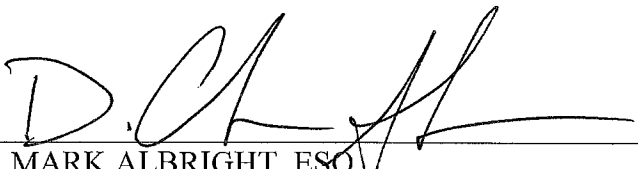
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gma@albrightstoddard.com
dca@albrightstoddard.com
Counsel for Appellants

AFFIRMATION

The undersigned does hereby affirm that the preceding document filed in the Second Judicial District Court does not contain the social security number of any person.

DATED this 15th day of June, 2018.

By 
G. MARK ALBRIGHT, ESQ.
Nevada Bar No. 001394
D. CHRIS ALBRIGHT, ESQ.
Nevada Bar No. 004904
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& ALBRIGHT**
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Counsel for Appellants

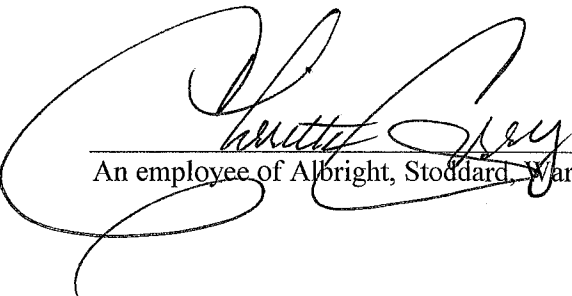
CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that I am an employee of ALBRIGHT, STODDARD, WARNICK & ALBRIGHT and that on this 15th day of June, 2018, service was made by the following mode/method a true and correct copy of the foregoing **CASE APPEAL STATEMENT** to the following person(s):

David R. Grundy, Esq.
Todd R. Alexander, Esq.,
LEMONS, GRUNDY & EISENBERG
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Reno, Nevada 89519
Tel: (775) 786-6868
drg@lge.net / tra@lge.net

Attorneys for Third-Party Defendant Hale Lane

☐ Certified Mail
☒ Electronic Filing/Service
☐ Email
☐ Facsimile
☐ Hand Delivery
☐ Regular Mail


An employee of Albright, Stoddard, Warnick & Albright

SECOND JUDICIAL DISTRICT COURT**STATE OF NEVADA****COUNTY OF WASHOE****Case History - CV07-00341****Case Description: MARK STEPPAN VS. JOHN ILIESCU, ETAL (D10)****Case Number: CV07-00341 Case Type: LIENS - Initially Filed On: 2/14/2007****Parties**

<u>Party Type & Name</u>	<u>Party Status</u>
JUDG - ELLIOTT A. SATTLER - D10	Active
JUDG - LYNNE K. SIMONS - D6	Party ended on: 8/10/2011 12:00:00AM
JUDG - KATHLEEN DRAKULICH - D1	Party ended on: 8/18/2011 12:00:00AM
DATY - Stephen R. Harris, Esq. - 1463	Active
DATY - Judith A. Otto, Esq. - 3326	Party ended on: 3/18/2010 12:00:00AM
3DEF - KAREN D. DENNISON - @3257	Active
3DEF - HOLLAND & HART, LLP - @1158588	Active
3DEF - HALE LANE PEEK DENNISON HOWARD - @56874	Active
3DEF - CONSOLIDATED PACIFIC DEVELOPMENT INC. (NV CORP.) - @139819	Active
3DEF - JERRY M. SNYDER - @612312	Active
3DEF - JOHN SCHLEINING - @1135932	Active
3DEF - R. CRAIG HOWARD - @313806	Active
3DEF - CALVIN BATY - @1264167	Active
3DEF - DECAL OREGON INC. - @1135933	Active
APPL - JOHN ILIESCU, JR. - @8244	Active
APPL - SONNIA ILIESCU - @77375	Active
ATTY - Stephen C. Mollath, Esq. - 922	Active
ATTY - D. Chris Albright, Esq. - 4904	Active
ATTY - Gregory Francis Wilson, Esq. - 2517	Active
ATTY - C. Nicholas Pereos, Esq. - 13	Party ended on: 7/10/2017 12:00:00AM
ATTY - Michael D. Hoy, Esq. - 2723	Active
ATTY - Sallie B. Armstrong, Esq. - 1243	Party ended on: 8/29/2011 12:00:00AM
ATTY - Todd R. Alexander, Esq. - 10846	Active
ATTY - Jerry M. Snyder, Esq. - 6830	Party ended on: 8/3/2007 12:00:00AM
ATTY - G. Mark Albright, Esq. - 1394	Active
ATTY - Thomas J. Hall, Esq. - 675	Active
ATTY - David R. Grundy, Esq. - 864	Active
ATTY - Gayle A. Kern, Esq. - 1620	Party ended on: 6/23/2011 12:00:00AM
ATTY - Alice G. Campos Mercado, Esq. - 4555	Party ended on: 11/9/2017 12:00:00AM
ATTY - Matthew F. Quint, Esq. - 10962	Active
RESP - MARK B. STEPPAN - @1117886	Active
TRSE - JOHN & SONNIA, trstes JOHN ILIESCU, JR & SONNIA ILIESCU TRST - @132341	Active

Disposed Hearings

- 1 Department: D6 -- Event: MOTION ... -- Scheduled Date & Time: 3/16/2007 at 13:30:00
Extra Event Text: FOR RELEASE OF MECHANIC'S LIEN
Event Disposition: D844 - 3/8/2007

- 2 Department: D6 -- Event: MOTION ... -- Scheduled Date & Time: 4/17/2007 at 09:00:00
Extra Event Text: FOR RELEASE OF MECHANIC'S LIEN
Event Disposition: D844 - 4/12/2007
- 3 Department: D6 -- Event: MOTION ... -- Scheduled Date & Time: 5/3/2007 at 13:30:00
Extra Event Text: FOR RELEASE OF MECHANIC'S LIEN
Event Disposition: D355 - 5/3/2007
- 4 Department: D6 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 2/22/2008 at 13:30:00
Extra Event Text: STEVEN MOLLATH, ESQ. 786-3011
Event Disposition: D475 - 2/22/2008
- 5 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 2/26/2008 at 10:35:00
Extra Event Text: MOTION TO ENLARGE THE TIME FOR SERVICE
Event Disposition: S200 - 2/29/2008
- 6 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 3/25/2008 at 16:10:00
Extra Event Text: EX PARTE MOTIO TO ENLARGE TIME FOR SERVICE EX PARTE MOTIO TO SERVE BY PUBLICATION AND DECLARATION OF SALLIE B. AR
Event Disposition: S200 - 3/27/2008
- 7 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 5/27/2009 at 10:25:00
Extra Event Text: APPLICANTS/DEFENDANTS MOTION FOR PARTIAL SUMMARY JUDGMENT
Event Disposition: S200 - 6/22/2009
- 8 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 5/28/2009 at 11:40:00
Extra Event Text: DEFT'S MOTIONFOR PARTIAL SUMMARY JUDGMENT ON MARK B STEPPAN'S CLAIM FOR FORECLOSURE OF MECHANICS LIEN AND OT
Event Disposition: S200 - 6/22/2009
- 9 Department: D6 -- Event: SETTLEMENT CONFERENCE -- Scheduled Date & Time: 1/14/2010 at 09:00:00
Extra Event Text: P - STEPHEN MOLLATH - 786-3011
Event Disposition: D870 - 12/10/2009
- 10 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 3/9/2010 at 16:25:00
Extra Event Text: MOTION TO WITHDRAW AS ATTORNEY OF RECORD
Event Disposition: S200 - 3/18/2010
- 11 Department: D6 -- Event: SETTLEMENT CONFERENCE -- Scheduled Date & Time: 3/18/2010 at 09:00:00
Extra Event Text: P - STEPHEN MOLLATH - 786-3011
Event Disposition: D480 - 3/31/2010
- 12 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 1/28/2011 at 08:59:00
Extra Event Text: MOTION AND APPLICATION TO WITHDRAW (NO PAPER ORDER PROVIDED)
Event Disposition: S200 - 3/28/2011
- 13 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 1/28/2011 at 14:35:00
Extra Event Text: MOTION TO ADJUDICATE ATTORNEY'S LIEN (NO PAPER ORDER PROVIDED)
Event Disposition: S200 - 3/29/2011
- 14 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 5/26/2011 at 15:02:00
Extra Event Text: REQUEST FOR SETTLEMENT CONFERENCE
Event Disposition: S200 - 6/21/2011
- 15 Department: D6 -- Event: CONFERENCE CALL -- Scheduled Date & Time: 7/15/2011 at 11:30:00
Extra Event Text: STEVE MOLLATH
Event Disposition: D475 - 7/15/2011

- 16 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 8/29/2011 at 10:50:00
Extra Event Text: THIRD PARTY DEFENDANTS' MOTION FOR SUMMARY JUDGMENT (NO PAPER ORDER PROVIDED)
Event Disposition: S200 - 9/1/2011
- 17 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 9/22/2011 at 13:15:00
Extra Event Text: MOTION TO DISMISS
Event Disposition: S200 - 10/25/2011
- 18 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 9/22/2011 at 13:15:00
Extra Event Text: MOTION TO AMEND THIRD PARTY COMPLAINT AGAINST DEFT HALE LANE
Event Disposition: S200 - 10/19/2011
- 19 Department: D6 -- Event: TRIAL - NON JURY -- Scheduled Date & Time: 10/3/2011 at 09:00:00
Extra Event Text: NO 1, BENCH, 10 DAYS
Event Disposition: D845 - 8/10/2011
- 20 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 10/6/2011 at 16:20:00
Extra Event Text: MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION -
Event Disposition: S200 - 10/19/2011
- 21 Department: D10 -- Event: STATUS CONFERENCE -- Scheduled Date & Time: 10/13/2011 at 11:15:00
Extra Event Text: TRIAL SET FOR 11/14/11
Event Disposition: D845 - 10/13/2011
- 22 Department: D10 -- Event: TRIAL - JURY -- Scheduled Date & Time: 11/14/2011 at 08:30:00
Extra Event Text: 5-DAY JURY TRIAL (#2 SET)
Event Disposition: D845 - 10/5/2011
- 23 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 11/16/2011 at 16:55:00
Extra Event Text: MOTION
Event Disposition: S200 - 11/22/2011
- 24 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 12/2/2011 at 16:45:00
Extra Event Text: MOTION TO RETAX COSTS
Event Disposition: S200 - 2/7/2012
- 25 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 12/2/2011 at 15:25:00
Extra Event Text: MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION
Event Disposition: S200 - 12/21/2011
- 26 Department: D10 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 12/15/2011 at 13:30:00
Extra Event Text: 4-DAY NON-JURY TRIAL SET FOR 2/21/12
Event Disposition: D845 - 12/15/2011
- 27 Department: D10 -- Event: TRIAL - NON JURY -- Scheduled Date & Time: 2/21/2012 at 13:30:00
Extra Event Text: 4-DAY NON-JURY TRIAL (#2 SET) (COUNSEL STIPULATED TO NON-JURY TRIAL)
Event Disposition: D845 - 12/23/2011
- 28 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 4/24/2012 at 13:00:00
Extra Event Text: MOTION FILE MARCH 1, 2012 FOR LEVE TO FILE MOTION FOR RECONSIDERATION; OR, ALTERNATIVELY, MOTION FOR RELIEF FROM C
Event Disposition: S200 - 6/7/2012
- 29 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 4/2/2013 at 13:28:00
Extra Event Text: MOTION FOR PARTIAL SUMMARY JUDGMENT (NO PAPER ORDER PROVIDED)
Event Disposition: S200 - 5/9/2013

- 30 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 8/7/2013 at 09:42:00
Extra Event Text: MOTION TO STRIKE OR LIMIT JUDRY DEMAND (NO PAPER ORDER PROVIDED)
Event Disposition: S200 - 8/23/2013
- 31 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 8/14/2013 at 09:34:00
Extra Event Text: MOTION FOR CONTINUANCE AND MOTION TO EXTEND EXPERT DISCLOSURE DATES (NO PAPER ORDER PROVIDED)
Event Disposition: S200 - 8/26/2013
- 32 Department: D10 -- Event: ORAL ARGUMENTS -- Scheduled Date & Time: 9/9/2013 at 09:00:00
Extra Event Text: ORAL ARGUMENT ON MOTION TO CONTINUE AND MOTION TO EXTEND EXPERT DISCLOSURE DATES (1 HOUR)
Event Disposition: D425 - 9/9/2013
- 33 Department: D10 -- Event: TRIAL - JURY -- Scheduled Date & Time: 10/7/2013 at 08:30:00
Extra Event Text: 5-DAY JURY TRIAL (#1 SET)
Event Disposition: D844 - 9/9/2013
- 34 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 11/19/2013 at 15:11:00
Extra Event Text: REQUEST FOR SUBMISSION OF MOTION FOR PARTIAL SUMMARY JUDGMENT (NO PAPER ORDER PROVIDED)
Event Disposition: S200 - 11/25/2013
- 35 Department: D10 -- Event: TRIAL - NON JURY -- Scheduled Date & Time: 12/9/2013 at 08:30:00
Extra Event Text: NO. 1 PREFERENTIAL SETTING (BENCH TRIAL)(5 DAYS)
Event Disposition: D832 - 12/9/2013
- 36 Department: D10 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 12/10/2013 at 08:30:00

Event Disposition: D832 - 12/10/2013
- 37 Department: D10 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 12/11/2013 at 08:30:00

Event Disposition: D832 - 12/11/2013
- 38 Department: D10 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 12/12/2013 at 08:30:00

Event Disposition: D840 - 12/12/2013
- 39 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 12/12/2013 at 14:49:00
Extra Event Text: (MATTER TAKEN UNDER ADVISEMENT)
Event Disposition: S200 - 12/31/2013
- 40 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 1/6/2014 at 07:00:00

Event Disposition: S200 - 2/19/2014
- 41 Department: D10 -- Event: HEARING... -- Scheduled Date & Time: 6/12/2014 at 14:30:00
Extra Event Text: HEARING ON FINAL AMT. OWED PURSUANT TO ORDER OF COURT (1 HOUR)
Event Disposition: D435 - 6/12/2014
- 42 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 7/11/2014 at 16:59:00
Extra Event Text: MOTION FOR ATTORNEY'S FEES
Event Disposition: S200 - 9/8/2014
- 43 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 7/11/2014 at 17:00:00
Extra Event Text: MOTION FOR ATTORNEY FEES
Event Disposition: S200 - 9/8/2014

- 44 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 10/9/2014 at 15:53:00
Extra Event Text: REQUEST FOR SUBMISSION OF UNCONTESTED MOTION - MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION OF ORDER
Event Disposition: S200 - 12/1/2014
- 45 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 10/13/2014 at 15:23:00
Extra Event Text: MOTION FOR RELIEF FROM COURT'S ATTORNEY'S FEES AND COSTS ORDERS AND FOR CORRECTION, RECONSIDERATION, OR CLARIFICATION
Event Disposition: S200 - 12/10/2014
- 46 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 10/13/2014 at 10:33:00
Extra Event Text: MOTION FOR RECONSIDERATION OF ORDER GRANTING PLAINTIFF'S MOTION FOR ATTORNEY FEES
Event Disposition: S200 - 12/10/2014
- 47 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 12/17/2014 at 11:52:00
Extra Event Text: MOTION FOR NRCP 60(b) RELIEF FROM COURT'S FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION AND RELATED ORDERS (1 HOUR)
Event Disposition: S200 - 2/2/2015
- 48 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 12/17/2014 at 16:32:00
Extra Event Text: DEFENDANTS' MOTION FOR NRCP 60(b) RELIEF FROM COURT'S FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION AND RELATED ORDERS (1 HOUR)
Event Disposition: S200 - 2/2/2015
- 49 Department: D10 -- Event: ORAL ARGUMENTS -- Scheduled Date & Time: 2/18/2015 at 11:00:00
Extra Event Text: ORAL ARGUMENT ON MOTION FOR NRCP 60(b) RELIEF (1 HOUR) (COURT REPORTER REQUESTED) BY MICHAEL HOY, ESQ.
Event Disposition: D445 - 2/18/2015
- 50 Department: D10 -- Event: ORAL ARGUMENTS -- Scheduled Date & Time: 2/23/2015 at 08:30:00
Extra Event Text: CONTINUATION OF ORAL ARGUMENTS ON MOTION FOR NRCP 60(B) RELIEF (2-3 HOURS)-COURT REPORTER REQUESTED BY MIKE HENNING
Event Disposition: D355 - 2/23/2015
- 51 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 3/26/2015 at 16:51:00
Extra Event Text: MOTION TO ALTER OR AMEND JUDGMENT AND RELATED ORDERS
Event Disposition: S200 - 5/27/2015
- 52 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 6/15/2015 at 14:09:00
Extra Event Text: DEFENDANTS' MOTION FOR STAY OF EXECUTION OF JUDGMENT, DECREE, AND ORDER FOR FORECLOSURE OF MECHANIC'S LIEN (1 HOUR)
Event Disposition: S200 - 6/15/2015
- 53 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 6/15/2015 at 14:22:00
Extra Event Text: DEFENDANTS' MOTION FOR STAY OF EXECUTION PENDING APPEAL WITHOUT THE NECESSITY OF ANY BOND
Event Disposition: S200 - 7/29/2015
- 54 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 11/4/2015 at 15:38:00
Extra Event Text: DEFENDANTS' MOTION SEEKING CLARIFICATION OF FINALITY OF COURT'S RECENT JUDGMENT FOR PURPOSES OF MAINTAINING APPEAL
Event Disposition: S200 - 11/10/2015
- 55 Department: D10 -- Event: HEARING... -- Scheduled Date & Time: 11/13/2015 at 10:30:00
Extra Event Text: HEARING ON MOTION SEEKING CLARIFICATION (1/2 HOUR) (COURT REPORTER REQUESTED BY ALBRIGHT)
Event Disposition: D435 - 11/13/2015
- 56 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 10/19/2016 at 13:31:00
Extra Event Text: MOTION TO AMEND THIRD-PARTY COMPLAINT AND MOTION FOR CLARIFICATION AS TO STAY
Event Disposition: S200 - 12/19/2016
- 57 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 11/3/2017 at 15:41:00
Extra Event Text: MOTION FOR ENTRY OF NEW AND FINAL JUDGMENT BASED ON APPELLATE REVERSAL
Event Disposition: S200 - 1/3/2018

- 58 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 11/13/2017 at 15:10:00
Extra Event Text: MOTION TO DENY OR RETAX COST
Event Disposition: S200 - 1/8/2018
- 59 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 1/5/2018 at 11:36:00
Extra Event Text: MOTION FOR AN AWARD OF COSTS AND ATTORNEY'S FEES AND INTEREST THEREON FILED 11-3-17
Event Disposition: S200 - 1/8/2018
- 60 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 1/8/2018 at 15:14:00
Extra Event Text: MOTION FOR SUMMARY JUDGMENT (NO ORDER PROVIDED)
Event Disposition: S200 - 3/1/2018
- 61 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 1/17/2018 at 08:19:00
Extra Event Text: COUNTERMOTION TO AMEND THIRD-PARTY COMPLAINT AND FOR FURTHER TIME TO COMPLETE DISCOVERY
Event Disposition: S200 - 3/1/2018
- 62 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 1/30/2018 at 15:53:00
Extra Event Text: (COURT TOOK MOTION TO RETAX COSTS AND MOTION FOR ATTORNEY FEES UNDER ADVISEMENT AT THE CONCLUSION OF THE HEA
Event Disposition: S200 - 4/10/2018
- 63 Department: D10 -- Event: HEARING... -- Scheduled Date & Time: 1/30/2018 at 14:00:00
Extra Event Text: HEARING ON MOTION TO RETAX AND MOTION FOR COSTS AND FEES (3 HOURS)
Event Disposition: D840 - 1/30/2018
- 64 Department: D10 -- Event: HEARING... -- Scheduled Date & Time: 4/13/2018 at 09:00:00
Extra Event Text: HEARING ON MOTION FOR SUMMARY JUDGMENT OF THIRD PARTY CLAIM (2 HOURS)(COURT REPORTER REQUESTED BY THE PARTIE
Event Disposition: D435 - 4/13/2018
- 65 Department: D10 -- Event: ORAL ARGUMENTS -- Scheduled Date & Time: 6/6/2018 at 14:00:00
Extra Event Text: ORAL ARGUMENTS ON MOTION FOR S.J. AND COUNTERMOTION TO AMEND (2 HOURS)(COURT REPT. REQUESTED BY THE PARTIES)
Event Disposition: D425 - 6/6/2018

Actions

- | | <u>Filing Date</u> | <u>-</u> | <u>Docket Code & Description</u> |
|---|--------------------|----------|--|
| 1 | 2/14/2007 | - | \$3850 - \$Request for Release of Lien
<i>No additional text exists for this entry.</i> |
| 2 | 2/14/2007 | - | 1030 - Affidavit in Support...
Additional Text: DECLARATION OF JOHN ILIESCU IN SUPPORT OF APPLICATION FOR RELEASE MECHANIC'S LIEN |
| 3 | 2/14/2007 | - | COV - **Civil Cover Sheet
<i>No additional text exists for this entry.</i> |
| 4 | 2/14/2007 | - | PAYRC - **Payment Receipted
Additional Text: A Payment of -\$95.00 was made on receipt DCDC174766. |
| 5 | 3/6/2007 | - | 1040 - Affidavit of Mailing
<i>No additional text exists for this entry.</i> |
| 6 | 3/9/2007 | - | 1250 - Application for Setting
Additional Text: APPLICATION FOR RELEASE OF MECHANIC'S LIEN
4/17/07 AT 9:00 AM |

- 7 4/17/2007 - 1250 - Application for Setting
Additional Text: APPLICATION FOR RELEASE OF MECHANIC'S LIEN
5/3/07 AT 1:30 P.M.
- 8 5/3/2007 - 3880 - Response...
Additional Text: RESPONSE TO APPLICATION FOR RELEASE OF MECHANIC'S LIEN
- 9 5/4/2007 - 3370 - Order ...
Additional Text: after 5/3/07 hearing
- 10 5/11/2007 - 2540 - Notice of Entry of Ord
No additional text exists for this entry.
- 11 6/29/2007 - 4185 - Transcript
Additional Text: MOTION FOR RELEASE OF MECHANIC'S LIEN - MAY 3, 2007
- 12 7/30/2007 - 3880 - Response...
Additional Text: SUPPLEMENTAL RESPONSE TO APPLICATION FOR RELEASE OF MECHANIC'S LIEN
- 13 7/30/2007 - 2605 - Notice to Set
No additional text exists for this entry.
- 14 8/3/2007 - 4075 - Substitution of Counsel
Additional Text: SALLIE B. ARMSTRONGHALE LANE PEEK DENISON AND HOWARD FOR APPLICANTS IN PLACE OF HALE LANE PEEK
DENISON AND HOWARD
- 15 8/6/2007 - 1120 - Amended ...
Additional Text: NOTICE TO SET
- 16 8/7/2007 - 1040 - Affidavit of Mailing
No additional text exists for this entry.
- 17 8/13/2007 - 2610 - Notice ...
Additional Text: OF ASSOCIATION OF COUNSEL
STEPHEN C. MOLLATH, OF PREZANT & MOLLATH ASSOCIATED WITH DOWNEY BRAND LLP FOR PLAINTIFFS
- 18 9/6/2007 - 3015 - Ord Granting Consolidation
Additional Text: STIPULATION TO CONSOLIDATE PROCEEDINGS; ORDER APPROVING STIPULATION
- 19 9/24/2007 - 4050 - Stipulation ...
Additional Text: STIPULATION TO CONSOLIDATE PROCEEDINGS; ORDER APPROVING STIPULATION
- 20 9/27/2007 - 1130 - Answer ...
Additional Text: ANSWER AND THIRD PARTY COMPLAINT (ILIESCU DEFENDANTS)
- 21 9/27/2007 - 4090 - ** Summons Issued
Additional Text: (7)
- 22 10/24/2007 - A120 - Exemption from Arbitration
Additional Text: FORECLOSE MECANICS LIEN
- 23 11/6/2007 - 3696 - Pre-Trial Order
No additional text exists for this entry.
- 24 11/15/2007 - 2605 - Notice to Set
No additional text exists for this entry.

- 25 11/15/2007 - 2605 - Notice to Set
Additional Text: NOTICE TO SET MANDATORY PRETRIAL CONFERENCE
- 26 12/5/2007 - 1250 - Application for Setting
Additional Text: STEPHEN MOLLATH, ESQ. 786-3011
GAYLE KERN, ESQ. - 324-5930
- 27 12/6/2007 - 1040 - Affidavit of Mailing
No additional text exists for this entry.
- 28 12/6/2007 - 4085 - Summons Filed
Additional Text: THIRD PARTY SUMMONS - CONSOLIDATED PACIFIC DEVELOPMENT INC.
DUSTIN E. GRATE 11-27-07
- 29 12/10/2007 - 1005 - Acceptance of Service
Additional Text: ACCEPTANCE OF SERVICE OF THIRD PARTY SUMMONS AND COMPLAINT
- 30 12/18/2007 - \$1560 - \$Def 1st Appearance - CV
Additional Text: JOHN SHLEINING
- 31 12/18/2007 - \$DEFT - \$Addl Def/Answer - Prty/Appear
Additional Text: DECAL OREGON
- 32 12/18/2007 - 2520 - Notice of Appearance
No additional text exists for this entry.
- 33 12/18/2007 - PAYRC - **Payment Receipted
Additional Text: A Payment of -\$124.00 was made on receipt DCDC190628.
- 34 1/24/2008 - 1520 - Declaration
Additional Text: DECALARTION OF SALLIE B. ARMSTRONG IN SUPPORT OF MOTION TO ENLARGE TIME FOR SERVICE
- 35 1/24/2008 - 2490 - Motion ...
Additional Text: MOTION TO ENLARGE THE TIME FOR SERVICE
- 36 1/29/2008 - 1005 - Acceptance of Service
No additional text exists for this entry.
- 37 2/12/2008 - 2529 - Notice of Early Case Conferenc
No additional text exists for this entry.
- 38 2/12/2008 - 2610 - Notice ...
Additional Text: NOTICE OF PRETRIAL CONFERENCE
- 39 2/20/2008 - 1120 - Amended ...
Additional Text: AMENDED NOTICE OF EARLY CASE CONFERENCE
- 40 2/22/2008 - \$1560 - \$Def 1st Appearance - CV
Additional Text: CONSOLIDATED PACIFIC DEVELOPMENT
- 41 2/22/2008 - 1140 - Answer to Amended Complaint
Additional Text: CONSOLIDATED PACIFIC DEVELOPMENT
- 42 2/22/2008 - PAYRC - **Payment Receipted
Additional Text: A Payment of -\$94.00 was made on receipt DCDC194226.

- 43 2/25/2008 - 3860 - Request for Submission
Additional Text: DOCUMENT TITLE: MOTION TO ENLARGE THE TIME FOR SERVICE
PARTY SUBMITTING: SALLIE B ARMSTRONG, ESQ
DATE SUBMITTED: 02/26/08
SUBMITTED BY: DJ
DATE RECEIVED JUDGE OFFICE:
- 44 2/26/2008 - 1040 - Affidavit of Mailing
No additional text exists for this entry.
- 45 2/29/2008 - 3370 - Order ...
Additional Text: GRANTING MOTION TO ENLARGE TIME FOR SERVICE
- 46 2/29/2008 - S200 - Request for Submission Complet
Additional Text: order
- 47 3/6/2008 - 4250 - Verification of ...
Additional Text: VERIFICATION TO ANSWER
- 48 3/7/2008 - 4050 - Stipulation ...
Additional Text: STIPULATION TO STAY PROCEEDINGS AGAINST DEFT HALE LANE AND TO DISMISS CLAIMS AGAINST DEFTS DENNISON HOWARD AND SNYDER WITHOUT PREJUDICE - Transaction 154047 - Approved By: ASMITH : 03-07-2008:09:49:51
- 49 3/25/2008 - 1520 - Declaration
Additional Text: DECLARATION OF SALLIE B. ARMSTRONG IN SUPPORT OF EX-PARTE MOTION TO ENLARGE TIME FOR SERVICE AND EX PARTE MOTION TO SERVE BY PUBLICATION
- 50 3/25/2008 - 1670 - Ex-Parte Mtn...
Additional Text: APPLICANTS / THIRD PARTY PLAINTIFF'S EX PARTE MOTION TO ENLARGE TIME FOR SERVICE AND EX PARTE MOITON TO SERVE BY PULBICATION
- 51 3/25/2008 - 3860 - Request for Submission
Additional Text: DOCUMENT TITLE: EX PARTE MOTIO TO ENLARGE TIME FOR SERVICE EX PARTE MOTIO TO SERVE BY PUBLICATION AND DECLARATION OF SALLIE B. ARMSTRONG IN SUPPORT
PARTY SUBMITTING: SALLIE ARMSTRONG
DATE SUBMITTED: 3/25/08
SUBMITTED BY: JA
DATE RECEIVED JUDGE OFFICE:
- 52 3/27/2008 - S200 - Request for Submission Complet
Additional Text: order
- 53 3/27/2008 - 3370 - Order ...
Additional Text: granting Iliescu's motion to allow service by publication
- 54 4/4/2008 - 2540 - Notice of Entry of Ord
No additional text exists for this entry.
- 55 4/16/2008 - 4185 - Transcript
Additional Text: PRE-TRIAL CONFERENCE 2/22/2008
- 56 4/17/2008 - 2490 - Motion ...
Additional Text: APPLICANTS/DEFENDANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT ON MARK B. STEPPAN'S CLAIM FOR FORECLOSURE ON MECHANIC'S LIEN
- 57 4/30/2008 - 1067 - Affidavit of Service
No additional text exists for this entry.

- 58 5/13/2008 - 3715 - Proof of Publication
No additional text exists for this entry.
- 59 5/20/2008 - 3715 - Proof of Publication
Additional Text: PUBLISHED IN THE OREGONIAN ON 04/23/08, 04/30/08, 0507/08 & 05/14/08
- 60 5/20/2008 - 1067 - Affidavit of Service
Additional Text: CALVIN BATY JR WAS SERVED AT TWO ADDRESSES 04/15/08 BY CERTIFIED MAIL
- 61 7/29/2008 - 2582 - Notice of Taking Deposition
Additional Text: NOTICE OF TAKING DEPOSITION OF RICHARD K. "DICK" JOHNSON - Transaction 301581 - Approved By: TPRINCE : 07-29-2008:14:03:40
- 62 8/7/2008 - 4055 - Subpoena
Additional Text: SUBPOEN AND SUBPOENA DUCES TECUM - Transaction 314227 - Approved By: TPRINCE : 08-07-2008:11:06:58
- 63 8/19/2008 - 2610 - Notice ...
Additional Text: NOTICE OF TAKING DEPOSITION
- 64 10/8/2008 - 2582 - Notice of Taking Deposition
No additional text exists for this entry.
- 65 10/17/2008 - 4065 - Subpoena Duces Tecum
No additional text exists for this entry.
- 66 10/17/2008 - 4055 - Subpoena
No additional text exists for this entry.
- 67 2/3/2009 - 2645 - Opposition to Mtn ...
Additional Text: MARK B. STEPPAN'S OPPOSITION TO MOTION FOR PARTIAL SUMMARY JUDGMENT AND CROSS-MOTION FOR PARTIAL SUMMARY JUDGMENT - Transaction 579452 - Approved By: MPURDY : 02-03-2009:17:36:17
- 68 3/31/2009 - 3795 - Reply...
Additional Text: PLAINTIFF'S REPLY IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT AND OPPOSITION TO DEFENDANT'S CROSS-MOTION FOR PARTIAL SUMMARY JUDGMENT
- 69 5/22/2009 - 3790 - Reply to/in Opposition
Additional Text: MARK B STEPPAN'S REPLY TO OPPOSITION TO CROSS-MOTION FOR PARTIAL SUMMARY JUDGMENT - Transaction 789096 - Approved By: ASMITH : 05-22-2009:14:26:05
- 70 5/27/2009 - 3860 - Request for Submission
Additional Text: DOCUMENT TITLE: APPLICANTS/DEFENDANTS MOTION FOR PARTIAL SUMMARY JUDGMENT
PARTY SUBMITTING: STEPHEN MOLLATH, ESQ
DATE SUBMITTED: 05/27/09
SUBMITTED BY: JN
DATE RECEIVED JUDGE OFFICE:
- 71 5/28/2009 - 3860 - Request for Submission
Additional Text: DEFT'S MOTIONFOR PARTIAL SUMMARY JUDGMENT ON MARK B STEPPAN'S CLAIM FOR FORECLOSURE OF MECHANICS LIEN AND OTHER RELATED MOTIONS - Transaction 797949 - Approved By: ASMITH : 05-28-2009: 11:28:42
DOCUMENT TITLE: DEFT'S MOTIONFOR PARTIAL SUMMARY JUDGMENT ON MARK B STEPPAN'S CLAIM FOR FORECLOSURE OF MECHANICS LIEN AND OTHER RELATED MOTIONS
PARTY SUBMITTING: GAYLE KERN, ESQ
DATE SUBMITTED: 05/28/09
SUBMITTED BY: JN
DATE RECEIVED JUDGE OFFICE:
- 72 6/22/2009 - S200 - Request for Submission Complet
Additional Text: order

- 73 6/22/2009 - S200 - Request for Submission Complet
Additional Text: order
- 74 6/22/2009 - 3370 - Order ...
Additional Text: DENYING MTN FOR PARTIAL SUMMARY JUDGMENT & GRANTING CROSS MOTION FOR SUMMARY JUDGMENT - Transaction 850528 - Approved By: NOREVIEW : 06-22-2009:11:17:15
- 75 7/1/2009 - 3870 - Request
Additional Text: ILIESCU'S REQUEST FOR STATUS CONFERENCE
- 76 7/20/2009 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 908862 - Approved By: ASMITH : 07-20-2009:15:01:50
- 77 7/24/2009 - 2605 - Notice to Set
Additional Text: 08-06-09 @ 9:30 - Transaction 923383 - Approved By: AZION : 07-24-2009:15:46:21
- 78 8/6/2009 - 1250 - Application for Setting
Additional Text: sett conf - 1/14/2010
- 79 9/2/2009 - \$1131 - \$Answer - Business Court
Additional Text: JOHN SCHLEINING
- 80 9/2/2009 - \$4180 - \$Third Party Complaint
Additional Text: JOHN SCHLEINING
- 81 9/2/2009 - 1165 - Answer Third Party Complaint
Additional Text: JOHN SCHLEINING'S ANSWER TO THIRD-PARTY COMPLAINT, CROSS-CLAIM AND THIRD-PARTY COMPLAINT
JOHN SCHLEINING
- 82 9/2/2009 - PAYRC - **Payment Receipted
Additional Text: A Payment of -\$1,588.00 was made on receipt DCDC247123.
- 83 9/2/2009 - 4090 - ** Summons Issued
Additional Text: ISSUED FOR SERVICE OF THIRD PARTY COMPLAINT
- 84 9/14/2009 - 1005 - Acceptance of Service
Additional Text: ACCEPTANCE OF SERVICE OF SUMMONS ON THIRD-PARTY COMPLAINT - R. CRAIG HOWARD obo HOLLAND & HART , LLP - 09/14/09 - Transaction 1039146 - Approved By: MPURDY : 09-14-2009:15:37:56
- 85 10/7/2009 - \$DEFT - \$Addl Def/Answer - Prty/Appear
Additional Text: JERRY M. SNYDER
- 86 10/7/2009 - \$DEFT - \$Addl Def/Answer - Prty/Appear
Additional Text: R.CRAIG HOWARD
- 87 10/7/2009 - \$DEFT - \$Addl Def/Answer - Prty/Appear
Additional Text: KAREN D. DENNISON
- 88 10/7/2009 - \$1560 - \$Def 1st Appearance - CV
Additional Text: HALE LANE PEEK DENNISON & HOWARD
- 89 10/7/2009 - 1165 - Answer Third Party Complaint
Additional Text: HALE LANE PEEK DENNISON & HOWARD, KAREN D. DENNISON, R. CRAIG HOWARD & JERRY M. SNYDER
- 90 10/7/2009 - 1155 - Answer to Cross Claim
Additional Text: CROSS-DEFT HALE LANE PEEK DENNISON & HOWARD & R. CRAIG HOWARD

