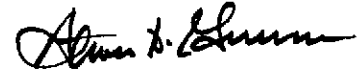


PEZZILLO LLOYD
6725 Via Austi Parkway, Suite 290
Las Vegas, Nevada 89119
Tel. 702 233-4225

NOTC

Jennifer R. Lloyd, Esq.
Nevada Bar No. 9617
George E. Robinson, Esq.
Nevada Bar No. 9667
PEZZILLO LLOYD
6725 Via Austi Parkway, Suite 290
Las Vegas, Nevada 89119
Tel: 702 233-4225
Attorneys for Timothy Tom

Electronically Filed
Jul 07 2014 09:54 a.m.
Tracie K. Lindeman
Clerk of Supreme Court



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

INNOVATIVE HOME SYSTEMS, LLC., a
Nevada limited liability company,

Plaintiff,

v.

TIMOTHY TOM, an individual; and DOES I
through X, inclusive,

Defendants.

CASE NO.: A-13-680766-C
DEPT.: XIV

NOTICE OF APPEAL

///

///

///

1 Notice is hereby given that Defendant, TIMOTHY TOM, through his counsel, Pezzillo Lloyd,
2 hereby appeals to the Supreme Court of Nevada from the Eighth Judicial District Court's Order on
3 Plaintiff's Motion for Award of Interest, Costs and Attorneys' Fees noticed on June 30, 2014.
4

5 DATED: July 1, 2014

PEZZILLO LLOYD

6
7
8 By: _____

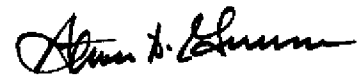
Jennifer R. Lloyd, Esq.
Nevada Bar No. 9617
6725 Via Austi Parkway, Suite 290
Las Vegas, Nevada 89119
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CERTIFICATE OF MAILING

I hereby certify that on July 1, 2014, a true and correct copy of the foregoing document, **NOTICE OF APPEAL**, was served by placing a copy in a sealed envelope, First-class postage fully prepaid thereon, and depositing said envelope in the U. S. Mail at Las Vegas, Nevada, addressed as follows:

Leon F. Mead, II
Snell & Wilmer, LLP.
3883 Howard Hughes Pkwy., Suite 1100
Las Vegas, NV 89169
Fax: 702-784-5252


An employee of PEZZILLO LLOYD



CLERK OF THE COURT

1 **ASTA**

2 Jennifer R. Lloyd, Esq.

3 Nevada Bar No. 9617

4 George E. Robinson, Esq.

5 Nevada Bar No. 9667

6 **PEZZILLO LLOYD**

7 6725 Via Austi Parkway, Suite 290

8 Las Vegas, Nevada 89119

9 Tel: 702 233-4225

10 *Attorneys for Timothy Tom*

11 **DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 **INNOVATIVE HOME SYSTEMS,**
14 **LLC., a Nevada limited liability**
15 **company,**

16 **Plaintiff,**

17 **v.**

18 **TIMOTHY TOM, an individual; and**
19 **DOES I through X, inclusive,**

20 **Defendants.**

CASE NO.: A-13-680766-C

DEPT. NO.: XIV

CASE APPEAL STATEMENT

21
22
23 Defendant, TIMOTHY TOM ("TOM"), by and through its counsel of record,
24 PEZZILLO LLOYD, hereby submits the following Case Appeal Statement:

- 25
26 1. Name of appellant filing this case appeal statement: TIMOTHY TOM
27 2. Identify the judge issuing the decision, judgment, or order appealed from: Hon.
28 Adriana Escobar

PEZZILLO LLOYD
6725 Via Austi Parkway, Suite 290
Las Vegas, Nevada 89119
Tel. 702 233-4225

- 1 3. Identify each appellant and the name and address of counsel for each appellant:
2 TIMOTHY TOM c/o Jennifer R. Lloyd, Esq., Pezzillo Lloyd, 6725 Via Austi
3 Pkwy., Suite 290, Las Vegas, NV 89119.
- 4 4. Identify each respondent and the name and address of appellate counsel, if
5 known, for each respondent (if the name of a respondent's appellate counsel is
6 unknown, indicate as much and provide the name and address of that
7 respondent's trial counsel): INNOVATIVE HOMES SYSTEMS, LLC., c/o
8 Leon F. Mead, II, Esq., Snell & Wilmer, LLP, 3883 Howard Hughes Pkwy.,
9 Suite 1100, Las Vegas, NV 89169.
- 10 5. Indicate whether any attorney identified above in response to question 3 or 4 is
11 not licensed to practice law in Nevada and, if so, whether the district court
12 granted that attorney permission to appear under SCR 42 (attach a copy of any
13 district court order granting such permission): Not applicable in this matter.
- 14 6. Indicate whether appellant was represented by appointed or retained counsel in
15 the district court: Retained counsel.
- 16 7. Indicate whether appellant is represented by appointed or retained counsel on
17 appeal: Retained counsel.
- 18 8. Indicate whether appellant was granted leave to proceed in forma pauperis, and
19 the date of entry of the district court order granting such leave: Not appearing in
20 forma pauperis.
- 21 9. Indicate the date the proceedings commenced in the district court (e.g., date
22 complaint, indictment, information, or petition was filed): The initial complaint
23 was filed on April 25, 2013.
- 24 10. Provide a brief description of the nature of the action and result in the district
25 court, including the type of judgment or order being appealed and the relief
26 granted by the district court: Plaintiff filed its complaint alleging breach of
27 contract, lien foreclosure and associated claims seeking to collect amounts owed
28 for services rendered and equipment installed in Defendant's home. Defendant
filed a Motion to Dismiss Plaintiff's Complaint because Plaintiff was not a

1 licensed contractor at the time the bid was presented and a majority of the work
2 was completed, which is a bar to Plaintiff's action. In response, Plaintiff filed a
3 Countermotion for Summary Judgment. The Court denied both Motions noting
4 that additional evidence was needed concerning the work performed by Plaintiff
5 and whether Plaintiff was required to be licensed to perform that work.
6 Defendant then answered the complaint and filed counterclaims against Plaintiff
7 for failure to complete the work properly and concerning Plaintiff not being a
8 licensed contractor. In response, Plaintiff filed to Motion to Dismiss
9 Counterclaims and renewed its Motion for Summary Judgment, both of which
10 were granted by the district court. The findings of fact and conclusions of law
11 were entered on March 20, 2014. TOM appealed that order on April 8, 2014,
12 which is before this Court as case number 65419. Subsequently, Plaintiff filed a
13 Motion for Award of Interest, Costs and Attorneys' Fees after the district court's
14 decision on the Motion for Summary Judgment. TOM filed an Opposition and
15 Countermotion for Fees. The district court granted Plaintiff's Motion. The
16 order on Plaintiff's Motion for Interest, Costs and Attorneys' Fees was entered
17 on June 30, 2014. TOM now appeals from that order.

