

# IN THE SUPREME COURT OF THE STATE OF NEVADA

## INDICATE FULL CAPTION:

RICHARD NEWMAN, AN INDIVIDUAL;  
NEWMAN LAW, LLC A NEVADA LIMITED  
LIABILITY COMPANY; AND COOPER  
BLACKSTONE, LLC, A NEVADA LIMITED  
LIABILITY COMPANY,

Appellants,

vs.

FULL COLOR GAMES, INC., A NEVADA  
CORPORATION,  
Respondent.

No. 79395

DOCKETING

CIVIL APPEALS

Electronically Filed  
Sep 26 2019 06:26 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

## GENERAL INFORMATION

Appellants must complete this docketing statement in compliance with NRAP 14(a). The purpose of the docketing statement is to assist the Supreme Court in screening jurisdiction, identifying issues on appeal, assessing presumptive assignment to the Court of Appeals under NRAP 17, scheduling cases for oral argument and settlement conferences, classifying cases for expedited treatment and assignment to the Court of Appeals, and compiling statistical information.

## WARNING

This statement must be completed fully, accurately and on time. NRAP 14(c). The Supreme Court may impose sanctions on counsel or appellant if it appears that the information provided is incomplete or inaccurate. *Id.* Failure to fill out the statement completely or to file it in a timely manner constitutes grounds for the imposition of sanctions, including a fine and/or dismissal of the appeal.

A complete list of the documents that must be attached appears as Question 27 on this docketing statement. Failure to attach all required documents will result in the delay of your appeal and may result in the imposition of sanctions.

This court has noted that when attorneys do not take seriously their obligations under NRAP 14 to complete the docketing statement properly and conscientiously, they waste the valuable judicial resources of this court, making the imposition of sanctions appropriate. See KDI Sylvan Pools v. Workman, 107 Nev. 340, 344, 810 P.2d 1217, 1220 (1991). Please use tab dividers to separate any attached documents.

1. Judicial District Eighth Department XIII

County Clark Judge Hon. Mark R. Denton

District Ct. Case No. A-17-759862-B

**2. Attorney filing this docketing statement:**

Attorney Richard Newman Telephone 702.720.4630

Firm Newman Law, LLC

Address 7435 S. Eastern Ave, Ste 105-431  
Las Vegas, NV 89123

Client(s) Richard Newman; Newman Law, LLC; and Cooper Blackstone, LLC

If this is a joint statement by multiple appellants, add the names and addresses of other counsel and the names of their clients on an additional sheet accompanied by a certification that they concur in the filing of this statement.

**3. Attorney(s) representing respondents(s):**

Attorney Michael K. Wall Telephone 702.385.2500

Firm Hutchison & Steffen, PLLC

Address Peccole Professional Park  
10080 West Alta Drive, Suite 200  
Las Vegas, NV 89145

Client(s) Full Color Games, Inc.

Attorney \_\_\_\_\_ Telephone \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

Client(s) \_\_\_\_\_

(List additional counsel on separate sheet if necessary)

**4. Nature of disposition below (check all that apply):**

- |   |   |
|---|---|
| <input type="checkbox"/> Judgment after bench trial         | <input checked="" type="checkbox"/> Dismissal:  |
| <input type="checkbox"/> Judgment after jury verdict        | <input type="checkbox"/> Lack of jurisdiction   |
| <input type="checkbox"/> Summary judgment                   | <input type="checkbox"/> Failure to state a claim                                     |
| <input type="checkbox"/> Default judgment                   | <input type="checkbox"/> Failure to prosecute   |
| <input type="checkbox"/> Grant/Denial of NRCP 60(b) relief  | <input checked="" type="checkbox"/> Other (specify): <u>NRS 41.650 Special Motion</u> |
| <input type="checkbox"/> Grant/Denial of injunction         | <input type="checkbox"/> Divorce Decree:  |
| <input type="checkbox"/> Grant/Denial of declaratory relief | <input type="checkbox"/> Original <input type="checkbox"/> Modification               |
| <input type="checkbox"/> Review of agency determination     | <input type="checkbox"/> Other disposition (specify): _____                           |

