

IN THE SUPREME COURT OF THE STATE OF NEVADA

EDGEWORTH FAMILY TRUST; AND  
AMERICAN GRATING, LLC,

Appellants/Cross Respondents.

vs.

DANIEL S. SIMON; THE LAW OFFICE OF  
DANIEL S. SIMON, A PROFESSIONAL  
CORPORATION; DOES I through X,  
inclusive, and ROE CORPORATIONS I  
through X, inclusive,

Respondents/Cross-Appellants.

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EDGEWORTH FAMILY TRUST;  
AMERICAN GRATING, LLC,

Appellants,

vs.

DANIEL S. SIMON; THE LAW OFFICE OF  
DANIEL S. SIMON, A PROFESSIONAL  
CORPORATION; DOES I through X,  
inclusive, and ROE CORPORATIONS I  
through X, inclusive,

Respondents.

Electronically Filed  
Aug 08 2019 12:00 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**Supreme Court Case**

**No. 77678 consolidated with No. 78176**

Appeal from a Final Judgment entered by the Eighth Judicial District Court, Clark County  
The Honorable Tierra Jones, District Judge

**APPELLANTS' APPENDIX**

VOL. 1 PART 1 of 12

IN THE SUPREME COURT OF THE STATE OF NEVADA

\*\*\*\*\*

EDGEWORTH FAMILY TRUST; AND  
AMERICAN GRATING, LLC,

Appellants/Cross Respondents.

vs.

DANIEL S. SIMON; THE LAW OFFICE OF  
DANIEL S. SIMON, A PROFESSIONAL  
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inclusive, and ROE CORPORATIONS I  
through X, inclusive,

Respondents/Cross-Appellants.

**Supreme Court Case**

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EDGEWORTH FAMILY TRUST;  
AMERICAN GRATING, LLC,

Appellants,

vs.

DANIEL S. SIMON; THE LAW OFFICE OF  
DANIEL S. SIMON, A PROFESSIONAL  
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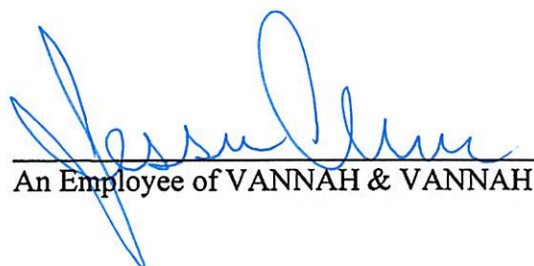
Respondents.

CERTIFICATE OF SERVICE OF APPENDIX

**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I certify that on the 1<sup>st</sup> day of August, 2019, I served **VOLUMES 1, 2, AND 3 OF APPELLANTS' APPENDIX**, together with a CD ROM, on all parties to this action by U.S. Mail, addressed as follows:

James R. Christensen, Esq.  
**JAMES R. CHRISTENSEN, P.C.**  
601 S. 6<sup>th</sup> Street  
Las Vegas, NV 89101



---

An Employee of VANNAH & VANNAH

**Appellants' Appendix – Consolidated Cases 77678 and 78176**  
***Edgeworth, et al. v. Daniel Simon, et al.***

<b>Date Filed</b>	<b>Document Title</b>	<b>VOL. No.</b>	<b>Bates Number</b>
1/9/18	Acceptance of Service of the Summons and Complaint	1	AA000024
3/15/18	Amended Complaint	2	AA000305
1/4/2018	Complaint	1	AA000013
11/19/2018	Decision and Order on Motion to Adjudicate Lien	2	AA000353
11/19/2018	Decision and Order on Motion to Dismiss NRCF 12(B)(5)	2	AA000376
1/24/2018	Motion to Adjudicate Lien of the Law Office of Daniel Simon On Order Shortening Time <ul style="list-style-type: none"> <li>• Simon's Invoices</li> <li>• Itemization of Costs</li> <li>• Simon's 11/27/18 Letter to Edgeworth's</li> </ul>	1 & 2	AA000025
12/7/2018	Motion for Attorneys Fees and Costs	2	AA000386
4/9/2018	Motion to Dismiss Plaintiffs' Amended Complaint Pursuant to 12(b)(5)	2	AA000317
1/2/2018	Notice of Amended Attorney's Lien	1	AA000006
12/17/2018	Notice of Appeal (Adjudicate Lien and Motion to Dismiss)	2	AA000425
2/15/19	Notice of Appeal (Attorney's Fees and Costs)	2	AA000485
12/17/2018	Notice of Cross Appeal	2	AA000440
2/08/2019	Notice of Entry of Decision and Order Granting in Part and Denying in Part, Simon's Motion for Attorney's Fees and Costs <ul style="list-style-type: none"> <li>• Decision and Order Granting in Part and Denying in Part, Simon's Motion for Attorney's Fees and Costs</li> </ul>	2	AA000479



**Appellants' Appendix – Consolidated Cases 77678 and 78176**  
***Edgeworth, et al. v. Daniel Simon, et al.***

12/27/2018	Notice of Entry of Orders (Adjudicate Lien and Dismiss NRCP 12(B)(5))	2	AA000442
12/13/2018	Plaintiff's Motion for an Order to Release Funds	2	AA000415
2/02/18	Plaintiff's Opposition to Defendant's Motions to Consolidate and to Adjudicate Attorney Lien <ul style="list-style-type: none"> <li>• Affidavit of Brian Edgeworth (2/2/18)</li> <li>• Deposition of Brian Edgeworth (9/29/17)</li> </ul>	2	AA000277
4/24/2018	Plaintiff's Opposition to Defendant's (Third) Motion to Dismiss	2	AA000335
12/17/2018	Plaintiffs' Opposition to Simon's Motion for Fees and Costs	2	AA000428
6/13/19	Recorder's Transcript of Evidentiary Hearing-Day 1 August 27, 2018 Recorder's Transcript of Evidentiary Hearing-Day 2 August 28, 2018 Recorder's Transcript of Evidentiary Hearing-Day 4 August 30, 2018	3	AA000488
11/30/2017	Simon's Notice of Attorney's Lien	2	AA000001

**Appellants' Appendix – Consolidated Cases 77678 and 78176**  
***Edgeworth, et al. v. Daniel Simon, et al.***

<b>Date Filed</b>	<b>Document Title</b>	<b>VOL. No.</b>	<b>Bates Number</b>
11/30/2017	Simon's Notice of Attorney's Lien	1	AA000001
1/2/2018	Notice of Amended Attorney's Lien	1	AA000006
1/4/2018	Complaint	1	AA000013
1/9/2018	Acceptance of Service of the Summons and Complaint	1	AA000024
1/24/2018	Motion to Adjudicate Lien of the Law Office of Daniel Simon On Order Shortening Time <ul style="list-style-type: none"> <li>• Simon's Invoices</li> <li>• Email to Simon labeled "Contingency</li> <li>• Itemization of Costs</li> <li>• Simon's 11/27/18 Letter to Edgeworth's</li> </ul>	1 & 2	AA000025
2/02/18	Plaintiff's Opposition to Defendant's Motions to Consolidate and to Adjudicate Attorney Lien <ul style="list-style-type: none"> <li>• Affidavit of Brian Edgeworth (2/2/18)</li> <li>• Deposition of Brian Edgeworth (9/29/17)</li> </ul>	2	AA000277
3/15/18	Amended Complaint	2	AA000305
4/9/2018	Motion to Dismiss Plaintiffs' Amended Complaint Pursuant to 12(b)(5)	2	AA000317
4/24/2018	Plaintiff's Opposition to Defendant's (Third) Motion to Dismiss	2	AA000335
11/19/2018	Decision and order on Motion to Adjudicate Lien	2	AA000353
11/19/2018	Decision and Order on Motion to Dismiss NRCP 12(B)(5)	2	AA000376
12/7/2018	Motion for Attorneys Fees and Costs	2	AA000386
12/13/2018	Plaintiff's Motion for an Order to Release Funds	2	AA000415
12/17/2018	Notice of Appeal (Adjudicate Lien and Motion to Dismiss)	2	AA000425

**Appellants' Appendix – Consolidated Cases 77678 and 78176**  
***Edgeworth, et al. v. Daniel Simon, et al.***

12/17/2018	Plaintiffs' Opposition to Simon's Motion for Fees and Costs	2	AA000428
12/17/2018	Notice of Cross Appeal	2	AA000440
12/27/2018	Notice of Entry of Orders (Adjudicate Lien and Dismiss NRCp 12(B)(5))	2	AA000442
2/08/2019	Notice of Entry of Decision and Order Granting in Part and Denying in Part, Simon's Motion for Attorney's Fees and Costs <ul style="list-style-type: none"> <li>• Decision and Order Granting in Part and Denying in Part, Simon's Motion for Attorney's Fees and Costs</li> </ul>	2	AA000479
2/15/19	Notice of Appeal (Attorney's Fees and Costs)	2	AA000485
6/13/19	Recorder's Transcript of Evidentiary Hearing- Day 1 August 27, 2018 Recorder's Transcript of Evidentiary Hearing- Day 2 August 28, 2018 Recorder's Transcript of Evidentiary Hearing- Day 4 August 30, 2018	3	AA000488



1 ATLN  
2 DANIEL S. SIMON, ESQ.  
3 Nevada Bar No. 4750  
4 ASHLEY M. FERREL, ESQ.  
5 Nevada Bar No. 12207  
6 810 S. Casino Center Blvd.  
7 Las Vegas, Nevada 89101  
8 Telephone (702) 364-1650  
9 lawyers@simonlawlv.com  
10 Attorneys for Plaintiffs

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

9 EDGEWORTH FAMILY TRUST; and )  
10 AMERICAN GRATING, LLC.; )

11 Plaintiffs, )

12 vs. )

CASE NO.: A-16-738444-C  
DEPT. NO.: X

13 LANGE PLUMBING, L.L.C.; )  
14 THE VIKING CORPORATION, )  
15 a Michigan corporation; )  
16 SUPPLY NETWORK, INC., dba VIKING )  
17 SUPPLYNET, a Michigan corporation; )  
18 and DOES I through V and ROE )  
19 CORPORATIONS VI through X, inclusive, )

20 Defendants. )

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**NOTICE OF ATTORNEY'S LIEN**

19 **NOTICE IS HEREBY GIVEN** that the Law Office of Daniel S. Simon, a Professional  
20 Corporation, rendered legal services to EDGEWORTH FAMILY TRUST and AMERICAN  
21 GRATING, LLC., for the period of May 1, 2016, to the present, in connection with the above-entitled  
22 matter resulting from the April 10, 2016, sprinkler failure and massive flood that caused substantial  
23 damage to the Edgeworth residence located at 645 Saint Croix Street, Henderson, Nevada 89012.

24 That the undersigned claims a lien, pursuant to N.R.S. 18.015, to any verdict, judgment, or  
25 decree entered and to any money which is recovered by settlement or otherwise and/or on account of  
26 the suit filed, or any other action, from the time of service of this notice. This lien arises from the  
27 services which the Law Office of Daniel S. Simon has rendered for the client, along with court costs  
28 and out-of-pocket costs advanced by the Law Office of Daniel S. Simon in an amount to be

SIMON LAW  
810 S. Casino Center Blvd.  
Las Vegas, Nevada 89101  
702-364-1650 Fax: 702-364-1655

SIMON LAW  
810 S. Casino Center Blvd.  
Las Vegas, Nevada 89101  
702-364-1650 Fax: 702-364-1655

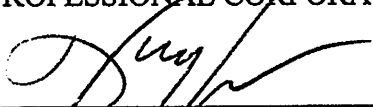
1 determined.

2 The Law Office of Daniel S. Simon claims a lien for a reasonable fee for the services rendered  
3 by the Law Office of Daniel S. Simon on any settlement funds, plus outstanding court costs and out-  
4 of-pocket costs currently in the amount of \$80,326.86 and which are continuing to accrue, as  
5 advanced by the Law Office of Daniel S. Simon in an amount to be determined upon final resolution.  
6 The above amount remains due, owing and unpaid, for which amount, plus interest at the legal rate,  
7 lien is claimed.

8 This lien, pursuant to N.R.S. 18.015(3), attaches to any verdict, judgment, or decree entered  
9 and to any money which is recovered by settlement or otherwise and/or on account of the suit filed,  
10 or any other action, from the time of service of this notice.

11 Dated this 30<sup>th</sup> day of November, 2017.

12 THE LAW OFFICE OF DANIEL S. SIMON,  
13 A PROFESSIONAL CORPORATION

14   
15 DANIEL S. SIMON, ESQ.  
16 Nevada Bar No. 4750  
17 ASHLEY M. FERREL, ESQ.  
18 Nevada Bar No. 12207  
19 SIMON LAW  
20 810 South Casino Center Blvd.  
21 Las Vegas, Nevada 89101  
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SIMON LAW  
810 S. Casino Center Blvd.  
Las Vegas, Nevada 89101  
702-364-1650 Fax: 702-364-1655

1 STATE OF NEVADA )  
2 ) ss.  
3 COUNTY OF CLARK )

4 DANIEL S. SIMON, being first duly sworn, deposes and says:

5 That he is the attorney who has at all times represented EDGEWORTH FAMILY TRUST and  
6 AMERICAN GRATING, LLC., as counsel from May 1, 2016, until present, in its claims for damages  
7 resulting from the April 16, 2016, sprinkler failure that caused substantial damage to the Edgeworth  
8 residence located at 645 Saint Croix Street, Henderson, Nevada.

9 That he is owed for attorney's fees for a reasonable fee for the services which have been  
10 rendered for the client, plus outstanding court costs and out-of-pocket costs, currently in the amount  
11 of \$80,326.86, and which are continuing to accrue, as advanced by the Law Office of Daniel S. Simon  
12 in an amount to be determined upon final resolution of any verdict, judgment, or decree entered and  
13 to any money which is recovered by settlement or otherwise and/or on account of the suit filed, or any  
14 other action, from the time of service of this notice. That he has read the foregoing Notice of  
15 Attorney's Lien; knows the contents thereof, and that the same is true of his own knowledge, except  
16 as to those matters therein stated on information and belief, and as to those matters, he believes them  
17 to be true.

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DANIEL S. SIMON

23 SUBSCRIBED AND SWORN  
24 before me this 30 day of November, 2017

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Notary Public

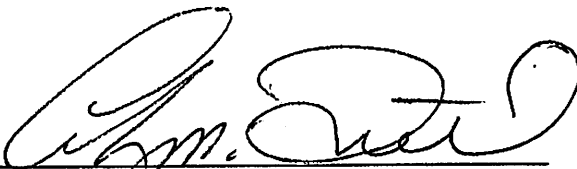


SIMON LAW  
810 S. Casino Center Blvd.  
Las Vegas, Nevada 89101  
702-364-1650 Fax: 702-364-1655

**CERTIFICATE OF MAIL**

I hereby certify that on this 30<sup>th</sup> day of November, 2017, I served a copy, via Certified Mail, Return Receipt Requested, of the foregoing **NOTICE OF ATTORNEY'S LIEN** on all interested parties by placing same in a sealed envelope, with first class postage fully prepaid thereon, and depositing in the U. S. Mail, addressed as follows:

Brian and Angela Edgeworth  
645 Saint Croix Street  
Henderson, Nevada 89012

  
An Employee of SIMON LAW

**CERTIFICATE OF E-SERVICE & U.S. MAIL**

Pursuant to NEFCR 9, NRCP 5(b) and EDCR 7.26, I certify that on this 30<sup>th</sup> day of November, 2017, I served the foregoing **NOTICE OF ATTORNEY'S LIEN** on the following parties by electronic transmission through the Wiznet system and also via Certified Mail- Return Receipt Requested:

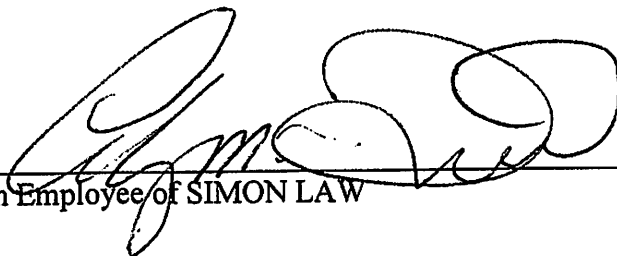
Theodore Parker, III, Esq.  
PARKER NELSON & ASSOCIATES  
2460 Professional Court, Ste. 200  
Las Vegas, NV 89128  
*Attorney for Defendant*  
*Lange Plumbing, LLC*

Michael J. Nunez, Esq.  
MURCHISON & CUMMING, LLP  
350 S. Rampart Blvd., Ste. 320  
Las Vegas, NV 89145  
*Attorney for Third Party Defendant*  
*Giberti Construction, LLC*

Janet C. Pancoast, Esq.  
CISNEROS & MARIAS  
1160 N. Town Center Dr., Suite 130  
Las Vegas, NV 89144  
*Attorney for Defendant*  
*The Viking Corporation and*  
*Supply Network, Inc. dba Viking Supplynet*

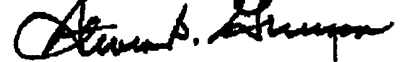
Randolph P. Sinnott, Esq.  
SINNOTT, PUEBLA, CAMPAGNE  
& CURET, APLC  
550 S. Hope Street, Ste. 2350  
Los Angeles, CA 90071  
*Attorney for Zurich American Insurance Co.*

Angela Bullock  
Kinsale Insurance Company  
2221 Edward Holland Drive, Ste. 600  
Richmond, VA 23230  
*Senior Claims Examiner for*  
*Kinsale Insurance Company*

  
An Employee of SIMON LAW

SIMON LAW  
810 S. Casino Center Blvd.  
Las Vegas, Nevada 89101  
702-364-1650 Fax: 702-364-1655





1 ATLN  
2 DANIEL S. SIMON, ESQ.  
3 Nevada Bar No. 4750  
4 ASHLEY M. FERREL, ESQ.  
5 Nevada Bar No. 12207  
6 810 S. Casino Center Blvd.  
7 Las Vegas, Nevada 89101  
8 Telephone (702) 364-1650  
9 lawyers@simonlawlv.com  
10 Attorneys for Plaintiffs

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

9 EDGEWORTH FAMILY TRUST; and  
10 AMERICAN GRATING, LLC.;

11 Plaintiffs,

12 vs.

CASE NO.: A-16-738444-C  
DEPT. NO.: X

13 LANGE PLUMBING, L.L.C.;  
14 THE VIKING CORPORATION,  
15 a Michigan corporation;  
16 SUPPLY NETWORK, INC., dba VIKING  
17 SUPPLYNET, a Michigan corporation;  
18 and DOES I through V and ROE  
19 CORPORATIONS VI through X, inclusive,

20 Defendants.

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**NOTICE OF AMENDED ATTORNEY'S LIEN**

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NOTICE IS HEREBY GIVEN that the Law Office of Daniel S. Simon, a Professional Corporation, rendered legal services to EDGEWORTH FAMILY TRUST and AMERICAN GRATING, LLC., for the period of May 1, 2016, to the present, in connection with the above-entitled matter resulting from the April 10, 2016, sprinkler failure and massive flood that caused substantial damage to the Edgeworth residence located at 645 Saint Croix Street, Henderson, Nevada 89012.

That the undersigned claims a total lien, in the amount of \$2,345,450.00, less payments made in the sum of \$367,606.25 for a final lien for attorney's fees in the sum of \$1,977,843.80, pursuant to N.R.S. 18.015, to any verdict, judgment, or decree entered and to any money which is recovered by settlement or otherwise and/or on account of the suit filed, or any other action, from the time of service of this notice. This lien arises from the services which the Law Office of Daniel S. Simon has

SIMON LAW  
810 S. Casino Center Blvd.  
Las Vegas, Nevada 89101  
702-364-1650 Fax: 702-364-1655

SIMON LAW  
810 S. Casino Center Blvd.  
Las Vegas, Nevada 89101  
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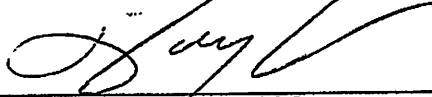
1 rendered for the client, along with court costs and out-of-pocket costs advanced by the Law Office  
2 of Daniel S. Simon in the sum of \$76,535.93, which remains outstanding.

3 The Law Office of Daniel S. Simon claims a lien in the above amount, which is a reasonable  
4 fee for the services rendered by the Law Office of Daniel S. Simon on any settlement funds, plus  
5 outstanding court costs and out-of-pocket costs currently in the amount of \$76,535.93, and which are  
6 continuing to accrue, as advanced by the Law Office of Daniel S. Simon in an amount to be  
7 determined upon final resolution. The above amount remains due, owing and unpaid, for which  
8 amount, plus interest at the legal rate, lien is claimed.

9 This lien, pursuant to N.R.S. 18.015(3), attaches to any verdict, judgment, or decree entered  
10 and to any money which is recovered by settlement or otherwise and/or on account of the suit filed,  
11 or any other action, from the time of service of this notice.

12 Dated this 2<sup>nd</sup> day of January, 2018.

13 THE LAW OFFICE OF DANIEL S. SIMON,  
14 A PROFESSIONAL CORPORATION

15 

16 DANIEL S. SIMON, ESQ.  
17 Nevada Bar No. 4750  
18 ASHLEY M. FERREL, ESQ.  
19 Nevada Bar No. 12207  
20 810 South Casino Center Blvd.  
21 Las Vegas, Nevada 89101  
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SIMON LAW  
810 S. Casino Center Blvd.  
Las Vegas, Nevada 89101  
702-364-1650 Fax: 702-364-1655

**CERTIFICATE OF E-SERVICE & U.S. MAIL**

Pursuant to NEFCR 9, NRCP 5(b) and EDCR 7.26, I certify that on this 2<sup>nd</sup> day of January,

2018, I served the foregoing **NOTICE OF AMENDED ATTORNEY'S LIEN** on the following parties by electronic transmission through the Wiznet system and also via Certified Mail- Return

**Receipt Requested:**

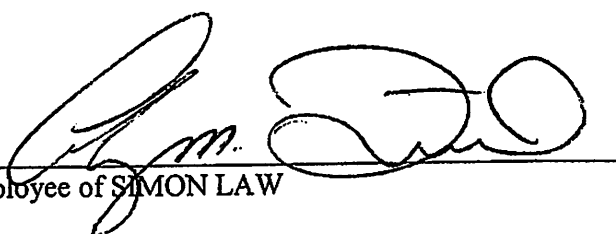
Theodore Parker, III, Esq.  
**PARKER NELSON & ASSOCIATES**  
2460 Professional Court, Ste. 200  
Las Vegas, NV 89128  
*Attorney for Defendant*  
*Lange Plumbing, LLC*

Michael J. Nunez, Esq.  
**MURCHISON & CUMMING, LLP**  
350 S. Rampart Blvd., Ste. 320  
Las Vegas, NV 89145  
*Attorney for Third Party Defendant*  
*Giberti Construction, LLC*

Janet C. Pancoast, Esq.  
**CISNEROS & MARIAS**  
1160 N. Town Center Dr., Suite 130  
Las Vegas, NV 89144  
*Attorney for Defendant*  
*The Viking Corporation and*  
*Supply Network, Inc. dba Viking Supplynet*

Randolph P. Sinnott, Esq.  
**SINNOTT, PUEBLA, CAMPAGNE**  
& CURET, APLC  
550 S. Hope Street, Ste. 2350  
Los Angeles, CA 90071  
*Attorney for Zurich American Insurance Co.*

Angela Bullock  
**Kinsale Insurance Company**  
2221 Edward Holland Drive, Ste. 600  
Richmond, VA 23230  
*Senior Claims Examiner for*  
*Kinsale Insurance Company*

  
An Employee of SIMON LAW

SIMON LAW  
810 S. Casino Center Blvd.  
Las Vegas, Nevada 89101  
702-364-1650 Fax: 702-364-1655

**CERTIFICATE OF U.S. MAIL**

I hereby certify that on this 2<sup>nd</sup> day of January, 2018, I served a copy, via Certified Mail, Return Receipt Requested, of the foregoing **NOTICE OF AMENDED ATTORNEY'S LIEN** on all interested parties by placing same in a sealed envelope, with first class postage fully prepaid thereon, and depositing in the U. S. Mail, addressed as follows:

Brian and Angela Edgeworth  
645 Saint Croix Street  
Henderson, Nevada 89012

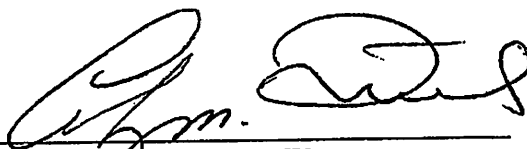
American Grating  
1191 Center point Drive, Ste. A  
Henderson, NV 89074

Edgeworth Family Trust  
645 Saint Croix Street  
Henderson, Nevada 89012

Robert Vannah, Esq.  
VANNAH & VANNAH  
400 South Seventh Street, Ste. 400  
Las Vegas, NV 89101

Bob Paine  
Zurich North American Insurance Company  
10 S. Riverside Plz.  
Chicago, IL 60606  
*Claims Adjustor for*  
*Zurich North American Insurance Company*

Joel Henriod, Esq.  
Lewis Roca Rothgerber Christie  
3993 Howard Hughes Parkway, Ste. 600  
Las Vegas, NV 89169  
*The Viking Corporation and*  
*Supply Network, Inc. dba Viking Supplynet*

  
An Employee of SIMON LAW

**SENDER: COMPLETE THIS SECTION**

1. Complete items 1, 2, and 3.  
 2. Print your name and address on the reverse so that we can return the card to you.  
 3. Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

American Grating  
 1191 Center Point Dr.  
 Ste. #4  
 Henderson, NV 89074

9590 9402 2854 7069 0807 57

Article Number (Transfer from service label)

7017 1450 0001 0575 6328

S Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature ☒ Agent ☐ Addressee  
 B. Received by (Printed Name) C. Date of Delivery  
 D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

**3. Service Type**

- ☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☒ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)
- ☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☒ Return Receipt for Merchandise  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature ☐ Agent ☐ Addressee  
 B. Received by (Printed Name) C. Date of Delivery  
 D. Is delivery address different from item 1? ☐ Yes  
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**3. Service Type**

- ☐ Adult Signature  
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☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)
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☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
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Article Number (Transfer from service label)

017 1450 0001 0575 6366

S Form 3811, July 2015 PSN 7530-02-000-9053

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Article Addressed to:

Brian & Angela Edgeworth  
 645 Saint Croix St.  
 Henderson, NV 89012

9590 9402 2854 7069 0807 33

Article Number (Transfer from service label)

7017 1450 0001 0575 6342

PS Form 3811, July 2015 PSN 7530-02-000-9053

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 D. Is delivery address different from item 1? ☐ Yes  
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**3. Service Type**

- ☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
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☐ Certified Mail Restricted Delivery  
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☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)
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☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☒ Return Receipt for Merchandise  
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**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature ☐ Agent ☐ Addressee  
 B. Received by (Printed Name) C. Date of Delivery  
 D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☒ No

**3. Service Type**

- ☐ Adult Signature  
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☐ Collect on Delivery Restricted Delivery  
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Article Number (Transfer from service label)

7017 1450 0001 0575 6335

PS Form 3811, July 2015 PSN 7530-02-000-9053

Article Addressed to:

Robert Varnish, Esq.  
 Varnish & Varnish  
 400 S. Seventh St., Ste.  
 Las Vegas, NV. 89101

9590 9402 2854 7069 0807 02

Article Number (Transfer from service label)

017 1450 0001 0575 6366

S Form 3811, July 2015 PSN 7530-02-000-9053

Article Addressed to:

Edgeworth Family Trust  
 645 Saint Croix St.  
 Henderson, NV. 89012

9590 9402 2854 7069 0807 40

Article Number (Transfer from service label)

7017 1450 0001 0575 6335

PS Form 3811, July 2015 PSN 7530-02-000-9053

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Addressed to:  
Richard Nunez, Esq.  
Churchison & Community  
50 S. Rampart, Ste. 300  
Las Vegas, NV. 89145



590 9402 2854 7069 0892 86

Article Number (Transfer from service label)  
17 1450 0001 0575 6267

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☐ Agent  
B. Received by (Printed Name) ☐ Addressee  
DAVE LIND 1-4-18  
C. Date of Delivery  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☒ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☒ Return Receipt for Merchandise  
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Domestic Return Receipt

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Print your name and address on the reverse  
that we can return the card to you.  
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on the front if space permits.

Addressed to:  
Melph Sinnott, Esq.  
Sinnott, Ruben, Campaigne  
Suret, APC  
50 S. Hope St., Ste. 2350  
Los Angeles, CA. 90071



590 9402 1294 5285 5765 01

Article Number (Transfer from service label)  
17 1450 0001 0575 6250

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☐ Agent  
B. Received by (Printed Name) ☐ Addressee  
C. Date of Delivery  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☒ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)

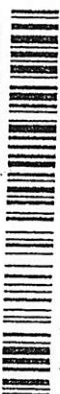
☐ Priority Mail Express®  
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☐ Registered Mail Restricted Delivery  
☒ Return Receipt for Merchandise  
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Print your name and address on the reverse  
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Attach this card to the back of the mailpiece,  
on the front if space permits.

Addressed to:  
Joel Henrich, Esq.  
Lewis Roca Rothermel  
Christie  
3993 Howard Hughes Parkway  
Ste. 600, Las Vegas, NV  
89169



590 9402 2854 7069 0807 64

Article Number (Transfer from service label)  
7017 1450 0001 0575 6311

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☐ Agent  
B. Received by (Printed Name) ☐ Addressee  
JILL M...  
C. Date of Delivery  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☒ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)

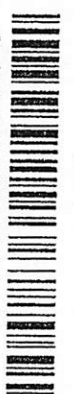
☐ Priority Mail Express®  
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☐ Registered Mail Restricted Delivery  
☒ Return Receipt for Merchandise  
☐ Signature Confirmation™  
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Print your name and address on the reverse  
so that we can return the card to you.  
Attach this card to the back of the mailpiece,  
on the front if space permits.

Addressed to:  
Theodore Parker, Esq.  
Parker Nelson & Associates  
2400 Professional Court  
Ste. 200  
Las Vegas, NV. 89128



590 9402 2854 7069 0807 88

Article Number (Transfer from service label)  
7017 1450 0001 0575 6261

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☐ Agent  
B. Received by (Printed Name) ☐ Addressee  
C. Date of Delivery  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☒ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)

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☐ Registered Mail Restricted Delivery  
☒ Return Receipt for Merchandise  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

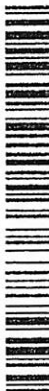


**SENDER: COMPLETE THIS SECTION**

- ☐ Complete items 1, 2, and 3.
- ☐ Print your name and address on the reverse so that we can return the card to you.
- ☐ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*James Boncast, Esq.  
Cisneros & Manias  
1160 N. Town Center Dr.  
Ste. 130  
Las Vegas, NV 89144*



9590 9402 2854 7069 0807 95

2. Article Number (Transfer from service label)

7017 1450 0001 0575 6298

PS Form 3811, July 2015 PSN 7530-02-000-9053

**SENDER: COMPLETE THIS SECTION**

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- ☐ Print your name and address on the reverse so that we can return the card to you.
- ☐ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*Angela Bullock  
Kinsale Insurance Co.  
2221 Edward Holland Dr.  
Ste. 600  
Richmond, VA. 23330*



9590 9402 2854 7069 0892 79

2. Article Number (Transfer from service label)

7017 1450 0001 0575 6274

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature *[Signature]* ☐ Agent ☐ Addressee

B. Received by (Printed Name) *Spears* C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes ☐ No  
If YES, enter delivery address below:

3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☒ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☒ Return Receipt for Merchandise  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature *[Signature]* ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes ☐ No  
If YES, enter delivery address below:

3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☒ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)

Domestic Return Receipt

## DISTRICT COURT CIVIL COVER SHEET

Department 14

County, Nevada

Case No. \_\_\_\_\_

(Assigned by Clerk's Office)

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

Plaintiff(s) (name/address/phone): <b>EDGEWORTH FAMILY TRUST; AMERICAN GRATING, LLC</b>	Defendant(s) (name/address/phone): <b>DANIEL S. SIMON, d/b/a SIMON LAW</b>
Attorney (name/address/phone): <b>ROBERT D. VANNAH, ESQ. 400 S. Seventh Street, 4th Floor Las Vegas, Nevada 89101</b>	Attorney (name/address/phone):

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

<b>Real Property</b> Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant Title to Property <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property Other Real Property <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<b>Negligence</b> <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence <b>Malpractice</b> <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	<b>Torts</b> <b>Other Torts</b> <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
<b>Probate</b> <b>Probate (select case type and estate value)</b> <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate <b>Estate Value</b> <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	<b>Construction Defect &amp; Contract</b> <b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <b>Contract Case</b> <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input checked="" type="checkbox"/> Other Contract	<b>Judicial Review/Appeal</b> <b>Judicial Review</b> <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency <b>Nevada State Agency Appeal</b> <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency <b>Appeal Other</b> <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
<b>Civil Writ</b> <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ		<b>Other Civil Filing</b> <b>Other Civil Filing</b> <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

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

January 3, 2018  
Date

Signature of initiating party or representative

See other side for family-related case filings.