- 18 11. Indicate whether the case has previously been the subject of an appeal to or
19 original writ proceeding in the Supreme Court and, if so, the caption and
20 Supreme Court docket number of the prior proceeding: Appeal from order
21 granting Motion to Dismiss Counterclaims and renewed Motion for Summary
22 Judgment which was filed on April 8, 2014 as case number 65419.
- 23 12. Indicate whether this appeal involves child custody or visitation: Not applicable
24 in this matter.

25 ///

26 ///

27 ///

- 1 13. If this is a civil case, indicate whether this appeal involves the possibility of
2 settlement: Appellant believes settlement is a not a possibility at this time as a
3 settlement conference took place on June 30, 2014 in case number 65419, and
4 the conference did not result in settlement.

5 DATED: July 1, 2014

PEZZILLO LLOYD

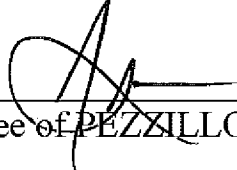
7 By: 

8 Jennifer R. Lloyd, Esq.
9 Nevada Bar No. 9617
10 6725 Via Austi Parkway, Suite 290
11 Las Vegas, Nevada 89119
12 *Attorney for Timothy Tom*

13 **CERTIFICATE OF MAILING**

14
15 I hereby certify that on July 1, 2014, a true and correct copy of the foregoing
16 document, **CASE APPEAL STATEMENT**, was served by placing a copy in a sealed
17 envelope, First-class postage fully prepaid thereon, and depositing said envelope in the
18 U. S. Mail at Las Vegas, Nevada, addressed as follows:

19 Leon F. Mead, II
20 Snell & Wilmer, LLP.
21 3883 Howard Hughes Pkwy., Suite 1100
22 Las Vegas, NV 89169
23
24

25 
26 An employee of PEZZILLO LLOYD
27
28

DEPARTMENT 14
CASE SUMMARY
CASE NO. A-13-680766-C

Innovative Home Systems LLC, Plaintiff(s)
vs.
Timothy Tom, Defendant(s)

§
§
§
§
§
§

Location: **Department 14**
Judicial Officer: **Escobar, Adriana**
Filed on: **04/25/2013**
Cross-Reference Case Number: **A680766**
Supreme Court No.: **65419**

CASE INFORMATION

Case Type: **Title to Property**
Subtype: **Liens**
Case Flags: **Appealed to Supreme Court**
Automatically Exempt from Arbitration

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number: A-13-680766-C
Court: Department 14
Date Assigned: 04/25/2013
Judicial Officer: Escobar, Adriana


PARTY INFORMATION


		<i>Lead Attorneys</i>
Plaintiff	Innovative Home Systems LLC	Mead II, Leon F. <i>Retained</i> 7027845200(W)
Defendant	Tom, Timothy	Lloyd, Jennifer R. <i>Retained</i> 7022334225(W)
Counter Claimant	Tom, Timothy Removed: 03/17/2014 Dismissed	Lloyd, Jennifer R. <i>Retained</i> 7022334225(W)
Counter Defendant	Innovative Home Systems LLC Removed: 03/17/2014 Dismissed	Mead II, Leon F. <i>Retained</i> 7027845200(W)
Third Party Defendant	Old Republic Surety Removed: 03/17/2014 Dismissed	Maskas, Marisa L. <i>Retained</i> 702-233-4225(W)
Third Party Plaintiff	Tom, Timothy Removed: 03/17/2014 Dismissed	Lloyd, Jennifer R. <i>Retained</i> 7022334225(W)

DATE










EVENTS & ORDERS OF THE COURT

INDEX

04/25/2013  Notice of Foreclosure
Filed By: Plaintiff Innovative Home Systems LLC
Notice of Foreclosure of Notice of Lien

04/25/2013  Notice of Lis Pendens
Filed by: Plaintiff Innovative Home Systems LLC
Notice of Lis Pendens

DEPARTMENT 14
CASE SUMMARY
CASE NO. A-13-680766-C

04/25/2013	 Complaint Filed By: Plaintiff Innovative Home Systems LLC <i>Complaint</i>
04/25/2013	Case Opened
05/30/2013	 Affidavit of Service Filed By: Plaintiff Innovative Home Systems LLC <i>Affidavit of Service</i>
06/20/2013	 Motion To Dismiss - Alternative Motion For Summary Judgment Filed By: Defendant Tom, Timothy <i>Motion to Dismiss Complaint Pursuant to NRCP 12(b)(5), or in the alternative, Motion for Summary Judgment</i>
06/20/2013	 Initial Appearance Fee Disclosure Filed By: Defendant Tom, Timothy <i>Initial Appearance Fee Disclosure</i>
06/21/2013	 Notice of Change of Hearing <i>Notice of Change of Hearing</i>
06/21/2013	 Supplement Filed by: Defendant Tom, Timothy <i>Supplement to Motion to Dismiss Complaint pursuant to NRCP 12(b)(5), or in the alternative, Motion for Summary Judgment</i>
06/25/2013	 Notice of Hearing Filed By: Defendant Tom, Timothy <i>Notice of Hearing</i>
07/08/2013	 Opposition to Motion to Dismiss Filed By: Plaintiff Innovative Home Systems LLC <i>Opposition to Motion to Dismiss or in the Alternative Summary Judgment; Counter-Motion for Summary Judgment or in the Alternative Summary Adjudication of Issues; Petition for Preferential Trial Setting; Affidavit of Jeffrey Brown in Support</i>
07/09/2013	 Errata Filed By: Plaintiff Innovative Home Systems LLC <i>Errata to Opposition to Motion to Dismiss or in the Alternative Summary Judgment; Counter-Motion for Summary Judgment or in the Alternative Summary Adjudication of Issues; Petition for Preferential Trial Setting; Affidavit of Jeffrey Brown in Support</i>
07/09/2013	 Initial Appearance Fee Disclosure Filed By: Plaintiff Innovative Home Systems LLC <i>Initial Appearance Fee Disclosure for Summary Judgment</i>
07/10/2013	 Certificate of Service Filed by: Plaintiff Innovative Home Systems LLC <i>Certificate of Service</i>
07/10/2013	 Errata Filed By: Plaintiff Innovative Home Systems LLC <i>Errata to Opposition to Motion to Dismiss or In The Alternative Summary Judgment</i>












