

Electronically Filed  
Jan 27 2020 03:41 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

1 **NOAS**  
2 **DAVID H. BENAVIDEZ, ESQUIRE**  
3 Nevada Bar No. 004919  
4 **LAW OFFICE OF DAVID H. BENAVIDEZ**  
5 850 South Boulder Highway, #375  
6 Henderson, Nevada 89015  
7 Davidbenavidez@gmail.com  
8 (702) 565-9730  
9 Attorney for Appellant

7 **DISTRICT COURT**  
8 **CLARK COUNTY, NEVADA**

9 ASSOCIATED RISK MANAGEMENT, INC., )  
10 )  
11 Appellant, )  
12 vs. ) Case No.: A-19-792902-J  
13 ) Dept No.: X (10)  
14 MANUEL IBANEZ, THE DEPARTMENT OF )  
15 ADMINISTRATION, HEARINGS DIVISION, )  
16 APPEALS OFFICE, an agency of the State )  
17 of Nevada )  
18 Respondents. )  
19 )  
20 )  
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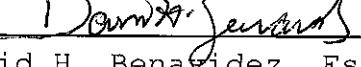
18 **NOTICE OF APPEAL**

19  
20 NOTICE IS HEREBY GIVEN that ASSOCIATED RISK MANAGEMENT,  
21 INC., Appellant in the above-entitled action, hereby appeals to  
22 the Supreme Court of Nevada the Order Denying Petition for  
23 Judicial Review entered in this action on the 22<sup>nd</sup> day of  
24 January, 2020.  
25

26 This appeal is taken on all matters of law and fact in this  
27 case.  
28

1 DATED this 22<sup>nd</sup> day of January, 2020.

2 LAW OFFICE OF DAVID H. BENAVIDEZ

3 By:   
4 David H. Benavidez, Esquire  
5 Nevada Bar No. 004919  
6 850 S Boulder Hwy #375  
7 Henderson, NV 89015  
8 Attorney for Appellant


9 **CERTIFICATE OF MAILING**

10 I, the undersigned, declare under penalty of perjury, that I  
11 am an employee of the Law Office of David H. Benavidez, and on the  
12 22<sup>nd</sup> day of January, 2020, I deposited the foregoing **NOTICE OF**  
13 **APPEAL** in the United States Mail, with first class postage fully  
14 prepaid thereon or sent via electronic delivery, copies of the  
15 attached document addressed as follows:

16  
17 Javier A Arguello, Esq. ARMI  
18 Benson Bertoldo Baker Carter P.O. Box 4930  
19 7408 W Sahara Ave Carson City, NV 89702  
20 Las Vegas, NV 89122

21 Rafael Construction  
22 5870 Construction Avenue  
23 Las Vegas, NV 89122

24 Richard Staub, Esq.  
25 P.O. Box 392  
26 Carson City, NV 89702

27   
28 Rose Mary Keys, Paralegal

THE LAW OFFICE OF DAVID H. BENAVIDEZ  
850 S. BOULDER HIGHWAY, #375  
HENDERSON, NEVADA 89015  
(702) 565-9730  
FAX (702) 568-1301



**ORDR**

BERTOLDO, BAKER, CARTER & SMITH  
JAVIER A. ARGUELLO, ESQ.

Nevada Bar No. 4908

7408 W. Sahara Ave.

Las Vegas, NV 89117

Phone (702) 649-2600

Fax (702) 657-1107

Attorneys for Respondent

MANUEL IBANEZ

DISTRICT COURT

CLARK COUNTY, NEVADA

ASSOCIATED RISK MANAGEMENT, INC.,

Petitioner,

v.

Case No: A-19-792902-J

Dept. No.: 10

MANUEL IBANEZ; and the STATE OF  
NEVADA, DEPARTMENT OF  
ADMINISTRATION, HEARINGS DIVISION,  
APPEALS OFFICER, An Agency of the State of  
Nevada,

Respondents.

**ORDER**

Petitioner's Petition for Judicial review having come on for hearing on October 22, 2019; the Petitioners were represented by their attorney of record, David H. Benavidez, Esq., of the law firm of DAVID H. BENAVIDEZ, and Respondent, MANUEL IBANEZ was represented by Javier A. Arguello, Esq., of the Law Offices of BERTOLDO, BAKER, CARTER & SMITH; The Court having been fully apprised of the matter and having heard arguments of counsel.

///

///

IT IS HEREBY ORDERED that Petitioner's Petition for Judicial Review is hereby  
DENIED.

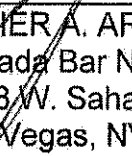
DATED this 15 day of January 2020.


  
DISTRICT JUDGE

Respectfully submitted by:

BERTOLDO BAKER, CARTER & SMITH

DAVID H. BENAVIDEZ

  
JAVIER A. ARGUELLO, ESQ.  
Nevada Bar No. 4908  
7408 W. Sahara Ave.  
Las Vegas, NV 89117  
(702) 649-2600  
Attorneys for Respondent  
YEVGEN MALIMON

  
DAVID H. BENAVIDEZ, ESQ.  
Nevada Bar No. 4919  
850 S. Boulder Hwy. #375  
Henderson, NV 89015  
(702) 565-9730  
Attorneys for Petitioner

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that I am an employee of BERTOLDO, BAKER, CARTER & SMITH and that, on the 21 day of January 2020, I deposited a true and correct copy of the above and foregoing **ORDER** in the U.S. Mail at Las Vegas, Nevada, enclosed in a sealed envelope upon which first-class postage was fully prepaid, addressed to the following:

DAVID H. BENAVIDEZ, Esq.  
850 S. Boulder Hwy. #375  
Henderson, NV 89015

Richard Staub, Esq.  
PO Box 392  
Carson City, NV 89701

Associated Risk Mgmt., Inc.  
PO Box 4930  
Carson City, NV 89702-4930

  
An Employee of BERTOLDO, BAKER, CARTER & SMITH

DISTRICT COURT  
CLARK COUNTY, NEVADA

Worker's Compensation Appeal

COURT MINUTES

May 02, 2019

---

A-19-792902-J      Associated Risk Management, Inc., Petitioner(s)  
vs.  
Manuel Ibanez, Respondent(s)

---

May 02, 2019      03:00 AM      Motion for Stay

HEARD BY:      Jones, Tierra      COURTROOM: RJC Courtroom 14B

COURT CLERK: Emmons, Shannon

RECORDER:

REPORTER:

PARTIES PRESENT:

**JOURNAL ENTRIES**

Following review of the papers and pleadings on file herein, COURT ORDERED, Motion for Stay is GRANTED under EDCR 2.20.

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of: Bertoldo, Baker, Carter, & Smith

# DISTRICT COURT CIVIL COVER SHEET

County, Nevada

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

(Assigned by Clerk's Office)

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

<b>Plaintiff(s) (name/address/phone):</b> Associated Risk Management, Inc P.O. Box 4930 Carson City, NV 89702 (800)935-0640	<b>Defendant(s) (name/address/phone):</b> Manuel Ibanez 5620 Eugene Ave. Las Vegas, NV 89108
<b>Attorney (name/address/phone):</b> David H. Benavidez, Esq. 850 S. Boulder Highway #375 Henderson, NV 89015 (702)565-9730	<b>Attorney (name/address/phone):</b> Javier Arguello, Esq. 7408 W. Sahara Ave. Las Vegas, NV 89117 (702)228-2600

## II. Nature of Controversy (please select the one most applicable filing type below)

### Civil Case Filing Types

<b>Real Property</b> <b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <b>Title to Property</b> <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property <b>Other Real Property</b> <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 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 checked="" 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> <b>Civil Writ</b> <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrantum <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

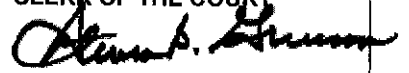
*Business Court filings should be filed using the Business Court civil coversheet.*

**April 12, 2019**

Date

Signature of initiating party or representative

See other side for family-related case filings.



1 **NOTC**  
2 **DAVID H. BENAVIDEZ, ESQUIRE**  
3 Nevada Bar No. 004919  
4 **LAW OFFICE OF DAVID H. BENAVIDEZ**  
5 850 South Boulder Highway, #375  
6 Henderson, Nevada 89015  
7 Davidbenavidez@gmail.com  
8 Attorney for Petitioner

9  
10 **DISTRICT COURT**  
11 **CLARK COUNTY, NEVADA**

12 ASSOCIATED RISK MANAGEMENT, INC., )  
13 )  
14 Petitioner, )  
15 )  
16 vs. ) Case No.: A-19-792902-J  
17 ) Dept No.: X  
18 MANUEL IBANEZ, THE DEPARTMENT OF )  
19 ADMINISTRATION, HEARINGS DIVISION, )  
20 APPEALS OFFICE, an agency of the State )  
21 of Nevada )  
22 )  
23 Respondents. )  
24 )  
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27 )  
28 )


29 **NOTICE OF ENTRY OF ORDER**

30 TO: ADAM MUSLUSKY, ATTORNEY FOR MANUEL IBANEZ, RESPONDENT;

31 TO: DEPARTMENT OF ADMINISTRATION, APPEAL DIVISION:

32 Notice is hereby given that the Order Granting Stay was  
33 signed by the Court on June 4, 2019 and mailed to Petitioner's  
34 Counsel on September 18, 2019, a copy of which is attached  
35 hereto.

36 Dated this 23rd day of September, 2019.

37   
38 David H. Benavidez, Esq.  
Attorney for Petitioner



CERTIFICATE OF MAILING

I, the undersigned, declare under penalty of perjury, that I am an employee of The Law Office of David H. Benavidez and on the 23rd day of September 2019, I deposited the foregoing **NOTICE OF ENTRY OF ORDER** in the United States Mail, with first class postage fully prepaid thereon, sent by electronic delivery, or served using the E-file and Serve System which will send a notice of the electronic service to the parties listed on the service list, addressed as follows:

Javier Arguello, Esq.  
7408 W. Sahara Ave.  
Las Vegas, NV 89117

Richard Staub, Esq.  
PO Box 392  
Carson City NV 89702

Rafael Construction  
5870 Construction Avenue  
Las Vegas, NV 89122

Associated Risk Mgmt, Inc.  
PO Box 4930  
Carson City NV 89702-4930

Department of Administration  
Appeals Division  
2200 S. Rancho Dr. #220  
Las Vegas, NV 89102



Rose Mary Keys, Paralegal

THE LAW OFFICE OF DAVID H. BENAVIDEZ  
850 S. BOULDER HIGHWAY, #375  
HENDERSON, NEVADA 89015  
(702) 565-9730  
FAX (702) 568-1301

THE LAW OFFICE OF  
DAVID H. BENAVIDEZ  
850 S. BOULDER HIGHWAY, #375  
HENDERSON, NEVADA 89015  
(702) 565-9730  
FAX (702) 568-1301

1 **ORDG**

2 **DAVID H. BENAVIDEZ, ESQUIRE**

3 Nevada Bar No. 004919

4 **LAW OFFICE OF DAVID H. BENAVIDEZ**

5 850 South Boulder Highway, #375

6 Henderson, Nevada 89015

7 Davidbenavidez@gmail.com

8 (702) 565-9730

9 Attorney for Petitioner

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

12 ASSOCIATED RISK MANAGEMENT, INC., )

13 )  
14 Petitioners, )

15 vs. )

) Case No.: A-19-792902-J

) Dept No.: X

16 MANUEL IBANEZ, THE DEPARTMENT OF )

17 ADMINISTRATION, HEARINGS DIVISION, )

18 APPEALS OFFICE, an agency of the State )

19 of Nevada )

20 Respondents. )  
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29 **ORDER GRANTING STAY**

30 On May 2, 2019, the Court considered Petitioner's motion for  
31 stay pending judicial review in chambers.

32 Having considered the pleadings, exhibits, and arguments of  
33 counsel, the Court finds that the Petitioner has satisfied the  
34 requirements defined by statutory and case law for the invocation  
35 of a Stay.

36 Accordingly, it is hereby ordered that Petitioner's  
37 application for Stay Pending Appeal is granted.  
38

1 Dated this 4 day of June, 2019

2  
3  
4   
5 JUDGE TIERRA JONES *98*

6 Respectfully submitted,

7 Law office of David H. Benavidez

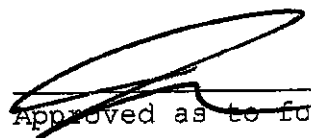
8  
9 By: 

10 David H. Benavidez, Esq.

11 850 S Boulder Hwy #375

12 Henderson, NV 89015

13 Attorney for Petitioner

14   
15 Approved as to form and content

16 Javier Arguello, Esq.

17 Attorney for Respondent

18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
THE LAW OFFICE OF  
DAVID H. BENAVIDEZ  
850 S. BOULDER HIGHWAY, #375  
HENDERSON, NEVADA 89015  
(702) 565-9730  
FAX (702) 568-1301

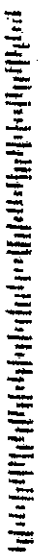
Eighth Judicial District Court Dept. 10  
Judge Tierra D. Jones  
200 Lewis Avenue  
Las Vegas, NV 89155

LAS VEGAS, NV 89101  
18 SEP 2019 PM 5:11



Law Office of David Benavidez  
850 S. Boulder Hwy. #375  
Henderson, NV 89015

89015-758450





1 **REQ**  
2 **DAVID H. BENAVIDEZ, ESQUIRE**  
3 Nevada Bar No. 004919  
4 **LAW OFFICE OF DAVID H. BENAVIDEZ**  
5 850 South Boulder Highway, #375  
6 Henderson, Nevada 89015  
7 Davidbenavidez@gmail.com  
8 (702) 565-9730  
9 Attorney for Petitioner

7 **DISTRICT COURT**  
8 **CLARK COUNTY, NEVADA**


9 ASSOCIATED RISK MANAGEMENT, INC., )  
10 )  
11 Petitioners, )  
12 vs. ) Case No.: A-19-792902-J  
13 ) Dept No.: 10  
14 MANUEL IBANEZ, THE DEPARTMENT OF )  
15 ADMINISTRATION, HEARINGS DIVISION, )  
16 APPEALS OFFICE, an agency of the State )  
17 of Nevada )  
18 Respondents. )

18 **REQUEST FOR ORDER SHORTENING TIME**

19 COMES NOW, the Petitioner Employers Insurance Company of  
20 Nevada, by and through its counsel David H. Benavidez, and  
21 requests an order shortening time for the motion for stay to be  
22 heard or considered.  
23

24 DATED this 12th day of April, 2019.

25 LAW OFFICE OF DAVID H. BENAVIDEZ

26   
27 \_\_\_\_\_  
28 David H. Benavidez, Esq.  
Counsel for Insurer

THE LAW OFFICE OF  
DAVID H. BENAVIDEZ  
850 S. BOULDER HIGHWAY, #375  
HENDERSON, NEVADA 89015  
(702) 565-9730  
FAX (702) 568-1301

THE LAW OFFICE OF  
DAVID H. BENAVIDEZ  
850 S. BOULDER HIGHWAY, #375  
HENDERSON, NEVADA 89015  
(702) 565-9730  
FAX (702) 568-1301

**AFFIDAVIT IN SUPPORT OF ORDER SHORTENING TIME**

STATE OF NEVADA       )  
                                  ss  
COUNTY OF CLARK       )

David H. Benavidez, being first duly sworn, deposes and  
says:

1. That affiant is an attorney authorized and duly licensed  
to practice law in the State of Nevada and is the attorney of  
record for Associated Risk Management, Inc.

2. The affidavit is made in support of an ex-parte order  
shortening time for this motion for stay to be heard.

3. Affiant has personal knowledge of all matters set forth  
herein, except those matters stated on information and belief, and  
is competent to testify thereto.

4. The above-named Affiant has good cause to request this  
Court for an order shortening time to consider the motion.

5. Per NRS 616C.375 and NRS 616C.380, Affiant has 30 days to  
appeal and have the stay heard and decided regarding the April 11,  
2019 decision. Without an expedited hearing on the merits, the  
time for a decision on the stay will expire as the district court  
is setting motions outside the 30 day window.

6. This motion and request for order shortening time is made

THE LAW OFFICE OF  
DAVID H. BENAVIDEZ  
850 S. BOULDER HIGHWAY, #375  
HENDERSON, NEVADA 89015  
(702) 568-9730  
FAX (702) 568-1301

1 in good faith and not for the purpose of undue advantage.

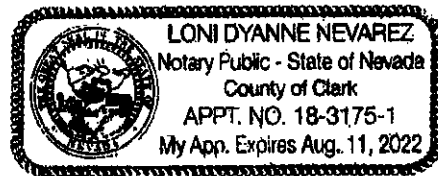
2 Further, affiant sayeth naught.

3 David H. Benavidez  
4 David H. Benavidez, Esquire

5 SUBSCRIBED and SWORN to before me

6 this 12TH day of APRIL, 2019.

7  
8 Loni Nevarez  
9 NOTARY PUBLIC, in and for said  
10 County and State



11 **ORDER SHORTENING TIME**

12 Good cause appearing therefor, it is hereby ordered that the  
13 time of hearing of the above-entitled matter be, and same will be  
14 heard on the 2nd day of May, 2019, at Chambers in  
15 department X of the Eighth Judicial District Court.

16 Dated this 15 day of April, 2019

17  
18  
19  
20 [Signature]  
21 DISTRICT COURT JUDGE  
22  
23  
24  
25  
26  
27  
28

CERTIFICATE OF MAILING

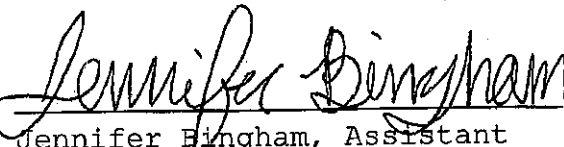
I, the undersigned, declare under penalty of perjury, that I am an employee of The Law Office of David H. Benavidez and on the 17th day of April, 2019, I deposited the foregoing **REQUEST FOR ORDER SHORTENING TIME** in the United States Mail, with first class postage fully prepaid thereon, sent by electronic delivery, or had hand-delivered, copies of the attached document addressed as follows:

Javier A Arguello, Esq.  
Benson Bertoldo Baker Carter  
7408 W Sahara Ave  
Las Vegas, NV 89122

Rafael Construction  
5870 Construction Avenue  
Las Vegas, NV 89122

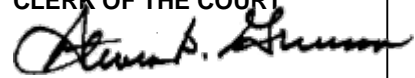
Richard Staub, Esq.  
P.O. Box 392  
Carson City, NV 89702

ARMI  
P.O. Box 4930  
Carson City, NV 89702

  
Jennifer Bingham, Assistant

THE LAW OFFICE OF  
DAVID H. BENAVIDEZ  
850 S. BOULDER HIGHWAY, #376  
HENDERSON, NEVADA 89015  
(702) 565-9730  
FAX (702) 568-1301





1 **ASTA**

2 **DAVID H. BENAVIDEZ, ESQUIRE**

3 Nevada Bar No. 004919

4 **LAW OFFICE OF DAVID H. BENAVIDEZ**

5 850 South Boulder Highway, #375

6 Henderson, Nevada 89015

7 Davidbenavidez@gmail.com

8 (702) 565-9730

9 Attorney for Appellant

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

12 ASSOCIATED RISK MANAGEMENT, INC., )

13 Appellant, )

14 vs. )

) Case No.: A-19-792902-J

) Dept No.: X (10)

15 MANUEL IBANEZ, THE DEPARTMENT OF )

16 ADMINISTRATION, HEARINGS DIVISION, )

17 APPEALS OFFICE, an agency of the State )

18 of Nevada )

19 Respondents. )

20 **CASE APPEAL STATEMENT**

21 1. Associated Risk Management, Inc., Appellant

22 2. District Court Judge Tierra Jones

23 3. Counsel for Appellant is as follows:

24 David H. Benavidez, Esquire

25 LAW OFFICE OF DAVID H. BENAVIDEZ

26 850 S. Boulder Highway, #375

27 Henderson, Nevada 89015

28 4. Counsel for Respondent Manuel Ibanez is as follows:

Javier A Arguello, Esq.  
Benson Bertoldo Baker Carter  
7408 W Sahara Ave  
Las Vegas, NV 89122

5. All attorneys identified in the above response are licensed to practice law in Nevada.

6. Appellant retained counsel in the district court.

7. Appellant is represented by retained counsel on appeal.

8. Appellant was not granted leave to proceed in forma pauperis.

9. The Petition for Judicial Review was filed on April 12, 2019.

10. The Appellant appealed an Appeals Officer's decision dated April 11, 2019, which reversed the August 28, 2018 Hearing Officer decision affirming the Administrator's July 9, 2018 determination denying the claimant's request for Permanent Temporary Disability (PTD) benefits. The District Court Judge denied the Petition for Judicial Review.

11. The case has not been previously the subject of an appeal to or original writ proceeding in the Supreme Court.

12. The appeal does not involve child custody or visitation.

13. The appeal involves the possibility of settlement.

1 DATED this 22<sup>nd</sup> day of January, 2020.

2  
3 By: David H. Benavidez  
4 David H. Benavidez, Esquire  
5 Nevada Bar No. 004919  
6 LAW OFFICE OF DAVID H. BENAVIDEZ  
7 850 S Boulder Hwy #375  
8 Henderson, NV 89015  
9 (702) 565-9730

10 **CERTIFICATE OF MAILING**

11 I, the undersigned, declare under penalty of perjury that I  
12 am an employee of the Law Office of David H. Benavidez, and on  
13 the 22<sup>nd</sup> day of January, 2020, I deposited the foregoing **CASE**  
14 **APPEAL STATEMENT** in the United States Mail, with first class  
15 postage fully prepaid thereon or sent via electronic delivery,  
16 addressed as follows:

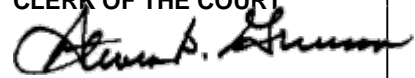
17 Javier A Arguello, Esq.  
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25 5870 Construction Avenue  
26 Las Vegas, NV 89122

27 Richard Staub, Esq.  
28 P.O. Box 392  
Carson City, NV 89702

29 Rose Mary Keys  
30 Rose Mary Keys, Paralegal



**BOND**

**DAVID H. BENAVIDEZ, ESQUIRE**

Nevada Bar No. 004919

**LAW OFFICE OF DAVID H. BENAVIDEZ**

850 South Boulder Highway, #375

Henderson, Nevada 89015

(702) 565-9730

Davidbenavidez@gmail.com

Attorney for Appellant

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

ASSOCIATED RISK MANAGEMENT, INC., )

Appellant, )

vs. )

) Case No.: A-19-792902-J

) Dept No.: X (10)

MANUEL IBANEZ, THE DEPARTMENT OF )

ADMINISTRATION, HEARINGS DIVISION, )

APPEALS OFFICE, an agency of the State )

of Nevada )

Respondents. )

**NOTICE OF FILING BOND FOR COSTS ON APPEAL**

**Date: N/A**

**Time: N/A**

**NOTICE IS HEREBY GIVEN** that Appellant Associated Risk Management, Inc., by and through attorney David H. Benavidez, deposited with the Country Clerk of this Court, in compliance with NRAP rule 7, a bond of security for costs on appeal in the sum of five hundred dollars (\$500.00), a copy of which is

///

1 attached hereto.

2 DATED this 22<sup>nd</sup> day of January, 2020.

3 LAW OFFICE OF DAVID H. BENAVIDEZ  
4

5  
6 By: David H. Benavidez  
7 David H. Benavidez, Esquire  
8 Nevada Bar No. 004919  
9 850 S Boulder Hwy #375  
10 Henderson, NV 89015  
11 Attorney for Appellant  
12  
13  
14  
15  
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THE LAW OFFICE OF DAVID H. BENAVIDEZ  
850 S. BOULDER HIGHWAY, #375  
HENDERSON, NEVADA 89015  
(702) 565-9730  
FAX (702) 568-1301

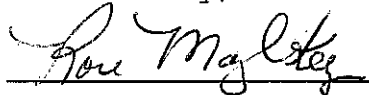
CERTIFICATE OF MAILING

I, the undersigned, declare under penalty of perjury, that I am an employee of the Law Office of David H. Benavidez, and on the 22<sup>nd</sup> day of January 2020, I deposited the foregoing **NOTICE OF FILING BOND FOR COSTS ON APPEAL** in the United States Mail, with first class postage fully prepaid thereon, sent via electronic delivery, or served using the Eighth Judicial District Court's E-File & Serve System, to the following:

Javier A Arguello, Esq.	ARMI
Benson Bertoldo Baker Carter	P.O. Box 4930
7408 W Sahara Ave	Carson City, NV 89702
Las Vegas, NV 89122	

Rafael Construction  
5870 Construction Avenue  
Las Vegas, NV 89122

Richard Staub, Esq.  
P.O. Box 392  
Carson City, NV 89702

  
Rose Mary Keys, Paralegal

# OFFICIAL RECEIPT

District Court Clerk of the Court 200 Lewis Ave, 3rd Floor Las Vegas, NV 89101

Payor  
The Law Office of David H Benavidez

Receipt No.  
**2020-04175-CCCLK**

Transaction Date  
01/22/2020

Description	Amount Paid
-------------	-------------

On Behalf Of Associated Risk Management, Inc.