*Steven D. Grierson*

1 **COMP**  
2 **ROBERT D. VANNAH, ESQ.**  
3 Nevada Bar. No. 002503  
4 **JOHN B. GREENE, ESQ.**  
5 Nevada Bar No. 004279  
6 **VANNAH & VANNAH**  
7 400 South Seventh Street, 4<sup>th</sup> Floor  
8 Las Vegas, Nevada 89101  
9 Telephone: (702) 369-4161  
10 Facsimile: (702) 369-0104  
11 [jgreene@vannahlaw.com](mailto:jgreene@vannahlaw.com)

12 *Attorneys for Plaintiffs*

13 **DISTRICT COURT**

14 **CLARK COUNTY, NEVADA**

15 **EDGEWORTH FAMILY TRUST; AMERICAN**  
16 **GRATING, LLC,**

17 **Plaintiffs,**

18 **vs.**

19 **DANIEL S. SIMON, d/b/a SIMON LAW; DOES**  
20 **I through X, inclusive, and ROE**  
21 **CORPORATIONS I through X, inclusive,**

22 **Defendants.**

CASE NO.:  
DEPT NO.:

A-18-767242-C  
Department 14

**COMPLAINT**

23 Plaintiffs EDGEWORTH FAMILY TRUST (EFT) and AMERICAN GRATING, LLC  
24 (AGL), by and through their undersigned counsel, ROBERT D. VANNAH, ESQ., and JOHN B.  
25 GREENE, ESQ., of VANNAH & VANNAH, and for their causes of action against Defendants,  
26 complain and allege as follows:

27 1. At all times relevant to the events in this action, EFT is a legal entity organized  
28 under the laws of Nevada. Additionally, at all times relevant to the events in this action, AGL is a  
domestic limited liability company organized under the laws of Nevada. At times, EFT and AGL  
are referred to as PLAINTIFFS.

1 2. PLAINTIFFS are informed, believe, and thereon allege that Defendant DANIEL S.  
2 SIMON (SIMON) is an attorney licensed to practice law in the State of Nevada and doing business  
3 as SIMON LAW.

4 3. The true names of DOES I through X, their citizenship and capacities, whether  
5 individual, corporate, associate, partnership or otherwise, are unknown to PLAINTIFFS who  
6 therefore sue these defendants by such fictitious names. PLAINTIFFS are informed, believe, and  
7 thereon allege that each of the Defendants, designated as DOES I through X, are or may be, legally  
8 responsible for the events referred to in this action, and caused damages to PLAINTIFFS, as herein  
9 alleged, and PLAINTIFFS will ask leave of this Court to amend the Complaint to insert the true  
10 names and capacities of such Defendants, when the same have been ascertained, and to join them  
11 in this action, together with the proper charges and allegations.

12 4. That the true names and capacities of Defendants named herein as ROE  
13 CORPORATIONS I through X, inclusive, are unknown to PLAINTIFFS, who therefore sue said  
14 Defendants by such fictitious names. PLAINTIFF are informed, believe, and thereon allege that  
15 each of the Defendants designated herein as a ROE CORPORATION Defendant is responsible for  
16 the events and happenings referred to and proximately caused damages to PLAINTIFFS as alleged  
17 herein. PLAINTIFFS ask leave of the Court to amend the Complaint to insert the true names and  
18 capacities of ROE CORPORATIONS I through X, inclusive, when the same have been  
19 ascertained, and to join such Defendants in this action.

20 5. DOES I through V are Defendants and/or employers of Defendants who may be  
21 liable for Defendant's negligence pursuant to N.R.S. 41.130, which states:

22 [e]xcept as otherwise provided in N.R.S. 41.745, whenever any person  
23 shall suffer personal injury by wrongful act, neglect or default of another,  
24 the person causing the injury is liable to the person injured for damages;  
25 and where the person causing the injury is employed by another person or  
26 corporation responsible for his conduct, that person or corporation so  
27 responsible is liable to the person injured for damages.  
28

1 6. Specifically, PLAINTIFFS allege that one or more of the DOE Defendants was and  
2 is liable to PLAINTIFFS for the damages they sustained by SIMON'S breach of the contract for  
3 services and the conversion of PLAINTIFFS personal property, as herein alleged.

4 7. ROE CORPORATIONS I through V are entities or other business entities that  
5 participated in SIMON'S breach of the oral contract for services and the conversion of  
6 PLAINTIFFS personal property, as herein alleged.  
7

8 **FACTS COMMON TO ALL CLAIMS FOR RELIEF**

9 8. On or about May 1, 2016, PLAINTIFFS retained SIMON to represent their interests  
10 following a flood that occurred on April 10, 2016, in a home under construction that was owned by  
11 PLAINTIFFS. That dispute was subject to litigation in the 8<sup>th</sup> Judicial District Court as Case  
12 Number A-16-738444-C (the LITIGATION), with a trial date of January 8, 2018. A settlement in  
13 favor of PLAINTIFFS for a substantial amount of money was reached with defendants prior to the  
14 trial date.  
15

16 9. At the outset of the attorney-client relationship, PLAINTIFFS and SIMON orally  
17 agreed that SIMON would be paid for his services at an hourly rate of \$550 and that fees and costs  
18 would be paid as they were incurred (the CONTRACT). The terms of the CONTRACT were  
19 never reduced to writing.

20 10. Pursuant to the CONTRACT, SIMON sent invoices to PLAINTIFFS on December  
21 16, 2016, May 3, 2017, August 16, 2017, and September 25, 2017. The amount of fees and costs  
22 SIMON billed PLAINTIFFS totaled \$486,453.09. PLAINTIFFS paid the invoices in full to  
23 SIMON. SIMON also submitted an invoice to PLAINTIFFS in October of 2017 in the amount of  
24 \$72,000. However, SIMON withdrew the invoice and failed to resubmit the invoice to  
25 PLAINTIFFS, despite a request to do so. It is unknown to PLAINTIFFS whether SIMON ever  
26 disclosed the final invoice to the defendants in the LITIGATION or whether he added those fees  
27 and costs to the mandated computation of damages.  
28

1 11. SIMON was aware that PLAINTIFFS were required to secure loans to pay  
2 SIMON'S fees and costs in the LITIGATION. SIMON was also aware that the loans secured by  
3 PLAINTIFFS accrued interest.

4 12. As discovery in the underlying LITIGATION neared its conclusion in the late fall  
5 of 2017, and thereafter blossomed from one of mere property damage to one of significant and  
6 additional value, SIMON approached PLAINTIFFS with a desire to modify the terms of the  
7 CONTRACT. In short, SIMON wanted to be paid far more than \$550.00 per hour and the  
8 \$486,453.09 he'd received from PLAINTIFFS over the previous eighteen (18) months. However,  
9 neither PLAINTIFFS nor SIMON agreed on any terms.

10 13. On November 27, 2017, SIMON sent a letter to PLAINTIFFS setting forth  
11 additional fees in the amount of \$1,114,000.00, and costs in the amount of that \$80,000.00, that he  
12 wanted to be paid in light of a favorable settlement that was reached with the defendants in the  
13 LITIGATION. The proposed fees and costs were in addition to the \$486,453.09 that PLAINTIFFS  
14 had already paid to SIMON pursuant to the CONTRACT, the invoices that SIMON had presented  
15 to PLAINTIFFS, the evidence produced to defendants in the LITIGATION, and the amounts set  
16 forth in the computation of damages disclosed by SIMON in the LITIGATION.

17 14. A reason given by SIMON to modify the CONTRACT was that he purportedly  
18 under billed PLAINTIFFS on the four invoices previously sent and paid, and that he wanted to go  
19 through his invoices and create, or submit, additional billing entries. According to SIMON, he  
20 under billed in the LITIGATION in an amount in excess of \$1,000,000.00. An additional reason  
21 given by SIMON was that he felt his work now had greater value than the \$550.00 per hour that  
22 was agreed to and paid for pursuant to the CONTRACT. SIMON prepared a proposed settlement  
23 breakdown with his new numbers and presented it to PLAINTIFFS for their signatures.

24 15. Some of PLAINTIFFS' claims in the LITIGATION were for breach of contract and  
25 indemnity, and a material part of the claim for indemnity against Defendant Lange was the fees  
26  
27  
28

1 and costs PLAINTIFFS were compelled to pay to SIMON to litigate and be made whole following  
2 the flooding event.

3 16. In support of PLAINTIFFS' claims in the LITIGATION, and pursuant to NRCP  
4 16.1, SIMON was required to present prior to trial a computation of damages that PLAINTIFFS  
5 suffered and incurred, which included the amount of SIMON'S fees and costs that PLAINTIFFS  
6 paid. There is nothing in the computation of damages signed by and served by SIMON to reflect  
7 fees and costs other than those contained in his invoices that were presented to and paid by  
8 PLAINTIFFS. Additionally, there is nothing in the evidence or the mandatory pretrial disclosures  
9 in the LITIGATION to support any additional attorneys' fees generated by or billed by SIMON, let  
10 alone those in excess of \$1,000,000.00.

11  
12 17. Brian Edgeworth, the representative of PLAINTIFFS in the LITIGATION, sat for a  
13 deposition on September 27, 2017. Defendants' attorneys asked specific questions of Mr.  
14 Edgeworth regarding the amount of damages that PLAINTIFFS had sustained, including the  
15 amount of attorneys fees and costs that had been paid to SIMON. At page 271 of that deposition, a  
16 question was asked of Mr. Edgeworth as to the amount of attorneys' fees that PLAINTIFFS had  
17 paid to SIMON in the LITIGATION prior to May of 2017. At lines 18-19, SIMON interjected:  
18 "They've all been disclosed to you." At lines 23-25, SIMON further stated: "The attorneys' fees  
19 and costs for both of these plaintiffs as a result of this claim have been disclosed to you long ago."  
20 Finally, at page 272, lines 2-3, SIMON further admitted concerning his fees and costs: "And  
21 they've been updated as of last week."  
22

23  
24 18. Despite SIMON'S requests and demands for the payment of more in fees,  
25 PLAINTIFFS refuse, and continue to refuse, to alter or amend the terms of the CONTRACT.

26 19. When PLAINTIFFS refused to alter or amend the terms of the CONTRACT,  
27 SIMON refused, and continues to refuse, to agree to release the full amount of the settlement  
28 proceeds to PLAINTIFFS. Additionally, SIMON refused, and continues to refuse, to provide

1 PLAINTIFFS with either a number that reflects the undisputed amount of the settlement proceeds  
2 that PLAINTIFFS are entitled to receive or a definite timeline as to when PLAINTIFFS can  
3 receive either the undisputed number or their proceeds.

4 20. PLAINTIFFS have made several demands to SIMON to comply with the  
5 CONTRACT, to provide PLAINTIFFS with a number that reflects the undisputed amount of the  
6 settlement proceeds, and/or to agree to provide PLAINTIFFS settlement proceeds to them. To  
7 date, SIMON has refused.

8  
9 **FIRST CLAIM FOR RELIEF**

10 **(Breach of Contract)**

11 21. PLAINTIFFS repeat and reallege each allegation set forth in paragraphs 1 through  
12 20 of this Complaint, as though the same were fully set forth herein.

13 22. PLAINTIFFS and SIMON have a CONTRACT. A material term of the  
14 CONTRACT is that SIMON agreed to accept \$550.00 per hour for his services rendered. An  
15 additional material term of the CONTRACT is that PLAINTIFFS agreed to pay SIMON'S  
16 invoices as they were submitted. An implied provision of the CONTRACT is that SIMON owed,  
17 and continues to owe, a fiduciary duty to PLAINTIFFS to act in accordance with PLAINTIFFS  
18 best interests.  
19

20 23. PLAINTIFFS and SIMON never contemplated, or agreed in the CONTRACT, that  
21 SIMON would have any claim to any portion of the settlement proceeds from the LITIGATION.  
22

23 24. PLAINTIFFS paid in full and on time all of SIMON'S invoices that he submitted  
24 pursuant to the CONTRACT.

25 25. SIMON'S demand for additional compensation other than what was agreed to in the  
26 CONTRACT, and than what was disclosed to the defendants in the LITIGATION, in exchange for  
27 PLAINTIFFS to receive their settlement proceeds is a material breach of the CONTRACT.  
28

1 26. SIMON'S refusal to agree to release all of the settlement proceeds from the  
2 LITIGATION to PLAINTIFFS is a breach of his fiduciary duty and a material breach of the  
3 CONTRACT.

4 27. SIMON'S refusal to provide PLAINTIFFS with either a number that reflects the  
5 undisputed amount of the settlement proceeds that PLAINTIFFS are entitled to receive or a  
6 definite timeline as to when PLAINTIFFS can receive either the undisputed number or their  
7 proceeds is a breach of his fiduciary duty and a material breach of the CONTRACT.

8 28. As a result of SIMON'S material breach of the CONTRACT, PLAINTIFFS  
9 incurred compensatory and/or expectation damages, in an amount in excess of \$15,000.00.

10 29. As a result of SIMON'S material breach of the CONTRACT, PLAINTIFFS  
11 incurred foreseeable consequential and incidental damages, in an amount in excess of \$15,000.00.

12 30. As a result of SIMON'S material breach of the CONTRACT, PLAINTIFFS have  
13 been required to retain an attorney to represent their interests. As a result, PLAINTIFFS are  
14 entitled to recover attorneys' fees and costs.

15 **SECOND CLAIM FOR RELIEF**

16 **(Declaratory Relief)**

17 31. PLAINTIFFS repeat and reallege each allegation and statement set forth in  
18 Paragraphs 1 through 30, as set forth herein.

19 32. PLAINTIFFS orally agreed to pay, and SIMON orally agreed to receive, \$550.00  
20 per hour for SIMON'S legal services performed in the LITIGATION.

21 33. Pursuant to four invoices, SIMON billed, and PLAINTIFFS paid, \$550.00 per hour  
22 for a total of \$486,453.09, for SIMON'S services in the LITIGATION.

23 34. Neither PLAINTIFFS nor SIMON ever agreed, either orally or in writing, to alter or  
24 amend any of the terms of the CONTRACT.  
25  
26  
27  
28

1 35. The only evidence that SIMON produced in the LITIGATION concerning his fees  
2 are the amounts set forth in the invoices that SIMON presented to PLAINTIFFS, which  
3 PLAINTIFFS paid in full.

4 36. SIMON admitted in the LITIGATION that the full amount of his fees incurred in  
5 the LITIGATION was produced in updated form on or before September 27, 2017. The full  
6 amount of his fees, as produced, are the amounts set forth in the invoices that SIMON presented to  
7 PLAINTIFFS and that PLAINTIFFS paid in full.

8 37. Since PLAINTIFFS and SIMON entered into a CONTRACT; since the  
9 CONTRACT provided for attorneys' fees to be paid at \$550.00 per hour; since SIMON billed, and  
10 PLAINTIFFS paid, \$550.00 per hour for SIMON'S services in the LITIGATION; since SIMON  
11 admitted that all of the bills for his services were produced in the LITIGATION; and, since the  
12 CONTRACT has never been altered or amended by PLAINTIFFS, PLAINTIFFS are entitled to  
13 declaratory judgment setting forth the terms of the CONTRACT as alleged herein, that the  
14 CONTRACT has been fully satisfied by PLAINTIFFS, that SIMON is in material breach of the  
15 CONTRACT, and that PLAINTIFFS are entitled to the full amount of the settlement proceeds.

16 **THIRD CLAIM FOR RELIEF**

17 **(Conversion)**

18 38. PLAINTIFFS repeat and reallege each allegation and statement set forth in  
19 Paragraphs 1 through 37, as set forth herein.

20 39. Pursuant to the CONTRACT, SIMON agreed to be paid \$550.00 per hour for his  
21 services, nothing more.

22 40. SIMON admitted in the LITIGATION that all of his fees and costs incurred on or  
23 before September 27, 2017, had already been produced to the defendants.



1 41. The defendants in the LITIGATION settled with PLAINTIFFS for a considerable  
2 sum. The settlement proceeds from the LITIGATION are the sole property of PLAINTIFFS.

3 42. Despite SIMON'S knowledge that he has billed for and been paid in full for his  
4 services pursuant to the CONTRACT, that PLAINTIFFS were compelled to take out loans to pay  
5 for SIMON'S fees and costs, that he admitted in court proceedings in the LITIGATION that he'd  
6 produced all of his billings through September of 2017, SIMON has refused to agree to either  
7 release all of the settlement proceeds to PLAINTIFFS or to provide a timeline when an undisputed  
8 amount of the settlement proceeds would be identified and paid to PLAINTIFFS.  
9

10 43. SIMON'S retention of PLAINTIFFS' property is done intentionally with a  
11 conscious disregard of, and contempt for, PLAINTIFFS' property rights.  
12

13 44. SIMON'S intentional and conscious disregard for the rights of PLAINTIFFS rises  
14 to the level of oppression, fraud, and malice, and that SIMON has also subjected PLAINTIFFS to  
15 cruel, and unjust, hardship. PLAINTIFFS are therefore entitled to punitive damages, in an amount  
16 in excess of \$15,000.00.  
17

18 45. As a result of SIMON'S intentional conversion of PLAINTIFFS' property,  
19 PLAINTIFFS have been required to retain an attorney to represent their interests. As a result,  
20 PLAINTIFFS are entitled to recover attorneys' fees and costs.  
21

22 **PRAYER FOR RELIEF**

23 Wherefore, PLAINTIFFS pray for relief and judgment against Defendants as follows:

- 24 1. Compensatory and/or expectation damages in an amount in excess of \$15,000;  
25 2. Consequential and/or incidental damages, including attorney fees, in an amount in  
26 excess of \$15,000;  
27 3. Punitive damages in an amount in excess of \$15,000;  
28 4. Interest from the time of service of this Complaint, as allowed by N.R.S. 17.130;

1 5. Costs of suit; and,

2 6. For such other and further relief as the Court may deem appropriate.

3 DATED this 3 day of January, 2018.

4 VANNAH & VANNAH

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6   
7 ROBERT D. VANNAH, ESQ. (4272)  
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IN THE SUPREME COURT OF THE STATE OF NEVADA

EDGEWORTH FAMILY TRUST; AND  
AMERICAN GRATING, LLC,

Appellants/Cross Respondents.

vs.

DANIEL S. SIMON; THE LAW OFFICE OF  
DANIEL S. SIMON, A PROFESSIONAL  
CORPORATION; DOES I through X,  
inclusive, and ROE CORPORATIONS I  
through X, inclusive,

Respondents/Cross-Appellants.

**Supreme Court Case**

**No. 77678 consolidated with No. 78176**

---

EDGEWORTH FAMILY TRUST;  
AMERICAN GRATING, LLC,

Appellants,

vs.

DANIEL S. SIMON; THE LAW OFFICE OF  
DANIEL S. SIMON, A PROFESSIONAL  
CORPORATION; DOES I through X,  
inclusive, and ROE CORPORATIONS I  
through X, inclusive,

Respondents.

Appeal from a Final Judgment entered by the Eighth Judicial District Court, Clark County  
The Honorable Tierra Jones, District Judge

**APPELLANTS' APPENDIX**

VOL. 1 PART 2 of 12

**Appellants' Appendix – Consolidated Cases 77678 and 78176**  
***Edgeworth, et al. v. Daniel Simon, et al.***

<b>Date Filed</b>	<b>Document Title</b>	<b>VOL. No.</b>	<b>Bates Number</b>
1/9/18	Acceptance of Service of the Summons and Complaint	1	AA000024
3/15/18	Amended Complaint	2	AA000305
1/4/2018	Complaint	1	AA000013
11/19/2018	Decision and Order on Motion to Adjudicate Lien	2	AA000353
11/19/2018	Decision and Order on Motion to Dismiss NRCF 12(B)(5)	2	AA000376
1/24/2018	Motion to Adjudicate Lien of the Law Office of Daniel Simon On Order Shortening Time <ul style="list-style-type: none"> <li>• Simon's Invoices</li> <li>• Itemization of Costs</li> <li>• Simon's 11/27/18 Letter to Edgeworth's</li> </ul>	1 & 2	AA000025
12/7/2018	Motion for Attorneys Fees and Costs	2	AA000386
4/9/2018	Motion to Dismiss Plaintiffs' Amended Complaint Pursuant to 12(b)(5)	2	AA000317
1/2/2018	Notice of Amended Attorney's Lien	1	AA000006
12/17/2018	Notice of Appeal (Adjudicate Lien and Motion to Dismiss)	2	AA000425
2/15/19	Notice of Appeal (Attorney's Fees and Costs)	2	AA000485
12/17/2018	Notice of Cross Appeal	2	AA000440
2/08/2019	Notice of Entry of Decision and Order Granting in Part and Denying in Part, Simon's Motion for Attorney's Fees and Costs <ul style="list-style-type: none"> <li>• Decision and Order Granting in Part and Denying in Part, Simon's Motion for Attorney's Fees and Costs</li> </ul>	2	AA000479

**Appellants' Appendix – Consolidated Cases 77678 and 78176**  
***Edgeworth, et al. v. Daniel Simon, et al.***

12/27/2018	Notice of Entry of Orders (Adjudicate Lien and Dismiss NRCP 12(B)(5))	2	AA000442
12/13/2018	Plaintiff's Motion for an Order to Release Funds	2	AA000415
2/02/18	Plaintiff's Opposition to Defendant's Motions to Consolidate and to Adjudicate Attorney Lien <ul style="list-style-type: none"> <li>• Affidavit of Brian Edgeworth (2/2/18)</li> <li>• Deposition of Brian Edgeworth (9/29/17)</li> </ul>	2	AA000277
4/24/2018	Plaintiff's Opposition to Defendant's (Third) Motion to Dismiss	2	AA000335
12/17/2018	Plaintiffs' Opposition to Simon's Motion for Fees and Costs	2	AA000428
6/13/19	Recorder's Transcript of Evidentiary Hearing-Day 1 August 27, 2018 Recorder's Transcript of Evidentiary Hearing-Day 2 August 28, 2018 Recorder's Transcript of Evidentiary Hearing-Day 4 August 30, 2018	3	AA000488
11/30/2017	Simon's Notice of Attorney's Lien	2	AA000001

**Appellants' Appendix – Consolidated Cases 77678 and 78176**  
***Edgeworth, et al. v. Daniel Simon, et al.***

<b>Date Filed</b>	<b>Document Title</b>	<b>VOL. No.</b>	<b>Bates Number</b>
11/30/2017	Simon's Notice of Attorney's Lien	1	AA000001
1/2/2018	Notice of Amended Attorney's Lien	1	AA000006
1/4/2018	Complaint	1	AA000013
1/9/2018	Acceptance of Service of the Summons and Complaint	1	AA000024
1/24/2018	Motion to Adjudicate Lien of the Law Office of Daniel Simon On Order Shortening Time <ul style="list-style-type: none"> <li>• Simon's Invoices</li> <li>• Email to Simon labeled "Contingency</li> <li>• Itemization of Costs</li> <li>• Simon's 11/27/18 Letter to Edgeworth's</li> </ul>	1 & 2	AA000025
2/02/18	Plaintiff's Opposition to Defendant's Motions to Consolidate and to Adjudicate Attorney Lien <ul style="list-style-type: none"> <li>• Affidavit of Brian Edgeworth (2/2/18)</li> <li>• Deposition of Brian Edgeworth (9/29/17)</li> </ul>	2	AA000277
3/15/18	Amended Complaint	2	AA000305
4/9/2018	Motion to Dismiss Plaintiffs' Amended Complaint Pursuant to 12(b)(5)	2	AA000317
4/24/2018	Plaintiff's Opposition to Defendant's (Third) Motion to Dismiss	2	AA000335
11/19/2018	Decision and order on Motion to Adjudicate Lien	2	AA000353
11/19/2018	Decision and Order on Motion to Dismiss NRCP 12(B)(5)	2	AA000376
12/7/2018	Motion for Attorneys Fees and Costs	2	AA000386
12/13/2018	Plaintiff's Motion for an Order to Release Funds	2	AA000415
12/17/2018	Notice of Appeal (Adjudicate Lien and Motion to Dismiss)	2	AA000425

**Appellants' Appendix – Consolidated Cases 77678 and 78176**  
***Edgeworth, et al. v. Daniel Simon, et al.***

12/17/2018	Plaintiffs' Opposition to Simon's Motion for Fees and Costs	2	AA000428
12/17/2018	Notice of Cross Appeal	2	AA000440
12/27/2018	Notice of Entry of Orders (Adjudicate Lien and Dismiss NRCP 12(B)(5))	2	AA000442
2/08/2019	Notice of Entry of Decision and Order Granting in Part and Denying in Part, Simon's Motion for Attorney's Fees and Costs  <ul style="list-style-type: none"> <li>Decision and Order Granting in Part and Denying in Part, Simon's Motion for Attorney's Fees and Costs</li> </ul>	2	AA000479
2/15/19	Notice of Appeal (Attorney's Fees and Costs)	2	AA000485
6/13/19	Recorder's Transcript of Evidentiary Hearing- Day 1 August 27, 2018 Recorder's Transcript of Evidentiary Hearing- Day 2 August 28, 2018 Recorder's Transcript of Evidentiary Hearing- Day 4 August 30, 2018	3	AA000488

*Steven D. Grierson*

1 ACPT  
2 ROBERT D. VANNAH, ESQ.  
3 Nevada Bar. No. 002503  
4 JOHN B. GREENE, ESQ.  
5 Nevada Bar No. 004279  
6 VANNAH & VANNAH  
7 400 South Seventh Street, 4<sup>th</sup> Floor  
8 Las Vegas, Nevada 89101  
9 Telephone: (702) 369-4161  
10 Facsimile: (702) 369-0104  
11 [jgreene@vannahlaw.com](mailto:jgreene@vannahlaw.com)

12 *Attorneys for Plaintiffs*

13 **DISTRICT COURT**

14 **CLARK COUNTY, NEVADA**

15 EDGEWORTH FAMILY TRUST; AMERICAN  
16 GRATING, LLC,

17 Plaintiffs,

18 vs.

19 DANIEL S. SIMON, d/b/a SIMON LAW; DOES  
20 I through X, inclusive, and ROE  
21 CORPORATIONS I through X, inclusive,

22 Defendants.

CASE NO.: A-18-767242-C  
DEPT NO.: XIV

**ACCEPTANCE OF SERVICE OF THE  
SUMMONS AND COMPLAINT**

23 I, James R. Christensen, Esq., am authorized to and hereby accept service of the Summons  
24 and Complaint on behalf of Defendant DANIEL S. SIMON, d/b/a SIMON LAW.  
25

26 DATED this 9<sup>th</sup> day of January, 2018.

27   
28 JAMES R. CHRISTENSEN, ESQ.

VANNAH & VANNAH  
400 South Seventh Street, 4<sup>th</sup> Floor • Las Vegas, Nevada 89101  
Telephone (702) 369-4161 Facsimile (702) 369-0104



**ORIGINAL**

Electronically Filed  
1/24/2018 10:39 AM  
Steven D. Grierson  
CLERK OF THE COURT

*Steven D. Grierson*

James R. Christensen Esq.  
Nevada Bar No. 3861  
JAMES R. CHRISTENSEN PC  
601 S. 6<sup>th</sup> Street  
Las Vegas NV 89101  
(702) 272-0406  
(702) 272-0415 fax  
jim@jchristensenlaw.com  
Attorney for SIMON

Eighth Judicial District Court  
District of Nevada

EDGEWORTH FAMILY TRUST, and  
AMERICAN GRATING, LLC

Plaintiffs,

vs.

LANGE PLUMBING, LLC; THE  
VIKING CORPORATION, a Michigan  
corporation; SUPPLY NETWORK,  
INC., dba VIKING SUPPLYNET, a  
Michigan Corporation; and DOES 1  
through 5 and ROE entities 6 through 10;

Defendants.

Case No.: A738444  
Dept. No.: 10


**MOTION TO ADJUDICATE  
ATTORNEY LIEN OF THE LAW  
OFFICE DANIEL SIMON PC;  
ORDER SHORTENING TIME**

Date of Hearing:  
Time of Hearing:

DEPARTMENT X  
NOTICE OF HEARING  
DATE 1/30/18 TIME 9:30  
APPROVED BY AD

1 The LAW OFFICE OF DANIEL S. SIMON, P.C. moves the Court for an  
2 Order adjudicating its attorney lien on shortened time.

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

4  
5   
6 James R. Christensen Esq.  
7 Nevada Bar No. 3861  
8 James R. Christensen PC  
9 601 S. Sixth Street  
10 Las Vegas NV 89101  
11 (702) 272-0406  
12 (702) 272-0415 fax  
13 jim@jchristensenlaw.com  
14 Attorney for LAW OFFICE OF  
15 DANIEL S. SIMON, P.C.  
16  
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3 **ORDER SHORTENING TIME/NOTICE OF MOTION**


4 Good cause appearing, it is hereby

5 ORDERED the Motion to Adjudicate Attorney Lien of the LAW OFFICE  
6 OF DANIEL S. SIMON, P.C. may be heard on shortened time on the 30 day of  
7 January, 2018, at the hour of 9:30, or as soon thereafter as counsel  
8 may be heard, before Department 10 of the Eighth Judicial District Court.

9 DATED this 23 day of January, 2018.

10   
DISTRICT COURT JUDGE  
sw

11 Submitted by:

12   
13 James R. Christensen Esq.  
14 Nevada Bar No. 3861  
15 James R. Christensen PC  
16 601 S. 6<sup>th</sup> Street  
17 Las Vegas NV 89101  
18 (702) 272-0406  
19 (702) 272-0415 fax  
20 jim@jchristensenlaw.com  
21 Attorney for LAW OFFICE OF DANIEL S. SIMON, P.C.  
22  
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**DECLARATION OF COUNSEL IN SUPPORT OF  
ORDER SHORTENING TIME**

1. I, JAMES R. CHRISTENSEN, make this Declaration of my own personal knowledge and under the penalty of perjury pursuant to NRS 53.045.

2. I represent the LAW OFFICE OF DANIEL S. SIMON, P.C. on the motion to adjudicate the attorney charging lien in this case.


3. The attorney lien statute provides for hearing a motion to adjudicate a charging lien on five days of notice. NRS 18.015(6).

4. The clients have alleged that they have suffered, and will suffer, damages from delay in settling the attorney fee. Accordingly, shortened time is requested to alleviate any potential resulting prejudice that the clients may claim caused by an alleged delay in settling the fee.

This motion is filed in good faith and not for any purpose of undue delay or harassment.

I declare under the penalty of perjury that the foregoing is true and correct.

Dated this 18<sup>th</sup> day of January, 2018.

  
James R. Christensen

## **POINTS AND AUTHORITIES**

### **I. INTRODUCTION**

Danny and Eleya Simon were close family friends with Brian and Angela Edgeworth for many years. On April 10, 2016, a house Brian Edgeworth was building suffered a flood. In May of 2016, Mr. Simon agreed to help his friend with the flood claim. Because they were friends, Mr. Simon worked without an express fee agreement.

The plumber's work caused the flood, however, the plumber blamed a fire sprinkler and refused to repair or to pay for repairs. On June 16, 2016, a complaint was filed against the plumber and fire sprinkler manufacturer. The original cost of construction of the house was about \$3M. The case settled for \$6.1M<sup>1</sup>.

There is a dispute over the reasonable fee due The Law Office of Daniel S. Simon, A Professional Corporation. This Court is respectfully requested to adjudicate the attorney's charging lien pursuant to NRS 18.015.

---

<sup>1</sup> Brian Edgeworth refused to pay a \$24,117.50 remediation contractor bill because the contractor did not have a signed contract. The settlement totals \$6,075,882.50; \$6.1M less the remediation bill.

1       **II.    THE CHARGING LIEN STATUE**

2           A charging lien is a “creature of statute”. *Argentina Consolidated Mining*  
3       *Co., v. Jolley, Urga, Wirth, Woodbury & Standish*, 216 P.3d 779, 782 (Nev. 2009).

4           The charging lien statute is NRS 18.015. NRS 18.015 was amended in  
5       2013. The current version of the statute applies. The 2013 statute states in full:

6           **NRS 18.015   Lien for attorney’s fees: Amount; perfection;**  
7       **enforcement.**

8           1.   An attorney at law shall have a lien:

9               (a) Upon any claim, demand or cause of action, including any claim  
10              for unliquidated damages, which has been placed in the attorney’s  
11              hands by a client for suit or collection, or upon which a suit or other  
12              action has been instituted.