- 91 10/7/2009 - 1165 - Answer Third Party Complaint
Additional Text: ANSWER OF HOLLAND & HART LLP TO THIRD-PARTY COMPLAINT OF JOHN SCHLEINING
- 92 10/7/2009 - \$1560 - \$Def 1st Appearance - CV
Additional Text: HOLLAND & HART LLP
- 93 10/9/2009 - PAYRC - **Payment Receipted
Additional Text: A Payment of -\$516.00 was made on receipt DCDG250844.
- 94 12/10/2009 - 3980 - Stip and Order...
Additional Text: TO CONTINUE SETTLEMENT CONFERENCE - Transaction 1201831 - Approved By: NOREVIEW : 12-10-2009:16:33:07
- 95 12/10/2009 - NEF - Proof of Electronic Service
Additional Text: Transaction 1201833 - Approved By: NOREVIEW : 12-10-2009:16:33:56
- 96 1/20/2010 - 2582 - Notice of Taking Deposition
No additional text exists for this entry.
- 97 1/20/2010 - 2582 - Notice of Taking Deposition
No additional text exists for this entry.
- 98 1/20/2010 - 2582 - Notice of Taking Deposition
No additional text exists for this entry.
- 99 1/20/2010 - 2582 - Notice of Taking Deposition
No additional text exists for this entry.
- 100 1/20/2010 - 2582 - Notice of Taking Deposition
No additional text exists for this entry.
- 101 2/12/2010 - 2490 - Motion ...
Additional Text: MOTION TO WITHDRAW AS ATTORNEY OF RECORD
- 102 3/9/2010 - 3860 - Request for Submission
Additional Text: DOCUMENT TITLE: MOTION TO WITHDRAW AS ATTORNEY OF RECORD
PARTY SUBMITTING: JUDITH A. OTTO, ESQ.
DATE SUBMITTED: 03/09/10
SUBMITTED BY: JYOST
DATE RECEIVED JUDGE OFFICE:
- 103 3/18/2010 - S200 - Request for Submission Complet
Additional Text: ORDER
- 104 3/18/2010 - 3060 - Ord Granting Mtn ...
Additional Text: TO WITHDRAW - JUDITH OTTO - Transaction 1383487 - Approved By: NOREVIEW : 03-18-2010:14:44:16
- 105 3/18/2010 - NEF - Proof of Electronic Service
Additional Text: Transaction 1383555 - Approved By: NOREVIEW : 03-18-2010:14:53:09
- 106 5/14/2010 - 2570 - Notice of Lien
Additional Text: NOTICE OF ATTORNEY'S LIEN
- 107 5/14/2010 - 2490 - Motion ...
Additional Text: VERIFIED MOTION AND APPLICATION TO WITHDRAW

- 108 8/12/2010 - 2605 - Notice to Set
Additional Text: NOTICE TO SET TRIAL - Transaction 1656111 - Approved By: APOMA : 08-13-2010:08:39:19
- 109 8/13/2010 - NEF - Proof of Electronic Service
Additional Text: Transaction 1656421 - Approved By: NOREVIEW : 08-13-2010:08:40:42
- 110 8/31/2010 - 1250 - Application for Setting
Additional Text: TRIAL - 10/3/11
- 111 11/18/2010 - 1120 - Amended ...
Additional Text: AMENDED NOTICE OF ATTORNEY'S LIEN
- 112 1/4/2011 - 1670 - Ex-Parte Mtn...
Additional Text: EX PARTE MOTION TO FILE EXHIBIT UNDER SEAL (IN CAMERA)
- 113 1/7/2011 - 1675 - Ex-Parte Ord...
Additional Text: ALLOWING EXHIBIT TO BE FILED UNDER SEAL - Transaction 1952190 - Approved By: NOREVIEW : 01-07-2011:11:31:27
- 114 1/7/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 1952199 - Approved By: NOREVIEW : 01-07-2011:11:34:09
- 115 1/11/2011 - 2015 - Mtn for Attorney's Lien
No additional text exists for this entry.
- 116 1/27/2011 - 3860 - Request for Submission
Additional Text: DOCUMENT TITLE: MOTION AND APPLICATION TO WITHDRAW (NO PAPER ORDER PROVIDED)
PARTY SUBMITTING: STEPHEN C. MOLLATH, ESQ.
DATE SUBMITTED: 1/27/11
SUBMITTED BY: MCHOLICO
DATE RECEIVED JUDGE OFFICE:
- 117 1/28/2011 - 3860 - Request for Submission
Additional Text: DOCUMENT TITLE: MOTION TO ADJUDICATE ATTORNEY'S LIEN (NO PAPER ORDER PROVIDED)
PARTY SUBMITTING: STEPHEN MOLLATH
DATE SUBMITTED: 1/28/11
SUBMITTED BY: YLLOYD
DATE RECEIVED JUDGE OFFICE:
- 118 1/28/2011 - 3720 - Proof of Service
No additional text exists for this entry.
- 119 1/28/2011 - 3720 - Proof of Service
No additional text exists for this entry.
- 120 3/28/2011 - S200 - Request for Submission Complet
Additional Text: ORDER
- 121 3/28/2011 - 3060 - Ord Granting Mtn ...
Additional Text: TO WITHDRAW - STEPHEN C. MOLLATH, ESQ. - Transaction 2119226 - Approved By: NOREVIEW : 03-28-2011:11:32:21
- 122 3/28/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2119279 - Approved By: NOREVIEW : 03-28-2011:11:40:08
- 123 3/29/2011 - S200 - Request for Submission Complet
Additional Text: ORDER

- 124 3/29/2011 - 1880 - Judgment
Additional Text: JOHN ILIESCU, JR. & SONIA ILIESCU - Transaction 2124933 - Approved By: NOREVIEW : 03-29-2011:16:31:49
- 125 3/29/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2124949 - Approved By: NOREVIEW : 03-29-2011:16:34:11
- 126 3/30/2011 - \$2200 - \$Mtn for Summary Judgment
No additional text exists for this entry.
- 127 3/30/2011 - PAYRC - **Payment Received
Additional Text: A Payment of -\$200.00 was made on receipt DCDC308618.
- 128 4/4/2011 - 2535 - Notice of Entry of Judgment
No additional text exists for this entry.
- 129 4/4/2011 - 2540 - Notice of Entry of Ord
No additional text exists for this entry.
- 130 5/20/2011 - 1610 - Disclosure of Expert Witness
Additional Text: MARK B. STEPPAN'S DISCLOSURE OF EXPERT WITNESS - Transaction 2239105 - Approved By: MCHOLICO : 05-20-2011:11:23:41
- 131 5/20/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2239172 - Approved By: NOREVIEW : 05-20-2011:11:30:59
- 132 5/26/2011 - 3860 - Request for Submission
Additional Text: DOCUMENT TITLE: REQUEST FOR SETTLEMENT CONFERENCE
PARTY SUBMITTING: JOHN ILIESCU, JR.
DATE SUBMITTED: 05/26/2011
SUBMITTED BY: MRYTTING
DATE RECEIVED JUDGE OFFICE:
- 133 5/26/2011 - 3870 - Request
Additional Text: FOR SETTLEMENT CONFERENCE
- 134 6/21/2011 - S200 - Request for Submission Complet
Additional Text: order
- 135 6/21/2011 - 3105 - Ord Granting ...
Additional Text: REQUEST FOR SETTLEMENT CONFERENCE - Transaction 2299680 - Approved By: NOREVIEW : 06-21-2011:10:04:43
- 136 6/21/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2299686 - Approved By: NOREVIEW : 06-21-2011:10:06:17
- 137 6/23/2011 - 4075 - Substitution of Counsel
Additional Text: MICHAEL D. HOY, ESQ. / MARK B. STEPPAN - Transaction 2307502 - Approved By: MCHOLICO : 06-23-2011:16:45:12
- 138 6/23/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2307553 - Approved By: NOREVIEW : 06-23-2011:16:48:06
- 139 6/24/2011 - 2645 - Opposition to Mtn ...
Additional Text: LIMITED OPPOSITION TO THIRD-PARTY DEFT HALE LANE'S MOTION FOR SUMMARY JUDGMENT REGARDING THIRD PARTY CLAIMS BY JOHN LLIESCU - Transaction 2308736 - Approved By: ASMITH : 06-24-2011:11:44:54
- 140 6/24/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2308772 - Approved By: NOREVIEW : 06-24-2011:11:46:18

- 141 6/24/2011 - 1360 - Certificate of Service
Additional Text: Transaction 2309833 - Approved By: AZION : 06-24-2011:16:27:21
- 142 6/24/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2309882 - Approved By: NOREVIEW : 06-24-2011:16:29:59
- 143 7/13/2011 - 3935 - Settlement Conference Statemnt
Additional Text: SUPPLEMENTAL SETTLEMENT CONFERENCE STATEMENT - Transaction 2342866 - Approved By: SSTINCHF : 07-13-2011:13:20:34
- 144 7/13/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2342910 - Approved By: NOREVIEW : 07-13-2011:13:23:43
- 145 7/15/2011 - 2520 - Notice of Appearance
Additional Text: THOMAS HALL ESQ - JOHN ILIESCU, JR, SONNIA SANTEE ILIESCU, JOHN ILIESCU JR, JOHN ILIESCU JR AND SONNIA ILIESCU 1992 FAMILY TRUST - Transaction 2349478 - Approved By: AZION : 07-15-2011:15:05:04
- 146 7/15/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2349520 - Approved By: NOREVIEW : 07-15-2011:15:06:43
- 147 7/18/2011 - 4185 - Transcript
Additional Text: Transaction 2351371 - Approved By: NOREVIEW : 07-18-2011:11:27:44
- 148 7/18/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2351381 - Approved By: NOREVIEW : 07-18-2011:11:29:21
- 149 7/22/2011 - 4105 - Supplemental ...
Additional Text: SUPPLEMENT TO THIRD PARTY DEFENDANT HALE LANE'S MOTION FOR SUMMARY JUDGMENT REGARDING THIRD-PARTY CLAIMS BY JOHN ILIESCU - Transaction 2363192 - Approved By: MCHOLICO : 07-22-2011:14:45:45
- 150 7/22/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2363209 - Approved By: NOREVIEW : 07-22-2011:14:48:07
- 151 7/26/2011 - 3910 - Satisfaction of Judgment
No additional text exists for this entry.
- 152 8/1/2011 - 2610 - Notice ...
Additional Text: NOTICE OF VACATING OF RECORDS DEPOSITION - Transaction 2380875 - Approved By: MCHOLICO : 08-01-2011:16:38:30
- 153 8/1/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2380912 - Approved By: NOREVIEW : 08-01-2011:16:41:22
- 154 8/9/2011 - 2280 - Mtn to Continue
Additional Text: MOTION FOR CONTINUANCE - Transaction 2397461 - Approved By: AZION : 08-09-2011:16:15:40
- 155 8/9/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2397498 - Approved By: NOREVIEW : 08-09-2011:16:18:04
- 156 8/10/2011 - 3085 - Ord Granting Recusal
Additional Text: OF RECUSAL AND FOR RANDOM REASSIGNMENT - Transaction 2399127 - Approved By: NOREVIEW : 08-10-2011:10:44:01
- 157 8/10/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2399162 - Approved By: NOREVIEW : 08-10-2011:10:47:19
- 158 8/10/2011 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 2400089 - Approved By: NOREVIEW : 08-10-2011:14:12:57

- 159 8/10/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2400102 - Approved By: NOREVIEW : 08-10-2011:14:15:16
- 160 8/15/2011 - 1325 - ** Case Reopened
No additional text exists for this entry.
- 161 8/15/2011 - 1312 - Case Assignment Notification
Additional Text: Transaction 2407894 - Approved By: NOREVIEW : 08-15-2011:13:29:18
- 162 8/15/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2407896 - Approved By: NOREVIEW : 08-15-2011:13:30:31
- 163 8/16/2011 - \$2200 - \$Mtn for Summary Judgment
No additional text exists for this entry.
- 164 8/16/2011 - 2200 - Mtn for Summary Judgment
Additional Text: DEFENDANT HALE LANE'S MOTION FOR SUMMARY JUDGMENT REGARDING CROSS-CLAIMS AND THIRD-PARTY CLAIMS BY JOHN SCHLEINING
- 165 8/16/2011 - PAYRC - **Payment Receipted
Additional Text: A Payment of -\$200.00 was made on receipt DCDC325429.
- 166 8/16/2011 - 1360 - Certificate of Service
Additional Text: Transaction 2411579 - Approved By: AZION : 08-16-2011:16:18:01
- 167 8/16/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2411725 - Approved By: NOREVIEW : 08-16-2011:16:24:42
- 168 8/17/2011 - 3370 - Order ...
Additional Text: OF RECUSAL - Transaction 2414837 - Approved By: NOREVIEW : 08-17-2011:16:13:16
- 169 8/17/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2414871 - Approved By: NOREVIEW : 08-17-2011:16:17:59
- 170 8/18/2011 - 1312 - Case Assignment Notification
Additional Text: Transaction 2416312 - Approved By: NOREVIEW : 08-18-2011:11:09:58
- 171 8/18/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2416318 - Approved By: NOREVIEW : 08-18-2011:11:11:14
- 172 8/18/2011 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION AND RESPONSE TO THIRD PARTY DEFT HALE LANE'S MOTION FOR SUMMARY JUDGMENT RE:THIRD PARTY CLAIMS BY JOHN ILIESCU - Transaction 2417195 - Approved By: AZION : 08-18-2011:14:56:57
- 173 8/18/2011 - 2490 - Motion ...
Additional Text: MOTION TO AMEND THIRD PARTY COMPLAINT AGAINST DEFT HALE LANE - Transaction 2417216 - Approved By: AZION : 08-18-2011:15:05:00
- 174 8/18/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2417219 - Approved By: NOREVIEW : 08-18-2011:15:00:07
- 175 8/18/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2417237 - Approved By: NOREVIEW : 08-18-2011:15:06:30
- 176 8/23/2011 - 2605 - Notice to Set
Additional Text: Transaction 2423873 - Approved By: MCHOLICO : 08-23-2011:09:27:06

- 177 8/23/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2423922 - Approved By: NOREVIEW : 08-23-2011:09:29:38
- 178 8/24/2011 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MOTION FOR CONTINUANCE - Transaction 2427873 - Approved By: MCHOLICO : 08-24-2011:11:32:38
- 179 8/24/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2427911 - Approved By: NOREVIEW : 08-24-2011:11:34:26
- 180 8/29/2011 - 3795 - Reply...
Additional Text: THIRD PARTY DEFT HALE LANE'S REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT RE: THIRD PARTY CLAIMS BY JOHN ILIESCU - Transaction 2435606 - Approved By: AZION : 08-29-2011:08:58:09
- 181 8/29/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2435649 - Approved By: NOREVIEW : 08-29-2011:09:00:24
- 182 8/29/2011 - 1650 - Errata...
Additional Text: ERRATA TO THIRD PARTY DEFT HALE LANE'S REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT RE:THIRD PARTY CLAIMS BY JOHN ILIESCU - Transaction 2436076 - Approved By: AZION : 08-29-2011:10:43:14
- 183 8/29/2011 - 3860 - Request for Submission
Additional Text: THIRD PARTY DEFENDANTS' MOTION FOR SUMMARY JUDGMENT (NO PAPER ORDER PROVIDED) - Transaction 2436087 - Approved By: MCHOLICO : 08-29-2011:10:28:38
PARTY SUBMITTING: CHRISTOPHER RUSBY, ESQ.
DATE SUBMITTED: 8/29/11
SUBMITTED BY: MCHOLICO
DATE RECEIVED JUDGE OFFICE:
- 184 8/29/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2436109 - Approved By: NOREVIEW : 08-29-2011:10:31:15
- 185 8/29/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2436205 - Approved By: NOREVIEW : 08-29-2011:10:45:44
- 186 8/29/2011 - 4075 - Substitution of Counsel
Additional Text: THOMAS HALL ESQ SUBS OUT SALLIE ARMSTRONG, ESQ - Transaction 2436442 - Approved By: AZION : 08-29-2011:12:21:17
- 187 8/29/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2436520 - Approved By: NOREVIEW : 08-29-2011:12:23:40
- 188 8/29/2011 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO SUPPLEMENT TO THIRD PARTY DEFT HALE LANE'S MOTION FOR SUMMARY JUDGMENT RE: THIRD PARTY CLAIMS BY JOHN ILIESCU - Transaction 2437236 - Approved By: AZION : 08-29-2011:15:07:03
- 189 8/29/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2437282 - Approved By: NOREVIEW : 08-29-2011:15:09:42
- 190 8/31/2011 - 1610 - Disclosure of Expert Witness
Additional Text: DEFT ILIESCUS' DISCLOSURE OF EXPERT WITNESS - Transaction 2442158 - Approved By: AZION : 08-31-2011:10:46:49
- 191 8/31/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2442340 - Approved By: NOREVIEW : 08-31-2011:10:49:26
- 192 9/1/2011 - 3095 - Ord Grant Summary Judgment
Additional Text: THIRD-PARTY DEFENDANT HALE LANE'S MOTION REGARDING THIRD-PARTY CLAIMS BY JOHN ILIESCU - Transaction 2444422 - Approved By: NOREVIEW : 09-01-2011:08:30:23

- 193 9/1/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2444424 - Approved By: NOREVIEW : 09-01-2011:08:31:45
- 194 9/1/2011 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 2445663 - Approved By: NOREVIEW : 09-01-2011:13:52:03
- 195 9/1/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2445665 - Approved By: NOREVIEW : 09-01-2011:13:53:14
- 196 9/1/2011 - 1950 - Memorandum of Costs
Additional Text: MEMORANDUM OF COSTS - Transaction 2445671 - Approved By: LMATHEUS : 09-01-2011:14:00:57
- 197 9/1/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2445708 - Approved By: NOREVIEW : 09-01-2011:14:02:40
- 198 9/1/2011 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 199 9/3/2011 - 2315 - Mtn to Dismiss ...
Additional Text: MOTION TO DISMISS - Transaction 2449949 - Approved By: AZION : 09-06-2011:08:06:39
- 200 9/6/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2450079 - Approved By: NOREVIEW : 09-06-2011:08:08:18
- 201 9/6/2011 - JF - **First Day Jury Fees Deposit
No additional text exists for this entry.
- 202 9/6/2011 - 1580 - Demand for Jury
No additional text exists for this entry.
- 203 9/6/2011 - 2645 - Opposition to Mtn ...
Additional Text: THIRD PARTY DEFT HALE LANE'S OPPOSITION TO MOTION TO AMEND THIRD PARTY COMPLAINT BY JOHN AND SONNIA ILIESCU - Transaction 2450897 - Approved By: AZION : 09-06-2011:11:54:28
- 204 9/6/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2450900 - Approved By: NOREVIEW : 09-06-2011:11:55:39
- 205 9/8/2011 - 1250E - Application for Setting eFile
Additional Text: STATUS CONF 10/13/11; 5-DAY JURY TRIAL 11/14/11 - Transaction 2457955 - Approved By: NOREVIEW : 09-08-2011:19:11:02
- 206 9/8/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2457958 - Approved By: NOREVIEW : 09-08-2011:19:12:24
- 207 9/14/2011 - 2280 - Mtn to Continue
Additional Text: Transaction 2469552 - Approved By: AZION : 09-14-2011:16:04:35
- 208 9/14/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2469574 - Approved By: NOREVIEW : 09-14-2011:16:06:45
- 209 9/15/2011 - 2490 - Motion ...
Additional Text: ILIESCUS' MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION - Transaction 2472758 - Approved By: AZION : 09-16-2011:08:15:37
- 210 9/16/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2472951 - Approved By: NOREVIEW : 09-16-2011:08:16:54

- 211 9/16/2011 - 2645 - Opposition to Mtn ...
Additional Text: MARK STEPPAN'S OPPOSITION TO ILIESCU'S MOTION TO DISMISS - Transaction 2474551 - Approved By: AZION : 09-16-2011:13:55:03
- 212 9/16/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2474599 - Approved By: NOREVIEW : 09-16-2011:13:57:01
- 213 9/22/2011 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION TO AMEND THIRD PARTY COMPLAINT - Transaction 2486348 - Approved By: AZION : 09-22-2011:13:09:27
- 214 9/22/2011 - 3860 - Request for Submission
Additional Text: MOTION TO AMEND THIRD PARTY COMPLAINT AGAINST DEFT HALE LANE - Transaction 2486354 - Approved By: AZION : 09-22-2011:13:10:16
DOCUMENT TITLE: MOTION TO AMEND THIRD PARTY COMPLAINT AGAINST DEFT HALE LANE
PARTY SUBMITTING: THOMAS HALL ESQ
DATE SUBMITTED: 09-22-11
SUBMITTED BY: AZION
DATE RECEIVED JUDGE OFFICE:
- 215 9/22/2011 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION TO DISMISS - Transaction 2486363 - Approved By: MCHOLICO : 09-22-2011:12:45:19
- 216 9/22/2011 - 3860 - Request for Submission
Additional Text: MOTION TO DISMISS - Transaction 2486364 - Approved By: AZION : 09-22-2011:13:10:40
DOCUMENT TITLE: MOTION TO DISMISS
PARTY SUBMITTING: THOMAS HALL ESQ
DATE SUBMITTED: 09-22-11
SUBMITTED BY: AZION
DATE RECEIVED JUDGE OFFICE:
- 217 9/22/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2486375 - Approved By: NOREVIEW : 09-22-2011:12:46:43
- 218 9/22/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2486504 - Approved By: NOREVIEW : 09-22-2011:13:12:22
- 219 9/22/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2486506 - Approved By: NOREVIEW : 09-22-2011:13:12:53
- 220 9/22/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2486508 - Approved By: NOREVIEW : 09-22-2011:13:13:14
- 221 10/3/2011 - 2645 - Opposition to Mtn ...
Additional Text: THIRD PARTY DEFT HALE LANE'S OPPOSITION TO JOHN AND SONNIA ILIESCUS MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION - Transaction 2506987 - Approved By: ASMITH : 10-03-2011:15:41:32
- 222 10/3/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2507102 - Approved By: NOREVIEW : 10-03-2011:15:46:25
- 223 10/3/2011 - 4050 - Stipulation ...
Additional Text: STIPULATION TO VACATE AND RESET TRIAL - Transaction 2507121 - Approved By: ASMITH : 10-03-2011:16:03:31
- 224 10/3/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2507226 - Approved By: NOREVIEW : 10-03-2011:16:07:19
- 225 10/5/2011 - 3020 - Ord Granting Continuance
Additional Text: ORDER APPROVING STIPULATION TO VACATE AND RESET TRIAL - Transaction 2511994 - Approved By: NOREVIEW : 10-05-2011:11:05:06

- 226 10/5/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2512011 - Approved By: NOREVIEW : 10-05-2011:11:08:19
- 227 10/6/2011 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 2514251 - Approved By: NOREVIEW : 10-06-2011:09:30:59
- 228 10/6/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2514258 - Approved By: NOREVIEW : 10-06-2011:09:32:22
- 229 10/6/2011 - 3795 - Reply...
Additional Text: ILIECUS' REPLY IN SUPPORT OF MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION - Transaction 2516462
- Approved By: AZION : 10-06-2011:15:48:11
- 230 10/6/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2516493 - Approved By: NOREVIEW : 10-06-2011:15:51:23
- 231 10/6/2011 - 3860 - Request for Submission
Additional Text: MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION - Transaction 2516526 - Approved By: AZION : 10-06-2011:16:00:10
DOCUMENT TITLE: MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION -
PARTY SUBMITTING: THOMAS HALL ESQ
DATE SUBMITTED: 10-06-11
SUBMITTED BY: AZION
DATE RECEIVED JUDGE OFFICE:
- 232 10/6/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2516578 - Approved By: NOREVIEW : 10-06-2011:16:01:56
- 233 10/19/2011 - 2842 - Ord Denying Motion
Additional Text: ILIESCUS' MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION - Transaction 2542290 - Approved By:
NOREVIEW : 10-19-2011:16:19:19
- 234 10/19/2011 - 2842 - Ord Denying Motion
Additional Text: TO AMEND THIRD PARTY COMPLAINT AGAINST DEFENDANT HALE - Transaction 2542290 - Approved By: NOREVIEW
: 10-19-2011:16:19:19
- 235 10/19/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2542336 - Approved By: NOREVIEW : 10-19-2011:16:24:56
- 236 10/19/2011 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 237 10/19/2011 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 238 10/21/2011 - \$2160 - \$Mtn Partial Sum Judgment
Additional Text: MARK STEPPAN - Transaction 2547762 - Approved By: AZION : 10-24-2011:08:14:20
- 239 10/24/2011 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$200.00 was made on receipt DCDC333928.
- 240 10/24/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2547886 - Approved By: NOREVIEW : 10-24-2011:08:17:11
- 241 10/25/2011 - S200 - Request for Submission Complet
No additional text exists for this entry.

242 10/25/2011 - 3060 - Ord Granting Mtn ...
Additional Text: DEFENDANTS ILIESCUS' MOTION TO DISMISS - Transaction 2554042 - Approved By: NOREVIEW : 10-25-2011:17:19:22

243 10/25/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2554045 - Approved By: NOREVIEW : 10-25-2011:17:20:45

244 10/27/2011 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 2558720 - Approved By: NOREVIEW : 10-27-2011:14:55:45

245 10/27/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2558754 - Approved By: NOREVIEW : 10-27-2011:15:01:35

246 11/1/2011 - 1950 - Memorandum of Costs
Additional Text: Transaction 2564418 - Approved By: AZION : 11-01-2011:15:08:27

247 11/1/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2564430 - Approved By: NOREVIEW : 11-01-2011:15:10:38

248 11/2/2011 - 2490 - Motion ...
Additional Text: MOTION TO DISMISS THIRD PARTY PLTF ILIESUC'S THIRD PARTY COMPLAINT AGAINST THIRD PARTY DEFT JOHN SCHLEINING - Transaction 2566863 - Approved By: AZION : 11-02-2011:15:13:15

249 11/2/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2566892 - Approved By: NOREVIEW : 11-02-2011:15:14:44

250 11/3/2011 - 2490 - Motion ...
Additional Text: MOTION TO RELEASE MECHANIC'S LIENS - Transaction 2569776 - Approved By: AZION : 11-03-2011:16:19:43

251 11/3/2011 - 2490 - Motion ...
Additional Text: MOTION TO CANCEL AND EXPUNGE NOTICE OF LIS PENDENS - Transaction 2569787 - Approved By: AZION : 11-03-2011:16:21:29

252 11/3/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2569824 - Approved By: NOREVIEW : 11-03-2011:16:23:32

253 11/3/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2569846 - Approved By: NOREVIEW : 11-03-2011:16:25:52

254 11/7/2011 - 2430 - Mtn to Retax Costs
Additional Text: Transaction 2575434 - Approved By: AZION : 11-07-2011:15:51:56

255 11/7/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2575484 - Approved By: NOREVIEW : 11-07-2011:15:55:19

256 11/8/2011 - 2490 - Motion ...
Additional Text: MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION - Transaction 2578958 - Approved By: AZION : 11-08-2011:16:26:45

257 11/8/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2579063 - Approved By: NOREVIEW : 11-08-2011:16:29:13

258 11/14/2011 - 2010 - Mtn for Attorney's Fee
Additional Text: Transaction 2587882 - Approved By: AZION : 11-14-2011:16:06:33

259 11/14/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2588055 - Approved By: NOREVIEW : 11-14-2011:16:16:05

- 260 11/16/2011 - 3880 - Response...
Additional Text: RESPONSE TO MOTION TO DISMISS THIRD PARTY PLTF ILIESCU'S THIRD PARTY COMPLAINT AGAINST THIRD PARTY DEFT JOHN SCHLEINING - Transaction 2593931 - Approved By: AZION : 11-16-2011:15:10:15
- 261 11/16/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2594006 - Approved By: NOREVIEW : 11-16-2011:15:13:09
- 262 11/16/2011 - 3860 - Request for Submission
Additional Text: MOTION - Transaction 2594699 - Approved By: AZION : 11-16-2011:16:47:37
DOCUMENT TITLE: MOTION
PARTY SUBMITTING: GREGORY WILSON ESQ
DATE SUBMITTED: 11-16-11
SUBMITTED BY: AZION
DATE RECEIVED JUDGE OFFICE:
- 263 11/16/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2594853 - Approved By: NOREVIEW : 11-16-2011:16:52:03
- 264 11/21/2011 - 2645 - Opposition to Mtn ...
Additional Text: ILIESCUS' OPPOSITION TO STEPPAN'S MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION - Transaction 2602644 - Approved By: AZION : 11-21-2011:15:50:18
- 265 11/21/2011 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MOTION TO RETAX COSTS - Transaction 2602692 - Approved By: MCHOLICO : 11-21-2011:15:38:18
- 266 11/21/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2602768 - Approved By: NOREVIEW : 11-21-2011:15:40:00
- 267 11/21/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2602799 - Approved By: NOREVIEW : 11-21-2011:15:52:39
- 268 11/22/2011 - 3060 - Ord Granting Mtn ...
Additional Text: THIRD PARTY DEFENDANT JOHN SCHLEINING'S MOTION TO DISMISS - Transaction 2605633 - Approved By: NOREVIEW : 11-22-2011:16:15:50
- 269 11/22/2011 - 3980 - Stip and Order...
Additional Text: Transaction 2605633 - Approved By: NOREVIEW : 11-22-2011:16:15:50
- 270 11/22/2011 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 271 11/22/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2605678 - Approved By: NOREVIEW : 11-22-2011:16:22:23
- 272 11/22/2011 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 2606048 - Approved By: NOREVIEW : 11-22-2011:17:13:55
- 273 11/22/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2606050 - Approved By: NOREVIEW : 11-22-2011:17:15:07
- 274 11/28/2011 - 1950 - Memorandum of Costs
Additional Text: Transaction 2611746 - Approved By: AZION : 11-28-2011:16:35:51
- 275 11/28/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2611800 - Approved By: NOREVIEW : 11-28-2011:16:42:39

- 276 12/1/2011 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION - Transaction 2621540 -
Approved By: MCHOLICO : 12-02-2011:10:38:18
- 277 12/2/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2622262 - Approved By: NOREVIEW : 12-02-2011:10:41:57
- 278 12/2/2011 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION TO RETAX COSTS - Transaction 2622822 - Approved By: ASMITH : 12-02-2011:15:00:31
- 279 12/2/2011 - 3860 - Request for Submission
Additional Text: Transaction 2623558 - Approved By: SHAMBRIG : 12-02-2011:15:10:04
DOCUMENT TITLE: MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION
PARTY SUBMITTING: MICHAEL HOY
DATE SUBMITTED: 12-2-11
SUBMITTED BY: S HAMBRIGHT
DATE RECEIVED JUDGE OFFICE:
- 280 12/2/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2623632 - Approved By: NOREVIEW : 12-02-2011:15:06:35
- 281 12/2/2011 - 3860 - Request for Submission
Additional Text: - Transaction 2623645 - Approved By: ASMITH : 12-02-2011:15:54:42
DOCUMENT TITLE: MOTION TO RETAX COSTS
PARTY SUBMITTING: MICHAEL HOY, ESQ
DATE SUBMITTED: 12-2-11
SUBMITTED BY: A SMITH
DATE RECEIVED JUDGE OFFICE:
- 282 12/2/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2623689 - Approved By: NOREVIEW : 12-02-2011:15:18:17
- 283 12/2/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2623858 - Approved By: NOREVIEW : 12-02-2011:15:56:05
- 284 12/21/2011 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 285 12/22/2011 - \$2515 - \$Notice/Appeal Supreme Court
Additional Text: APPELLANT, MARK STEPPAN - Transaction 2662337 - Approved By: LMATHEUS : 12-22-2011:14:22:31
- 286 12/22/2011 - 1310 - Case Appeal Statement
Additional Text: Transaction 2662346 - Approved By: LMATHEUS : 12-22-2011:14:22:47
- 287 12/22/2011 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$34.00 was made on receipt DCDC341181.
- 288 12/22/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2663306 - Approved By: NOREVIEW : 12-22-2011:14:26:16
- 289 12/22/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2663312 - Approved By: NOREVIEW : 12-22-2011:14:27:30
- 290 12/22/2011 - FIE - **Document Filed in Error
Additional Text: 12-30-11 - LMATHEUS

- 291 12/22/2011 - FIE - **Document Filed in Error
Additional Text: 12/30/11 - LMATHEUS - NOTICE OF APPEAL NOT FILED TO SUPREME COURT
- 292 12/22/2011 - SAB - **Supreme Court Appeal Bond
No additional text exists for this entry.
- 293 12/22/2011 - 1360 - Certificate of Service
Additional Text: Transaction 2664041 - Approved By: ASMITH : 12-22-2011:16:29:08
- 294 12/22/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2664248 - Approved By: NOREVIEW : 12-22-2011:16:32:17
- 295 1/3/2012 - FIE - **Document Filed in Error
Additional Text: 1-12-12 - LMATHEUS - NOTICE OF APPEAL NOT FILED WITH THE SUPREME COURT
- 296 1/3/2012 - FIE - **Document Filed in Error
Additional Text: 1-12-12 - LMATHEUS
- 297 1/5/2012 - 3995 - Stip & Ord Dismiss W/O Prej
Additional Text: OF ALL CLAIMS BY JOHN SCHLEINING AGAINST HALE LANE PEEK DENNISON AND HOWARD, HOLLAN & HART AND R. CRAIG HOWARD - Transaction 2683659 - Approved By: NOREVIEW : 01-05-2012:17:40:25
- 298 1/5/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 2683668 - Approved By: NOREVIEW : 01-05-2012:17:42:08
- 299 1/6/2012 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 2685560 - Approved By: NOREVIEW : 01-06-2012:13:45:56
- 300 1/6/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 2685562 - Approved By: NOREVIEW : 01-06-2012:13:47:38
- 301 1/12/2012 - 1097 - Amended Notice of Appeal
Additional Text: APPELLANT, MARK B. STEPPAN - Transaction 2695797 - Approved By: LMATHEUS : 01-12-2012:10:52:26
- 302 1/12/2012 - 1350 - Certificate of Clerk
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 2696129 - Approved By: NOREVIEW : 01-12-2012:09:52:47
- 303 1/12/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 2696148 - Approved By: NOREVIEW : 01-12-2012:09:55:25
- 304 1/12/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 2696450 - Approved By: NOREVIEW : 01-12-2012:10:54:59
- 305 1/17/2012 - \$2527 - \$Notice of Cross Appeal
Additional Text: APPELLANT - JOHN ILIESCU, JR., ET AL - Transaction 2702000 - Approved By: MFERNAND : 01-18-2012:10:16:59
- 306 1/17/2012 - 1311 - Case Appeal Stmt-Cross Appeal
Additional Text: Transaction 2702013 - Approved By: MFERNAND : 01-18-2012:10:17:46
- 307 1/18/2012 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$34.00 was made on receipt DCDC344217.
- 308 1/18/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 2704485 - Approved By: NOREVIEW : 01-18-2012:10:18:31

- 309 1/18/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 2704487 - Approved By: NOREVIEW : 01-18-2012:10:19:43
- 310 1/18/2012 - 1350 - Certificate of Clerk
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - AMENDED NOTICE OF APPEAL - Transaction 2705376 - Approved By: NOREVIEW : 01-18-2012:14:19:50
- 311 1/18/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 2705395 - Approved By: NOREVIEW : 01-18-2012:14:21:56
- 312 1/19/2012 - 1350 - Certificate of Clerk
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF CROSS APPEAL - Transaction 2707050 - Approved By: NOREVIEW : 01-19-2012:09:30:26
- 313 1/19/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 2707138 - Approved By: NOREVIEW : 01-19-2012:09:45:37
- 314 1/23/2012 - 1188 - Supreme Court Receipt for Doc
Additional Text: SUPREME COURT CASE NO. 60036 - RECEIPT FOR DOCUMENTS - Transaction 2712539 - Approved By: NOREVIEW : 01-23-2012:08:36:03
- 315 1/23/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 2712546 - Approved By: NOREVIEW : 01-23-2012:08:37:16
- 316 1/27/2012 - 1188 - Supreme Court Receipt for Doc
Additional Text: SUPREME COURT CASE NO. 60036 - RECEIPT FOR DOCUMENTS - Transaction 2725659 - Approved By: NOREVIEW : 01-27-2012:10:58:25
- 317 1/27/2012 - 4130 - Supreme Court Receipt
Additional Text: SUPREME COURT CASE NO. 60036 - RECEIPT - Transaction 2725659 - Approved By: NOREVIEW : 01-27-2012:10:58:25
- 318 1/27/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 2725676 - Approved By: NOREVIEW : 01-27-2012:11:00:00
- 319 1/30/2012 - 2520 - Notice of Appearance
Additional Text: ALICE CAMPOS MERCADO OBO HALLE LANE PEEK DENNISON HOWARD & ANDERSON, KAREN D. DENNISON, R. CRAIG HOWARD & JERRY SNYDER - - Transaction 2730055 - Approved By: AZION : 01-30-2012:14:27:37
- 320 1/30/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 2730083 - Approved By: NOREVIEW : 01-30-2012:14:29:39
- 321 2/7/2012 - 3370 - Order ...
Additional Text: CERTIFYING INTENT TO GRANT MOTION FOR RECONSIDERATION (PLAINTIFF'S) - Transaction 2748537 - Approved By : NOREVIEW : 02-07-2012:11:30:06
- 322 2/7/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 2748557 - Approved By: NOREVIEW : 02-07-2012:11:33:44
- 323 2/7/2012 - 3370 - Order ...
Additional Text: HOLDING IN ABEYANCE PLAINTIFF'S MOTION TO RETAX COSTS - Transaction 2750102 - Approved By: NOREVIEW : 02-07-2012:16:00:28
- 324 2/7/2012 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 325 2/7/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 2750136 - Approved By: NOREVIEW : 02-07-2012:16:04:38

