

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

DERRICK POOLE,

Appellant,

v

NEVADA AUTO DEALERSHIP  
INVESTMENTS LLC a Nevada  
Limited Liability Company d/b/a  
SAHARA CHRYSLER, JEEP,  
DODGE, and COREPOINTE  
INSURANCE COMPANY,

Respondents,

Appeal from the Eighth Judicial District Court, Clark County.  
The Honorable Nancy Alff, District Court Judge

Supreme Court Case No: 74808

Electronically Filed  
Jun 18 2018 09:23 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

District Court Case No:  
A-16-737120-C

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**APPELLANT'S APPENDIX VOLUME 7**

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*Consumer Attorneys Against Auto Fraud*  
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## Appendix Alphabetical Index

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October 03, 2017

Account No: 12386-005  
Statement No: 18661

ATTN: Toni Naidoo  
toni@saharalavasvegas.net

Sahara Chrysler Jeep Dodge adv. Derrick Poole

			<u>Rate</u>	<u>Hours</u>	
09/01/2017	SJS	Review upcoming deadlines.	350.00	0.30	105.00
09/05/2017	SJS	[REDACTED]	350.00	0.40	140.00
	SJS	Exchange emails with G. West RE:: deposition scheduling.	350.00	0.20	70.00
	JAB	[REDACTED] (.40).	450.00	0.40	180.00
	JAB	Conference call with George West regarding settlement (.5).	450.00	0.50	225.00
	JAB	Exchange numerous email communication between the parties (.5).	450.00	0.50	225.00
	JAB	[REDACTED]			
	JAB	[REDACTED] (.4).	450.00	0.40	180.00
	JAB	Review of numerous email exchange between the parties (.3).	450.00	0.30	135.00
09/06/2017	SJS	Exchange emails with G. West RE:: scheduling.	350.00	1.10	385.00
	SJS	[REDACTED]	350.00	0.40	140.00
	SJS	[REDACTED]	350.00	0.90	315.00
	SJS	[REDACTED]	350.00	1.60	560.00
	SJS	[REDACTED]	350.00	1.80	630.00
09/07/2017	SJS	Exchange emails with G. West RE:: depositions.	350.00	0.40	140.00
	SJS	Review amended deposition notice.	350.00	0.20	70.00
	SJS	[REDACTED]	350.00	0.20	70.00
	SJS	Draft motion for protective order.	350.00	2.30	805.00
	SJS	[REDACTED]			
	SJS	[REDACTED]	350.00	1.30	455.00
	SJS	[REDACTED]	350.00	1.60	560.00
	JAB	Review, edit and revise of motion for protective order on order shortening (1.0).	450.00	1.00	450.00
	JAB	Review of exhibits for motion for protective order (.6).	450.00	0.60	270.00
09/08/2017	SJS	Review amended deposition notice.	350.00	0.20	70.00
	SJS	[REDACTED]	350.00	0.20	70.00
	SJS	[REDACTED]	350.00	0.20	70.00
09/11/2017	SJS	[REDACTED] :	350.00	0.10	35.00
	SJS	[REDACTED]	350.00	0.30	105.00

Sahara Chrysler Jeep Dodge adv. Derrick Poole

			<u>Rate</u>	<u>Hours</u>	
	SJS	Telephone call with N. Kanute RE:: deposition scheduling.	350.00	0.20	70.0
	SJS	[REDACTED]	350.00	1.00	350.0
	SJS	Review Motion for Protective order on Order shortening time, signed and hearing date for service and filing.	350.00	0.40	140.0
	SJS	Exchange emails with G. West RE:: deposition scheduling.	350.00	0.20	70.0
	JAB	Exchange email communication with counsel (.2).	450.00	0.20	90.0
	JAB	Receive and review of plaintiff motion to counsel responses to interrogatories with requests for production of drafts (1.4).	450.00	1.40	630.0
09/12/2017	SJS	Draft stipulation RE:: hearing and deposition.	350.00	0.40	140.0
	SJS	Review motion to compel filed by Plaintiff.	350.00	0.80	280.0
	SJS	Review "opposition" filed by Plaintiff.	350.00	0.10	35.0
	SJS	Exchange emails with B. Phillips RE:: [REDACTED]	350.00	0.20	70.0
	SJS	Review and exchange emails with G. West RE:: stipulation.	350.00	0.40	140.0
	JAB	Exchange numerous email communication counsel (.3).	450.00	0.30	135.0
	JAB	Receive and review of plaintiff's opposition to motion for protective order (.2).	450.00	0.20	90.0
	JAB	Review of proposal stipulation to counsel (.2).	450.00	0.20	90.0
09/13/2017	SJS	Review documents for deposition preparation.	350.00	0.40	140.0
09/14/2017	SJS	Exchange email with G. West RE:: scheduling of motions.	350.00	0.20	70.0
	SJS	[REDACTED]	350.00	1.10	385.0
	SJS	[REDACTED]	350.00	0.60	210.0
	SJS	[REDACTED]	350.00	0.10	35.0
	SJS	Draft correspondence to chambers RE:: motion scheduling.	350.00	0.30	105.0
09/15/2017	SJS	[REDACTED]	350.00	0.30	105.0
	SJS	[REDACTED]	350.00	0.10	35.0
	SJS	[REDACTED]	350.00	0.80	280.0
	SJS	[REDACTED]	350.00	0.30	105.0
	JAB	[REDACTED] (.3).	450.00	0.30	135.0
09/17/2017	SJS	[REDACTED]	350.00	0.10	35.0
09/18/2017	SJS	[REDACTED]	350.00	0.10	35.0
	SJS	Exchange emails with G. West RE:: deposition confirmation.	350.00	0.40	140.0
	SJS	[REDACTED]	350.00	1.10	385.0
	SJS	[REDACTED]	350.00	1.40	490.0
	SJS	[REDACTED]	350.00	1.20	420.0
09/19/2017	SJS	Review scheduling order and dates for motions and litigation.	350.00	0.50	175.0
	SJS	Attend deposition of N. Grant.	350.00	1.30	455.0
	SJS	[REDACTED]	350.00	0.90	315.0

Sahara Chrysler Jeep Dodge adv. Derrick Poole

			Rate	Hours	
	SJS	[REDACTED]			
	SJS	[REDACTED]	350.00	1.90	665.00
	SJS	[REDACTED]	350.00	0.70	245.00
09/20/2017	AD	[REDACTED] (.8).	350.00	0.80	280.00
	AD	[REDACTED] (1.9).	350.00	1.90	665.00
	SJS	[REDACTED]	350.00	0.80	280.00
	SJS	Attend deposition of T. Spruell.	350.00	2.20	770.00
	SJS	[REDACTED]	350.00	1.10	385.00
	SJS	Research [REDACTED]	350.00	1.40	490.00
	SJS	[REDACTED]	350.00	0.90	315.00
09/21/2017	AD	[REDACTED] (.6).	350.00	0.60	210.00
	AD	[REDACTED] (.6).	350.00	0.60	210.00
	AD	[REDACTED] (1.2).	350.00	1.20	420.00
	SJS	[REDACTED]	350.00	1.70	595.00
	SJS	[REDACTED]	350.00	1.10	385.00
	SJS	[REDACTED]	350.00	0.60	210.00
	JAB	Review of second amended responses to request for admissions (.6).	450.00	0.60	270.00
	SJS	[REDACTED]	350.00	1.60	560.00
	SJS	[REDACTED]	350.00	1.80	630.00
	SJS	Drafting of motion for summary judgment.	350.00	0.80	280.00
09/22/2017	AD	Review notes from review of expert materials and draft questions for expert testimony (1.7).	350.00	1.70	595.00
	SJS	Draft email to G. West RE:: motion to compel.	350.00	0.10	35.00
	JAB	Review of summary email issue raised by George West (.3).	450.00	0.30	135.00
	JAB	Receive and review of notice of change of status on plaintiff's motion to complete and summary motion for protective order (.4).	450.00	0.40	180.00
	JAB	Discussion with George West (.3).	450.00	0.30	135.00
	JAB	Review of issues with exchange email communication with counsel (.4).	450.00	0.40	180.00
	SJS	Attend and take deposition of Plaintiff's expert R. Avellini.	350.00	6.10	2,135.00
	SJS	[REDACTED]	350.00	1.10	385.00
	SJS	Drafting for motion for summary judgment.	350.00	0.90	315.00
	SJS	Review notice and status filed by plaintiff's counsel.	350.00	0.20	70.00
	SJS	Exchange emails with G. West RE:: motions to compel.	350.00	0.30	105.00
	SJS	Vacate motion for protective order.	350.00	0.20	70.00
	SJS	Continued preparation for deposition.	350.00	1.70	595.00