DEPARTMENT 14
CASE SUMMARY
CASE NO. A-13-680766-C

07/10/2013	 Statement Filed by: Plaintiff Innovative Home Systems LLC <i>Plaintiff's Statement of Undisputed Facts in Support of Counter-Motion for Summary Judgment or Summary Adjudication of Issues</i>
07/22/2013	 Reply Filed by: Defendant Tom, Timothy <i>Reply Brief for Motion to Dismiss Complaint Pursuant to NRCP 12(b)(5), or in the Alternative, Motion for Summary Judgment and Opposition to IHS' Countermotion for Summary Judgment</i>
07/23/2013	 Supplement Filed by: Defendant Tom, Timothy <i>Supplement to Reply Brief for Motion to Dismiss Complaint Pursuant to NRCP 12(b)(5), or in the Alternative, Motion for Summary Judgment and Opposition to IHS' Countermotion for Summary Judgment</i>
07/23/2013	 Reply to Opposition Filed by: Plaintiff Innovative Home Systems LLC <i>Reply to Opposition to Counter-Motion for Summary Judgment or in the Alternative Summary Adjudication of Issues; Petition for Preferential Trial Setting; Affidavit of Jeffrey Brown In Support</i>
07/25/2013	Motion to Dismiss (9:30 AM) (Judicial Officer: Escobar, Adriana) Events: 06/20/2013 Motion To Dismiss - Alternative Motion For Summary Judgment <i>Motion to Dismiss Complaint Pursuant to NRCP 12(b)(5), or in the alternative, Motion for Summary Judgment</i>
07/25/2013	Opposition and Countermotion (9:30 AM) (Judicial Officer: Escobar, Adriana) Events: 07/08/2013 Opposition to Motion to Dismiss <i>Opposition to Motion to Dismiss or in the Alternative Summary Judgment; Counter-Motion for Summary Judgment or in the Alternative Summary Adjudication of Issues; Petition for Preferential Trial Setting; Affidavit of Jeffrey Brown in Support</i>
07/25/2013	 All Pending Motions (9:30 AM) (Judicial Officer: Brennan, James)
08/06/2013	 Transcript of Proceedings <i>Reporter's Transcript of Motion to Dismiss / Opposition to Motion to Dismiss taken on July 25, 2013</i>
09/09/2013	 Order Denying Motion Filed By: Plaintiff Innovative Home Systems LLC <i>Order on Motion to Dismiss or in the Alternative Summary Judgment; Counter-Motion for Summary Judgment or in the Alternative Summary Adjudication of Issues; Petition for Preferential Trial Setting</i>
09/10/2013	 Notice of Entry of Order Filed By: Plaintiff Innovative Home Systems LLC <i>Notice of Entry of Order on Motion to Dismiss or in the Alternative Summary Judgment; Counter-Motion for Summary Judgment or in the Alternative Summary Adjudication of Issues; Petition for Preferential Trial Setting</i>
09/27/2013	 Answer and Counterclaim Filed By: Defendant Tom, Timothy <i>Timothy Tom's Answer, Counterclaim and Third Party Complaint</i>
09/30/2013	 Initial Appearance Fee Disclosure

CASE SUMMARY

CASE NO. A-13-680766-C

Filed By: Defendant Tom, Timothy
Initial Appearance Fee Disclosure

10/22/2013	 Certificate of Service Filed by: Plaintiff Innovative Home Systems LLC <i>Certificate of Service</i>
10/22/2013	 Motion To Dismiss - Alternative Motion For Summary Judgment Filed By: Plaintiff Innovative Home Systems LLC <i>Innovative Home Systems LLC's Notice of Motions and Motions: 1) To Dismiss the Counter-Claim and Third Party Complaint; 2) For Summary Judgment (Or in the Alternative Summary Adjudication of Issues), and 3) Petition for Preferential Trial Setting; Affidavit of Jeffrey Brown and Exhibits in Support</i>
10/23/2013	 Statement Filed by: Plaintiff Innovative Home Systems LLC <i>Plaintiff's Statement of Undisputed Facts in Support of Counter-Motion for Summary Judgment or Summary Adjudication of Issues</i>
11/14/2013	 Opposition Filed By: Defendant Tom, Timothy <i>Opposition to Innovative Home Systems LLC's Motions 1) To Dismiss the Counterclaim and Third-Party Complaint; 2) For Summary Judgment; 3) and for Preferential Trial Setting</i>
11/19/2013	 Reply to Opposition Filed by: Plaintiff Innovative Home Systems LLC <i>Reply to the Opposition of Timothy Tom to Innovative Home Systems, LLC's Motions to Dismiss the Counter-Claim and Third Party Complaint; For Summary Judgment (or in the Alternative Summary Adjudication of Issues), and Petition for Preferential Trial Setting</i>
11/22/2013	 Notice of Change of Hearing
11/26/2013	 Motion to Dismiss (9:30 AM) (Judicial Officer: Escobar, Adriana) 11/26/2013, 01/14/2014 <i>Innovative Home Systems LLC's Notice of Motions and Motions: 1) To Dismiss the Counter-Claim and Third Party Complaint; 2) For Summary Judgment (Or in the Alternative Summary Adjudication of Issues), and 3) Petition for Preferential Trial Setting; Affidavit of Jeffrey Brown and Exhibits in Support</i>
01/10/2014	 Supplement Filed by: Plaintiff Innovative Home Systems LLC <i>Innovative Home Systems LLC's Supplement to Its Motion to Dismiss the Counter-claim and Third Party Complaint; For Summary Judgment (Or In the Alternative Summary Adjudication of Issues), and Petition for Preferential Trial Setting</i>
02/06/2014	 Decision (9:30 AM) (Judicial Officer: Escobar, Adriana)
02/18/2014	 Finding of Fact and Conclusions of Law Filed By: Plaintiff Innovative Home Systems LLC <i>Submission of Proposed Findings of Fact and Conclusions of Law</i>
02/21/2014	 Finding of Fact and Conclusions of Law Filed By: Defendant Tom, Timothy <i>Submission of Proposed Findings of Fact and Conclusions of Law on Motion to Dismiss and Motion for Summary Judgment</i>