- 326 2/14/2012 - 4075 - Substitution of Counsel
Additional Text: GORDON COWAN ESQ FOR THOMAS HALL ESQ - Transaction 2764249 - Approved By: MLAWRENC : 02-14-2012:14:21:58
- 327 2/14/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 2764491 - Approved By: NOREVIEW : 02-14-2012:14:27:27
- 328 3/1/2012 - 2490 - Motion ...
Additional Text: FOR LEAVE TO FILE MOTION FOR RECONSIDERATION; OR, ALTERNATIVELY, MOTION FOR RELIEF FROM ORDER ENTERED SEPTEMBER 1, 2011 GRANTING THIRD-PARTY DEFENDANT'S MOTION FOR SUMMARY JUDGMENT - Transaction 2799021 - Approved By: YLLOYD : 03-02-2012:08:53:25
- 329 3/2/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 2799323 - Approved By: NOREVIEW : 03-02-2012:08:55:53
- 330 3/21/2012 - 2075 - Mtn for Extension of Time
Additional Text: THIRD PARTY DEFENDANT HALE LANE'S MOTION FOR EXTENSION OF TIME TO FILE OPPOSITION TO ILIESCUS' SECOND MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION
- 331 3/30/2012 - 2645 - Opposition to Mtn ...
Additional Text: THIRD PARTY DEFENDANT HALE LANE'S OPPOSITION TO ILIESCUS' SECOND MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION - Transaction 2859759 - Approved By: MCHOLICO : 03-30-2012:16:20:50
- 332 3/30/2012 - 4301 - Withdrawal of Motion
Additional Text: THIRD PARTY DEFENDANT HALE LANE'S WITHDRAWAL OF MOTION FOR EXTENSION OF TIME - Transaction 2859810 - Approved By: YLLOYD : 03-30-2012:16:55:13
- 333 3/30/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 2860025 - Approved By: NOREVIEW : 03-30-2012:16:22:53
- 334 3/30/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 2860202 - Approved By: NOREVIEW : 03-30-2012:17:00:54
- 335 4/24/2012 - 3785 - Reply Brief
Additional Text: REPLY BRIEF IN SUPPORT OF MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION; OR, ALTERNATIVELY, MOTION FOR RELIEF FROM ORDER ENTERED SEPTEMBER 1, 2011 GRANTING THIRD-PARTY DEFENDANT'S MOTION FOR SUMMARY JUDGMENT
- 336 4/24/2012 - 1325 - ** Case Reopened
No additional text exists for this entry.
- 337 4/24/2012 - 1650 - Errata...
Additional Text: ERRATA TO REPLY BRIEF IN SUPPORT OF MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION; OR, ALTERNATIVELY, MOTION FOR RELIEF FROM ORDER ENTERED SEPTEMBER 1, 2011 GRANTING THIRD-PARTY DEFENDANT'S MOTION FOR SUMMARY JUDGMENT
- 338 4/24/2012 - 3860 - Request for Submission
Additional Text: DOCUMENT TITLE: MOTION FILE MARCH 1, 2012 FOR LEVE TO FILE MOTION FOR RECONSIDERATION; OR, ALTERNATIVELY, MOTION FOR RELIEF FROM ORDER ENTERED SEPTEMBER 1, 2011 GRANTING THIRD-PARTY DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (PAPER ORDER NOT PROVIDED)
PARTY SUBMITTING: GORDON M. COWAN
DATE SUBMITTED: APRIL 24, 2012
SUBMITTED BY: TWHITE
DATE RECEIVED JUDGE OFFICE:
- 339 6/7/2012 - 1315 - ** Case Closed
No additional text exists for this entry.
- 340 6/7/2012 - 3370 - Order ...
Additional Text: CERTIFYING INTENT TO GRANT MOTION FOR RECONSIDERATION - Transaction 3004205 - Approved By: NOREVIEW : 06-07-2012:15:43:45

- 341 6/7/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 3004245 - Approved By: NOREVIEW : 06-07-2012:15:48:31
- 342 6/7/2012 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 343 6/7/2012 - 1315 - ** Case Closed
No additional text exists for this entry.
- 344 8/6/2012 - 4129 - Supreme Ct Order Granting ...
Additional Text: SUPREME COURT CASE NO. 60036/ORDER GRANTING MOTIONS FOR REMAND - Transaction 3129749 - Approved By: NOREVIEW : 08-06-2012:10:37:48
- 345 8/6/2012 - 1325 - ** Case Reopened
No additional text exists for this entry.
- 346 8/6/2012 - 3863 - **Submit regarding Appeals
Additional Text: DOCUMENT TITLE: SUPREME COURT ORDER GRANTING MOTIONS FOR REMAND
PARTY SUBMITTING:
DATE SUBMITTED: 08/06/12
SUBMITTED BY: LMATHEUS
DATE RECEIVED JUDGE OFFICE:
- 347 8/6/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 3129759 - Approved By: NOREVIEW : 08-06-2012:10:39:55
- 348 9/27/2012 - 3370 - Order ...
Additional Text: GRANTING MARK STEPPAN'S MOTION FOR RECONSIDERATION AND DENYING MOTION TO DISMISS. ORDER GRANTING JOHN ILIESCU'S MOTION FOR RECONSIDERATION AND DENYING MOTION FOR SUMMARY JUDGMENT - Transaction 3246640 - Approved By: NOREVIEW : 09-27-2012:14:12:34
- 349 9/27/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 3246673 - Approved By: NOREVIEW : 09-27-2012:14:18:07
- 350 1/4/2013 - 4127 - Supreme Ct Ord Dismis Appeal
Additional Text: SUPREME COURT NO. 60036/ORDER DISMISSING APPEAL AND REMANDING TO THE DISTRICT COURT - Transaction 3441775 - Approved By: NOREVIEW : 01-04-2013:10:42:08
- 351 1/4/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3441800 - Approved By: NOREVIEW : 01-04-2013:10:45:44
- 352 1/9/2013 - 3980 - Stip and Order...
Additional Text: Transaction 3453782 - Approved By: NOREVIEW : 01-09-2013:16:59:03
- 353 1/9/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3453808 - Approved By: NOREVIEW : 01-09-2013:17:02:57
- 354 1/10/2013 - 1250E - Application for Setting eFile
Additional Text: 5-DAY JURY TRIAL (#1 SET) 10/7/13 - Transaction 3457707 - Approved By: NOREVIEW : 01-10-2013:18:09:01
- 355 1/10/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3457712 - Approved By: NOREVIEW : 01-10-2013:18:10:35
- 356 1/23/2013 - 2980 - Ord Return of Appeal Bond
Additional Text: Transaction 3484567 - Approved By: NOREVIEW : 01-23-2013:18:31:27

- 357 1/23/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3484570 - Approved By: NOREVIEW : 01-23-2013:18:32:50
- 358 1/29/2013 - CHECK - **Trust Disbursement
Additional Text: A Disbursement of \$500.00 on Check Number 23375
- 359 2/11/2013 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO PARTIAL MOTION FOR SUMMARY JUDGMENT
- 360 2/12/2013 - 3863 - **Submit regarding Appeals
Additional Text: DOCUMENT TITLE: ORDER DISMISSING APPEAL AND REMENDING TO THE DISTRICT COURT
PARTY SUBMITTING:
DATE SUBMITTED: 01/04/13
SUBMITTED BY: ASMITH
DATE RECEIVED JUDGE OFFICE:
- 361 2/14/2013 - 3995 - Stip & Ord Dismiss W/O Prej
Additional Text: SECOND STIPULATION TO STAY PROCEEDINGS AGAINST DEFT HALE LAND AND ORDER TO STAY AND TO DISMISS CLAIMS AGAINST DEFENDANTS DENNISON HOWARD AND SNYDER W/O PREJUDICE - Transaction 3534067 - Approved By: NOREVIEW : 02-14-2013:18:30:51
- 362 2/14/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3534069 - Approved By: NOREVIEW : 02-14-2013:18:32:03
- 363 2/21/2013 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT - Transaction 3547598 - Approved By: MCHOLICO : 02-22-2013:08:05:48
- 364 2/22/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3547741 - Approved By: NOREVIEW : 02-22-2013:08:07:33
- 365 4/2/2013 - 3860 - Request for Submission
Additional Text: MOTION FOR PARTIAL SUMMARY JUDGMENT (NO PAPER ORDER PROVIDED) - Transaction 3631283 - Approved By: MCHOLICO : 04-02-2013:13:06:51
PARTY SUBMITTING: MICHAEL HOY, ESQ.
DATE SUBMITTED: 4/2/13
SUBMITTED BY: MCHOLICO
DATE RECEIVED JUDGE OFFICE:
- 366 4/2/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3632142 - Approved By: NOREVIEW : 04-02-2013:13:09:03
- 367 4/9/2013 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 3647417 - Approved By: NOREVIEW : 04-09-2013:11:57:08
- 368 4/9/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3647493 - Approved By: NOREVIEW : 04-09-2013:12:08:36
- 369 5/9/2013 - 3105 - Ord Granting ...
Additional Text: ORDER GRANTING MOTION FOR PARTIAL SUMMARY JUDGMENT - Transaction 3715397 - Approved By: NOREVIEW : 05-09-2013:13:55:54
- 370 5/9/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3715400 - Approved By: NOREVIEW : 05-09-2013:13:57:16
- 371 5/9/2013 - S200 - Request for Submission Complet
No additional text exists for this entry.

- 372 5/15/2013 - 2525 - Notice of Change of Address
Additional Text: Transaction 3727332 - Approved By: APOMA : 05-15-2013:14:03:47
- 373 5/15/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3727528 - Approved By: NOREVIEW : 05-15-2013:14:06:02
- 374 5/24/2013 - 1610 - Disclosure of Expert Witness
Additional Text: Transaction 3747389 - Approved By: YLLOYD : 05-24-2013:13:28:40
- 375 5/24/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3747437 - Approved By: NOREVIEW : 05-24-2013:13:30:18
- 376 7/11/2013 - 2475 - Mtn to Strike...
Additional Text: Transaction 3849970 - Approved By: DJARAMIL : 07-12-2013:09:11:50
- 377 7/12/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3850358 - Approved By: NOREVIEW : 07-12-2013:09:14:02
- 378 7/17/2013 - 4075 - Substitution of Counsel
Additional Text: NICHOLAS PEREOS FOR PLAINTIFFS
- 379 7/19/2013 - 2280 - Mtn to Continue
Additional Text: MOTION FOR CONTINUANCE AND MOTION TO EXTEND EXPERT DISCLOSURE DATES
- 380 7/19/2013 - 1030 - Affidavit in Support...
Additional Text: AFFIDAVIT OF GORDON COWAN IN SUPPORT OF MOTION FOR CONTINUANCE AND MOTION TO EXTEND EXPERT DISCLOSURE DATES
- 381 7/19/2013 - 1030 - Affidavit in Support...
Additional Text: AFFIDAVIT OF C. NICHOLAS PEREOS IN SUPPORT OF MOTION FOR CONTINUANCE AND MOTION TO EXTEND EXPERT DISCLOSURE DATES
- 382 7/26/2013 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MOTION TO STRIKE OR LIMIT JURY DEMAND
- 383 8/5/2013 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO (1) MOTION FOR CONTINUANCE AND (2) MOTION TO EXTEND EXPERT DISCLOSURE DATES - Transaction 3902160 - Approved By: MFERNAND : 08-06-2013:12:36:07
- 384 8/6/2013 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION TO STRIKE JURY DEMAND - Transaction 3903327 - Approved By: MFERNAND : 08-06-2013:13:54:03
- 385 8/6/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3903367 - Approved By: NOREVIEW : 08-06-2013:12:37:40
- 386 8/6/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3903776 - Approved By: NOREVIEW : 08-06-2013:13:57:28
- 387 8/6/2013 - 3860 - Request for Submission
Additional Text: Transaction 3904734 - Approved By: MFERNAND : 08-07-2013:09:13:39
DOCUMENT TITLE: MOTION TO STRIKE OR LIMIT JUDRY DEMAND (NO PAPER ORDER PROVIDED)
PARTY SUBMITTING: MICHAEL D. HOY, ESQ.
DATE SUBMITTED: 08/07/13
SUBMITTED BY: M. FERNANDEZ
DATE RECEIVED JUDGE OFFICE:

- 388 8/7/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3905530 - Approved By: NOREVIEW : 08-07-2013:09:15:34
- 389 8/13/2013 - 3785 - Reply Brief
Additional Text: REPLY BRIEF IN SUPPORT OF MOTION FOR CONTINUANCE AND MOTION TO EXTEND EXPERT DISCLOSURE DATES
- 390 8/13/2013 - 4105 - Supplemental ...
Additional Text: SUPPLEMENT TO CASE CONFERENCE REPORT
- 391 8/13/2013 - 1030 - Affidavit in Support...
Additional Text: AFFIDAVIT OF C. NICHOLAS PEREOS IN SUPPORT OF REPLY BRIEF IN SUPPORT OF MOTION FOR CONTINUANCE AND MOTION TO EXTEND EXPERT DISCLOSURE DATES
- 392 8/13/2013 - 3860 - Request for Submission
Additional Text: DOCUMENT TITLE: MOTION FOR CONTINUANCE AND MOTION TO EXTEND EXPERT DISCLOSURE DATES (NO PAPER ORDER PROVIDED)
PARTY SUBMITTING: C. NICHOLAS PEREOS, ESQ.
DATE SUBMITTED: 8/13/13
SUBMITTED BY: MCHOLICO
DATE RECEIVED JUDGE OFFICE:
- 393 8/15/2013 - 2135 - Mtn for Oral Arguments
Additional Text: MOTION FOR ORAL ARGUMENTS ON MOTION TO CONTINUE TRIAL AND EXTEND EXPERT DISCLOSURE DEADLINES - Transaction 3928168 - Approved By: MCHOLICO : 08-16-2013:08:39:49
- 394 8/16/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3928430 - Approved By: NOREVIEW : 08-16-2013:08:41:49
- 395 8/23/2013 - 3060 - Ord Granting Mtn ...
Additional Text: ORDER GRANTING MOTION TO STRIKE OR LIMIT JURY DEMAND - Transaction 3946236 - Approved By: NOREVIEW : 08-23-2013:10:58:29
- 396 8/23/2013 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 397 8/23/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3946244 - Approved By: NOREVIEW : 08-23-2013:11:00:50
- 398 8/26/2013 - 3347 - Ord to Set
Additional Text: ORDER TO SET HEARING - Transaction 3949542 - Approved By: NOREVIEW : 08-26-2013:10:50:59
- 399 8/26/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3949559 - Approved By: NOREVIEW : 08-26-2013:10:53:09
- 400 8/26/2013 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 401 8/28/2013 - 1250E - Application for Setting eFile
Additional Text: FOR HEARING ON MOTION TO CONTINUE AND MOTION TO EXTEND EXPERT DISCLOSURE DATES FOR SEPTEMBER 9, 2013 AT 9:00 A.M. - Transaction 3958054 - Approved By: NOREVIEW : 08-28-2013:14:15:49
- 402 8/28/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3958085 - Approved By: NOREVIEW : 08-28-2013:14:20:49
- 403 9/9/2013 - 1250E - Application for Setting eFile
Additional Text: FOR BENCH TRIAL ON DECEMBER 9, 2013 AT 8:30 A.M. - Transaction 3980227 - Approved By: NOREVIEW : 09-09-2013:10:30:35

- 404 9/9/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3980236 - Approved By: NOREVIEW : 09-09-2013:10:32:17
- 405 9/11/2013 - 2610 - Notice ...
Additional Text: NOTICE OF TRIAL SUBPOENAS
TRIAL DATE: DECEMBER 9, 2013
- 406 9/18/2013 - MIN - ***Minutes
Additional Text: 9/9/13 - ORAL ARGUMENTS - Transaction 4005384 - Approved By: NOREVIEW : 09-18-2013:15:03:42
- 407 9/18/2013 - 2582 - Notice of Taking Deposition
No additional text exists for this entry.
- 408 9/18/2013 - 1320 - Case Conference Report
Additional Text: SECOND SUPPLEMENT TO CASE CONFERENCE REPORT
- 409 9/18/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4005412 - Approved By: NOREVIEW : 09-18-2013:15:06:37
- 410 10/2/2013 - 3725 - Proof ...
Additional Text: OFFER OF PROOF
- 411 10/7/2013 - 2582 - Notice of Taking Deposition
Additional Text: Transaction 4048355 - Approved By: AZION : 10-07-2013:14:47:12
- 412 10/7/2013 - 2582 - Notice of Taking Deposition
Additional Text: Transaction 4048360 - Approved By: AZION : 10-07-2013:14:57:16
- 413 10/7/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4048466 - Approved By: NOREVIEW : 10-07-2013:14:57:37
- 414 10/7/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4048509 - Approved By: NOREVIEW : 10-07-2013:15:04:10
- 415 10/8/2013 - 1520 - Declaration
Additional Text: OF PERSONAL SERVICE - Transaction 4052051 - Approved By: AZION : 10-08-2013:15:51:15
- 416 10/8/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4052331 - Approved By: NOREVIEW : 10-08-2013:16:01:44
- 417 10/16/2013 - 3725 - Proof ...
Additional Text: SUPPLEMENT TO OFFER PROOF
- 418 11/4/2013 - \$2160 - \$Mtn Partial Sum Judgment
Additional Text: Transaction 4112269 - Approved By: AAKOPYAN : 11-05-2013:11:19:22
- 419 11/5/2013 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$200.00 was made on receipt DCDC430054.
- 420 11/5/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4114905 - Approved By: NOREVIEW : 11-05-2013:11:22:49
- 421 11/8/2013 - 3975 - Statement ...
Additional Text: NRCP 16.1(A)(3) DISCLOSURE STATEMENT - Transaction 4124938 - Approved By: MFERNAND : 11-08-2013:15:59:12

- 422 11/8/2013 - 3695 - Pre-Trial Memorandum
Additional Text: PLAINTIFFS' PRE-TRIAL DISCLOSURE
- 423 11/8/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4125378 - Approved By: NOREVIEW : 11-08-2013:16:05:11
- 424 11/18/2013 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MOTION FOR PARTIAL SUMMARY JUDGMENT
- 425 11/19/2013 - 3795 - Reply...
Additional Text: REPLY POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT - Transaction 4143912 - Approved By: AAKOPYAN : 11-19-2013:13:57:25
- 426 11/19/2013 - 3860 - Request for Submission
Additional Text: REQUEST FOR SUBMISSION OF MOTION FOR PARTIAL SUMMARY JUDGMENT (NO PAPER ORDER PROVIDED) - Transaction 4143928 - Approved By: AAKOPYAN : 11-19-2013:14:02:10
PARTY SUBMITTING: MICHAEL HOY, ESQ.
DATE SUBMITTED: 11/19/2013
SUBMITTED BY: AAKOPYAN
DATE RECEIVED JUDGE OFFICE:
- 427 11/19/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4144066 - Approved By: NOREVIEW : 11-19-2013:14:01:54
- 428 11/19/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4144114 - Approved By: NOREVIEW : 11-19-2013:14:07:42
- 429 11/21/2013 - 2630 - Objection to ...
Additional Text: OBJECTIONS TO PROPOSED EXHIBITS - Transaction 4150583 - Approved By: AAKOPYAN : 11-21-2013:11:42:40
- 430 11/21/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4150854 - Approved By: NOREVIEW : 11-21-2013:11:44:49
- 431 11/21/2013 - 1067 - Affidavit of Service
Additional Text: 11-20-13 SERVED RICHARD JOHNSON - TRIAL SUBPOEANA - Transaction 4151366 - Approved By: PDBROWN : 11-21-2013:15:02:04
- 432 11/21/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4151916 - Approved By: NOREVIEW : 11-21-2013:15:10:24
- 433 11/25/2013 - 2840 - Ord Denying ...
Additional Text: ORDER DENYING MOTION FOR PARTIAL SUMMARY JUDGMENT - Transaction 4158341 - Approved By: NOREVIEW : 11-25-2013:11:36:14
- 434 11/25/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4158416 - Approved By: NOREVIEW : 11-25-2013:11:45:22
- 435 11/25/2013 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 436 12/2/2013 - 4210 - Trial Statement - Defendant
No additional text exists for this entry.
- 437 12/4/2013 - 4220 - Trial Statement - Plaintiff
Additional Text: Transaction 4174965 - Approved By: AAKOPYAN : 12-04-2013:14:22:23

438 12/4/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4174991 - Approved By: NOREVIEW : 12-04-2013:14:24:52

439 12/5/2013 - 4055 - Subpoena
Additional Text: Transaction 4176881 - Approved By: AAKOPYAN : 12-05-2013:09:53:52

440 12/5/2013 - 4055 - Subpoena
Additional Text: Transaction 4176886 - Approved By: AAKOPYAN : 12-05-2013:09:54:27

441 12/5/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4176927 - Approved By: NOREVIEW : 12-05-2013:09:55:40

442 12/5/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4176931 - Approved By: NOREVIEW : 12-05-2013:09:56:35

443 12/5/2013 - 4055 - Subpoena
Additional Text: SUBPOENA: KAREN D DENNISON

444 12/5/2013 - 1067 - Affidavit of Service
Additional Text: AFFIDAVIT OF PERSONAL SERVICE

445 12/5/2013 - 4055 - Subpoena
Additional Text: SUBPOENA: R CRAIG HOWARD

446 12/6/2013 - 3980 - Stip and Order...
Additional Text: TRIAL STIPULATION AND ORDER - Transaction 4181224 - Approved By: NOREVIEW : 12-06-2013:12:15:09

447 12/6/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4181231 - Approved By: NOREVIEW : 12-06-2013:12:17:02

448 12/9/2013 - MIN - ***Minutes
Additional Text: 12/9/13 - BENCH TRIAL (DAY 1) - Transaction 4185586 - Approved By: NOREVIEW : 12-09-2013:17:15:19

449 12/9/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4185587 - Approved By: NOREVIEW : 12-09-2013:17:16:41

450 12/10/2013 - 1595 - Deposition ...
Additional Text: DEPOSITION OF DAVID SNELGROVE DATED TUESDAY, NOVEMBER 18, 2008.

451 12/10/2013 - MIN - ***Minutes
Additional Text: 12/10/13 - BENCH TRIAL (DAY 2) - Transaction 4188891 - Approved By: NOREVIEW : 12-10-2013:16:55:55

452 12/10/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4188931 - Approved By: NOREVIEW : 12-10-2013:16:59:21

453 12/11/2013 - 1595 - Deposition ...
Additional Text: DEPOSITION OF MARK STEPPAN DATED MONDAY, SEPTEMBER 29, 2008

454 12/11/2013 - 1595 - Deposition ...
Additional Text: DEPOSITION OF MARK STEPPAN DATED TUESDAY, FEBRUARY 16, 2010

455 12/11/2013 - 1595 - Deposition ...
Additional Text: DEPOSITION OF MARK STEPPAN, VOLUME II, DATED TUESDAY, MARCH 2, 2010.

- 456 12/11/2013 - 1595 - Deposition ...
Additional Text: DEPOSITION OF MARK STEPPAN, VOLUME III, DATED WEDNESDAY, MARCH 3, 2010.
- 457 12/11/2013 - 2315 - Mtn to Dismiss ...
Additional Text: DEFENDANTS' LEGAL MEMORANDUM IN SUPPORT OF DISMISSAL FOR FAILURE TO COMPLY WITH STATUTE FOR FORECLOSURE PURSUANT TO NRCP 50.
- 458 12/12/2013 - MIN - ***Minutes
Additional Text: 12/11/13 - BENCH TRIAL (DAY 3) - Transaction 4193014 - Approved By: NOREVIEW : 12-12-2013:09:52:35
- 459 12/12/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4193023 - Approved By: NOREVIEW : 12-12-2013:09:54:09
- 460 12/12/2013 - MIN - ***Minutes
Additional Text: 12/12/13 - BENCH TRIAL (DAY 4 - FINAL DAY & EXHIBIT LIST) - Transaction 4195053 - Approved By: NOREVIEW : 12-12-2013:14:51:23
- 461 12/12/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4195087 - Approved By: NOREVIEW : 12-12-2013:14:55:48
- 462 12/31/2013 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 463 1/2/2014 - 4105 - Supplemental ...
Additional Text: SUPPLEMENTAL TRIAL BRIEF - Transaction 4229051 - Approved By: MCHOLICO : 01-02-2014:09:16:04
- 464 1/2/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4229091 - Approved By: NOREVIEW : 01-02-2014:09:18:02
- 465 1/3/2014 - 3675 - Post Trial Brief
Additional Text: STEPPAN IS NOT ENTITLED TO ANY NON-FIXED FEE COMPENSATION.
- 466 2/19/2014 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 467 2/24/2014 - 4185 - Transcript
Additional Text: 12/9/13 Trial - Volume I - Transaction 4317125 - Approved By: NOREVIEW : 02-24-2014:15:15:30
- 468 2/24/2014 - 4185 - Transcript
Additional Text: 12/10/13 - Trial - Volume II - Transaction 4317129 - Approved By: NOREVIEW : 02-24-2014:15:16:15
- 469 2/24/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4317130 - Approved By: NOREVIEW : 02-24-2014:15:16:40
- 470 2/24/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4317134 - Approved By: NOREVIEW : 02-24-2014:15:17:36
- 471 2/24/2014 - 4185 - Transcript
Additional Text: 12/11/13 - TRIAL - DAY 3 - Transaction 4317492 - Approved By: NOREVIEW : 02-24-2014:17:04:01
- 472 2/24/2014 - 4185 - Transcript
Additional Text: 12/11/13 - TRIAL DAY 4 - Transaction 4317495 - Approved By: NOREVIEW : 02-24-2014:17:04:59
- 473 2/24/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4317496 - Approved By: NOREVIEW : 02-24-2014:17:05:09

- 474 2/24/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4317497 - Approved By: NOREVIEW : 02-24-2014:17:06:11
- 475 5/28/2014 - 1750 - Findings, Conclusions & Judg
Additional Text: FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION - Transaction 4451229 - Approved By: NOREVIEW : 05-28-2014:12:20:43
- 476 5/28/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4451231 - Approved By: NOREVIEW : 05-28-2014:12:21:33
- 477 6/2/2014 - 1250E - Application for Setting eFile
Additional Text: FOR HEARING ON FINAL AMT. OWED PURSUANT TO FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER SET FOR JUNE 12, 2014 AT 2:30 P.M. - Transaction 4457488 - Approved By: NOREVIEW : 06-02-2014:13:49:15
- 478 6/2/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4457492 - Approved By: NOREVIEW : 06-02-2014:13:50:14
- 479 6/10/2014 - 3373 - Other ...
Additional Text: HEARING BRIEF REGARDING CALCULATION OF PRINCIPAL AND INTEREST - Transaction 4470854 - Approved By: MCHOLICO : 06-10-2014:16:37:52
- 480 6/10/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4471139 - Approved By: NOREVIEW : 06-10-2014:16:39:08
- 481 6/12/2014 - MIN - ***Minutes
Additional Text: 6/12/14 - HRG ON FINAL AMOUNT OWED, PURSUANT TO THE ORDER FILED 5/28/14. - Transaction 4474927 - Approved By: NOREVIEW : 06-12-2014:16:04:56
- 482 6/12/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4474938 - Approved By: NOREVIEW : 06-12-2014:16:06:07
- 483 6/17/2014 - 4185 - Transcript
Additional Text: HEARING - SEPTEMBER 9, 2013 - Transaction 4480015 - Approved By: NOREVIEW : 06-17-2014:11:38:07
- 484 6/17/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4480018 - Approved By: NOREVIEW : 06-17-2014:11:39:07
- 485 6/20/2014 - 2490 - Motion ...
Additional Text: MOTION FOR COSTS - Transaction 4484838 - Approved By: YLLOYD : 06-20-2014:09:06:31
- 486 6/20/2014 - 1950 - Memorandum of Costs
Additional Text: VERIFIED MEMORANDUM OF COSTS - Transaction 4484839 - Approved By: YLLOYD : 06-20-2014:09:08:00
- 487 6/20/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4485068 - Approved By: NOREVIEW : 06-20-2014:09:07:28
- 488 6/20/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4485076 - Approved By: NOREVIEW : 06-20-2014:09:09:00
- 489 6/20/2014 - 2010 - Mtn for Attorney's Fee
Additional Text: Transaction 4486273 - Approved By: MELWOOD : 06-20-2014:14:54:59
- 490 6/20/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4486280 - Approved By: NOREVIEW : 06-20-2014:14:55:57
- 491 6/23/2014 - 1290 - Association of Counsel
Additional Text: ALBRIGHT, STODDARD, WARNICK & ALBRIGHT - Transaction 4488691 - Approved By: YLLOYD : 06-24-2014:08:22:20

- 492 6/24/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4489015 - Approved By: NOREVIEW : 06-24-2014:08:23:21
- 493 6/27/2014 - 2630 - Objection to ...
Additional Text: OBJECTION TO COURT COSTS
- 494 6/27/2014 - 2630 - Objection to ...
Additional Text: SECOND OBJECTION TO COURT COSTS
- 495 7/9/2014 - FIE - **Document Filed in Error
Additional Text: RESPONSE TO MOTION TO WITHDRAW, EXTEND DISCOVERY AND CONTINUE TRIAL DATE
- 496 7/9/2014 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MOTION FOR ATTORNEYS FEES
- 497 7/9/2014 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MOTIN FOR COSTS
- 498 7/9/2014 - FIE - **Document Filed in Error
Additional Text: AFFIDAVIT OF C. NICHOLAS PEREOS IN RESPONSE TO MOTION TO WITHDRAW, EXTEND DISCOVERY AND CONTINUE TRIAL
- 499 7/11/2014 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION FOR ATTORNEY FEES - Transaction 4513050 - Approved By: MFERNAND : 07-11-2014:15:28:45
- 500 7/11/2014 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION FOR COSTS - Transaction 4513130 - Approved By: MELWOOD : 07-11-2014:15:34:14
- 501 7/11/2014 - 3860 - Request for Submission
Additional Text: MOTION FOR ATTORNEY'S FEES - Transaction 4513198 - Approved By: MELWOOD : 07-11-2014:16:30:58
PARTY SUBMITTING: MICHAEL HOY, ESQ
DATE SUBMITTED: 07/11/2014
SUBMITTED BY: MELWOOD
DATE RECEIVED JUDGE OFFICE:
- 502 7/11/2014 - 3860 - Request for Submission
Additional Text: MOTION FOR ATTORNEY FEES - Transaction 4513199 - Approved By: MELWOOD : 07-11-2014:16:31:41
PARTY SUBMITTING: MICHAEL HOY, ESQ
DATE SUBMITTED: 07/11/2014
SUBMITTED BY: MELWOOD
DATE RECEIVED JUDGE OFFICE:
- 503 7/11/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4513635 - Approved By: NOREVIEW : 07-11-2014:15:29:32
- 504 7/11/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4513663 - Approved By: NOREVIEW : 07-11-2014:15:35:12
- 505 7/11/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4513919 - Approved By: NOREVIEW : 07-11-2014:16:31:59
- 506 7/11/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4513927 - Approved By: NOREVIEW : 07-11-2014:16:32:46
- 507 7/16/2014 - 2195 - Mtn for Stay ...
Additional Text: DEFENDANTS' MOTIONS FOR STAY OF EXECUTION (1) PENDING DISPOSITION OF ALTERATION OR NEW TRIAL MOTION AND (2) PENDING APPEAL, WITHOUT THE NECESITY OF ANY BOND - Transaction 4518824 - Approved By: MFERNAND : 07-16-2014:11:39:19

- 508 7/16/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4519416 - Approved By: NOREVIEW : 07-16-2014:11:40:02
- 509 7/17/2014 - 1665 - Ex-Parte Application...
Additional Text: ILIESCU'S EX PARTE APPLICATION FOR LEAVE TO FILE A SINGLE CONSOLIDATED POST-TRIAL BRIEF NOT TO EXCEED 45 PAGES - Transaction 4522307 - Approved By: MCHOLICO : 07-17-2014:16:49:36
- 510 7/17/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4522814 - Approved By: NOREVIEW : 07-17-2014:16:50:32
- 511 7/18/2014 - 3105 - Ord Granting ...
Additional Text: ORDER GRANTING APPLICATION FOR LEAVE TO FILE POST-TRIAL BRIEF OVER PAGE LIMITS - Transaction 4523344 - Approved By: NOREVIEW : 07-18-2014:09:20:18
- 512 7/18/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4523347 - Approved By: NOREVIEW : 07-18-2014:09:21:19
- 513 7/18/2014 - 3795 - Reply...
Additional Text: Supplemental Reply In Support of Motion for Attorney Fees - Transaction 4524150 - Approved By: AZION : 07-18-2014:14:03:26
- 514 7/18/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4524180 - Approved By: NOREVIEW : 07-18-2014:14:04:25
- 515 8/7/2014 - 3980 - Stip and Order...
Additional Text: Transaction 4552148 - Approved By: NOREVIEW : 08-07-2014:13:37:14
- 516 8/7/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4552151 - Approved By: NOREVIEW : 08-07-2014:13:38:12
- 517 9/4/2014 - 2520 - Notice of Appearance
Additional Text: DAVID GRUNDY, ESQ. & TODD ALEXANDER, ESQ. / THIRD-PARTY DEFENDANTS - Transaction 4591013 - Approved By: MCHOLICO : 09-04-2014:14:48:44
- 518 9/4/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4591561 - Approved By: NOREVIEW : 09-04-2014:14:49:47
- 519 9/4/2014 - \$2200 - \$Mtn for Summary Judgment
Additional Text: THIRD PARTY DEFENDANT HALE LANE'S RENEWED MOTION FOR SUMMARY JUDGMENT REGARDING THIRD-PARTY CLAIMS BY JOHN ILIESCU - Transaction 4591669 - Approved By: MFERNAND : 09-05-2014:08:29:34
- 520 9/5/2014 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$200.00 was made on receipt DCDC469040.
- 521 9/5/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4592354 - Approved By: NOREVIEW : 09-05-2014:08:31:36
- 522 9/5/2014 - 3370 - Order ...
Additional Text: ORDER REGARDING PLAINTIFF'S MOTION FOR COSTS - Transaction 4594487 - Approved By: NOREVIEW : 09-05-2014:16:39:47
- 523 9/5/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4594491 - Approved By: NOREVIEW : 09-05-2014:16:40:47
- 524 9/8/2014 - 3370 - Order ...
Additional Text: ORDER REGARDING PLAINTIFF'S MOTION FOR ATTORNEY FEES - Transaction 4595799 - Approved By: NOREVIEW : 09-08-2014:13:36:43