13              (b) In any civil action, upon any file or other property properly left in  
14              the possession of the attorney by a client.

15           2.   A lien pursuant to subsection 1 is for the amount of any fee which has  
16              been agreed upon by the attorney and client. In the absence of an agreement,  
17              the lien is for a reasonable fee for the services which the attorney has  
18              rendered for the client.

19           3.   An attorney perfects a lien described in subsection 1 by serving notice in  
20              writing, in person or by certified mail, return receipt requested, upon his or  
21              her client and, if applicable, upon the party against whom the client has a  
22              cause of action, claiming the lien and stating the amount of the lien.  
23  
24  
25

1 4. A lien pursuant to:

2 (a) Paragraph (a) of subsection 1 attaches to any verdict, judgment or  
3 decree entered and to any money or property which is recovered on  
4 account of the suit or other action; and

5 (b) Paragraph (b) of subsection 1 attaches to any file or other property  
6 properly left in the possession of the attorney by his or her client,  
7 including, without limitation, copies of the attorney's file if the  
8 original documents received from the client have been returned to the  
9 client, and authorizes the attorney to retain any such file or property  
10 until such time as an adjudication is made pursuant to subsection 6,  
11 from the time of service of the notices required by this section.

12 5. A lien pursuant to paragraph (b) of subsection 1 must not be construed  
13 as inconsistent with the attorney's professional responsibilities to the client.

14 6. On motion filed by an attorney having a lien under this section, the  
15 attorney's client or any party who has been served with notice of the lien, the  
16 court shall, after 5 days' notice to all interested parties, adjudicate the rights  
17 of the attorney, client or other parties and enforce the lien.

18 7. Collection of attorney's fees by a lien under this section may be utilized  
19 with, after or independently of any other method of collection.

20 (Added to NRS by 1977, 773; A 2013, 271)

### 21 **III. PRINCIPLES OF LAW**

22 The law office moves for adjudication of its charging lien. The following  
23 principles of law apply:

- 24 • The Court has personal jurisdiction "to adjudicate a fee dispute based on a  
25 charging lien". *Argentina*, 216 P.3d at 782-83.
- The Court has subject matter jurisdiction to adjudicate a fee dispute based on  
a charging lien. *Argentina*, 216 P.3d at 783.

- 1 • An attorney “shall have a lien” on a case they worked on for a client. NRS  
2 18.015(1)(a).
- 3 • If there is no express contract, the charging lien is for a “reasonable fee”.  
4 NRS 18.015(2); *Gordon v. Stewart*, 324 P.2d 234 (Nev. 1958); and, *see*,  
5 *Golightly v. Gassner*, 281 P.3d 1176 (table) (Nev. 2009).
- 6 • A reasonable fee is determined by the factors in *Brunzell v. Golden Gate*  
7 *Nat’l Bank*, 455 P.2d 31, 33-34 (Nev. 1969). *Argentina*, 216 P.3d at fn.2.
- 8 • A charging lien does not have to state an exact amount. *Golightly &*  
9 *Vannah, PLLC v TJ Allen LLC*, 373 P.3d 103, at 106 (Nev. 2016).
- 10 • A charging lien is perfected by service on the client by certified mail, return  
11 receipt requested. NRS 18.015(3).
- 12 • A charging lien attaches to money received after service of the lien. NRS  
13 18.015(4)(a); *Golightly & Vannah*, 373 P.3d at 105 (a charging lien must be  
14 perfected “before the attorney receives the funds”).
- 15 • An attorney **does not** violate a professional duty owed to a client by filing a  
16 charging lien. NRS 18.015(5).
- 17
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- A charging lien may be adjudicated by the Court upon five days' notice.

NRS 18.015(6); and, *Leventhal*, 305 P.3d at 911 (timely adjudication allows the court to determine the fee while "the attorney's performance is fresh in its mind", and before "proceeds are distributed").

- A charging lien is not precluded, nor does it preclude, other remedies in a fee dispute. NRS 18.015(7).

#### IV. FACTS

The Simon family met the Edgeworth family when their children went to the same school. Over the years, the families became close. The children played sports together, the families went on trips abroad together, and they helped each other during difficult times.

The families knew the others background from their close relationship. Danny Simon knew that Brian Edgeworth went to Harvard Business School; that the Edgeworths founded Pediped Footwear, a successful shoe company with production sites in Nevada and China and a worldwide retail presence; that the Edgeworths' company, American Grating LLC, was a global manufacturer of "fiberglass reinforced plastic" products used in settings from offshore oil to

1 pedestrian walkways; and, that Brian Edgeworth was involved in construction,  
2 including speculation houses.<sup>2</sup>

3 Brian Edgeworth knew that Danny Simon was a successful Las Vegas  
4 attorney. Mr. Edgeworth understood that Mr. Simon almost exclusively took cases  
5 on a contingency fee basis, and that Mr. Simon was comfortable waiting until the  
6 end of a case to be paid in full, unlike the intellectual property and business  
7 attorneys the Mr. Edgeworth commonly used.  
8

9 **A. The Flood**

10 The house is in McDonald Ranch at 645 St. Croix. Brian Edgeworth built  
11 the house as an investment.<sup>3</sup> The general contractor on the build was Giberti  
12 Construction LLC, who had built other speculation houses for Mr. Edgeworth.  
13 Brian Edgeworth funded the build through his plastics company, American  
14 Grating. The total cost of the build was about \$3.3M.<sup>4</sup> The house was listed for  
15 sale at \$5.5M.<sup>5</sup> The house is not currently on the market.  
16

17 Viking fire sprinklers were installed in the house by sub-contractor Lange  
18 Plumbing & Fire Control. On April 10, 2016, during the build, a Viking fire  
19 sprinkler(s) malfunctioned, which caused a destructive flood.  
20  
21  
22

23  
24 <sup>2</sup> The flooded house started as a speculation project.

25 <sup>3</sup> The Edgeworths currently live in the house.

<sup>4</sup> Exhibit 1; cost basis of speculation build.

<sup>5</sup> Exhibit 2; MLS listing for 645 St. Croix.

1 Before the build began, Mr. Edgeworth decided to go without builder's  
2 risk/course of construction insurance. Without insurance, Mr. Edgeworth looked  
3 to Lange for repairs. Lange did not agree to repair, so Mr. Edgeworth asked his  
4 friend for help.

5  
6 Brian Edgeworth spoke with other attorneys, but wanted Danny Simon to  
7 help him. In May of 2016, Mr. Simon agreed to lend a hand, and "send a few  
8 letters".<sup>6</sup>

9  
10 Danny Simon did not have a structured discussion with Brian Edgeworth  
11 about the fee for the case.<sup>7</sup> Mr. Simon worked without a written fee agreement.

12 Lange and Viking were intransigent. Brian Edgeworth paid the cost of  
13 repair for the house, around \$500k; and, in December of 2016, a certificate of  
14 occupancy was issued for the house.

15  
16 On June 14, 2016, a complaint was filed against Lange and Viking.  
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23 <sup>6</sup> See, e.g., Exhibit 3; 5.27.2016 email string.

24 <sup>7</sup> See, e.g., Exhibit 4; 8.22.2017 email from Brian Edgeworth, "Subject:  
25 Contingency"- "We never really had a structured discussion about how this might  
be done." Mr. Edgeworth mentioned a hybrid or greater hourly payments as fee  
options.

1           **B.     The Case**

2           In sum, Viking was sued for a product defect in their fire sprinkler and  
3 Lange was sued on the construction contract. There was a clear route to recover  
4 attorney fees against Lange based on the construction contract. There was no easy  
5 road to fees against the manufacturer, Viking.  
6

7           The case became complex with multiple parties, cross and counter claims.  
8 In short order, the case went from a friends and family matter to a major litigation,  
9 which soon dominated time at the law office; and, involved the advancement of  
10 about \$200,000.00 in total costs.  
11

12           In December of 2016, the law office started sending bills on the file. The  
13 bills enabled the clients to demonstrate damages, while allowing the law office to  
14 recover some costs advanced, and to defray some of the business loss caused by  
15 being unable to devote time to other contingency cases.  
16

17           The bills submitted to Brian Edgeworth do not cover all the time spent on  
18 the case. The law office does not take hourly cases. The firm does not have hourly  
19 billing software, nor experienced time keepers. Also, Mr. Simon understood that  
20 Brian Edgeworth had decided to finance his share of the litigation through high  
21 interest loans<sup>8</sup> (presumably, based on a solid business rationale). Mr. Simon knew  
22  
23  
24

25           <sup>8</sup> The high interest loans were contested by defendants. The loans were from the  
          mother in law of Brian Edgeworth and a close friend of Mr. Edgeworth. The

1 the case might not generate a return beyond the cost of repair, and he did not fully  
2 bill the case. Mr. Simon was willing to wait until the end of the case to final the  
3 bill in light of the money obtained; that was his normal practice anyway.

#### 4 **C. The Fee Dispute**

5 The case was aggressively pursued. In the summer of 2017, well over  
6 100,000 pages of documents were obtained. It was learned that the fire sprinkler  
7 defect was known to Viking and had caused other floods; and, that Viking had  
8 done nothing to fix, or warn of, the defect.  
9

10 In the late summer of 2017<sup>9</sup>, and into the fall, there were talks about how to  
11 calculate a fee; but, no agreement was reached. Danny Simon was occupied with  
12 the case and Brian Edgeworth was content to leave the issue alone.  
13

14 By the fall of 2017, the case was positioned for an excellent trial result with  
15 a strong chance of a finding against Viking for punitive damages; with motions  
16 pending to strike the main defense expert, and to strike the defendants' answers.  
17

18 In November of 2017, Viking offered \$6M to settle. To place the offer in  
19 context, the cost basis for the entire house was \$3.3M. The high offer was a direct  
20 result of the extraordinary effort and skill of Mr. Simon in preparing the case for a  
21 great trial outcome.  
22

23  
24  
25 interest rate was 33%, well above market rate.

<sup>9</sup> See, fn. 7.

1 In mid to late November of 2017, while the details of the Viking settlement  
2 were being worked on by Mr. Simon, Mr. Edgeworth became difficult to reach.  
3 Previously, Brian Edgeworth frequently called and e-mailed Mr. Simon.  
4 Communication came to an end when Mr. Simon tried to resolve the fee.  
5

6 On November 27, 2017, Mr. Simon wrote to the clients about the fee.<sup>10</sup>

7 On November 30, 2017, the clients sent Mr. Simon a fax stating that the  
8 Vannah firm had been retained.<sup>11</sup>

9 On December 1, 2017, the Law Office of Daniel S. Simon, A Professional  
10 Corporation issued a charging lien pursuant to NRS 18.015.<sup>12</sup> On December 4,  
11 2017, the clients were served by certified mail return receipt requested.<sup>13</sup>

12 In December of 2017, Lange made a settlement offer, \$100,000.00 less the  
13 remediation bill Brian Edgeworth had refused to pay.  
14

15 On December 7, 2017, Mr. Simon, his counsel, and Mr. Vannah held a  
16 conference call. Mr. Vannah told Mr. Simon not to contact the clients. Mr.  
17 Vannah was told the clients could seek attorney fees from Lange based on contract,  
18 and that the law office was working on a bill that would include all previously  
19 unbilled events. Mr. Vannah was told that the fee and cost claim against Lange  
20  
21  
22

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23 <sup>10</sup> Exhibit 5.

24 <sup>11</sup> Exhibit 6.

25 <sup>12</sup> Exhibit 7.

<sup>13</sup> Exhibit 8.

1 might be in the \$1.5M range. Mr. Vannah did not tell Mr. Simon to cease work or  
2 to transfer the file. Mr. Simon documented the call.<sup>14</sup>

3 On December 7, 2017, the clients signed a "Consent to Settle" prepared by  
4 the Vannah office. In the Consent, the clients knowingly abandoned the attorney  
5 fee claim against Lange and directed Mr. Simon to settle the Lange claim for  
6 \$100,000 minus the unpaid bill. Mr. Simon was not told to cease work or to  
7 transfer the file.<sup>15</sup>

9 In December of 2017, Mr. Simon finalized the details of the Viking  
10 settlement, which were approved by the clients via the Vannah office.

12 On Monday, December 18, 2017, two checks with an aggregate value of  
13 \$6M for the Viking settlement were picked up.<sup>16</sup>

14 On Monday, December 18, 2017, immediately following check pick-up, Mr.  
15 Simon called the Vannah office to arrange check endorsement. Mr. Simon left a  
16 message.<sup>17</sup>

18 On Monday, December 18, 2017, Mr. Greene of the Vannah office called and  
19 spoke to Mr. Simon. Mr. Simon said he was leaving on a holiday trip starting  
20 Friday, December 22, 2017, until after the new year. Mr. Simon asked that the  
21

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23 <sup>14</sup> Exhibit 9.

24 <sup>15</sup> Exhibit 10.

25 <sup>16</sup> Exhibit 11.

<sup>17</sup> Exhibit 12.

1 clients endorse the checks prior to December 22<sup>nd</sup>. Mr. Greene told Mr. Simon that  
2 the clients were not available to endorse until after the New Year. Mr. Greene  
3 stated that he would contact LAW OFFICE OF DANIEL S. SIMON, P.C. about  
4 scheduling endorsement.<sup>18</sup>

5 On Friday, December 22, 2017, the Simon family went on their holiday trip.

6 On Saturday, December 23, 2017, at 10:45 p.m., Mr. Vannah sent an email  
7 which stated:

8  
9 Are you agreeable to putting this into an escrow account? The client does  
10 not want this money placed into Danny Simon's account. How much money  
11 could be immediately released? \$4,500,000? Waiting for any longer is not  
12 acceptable. I need to know right after Christmas.<sup>19</sup>

13 On Tuesday, December 26, 2017, counsel for Mr. Simon sent a reply  
14 indicating that endorsement could be arranged after the new year when everyone  
15 was available.

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25 <sup>18</sup> Exhibit 12.

<sup>19</sup> Exhibit 12.



1 Mr. Vannah responded the same day. He began:

2 The clients are available until Saturday.<sup>20</sup> However, they have lost all faith  
3 and trust in Mr. Simon. Therefore, they will not sign the checks to be  
4 deposited into his trust account. Quite frankly, they are fearful that he will  
steal the money.<sup>21</sup>

5 Mr. Simon was not fired or told to transfer the file.

6 On December 27, 2017, a response was sent to Mr. Vannah. In sum, Mr.  
7 Vannah was asked to act collaboratively and to avoid hyperbole.<sup>22</sup>  
8

9 On December 28, 2017, Mr. Vannah wrote he did not believe Mr. Simon  
10 would steal money, he was simply "relaying his clients' statements to me". Mr.  
11 Vannah proposed opening a single client trust account.<sup>23</sup>  
12

13 The same day, Mr. Simon agreed to open a single client non-IOLTA trust  
14 account at Bank of Nevada, with all interest going to the clients.<sup>24</sup>

15 On January 2, 2018, an amended lien was filed. The lien contained an  
16 amount certain for the reasonable value of services claimed.<sup>25</sup> On January 4, 2018,  
17 the lien was served.<sup>26</sup>  
18

19  
20  
21 <sup>20</sup> On December 18, 2017, Mr. Greene indicated the clients were out of town until  
22 after the new year. (Exhibit 12.) It appears the clients became available to  
endorse checks the day after Mr. Simon left town.

23 <sup>21</sup> Exhibit 12.

24 <sup>22</sup> Exhibit 13.

25 <sup>23</sup> Exhibit 14.

<sup>24</sup> Exhibit 14.

<sup>25</sup> Exhibit 15.

<sup>26</sup> Exhibit 16.

1 On January 4, 2017, collaborative efforts continued to set up the trust  
2 account, and the clients sued their friend for "conversion".<sup>27</sup>

3 On January 8, 2017, a meeting was held at Bank of Nevada. The clients  
4 arrived separately to endorse checks. Account forms were signed, the checks were  
5 endorsed and deposited, and placed on a large item hold.  
6

7 The morning of January 9, 2018, the complaint was served upon counsel for  
8 Mr. Simon (who had agreed to accept service). At the same moment as the  
9 acceptance of service was being signed, Mr. Greene sent an email asking for an  
10 update on the Lange settlement.<sup>28</sup>  
11

12 Later in the day, Mr. Vannah confirmed that LAW OFFICE OF DANIEL S.  
13 SIMON, P.C. had not been fired, despite being sued by the clients for conversion.<sup>29</sup>  
14 Mr. Vannah stated if Mr. Simon withdrew, the damages sought from him would go  
15 up.<sup>30</sup>  
16  
17  
18

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19 <sup>27</sup> Exhibit 17; the complaint.

20 <sup>28</sup> Exhibit 18.

21 <sup>29</sup> The clients are walking a tightrope. Mr. Simon was sued for conversion to  
22 create an argument against lien adjudication, but firing Mr. Simon would moot  
the alleged contract claim. The clients are left in the odd, contrary position of  
keeping an attorney they have accused of converting millions of dollars.

23 <sup>30</sup> On January 9, 2018 at 10:24 a.m. Mr. Greene from the Vannah office wrote,  
24 "He settled the case, but we're just waiting on a release and the check." The  
25 same day at 3:32 p.m., Mr. Vannah wrote, "I'm pretty sure that you see what  
would happen if our client has to spend lots more money to bring someone else  
up to speed." Exhibit 18.

1       **V.     ARGUMENT**

2           A charging lien provides “a unique method of protecting attorneys.”  
3       *Leventhal v. Black & Lobello*, 305 P.3d 907, 909 (Nev. 2013); *superseded by statute*  
4       *on other grounds as stated in, Fredianelli v. Pine Carman Price*, 402 P.3d 1254  
5       (Nev. 2017).

7           The statute protects clients. Under the statute the Judge who knows the case  
8       best, and who has seen the attorney at work, settles the fee dispute. The Judge is  
9       empowered to reduce or reject a lien claim from an undeserving attorney. *See, e.g.,*  
10       *Golightly*, 281 P.3d 1176.

12          The statute also promotes judicial economy. Prompt adjudication of a lien  
13       allows a court to determine the fee when “the attorney’s performance is fresh in its  
14       mind”. *Leventhal*, 305 P.3d at 911. Prompt adjudication prevents time consuming  
15       and costly work months or years later in the same or a different court.

17          The Law Office of Daniel S. Simon, A Professional Corporation  
18       perfected it’s charging lien. This Court has jurisdiction to promptly adjudicate the  
19       lien; and, in the absence of an express contract, settle the amount of the reasonable  
20       fee due the law firm pursuant to NRS 18.015(2).

22          There is no set manner of calculation for a reasonable fee. *Albios v. Horizon*  
23       *Communities, Inc.*, 132 P.3d 1022, 1034 (Nev. 2006). A court has wide discretion on  
24       the method of calculation of the reasonable fee. A court can calculate the fee on a  
25

1 market basis, an hourly basis, or any other basis, as long as, the fee is reasonable  
2 under the under the *Brunzell* factors. *Ibid.* A court need only explain its decision in  
3 written findings. *Argentina*, 216 P.3d at fn.2.

4 The court may hold an evidentiary hearing to aide in the determination of the  
5 reasonable fee.<sup>31</sup> Because of the size and complexity of the underlying case, and the  
6 size of the reasonable fee sought, an evidentiary hearing is respectfully requested.

7 The Law Office of Daniel S. Simon, A Professional Corporation seeks a  
8 reasonable fee in the amount of \$1,977,843.80 as stated in the Amended Lien of  
9 January 2, 2018.<sup>32</sup> The amount is based upon the market approach. Mr. Simon  
10 considered the type and nature of the case, and the limited number of attorneys in  
11 the greater Las Vegas area with the ability to obtain the result obtained. Mr. Simon  
12 also relied upon discussion with local attorneys including extended discussion with  
13 attorney Will Kemp.<sup>33</sup>

14 It is acknowledged that a contingency fee is only appropriate when there is an  
15 express contingency fee agreement. However, the fact is that most Plaintiff product  
16

17  
18  
19  
20 <sup>31</sup> In, *Hallmark v. Christensen Law Office LLC.*, 381 P.3d 618 (Nev. 2012)  
21 (unpublished)the Supreme Court remanded a case to District Court and Ordered  
22 the court to hold an evidentiary hearing for a lien adjudication.

23 <sup>32</sup> Exhibit 15.

24 <sup>33</sup> Mr. Kemp is one of the best product liability attorneys in the United States. Mr.  
25 Kemp has obtained two trial verdicts over \$500M, one in a product case. Mr.  
Kemp was lead trial counsel in the MGM Fire Litigation, and has been appointed  
on numerous steering committees for multi-district tort litigations, including  
tobacco, breast implant, orthopedic screw, and pharmaceutical claims.

1 liability attorneys work on a contingency, sometimes as high as 45%. Mr. Simon  
2 arrived at a reasonable fee number of \$1,977,843.80 because it is in the low range of  
3 what a Plaintiff's product liability attorney would charge. It is a fair market price for  
4 the work performed. The fair market value, or market price, is an accepted method to  
5 calculate A fee. Restatement Third, The Law Governing Lawyers, §39.

7 Time sheets can be valuable to a determination, even when the court reaches a  
8 reasonable fee based on a market approach. The time sheets document work  
9 performed. The previously unbilled hours of the law office are attached at Exhibit  
10 19. At the prior rates paid, the total outstanding is \$692,120.00. The previous time  
11 sheets are attached at Exhibit 20. These billings do not contain hundreds of hours  
12 that could not be recovered.

14 Costs advanced need to be reimbursed. Outstanding costs are \$71,794.93.<sup>34</sup>  
15 The amount is slightly less than the amount in the lien. A billing was received on  
16 January 12, that demonstrated a refund of \$4,937.50 was due. The \$71,794.93 cost  
17 number reflects the expected refund.

19 Adjudication of an attorney lien may not be appropriate when a client claims  
20 malpractice occurred. *Argentina*, 216 P.3d at 788. Obviously, Mr. Simon did not  
21 commit malpractice, his efforts created a \$6.1M settlement for his clients. Instead,  
22 the clients may assert that the law office committed conversion by using a charging  
23

24  
25  

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<sup>34</sup> Exhibit 21; Memorandum of Costs.

1 lien.<sup>35</sup> The argument runs contrary to law. NRS 18.015(5) explicitly states an  
2 attorney does not breach a duty by pursuing a lien. Further, the declaration of David  
3 Clark Esq.,<sup>36</sup> is attached.<sup>37</sup> Mr. Clark explains that an attorney does not breach a  
4 contract or commit conversion by deposit of a settlement check into a trust account  
5 while asserting a lien for fees, because that is the process an attorney is supposed to  
6 follow when there is a fee dispute.  
7

8 **A. The charging lien is ripe for adjudication.**

9 The court has jurisdiction over the clients, the charging lien and the fee  
10 dispute. NRS 18.015; and, *Argentina*, 216 P.3d at 782-83.  
11

12 The charging lien has been perfected by proper service upon the clients.  
13 NRS 18.015 (3). The case is resolved<sup>38</sup>, money is held in a trust account, and the lien  
14 is ripe for adjudication.  
15  
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19 <sup>35</sup> Even if true, which it is not, the conversion claim might not be enough to stop  
20 adjudication. *Hallmark v. Christensen Law Office LLC.*, 381 P.3d 618 (Nev.  
21 2012) (unpublished). In *Hallmark*, the Supreme Court remanded an adjudication  
22 claim and ordered the District Court to conduct an evidentiary hearing on a  
reasonable fee and “the allegations of billing fraud”. If fraud can be addressed in  
an adjudication, then conversion probably can as well.

23 <sup>36</sup> Mr. Clark was Nevada State Bar Counsel and is intimately familiar with all the  
24 Rules of Professional Conduct and related issues.

24 <sup>37</sup> Exhibit 22.

25 <sup>38</sup> Pending completion of the Lange settlement. The closing documents are in the  
hands of the Lange attorney.

1       The law office requests an evidentiary hearing. If the court finds there is no  
2 express contract, then a reasonable fee, based on the market or some other approach,  
3 may be set by court under the *Brunzell* factors pursuant to NRS 18.015(2). If an  
4 express contract is found, then fees and costs are still due under the charging lien as  
5 demonstrated by the time sheets and the memorandum of costs.  
6

7       The complaint for conversion does not divest this court of jurisdiction over the  
8 parties, the lien or the fee. A charging lien is a creature of statute, and there is no  
9 exception to jurisdiction stated in the statute for a claim of conversion. To the extent  
10 an exception is noted in the case law, it is when there is a malpractice claim, which  
11 has not been brought, nor could be brought, for the amazing work in this case.  
12

13       A claim for conversion is contrary to law in any event. The law directs an  
14 attorney to place money in a trust account to adjudicate a lien if there is a fee dispute.  
15 That is exactly what occurred in this case.  
16

17       A breach of contract claim does not divest the court of jurisdiction. In fact, the  
18 statute contemplates that a lien adjudication can be freely used with other remedies,  
19 including a separate suit. NRS 18.015(7); and, *Argentina*, 216 P.3d 779.  
20

21       It is apparent that the complaint was filed to further the ulterior purpose of  
22 forum shopping the fee dispute and to stop adjudication of the charging lien by the  
23 Judge who knows the case best. For example, the complaint alleges Mr. Simon  
24 failed to provide a number certain for the amount in dispute (it is termed undisputed  
25

1 amount by the clients), however, the complaint was filed two days after Mr. Simon  
2 did just that via the amended lien. The complaint alleges conversion, yet it was filed  
3 before checks had been endorsed or deposited. And, the funds were placed in a  
4 special trust account that requires the signature of Mr. Vannah on any withdrawals,  
5 with all interest going to the client.  
6

7 Perhaps nothing exposes the nature of the complaint better than the clients'  
8 refusal to fire Mr. Simon, even though he stands accused of converting millions of  
9 dollars. The situation is absurd. Mr. Vannah is one of the top attorneys in this State.  
10 Mr. Vannah could review and approve the closing documents for Lange in well  
11 under an hour. After all, he has already provided advice to the client on settlement  
12 with Lange and on the abandonment of a contract based claim for attorney fees  
13 against Lange potentially worth over \$1M.<sup>39</sup> However, if Mr. Simon is fired, then he  
14 would no longer be limited to an hourly contract as the clients claim. *Gordon*, 324  
15 P.2d 234. Thus, to stop adjudication, the clients must claim something terrible, but  
16 still not fire Mr. Simon.  
17  
18

19 Lien adjudication is appropriate.  
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25 <sup>39</sup> Exhibit 10.



1           **B.     The *Brunzell* Factors**

2           A reasonable fee must be determined by use of the *Brunzell* factors. *Brunzell*  
3 *v. Golden Gate National Bank*, 455 P.2d 31 (Nev. 1969). The *Brunzell* factors are:

- 4           1.     The qualities of the advocate;  
5  
6           2.     The character of the work to be done;  
7  
8           3.     The work actually performed; and,  
9  
10          4.     The result obtained.

11          The factors support a finding that a large reasonable fee is due Mr. Simon for  
12 his great work on the clients' case.

13          1.     Qualities of the advocate.

14          *Brunzell* expands on the "qualities of the advocate" factor and mentions such  
15 items as training, skill and education of the advocate. The C.V. of Mr. Simon is  
16 attached. (Exhibit 23.) Mr. Simon has been an active Nevada trial attorney for over  
17 two decades. He has several 7-figure trial verdicts to his credit, and an 8-figure  
18 settlement. Mr. Simon is a highly qualified advocate, deserving of a high fee.

19          2.     The character of the work to be done.

20          The character of the work to be done in the case was difficult and complex.  
21  
22          There were multiple parties and multiple claims. Affirmative claims by the clients  
23 covered the gamut from product liability to negligence, to recovery under a  
24 construction contract.  
25

1 Understanding and establishing proof of the product defect required technical  
2 knowledge. Establish economic loss from the flood required knowledge of real  
3 estate and finance.

4 This case demanded quality work of the highest order.

5  
6 3. The work actually performed.

7 The work actually performed was amazing. Mr. Simon was aggressive and  
8 successful in discovery, which lead to the disclosure of prior floods. Mr. Simon kept  
9 a tight hold on deadlines and the Court's trial order, which allowed the clients an  
10 opportunity to fully present their case, while placing the defense at risk of losing their  
11 main expert and having their answers struck.

12  
13 Mr. Simon found, retained and prepared experts on the product defect, and on  
14 the difficult and rare damage claim of real estate stigma. Most lawyers would not be  
15 able to even address a claim of damages from real estate stigma, let alone present an  
16 expert opinion sufficient to survive a *Hallmark* challenge.

17  
18 The time records submitted establish that Mr. Simon went the extra mile for  
19 his clients, responding to countless phone calls and emails, and going to great extent  
20 to prepare the case. For example, Mr. Simon flew to San Diego to meet with experts  
21 face to face in the airport for 8 hours. The phone, Go to Meeting or Skype, was not  
22 good enough for Mr. Simon. He knew the case required in depth and in person  
23 discussion, so that is what he did.  
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**CERTIFICATE OF SERVICE**

I CERTIFY SERVICE of the foregoing MOTION TO ADJUDICATE  
ATTORNEY LIEN OF THE LAW OFFICE OF DANIEL S. SIMON, P.C.;  
ORDER SHORTENING TIME was made by electronic service (via Odyssey) this  
~~23rd~~ <sup>24th</sup> day of January, 2018, to all parties currently shown on the Court's E-Service  
List.

/s/ Dawn Christensen  
an employee of  
JAMES R. CHRISTENSEN, ESQ.

**INVOICE**

**EDGEWORTH V. LANGE, ET AL.**

<b>Description</b>	<b>Time</b>
Initial Meeting with Client	1.75
Review file, Several discussions with Client	4.75
Demand letter to Defendant Lange	1.5
Representation Letters to Viking, Kinsale, Harris, Lange. Discussions with Client	4.25
Additional Letters to Defendants	1.5
Draft, Review, Revise, File and Serve Complaint and Amended Complaint, Affidavit of Service, Summons	6.75
Receive and Review Answers to Complaint	1.50
Prepare Early Case Conference, Stipulation to Amend Complaint, order from court and filing of same	2.25
Letter to Viking with Exhibits	3.25
Witness and Exhibit List, Redact and Prepare Privilege Log	7.50
8-19-16 prepare and file Request for Exemption from Arbitration, receive decision from court	.75
8/23/16 Inspection of Property, Meeting with Clients, Discussions with Client, Prepare and Serve Notice of Early Case Conference	3.75
9-27-16 ECC Conference with Lange Only	1.0
10-06-16 Conference Call with Expert Hasting	.25

IN THE SUPREME COURT OF THE STATE OF NEVADA

EDGEWORTH FAMILY TRUST; AND  
AMERICAN GRATING, LLC,

Appellants/Cross Respondents.

vs.

DANIEL S. SIMON; THE LAW OFFICE OF  
DANIEL S. SIMON, A PROFESSIONAL  
CORPORATION; DOES I through X,  
inclusive, and ROE CORPORATIONS I  
through X, inclusive,

Respondents/Cross-Appellants.

**Supreme Court Case**

**No. 77678 consolidated with No. 78176**

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EDGEWORTH FAMILY TRUST;  
AMERICAN GRATING, LLC,

Appellants,

vs.

DANIEL S. SIMON; THE LAW OFFICE OF  
DANIEL S. SIMON, A PROFESSIONAL  
CORPORATION; DOES I through X,  
inclusive, and ROE CORPORATIONS I  
through X, inclusive,

Respondents.