DEPARTMENT 14
CASE SUMMARY
CASE NO. A-13-680766-C

02/21/2014	Summary Judgment (Judicial Officer: Escobar, Adriana) Debtors: Timothy Tom (Defendant) Creditors: Innovative Home Systems LLC (Plaintiff) Judgment: 02/21/2014, Docketed: 02/28/2014 Comment: Certain Claim
03/12/2014	 Transcript of Proceedings <i>Reporter's Transcript of Motion to Dismiss / Motion for Summary Judgment taken on January 14, 2014</i>
03/17/2014	 Findings of Fact, Conclusions of Law and Judgment Filed by: Defendant Tom, Timothy <i>Findings of Fact and Conclusions of Law on Motion to Dismiss and Motion for Summary Judgment</i>
03/17/2014	 Findings of Fact, Conclusions of Law and Order Filed By: Defendant Tom, Timothy <i>Findings of Fact and Conclusions of Law on Motion to Dismiss and Motion for Summary Judgment</i>
03/17/2014	Summary Judgment (Judicial Officer: Escobar, Adriana) Debtors: Timothy Tom (Defendant) Creditors: Innovative Home Systems LLC (Plaintiff) Judgment: 03/17/2014, Docketed: 03/24/2014 Comment: Certain Claims
03/17/2014	Order of Dismissal (Judicial Officer: Escobar, Adriana) Debtors: Timothy Tom (Counter Claimant) Creditors: Innovative Home Systems LLC (Counter Defendant) Judgment: 03/17/2014, Docketed: 03/24/2014 Debtors: Timothy Tom (Third Party Plaintiff) Creditors: Old Republic Surety (Third Party Defendant) Judgment: 03/17/2014, Docketed: 03/24/2014
03/17/2014	Order of Dismissal (Judicial Officer: Escobar, Adriana) Debtors: Innovative Home Systems LLC (Counter Defendant) Creditors: Timothy Tom (Counter Claimant) Judgment: 03/17/2014, Docketed: 03/24/2014 Debtors: Old Republic Surety (Third Party Defendant) Creditors: Timothy Tom (Third Party Plaintiff) Judgment: 03/17/2014, Docketed: 03/24/2014
03/17/2014	Summary Judgment (Judicial Officer: Escobar, Adriana) Debtors: Timothy Tom (Defendant) Creditors: Innovative Home Systems LLC (Plaintiff) Judgment: 03/17/2014, Docketed: 03/24/2014
03/19/2014	 Memorandum of Costs and Disbursements Filed By: Plaintiff Innovative Home Systems LLC <i>Plaintiff's Memorandum of Costs</i>
03/19/2014	 Motion for Attorney Fees Filed By: Plaintiff Innovative Home Systems LLC <i>Notice of Motion and Motion / Request for Attorneys Fees and Costs; Affidavit of Leon F. Mead II and Exhibits in Support</i>
03/20/2014	 Notice of Entry of Order Filed By: Plaintiff Innovative Home Systems LLC

DEPARTMENT 14
CASE SUMMARY
CASE NO. A-13-680766-C

Notice of Entry of Order on Findings of Fact and Conclusions of Law and Decision on Plaintiff's Motion to Dismiss and Motion for Summary Judgment

03/28/2014



Amended

Filed By: Plaintiff Innovative Home Systems LLC
Plaintiff's Amended Memorandum of Costs

04/08/2014



Opposition and Countermotion

Filed By: Defendant Tom, Timothy
Opposition to Motion for Attorney's Fees and Costs and Countermotion for Attorney's Fees and Costs

04/08/2014



Notice of Appeal

Filed By: Defendant Tom, Timothy
Notice of Appeal

04/11/2014



Reply to Opposition

Filed by: Plaintiff Innovative Home Systems LLC
Reply to Defendant Tom's Opposition to Motion for Award of Attorney Fees and Costs

04/15/2014



Case Appeal Statement

Filed By: Defendant Tom, Timothy
Case Appeal Statement

04/18/2014



Motion to Stay

Filed By: Defendant Tom, Timothy
Motion to Stay Order Granting IHS' Motion for Summary Judgment and Request for Order Shortening Time

04/18/2014



Certificate of Service

Filed by: Defendant Tom, Timothy
Certificate of Service

04/30/2014



Opposition to Motion

Filed By: Plaintiff Innovative Home Systems LLC
Opposition to Motion for Stay Pending Appeal

05/01/2014



Reply

Filed by: Defendant Tom, Timothy
Reply to Countermotion for Attorney's Fees and Costs

05/12/2014



Stipulation and Order

Filed by: Plaintiff Innovative Home Systems LLC
Stipulation and Order to Move Hearing Date

05/13/2014



Reply to Motion

Filed By: Defendant Tom, Timothy
Reply to Motion to Stay Order Granting IHS' Motion for Summary Judgment

05/13/2014











Notice of Entry of Order

Filed By: Plaintiff Innovative Home Systems LLC
Notice of Entry of Order to Move Hearing Date

05/15/2014

Motion for Attorney Fees and Costs (9:00 AM) (Judicial Officer: Escobar, Adriana)
Events: 03/19/2014 Motion for Attorney Fees