- 525 9/8/2014 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 526 9/8/2014 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 527 9/8/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4595804 - Approved By: NOREVIEW : 09-08-2014:13:37:41
- 528 9/15/2014 - 2035 - Mtn Clarification of Ord
Additional Text: DEFENDANTS' MOTION FOR RELIEF FROM COURT'S ATTORNEYS' FEES AND COSTS ORDERS AND FOR CORRECTION, RECONSIDERATION OR CLARIFICATION, OR CLARIFICATION OF SUCH ORDERS TO COMPLY WITH NEVADA MECHANIC'S LEIN LAW - Transaction 4606433 - Approved By: YLLOYD : 09-15-2014:13:53:43
- 529 9/15/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4606646 - Approved By: NOREVIEW : 09-15-2014:13:54:38
- 530 9/22/2014 - 2645 - Opposition to Mtn ...
Additional Text: THIRD-PARTY PLAINTIFFS' OPPOSITION TO THIRD-PARTY DEFENDANT HALE LANE'S RENEWED MOTION FOR SUMMARY JUDGMENT REGARDING THIRD-PARTY CLAIMS; AND COUNTERMOTION TO AMEND THIRD-PARTY COMPLAINT AND FOR ADDITIONAL DISCOVERY UNDER NRCP 56(f) - Transaction 4618326 - Approved By: MCHOLICO : 09-23-2014:09:43:41
- 531 9/23/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4619017 - Approved By: NOREVIEW : 09-23-2014:09:44:59
- 532 9/24/2014 - 2490 - Motion ...
Additional Text: MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION OF ORDER GRANTING PLTF'S MOTION FOR ATTORNEY FEES - Transaction 4622245 - Approved By: ADEGAYNE : 09-24-2014:14:44:24
- 533 9/24/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4622420 - Approved By: NOREVIEW : 09-24-2014:14:45:22
- 534 9/25/2014 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO DEFENSE MOTION FOR RELIEF FROM COURT'S ATTORNEYS' FEES COSTS ORDERS - Transaction 4624260 - Approved By: MFERNAND : 09-25-2014:15:28:07
- 535 9/25/2014 - 1580 - Demand for Jury
Additional Text: THIRD-PARTY PLTF'S RESTATED DEMAND FOR JURY TRIAL ON THEIR THIRD-PARTY COMPLAINT - Transaction 4624401 - Approved By: MELWOOD : 09-25-2014:16:25:41
- 536 9/25/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4624566 - Approved By: NOREVIEW : 09-25-2014:15:29:04
- 537 9/25/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4624801 - Approved By: NOREVIEW : 09-25-2014:16:26:39
- 538 9/26/2014 - 2501 - Non-Opposition ...
Additional Text: NOTICE OF NON-OPPOSITION TO MARK B STEPPAN'S MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION OF ORDER GRANTING PLAINTIFF'S MOTION FOR ATTORNEY'S FEES - Transaction 4625617 - Approved By: MELWOOD : 09-26-2014:14:4:00:21
- 539 9/26/2014 - 2501 - Non-Opposition ...
Additional Text: NOTICE OF NON-OPPOSITION TO MARK B STEPPAN'S MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION OF ORDER GRANTING PLAINTIFF'S MOTION FOR ATTORNEY FEES - Transaction 4625617 - Approved By: MELWOOD : 09-26-2014:14:00:21
- 540 9/26/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4626170 - Approved By: NOREVIEW : 09-26-2014:14:01:23

- 541 9/29/2014 - 3370 - Order ...
Additional Text: ORDER REGARDING RECONSIDERATION - Transaction 4627034 - Approved By: NOREVIEW : 09-29-2014:09:34:05
- 542 9/29/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4627038 - Approved By: NOREVIEW : 09-29-2014:09:34:56
- 543 9/29/2014 - 3660 - Points&Authorities in Reply...
Additional Text: REPLY POINTS AND AUTHORITIES IN SUPPORT OF DEFENDANTS' MOTION FOR RELIEF FROM COURT'S ATTORNEYS' FEES AND COSTS ORDERS AND FOR CORRECTION, RECONSIDERATION ,OR CLARIFICATION OF SUCH ORDERS TO COMPLY WITH NEVADA MECHANIC'S LIEN LAW - Transaction 4628209 - Approved By: MCHOLICO : 09-30-2014:08:55:21
- 544 9/29/2014 - 3660 - Points&Authorities in Reply...
Additional Text: REPLY POINTS AND AUTHORITIES IN SUPPORT OF DEFENDANTS' MOTION FOR RELIEF FROM COURT'S ATTORNEYS' FEES AND COSTS ORDERS AND FOR CORRECTION, RECONSIDERATION, OR CLARIFICATION OF SUCH ORDERS TO COMPLY WITH NEVADA MECHANIC'S LIEN LAW - Transaction 4628209 - Approved By: MCHOLICO : 09-30-2014:08:55:21
- 545 9/30/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4628905 - Approved By: NOREVIEW : 09-30-2014:08:56:20
- 546 10/9/2014 - 3860 - Request for Submission
Additional Text: REQUEST FOR SUBMISSION OF UNCONTESTED MOTION - MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION OF ORDER GRANTING PLAINTIFF'S MOTION FOR ATTORNEY FEES (NO PAPER ORDER PROVIDED) - Transaction 4644844 - Approved By: MFERNAND : 10-09-2014:15:37:27
PARTY SUBMITTING: MICHAEL D. HOY, ESQ.
DATE SUBMITTED: 10/09/2014
SUBMITTED BY: M. FERNANDEZ
DATE RECEIVED JUDGE OFFICE:
- 547 10/9/2014 - 2175 - Mtn for Reconsideration
Additional Text: MOTION FOR RECONSIDERATION OF ORDER GRANTING PLAINTIFF'S MOTION FOR ATTORNEY FEES - Transaction 4644927 - Approved By: MCHOLICO : 10-09-2014:16:21:17
- 548 10/9/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4645218 - Approved By: NOREVIEW : 10-09-2014:15:38:20
- 549 10/9/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4645375 - Approved By: NOREVIEW : 10-09-2014:16:23:40
- 550 10/10/2014 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MARK B STEPPAN'S MOTION FOR RECONSIDERATION OF ORDER GRANTING PLTF'S MOTION FOR ATTORNEY FEES - Transaction 4645602 - Approved By: MELWOOD : 10-10-2014:11:16:59
- 551 10/10/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4646178 - Approved By: NOREVIEW : 10-10-2014:11:18:11
- 552 10/10/2014 - 3790 - Reply to/in Opposition
Additional Text: REPLY IN SUPPORT OF MOTIOHN FOR RECONSIDERATION OF ORDER GRANTING PLAINTIFF'S MOTION FOR ATTORNEY FEES - Transaction 4647738 - Approved By: YLLOYD : 10-13-2014:10:23:16
- 553 10/10/2014 - 3860 - Request for Submission
Additional Text: Transaction 4647760 - Approved By: YLLOYD : 10-13-2014:10:32:57
DOCUMENT TITLE: MOTION FOR RECONSIDERATION OF ORDER GRANTING PLAINTIFF'S MOTION FOR ATTORNEY FEES (NO PAPER ORDER)
PARTY SUBMITTING: MICHAEL HOY
DATE SUBMITTED: 10/10/14
SUBMITTED BY: YLLOYD
DATE RECEIVED JUDGE OFFICE:
- 554 10/13/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4648350 - Approved By: NOREVIEW : 10-13-2014:10:24:16

- 555 10/13/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4648428 - Approved By: NOREVIEW : 10-13-2014:10:33:56
- 556 10/13/2014 - 3860 - Request for Submission
Additional Text: MOTION FOR RELIEF FROM COURT'S ATTORNEY'S FEES AND COSTS ORDERS AND FOR CORRECTION, RECONSIDERATION, OR CLARIFICATION OF SUCH ORDERS TO COMPLY WITH NEVADA MECHANIC'S LIEN LAW - Transaction 4648843
- Approved By: MELWOOD : 10-13-2014:14:40:17
PARTY SUBMITTING: G MARK ALBRIGHT, ESQ
DATE SUBMITTED: 10/13/2014
SUBMITTED BY: MELWOOD
DATE RECEIVED JUDGE OFFICE:
- 557 10/13/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4649326 - Approved By: NOREVIEW : 10-13-2014:14:41:22
- 558 10/27/2014 - 2490 - Motion ...
Additional Text: DEFENDANTS' MOTION FOR NRCP 60(b) RELIEF FROM COURT'S FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION AND RELATED ORDERS - Transaction 4669480 - Approved By: YLLOYD : 10-27-2014:11:37:19
- 559 10/27/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4669804 - Approved By: NOREVIEW : 10-27-2014:11:38:50
- 560 10/27/2014 - 4050 - Stipulation ...
Additional Text: STIPULATION FOR WITHDRAWAL OF RENEWED MOTION FOR SUMMARY JUDGMENT AND COUNTERMOTION - Transaction 4670631 - Approved By: MELWOOD : 10-28-2014:08:16:56
- 561 10/28/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4671106 - Approved By: NOREVIEW : 10-28-2014:08:18:06
- 562 11/4/2014 - 1650 - Errata...
Additional Text: ERRATA TO DEFENDANTS' MOTION FOR NRCP 60(b) RELIEF FROM COURT'S FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION AND RELATED ORDERS - Transaction 4679682 - Approved By: MCHOLICO : 11-04-2014:09:42:25
- 563 11/4/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4679973 - Approved By: NOREVIEW : 11-04-2014:09:43:23
- 564 11/18/2014 - 3980 - Stip and Order...
Additional Text: STIPULATION AND ORDER FOR EXTENSION OF TIME FOR BRIEFING - Transaction 4701274 - Approved By: NOREVIEW : 11-18-2014:14:40:58
- 565 11/18/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4701283 - Approved By: NOREVIEW : 11-18-2014:14:42:00
- 566 12/1/2014 - 3105 - Ord Granting ...
Additional Text: ORDER GRANTING MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION OF ORDER GRANTING PLAINTIFF'S MOTION FOR ATTORNEY FEES - Transaction 4714853 - Approved By: NOREVIEW : 12-01-2014:11:01:47
- 567 12/1/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4714857 - Approved By: NOREVIEW : 12-01-2014:11:04:31
- 568 12/1/2014 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 569 12/1/2014 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO DEFT'S MOTION FOR NRCP 60(b) RELIEF FROM COURT'S FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION AND RELATED ORDERS - Transaction 4715768 - Approved By: MELWOOD : 12-01-2014:16:22:25
- 570 12/1/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4715961 - Approved By: NOREVIEW : 12-01-2014:16:23:36

- 571 12/4/2014 - 2645 - Opposition to Mtn ...
Additional Text: AMENDED OPPOSITION TO DEFTS' MOTION FOR NRCP 60(b) RELIEF FROM COURT'S FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION AND RELATED ORDERS - Transaction 4721927 - Approved By: MELWOOD : 12-04-2014:16:51:49
- 572 12/4/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4722077 - Approved By: NOREVIEW : 12-04-2014:16:52:54
- 573 12/10/2014 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 574 12/10/2014 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 575 12/10/2014 - 3370 - Order ...
Additional Text: ORDER REGARDING RECONSIDERATION OF ATTORNEY FEES - Transaction 4729999 - Approved By: NOREVIEW : 12-10-2014:11:08:48
- 576 12/10/2014 - 3370 - Order ...
Additional Text: ORDER REGARDING DEFENDANT'S REQUEST FOR CLARIFICATION - Transaction 4730004 - Approved By: NOREVIEW : 12-10-2014:11:09:57
- 577 12/10/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4730003 - Approved By: NOREVIEW : 12-10-2014:11:09:38
- 578 12/10/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4730006 - Approved By: NOREVIEW : 12-10-2014:11:10:46
- 579 12/12/2014 - 1105 - Amended Ord and/or Judgment
Additional Text: AMENDED ORDER REGARDING PLAINTIFF'S MOTION FOR COSTS - Transaction 4734821 - Approved By: NOREVIEW : 12-12-2014:16:24:50
- 580 12/12/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4734828 - Approved By: NOREVIEW : 12-12-2014:16:25:50
- 581 12/12/2014 - 1105 - Amended Ord and/or Judgment
Additional Text: AMENDED ORDER REGARDING PLAINTIFF'S MOTION FOR ATTORNEY FEES - Transaction 4734845 - Approved By: NOREVIEW : 12-12-2014:16:29:41
- 582 12/12/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4734850 - Approved By: NOREVIEW : 12-12-2014:16:30:42
- 583 12/12/2014 - 3980 - Stip and Order...
Additional Text: JOINT STIPULATION AND ORDER REGARDING ENLARGEMENT OF TIME FOR BRIEFS - Transaction 4734994 - Approved By: NOREVIEW : 12-12-2014:17:15:13
- 584 12/12/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4734995 - Approved By: NOREVIEW : 12-12-2014:17:16:13
- 585 12/16/2014 - 3795 - Reply...
Additional Text: DEFENDANTS' REPLY POINTS AND AUTHORITIES IN SUPPORT OF THEIR MOTION FOR NRCP 60(b) RELIEF FROM COURT'S FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION AND RELATED ORDERS - Transaction 4737764 - Approved By: YLLOYD : 12-16-2014:09:40:35

RECEIVED - 12/15/14 - REJECTED IN ERROR BY DEPUTY CLERK YLLOYD
- 586 12/16/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4737860 - Approved By: NOREVIEW : 12-16-2014:09:41:35

- 587 12/17/2014 - 3860 - Request for Submission
Additional Text: MOTION FOR NRCP 60(b) RELIEF FROM COURT'S FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION AND RELATED ORDERS (NO ORDER PROVIDED) - Transaction 4740381 - Approved By: MELWOOD : 12-17-2014:11:44:39
PARTY SUBMITTING: MICHAEL HOY, ESQ
DATE SUBMITTED: 12/17/2014
SUBMITTED BY: MELWOOD
DATE RECEIVED JUDGE OFFICE:
- 588 12/17/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4740575 - Approved By: NOREVIEW : 12-17-2014:11:45:40
- 589 12/17/2014 - 3860 - Request for Submission
Additional Text: DEFENDANTS' MOTION FOR NRCP 60(b) RELIEF FROM COURT'S FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION AND RELATED ORDERS (NO PAPER ORDER PROVIDED) - Transaction 4741185 - Approved By: MCHOLICO : 12-17-2014:16:27:57
PARTY SUBMITTING: MARK ALBRIGHT, ESQ.
DATE SUBMITTED: 12/17/14
SUBMITTED BY: MCHOLICO
DATE RECEIVED JUDGE OFFICE:
- 590 12/17/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4741483 - Approved By: NOREVIEW : 12-17-2014:16:28:53
- 591 1/21/2015 - 4185 - Transcript
Additional Text: 6/12/14 - Hearing - Transaction 4782648 - Approved By: NOREVIEW : 01-21-2015:16:13:13
- 592 1/21/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4782655 - Approved By: NOREVIEW : 01-21-2015:16:14:12
- 593 1/27/2015 - 2610 - Notice ...
Additional Text: NOTICE OF CHANGE OF FIRM NAME - HOY CHRISSINGER KIMMEL VALLAS, P.C. - Transaction 4789444 - Approved By: MELWOOD : 01-27-2015:09:56:18
- 594 1/27/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4789775 - Approved By: NOREVIEW : 01-27-2015:09:57:19
- 595 2/2/2015 - S200 - Request for Submission Complet
Additional Text: SUBMITTED TWICE FOR THE SAME MOTION
- 596 2/2/2015 - 3347 - Ord to Set
Additional Text: ORDER TO SET ORAL ARGUMENT - Transaction 4799114 - Approved By: NOREVIEW : 02-02-2015:14:51:32
- 597 2/2/2015 - S200 - Request for Submission Complet
Additional Text: ORDER SENT TO PARTIES TO SET FOR ORAL ARGUMENT
- 598 2/2/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4799116 - Approved By: NOREVIEW : 02-02-2015:14:52:22
- 599 2/3/2015 - 1250E - Application for Setting eFile
Additional Text: FOR ORAL ARGUMENT ON MOTION FOR NRCP 60(B) RELIEF ON FEBRUARY 17, 2015 AT 11:00 A.M. - Transaction 4801315 - Approved By: NOREVIEW : 02-03-2015:16:25:44
- 600 2/3/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4801318 - Approved By: NOREVIEW : 02-03-2015:16:26:46
- 601 2/18/2015 - MIN - ***Minutes
Additional Text: 2/18/15 - ORAL ARGUMENTS - Transaction 4822546 - Approved By: NOREVIEW : 02-18-2015:14:50:34

- 602 2/18/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4822550 - Approved By: NOREVIEW : 02-18-2015:14:51:33
- 603 2/18/2015 - 1250E - Application for Setting eFile
Additional Text: FOR CONTINUATION OF ORAL ARGUMENT ON NRCP 60(b0 RELIEF SET FOR FEBRUARY 23, 2015 AT 8:30 A.M. - Transaction 4822724 - Approved By: NOREVIEW : 02-18-2015:15:22:07
- 604 2/18/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4822726 - Approved By: NOREVIEW : 02-18-2015:15:24:41
- 605 2/23/2015 - 4185 - Transcript
Additional Text: TRANSCRIPT OF PROCEEDING - ORAL ARGUMENTS (2/18/2015)
Transaction 4828688 - Approved By: NOREVIEW : 02-23-2015:11:47:43
- 606 2/23/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4828695 - Approved By: NOREVIEW : 02-23-2015:11:50:36
- 607 2/23/2015 - MIN - ***Minutes
Additional Text: 2/23/15 - CONT'D ORAL ARGUMENTS - Transaction 4830007 - Approved By: NOREVIEW : 02-23-2015:16:40:46
- 608 2/23/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4830021 - Approved By: NOREVIEW : 02-23-2015:16:42:10
- 609 2/26/2015 - 1845 - Judgment and Ord
Additional Text: JUDGEMENT, DECREE AND ORDER FOR FORECLOSURE OF MECHANICS LIEN - Transaction 4836215 - Approved By: NOREVIEW : 02-26-2015:15:29:41
- 610 2/26/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4836222 - Approved By: NOREVIEW : 02-26-2015:15:30:45
- 611 2/27/2015 - 2535 - Notice of Entry of Judgment
Additional Text: , Decree and Order for Foreclosure of Mechanics Lien - Transaction 4837208 - Approved By: NOREVIEW : 02-27-2015:10:08:22
- 612 2/27/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4837219 - Approved By: NOREVIEW : 02-27-2015:10:09:21
- 613 2/27/2015 - 4185 - Transcript
Additional Text: 12/09/13 Trial Volume I - Corrected/Repaginated Transcript of Proceedings - Transaction 4837383 - Approved By: NOREVIEW : 02-27-2015:10:57:34
- 614 2/27/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4837390 - Approved By: NOREVIEW : 02-27-2015:10:58:35
- 615 3/10/2015 - 2250 - Mtn Alter or Amend Judgment
Additional Text: DEFENDANT'S MOTION FOR COURT TO ALTER OR AMEND ITS JUDGMENT AND RELATED PRIOR ORDERS - Transaction 4854109 - Approved By: MELWOOD : 03-10-2015:16:55:19
- 616 3/10/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4854743 - Approved By: NOREVIEW : 03-10-2015:16:56:24
- 617 3/11/2015 - 2610 - Notice ...
Additional Text: NOTICE OF LODGING PROPOSED ORDER CERTIFICATE OF SERVICE - Transaction 4856190 - Approved By: MELWOOD : 03-11-2015:16:31:07
- 618 3/11/2015 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO DEFENDANTS' MOTION TO ALTER OR AMEND JUDGMENT AND RELATED ORDERS - Transaction 4856342 - Approved By: YLLOYD : 03-12-2015:08:11:26

- 619 3/11/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4856567 - Approved By: NOREVIEW : 03-11-2015:16:32:11
- 620 3/12/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4856772 - Approved By: NOREVIEW : 03-12-2015:08:12:34
- 621 3/13/2015 - 2840 - Ord Denying ...
Additional Text: DECISION AND ORDER DENYING NRCP 60(b) MOTION - Transaction 4860752 - Approved By: NOREVIEW : 03-13-2015:16:48:40
- 622 3/13/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4860756 - Approved By: NOREVIEW : 03-13-2015:16:49:37
- 623 3/13/2015 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 4860795 - Approved By: NOREVIEW : 03-13-2015:17:26:18
- 624 3/13/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4860796 - Approved By: NOREVIEW : 03-13-2015:17:29:08
- 625 3/17/2015 - 3870 - Request
Additional Text: REQUEST TO BE REMOVED FROM SERVICE LIST - Transaction 4865108 - Approved By: MPURDY : 03-17-2015:16:33:58
- 626 3/17/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4865405 - Approved By: NOREVIEW : 03-17-2015:16:35:02
- 627 3/20/2015 - 3660 - Points&Authorities in Reply...
Additional Text: REPLY POINTS AND AUTHORITIES IN SUPPORT OF DEFENDANTS' MOTION TO ALTER OR AMEND JUDGMENT AND RELATED ORDERS - Transaction 4870318 - Approved By: MCHOLICO : 03-20-2015:11:40:01
- 628 3/20/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4870801 - Approved By: NOREVIEW : 03-20-2015:11:40:52
- 629 3/26/2015 - 3860 - Request for Submission
Additional Text: Transaction 4880013 - Approved By: YLLOYD : 03-26-2015:16:50:49
DOCUMENT TITLE: MOTION TO ALTER OR AMEND JUDGMENT AND RELATED ORDERS (NO PAPER ORDER)
PARTY SUBMITTING: MARK ALBRIGHT ESQ
DATE SUBMITTED: 3/26/15
SUBMITTED BY: YLLOYD
DATE RECEIVED JUDGE OFFICE:
- 630 3/26/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4880378 - Approved By: NOREVIEW : 03-26-2015:16:53:29
- 631 4/2/2015 - COC - Evidence Chain of Custody Form
No additional text exists for this entry.
- 632 5/27/2015 - 2840 - Ord Denying ...
Additional Text: ORDER DENYING DEFENDANTS' MOTION FOR COURT TO ALTER OR AMEND ITS JUDGMENT AND RELATED PRIOR ORDERS - Transaction 4971032 - Approved By: NOREVIEW : 05-27-2015:13:04:42
- 633 5/27/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4971037 - Approved By: NOREVIEW : 05-27-2015:13:05:43
- 634 5/27/2015 - S200 - Request for Submission Complet
No additional text exists for this entry.

- 635 5/28/2015 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 4973433 - Approved By: NOREVIEW : 05-28-2015:12:53:45
- 636 5/28/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4973434 - Approved By: NOREVIEW : 05-28-2015:12:54:43
- 637 6/1/2015 - 2190 - Mtn for Stay Pending Appeal
Additional Text: DEFENDANTS' MOTION FOR STAY OF EXECUTION OF "JUDGMENT, DECREE, AND ORDER FOR FORECLOSURE OF MECHANIC'S LIEN" PENDING APPEAL, WITHOUT THE NECESSITY OF ANY BOND - Transaction 4978182 - Approved By: YLLOYD : 06-02-2015:09:17:46
- 638 6/2/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4978778 - Approved By: NOREVIEW : 06-02-2015:09:18:44
- 639 6/8/2015 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MOTION FOR STAY JUDGMENT PENDING APPEAL WITHOUT SUPERSEDEAS BOND - Transaction 4987967 - Approved By: YVILORIA : 06-08-2015:13:43:54
- 640 6/8/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4988091 - Approved By: NOREVIEW : 06-08-2015:13:46:24
- 641 6/12/2015 - 3795 - Reply...
Additional Text: DEFENDANTS' REPLY POINTS AND AUTHORITIES IN SUPPORT OF THEIR MOTION FOR STAY OF EXECUTION OF JUDGMENT WITHOUT THE NECESSITY OF ANY BOND - Transaction 4997819 - Approved By: YVILORIA : 06-12-2015:13:28:43
- 642 6/12/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4998054 - Approved By: NOREVIEW : 06-12-2015:13:29:47
- 643 6/15/2015 - 3860 - Request for Submission
Additional Text: DEFENDANTS' MOTION FOR STAY OF EXECUTION OF 'JUDGMENT, DECREE, AND ORDER FOR FORECLOSURE OF MECHANIC'S LIEN' PENDING APPEAL, WITHOUT THE NECESSITY OF ANY BOND" (NO PAPER ORDER PROVIDED) - Transaction 5000024 - Approved By: MCHOLICO : 06-15-2015:12:25:44
PARTY SUBMITTING: MICHAEL HOY, ESQ.
DATE SUBMITTED: 06/15/15
SUBMITTED BY: MCHOLICO
DATE RECEIVED JUDGE OFFICE:
- 644 6/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5000318 - Approved By: NOREVIEW : 06-15-2015:12:26:37
- 645 6/15/2015 - 3860 - Request for Submission
Additional Text: DEFENDANTS' REQUEST FOR SUBMISSION OF DEFENDANTS' MOTION FOR STAY OF EXECUTION PENDING APPEAL WITHOUT THE NECESSITY OF ANY BOND - Transaction 5000619 - Approved By: MPURDY : 06-15-2015:14:17:51
DOCUMENT TITLE: DEFENDANTS' REQUEST FOR SUBMISSION OF DEFENDANTS' MOTION FOR STAY OF EXECUTION PENDING APPEAL WITHOUT THE NECESSITY OF ANY BOND
PARTY SUBMITTING: C. NICHOLAS PEREOS
DATE SUBMITTED: 06/15/15
SUBMITTED BY: MPURDY
DATE RECEIVED JUDGE OFFICE:
- 646 6/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5000746 - Approved By: NOREVIEW : 06-15-2015:14:18:46
- 647 6/15/2015 - S200 - Request for Submission Complet
Additional Text: SUBMITTED TWICE
- 648 6/23/2015 - \$2515 - \$Notice/Appeal Supreme Court
Additional Text: JOHN ILIESCU, JR, ET AL - Transaction 5012224 - Approved By: ASMITH : 06-23-2015:10:46:41

- 649 6/23/2015 - 1310 - Case Appeal Statement
Additional Text: Transaction 5012244 - Approved By: ASMITH : 06-23-2015:10:47:41
- 650 6/23/2015 - PAYRC - **Payment Received
Additional Text: A Payment of \$34.00 was made on receipt DCD504690.
- 651 6/23/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5012699 - Approved By: NOREVIEW : 06-23-2015:10:47:37
- 652 6/23/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5012704 - Approved By: NOREVIEW : 06-23-2015:10:48:36
- 653 6/30/2015 - 1350 - Certificate of Clerk
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 5024738 - Approved By: NOREVIEW : 06-30-2015:15:06:42
- 654 6/30/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5024744 - Approved By: NOREVIEW : 06-30-2015:15:07:39
- 655 6/30/2015 - 4113 - District Ct Deficiency Notice
Additional Text: Transaction 5024949 - Approved By: NOREVIEW : 06-30-2015:15:45:00
- 656 6/30/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5024963 - Approved By: NOREVIEW : 06-30-2015:15:46:17
- 657 7/6/2015 - SAB - **Supreme Court Appeal Bond
No additional text exists for this entry.
- 658 7/6/2015 - 2610 - Notice ...
Additional Text: NOTICE OF POSTING BOND FOR COSTS ON APPEAL
- 659 7/15/2015 - 2540 - Notice of Entry of Ord
Additional Text: Notice of Entry of Various Orders - Transaction 5045651 - Approved By: NOREVIEW : 07-15-2015:10:57:55
- 660 7/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5045656 - Approved By: NOREVIEW : 07-15-2015:10:58:54
- 661 7/15/2015 - 1188 - Supreme Court Receipt for Doc
Additional Text: SUPREME COURT NO. 68346/RECEIPT FOR DOCUMENTS - Transaction 5045707 - Approved By: NOREVIEW : 07-15-2015:11:07:56
- 662 7/15/2015 - 1188 - Supreme Court Receipt for Doc
Additional Text: SUPREME COURT NO. 66346/RECEIPT FOR DOCUMENTS - Transaction 5045707 - Approved By: NOREVIEW : 07-15-2015:11:07:56
- 663 7/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5045710 - Approved By: NOREVIEW : 07-15-2015:11:08:55
- 664 7/29/2015 - 2840 - Ord Denying ...
Additional Text: ORDER DENYING DEFENDANTS' MOTION FOR STAY OF EXECUTION OF "JUDGMENT, DECREE, AND ORDER FOR FORECLOSURE OF MECHANIC'S LIEN" PENDING APPEAL, WITHOUT THE NECESSITY OF ANY BOND - Transaction 5069048 - Approved By: NOREVIEW : 07-29-2015:16:09:29
- 665 7/29/2015 - S200 - Request for Submission Complet
No additional text exists for this entry.

- 666 7/29/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5069057 - Approved By: NOREVIEW : 07-29-2015:16:10:31
- 667 10/28/2015 - 4129 - Supreme Ct Order Granting ...
Additional Text: SUPREME COURT NO. 68346/ORDER GRANTING MOTION FOR STAY WITHOUT POSTING ANY FURTHER SECURITY AND ORDER TO SHOW CAUSE - Transaction 5210656 - Approved By: NOREVIEW : 10-28-2015:14:34:32
- 668 10/28/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5210658 - Approved By: NOREVIEW : 10-28-2015:14:35:32
- 669 10/29/2015 - 2040 - Mtn for Clarification ...
Additional Text: DEFENDANTS' MOTION SEEKING CLARIFICATION OF FINALITY OF COURT'S RECENT JUDGMENT FOR PURPOSES OF MAINTAINING APPEAL; AND MOTION FOR EXPEDITED DECISION OF SHORTENED TIME BASIS - Transaction 5213646 - Approved By: MCHOLICO : 11-02-2015:09:15:01
- 670 11/2/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5214049 - Approved By: NOREVIEW : 11-02-2015:09:16:13
- 671 11/2/2015 - 1650 - Errata...
Additional Text: ERRATA TO: DEFENDANTS' MOTION SEEKING CLARIFICATION OF FINALITY OF COURT'S RECENT JUDGMENT FOR PURPOSES OF MAINTAINING APPEAL - Transaction 5215136 - Approved By: MFERNAND : 11-02-2015:14:39:29
- 672 11/2/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5215441 - Approved By: NOREVIEW : 11-02-2015:14:40:31
- 673 11/2/2015 - 2645 - Opposition to Mtn ...
Additional Text: PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION SEEKING CLARIFICATION OF FINALITY OF JUDGMENT - Transaction 5215538 - Approved By: YVILORIA : 11-02-2015:15:54:22
- 674 11/2/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5215728 - Approved By: NOREVIEW : 11-02-2015:15:57:03
- 675 11/4/2015 - 3795 - Reply...
Additional Text: REPLY POINTS AND AUTHORITIES IN SUPPORT OF DEFENDANTS' MOTION SEEKING CLARIFICATION OF FINALITY OF COURT'S RECENT JUDGMENT FOR PURPOSES OF MAINTAINING APPEAL - Transaction 5218492 - Approved By: YVILORIA : 11-04-2015:09:58:05
- 676 11/4/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5218901 - Approved By: NOREVIEW : 11-04-2015:09:59:14
- 677 11/4/2015 - 3860 - Request for Submission
Additional Text: DEFENDANTS' MOTION SEEKING CLARIFICATION OF FINALITY OF COURT'S RECENT JUDGMENT FOR PURPOSES OF MAINTAINING APPEAL; AND MOTION FOR EXPEDITED DECISION ON SHORTENED TIME BASIS (NO PAPER ORDER PROVIDED) - Transaction 5219874 - Approved By: MCHOLICO : 11-04-2015:14:51:29
PARTY SUBMITTING: MARK ALBRIGHT, ESQ.
DATE SUBMITTED: 11/4/15
SUBMITTED BY: MCHOLICO
DATE RECEIVED JUDGE OFFICE:
- 678 11/4/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5220083 - Approved By: NOREVIEW : 11-04-2015:14:52:25
- 679 11/10/2015 - 3347 - Ord to Set
Additional Text: ORDER TO SET HEARING ON DEFENDANTS' MOTION SEEKING CLARIFICATION OF COURT'S RECENT JUDGMENT FOR PURPOSES OF MAINTAINING APPEAL AND MOTION FOR EXPEDITED DECISION ON SHORTENED TIME BASIS - Transaction 5229195 - Approved By: NOREVIEW : 11-10-2015:14:04:16
- 680 11/10/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5229205 - Approved By: NOREVIEW : 11-10-2015:14:05:17

- 681 11/10/2015 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 682 11/10/2015 - 1250E - Application for Setting eFile
Additional Text: FOR HEARING ON MOTION SEEKING CLARIFICATION ON NOVEMBER 13, 2015, AT 10:30 A.M. - Transaction 5230297 - Approved By: NOREVIEW : 11-10-2015:16:48:19
- 683 11/10/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5230299 - Approved By: NOREVIEW : 11-10-2015:16:49:09
- 684 11/13/2015 - MIN - ***Minutes
Additional Text: 11/13/15 - HRG ON MOTION FOR CLARIFICATION - Transaction 5234392 - Approved By: NOREVIEW : 11-13-2015:12:24:27
- 685 11/13/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5234393 - Approved By: NOREVIEW : 11-13-2015:12:25:26
- 686 11/17/2015 - 3370 - Order ...
Additional Text: DECISION AND ORDER GRANTING MOTION SEEKING CLARIFICATION OF FINALITY OF JUDGMENT - Transaction 5239467 - Approved By: NOREVIEW : 11-17-2015:14:26:13
- 687 11/17/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5239474 - Approved By: NOREVIEW : 11-17-2015:14:27:12
- 688 12/16/2015 - 2545 - Notice of Entry ...
Additional Text: Notice of Entry of Decision and Order Granting Motion Seeking Clarification of Finality of Judgment - Transaction 5281476 - Approved By: NOREVIEW : 12-16-2015:13:02:47
- 689 12/16/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5281478 - Approved By: NOREVIEW : 12-16-2015:13:03:50
- 690 12/16/2015 - 1097 - Amended Notice of Appeal
Additional Text: By John Iliescu, Jr., Individually, and John Iliescu, Jr. and Sonnia Santee Iliescu, as Trustees of the John Iliescu, Jr. and Sonnia Iliescu 1992 Family Trust Agreement - Transaction 5281957 - Approved By: YVILORIA : 12-16-2015:14:50:01
- 691 12/16/2015 - 1087 - Amended Case Appeal Statement
Additional Text: Transaction 5281974 - Approved By: YVILORIA : 12-16-2015:14:50:17
- 692 12/16/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5282028 - Approved By: NOREVIEW : 12-16-2015:14:51:42
- 693 12/16/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5282030 - Approved By: NOREVIEW : 12-16-2015:14:51:49
- 694 12/17/2015 - 1350 - Certificate of Clerk
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - AMENDED NOTICE OF APPEAL - Transaction 5283210 - Approved By: NOREVIEW : 12-17-2015:10:57:15
- 695 12/17/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5283213 - Approved By: NOREVIEW : 12-17-2015:10:58:13
- 696 12/31/2015 - 1188 - Supreme Court Receipt for Doc
Additional Text: SUPREME COURT NO. 68346/RECEIPT FOR DOCUMENTS - Transaction 5300199 - Approved By: NOREVIEW : 12-31-2015:09:30:42
- 697 12/31/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5300210 - Approved By: NOREVIEW : 12-31-2015:09:31:59

- 698 1/26/2016 - 4127 - Supreme Ct Ord Dismis Appeal
Additional Text: SUPREME COURT NO. 68346/ORDER DISMISSING APPEAL IN APART AND REINSTATEING BRIEFING - Transaction 5336314 - Approved By: NOREVIEW : 01-26-2016:09:23:45
- 699 1/26/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5336321 - Approved By: NOREVIEW : 01-26-2016:09:24:42
- 700 1/26/2016 - 4185 - Transcript
Additional Text: 2/23/15 Oral Arguments Day 2 - Transaction 5338387 - Approved By: NOREVIEW : 01-26-2016:22:35:58
- 701 1/26/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5338388 - Approved By: NOREVIEW : 01-26-2016:22:36:48
- 702 1/27/2016 - 3863 - **Submit regarding Appeals
Additional Text: DOCUMENT TITLE: SUPREME COURT NO. 68346/ORDER DISMISSING APPEAL IN APART AND REINSTATEING BRIEFING
PARTY SUBMITTING:
DATE SUBMITTED: 01/27/16
SUBMITTED BY: ASMITH
DATE RECEIVED JUDGE OFFICE:
- 703 9/16/2016 - 2490 - Motion ...
Additional Text: THIRD-PARTY PLAINTIFFS' MOTION TO AMEND THIRD-PARTY COMPLAINT AND MOTION FOR CLARIFICATION AS TO STAY - Transaction 5711938 - Approved By: CSULEZIC : 09-16-2016:14:27:08
- 704 9/16/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5712267 - Approved By: NOREVIEW : 09-16-2016:14:30:07
- 705 10/6/2016 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO PLANTIFFS MOTION TO AMEND AND FOR CLARIFICATION AS TO STAY - Transaction 5744588 - Approved By: MPURDY : 10-06-2016:16:32:16
- 706 10/6/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5745173 - Approved By: NOREVIEW : 10-06-2016:16:34:15
- 707 10/17/2016 - 3795 - Reply...
Additional Text: REPLY POINTS AND AUTHORITIES IN SUPPORT OF THIRD-PARTY PLAINTIFFS' MOTION TO AMEND THIRD-PARTY COMPLAINT AND MOTION FOR CLARIFICATION AS TO STAY - Transaction 5761097 - Approved By: RKWATKIN : 10-17-2016:16:47:37
- 708 10/17/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5761619 - Approved By: NOREVIEW : 10-17-2016:16:48:43
- 709 10/19/2016 - 3860 - Request for Submission
Additional Text: MOTION TO AMEND THIRD-PARTY COMPLAINT AND MOTION FOR CLARIFICATION AS TO STAY - Transaction 5765380 - Approved By: CSULEZIC : 10-19-2016:12:49:47
PARTY SUBMITTING: MARK ALBRIGHT, ESQ
DATE SUBMITTED: 10/19/16
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 710 10/19/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5765658 - Approved By: NOREVIEW : 10-19-2016:12:50:54
- 711 12/19/2016 - 2840 - Ord Denying ...
Additional Text: ORDER DENYING THIRD PARTY PLAINTIFFS' MOTION TO AMEND THIRD PARTY COMPLAINT - Transaction 5860697 - Approved By: NOREVIEW : 12-19-2016:10:52:14
- 712 12/19/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.