Appeal from a Final Judgment entered by the Eighth Judicial District Court, Clark County  
The Honorable Tierra Jones, District Judge

**APPELLANTS' APPENDIX**

VOL. 1 PART 3 of 12

**Appellants' Appendix – Consolidated Cases 77678 and 78176**  
***Edgeworth, et al. v. Daniel Simon, et al.***

<b>Date Filed</b>	<b>Document Title</b>	<b>VOL. No.</b>	<b>Bates Number</b>
1/9/18	Acceptance of Service of the Summons and Complaint	1	AA000024
3/15/18	Amended Complaint	2	AA000305
1/4/2018	Complaint	1	AA000013
11/19/2018	Decision and Order on Motion to Adjudicate Lien	2	AA000353
11/19/2018	Decision and Order on Motion to Dismiss NRCF 12(B)(5)	2	AA000376
1/24/2018	Motion to Adjudicate Lien of the Law Office of Daniel Simon On Order Shortening Time <ul style="list-style-type: none"> <li>• Simon's Invoices</li> <li>• Itemization of Costs</li> <li>• Simon's 11/27/18 Letter to Edgeworth's</li> </ul>	1 & 2	AA000025
12/7/2018	Motion for Attorneys Fees and Costs	2	AA000386
4/9/2018	Motion to Dismiss Plaintiffs' Amended Complaint Pursuant to 12(b)(5)	2	AA000317
1/2/2018	Notice of Amended Attorney's Lien	1	AA000006
12/17/2018	Notice of Appeal (Adjudicate Lien and Motion to Dismiss)	2	AA000425
2/15/19	Notice of Appeal (Attorney's Fees and Costs)	2	AA000485
12/17/2018	Notice of Cross Appeal	2	AA000440
2/08/2019	Notice of Entry of Decision and Order Granting in Part and Denying in Part, Simon's Motion for Attorney's Fees and Costs <ul style="list-style-type: none"> <li>• Decision and Order Granting in Part and Denying in Part, Simon's Motion for Attorney's Fees and Costs</li> </ul>	2	AA000479

**Appellants' Appendix – Consolidated Cases 77678 and 78176**  
***Edgeworth, et al. v. Daniel Simon, et al.***

12/27/2018	Notice of Entry of Orders (Adjudicate Lien and Dismiss NRCP 12(B)(5))	2	AA000442
12/13/2018	Plaintiff's Motion for an Order to Release Funds	2	AA000415
2/02/18	Plaintiff's Opposition to Defendant's Motions to Consolidate and to Adjudicate Attorney Lien <ul style="list-style-type: none"> <li>• Affidavit of Brian Edgeworth (2/2/18)</li> <li>• Deposition of Brian Edgeworth (9/29/17)</li> </ul>	2	AA000277
4/24/2018	Plaintiff's Opposition to Defendant's (Third) Motion to Dismiss	2	AA000335
12/17/2018	Plaintiffs' Opposition to Simon's Motion for Fees and Costs	2	AA000428
6/13/19	Recorder's Transcript of Evidentiary Hearing-Day 1 August 27, 2018 Recorder's Transcript of Evidentiary Hearing-Day 2 August 28, 2018 Recorder's Transcript of Evidentiary Hearing-Day 4 August 30, 2018	3	AA000488
11/30/2017	Simon's Notice of Attorney's Lien	2	AA000001



**Appellants' Appendix – Consolidated Cases 77678 and 78176**  
***Edgeworth, et al. v. Daniel Simon, et al.***

<b>Date Filed</b>	<b>Document Title</b>	<b>VOL. No.</b>	<b>Bates Number</b>
11/30/2017	Simon's Notice of Attorney's Lien	1	AA000001
1/2/2018	Notice of Amended Attorney's Lien	1	AA000006
1/4/2018	Complaint	1	AA000013
1/9/2018	Acceptance of Service of the Summons and Complaint	1	AA000024
1/24/2018	Motion to Adjudicate Lien of the Law Office of Daniel Simon On Order Shortening Time <ul style="list-style-type: none"> <li>• Simon's Invoices</li> <li>• Email to Simon labeled "Contingency</li> <li>• Itemization of Costs</li> <li>• Simon's 11/27/18 Letter to Edgeworth's</li> </ul>	1 & 2	AA000025
2/02/18	Plaintiff's Opposition to Defendant's Motions to Consolidate and to Adjudicate Attorney Lien <ul style="list-style-type: none"> <li>• Affidavit of Brian Edgeworth (2/2/18)</li> <li>• Deposition of Brian Edgeworth (9/29/17)</li> </ul>	2	AA000277
3/15/18	Amended Complaint	2	AA000305
4/9/2018	Motion to Dismiss Plaintiffs' Amended Complaint Pursuant to 12(b)(5)	2	AA000317
4/24/2018	Plaintiff's Opposition to Defendant's (Third) Motion to Dismiss	2	AA000335
11/19/2018	Decision and order on Motion to Adjudicate Lien	2	AA000353
11/19/2018	Decision and Order on Motion to Dismiss NRCP 12(B)(5)	2	AA000376
12/7/2018	Motion for Attorneys Fees and Costs	2	AA000386
12/13/2018	Plaintiff's Motion for an Order to Release Funds	2	AA000415
12/17/2018	Notice of Appeal (Adjudicate Lien and Motion to Dismiss)	2	AA000425

**Appellants' Appendix – Consolidated Cases 77678 and 78176**  
***Edgeworth, et al. v. Daniel Simon, et al.***

12/17/2018	Plaintiffs' Opposition to Simon's Motion for Fees and Costs	2	AA000428
12/17/2018	Notice of Cross Appeal	2	AA000440
12/27/2018	Notice of Entry of Orders (Adjudicate Lien and Dismiss NRCp 12(B)(5))	2	AA000442
2/08/2019	Notice of Entry of Decision and Order Granting in Part and Denying in Part, Simon's Motion for Attorney's Fees and Costs <ul style="list-style-type: none"> <li>• Decision and Order Granting in Part and Denying in Part, Simon's Motion for Attorney's Fees and Costs</li> </ul>	2	AA000479
2/15/19	Notice of Appeal (Attorney's Fees and Costs)	2	AA000485
6/13/19	Recorder's Transcript of Evidentiary Hearing- Day 1 August 27, 2018 Recorder's Transcript of Evidentiary Hearing- Day 2 August 28, 2018 Recorder's Transcript of Evidentiary Hearing- Day 4 August 30, 2018	3	AA000488

10-07-16 Multiple Calls with Client, Ltrs and Emails with Def. Counsel, Fed ex Failed Head to Ivey Engineering, Prepare Affidavit of Chain of Custody	2.25
10-11-16 Receive, Review and Respond to Emails from Dalacas and Prepare and Send Letter to Dalacas, Phone Conference with Dalacas, Send Letters to Client and Dalacas Speak with Client	1.5
10-12-16 Receive and Review Dalacas Letter, Emails to Expert, Send Info to Client, Discussions with Client	1.0
10-13-16 Receive and Review Viking Emails, Response and Letter to Lange, Phone Call with Client, Rec New Emails from Dalacas Re: Inspection, Draft and Send Response to E-mails, Phone Call with Client	3.75
10-14-16 Rec/rev Dalacas Response, Forward to Client Rec /Review Emails and Attachments from Giberti, Print for File, Email Expert Re: Inspection, Email Viking, Review E-mails from Client	2.75
10-15-16 Discussions with Client, Ltr to Dalacas, Emails to Expert Re: Scheduling and Inspection	1.25
10-17-16 Review E-mails: Viking, Lange, Client; Prepare Responses, Discussions with Client	1.50
10-18-16 E-mail Exchanges Re: Inspection, Discussions with Client Meeting with Defense Counsel 2 <sup>nd</sup> Ecc with Lange and Viking	1.25
10-19-16 Site Inspection, Discussions with Client	3.5

10-21-16 Receive and Review Letters from Lange/dalacas Re: Replacement of Heads, Draft and Send Letter to Dalacas Re: Inspection and Separate Ltr Re: Coverage Issues Receive Emails from Dalacas, Phone Conference with Client, Receive and Review Viking Installation Guide	2.25
10-23-16 Email exchanges from Dalacas and prepare and send response re: Replacement of Heads	.15
10-24-16 Phone Call with Dalacas re Replacement of Heads, Discussions with Client Re: Replacement Email exchanges from Dalacas Confirming Agreements of Replacement Involving Lange, Rinkus and Procedures	1.25
11-1-16 Emails from Viking Re: Extension for Ecc Materials, Response	.25
11-4-16 Email Exchanges from Client, Dalacas	.50
11-10-16 Receive and Review Viking Ecc Witness and Exhibit Lists and Documents, Lange's First Supplement to Ecc Disclosures, Review and Finalize Plaintiffs New Ecc Witness and Exhibits and Serve Same on All Parties	2.25
11-13-16 Receive and Review Kinsale Ins. Letter. Denial of Additional Coverage, Forward to Client	.50
11-17-16 Email Exchanges	.50
11-18-16 Draft and Circulate Joint Case Conference Report	1.5
11-22-16 Review Emails from Viking Re: Exhibits, Receive and Review Third Party Complaint & Cross-claim, Forward to Client	.50
12-1-16/12-2-16 Email Exchanges with Client and Lange Re; Final Plans/inspection	.50
12-2-16 Receive and Review Lange Answer to Crossclaims	.50
Costs	\$3,982.45
Total Hours x's \$550 per hour (reduced)	70.15 hours

Total Fees	\$38,582.50
Total attorneys fees and costs thru 11-11-16	\$42,564.95

**SIMON LAW**  
A PROFESSIONAL CORPORATION  
810 SOUTH CASINO CENTER BOULEVARD  
LAS VEGAS, NEVADA 89101

TELEPHONE (702) 364-1650

FACSIMILE (702) 364-1655

April 7, 2017

Brian Edgeworth  
1191 Center Point Drive  
Henderson, NV 89074

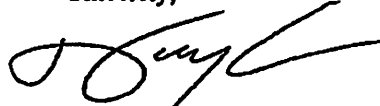
Re: Edgeworth Family Trust v. Lange Plumbing LLC et al.

Dear Mr. Edgeworth:

Enclosed please find the Invoice totaling \$46,620.69 for the period of 12-5-16 thru 4-4-17 with a copy of the Case Expense Summary showing costs.

If you have any questions or concerns regarding the foregoing please do not hesitate to contact my office.

Sincerely,



DANIEL S. SIMON

DSS/jan  
enclosures

# INVOICE

**EDGEWORTH V. LANGE, ET AL.**  
**(12-5-16 thru 4-04-17)**

Description	Time
12-5-16 Email exchanges re: plans/final inspection, discussions with Dugan, emails	.50
12-13-16 - 12-16-16 Lange Billing, email exchanges, revise JCCR with Viking and send to all attorneys, client emails, discussion with expert Hastings re: billing & scope of work	1.75
1-4-17 - 1-9-17 draft, revise MSJ with exhibits, send to client for review, file & serve on Defendants	8.75
1-14-17 Revise JCCR - re-circulate, email, exchanges with lawyers, request mediation, advise client. Spoke to K. Hastings re: expert inspections, proposed plan, possible metallurgy engagement etc.	1.25
Review Opposition of Viking and Opposition of Lange to MSJ, meeting with Ashley Ferrel re: strategy and Reply and Discovery, Emails with Client, prepare Reply to MSJ, file and serve	6.25
1-20-17 draft Notices of Depositions & Subpoenas & serve Bernie Lange, Vince Dione, Dustin Hamer, Tracy Garvey and Shelli Lange	2.5
1-23-17 Phone Call, Emails, Client Approval, Forward materials to Expert Zamiski	.75
1-24-17 Draft and Revise 30b6 deposition Notice and Subpoena and Serve	1.25
1-25-17 Research and analyze transferring case to business Court	.75

1-26-17 Review letter and Communication with Dalacas, reset depositions, prepare re-notices and Subpoenas, prepare objection to Viking Subpoenas to American Grating and Giberti and serve	1.25
2-9-17 Phone call with Pancoast re: MSJ, depositions and Subpoenas to American Grating & Giberti	.35
2-13-17 File review, prepare for depositions	2.25
2-13-17 Prepare & File Motion to Amend Complaint, Review Opposition, Prepare & File Reply	2.5
2-14-17 Deposition pre-conference with client, review file	3.25
2-15-17 Vince Doro deposition 9:30am - 12:30pm	3.0
2-15-17 Notice of Deposition & Subpoena for Virginia Brooks, Jim Kreason, Re-Notice Deposition Bernie Lange, Shelli Lange, Vince Doro (continuation), Dustin hamer	.75
2-22-17 Prepare and take Dustin Hamer's deposition	4.0
2-22-17 Re-notice Depositions for Vince Doro, Shelli lange, Virginia Brooks, Jim Kreason and Serve	.50
2-28-17 - 3-1-17 meet client in Henderson, pick up file with Ms. Ferrel, review file, attend COR Depositions at Pancoast/Viking office in Summerlin. Meet with Pancoast at Simon Law downtown to review file for copying & production to Viking	2.25
3-7-17 Prepare and attend Motion for Summary Judgment and Motion to Amend Complaint: Dept 10	3.25
3-7-17 Prepare and File Motion for Summary Judgment as to Lange only	2.5



3-7-17 Prepare and Serve Offer of Judgment and Cover letter to Counsel	.75
3-8-17 Prepare and File Orders re: Motion for Summary Judgment and Motion to Amend Complaint, Prepare and File Amended Complaint, Notice of Entry of Orders	1.25
3-13-17 thru 3-15-17 Prepare and Take Depositions of Bernie Lange and Shelly Lange	6.5
3-20-17 Representation Letter to National Union Fire Ins. Co.	.75
3-21-17 Review Correspondence from Lange Requesting Motion for Summary Judgment (MSJ) be withdrawn; Review Kinsale Ins. File; Review Lange 4 <sup>th</sup> Supp to Ecc	1.25
3-23-17 Communication/emails with Defense Counsel Re: Stipulation to Continue MSJ Hearing, File and Serve	.50
3-24-17 Review Lange/kinsale Correspondence in Response to Offer of Judgment and Discovery with Client	.50
3-28-17 Notice of 30b6 Deposition and Subpoena and Serve	1.25
3-28-17 Review Written Discovery with Clients to Answer and Produce	1.25
4-4-17 Prepare and Serve 3 Day Notice of Intent to Take Default	.50
<b>Costs</b>	<b>\$11,365.69</b>
<b>Total Hours x's \$550 per hour (reduced)</b>	<b>64.10 hours</b>
<b>Total Fees</b>	<b>\$35,255.00</b>
<b>Total attorneys fees and costs thru 4-4-17</b>	<b>\$46,620.69</b>

Date: 04/07/2017

**Case Expense Summary**  
Law Office of Daniel S. Simon

Page: 1

Case Range: 2016024.00 to 2016024.00  
Date Range: 01/01/80 to 12/31/20  
Employee Range: 0 to 999

Case No.: 2016024.00 Edgeworth Trust

Date	Emp	Amount	Description
06/15/16	DS	40.00	Reno/carson Messenger Services - service fee - ck# 21730
nm/dd/yy	DS	281.60	wiznet filing fee complaint
			Amount: \$ 3.50
			Court Fee: \$ 270.00
			Card Fee: \$ 8.10
07/05/16	DS	70.00	KC Investigations - service - ck# 21892
08/24/16	DS	3.50	wiznet filing fee Amended Complaint
09/02/16	DS	3.50	wiznet filing fee Acceptance of Service for viking
09/06/16	DS	3.50	wiznet filing fee Acceptance of Service
09/15/16	DS	2500.00	Ivey Engineering - retainer fee - ck# 22110
10/07/16	DS	47.39	fed-ex to kevin hastings at ivey engineering
11/17/16	DS	1032.96	Ivey Engineering, Inc. - inspection fee - ck# 22268
12/15/16	DS	1500.00	Ivey Engineering - retainer fee - ck # 22327
12/16/16	DS	3982.45	Costs paid from Edgeworth ck # 3571
01/11/17	DS	203.50	wiznet filing fee Plaintiffs Motion for Summary Judgment
01/30/17	DS	2500.00	Vollmer-Gray Engineering Laboratories - retainer fee - ck # 22420
02/13/17	DS	3.50	wiznet filing fee Plaintiffs Motion to Amend the Complaint on Order Shortening Time
nm/dd/yy	DS	3.50	wiznet filing fee Plaintiffs Motion to Amend the Complaint on Order Shortening Time
02/27/17	DS	3.50	wiznet filing fee Reply to Defendant Lange Plumbing, LLC's Limited Opposition to Plaintiffs' Motion to Amend the Complaint on Order Shortening Time
02/28/17	DS	3.50	wiznet filing fee Reply to All Defendants Opposition to Plaintiffs Motion for Summary Judgment
03/01/17	DS	307.75	copy charges for ecc production
			1231 x's .25 = 307.75
03/02/17	DS	1379.50	Oasis Reporting - Vincent Diorio Volume I transcript - ck # 22503
nm/dd/yy	DS	1107.85	Oasis Reporting - Dustin Hamer transcript - ck # 22504
03/07/17	DS	3.50	wiznet filing fee for Affidavit of Service for jim kreason
nm/dd/yy	DS	209.50	wiznet filing fee for Plaintiffs' Motion for Summary Judgment Against Lange Plumbing, LLC, Only

Amount:

Friday 04/07/2017 2:30 pm

AA000061

Date: 04/07/2017

# Case Expense Summary

Law Office of Daniel S. Simon

Page: 2

Date	Emp	Amount	Description
			\$ 3.50
			Court Fee:
			\$ 200.00
			Card Fee:
			\$ 6.00
mm/dd/yy	DS	3.50	wiznet filing fee Second Amended Complaint
03/10/17	DS	146.00	KC Investigations - service - ck # 22529
mm/dd/yy	DS	445.00	Beck Video Prod - Dustin Hamer video depo - ck # 22527
mm/dd/yy	DS	537.50	Beck Video Prod - Vince Diorio Vol 1 - video depo - ck # 22528
mm/dd/yy	DS	131.00	KC Investigations - service - ck # 22533
03/16/17	DS	3.50	wiznet filing fee order denying msj
03/20/17	DS	3.50	wiznet filing fee NEOJ msj
03/21/17	DS	3.50	wiznet filing fee Order Granting Plaintiffs Motion to Amend the Complaint
03/22/17	DS	3.50	wiznet filing fee for NEOJ order granting mot to amd complaint
03/23/17	DS	215.00	Beck Video Prod - Shelli Lange Vol I video depo - ck # 22556
mm/dd/yy	DS	354.00	Beck Video Prod - Bernie Lange video depo - ck # 22555
mm/dd/yy	DS	256.99	Ivey Engineering - Coordination and prepare evidence - ck # 22552
04/03/17	DS	923.65	Oasis Reporting - Shelli Lange transcript - ck # 22584
mm/dd/yy	DS	1113.45	Oasis Reporting - Bernard Lange depo transcript - ck # 22575
Case Total:		11365.69	
Totals:		11365.69	

Friday 04/07/2017 2:30 pm

AA000062

**INVOICE SUMMARY**

**Edgeworth v. Lange and Viking**

Attorneys Fees for Daniel Simon for period 4-5-17 thru 7-28-17	\$72,077.50
Attorneys Fees for Ashley Ferrel, Esq. for period 4-5-17 thru 7-25-17	\$38,060.00
Costs Outstanding thru 7-28-17	<u>\$31,943.70</u>
Total Due to Law Office of Daniel Simon	<b>\$142,080.20</b>

# INVOICE

**EDGEWORTH V. LANGE, ET AL.**  
**(4-5-17 thru 7-28-17)**

Description	Time
4/7/17 Reviewed Viking First ECC Supplement	1.5
4/7/17 Reviewed Plaintiffs 5 <sup>th</sup> ECC Supplement	.5
4-18-17 Reply to opposition of Lange and Reply to Joinder by Viking to Plaintiffs MSJ against Lange only	3.75
4-21-17 thru 4-25-17 T/C to expert Zamiski, T/C with client, emails to Dalacas, Kinsale and Pancoast	.50
4-21-17 thur 4-24-17 Finalize Answers to written Discovery, Meet with Client: Responses to Lange Interrogatories, Request to Produce.	3.25
4-23-17 Prepare Viking Deposition Notices and serve	1.25
4-25-17 Review Viking Answer to Second Amended Complaint and Third Party Complaint against Giberti, discussions with client, forward to Kinsale Lawyers	.75
4-25-17 Prepare and attend hearing on MSJ against Lange only	3.5
4-27-17 Prepare and serve Interrogs and request for admissions to Viking	2.35
4-27-17 Review client emails, prepare and serve notices of deposition and Subpoena for Don Cadden	.50
4-28-17- 5-1-17 Prepare and file motion to compel NRCP 30b6 witness of Lange and sanctions	5.25
4-28-17 – 5-1-17 Prepare and file motion for order to show cause to hold Kreason in contempt	2.75

5-1-17 EDCR 2.34 conference with Dalacas re: Testing of Sprinkler Heads	.35
5-1-17 – 5-3-17 Review file and prepare for Viking 30 b 6 corporate designee depositions.	3.25
5-1-17 Prepare and serve Notice of Deposition of Dan Cadden	.75
5-1-17 Reviewed Viking's 2 <sup>nd</sup> ECC Supplement	.5
5-2-17 prepare and serve 30b6 notice of deposition and subpoena for Viking Supply Net	1.75
5-3-17 Take deposition of Viking NRCP 30b6 designee on 13 topics	5.0
5-4-17 Prepare and Serve ECC of American Grating to all Parties and Supplement Of Edgeworth to all parties	2.75
5-5-17 Reviewed and served Plaintiffs 6 <sup>th</sup> Supplement	1.5
5-5-17 Prepare and serve Request for Admissions, Interrogs and Request for Production of Documents on Lange	5.25
5-5-15 Prepare and serve Request to Produce to Viking	1.35
5-5-17 Review Kinsale determination letter re: Giberti, Review contract, Insurance Declaration Page and Prepare and serve response	.75
5-8-17 Prepare, circulate and file with court: Stipulation and order to continue Kreason hearing to same date as Motion to Compel Lange	.50
5-8-17 Receive and Review Langes Motion to compel testing	.50
5-10-17 Review Privilege Log and Proposed Protective Order	.75
5-11-17 Prepare and serve Notice of Deposition of Eric Johnson and James Mason	.75

5-1-17 Review and sign order and return to Dalacas	.35
5-11-17 Discussion with client re: coverages for Giberti	.50
5-12-17 Review Affidavit of Service Giberti Construction	.15
5-15-17 prepare and file opposition to motion to compel testing	2.75
5-17-17 Reviewed Vikings 4 <sup>th</sup> Supplement (Rimkus Docs)	4.5
5-18-17 Receive and Review Viking 4 <sup>th</sup> Supp, discovery T/C with J. Pancoast re: Protective Order, New Dates for 30(b)(6) witness dates and testing	.75
5-23-17 Review Rimkus File; Receive and Review Lange Opposition to Motion for Order to Show Cause	2.25
5-25-17 Review Viking Answer to Lange Amended Cross Claim; E-mails coordinate testing	.75
5-30-17 Receive and Review Stipulated Protective Order And Serve; Review Viking Responses to RFA	1.25
6-01-17 Review Lange Opposition to Motion to Compel and Sanctions and Discuss Plaintiff's Reply w/Atty Ferrel; Review and Finalize Reply to Lange's Limited Opposition to Motion for Order to Show Cause to Hold Kreason in Contempt; Reviewed Viking Supplynet objection to Notice of 30b6 Subpoena	1.75
6-03-17 Review Protective Order final revisions; review Viking responses to written discovery	1.25
6-04-17 to 6-06-17 Prepare and take Deposition of Dan Cadden	3.75
6-05-17 to 6-07-17 Review File, Prepare and Attend Hearing On Motion to Compel Lange	3.5

6-06-17 Prepare and Serve Notice of Inspection upon Land Viking Supplynet	.50
6-08-17 Review and revise Subpoena on City of Henderson Re; Inspection Reports	.75
6-13-17 Conf with Expert Hastings re: Travel/Inspection Discussions with Client; Review Giberti Answer and Cross-Claims against Viking	1.25
6-14-17 Review Lange's responses to written discovery ; discuss with Ashley Ferrel	2.0
6-15-17 Review Lange's 6 <sup>th</sup> Supp./Privilege Log; Review Commissioners Report and Recommendations, Revise; Review final protocol for testing/forward to experts	1.75
6-16-17 Review Stipulation and Order to extend Discovery Deadlines, prepare and send e-mail Response objecting to extension	.50
6-19-17 Discussion with Kreason re: Deposition dates and Motion for Contempt; prepare and serve new Amended notice of deposition for Kreason; Emails to counsel for Kreason deposition	.50
6-19-17-6-21-17 Prepare and Attend Deposition of Vince Diorio (2 <sup>nd</sup> deposition) on 6-21-17	5.25
6-22-17 Attend Testing (converse consultants); inspection Viking Supply Net	6.0
6-28-17 to 6-29-17 Prepare and take Deposition of Kyle Mao	2.5
6-28-17 to 6-29-17 Prepare and take deposition of Bernie Lange (as Lange 30(b)(6))	5.75
6-30-17 E-mails to Viking Counsel re: production of Documents EDCR 2.34 and Review file with AF	.75



6-30-17 Prepare and Attend Deposition of Vince Diorio (2nd deposition)	3.5
7-09-17 Review Viking production – Emails re: claims of other failures	2.50
7-09-17 to 7-10-17 Prepare and take deposition of Erik Johnson	4.5
7-10-17 Review and Revise opp to motion to continue trial and extend discovery and supplement to motion for sanctions	1.75
7-11-17 to 7-12-17 Prepare for Plaintiffs Motion For Sanctions and Attend Hearing	1.75
7-11-17 Review appraisal report from Acore consultants	.75
7-18-17 to 7-19-17 Review Protective Order and Viking Supplement; Revise Objection to Confidentiality and Serve	.50
7-19-17 to 7-21-17 Review Viking prior discovery responses and review and serve Notice of 2.34 conference; confirm with parties	1.50
7-21-19 2.34 conference with Pancoast re: 1. Plaintiff's objection to Confidentiality under the protective order. 2. Notice of Deposition of your Expert, Robert Carmichael. we could not agree. 3. Vikings supplemental answers specifically and the need for a verification.	.75
7-21-19 Review and revise DCCR re: sanctions, review letters and emails from Pancoast	.25
7-24-17 Spoke to Client; Reviewed case with Ashley Ferrel; Review emails from client; Discussions with client; review file	4.25
7/25/17 prepare and attend hearing on Motion to Extend Discovery	1.75

7/25/17 Discussions with Ashley Ferrel: Review and revise notice of Depositions: Rimkus, Zuric & Viking; Discussion with Client; review Vikings Supplemental Answers to Interrogatories, Letter from Pancoast	2.50
7-26-17 Discussions with client; Review files, emails; prepare and serve Request for Production and Interrogatories to Viking	1.75
7/28/17 Review Supplemental Joint Case Conference Report	.5
<b>Costs</b>	<b>\$31,943.70</b>
<b>Total Hours x's \$550 per hour (reduced)</b>	<b>131.05</b>
<b>Total Fees</b>	<b>\$72,077.50</b>
<b>Total attorneys fees and costs thru 7-28-17</b>	<b>\$104,021.20</b>

**INVOICE FOR ASHLEY M. FERREL**  
**EDGEWORTH v. LANGE PLUMBING, ET AL.**  
**(4-5-17 thru 7-25-17)**

DATE	DESCRIPTION	TIME
4/7/17	Review Viking's First ECC Supplement	1.5
4/7/17	Prepared Plaintiffs 5 <sup>th</sup> ECC Supplement	0.5
4/8/17	Review Lange's Opposition to MSJ and make notes for Reply	0.5
4/11/17	Drafted & Filed Notice of Intent to Take Default on Lange Plumbing, LLC	0.5
4/13/17	Drafted and served 2 <sup>nd</sup> Amended Notice of Viking 30b6 Notice & SDT	0.5
4/17/17	Reviewed Viking Joinder to Lange's Opposition to Plaintiff's MSJ	0.5
4/17/17	Pulled cites and exhibits for Reply to MSJ	2.0
4/22/17	Drafted Written Discovery to Viking Corporation and SupplyNet for DSS review	5.75
4/27/17	Served Written Discovery on Viking entities	0.5
5/1/17	Review of Viking's 2 <sup>nd</sup> ECC Supplement	0.5
5/1/17	Drafted and Serve Plaintiffs' Motion for order to show cause and Compel James Kreason to Appear for Deposition	3.0
5/3/17	Attended Viking NRCP 30(b)(6) Deposition	5.0
5/5/17	Prepared and served Plaintiffs' 6 <sup>th</sup> ECC	1.5
5/5/17	Email to Sia re employees of Lange that Brandon refers to in deposition; Review deposition and cite transcript for Delucas	0.75
5/15/17	Drafted Opposition to Lange's Motion to Compel Sprinkler heads in Las Vegas for testing	3.5
5/17/17	Prepare and attend Hearing regarding Lange's Motion to Compel Sprinkler Heads and Testing with DC Bulla	3.5
5/17/17	Reviewed Viking's 4 <sup>th</sup> ECC Supplement (Rimkus Docs)	4.5
5/17/17	Drafted Letter to DC Bulla re: moving hearings	0.35
5/18/17	Reviewed Lange Plumbing's Limited Opposition to Motion to Compel Kreason	0.5
5/23/17	TC Erik Johnson re: scheudling depo	0.35
5/24/17	Collected and sent documents to expert (Hastings)	1.35
5/30/17	TC & email correspondence with Don Koch to discuss being climate expert in case	1.5
6/1/17	Reviewed SupplyNet's Objection to Subpoena for 30(b)(6) deposition	0.5
6/1/17	Drafted Reply to Lang's Limited Opposition to Motion to Compel Kreason for DSS to review	2.75
6/1/17	Amended and served SupplyNet 30(b)(6) Deposition notice	0.35

**INVOICE FOR ASHLEY M. FERREL**  
**EDGEWORTH v. LANGE PLUMBING, ET AL.**  
**(4-5-17 thru 7-25-17)**

6/2/17	Inspection at Edgeworth house with Viking weather expert	2.0
6/2/17	Reviewed Lange Opposition to Motion to Compel Deposition of Lange 30(b)(6) & for Sanctions	0.75
6/3/17	Reviewed Viking's responses to Plaintiffs' written discovery	1.5
6/5/17	Finalized and Served Reply to Lange's Opposition to Plaintiffs' Motion to Compel Depo of Lange 30(b)(6)	2.0
6/5/17	Reviewed and submitted changes to protective order for DSS to review	0.75
6/6/17	Discussion with all counsel re deposition dates for Johnson	0.5
6/7/17	Prepare and attend hearing- Motion to Compel the Deposition of Lange 30(b)(6) & Sanctions in front of Bulla	2.5
6/7/17	Attended Dan Cadden Deposition	1.75
6/8/17	Pulled information from assessors page for houses provided by client (used in COR to Henderson Building department	2.35
6/8/17	Reviewed and discussed testing protocol with DSS	0.5
6/9/17	TC Erik Johnson re: re-scheduling depo	0.35
6/9/17	Amended and served depo notice of Erik Johnson	0.35
6/9/17	Drafted and served deposition notice for Kyle Mao	0.5
6/9/17	Drafted and served Notice of Lange 2 <sup>nd</sup> NRCP 30(b)(6)	1.0
6/9/17	Drafted and served notice of COR for City of Henderson Building Department	1.0
6/10/17	Drafted DCRR for 6/7/17 hearing for DSS review	1.5
6/12/17	Drafted and served Amended notice of SupplyNet Warehouse Inspection	0.50
6/12/17	Reviewed Lange Plumbing's responses to written discovery; Discuss with DSS	2.5
6/13/17	Prepared for Vince Diorio continued deposition for DSS	2.5
6/13/17	Compiled and sent depositions to experts	0.75
6/14/17	Compiled all prior pleadings and depositions and drafted Letter to Nunez re: prior pleadings	2.5
6/14/17	Review Lange Plumbing's 6 <sup>th</sup> ECC Supplement	2.5
6/19/17	TC with Don Koch re: inspection	0.5
6/19/17	Reviewed documents provided by Pancoast prior to formal supplement and sent to our experts prior to inspection (material specifications and drawings)	1.25
6/20/17	Served Plaintiffs' response to Giberti's Request for Prior pleadings	0.35

**INVOICE FOR ASHLEY M. FERREL**  
**EDGEWORTH v. LANGE PLUMBING, ET AL.**  
**(4-5-17 thru 7-25-17)**

6/20/17	Letter to DC Bulla to move hearings	0.35
6/20/17	Reviewed Viking's 5 <sup>th</sup> ECC Supplement	2.75
6/20/17	Reviewed Lange's 7 <sup>th</sup> ECC Supplement	0.75
6/20/17	Email correspondence with client re location of heads for destructive testing	0.5
6/22/17	Drafted and Served Amended NRCP 30(b)(6) Deposition Notice for Viking Supplynet	0.35
6/22/17	Destructive Testing	7.0
6/22/17	Site Inspection of Viking SupplyNet Warehouse	1.0
6/23/17	Reviewed and forwarded NestEnergy History to experts	0.5
6/26/17	Prepared documents for Kreason deposition	1.25
6/27/17	Attended Kreason Deposition	1.5
6/28/17	Reviewed depositions and documents in preparation for Kyle Mao deposition	2.0
6/28/17	TC with Diana from City of Henderson re COR deposition and document request	0.4
6/28/17	Reviewed Giberti's Motion to Extend Discovery	0.5
6/28/17	Reviewed Viking's Joinder to Giberti's Motion to Extend discovery	0.35
6/29/17	Attended Kyle Mao Deposition	2.5
6/29/17	Attended Bernie Lange NRCP 30(b)(6) deposition	3.0
6/30/17	Drafted and served notice of deposition for James Cameron	0.5
6/30/17	Drafted and served notice of deposition for Raul De La Rosa	0.5
6/30/17	Drafted and served notice of deposition for Robert Carnahan	0.5
7/6/17	Reviewed Viking's 6 <sup>th</sup> ECC Supplement (Emails, Analyses, Design Schematics)	4.0
7/7/17	Reviewed Vikings 6 <sup>th</sup> ECC Supplement (Emails, returns/complaints and created a summary)	4.5
7/7/17	Reviewed documents from the City of Henderson Building department and create summary chart for Viking production	3.0
7/10/17	Drafted Opposition to Giberti's Motion to Extend Discovery on OST	3.5
7/10/17	Attended part of Deposition of Erik Johnson	2.0
7/11/17	Drafted Opposition to Giberti's Motion to extend discovery for DSS review	2.5
7/11/17	Drafted and finalized supplement to Motion to compel and request for sanctions	2.35
7/11/17	Amended and served amended notice deposition of Robert Carnahan	0.35