**5. Does this appeal raise issues concerning any of the following?**

- ☐ Child Custody
- ☐ Venue
- ☐ Termination of parental rights

**6. Pending and prior proceedings in this court.** List the case name and docket number of all appeals or original proceedings presently or previously pending before this court which are related to this appeal:

None

**7. Pending and prior proceedings in other courts.** List the case name, number and court of all pending and prior proceedings in other courts which are related to this appeal (e.g., bankruptcy, consolidated or bifurcated proceedings) and their dates of disposition:

None

**8. Nature of the action.** Briefly describe the nature of the action and the result below:

Full Color Games, Inc. ("Plaintiff") filed a Complaint against Richard Newman, Newman Law, LLC and Cooper Blackstone, LLC, ("Defendants") claiming violations of Federal and Nevada RICO Acts resulting from pre-litigation communication sent by Richard Newman consisting of an attorney's demand letter sent in good faith to resolve a legitimate dispute.

Defendant Richard Newman is the sole member of Defendants, Newman Law, LLC and Cooper Blackstone, LLC.

Defendants filed a Special Motion to Dismiss pursuant to NRS 41.650, et seq., Nevada's Anti-SLAPP statute. The Court denied the Motion as to all Defendants finding that NRS 41.650, et seq. is inapplicable to pre-litigation communication and inapplicable to the demand letter sent by Richard Newman.

**9. Issues on appeal.** State concisely the principal issue(s) in this appeal (attach separate sheets as necessary):

Whether Nevada's Anti-SLAPP statute, NRS. 41.650 et seq. applies to protect pre-litigation communication, and whether pre-litigation communication generally, and an attorney demand letter sent in good faith to resolve a legitimate dispute specifically, satisfies the burden of proof under the first prong of Nevada's Anti-SLAPP statute.

**10. Pending proceedings in this court raising the same or similar issues.** If you are aware of any proceedings presently pending before this court which raises the same or similar issues raised in this appeal, list the case name and docket numbers and identify the same or similar issue raised:

None

**11. Constitutional issues.** If this appeal challenges the constitutionality of a statute, and the state, any state agency, or any officer or employee thereof is not a party to this appeal, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

☒ N/A

☐ Yes

☐ No

If not, explain:

**12. Other issues.** Does this appeal involve any of the following issues?

☐ Reversal of well-settled Nevada precedent (identify the case(s))

☐ An issue arising under the United States and/or Nevada Constitutions

☒ A substantial issue of first impression

☐ An issue of public policy

☐ An issue where en banc consideration is necessary to maintain uniformity of this court's decisions

☐ A ballot question

If so, explain: This Court has not addressed the question of whether pre-litigation communication generally, or an attorney demand letter sent in good faith to resolve a legitimate dispute specifically, is within the scope of NRS 41.637(3) constituting conduct protected under Nevada's Anti-SLAPP statute.

**13. Assignment to the Court of Appeals or retention in the Supreme Court.** Briefly set forth whether the matter is presumptively retained by the Supreme Court or assigned to the Court of Appeals under NRAP 17, and cite the subparagraph(s) of the Rule under which the matter falls. If appellant believes that the Supreme Court should retain the case despite its presumptive assignment to the Court of Appeals, identify the specific issue(s) or circumstance(s) that warrant retaining the case, and include an explanation of their importance or significance:

This matter is presumptively retained by the Supreme Court under NRAP 17(a)(11) and (12). The matter raises a substantial issue of first impression and as a principal issue a question of statewide public importance, namely, whether pre-litigation communication generally, and an attorney demand letter sent in good faith to resolve a legitimate dispute specifically, is within the scope of NRS 41.637(3). Furthermore, the explicit language of Nevada's anti-SLAPP statute, NRS 41.650 et seq. provides in NRS 41.670 (4) that if the court denies the special motion to dismiss then "an interlocutory appeal lies to the Supreme Court."