- 713 12/19/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5860700 - Approved By: NOREVIEW : 12-19-2016:10:53:04
- 714 2/27/2017 - 2540 - Notice of Entry of Ord
Additional Text: Denying Third-Party Plaintiff's Motion to Amend Third-Party Complaint and Motion for Clarification as to Stay - Transaction 5969565 - Approved By: NOREVIEW : 02-27-2017:15:23:20
- 715 2/27/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 5969576 - Approved By: NOREVIEW : 02-27-2017:15:24:43
- 716 7/10/2017 - 2590 - Notice Withdrawal of Attorney
Additional Text: DFX: DOCUMENTS SCANNED LANDSCAPE - C. NICOLAS PEREOS ESQ / DEFTS - Transaction 6186034 - Approved By: YVILORIA : 07-10-2017:10:52:07
- 717 7/10/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6186081 - Approved By: NOREVIEW : 07-10-2017:10:53:28
- 718 9/22/2017 - 4128 - Supreme Court Order Denying
Additional Text: SUPREME COURT NO. 68346 / ORDER DENYING REHEARING - Transaction 6314141 - Approved By: NOREVIEW : 09-22-2017:14:47:49
- 719 9/22/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6314150 - Approved By: NOREVIEW : 09-22-2017:14:49:02
- 720 10/17/2017 - 4145 - Supreme Court Remittitur
Additional Text: SUPREME COURT NO. 68346 / REMITTITUR - Transaction 6350721 - Approved By: NOREVIEW : 10-17-2017:12:47:57
- 721 10/17/2017 - 4111 - Supreme Ct Clk's Cert & Judg
Additional Text: SUPREME COURT NO. 68346 / CLERK'S CERTIFICATE & JUDGMENTS - Transaction 6350721 - Approved By: NOREVIEW : 10-17-2017:12:47:57
- 722 10/17/2017 - 4128 - Supreme Court Order Denying
Additional Text: SUPREME COURT NO. 68346 / ORDER DENYING REHEARING - Transaction 6350721 - Approved By: NOREVIEW : 10-17-2017:12:47:57
- 723 10/17/2017 - 4120 - Supreme Court Opinion
Additional Text: SUPREME COURT NO. 68346 / 133 NEV., ADVANCE OPINION 25 - Transaction 6350721 - Approved By: NOREVIEW : 10-17-2017:12:47:57
- 724 10/17/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6350724 - Approved By: NOREVIEW : 10-17-2017:12:48:56
- 725 10/17/2017 - 3863 - **Submit regarding Appeals
Additional Text: DOCUMENT TITLE: SUPREME COURT NO. 68346 / 133 NEV., ADVANCE OPINION 25 (NO S1 BUILT)
PARTY SUBMITTING:
DATE SUBMITTED: OCT 17, 2017
SUBMITTED BY: YVILORIA
DATE RECEIVED JUDGE OFFICE:
- 726 10/18/2017 - 2490 - Motion ...
Additional Text: Iliescus' Motion for Entry of New and Final Judgment Based on Appellate Reversal - Transaction 6352342 - Approved By: CSULEZIC : 10-18-2017:10:50:13
- 727 10/18/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6352528 - Approved By: NOREVIEW : 10-18-2017:10:51:59
- 728 10/24/2017 - 1950 - Memorandum of Costs
Additional Text: The Iliescus' Verified Memorandum of Costs - Transaction 6361995 - Approved By: CSULEZIC : 10-24-2017:12:51:27

- 729 10/24/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6361999 - Approved By: NOREVIEW : 10-24-2017:12:52:12
- 730 10/30/2017 - 2430 - Mtn to Retax Costs
Additional Text: MOTION TO DENY OR RETAX COSTS - Transaction 6369686 - Approved By: YVILORIA : 10-30-2017:13:37:19
- 731 10/30/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6369821 - Approved By: NOREVIEW : 10-30-2017:13:38:28
- 732 10/31/2017 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MOTION FOR ENTRY OF NEW AND FINAL JUDGMENT - Transaction 6371834 - Approved By: CSULEZIC : 10-31-2017:12:59:07
- 733 10/31/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6372047 - Approved By: NOREVIEW : 10-31-2017:13:01:14
- 734 11/1/2017 - 3880 - Response...
Additional Text: Response to Plaintiff's Motion to Deny or Retax Costs - Transaction 6374972 - Approved By: CSULEZIC : 11-02-2017:08:30:08
- 735 11/2/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6375489 - Approved By: NOREVIEW : 11-02-2017:08:31:25
- 736 11/3/2017 - 3795 - Reply...
Additional Text: Reply in Support of their Motion for Entry of New and Final Judgment - Transaction 6378906 - Approved By: CSULEZIC : 11-03-2017:13:06:46
- 737 11/3/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6378923 - Approved By: NOREVIEW : 11-03-2017:13:08:04
- 738 11/3/2017 - 3860 - Request for Submission
Additional Text: MOTION FOR ENTRY OF NEW AND FINAL JUDGMENT BASED ON APPELLATE REVERSAL - Transaction 6379246 - Approved By: CSULEZIC : 11-03-2017:15:35:44
PARTY SUBMITTING: G. MARK ALBRIGHT ESQ
DATE SUBMITTED: 11/03/17
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 739 11/3/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6379502 - Approved By: NOREVIEW : 11-03-2017:15:37:26
- 740 11/3/2017 - 2010 - Mtn for Attorney's Fee
Additional Text: DFX: EXHIBIT PRESENTED ALPHABETICAL INSTEAD OF NUMERICAL - Defendants' Motion for an Award of Costs and Attorney's Fees and Interest Thereon - Transaction 6379698 - Approved By: YVILORIA : 11-06-2017:08:28:53
- 741 11/6/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6380065 - Approved By: NOREVIEW : 11-06-2017:08:30:03
- 742 11/8/2017 - 3870 - Request
Additional Text: REQUEST TO BE REMOVED FROM SERVICE LIST - Transaction 6385459 - Approved By: YVILORIA : 11-08-2017:09:03:10
- 743 11/8/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6385538 - Approved By: NOREVIEW : 11-08-2017:09:04:32
- 744 11/9/2017 - 3790 - Reply to/in Opposition
Additional Text: Reply in Support of Motion to Deny or Retax Costs - Transaction 6390048 - Approved By: PMSEWELL : 11-09-2017:16:46:24

- 745 11/9/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6390276 - Approved By: NOREVIEW : 11-09-2017:16:48:04
- 746 11/13/2017 - 2980 - Ord Return of Appeal Bond
Additional Text: Transaction 6390942 - Approved By: NOREVIEW : 11-13-2017:10:19:50
- 747 11/13/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6390952 - Approved By: NOREVIEW : 11-13-2017:10:20:49
- 748 11/13/2017 - 3860 - Request for Submission
Additional Text: MOTION TO DENY OR RETAX COST - Transaction 6392223 - Approved By: MPURDY : 11-13-2017:15:07:44
DOCUMENT TITLE: MOTION TO DENY OR RETAX COST
PARTY SUBMITTING: MICHAEL HOY
DATE SUBMITTED: 11/13/17
SUBMITTED BY: MPURDY
DATE RECEIVED JUDGE OFFICE:
- 749 11/13/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6392279 - Approved By: NOREVIEW : 11-13-2017:15:08:48
- 750 11/14/2017 - 2490 - Motion ...
Additional Text: Errata to Iliescus' Motion for an Award of Costs and Attorney's Fees and Interest Thereon - Transaction 6393844 -
Approved By: CSULEZIC : 11-14-2017:14:00:56
- 751 11/14/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6394146 - Approved By: NOREVIEW : 11-14-2017:14:02:19
- 752 11/14/2017 - CHECK - **Trust Disbursement
Additional Text: A Disbursement of \$500.00 on Check Number 33627
- 753 11/17/2017 - \$2200 - \$Mtn for Summary Judgment
Additional Text: THIRD PARTY DEFT HALE LANE'S MOTION FOR SUMMARY JUDGMENT OF THIRD-PARTY CLAIMS - Transaction 6399784 - Approved By: SWILLIAM : 11-17-2017:09:32:54
- 754 11/17/2017 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$200.00 was made on receipt DCDC592808.
- 755 11/17/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6400000 - Approved By: NOREVIEW : 11-17-2017:09:34:58
- 756 12/4/2017 - 3790 - Reply to/in Opposition
Additional Text: OPPOSITION TO DEFENDANTS' MOTION FOR AN AWARD OF COSTS AND ATTORNEY FEES AND INTEREST THEREON -
Transaction 6421809 - Approved By: YVILORIA : 12-04-2017:15:54:56
- 757 12/4/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6422080 - Approved By: NOREVIEW : 12-04-2017:15:56:41
- 758 12/15/2017 - 1650 - Errata...
Additional Text: Errata to the Iliescus' Verified Memorandum of Costs; and Errata to Defendants' Motion for an Award of Costs and
Attorney's Fees and Interest Thereon - Transaction 6441427 - Approved By: CSULEZIC : 12-15-2017:12:55:55
- 759 12/15/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6441471 - Approved By: NOREVIEW : 12-15-2017:12:57:08
- 760 12/18/2017 - 2645 - Opposition to Mtn ...
Additional Text: Third-Party Pltfs' Opp to Third-Party Def Hale Lane's Mtn for Summary Judgment Dismissal of Third-Party Claims; &
Counter-motion to Amend Third-Party Complaint & for Further Time to Complete Discovery - Transaction 6442526 - Approved By:
PMSEWELL : 12-18-2017:09:57:58

- 761 12/18/2017 - 3795 - Reply...
Additional Text: DFX: MISSING INDEX OF EXHIBITS & EXHIBITS PRESENTED INCORRECTLY Defendants' Reply Points and Authorities in Support of its Motion for an Award of Costs and Attorney's Fees and Interest Thereon - Transaction 6442581 - Approved By: SWILLIAM : 12-18-2017:10:27:15
- 762 12/18/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6442796 - Approved By: NOREVIEW : 12-18-2017:09:59:14
- 763 12/18/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6442926 - Approved By: NOREVIEW : 12-18-2017:10:28:37
- 764 1/3/2018 - 1880 - Judgment
Additional Text: JUDGMENT UPON REMAND IN FAVOR OF THE ILIESCUS RELEASING STEPPAN'S MECHANIC'S LIEN AND VACATING PRIOR JUDGMENT THEREON - Transaction 6463073 - Approved By: NOREVIEW : 01-03-2018:11:06:43
- 765 1/3/2018 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 766 1/3/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6463081 - Approved By: NOREVIEW : 01-03-2018:11:07:42
- 767 1/3/2018 - 3870 - Request
Additional Text: REQUEST FOR ORAL ARGUMENT - Transaction 6464086 - Approved By: YVILORIA : 01-03-2018:15:55:34
- 768 1/3/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6464207 - Approved By: NOREVIEW : 01-03-2018:15:56:48
- 769 1/4/2018 - 2535 - Notice of Entry of Judgment
Additional Text: Upon Remand in Favor of the Iliescus Releasing Steppan's Mechanic's Lien and Vacating Prior Judgment Thereon - Transaction 6464832 - Approved By: NOREVIEW : 01-04-2018:09:06:05
- 770 1/4/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6464835 - Approved By: NOREVIEW : 01-04-2018:09:07:05
- 771 1/4/2018 - 1830 - Joinder...
Additional Text: THE ILIESCUS' JOINDER IN STEPPAN'S REQUEST FOR SUBMISSION OF MOTION - Transaction 6465859 - Approved By: YVILORIA : 01-04-2018:14:28:59
- 772 1/4/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6466004 - Approved By: NOREVIEW : 01-04-2018:14:30:05
- 773 1/4/2018 - 3880 - Response...
Additional Text: Response to Request for Oral Argument - Transaction 6466321 - Approved By: CSULEZIC : 01-04-2018:16:21:48
- 774 1/4/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6466591 - Approved By: NOREVIEW : 01-04-2018:16:23:13
- 775 1/5/2018 - 3860 - Request for Submission
Additional Text: Transaction 6467609 - Approved By: YVILORIA : 01-05-2018:11:32:55
DOCUMENT TITLE: MOTION FOR AN AWARD OF COSTS AND ATTORNEY'S FEES AND INTEREST THEREON FILED 11-3-17
PARTY SUBMITTING: D CHRIS ALBRIGHT ESQ
DATE SUBMITTED: JAN 5, 2018
SUBMITTED BY: YV
DATE RECEIVED JUDGE OFFICE:
- 776 1/5/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6467949 - Approved By: NOREVIEW : 01-05-2018:11:34:00

- 777 1/8/2018 - 3795 - Reply...
Additional Text: THIRD PARTY DEFENDANT HALE LANE'S REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT AND
OPPOSITION TO COUNTERMOTION TO AMEND - Transaction 6470368 - Approved By: PMSEWELL : 01-08-2018:13:55:27
- 778 1/8/2018 - 3860 - Request for Submission
Additional Text: - Transaction 6470368 - Approved By: PMSEWELL : 01-08-2018:13:55:27
DOCUMENT TITLE: MOTION FOR SUMMARY JUDGMENT (NO ORDER PROVIDED)
PARTY SUBMITTING: TODD ALEXANDER, ESQ.
DATE SUBMITTED: JANUARY 8, 2018
SUBMITTED BY: PMSEWELL
DATE RECEIVED JUDGE OFFICE:
- 779 1/8/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6470495 - Approved By: NOREVIEW : 01-08-2018:13:56:43
- 780 1/8/2018 - 3347 - Ord to Set
Additional Text: ORDER TO SET HEARING ON MOTION TO DENY OR RETAX COSTS AND MOTION FOR AN AWARD OF COSTS AND
ATTORNEY FEES AND INTEREST THEREON - Transaction 6471012 - Approved By: NOREVIEW : 01-08-2018:15:32:19
- 781 1/8/2018 - S200 - Request for Submission Complet
Additional Text: PARTIES WILL SET HEARING
- 782 1/8/2018 - S200 - Request for Submission Complet
Additional Text: PARTIES WILL SET HEARING
- 783 1/8/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6471017 - Approved By: NOREVIEW : 01-08-2018:15:33:21
- 784 1/12/2018 - 3795 - Reply...
Additional Text: Third-Party Plaintiffs Reply Points and Authorities in Support of Countermotion to Amend Third -Party Complaint and in
Support of Countermotion for Further Time to Complete Discovery - Transaction 6479742 - Approved By: SWILLIAM : 01-12-2018:14:3
0:20
- 785 1/12/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6480086 - Approved By: NOREVIEW : 01-12-2018:14:31:41
- 786 1/16/2018 - 3860 - Request for Submission
Additional Text: COUNTERMOTION TO AMEND THIRD-PARTY COMPLAINT AND FOR FURTHER TIME TO COMPLETE DISCOVERY -
Transaction 6482754 - Approved By: CSULEZIC : 01-17-2018:08:12:06
PARTY SUBMITTING: CHRIS ALBRIGHT ESQ
DATE SUBMITTED: 1/17/18
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 787 1/17/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6483290 - Approved By: NOREVIEW : 01-17-2018:08:13:16
- 788 1/18/2018 - 1250E - Application for Setting eFile
Additional Text: FOR HEARING ON MOTION TO RETAX AND MOTION FOR COSTS AND FEES SET FOR JANUARY 30, 2018, AT 2:00 P.M.
- Transaction 6486752 - Approved By: NOREVIEW : 01-18-2018:11:15:52
- 789 1/18/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6486757 - Approved By: NOREVIEW : 01-18-2018:11:16:52
- 790 1/30/2018 - MIN - ***Minutes
Additional Text: 1/30/18 - ORAL ARGUMENTS - Transaction 6506999 - Approved By: NOREVIEW : 01-30-2018:15:56:47
- 791 1/30/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6507004 - Approved By: NOREVIEW : 01-30-2018:15:57:46

- 792 3/1/2018 - 3347 - Ord to Set
Additional Text: ORDER TO SET ORAL ARGUMENT ON MOTION FOR S.J. AND COUNTERMOTION TO AMEND THIRD PARTY COMPLAINT
- Transaction 6557886 - Approved By: NOREVIEW : 03-01-2018:16:33:09
- 793 3/1/2018 - S200 - Request for Submission Complet
Additional Text: ORDER TO SET HEARING
- 794 3/1/2018 - S200 - Request for Submission Complet
Additional Text: ORDER TO SET HEARING
- 795 3/1/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6557895 - Approved By: NOREVIEW : 03-01-2018:16:34:16
- 796 3/8/2018 - 1250E - Application for Setting eFile
Additional Text: FOR HEARING ON MOTION FOR SUMMARY JUDGMENT OF THIRD PARTY CLAIM SET FOR APRIL 13, 2018, AT 9:00 A.
M. - Transaction 6568315 - Approved By: NOREVIEW : 03-08-2018:14:47:24
- 797 3/8/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6568331 - Approved By: NOREVIEW : 03-08-2018:14:48:56
- 798 3/15/2018 - 4185 - Transcript
Additional Text: 1/30/18 - Hearing on Motion to Retax and for Costs and Fees - Transaction 6578051 - Approved By: NOREVIEW : 03-15-2018:07:37:12
- 799 3/15/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6578052 - Approved By: NOREVIEW : 03-15-2018:07:38:12
- 800 4/10/2018 - 3105 - Ord Granting ...
Additional Text: ORDER GRANTING MOTION TO DENY OR RETAX COSTS; ILIESCUS'S VERIFIED MEMORANDUM OF COSTS IS
VACATED - Transaction 6620159 - Approved By: NOREVIEW : 04-10-2018:08:31:20
- 801 4/10/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6620160 - Approved By: NOREVIEW : 04-10-2018:08:32:20
- 802 4/10/2018 - 2840 - Ord Denying ...
Additional Text: ORDER DENYING DEFENDANT'S MOTION FOR AN AWARD OF COSTS AND ATTORNEY'S FEES AND INTEREST
THEREON - Transaction 6620171 - Approved By: NOREVIEW : 04-10-2018:08:42:33
- 803 4/10/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6620177 - Approved By: NOREVIEW : 04-10-2018:08:43:33
- 804 4/10/2018 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 805 4/10/2018 - 2540 - Notice of Entry of Ord
Additional Text: Notice of Entry of Order Re Motion For An Award of Costs and Attorney Fees and Interest Thereon - Transaction
6621541 - Approved By: NOREVIEW : 04-10-2018:14:15:22
- 806 4/10/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6621548 - Approved By: NOREVIEW : 04-10-2018:14:16:34
- 807 4/10/2018 - 2540 - Notice of Entry of Ord
Additional Text: Notice of Entry of Order MOTION TO DENY OR RETAX COST - Transaction 6621589 - Approved By: NOREVIEW : 04-10-2018:14:22:56
- 808 4/10/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6621594 - Approved By: NOREVIEW : 04-10-2018:14:23:59

- 809 4/13/2018 - MIN - ***Minutes
Additional Text: 4/13/18 - ORAL ARGUMENTS - Transaction 6628285 - Approved By: NOREVIEW : 04-13-2018:10:45:17
- 810 4/13/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6628308 - Approved By: NOREVIEW : 04-13-2018:10:47:50
- 811 4/20/2018 - 4185 - Transcript
Additional Text: Hrg on MSJ - Transaction 6640942 - Approved By: NOREVIEW : 04-20-2018:14:38:11
- 812 4/20/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6640948 - Approved By: NOREVIEW : 04-20-2018:14:39:21
- 813 5/14/2018 - 1250E - Application for Setting eFile
Additional Text: FOR ORAL ARGUMENT ON MOTION FOR SUMMARY JUDGMENT AND COUNTERMOTION TO AMEND SET FOR JUNE 6, 2018, AT 2:00 P.M. - Transaction 6678747 - Approved By: NOREVIEW : 05-14-2018:16:05:35
- 814 5/14/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6678764 - Approved By: NOREVIEW : 05-14-2018:16:07:38
- 815 5/18/2018 - 2275 - Mtn to Consolidate
Additional Text: DFX: EXHIBITS PRESENTED INCORRECTLY - Transaction 6687642 - Approved By: YVILORIA : 05-18-2018:14:30:24
- 816 5/18/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6687789 - Approved By: NOREVIEW : 05-18-2018:14:32:02
- 817 5/25/2018 - 4105 - Supplemental ...
Additional Text: THIRD PARTY DEFENDANT HALE LANE'S SUPPLEMENTAL BRIEF RE: ILIESCU'S DECISION NOT TO APPEAL DENIAL OF FEES AND COSTS - Transaction 6697947 - Approved By: YVILORIA : 05-25-2018:09:19:56
- 818 5/25/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6698125 - Approved By: NOREVIEW : 05-25-2018:09:23:01
- 819 5/25/2018 - 2645 - Opposition to Mtn ...
Additional Text: COURT DIRECTED SUPPLEMENTAL BRIEF IN OPPOSITON TO HALE LANE MOITON FOR SUMMARY JUDGMENT AND IN SUPPORT OF COUNTERMOTION TO AMEND AND FOR MORE DISCOVERY - Transaction 6698238 - Approved By: CVERA : 05-25-2018:10:11:21
- 820 5/25/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6698313 - Approved By: NOREVIEW : 05-25-2018:10:16:30
- 821 6/6/2018 - MIN - ***Minutes
Additional Text: 6/6/18 - ORAL ARGUMENTS - Transaction 6716143 - Approved By: NOREVIEW : 06-06-2018:15:49:37
- 822 6/6/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6716176 - Approved By: NOREVIEW : 06-06-2018:16:03:43
- 823 6/12/2018 - 3095 - Ord Grant Summary Judgment
Additional Text: ORDER GRANTING THIRD-PARTY DEFENDANT HALE LANE'S MOTION FOR SUMMARY JUDGMENT - Transaction 6724832 - Approved By: NOREVIEW : 06-12-2018:14:31:25
- 824 6/12/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6724858 - Approved By: NOREVIEW : 06-12-2018:14:35:52
- 825 6/12/2018 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 6725105 - Approved By: NOREVIEW : 06-12-2018:15:42:17

- 826 6/12/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6725130 - Approved By: NOREVIEW : 06-12-2018:15:45:24
- 827 6/15/2018 - \$2515 - \$Notice/Appeal Supreme Court
Additional Text: NOTICE OF APPEAL OF SUMMARY JUDGMENT DISMISSAL OF THIRD-PARTY CLAIMS - Transaction 6731603 -
Approved By: CVERA : 06-15-2018:15:03:39
- 828 6/15/2018 - 1310 - Case Appeal Statement
Additional Text: Transaction 6731629 - Approved By: CVERA : 06-15-2018:15:23:28
- 829 6/15/2018 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$34.00 was made on receipt DCDC612098.
- 830 6/15/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6731637 - Approved By: NOREVIEW : 06-15-2018:15:04:32
- 831 6/15/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6731693 - Approved By: NOREVIEW : 06-15-2018:15:24:26
- 832 6/19/2018 - SAB - **Supreme Court Appeal Bond
Additional Text: Bond ID: SAB-18-00040; Total Bond Amount: \$500.00.

Bond Code, SAB, Receipted for: SITE DEFINED TRUST DEPOSIT, on 19-JUN-2018 in the amount of \$500.00 on case ID CV07-00341.
- 833 6/19/2018 - 1350 - Certificate of Clerk
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 6734537 - Approved By: NOREVIEW :
06-19-2018:09:08:55
- 834 6/19/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6734539 - Approved By: NOREVIEW : 06-19-2018:09:09:56

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5
6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
7 **IN AND FOR THE COUNTY OF WASHOE**
8

9 MARK B. STEPPAN,

10 Plaintiff,

11 vs.

12 JOHN ILIESCU JR. and SONNIA ILIESCU,
13 as Trustees of the JOHN ILIESCU, JR. AND
14 SONNIA ILIESCU 1992 FAMILY TRUST
15 AGREEMENT; JOHN ILIESCU,
16 individually; DOES I-V, inclusive; and ROE
17 CORPORATIONS VI-X, inclusive,

18 Defendants.

19 AND RELATED CLAIMS

CONSOLIDATED

Case No. CV07-00341

Dept. No. 10

ORDER GRANTING THIRD-PARTY
DEFENDANT HALE LANE'S
MOTION FOR SUMMARY
JUDGMENT

18 On November 17, 2017, Third-Party Defendant HALE LANE PEEK DENNISON AND
19 HOWARD PROFESSIONAL CORPORATION ("Hale Lane"), filed a motion for summary
20 judgment of the third-party claims asserted against it by third-party plaintiffs JOHN ILIESCU,
21 JR. and SONNIA ILIESCU, individually and as trustees of the ILIESCU 1992 FAMILY
22 TRUST (collectively, "Iliescu"). Iliescu filed an opposition to Hale Lane's motion on
23 December 18, 2017. Iliescu's opposition also included a countermotion to amend the third-
24 party claims against Hale Lane and for further time to complete discovery. Hale Lane filed a
25 reply in support of its motion for summary judgment on January 8, 2018, which included an
26 opposition to Iliescu's countermotion to amend. On January 12, 2018, Iliescu filed a reply in
27 support of the countermotion to amend and for further time to complete discovery. This Court
28 heard oral arguments by counsel on June 6, 2018. Having considered the motion,

1 oppositions/counter motions, and reply briefs, along with all supporting documentation, and
2 having considered oral argument from the parties, this Court orders as follows.

3 **GENERAL FACTUAL BACKGROUND**

4 The matter underlying Iliescu's third-party legal malpractice claims against Hale Lane
5 was a lien dispute arising out of an architect's lien that had been recorded against Iliescu's real
6 property located in downtown Reno. After the lien was recorded, Hale Lane filed an
7 application on Iliescu's behalf to release the architect's lien, arguing that the architect, Plaintiff
8 Mark Steppan ("Steppan"), had not provided the required pre-lien notice and that his lien was
9 therefore invalid. Steppan then filed a complaint for foreclosure of his lien, and the two matters
10 were consolidated into this action.

11 Over Hale Lane's argument to the contrary, the District Court ultimately concluded that
12 the actual-notice exception to the pre-lien notice requirement was applicable in this case. The
13 Court further found that Iliescu had actual notice of Steppan's architectural work, and, after a
14 bench trial, the Court entered an Order foreclosing Steppan's lien. Iliescu appealed.

15 In May of 2017, the Nevada Supreme Court reversed the order foreclosing Steppan's
16 lien and remanded the matter for entry of judgment in Iliescu's favor. The Supreme Court's
17 Opinion was based on Steppan's failure to provide the statutorily-required pre-lien notice,
18 holding that Steppan was not entitled to rely on the actual-notice exception to the pre-lien
19 notice requirement.

20 After the successful appeal, Iliescu continues to pursue the third-party legal malpractice
21 claims against Hale Lane. Hale Lane now moves for summary judgment of those claims.

22 **UNDISPUTED FACTS MATERIAL TO THIS ORDER**

23 In the third-party legal malpractice claims asserted against Hale Lane, Iliescu alleges
24 that Hale Lane could have, and should have, taken steps to protect Iliescu from Steppan's lien.
25 (*See Answer and Third Party Complaint*, filed September 27, 2007).

26 The filing that initiated this action on February 14, 2007 was Iliescu's *Application for*
27 *Release of Mechanic's Lien*, which was prepared and filed by then-Hale Lane attorney, Jerry
28 Snyder. In that Application, Hale Lane argued on Iliescu's behalf that Steppan's lien was

1 invalid because Steppan had not provided a notice of right to lien pursuant to NRS 108.245(6)
2 or a notice of intent to lien pursuant to NRS 108.226(6). (*See, generally*, Application for
3 Release of Mechanic's Lien, filed February 14, 2007).

4 In the *Response to Application for Release of Mechanic's Lien* (filed by attorney Gayle
5 Kern), Steppan argued that, under *Fondren v. K/L Complex, Ltd.*, 106 Nev. 705, 800 P.2d 719
6 (1990), a statutory pre-lien notice was not required because Iliescu had actual knowledge of the
7 off-site architectural work being conducted with respect to his property. (*See, generally*,
8 Response to Application for Release of Mechanic's Lien, filed May 30, 2007)

9 On May 3, 2007, the District Court, Department 6, conducted a hearing on the
10 application to release Steppan's lien. On Iliescu's behalf, Hale Lane argued that the parties'
11 lien dispute was distinguishable from *Fondren*, and that the actual notice exception therefore
12 did not apply. At that hearing, Mr. Snyder argued on behalf of Iliescu, in pertinent part, as
13 follows:

14 The manner in which Ms. Kern would have this court read *Fondren* is to have
15 *Fondren* – I believe what Ms. Kern said was *Fondren* requires that the burden be
16 shifted. If the owner has any notion that there might be a construction project,
the burden is shifted to him to inquire. That's not what *Fondren* says.

17 What *Fondren* says is that where the owner has actual notice of construction, the
18 constructive notice by the pre-lien statute or the notice of right to lien statute is
19 not required. And so in order for *Fondren* to obviate the need for a pre-lien
20 notice, the actual notice has to have at least the information that would be
required under the pre-lien notice, under the constructive pre-lien notice.

21 What the pre-lien notice has to have is the identity of the lien claimant, a
22 general description of the work, materials, equipment or services, the identity of
23 the general contractor under whom the lien claimant is with contract.

24 None of that information was provide to Dr. Iliescu. He did not know the
25 identity of the lien claimant until at the earliest October of 2006 after virtually
26 all of the work had been done. So this notion that, because he had some idea
27 that an architect somewhere would be creating some plans, some design work or
a work improvement to this property, that he was under an obligation to go dig
28 out that information is simply untrue. That's reading *Fondren* so broadly as to
vitate the specific requirements of NRS 108.245, which explicitly says, if you

1 don't file your pre-lien notice, you don't have a lien.
2 (Transcript of Proceedings, May 3, 2007, pp. 47-49).

3 The District Court did not grant the application to release Steppan's lien. (May 3, 2007
4 Order). Instead, the Court ordered that the parties were to conduct discovery concerning
5 whether Iliescu had actual knowledge of the architectural services performed by Steppan.
6 (May 3, 2007 Order).

7 Shortly thereafter, other attorneys substituted in for Iliescu, in place of Hale Lane.
8 (Substitution of Counsel, filed August 3, 2007). Iliescu then filed an answer to Steppan's
9 complaint for foreclosure of his lien. Iliescu's answer included two third-party claims for relief
10 against Hale Lane, entitled Professional Malpractice and Negligence. (Answer and Third Party
11 Complaint, filed September 27, 2007, pp. 14-15). The third-party claims against Hale Lane
12 remained stayed throughout the litigation of the lien dispute between Iliescu and Steppan.

13 After a bench trial, this Court determined that Iliescu had actual notice of Steppan's
14 architectural work, and that Steppan's lien was therefore valid and enforceable. (Findings of
15 Fact, Conclusions of Law and Decision, entered May 28, 2014). Accordingly, this Court
16 entered an order foreclosing Steppan's lien. (Judgment, Decree and Order for Foreclosure of
17 Mechanic's Lien, entered February 26, 2015). Iliescu appealed that ruling to the Nevada
18 Supreme Court.

19 On May 25, 2017, the Nevada Supreme Court issued its Opinion in Iliescu's appeal.
20 *Iliescu v. Steppan*, 133 Nev. Adv. Op. 25, 394 P.3d 930 (2017). It held that the actual notice
21 exception described in *Fondren* does not apply to off-site work when no onsite work has been
22 performed on the property. *Id.* at 934-35. It therefore reversed this Court's order foreclosing
23 Steppan's lien and remanded the matter to this Court for entry of judgment in Iliescu's favor.
24 *Id.* at 936.

25 After the successful appeal, Iliescu now continues to pursue its legal malpractice claims
26 against Hale Lane, seeking recovery of the fees and costs incurred in successfully defending
27 against Steppan's lien, along with other claimed damages. Hale Lane now moves for summary
28 judgment of those claims for relief.

1 Hale Lane's motion is based on the principle that judicial error can, and in this case
2 does, constitute an intervening and superseding cause of the claimed damages in a legal
3 malpractice case. As discussed below, based on the applicable law and the undisputed material
4 facts of this case, this Court agrees with Hale Lane that the District Court's judicial error is the
5 intervening and superseding cause of Iliescu's claimed damages, that Hale Lane is thereby
6 relieved from liability for alleged legal malpractice, and that summary judgment is therefore
7 warranted.

8 APPLICABLE LAW

9 A. The Standard for Granting Summary Judgment

10 Summary judgment is appropriate when the pleadings, written discovery, depositions,
11 and affidavits, if any, demonstrate that no genuine issue of material fact remains for trial.
12 NRCP 56(c); *Wood v. Safeway, Inc.*, 121 Nev. 724, 732, 121 P.3d 1026 (2005). If the
13 nonmoving party bears the burden of persuasion at trial, the moving party has the burden of
14 producing evidence that negates an essential element of the nonmoving party's claim, or
15 pointing out that there is an absence of evidence to support the nonmoving party's case. *Cuzze*
16 *v. University and Community College System of Nevada*, 123 Nev. 598, 602-03, 172 P.3d 131
17 (2007). Once the moving party meets its burden, the nonmoving party must set forth facts
18 demonstrating the existence of a genuine issue of material fact. In order to defeat summary
19 judgment, "the nonmoving party must transcend the pleadings and, by affidavit or other
20 admissible evidence, introduce specific facts that show a genuine issue of material fact."
21 *Cuzze*, 123 Nev. at 602-03 (citations omitted).

22 A court may properly grant summary judgment if any of the essential elements of a
23 claim are missing. *See, e.g., Kusmirek v. MGM Grand Hotel, Inc.*, 73 F.Supp.2d 1222 (D. Nev.
24 1999) (summary judgment granted where plaintiff failed to satisfy elements of duty and
25 proximate cause). In order to establish entitlement to judgment as a matter of law, a moving
26 defendant must show that one of the elements of the plaintiff's prima facie case is "clearly
27 lacking as a matter of law." *Scialabba v. Brandise Construction Co.*, 112 Nev. 965, 968, 921
28 P.2d 928 (1996).

1 B. The Essential Elements of a Legal Malpractice Claim

2 Iliescu's Third-Party Complaint asserts two claims for relief against Hale Lane: (1)
3 Professional Malpractice; and (2) Negligence. Both of Iliescu's claims are based on the same
4 allegations and require the same legal analysis. *Morgano v. Smith*, 110 Nev. 1025, 1028 n. 2,
5 879 P.2d 735, 737 (1994).

6 In order for Iliescu to establish a prima facie case of legal malpractice, he must show:
7 (1) the existence of an attorney/client relationship which created a duty of care; (2) a breach of
8 that duty; (3) that Hale Lane's negligence is the proximate cause of his damages; and, (4) the
9 existence of actual loss or damage resulting from the negligence. *Mainor v. Nault*, 120 Nev.
10 750, 101 P.3d 308 (2004). If any of these essential elements is lacking as a matter of law, Hale
11 Lane is entitled to summary judgment. *See Kusmirek*, 73 F.Supp.2d at 1226-1227; and
12 *Scialabba*, 112 Nev. at 968; *see also Bulbman, Inc. v. Nevada Bell*, 108 Nev. 105, 111, 825
13 P.2d 588, 592 (1992) (holding that "[w]here an essential element of a claim for relief is absent,
14 the facts, disputed or otherwise, as to other elements are rendered immaterial and summary
15 judgment is proper.")

16 C. The Doctrine of Judicial Error as Superseding Cause

17 The Nevada Supreme Court has recognized that alleged legal malpractice damages may,
18 in certain circumstances, be more appropriately characterized as having been proximately
19 caused by judicial error rather than professional negligence on the part of the attorney. For
20 example, in *Semenza v. Nevada Medical Liability Ins. Co.*, 104 Nev. 666, 765 P.2d 184 (1988),
21 an attorney was sued for legal malpractice for negligently conducting discovery and negligently
22 preparing for trial in an underlying medical malpractice case. 104 Nev. at 667, 765 P.2d at 185.
23 Specifically, it was alleged that the attorney mistakenly allowed a damaging hospital
24 memorandum into evidence. *Id.* Based largely on the admission of that memorandum, a jury
25 awarded the medical malpractice plaintiff a substantial verdict. *Id.* The doctor's liability
26 insurer then sued the doctor's defense lawyer for legal malpractice. *Id.* The underlying
27 medical malpractice verdict was later reversed because the admission of the memorandum
28 "constituted prejudicial error of a magnitude that demands reversal and a new trial." *Id.*

1 (quoting *Mishler v. McNally*, 102 Nev. 625, 629, 730 P.2d 432 (1986)).