**INVOICE FOR ASHLEY M. FERREL**  
**EDGEWORTH v. LANGE PLUMBING, ET AL.**  
**(4-5-17 thru 7-25-17)**

7/12/17	Attended Status Check w/ Bulla re: attorney's fees	1.5
7/12/17	Compiled and served Plaintiffs 7 <sup>th</sup> ECC Supplement	1.35
7/13/17	Picked up sprinklers at Converse Consulting, took to Fed-Ex and Shipped to Vollmer Gray Labs	1.75
7/13/17	Drafted Affidavit for Chain of Custody of Sprinklers	0.5
7/13/17	Drafted Objection to Confidentiality of Viking Document Production for DSS to review	1.5
7/14/17	Drafted and filed 2 <sup>nd</sup> Supplement to Plaintiffs' Motion to Compel (fees for 2 <sup>nd</sup> 30b6 Lange depo)	1.0
7/14/17	TC with Sia re: sanctions	0.35
7/17/17	Letter to Sia re: sanctions and Rule 11 motion; emails resolving amount of sanctions	0.5
7/17/17	Review Giberti's Motion to Continue Discovery deadlines in front of District Court Judge -	0.5
7/17/17	Drafted and served Opposition to Giberti's 2 <sup>nd</sup> Motion to Extend discovery deadlines	0.5
7/17/17	Reviewed Viking's Supplemental Responses to Plaintiffs' Interrogatories	0.75
7/18/17	Drafted 2.34 Notice of 2.34 conference with Viking Defendants for deficient discovery responses for DSS to review	0.5
7/25/17	Discussions with DSS and client; draft Notice of Depositions for DSS to review; Rimkus; Zuric and Amended Notice of Viking deposition	3.25
7/25/17	Attend hearing on Motion to Extend Discovery in Dept 10	1.25
<b>TOTAL HOURS x \$275 per hour (reduced)</b>		<b>138.4</b>
<b>TOTAL FEES</b>		<b>\$38,060.00</b>

**INVOICE SUMMARY**

**Edgeworth v. Lange and Viking**

Attorneys Fees for Daniel Simon for period 7-31-17 thru 9-19-17	\$119,762.50
Attorneys Fees for Ashley Ferrel, Esq. for period 7-31-17 thru 9-19-17	\$60,981.25
Attorneys Fees for Benjamin J. Miller, Esq. for period 8-16-17 thru 9-15-17	\$2,887.50
Costs Outstanding thru 9-19-17	<u>\$71,555.00</u>
Total Due to Law Office of Daniel Simon	\$255,186.25

**INVOICE FOR DANIEL S. SIMON**

**EDGEWORTH V. LANGE, ET AL.  
(7-31-17 thru 9-19-17)**

<b>Date</b>	<b>Description</b>	<b>Time</b>
8-2-17	Telephone Conference with Pancoast 2.34 Viking Production, Review Viking 7 <sup>th</sup> Supp ECC, Review File and Draft Motion to Compel, Discussions with Client, Review Letter from Pancoast Dated 8-1-17 Re: Subpoenas	5.75
8-3-17	Draft Opposition to Motion for Protective Order	4.25
8-4-17	Revise Motion to Compel and Opposition to Motion for Protective Order; Review 6 <sup>th</sup> & 7 <sup>th</sup> Viking Supp	6.25
8/7/17	Review File with Client and AF, Revise Motion to Compel. Disc. with Fred Knez; Review 6 <sup>th</sup> & 7 <sup>th</sup> Viking Supp	6.75
8-8-17	Review File, Multiple Discussions with Client and AF, Expert Zamiski Revise Motion to Compel	6.25
8-9-17	Travel to San Diego and Back to LV; Discuss Case with Ivey Engineering.	8.0
8-10-17	Revise Motion to Compel and Opposition to Viking Motion for Protective Order, Review File, Discussions with Client and AF; Review 6 <sup>th</sup> & 7 <sup>th</sup> Viking Supp	6.25
8-11-17	Review and Revise Designation of Experts and Reports, Discussions with Hastings and Client, Review E-mails Draft Discovery Requests	5.25
8-12-17	Revise Opp to Motion for Protective Order and Motion to Compel	3.50
8-13-17	Review and Revise Notice of Depositions and Inspection for Lansing, Mi; Review 6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> & 9th Viking Supp	3.75
8-14-17	Review File, Revise Mot to Compel	4.5
8-14-17	Review and Revise Designation of Experts	1.75
8-14-17	Telephone Conference with Peter Poland, Esq. Re: 2.34 Conference/Rimkus Subpoena	.5
8-14-17	Review and Revise Motion to Amend Complaint	1.25
8-14-17	Review File, Emails, Review Revise Written Discovery	1.75
8-15-17	Review and Revise Notice of Depositions; Review 6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> & 9th Viking Supp	2.25



8-15-17	Review Defendants Expert Designations/reports; Review 6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> & 9 <sup>th</sup> Viking Supp	3.75
8-15-17	Review File, Revise and Finalize Motion to Compel and Opposition to Motion for Protective Order	2.75
8-15-17	Review Letter from Viking Re: Violation of Protective Order, Discuss with AF	.5
8-15-17	Discussion with Client Re: Expert Reports	.5
8-15-17	Discussion with AF Re: Experts - Witnesses	.5
8-15-17	Discussion with Don Koch; Review 6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> & 9 <sup>th</sup> , Viking Supp	3.25
8-15-17	Discussion with Client and AF	1.75
8-15-17	Draft Motion to Compel Rimkus	2.25
8-16-17	Discussions with Client and AF	2.25
8-21-17	Finalize Reply to Opp to Motion to Compel; Client Emails, Pancoast Emails; Discussions with Client and AF; Review File	6.75
8-22-17	Review File with AF; Call Several Witnesses/lawyers; Review Req for Production No. 4; Prepare for Hearing on 8-23-17	2.75
8-23-17	Attend Hearing on All Discovery Matters	4.0
8-24-17	Meet with Expert Pomerantz; Review 6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> , 10 <sup>th</sup> , 11 <sup>th</sup> & 12 <sup>th</sup> Viking Supp	4.25
8-25-17	Review and Revise Deposition Notices and Subpoenas for Tyco and Reliable; Review 6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> , 10 <sup>th</sup> , 11 <sup>th</sup> & 12 <sup>th</sup> Viking Supp	3.25
8-28-17	Martorano Deposition Prep	4.0
8-29-17	Meet with Giberti and Nunez; Discussion with Client	1.5
8-29-17	Discussion with AF; Review Expert Binder; Disc. FSS Court Docket	.75
8-30-17	Depo Prep for Mortorano (9:30-4:00); Discussion with Hastings, Zamiski and Client	7.5
8-30-17	Depo Prep Continued for Mortorano	1.5
8-31-17	Depo Prep Continued for Mortorano	2.0
8-31-17	Take Depo of Mortorano	8.0
9-1-17	Discussions with Zamiski / AF strategy; pull hot docs for experts	1.75
9-4-17	Review and Revise UL 30b6 Notice; Review File	3.25

9-5-17	Discussions with Michael Bartlett, atty for Zurich re: 2.34 got Notice of Depo/Subpoena	.50
9-5-17	Review File with AF; Gather Carnahan exhibits; Review File	2.25
9-6-17	Depo Prep	5.0
9-6-17	Depo Prep and travel time for carnahan depo	6.0
9-7-17	depo prep and carnahan depo	10.00
9-8-17	File Review, Discussion with Client, Review and Revise NRCP 30b6 Depo Notice of UL, Review and Revise Motion to Exclude Rosenthal	5.25
9-9-17	Review and Revise NRCP 30b6 Depo Notice of Viking Group, Draft Request for Admissions to Viking (4 <sup>th</sup> Set); Review and Revise Interrogatories and Request for Production to Viking (4 <sup>th</sup> Set); Revise MIL to Exclude Rosenthal	5.25
9-10-17	Revise MIL to Exclude Rosenthal	3.75
9-11-17	Conference Call with Zamiski; Discussion with Client; Af; Pre-depo with Angela Edgeworth; Call with K. Hastings; File Review	4.75
9-12-17	Finalized All Discovery to Defendants Viking; Opposition to Vikings Emergency Motion to Compel; Reply to Defendants Opposition to Plaintiffs Motion to Amend to Add Viking Group	5.25
9-13-17	Prepare and Attend Hearing on Defendants Motion to Compel; Discuss with Client and Expert Koch; Review Pancoast Letter Re: Viking Never Tested; Revise MIL to Exclude Rosenthal; Discuss with AF	6.25
9-14-17	Meeting with Brian Gorelli and Crane Panerantz and Travel Time; Review and Revise Reply to Non-party Rimkus Opposition to Plaintiffs Motion to Compel	4.75
9-15-17	File Review	4.25
9-15-17 thru 9-17-17	Discussion with Hastings, Client and AF; Revise Motion to Compel Carnahan; Emails	3.5
9-18-17	Review and Revise Rebuttal Expert Designation; Revise MIL to Exclude Rosenthal and Motion to Compel Carnahan; Attend Angela Edgeworths Deposition	7.25
9-19-17	Prepare and Attend Motion to Amend to Add Viking Group	2.0
9-19-17	Revise and Finalize Motion to Compel Carnahan and Rosenthal	2.25



**INVOICE FOR ASHLEY M. FERREL**  
**EDGEWORTH v. LANGE PLUMBING, ET AL.**  
**(7-31-17 thru 9-19-17)**

DATE	DESCRIPTION	TIME
8/7/17	Review file with DSS and met with client	6.25
8/7/17	Review Notice from Discovery Commissioner re: DCRR from 7/12/17	1.5
8/8/17	Review file and discussions with DSS and client	6.0
8/8/17	Review Viking's Motion for Protective Order No. 2	0.5
8/8/17	Review Viking's 7 <sup>th</sup> Supp	2.0
8/9/17	Draft Motion to Amend Complaint and Draft proposed amended complaint	5.0
8/9/17	Review Viking's 7 <sup>th</sup> Supp	4.5
8/10/17	Discussions with DSS and client	2.5
8/10/17	Review Viking's 7 <sup>th</sup> and 8 <sup>th</sup> Supp	5.5
8/11/17	Draft Designation of Experts and Reports	0.5
8/11/17	Review Viking's 9 <sup>th</sup> Supplemental Disclosure	2.75
8/11/17	Review of file and draft notices of deposition for Viking employees and Notice of Inspection	2.0
8/12/17	Revise Opposition to Motion for Protective Order	2.25
8/12/17	Drafted Plaintiffs' 8 <sup>th</sup> ECC Supplement	1.0
8/14/17	Draft and serve re-notice of COR for Rimkus Consulting; drafted email and sent via email and fax to Peter Polland	0.5
8/14/17	Review 7 <sup>th</sup> and 8 <sup>th</sup> Viking ECC Supplements	3.25
8/14/17	Drafted Written Discovery to Viking Corporation and SupplyNet for DSS review	2.0
8/14/17	Finalized and served Plaintiffs' 3 <sup>rd</sup> Set for Rogs, 3 <sup>rd</sup> Set of RFPs, and 2 <sup>nd</sup> set of RFAs	0.75
8/14/17	Finalized and serve Plaintiffs' Expert Disclosure	0.5
8/15/17	Review letter from Viking re: violation of protective order and discuss with DSS	0.5
8/15/17	Review Viking, Lange and Giberti's designation of expert witnesses and reports	2.5
8/15/17	Discuss expert witnesses with DSS	2.25
8/15/17	Finalized and served Plaintiffs Opposition to Motion for Protective Order	1.5
8/15/17	Served Notice of Deposition and SDT on Viking employees in Michigan and Notice of Inspection	1.5
8/16/17	Review Lange's 9 <sup>th</sup> Supplemental ECC Disclosure	0.5
8/16/17	Revise Motion to compel Rimkus	2.0
8/16/17	Discussions with DSS and client	2.25
8/16/17	Review Viking's 10 <sup>th</sup> ECC Supplement	1.5
8/16/17	Served Plaintiffs' 8 <sup>th</sup> ECC Supplement	0.25
8/17/17	Finalized and served Plaintiffs' Motion to Compel Viking	6.25
8/18/17	Review Viking's 11 <sup>th</sup> and 12 <sup>th</sup> ECC Supplement	3.25

**INVOICE FOR ASHLEY M. FERREL**  
**EDGEWORTH v. LANGE PLUMBING, ET AL.**  
**(7-31-17 thru 9-19-17)**

8/18/17	Review Viking's Reply to Motion for Protective Order No.1 & No. 2	1.0
8/18/17	Finalize and Serve Plaintiffs' Motion to Compel Rinkus Consulting	1.25
8/19/17	Review Viking's Opposition to Plaintiffs' Motion to Compel	0.25
8/19/17	Draft reply to Motion to Compel	5.5
8/21/17	Finalize and serve Plaintiffs' Reply to Viking's Opposition for the Motion to Compel Viking	1.5
8/21/17	Review file, discussions with DSS and client	3.0
8/21/17	Revise and finalize the 7-12-17 DCRR; send follow up emails to all counsel for review and signature	2.25
8/22/17	Review of file with DSS; called several witnesses/lawyers from emails produced by Viking; Prepare for hearing with Bulla	4.0
8/22/17	Finalize and serve Plaintiffs 4 <sup>th</sup> set of RFPs to Viking	0.5
8/23/17	Attend Hearing on Motion to Compel and Viking's 2 Motions for Protective Orders	4.0
8/24/17	Review file and compile information for expert Pomerantz	1.5
8/24/17	Draft and serve Plaintiffs' 3 <sup>rd</sup> set of RFAs to Viking	0.5
8/25/17	Draft deposition notices and SDT for NRCP 30(b)(6) of Reliable and Tyco	2.0
8/25/17	Review Fraud Binder, scan and create table of contents	1.5
8/27/17	Review file for computation of damages	3.5
8/28/17	Martorano Deposition Prep	4.0
8/28/17	Reviewed Viking's Responses to 2 <sup>nd</sup> RFP and 2 <sup>nd</sup> Rogs	0.5
8/29/17	Discussions with DSS re Martorano Depo and prep	0.75
8/29/17	Draft Harold Rodgers Depo Notice and SDT	0.5
8/29/17	Research FSS & Thorpe dockets and pull documents	5.0
8/30/17	Depo Prep for Martorano	5.0
8/30/17	Review file for UL documents produced by Viking and draft Notice of NRCP 30(b)(6) of UL	3.0
8/30/17	Review Vikings' Second Supplemental Responses to plaintiffs' Second Set of Rogs and RFPs; Review Viking's NRCP 45 objection to the SupplyNet SDT	1.0
8/31/17	Attend Martorano Deposition	8.0
9/1/17	Discussions with DSS re strategy and pull hot docs for experts	5.0
9/1/17	Phone Conference with Michael Bartlett re: Zurich Subpoena	0.75
9/1/17	Review Viking's Motion to Associate Counsel re: Kenton Robinson and Jay McConnell	0.50

**INVOICE FOR ASHLEY M. FERREL**  
**EDGEWORTH v. LANGE PLUMBING, ET AL.**  
**(7-31-17 thru 9-19-17)**

9/1/17	Finalize and Serve Deposition Notice, SDT, Application and Comm to Take Out of State Depo	0.5
9/5/17	Draft and Finalize Limited Opposition to Viking's Motion to Associate Counsel	0.5
9/5/17	Phone Conference with Michael Bartlett re: subpoena and notice for Zurich Insurance Company	0.5
9/5/17	Finalize and serve amended notice of Depo for Zurich American Insurance Company, SDT, send via email and also send out to process server	0.5
9/5/17	Review Viking's Opposition to Plaintiffs' Motion to Amend	1.0
9/5/17	Draft and serve Plaintiffs' 9 <sup>th</sup> ECC Supplement	1.5
9/5/17	Prepare for Carnahan Depo	3.0
9/6/17	Review DCRR from the 8/23/17 Hearing; Listen to audio of 8/23/17 hearing; send revisions of DCRR to Pancoast	3.5
9/6/17	Prepare for Carnahan Depo	2.75
9/6/17	Review Non-Party Rimkus' Opposition to Plaintiffs' Motion to Compel	0.5
9/6/17	TC with Janet re: 2.34 of inspection of home and ECC production organization	0.5
9/7/17	Review Carnahan documents produced on morning of his deposition from Viking	1.5
9/7/17	Attended Carnahan Deposition telephonically	4.5
9/8/17	Revise Notices for Viking employees and Notice of Inspection of Viking	1.0
9/8/17	Draft 4 <sup>th</sup> set of RFPs and Rogs to Viking	1.75
9/8/17	Review revised DCRR from 8/23/17 hearing and discussion with Janet re: additional changes	0.5
9/8/17	Revise UL Notice and SDT	0.5
9/8/17	Draft Motion to Strike Viking's Answer	3.5
9/9/17	Researched cases cited by Defendants and Drafted Reply to Motion to Amend Complaint	3.5
9/11/17	Revised and finalized Reply to Motion to Amend Complaint to Add Viking Group	3.0
9/11/17	Met with DSS and client regarding file	1.5
9/11/17	Review revised DCRR from 8/23/17 hearing and send email to Janet regarding additional revisions	1.5
9/11/17	Review ECC Supplements by all parties to identify Giberti job file	1.0
9/12/17	Drafted and served Plaintiffs' Opposition to Viking's Emergency Motion to Compel Home Inspection	5.0
9/12/17	Drafted Reply to Non-Party Rimkus' Motion for Protective Order	3.25

**INVOICE FOR ASHLEY M. FERREL**  
**EDGEWORTH v. LANGE PLUMBING, ET AL.**  
**(7-31-17 thru 9-19-17)**

9/13/17	Prepare and Attend Hearing on Defendants' Motion to Compel Home Inspection; Review Panocast letter re: UL and discuss with DSS	6.25
9/13/17	Finalized and served NRCP 30(b)(6) Notice of Reliable, Tyco, Viking Group, UL, Amended Notice of Harold Rodgers, Amended Notices and SDT of Viking employees in Michigan and amended notice of inspection	2.5
9/14/17	Discussions with DSS and experts	2.0
9/14/17	Finalize and serve Plaintiffs' Reply to Non-Party Rimkus' Opposition to Plaintiffs' motion to Compel	2.75
9/15/17	Review Viking's Responses to Plaintiffs' 2 <sup>nd</sup> Set of RFAs, 3 <sup>rd</sup> set of RFPs, and 3 <sup>rd</sup> set of Rogs	1.0
9/15/17	Draft Rebuttal Expert Disclosure and get disclosure documents from experts	1.0
9/15/17	Serve Notice of Telephonic 2.34 Conference with Viking re written discovery deficiencies	0.25
9/15/17	Review 2 <sup>nd</sup> half of Carnahan deposition (in rough)	2.0
9/15/17	Met with Tyler Ure to go over Giberti/American Grating file at Simon Las	0.5
9/15/17	Draft Notice of Deposition and SDT for Nate Wittasek	0.5
9/17/17	Reviewed and revised Motion to Compel Carnahan; responded to client and DSS emails	4.0
9/18/17	Reviewed and revised Motion to Compel Carnahan	3.25
9/18/17	Reviewed and revised MIL to Exclude Rosenthal	1.5
9/18/17	Revised and served Rebuttal Expert Disclosure	1.25
9/18/17	Reviewed DC Transcript from 8/23/17	0.5
9/19/17	Prepared and attended hearing for Motion to Amend Complaint to Add Viking Group, Inc.	1.5
9/19/17	Draft and serve notice to vacate deposition of James Cameron	0.25
9/19/17	TC with Fred Kenez re: protective order in FSS and Thorpe litigation; TC with Robinson re: 2.34 of insufficient discovery responses; TC with Michael Bartlett and Sinnott re: Motion to Compel Zurich; Discussion re: Motion to Compel with DSS	1.5
9/19/17	Finalized and sent Motion to Compel Carnahan over to for OST signature	1.5
9/19/17	Finalized and sent MIL to Exclude Rosenthal over to Judge Jones for OST signature	1.25
<b>TOTAL HOURS x \$275 per hour (reduced)</b>		<b>221.75</b>
<b>TOTAL FEES</b>		<b>\$60,981.25</b>

**EDGEWORTH V. LANGE, ET AL.**  
**(8-16-17 thru 9-15-17)**

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

EDGEWORTH FAMILY TRUST; AND  
AMERICAN GRATING, LLC,

Appellants/Cross Respondents.

vs.

DANIEL S. SIMON; THE LAW OFFICE OF  
DANIEL S. SIMON, A PROFESSIONAL  
CORPORATION; DOES I through X,  
inclusive, and ROE CORPORATIONS I  
through X, inclusive,

Respondents/Cross-Appellants.

**Supreme Court Case**

**No. 77678 consolidated with No. 78176**

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EDGEWORTH FAMILY TRUST;  
AMERICAN GRATING, LLC,

Appellants,

vs.

DANIEL S. SIMON; THE LAW OFFICE OF  
DANIEL S. SIMON, A PROFESSIONAL  
CORPORATION; DOES I through X,  
inclusive, and ROE CORPORATIONS I  
through X, inclusive,

Respondents.

Appeal from a Final Judgment entered by the Eighth Judicial District Court, Clark County  
The Honorable Tierra Jones, District Judge

**APPELLANTS' APPENDIX**

VOL. 1 PART 4 of 12

**Appellants' Appendix – Consolidated Cases 77678 and 78176**  
***Edgeworth, et al. v. Daniel Simon, et al.***

<b>Date Filed</b>	<b>Document Title</b>	<b>VOL. No.</b>	<b>Bates Number</b>
1/9/18	Acceptance of Service of the Summons and Complaint	1	AA000024
3/15/18	Amended Complaint	2	AA000305
1/4/2018	Complaint	1	AA000013
11/19/2018	Decision and Order on Motion to Adjudicate Lien	2	AA000353
11/19/2018	Decision and Order on Motion to Dismiss NRCPP 12(B)(5)	2	AA000376
1/24/2018	Motion to Adjudicate Lien of the Law Office of Daniel Simon On Order Shortening Time <ul style="list-style-type: none"> <li>• Simon's Invoices</li> <li>• Itemization of Costs</li> <li>• Simon's 11/27/18 Letter to Edgeworth's</li> </ul>	1 & 2	AA000025
12/7/2018	Motion for Attorneys Fees and Costs	2	AA000386
4/9/2018	Motion to Dismiss Plaintiffs' Amended Complaint Pursuant to 12(b)(5)	2	AA000317
1/2/2018	Notice of Amended Attorney's Lien	1	AA000006
12/17/2018	Notice of Appeal (Adjudicate Lien and Motion to Dismiss)	2	AA000425
2/15/19	Notice of Appeal (Attorney's Fees and Costs)	2	AA000485
12/17/2018	Notice of Cross Appeal	2	AA000440
2/08/2019	Notice of Entry of Decision and Order Granting in Part and Denying in Part, Simon's Motion for Attorney's Fees and Costs <ul style="list-style-type: none"> <li>• Decision and Order Granting in Part and Denying in Part, Simon's Motion for Attorney's Fees and Costs</li> </ul>	2	AA000479

**Appellants' Appendix – Consolidated Cases 77678 and 78176**  
***Edgeworth, et al. v. Daniel Simon, et al.***

12/27/2018	Notice of Entry of Orders (Adjudicate Lien and Dismiss NRCP 12(B)(5))	2	AA000442
12/13/2018	Plaintiff's Motion for an Order to Release Funds	2	AA000415
2/02/18	Plaintiff's Opposition to Defendant's Motions to Consolidate and to Adjudicate Attorney Lien <ul style="list-style-type: none"> <li>• Affidavit of Brian Edgeworth (2/2/18)</li> <li>• Deposition of Brian Edgeworth (9/29/17)</li> </ul>	2	AA000277
4/24/2018	Plaintiff's Opposition to Defendant's (Third) Motion to Dismiss	2	AA000335
12/17/2018	Plaintiffs' Opposition to Simon's Motion for Fees and Costs	2	AA000428
6/13/19	Recorder's Transcript of Evidentiary Hearing- Day 1 August 27, 2018 Recorder's Transcript of Evidentiary Hearing- Day 2 August 28, 2018 Recorder's Transcript of Evidentiary Hearing- Day 4 August 30, 2018	3	AA000488
11/30/2017	Simon's Notice of Attorney's Lien	2	AA000001

**Appellants' Appendix – Consolidated Cases 77678 and 78176**  
***Edgeworth, et al. v. Daniel Simon, et al.***

<b>Date Filed</b>	<b>Document Title</b>	<b>VOL. No.</b>	<b>Bates Number</b>
11/30/2017	Simon's Notice of Attorney's Lien	1	AA000001
1/2/2018	Notice of Amended Attorney's Lien	1	AA000006
1/4/2018	Complaint	1	AA000013
1/9/2018	Acceptance of Service of the Summons and Complaint	1	AA000024
1/24/2018	Motion to Adjudicate Lien of the Law Office of Daniel Simon On Order Shortening Time <ul style="list-style-type: none"> <li>• Simon's Invoices</li> <li>• Email to Simon labeled "Contingency</li> <li>• Itemization of Costs</li> <li>• Simon's 11/27/18 Letter to Edgeworth's</li> </ul>	1 & 2	AA000025
2/02/18	Plaintiff's Opposition to Defendant's Motions to Consolidate and to Adjudicate Attorney Lien <ul style="list-style-type: none"> <li>• Affidavit of Brian Edgeworth (2/2/18)</li> <li>• Deposition of Brian Edgeworth (9/29/17)</li> </ul>	2	AA000277
3/15/18	Amended Complaint	2	AA000305
4/9/2018	Motion to Dismiss Plaintiffs' Amended Complaint Pursuant to 12(b)(5)	2	AA000317
4/24/2018	Plaintiff's Opposition to Defendant's (Third) Motion to Dismiss	2	AA000335
11/19/2018	Decision and order on Motion to Adjudicate Lien	2	AA000353
11/19/2018	Decision and Order on Motion to Dismiss NRCP 12(B)(5)	2	AA000376
12/7/2018	Motion for Attorneys Fees and Costs	2	AA000386
12/13/2018	Plaintiff's Motion for an Order to Release Funds	2	AA000415
12/17/2018	Notice of Appeal (Adjudicate Lien and Motion to Dismiss)	2	AA000425

**Appellants' Appendix – Consolidated Cases 77678 and 78176**  
***Edgeworth, et al. v. Daniel Simon, et al.***

12/17/2018	Plaintiffs' Opposition to Simon's Motion for Fees and Costs	2	AA000428
12/17/2018	Notice of Cross Appeal	2	AA000440
12/27/2018	Notice of Entry of Orders (Adjudicate Lien and Dismiss NRCP 12(B)(5))	2	AA000442
2/08/2019	Notice of Entry of Decision and Order Granting in Part and Denying in Part, Simon's Motion for Attorney's Fees and Costs  <ul style="list-style-type: none"> <li>Decision and Order Granting in Part and Denying in Part, Simon's Motion for Attorney's Fees and Costs</li> </ul>	2	AA000479
2/15/19	Notice of Appeal (Attorney's Fees and Costs)	2	AA000485
6/13/19	Recorder's Transcript of Evidentiary Hearing- Day 1 August 27, 2018 Recorder's Transcript of Evidentiary Hearing- Day 2 August 28, 2018 Recorder's Transcript of Evidentiary Hearing- Day 4 August 30, 2018	3	AA000488

## FW: Contingency

Daniel Simon <dan@simonlawlv.com>

Fri 12/1/2017 10:22 AM

To: James R. Christensen <jim@jchristensenlaw.com>;

**From:** Brian Edgeworth [mailto:brian@pediped.com]

**Sent:** Tuesday, August 22, 2017 5:44 PM

**To:** Daniel Simon <dan@simonlawlv.com>

**Subject:** Contingency

We never really had a structured discussion about how this might be done.

I am more than happy to keep paying hourly but if we are going for punitive we should probably explore a hybrid of hourly on the claim and then some other structure that incentivizes both of us to win and go after the appeal that these scumbags will file etc.

Obviously that could not have been done earlier since who would have thought this case would meet the hurdle of punitives at the start.

I could also swing hourly for the whole case (unless I am off what this is going to cost). I would likely borrow another \$450k from Margaret in 250 and 200 increments and then either I could use one of the house sales for cash or if things get really bad, I still have a couple million in bitcoin I could sell.

I doubt we will get Kinsale to settle for enough to really finance this since I would have to pay the first \$750,000 or so back to Colin and Margaret and why would Kinsale settle for \$1MM when their exposure is only \$1MM?