DEPARTMENT 14
CASE SUMMARY
CASE NO. A-13-680766-C

	<i>Notice of Motion and Motion / Request for Attorneys Fees and Costs; Affidavit of Leon F. Mead II and Exhibits in Support</i>
05/15/2014	Opposition and Countermotion (9:00 AM) (Judicial Officer: Escobar, Adriana) Events: 04/08/2014 Opposition and Countermotion <i>Opposition to Motion for Attorney's Fees and Costs and Countermotion for Attorney's Fees and Costs</i>
05/15/2014	Motion to Stay (9:00 AM) (Judicial Officer: Escobar, Adriana) Events: 04/18/2014 Motion to Stay <i>Defendant's Motion to Stay Order Granting IHS' Motion for Summary Judgment and Request for Order Shortening Time</i>
05/15/2014	 All Pending Motions (9:00 AM) (Judicial Officer: Escobar, Adriana)
06/10/2014	 Decision (3:00 PM) (Judicial Officer: Escobar, Adriana)
06/12/2014	CANCELED Status Check (9:00 AM) (Judicial Officer: Escobar, Adriana) <i>Vacated</i> <i>Status Check: Decision</i>
06/16/2014	 Order Filed By: Defendant Tom, Timothy <i>Submission of Proposed Order Granting IHS' Motion for Attorney's Fees and Costs and Denying Tom's Motion for Attorney's Fees</i>
06/30/2014	 Order Granting Motion Filed By: Plaintiff Innovative Home Systems LLC <i>Order on Plaintiff's Motion for Award of Interest Costs and Attorneys' Fees</i>
06/30/2014	 Notice of Entry of Order Filed By: Plaintiff Innovative Home Systems LLC <i>Notice of Entry of Order on Plaintiff's Motion for Award of Interest Cost and Attorneys' Fees</i>
06/30/2014	 Amended Certificate of Service Party: Plaintiff Innovative Home Systems LLC <i>Amended Certificate of Service</i>
07/01/2014	 Case Appeal Statement Filed By: Defendant Tom, Timothy <i>Case Appeal Statement</i>
07/01/2014	 Notice of Appeal Filed By: Defendant Tom, Timothy <i>Notice of Appeal</i>

DATE	FINANCIAL INFORMATION
	Defendant Tom, Timothy
	Total Charges 606.00
	Total Payments and Credits 606.00
	Balance Due as of 7/3/2014 0.00
	Plaintiff Innovative Home Systems LLC
	Total Charges 670.00
	Total Payments and Credits 670.00
	Balance Due as of 7/3/2014 0.00

CASE SUMMARY

CASE NO. A-13-680766-C

Defendant Tom, Timothy
Appeal Bond Balance as of 7/3/2014

500.00

CIVIL COVER SHEET

Clark County, Nevada

A-13-680766-C

Case No.

XIV

(Assigned by Clerk's Office)

I. Party Information

Plaintiff(s) (name/address/phone): Innovative Home Systems LLC

Defendant(s) (name/address/phone): Timothy Tom, 13622 Mountain Trail, Corpus Christi, TX 78410-4832

Attorney (name/address/phone): Leon P. Mead II, Esq., Snell & Wilmer L.L.P., 3883 Howard Hughes Parkway #1100, Las Vegas, NV 89169 - Tel: 702-784-5200

Attorney (name/address/phone):

II. 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

Torts

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

- Estimated Estate Value: _____
- ☐ 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
- ☐ Foreclosure Mediation
- ☐ 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

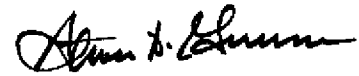
III. Business Court Requested (Please check applicable category; for Clark or Washoe Counties only.)

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

4/25/13
Date

Signature of initiating party or representative

See other side for family-related case filings.



CLERK OF THE COURT

1 Leon F. Mead II, Esq.
2 Nevada Bar No. 5719
3 SNELL & WILMER LLP
3883 Howard Hughes Parkway, Suite 1100
4 Las Vegas, NV 89169
Telephone: (702) 784-5200
Facsimile: (702) 784-5252

5 *Attorneys for Plaintiff*
6 *INNOVATIVE HOME SYSTEMS LLC*

7 DISTRICT COURT
8 CLARK COUNTY, NEVADA
9

10 INNOVATIVE HOME SYSTEMS LLC, a
11 Nevada limited liability company,

12 Plaintiff,

13 vs.

14 TIMOTHY TOM, an individual; and DOES I
15 through X, inclusive,

16 Defendants.
17

CASE NO. A-13-680766-C
DEPT. NO. XIV

**[PROPOSED] ORDER ON
PLAINTIFF'S MOTION FOR
AWARD OF INTEREST COSTS
AND ATTORNEYS' FEES**

18
19 THIS MATTER having come for hearing on May 15, 2014 and, THE COURT, having
20 considered the pleadings of the parties and the argument of counsel, hereby makes the following
21 orders:

22 1. The motion of Plaintiff INNOVATIVE HOME SYSTEMS LLC ("IHS") for an
23 award of costs in the amount of \$1,144.37 was unopposed by Defendant TIMOTHY TOM
24 ("TOM"), and having considered the request the Court finds the amounts appropriate and hereby
25 GRANTS Plaintiff IHS' motion for costs in the sum of \$1,144.37, under NRS 18.020 and NRS
26 108.237;
27
28

Snell & Wilmer

LAW OFFICES
3883 HOWARD HUGHES PARKWAY, SUITE 1100
LAS VEGAS, NEVADA 89169
(702) 784-5200

2. Having evaluated the offer of judgment served by Defendant TOM upon Plaintiff IHS in the amount of \$23,647.74 *inclusive* of interest, attorneys' fees and costs, against the judgment entered in favor of IHS against TOM in the amount of \$23,647.74 *plus* \$1,144.37 in costs for a total of \$24,792.11, the Court finds pursuant to NRS 17.115 and NRCP Rule 68 Plaintiff IHS obtained a more favorable judgment. Therefore, the Court DENIES the counter-motion of Defendant TOM for an award of attorneys' fees;

3. Having considered the motion of Plaintiff IHS for attorneys' fees pursuant to NRS 108.237(1) and NRS 18.010(2)(b), the Court GRANTS the motion and awards IHS attorneys' fees. In considering the amount of such attorneys' fees, however, the Court DENIES IHS' motion for the amount requested in the motion and retaxes reasonable attorneys' fees, as follows: thirty (30) hours at \$495.00 per hour in the amount of \$14,850.00 and eighty-two (82) hours at \$250.00 per hour in the amount of \$20,500.00 for a total amount of \$35,350.00;

4. Having considered the request for interest, the Court GRANTS the request for prejudgment interest on the principal amount of the judgment from December 12, 2012 at the rate of 7.25% pursuant to NRS 108.237(2)(b).