2 Based on the Supreme Court's reversal of the medical malpractice verdict, the attorney
3 argued that the trial court erred in finding him liable for legal malpractice. *Id.* The Supreme
4 Court agreed. *Id.* It analyzed the legal malpractice action under accrual principles, holding that
5 the legal malpractice cause of action did not accrue unless and until "the underlying case has
6 been *affirmed* on appeal." *Id.* at 668, 765 P.2d at 185-86 (emphasis added). In its analysis, the
7 Supreme Court recognized that "[a]pparent damage may vanish with successful prosecution of
8 an appeal and ultimate vindication of an attorney's conduct by an appellate court." *Id.* (quoting
9 *Amfac Distribution Corp. v. Miller*, 138 Ariz. 155, 673 P.2d 795, 796 (Ariz. App. 1983)).

10 Likewise, in *Hewitt v. Allen*, 118 Nev. 216, 43 P.3d 345 (2002), the Nevada Supreme
11 Court recognized that a legal malpractice plaintiff's claimed damages may have been caused by
12 judicial error, rather than an attorney's negligence. In *Hewitt*, the plaintiff was injured in a car
13 accident for which she attempted to sue several State of Utah governmental entities. 118 Nev.
14 at 218, 43 P.3d at 346. In filing suit, the plaintiff's lawyer failed to comply with a Utah statute
15 requiring that notice of her claim be served on the Utah Department of Public Safety, and the
16 plaintiff's claims against the governmental entities were therefore dismissed. *Id.* at 218-19, 43
17 P.3d at 346. The plaintiff appealed the dismissals, but later voluntarily dismissed her appeal
18 when her legal counsel advised her that the appeal was futile. *Id.* at 219, 43 P.3d at 346-47.
19 The plaintiff then sued her attorney for malpractice. *Id.* The question at issue in *Hewitt* was
20 whether the plaintiff had abandoned her legal malpractice claim by voluntarily dismissing an
21 appeal that may have vindicated the attorney's conduct. *Id.* at 220, 43 P.3d at 347.

22 Like in *Semenza*, the Supreme Court analyzed the issue by first discussing when a legal
23 malpractice claim can be said to have accrued. *Id.* at 220-22, 43 P.3d at 347-48. Recognizing
24 the fact that a client need not appeal an adverse ruling to preserve a legal malpractice claim, the
25 Court analogized the client's voluntary dismissal of her appeal to a decision not to appeal in the
26 first place. *Id.* at 222, 43 P.3d at 348-49. It thus concluded that voluntarily dismissing a futile
27 appeal does not amount to abandonment of a legal malpractice claim. *Id.* In reaching its
28 conclusion, the *Hewitt* Court observed as follows:

1 In cases where no appeal from an adverse ruling was filed, the defendants in the
2 legal malpractice action are able to assert, as an affirmative defense, that the
3 proximate cause of the damages was not the attorney's negligence, but judicial
4 error that could have been corrected on appeal. This issue is commonly raised
5 under theories of abandonment or failure to mitigate damages, but can also be
6 asserted as part of a claim that the malpractice action is premature. Moreover,
because the issue is raised in the context of an affirmative defense, the attorney
defendant has the burden of proof to establish that an appeal would have been
successful. Finally, whether an appeal is likely to succeed is a question of law
to be decided by the trial court.

7 *Hewitt*, 118 Nev. at 222, 43 P.3d at 348-49.

8 Although the Nevada Supreme Court has acknowledged that judicial error can
9 constitute the intervening and superseding cause of damages in a legal malpractice case, the
10 Court has not yet taken the opportunity to address the issue in depth. Courts in our sister states
11 have fleshed out the doctrine in greater detail, and there appear to be two prevailing approaches
12 to determining the legal effect of a judicial error in a legal malpractice action.

13 Under the first approach, "judicial error resulting in an adverse ruling is a superseding
14 cause that relieves a negligent attorney from liability for legal malpractice *without regard to*
15 *whether the judicial error was foreseeable.*" *Kiribati Seafood Co. v. Dechert LLP*, 2016 WL
16 1426297, *12 (Mass. 2016) (emphasis added). This approach applies "where the attorney has
17 presented the necessary legal arguments and the judge, albeit in error, rejects them." *Id.*
18 (quoting *Crestwood Cove Apartments Business Trust v. Turner*, 164 P.3d 1247, 1256 (Utah
19 2007)).

20 In *Crestwood Cove*, the Supreme Court of Utah considered the proximate cause issue in
21 a legal malpractice case where the trial court had erred in issuing a ruling that harmed the
22 client. It stated as follows:

23 Accordingly, summary judgment is appropriate where there is no doubt that
24 judicial error, rather than attorney malpractice, caused a client's losses. As
25 previously discussed, some jurisdictions, often through the guise of an
26 abandonment doctrine, have concluded that a plaintiff cannot establish a claim
27 for legal malpractice where judicial error was the proximate cause of the
28 adverse result. We agree. Where an attorney has raised and preserved all
relevant legal considerations in an appropriate procedural manner and a court
nevertheless commits judicial error, the attorney's actions cannot be considered
the proximate cause of the client's loss. Although a client may believe that an
attorney has not litigated a case in the most effective manner possible, such

1 beliefs are irrelevant where the attorney has presented the necessary arguments
2 and the judge, albeit in error, rejects them. Were it otherwise, an attorney
3 would be subject to liability every time a judge erroneously ruled against the
attorney's client. In effect, an attorney would become a guarantor of correct
judicial decisionmaking—a result we cannot accept.

4 *Crestwood Cove*, 164 P.3d at 1255-56 (internal citations omitted); *see also Pa. Ins. Guar. Ass'n*
5 *v. Sikes*, 590 So.2d 1051, 1052 (Fla. App. 1991) (“A reversal of a trial court’s order that denies
6 an attorney the opportunity to cure a nonprejudicial defect and enters judgment for the
7 opposing side because of the alleged defect, determines, essentially, that there was judicial
8 error rather than legal malpractice”); *Cedeno v. Gumbiner*, 347 Ill.App.3d 169, 806 N.E.2d
9 1188, 1194 (2004) (finding that where the court’s “misapplication of the law served as an
10 intervening cause, it cannot be said that plaintiff’s damages proximately resulted from” the
11 attorney’s actions, and summary judgment was therefore appropriate.)

12 Although the *Crestwood Cove* Court stopped short of holding that judicial error always
13 forecloses a plaintiff from bringing a malpractice suit, it did observe that “when an attorney has
14 raised the appropriate arguments and the court nevertheless commits judicial error, a plaintiff’s
15 suit can be appropriately dismissed on summary judgment.” *Id.* at 1256. In other words, as
16 long as the attorney asserts the appropriate legal arguments, judicial error is regarded as a *per*
17 *se* superseding cause in a legal malpractice action. *Id.*

18 Under the second approach, the foreseeability of the District Court’s judicial error is a
19 relevant consideration. Importantly, however, a judicial error is only regarded as foreseeable
20 under very limited circumstances. This approach was explained and applied by the Supreme
21 Court of Texas in *Stanfield v. Neubaum*, 494 S.W.3d 90 (2016). The *Stanfield* Court began its
22 opinion with the following preface:

23 Litigation rarely results in complete satisfaction for those involved. When a
24 lawyer makes a mistake and the client loses as a result, the law affords a
25 remedy. What happens, however, when the lawyer pursues a winning strategy
26 (perhaps with some strategic missteps), but the trial judge errs, and the error
27 requires a costly appeal to correct? Is the lawyer liable for the appellate costs
incurred to correct the error? Although the question presents a novel issue, the
answer is governed by well-established causation principles.

28 *Stanfield*, 494 S.W.3d at 93.

1 *Stanfield* involved an underlying usury case in which the defendants, the Neubaums,
2 were alleged to have loaned money at usurious interest rates to Buck Glove Company, through
3 an agent, Marvin March. *Id.* at 94. The Neubaums' lawyers argued, in pertinent part, that
4 March was not acting as their agent when he made the subject loans. *Id.* After a jury trial, the
5 jury found that March had served as the Neubaums' agent in making the usurious loans, and the
6 trial court entered judgment against the Neubaums. *Id.* The Neubaums' attorneys then moved
7 for a new trial or reformation of the judgment, again arguing that there was no evidence to
8 support the plaintiff's agency theory. *Id.* at 94-95. That motion was denied. *Id.* at 95.

9 The Neubaums then hired new counsel to appeal the adverse usury judgment, and the
10 appeal was successful. *Id.* The appellate court reversed the usury judgment, concluding that
11 there was legally insufficient evidence that March made the loans as the Neubaums' agent. *Id.*
12 When all was said and done, the Neubaums had spent \$140,000 in appellate attorney's fees to
13 obtain a favorable resolution of the usury case. *Id.* The Neubaums then sued their trial
14 attorneys for legal malpractice, seeking to recover the amounts expended to overturn the
15 erroneous trial court judgment. *Id.*

16 In their defense of the malpractice action, the attorney-defendants maintained that the
17 trial court's error in the underlying usury case was an intervening and superseding cause of the
18 Neubaums' damages. *Stanfield*, 494 S.W.3d at 95-96. The Supreme Court of Texas agreed.
19 The court held that "[t]o break the causal connection between an attorney's negligence and the
20 plaintiff's harm, the judicial error must not be foreseeable." *Id.* at 99. It explained that a
21 judicial error is reasonably foreseeable if an "unbroken connection" exists between the
22 attorney's negligence and the judicial error, "such as when the attorney's negligence directly
23 contributed to and cooperated with the judicial error, rendering the error part of 'a continuous
24 succession of events' that foreseeably resulted in the harm." *Id.* at 100.

25 Importantly, "merely furnishing a condition that allows judicial error to occur does not
26 establish the ensuing harm was a reasonably foreseeable result of the defendant's negligence."
27 *Id.* (emphasis added). Thus, for a judicial error to be foreseeable, the attorney must have done
28 more than merely furnish a condition that allows the judicial error to occur; the attorney must

1 have directly contributed to and cooperated with the judicial error. *Id.* *Stanfield's* explanation
2 of when judicial error is foreseeable applies where a legal malpractice defendant has, in effect,
3 invited the judicial error by advocating a legally erroneous principle that the court accepts.
4 Essentially, a lawyer cannot invite judicial error and then escape responsibility for the financial
5 consequences thereof by disavowing the attorney's inducement or encouragement of that error.

6 APPLICATION OF THE LAW TO THE UNDISPUTED FACTS

7 On May 3, 2007, the District Court determined that Steppan's lien may be upheld, over
8 Hale Lane's objection regarding the lack of a pre-lien notice, if it was shown that Iliescu had
9 actual notice of Steppan's architectural services. Over 10 years later, on May 25, 2017, the
10 Nevada Supreme Court held that Steppan was not entitled to rely on the actual-notice exception
11 to the pre-lien notice requirement because the actual-notice exception does not apply to off-site
12 work when no onsite work has been performed on the property. Thus, the May 2007 ruling and
13 all subsequent District Court rulings founded upon this faulty premise were determined to have
14 been judicial error. The issue now presented to this Court is to determine the legal (i.e., causal)
15 effect of the judicial error on this legal malpractice action.

16 This Court concludes that, under either of the prevailing approaches to the judicial-
17 error-as-superseding-cause analysis, Hale Lane is entitled to summary judgment. Hale Lane
18 did not invite the District Court's judicial error, nor did Hale Lane cooperate with such judicial
19 error. To the contrary, Hale Lane argued directly against the ruling that was ultimately held to
20 have been in error.

21 It is undisputed that Hale Lane argued that a pre-lien notice was a necessary predicate to
22 Steppan's lien, and that the lien was invalid specifically because of Steppan's failure to provide
23 such a notice. Indeed, Hale Lane went much further in its argument. When presented with
24 Steppan's contention, under *Fondren*, that actual notice was an exception to the pre-lien notice
25 requirement, Hale Lane drew the appropriate distinction between this case and *Fondren*.
26 Although Hale Lane did not draw the distinction in the strict terms of "onsite" versus "off-site"
27 work, it made the same basic point—i.e., that actual notice of off-site work does not provide a
28 property owner with the same information as does actual notice of onsite work. At the oral

1 argument hearing on May 3, 2007, Hale Lane attorney Jerry Snyder argued, in pertinent part:

2 I believe what Ms. Kern said was Fondren requires that the burden be shifted. If
3 the owner has any notion that there might be a construction project, the burden
4 is shifted to him to inquire. That's not what Fondren says.

5 What Fondren says is that where the owner has actual notice of construction, the
6 constructive notice by the pre-lien statute or the notice of right to lien statute is
7 not required. And so in order for Fondren to obviate the need for a pre-lien
8 notice, the actual notice has to have at least the information that would be
9 required under the pre-lien notice, under the constructive pre-lien notice.

10 What the pre-lien notice has to have is the identity of the lien claimant, a
11 general description of the work, materials, equipment or services, the identity of
12 the general contractor under whom the lien claimant is with contract.

13 None of that information was provide to Dr. Iliescu. He did not know the
14 identity of the lien claimant until at the earliest October of 2006 after virtually
15 all of the work had been done. So this notion that, because he had some idea
16 that an architect somewhere would be creating some plans, some design work or
17 a work improvement to this property, that he was under an obligation to go dig
18 out that information is simply untrue. That's reading Fondren so broadly as to
19 vitiate the specific requirements of NRS 108.245, which explicitly says, if you
20 don't file your pre-lien notice, you don't have a lien.

21 The same rationale argued by Snyder in May of 2007 formed the basis of the Nevada
22 Supreme Court's Opinion in May of 2017. In fact, juxtaposing Snyder's 2007 argument with
23 the Nevada Supreme Court's 2017 reasoning reveals that the two are nearly identical. In its
24 decision of Iliescu's previous appeal, the Nevada Supreme Court wrote:

25 We further explained that NRS 108.245 "protect[s] owners from hidden claims
26 and ... [t]his purpose would be frustrated if mere knowledge of construction is
27 sufficient to invoke the actual knowledge exception against an owner by a
28 contractor. Otherwise, the exception would swallow the rule."

This rationale equally pertains to offsite architectural work performed pursuant
to an agreement with a prospective buyer when there is no indication that onsite
work has begun on the property, and no showing has been made that the offsite
architectural work has benefited the owner or improved its property. As this
court has consistently held, a lien claimant has not substantially complied with
the mechanic's lien statutes when the property owner is prejudiced by the

1 absence of strict compliance. As the *Hardy* court recognized, to conclude
2 otherwise would frustrate the purpose of NRS 108.245, and the actual notice
exception would swallow the rule.

3 *Iliescu v. Steppan*, 133 Nev. Adv. Op. 25, 394 P.3d 930, 934-35 (2017) (internal citations
4 omitted).

5 The similarity between Hale Lane's 2007 argument and the Nevada Supreme Court's
6 2017 reasoning reveals, unequivocally, that Hale Lane "presented the necessary legal
7 arguments and the judge, albeit in error, reject[ed] them." *Kiribati Seafood*, 2016 WL 1426297,
8 *12 (Mass. 2016) (quoting *Crestwood Cove*, 164 P.3d at 1256 (Utah 2007)).

9 The similarity further shows that Hale Lane did not contribute to or cooperate with the
10 judicial error. See *Stanfield*, 494 S.W.3d at 100. Stated differently, Hale Lane did not invite
11 the judicial error by advocating a legally erroneous principle that the Court accepted. *Id.* To
12 the contrary, the District Court made its erroneous ruling despite Hale Lane's appropriate, and
13 ultimately correct, legal argument.

14 Accordingly, the District Court's judicial error is the intervening and superseding cause
15 of Iliescu's claimed damages. The legal effect of the District Court's judicial error is to sever
16 the causal connection between the alleged legal malpractice and Iliescu's claimed damages.
17 Because the element of causation is lacking as a matter of law in this case, Hale Lane is entitled
18 to summary judgment.

19 **ILIESCU'S COUNTERMOTION TO AMEND IS DENIED AS FUTILE**

20 In opposing Hale Lane's summary judgment motion, Iliescu filed a countermotion for
21 leave to amend and to conduct further discovery. Iliescu's proposed amended third-party
22 complaint, insofar as it pertains to Hale Lane, is essentially a list of steps Hale Lane allegedly
23 could have or should have taken to protect Iliescu from the possibility that Steppan would later
24 assert a lien against Iliescu's property. (Exhibit 1 to Iliescu's Opposition/Counter-motion, pp.
25 18-21, ¶¶ 97(i) – (xvii)). Iliescu further proposes to add an additional claim against Hale Lane
26 for breach of contract. (Exhibit 1 to Iliescu's Opposition/Counter-motion, pp. 23-24)

27 NRCP 15(a) provides that leave to amend a complaint shall be freely given when justice
28 so requires. "However, leave to amend should not be granted if the proposed amendment

1 would be futile.” *Halcrow, Inc. v. Eighth Judicial District Court*, 129 Nev. Adv. Op. 42, 302
2 P.3d 1148, 1152 (2013). The futility exception to NRCP 15(a) “is intended to mean that an
3 amendment should not be allowed if it inevitably will be considered a waste of time and
4 resources on which the movant has no realistic chance of prevailing at trial.” *Nutton v. Sunset*
5 *Station, Inc.*, 131 Nev. Adv. Op. 34, 357 P.3d 966, 973 (2015).

6 The above-outlined issue (judicial error as an intervening and superseding cause) is
7 purely an issue of law, and the facts bearing on the issue are undisputed. Even if Iliescu’s
8 amended allegations are accepted as true, the fact remains that Hale Lane’s 2007 application to
9 release Steppan’s lien should have been granted. No matter what Hale Lane allegedly could
10 have done to preclude Steppan from asserting a lien, the District Court’s judicial error will
11 always constitute an intervening and superseding cause of Iliescu’s claimed damages.
12 Accordingly, as a matter of law, Iliescu cannot establish the causation element of his legal
13 malpractice claim, even as prospectively amended.

14 Furthermore, Iliescu’s inclusion of a separate breach of contract claim against Hale
15 Lane in his proposed amended pleading does not relieve Iliescu of the requirement that he
16 prove the element of causation. Claims not labeled “legal malpractice” are still regarded under
17 the law as legal malpractice claims if they are “premised on [an attorney] allegedly breaching
18 ‘duties that would not exist but for the attorney-client relationship.’” *Stoffel v. Eighth Judicial*
19 *District Court*, 2017 WL 1078662, *1 (Nev. 2017) (quoting *Stalk v. Mushkin*, 125 Nev. 21, 29,
20 199 P.3d 838, 843 (2009)). Thus, Iliescu cannot get around the obligation to prove the element
21 of causation simply by labeling one of his claims something other than “legal malpractice.”
22 Iliescu’s inability to prove the element of causation is fatal to all his claims against Hale Lane,
23 no matter what he labels those claims and regardless of whether his pleading is amended.
24 Iliescu’s countermotion to amend and for further discovery is therefore denied as futile.

25 ORDER

26 NOW, THEREFORE, IT IS HEREBY ORDERED:

- 27 1. That Hale Lane’s Motion for Summary Judgment of Iliescu’s Fifth and Sixth Claims for
28 Relief is **GRANTED**.

1 2. That Iliescu's counter motion to amend and for further discovery is **DENIED**.

2 **IT IS FURTHER ORDERED** that this Court has expressly determined that there is no
3 just reason for delay and directs the entry of final judgment as to Third-Party Defendant Hale
4 Lane, pursuant to NRCP 54(b).

5 DATED: June 12, 2018.

6
7
8 By:  _____
DISTRICT JUDGE

1 **2540**

Todd R. Alexander, Esq. NSB #10846

2 Lemons, Grundy & Eisenberg
6005 Plumas Street, Suite 300

3 Reno, Nevada 89519

Telephone: (775) 786-6868

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5 Attorneys for Third Party Defendants

6
7 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**

8 **IN AND FOR THE COUNTY OF WASHOE**

9 MARK B. STEPPAN,

10 Plaintiff,

11 vs.

12 JOHN ILIESCU JR. and SONNIA ILIESCU, as
13 Trustees of the JOHN ILIESCU, JR. AND
14 SONNIA ILIESCU 1992 FAMILY TRUST
15 AGREEMENT; JOHN ILIESCU, individually;
DOES I-V, inclusive; and ROE
CORPORATIONS VI-X, inclusive,

16 Defendants.

17 AND RELATED CLAIMS.

CONSOLIDATED

Case No. CV07-00341

Dept. No. 10

18 **NOTICE OF ENTRY OF ORDER**

19 **PLEASE TAKE NOTICE** that the Order Granting Third-Party Defendant Hale Lane's
20 Motion for Summary Judgment was entered on June 12, 2018. A copy of said Order is
21 attached hereto as **Exhibit 1**.

22 **The undersigned affirms that this document does not contain the social security**
23 **number of any person.**

24 Dated: June 12, 2018.

25 Lemons, Grundy & Eisenberg

26
27 By: 

Todd R. Alexander, Esq.

Attorneys for Third Party Defendants

28
LEMONS, GRUNDY
& EISENBERG
6005 PLUMAS ST.
THIRD FLOOR
RENO, NV 89519
(775) 786-6868

1 **CERTIFICATE OF SERVICE**

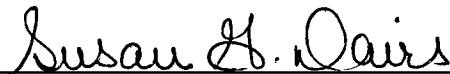
2 I hereby certify that I am an employee of the law office of Lemons, Grundy & Eisenberg
3 and that on June 12, 2018, I e-filed a true and correct copy of the foregoing **NOTICE OF**
4 **ENTRY OF ORDER**, with the Clerk of the Court through the Court's eFlex electronic filing system
5 and notice will be sent electronically by the Court to the following:

6 C. Nicholas Pereos, Esq.
7 1610 Meadow Wood Lane, Suite 202
8 Reno, Nevada 89502
Attorney for John Iliescu, Jr. and Sonnia Iliescu, et al.

9 G. Mark Albright, Esq.
10 D. Chris Albright, Esq.
11 Albright, Stoddard, Warnick & Albright
12 801 South Rancho Drive, Suite D-4
13 Las Vegas, Nevada 89106
Attorney for John Iliescu, Jr. and Sonnia Iliescu, et al.

14 Michael D. Hoy, Esq.
15 Hoy Chrissinger Kimmel, P.C.
16 50 West Liberty Street, Suite 840
17 Reno, Nevada 89501
Attorney for Mark Stepan

18 Gregory F. Wilson, Esq.
19 Gregory F. Wilson & Associates, PC
20 1495 Ridgeview Drive, Suite 120
21 Reno, Nevada 89519
Attorney for John Schleining

22 
23 Susan G. Davis

INDEX OF EXHIBITS

<i>Exhibit No.</i>	<i>Description</i>	<i>Length of Exhibit</i>
1	Order Granting Third-Party Defendant Hale Lane's Motion for Summary Judgment	15 pages

EXHIBIT 1

EXHIBIT 1

1
2
3
4
5
6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
7 **IN AND FOR THE COUNTY OF WASHOE**
8

9 MARK B. STEPPAN,

10 Plaintiff,

11 vs.

12 JOHN ILIESCU JR. and SONNIA ILIESCU,
13 as Trustees of the JOHN ILIESCU, JR. AND
14 SONNIA ILIESCU 1992 FAMILY TRUST
15 AGREEMENT; JOHN ILIESCU,
16 individually; DOES I-V, inclusive; and ROE
17 CORPORATIONS VI-X, inclusive,

18 Defendants.

19 AND RELATED CLAIMS

CONSOLIDATED

Case No. CV07-00341

Dept. No. 10

ORDER GRANTING THIRD-PARTY
DEFENDANT HALE LANE'S
MOTION FOR SUMMARY
JUDGMENT

18 On November 17, 2017, Third-Party Defendant HALE LANE PEEK DENNISON AND
19 HOWARD PROFESSIONAL CORPORATION ("Hale Lane"), filed a motion for summary
20 judgment of the third-party claims asserted against it by third-party plaintiffs JOHN ILIESCU,
21 JR. and SONNIA ILIESCU, individually and as trustees of the ILIESCU 1992 FAMILY
22 TRUST (collectively, "Iliescu"). Iliescu filed an opposition to Hale Lane's motion on
23 December 18, 2017. Iliescu's opposition also included a countermotion to amend the third-
24 party claims against Hale Lane and for further time to complete discovery. Hale Lane filed a
25 reply in support of its motion for summary judgment on January 8, 2018, which included an
26 opposition to Iliescu's countermotion to amend. On January 12, 2018, Iliescu filed a reply in
27 support of the countermotion to amend and for further time to complete discovery. This Court
28 heard oral arguments by counsel on June 6, 2018. Having considered the motion,

1 oppositions/countermotions, and reply briefs, along with all supporting documentation, and
2 having considered oral argument from the parties, this Court orders as follows.

3 **GENERAL FACTUAL BACKGROUND**

4 The matter underlying Iliescu's third-party legal malpractice claims against Hale Lane
5 was a lien dispute arising out of an architect's lien that had been recorded against Iliescu's real
6 property located in downtown Reno. After the lien was recorded, Hale Lane filed an
7 application on Iliescu's behalf to release the architect's lien, arguing that the architect, Plaintiff
8 Mark Steppan ("Steppan"), had not provided the required pre-lien notice and that his lien was
9 therefore invalid. Steppan then filed a complaint for foreclosure of his lien, and the two matters
10 were consolidated into this action.

11 Over Hale Lane's argument to the contrary, the District Court ultimately concluded that
12 the actual-notice exception to the pre-lien notice requirement was applicable in this case. The
13 Court further found that Iliescu had actual notice of Steppan's architectural work, and, after a
14 bench trial, the Court entered an Order foreclosing Steppan's lien. Iliescu appealed.

15 In May of 2017, the Nevada Supreme Court reversed the order foreclosing Steppan's
16 lien and remanded the matter for entry of judgment in Iliescu's favor. The Supreme Court's
17 Opinion was based on Steppan's failure to provide the statutorily-required pre-lien notice,
18 holding that Steppan was not entitled to rely on the actual-notice exception to the pre-lien
19 notice requirement.

20 After the successful appeal, Iliescu continues to pursue the third-party legal malpractice
21 claims against Hale Lane. Hale Lane now moves for summary judgment of those claims.

22 **UNDISPUTED FACTS MATERIAL TO THIS ORDER**

23 In the third-party legal malpractice claims asserted against Hale Lane, Iliescu alleges
24 that Hale Lane could have, and should have, taken steps to protect Iliescu from Steppan's lien.
25 (*See Answer and Third Party Complaint, filed September 27, 2007*).

26 The filing that initiated this action on February 14, 2007 was Iliescu's *Application for*
27 *Release of Mechanic's Lien*, which was prepared and filed by then-Hale Lane attorney, Jerry
28 Snyder. In that Application, Hale Lane argued on Iliescu's behalf that Steppan's lien was

1 invalid because Steppan had not provided a notice of right to lien pursuant to NRS 108.245(6)
2 or a notice of intent to lien pursuant to NRS 108.226(6). (*See, generally*, Application for
3 Release of Mechanic's Lien, filed February 14, 2007).

4 In the *Response to Application for Release of Mechanic's Lien* (filed by attorney Gayle
5 Kern), Steppan argued that, under *Fondren v. K/L Complex, Ltd.*, 106 Nev. 705, 800 P.2d 719
6 (1990), a statutory pre-lien notice was not required because Iliescu had actual knowledge of the
7 off-site architectural work being conducted with respect to his property. (*See, generally*,
8 Response to Application for Release of Mechanic's Lien, filed May 30, 2007)

9 On May 3, 2007, the District Court, Department 6, conducted a hearing on the
10 application to release Steppan's lien. On Iliescu's behalf, Hale Lane argued that the parties'
11 lien dispute was distinguishable from *Fondren*, and that the actual notice exception therefore
12 did not apply. At that hearing, Mr. Snyder argued on behalf of Iliescu, in pertinent part, as
13 follows:

14 The manner in which Ms. Kern would have this court read *Fondren* is to have
15 *Fondren* – I believe what Ms. Kern said was *Fondren* requires that the burden be
16 shifted. If the owner has any notion that there might be a construction project,
17 the burden is shifted to him to inquire. That's not what *Fondren* says.

18 What *Fondren* says is that where the owner has actual notice of construction, the
19 constructive notice by the pre-lien statute or the notice of right to lien statute is
20 not required. And so in order for *Fondren* to obviate the need for a pre-lien
21 notice, the actual notice has to have at least the information that would be
22 required under the pre-lien notice, under the constructive pre-lien notice.

23 What the pre-lien notice has to have is the identity of the lien claimant, a
24 general description of the work, materials, equipment or services, the identity of
25 the general contractor under whom the lien claimant is with contract.

26 None of that information was provide to Dr. Iliescu. He did not know the
27 identity of the lien claimant until at the earliest October of 2006 after virtually
28 all of the work had been done. So this notion that, because he had some idea
that an architect somewhere would be creating some plans, some design work or
a work improvement to this property, that he was under an obligation to go dig
out that information is simply untrue. That's reading *Fondren* so broadly as to
vitiate the specific requirements of NRS 108.245, which explicitly says, if you

1 don't file your pre-lien notice, you don't have a lien.

2 (Transcript of Proceedings, May 3, 2007, pp. 47-49).

3 The District Court did not grant the application to release Steppan's lien. (May 3, 2007
4 Order). Instead, the Court ordered that the parties were to conduct discovery concerning
5 whether Iliescu had actual knowledge of the architectural services performed by Steppan.
6 (May 3, 2007 Order).

7 Shortly thereafter, other attorneys substituted in for Iliescu, in place of Hale Lane.
8 (Substitution of Counsel, filed August 3, 2007). Iliescu then filed an answer to Steppan's
9 complaint for foreclosure of his lien. Iliescu's answer included two third-party claims for relief
10 against Hale Lane, entitled Professional Malpractice and Negligence. (Answer and Third Party
11 Complaint, filed September 27, 2007, pp. 14-15). The third-party claims against Hale Lane
12 remained stayed throughout the litigation of the lien dispute between Iliescu and Steppan.

13 After a bench trial, this Court determined that Iliescu had actual notice of Steppan's
14 architectural work, and that Steppan's lien was therefore valid and enforceable. (Findings of
15 Fact, Conclusions of Law and Decision, entered May 28, 2014). Accordingly, this Court
16 entered an order foreclosing Steppan's lien. (Judgment, Decree and Order for Foreclosure of
17 Mechanic's Lien, entered February 26, 2015). Iliescu appealed that ruling to the Nevada
18 Supreme Court.

19 On May 25, 2017, the Nevada Supreme Court issued its Opinion in Iliescu's appeal.
20 *Iliescu v. Steppan*, 133 Nev. Adv. Op. 25, 394 P.3d 930 (2017). It held that the actual notice
21 exception described in *Fondren* does not apply to off-site work when no onsite work has been
22 performed on the property. *Id.* at 934-35. It therefore reversed this Court's order foreclosing
23 Steppan's lien and remanded the matter to this Court for entry of judgment in Iliescu's favor.
24 *Id.* at 936.

25 After the successful appeal, Iliescu now continues to pursue its legal malpractice claims
26 against Hale Lane, seeking recovery of the fees and costs incurred in successfully defending
27 against Steppan's lien, along with other claimed damages. Hale Lane now moves for summary
28 judgment of those claims for relief.

1 Hale Lane's motion is based on the principle that judicial error can, and in this case
2 does, constitute an intervening and superseding cause of the claimed damages in a legal
3 malpractice case. As discussed below, based on the applicable law and the undisputed material
4 facts of this case, this Court agrees with Hale Lane that the District Court's judicial error is the
5 intervening and superseding cause of Iliescu's claimed damages, that Hale Lane is thereby
6 relieved from liability for alleged legal malpractice, and that summary judgment is therefore
7 warranted.

8 APPLICABLE LAW

9 A. The Standard for Granting Summary Judgment

10 Summary judgment is appropriate when the pleadings, written discovery, depositions,
11 and affidavits, if any, demonstrate that no genuine issue of material fact remains for trial.
12 NRCP 56(c); *Wood v. Safeway, Inc.*, 121 Nev. 724, 732, 121 P.3d 1026 (2005). If the
13 nonmoving party bears the burden of persuasion at trial, the moving party has the burden of
14 producing evidence that negates an essential element of the nonmoving party's claim, or
15 pointing out that there is an absence of evidence to support the nonmoving party's case. *Cuzze*
16 *v. University and Community College System of Nevada*, 123 Nev. 598, 602-03, 172 P.3d 131
17 (2007). Once the moving party meets its burden, the nonmoving party must set forth facts
18 demonstrating the existence of a genuine issue of material fact. In order to defeat summary
19 judgment, "the nonmoving party must transcend the pleadings and, by affidavit or other
20 admissible evidence, introduce specific facts that show a genuine issue of material fact."
21 *Cuzze*, 123 Nev. at 602-03 (citations omitted).

22 A court may properly grant summary judgment if any of the essential elements of a
23 claim are missing. *See, e.g., Kusmirek v. MGM Grand Hotel, Inc.*, 73 F.Supp.2d 1222 (D. Nev.
24 1999) (summary judgment granted where plaintiff failed to satisfy elements of duty and
25 proximate cause). In order to establish entitlement to judgment as a matter of law, a moving
26 defendant must show that one of the elements of the plaintiff's prima facie case is "clearly
27 lacking as a matter of law." *Scialabba v. Brandise Construction Co.*, 112 Nev. 965, 968, 921
28 P.2d 928 (1996).

1 B. The Essential Elements of a Legal Malpractice Claim

2 Iliescu's Third-Party Complaint asserts two claims for relief against Hale Lane: (1)
3 Professional Malpractice; and (2) Negligence. Both of Iliescu's claims are based on the same
4 allegations and require the same legal analysis. *Morgano v. Smith*, 110 Nev. 1025, 1028 n. 2,
5 879 P.2d 735, 737 (1994).

6 In order for Iliescu to establish a prima facie case of legal malpractice, he must show:
7 (1) the existence of an attorney/client relationship which created a duty of care; (2) a breach of
8 that duty; (3) that Hale Lane's negligence is the proximate cause of his damages; and, (4) the
9 existence of actual loss or damage resulting from the negligence. *Mainor v. Nault*, 120 Nev.
10 750, 101 P.3d 308 (2004). If any of these essential elements is lacking as a matter of law, Hale
11 Lane is entitled to summary judgment. See *Kusmirek*, 73 F.Supp.2d at 1226-1227; and
12 *Scialabba*, 112 Nev. at 968; see also *Bulbman, Inc. v. Nevada Bell*, 108 Nev. 105, 111, 825
13 P.2d 588, 592 (1992) (holding that "[w]here an essential element of a claim for relief is absent,
14 the facts, disputed or otherwise, as to other elements are rendered immaterial and summary
15 judgment is proper.")

16 C. The Doctrine of Judicial Error as Superseding Cause

17 The Nevada Supreme Court has recognized that alleged legal malpractice damages may,
18 in certain circumstances, be more appropriately characterized as having been proximately
19 caused by judicial error rather than professional negligence on the part of the attorney. For
20 example, in *Semenza v. Nevada Medical Liability Ins. Co.*, 104 Nev. 666, 765 P.2d 184 (1988),
21 an attorney was sued for legal malpractice for negligently conducting discovery and negligently
22 preparing for trial in an underlying medical malpractice case. 104 Nev. at 667, 765 P.2d at 185.
23 Specifically, it was alleged that the attorney mistakenly allowed a damaging hospital
24 memorandum into evidence. *Id.* Based largely on the admission of that memorandum, a jury
25 awarded the medical malpractice plaintiff a substantial verdict. *Id.* The doctor's liability
26 insurer then sued the doctor's defense lawyer for legal malpractice. *Id.* The underlying
27 medical malpractice verdict was later reversed because the admission of the memorandum
28 "constituted prejudicial error of a magnitude that demands reversal and a new trial." *Id.*

1 (quoting *Mishler v. McNally*, 102 Nev. 625, 629, 730 P.2d 432 (1986)).

2 Based on the Supreme Court's reversal of the medical malpractice verdict, the attorney
3 argued that the trial court erred in finding him liable for legal malpractice. *Id.* The Supreme
4 Court agreed. *Id.* It analyzed the legal malpractice action under accrual principles, holding that
5 the legal malpractice cause of action did not accrue unless and until "the underlying case has
6 been *affirmed* on appeal." *Id.* at 668, 765 P.2d at 185-86 (emphasis added). In its analysis, the
7 Supreme Court recognized that "[a]pparent damage may vanish with successful prosecution of
8 an appeal and ultimate vindication of an attorney's conduct by an appellate court." *Id.* (quoting
9 *Amfac Distribution Corp. v. Miller*, 138 Ariz. 155, 673 P.2d 795, 796 (Ariz. App. 1983)).