**14. Trial.** If this action proceeded to trial, how many days did the trial last? N/A

Was it a bench or jury trial? N/A

**15. Judicial Disqualification.** Do you intend to file a motion to disqualify or have a justice recuse him/herself from participation in this appeal? If so, which Justice?  
No

## TIMELINESS OF NOTICE OF APPEAL

### 16. Date of entry of written judgment or order appealed from July 10, 2019

If no written judgment or order was filed in the district court, explain the basis for seeking appellate review:

The order appealed from is a denial of an Special Motion to Dismiss under Nevada's anti-SLAPP Statute, NRS 41.650 et seq. NRS 41.670(4) provides that "[i]f the court denies the special motion to dismiss filed pursuant to NRS 41.660, an interlocutory appeal lies to the Supreme Court."

### 17. Date written notice of entry of judgment or order was served July 10, 2019

Was service by:

☐ Delivery

☒ Mail/electronic/fax

### 18. If the time for filing the notice of appeal was tolled by a post-judgment motion (NRCP 50(b), 52(b), or 59)

(a) Specify the type of motion, the date and method of service of the motion, and the date of filing.

☐ NRCP 50(b)      Date of filing \_\_\_\_\_

☐ NRCP 52(b)      Date of filing \_\_\_\_\_

☐ NRCP 59      Date of filing \_\_\_\_\_

**NOTE: Motions made pursuant to NRCP 60 or motions for rehearing or reconsideration may toll the time for filing a notice of appeal. See AA Primo Builders v. Washington, 126 Nev. \_\_\_\_, 245 P.3d 1190 (2010).**

(b) Date of entry of written order resolving tolling motion \_\_\_\_\_

(c) Date written notice of entry of order resolving tolling motion was served \_\_\_\_\_

Was service by:

☐ Delivery

☐ Mail

**19. Date notice of appeal filed** August 8, 2019

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If more than one party has appealed from the judgment or order, list the date each notice of appeal was filed and identify by name the party filing the notice of appeal: August 8, 2019, for each party: Richard Newman, Newman Law, LLC and Cooper Blackstone, LLC

**20. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRAP 4(a) or other**

NRAP 4(a)

---

**SUBSTANTIVE APPEALABILITY**

**21. Specify the statute or other authority granting this court jurisdiction to review the judgment or order appealed from:**

(a)

- |  |                                       |
|--|---------------------------------------|
| <input type="checkbox"/> NRAP 3A(b)(1)                                   | <input type="checkbox"/> NRS 38.205   |
| <input type="checkbox"/> NRAP 3A(b)(2)                                   | <input type="checkbox"/> NRS 233B.150 |
| <input type="checkbox"/> NRAP 3A(b)(3)                                   | <input type="checkbox"/> NRS 703.376  |
| <input checked="" type="checkbox"/> Other (specify) <u>NRS 41.670(4)</u> |                                       |
- 

(b) Explain how each authority provides a basis for appeal from the judgment or order: The order appealed from is a denial of a Special Motion to Dismiss under Nevada's anti-SLAPP Statute, NRS 41.650 et seq. NRS 41.670(4) provides that "[i]f the court denies the special motion to dismiss filed pursuant to NRS 41.660, an interlocutory appeal lies to the Supreme Court."



**22. List all parties involved in the action or consolidated actions in the district court:**

(a) Parties:

Third-Party Plaintiff: Full Color Games, Inc.

Third-Party Defendants: RICHARD NEWMAN, NEWMAN LAW, LLC; COOPER BLACKSTONE, LLC; and 26 other named individuals and parties

(b) If all parties in the district court are not parties to this appeal, explain in detail why those parties are not involved in this appeal, *e.g.*, formally dismissed, not served, or other:

Richard Newman is the sole member of Newman Law, LLC and Cooper Blackstone, LLC, and filed the Special Motion to Dismiss under NRS 41.650 et seq. on behalf of these parties only. The 26 other individuals and parties named as Third-Party Defendants in the Complaint were not included in the Special Motion to Dismiss, and Third Party Plaintiff Full Color Games, Inc. has presumably either not served these other parties or asserted different claims against these other parties.

**23. Give a brief description (3 to 5 words) of each party's separate claims, counterclaims, cross-claims, or third-party claims and the date of formal disposition of each claim.**

Plaintiff: Federal and Nevada RICO claims. There has been no formal disposition of the claims.

**24. Did the judgment or order appealed from adjudicate ALL the claims alleged below and the rights and liabilities of ALL the parties to the action or consolidated actions below?**

☐ Yes

☒ No

**25. If you answered "No" to question 24, complete the following:**

(a) Specify the claims remaining pending below:  
All claims remain pending

(b) Specify the parties remaining below:

Defendants Richard Newman, Newman Law, LLC and Cooper Blackstone, LLC

(c) Did the district court certify the judgment or order appealed from as a final judgment pursuant to NRCP 54(b)?

☐ Yes

☒ No

(d) Did the district court make an express determination, pursuant to NRCP 54(b), that there is no just reason for delay and an express direction for the entry of judgment?

☐ Yes

☒ No

**26. If you answered "No" to any part of question 25, explain the basis for seeking appellate review (e.g., order is independently appealable under NRAP 3A(b)):**

The order appealed from is a denial of a Special Motion to Dismiss under Nevada's anti-SLAPP Statute, NRS 41.650 et seq. NRS 41.670(4) provides that "[i]f the court denies the special motion to dismiss filed pursuant to NRS 41.660, an interlocutory appeal lies to the Supreme Court."

**27. Attach file-stamped copies of the following documents:**

- The latest-filed complaint, counterclaims, cross-claims, and third-party claims
- Any tolling motion(s) and order(s) resolving tolling motion(s)
- Orders of NRCP 41(a) dismissals formally resolving each claim, counterclaims, cross-claims and/or third-party claims asserted in the action or consolidated action below, even if not at issue on appeal
- Any other order challenged on appeal
- Notices of entry for each attached order

## VERIFICATION

I declare under penalty of perjury that I have read this docketing statement, that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief, and that I have attached all required documents to this docketing statement.

Richard Newman, et al.  
Name of appellant

Richard Newman  
Name of counsel of record

September 25, 2019  
Date

/s/ Richard Newman  
Signature of counsel of record

Clark County, Nevada  
State and county where signed

## CERTIFICATE OF SERVICE

I certify that on the 26th day of September, 2019, I served a copy of this completed docketing statement upon all counsel of record:

- ☐ By personally serving it upon him/her; or
- ☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es): (NOTE: If all names and addresses cannot fit below, please list names below and attach a separate sheet with the addresses.)

Michael K. Wall  
Huthison & Steffan, PLLC  
Peccole Professional Park  
10080 West Alta Drive, Suite 200  
Las Vegas, NV 89145

Dated this 25th day of September, 2019

/s/ Richard Newman  
Signature

## CERTIFICATE OF SERVICE

I hereby certify that on this 26<sup>th</sup> day of September 2019, I served a true and correct copy of the foregoing document entitled “Docketing Statement Civil Appeals” via electronic mail and U.S. Mail on the Settlement Judge identified below:

Persi J. Mishel  
10161 Park Run Dr., Suite 150  
Las Vegas, NV 89145  
mishelpersi@yahoo.com

/s/ Richard Newman

# IN THE SUPREME COURT OF THE STATE OF NEVADA

## INDICATE FULL CAPTION:

RICHARD NEWMAN, AN INDIVIDUAL;  
NEWMAN LAW, LLC A NEVADA LIMITED  
LIABILITY COMPANY; AND COOPER  
BLACKSTONE, LLC, A NEVADA LIMITED  
LIABILITY COMPANY,

Appellants,

vs.

FULL COLOR GAMES, INC., A NEVADA  
CORPORATION,  
Respondent.

No. 79395

DOCKETING  
CIVIL APPEALS

Electronically Filed  
Sep 25 2019 10:25 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

## GENERAL INFORMATION

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1. Judicial District Eighth Department XIII

County Clark Judge Hon. Mark R. Denton

District Ct. Case No. A-17-759862-B

**2. Attorney filing this docketing statement:**

Attorney Richard Newman Telephone 702.720.4630

Firm Newman Law, LLC

Address 7435 S. Eastern Ave, Ste 105-431  
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Client(s) Richard Newman; Newman Law, LLC; and Cooper Blackstone, LLC

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**3. Attorney(s) representing respondents(s):**

Attorney Michael K. Wall Telephone 702.385.2500

Firm Hutchison & Steffen, PLLC

Address Peccole Professional Park  
10080 West Alta Drive, Suite 200  
Las Vegas, NV 89145

Client(s) Full Color Games, Inc.

Attorney \_\_\_\_\_ Telephone \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

Client(s) \_\_\_\_\_

(List additional counsel on separate sheet if necessary)

**4. Nature of disposition below (check all that apply):**

- |   |   |
|---|---|
| <input type="checkbox"/> Judgment after bench trial         | <input checked="" type="checkbox"/> Dismissal:  |
| <input type="checkbox"/> Judgment after jury verdict        | <input type="checkbox"/> Lack of jurisdiction   |
| <input type="checkbox"/> Summary judgment                   | <input type="checkbox"/> Failure to state a claim                                     |
| <input type="checkbox"/> Default judgment                   | <input type="checkbox"/> Failure to prosecute   |
| <input type="checkbox"/> Grant/Denial of NRCP 60(b) relief  | <input checked="" type="checkbox"/> Other (specify): <u>NRS 41.650 Special Motion</u> |
| <input type="checkbox"/> Grant/Denial of injunction         | <input type="checkbox"/> Divorce Decree:  |
| <input type="checkbox"/> Grant/Denial of declaratory relief | <input type="checkbox"/> Original <input type="checkbox"/> Modification               |
| <input type="checkbox"/> Review of agency determination     | <input type="checkbox"/> Other disposition (specify): _____                           |

**5. Does this appeal raise issues concerning any of the following?**

- ☐ Child Custody
- ☐ Venue
- ☐ Termination of parental rights

**6. Pending and prior proceedings in this court.** List the case name and docket number of all appeals or original proceedings presently or previously pending before this court which are related to this appeal:

None

**7. Pending and prior proceedings in other courts.** List the case name, number and court of all pending and prior proceedings in other courts which are related to this appeal (e.g., bankruptcy, consolidated or bifurcated proceedings) and their dates of disposition:

None

**8. Nature of the action.** Briefly describe the nature of the action and the result below:

Full Color Games, Inc. ("Plaintiff") filed a Complaint against Richard Newman, Newman Law, LLC and Cooper Blackstone, LLC, ("Defendants") claiming violations of Federal and Nevada RICO Acts resulting from pre-litigation communication sent by Richard Newman consisting of an attorney's demand letter sent in good faith to resolve a legitimate dispute.

Defendant Richard Newman is the sole member of Defendants, Newman Law, LLC and Cooper Blackstone, LLC.

Defendants filed a Special Motion to Dismiss pursuant to NRS 41.650, et seq., Nevada's Anti-SLAPP statute. The Court denied the Motion as to all Defendants finding that NRS 41.650, et seq. is inapplicable to pre-litigation communication and inapplicable to the demand letter sent by Richard Newman.

**9. Issues on appeal.** State concisely the principal issue(s) in this appeal (attach separate sheets as necessary):

Whether Nevada's Anti-SLAPP statute, NRS. 41.650 et seq. applies to protect pre-litigation communication, and whether pre-litigation communication generally, and an attorney demand letter sent in good faith to resolve a legitimate dispute specifically, satisfies the burden of proof under the first prong of Nevada's Anti-SLAPP statute.

**10. Pending proceedings in this court raising the same or similar issues.** If you are aware of any proceedings presently pending before this court which raises the same or similar issues raised in this appeal, list the case name and docket numbers and identify the same or similar issue raised:

None



**11. Constitutional issues.** If this appeal challenges the constitutionality of a statute, and the state, any state agency, or any officer or employee thereof is not a party to this appeal, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

☒ N/A

☐ Yes

☐ No

If not, explain:

**12. Other issues.** Does this appeal involve any of the following issues?

☐ Reversal of well-settled Nevada precedent (identify the case(s))

☐ An issue arising under the United States and/or Nevada Constitutions

☒ A substantial issue of first impression

☐ An issue of public policy

☐ An issue where en banc consideration is necessary to maintain uniformity of this court's decisions

☐ A ballot question

If so, explain: This Court has not addressed the question of whether pre-litigation communication generally, or an attorney demand letter sent in good faith to resolve a legitimate dispute specifically, is within the scope of NRS 41.637(3) constituting conduct protected under Nevada's Anti-SLAPP statute.

**13. Assignment to the Court of Appeals or retention in the Supreme Court.** Briefly set forth whether the matter is presumptively retained by the Supreme Court or assigned to the Court of Appeals under NRAP 17, and cite the subparagraph(s) of the Rule under which the matter falls. If appellant believes that the Supreme Court should retain the case despite its presumptive assignment to the Court of Appeals, identify the specific issue(s) or circumstance(s) that warrant retaining the case, and include an explanation of their importance or significance:

This matter is presumptively retained by the Supreme Court under NRAP 17(a)(11) and (12). The matter raises a substantial issue of first impression and as a principal issue a question of statewide public importance, namely, whether pre-litigation communication generally, and an attorney demand letter sent in good faith to resolve a legitimate dispute specifically, is within the scope of NRS 41.637(3). Furthermore, the explicit language of Nevada's anti-SLAPP statute, NRS 41.650 et seq. provides in NRS 41.670 (4) that if the court denies the special motion to dismiss then "an interlocutory appeal lies to the Supreme Court."

**14. Trial.** If this action proceeded to trial, how many days did the trial last? N/A

Was it a bench or jury trial? N/A

**15. Judicial Disqualification.** Do you intend to file a motion to disqualify or have a justice recuse him/herself from participation in this appeal? If so, which Justice?  
No

## TIMELINESS OF NOTICE OF APPEAL

### 16. Date of entry of written judgment or order appealed from July 10, 2019

If no written judgment or order was filed in the district court, explain the basis for seeking appellate review:

The order appealed from is a denial of an Special Motion to Dismiss under Nevada's anti-SLAPP Statute, NRS 41.650 et seq. NRS 41.670(4) provides that "[i]f the court denies the special motion to dismiss filed pursuant to NRS 41.660, an interlocutory appeal lies to the Supreme Court."

### 17. Date written notice of entry of judgment or order was served July 10, 2019

Was service by:

☐ Delivery

☒ Mail/electronic/fax

### 18. If the time for filing the notice of appeal was tolled by a post-judgment motion (NRCP 50(b), 52(b), or 59)

(a) Specify the type of motion, the date and method of service of the motion, and the date of filing.

☐ NRCP 50(b)      Date of filing \_\_\_\_\_

☐ NRCP 52(b)      Date of filing \_\_\_\_\_

☐ NRCP 59      Date of filing \_\_\_\_\_

**NOTE: Motions made pursuant to NRCP 60 or motions for rehearing or reconsideration may toll the time for filing a notice of appeal. See AA Primo Builders v. Washington, 126 Nev. \_\_\_\_, 245 P.3d 1190 (2010).**

(b) Date of entry of written order resolving tolling motion \_\_\_\_\_

(c) Date written notice of entry of order resolving tolling motion was served \_\_\_\_\_

Was service by:

☐ Delivery

☐ Mail

**19. Date notice of appeal filed** August 8, 2019

---

If more than one party has appealed from the judgment or order, list the date each notice of appeal was filed and identify by name the party filing the notice of appeal: August 8, 2019, for each party: Richard Newman, Newman Law, LLC and Cooper Blackstone, LLC

**20. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRAP 4(a) or other**

NRAP 4(a)

---

**SUBSTANTIVE APPEALABILITY**

**21. Specify the statute or other authority granting this court jurisdiction to review the judgment or order appealed from:**

(a)

- |  |                                       |
|--|---------------------------------------|
| <input type="checkbox"/> NRAP 3A(b)(1)                                   | <input type="checkbox"/> NRS 38.205   |
| <input type="checkbox"/> NRAP 3A(b)(2)                                   | <input type="checkbox"/> NRS 233B.150 |
| <input type="checkbox"/> NRAP 3A(b)(3)                                   | <input type="checkbox"/> NRS 703.376  |
| <input checked="" type="checkbox"/> Other (specify) <u>NRS 41.670(4)</u> |                                       |
- 

(b) Explain how each authority provides a basis for appeal from the judgment or order: The order appealed from is a denial of a Special Motion to Dismiss under Nevada's anti-SLAPP Statute, NRS 41.650 et seq. NRS 41.670(4) provides that "[i]f the court denies the special motion to dismiss filed pursuant to NRS 41.660, an interlocutory appeal lies to the Supreme Court."