**INVOICE FOR DANIEL S. SIMON**  
**EDGEWORTH v. LANGE, ET AL.**

<b>Date</b>	<b>Description</b>	<b>Time</b>
5/27/16	Email Chain with Client Re: Representation	.25
5/28/16	Email Chain with Client Re: Client Meeting	.40
5/31/16	Receive, Review and Analyze Email From Client	.40
6/1/16	Receive, Review and Analyze Email From Client	.40
6/2/16	Receive, Review and Analyze Email From Client	.40
6/2/16	Email Chain with Client	.40
6/3/16	Email Chain with Client with Attachment	.50
6/3/16	Email Chain From Client with Website Attachment	.40
6/3/16	Receive, Review and Analyze Email from Viking and to Client	.40
6/5/16	Email Chain with Client	.40
6/10/16	Email Chain with Client	.75
6/13/16	Draft and Send Email to Client	.25
6/14/16	Receive, Review and Analyze Email from Client	.25
6/22/16	Email Chain with Client	.40
7/11/16	Email Chain with AD, SC, SR; Re: Representation of Lange	.25
7/12/16 - 7/13/16	Email Chain with Client	1.25
7/14/16	Receive, Review and Analyze Email from Client	.25
7/14/16	Receive, Review and Analyze Email from Viking, Forward to Client with Attachments; Receive, Review and Analyze Response from Client; Review File; Email Chain with Client	1.75
7/18/16	Receive, Review and Analyze Email from Client with Attachment	.75
7/19/16	Email Chain with Client	.50
7/19/16	Draft and Send Email to AD; Re: SAO Amend Complaint	.25

7/20/16	Email Chain with SH, AD with Attachments; Re: Stipulation to Amend and Extension	.50
8/4/16	Receive, Review and Analyze Email from Client	.40
8/4/16	Receive, Review and Analyze Email from Client	.25
8/4/16 - 8/5/16	Receive, Review and Analyze Emails from M. Giberti	.50
8/5/16 - 8/8/16	Email Chain with Client	.75
8/9/16	Call with Client	.25
8/11/16	Receive, Review and Analyze Email from Dalacas with Report; Forward to Client	.40
8/11/16	Receive, Review and Analyze Emails from Giberti with Attachment	.75
8/11/16	Email Chain with A. Dalacas, Scott Holcomb; Re: Rimkus Report with Attachment	.75
8/11/16	Email Chain with SH, AD, GB; Re: Stipulations	.25
8/11/16	Email Chain with AD, SH; Re: Home Inspection	1.25
8/15/16	Email Chain with Client	.25
8/15/16 (9:21am)	Receive, Review and Analyze Email from Client with Attachment	.40
8/16/16	Email Chain with SH, AD, GB; Re: Chain of Custody	.25
8/16/16	Draft and Send Email to AD; Re: Lange Coverage	.40
8/16/16	Email Chain with Client	.40
8/19/16	Email Chain with AD; Re: Inspection	.25
8/19/16	Email Chain with Client	.40
8/22/16 - 8/24/16	Email Chain with Client	.40
8/22/16	Call with Client	.15
8/25/16	Call with Client	.15
9/1/16	Email Chain with AD, SH; Re: Transfer of Sprinkler Heads and Chain of Custody	.75



9/7/16	Email Chain with Client with Attachment	.75
9/8/16	Email Chain with Client	.75
9/12/16	Call with Client	.15
9/12/16	Email Chain from Ivey with Attachments; Email Chain with Client	.50
9/12/16	Email Chain with RP, KH, GR with Attachments; Re: Retention	1.25
9/14/16	Email Chain with RP, KH; Re: Retention and Telephone Call with Bill Ivey Re: Retention	1.35
9/15/16	Email Chain with RP; Re: List of Cases	.50
9/16/16	Email Chain with RP; Re: Signed Retainer Agreement and Check	.50
9/19/16	Email Chain with RP, KH; Re: Shipping of Sprinklers from Rimkus. Telephone Call with Hastings.	.75
9/22/16	Receive, Review and Analyze Email From AD with Attachment from Kreason	.40
9/28/16	Email Chain with Client	.50
9/28/16	Email Chain with Client Re: Installation Guide Info., with Attachments	.75
9/28/16	Call with Client	.40
9/29/16	Draft Email to JW	.10
9/29/16	Receive, Review and Analyze Email from Dalacas	.25
9/30/16	Receive, Review and Analyze Emails with Website Info.; Receive, Review and Analyze Email from B. Lange and Client; Draft Email to JW	.85
10/3/16	Email Chain with Client	.50
10/4/16	Call with Client	.25
10/4/16	Call with Client	.15
10/4/16	Email Chain with Client	.50
10/6/16	Receive, Review and Analyze Email from Client with Attachment	.50

10/6/16	Receive, Review and Analyze Email from Dalacas; Forward Email to Client; Receive, Review and Analyze Email from Client; Receive, Review and Analyze Email from B. Lange; S. Simmons Emails included	.75
10/6/16	Call with Client	.40
10/7/16	Call with Client	.15
10/7/16	Receive, Review and Analyze Email from Client	.50
10/7/16	Receive, Review and Analyze Email from Giberti	.25
10/7/16	Draft Email to Dalacas; Forward Email to Client	.75
10/11/16	Receive, Review and Analyze Email from Client	.25
10/11/16	Draft Email to Dalacas with Attachments	.25
10/12/16	Email Chain with KB, KH, and File Manager; Re: Travel for Inspection	.50
10/12/16	Call with Client	.15
10/12/16	Call with Client	.10
10/12/16	Call with Client	.25
10/13/16	Call with Client	.40
10/13/16	Receive, Review and Analyze Email from Client	.25
10/13/16	Email Chain with S. Holcomb and Dalacas and Client	1.25
10/13/16	Receive, Review and Analyze Emails from Client with Email Chain from Viking/Lange	.50
10/13/16	Receive, Review and Analyze Email from Client	.25
10/14/16	Email Chain with Client	.50
10/14/16	Receive, Review and Analyze Email from M. Giberti with Attachments; Forward Emails	1.25
10/14/16	Email Chain with Client	.75
10/15/16	Call with Client	.25
10/15/16	Draft Email to Client with Attachments	.25

10/15/16	Draft and Send Email to KH; Re: Sprinkler Heads to Take Back to San Diego	.15
10/15/16	Prepare, Revise and Finalize Affidavit for DSS, Re: Chain of Custody	.50
10/16/16	Receive, Review and Analyze Email from Client	.40
10/17/16	Receive, Review and Analyze Email from M. Giberti	.40
10/17/16	Receive, Review and Analyze Email from Client	.40
10/17/16	Receive, Review and Analyze Email from Dalascas; Email Chain with Client; Email from S. Holcomb; Email to Client	.90
10/17/16	Receive, Review and Analyze Email from M. Giberti	.15
10/17/16	Email Chain with Client Re: Website	.40
10/17/16	Receive, Review, and Analyze Letter from Dalacas	.25
10/18/16	Email Chain with Client Re: Dalacas Ladder	.50
10/18/16	Call with Client	.15
10/ 19/16	Call with Client	.10
10/19/16	Call with Client	.10
10/20/16	Email Chain with KH; Re: Receipt of Sprinkler Heads	.25
10/21/16	Call with Client	.25
10/21/16	Email Chain with Client and Dalacas with Attachments	1.25
10/22/16 - 10/24/16	Email Chain with Dalacas and Client	1.25
10/24/16	Call with Client	.15
10/24/16	Email Chain with Dalacas/Holcomb, A. Bullock and Client with Attachments	.75
10/25/16	Receive, Review and Analyze Email from Client	.50
10/26/16	Send Email Chain with Client; Receive, Review and Analyze Email from Dalacas with Attachments	.75
11/4/16	Email Chain with Client; Email Chain with Dalacas	.80

11/9/16	Email Chain with Client with Attachment	.50
11/9/16	Draft and Send Email to KH with ECC Disclosures	.35
11/10/16	Email Chain with KH; Re: Visual Inspection of Sprinklers	.25
11/10/16	Receive, Review and Analyze Email from M. Giberti	.25
11/17/16	Email Chain with Client and Dalacas	.75
11/18/16	Email Chain with Dalacas	.40
11/18/16	Email Chain with Client with Attachment	1.0
11/21/16	Receive, Review and Analyze Email from Client	.25
11/21/16	Call with Client	.25
11/22/16	Draft and Send Email to Dalacas and Client	.40
11/29/16	Email Chain with M. Giberti and Client	.75
11/29/16	Draft and Send Email to Dalacas	.50
11/29/16	Email Chain with Client	.40
11/30/16	Receive, Review and Analyze Email from Dalacas; Draft and Email Chain with Client	.50
11/30/16	Receive, Review and Analyze Email from M. Giberti and Client	.50
12/2/16	Email Chain with Client with Attachments	.75
12/2/16	Receive, Review and Analyze Email from Ivey and Forward to Client	.25
12/2/16	Call with Client	.50
12/3/16	Call with Client	.25
12/5/16	Receive, Review and Analyze Email from M. Giberti	.35
12/5/16	Receive, Review and Analyze Email from Client	.25
12/5/16	Draft and Send Email to Duggan with Attachments	.50
12/5/16	T/C with Duggan	.40
12/5/16	Draft and Send Email to Dalacas	.75
12/5/16	Receive, Review and Analyze Email from Dalacas	.40

12/5/16	Receive, Review and Analyze Email from Client with Attachment Re: Updated Damages Estimate	.40
12/6/16	Email Chain with Client with Attachments	.50
12/6/16	Receive, Review and Analyze Email from Dalacas; Forward to Client; Receive, Review and Analyze Email from M. Giberti	.40
12/7/16	Receive, Review and Analyze Email from M. Giberti	.25
12/13/16	Email Chain with JY, KH; Re: Retainer with Attachment	.75
12/22/16	Email Chain with AD; Re: Mediation	.25
1/3/17	Email Chain with KH; Re: Visual Inspection in San Diego	.25
1/3/17	Email Chain with Blumberg	.35
1/4/17	Email Chain with JP and AD	.75
1/4/17	Receive, Review and Analyze Email From JP; Re: Mediation	.15
1/4/17	Receive, Review and Analyze Email from JW to Pancoast; Receive, Review and Analyze Email from JP; Receive, Review and Analyze Email from Dalacas	.50
1/4/17	Draft email to JP and Receive and Review Email from JP	.40
1/4/17	Draft and Send Email to Client	.50
1/4/17	Email Chain with Client	.75
1/6/17	Received, reviewed and responded to email from AF Lange K inserts added to MSJ	.15
1/10/17	Draft and Send Email to Client with Attachment	.25
1/10/17	Email Chain with KH; Re: Metallurgist	.50
1/11/17	Call with Client	.15
1/11/17	Call with Client	.25
1/11/17	Draft and send email to AF re making small changes to MSJ	.15
1/11/17	Email Chain with Client with attachment	.25
1/17/17	Draft and Send Email to JP and Response	.25
1/17/17	Draft and Send Email to GZ	.15

1/17/17	Draft and send email to AF re preparing written discovery and depo notices	.15
1/19/17	Draft and Send Email to KH with Attachment MSJ; Re: Request for Call	.20
1/19/17	Email chain with AF re Viking's Opposition to MSJ	.50
1/20/17	Email chain with AF re Stackiewicz case and Discussion with AF	.50
1/23/17	Received, reviewed and responded to email from AF re business court judge	.15
1/23/17	Received, reviewed and responded to email from AF re draft notices and SDT for review	.15
1/24/17	Call with Client	.15
1/24/17	Email chain with AF re business court jurisdiction and discussion with AF	.35
1/24/17	Email chain with AF re breach of contract COAs and discussion with AF	.50
1/24/17	Receive, Review and Analyze Email from M. Giberti	.25
1/24/17	Review COR Depositions and Forward to Client via Email	.50
1/24/17	Receive, Review and Analyze Email from G. Zamiski; Email Chain with Client	.50
1/24/17	Receive, Review and Analyze Email From GZ; Re: Scope of Work	.15
1/25/17	Draft and Send Email to GZ; Re: Starting Work and Retainer	.25
1/25/17	Draft and Send Email to AF and JW; Objection to Subpoena; Review of COR's, Analyze Objections	.50
1/25/17	Email Chain with AD, AF; Re: Depositions	.25
1/26/17	Draft and send email to AF re Lange 30(b)(6) depo and discussion with AF	.35
1/27/17	Email Chain with Client with Attachments	.50
1/27/17	Draft and Send Email to Client with Attachment	.25
1/27/17	Call with Client	.25

1/27/17	Draft and send email to AF re preparing Viking 30(b)(6) depo notice	.15
1/28/17	Draft and Send Email to KH; Re: Ziminsky, Depositions, Request to Discuss Case	.25
1/28/17	Draft and Send Email to KH with Viking 16.1 Disclosures	.25
1/30/17	Call with AMF	.15
1/30/17	Receive, Review and Analyze Email from M. Giberti	.25
1/31/17	Email Chain with Client	.25
2/1/17	Receive, Review and Analyze Email from Client	.25
2/3/17	Receive, Review and Analyze Email from Client with Attachment	.25
2/3/17	Receive, Review and Analyze Email From KH; Re: Viking Expert Opinions and Request for a TC	.15
2/3/17	Receive, Review and Analyze Email from Client to S. Dugan	.25
2/6/17	Receive, Review and Analyze Email from S. Dugan and Response	.25
2/6/17	Receive, Review and Analyze Email from Client Re: Trailer Temps and Website Attachment	.50
2/6/17	Draft and send email to AF re email client sent re trailer temperatures and link	.50
2/6/17	Call with Client	.40
2/6/17	Email chain with AF re Motion to Amend Complain	.15
2/6/17	Draft and Send Email to JP	.25
2/7/17	Receive, Review and Analyze Email From JP and Response	.25
2/7/17	Draft and send email to AF re Viking 30(b)(6) notice	.15
2/9/17	Receive, Review and Analyze Letter from Dalacas re Lange 30(b)(6) depositions	.25
2/9/17	Call with Client	.15
2/10/17	Receive, Review and Analyze Letter from Dalacas re Lange 30(b)(6) depositions and Brandon Lange Deposition	.15
2/10/17	Email chain with AF re response to Pancoast re Dustin Hamer	.15

2/10/17	Draft and send email to AF re correspondence from Sia about moving depos	.15
2/10/17	Receive, Review and Analyze Email From JP and Response	.25
2/10/17	Email Chain with JP and AD	.95
2/12/17	Email chain with AF re re-noticing depos of Hamer and Diorio	.25
2/13/17	Email chain with AF re court's availability for MSJ hearing	.15
2/13/17	Call with Client	.15
2/13/17	Email Chain with AD, JP and JR	.35
2/15/17	Call with AMF	.40
2/15/17	Draft and Send Email to AD and JP	.25
2/15/17	Email Chain with AD, JP and AF; Re: Depositions	.25
2/15/17	Draft and send email to AF re document needing to be supplemented (attachment)	.25
2/15/17	Draft and send email to AF re noticing depos of Lange employees	.15
2/15/17	Receive, Review and Analyze Email from M. Giberti with Attached Letter	.50
2/17/17	Receive, Review and Analyze Email From JP; Re: Depositions	.25
2/21/17	Draft and send email to AF to print Exhibits 1-8	.15
2/21/17	Email chain with AF re exhibits for Dustin Hamer depo	.15
2/22/17	Email Chain with Client; T/C with Dalacas	.50
2/25/17	Email Chain with Client	.25
2/26/17	Received, reviewed and responded to email from AF re draft reply to motion to amend	.15
2/27/17	Email chain with AF re COR Depos for Giberti and American Grating	.15
2/27/17	Draft and Send Email to AD; Re: Kreason	.15
2/28/17	Receive, Review and Analyze Email From AD; Re: Kreason	.15
2/28/17	Receive, Review and Analyze Email From AD; Re: Kreason	.15



2/28/17	Receive, Review and Analyze Email from Client with Attachment	.75
2/28/17	Call with Client	.25
2/28/17	Call with Client	.10
2/28/17	Call with AMF	.15
2/28/17	Call with AMF	.10
2/28/17	Call with AMF	.15
2/28/17	Draft and Send Email to JP	.25
3/1/17	Received, reviewed and responded to email from AF re Pancoast coming to office to review documents	.15
3/1/17	Call with AMF	.15
3/1/17	Call with Client	.15
3/1/17	Call with Client	.10
3/1/17	Received, reviewed and responded to email from AF re Edgeworth trial order	.15
3/2/17	Draft and Send Email to Client with Attachment	.25
3/7/17	Email Chain with AF, AD and JP; Re: Orders	.15
3/7/17	Email Chain with AD; Re: Brandon Lange Deposition	.35
3/7/17	Email Chain with AF, AD, JW; Re: Calculation of Damages	.35
3/8/17	Email Chain with AD, JW, AF, JP; Re: Depositions	.30
3/8/17	Email Chain with JP, AF, AD; Re: Motions To Amend	.15
3/9/17 -3/14/17	Email Chain with AD, JW, AF, JP; Re: Deposition	.95
3/9/17	Call with Client	.15
3/10/17	Call with Client	.15
3/10/17	Email chain with AF re letter from Sia on withdrawing MSJ and her signature on proposed orders	.25
3/13/17	Receive, Review and Analyze Email from Dalacas; Forward Email to Client with Attachment	.65

3/13/17	Text Message with AMF	.10
3/13/17	Call with AMF	.10
3/13/17	Call with AMF	.15
3/13/17	Call with Client	.15
3/14/17	Call with Client	.65
3/14/17	Email Chain with Client with Attachments	.50
3/15/17	Call with AMF	.10
3/15/17	Call with AMF	.15
3/15/17	Call with AMF	.25
3/16/17	Email Chain with Client	.40
3/16/17	Email Chain with AD, AF, JP; Re: Bate Stamps	.15
3/17/17	Receive, Review and Analyze Email From AD; Re: OOJ	.25
3/17/17	Email Chain with AD, AF; Re: OJ	.15
3/17/17	Email chain with AF re extension for Lange's response to OOJ	.25
3/20/17	Email Chain with AD, AF; Re: Bate Stamp	.25
3/20/17	Draft and Send Email to Client with Attachment	.25
3/21/17	Email chain with AF re documents attached to supplement and review of the Kinsale file	.15
3/21/17	Email Chain with AF, AD, JP; Re: Bate Stamps	.25
3/24/17	Email Chain with AF, AD, JW; Re: Service	.50
3/24/17	Receive, Review and Analyze Email from JP; Forward Email to Client	.65
3/27/17	Email Chain with JF, AD, LV, LF; Re: Lawyer Contact	.25
3/28/17	Review Lange 5 <sup>th</sup> Supp and Email Chain with Client	.50
3/29/17	Email Chain with Client	.25
3/29/17	Call with AMF	.15
3/29/17	Call with AMF	.15

3/29/17	Call with AMF	.10
3/29/17	Email Chain with Client	.25
3/31/17	Call with AMF	.15
3/31/17	Email Chain with JP, AF, JR, TG, AD; Re: Deposition of Viking	.15
4/3/17	Email Chain with AD, JP, JW, JR; Re: Depositions	.50
4/3/17	Receive, Review and Analyze Email from Client with Attachment	.25
4/4/17	Receive, Review and Analyze Email from Client	.15
4/5/17	Email chain with AF re exhibits he needs for Kreason and Brandon Lange depo	.15
4/6/17	Received, reviewed and responded to email from AF re: 3 day notice of intent to default Lange and discussion with AF	.50
4/6/17	Receive, Review and Analyze Questions Email from Client	.50
4/6/17	Email Chain with Client	.25
4/6/17	Draft and Send Email to KH with Attachments; Re: Visual Inspection	.25
4/6/17	Receive, Review and Analyze Email from Client with Attachment	.25
4/6/17	Email Chain with Client	.25
4/6/17 - 4/20/17	Email Chain with AD, JP; Re: Inspection of Sprinklers	.65
4/6/17	Email Chain with AD, AF; Re: Testing of Heads	.15
4/7/17	Receive, Review and Analyze Email from Client with Attachment	.50
4/7/17	Receive, Review and Analyze Email from Client with Attachment; Receive, Review and Analyze Email from JW	.50
4/7/17	Receive, Review and Analyze Email from Client	.25
4/10/17	Email Chain JP, AD, JR; Re: PMK of Viking	.50
4/13/17	Draft and send email to AF re re-notice depo of Viking 30(b)(6)	.20
4/18/17	Draft and send email to AF re dropping off cc to Judge of Motion to compel Kreason	.15
4/18/17	Draft and Send Email to Client with Attachment	.75

4/18/17	T/C with Attorney Hulet and Draft and Send Email to Client	.50
4/18/17	Receive, Review and Analyze Email from Client	.25
4/18/17	Receive, Review and Analyze Email from Client	.40
4/18/17	Receive, Review and Analyze Email from Client	.40
4/18/17	Receive, Review and Analyze Email from Client	.25
4/18/17	Email Chain with AD, AF, Re: Kreason Deposition	.25
4/19/17	Call with Client	.50
4/19/17	Receive, Review and Analyze Email from Client	.65
4/19/17	Receive, Review and Analyze Email from Client with Attachments	.50
4/20/17	Email Chain with Client	.50
4/20/17	Receive, Review and Analyze Email from Client with Attachments	.50
4/20/17	Receive, Review and Analyze Email from M. Giberti	.15
4/20/17	Email Chain with AD, AF; Re: Testing of Heads	.25
4/21/17	Email Chain with AD, JP, AF; Re: Written Protocol	.50
4/23/17	Draft and send email to AF re research on the contract prior to the MSJ hearing	.15
4/24/17	Draft and send email to AF re printing 3 <sup>rd</sup> party complaint Lange filed against Viking	.15
4/24/17	Draft and Send Email to Client with Attachment	.25
4/24/17	Receive, Review and Analyze Email from Client	.15
4/24/17	Receive, Review and Analyze Email from Client	.15
4/24/17	Receive, Review and Analyze Email from Client with Attachments	.25
4/24/17	Draft and Send Email to Client	.15
4/25/17	Draft and Send Email to Bullock with Attachment and Draft and Send Email to Client	.50
4/25/17	Call with Client	.40

4/25/17	Draft and send email to AF re emailing 3 <sup>rd</sup> party complaint Lange filed against Viking	.15
4/25/17	Email Chain with Client and Office	.50
4/26/17	Email Chain with Client	.75
4/26/17	Email Chain with Client	.40
4/26/17	Receive, Review and Analyze Email from Client	.25
4/26/17	Receive, Review and Analyze Email from Client and Draft and Send Email to AF	.35
4/27/17	Draft and send email to AF re draft notice of depo and SDT for Dan Cadden	.15
4/27/17	Draft and send email to AF re what motions we need to file in Edgeworth and begin drafting	.20
4/27/17	Email chain with AF and JW re written discovery for Viking	.15
4/27/17	Draft and send email to AF re pulling invoices from Viking to Lange showing heads purchased	.15
4/27/17	Draft and send email to AF re forward from client	.40
4/28/17	Draft and Send Email to GZ; Re: Protocol with Attachments	.15
4/28/17	Email chain with AF re American Grating ECC and EFT Supp	.15
4/28/17	Review and analyze Viking's responses to written discovery	1.25
5/1/17	Draft and Send Email to Client with Attachment	.50
5/1/17	Email Chain with Client	.25
5/1/17	Draft and send email to AF re Viking's 2 <sup>nd</sup> Supp	.50
5/2/17	Email chain with AF requesting Viking 30(b)(6) notice, 3 <sup>rd</sup> party complaint and amended complaint emailed and printed	.20
5/2/17	Receive, Review and Analyze Email from Client	.15
5/2/17	Receive, Review and Analyze Email from Client	.15
5/2/17	Receive, Review and Analyze Email from Client	.25
5/2/17	Email Chain with KH with Attachment - Care & Handling	.25

5/2/17	Email Chain with KH with Attachments; Re: Testing Protocol	.50
5/2/17	Receive, Review and Analyze Email from Client	.50
5/2/17	Email Chain with AD, JP; Re: PMK Deposition	.25
5/2/17	T/C with Expert Hastings	.25
5/2/17	Call with Client	1.15
5/2/17	Call with Client	.15
5/3/17	Call with Client	.10
5/3/17	Call with Client	.15
5/3/17	Email chain with attachments to AF forwarded from Hastings and Viking supply invoices	.25
5/3/17	Draft and Send Email to Client	.15
5/3/17	Receive, Review and Analyze Email from Client with Attachment	.50
5/4/17	Call with Client	.75
5/4/17	Receive, Review and Analyze Email from M. Giberti with Attachments	.50
5/4/17	Receive, Review and Analyze Email from Client	.25
5/4/17	Receive, Review and Analyze Email from Client with Attachment	.25
5/4/17	Draft and Send Email to Kinsale	.40
5/4/17	Receive, Review and Analyze Email from Kinsale and Forward to Client	.15
5/4/17	Receive, Review and Analyze Email from Client with Attachment	.25
5/4/17	Receive, Review and Analyze Email from Client	.40
5/4/17	Email Chain with AD, AC, LF; Re: Giberti's 3 <sup>rd</sup> Party Complaint	.25
5/5/17	Email Chain with AD, AF; Re: Names of Employees	.25
5/5/17	Email chain with AF and Janelle re June 7 <sup>th</sup> hearing	.15
5/5/17	Receive, Review and Analyze Email from Client	.25
5/5/17	Receive, Review and Analyze Email from Client with Attachments	.40

5/5/17	Receive, Review and Analyze Email from Client with Attachments; Email to AF	.50
5/5/17	Receive, Review and Analyze Email from Kinsale	.40
5/5/17	Draft and Send Email to M. Giberti with Attachment	.40
5/5/17	Email Chain with JP, AD, AF	.25
5/5/17	Draft and send email to AF re Bullock re 3 <sup>rd</sup> party complaint	.20
5/5/17	Draft and send email to AF with attachments that were forwarded from client re gate entries	.25
5/8/17	Receive, Review and Analyze Email from Client	.25
5/8/17	Email Chain with Client	.50
5/8/17	Draft and Send Email to JO with Attachment; Re: Lost Basis Summary and Attachments	.25
5/8/17	Email Chain with AD, AF, JP; Re: Order Denying MSJ	.35
5/8/17	Email Chain with AD, JP, JW; Re: SAO to Continue Hearing on Plaintiff's Motion for Order to Show Cause	.15
5/8/17	Email Chain with Client	.75
5/9/17	Draft and send email to AF re reference to Edgeworth house	.15
5/10/17	Email Chain with JP, AF, AD, JR; Re: Site Inspection	.50
5/11/17	Email chain with AF re Mason depo scheduling	.15
5/11/17	Email chain with AF re weather expert	.15
5/11/17	T/C with Expert Hastings	.25
5/11/17	Receive, Review and Analyze Email from Client	.50
5/11/17	Receive, Review and Analyze Email from Client with Attachments; Receive, Review and Analyze Email from M. Giberti	1.25
5/11/17	Draft and Send Email to Client Re: Attorney Referral	.25
5/11/17	Draft and Send Email to Client	.50
5/11/17	Draft and Send Email to Client with Attachment	.20

5/11/17	Email Chain with GZ; Re: Testing Dates and Travel to Las Vegas	.50
5/12/17	Email Chain with JP, AD, AF; Re: Protective Order	.15
5/12/17	Receive, Review and Analyze Email from Client	.25
5/12/17	Draft and Send Email to Client	.15
5/12/17	Draft and Send Email to Client with Attachment	.25
5/12/17	Email Chain with Client	.20
5/12/17	Receive, Review and Analyze Email from M. Giberti with Attachment	.40
5/12/17	Receive, Review and Analyze Email from M. Giberti with Attachment	.40
5/12/17	Draft and Send Email to M. Giberti	.25
5/15/17	Email Chain JP; Re: PMK Conflict	.15
5/15/17	Email chain with AF re Opp to Lange's motion to compel sprinkler heads	.15
5/16/17	Receive, Review and Analyze Email from Client	.25
5/16/17	Draft and Send Email to Client	.15
5/16/17	Receive, Review and Analyze Email from M. Giberti	.50
5/17/17	Email Chain with JP, AD, AF, JR, TJ; Re: Expert Availability and Extensions for Briefing	.25
5/18/17	Email Chain with AD, JP, AF; Re: Site Inspection	.25
5/18/17	Draft and Send Email to Client with Attachments	.25
5/18/17	Email Chain with KH; Re: Testing in Las Vegas	.35
5/18/17	Email Chain with Client	.40
5/18/17	Email Chain with M. Giberti	.65
5/18/17	Draft and Send Email to Client with Attachments	.15
5/18/17	Draft and Send Email to Client with Attachments	.15
5/18/17	Receive, Review and Analyze Email from Client	.15



5/19/17	Email Chain with M. Giberti	.25
5/19/17	Email Chain with AD, JP; Re: Testing	.25
5/22/17	Email Chain with AD, AF, JP; Re: DCRR	.25
5/22/17	Draft and send email to AF re returning Amanda Kern call from City of Henderson	.15
5/22/17	Email chain with AF re changes to DCRR	.15
5/23/17	Email Chain with AF, AD, JP; Re: DCRR	.25
5/24/17	Draft and send email to AF re professors for weather expert	.15
5/24/17	Email Chain with AF, KH with Link; Re: Rimkus Documents	.15
5/23/17 - 5/24/17	Email Chain with Client	.25
5/25/17	Email Chain with Client	.40
5/25/17	Email Chain with AD, AF; Re: 2.34	.25
5/26/17	Email chain with AF re Sia's email to withdraw MSJ	.15
5/26/17	Draft and Send Email to Client with Attachments	.15
5/28/17	Email Chain with JP, AF, AD; Re: Extension for Discovery Responses	.25
5/30/17	Email Chain with AF, AD, JP; Re: Testing	.15
5/30/17	Email Chain with JP, AF, AD; Re: Stipulated Protective Order	.15
5/30/17	Email Chain with AF, JP, AD; Re: Inspection	.25
5/30/17	Draft and Send Email to Client with Link	.40
5/30/17	Email chain with AF re start time of 6/22/17 testing	.25
5/30/17	Email chain with AF re weather expert Mike Schwob	.15
5/30/17	Draft and send email to AF re preparation of expert designation	.15
5/30/17	Email chain with AF re Stipulated Protective Order	.25
5/31/17	Email chain with AF re draft of Reply to limited Opp to Motion to Compel Kreason	.15

5/31/17	Receive, Review and Analyze Email from M. Giberti	.25
5/31/17	Email Chain with JP, AF; Re: Deposition of Supply Net	.25
5/31/17	Receive, Review and Analyze Email from Client	.25
5/31/17	Email Chain with JP, AF, AD; Re: State Inflation Deposition	.25
6/1/17	Email Chain with AD, AF, JP; Re: Plaintiff's Motion to Compel	.15
6/1/17	Email Chain with AD, AF, JP; Re: Inspection	.25
6/1/17	Email Chain with JP, AD, AF; Re: Stipulated Protective Order	.15
6/1/17	Email Chain with AF, JP; Re: Inspection of Warehouse	.15
6/1/17	Email Chain with AD, AF; Re: Attendance for Inspection	.15
6/1/17	Draft and send email to AF re book (Real Estate Damages) to be ordered	.15
6/1/17	Draft and Send Email to Client; Receive, Review and Analyze Email from AF; Receive, Review and Analyze Email from Client (7:15 am); Receive, Review and Analyze Email from Client (8:19 am); Receive, Review and Analyze Email from AF	.35
6/6/17	Receive, Review and Analyze Email from Client with Link	.50
6/2/17	Email Chain with JP, AD, M. Nunez; Re: Giberti Appearance	.15
6/2/17	Email Chain with JP, AD, AF, MN; Re: Prior Pleadings	.15
6/2/17	Call with AMF	.15
6/2/17	Email chain with AF re producing prior pleadings to Nunez	.15
6/5/17	Email Chain with AF, JP; Re: Supply Tech Warehouse Inspection	.15
6/5/17	Email Chain with AD, AF, JP; Re: Protective Order	.50
6/5/17	Email Chain with JP, AF, AD; Re: Warehouse Inspection	.15
6/5/17	Email Chain with JP, AF, AD, MN; Re: Protective Order	.25
6/5/17	Email Chain with JP, AD, AF, MN; Re: Johnson Deposition	.25
6/5/17	Email chain with AF re Reply to Compel Lange 30(b)(6)	.15
6/5/17	Email chain with AF and Pancoast re inspection email sent to Pancoast and follow up	.25

6/6/17	Draft and send email with link to AF re UPS petition and notice of 30(b)(6)	.40
6/6/17	Call with Client	.40
6/6/17	Call with Client	.10
6/6/17	Call with Client	.25
6/6/17	Email Chain with AD, AF, JP;; Re: Cadden Deposition, Johnson Deposition and COR Deposition	.50
6/6/17	Email Chain with JP, AD, MN; Re; Protective Order	.25
6/6/17	Draft and Send Email to Client	.25
6/6/17	Receive, Review and Analyze Email from Client	.15
6/6/17	Draft and Send Email to AF	.25
6/6/17	Receive, Review and Analyze Email from AF	.15
6/6/17	Receive, Review and Analyze Email from Client (7:25 pm); Receive, Review and Analyze Email from AF(9:25 pm)	.35
6/7/17	Draft and send email to AF re Johnson depo exhibits and response	.15
6/7/17	Email Chain with KH; Re: Expert Reports	.15
6/7/17	Email Chain with AD, AF; Re: Lange Employees	.15
6/7/17	Receive, Review and Analyze Email from Client with Attachment; Draft and Send Email to Client	.25
6/7/17	Draft and Send Email to Client	.25
6/7/17	Draft and Send Email to Client	.15
6/7/17	Receive, Review and Analyze Email from Client with Attachment	.25
6/8/17	Email Chain with Client	.25
6/8/17	Call with Client	.15
6/8/17	Call with Client	.15
6/8/17	Receive, Review and Analyze Email from Client with Attachment	.25
6/8/17	Receive, Review and Analyze Email from Client	.15

6/8/17	Receive, Review and Analyze Email from Client	.15
6/8/17	Email Chain with AF	.15
6/8/17	Receive, Review and Analyze Email from Client	.15
6/8/17	Receive, Review and Analyze Email from Client	.15
6/8/17	Email Chain with AD, JP, AF; Re: Testing Protocol	.45
6/8/17	Email chain with AF re COR Depo of City of Henderson	.15
6/9/17	Receive, Review and Analyze Email from Client with Attachment	.35
6/9/17	Receive, Review and Analyze Email from Client with Attachment	.25
6/9/17	Email Chain with KH with Attachments; Re: Testing Protocol	.25
6/9/17	Email Chain with GZ: Re: Testing Protocol and Sprinkler Heads	.25
6/9/17	Email chain with AF re name of Viking SupplyNet worker	.15
6/10/17	Email Chain with GZ, AF; Re: Testing Protocol	.25
6/10/17	Email Chain with GV, KH and File Manager; re: Picking Up Heads in Long Beach	.50
6/10/17	Draft and Send Email to KH; Re: Picking Up Heads and Inspection	.15
6/12/17	Email Chain with AD, JW, AF, JP; Re: Deposition of Diorio	.75
6/12/17	Email Chain with JP, MN, AD, AF; Re: Protective Order	.15
6/12/17	Email Chain with Client	.50
6/12/17	Receive, Review and Analyze Email from Client; Receive, Review and Analyze Email from AF to Client	.15
6/12/17	Receive, Review and Analyze Email from Client	.15
6/12/17	Receive, Review and Analyze Email from Client	.15
6/12/17	Draft and Send Email to Client with Attachments	.15
6/12/17	Email Chain with JO; Re: Real Estate Damages	.50
6/12/17	Call with Client	.25
6/13/17	Call with Client	.40