Sahara Chrysler Jeep Dodge adv. Derrick Poole

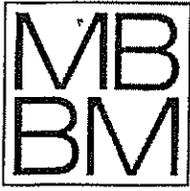
			Rate	Hours	
09/24/2017	SJS	[REDACTED]	350.00	1.30	455.00
09/25/2017	SJS	Review eighth supplement from plaintiff naming new witnesses.	350.00	0.20	70.00
	SJS	Draft correspondence regarding impropriety of new witnesses.	350.00	0.60	210.00
	SJS	Draft opposition to motion to compel Request for Admissions.	350.00	2.10	735.00
	SJS	Supplemental review of responses to requests for admissions.	350.00	0.70	245.00
	SJS	Exchange emails with Court reporters RE:: transcripts.	350.00	0.40	140.00
	SJS	Continued drafting of motion for summary judgment.	350.00	1.70	595.00
	SJS	Supplemental drafting of arguments for motions for summary judgment.	350.00	1.60	560.00
	SJS	Drafting of additional arguments for motion for summary judgment.	350.00	1.30	455.00
	JAB	Review, edit and draft opposition to plaintiff's motion to compel additional responses (1.0).	450.00	1.00	450.00
	JAB	Review of draft settlement offer for George West (.3).	450.00	0.30	135.00
	JAB	Review of objection needed (.6)	450.00	0.60	270.00
	JAB	Receive and review of plaintiff's eight supplement disclosure of documents with witnesses (.8).	450.00	0.80	360.00
09/26/2017	SJS	Revise opposition to motion to compel Request for Admissions responses.	350.00	0.40	140.00
	SJS	[REDACTED]	350.00	1.40	490.00
	SJS	[REDACTED]	350.00	2.30	805.00
	SJS	Continued drafting of motion for summary judgment.	350.00	1.60	560.00
	SJS	Review scheduling order RE:: motions in limine and pretrial deadlines.	350.00	0.30	105.00
	SJS	Review 8th supplement from plaintiff.	350.00	0.30	105.00
	JAB	Review and edit of finalized opposition to motion compel (.8).	450.00	0.80	360.00
	JAB	[REDACTED] (.4).	450.00	0.40	180.00
	JAB	Review of outline of motion for summary judgement (1.5).	450.00	1.50	675.00
	JC	[REDACTED]	175.00	1.80	315.00
	JC	[REDACTED]	175.00	1.70	297.50
	JC	[REDACTED]	175.00	1.80	315.00
	SJS	[REDACTED]	350.00	1.60	560.00
	JAB	[REDACTED] (.8).	450.00	0.80	360.00
	JAB	[REDACTED] (1.4).	450.00	1.40	630.00
09/27/2017	SJS	[REDACTED]	350.00	1.10	385.00
	SJS	Review of expert deposition transcript for motion to strike.	350.00	1.70	595.00
	JAB	Discussion with George West (.4).	450.00	0.40	180.00
	JAB	Review of numerous issues raised by court (.4).	450.00	0.40	180.00
	JAB	Telephone call with law clerk Department 22 (.2).	450.00	0.20	90.00

Sahara Chrysler Jeep Dodge adv. Derrick Poole

		<u>Rate</u>	<u>Hours</u>	
JAB	Begin review of revisions to draft motion for summary judgment (1.4).	450.00	1.40	630.00
JC	Review of Draft Motion for Summary Judgment.	175.00	1.10	192.50
SJS	[REDACTED]			
	[REDACTED]	350.00	1.90	665.00
SJS	Commence research and review of sources and authority for motion to strike.	350.00	1.80	630.00
SJS	Review of documents and transcript for motion to strike.	350.00	1.90	665.00
JAB	Attend hearing in front of discovery commissioner (1.0).	450.00	1.00	450.00
JAB	Continue with reviews and analysis of needed motion in Limine and motion to strike (1.2).	450.00	1.20	540.00
			<u>115.70</u>	<u>41,425.00</u>

Expenses

09/12/2017	Clark County Clerk 1483272 Certificate of Service (mlf)			3.50
09/25/2017	Huebner Court Reporting, Inc. Inv# 2259			796.00
09/25/2017	Huebner Court Reporting, Inc. Inv# 2258			414.20
09/25/2017	Wreck Check Car Scan Centers Inv# 3521 (mlf)			1,470.00
	Total Expenses			2,683.70
	Total amount of this bill			44,108.70
	Previous Balance			\$26,230.40
	Please Remit Balance Due			<u>\$70,339.10</u>



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November 09, 2017  
Account No: 12386-005  
Statement No: 18716

Sahara Chrysler Jeep Dodge adv. Derrick Poole

			Rate	Hours	
09/28/2017	SJS	[REDACTED]	350.00	1.60	560.00
	SJS	Draft motion to continue trial.	350.00	1.60	560.00
	SJS	Draft motion in limine RE:: references to Consumer attorneys against auto fraud.	350.00	1.40	490.00
	SJS	Supplemental drafting on motion to strike expert.	350.00	1.80	630.00
	SJS	Additional citations and deposition transcript review and drafting.	350.00	1.90	665.00
	JC	[REDACTED]	175.00	1.80	315.00
	JC	[REDACTED]	175.00	1.90	332.50
	JC	[REDACTED]	175.00	1.60	280.00
	JC	Review of potential motions in limine.	175.00	1.10	192.50
	JAB	Continue with draft of motion for survey judgement (1.0).	450.00	1.00	450.00
	JAB	Exchanged communication with counsel (.3).	450.00	0.30	135.00
	JAB	Receive and review of drafts discovery order for George West (.3).	450.00	0.30	135.00
	JAB	Receive and review of exchanged of numerous email communications with George West (.4).	450.00	0.40	180.00
	JAB	Review of numerous actions needed with related matter (.8).	450.00	0.80	360.00
	JAB	Review and outline of numerous motion in Limine and to exclude certain testimony and evidence (1.5).	450.00	1.50	675.00
09/29/2017	SJS	[REDACTED]	350.00	1.60	560.00
	SJS	Review of motion to strike.	350.00	1.40	490.00
	SJS	Prepare exhibits and revise citations to motion to strike expert.	350.00	1.80	630.00
	JC	[REDACTED]	175.00	1.20	210.00
	JC	[REDACTED]	175.00	1.90	332.50
	JC	[REDACTED]	175.00	1.80	315.00
	JC	[REDACTED]	175.00	1.90	332.50
	JAB	Review, edit and revise of draft motion to exclude exhibit report with expert testimony (1.6).	450.00	1.60	720.00
	JAB	Review, edit with revise draft motion to continue trial order shortening time (.8).	450.00	0.80	360.00

Sahara Chrysler Jeep Dodge adv. Derrick Poole

		Rate	Hours	
	JAB [REDACTED] (.5).	450.00	0.50	225.00
	JAB [REDACTED] (.3).	450.00	0.30	135.00
	JAB Meet and conference with George West (.3).	450.00	0.30	135.00
	JAB Attend meeting and conference with George West (.6).	450.00	0.60	270.00
	JAB Continue with revision and finalize draft motion to exclude expert witnesses testimony and report (1.4).	450.00	1.40	630.00
	SJS Supplemental edits and exhibits for motion for summary judgment.	350.00	1.30	455.00
	SJS [REDACTED].	350.00	1.80	630.00
	JAB Review of draft Motion to Strike all Reference to Auto Fraud and George West's Law Firm (1.0).	450.00	1.00	450.00
10/01/2017	SJS Draft stipulation regarding motions in limine.	350.00	0.60	210.00
	SJS Draft motion in limine no. 1 to preclude previously undisclosed witnesses.	350.00	1.20	420.00
	SJS Draft motion in limine RE:: preclude frame damage.	350.00	1.30	455.00
	SJS Draft Motion in limine to preclude safety opinion.	350.00	1.30	455.00
10/02/2017	SJS [REDACTED]	350.00	0.20	70.00
	SJS Draft email to G. West RE:: stipulation and order.	350.00	0.20	70.00
	SJS Edit motion in limine stipulation.	350.00	0.10	35.00
	SJS Supplemental revisions to motion for summary judgment.	350.00	1.60	560.00
	SJS Draft revisions to four motions in limine.	350.00	1.60	560.00
	SJS Review exhibits to motions in limine and prepare for filing:	350.00	0.60	210.00
	SJS Review and prepare exhibits to motion for summary judgment.	350.00	1.70	595.00
	SJS Review and edit citations and facts references.	350.00	1.10	385.00
	SJS Supplemental revision and review of motion for summary judgment exhibits and excerpts.	350.00	1.20	420.00
	SJS Draft motion in limine to preclude general consumer perception.	350.00	0.80	280.00
	SJS Review filing notice and hearing date for motion for summary judgment.	350.00	0.10	35.00
	JAB Continue with revisions to draft motion for summary judgment (1.5).	450.00	1.50	675.00
	JAB Exchange numerous email communication with counsel (.3).	450.00	0.30	135.00
	JAB Telephone call with George West (.3).	450.00	0.30	135.00
	JAB Exchange email communications with George West (.3).	450.00	0.30	135.00
	JAB Receive and review of new offer for plaintiff on settlement (.3).	450.00	0.30	135.00
	JAB Review, edit and draft proposal stipulation on trial exclusions (.6).	450.00	0.60	270.00
	JAB Review, edit and finalize motion in Limine one on one striking late disclosed witness (1.0).	450.00	1.00	450.00
	JAB Review, edit and finalize motion in Limine two relating to frame damage to vehicle (.7).	450.00	0.70	315.00
	JAB Review, edit and finalize in Limine three, relating to testimony on vehicle (.8).	450.00	0.80	360.00
	JAB Review, edit and finalize motion in Limine four relating to consumer expectation (.5).	450.00	0.50	225.00
	JAB Review of issues relating to stipulation on hearing (.4).	450.00	0.40	180.00