10 Likewise, in *Hewitt v. Allen*, 118 Nev. 216, 43 P.3d 345 (2002), the Nevada Supreme
11 Court recognized that a legal malpractice plaintiff's claimed damages may have been caused by
12 judicial error, rather than an attorney's negligence. In *Hewitt*, the plaintiff was injured in a car
13 accident for which she attempted to sue several State of Utah governmental entities. 118 Nev.
14 at 218, 43 P.3d at 346. In filing suit, the plaintiff's lawyer failed to comply with a Utah statute
15 requiring that notice of her claim be served on the Utah Department of Public Safety, and the
16 plaintiff's claims against the governmental entities were therefore dismissed. *Id.* at 218-19, 43
17 P.3d at 346. The plaintiff appealed the dismissals, but later voluntarily dismissed her appeal
18 when her legal counsel advised her that the appeal was futile. *Id.* at 219, 43 P.3d at 346-47.
19 The plaintiff then sued her attorney for malpractice. *Id.* The question at issue in *Hewitt* was
20 whether the plaintiff had abandoned her legal malpractice claim by voluntarily dismissing an
21 appeal that may have vindicated the attorney's conduct. *Id.* at 220, 43 P.3d at 347.

22 Like in *Semenza*, the Supreme Court analyzed the issue by first discussing when a legal
23 malpractice claim can be said to have accrued. *Id.* at 220-22, 43 P.3d at 347-48. Recognizing
24 the fact that a client need not appeal an adverse ruling to preserve a legal malpractice claim, the
25 Court analogized the client's voluntary dismissal of her appeal to a decision not to appeal in the
26 first place. *Id.* at 222, 43 P.3d at 348-49. It thus concluded that voluntarily dismissing a futile
27 appeal does not amount to abandonment of a legal malpractice claim. *Id.* In reaching its
28 conclusion, the *Hewitt* Court observed as follows:

1 In cases where no appeal from an adverse ruling was filed, the defendants in the
2 legal malpractice action are able to assert, as an affirmative defense, that the
3 proximate cause of the damages was not the attorney's negligence, but judicial
4 error that could have been corrected on appeal. This issue is commonly raised
5 under theories of abandonment or failure to mitigate damages, but can also be
6 asserted as part of a claim that the malpractice action is premature. Moreover,
because the issue is raised in the context of an affirmative defense, the attorney
defendant has the burden of proof to establish that an appeal would have been
successful. Finally, whether an appeal is likely to succeed is a question of law
to be decided by the trial court.

7 *Hewitt*, 118 Nev. at 222, 43 P.3d at 348-49.

8 Although the Nevada Supreme Court has acknowledged that judicial error can
9 constitute the intervening and superseding cause of damages in a legal malpractice case, the
10 Court has not yet taken the opportunity to address the issue in depth. Courts in our sister states
11 have fleshed out the doctrine in greater detail, and there appear to be two prevailing approaches
12 to determining the legal effect of a judicial error in a legal malpractice action.

13 Under the first approach, "judicial error resulting in an adverse ruling is a superseding
14 cause that relieves a negligent attorney from liability for legal malpractice *without regard to*
15 *whether the judicial error was foreseeable.*" *Kiribati Seafood Co. v. Dechert LLP*, 2016 WL
16 1426297, *12 (Mass. 2016) (emphasis added). This approach applies "where the attorney has
17 presented the necessary legal arguments and the judge, albeit in error, rejects them." *Id.*
18 (quoting *Crestwood Cove Apartments Business Trust v. Turner*, 164 P.3d 1247, 1256 (Utah
19 2007).

20 In *Crestwood Cove*, the Supreme Court of Utah considered the proximate cause issue in
21 a legal malpractice case where the trial court had erred in issuing a ruling that harmed the
22 client. It stated as follows:

23 Accordingly, summary judgment is appropriate where there is no doubt that
24 judicial error, rather than attorney malpractice, caused a client's losses. As
25 previously discussed, some jurisdictions, often through the guise of an
26 abandonment doctrine, have concluded that a plaintiff cannot establish a claim
27 for legal malpractice where judicial error was the proximate cause of the
28 adverse result. We agree. Where an attorney has raised and preserved all
relevant legal considerations in an appropriate procedural manner and a court
nevertheless commits judicial error, the attorney's actions cannot be considered
the proximate cause of the client's loss. Although a client may believe that an
attorney has not litigated a case in the most effective manner possible, such

1 beliefs are irrelevant where the attorney has presented the necessary arguments
2 and the judge, albeit in error, rejects them. Were it otherwise, an attorney
3 would be subject to liability every time a judge erroneously ruled against the
attorney's client. In effect, an attorney would become a guarantor of correct
judicial decisionmaking—a result we cannot accept.

4 *Crestwood Cove*, 164 P.3d at 1255-56 (internal citations omitted); *see also Pa. Ins. Guar. Ass'n*
5 *v. Sikes*, 590 So.2d 1051, 1052 (Fla. App. 1991) (“A reversal of a trial court’s order that denies
6 an attorney the opportunity to cure a nonprejudicial defect and enters judgment for the
7 opposing side because of the alleged defect, determines, essentially, that there was judicial
8 error rather than legal malpractice”); *Cedeno v. Gumbiner*, 347 Ill.App.3d 169, 806 N.E.2d
9 1188, 1194 (2004) (finding that where the court’s “misapplication of the law served as an
10 intervening cause, it cannot be said that plaintiff’s damages proximately resulted from” the
11 attorney’s actions, and summary judgment was therefore appropriate.)

12 Although the *Crestwood Cove* Court stopped short of holding that judicial error always
13 forecloses a plaintiff from bringing a malpractice suit, it did observe that “when an attorney has
14 raised the appropriate arguments and the court nevertheless commits judicial error, a plaintiff’s
15 suit can be appropriately dismissed on summary judgment.” *Id.* at 1256. In other words, as
16 long as the attorney asserts the appropriate legal arguments, judicial error is regarded as a *per*
17 *se* superseding cause in a legal malpractice action. *Id.*

18 Under the second approach, the foreseeability of the District Court’s judicial error is a
19 relevant consideration. Importantly, however, a judicial error is only regarded as foreseeable
20 under very limited circumstances. This approach was explained and applied by the Supreme
21 Court of Texas in *Stanfield v. Neubaum*, 494 S.W.3d 90 (2016). The *Stanfield* Court began its
22 opinion with the following preface:

23 Litigation rarely results in complete satisfaction for those involved. When a
24 lawyer makes a mistake and the client loses as a result, the law affords a
25 remedy. What happens, however, when the lawyer pursues a winning strategy
26 (perhaps with some strategic missteps), but the trial judge errs, and the error
27 requires a costly appeal to correct? Is the lawyer liable for the appellate costs
incurred to correct the error? Although the question presents a novel issue, the
answer is governed by well-established causation principles.

28 *Stanfield*, 494 S.W.3d at 93.

1 *Stanfield* involved an underlying usury case in which the defendants, the Neubaums,
2 were alleged to have loaned money at usurious interest rates to Buck Glove Company, through
3 an agent, Marvin March. *Id.* at 94. The Neubaums' lawyers argued, in pertinent part, that
4 March was not acting as their agent when he made the subject loans. *Id.* After a jury trial, the
5 jury found that March had served as the Neubaums' agent in making the usurious loans, and the
6 trial court entered judgment against the Neubaums. *Id.* The Neubaums' attorneys then moved
7 for a new trial or reformation of the judgment, again arguing that there was no evidence to
8 support the plaintiff's agency theory. *Id.* at 94-95. That motion was denied. *Id.* at 95.

9 The Neubaums then hired new counsel to appeal the adverse usury judgment, and the
10 appeal was successful. *Id.* The appellate court reversed the usury judgment, concluding that
11 there was legally insufficient evidence that March made the loans as the Neubaums' agent. *Id.*
12 When all was said and done, the Neubaums had spent \$140,000 in appellate attorney's fees to
13 obtain a favorable resolution of the usury case. *Id.* The Neubaums then sued their trial
14 attorneys for legal malpractice, seeking to recover the amounts expended to overturn the
15 erroneous trial court judgment. *Id.*

16 In their defense of the malpractice action, the attorney-defendants maintained that the
17 trial court's error in the underlying usury case was an intervening and superseding cause of the
18 Neubaums' damages. *Stanfield*, 494 S.W.3d at 95-96. The Supreme Court of Texas agreed.
19 The court held that "[t]o break the causal connection between an attorney's negligence and the
20 plaintiff's harm, the judicial error must not be foreseeable." *Id.* at 99. It explained that a
21 judicial error is reasonably foreseeable if an "unbroken connection" exists between the
22 attorney's negligence and the judicial error, "such as when the attorney's negligence directly
23 contributed to and cooperated with the judicial error, rendering the error part of 'a continuous
24 succession of events' that foreseeably resulted in the harm." *Id.* at 100.

25 Importantly, "merely furnishing a condition that allows judicial error to occur does not
26 establish the ensuing harm was a reasonably foreseeable result of the defendant's negligence."
27 *Id.* (emphasis added). Thus, for a judicial error to be foreseeable, the attorney must have done
28 more than merely furnish a condition that allows the judicial error to occur; the attorney must

1 have directly contributed to and cooperated with the judicial error. *Id.* *Stanfield's* explanation
2 of when judicial error is foreseeable applies where a legal malpractice defendant has, in effect,
3 invited the judicial error by advocating a legally erroneous principle that the court accepts.
4 Essentially, a lawyer cannot invite judicial error and then escape responsibility for the financial
5 consequences thereof by disavowing the attorney's inducement or encouragement of that error.

6 APPLICATION OF THE LAW TO THE UNDISPUTED FACTS

7 On May 3, 2007, the District Court determined that Steppan's lien may be upheld, over
8 Hale Lane's objection regarding the lack of a pre-lien notice, if it was shown that Iliescu had
9 actual notice of Steppan's architectural services. Over 10 years later, on May 25, 2017, the
10 Nevada Supreme Court held that Steppan was not entitled to rely on the actual-notice exception
11 to the pre-lien notice requirement because the actual-notice exception does not apply to off-site
12 work when no onsite work has been performed on the property. Thus, the May 2007 ruling and
13 all subsequent District Court rulings founded upon this faulty premise were determined to have
14 been judicial error. The issue now presented to this Court is to determine the legal (i.e., causal)
15 effect of the judicial error on this legal malpractice action.

16 This Court concludes that, under either of the prevailing approaches to the judicial-
17 error-as-superseding-cause analysis, Hale Lane is entitled to summary judgment. Hale Lane
18 did not invite the District Court's judicial error, nor did Hale Lane cooperate with such judicial
19 error. To the contrary, Hale Lane argued directly against the ruling that was ultimately held to
20 have been in error.

21 It is undisputed that Hale Lane argued that a pre-lien notice was a necessary predicate to
22 Steppan's lien, and that the lien was invalid specifically because of Steppan's failure to provide
23 such a notice. Indeed, Hale Lane went much further in its argument. When presented with
24 Steppan's contention, under *Fondren*, that actual notice was an exception to the pre-lien notice
25 requirement, Hale Lane drew the appropriate distinction between this case and *Fondren*.
26 Although Hale Lane did not draw the distinction in the strict terms of "onsite" versus "off-site"
27 work, it made the same basic point—i.e., that actual notice of off-site work does not provide a
28 property owner with the same information as does actual notice of onsite work. At the oral

1 argument hearing on May 3, 2007, Hale Lane attorney Jerry Snyder argued, in pertinent part:

2 I believe what Ms. Kern said was Fondren requires that the burden be shifted. If
3 the owner has any notion that there might be a construction project, the burden
4 is shifted to him to inquire. That's not what Fondren says.

5 What Fondren says is that where the owner has actual notice of construction, the
6 constructive notice by the pre-lien statute or the notice of right to lien statute is
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10 What the pre-lien notice has to have is the identity of the lien claimant, a
11 general description of the work, materials, equipment or services, the identity of
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13 None of that information was provide to Dr. Iliescu. He did not know the
14 identity of the lien claimant until at the earliest October of 2006 after virtually
15 all of the work had been done. So this notion that, because he had some idea
16 that an architect somewhere would be creating some plans, some design work or
17 a work improvement to this property, that he was under an obligation to go dig
18 out that information is simply untrue. That's reading Fondren so broadly as to
19 vitiate the specific requirements of NRS 108.245, which explicitly says, if you
20 don't file your pre-lien notice, you don't have a lien.

21 The same rationale argued by Snyder in May of 2007 formed the basis of the Nevada
22 Supreme Court's Opinion in May of 2017. In fact, juxtaposing Snyder's 2007 argument with
23 the Nevada Supreme Court's 2017 reasoning reveals that the two are nearly identical. In its
24 decision of Iliescu's previous appeal, the Nevada Supreme Court wrote:

25 We further explained that NRS 108.245 "protect[s] owners from hidden claims
26 and ... [t]his purpose would be frustrated if mere knowledge of construction is
27 sufficient to invoke the actual knowledge exception against an owner by a
28 contractor. Otherwise, the exception would swallow the rule."

This rationale equally pertains to offsite architectural work performed pursuant
to an agreement with a prospective buyer when there is no indication that onsite
work has begun on the property, and no showing has been made that the offsite
architectural work has benefited the owner or improved its property. As this
court has consistently held, a lien claimant has not substantially complied with
the mechanic's lien statutes when the property owner is prejudiced by the

1 absence of strict compliance. As the *Hardy* court recognized, to conclude
2 otherwise would frustrate the purpose of NRS 108.245, and the actual notice
exception would swallow the rule.

3 *Iliescu v. Steppan*, 133 Nev. Adv. Op. 25, 394 P.3d 930, 934-35 (2017) (internal citations
4 omitted).

5 The similarity between Hale Lane's 2007 argument and the Nevada Supreme Court's
6 2017 reasoning reveals, unequivocally, that Hale Lane "presented the necessary legal
7 arguments and the judge, albeit in error, reject[ed] them." *Kiribati Seafood*, 2016 WL 1426297,
8 *12 (Mass. 2016) (quoting *Crestwood Cove*, 164 P.3d at 1256 (Utah 2007)).

9 The similarity further shows that Hale Lane did not contribute to or cooperate with the
10 judicial error. See *Stanfield*, 494 S.W.3d at 100. Stated differently, Hale Lane did not invite
11 the judicial error by advocating a legally erroneous principle that the Court accepted. *Id.* To
12 the contrary, the District Court made its erroneous ruling despite Hale Lane's appropriate, and
13 ultimately correct, legal argument.

14 Accordingly, the District Court's judicial error is the intervening and superseding cause
15 of Iliescu's claimed damages. The legal effect of the District Court's judicial error is to sever
16 the causal connection between the alleged legal malpractice and Iliescu's claimed damages.
17 Because the element of causation is lacking as a matter of law in this case, Hale Lane is entitled
18 to summary judgment.

19 **ILIESCU'S COUNTERMOTION TO AMEND IS DENIED AS FUTILE**

20 In opposing Hale Lane's summary judgment motion, Iliescu filed a countermotion for
21 leave to amend and to conduct further discovery. Iliescu's proposed amended third-party
22 complaint, insofar as it pertains to Hale Lane, is essentially a list of steps Hale Lane allegedly
23 could have or should have taken to protect Iliescu from the possibility that Steppan would later
24 assert a lien against Iliescu's property. (Exhibit 1 to Iliescu's Opposition/Counter-motion, pp.
25 18-21, ¶¶ 97(i) – (xvii)). Iliescu further proposes to add an additional claim against Hale Lane
26 for breach of contract. (Exhibit 1 to Iliescu's Opposition/Counter-motion, pp. 23-24)

27 NRCP 15(a) provides that leave to amend a complaint shall be freely given when justice
28 so requires. "However, leave to amend should not be granted if the proposed amendment

1 would be futile.” *Halcrow, Inc. v. Eighth Judicial District Court*, 129 Nev. Adv. Op. 42, 302
2 P.3d 1148, 1152 (2013). The futility exception to NRCP 15(a) “is intended to mean that an
3 amendment should not be allowed if it inevitably will be considered a waste of time and
4 resources on which the movant has no realistic chance of prevailing at trial.” *Nutton v. Sunset*
5 *Station, Inc.*, 131 Nev. Adv. Op. 34, 357 P.3d 966, 973 (2015).

6 The above-outlined issue (judicial error as an intervening and superseding cause) is
7 purely an issue of law, and the facts bearing on the issue are undisputed. Even if Iliescu’s
8 amended allegations are accepted as true, the fact remains that Hale Lane’s 2007 application to
9 release Steppan’s lien should have been granted. No matter what Hale Lane allegedly could
10 have done to preclude Steppan from asserting a lien, the District Court’s judicial error will
11 always constitute an intervening and superseding cause of Iliescu’s claimed damages.
12 Accordingly, as a matter of law, Iliescu cannot establish the causation element of his legal
13 malpractice claim, even as prospectively amended.

14 Furthermore, Iliescu’s inclusion of a separate breach of contract claim against Hale
15 Lane in his proposed amended pleading does not relieve Iliescu of the requirement that he
16 prove the element of causation. Claims not labeled “legal malpractice” are still regarded under
17 the law as legal malpractice claims if they are “premised on [an attorney] allegedly breaching
18 ‘duties that would not exist but for the attorney-client relationship.’” *Stoffel v. Eighth Judicial*
19 *District Court*, 2017 WL 1078662, *1 (Nev. 2017) (quoting *Stalk v. Mushkin*, 125 Nev. 21, 29,
20 199 P.3d 838, 843 (2009)). Thus, Iliescu cannot get around the obligation to prove the element
21 of causation simply by labeling one of his claims something other than “legal malpractice.”
22 Iliescu’s inability to prove the element of causation is fatal to all his claims against Hale Lane,
23 no matter what he labels those claims and regardless of whether his pleading is amended.
24 Iliescu’s countermotion to amend and for further discovery is therefore denied as futile.

25 ORDER

26 NOW, THEREFORE, IT IS HEREBY ORDERED:

- 27 1. That Hale Lane’s Motion for Summary Judgment of Iliescu’s Fifth and Sixth Claims for
28 Relief is **GRANTED**.

1 2. That Iliescu's counter motion to amend and for further discovery is **DENIED**.

2 **IT IS FURTHER ORDERED** that this Court has expressly determined that there is no
3 just reason for delay and directs the entry of final judgment as to Third-Party Defendant Hale
4 Lane, pursuant to NRCP 54(b).

5 DATED: June 12, 2018.

6
7
8 By:  _____
DISTRICT JUDGE

CASE NO. CV07-00341 **JOHN ILIESCU ETAL VS. MARK STEPPAN**

**DATE, JUDGE
OFFICERS OF**

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/9/13

ORAL ARGUMENTS

HONORABLE

9:00 a.m. – Court convened.

12/9/13

ELLIOTT A.

Nicholas Pereos, Esq., was present on behalf of the Plaintiffs.

8:30 a.m.

SATTLER

Michael Hoy, Esq., was present on behalf of the Defendant.

Bench Trial

DEPT. NO.10

Counsel Pereos addressed the Court and argued in support of his Motion to Continue and his Motion to Extend Expert Disclosure Dates.

(5 days –

M. Merkouris
(Clerk)

Counsel Hoy responded; and he further argued in opposition of Plaintiffs' Motions.

**preferential
setting)**

S. Koetting
(Reporter)

Counsel Pereos replied.

COURT advised respective counsel that he must be attendance at the Judicial College from Monday, September 30, 2013 until Thursday, October 10, 2013, and therefore he will be unavailable to hear this trial. **COURT** further advised that although he is not inclined to grant a continuance of the trial set for October 7, 2013, he has no choice.

COURT ORDERED: The trial set for October 7, 2013 shall be vacated and reset for the soonest available date; respective counsel shall meet with the Department Ten Judicial Assistant, Ms. Mansfield, by 5:00 p.m. on Friday, September 13, 2013 to set a new trial date.

COURT FURTHER ORDERED: Counsel Pereos shall submit an offer of proof as to how his expert is relevant to the trial; the Court will then decide if this expert will be allowed to testify at trial. If the Court decides the expert witness is relevant, counsel Hoy shall have 30 days to present a rebuttal expert to the Court.

9:50 a.m. – Court concluded and stood in recess.

Clerk's note: after the hearing, respective counsel met with Ms. Mansfield and a new trial date was set for Monday, December 9, 2013 at 8:30 a.m.

CASE NO. CV07-00341

MARK STEPPAN VS. JOHN ILIESCU, ETAL

DATE, JUDGE

OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

12/9/13

HONORABLE

ELLIOTT A.

SATTLER

DEPT. NO. 10

M. Merkouris
(Clerk)

L. Urmston

(Reporter)

BENCH TRIAL

8:38 a.m. – Court convened.

Plaintiff Mark Steppan was present with counsel, Michael Hoy, Esq.

Defendants Dr. John Iliescu, Jr. and Sonia Iliescu were present with counsel, C. Nicholas Pereos, Esq.

COURT gave respective counsel information regarding the how the trial will proceed with regard to breaks, lunch recesses, etc.**COURT** further advised that the has reviewed the Exhibit List; **COURT ORDERED** the following Exhibits shall be ADMITTED into evidence pursuant to the stipulation of respective counsel: **1-3, 6-21, 32-33, 35-38, 40-92, 94-101, 105-123, 129-129, and 133. (Clerk's note: exhibit numbers 4, 23, 54, 78 & 103 were not used.)**

Counsel Pereos addressed the Court and advised that he does not stipulate to Exhibits 21, 51, 74 & 75, however he will stipulate to all other exhibits as listed by the Court.

COURT FURTHER ORDERED: Exhibits 21, 51, 74 & 75 are NOT admitted into evidence at this time as Counsel Pereos is not stipulating to these exhibits.Counsel Pereos moved to Invoke the Rule of Exclusion; no objection; **SO ORDERED.**

Counsel Hoy presented opening statements.

Counsel Pereos presented opening statements.

Counsel Hoy called **Richard K. Johnson** who was sworn and direct examined.**Counsel Hoy offered Exhibit 67; no objection (previously admitted as respective counsel stipulated to this Exhibit at the beginning of trial.)**

Witness further direct examined.

Counsel Hoy requested to mark Exhibit 134 (next in line); COURT advised respective counsel that he would prefer that the unused exhibit numbers be used first (4, 23, 54, 78 & 103). Counsel Hoy marked and offered Exhibit 4; no objection; ordered ADMITTED into evidence.

Witness further direct examined.

Counsel Hoy offered Exhibit 75; no objection; ordered ADMITTED into evidence.

Witness further direct examined; questioned by the Court; cross examined; re-direct examined; and excused.

11:25 a.m. – Court stood in recess for lunch, to reconvene at 1:00 p.m.

1:03 p.m. – Court reconvened.

Counsel Hoy called **Kenneth Bradley Van Woert, III**, who was sworn and direct examined; cross examined; questioned by the Court; and excused.Counsel Hoy called **Rodney Friedman** who was sworn and direct examined.

3:03 p.m. – Court stood in recess.

3:20 p.m. – Court reconvened.

Witness further direct examined.

4:49 p.m. – Court stood in recess, to reconvene tomorrow, December 10, 2013 at 8:30 a.m.

CASE NO. CV07-00341 **MARK STEPPAN VS. JOHN ILIESCU, ETAL**

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M. Merkouris
(Clerk)
L. Urmston
(Reporter)

ONGOING BENCH TRIAL

8:30 a.m. – Court reconvened.

Plaintiff Mark Steppan was present with counsel, Michael Hoy, Esq.

Defendants Dr. John Iliescu and Sonia Iliescu were present with counsel, C. Nicholas Pereos, Esq.

Witness **Rodney Friedman** was reminded by the Court that he remained under oath; further direct examined.

Counsel Hoy played Exhibit 42, and witness Rodney Friedman narrated for the Court.

Witness further direct examined.

Counsel Hoy offered Exhibit 34; witness questioned briefly by counsel Pereos and then no objection; ordered ADMITTED into evidence.

Witness further direct examined; questioned by the Court; cross examined.

10:16 a.m. – Court stood in recess.

10:32 a.m. – Court reconvened.

Witness further cross examined.

Counsel Pereos offered Exhibit 25; no objection; ordered ADMITTED into evidence.

Witness further cross examined; re-direct examined; re-cross examined; and excused.

12:01 p.m. – Court stood in recess for lunch.

12:19 p.m. – Court reconvened.

Counsel Hoy called **Ronald David Snelgrove** who was sworn and direct examined; cross examined.

The deposition of David Snelgrove, dated November 18, 2008, was opened and published.

Discussion ensued between the Court and respective counsel regarding the deposition as it was not sealed. Counsel Hoy had no objection to the deposition being used, and he noted that the deposition is stamped “original” and he would make the Court aware if he thinks there are any discrepancies.

Witness further cross examined; re-direct examined; and excused.

2:59 p.m. – Court stood in recess.

3:19 p.m. – Court reconvened.

Counsel Hoy called Defendant **Dr. John Iliescu, Jr.**, who was sworn and direct examined; cross examined.

4:52 p.m. – Court stood in recess for the evening, to reconvene tomorrow December 11, 2013 at 8:30 a.m.

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M. Merkouris
(Clerk)
M. Pava
(Reporter)

ONGOING BENCH TRIAL

8:30 a.m. – Court reconvened.

Plaintiff Mark Steppan was present with counsel, Michael Hoy, Esq.

Defendants Dr. John Iliescu and Sonia Iliescu were present with counsel, C. Nicholas Pereos, Esq.

Witness **Dr. John Iliescu, Jr.** was reminded by the Court that he remained under oath; further cross examined; re-direct examined; re-cross examined; and excused.

Counsel Hoy called Plaintiff **Mark Bainum Steppan** who was sworn and direct examined.

Counsel Hoy offered Exhibit 21; witness questioned by counsel Pereos; counsel Pereos objected to Exhibit 21.

COURT ORDERED: Objection overruled, Exhibit 21 ADMITTED into evidence.

Counsel Hoy offered Exhibit 22; counsel Pereos maintained the same objection as he had for Exhibit 21.

COURT ORDERED: Objection overruled, Exhibit 22 ADMITTED into evidence.

Witness further direct examined.

10:20 a.m. – Court stood in recess.

10:38 a.m. – Court reconvened.

Witness further direct examined.

Counsel Hoy offered Exhibit 24; witness questioned briefly by counsel Pereos and then no objection; ordered ADMITTED into evidence.

Witness further direct examined.

Counsel Hoy offered Exhibit 26; witness questioned briefly by counsel Pereos and then no objection; ordered ADMITTED into evidence.

Witness further direct examined.

Counsel Hoy offered Exhibit 27; witness questioned briefly by counsel Pereos; counsel Pereos objected to Exhibit 27. Counsel Hoy responded.

Discussion ensued between the Court and respective counsel regarding the Order Granting Motion for Partial Summary Judgment filed May 9, 2013.

Counsel Hoy offered Exhibits 28, 29 & 30; COURT noted counsel Pereos' objections to Exhibits 28, 29 & 30 are the same as his objections to Exhibit 27; objections overruled and Exhibits 27, 28, 29 & 30 shall be ADMITTED into evidence.

Witness further direct examined; cross examined.

11:48 a.m. – Court stood in recess for lunch.

1:18 p.m. – Court reconvened.

DATE, JUDGE
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(Clerk)
M. Pava
(Reporter)

ONGOING BENCH TRIAL

Witness further cross examined.

The deposition of Mark Steppan, dated Monday, September 29, 2008, was opened and published.

Witness further cross examined.

The deposition of Mark Steppan dated, Tuesday, February 16, 2010, was opened and published.

Witness further cross examined.

The deposition of Mark Steppan, Volume II, dated Tuesday, March 2, 2010 was opened and published

Witness further cross examined.

The deposition of Mark Steppan, Volume III, dated Wednesday, March 3, 2010 was opened and published.

Witness further cross examined; re-direct examined; and excused. **Plaintiff rested.**

Counsel Pereos addressed the Court and moved to dismiss the case pursuant to NRCP 50; and he further presented a memorandum to the Court and counsel Hoy in support of his motion.

Counsel Hoy responded.

3:10 p.m. – Court stood in recess.

3:39 p.m. – Court reconvened.

Counsel Hoy further argued in opposition of the motion to dismiss; and he urged the Court to deny the motion.

Counsel Pereos replied; counsel Hoy further responded.

Upon questioning by the Court, counsel Pereos stated that he would object to counsel Hoy being allowed to re-open his case and offer the Notice of Lis Pendens.

COURT ORDERED: Counsel Hoy shall be allowed to re-open his case and offer the Notice of Lis Pendens, which shall be marked and admitted as Exhibit 23.

COURT FURTHER ORDERED: Defendant's motion to dismiss pursuant to NRCP 50 is DENIED.

Counsel Pereos called **Karen Dennison, Esq.**, who was sworn and direct examined; cross examined; and excused. (Mr. David Grundy, Esq. was present on behalf of Ms. Dennison during her testimony.)

Counsel Pereos called Defendant **Sonnia Santee Iliescu** who was sworn and direct examined; cross examined; and excused.

Counsel Hoy advised the Court that his office just brought him the original Notice of Lis Pendens (Exhibit 23); **COURT ORDERED** the original Notice of Lis Pendens shall be added to Exhibit 23 and admitted into evidence (marked as Exhibit 23a by the Clerk).

Counsel Pereos called Defendant **Dr. John Iliescu, Jr.**, who was reminded by the Court that he remained under oath; direct examined.

4:49 p.m. – Court stood in recess for the evening, to reconvene tomorrow, December 12, 2013 at 8:30 a.m.

CASE NO. CV07-00341 **MARK STEPPAN VS. JOHN ILIESCU, ETAL**

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M. Merkouris
(Clerk)
M. Pava
(Reporter)

ONGOING BENCH TRIAL

8:30 a.m. – Court reconvened.

Plaintiff Mark Steppan was present with counsel, Michael Hoy, Esq.
Defendants Dr. John Iliescu, Jr., and Sonnia Iliescu were present with counsel, C.
Nicholas Pereos, Esq.

Defendant **Dr. John Iliescu, Jr.**, was reminded by the Court that he remained under oath; further direct examined and excused.

Counsel Pereos called **Vernon Kloos**; counsel Hoy objected as Mr. Kloos was not a noticed witness.

COURT asked Mr. Kloos to remain outside the courtroom. Deputy City Attorney Jon Shipman was present on behalf of Mr. Kloos.

Counsel Pereos made an offer of proof regarding what Mr. Kloos would testify to; counsel Hoy stipulated to the offer of proof. Counsel Pereos advised the Court that Mr. Kloos' testimony would no longer be necessary based on counsel Hoy's stipulation.

Counsel Pereos advised the Court that his next witness would not be here until 9:00 a.m.

8:44 a.m. – Court stood in recess.

8:56 a.m. – Court reconvened.

Counsel Pereos called **Donald Clark** who was sworn and direct examined.

Counsel Pereos offered Exhibit 130; objection sustained.

Witness further direct examined; questioned by the Court; cross examined; and excused.

Discussion ensued regarding the schedule for the remaining witnesses.

Counsel Hoy advised the Court that he would object to any testimony from Mr. Campbell.

Counsel Pereos made an offer of proof regarding what Mr. Campbell would testify to; discussion ensued regarding Mr. Campbell's testimony.

Counsel Hoy advised the Court that he will stipulate to Exhibit 132 to make counsel Pereos' offer of proof complete; and he further argued in opposition of Mr. Campbell testifying.

Counsel Pereos responded; and he further advised the Court that Mr. Campbell's testimony is no longer necessary.

Counsel Pereos advised the Court that his next witness is not scheduled until after lunch, however he will attempt to contact him and ask him to arrive earlier.

10:04 a.m. – Court stood in recess.

11:00 a.m. – Court reconvened.

Counsel Pereos called **Richard K. Johnson** who was reminded by the Court that he remained under oath; direct examined; cross examined.

Counsel Hoy marked and offered Exhibits 54 and 78; objection. Counsel Pereos questioned the witness briefly and then withdrew his objection to the admissibility of Exhibits 54 and 78; **ordered ADMITTED into evidence.**

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DATE, JUDGE
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ONGOING BENCH TRIAL

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(Clerk)
M. Pava
(Reporter)

Witness further cross examined and excused.

Defendant rested.

Discussion ensued between the Court and respective counsel regarding how closing arguments will be done; counsel Hoy advised the Court that he and counsel Pereos would prefer to do oral closing arguments.

COURT advised respective counsel that he will allow oral closing arguments, as well as supplemental briefs from each side; **COURT ORDERED** respective counsel shall file closing argument supplemental briefs no later than 5:00 p.m. on Friday, January 3, 2013, if they choose to do so.

Upon questioning by the Court, counsel Hoy advised that he was not able to obtain the notice of publication.

11:24 a.m. – Court stood in recess for lunch.

1:15 p.m. – Court reconvened.

Counsel Hoy presented closing arguments.

Counsel Pereos presented closing arguments.

Counsel Hoy presented final closing arguments.

COURT thanked and commended respective counsel for their professionalism.

COURT ORDERED matter taken under advisement.

2:29 p.m. – Court concluded and stood in recess.

BENCH TRIAL EXHIBITS**PLTF: Mark B. Steppan****PATY: Michael D. Hoy, Esq.****DEFT: John Iliescu, Jr., et. al****DATY: C. Nicholas Pereos, Esq.****Case No: CV07-00341 Dept. No: 10 Clerk: M. Merkouris Date: 12/9/13**

Exhibit No.	Party	Description	Marked	Offered	Admitted
1	Steppan	Notice and Claim of Lien [WCR 3460499]	12/6/13	No Obj.	12/9/13
2	Steppan	Amended Notice and Claim of Lien [WCR 3528313]	12/6/13	No Obj.	12/9/13
3	Steppan	Second Amended Notice and Claim of Lien [WCR 3528313]	12/6/13	No Obj.	12/9/13
4	Steppan	Timeline – revised 9/24/08	12/9/13	No Obj.	12/9/13
5	Steppan	Computation of Prejudgment Interest	12/6/13		
6	Steppan	Standard Form of Agreement Between Owner and Architect, AIA Document B141 – 1997, Part 1 and Part 2 [STEPPAN 7498-7519]	12/6/13	No Obj.	12/9/13
7	Steppan	Addendum No. 1 Contractual Changes to AIA B141 Standard Agreement between Owner and Architect [STEPPAN 7520-7522]	12/6/13	No Obj.	12/9/13
8	Steppan	12/14/2005 Waiver of conflict letter [HL 83-87]	12/6/13	No Obj.	12/9/13
9	Steppan	10/25/2005 Letter proposal from Mark Steppan to Anthony Iamesi with transmittal of B141 form [STEPPAN 4372-4391]	12/6/13	No Obj.	12/9/13
10	Steppan	11/14/2005 Memorandum from Sarah Class to Calvin Baty [STEPPAN 2769-2770]	12/6/13	No Obj.	12/9/13
11	Steppan	11/18/2005 Email memorandum from Sarah Class to Calvin Baty [STEPPAN 2772-2773]	12/6/13	No Obj.	12/9/13
12	Steppan	11/29/2005 Email memorandum from Sarah Class to Sam Caniglia [HL 0075]	12/6/13	No Obj.	12/9/13

BENCH TRIAL EXHIBITS

PLTF: Mark B. Steppan

PATY: Michael D. Hoy, Esq.

DEFT: John Iliescu, Jr., et. al

DATY: C. Nicholas Pereos, Esq.