6/13/17	Call with Client	.40
6/13/17	Draft and Send Email to JO with Attachments; Re: Nonphysical Defects	.15
6/13/17	Email chain with AF and Hastings re documents	.15
6/13/17	Draft and Send Email to Client with Attachments	.15
6/13/17	Receive, Review and Analyze Email from Client with Attachment	.25
6/13/17	Email Chain with AF, KH with Link; Re: Depositions and Exhibits	.15
6/14/17	Email Chain JP, AF, AD; Re: Protocol	.50
6/14/17	Email Chain with KH; Re: Temperature Readers	.25
6/15/17	Email Chain with KH, AF with Attachments; Re: Testing Protocol	.25
6/15/17	Email Chain with AD, JP, AF; Re: Sixth Supp	.25
6/15/17	Email Chain with AD, JP; Re: DCRR 6/7/17	.15
6/15/17	Email Chain with JP, AD, MN, AF; Re: Protective Order	.15
6/15/17	Call with Client	.25
6/16/17	Call with Client	.15
6/16/17	Call with Client	.15
6/16/17	Email chain with AF re Zamiski's signature page for written protocol for testing	.15
6/16/17	Email Chain with NG, JP, AD, AF; Re: Giberti Extension	.50
6/16/17	Email Chain with JP, MN, AD; Re: Design Documents	.50
6/16/17	Draft and send email to AF re locating document for client	.15
6/16/17	Email Chain with GZ with Design Document	.15
6/16/17	Email chain with AF re Giberti's Stip and Order to Extend Discovery	.15
6/16/17	Email Chain with Client; Review UL Docs	1.50
6/16/17	Draft and Send Email to Client with Attachments	.15
6/16/17	Receive, Review and Analyze Email from Client with Attachment	.25

6/16/17	Email Chain with Client	.15
6/16/17	Receive, Review and Analyze Email from Client with Attachment	.25
6/17/17	Receive, Review and Analyze Email from Client with Attachment	.25
6/19/17	Email Chain with Client	.15
6/19/17	Receive, Review and Analyze Email from JP; Forward to Client with Attachments	.50
6/19/17	Draft and Send Email to KH with Attachments; Re: Design Documents	.15
6/19/17	Receive, Review and Analyze Email from Client with Attachment	.35
6/19/17	Email Chain with JP, MN, AD, AF; Re: Design Documents	.50
6/19/17	Email chain with AF re demand for prior pleadings by Giberti	.15
6/19/17	Call with Client	.40
6/19/17	Call with Client	.25
6/19/17	Call with Client	.15
6/20/17	Call with Client	.15
6/20/17	Call with AMF	.15
6/20/17	Call with Client	.50
6/20/17	Email Chain with JP, AF, AD, MN; re: Kreason Deposition, Hearing, UPS Deposition and Diorio Deposition	.75
6/20/17	Email to Dalacas; Re: Supps	.15
6/20/17	Email chain with AF re phone call with Don Koch	.15
6/20/17	Receive, Review and Analyze Email from AF to Client with Attachment	.15
6/20/17	Receive, Review and Analyze Email from Client with Attachments	.35
6/22/17	Email Chain with AF, AP, TM; re: Supply Net Deposition	.75
6/20/17	Email chain with AF and Janelle re hearing date for Kreason motion to compel	.15
6/20/17	Email chain with AF re list of exhibits from depos with attachment	.15

6/21/17	Call with Client	.10
6/21/17	Call with Client	.25
6/22/17	Call with Client	.10
6/22/17	Call with AMF	.10
6/22/17	Call with Client	.15
6/22/17	Call with Client	.15
6/22/17	Call with AMF	.15
6/23/17	Email chain with AF re downloading and sending screenshots of nest energy history	.15
6/23/17	Receive, Review and Analyze Email from Client with Attachment; Forward to AF; Discussion with AF	.65
6/23/17	Call with AMF	.10
6/23/17	Call with AMF	.15
6/23/17	Receive, Review and Analyze Email from AF	.25
6/26/17	Email chain with AF re documents for Kreason depo (specifically Rimkus documents)	.20
6/27/17	Email Chain with GZ; Re: Viking Deposition and Confidentiality	.15
6/27/17	Receive, Review and Analyze Letter from Nunez re prior pleadings	.15
6/28/17	Email chain with AF re vacating Kreason Motion to compel	.20
6/28/17	Call with AMF	.15
6/28/17	Email chain with AF re Kyle Mao depo (AF thoughts, exhibits pulled)	1.0
6/30/17	Call with Client	.40
6/30/17	Text Message with AMF	.10
6/30/17	Text Message with AMF	.10
6/30/17	Email Chain with JP, AF; Re: VKG 0036-0039	.75
7/3/17	Email Chain with KH; Re: Expert Reports	.25

7/3/17	Receive, Review and Analyze Email from Client with Attachments	.25
7/4/17	Email Chain with JP, AD, AF, MN; Re: Carnahan Deposition	.15
7/5/17	Email Chain with GZ; Re: Expert Reports	.25
7/6/17	Email Chain with JP, AF, AD, MN; Re: Sixth Supp	.15
7/6/17	Email Chain with AD, AF; Re: Expert Testing Results	.15
7/6/17	Email chain with AF re Lange expert raw data from testing	.25
7/6/17	Email chain with AF re sending documents to Hastings	.15
7/6/17	Email chain with AF re moving Carnahan depo	.15
7/7/17	Call with AMF	.10
7/7/17	Call with AMF	.25
7/10/17	Email chain with AF re documents Zamiski requested	.15
7/10/17	Email chain with AF re documents Viking produced and what experts need what	.20
7/10/17	Received, reviewed and responded to email from AF with important Viking emails from recent production	.25
7/10/17	Email chain with AF re Johnson depo exhibits	.20
7/10/17	Email chain with AF with attachments re ACORE report and invoice	.25
7/10/17	Email chain with AF re Opposition	.15
7/10/17	Email chain with AF re Opp to Motion to extend discovery deadlines	.25
7/10/17	Email Chain with GZ; Re: Exhibits for Martorano Deposition	.15
7/10/17	Email Chain with GZ; Re: Report and Return of Sprinklers	.40
7/10/17	Email Chain with AF, GZ; Re: Shipment of Sprinklers and Chain of Custody	.25
7/10/17	Receive, Review and Analyze Email from Client and AF	.25
7/10/17	Review Appraisal and Forward to Client	.75
7/10/17	Receive, Review and Analyze Email From JO with Appraisal and Invoice	.25



7/10/17	Draft and Send Email to JO Requesting CV and Testimony History	.15
7/10/17	Email Chain with JP, AF, AD, MN, TU; Re: JCCR	.15
7/11/17	Email Chain with AF, AD, TU, JP; Re: 7/12/17 Hearing	.40
7/11/17	Email Chain with AD, JP, MN, TU; Re: Discovery Motions	.25
7/11/17	Email Chain with AD, AF; Re: Lange Motions	.50
7/11/17	Draft and send email with attachments to AF re Olivas CV	.15
7/11/17	Email Chain with JO; Re: CV and Testimony History	.25
7/11/17	TC with Hastings. Email Chain with AF, KH; Re: Nest History	.50
7/11/17	Email Chain with Client Re: Appraisal	.25
7/11/17	Receive, Review and Analyze Email from Hastings with Attachments; Forward to client; Email Chain with Client	.50
7/12/17	Email Chain with JP, TU, AD, AF; Re: Discovery Deadlines	.25
7/12/17	Email chain with AF re revised supplemental JCCR	.25
7/12/17	Email Chain with NG, JP, AD, AF; Re: SAO to Extend Discovery	.35
7/12/17	Email chain with AF and Zamiski re sprinklers being sent to Vollmer Grey	.50
7/13/17	Email Chain with JP, MN, TU, AD, AF; Re: Supp, JCCR	.25
7/13/17	Email Chain with MN, JP; Re: Mediation	.25
7/13/17	Email chain with AF re Rimkus subpoena for documents	.15
7/13/17	Receive, Review and Analyze Email from E. Johnson	.25
7/13/17	Draft and send email to AF re objection to confidentiality of Viking documents and response	.15
7/14/17	Draft and send email to AF re Zamiski preparing chain of custody documents and response	.15
7/14/17	Email chain with AF re 2 <sup>nd</sup> Supplement to Lange Motion for sanctions	.25
7/14/17	Draft and send email to AF re letter to Sia to be drafted re sanctions	.50

7/17/17	Email chain with AF re Giberti motion to extend discovery	.15
7/17/17	Draft and Send Email to Client	.15
7/17/17	Draft and send Letter to Dalacas re costs for second deposition of Lange 30(b)(6)	.50
7/18/17	Email chain with AF re notice of 2.34 with Viking re deficient discovery responses	.15
7/18/17	Receive, Review and Analyze Email from Client and Responses	.20
7/18/17	Draft and Send Email to Client with Attachments	.15
7/18/17	Receive, Review and Analyze Email from Client	.15
7/18/17	Receive, Review and Analyze Email from Client	.20
7/18/17	Draft and Send Email to Client with Attachments	.25
7/18/17	Draft and Send Email to Client	.15
7/18/17	Draft and Send Email to Client	.15
7/18/17	Draft and Send Email to AF	.15
7/18/17	Email Chain with Client	.15
7/18/17	Receive, Review and Analyze Email from Client	.15
7/18/17	Draft and Send Email to Client	.15
7/18/17	Receive, Review and Analyze Email from AF Re: Objections	.50
7/18/17	Draft and Send Email to Client	.25
7/18/17	Email Chain with G. Zamiski; Forward to client	.15
7/18/17	Receive, Review and Analyze Email from KH; Re: Report	.15
7/18/17	Email Chain with GZ; Re: Report	.25
7/18/17	Email chain with AF re objection to confidentiality and response	.25
7/18/17	Draft and send email to AF re printing all discovery responses	.15
7/18/17	Draft and send email and attachment to AF re Caranahan depo and SDT and response	.25

7/18/17	Receive, Review and Analyze Letter from Pancoast re Robert Carnahan deposition and SDT	.75
7/19/17	Email chain with AF re Lange's 8 <sup>th</sup> supplement and raw data from destructive testing	.20
7/19/17	Email chain with AF re Sia's changes to the DCRR re Lange's sanctions	.50
7/19/17	Draft and send email to AF re checking production to make sure we have produced proper documentation for all damages	.15
7/19/17	Email Chain with GZ with Report; Re: Review and Analyze Report	.50
7/19/17	Draft and Send Email to GZ with Raw Data	.15
7/19/17	Email Chain with AD, AF; Re: Testing	.15
7/19/17	Draft and Send Email to KH with Attachments; Re: Raw Data	.15
7/19/17	Draft and Send Email to KH; Re: Test Results	.25
7/19/17	Draft and Send Email to Client with Letter from JP	.15
7/19/17	Email Chain with Client	.25
7/19/17	Receive, Review and Analyze Email from Client	.25
7/19/17	Email Chain with Client	.25
7/19/17	Receive, Review and Analyze Email from Client and AF with Attachments	.20
7/19/17	Receive, Review and Analyze Email from AF to Client with Attachments	.25
7/19/17	Receive, Review and Analyze Email from Dalascas with Attachments; Forward to Client	.50
7/19/17	Email Chain from AF to Client with Attachments	.25
7/19/17	Receive, Review and Analyze Email from Client	.20
7/19/17	Receive, Review and Analyze Email from Client	.20
7/19/17	Email Chain with AD, AF, JP, MN; Re: Raw Data	.35
7/19/17	Call with Client	.90

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

EDGEWORTH FAMILY TRUST; AND  
AMERICAN GRATING, LLC,

Appellants/Cross Respondents.

vs.

DANIEL S. SIMON; THE LAW OFFICE OF  
DANIEL S. SIMON, A PROFESSIONAL  
CORPORATION; DOES I through X,  
inclusive, and ROE CORPORATIONS I  
through X, inclusive,

Respondents/Cross-Appellants.

**Supreme Court Case**

**No. 77678 consolidated with No. 78176**

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EDGEWORTH FAMILY TRUST;  
AMERICAN GRATING, LLC,

Appellants,

vs.

DANIEL S. SIMON; THE LAW OFFICE OF  
DANIEL S. SIMON, A PROFESSIONAL  
CORPORATION; DOES I through X,  
inclusive, and ROE CORPORATIONS I  
through X, inclusive,

Respondents.

Appeal from a Final Judgment entered by the Eighth Judicial District Court, Clark County  
The Honorable Tierra Jones, District Judge

**APPELLANTS' APPENDIX**

VOL. 1 PART 5 of 12

**Appellants' Appendix – Consolidated Cases 77678 and 78176**  
***Edgeworth, et al. v. Daniel Simon, et al.***

<b>Date Filed</b>	<b>Document Title</b>	<b>VOL. No.</b>	<b>Bates Number</b>
1/9/18	Acceptance of Service of the Summons and Complaint	1	AA000024
3/15/18	Amended Complaint	2	AA000305
1/4/2018	Complaint	1	AA000013
11/19/2018	Decision and Order on Motion to Adjudicate Lien	2	AA000353
11/19/2018	Decision and Order on Motion to Dismiss NRCF 12(B)(5)	2	AA000376
1/24/2018	Motion to Adjudicate Lien of the Law Office of Daniel Simon On Order Shortening Time <ul style="list-style-type: none"> <li>• Simon's Invoices</li> <li>• Itemization of Costs</li> <li>• Simon's 11/27/18 Letter to Edgeworth's</li> </ul>	1 & 2	AA000025
12/7/2018	Motion for Attorneys Fees and Costs	2	AA000386
4/9/2018	Motion to Dismiss Plaintiffs' Amended Complaint Pursuant to 12(b)(5)	2	AA000317
1/2/2018	Notice of Amended Attorney's Lien	1	AA000006
12/17/2018	Notice of Appeal (Adjudicate Lien and Motion to Dismiss)	2	AA000425
2/15/19	Notice of Appeal (Attorney's Fees and Costs)	2	AA000485
12/17/2018	Notice of Cross Appeal	2	AA000440
2/08/2019	Notice of Entry of Decision and Order Granting in Part and Denying in Part, Simon's Motion for Attorney's Fees and Costs <ul style="list-style-type: none"> <li>• Decision and Order Granting in Part and Denying in Part, Simon's Motion for Attorney's Fees and Costs</li> </ul>	2	AA000479

**Appellants' Appendix – Consolidated Cases 77678 and 78176**  
***Edgeworth, et al. v. Daniel Simon, et al.***

12/27/2018	Notice of Entry of Orders (Adjudicate Lien and Dismiss NRCP 12(B)(5))	2	AA000442
12/13/2018	Plaintiff's Motion for an Order to Release Funds	2	AA000415
2/02/18	Plaintiff's Opposition to Defendant's Motions to Consolidate and to Adjudicate Attorney Lien <ul style="list-style-type: none"> <li>• Affidavit of Brian Edgeworth (2/2/18)</li> <li>• Deposition of Brian Edgeworth (9/29/17)</li> </ul>	2	AA000277
4/24/2018	Plaintiff's Opposition to Defendant's (Third) Motion to Dismiss	2	AA000335
12/17/2018	Plaintiffs' Opposition to Simon's Motion for Fees and Costs	2	AA000428
6/13/19	Recorder's Transcript of Evidentiary Hearing-Day 1 August 27, 2018 Recorder's Transcript of Evidentiary Hearing-Day 2 August 28, 2018 Recorder's Transcript of Evidentiary Hearing-Day 4 August 30, 2018	3	AA000488
11/30/2017	Simon's Notice of Attorney's Lien	2	AA000001

**Appellants' Appendix – Consolidated Cases 77678 and 78176**  
***Edgeworth, et al. v. Daniel Simon, et al.***

<b>Date Filed</b>	<b>Document Title</b>	<b>VOL. No.</b>	<b>Bates Number</b>
11/30/2017	Simon's Notice of Attorney's Lien	1	AA000001
1/2/2018	Notice of Amended Attorney's Lien	1	AA000006
1/4/2018	Complaint	1	AA000013
1/9/2018	Acceptance of Service of the Summons and Complaint	1	AA000024
1/24/2018	Motion to Adjudicate Lien of the Law Office of Daniel Simon On Order Shortening Time <ul style="list-style-type: none"> <li>• Simon's Invoices</li> <li>• Email to Simon labeled "Contingency</li> <li>• Itemization of Costs</li> <li>• Simon's 11/27/18 Letter to Edgeworth's</li> </ul>	1 & 2	AA000025
2/02/18	Plaintiff's Opposition to Defendant's Motions to Consolidate and to Adjudicate Attorney Lien <ul style="list-style-type: none"> <li>• Affidavit of Brian Edgeworth (2/2/18)</li> <li>• Deposition of Brian Edgeworth (9/29/17)</li> </ul>	2	AA000277
3/15/18	Amended Complaint	2	AA000305
4/9/2018	Motion to Dismiss Plaintiffs' Amended Complaint Pursuant to 12(b)(5)	2	AA000317
4/24/2018	Plaintiff's Opposition to Defendant's (Third) Motion to Dismiss	2	AA000335
11/19/2018	Decision and order on Motion to Adjudicate Lien	2	AA000353
11/19/2018	Decision and Order on Motion to Dismiss NRCP 12(B)(5)	2	AA000376
12/7/2018	Motion for Attorneys Fees and Costs	2	AA000386
12/13/2018	Plaintiff's Motion for an Order to Release Funds	2	AA000415
12/17/2018	Notice of Appeal (Adjudicate Lien and Motion to Dismiss)	2	AA000425

**Appellants' Appendix – Consolidated Cases 77678 and 78176**  
***Edgeworth, et al. v. Daniel Simon, et al.***

12/17/2018	Plaintiffs' Opposition to Simon's Motion for Fees and Costs	2	AA000428
12/17/2018	Notice of Cross Appeal	2	AA000440
12/27/2018	Notice of Entry of Orders (Adjudicate Lien and Dismiss NRCP 12(B)(5))	2	AA000442
2/08/2019	Notice of Entry of Decision and Order Granting in Part and Denying in Part, Simon's Motion for Attorney's Fees and Costs  <ul style="list-style-type: none"> <li>Decision and Order Granting in Part and Denying in Part, Simon's Motion for Attorney's Fees and Costs</li> </ul>	2	AA000479
2/15/19	Notice of Appeal (Attorney's Fees and Costs)	2	AA000485
6/13/19	Recorder's Transcript of Evidentiary Hearing- Day 1 August 27, 2018 Recorder's Transcript of Evidentiary Hearing- Day 2 August 28, 2018 Recorder's Transcript of Evidentiary Hearing- Day 4 August 30, 2018	3	AA000488



7/20/17	Call with Client	.15
7/20/17	Email Chain with JP, AF; Re: DCRR 2.34	.75
7/20/17	Draft and Send Email to KH with Attachments; Re: Answers to Interrogatories	.15
7/20/17	Draft and Send Email to GZ with Answers to Interrogatories	.15
7/21/17	Draft and send email to AF with attachments re documents being sent to expert	.25
7/21/17	Receive, Review and Analyze Email from Client	.25
7/21/17	Email Chain with AD, JP, MN, AF; Re: DCRR 7/12/17	.25
7/22/17	Email Chain with JP, AF; Re: Carnahan Deposition and Viking Sales Rep	.40
7/23/17	Receive, Review and Analyze Email from Client	.25
7/23/17	Receive, Review and Analyze Email from Client	.50
7/23/17	Receive, Review and Analyze Email from Client	.50
7/23/17	Receive, Review and Analyze Email from Client with Attachments	.50
7/24/17	Draft and send email to AF re Kreason depo	.15
7/24/17	Draft and send email to AF re re-noticing Carnahan depo and response	.15
7/24/17	Email chain with AF re contacting Harold Rodgers	.15
7/24/17	Draft and send email to AF re drafting Rimkus subpoena for other sprinklers and response	.15
7/25/17	Email chain with AF re vacating status check on Lange sanctions	.25
7/25/17	Receive, Review and Analyze Email from Client with Link	.50
7/25/17	Receive, Review and Analyze Email from Client	.25
7/25/17	Receive, Review and Analyze Email from Client	.25
7/25/17	Receive, Review and Analyze Email from Client	.15
7/25/17	Receive, Review and Analyze Email from Client	.25

7/25/17	Receive, Review and Analyze Email from Client with Attachments	.25
7/25/17	Draft and Send Email to KH; Re: Request to Speak	.15
7/25/17	Draft and Send Email to KH with Attachments; Re: Letter and Second Supp Answers	.25
7/25/17	Email Chain with GZ; Re: Status of Report and Request for Phone Call	.15
7/25/17	Review and analyze Viking's supplemental responses to written discovery	1.25
7/25/17	Email Chain with AF, JP; Re: 6 <sup>th</sup> Supp	.25
7/26/17	Email Chain with JP, AF; Re: Request 30(b)(6)	.25
7/26/17	Receive, Review and Analyze Email from KH; Re: Scheduling and Email Chain with KH, WI and File Manager; Re: Meeting	.25
7/26/17	Email Chain with D. Holloman; Re: FH Dates	.50
7/26/17	Phon conference with expert Zamiski	.25
7/27/17	Receive, Review and Analyze Email from D. Koch	.25
7/28/17	Call with Client	.40
7/28/17	Draft and Send Email to Client with Attachments	.25
7/28/17	Receive, Review and Analyze Email from Ivey Engineering; Forward to Client; T/C with Expert	.75
7/28/17	Receive, Review and Analyze Email from Client	.15
7/28/17	Receive, Review and Analyze Email from Client	.15
7/28/17	Receive, Review and Analyze Email from Client	.15
7/28/17	Draft and Send Email to Client	.15
7/28/17	Receive, Review and Analyze Email from Hastings	.25
7/28/17	Draft and Send Email to Client	.15
7/28/17	Receive, Review and Analyze Email from Client	.15
7/28/17	Receive, Review and Analyze Email from Client	.20

7/28/17	Receive, Review and Analyze Email from with Attachment	.40
7/28/17	Email Chain with KH; Re: Temp Devices	.50
7/31/17	Receive, Review and Analyze Email from Client	.15
7/31/17	Receive, Review and Analyze Email from Client with Attachment	.15
7/31/17	Call with Client	.15
7/31/17	Call with Client	.15
7/31/17	Call with Client	.10
7/31/17	Call with Client	.15
7/31/17	Receive, Review and Analyze Email from Client with Attachment; Draft Outline	.75
8/1/17	Draft and Send Email to Client with Attachment	.25
8/1/17	Receive, Review and Analyze Email from Client with Attachment	.25
8/2/17	Email Chain with JP, AF; Re: Missing Documents Mixed Up	.15
8/2/17	Email Chain with TU, JP, AD, AF, MN; Re: Order to Extend Discovery	.35
8/2/17	Email Chain with JP, AF; Re: Service of Documents	.25
8/3/17	Call with Client	.20
8/3/17	Call with Client	.15
8/3/17	Email Chain with Client with Attachment	.50
8/3/17	Receive, Review and Analyze Email From GZ; Re: Report and Meeting	.15
8/3/17	Receive, Review and Analyze Email from Client with Attachment	.50
8/3/17	Receive, Review and Analyze Email from Client with Attachment	.50
8/4/17	Receive, Review and Analyze Email from Client with Attachment	.25
8/4/17	Call with Client	.10
8/4/17	Call with Client	.15
8/4/17	Call with Client	.25

8/4/17	Call with Client	.25
8/4/17	Receive, Review and Analyze Email from Client with Attachment	.40
8/4/17	Email Chain with AD; Re: Costs with Attachments	.35
8/4/17	T/C with expert Zamiski	.25
8/6/17	Call with Client	1.0
8/7/17	Call with Client	.10
8/7/17	Email chain with AF re Colin Kendrick and Margaret Ho	.15
8/7/17	Receive, Review and Analyze Email from Client	.25
8/7/17	Receive, Review and Analyze Email from Client with Attachment	.50
8/7/17	Receive, Review and Analyze Email from Client with Attachment	.50
8/7/17	Email Chain with GZ; Re: Report and Review of Reports	.50
8/7/17	Receive, Review and Analyze Email From JP; Re: Email Documents	.15
8/7/17	Email Chain with JP, AD, AF; Re: Martorano Deposition	.25
8/7/17	Draft and send email to AF re call from Fred Knez	.15
8/7/17	Draft and send email to AF re drafting motion to amend to add Viking Corp and response	.15
8/8/17	Email chain with AF re Viking's position of Martorano depo confidential	.15
8/8/17	Email chain with AF re documents still needed from Zamiski for expert disclosure	.15
8/8/17	Draft and send email to AF re requesting hearing transcripts from Court and response	.15
8/8/17	Draft and send email to AF re Viking's missing UL documents from their ECC production	.50
8/8/17	Email Chain with AF, TU, JP, AD, MN; Re: Order to Extend Discovery	.15
8/8/17	Email Chain with JP, AF; Re: Missing Documents	.25
8/8/17	Email Chain with AF, GZ with Attachments	.15

8/8/17	Receive, Review and Analyze Email From GZ with Report and Review of Report	.40
8/8/17	Receive, Review and Analyze Email from Client with Attachment	.25
8/8/17	Draft and Send Email to Client with Attachment; Review Report	.75
8/8/17	Email Chain with Client with Attachment	.25
8/8/17	Receive, Review and Analyze Email from Client with Attachment	.25
8/8/17	Receive, Review and Analyze Email from Client	.25
8/8/17	Receive, Review and Analyze Email from Client with Attachment	.25
8/8/17	Receive, Review and Analyze Email from Client with Attachment	.25
8/8/17	Email Chain with KH; Re: Meetings	.15
8/8/17	Call with AMF	.25
8/8/17	Call with AMF	.15
8/9/17	Draft and send email with attachment to AF re supplement fireplace pic	.15
8/10/17	Email Chain with AF	.25
8/10/17	Receive, Review and Analyze Email from Client	.25
8/10/17	Receive, Review and Analyze Email from Client	.25
8/10/17	Draft and Send Email to Client	.15
8/10/17	Receive, Review and Analyze Email from Client; Discussion with AF	.50
8/10/17	Receive, Review and Analyze Email from AF	.15
8/10/17	Receive, Review and Analyze Email from Client to AF; Receive, Review and Analyze Email from AF; Draft and Send Email to AF with Attachments; Discussion with AF	.40
8/10/17	Receive, Review and Analyze Email from Client	.25
8/10/17	Email Chain with Af with Attachments; Discussion with AF	.25
8/10/17	Receive, Review and Analyze Email from Client	.25

8/10/17	Receive, Review and Analyze Email from Client	.25
8/10/17	Draft and Send Email to Client	.15
8/10/17	Receive, Review and Analyze Email from Client	.15
8/10/17	Receive, Review and Analyze Email from Client	.15
8/10/17	Email Chain with KH, AF; Re: Oversized Plans, UL 1626	.15
8/10/17	Email Chain with D. Holloman; Re: Mediation Dates	.25
8/10/17	Email chain with AF re Plaintiff's ECC Supp	.15
8/10/17	Email chain with AF re sending documents to Hastings	.15
8/10/17	Email chain with AF re UL documents being sent to experts	.15
8/10/17	Draft and send email to AF re printing specific document	.15
8/10/17	Email chain with AF re Rimkus objection and drafting motion to compel	.25
8/11/17	Email chain with AF re prepare motion to amend to add Viking group and discussion with AF	.50
8/12/17	Receive, Review and Analyze Email from Client	.25
8/12/17	Call with Client	.25
8/12/17	Call with AMF	.15
8/12/17	Call with Client	.15
8/12/17	Receive, Review and Analyze Email from Client with Attachment	.25
8/13/17	Receive, Review and Analyze Email from Client	.75
8/14/17	Call with Client	.15
8/14/17	Call with Client	.50
8/15/17	Email Chain with AD; Re: Expert Reports	.50
8/15/17	Receive, Review and Analyze Email from Client with Attachments	.50
8/15/17	Receive, Review and Analyze Email from AF	.15
8/15/17	Receive, Review and Analyze Email from Client	.20
8/15/17	Receive, Review and Analyze Email from A. Dalascas; Forward to Client	.15

8/15/17	Receive, Review and Analyze Email from Client	.15
8/15/17	Receive, Review and Analyze Email from Client;	.25
8/16/17	Receive, Review and Analyze Email from Client	.25
8/16/17	Email Chain with Af	.15
8/16/17	Receive, Review and Analyze Email from Client	.25
8/16/17	Draft and Send Email to Client with Attachments	.15
8/16/17	Receive, Review and Analyze Email from AF with Attachment to Client	.25
8/16/17	Receive, Review and Analyze Email from AF	.15
8/16/17	Email Chain with Client	.25
8/16/17	Draft and Send Email to Client	.15
8/16/17	Draft and Send Email to Client	.15
8/16/17	Receive, Review and Analyze Email from Client	.15
8/16/17	Draft and Send Email to Client	.15
8/16/17	Draft and Send Email to F. Knez	.25
8/16/17	Draft and Send Email to Client	.15
8/16/17	Receive, Review and Analyze Email from Client	.65
8/16/17	Receive, Review and Analyze Email from AF to Client	.15
8/16/17	Receive, Review and Analyze Email from Client with Link	.40
8/16/17	Email Chain with KH, AF with Hourly Weather Data; Re: Henderson Temps	.25
8/16/17	Email Chain with JP, JW, AF; Re: Depositions	.25
8/16/17	Email Chain with JP, JW, AF, AD, AU; Re: Inspections, Depositions	.25
8/16/17	Draft and send email to AF re Don Koch availability and review AF response	.15
8/16/17	Email chain with AF re expert reports	.25
8/16/17	Draft and send email and attachments to AF re Lange expert reports	.25

8/16/17	Email chain with AF re Viking's 12 <sup>th</sup> ECC Supplement and uploading docs to Dropbox	.15
8/16/17	Email chain with AF re deposition scheduling of Michigan Viking employees	.25
8/16/17	Received, reviewed and responded to email from AF re summary of Viking document dumps	1.75
8/17/17	Call with Client	.35
8/17/17	Email chain with AF re motion to compel	.15
8/17/17	Email chain with AF re reports being sent to Zamiski	.15
8/17/17	Email chain with AF re sending Mark Giberti City of Henderson documents	.15
8/17/17	Email Chain JP, AF, TH; Re: Motion to Compel	.25
8/17/17	Email Chain with JP, AF; Re: Data Dump	1.25
8/17/17	Email Chain with JP, AF, TH; Re: Motion to Compel	.15
8/17/17	Email Chain with JP, AF, AD, TU; Re: EDCR 2.34	.25
8/17/17	Email Chain with KH, AF; Re: Expert Reports	.15
8/17/17	Email Chain with JO with a Link; Re: Expert Report	.15
8/17/17	Draft and Send Email to GZ; Re: Meeting and Expert Reports	.50
8/17/17	Receive, Review and Analyze Email from Client	.50
8/17/17	Receive, Review and Analyze Email from Client	.15
8/17/17	Draft and Send Email to Client	.15
8/17/17	Draft and Send Email to Pancoast; Forward to Client	.15
8/17/17	Email Chain with Client	.25
8/17/17	Receive, Review and Analyze Email from Client	.25
8/17/17	Receive, Review and Analyze Email from Client; Discussion with AF	.25
8/17/17	Receive, Review and Analyze Email from AF	.25
8/18/17	Call with Client	.50



8/18/17	Draft and Send Email to Client	.15
8/18/17	Receive, Review and Analyze Email from Client	.75
8/18/17	Receive, Review and Analyze Email from Client	.25
8/18/17	Receive, Review and Analyze Email from Client	.25
8/18/17	Receive, Review and Analyze Email from Client	.25
8/18/17	Email Chain with JP, AF; Re: Motion to Compel	.40
8/18/17	Email Chain with JP, AF; Re: Verifications	.50
8/19/17	Receive, Review and Analyze Email from Client with Attachment	.75
8/19/17	Receive, Review and Analyze Email from Client	.25
8/19/17	Receive, Review and Analyze Email from Client	.25
8/19/17	Receive, Review and Analyze Email from Client	.25
8/20/17	Receive, Review and Analyze Email from Client	.25
8/20/17	Receive, Review and Analyze Email from AF/Client	.25
8/20/17	Receive, Review and Analyze Email from Client	.75
8/20/17	Receive, Review and Analyze Email from Client	.50
8/20/17	Draft and Send Email to Client	.15
8/20/17	Receive, Review and Analyze Email from Client	.25
8/20/17	Receive, Review and Analyze Email from Client with Attachment	.25
8/20/17	Receive, Review and Analyze Email from Client	.25
8/20/17	Receive, Review and Analyze Email from Client	.15
8/20/17	Draft and Send Email to Client	.15
8/20/17	Receive, Review and Analyze Email from Client	.75
8/20/17	Draft and send email to AF re printing email of missing Viking documents and response	.25
8/20/17	Call with Client	.35
8/20/17	Call with AMF	.10