5. The Clerk shall issue judgment in favor of IHS and against TOM consistent with the findings herein and in the Court's previous order granting summary judgment, forthwith.

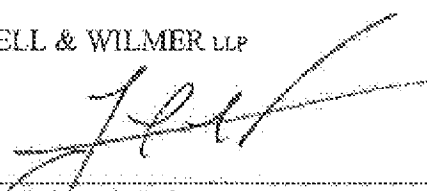
IT IS SO ORDERED

Dated: 27 June, 2014


Judge of the District Court

1 Respectfully submitted,

2
3 SNELL & WILMER LLP

4 
5
6 Leon F. Mead II, Esq.
7 Nevada Bar No. 5719
8 3883 Howard Hughes Parkway, Suite 1100
9 Las Vegas, NV 89169
10 *Attorneys for Innovative Home Systems LLC*

11 Approved as to form and content

12 PEZZILLO LLOYD

13 ***** REFUSED *****

14 George Robinson, Esq.
15 Nevada Bar No. 9667
16 6725 Via Austi Parkway, Suite 290
17 Las Vegas, NV 89119
18 *Attorneys for Timothy Tom*
19
20
21
22
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1 CERTIFICATE OF SERVICE

2 I, the undersigned, declare under penalty of perjury, and I am over the age of eighteen
3 (18), and I am not a party to, nor interested in, this action. On this date, I caused to be served a
4 true and correct copy of the foregoing [PROPOSED] ORDER ON PLAINTIFF'S MOTION
5 FOR AWARD OF INTEREST COSTS AND ATTORNEYS' FEES by the method indicated:
6

7 X U.S. Mail
8 _____ U.S. Certified Mail
9 _____ Hand Delivery
10 X Electronic Process

11 And addressed to the following:

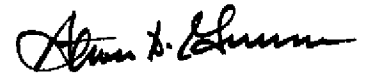
12 Jennifer R. Lloyd, Esq.
13 George E. Robinson, Esq.
14 PEZZILLO LLOYD
15 6725 Via Austi Parkway, Suite 290
16 Las Vegas, NV 89119
17 Attorneys for Defendant

18 Dated: June 13, 2014.
19

20 
21 An Employee of Snell & Wilmer
22
23
24
25
26
27
28

Snell & Wilmer

LAW OFFICES
1865 HOWARD HUGHES PARKWAY, SUITE 1100
LAS VEGAS, NEVADA 89169
(702) 391-5100



CLERK OF THE COURT

1 Leon F. Mead II, Esq.
Nevada Bar No. 5719
2 Bryan M. Gragg, Esq.
Nevada Bar No. 13134
3 SNELL & WILMER LLP
3883 Howard Hughes Parkway, Suite 1100
4 Las Vegas, NV 89169
Telephone: (702) 784-5200
5 Facsimile: (702) 784-5252

6 *Attorneys for Plaintiff*
7 *INNOVATIVE HOME SYSTEMS LLC*

8 DISTRICT COURT

9 CLARK COUNTY, NEVADA

10
11 INNOVATIVE HOME SYSTEMS LLC, a
Nevada limited liability company,

12 Plaintiff,

13 vs.

14 TIMOTHY TOM, an individual; and DOES I
15 through X, inclusive,

16 Defendants.

CASE NO. A-13-680766-C
DEPT. NO. XIV

**NOTICE OF ENTRY OF ORDER
ON PLAINTIFF'S MOTION FOR
AWARD OF INTEREST COST
AND ATTORNEYS' FEES**

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19
20 PLEASE TAKE NOTICE that the Order on Plaintiff's Motion for Award of Interest Costs
21 and Attorneys' Fees was entered on June 30, 2014, a copy of said Order is attached hereto.

22 Dated: this 30th day of June, 2014.

SNELL & WILMER LLP

23
24 
Leon F. Mead II, Esq.

Bryan M. Gragg, Esq.

3883 Howard Hughes Parkway, Suite 1100

Las Vegas, NV 89169

Attorneys for Innovative Home Systems LLC

Snell & Wilmer

LAW OFFICES
3883 HOWARD HUGHES PARKWAY, SUITE 1100
LAS VEGAS, NEVADA 89169
(702) 784-5200

CERTIFICATE OF SERVICE

I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen (18) years, and I am not a party to, nor interested in, this action. On September 10, 2013, I caused to be served a true and correct copy of the foregoing documents **NOTICE OF ENTRY OF ORDER ON FINDINGS OF FACT AND CONCLUSIONS OF LAW AND DECISION ON PLAINTIFF'S MOTION TO DISMISS AND MOTION FOR SUMMARY JUDGMENT** by the method indicated:


 X by U. S. Mail
 by Facsimile Transmission
 X by E-mail (courtesy copy)
 X by Clark County Courts Wiznet electronic service

Jennifer Robinson-Pezzillo
George Robinson
Pezzillo Lloyd
6725 Via Austi Parkway, Suite 290
Las Vegas, NV 89119

Dated: this 30th day June, 2014.



An Employee of SNELL & WILMER LLP



CLERK OF THE COURT

1 Leon F. Mead II, Esq.
2 Nevada Bar No. 5719
3 SNELL & WILMER LLP
4 3883 Howard Hughes Parkway, Suite 1100
5 Las Vegas, NV 89169
6 Telephone: (702) 784-5200
7 Facsimile: (702) 784-5252

8 *Attorneys for Plaintiff*
9 *INNOVATIVE HOME SYSTEMS LLC*

10 DISTRICT COURT
11 CLARK COUNTY, NEVADA

12 INNOVATIVE HOME SYSTEMS LLC, a
13 Nevada limited liability company,

14 Plaintiff,

15 vs.