**22. List all parties involved in the action or consolidated actions in the district court:**

(a) Parties:

Third-Party Plaintiff: Full Color Games, Inc.

Third-Party Defendants: RICHARD NEWMAN, NEWMAN LAW, LLC; COOPER BLACKSTONE, LLC; and 26 other named individuals and parties

(b) If all parties in the district court are not parties to this appeal, explain in detail why those parties are not involved in this appeal, *e.g.*, formally dismissed, not served, or other:

Richard Newman is the sole member of Newman Law, LLC and Cooper Blackstone, LLC, and filed the Special Motion to Dismiss under NRS 41.650 et seq. on behalf of these parties only. The 26 other individuals and parties named as Third-Party Defendants in the Complaint were not included in the Special Motion to Dismiss, and Third Party Plaintiff Full Color Games, Inc. has presumably either not served these other parties or asserted different claims against these other parties.

**23. Give a brief description (3 to 5 words) of each party's separate claims, counterclaims, cross-claims, or third-party claims and the date of formal disposition of each claim.**

Plaintiff: Federal and Nevada RICO claims. There has been no formal disposition of the claims.

**24. Did the judgment or order appealed from adjudicate ALL the claims alleged below and the rights and liabilities of ALL the parties to the action or consolidated actions below?**

☐ Yes

☒ No

**25. If you answered "No" to question 24, complete the following:**

(a) Specify the claims remaining pending below:  
All claims remain pending

(b) Specify the parties remaining below:

Defendants Richard Newman, Newman Law, LLC and Cooper Blackstone, LLC

(c) Did the district court certify the judgment or order appealed from as a final judgment pursuant to NRCP 54(b)?

☐ Yes

☒ No

(d) Did the district court make an express determination, pursuant to NRCP 54(b), that there is no just reason for delay and an express direction for the entry of judgment?

☐ Yes

☒ No

**26. If you answered "No" to any part of question 25, explain the basis for seeking appellate review (e.g., order is independently appealable under NRAP 3A(b)):**

The order appealed from is a denial of a Special Motion to Dismiss under Nevada's anti-SLAPP Statute, NRS 41.650 et seq. NRS 41.670(4) provides that "[i]f the court denies the special motion to dismiss filed pursuant to NRS 41.660, an interlocutory appeal lies to the Supreme Court."

**27. Attach file-stamped copies of the following documents:**

- The latest-filed complaint, counterclaims, cross-claims, and third-party claims
- Any tolling motion(s) and order(s) resolving tolling motion(s)
- Orders of NRCP 41(a) dismissals formally resolving each claim, counterclaims, cross-claims and/or third-party claims asserted in the action or consolidated action below, even if not at issue on appeal
- Any other order challenged on appeal
- Notices of entry for each attached order

## VERIFICATION

I declare under penalty of perjury that I have read this docketing statement, that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief, and that I have attached all required documents to this docketing statement.

Richard Newman, et al.  
Name of appellant

Richard Newman  
Name of counsel of record

September 25, 2019  
Date

/s/ Richard Newman  
Signature of counsel of record

Clark County, Nevada  
State and county where signed

## CERTIFICATE OF SERVICE

I certify that on the 26th day of September, 2019, I served a copy of this completed docketing statement upon all counsel of record:

- ☐ By personally serving it upon him/her; or
- ☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es): (NOTE: If all names and addresses cannot fit below, please list names below and attach a separate sheet with the addresses.)

Michael K. Wall  
Huthison & Steffan, PLLC  
Peccole Professional Park  
10080 West Alta Drive, Suite 200  
Las Vegas, NV 89145

Dated this 25th day of September, 2019

/s/ Richard Newman  
Signature

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 26<sup>th</sup> day of September 2019, I served a true and correct copy of the foregoing document entitled “Docketing Statement Civil Appeals” via U.S. Mail on the attorneys listed below:

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/s/ Richard Newman

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