Case No: CV07-00341

Dept. No: 10

Clerk: M. Merkouris

Date: 12/9/13

Exhibit No.	Party	Description	Marked	Offered	Admitted
13	Steppan	12/20/2005 Steppan response to owner issues on AIA contract [STEPPAN 3363-3365]	12/6/13	No Obj.	12/9/13
14	Steppan	11/15/2005 Letter agreement for Project 0515-01 (preliminary design services) [STEPPAN 4370-4371, 2897-2898]	12/6/13	No Obj.	12/9/13
15	Steppan	12/14/2005 Design Services Continuation Letter [STEPPAN 2837]	12/6/13	No Obj.	12/9/13
16	Steppan	02/07/2006 Design Services Continuation Letter [STEPPAN 2831]	12/6/13	No Obj.	12/9/13
17	Steppan	03/24/2006 Design Services Continuation Letter [STEPPAN 2884]	12/6/13	No Obj.	12/9/13
18	Steppan	02/27/2006 Design Presentation Services Budget Evaluation [STEPPAN 3358, 3148]	12/6/13	No Obj.	12/9/13
19	Steppan	05/31/2006 Letter agreement for Project 0515-02 (Building Massing Model Exhibits) [4358-4360]	12/6/13	No Obj.	12/9/13
20	Steppan	05/31/2006 Letter agreement for Project 0515-03 (Adjacent Church Parking Studies) [STEPPAN 4361-4363]	12/6/13	No Obj.	12/9/13
21	Steppan	08/10/2006 Letter agreement for Project 0515-05 (City Staff Meeting – Vern Kloos) Requested Studies) [STEPPAN 3251]	12/6/13	Obj/Overr	12/11/13
22	Steppan	08/10/2006 Letter agreement for Project 0515-06 (Video Fly-through edits) [STEPPAN 7552-7554]	12/6/13	Obj/Overr	12/11/13

BENCH TRIAL EXHIBITS**PLTF: Mark B. Steppan****PATY: Michael D. Hoy, Esq.****DEFT: John Iliescu, Jr., et. al****DATY: C. Nicholas Pereos, Esq.****Case No: CV07-00341 Dept. No: 10 Clerk: M. Merkouris Date: 12/9/13**

Exhibit No.	Party	Description	Marked	Offered	Admitted
23	Steppan	Copy of Notice of Lis Pendes	12/11/13	Obj/Overr	12/11/13
23a	Steppan	Original Notice of Lis Pendes	12/11/13	Obj/Over	12/11/13
24	Steppan	Invoices: Project 0515-01	12/6/13	No Obj.	12/11/13
25	Steppan	Invoices: Project 0515	12/6/13	No Obj.	12/10/13
26	Steppan	Invoices: Project 0515-R	12/6/13	No Obj.	12/11/13
27	Steppan	Invoices: Project 0515-02	12/6/13	Obj/Overr	12/11/13
28	Steppan	Invoices: Project 0515-03	12/6/13	Obj/Overr	12/11/13
29	Steppan	Invoices: Project 0515-05	12/6/13	Obj/Overr	12/11/13
30	Steppan	Invoices: Project 0515-06	12/6/13	Obj/Overr	12/11/13
31	Steppan	Invoice 22622, September 19, 2007 re-billing for project 0515.	12/6/13		
32	Steppan	09/01/2006 Letter from Rodney Friedman to Calvin Bosma [STEPPAN 4355, ILIESCU 645]	12/6/13	No Obj.	12/9/13
33	Steppan	10/20/2006 Email from Nathan Ogle to Calvin Bosma re payment [STEPPAN 3862]	12/6/13	No Obj.	12/9/13
34	Steppan	10/24/2006 Email from Nathan Ogle to Calvin Bosma and others regarding payment schedule [STEPPAN 3861]	12/6/13	No Obj.	12/10/13
35	Steppan	01/17/2006 Special Use Permit Application (contains Steppan/FFA instruments of service) [STEPPAN 2365-2518]	12/6/13	No Obj.	12/9/13
36	Steppan	02/07/2006 Tentative Map & Special Use Permit Application [STEPPAN 2519-2740]	12/6/13	No Obj.	12/9/13
37	Steppan	05/07/2006 Tentative Map and Special Use Permit Application [STEPPAN 2100-2338]	12/6/13	No Obj.	12/9/13

BENCH TRIAL EXHIBITS

PLTF: **Mark B. Steppan**

PATY: **Michael D. Hoy, Esq.**

DEFT: **John Iliescu, Jr., et. al**

DATY: **C. Nicholas Pereos, Esq.**

Case No: CV07-00341

Dept. No: 10

Clerk: M. Merkouris

Date: 12/9/13

Exhibit No.	Party	Description	Marked	Offered	Admitted
38	Steppan	(05/15/2006) Revised Tentative Map Sheets: [STEPPAN 2344-2364] Index Sheet Sheet S-1 Sheet S-2 Sheet S-3 Sheet S-4 Sheet S-5 Sheet S-6 Sheet S-7 Sheet S-8 Sheet S-9 Sheet S-10 Sheet S-11 Sheet S-12 Sheet S-13 Sheet S-14 Sheet S-15 Sheet S-16 Sheet S-17 Sheet S-18 Sheet G-1 Sheet U-1	12/6/13	No Obj.	12/9/13
39	Steppan	01/17/2006 Site plan, elevations in color [STEPPAN 7389-7397]	12/6/13		
40	Steppan	05/08/2006 Powerpoint presentation to City of Reno (PDF Version)	12/6/13	No Obj.	12/9/13
41	Steppan	05/08/2006 Powerpoint presentation to City of Reno (PPT Version) (Note: submitted on DVD-ROM)	12/6/13	No Obj.	12/9/13
42	Steppan	Fly-through video (Note: submitted on DVD-ROM)	12/6/13	No Obj.	12/9/13

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Exhibit No.	Party	Description	Marked	Offered	Admitted
43	Steppan	06/26/2006 Memo from Denny Peters re Application Review [STEPPAN 0488-0490]	12/6/13	No Obj.	12/9/13
44	Steppan	07/31/2006 Letter from Wood Rodgers to City of Reno [STEPPAN 0486-0487]	12/6/13	No Obj.	12/9/13
45	Steppan	08/07/2006 Letter from Wood Rogers to Vern Kloos [STEPPAN 0461-0487]	12/6/13	No Obj.	12/9/13
46	Steppan	09/26/2006 Memo from Denny Peters to Claudia Hanson re Planning Commission Considerations [STEPPAN 0390-0397]	12/6/13	No Obj.	12/9/13
47	Steppan	10/05/2006 Letter from Reno Planning Commission to Consolidated Pacific Development [STEPPAN 0446-0453]	12/6/13	No Obj.	12/9/13
48	Steppan	11/30/2006 Letter from City of Reno to John and Sonnia Iliescu re approval of application for tentative map and special use permits	12/6/13	No Obj.	12/9/13
49	Steppan	10/09/2008 Application to extend final map deadline and receipt for filing fee. [STEPPAN 7436-7454]	12/6/13	No Obj.	12/9/13
50	Steppan	11/24/2008 Letter from City of Reno to John and Sonnia Iliescu approving two-year extension for final map. [STEPPAN 7384-7385]	12/6/13	No Obj.	12/9/13
51	Steppan	10/11/2010 Application to City of Reno to extend final map deadline [STEPPAN 7400-7432]	12/6/13		

BENCH TRIAL EXHIBITS

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Case No: CV07-00341

Dept. No: 10

Clerk: M. Merkouris

Date: 12/9/13

Exhibit No.	Party	Description	Marked	Offered	Admitted
52	Steppan	10/13/2010 Receipt City of Reno [ILIESCU 644]	12/6/13	No Obj.	12/9/13
53	Steppan	11/12/2006 Letter from City of Reno to John and Sonnia Iliescu approving one-year extension for final map. [STEPPAN 7398-7399]	12/6/13	No Obj.	12/9/13
54	Steppan	Addendum No. 6 dated 7/1/09	12/12/13	No Obj.	12/12/13
55	Steppan	Shadow Study [STEPPAN 4282-4293]	12/6/13	No Obj.	12/9/13
56	Steppan	Photographs of foam models [STEPPAN 4270-4281]	12/6/13	No Obj.	12/9/13
57	Steppan	Schematic floor plans, foam models, etc. [STEPPAN 4109-4115]	12/6/13	No Obj.	12/9/13
58	Steppan	Renderings in environment [STEPPAN 1483-1492]	12/6/13	No Obj.	12/9/13
59	Steppan	Renderings in environment [STEPPAN 1543-1545]	12/6/13	No Obj.	12/9/13
60	Steppan	Sketches [STEPPAN 1475-1479]	12/6/13	No Obj.	12/9/13
61	Steppan	HVAC Systems Comparison [STEPPAN 3577-3579]	12/6/13	No Obj.	12/9/13
62	Steppan	Living unit layouts [STEPPAN 3682-3686]	12/6/13	No Obj.	12/9/13
63	Steppan	South Elevation along Court Street [STEPPAN 1494]	12/6/13	No Obj.	12/9/13
64	Steppan	North Elevation along Island Avenue [STEPPAN 1495]	12/6/13	No Obj.	12/9/13
65	Steppan	Assessor's Parcel Map 011-11	12/6/13	No Obj.	12/9/13
66	Steppan	07/14/2005 Proposal from Consolidated Pacific Development to Richard Johnson [ILIESCU 0017-0018]	12/6/13	No Obj.	12/9/13

BENCH TRIAL EXHIBITS**PLTF: Mark B. Steppan****PATY: Michael D. Hoy, Esq.****DEFT: John Iliescu, Jr., et. al****DATY: C. Nicholas Pereos, Esq.****Case No: CV07-00341 Dept. No: 10 Clerk: M. Merkouris Date: 12/9/13**

Exhibit No.	Party	Description	Marked	Offered	Admitted
67	Steppan	07/14/2005 Proposal from Consolidated Pacific Development to Richard Johnson (with handwriting) [ILIESCU 0582-0583]	12/6/13	No Obj.	12/9/13
68	Steppan	Land Purchase Agreement (signed by seller) [ILIESCUY 0042-0063]	12/6/13	No Obj.	12/9/13
69	Steppan	Addendum No. 1 [ILIESCU 065-068]	12/6/13	No Obj.	12/9/13
70	Steppan	Addendum No. 2 [ILIESCU 070-071]	12/6/13	No Obj.	12/9/13
71	Steppan	Addendum No. 3 [ILIESCU 090-105]	12/6/13	No Obj.	12/9/13
72	Steppan	Addendum No. 4 [ILIESCU 137-138]	12/6/13	No Obj.	12/9/13
73	Steppan	Addendum No. 5 [STEPPAN 5070-5073]	12/6/13	No Obj.	12/9/13
74	Steppan	03/25/2008 Email regarding Addendum No. 6 [STEPPAN 5453]	12/6/13		
75	Steppan	05/20/2008 Email regarding Addendum No. 6 [Steppan 5463]	12/6/13	No Obj.	12/9/13
76	Steppan	12/08/2006 Indemnity Agreement [HL 58-59][FCT0482-0483]	12/6/13	No Obj.	12/9/13
77	Steppan	01/17/2007 Waiver of conflict letter [HL 2116-2120]	12/6/13	No Obj.	12/9/13
78	Steppan	Addendum No. 6 dated 9/13/10	12/12/13	No Obj.	12/12/13
79	Steppan	04/12/2007 Escrow Instructions [ILIESCU 432-436]	12/6/13	No Obj.	12/9/13
80	Steppan	04/17/2007 Operating Agreement of Wingfield Towers, LLC [HL 2132-2160]	12/6/13	No Obj.	12/9/13

BENCH TRIAL EXHIBITS

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DATY: C. Nicholas Pereos, Esq.

Case No: CV07-00341

Dept. No: 10

Clerk: M. Merkouris

Date: 12/9/13

Exhibit No.	Party	Description	Marked	Offered	Admitted
81	Steppan	04/17/2007 Bill of Sale and Assignment [HL 1880-1882]	12/6/13	No Obj.	12/9/13
82	Steppan	04/18/2007 Purchase and Sale Agreement [HL 1900-1918]	12/6/13	No Obj.	12/9/13
83	Steppan	Supplemental Escrow Instructions [ILIESCU 440]	12/6/13	No Obj.	12/9/13
84	Steppan	Escrow Instruction to extend closing [STEPPAN 5074-5075]	12/6/13	No Obj.	12/9/13
85	Steppan	04/19/2007 Buyer's Closing Statement [HL 1820]	12/6/13	No Obj.	12/9/13
86	Steppan	04/23/2007 Email from First Centennial Title re accrual of interest [ILIESCU 489]	12/6/13	No Obj.	12/9/13
87	Steppan	04/20/2007 Memo from Richard Johnson disclaiming commission on value of penthouse [ILIESCU 488]	12/6/13	No Obj.	12/9/13
88	Steppan	04/18/2007 Assignment of Rights [ILIESCU 473-475][HL 751-753]	12/6/13	No Obj.	12/9/13
89	Steppan	Request for payoff on lien. [HL 694-697]	12/6/13	No Obj.	12/9/13
90	Steppan	10/17/2007 Email from Karen Dennison to Tim Lukas [HL 837-845]	12/6/13	No Obj.	12/9/13
91	Steppan	October, 2005 Sullivan Group Market Assessment for a High-Rise Residential Condominium Development Located in the City of Reno, Nevada [STEPPAN 0044-0143]	12/6/13	No Obj.	12/9/13
92	Steppan	05/01/2006 Fiscal and Economic Impact Analysis [STEPPAN 1288-1334]	12/6/13	No Obj.	12/9/13
93	Steppan	02/23/2007 Appraisal [ILIESCU 369-377]	12/6/13		

BENCH TRIAL EXHIBITS**PLTF: Mark B. Steppan****PATY: Michael D. Hoy, Esq.****DEFT: John Iliescu, Jr., et. al****DATY: C. Nicholas Pereos, Esq.****Case No: CV07-00341 Dept. No: 10 Clerk: M. Merkouris Date: 12/9/13**

Exhibit No.	Party	Description	Marked	Offered	Admitted
94	Steppan	Certificate of Resolution of Limited Liability Company for BSC Investments, LLC [FCT 0258]	12/6/13	No Obj.	12/9/13
95	Steppan	Certificate of Resolution of Limited Liability Company for Baty Schleining Investments, LLC [FCT 0259]	12/6/13	No Obj.	12/9/13
96	Steppan	Certificate of Resolution of Limited Liability Company for Baty Investments, LLC [FCT 0260]	12/6/13	No Obj.	12/9/13
97	Steppan	Certificate of Corporate Resolution Consolidated Pacific Development. [FCT 0261]	12/6/13	No Obj.	12/9/13
98	Steppan	04/12/2007 Email from Gayle Kern to Maryann Infantino regarding payoff of lien. [FCT0039]	12/6/13	No Obj.	12/9/13
99	Steppan	04/19/2007 First Centennial title Company demand for payoff and response from Mark Steppan [FCT0040]	12/6/13	No Obj.	12/9/13
100	Steppan	04/18/2007 Agreement of Exchange of Real Property – Iliescu and Starker Services, Inc. [FCT0024-0032]	12/6/13	No Obj.	12/9/13
101	Steppan	04/18/2007 Assignment of Sale Contract/Purchase Agreement and Deposit Receipt between Iliescu and Starker Services, Inc. [FCT0034]	12/6/13	No Obj.	12/9/13

BENCH TRIAL EXHIBITS

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Case No: CV07-00341

Dept. No: 10

Clerk: M. Merkouris

Date: 12/9/13

Exhibit No.	Party	Description	Marked	Offered	Admitted
102	Steppan	09/24/2007 Email chain between Maryann Infantini and Maggie of EPI Fund LLC (showing amount of deposits paid to Iliescu is \$1,176,000). FCT0070-71]	12/6/13		
103	Steppan	Not Used			
104	Steppan	Final Disbursement Report [FCT 0270-273]	12/6/13		
105	Steppan	04/18/2007 (unrecorded) Memorandum of Purchase and Sale Agreement [FCT0335-344]	12/6/13	No Obj.	12/9/13
106	Steppan	04/18/2007 (unrecorded) Discharge or Release of Notice of Lien. [FCT-02950297]	12/6/13	No Obj.	12/9/13
107	Steppan	04/18/2007 (unrecorded) Grant, Bargain, Sale Deed [FCT0300-303]	12/6/13	No Obj.	12/9/13
108	Steppan	04/18/2007 (unrecorded) Grant, Bargain, Sale Deed [FCT0305-311]	12/6/13	No Obj.	12/9/13
109	Iliescu	01/17/06 Email from David Snelgrove to Nathan Ogle re deadline to file application [STEPPAN 0173]	12/6/13	No Obj.	12/9/13
110	Iliescu	06/16/2006 Letter from Katherine E. Knister (Silver State Fair Housing Council) to Rodney F. Friedman [STEPPAN0944]	12/6/13	No Obj.	12/9/13
111	Iliescu	01/13/06 Email from Paul Solaegui (traffic engineer) to Nathan Ogle (FFA) [STEPPAN 0305]	12/6/13	No Obj.	12/9/13
112	Iliescu	01/12/06 Email from Paul Solaegui to Nathan Ogle [STEPPAN 0306]	12/6/13	No Obj.	12/9/13

BENCH TRIAL EXHIBITS

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Case No: CV07-00341

Dept. No: 10

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Date: 12/9/13

Exhibit No.	Party	Description	Marked	Offered	Admitted
113	Iliescu	01/17/06 Email from Paul Solaegui to Nathan Ogle and David Snelgrove [STEPPAN 0293-0294]	12/6/13	No Obj.	12/9/13
114	Iliescu	01/16/06 Fax transmittal and Traffic Letter with attachments. [STEPPAN 0295-0304]	12/6/13	No Obj.	12/9/13
115	Iliescu	02/28/06 Traffic Analysis [STEPPAN 0194-0257]	12/6/13	No Obj.	12/9/13
116	Iliescu	03/24/06 Email from David Snelgrove to Nathan Ogle, Joe Preston, Carl Bosma, Sam Caniglia Re revision of number units [STEPPAN 0161]	12/6/13	No Obj.	12/9/13
117	Iliescu	05/01/06 Traffic Analysis [STEPPAN 0258-0287]	12/6/13	No Obj.	12/9/13
118	Iliescu	09/25/08 Letter from Sam Caniglia to Dick Johnson [STEPPAN 5193]	12/6/13	No Obj.	12/9/13
119	Iliescu	01/17/2006 Site Feasibility Study (Geotechnical) by Pezonella Associates [STEPPAN 2246-2259]	12/6/13	No Obj.	12/9/13
120	Iliescu	Various Instruments of Service [STEPPAN 1824-1905]	12/6/13	No Obj.	12/9/13
121	Iliescu	Tabulation (499 units) and sketches of floor plans [STEPPAN3123-3129]	12/6/13	No Obj.	12/9/13
122	Iliescu	Unit Sizes (499 units) [STEPPAN 6261]	12/6/13	No Obj.	12/9/13
123	Iliescu	10/04/06 City of Reno Planning Commission Staff Report [STEPPAN 722-744]	12/6/13	No Obj.	12/9/13
124	Iliescu	Letters of concern from neighbors to project [STEPPAN 0798-0806]	12/6/13		

BENCH TRIAL EXHIBITS**PLTF: Mark B. Steppan****PATY: Michael D. Hoy, Esq.****DEFT: John Iliescu, Jr., et. al****DATY: C. Nicholas Pereos, Esq.****Case No: CV07-00341 Dept. No: 10 Clerk: M. Merkouris Date: 12/9/13**

Exhibit No.	Party	Description	Marked	Offered	Admitted
125	Iliescu	Project Review Forms and letters of concern from neighbors to project [STEPPAN 5988-6014]	12/6/13		
126	Iliescu	City of Reno receipt	12/6/13	No Obj.	12/9/13
127	Iliescu	12/26/07 Email from Sam Caniglia to John and Sonnia Iliescu [ILIESCU 646]	12/6/13	No Obj.	12/9/13
128	Iliescu	09/25/08 Email from Sam Caniglia to Dick Johnson [ILIESCU 647]	12/6/13	No Obj.	12/9/13
129	Iliescu	10/09/08 Letter from Steppan to Iliescu [ILIESCU 648]	12/6/13	No Obj.	12/9/13
130	Iliescu	09/30/13 Letter from Don Clark (Cathexes) to C. Nicholas Pereos	12/6/13	Obj/Sust	
131	Iliescu	09/09/13 Letter from Joseph Campbell to C. Nicholas Pereos	12/6/13		
132	Iliescu	10/10/2013 Letter from Joseph Campbell to C. Nicholas Pereos and 10/10/13 Report by Joseph Campbell	12/6/13	No Obj.	12/12/13
133	Iliescu	Unit Sizes [Steppan 6261]	12/6/13	No Obj.	12/9/13
Non-evidence		Deposition of David Snelgrove, dated November 18, 2008 (opened, published & filed on December 10, 2013)			
Non-evidence		Deposition of Mark Steppan, dated September 29, 2008 (opened, published & filed on December 11, 2013)			
Non-evidence		Deposition of Mark Steppan, dated February 16, 2010 (opened, published & filed on December 11, 2013)			

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Case No: CV07-00341

Dept. No: 10

Clerk: M. Merkouris

Date: 12/9/13

Exhibit No.	Party	Description	Marked	Offered	Admitted
Non-evidence		Deposition of Mark Steppan, Volume II, dated March 2, 2010 (opened, published & filed on December 11, 2013)			
Non-evidence		Deposition of Mark Steppan, Volume III, dated March 3, 2010 (opened, published & filed on December 11, 2013)			

CASE NO. CV07-00341 **MARK STEPPAN VS. JOHN ILIESCU, ETAL**

DATE, JUDGE

OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

6/12/14

HONORABLE

ELLIOTT A.

SATTLER

DEPT. NO. 10

M. Merkouris

(Clerk)

L. Urmston

(Reporter)

**HEARING ON FINAL AMOUNT OWED, PURSUANT TO THE ORDER FILED ON
MAY 28, 2014**

2:30 p.m. – Court convened.

Michael Hoy, Esq., and Theodore Chrissinger, Esq., were present on behalf of the Plaintiff. C. Nicholas Pereos, Esq., was present on behalf of the Defendants. Mr. and Mrs. Iliescu were also present, seated in the gallery.

COURT reviewed the procedural history of the case; and he further noted that he has reviewed the Hearing Brief Regarding Calculation of Principal and Interest, filed on June 10, 2014.

Counsel Pereos advised the Court that he feels the principal amount will be determined by the exhibits, and the issue will be the interest; and he further presented argument regarding the interest.

Counsel Hoy responded; and he presented argument regarding the principal and interest.

Counsel Pereos replied.

Counsel Hoy further responded.

Discussion ensued between the Court and respective counsel regarding a briefing schedule on the issue of fees and costs.

COURT ORDERED: Counsel Hoy shall file a brief on attorney fees (along with a proposed order) by 5:00 p.m. on June 20, 2014; counsel Pereos shall file a response by 5:00 p.m. on July 11, 2014. Counsel Hoy shall file a reply, contemporaneously with a request for submission, by 5:00 p.m. on July 21, 2014.

COURT FURTHER ORDERED: If respective counsel feel it is also necessary to brief the issue of costs, that briefing schedule shall be exactly the same as the attorney fee briefing schedule.

COURT advised respective counsel that once he has reviewed the submitted briefs, he will set a hearing if he feels that oral arguments are necessary.

3:13 p.m. – Court concluded and stood in recess.

CASE NO. CV07-00341 MARK STEPPAN VS. JOHN ILIESCU, ETAL

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

2/18/15

ORAL ARGUMENTS

HONORABLE

11:00 a.m. – Court convened.

ELLIOTT A.

Michael Hoy, Esq., was present on behalf of the Plaintiff, Mark Steppan.

SATTLER

Defendants, Dr. John Iliescu and Sonnia Iliescu, were present with counsel, D. Chris

DEPT. NO. 10

Albright, Esq.

M. White

C. Nicholas Pereos, Esq., was present in the gallery.

(Clerk)

COURT reviewed the recent procedural history of the case.

P. Hoogs

Counsel Albright addressed the Court and presented argument in support of the Defendants' Motion for NRCP 60(b) Relief From Court's Findings of Fact, Conclusions of Law and Decision and Related Orders (Motion), filed October 27, 2014.

(Reporter)

11:57 a.m. – **COURT** advised respective counsel that he has a noon meeting he must attend today, and this matter will need to be continued to a different date as he has a settlement conference set for this afternoon at 1:30 p.m. **COURT** further noted that this matter was set for one hour by respective counsel, and he is not sure how they planned to conclude arguments on this issue within one hour.

COURT ORDERED: Respective counsel shall meet with the Department Ten Judicial Assistant, Sheila Mansfield, and set this matter for continued oral arguments.

12:00 p.m. – Court adjourned.

Clerk's note: Respective counsel met with Ms. Mansfield after the hearing, and continued oral arguments were set for Monday, February 23, 2015 at 8:30 a.m. (2-3 hours). MW

CASE NO. CV07-00341 **MARK STEPPAN VS. JOHN ILIESCU, ETAL**

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

2/23/15

ORAL ARGUMENTS

HONORABLE

8:33 a.m. – Court convened.

ELLIOTT A.

Michael Hoy, Esq., was present on behalf of the Plaintiff, Mark Steppan.

SATTLER

Defendants, Dr. John Iliescu and Sonnia Iliescu, were present with counsel, D. Chris

DEPT. NO. 10

Albright, Esq.

M. White

COURT reviewed the recent procedural history of the case.

(Clerk)

Counsel Albright continued presenting argument in support of the Defendants' Motion for NRCP 60(b) Relief From Court's Findings of Fact, Conclusions of Law and Decision and Related Orders (Motion), filed October 27, 2014.

M. Pava

9:50 a.m. – Court stood in recess.

(Reporter)

10:03 a.m. – Court reconvened.

Counsel Hoy responded; and he further argued in opposition of the Motion.

Counsel Albright replied; and he further argued in support of the Motion.

COURT set forth findings of fact and conclusions of law; **COURT ORDERED:** The Defendant's Motion for NRCP 60(b) Relief From Court's Findings of Fact, Conclusions of Law and Decision and Related Orders, filed October 27, 2014, is **DENIED**.

Counsel Hoy shall prepare the order.

COURT further advised respective counsel that the judgment on the mechanic's lien will most likely be signed and filed tomorrow (2/24/15).

Counsel Hoy advised the Court that pursuant to stipulation, the Plaintiff will not be attempting to execute on the judgment prematurely; and he further requested that the briefing schedule be expedited on any future motions.

COURT indicated that he cannot make a ruling regarding motions that have not been filed yet, however the Pretrial Order in this case is still in effect, and respective counsel shall comply with page limits, etc.

Counsel Albright addressed the Court regarding language contained in the Findings of Fact, Conclusions of Law and Decision, filed May 28, 2014.

Counsel Hoy responded; and he further objected to any modifications being made to that order.

COURT advised respective counsel that this issue will not be addressed until such time that it is fully briefed and properly before him.

11:27 a.m. – Court adjourned.

CASE NO. CV07-00341 MARK STEPPAN VS. JOHN ILIESCU, ETAL

DATE, JUDGE

OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

11/13/15

HEARING ON DEFENDANTS' MOTION FOR CLARIFICATION

HONORABLE

10:35 a.m. – Court convened.

ELLIOTT A.

Michael Hoy, Esq., was present on behalf of the Plaintiff.

SATTLER

G. Mark Albright, Esq., was present on behalf of the Defendants.

DEPT. NO.10

COURT reviewed the recent procedural history of the case.

M. White

Counsel Albright presented argument in support of the Defendants' Motion

(Clerk)

Seeking Clarification of Finality of Court's Recent Judgment for Purposes of

D. Gustin

Maintaining Appeal; and Motion for Expedited Decision on Shortened Time

(Reporter)

Basis, filed October 29, 2015.

Counsel Hoy responded; and he further noted that he does not have an objection to preparing a better judgment, however he has concerns regarding this Court's jurisdiction.

COURT ORDERED: Respective counsel shall draft an amended judgment that comports with their mutual agreement and submit it to the Court by November 19, 2015.

10:55 a.m. – Court adjourned.

CASE NO. CV07-00341 **MARK STEPPAN VS. JOHN ILIESCU ETAL**

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

1/30/18
HONORABLE
ELLIOTT A.
SATTLER
DEPT. NO. 10
M. White
(Clerk)
L. Urmston
(Reporter)

ORAL ARGUMENTS

2:00 p.m. – Court convened.

Michael Hoy, Esq., was present on behalf of the Plaintiff.

D. Chris Albright, Esq., was present on behalf of the Defendants John and Sonnia Iliescu, who were present and seated in the gallery.

Todd Alexander, Esq., was present on behalf of Hale Lane Peek Dennison and Howard, and was seated in the gallery.

COURT reviewed the procedural history of the case, noting that this hearing was set to address two motions.

Discussion ensued regarding how the motions should be argued.

Motion to Deny or Retax Costs, filed October 30, 2017

Counsel Hoy presented argument in support of the Motion to Deny or Retax Costs.

Counsel Albright responded.

Counsel Hoy replied.

COURT set forth preliminary findings, noting that he will most likely be ruling in favor of Mr. Steppan, however the Motion to Deny or Retax Costs will be taken under advisement.

Defendants' Motion for an Award of Costs and Attorney's Fees and Interest Thereon, filed November 3, 2017 (Motion for Attorney Fees)

Counsel Albright presented argument in support of the Motion for Attorney Fees.

Counsel Hoy responded; and he further argued in opposition of the Motion for Attorney Fees.

Counsel Albright replied.

COURT ORDERED: Motion for Attorney Fees shall also be taken under advisement.

3:53 p.m. – Court adjourned.

CASE NO. CV07-00341 **MARK B. STEPPAN VS. JOHN ILIESCU, JR., ETAL**

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

4/13/18
HONORABLE
ELLIOTT A.
SATTLER
DEPT. NO. 10
M. Merkouris
(Clerk)
P. Hoogs
(Reporter)

ORAL ARGUMENTS

10:00 a.m. – Court convened.

Third Party Plaintiffs John and Sonnia Iliescu were present with counsel, D. Chris Albright, Esq.

Todd Alexander, Esq., was present on behalf of Third Party Defendant Hale Lane.

COURT reviewed the procedural history of the case, noting that this hearing was set to address Third Party Defendant Hale Lane's Motion for Summary Judgment of Third Party Claims.

COURT further advised counsel Albright that his Reply and Countermotion, filed on January 12, 2018, is procedurally improper, and it has not been reviewed by the Court. Discussion ensued between the Court and respective counsel regarding this Court's recent Orders, filed on April 10, 2018, and the possibility that argument on counsel Alexander's Motion for Summary Judgment could be premature.

COURT ORDERED: Respective counsel shall contact the Department Ten Judicial Assistant, Sheila Mansfield, on Monday, May 14, 2018, and advise her whether or not an appeal of the April 10th Orders will be filed. If counsel Albright chooses not to file an appeal, oral arguments on the Motion for Summary Judgment of Third Party Claims, as well as the Countermotion to Amend Third Party Complaint and for Further Time to Complete Discovery, shall be set. Respective counsel shall have until 5:00 p.m. on Friday, May 25, 2018, to file a supplemental brief (5 pages maximum) discussing the implications of the Iliescu's decision not to appeal the April 10th Orders.

9:43 a.m. – Court adjourned.

CASE NO. CV07-00341 **MARK B. STEPPAN VS. JOHN ILIESCU, JR., ETAL**

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

6/6/18
HONORABLE
ELLIOTT A.
SATTLER
DEPT. NO. 10
M. Merkouris
(Clerk)
M. Pava
(Reporter)

ORAL ARGUMENTS

2:00 p.m. – Court convened.

Third Party Plaintiffs John and Sonnia Iliescu were present with counsel, D. Chris Albright, Esq.

Todd Alexander, Esq., was present on behalf of Third-Party Defendant Hale Lane.

COURT reviewed the procedural history of the case, noting that this hearing was set to address Third-Party Defendant Hale Lane's Motion for Summary Judgment of Third-Party Claims, as well as counsel Albright's Countermotion to Amend.

Third-Party Defendant Hale Lane's Motion for Summary Judgment of Third-Party Claims, filed November 17, 2017

Counsel Alexander presented argument in support of the Motion.

Counsel Albright responded; and he further argued in opposition of the Motion.

Counsel Alexander replied; and he further argued in support of the Motion.

2:55 p.m. – Court stood in recess.

3:16 p.m. – Court reconvened.

COURT set forth findings of fact and conclusions of law; **COURT GRANTED** Third-Party Defendant Hale Lane's Motion for Summary Judgment of Third-Party Claims, filed November 17, 2017.

COURT DENIED counsel Albright's Countermotion to Amend Third-Party Complaint and for Further Time to Complete Discovery, filed January 12, 2018.

Counsel Alexander shall prepare the order and circulate it to counsel Albright by 5:00 p.m. on June 22, 2018; it shall be submitted to Department Ten for signature no later than 5:00 p.m. on June 27, 2018.

Discussion ensued between the Court and respective counsel regarding the remaining Third-Party Defendants.

3:35 p.m. – Court adjourned.

CIVIL COVER SHEET

Carson County, Nevada

Case No. **19-07-00341**
(Assigned by Clerk's Office)

I. Party Information

Plaintiff(s) (name/address/phone): JOHN ILIESCU, JR., et al

Defendant(s) (name/address/phone): MARK B. STEPPAN

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

John M. Snyder, Esq. 775/327-3000
1 Kietzke Lane, 2nd Fl.
Carson City, NV 89511

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

Nature of Controversy (Please check applicable bold category and applicable subcategory, if appropriate)

☐ **Arbitration Requested**

Civil Cases

Real Property

- ☐ **Landlord/Tenant**
 - ☐ Unlawful Detainer
- ☒ **Title to Property**
 - ☐ Foreclosure
 - ☒ Liens
 - ☐ Quiet Title
 - ☐ Specific Performance
- ☐ **Condemnation/Eminent Domain**
- ☐ **Other Real Property**
 - ☐ Partition
 - ☐ Planning/Zoning

Negligence

- ☐ **Negligence - Auto**
- ☐ **Negligence - Medical/Dental**
- ☐ **Negligence - Premises Liability**
(Slip/Fall)
- ☐ **Negligence - Other**

Torts

- ☐ **Product Liability**
 - ☐ Product Liability/Motor Vehicle
 - ☐ Other Torts/Product Liability
- ☐ **Intentional Misconduct**
 - ☐ Torts/Defamation (Libel/Slander)
 - ☐ Interfere with Contract Rights
- ☐ **Employment Torts** (Wrongful termination)
- ☐ **Other Torts**
 - ☐ Anti-trust
 - ☐ Fraud/Misrepresentation
 - ☐ Insurance
 - ☐ Legal Tort
 - ☐ Unfair Competition

Probate

- ☐ **Summary Administration**
- ☐ **General Administration**
- ☐ **Special Administration**
- ☐ **Set Aside Estates**
- ☐ **Trust/Conservatorships**
 - ☐ Individual Trustee
 - ☐ Corporate Trustee
- ☐ **Other Probate**

Other Civil Filing Types

- ☐ **Construction Defect**
 - ☐ Chapter 40
 - ☐ General
- ☐ **Breach of Contract**
 - ☐ Building & Construction
 - ☐ Insurance Carrier
 - ☐ Commercial Instrument
 - ☐ Other Contracts/Acct/Judgment
 - ☐ Collection of Actions
 - ☐ Employment Contract
 - ☐ Guarantee
 - ☐ Sale Contract
 - ☐ Uniform Commercial Code
- ☐ **Civil Petition for Judicial Review**
 - ☐ Other Administrative Law
 - ☐ Department of Motor Vehicles
 - ☐ Worker's Compensation Appeal
- ☐ **Appeal from Lower Court** (also check applicable civil case box)
 - ☐ Transfer from Justice Court
 - ☐ Justice Court Civil Appeal
- ☐ **Civil Writ**
 - ☐ Other Special Proceeding
- ☐ **Other Civil Filing**
 - ☐ Compromise of Minor's Claim
 - ☐ Conversion of Property
 - ☐ Damage to Property
 - ☐ Employment Security
 - ☐ Enforcement of Judgment
 - ☐ Foreign Judgment - Civil
 - ☐ Other Personal Property
 - ☐ Recovery of Property
 - ☐ Stockholder Suit
 - ☐ Other Civil Matters

III. Business Court Requested (Please check applicable category, for Clark or Washoe Counties only.)

- ☐ NRS Chapters 78-88
- ☐ Commodities (NRS 90)
- ☐ Securities (NRS 90)
- ☐ Investments (NRS 104 Art. 8)
- ☐ Deceptive Trade Practices (NRS 598)
- ☐ Trademarks (NRS 600A)
- ☐ Enhanced Case Mgmt/Business
- ☐ Other Business Court Matters

2-14-7

Date

Signature of initiating party or representative

See other side for family-related case filings.

Code 1350

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

MARK B. STEPPAN ,

Case No. CV07-00341

Plaintiff,

Dept. No. 10

vs.

JOHN ILIESCU JR. and SONNIA ILIESCU
as Trustees of the JOHN ILIESCU, JR. AND
AND SONNIA ILIESCU 1992 FAMILY TRUST
AGREEMENT; JOHN ILIESCU
individually; DOES I-V, inclusive; and ROE
CORPORATIONS VI-X, INCLUSIVE,

Defendants.

AND RELATED CLAIMS

CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL

I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on the 19th day of June, 2018, I electronically filed the Notice of Appeal in the above entitled matter to the Nevada Supreme Court.

I further certify that the transmitted record is a true and correct copy of the original pleadings on file with the Second Judicial District Court.

Dated this 19th day of June, 2018

Jacqueline Bryant
Clerk of the Court

By /s/ Cynthia Vera
Cynthia Vera
Deputy Clerk

32374

ALBRIGHT, STODDARD, WARNICK & ALBRIGHT

(702) 384-7111

801 S. RANCHO DRIVE, D-4

LAS VEGAS, NV 89106-3807

NEVADA STATE BANK

LAS VEGAS, NV 89106

94-077/1224

6/15/2018

PAY TO THE
ORDER OF

Supreme Court Clerk

\$ **250.00

Two Hundred Fifty and 00/100

DOLLARS

PROTECTED AGAINST FRAUD

Supreme Court of Nevada
Office of the Clerk
201 S. Carson Street, Suite 201
Carson City, NV 89701-4702



MEMO

John Iliescu, Jr. adv. Mark Steppan

CV07-00341

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