8/20/17	Call with Client	.50
8/20/17	Call with Client	.75
8/21/17	Email chain with AF re Motion to Compel Rimkus	.15
8/21/17	Draft and send email to AF re preparing commission to take out of state depo of Harold Rodgers and review AF response	.25
8/21/17	Text Message with Client	.10
8/21/17	Email chain with AF re new requests for production	.15
8/21/17	Email chain with AF re notice and SDT to 30(b)(6) or Reliable and 30(b)(6) of Tyco	.25
8/22/17	Call with Client	.10
8/22/17	Call with Client	.40
8/22/17	Draft and send email to AF re Viking emails	.15
8/22/17	Receive, Review and Analyze Email from Client	.25
8/22/17	Receive, Review and Analyze Email from Client	.25
8/22/17	Draft and Send Email to Client	.15
8/22/17	Receive, Review and Analyze Email from Pancoast; Forward to Client	.15
8/22/17	Receive, Review and Analyze Email from Client	.25
8/22/17	Email Chain with GZ; Re: Exemplar Heads	.15
8/23/17	Email Chain with GZ; Re: Rebuttal Reports	.15
8/23/17	Email chain with AF re interior temps of Edgeworth house and what experts to send to	.15
8/23/17	Receive, Review and Analyze Email from Client with Attachments	.25
8/23/17	Email Chain with KH; Re: Binder - Lever Not Square	.15
8/23/17	Email Chain with CP	.25
8/23/17	Receive, Review and Analyze Email from Client	.25

8/24/17	Call with Client	.15
8/24/17	Call with Client	.15
8/24/17	Call with Client	.10
8/24/17	Draft and Send Email to GZ; Re: Req Exemplar Heads	.15
8/25/17	Draft and Send Email to Client with Attachment	.15
8/25/17	Receive, Review and Analyze Email from Client	.25
8/27/17	Email Chain with Client	.25
8/27/17	Receive, Review and Analyze Email from Client with Attachments	.25
8/27/17	Draft and Send Email to Client	.15
8/27/17	Draft and Send Email to GZ; Re: Lever Not Square	.15
8/27/17	Draft and send email to AF re printing several copies of bent lever bars	.15
8/28/17	Email Chain with Client	.25
8/29/17	Receive, Review and Analyze Email from Client	.25
8/29/17	Receive, Review and Analyze Email from Client	.15
8/29/17	Receive, Review and Analyze Email from Client	.15
8/29/17	Receive, Review and Analyze Email from Client/AF	.25
8/29/17	Draft and Send Email to Client	.15
8/29/17	Draft and Send Email to Client	.15
8/29/17	Draft and Send Email to Client with Attachments	.15
8/29/17	Draft and Send Email to Client	.15
8/29/17	Receive, Review and Analyze Email from Client	.15
8/29/17	Receive, Review and Analyze Email from Client	.25
8/29/17	Receive, Review and Analyze Email from Client with Link	.50
8/29/17	Email Chain with JP, AF, AD, MN; Re: Heat Invitation	.50
8/29/17	Email Chain with JP, AF; Re: Answers to Second Set of Interrogatories	.50

8/29/17	T/C with expert Hastings	.25
8/29/17	Draft and send email to AF re delivery of Koch binder and review AF response	.15
8/29/17	Draft and send email to AF re Jay McConnell phone call	.15
8/30/17	Receive, Review and Analyze Email from Client	1.25
8/30/17	Email chain with AF re Viking's responses to Lange	.50
8/30/17	Receive, Review and Analyze Email from Client	.40
8/30/17 - 9/1/17	Email Chain with KH, AF with Attachments on Non-Conforming Holds and Drop Box Link	.30
8/31/17	Email Chain with JP, AF, AD, JR, KR, SK; Re: DCRR 8/23/17	.35
9/1/17	Email to CP with Attachments Re: Heat Sources	.35
9/1/17	Review and analyze Viking's responses to written discovery	1.25
9/1/17	Email Chain with GZ; Re: Phone Call and Report	.15
9/1/17	Email Chain with AF, GZ with Attachments and Links; Re: UL Document	.25
9/1/17	Email Chain with JP, MN, AD, TU, AM, KR, SK; Re: Mediation	.25
9/1/17	Email Chain with JP AF, AD, SK, TU; Re: Depositions of Colin Kendrick	.25
9/1/17	Receive, Review and Analyze Email From D. Holloman	.50
9/1/17	Email Chain with JP, AF, AD, TU, KR, SK; Re: New Inspection	.40
9/1/17	Email Chain with AF, JP; Re: Carnahan Deposition	.15
9/1/17	Receive, Review and Analyze Email from Client	.50
9/1/17	Receive, Review and Analyze Email from Client	.35
9/1/17	Draft and Send Email to Client	.15
9/1/17	Draft and Send Email to Client	.15
9/1/17	Call with AMF	.10
9/1/17	Call with AMF	.15

9/1/17	Call with AMF	.25
9/1/17	Call with Client	.75
9/1/17	Call with Client	.25
9/1/17	Receive, Review and Analyze Email from Client	.15
9/2/17	Draft and send email and attachments to AF re UL's public definition of 1626 and review AF response	.50
9/2/17	Receive, Review and Analyze Email from Client with Attachment	.65
9/2/17	Draft and Send Email to AF/Client	.50
9/2/17	Receive, Review and Analyze Email from Client	.25
9/2/17	Receive, Review and Analyze Email from Client	.15
9/2/17	Receive, Review and Analyze Email from Client with Attachment	.75
9/2/17	Call with Client	.50
9/2/17	Call with Client	.15
9/2/17	Call with Client	.65
9/3/17	Call with Client	.40
9/3/17	Call with Client	.10
9/3/17	Call with Client	.25
9/3/17	Call with Client	.15
9/3/17	Call with Client	.25
9/3/17	Draft and Send Email to Client with Attachment	.25
9/3/17	Receive, Review and Analyze Email from Client; Revise Notice	.50
9/3/17	Receive, Review and Analyze Email from Client	.50
9/3/17	Draft and Send Email to Client	.25
9/3/17	Receive, Review and Analyze Email from Client	.15
9/4/17	Receive, Review and Analyze Email from Client	.15
9/4/17	Receive, Review and Analyze Email from Client with Attachment	.50

9/4/17	Receive, Review and Analyze Email from Client with Attachment	.75
9/4/17	Receive, Review and Analyze Email from Client	.50
9/5/17	Receive, Review and Analyze Email from Client	.50
9/5/17	Draft and Send Email to AF/Client	.50
9/5/17	Receive, Review and Analyze Email from Client	.25
9/5/17	Receive, Review and Analyze Email from Client	.25
9/5/17	Email Chain with Client	.15
9/5/17	Draft and Send Email to Client with Attachment	.25
9/5/17	Receive, Review and Analyze Email from Client with Attachments	.75
9/5/17	Email Chain with KH; Re: Deposition Dates	.15
9/5/17	Email Chain with D. Holloman; Re: Mediation Payment and Meeting with Floyd	.50
9/5/17	Email Chain with JO; Re: Deposition Dates	.15
9/5/17	Draft and Send Email to GZ; Re: Deposition Dates and Carnahan and Viking Depositions	.50
9/5/17	Draft and send email to AF re re-serving depo notice for ZAIC and review AF response	.25
9/5/17	Email chain with AF re re-scheduling depo of Harold Rodgers and PMK of EFT and AG	.20
9/5/17	Email chain with AF re discussing various issues re Edgeworth	.50
9/5/17	Email Chain with MN, JP, AD; Re: Mediation	.40
9/5/17	Email Chain with JP, AM, Re: Edgeworth Depositions	.25
9/5/17	Email Chain with JP, AF, TU, AD, KR, SK; Re: DCRR 8/23/17	.25
9/5/17	Email Chain with MN, JP, AD; Re: Carnahan Deposition	.15
9/5/17	Call with AMF	.15
9/8/17	Email Chain with AD, JP, MN, AF; Re: Inspection	.25
9/8/17	Email chain with AF re 8/23/17 DCRR and Viking's proposed changes	.25

9/8/17	Receive, Review and Analyze Email from Client	.15
9/8/17	Receive, Review and Analyze Email from Client	.50
9/8/17	Receive, Review and Analyze Email from Client	.25
9/8/17	Draft and Send Email to Client	.25
9/8/17	Draft and Send Email to Client	.15
9/8/17	Receive, Review and Analyze Email from Client	.50
9/8/17	Receive, Review and Analyze Email from Client	.25
9/8/17	Receive, Review and Analyze Email from Client	.50
9/8/17	Draft and send email to AF re motions that need to be drafted	.75
9/8/17	Email chain with AF re inspection of Mark Giberti job file by his lawyer	.15
9/8/17	Email chain with AF re subpoena and responses to ZAIC attorney	.75
9/9/17	Receive, Review and Analyze Email from Client	.25
9/9/17	Receive, Review and Analyze Email from Client	.25
9/9/17	Draft and Send Email to Client	.25
9/9/17	Receive, Review and Analyze Email from Client	.25
9/10/17	Receive, Review and Analyze Email from Client	.25
9/10/17	Receive, Review and Analyze Email from Client	.25
9/10/17	Receive, Review and Analyze Email from Client with Attachment	1.25
9/10/17	Call with Client	.10
9/10/17	Call with Client	.25
9/10/17	Draft and Send Email to Client	.15
9/10/17	Email Chain with GZ; Re: Conversion Chart	.25
9/11/17	Email Chain with AF, GZ; Re: Load On Link Attachments and Martorano Deposition	.15
9/11/17	Receive, Review and Analyze Email From AD; Re: Mr. Fehr	.15

9/11/17	Email chain with AF re 8/23/17 DCRR	.25
9/11/17	Email chain with AF re Edgeworth case schedule	1.0
9/11/17	Receive, Review and Analyze Email from Client	.50
9/11/17	Receive, Review and Analyze Email from Client	.15
9/11/17	Receive, Review and Analyze Email from Client	.25
9/11/17	Draft and Send Email to Client	.15
9/11/17	Receive, Review and Analyze Email from Client	.15
9/11/17	Draft and Send Email to Client	.15
9/11/17	Draft and Send Email to Client	.15
9/11/17	Receive, Review and Analyze Email from Client	.15
9/11/17	Draft and Send Email to Client	.15
9/11/17	Receive, Review and Analyze Email from Client	.25
9/11/17	Email Chain with KH, AF with Attachments; Re: Martorano Deposition	.15
9/11/17	Draft and Send Email to KH; Re: Deposition Data	.35
9/11/17	Email Chain with CP	.25
9/11/17	Email Chain with JP, AF, TU, AD, KR, SK; Re: DCRR 8/23/17 Changes	.40
9/11/17	Email Chain with JP, AF; Re: Martorano Information	.40
9/11/17	Receive, Review and Analyze Letter from Ward Law re Rimkus Subpoena and deposition	.25
9/12/17	Email Chain with JP, AD, MN, AF, JW; Re: Edgeworth Deposition	.75
9/12/17	Email chain with AF re motion to compel re heat powerpoint documents	.15
9/12/17	Receive, Review and Analyze Email from Client	.15
9/12/17	Receive, Review and Analyze Email from Client	.15
9/12/17	Receive, Review and Analyze Email from Client	.15



9/12/17	Draft and Send Email to Client	.25
9/12/17	Receive, Review and Analyze Email from Client	.15
9/12/17	Draft and Send Email to Client	.15
9/12/17	Receive, Review and Analyze Email from Client	.15
9/12/17	Draft and Send Email to Client	.25
9/12/17	Call with Client	.15
9/12/17	Call with Client	.15
9/12/17	Call with AMF	.15
9/12/17	Call with Client	.15
9/13/17	Email to CP with Exhibits	.25
9/13/17	Email Chain with CP Re: Scheduling PC	.25
9/13/17	Email Chain with D. Holloman; Re: FH Meeting	.15
9/13/17	Receive, Review and Analyze Email From GZ; Re: UL Drawings	.15
9/13/17	Receive, Review and Analyze Email From D. Holloman; Re: Mediation	.15
9/13/17	Email Chain with JP, AF, KR, SK; Re: UL Documents	.25
9/13/17	Email Chain with KR, SK, JP, AF; Re: Expert Depositions	.25
9/13/17	Receive, Review and Analyze Email From AD; Re: Fees Costs	.15
9/13/17	Email chain with AF re documents being sent to Zamiski	.15
9/13/17	Draft and send email and attachments to AF re documents to include in next ECC Supp and review AF response	.15
9/13/17	Draft and send email to AF re documents he needs for hearing and review AF response	.15
9/13/17	Draft and send email to AF re Michigan Viking employees amended depositions	.15
9/14/17	Email chain with AF re Ure coming to inspect Giberti file	.15
9/14/17	Email Chain with KR, AF, JP; Re: Deposition for Simmons	.50

9/14/17	Draft and send email and attachments to AF re PMK depo pages from client for motion to strike	.25
9/14/17	Email Chain with GZ; re: Completion of Rebuttal Report and Request for Information	.35
9/14/17	Draft and send email to AF re new dates to send to Robinson re expert depositions	.15
9/14/17	Email Chain with AF/CP with Attachments Re: Martorano Depo	.15
9/14/17	Draft and Send Email to Client	.25
9/14/17	Receive, Review and Analyze Email from Client	.25
9/14/17	Receive, Review and Analyze Email from Client with Attachments	.50
9/14/17	Receive, Review and Analyze Email from Client	.15
9/14/17	Receive, Review and Analyze Email from Client	.50
9/14/17	Receive, Review and Analyze Email from Client	.50
9/14/17	Receive, Review and Analyze Email from Client	.50
9/14/17	Receive, Review and Analyze Email from Client	.25
9/14/17	Receive, Review and Analyze Email from Client	.50
9/14/17	Receive, Review and Analyze Email from Client	.75
9/14/17	Draft and Send Email to Client	.25
9/14/17	Draft and Send Email to KH; Re: Request for Report	.15
9/14/17	Call with Client	.40
9/14/17	Call with Client	.50
9/18/17	Email chain with AF re documents being sent to Hastings	.15
9/18/17	Draft and send email to AF re stuff to add to Carnahan motion to compel	.20
9/18/17	Draft and Send Email to Client with Attachment	.15
9/18/17	Receive, Review and Analyze Email from Client	.35
9/18/17	Email from CP Re: opinion letter	.50
9/18/17	Receive, Review and Analyze Email From C. Kendrick	.15

9/18/17	Email Chain with JP, AF, AD, TU; Re: C. Kendrick	.25
9/18/17	Email Chain with JP, AF, KR, SK; Re: Meet and Confer for Written Discovery	.15
9/18/17	Draft and Send Email to KH with Attachments; Re: Torn Link	.15
9/18/17	Email Chain with KH, GV; Re: Carnahan Test Data	.15
9/18/17	Receive, Review and Analyze Email From KH with Rebuttal Report Attached	.25
9/18/17	Call with Client	.15
9/18/17	Call with Client	.15
9/19/17	Call with Client	.15
9/19/17	Call with Client	.15
9/19/17	Call with Client	.50
9/19/17	Call with Client	.50
9/19/17	Receive, Review and Analyze Email from Client	.25
9/19/17	Email Chain with KH; Re: Amic Attempts and Old Threads	.25
9/19/17	Email Chain with KR, AF, JP, EC; Re: 2.34	.15
9/19/17	Email Chain with AF, JP; Re: Deposition Rosa	.25
9/20/17	Draft and send email to AF re Pomerantz report be sent to Hasting	.15
9/20/17	Draft and send email to AF re lawyers in Riverside to represent us for Harold Rodgers depo and review AF response/ Discussion with AF	.15
9/20/17	Email Chain with KH, AF; Re: CP Report	.15
9/20/17	Email Chain with KH, AF with Attachments - Carnahan Data Graph	.25
9/20/17	Email Chain with KR, AF, JP; Re: Viking Employee Depositions	.50
9/20/17	Attend Hearing: Rimkus Motion to Compel; Telephone Conference with Max; Revise MSJ	5.25
9/20/17	Draft and Send Email to Client with Attachment	.15
9/20/17	Receive, Review and Analyze Email from Client	.15

9/20/17	Receive, Review and Analyze Email from Client	.15
9/20/17	Receive, Review and Analyze Email from Client with Attachment	1.25
9/20/17	Receive, Review and Analyze Email from Client	1.0
9/20/17	Call with Client	.50
9/21/17	Call with Client	.40
9/21/17	Call with AMF	.25
9/21/17	Receive, Review and Analyze Email from Client	.25
9/21/17	Receive, Review and Analyze Email from Client	.25
9/21/17	Receive, Review and Analyze Email from Client	.15
9/21/17	Receive, Review and Analyze Email from K. Rader	.15
9/21/17	Receive, Review and Analyze Email from Client	.15
9/21/17	Email chain with AF re drafting MSJ against Lange only	.15
9/21/17	Draft and Send Email to KH with Attachments; Re: Motley	.15
9/21/17	Email chain with AF re email from Kreason about cabinets and fireplace	.25
9/21/17	Email chain with AF re call with Hastings re Pomerantz report	.15
9/21/17	Meet with Client; Attend M. Giberti Deposition	7.0
9/21/17	Email Chain with JO; Re: Rigdon Report	.15
9/22/17	Email to CP with Attachments	.50
9/22/17	Receive, Review and Analyze Email From D. Holloman; Re: Mediation	.15
9/22/17	Call with Client	.25
9/22/17	Call with Client	.25
9/22/17	Email Chain with AF, JP, W. Laborde; Re: Rosa Emails	.15
9/22/17	Email chain with AF re additional points for motion to strike	.50
9/22/17	Review Lange's 10 <sup>th</sup> ECC Supplement	.25
9/22/17	Review Plaintiffs' 10 <sup>th</sup> ECC Supplement	.50

9/22/17	Discussion with AF; Email to Pomerantz	1.25
9/22/17	Review Viking's 13 <sup>th</sup> ECC Supplement	.50
9/22/17	Receive, Review and Analyze Email from Client	.50
9/22/17	Draft and Send Email to Client	.25
9/22/17	Draft and Send Email to Client	.25
9/22/17	Receive, Review and Analyze Email from Client	.15
9/22/17	Draft and Send Email to AF	.15
9/22/17	Draft and Send Email to AF	.15
9/22/17	Receive, Review and Analyze Email from Client with Attachment	.25
9/22/17	Email chain with AF and client re actual fireplace repair costs	.15
9/23/17	Receive, Review and Analyze Email from Client	.75
9/23/17	Receive, Review and Analyze Email from Client	.75
9/22/17	Review and analyze Viking's responses to written discovery	.75
9/24/17	Receive, Review and Analyze Email from Client	.50
9/25/17	Receive, Review and Analyze Email from Client	.15
9/25/17	Receive, Review and Analyze Email from Client	.15
9/25/17	Receive, Review and Analyze Email from Client	.25
9/25/17	Receive, Review and Analyze Email from Client	.15
9/25/17	Receive, Review and Analyze Email from K. Rader	.15
9/25/17	Receive, Review and Analyze Email from Client	.15
9/25/17	Receive, Review and Analyze Email from Client	.15
9/25/17	Receive, Review and Analyze Email from Client	.35
9/25/17	Receive, Review and Analyze Email from Client	.15
9/25/17	Draft and Send Email to Client	.25
9/25/17	Receive, Review and Analyze Email from Client	.15
9/25/17	Receive, Review and Analyze Email from Client	.15

9/25/17	Draft and Send Email to Client	.15
9/25/17	Receive, Review and Analyze Email from Client	.15
9/25/17	Review Giberti's 4 <sup>th</sup> ECC Supplement	.75
9/25/17	Revise Motion to Strike Viking Answer	3.5
9/25/17	Review Viking's 14 <sup>th</sup> ECC Supplement	1.25
9/25/17	Call with Client	.15
9/25/17	Call with Client	.15
9/25/17	Call with Client	.15
9/26/17	Call with Client	.15
9/26/17	Call with AMF	.10
9/26/17	Call with Client	.15
9/26/17	Call with AMF	.10
9/26/17	Call with Client	.25
9/26/17	Call with AMF	.10
9/26/17	Call with Client	.35
9/26/17	Call with Client	.15
9/26/17	Call with Client	.15
9/26/17	Prepare and Take Raul De La Rosa Deposition	3.25
9/26/17	Receive, Review and Analyze Email From JO with Attachments; Re: Deposition Documents	.50
9/26/17	Email Chain with AF, KR, JP; Re: Reactivations	.15
9/26/17	Receive, Review and Analyze Email from K. Rader	.25
9/26/17	Receive, Review and Analyze Email from K. Rader	.15
9/26/17	Draft and Send Email to Client	.15
9/26/17	Draft and Send Email to Client	.15
9/26/17	Draft and Send Email to Client	.15
9/26/17	Receive, Review and Analyze Email from Client	.15

9/27/17	Receive, Review and Analyze Email from Client	.65
9/27/17	Draft and Send Email to Client	.15
9/27/17	Draft and Send Email to Client	.15
9/27/17	Receive, Review and Analyze Email from Client	.25
9/27/17	Receive, Review and Analyze Email from Client with Attachment	.35
9/27/17	Receive, Review and Analyze Email from Client	.25
9/27/17	Draft and send email to AF re printing email from Robinson for motion and review AF response	.15
9/27/17	Email Chain with JP, AF, W. Laborde; Re: Rosa Emails	.25
9/27/17	Revise Motion to Strike; Review Emails; Meet with Client: Pre-Depo	3.5
9/27/17	Call with Client	.15
9/27/17	Call with Client	.35
9/27/17	Call with Client	.15
9/28/17	Call with Client	.15
9/28/17	Call with Client	.25
9/28/17	Call with Client	.10
9/28/17	Call with Client	.25
9/28/17	Revise Motion to Strike Viking Answer	3.75
9/28/17	Revise Motion to De-Designate Confidentiality	1.5
9/28/17	Attend Collin Kendrick Deposition	1.5
9/28/17	Review Plaintiffs' 11 <sup>th</sup> ECC Supplement	.50
9/28/17	Receive, Review and Analyze Email from Client	.15
9/28/17	Receive, Review and Analyze Email from Client	.20
9/28/17	Draft and Send Email to Client	.50
9/28/17	Receive, Review and Analyze Email from Client	.25
9/28/17	Receive, Review and Analyze Email from Client	.25

9/28/17	Draft and send email to AF re points for our reply to the motion to strike and review AF response	.20
9/28/17	Email chain with AF re filing motion to strike and affidavit	.25
9/28/17	Draft and send email and attachment to AF re technical data sheet	.15
9/29/17	Attend Brian Edgeworth Deposition	7.5
9/29/17	Email Chain with NG, AD, JP, AF, MN; Re: Lawrence Deposition	.15
9/29/17	Receive, Review and Analyze Email From D. Holloman; Re: Mediation	.15
9/29/17	Email Chain with AF, AD, JP, MN, TU; Re: DCRR 9/13/17	.15
9/29/17	Email Chain with AF, MN, JP; Re: DCRR 9/20/17	.15
9/29/17	Email Chain with AF, AD, JP, MN, TU; Re: Order to Amend Viking	.15
9/29/17	Email chain with AF re scheduling Carnahan depo	.25
9/29/17	Draft and send email to AF re date mediation briefs due	.15
9/29/17	Email chain with AF re draft DCRRs (9.13.17 and 9.20.17)	.50
9/29/17	Draft and send email to AF re digital photos of damage and review AF response	.15
9/29/17	Email chain with AF re drafting Lange written discovery for punitive damages and draft requests	.20
9/29/17	Call with AMF	.15
9/29/17	Review and Revise written discovery to Lange	.25
9/30/17	Call with Client	.25
9/30/17	Receive, Review and Analyze Email from Client with Link	.50
9/30/17	Receive, Review and Analyze Email from Client with Link	.50
9/30/17	Draft and Send Email to Client	.15
9/30/17	Receive, Review and Analyze Email from Client	.15
9/30/17	Draft and Send Email to Client	.15
10/1/17	Receive, Review and Analyze Email from Client with Attachment	.40



10/1/17	Receive, Review and Analyze Email from Client with Attachment	.50
10/2/17	Draft and send email and attachment to AF re Glen Rigdon and a motion to exclude him as an expert	.25
10/2/17	Review and Revise Motion to Reconsider Pro Hac of LA Counsel	1.50
10/2/17	Email Chain with MC, AF, JP; Re: Rimkus DCRR	.25
10/2/17	Receive, Review and Analyze Email from Client	.50
10/2/17	Receive, Review and Analyze Email from Client	.25
10/2/17	Receive, Review and Analyze Email from Client	.50
10/2/17	Draft and Send Email to Client	.15
10/2/17	Receive, Review and Analyze Email from Client	.25
10/2/17	Call with Client	.25
10/2/17	Call with Client	.10
10/2/17	Call with Client	.25
10/3/17	Call with Client	.15
10/3/17	Call with Client	.15
10/3/17	Call with Client	.15
10/3/17	Call with Client	.15
10/3/17	Call with Client	.25
10/3/17	Receive, Review and Analyze Email from Client with Attachment	.50
10/3/17	Receive, Review and Analyze Email from Client	.15
10/3/17	Receive, Review and Analyze Email from Client with Attachment	1.25
10/3/17	Receive, Review and Analyze Email from Client with Attachment	.35
10/3/17	Draft and send email to AF re written discovery to Lange that we need to draft and serve	.25
10/3/17	Email Chain with AF, MC, JP; Re: Rimkus DCRR	.50
10/3/17	Email Chain with DC, JP, MN, KR, SK; Re: OPP to MOT to Compel Carnahan	.15

10/3/17	Email chain with AF re Schedule A of EFT and supplementing in ECC	.15
10/3/17	Prepare and Attend Motion to Exclude Rosenthal	3.25
10/3/17	Draft Interrogatories and Request for Production to Lange Plumbing	.75
10/3/17	Review Plaintiffs' 12 <sup>th</sup> ECC Supplement	.50
10/3/17	Discussion with Nunez	.25
10/3/17	Email chain with AF re Max Couvillier changes to DCRR	.25
10/3/17	Draft and send email to AF re forwarding Viking's Opp to Motion to Compel Carnahan	.25
10/4/17	Prepare and Attend Motion to Compel Carnahan and Motion to De-Designate; Review Oppositions	3.5
10/4/17	Text Message with AMF	.10
10/4/17	Email Chain with D. Holloman; Re: Brief	.15
10/4/17	Review and Revise Mediation Brief	2.25
10/4/17	Review and Revise Motion to Reconsider	1.75
10/4/17	Email Chain with JP, AF; Re: DCRR for Inspections	.15
10/4/17	Receive, Review and Analyze Email from Client with Link	.65
10/4/17	Receive, Review and Analyze Email from Client	.50
10/4/17	Call with Client	.50
10/5/17	Call with AMF	.10
10/5/17	Receive, Review and Analyze Email from Client	.25
10/5/17	Receive, Review and Analyze Email from Client	.40
10/5/17	Receive, Review and Analyze Email From Whitfield	.15
10/6/17	Receive, Review and Analyze Email from Rimkus with Attachment; Forward to Client	.50
10/6/17	Receive, Review and Analyze Email from Client	.15

10/6/17	Email chain with AF re Amended ZAIC Notice and SDT	.15
10/7/17	Call with AMF	.25
10/9/17	Meet with Mediator - Discuss Case	1.5
10/9/17	Email Chain with AD, AF; Re: Extension	.25
10/9/17	Draft and Send Email to Client with Attachment	.15
10/9/17	Draft and Send Email to Client with Attachment	.15
10/9/17	Draft and Send Email to Client with Attachment; Prepare Demand Sheets	.75
10/9/17	Receive, Review and Analyze Email from Client with Links	.50
10/10/17	Receive, Review and Analyze Email from Client	.35
10/10/17	Call with AMF	.10
10/10/17	Call with AMF	.15
10/10/17	Call with Client	.10
10/10/17	Call with Mike Nunez	.10
10/10/17	Call with Client	.10
10/10/17	Draft and Send Email to Client with Attachment	.25
10/10/17	Draft and Send Email to Client and Response	.15
10/10/17	Receive, Review and Analyze Email from Client	.15
10/10/17	Draft and Send Email to Client with Attachment	.15
10/10/17	Receive, Review and Analyze Email from Client with Attachment	.40
10/10/17	Email Chain with AD, AF; Re: Payment of Past Invoices	.50
10/10/17	Email Chain with KR, AF; Re: Michigan Depositions	.25
10/10/17	Attend Mediation at JAMS with Floyd Hale	4.0
10/11/17	Receive, Review and Analyze Email from Client	.25
10/11/17	Receive, Review and Analyze Email from Client	.25
10/11/17	Receive, Review and Analyze Email from Client	.25

10/11/17	Receive, Review and Analyze Email from Client	.50
10/11/17	Receive, Review and Analyze Email from Client	.15
10/11/17	Receive, Review and Analyze Email from Client	.15
10/11/17	Receive, Review and Analyze Email from Client	.35
10/11/17	Email chain with AF re response to Robinson re deposition scheduling	.30
10/11/17	Email chain with AF re UL Depo re-scheduling	.15
10/11/17	Email chain with AF re phone message from Pancoast	.15
10/12/17	Call with Client	.15
10/12/17	Forwarded emails from Wiznet from to AF re filed transcripts	.15
10/12/17	Receive, Review and Analyze Email from Client with Attachment	.25
10/12/17	Draft and Send Email to Client	.15
10/12/17	Receive, Review and Analyze Email from Client	.50
10/12/17	Receive, Review and Analyze Email from Client	.40
10/12/17	Receive, Review and Analyze Email from L. Pomerantz	.25
10/12/17	Receive, Review and Analyze Email from Client	.25
10/12/17	Receive, Review and Analyze Email from Client with Attachment	.35
10/13/17	Email Chain with JP, AF; Re: Interpreter	.25
10/13/17	Email Chain with AF, AD, JP, TU, KR, SK; Re; Privilege Log	.25
10/13/17	Email Chain with AF, SK, AD, MN, JP, TU; Re: Revised Order MOT to Amend	.40
10/14/17	Receive, Review and Analyze Email from Client	.25
10/14/17	Receive, Review and Analyze Email from Client with Attachment	.50
10/15/17	Review Viking Opposition to Plaintiff Motion to Strike & Revise Reply	4.50
10/15/17	Draft and Send Email to Client with Attachment	.15

10/15/17	Receive, Review and Analyze Email from Client	.25
10/15/17	Receive, Review and Analyze Email from Client	.15
10/15/17	Verified with Court Reporter	.25
10/16/17	Receive, Review and Analyze Email from Client with Attachment	.50
10/16/17	Receive, Review and Analyze Email from Client	.25
10/16/17	Receive, Review and Analyze Email from Client	.50
10/16/17	Receive, Review and Analyze Email from Client with Attachment	.25
10/16/17	Receive, Review and Analyze Email from Client with Attachment	.25
10/16/17	Receive, Review and Analyze Email from Client with Attachment	.25
10/16/17	Receive, Review and Analyze Email from Client	.15
10/16/17	Draft and Send Email to Client	.25
10/16/17	Receive, Review and Analyze Email from Client	.15
10/16/17	Draft and Send Email to Client	.15
10/16/17	Draft and Send Email to Client	.15
10/16/17	Receive, Review and Analyze Email from Client	.25
10/16/17	Receive, Review and Analyze Email from Client	.15
10/16/17	Email Chain with Client	.25
10/16/17	Receive, Review and Analyze Email from Client	.25
10/16/17	Email chain with AF re Franson's last known address	.15
10/16/17	Finalize Reply to opposition to Motion to Strike & Attend Margaret Ho Deposition	4.75
10/16/17	Draft and Send Email to GZ; Re: Requesting TC and Deposition Dates	.25
10/16/17	Email Chain with JP, AD, TU, JR; Re: Privilege Log	.15
10/16/17	Draft and send email to AF re Viking's production of Carnahan's depo and review AF response	.15

10/16/17	Draft and send email to AF re production of Rapid Cash ad and review AF response	.15
10/16/17	Email chain with AF re Viking's 15 <sup>th</sup> ECC Supp	.15
10/16/17	Email chain with AF and client re supplementing motion to strike	.15
10/16/17	Call with Client	.25
10/16/17	Call with Client	.50
10/16/17	Call with Client	.15
10/16/17	Call with AMF	.10
10/16/17	Call with AMF	.15
10/16/17	Call with Client	.10
10/17/17	Call with AMF	.15
10/17/17	Call with AMF	.15
10/17/17	Call with Client	.50
10/17/17	Call with Client	.15
10/17/17	Email chain with AF re 2.34 re Pomerantz as expert	.15
10/17/17	Email chain with AF re research for Reply to Lange MSJ	.50
10/17/17	Email chain with AF re depo cites for Reply to Lange MSJ	.75
10/17/17	Review Lange's 11 <sup>th</sup> ECC Supplement	1.25
10/17/17	Draft Motion to Strike Expert Carnahan; Revise Supplement to Motion to Strike Defendants Answer	6.75
10/17/17	Receive, Review and Analyze Email from Client	.40
10/17/17	Receive, Review and Analyze Email from Client with Attachment	.50
10/17/17	Receive, Review and Analyze Email from Client with Attachment and Response	.50
10/17/17	Draft and Send Email to Client	.15
10/17/17	Draft and Send Email to Client with Attachment	.15
10/18/17	Receive, Review and Analyze Email from Client	.40