

1 WILLIAM R. BRENSKE, ESQ.  
2 Nevada Bar No. 1806  
3 JENNIFER R. ANDREEVSKI, ESQ.  
4 Nevada Bar No. 9095  
5 RYAN D. KRAMETBAUER, ESQ.  
6 Nevada Bar No. 12800  
7 BRENSKE & ANDREEVSKI  
8 3800 Howard Hughes Parkway, Suite 500  
9 Las Vegas, Nevada 89169  
10 Telephone: (702) 385-3300  
11 Facsimile: (702) 385-3823  
12 Email: [wbrenske@hotmail.com](mailto:wbrenske@hotmail.com)  
13 *Attorneys for Appellants*

Electronically Filed  
May 01 2018 08:33 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

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

15 CHARLES SCHUELER,

16 Appellant,

17 v.

18 AD ART, INC.,

19 Respondent.

Supreme Court No.: 75688  
Dist. Ct. Case No.: A-15-722391-C

CASE APPEAL STATEMENT

- 20 1. Name of appellant filing this case appeal statement: Charles Schueler.
- 21 2. Identify the judge issuing the decision, judgment, or order appealed  
22 from: Hon. Michael Villani, District Court Judge, Eighth Judicial District Court for  
23 Clark County, Nevada.
- 24 3. Identify each appellant and the name and address of counsel for each  
25 appellant: Charles Schueler, Charles Schueler is represented by William R. Brenske,  
26 Jennifer R. Andreevski, and Ryan D. Krametbauer of Brenske & Andreevski, 3800  
27 Howard Hughes Parkway, Suite 500, Las Vegas, Nevada, 89169.  
28

1           4.     Identify each respondent and the name and address of appellate counsel,  
2 if known, for each respondent (if the name of a respondent's appellate counsel is  
3 unknown, indicate as much and provide the name and address of that respondent's  
4 trial counsel): Ad Art, Inc., a foreign corporation, was represented by Timothy F.  
5 Hunter of Ray Lego & Associates during the proceedings before the Eighth Judicial  
6 District Court for Clark County, Nevada. It is unknown if the above-named counsel  
7 will continue to represent Respondent during the appellate process.  
8

9           5.     Indicate whether any attorney identified above in response to question 3  
10 or 4 is not licensed to practice law in Nevada and, if so, whether the district court  
11 granted that attorney permissions to appear under SCR 42 (attach a copy of any  
12 district court order granting such permission): All attorneys listed in questions 3 and  
13 4 above are licensed to practice law in Nevada.  
14

15           6.     Indicate whether appellant was represented by appointed or retained  
16 counsel in the district court: Appellants were represented by retained counsel in the  
17 district court.  
18

19           7.     Indicate whether appellant is represented by appointed or retained  
20 counsel on appeal: Appellants are represented by retained counsel on appeal.  
21

22           8.     Indicate whether appellant was granted leave to proceed in forma  
23 pauperis, and the date of entry of the district court order granting such leave:  
24 Appellants neither applied for, nor were granted, leave to proceed in forma pauperis.  
25  
26  
27  
28

1           9.     Indicate the date the proceedings commenced in the district court (e.g.,  
2     date complaint, indictment, information, or petition was filed): The Complaint was  
3  
4     filed in the Eighth Judicial District Court for Clark County, Nevada on July 30, 2015.

5           10.    Provide a brief description of the nature of the action and result in the  
6     district court, including the type of judgment or order being appealed and the relief  
7  
8     granted by the district court: Charles Schueler was working inside the MGM Grand  
9     marquee sign when he fell through a floor board to the ground 150 feet below. Mr.  
10    Schueler sued Ad Art, Inc. for product liability. Ad Art subsequently filed a Motion  
11    for Summary Judgment claiming the MGM pylon was not a product under the theory  
12    of strict products liability. The District Court initially denied Ad Art's Motion for  
13    Summary Judgment , but later granted it based on Ad Art's Motion for  
14    Reconsideration - which was filed without any new information that was not  
15  
16    available to the Court at the time of the initial motion.

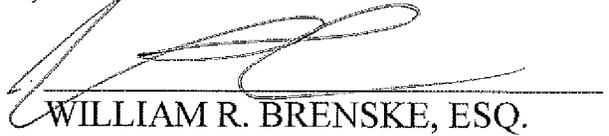
17  
18           11.    Indicate whether the case has previously been the subject of an appeal to  
19     or original writ proceeding in the Supreme Court and, if so, the caption and Supreme  
20     Court docket number of the prior proceeding: This case was not previously the  
21     subject of an appeal or an original writ proceeding.  
22

23  
24           12.    Indicate whether this appeal involves child custody or visitation: This  
25     appeal does not involve child custody or visitation.  
26  
27  
28

Brenske & Andreevski  
3800 Howard Hughes Parkway, Suite 500  
Las Vegas, Nevada 89169  
(702) 385-3300 · Fax (702) 385-3823

1           13. If this is a civil case, indicate whether this appeal involves the possibility  
2 of settlement: Given the extent of Mr. Schueler's damages, it is Appellant's belief that  
3 it is unlikely this appeal may settle.  
4

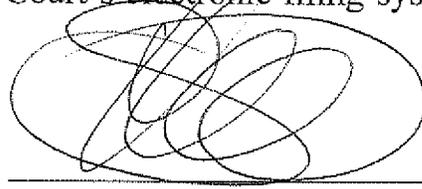
5           DATED this 30<sup>th</sup> day of April, 2018.

6  
7 

8 WILLIAM R. BRENSKE, ESQ.  
9 Nevada Bar No. 1806  
10 JENNIFER R. ANDREEVSKI, ESQ.  
11 Nevada Bar No. 9095  
12 RYAN D. KRAMETBAUER, ESQ.  
13 Nevada Bar No. 12800  
14 BRENSKE & ANDREEVSKI  
15 3800 Howard Hughes Parkway, Suite 500  
16 Las Vegas, Nevada 89169  
17 Telephone: (702) 385-3300  
18 Facsimile: (702) 385-3823  
19 Email: [wbrenske@hotmail.com](mailto:wbrenske@hotmail.com)  
20 *Attorneys for Appellant*

21 **CERTIFICATE OF SERVICE**

22 I certify that on the 30<sup>th</sup> day of April, 2018, I served a copy of the CASE  
23 APPEAL STATEMENT through the Court's electronic filing system consistent with  
24 N.E.F.C.R. 8.

25 

26 An employee of Brenske & Andreevski  
27  
28