16 TIMOTHY TOM, an individual; and DOES I
17 through X, inclusive,

18 Defendants.

CASE NO. A-13-580766-C
DEPT. NO. XIV

**[PROPOSED] ORDER ON
PLAINTIFF'S MOTION FOR
AWARD OF INTEREST COSTS
AND ATTORNEYS' FEES**

Snell & Wilmer

LAS VEGAS OFFICE
3883 HOWARD HUGHES PARKWAY, SUITE 1100
LAS VEGAS, NV 89169
(702) 784-5200

19 THIS MATTER having come for hearing on May 15, 2014 and, THE COURT, having
20 considered the pleadings of the parties and the argument of counsel, hereby makes the following
21 orders:

22 1. The motion of Plaintiff INNOVATIVE HOME SYSTEMS LLC ("IHS") for an
23 award of costs in the amount of \$1,144.37 was unopposed by Defendant TIMOTHY TOM
24 ("TOM"), and having considered the request the Court finds the amounts appropriate and hereby
25 GRANTS Plaintiff IHS' motion for costs in the sum of \$1,144.37, under NRS 18.020 and NRS
26 108.237;
27
28

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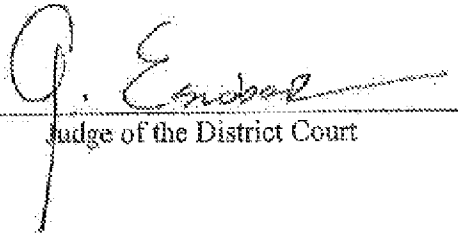
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4. Having considered the request for interest, the Court GRANTS the request for prejudgment interest on the principal amount of the judgment from December 12, 2012 at the rate of 7.25% pursuant to NRS 108.237(2)(b).

5. The Clerk shall issue judgment in favor of IHS and against TOM consistent with the findings herein and in the Court's previous order granting summary judgment, forthwith.

IT IS SO ORDERED

Dated: 27 June, 2014

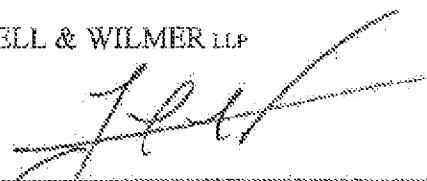

Judge of the District Court

Snell & Wilmer

LAW OFFICES
3883 HOWARD HUGHES PARKWAY, SUITE 1100
LAS VEGAS, NEVADA 89169
(702) 764-5300

1 Respectfully submitted,

2
3 SNELL & WILMER LLP

4 
5
6 Leon F. Mead II, Esq.
7 Nevada Bar No. 5719
8 3883 Howard Hughes Parkway, Suite 1100
9 Las Vegas, NV 89169
10 *Attorneys for Innovative Home Systems LLC*

11 Approved as to form and content

12 PEZZILLO LLOYD

13 ***** REFUSED *****

14 George Robinson, Esq.
15 Nevada Bar No. 9667
16 6725 Via Austi Parkway, Suite 290
17 Las Vegas, NV 89119
18 *Attorneys for Timothy Tom*
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CERTIFICATE OF SERVICE

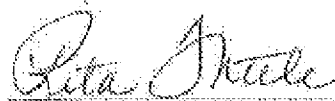
I, the undersigned, declare under penalty of perjury, and I am over the age of eighteen (18), and I am not a party to, nor interested in, this action. On this date, I caused to be served a true and correct copy of the foregoing **[PROPOSED] ORDER ON PLAINTIFF'S MOTION FOR AWARD OF INTEREST COSTS AND ATTORNEYS' FEES** by the method indicated:

☒ U.S. Mail
☐ U.S. Certified Mail
☐ Hand Delivery
☒ Electronic Process

And addressed to the following:

Jennifer R. Lloyd, Esq.
George E. Robinson, Esq.
PEZZILLO LLOYD
6725 Via Austi Parkway, Suite 290
Las Vegas, NV 89119
Attorneys for Defendant

Dated: June 13, 2014.



An Employee of Snell & Wilmer

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Title to Property

COURT MINUTES

July 25, 2013

A-13-680766-C Innovative Home Systems LLC, Plaintiff(s)
vs.
Timothy Tom, Defendant(s)

July 25, 2013 9:30 AM All Pending Motions

HEARD BY: Brennan, James **COURTROOM:** Phoenix Building
Courtroom - 11th Floor

COURT CLERK: Jill Chambers

RECORDER:

REPORTER: Maureen Schorn

PARTIES

PRESENT: Mead II, Leon F. Attorney
Robinson, George E. Attorney

JOURNAL ENTRIES

- Argument by counsel regarding the licensing requirements of Innovative Home Systems and the complaint filed with the contractor s board. Court inquired as to what the contractor's board requires as far as licensing for the type of work preformed. Court ORDERED matter will stand submitted with decision being posted after a review in chambers.

CLERK'S NOTE: Court denied Motion to Dismiss WITHOUT prejudice adding counsel may renew complaint.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Title to Property	COURT MINUTES	November 26, 2013
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A-13-680766-C	Innovative Home Systems LLC, Plaintiff(s) vs. Timothy Tom, Defendant(s)
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November 26, 2013 9:30 AM Motion to Dismiss

HEARD BY: Escobar, Adriana	COURTROOM: Phoenix Building Courtroom - 11th Floor
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COURT CLERK: Jill Chambers

RECORDER:

REPORTER: Maureen Schorn

PARTIES

PRESENT:	Mead II, Leon F.	Attorney
	Robinson, George E.	Attorney

JOURNAL ENTRIES

- Court disclosed she received support from the law firm of Snell & Wilmer during her campaign and stated she will remain fair and impartial. Mr. Robinson stated he would like to discuss with his client before proceeding but was unable to call him during calendar. Court ORDERED matter CONTINUED.