A-19-792902-J

Associated Risk Management, Inc., Petitioner(s) vs. Manuel Ibanez, Respondent(s)

Appeal Bond

Appeal Bond

500.00

**SUBTOTAL**

**500.00**

**PAYMENT TOTAL**

**500.00**

Check (Ref #4945) Tendered

500.00

Total Tendered

**500.00**

Change

0.00

Notice of Appeal - filed 1/22/2020

01/22/2020  
03:29 PM

Cashier  
Station RJCC1

Audit  
37335142

**OFFICIAL RECEIPT**

## EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY****CASE NO. A-19-792902-J**

**Associated Risk Management, Inc., Petitioner(s)**  
**vs.**  
**Manuel Ibanez, Respondent(s)**

§  
 §  
 §  
 §  
 §

Location: **Department 10**  
 Judicial Officer: **Jones, Tierra**  
 Filed on: **04/12/2019**  
 Cross-Reference Case Number: **A792902**

**CASE INFORMATION**

Case Type: **Worker's Compensation Appeal**

Case Status: **04/12/2019 Open**

**DATE****CASE ASSIGNMENT****Current Case Assignment**

Case Number A-19-792902-J  
 Court Department 10  
 Date Assigned 04/12/2019  
 Judicial Officer Jones, Tierra

**PARTY INFORMATION**


**Petitioner** **Associated Risk Management, Inc.**


*Lead Attorneys*  
**Benavidez, David H**  
*Retained*  
 7025659730(W)


**Respondent** **Department of Administration**  
**Ibanez, Manuel**


**Arguello, Javier A**  
*Retained*  
 702-649-2600(W)


**DATE****EVENTS & ORDERS OF THE COURT****INDEX****EVENTS**

04/12/2019  Initial Appearance Fee Disclosure  
 Filed By: Petitioner Associated Risk Management, Inc.  
*Initial Appearance Fee Disclosure*

04/12/2019  Petition for Judicial Review  
 Filed by: Petitioner Associated Risk Management, Inc.  
*Petition for Judicial Review*

04/12/2019  Motion  
 Filed By: Petitioner Associated Risk Management, Inc.  
*Motion for Stay Pending Judicial Review*

04/17/2019  Request  
 Filed by: Petitioner Associated Risk Management, Inc.  
*Request for Order Shortening Time*

04/23/2019  Notice of Intent to Participate  
 Filed By: Respondent Ibanez, Manuel  
*Notice of Intent to Participate*



**CASE SUMMARY**  
**CASE NO. A-19-792902-J**

06/04/2019	 Transmittal of Record on Appeal Party: Respondent Department of Administration <i>TRANSMITTAL OF RECORD ON APPEAL (PART 1, INCLUDES DOCS 3-11)</i>
06/04/2019	 Transmittal of Record on Appeal Party: Respondent Department of Administration <i>TRANSMITTAL OF RECORD ON APPEAL (PART 2, INCLUDES DOCS 12-13)</i>
06/04/2019	 Affidavit Filed By: Respondent Department of Administration <i>AFFIDAVIT AND CERTIFICATION</i>
06/04/2019	 Certification of Transmittal Party: Respondent Department of Administration <i>CERTIFICATION OF TRANSMITTAL</i>
07/11/2019	 Petitioners Opening Brief Filed by: Respondent Ibanez, Manuel <i>Petitioner's Open Brief</i>
08/08/2019	 Answering Brief Filed By: Respondent Ibanez, Manuel <i>Respondent's Answering Brief</i>
09/05/2019	 Reply Filed by: Petitioner Associated Risk Management, Inc. <i>Petitioner's Reply Brief</i>
09/19/2019	 Notice of Hearing Filed By: Petitioner Associated Risk Management, Inc. <i>Notice of Hearing</i>
09/20/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
09/23/2019	 Notice of Entry of Order Filed By: Petitioner Associated Risk Management, Inc. <i>Notice of Entry of Order</i>
01/21/2020	 Order Denying Filed By: Respondent Ibanez, Manuel <i>Order</i>
01/22/2020	 Notice of Appeal Filed By: Petitioner Associated Risk Management, Inc. <i>Notice of Appeal</i>
01/22/2020	 Case Appeal Statement Filed By: Petitioner Associated Risk Management, Inc. <i>Case Appeal Statement</i>
01/22/2020	 Bond

**CASE SUMMARY****CASE NO. A-19-792902-J**

Filed By: Petitioner Associated Risk Management, Inc.

*Notice of Filing Bond for Costs on Appeal***DISPOSITIONS**

01/21/2020

**Order Denying Judicial Review** (Judicial Officer: Jones, Tierra)

Debtors: Associated Risk Management, Inc. (Petitioner)

Creditors: Manuel Ibanez (Respondent), Department of Administration (Respondent)

Judgment: 01/21/2020, Docketed: 01/22/2020

**HEARINGS**

05/02/2019

**Motion For Stay** (3:00 AM) (Judicial Officer: Jones, Tierra)

Events: 04/17/2019 Request

*Motion for Stay*

Minute Order - No Hearing Held;

Journal Entry Details:

*Following review of the papers and pleadings on file herein, COURT ORDERED, Motion for Stay is GRANTED under EDCR 2.20. CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of: Bertoldo, Baker, Carter, & Smith;*

10/22/2019

**Petition for Judicial Review** (9:30 AM) (Judicial Officer: Jones, Tierra)*Petitioner's Notice of Hearing*

Appeal Affirmed; Petitioner's Notice of Hearing

Journal Entry Details:

*Court noted Court read all the briefs. Arguments by Counsel regarding the clients' injury and continued treatment and not being stable. Counsel referred to cited case Hildebrand. Further arguments. Court did not find the Appeal's Officers findings were incorrect as a matter of law and therefore COURT ORDERED, these findings, AFFIRMED. Court directed Mr. Benavidez to prepare the order. CLERK'S NOTE: Court minutes completed by Kathy Thomas, through review of JAV's. kt 11/06/19.;***DATE****FINANCIAL INFORMATION****Petitioner** Associated Risk Management, Inc.

Total Charges

294.00

Total Payments and Credits

294.00

**Balance Due as of 1/23/2020****0.00****Respondent** Ibanez, Manuel

Total Charges

10.50

Total Payments and Credits

10.50

**Balance Due as of 1/23/2020****0.00****Petitioner** Associated Risk Management, Inc.

Appeal Bond Balance as of 1/23/2020

**500.00**

# DISTRICT COURT CIVIL COVER SHEET

County, Nevada

Case No. \_\_\_\_\_  
(Assigned by Clerk's Office)

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

<b>Plaintiff(s) (name/address/phone):</b> Associated Risk Management, Inc P.O. Box 4930 Carson City, NV 89702 (800)935-0640	<b>Defendant(s) (name/address/phone):</b> Manuel Paez 5620 Eugene Ave. Las Vegas, NV 89108
<b>Attorney (name/address/phone):</b> David H. Benavidez, Esq. 850 S. Boulder Highway #375 Henderson, NV 89015 (702)565-9730	<b>Attorney (name/address/phone):</b> Javier Arguello, Esq. 7408 W. Sahara Ave. Las Vegas, NV 89117 (702)228-2600

**CASE NO: A-19-792902-J**  
**Department 10**

## II. Nature of Controversy (please select the one most applicable filing type below)

### Civil Case Filing Types

<b>Real Property</b> <b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <b>Title to Property</b> <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property <b>Other Real Property</b> <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 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 checked="" 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> <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

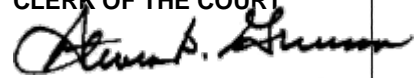
*Business Court filings should be filed using the Business Court civil coversheet.*

**April 12, 2019**

Date

Signature of initiating party or representative

See other side for family-related case filings.



**ORDR**

BERTOLDO, BAKER, CARTER & SMITH  
JAVIER A. ARGUELLO, ESQ.  
Nevada Bar No. 4908  
7408 W. Sahara Ave.  
Las Vegas, NV 89117  
Phone (702) 649-2600  
Fax (702) 657-1107  
Attorneys for Respondent  
MANUEL IBANEZ

DISTRICT COURT  
CLARK COUNTY, NEVADA

ASSOCIATED RISK MANAGEMENT, INC.,

Petitioner,

v.

MANUEL IBANEZ; and the STATE OF  
NEVADA, DEPARTMENT OF  
ADMINISTRATION, HEARINGS DIVISION,  
APPEALS OFFICER, An Agency of the State of  
Nevada,

Respondents.

Case No: A-19-792902-J  
Dept. No.: 10

**ORDER**

Petitioner's Petition for Judicial review having come on for hearing on October 22, 2019; the Petitioners were represented by their attorney of record, David H. Benavidez, Esq., of the law firm of DAVID H. BENAVIDEZ, and Respondent, MANUEL IBANEZ was represented by Javier A. Arguello, Esq., of the Law Offices of BERTOLDO, BAKER, CARTER & SMITH; The Court having been fully apprised of the matter and having heard arguments of counsel.

///

///

IT IS HEREBY ORDERED that Petitioner's Petition for Judicial Review is hereby  
DENIED.

DATED this 15 day of January 2020.


  
DISTRICT JUDGE

Respectfully submitted by:

BERTOLDO BAKER, CARTER & SMITH

DAVID H. BENAVIDEZ

  
JAVIER A. ARGUELLO, ESQ.  
Nevada Bar No. 4908  
7408 W. Sahara Ave.  
Las Vegas, NV 89117  
(702) 649-2600  
Attorneys for Respondent  
YEVGEN MALIMON

  
DAVID H. BENAVIDEZ, ESQ.  
Nevada Bar No. 4919  
850 S. Boulder Hwy. #375  
Henderson, NV 89015  
(702) 565-9730  
Attorneys for Petitioner

**CERTIFICATE OF MAILING**

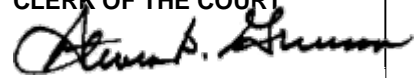
I HEREBY CERTIFY that I am an employee of BERTOLDO, BAKER, CARTER & SMITH and that, on the 21 day of January 2020, I deposited a true and correct copy of the above and foregoing **ORDER** in the U.S. Mail at Las Vegas, Nevada, enclosed in a sealed envelope upon which first-class postage was fully prepaid, addressed to the following:

DAVID H. BENAVIDEZ, Esq.  
850 S. Boulder Hwy. #375  
Henderson, NV 89015

Richard Staub, Esq.  
PO Box 392  
Carson City, NV 89701

Associated Risk Mgmt., Inc.  
PO Box 4930  
Carson City, NV 89702-4930

  
\_\_\_\_\_  
An Employee of BERTOLDO, BAKER, CARTER & SMITH



1 NOTC

2 DAVID H. BENAVIDEZ, ESQUIRE

3 Nevada Bar No. 004919

4 LAW OFFICE OF DAVID H. BENAVIDEZ

5 850 South Boulder Highway, #375

6 Henderson, Nevada 89015

7 Davidbenavidez@gmail.com

8 Attorney for Petitioner

9  
10 DISTRICT COURT  
11 CLARK COUNTY, NEVADA

12 ASSOCIATED RISK MANAGEMENT, INC., )

13 Petitioner, )

14 vs. )

Case No.: A-19-792902-J

Dept No.: X

15 MANUEL IBANEZ, THE DEPARTMENT OF )

16 ADMINISTRATION, HEARINGS DIVISION, )

17 APPEALS OFFICE, an agency of the State )

18 of Nevada )

19 Respondents. )

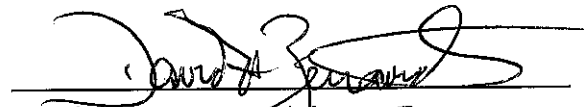
20 NOTICE OF ENTRY OF ORDER

21 TO: ADAM MUSLUSKY, ATTORNEY FOR MANUEL IBANEZ, RESPONDENT;

22 TO: DEPARTMENT OF ADMINISTRATION, APPEAL DIVISION:

23 Notice is hereby given that the Order Granting Stay was  
24 signed by the Court on June 4, 2019 and mailed to Petitioner's  
25 Counsel on September 18, 2019, a copy of which is attached  
26 hereto.

27 Dated this 23rd day of September, 2019.

28   
David H. Benavidez, Esq.  
Attorney for Petitioner

THE LAW OFFICE OF DAVID H. BENAVIDEZ  
850 S. BOULDER HIGHWAY, #375  
HENDERSON, NEVADA 89015  
(702) 565-9730  
FAX (702) 568-1301

THE LAW OFFICE OF DAVID H. BENAVIDEZ  
850 S. BOULDER HIGHWAY, #375  
HENDERSON, NEVADA 89015  
(702) 565-9730  
FAX (702) 568-1301

CERTIFICATE OF MAILING

I, the undersigned, declare under penalty of perjury, that I am an employee of The Law Office of David H. Benavidez and on the 23rd day of September 2019, I deposited the foregoing **NOTICE OF ENTRY OF ORDER** in the United States Mail, with first class postage fully prepaid thereon, sent by electronic delivery, or served using the E-file and Serve System which will send a notice of the electronic service to the parties listed on the service list, addressed as follows:

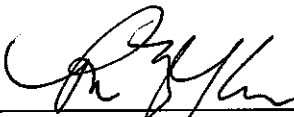
Javier Arguello, Esq.  
7408 W. Sahara Ave.  
Las Vegas, NV 89117

Richard Staub, Esq.  
PO Box 392  
Carson City NV 89702

Rafael Construction  
5870 Construction Avenue  
Las Vegas, NV 89122

Associated Risk Mgmt, Inc.  
PO Box 4930  
Carson City NV 89702-4930

Department of Administration  
Appeals Division  
2200 S. Rancho Dr. #220  
Las Vegas, NV 89102

  
\_\_\_\_\_  
Rose Mary Keys, Paralegal



THE LAW OFFICE OF  
DAVID H. BENAVIDEZ  
850 S. BOULDER HIGHWAY, #375  
HENDERSON, NEVADA 89015  
(702) 565-9730  
FAX (702) 568-1301

ORDG

DAVID H. BENAVIDEZ, ESQUIRE

Nevada Bar No. 004919

LAW OFFICE OF DAVID H. BENAVIDEZ

850 South Boulder Highway, #375

Henderson, Nevada 89015

Davidbenavidez@gmail.com

(702) 565-9730

Attorney for Petitioner

DISTRICT COURT  
CLARK COUNTY, NEVADA

ASSOCIATED RISK MANAGEMENT, INC.,

Petitioners,

vs.

MANUEL IBANEZ, THE DEPARTMENT OF  
ADMINISTRATION, HEARINGS DIVISION,  
APPEALS OFFICE, an agency of the State  
of Nevada

Respondents.

) Case No.: A-19-792902-J

) Dept No.: X

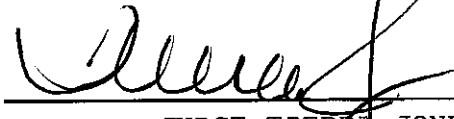
ORDER GRANTING STAY

On May 2, 2019, the Court considered Petitioner's motion for  
stay pending judicial review in chambers.

Having considered the pleadings, exhibits, and arguments of  
counsel, the Court finds that the Petitioner has satisfied the  
requirements defined by statutory and case law for the invocation  
of a Stay.

Accordingly, it is hereby ordered that Petitioner's  
application for Stay Pending Appeal is granted.

Dated this 4 day of June, 2019

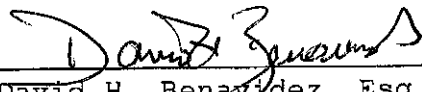


JUDGE TIERRA JONES

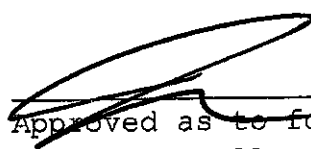
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Respectfully submitted,

Law office of David H. Benavidez

By: 

David H. Benavidez, Esq.  
850 S Boulder Hwy #375  
Henderson, NV 89015  
Attorney for Petitioner

  
Approved as to form and content  
Javier Arguello, Esq.  
Attorney for Respondent

THE LAW OFFICE OF  
DAVID H. BENAVIDEZ  
850 S. BOULDER HIGHWAY, #375  
HENDERSON, NEVADA 89015  
(702) 565-9730  
FAX (702) 568-1301

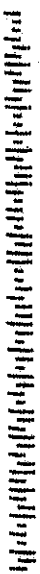
Eighth Judicial District Court Dept. 10  
Judge Tierra D. Jones  
200 Lewis Avenue  
Las Vegas, NV 89155

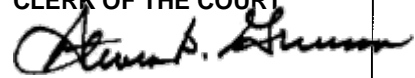
LAS VEGAS NV EEO  
18 SEP 2019 PM 5 L



Law Office of David Benavidez  
850 S. Boulder Hwy. #375  
Henderson, NV 89015

89015-756450





1 **REQ**

2 **DAVID H. BENAVIDEZ, ESQUIRE**

3 Nevada Bar No. 004919

4 **LAW OFFICE OF DAVID H. BENAVIDEZ**

5 850 South Boulder Highway, #375

6 Henderson, Nevada 89015

7 Davidbenavidez@gmail.com

8 (702) 565-9730

9 Attorney for Petitioner

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

12 ASSOCIATED RISK MANAGEMENT, INC., )

13 )  
14 Petitioners, )

15 vs. )

16 ) Case No.: A-19-792902-J

17 ) Dept No.: 10

18 MANUEL IBANEZ, THE DEPARTMENT OF )

19 ADMINISTRATION, HEARINGS DIVISION, )

20 APPEALS OFFICE, an agency of the State )

21 of Nevada )


22 Respondents. )  
23 )  
24 )  
25 )  
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27 )  
28 )

29 **REQUEST FOR ORDER SHORTENING TIME**

30 COMES NOW, the Petitioner Employers Insurance Company of  
31 Nevada, by and through its counsel David H. Benavidez, and  
32 requests an order shortening time for the motion for stay to be  
33 heard or considered.

34 DATED this 12th day of April, 2019.

35 LAW OFFICE OF DAVID H. BENAVIDEZ

36   
37 \_\_\_\_\_  
38 David H. Benavidez, Esq.  
Counsel for Insurer

THE LAW OFFICE OF  
DAVID H. BENAVIDEZ  
850 S. BOULDER HIGHWAY, #375  
HENDERSON, NEVADA 89015  
(702) 565-9730  
FAX (702) 568-1301

THE LAW OFFICE OF  
DAVID H. BENAVIDEZ  
850 S. BOULDER HIGHWAY, #375  
HENDERSON, NEVADA 89015  
(702) 565-9730  
FAX (702) 568-1301

**AFFIDAVIT IN SUPPORT OF ORDER SHORTENING TIME**

STATE OF NEVADA       )  
                                  ss  
COUNTY OF CLARK       )

David H. Benavidez, being first duly sworn, deposes and  
says:

1. That affiant is an attorney authorized and duly licensed  
to practice law in the State of Nevada and is the attorney of  
record for Associated Risk Management, Inc.

2. The affidavit is made in support of an ex-parte order  
shortening time for this motion for stay to be heard.

3. Affiant has personal knowledge of all matters set forth  
herein, except those matters stated on information and belief, and  
is competent to testify thereto.

4. The above-named Affiant has good cause to request this  
Court for an order shortening time to consider the motion.

5. Per NRS 616C.375 and NRS 616C.380, Affiant has 30 days to  
appeal and have the stay heard and decided regarding the April 11,  
2019 decision. Without an expedited hearing on the merits, the  
time for a decision on the stay will expire as the district court  
is setting motions outside the 30 day window.

6. This motion and request for order shortening time is made

1 in good faith and not for the purpose of undue advantage.

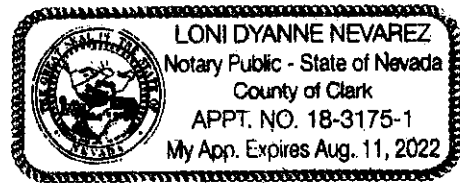
2 Further, affiant sayeth naught.

3  
4 David H. Benavidez  
5 David H. Benavidez, Esquire

6 SUBSCRIBED and SWORN to before me

7 this 12<sup>TH</sup> day of APRIL, 2019.

8  
9 Loni Nevarez  
10 NOTARY PUBLIC, in and for said  
11 County and State



12 **ORDER SHORTENING TIME**

13 Good cause appearing therefor, it is hereby ordered that the  
14 time of hearing of the above-entitled matter be, and same will be  
15 heard on the 2<sup>nd</sup> day of May, 2019, at Chambers in  
16 department X of the Eighth Judicial District Court.

17  
18 Dated this 15 day of April, 2019

19  
20 [Signature]  
21 DISTRICT COURT JUDGE  
22  
23  
24  
25  
26  
27  
28

Sw

THE LAW OFFICE OF  
DAVID H. BENAVIDEZ  
850 S. BOULDER HIGHWAY, #375  
HENDERSON, NEVADA 89015  
(702) 565-9730  
FAX (702) 568-1301

CERTIFICATE OF MAILING

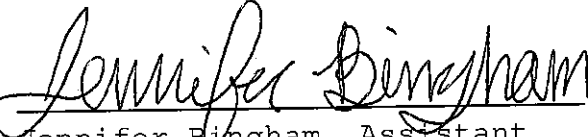
I, the undersigned, declare under penalty of perjury, that I am an employee of The Law Office of David H. Benavidez and on the 17th day of April, 2019, I deposited the foregoing **REQUEST FOR ORDER SHORTENING TIME** in the United States Mail, with first class postage fully prepaid thereon, sent by electronic delivery, or had hand-delivered, copies of the attached document addressed as follows:

Javier A Arguello, Esq.  
Benson Bertoldo Baker Carter  
7408 W Sahara Ave  
Las Vegas, NV 89122

Rafael Construction  
5870 Construction Avenue  
Las Vegas, NV 89122

Richard Staub, Esq.  
P.O. Box 392  
Carson City, NV 89702

ARMY  
P.O. Box 4930  
Carson City, NV 89702

  
Jennifer Bingham, Assistant

THE LAW OFFICE OF  
DAVID H. BENAVIDEZ  
850 S. BOULDER HIGHWAY, #375  
HENDERSON, NEVADA 89015  
(702) 565-9730  
FAX (702) 568-1301

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Worker's Compensation  
Appeal**

**COURT MINUTES**

**May 02, 2019**

---

A-19-792902-J      Associated Risk Management, Inc., Petitioner(s)  
vs.  
Manuel Ibanez, Respondent(s)

---

**May 02, 2019      3:00 AM      Motion For Stay**

**HEARD BY:** Jones, Tierra      **COURTROOM:** RJC Courtroom 14B

**COURT CLERK:** Shannon Emmons

**RECORDER:** Victoria Boyd

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Following review of the papers and pleadings on file herein, COURT ORDERED, Motion for Stay is GRANTED under EDCR 2.20.

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of: Bertoldo, Baker, Carter, & Smith



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Worker's Compensation  
Appeal**

**COURT MINUTES**

**October 22, 2019**

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A-19-792902-J      Associated Risk Management, Inc., Petitioner(s)  
vs.  
Manuel Ibanez, Respondent(s)

---

**October 22, 2019      9:30 AM      Petition for Judicial Review      Petitioner's Notice of  
Hearing**

**HEARD BY:** Jones, Tierra

**COURTROOM:** RJC Courtroom 14B

**COURT CLERK:** Teri Berkshire

**RECORDER:** Victoria Boyd

**REPORTER:**

**PARTIES**

**PRESENT:**      Arguello, Javier   A      Attorney  
Benavidez, David   H      Attorney

**JOURNAL ENTRIES**

- Court noted Court read all the briefs. Arguments by Counsel regarding the clients' injury and continued treatment and not being stable. Counsel referred to cited case Hildebrand. Further arguments. Court did not find the Appeal's Officers findings were incorrect as a matter of law and therefore COURT ORDERED, these findings, AFFIRMED. Court directed Mr. Benavidez to prepare the order.

CLERK'S NOTE: Court minutes completed by Kathy Thomas, through review of JAV's. kt 11/06/19.



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

**DAVID H. BENAVIDEZ, ESQ.**  
**850 S. BOULDER HIGHWAY, #375**  
**HENDERSON, NV 89015**

**DATE: January 23, 2020**  
**CASE: A-19-792902-J**

**RE CASE:** ASSOCIATED RISK MANAGEMENT, INC. vs. MANUEL IBANEZ; THE DEPARTMENT OF  
ADMINISTRATION, HEARINGS DIVISION, APPEALS OFFICE

NOTICE OF APPEAL FILED: January 22, 2020

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☐ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)\*\*
  - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)\*\*
- ☐ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)\*\*
  - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☐ Case Appeal Statement
  - NRAP 3 (a)(1), Form 2
- ☒ Order (*Order attached to Notice of Entry of Order filed September 23, 2019 is unfiled*)
- ☒ Notice of Entry of Order (*for Order filed January 21, 2020*)

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

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

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

---

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

# Certification of Copy

State of Nevada }  
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; NOTICE OF FILING  
BOND FOR COSTS OF APPEAL; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET;  
ORDER; NOTICE OF ENTRY OF ORDER; REQUEST FOR ORDER SHORTENING TIME;  
DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

ASSOCIATED RISK MANAGEMENT, INC.,

Plaintiff(s),

vs.

MANUEL IBANEZ; THE DEPARTMENT OF  
ADMINISTRATION, HEARINGS DIVISION,  
APPEALS OFFICE,

Defendant(s),

Case No: A-19-792902-J

Dept No: X

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 23 day of January 2020.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk

THE LAW OFFICE OF DAVID H. BENAVIDEZ

850 S BOULDER HWY., STE. 375  
HENDERSON, NV 89015-7564

90-7182/3222

4944

DATE

1/22/19

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ORDER OF

Supreme Court of Nevada

\$ 250.00

Two Hundred & Fifty <sup>00</sup>/<sub>100</sub>

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Margaret Isabel Appell

David H. Benavidez

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