Sahara Chrysler Jeep Dodge adv. Derrick Poole

			<u>Rate</u>	<u>Hours</u>	
10/03/2017	SJS	Review filing confirmations and motion hearing dates.	350.00	0.40	140.00
	JAB	Exchange numerous email communications with counsel (.3).	450.00	0.30	135.00
	JAB	Review of proposed stipulation for George West (.3).	450.00	0.30	135.00
	JAB	Review of numerous issues with request made by George West (.4).	450.00	0.40	180.00
	SJS	Review email from chambers RE:: Order shortening time for hearing.	350.00	0.10	35.00
	SJS	Review email and proposed stipulation from G. West.	350.00	0.20	70.00
	SJS	Review email and invoice from G. West RE:: R. Avellini.	350.00	0.20	70.00
	SJS	Revise responses to first Request for Admissions to Plaintiff.	350.00	0.80	280.00
	SJS	Review updated CV for expert R. Avellini.	350.00	0.20	70.00
	SJS	Review of all deadlines for pretrial and potential deadlines for motions and scheduling.	350.00	1.40	490.00
10/04/2017	JAB	Receive and review of proposal stipulation for George West (.3).	450.00	0.30	135.00
	JAB	Review of trial subpoena for counsel (.4).	450.00	0.40	180.00
	JAB	[REDACTED] (.8).	450.00	0.80	360.00
	JAB	[REDACTED] (.8).	450.00	0.80	360.00
	SJS	Review signed Order shortening time and service of motion to continue trial.	350.00	0.20	70.00
	SJS	Review G. West changes and email for stipulation on motions in limine.	350.00	0.60	210.00
	SJS	Finalize responses to requests for admissions, email G. West.	350.00	0.20	70.00
	SJS	Review Discovery Commissioner's Report and Recommendations and execute copy.	350.00	0.30	105.00
	SJS	Review of trial subpoenas issued by G. West.	350.00	0.60	210.00
	SJS	Review email from C. Friedberg RE:: stipulation and attachment.	350.00	0.40	140.00
	SJS	Review service of subpoena duces tecum and documents.	350.00	0.30	105.00
	JAB	Receive and review of proposed changes to agreed upon stipulation to exclude certain evidence and testimony (.8).	450.00	0.80	360.00
10/05/2017	JAB	Exchange numerous email communication with George West (.3)	450.00	0.30	135.00
	JAB	[REDACTED] (.8).	450.00	0.80	360.00
	JAB	Review and analyze issues raised by George West (.5).	450.00	0.50	225.00
	JAB	Receive and review of subpoena Duces Team for trial (.4).	450.00	0.40	180.00
	SJS	Exchange emails with G. West RE:: Discovery Commissioner's Report and Recommendations signature.	350.00	0.20	70.00
	SJS	Review email exchange regarding stipulation to continue hearing.	350.00	0.20	70.00
	SJS	Review email exchange RE:: [REDACTED]	350.00	0.20	70.00
	SJS	[REDACTED]	350.00	0.30	105.00
	SJS	Revise proposed order.	350.00	0.20	70.00
	SJS	Check minutes and court docket to determine if minutes posted.	350.00	0.10	35.00
	SJS	Review pre-trial requirements and initial preparation for 2.67.	350.00	1.70	595.00

Sahara Chrysler Jeep Dodge adv. Derrick Poole

			<u>Rate</u>	<u>Hours</u>	
10/06/2017	JAB	Exchange numerous email communication with George West (.4)	450.00	0.40	180.00
	SJS	[REDACTED]	350.00	0.20	70.00
	SJS	[REDACTED]	350.00	0.70	245.00
	SJS	Draft email to G. West RE:: invoice and payment to expert.	350.00	0.30	105.00
	SJS	Review exchange of emails RE:: Poole and invoices.	350.00	0.40	140.00
	SJS	Exchange of emails with C. Friedberg.	350.00	0.20	70.00
10/09/2017	SJS	Review emails from G. West RE: trial subpoenas and information.	350.00	0.40	140.00
	SJS	Review letter RE:: confirmation to expert to G. West.	350.00	0.20	70.00
	SJS	Review filing RE:: service only of application to continue hearings on Defendant's motions.	350.00	0.20	70.00
	SJS	Review evidentiary stipulations.	350.00	0.40	140.00
	SJS	Review ex parte application to move defendant's motions.	350.00	0.70	245.00
	JAB	Receive and review of numerous emails for George West (.4).	450.00	0.40	180.00
	JAB	Review of all trial subpoenas for counsel of related proposal stipulation (.8).	450.00	0.80	360.00
	JAB	Receive and review of expert application to continue hearing in district court filed by plaintiff (.5).	450.00	0.50	225.00
	JAB	Review of actions needed in opposition and reply briefs (.8).	450.00	0.80	360.00
10/10/2017	SJS	[REDACTED]	350.00	0.20	70.00
	SJS	Review pretrial notice served by plaintiff's counsel.	350.00	0.20	70.00
	SJS	Review trial subpoenas.	350.00	0.40	140.00
	SJS	Draft email to G. West RE:: trial subpoenas and other issues.	350.00	0.20	70.00
	JAB	Receive and review of notice of 2.62 pretrial conference (.5).	450.00	0.50	225.00
	JAB	Receive and review of revised trial subpoenas (.6).	450.00	0.60	270.00
	JAB	Receive and review of revised subpoenas (.6).	450.00	0.60	270.00
	JAB	Review of email exchange between the parties (.3).	450.00	0.30	135.00
10/11/2017	SJS	Review emails with trial subpoenas to / from G. West.	350.00	0.20	70.00
	SJS	Review revised trial subpoenas.	350.00	0.30	105.00
	SJS	Review file RE:: other trial subpoenas and potential witnesses.	350.00	0.60	210.00
	SJS	Review email exchange RE:: revised trial subpoenas.	350.00	0.20	70.00
	SJS	Draft limited opposition to plaintiff's motion to continue hearings.	350.00	1.10	385.00
	SJS	Exchange emails with G. West RE:: 2.67.	350.00	0.30	105.00
	SJS	Review protocol and rules for 2.67.	350.00	0.30	105.00
	JAB	Review of email communication and revised trial subpoenas (.4).	450.00	0.40	180.00
	JAB	Review of numerous email communication between the parties relating to 2.67 conference (.2).	450.00	0.20	90.00
	JAB	Exchange additional email communication with counsel (.3).	450.00	0.30	135.00
10/12/2017	SJS	Review emails from G. West and J. Bendavid RE:: rescheduling and previous agreements.	350.00	0.50	175.00
	SJS	[REDACTED]	350.00	0.30	105.00

Sahara Chrysler Jeep Dodge adv. Derrick Poole

		Rate	Hours	
	JAB Exchange numerous email communications with George West (.4).	450.00	0.40	180.0
	JAB Receive and review of trial subpoena (.4).	450.00	0.40	180.0
	JAB Receive and review of trial subpoena Duces Team (.4).	450.00	0.40	180.0
	SJS [REDACTED]	350.00	0.10	35.0
	SJS Draft limited opposition to motion to continue hearing dates.	350.00	0.60	210.0
	SJS [REDACTED]	350.00	0.30	105.0
	SJS Review 2.67 emails exchanged.	350.00	0.50	175.0
10/13/2017	SJS Draft revisions and prepare for filing the limited opposition to motion to continue hearings.	350.00	0.60	210.0
	SJS Review emails from G. West RE:: Order shortening time and plaintiff's application.	350.00	0.20	70.0
	SJS Review emails RE:: EDCR 2.67 prepare trial and scheduling.	350.00	0.30	105.0
	SJS Review email from G. West RE:: Order shortening time and email exchange with court.	350.00	0.20	70.0
	JAB Exchange email communication with George West (.2).	450.00	0.20	90.0
	JAB Review, edit and finalize limited opposition to plaintiff's motion to continue and related affidavit (.8).	450.00	0.80	360.0
	JAB Receive and review of Order shortening time on plainiffs motion (.2).	450.00	0.20	90.0
	SJS [REDACTED]	350.00	0.20	70.0
10/16/2017	SJS Review email from G. West RE:: opposition	350.00	0.10	35.0
	SJS [REDACTED]	350.00	0.30	105.0
	SJS Draft email to G. West RE:: stipulation regarding motions in limine.	350.00	0.20	70.0
	SJS Revise stipulation for motions in limine.	350.00	0.30	105.0
	JAB Receive and review of Plaintiff's Opposition to Motion to Continue Trial (.8).	450.00	0.80	360.0
	JAB Exchange email communication with George West (.3).	450.00	0.30	135.0
	SJS Telephone call to T. Lepper office.	350.00	0.10	35.0
10/17/2017	SJS Review minute order disclosure of law clerk, review docket for additional minutes.	350.00	0.40	140.0
	JAB Receive and review of Plaintiff's Opposition to Motion to Continue Trial (.3).	450.00	0.30	135.0
	JAB Receive and review of Minute Order regarding conflicts from Court (.2)	450.00	0.20	90.0
10/18/2017	SJS [REDACTED]	350.00	0.70	245.0
	SJS Review documents for hearing to continue trial.	350.00	1.10	385.0
	JAB Attend hearing in District Court on Defendant's Motion to Continue Trial and Plaintiff's Motion to Continue pending hearing on all of Defendant's Motions (1.0).	450.00	1.00	450.0
10/20/2017	SJS Review service notifications verifying plaintiff filing.	350.00	0.40	140.0

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			<u>Rate</u>	<u>Hours</u>	
	JAB	Exchange email communication with George West (.3).	450.00	0.30	135.00
	JAB	Receive and review of Plaintiff's Opposition to Defendant's Motion for Summary Judgment (1.6).	450.00	1.60	720.00
	JAB	Receive and review of Plaintiff's Separate Statement of Undisputed Material Facts in Support to Plaintiff's Objection (1.2).	450.00	1.20	540.00
	JAB	Receive and review of Plaintiff's Response to Plaintiff's Undisputed Facts (.8)	450.00	0.80	360.00
10/21/2017	SJS	Review email re: stipulation from G. West.	350.00	0.10	35.00
	SJS	Review filing notices and additional email regarding edit in G. West email.	350.00	0.20	70.00
10/22/2017	SJS	Review email from G. West RE:: errata.	350.00	0.10	35.00
10/23/2017	SJS	Review various filings in opposition to motion for summary judgment.	350.00	0.80	280.00
	SJS	[REDACTED]	350.00	0.40	140.00
	SJS	Review notice of errata.	350.00	0.20	70.00
	SJS	Review filing of Plaintiff's exhibits.	350.00	0.10	35.00
	SJS	Review filing notifications of opposition and additional pleadings from D. Poole.	350.00	0.30	105.00
	JAB	Continue with review of final opposition with statement of undisputed facts of related response to undisputed facts (1.7).	450.00	1.70	765.00
	JAB	Review of exhibit to plaintiff's opposition on brief final on defendant's motion for summary judgement (1.0).	450.00	1.00	450.00
10/24/2017	SJS	Initial research regarding [REDACTED]	350.00	0.60	210.00
	SJS	Review court docket and court minute orders.	350.00	0.40	140.00
	SJS	Call law clerk for status of minute order.	350.00	0.10	35.00
	SJS	Review of filings from G. West to oppose motion for summary judgment.	350.00	1.40	490.00
10/25/2017	SJS	[REDACTED]	350.00	0.10	35.00
	SJS	Review plaintiff's ex parte application to extend page length.	350.00	0.40	140.00
	SJS	Review notices of non- opposition.	350.00	0.60	210.00
	SJS	Draft motion to strike fugitive documents.	350.00	2.10	735.00
	SJS	[REDACTED]	350.00	1.60	560.00
	SJS	[REDACTED] RE:: [REDACTED]	350.00	0.90	315.00
	SJS	Draft Opposition to application to extend page limit.	350.00	1.40	490.00
	SJS	Begin review of documents filed by G. West.	350.00	0.90	315.00
	JAB	[REDACTED] (.3).	450.00	0.30	135.00
	JAB	Receive and review of plaintiff's ex parte application and response page limitations to opposition briefs ( .4)	450.00	0.40	180.00
	JAB	[REDACTED]	450.00	0.80	360.00
	JAB	[REDACTED] (.8).	450.00	0.80	360.00
	JAB	Review of email communication between counsel (.4).	450.00	0.40	180.00

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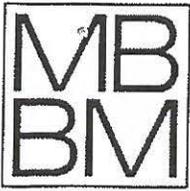
		<u>Rate</u>	<u>Hours</u>	
	JAB Preparation of motion of non-opposition to defendants motion exclude expert (.4).	450.00	0.40	180.00
	JAB Preparation of notices of non-opposition to all four of defendant's motions in limine #1 through #4 (.4).	450.00	0.40	180.00
10/26/2017	SJS <b>Review plaintiff's objection to notices.</b>	350.00	0.20	70.00
	SJS Review email exchange with J. Bendavid and G. West.	350.00	0.40	140.00
	SJS <b>Review notices of non opposition and filing confirmation.</b>	350.00	0.30	105.00
	SJS [REDACTED]	350.00	0.20	70.00
	SJS Draft order granting motion to continue.	350.00	0.30	105.00
	SJS Draft response to objection.	350.00	0.90	315.00
	SJS [REDACTED]	350.00	0.60	210.00
	SJS [REDACTED]	350.00	0.40	140.00
	SJS <b>Draft revisions.</b>	350.00	0.30	105.00
	SJS Supplemental revisions to response to objection.	350.00	1.10	385.00
	SJS Continued review of documents for reply brief.	350.00	0.90	315.00
	SJS [REDACTED]	350.00	1.30	455.00
	SJS Review of exhibits.	350.00	0.90	315.00
	JAB Exchange email communication with counsel (.2).	450.00	0.20	90.00
	JAB <b>Receive and review of plaintiff's objections to final notices (5) of non-opposition of numerous motions filed by Defendant (.8).</b>	450.00	0.80	360.00
	JAB Review of needed to files to strike and oppose (.6).	450.00	0.60	270.00
			<u>132.70</u>	<u>48,665.00</u>

Expenses

09/11/2017	Clark County Clerk 147789 Motion for Protective Order on Order Shortening Time (mif)			3.5
09/26/2017	Clark County Clerk 1545128 Opposition to Motion to Compel Unqualified Responses (mif)			3.5
09/29/2017	Clark County Clerk 1568583 Motion in Limine to Exclude Report (mif)			3.5
09/30/2017	Lexis/ Nexis			142.1
09/30/2017	Lexis/ Nexis			144.8
10/02/2017	Clark County Clerk 1573968 Motion for Summary Judgment (mif)			209.5
10/02/2017	Clark County Clerk 1574568 Motion in Limine No. 1 (mif)			3.5
10/02/2017	Clark County Clerk 1574706 Motion in Limine No. 2 (mif)			3.5
10/02/2017	Clark County Clerk 1574788 Motion in Limine No. 3 (mif)			3.5
10/02/2017	Clark County Clerk 1574839 Motion in Limine No. 4 (mif)			3.5
10/03/2017	Clark County Clerk 1579970 Motion to Continue Trial (mif)			3.5

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10/12/2017	Clark County Clerk 1625139 Trial Subpoena (mlf)	3.0
10/13/2017	Clark County Clerk 1631171 Limited Opposition to Motion to Continue Trial (mlf)	3.0
	<b>Total Expenses</b>	<b>531.0</b>
	<b>Total amount of this bill</b>	<b>49,196.0</b>
	<b>Previous Balance</b>	<b>\$70,339.0</b>
	<u>Payments</u>	
11/08/2017	Payment ck#126514	-26,230.0
	<b>Please Remit Balance Due</b>	<b><u>\$93,305.0</u></b>



MORAN BRANDON  
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Page:  
December 05, 2017  
Account No: 12386-005  
Statement No: 18914

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			<u>Rate</u>	<u>Hours</u>	
10/27/2017	JAB	Exchange of email communication with counsel (.3).	450.00	0.30	135.00
10/29/2017	SJS	Read, review and analysis of opposition to motion for summary judgment filings.	350.00	1.40	490.00
10/30/2017	JAB	Review, edit and revise of draft opposition to plaintiff's motion to extend briefing of motion for summary judgment (.8).	450.00	0.80	360.00
	SJS	Review discovery commissioner report and recommendations served.	350.00	0.20	70.00
	SJS	Review and edit opposition to application to extend page limit.	350.00	0.60	210.00
	SJS	[REDACTED]	350.00	0.70	245.00
	SJS	Draft reply brief in support of motion for summary judgment.	350.00	1.70	595.00
	SJS	Supplemental drafting of reply in support of motion for summary judgment.	350.00	2.10	735.00
	SJS	Supplemental review of opposition to motion for summary judgment.	350.00	1.80	630.00
	SJS	[REDACTED]	350.00	0.70	245.00
10/31/2017	JAB	Exchange email communication with court and counsel (.2).	450.00	0.20	90.00
	JAB	Review of updates from court to hearing (.2).	450.00	0.20	90.00
	SJS	Research and review of [REDACTED]	350.00	2.30	805.00
	SJS	Supplemental review of all briefing submitted by Plaintiff and exhibits.	350.00	1.80	630.00
	SJS	[REDACTED]	350.00	1.20	420.00
	SJS	Supplemental review and drafting of reply brief.	350.00	1.90	665.00
	SJS	Drafting of motion to strike Declaration of R. Avellini attached to opposition.	350.00	1.10	385.00
	11/01/2017	JAB	Review, edit of opposition brief (.8).	450.00	0.80
	JAB	[REDACTED] (.6).	450.00	0.60	270.00
	JAB	[REDACTED] (.8).	450.00	0.80	360.00

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		<u>Rate</u>	<u>Hours</u>	
	SJS [REDACTED]	350.00	2.10	735.00
	SJS [REDACTED]	350.00	1.90	665.00
	SJS Supplemental drafting of reply brief.	350.00	1.70	595.00
11/02/2017	JAB Review, edit and revise of response to plaintiff's objection to defendants notice of non-opposition (.8).	450.00	0.80	360.00
	JAB Review, edit and revise of motion to strike plaintiff's expert declaration in support of opposition to motion for summary judgment (1.2).	450.00	1.20	540.00
	JAB Finalize motion on order shortening time to strike fugitive pleadings (.8).	450.00	0.80	360.00
	JAB Finalize motion to strike expert declaration (.8).	450.00	0.80	360.00
	JAB Review, edit and revise of motion to strike plaintiff's fugitive pleadings both separate statement of disputed and undisputed facts (1.0).	450.00	1.00	450.00
	JAB Finalize response to plaintiff's objection to non-opposition files and related declaration (.8).	450.00	0.80	360.00
	SJS Review filing verification for response to objection.	350.00	0.10	35.00
	SJS [REDACTED]	350.00	0.90	315.00
	SJS [REDACTED]	350.00	1.70	595.00
	SJS Finalize opposition to application to increase page limitation.	350.00	0.40	140.00
	SJS Supplemental revisions and drafting on motion to strike avellini declaration	350.00	1.40	490.00
	SJS [REDACTED]	350.00	1.10	385.00
	SJS Draft additional motions to strike revisions for R. Avellini and Opposition to ex parte.	350.00	0.30	105.00
11/03/2017	JAB Review, edit and revise of draft reply brief to plaintiff's opposition to defendant's motion for summary judgment (1.7).	450.00	1.70	765.00
	JAB Review, edit and revise reply to defendant's motion for summary judgment (1.2).	450.00	1.20	540.00
	JAB Receive and review of plaintiff's reply to defendant's opposition to plaintiff's application to increase page limitation (.4).	450.00	0.40	180.00
	JAB Review of issues relation to pending motions (.8).	450.00	0.80	360.00
	SJS Revise and edit reply for motion for summary judgment.	350.00	1.20	420.00
	SJS Finalize other motions to strike fugitive documents and declaration of R. Avellini.	350.00	1.80	630.00
	SJS Prepare and finalize exhibits for reply brief in support of motion for summary judgment.	350.00	1.90	665.00
	SJS Review filings and submissions for motion for summary judgment hearing date and Order shortening time.	350.00	0.40	140.00
11/06/2017	SJS Review filing notices and order filed by G. West.	350.00	0.50	175.00
	SJS Review emails from C. Friedberg RE:: motions in limine stipulation.	350.00	0.30	105.00

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			<u>Rate</u>	<u>Hours</u>	
	SJS	Review revised motion in limine stipulation.	350.00	0.30	105.0
	SJS	Review OSTs and filings of additional motions to strike.	350.00	0.40	140.0
	JAB	Receive and review os signed order (.2).	450.00	0.20	90.0
	JAB	Review of issues with filings (.3).	450.00	0.30	135.0
	JAB	Receive and review of opposition brief form plaintiff to motion to strike fugitive documents (.8).	450.00	0.80	360.0
11/07/2017	SJS	Preliminary review of oppositions filed by G. West to motions to strike.	350.00	0.60	210.0
11/08/2017	SJS	[REDACTED]	350.00	1.80	630.0
	SJS	Review of motions set for hearing on Nov. 9 RE:: to strike	350.00	1.20	420.0
	JAB	Receive and review of minute order for district court (.2).	450.00	0.20	90.0
	JAB	[REDACTED]			
	JAB	[REDACTED] (1.8).	450.00	1.80	810.0
	JAB	[REDACTED] (2.3).	450.00	2.30	1,035.0
	JAB	[REDACTED] (1.5).	450.00	1.50	675.0
11/09/2017	SJS	Review motions to strike and motion for summary judgment for hearing.	350.00	2.20	770.0
	SJS	Attend hearing on motion for summary judgment.	350.00	1.80	630.0
	SJS	Attend hearing on motion for summary judgment continued by judge.	350.00	2.10	735.0
	SJS	[REDACTED]	350.00	0.30	105.0
	JAB	[REDACTED]	450.00	1.70	765.0
	JAB	Attend hearing in district court on motion for summary judgement (1.8).	450.00	1.80	810.0
	JAB	Continue attending haring in district court on motion for summary judgement (2.0).	450.00	2.00	900.0
11/13/2017	SJS	Review filings from opposing counsel.	350.00	0.30	105.0
	JAB	Receive and review of plaintiff's motion to exclude plaintiff's expert report on testing (1.5).	450.00	1.50	675.0
	JAB	Review and exchange email communication with counsel (.3).	450.00	0.30	135.0
	JAB	Receive and review of plaintiff opposition to defendants motion in Limine to exclude any reference discussion or testing of plaintiff's opinion regarding frame damage (.8).	450.00	0.80	360.0
	JAB	Receive and review of plaintiffs opposition to defendants motion in Limine to exclude any witnesses not disclosed in discovery (1.0).	450.00	1.00	450.0
	SJS	Read and review plaintiff's opposition to motion in limine to strike expert rocco avellini.	350.00	1.90	665.0

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		<u>Rate</u>	<u>Hours</u>	
	SJS Read and review plaintiff's opposition to motion in limine to exclude references or testimony RE:: plaintiff's opinion on frame damage.	350.00	1.20	420.00
	SJS [REDACTED]	350.00	0.20	70.00
	SJS Read and review opposition to Defendant's motion in limine to exclude reference or testimony of all consumer expectations.	350.00	1.30	455.00
	SJS Read and review plaintiff's opposition to defendant's motion in limine to exclude witnesses not disclosed previously.	350.00	1.10	385.00
	SJS [REDACTED]	350.00	1.60	560.00
11/14/2017	JAB Receive and review of plaintiff opposition to defendants motion in limine to exclude any reference discussion, testimony and evidence of general expectation of al consumers (1.0).	450.00	1.00	450.00
	JAB Receive and review of plaintiffs opposition to defendants motion in Limine to exclude an reference discussion, testimony or evidence, expectations of all consumers (1.0).	450.00	1.00	450.00
	SJS [REDACTED]	350.00	1.60	560.00
	SJS Commence drafting reply brief to motion to strike avellini.	350.00	1.70	595.00
	SJS [REDACTED]	350.00	0.90	315.00
11/15/2017	SJS Continued drafting of reply brief to motion to strike avellini.	350.00	2.10	735.00
	SJS Continued drafting of reply brief for striking avellini.	350.00	1.40	490.00
	SJS Supplemental drafting of reply brief to strike Avellini.	350.00	1.40	490.00
	SJS Continued preparation of reply brief to strike avellini.	350.00	1.40	490.00
11/16/2017	JAB [REDACTED] (.6).	450.00	0.60	270.00
	SJS [REDACTED]	350.00	1.80	630.00
	SJS [REDACTED]	350.00	1.40	490.00
	SJS Draft order regarding motions to strike.	350.00	0.30	105.00
	SJS Revise order regarding motions to strike.	350.00	0.20	70.00
	SJS Supplemental revisions to reply brief to strike avellini.	350.00	1.90	665.00
11/17/2017	SJS [REDACTED]	350.00	1.70	595.00
	SJS Draft reply brief for motion in limine to preclude witnesses.	350.00	2.30	805.00
	SJS Supplemental drafting of reply brief for motion to strike avellini.	350.00	2.20	770.00
	SJS [REDACTED]	350.00	1.20	420.00
11/20/2017	JAB [REDACTED] (.8).	450.00	0.80	360.00
11/27/2017	SJS Read and review decision and order.	350.00	0.50	175.00
	SJS [REDACTED]	350.00	0.20	70.00
	SJS Telephone call to judge chambers RE:: notice of entry of order.	350.00	0.20	70.00
	JAB Receive and review of Decision and Order (.3).	450.00	0.30	135.00
	JAB [REDACTED] (.8).	450.00	0.80	360.00

Sahara Chrysler Jeep Dodge adv. Derrick Poole

		Rate	Hours	
	SJS Review decision rules for summary judgment.	350.00	0.30	105.00
	SJS [REDACTED]	350.00	0.40	140.00
11/28/2017	JAB [REDACTED]	450.00	0.30	135.00
	JAB Receive and review of correspondence from George West (.2).	450.00	0.20	90.00
	SJS Review and analyze order and execute.	350.00	0.30	105.00
	SJS [REDACTED]	350.00	0.30	105.00
	SJS Review transcript invoices for costs.	350.00	0.30	105.00
	SJS [REDACTED]	350.00	0.70	245.00
	SJS Exchange emails with G. West RE;; order.	350.00	0.30	105.00
11/29/2017	SJS Draft Notice of Entry of Order for decision.	350.00	0.20	70.00
	SJS Telephone call with clerk of Judge Allif.	350.00	0.20	70.00
	SJS Draft verified cost memorandum.	350.00	0.60	210.00
	SJS [REDACTED]	350.00	0.40	140.00
			116.30	44,145.00

Expenses

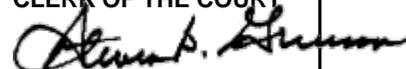
08/23/2017	Western Reporting Services, Inc. Inv# 51944			754.00
09/25/2017	Western Reporting Services, Inc. Inv# 52025			3,035.00
10/25/2017	Clark County Clerk 1682253 Notice Non Opposition to Motion in Limine (mlf)			3.50
10/25/2017	Clark County Clerk 1682578 Notice of Non Opposition to Motion in Limine No 1. (mlf)			3.50
10/25/2017	Clark County Clerk 1682603 Notice of Non Opposition to Motion in Limine No. 2 (mlf)			3.50
10/25/2017	Clark County Clerk 1682623 Notice of Non Opposition to Motion in Limine No. 3 (mlf)			3.50
10/25/2017	Clark County Clerk 1682644 Notice of Non Opposition to Motion in Limine No. 4 (mlf)			3.50
10/31/2017	Lexis/ Nexis			41.20
10/31/2017	Photocopy charges			0.40
10/31/2017	Postage			6.40
11/02/2017	Clark County Clerk 1713770 Opposition to Ex Parte Application (mlf)			3.50
11/02/2017	Clark County Clerk 1715459 Response to Objection to Notices of Non Opposition(mlf)			3.50
11/03/2017	Clark County Clerk 1719732 Reply in Support of Motion for Summary Judgment (mlf)			3.50
11/03/2017	Clark County Clerk 1720351 Motion to Strike Declaration of Rocco Avellini (mlf)			3.50
11/03/2017	Clark County Clerk 1720396 Motion to Strike Fugitive Documents (mlf)			3.50
11/14/2017	Lawyers Process Service Invoice # 43868			50.00

Sahara Chrysler Jeep Dodge adv. Derrick Poole

12/05/2017	Thomas Lepper Associates Inv# 1607R10-1	1,482.00
	Total Expenses	5,405.00
	Total amount of this bill	49,550.00
	Previous Balance	\$93,305.00
	<b>Please Remit Balance Due</b>	<b><u>\$142,855.00</u></b>

 ORIGINAL

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Steven D. Grierson  
CLERK OF THE COURT



**ORDR**

1 GEORGE O. WEST III [SBN 7951]  
2 Law Offices of George O. West III  
3 **Consumer Attorneys Against Auto Fraud**  
4 10161 Park Run Drive, Suite 150  
5 Las Vegas, NV 89145  
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16 Fax: (702) 946-0887  
17 Email: attcbf@cox.net  
18 Website: www.consumerlaw.justia.net

19 Attorneys for Plaintiffs  
20 **DERRICK POOLE**

21 **DISTRICT COURT**  
22 **CLARK COUNTY, NEVADA**

23 DERRICK POOLE, )  
24 )  
25 Plaintiff, )  
26 v )  
27 )  
28 NEVADA AUTO DEALERSHIP INVEST- )  
MENTS LLC a Nevada Limited Liability )  
Company d/b/a SAHARA CHRYSLER, )  
JEEP, DODGE, WELLS FARGO DEALER )  
SERVICES INC., COREPOINTE INSUR- )  
ANCE COMPANY, and DOES 1 through 100, )  
Inclusive, )  
Defendants, )

CASE NO : A-16-737120-C  
DEPT : XXVII

**ORDER GRANTING, IN PART,  
DEFENDANT'S MOTION FOR FEES  
AND COSTS AND ORDER GRANTING  
IN PART, PLAINTIFF'S MOTION  
TO RETAX COSTS**

1 Defendant, Nevada Auto Dealership Investments LLC d/b/a Sahara Chrysler  
2 Jeep Dodge Ram's ("Defendant" and/or "Sahara Chrysler") Motion for Attorneys' Fees  
3 and Costs and Plaintiff, Derrick Poole's ("Plaintiff" and/or "Poole") Motion to Retax  
4 Costs having come on for hearing before this above-entitled Court on February 1,  
5 2018, at 9:30 a.m., with the Honorable Judge Nancy Allf presiding, with Stephanie J.  
6 Smith, Esq., appearing on behalf of the Defendants, Sahara Chrysler and Corepointe  
7 Insurance, and George O. West III, Esq. and Craig Friedberg, Esq., appearing on  
8 behalf of Plaintiff, Derrick Poole. The Court having reviewed all of the papers and  
9 pleadings on file herein, and arguments of counsel, finds therefore:

11 THE COURT FINDS that Defendant's motion for fees based upon NRS  
12 18.010(2)(b) is denied, as Plaintiff's Complaint was not groundless or made to harass  
13 Defendants. However, Defendant's motion for fees based upon NRCF Rule 68,  
14 Defendants' Motion is granted, in part. The Court finds that attorneys' fees and costs  
15 are appropriate pursuant to the applicable factors under *Beattie*. More specifically the  
16 Court finds that while Plaintiff Derrick Poole's claims were not brought in bad faith,  
17 the Defendant's offer of judgment was reasonable in its timing and amount, that  
18 Plaintiff's rejection of the offer of judgment was grossly unreasonable due to the  
19 timing and amount, and, except for what is specifically noted herein below, that the  
20 attorneys' fees incurred by Defendant between October 5, 2017 and November 29,  
21 2017, were reasonable due to the amount of time spent on the sophisticated defense,  
22 the hourly rates and skill of the attorneys, and the results obtained.

25 The Court hereby, denies in part, Defendant's requested fees pursuant to Rule  
26 68 in the total amount of \$20,760.00. These reductions are as follows: \$18,500.00  
27 for redacted billing entries, \$940.00 for a motion that was prepared but not filed,  
28 \$270.00 for a duplicate time entry on page<sup>2</sup><sub>35</sub> of the Plaintiff's bates numbered copy

1 of Defendant's itemized billing, and \$1,050.00 for time billed for reviewing trial  
2 subpoenas.

3 IT IS HEREBY ORDERED that Defendant, Nevada Auto Dealership  
4 Investments LLC d/b/a Sahara Chrysler Jeep Dodge Ram's Motion for Attorneys' Fees  
5 is granted, in part, pursuant to NRCP 68, in the amount of \$47,525.00.  
6

7 IT IS HEREBY FURTHER ORDERED that Defendant's request for costs is  
8 granted, in part, and also Plaintiff, Derrick Poole's Motion to Retax Costs is granted, in  
9 part, to the extent that Defendant will only be awarded the statutory maximum  
10 amount for costs for its own expert's fees pursuant to NRS 18.005, thereby reducing  
11 its expert costs from \$3,326.51 to \$1,500.00, therefore Defendant shall be awarded  
12 costs in the amount of \$9,402.82.

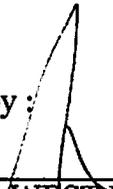
13 IT IS ALSO HEREBY ORDERED, that the documents submitted at the hearing  
14 by Plaintiff's counsel, which were given to Defendant's counsel at the hearing, and  
15 admitted by the Court over the objection of Defendant's counsel, shall also be deemed  
16 part of the record and were accepted by the Court and identified on the record as  
17 "Court's Exhibit." This included the same itemized billing statement produced by  
18 Defendant in their reply brief, but wherein bates numbered and colored highlights  
19 were added by Plaintiff's counsel.  
20

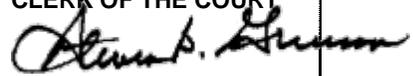
21 DATED this 6 day of March, 2018.  
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23  
24 Nancy L. Alf  
DISTRICT COURT JUDGE  
25 *ALF*  
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Submitted by :

By   
\_\_\_\_\_  
**GEORGE O. WEST III**  
*Consumer Attorneys Against Auto Fraud*  
Law Offices of George O. West III  
Attorney for Plaintiff  
**DERRICK POOLE**



1 **NEO**  
2 **JEFFERY A. BENDAVID, ESQ.**  
3 Nevada Bar No. 6220  
4 **STEPHANIE J. SMITH, ESQ.**  
5 Nevada Bar No. 11280  
6 **MORAN BRANDON BENDAVID MORAN**  
7 630 South 4<sup>th</sup> Street  
8 Las Vegas, Nevada 89101  
9 (702) 384-8424  
10 j.bendavid@moranlawfirm.com  
11 s.smith@moranlawfirm.com  
12 *Attorney for Defendants, Nevada Auto*  
13 *Dealership Investments LLC d/b/a Sahara*  
14 *Chrysler and Corepointe Insurance Co.*

10 **DISTRICT COURT**  
11 **CLARK COUNTY, NEVADA**

12 DERRICK POOLE,  
13  
14 Plaintiff,

Case No.: A-16-737120-C  
Dept. No.: XXVII

15 v.

**NOTICE OF ENTRY OF ORDER**

16 NEVADA AUTO DEALERSHIP  
17 INVESTMENTS LLC, a Nevada Limited  
18 Liability Company d/b/a SAHARA  
19 CHRYSLER; JEEP, DODGE, WELLS  
20 FARGO DEALER SERVICES INC.,  
21 COREPOINTE INSURANCE  
22 COMPANY; and DOES 1 through 100,  
23 Inclusive,

24 Defendant.

25 Please take notice that an ORDER GRANTING, IN PART, DEFENDANT'S  
26 MOTION FOR FEES AND COSTS AND ORDER GRANTING IN PART, PLAINTIFF'S  
27 MOTION TO RETAX COSTS was entered in the above entitled case by the Honorable  
28 Nancy L. Allf on the 9<sup>th</sup> day of March, 2018.



MORAN BRANDON  
BENDAVID MORAN  
ATTORNEYS AT LAW

630 SOUTH 4TH STREET  
LAS VEGAS, NEVADA 89101  
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A TRUE AND CORRECT COPY of the above referenced document is attached.

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

**MORAN BRANDON BENDAVID MORAN**

*/s/ Jeffery A. Bendavid*

**JEFFERY A. BENDAVID, ESQ.**

Nevada Bar No. 6220

**STEPHANIE J. SMITH, ESQ.**

630 South 4th Street

Las Vegas, Nevada 89101

*Attorney for Defendants, Nevada Auto*

*Dealership Investments LLC d/b/a Sahara*

*Chrysler and Corepointe Insurance Co.*



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BENDAVID MORAN  
ATTORNEYS AT LAW

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Steven D. Grierson  
CLERK OF THE COURT

*Steven D. Grierson*

**ORDR**

1 GEORGE O. WEST III [SBN 7951]  
2 Law Offices of George O. West III  
3 **Consumer Attorneys Against Auto Fraud**  
4 10161 Park Run Drive, Suite 150  
5 Las Vegas, NV 89145  
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18 Website: www.consumerlaw.justia.net

19 Attorneys for Plaintiffs  
20 **DERRICK POOLE**

21 **DISTRICT COURT**  
22 **CLARK COUNTY, NEVADA**

23 DERRICK POOLE, )

CASE NO : A-16-737120-C  
DEPT : XXVII

24 Plaintiff, )

**ORDER GRANTING, IN PART,  
DEFENDANT'S MOTION FOR FEES  
AND COSTS AND ORDER GRANTING  
IN PART, PLAINTIFF'S MOTION  
TO RETAX COSTS**

25 v )

26 NEVADA AUTO DEALERSHIP INVEST- )  
27 MENTS LLC a Nevada Limited Liability )  
28 Company d/b/a SAHARA CHRYSLER, )  
JEEP, DODGE, WELLS FARGO DEALER )  
SERVICES INC., COREPOINTE INSUR- )  
ANCE COMPANY, and DOES 1 through 100, )  
Inclusive, )

29 Defendants, )

1 Defendant, Nevada Auto Dealership Investments LLC d/b/a Sahara Chrysler  
2 Jeep Dodge Ram's ("Defendant" and/or "Sahara Chrysler") Motion for Attorneys' Fees  
3 and Costs and Plaintiff, Derrick Poole's ("Plaintiff" and/or "Poole") Motion to Retax  
4 Costs having come on for hearing before this above-entitled Court on February 1,  
5 2018, at 9:30 a.m., with the Honorable Judge Nancy Alf presiding, with Stephanie J.  
6 Smith, Esq., appearing on behalf of the Defendants, Sahara Chrysler and Corepointe  
7 Insurance, and George O. West III, Esq. and Craig Friedberg, Esq., appearing on  
8 behalf of Plaintiff, Derrick Poole. The Court having reviewed all of the papers and  
9 pleadings on file herein, and arguments of counsel, finds therefore:  
10

11 THE COURT FINDS that Defendant's motion for fees based upon NRS  
12 18.010(2)(b) is denied, as Plaintiff's Complaint was not groundless or made to harass  
13 Defendants. However, Defendant's motion for fees based upon NRCP Rule 68,  
14 Defendants' Motion is granted, in part. The Court finds that attorneys' fees and costs  
15 are appropriate pursuant to the applicable factors under *Beattie*. More specifically the  
16 Court finds that while Plaintiff Derrick Poole's claims were not brought in bad faith,  
17 the Defendant's offer of judgment was reasonable in its timing and amount, that  
18 Plaintiff's rejection of the offer of judgment was grossly unreasonable due to the  
19 timing and amount, and, except for what is specifically noted herein below, that the  
20 attorneys' fees incurred by Defendant between October 5, 2017 and November 29,  
21 2017, were reasonable due to the amount of time spent on the sophisticated defense,  
22 the hourly rates and skill of the attorneys, and the results obtained.  
23  
24

25 The Court hereby, denies in part, Defendant's requested fees pursuant to Rule  
26 68 in the total amount of \$20,760.00. These reductions are as follows: \$18,500.00  
27 for redacted billing entries, \$940.00 for a motion that was prepared but not filed,  
28 \$270.00 for a duplicate time entry on page 35 of the Plaintiff's bates numbered copy

1 of Defendant's itemized billing, and \$1,050.00 for time billed for reviewing trial  
2 subpoenas.

3 IT IS HEREBY ORDERED that Defendant, Nevada Auto Dealership  
4 Investments LLC d/b/a Sahara Chrysler Jeep Dodge Ram's Motion for Attorneys' Fees  
5 is granted, in part, pursuant to NRCF 68, in the amount of \$47,525.00.  
6

7 IT IS HEREBY FURTHER ORDERED that Defendant's request for costs is  
8 granted, in part, and also Plaintiff, Derrick Poole's Motion to Retax Costs is granted, in  
9 part, to the extent that Defendant will only be awarded the statutory maximum  
10 amount for costs for its own expert's fees pursuant to NRS 18.005, thereby reducing  
11 its expert costs from \$3,326.51 to \$1,500.00, therefore Defendant shall be awarded  
12 costs in the amount of \$9,402.82.

13 IT IS ALSO HEREBY ORDERED, that the documents submitted at the hearing  
14 by Plaintiff's counsel, which were given to Defendant's counsel at the hearing, and  
15 admitted by the Court over the objection of Defendant's counsel, shall also be deemed  
16 part of the record and were accepted by the Court and identified on the record as  
17 "Court's Exhibit." This included the same itemized billing statement produced by  
18 Defendant in their reply brief, but wherein bates numbered and colored highlights  
19 were added by Plaintiff's counsel.  
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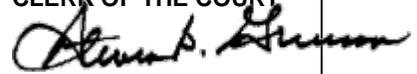
21 DATED this 6 day of March, 2018.

22  
23 Nancy L. Alf  
24 DISTRICT COURT JUDGE  
25 *NL*

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Submitted by :

By   
\_\_\_\_\_  
**GEORGE O. WEST III**  
*Consumer Attorneys Against Auto Fraud*  
Law Offices of George O. West III  
Attorney for Plaintiff  
**DERRICK POOLE**



1 **JDGMT**  
2 **JEFFERY A. BENDAVID, ESQ.**  
Nevada Bar No. 6220  
3 **STEPHANIE J. SMITH, ESQ.**  
Nevada Bar No. 11280  
4 **MORAN BRANDON BENDAVID MORAN**  
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7 j.bendavid@moranlawfirm.com  
8 s.smith@moranlawfirm.com  
9 *Attorney for Defendants, Nevada Auto  
Dealership Investments LLC d/b/a Sahara  
Chrysler and Corepointe Insurance Co.*

10 **DISTRICT COURT**  
11 **CLARK COUNTY, NEVADA**

12 DERRICK POOLE,  
13 Plaintiff,

Case No.: A-16-737120-C  
Dept. No.: XXVII

14 v.

**JUDGMENT**

15 NEVADA AUTO DEALERSHIP  
16 INVESTMENTS LLC, a Nevada Limited  
17 Liability Company d/b/a SAHARA  
18 CHRYSLER; JEEP, DODGE, WELLS  
19 FARGO DEALER SERVICES INC.,  
20 COREPOINTE INSURANCE  
COMPANY; and DOES 1 through 100,  
Inclusive,

21 Defendant.

22  
23 Defendant, Nevada Auto Dealership Investments LLC d/b/a Sahara Chrysler Jeep  
24 Dodge Ram's ("Defendant" and/or "Sahara Chrysler") Motion for Attorneys' Fees and  
25 Costs and Plaintiff, Derrick Poole's ("Plaintiff" and/or "Poole") Motion to Retax Costs  
26 having come on for hearing before this above-entitled and an Order granting, in part, the  
27 Motion for Attorneys' Fees and Costs and finding against Plaintiff and in favor of  
28



MORAN BRANDON  
BENDAVID MORAN  
ATTORNEYS AT LAW

630 SOUTH 4TH STREET  
LAS VEGAS, NEVADA 89101  
PHONE: (702) 384-8424  
FAX: (702) 384-6568

1 Defendant being entered on March 20, 2018, the Court hereby FINDS, ORDERS AND  
2 DECREES that:

3 Final and binding judgment is entered in favor of Nevada Auto Dealership  
4 Investments d/b/a Sahara Chrysler Jeep Dodge Ram and against Plaintiff, Derrick Poole in  
5 the total amount of \$56,927.82 as of the 20<sup>th</sup> day of March, 2018.  
6

7  
8 DATED this 23 day of March, 2018.  
9

10  
11 Nancy L Alf  
DISTRICT COURT JUDGE  
12

or

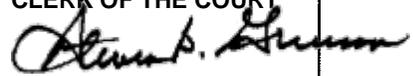
13 Respectfully Submitted:  
14 **MORAN BRANDON BENDAVID MORAN**

15 /s/Jeffery A. Bendavid  
16 **JEFFERY A. BENDAVID, ESQ.**  
Nevada Bar No. 6220  
17 **STEPHANIE J. SMITH, ESQ.**  
Nevada Bar No. 11280  
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20 Fax: (702) 384-6568  
j.bendavid@moranlawfirm.com  
21 s.smith@moranlawfirm.com  
22 *Attorney for Defendants, Nevada Auto*  
*Dealership Investments LLC d/b/a Sahara*  
23 *Chrysler and Corepointe Insurance Co.*  
24  
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MORAN BRANDON  
BENDAVID MORAN  
ATTORNEYS AT LAW

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1 **NEO**  
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4 **STEPHANIE J. SMITH, ESQ.**  
5 Nevada Bar No. 11280  
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10 j.bendavid@moranlawfirm.com  
11 s.smith@moranlawfirm.com  
12 *Attorney for Defendants, Nevada Auto*  
13 *Dealership Investments LLC d/b/a Sahara*  
14 *Chrysler and Corepointe Insurance Co.*

10 **DISTRICT COURT**  
11 **CLARK COUNTY, NEVADA**

12 DERRICK POOLE,

13 Plaintiff,

14 v.

15 NEVADA AUTO DEALERSHIP  
16 INVESTMENTS LLC, a Nevada Limited  
17 Liability Company d/b/a SAHARA  
18 CHRYSLER; JEEP, DODGE, WELLS  
19 FARGO DEALER SERVICES INC.,  
20 COREPOINTE INSURANCE  
21 COMPANY; and DOES 1 through 100,  
22 Inclusive,

21 Defendant.

Case No.: A-16-737120-C  
Dept. No.: XXVII

23 **NOTICE OF ENTRY OF JUDGMENT**

24  
25 Please take notice that a JUDGMENT was entered in the above entitled case on the  
26 28<sup>th</sup> day of March, 2018.



27  
28 MORAN BRANDON  
BENDAVID MORAN  
ATTORNEYS AT LAW

630 SOUTH 4TH STREET  
LAS VEGAS, NEVADA 89101  
PHONE: (702) 384-8424  
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A TRUE AND CORRECT COPY of the above Judgment is attached hereto.

DATED this 28<sup>th</sup> day of March, 2018.

**MORAN BRANDON BENDAVID MORAN**

*/s/ Jeffery A. Bendavid*

**JEFFERY A. BENDAVID, ESQ.**

Nevada Bar No. 6220

**STEPHANIE J. SMITH, ESQ.**

630 South 4th Street

Las Vegas, Nevada 89101

*Attorney for Defendants, Nevada Auto*

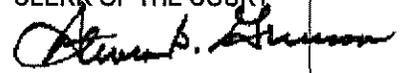
*Dealership Investments LLC d/b/a Sahara*

*Chrysler and Corepointe Insurance Co.*



MORAN BRANDON  
BENDAVID MORAN  
ATTORNEYS AT LAW

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1 **JDGMT**  
2 **JEFFERY A. BENDAVID, ESQ.**  
3 Nevada Bar No. 6220  
4 **STEPHANIE J. SMITH, ESQ.**  
5 Nevada Bar No. 11280  
6 **MORAN BRANDON BENDAVID MORAN**  
7 630 South 4<sup>th</sup> Street  
8 Las Vegas, Nevada 89101  
9 (702) 384-8424  
10 j.bendavid@moranlawfirm.com  
11 s.smith@moranlawfirm.com  
12 *Attorney for Defendants, Nevada Auto*  
13 *Dealership Investments LLC d/b/a Sahara*  
14 *Chrysler and Corepointe Insurance Co.*

10 **DISTRICT COURT**  
11 **CLARK COUNTY, NEVADA**

12 DERRICK POOLE,  
13 Plaintiff,

Case No.: A-16-737120-C  
Dept. No.: XXVII

14 v.

**JUDGMENT**

15 NEVADA AUTO DEALERSHIP  
16 INVESTMENTS LLC, a Nevada Limited  
17 Liability Company d/b/a SAHARA  
18 CHRYSLER; JEEP, DODGE, WELLS  
19 FARGO DEALER SERVICES INC.,  
20 COREPOINTE INSURANCE  
21 COMPANY; and DOES 1 through 100,  
22 Inclusive,  
23 Defendant.

23 Defendant, Nevada Auto Dealership Investments LLC d/b/a Sahara Chrysler Jeep  
24 Dodge Ram's ("Defendant" and/or "Sahara Chrysler") Motion for Attorneys' Fees and  
25 Costs and Plaintiff, Derrick Poole's ("Plaintiff" and/or "Poole") Motion to Retax Costs  
26 having come on for hearing before this above-entitled and an Order granting, in part, the  
27 Motion for Attorneys' Fees and Costs and finding against Plaintiff and in favor of  
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Defendant being entered on March 20, 2018, the Court hereby FINDS, ORDERS AND DECREES that:

Final and binding judgment is entered in favor of Nevada Auto Dealership Investments d/b/a Sahara Chrysler Jeep Dodge Ram and against Plaintiff, Derrick Poole in the total amount of \$56,927.82 as of the 20<sup>th</sup> day of March, 2018.

DATED this 23 day of March, 2018.

Nandi L Alf  
DISTRICT COURT JUDGE  
or

Respectfully Submitted:  
**MORAN BRANDON BENDAVID MORAN**

/s/Jeffery A. Bendavid  
**JEFFERY A. BENDAVID, ESQ.**  
Nevada Bar No. 6220  
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**PROOF OF SERVICE**

STATE OF NEVADA                    )  
  )  
COUNTY OF CLARK                 )

On June 14, 2018 I served the forgoing document(s) described as 1) **APPELLANT’S APPENDIX** interested party(ies) in this action by either fax and/or email, or by placing a true and correct copy and/or original thereof addressed as follows:

**JEFF BENDAVID, ESQ**  
Moran, Brandon, Bendavid, Moran  
630 South Fourth Street  
Las Vegas, NV 89101  
j.bendavid@moranlawfirm.com

**(BY FIRST CLASS MAIL)** I am readily familiar with the firm’s practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal service on that same day with first class postage thereon fully prepaid at Las Vegas, NV in the ordinary course of business.

**(BY PERSONAL SERVICE)** I delivered such envelope by hand to the office, and/or to the attorney listed as the addressee below.

**(BY FAX SERVICE)** Pursuant to consent under NRCP, Rule 5(b), I hereby certify that service of the aforementioned document(s) via facsimile, pursuant to EDCR Rule 7.26(a), as set forth herein.

**(BY EMAIL SERVICE) (Wiznet/email)** Pursuant NRCP, Rule 5(b)(2)(D), and the EDCR on electronic service, I hereby certify that service of the aforementioned document(s) via email to pursuant to the relevant and pertinent provisions of EDCR and NRCP, as set forth herein.

Executed on this 14<sup>th</sup> day of June, 2018

/s/ George O. West III  
GEORGE O. WEST III