12/3/13 9:00 AM CONTINUED

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Title to Property	COURT MINUTES	January 14, 2014
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A-13-680766-C	Innovative Home Systems LLC, Plaintiff(s) vs. Timothy Tom, Defendant(s)
---------------	---

January 14, 2014 **9:00 AM** **Motion to Dismiss**

HEARD BY: Escobar, Adriana

COURTROOM: Phoenix Building
Courtroom - 11th Floor

COURT CLERK: Jill Chambers

RECORDER:

REPORTER: Maureen Schorn

PARTIES

PRESENT:	Mead II, Leon F.	Attorney
	Robinson, George E.	Attorney

JOURNAL ENTRIES

- Court confirmed with parties they agreed to proceed in the department. Mr. Mead stated parties have submitted extensive briefing and gave a brief history of the case. Colloquy regarding attending a settlement conference. Court SET matter for DECISION.

2/6/14 9:30 AM STATUS CHECK: DECISION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Title to Property	COURT MINUTES	February 06, 2014
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A-13-680766-C	Innovative Home Systems LLC, Plaintiff(s) vs. Timothy Tom, Defendant(s)
---------------	---

February 06, 2014 9:30 AM Decision

HEARD BY: Escobar, Adriana **COURTROOM:** Phoenix Building
Courtroom - 11th Floor

COURT CLERK: Jill Chambers

RECORDER:

REPORTER: Maureen Schorn

PARTIES

PRESENT: Maskas, Marisa L	Attorney
Mead II, Leon F.	Attorney

JOURNAL ENTRIES

- Court advised counsel she reviewed the case and FINDS with respect to the Plt's Motion to Dismiss, GRANTED pursuant to NRCP 12 (b) (5) and Hay vs. Hay. Court FINDS the Counterclaim does not contain the factual allegations that are sufficient to satisfy this standard and should be DISMISSED as the claims were predicated on a contractor s license which was found not to be necessary by the Nevada State Contractor's Board, therefore the Counterclaim and the 3rd party Complaint are hereby DISMISSED.

As to the Motion for Summary Judgment, Court GRANTED as everything has been cured and there were several site visits. Court further FINDS that Mr. Tom hired Kent Glass and Meridian Construction which was not the duty or was contracted by Innovative Glass.

Court further FINDS the request for the preferential trial setting is MOOT.

Mr. Mead to prepare the order with findings of fact and conclusions of law.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Title to Property

COURT MINUTES

May 15, 2014

A-13-680766-C

Innovative Home Systems LLC, Plaintiff(s)

vs.

Timothy Tom, Defendant(s)

May 15, 2014

9:00 AM

All Pending Motions

HEARD BY: Escobar, Adriana

COURTROOM: Phoenix Building
Courtroom - 11th Floor

COURT CLERK: Jill Chambers

RECORDER:

REPORTER: JoAnn Melendez

PARTIES

PRESENT:

Mead II, Leon F.

Attorney

Robinson, George E.

Attorney

JOURNAL ENTRIES

- Court heard argument on Request for Fess, Motion to Stay and Opposition for Fees. Court advised she will review pleadings again and post her decision via minute order. Court further advised counsel need not appear if the decision is posted before status check. Court SET matter for status check.

5/22/14 9:00 AM STATUS CHECK: DECISION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Title to Property	COURT MINUTES	June 10, 2014
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A-13-680766-C	Innovative Home Systems LLC, Plaintiff(s) vs. Timothy Tom, Defendant(s)
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June 10, 2014	3:00 PM	Decision
---------------	---------	----------

HEARD BY: Escobar, Adriana	COURTROOM: Phoenix Building Courtroom - 11th Floor
----------------------------	---

COURT CLERK: Jill Chambers

RECORDER:

REPORTER:

PARTIES
PRESENT:

JOURNAL ENTRIES

- This matter came before the Court on Plaintiff s Motion for Attorney's Fees and Costs; Defendant's Opposition and Countermotion; Defendant's Motion to Stay Order Granting Motion for Summary; and Defendant's Opposition to same, set for hearing on May 15, 2014 and continued to Department XIV's Chamber's calendar for decision.

The Court hereby GRANTS Plaintiff Innovative Home Systems LLC (HIS) Motion for Attorney's Fees and Costs and DENIES the amount requested in the pleadings and the Court hereby re-taxes the amount as follows: thirty (30) hours at \$495.00 per hour in the amount of \$14,850.00 and eighty-two (82) hours at \$250.00 per hour in the amount of \$20,500.00 for a total amount of \$35,350.00.

The Countermotion for Fees is hereby DENIED; Defendant filed this request because Defendant served an Offer of Judgment on Plaintiff. However, the Offer of Judgment was for \$23,674.67 and by its terms, stated it included attorney s fees and costs. Since the Offer of Judgment stated it included fees and costs, Plaintiff received a more favorable outcome than the Offer of Judgment because it included damages, fees and costs were included, see Beattie v. Thomas, M.D.,668 P.2d 268, 99 Nev. 579 (1983), NRCP 68 and Certified Fire Protection, Inc., v. Precision, 283 P.3d 250. Counsel for

Plaintiff is to prepare an order and submit to opposing counsel to sign as to form and content before submitting to chambers.

The Motion to Stay is hereby GRANTED and the amount of the supersedeas bond will include the amount awarded for attorney's fees of \$35,350.00. Counsel for Defendant is to prepare an order and submit to opposing counsel to sign as to form and content before submitting to chambers.

CLERK'S NOTE: The above minute order has been distributed to counsel via fax. jmc 6/10/14



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

JENNIFER R. LLOYD, ESQ.
6725 VIA AUSTI PKWY., SUITE 290
LAS VEGAS, NV 89119

DATE: July 3, 2014
CASE: A680766

RE CASE: INNOVATIVE HOME SYSTEMS, LLC vs. TIMOTHY TOM

NOTICE OF APPEAL FILED: July 1, 2014

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS NOT TRANSMITTED HAVE BEEN MARKED:

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

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

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

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

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER ON PLAINTIFF'S MOTION FOR AWARD OF INTEREST COSTS AND ATTORNEYS' FEES; NOTICE OF ENTRY OF ORDER ON PLAINTIFF'S MOTION FOR AWARD OF INTEREST COST AND ATTORNEYS' FEES; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

INNOVATIVE HOME SYSTEMS, LLC,

Plaintiff(s),

vs.

TIMOTHY TOM,

Defendant(s),

Case No: A680766

Dept No: XIV

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 3-day of July 2014.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk