

1 **\$2515**  
2 MARK G. SIMONS, ESQ.  
3 Nevada Bar No. 5132  
4 MSimons@SHJNevada.com  
5 SIMONS HALL JOHNSTON PC  
6 6490 S. McCarran Blvd., Ste. F-46  
7 Reno, Nevada 89509  
8 Telephone: (775) 785-0088  
9 Facsimile: (775) 785-0087

Electronically Filed  
Mar 23 2020 03:22 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

6 *Attorneys for Waste Management of Nevada, Inc.*

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8  
9 **IN THE SECOND JUDICIAL DISTRICT COURT FOR THE STATE OF NEVADA**  
10 **IN AND FOR THE COUNTY OF WASHOE**

11 WEST TAYLOR STREET, LLC, a limited  
12 liability company,

13 Plaintiffs,

14 vs.

15 WASTE MANAGEMENT OF NEVADA,  
16 INC., KAREN GONZALEZ, and DOES 1  
17 THROUGH 10,

17 Defendants.

**CASE NO.: CV12-02995**

**DEPT. NO.: 4**

**NOTICE OF APPEAL**

19 NOTICE IS HEREBY GIVEN that Waste Management of Nevada, Inc. ("Waste  
20 Management"), by and through its attorney Mark G. Simons of Simons Hall Johnston PC,  
21 appeals to the Nevada Supreme Court from the Order Denying Waste Management of  
22 Nevada, Inc.'s Motion for Award of Attorneys' Fees, entered on March 10, 2020.

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SIMONS HALL JOHNSTON PC  
6490 S. McCarran Blvd., Ste. F-46  
Reno, NV 89509  
Phone: (775) 785-0088

1       **AFFIRMATION:** This document does not contain the social security number of any  
2 person.

3       DATED this 17<sup>th</sup> day of March, 2020.

4                               SIMONS HALL JOHNSTON PC  
5                               6490 S. McCarran Blvd., Ste. F-46  
6                               Reno, NV 89509

7                               By: 

8                               MARK G. SIMONS  
9                               Attorneys for Waste Management of Nevada, Inc.  
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**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I certify that I am an employee of SIMONS HALL JOHNSTON PC and that on this date I caused to be served a true copy of **NOTICE OF APPEAL** on all parties to this action by the method(s) indicated below:

- ☐ by placing an original or true copy thereof in a sealed envelope, with sufficient postage affixed thereto, in the United States mail at Reno, Nevada, addressed to:

C. Nicholas Pereos, Esq.  
1610 Meadow Wood Lane, Ste. 202  
Reno, NV 89502  
*Attorney for West Taylor Street, LLC*

- ☒ I hereby certify that on the date below, I electronically filed the foregoing with the Clerk of the Court by using the ECF system which served the following parties electronically:

C. Nicholas Pereos, Esq.  
*Attorneys for West Taylor Street, LLC*

DATED this 19 day of March, 2020.

  
\_\_\_\_\_  
Employee of Simons Hall Johnston PC

1 **1310**  
MARK G. SIMONS, ESQ.  
2 Nevada Bar No. 5132  
MSimons@SHJNevada.com  
3 SIMONS HALL JOHNSTON PC  
6490 S. McCarran Blvd., Ste. F-46  
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6 *Attorneys for Waste Management of Nevada, Inc.*

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8  
9 **IN THE SECOND JUDICIAL DISTRICT COURT FOR THE STATE OF NEVADA**  
10 **IN AND FOR THE COUNTY OF WASHOE**

11 WEST TAYLOR STREET, LLC, a limited  
12 liability company,

13 Plaintiffs,

14 vs.

15 WASTE MANAGEMENT OF NEVADA,  
16 INC., KAREN GONZALEZ, and DOES 1  
THROUGH 10,

17 Defendants.

**CASE NO.: CV12-02995**

**DEPT. NO.: 4**

**CASE APPEAL STATEMENT**

18  
19 Pursuant to NRAP 3(f), Defendant Waste Management of Nevada, Inc. ("Waste  
20 Management") submits the following Case Appeal Statement:

21 **1. The district court case number and caption showing the names of all**  
22 **of the proceedings below are both set forth above in the caption to this Case**  
23 **Appeal Statement.**

24 **2. Judge issuing decision, judgment or order appealed from:** Honorable  
25 Connie J. Steinheimer.

26 ///

27 ///

1           **3. Appellant and Appellant's counsel:**

2           WASTE MANAGEMENT OF NEVADA, INC.

3           c/o Mark G. Simons, Esq. (SBN 5132)  
4           SIMONS HALL JOHNSTON PC  
5           6490 S. McCarran Blvd., Ste. F-46  
6           Reno, Nevada 89509  
7           Telephone: (775) 785-0088

8           **4. Respondents and Respondent's counsel:**

9           WEST TAYLOR STREET, LLC.

10           c/o C. Nicholas Pereos, Esq.  
11           1610 Meadow Wood Lane, Ste. 202  
12           Reno, Nevada 89502  
13           (775) 329-0678

14           **5. Whether any identified attorney is not licensed to practice law in**  
15           **Nevada:** No.

16           **6. Whether Appellant was represented by appointed counsel in district**  
17           **court or on appeal:** No. Appellant has been and will continue to be represented by  
18           retained counsel.

19           **7. Whether Appellant was granted leave to proceed *in forma pauperis*:** No.

20           **8. Date that proceedings commenced in district court:** December 3, 2012.

21           **9. A brief description of the nature of the action and result in the district**  
22           **court, including the type of judgment or order being appealed and the relief granted**  
23           **by the district court:**

24           West Taylor Street ("WTS") filed the underlying action contending that Waste  
25           Management illegally recorded garbage liens against its property for non-payment of  
26           garbage fees. WTS's arguments contradicted the clear and unambiguous language of  
27           Nevada's garbage lien statute embodied in NRS 444.520(1). WTS argued that even  
28           though NRS 444.520(1) only referenced incorporation of the mechanic's lien "foreclosure"  
             statute, the District Court should require adoption of all of the mechanic's lien  
             requirements regarding perfection, timing and duration, and not and not just the single  
             "foreclosure" statute specifically referenced in NRS 444.520(3). Further, WTS argued

1 that the "perpetual" garbage lien should be subject to a statute of limitations. The District  
2 Court adopted the arguments presented by WTS.

3 Waste Management appealed the District Court's determination and it held the  
4 District Court erroneously granted summary judgment in favor of WTS based upon an  
5 incorrect and unsupported interpretation of NRS 444.520. In so ruling, the Nevada  
6 Supreme Court found that NRS 444.520(3)'s provisions were "clear on its face" and then  
7 applied the statute according to its "plain meaning." Further, the Nevada Supreme Court  
8 held:

9 [T]he district court erred in incorporating into NRS 444.520 the perfections  
10 requirements under the mechanics' lien statute as outlined in NRS 108.226, which  
11 is separate from NRS 108.239's foreclosure procedure. . . . under the plain  
12 language of the garbage lien statute, the perfection requirements of the mechanics'  
13 lien statute, or any other requirements that do not involve the foreclosure of a  
14 mechanics' lien, are not incorporated. The district court erred when it incorporated  
15 anything beyond NRS 108.239 into the garbage lien statute. Accordingly, we hold  
16 that the district court erred in concluding that Waste Management needed to record  
17 its lien within 90 days of completing the work in accordance with NRS 108.226,  
18 and we reverse the district court's order on this ground.

19 In addition, the Nevada Supreme Court found that this Court erred in applying a two (2)  
20 year statute of limitations to the foreclosure of the garbage lien because: "a garbage lien  
21 is perpetual, it is not subject to a statute of limitations." The Nevada Supreme Court then  
22 reversed and remanded for further proceedings in this Court "consistent with [the  
23 Decision.]."

24 Upon remand, after prevailing in the litigation before the Nevada Supreme Court,  
25 Waste Management sought recovery of its attorneys' fees and costs based upon an Offer  
26 of Judgment (the "Offer"). The District Court found Waste Management's Offer was made  
27 in good faith, in both timing and amount, and that the requested attorneys' fees were  
28 reasonable and justified in amount.

However, the District Court denied Waste Management's request reasoning WTS's

claims were brought in good faith because Waste Management removed its liens (based upon the District Court's erroneous decision) and WTS's decision to "reject the offer and proceed to trial was not grossly unreasonable, nor was it made in bad faith." However, the matter did not proceed to trial. Also, WTS pursued its vindictive claims against Waste Management even though WTS did in fact owe money to Waste Management and WTS did not sustain any special damages and Waste Management had released its liens due to the District Court's erroneous order. Based upon the District Court's erroneous conclusions, this appeal is proceeding.

**10. Whether the case has previously been the subject of an appeal or original proceeding:** Yes.

- Case No. 69307 (initial appeal—voluntarily dismissed);
- Case No. 70540 (writ proceedings—denied); and
- Case No. 74876 (appeal resulting in reversal and remand).

**11. Whether the appeal involves child custody or visitation:** No.

**12. Whether the appeal involves the possibility of settlement:** No.

**AFFIRMATION:** This document does not contain the social security number of any person.

DATED this 20<sup>th</sup> day of March, 2020.

SIMONS HALL JOHNSTON PC  
6490 S. McCarran Blvd., Ste. F-46  
Reno, NV 89509

By: 

MARK G. SIMONS

*Attorneys for Waste Management of Nevada, Inc.*

SIMONS HALL JOHNSTON PC  
6490 S. McCarran Blvd., Ste. F-46  
Reno, NV 89509  
Phone: (775) 785-0088

**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I certify that I am an employee of SIMONS HALL JOHNSTON PC and that on this date I caused to be served a true copy of **CASE APPEAL STATEMENT** on all parties to this action by the method(s) indicated below:

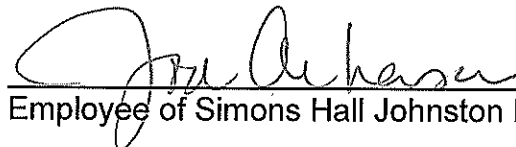
- ☐ by placing an original or true copy thereof in a sealed envelope, with sufficient postage affixed thereto, in the United States mail at Reno, Nevada, addressed to:

C. Nicholas Pereos, Esq.  
1610 Meadow Wood Lane, Ste. 202  
Reno, NV 89502  
*Attorney for West Taylor Street, LLC*

- ☒ I hereby certify that on the date below, I electronically filed the foregoing with the Clerk of the Court by using the ECF system which served the following parties electronically:

C. Nicholas Pereos, Esq.  
*Attorneys for West Taylor Street, LLC*

DATED this 19 day of March, 2020.

  
Employee of Simons Hall Johnston PC



**SECOND JUDICIAL DISTRICT COURT  
STATE OF NEVADA  
COUNTY OF WASHOE**

**Case History - CV12-02995**

**Case Description: WEST TAYLOR STREET VS WASTE MANAGEMENT, ET AL (D4)**

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**Case Number: CV12-02995 Case Type: SPECIFIC PERFORMANCE - Initially Filed On: 12/3/2012**

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**Parties**

<u>Party Type &amp; Name</u>	<u>Party Status</u>
JUDG - CONNIE J. STEINHEIMER - D4	Active
PLTF - WEST TAYLOR STREET LLC - @1233200	Active
DEFT - WASTE MANAGEMENT OF NEVADA INC - @1233201	Active
DEFT - KAREN GONZALEZ - @1233202	Party ended on: 3/28/2017 12:00:00AM
ATTY - Matthew B. Hippler, Esq. - 7015	Party ended on: 11/3/2015 12:00:00AM
ATTY - Mark G. Simons, Esq. - 5132	Active
ATTY - Bryan L. Wright, Esq - 10804	Party ended on: 2/10/2015 12:00:00AM
ATTY - Gregory S. Gilbert - 6310	Party ended on: 11/3/2015 12:00:00AM
ATTY - Therese M. Shanks, Esq. - 12890	Active
ATTY - Sean D. Thueson, Esq. - 8690	Party ended on: 7/17/2015 12:00:00AM
ATTY - Douglas Keith Fermoile, Esq. - 662	Active
ATTY - C. Nicholas Pereos, Esq. - 13	Active

**Disposed Hearings**

- 
- 1 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 2/15/2013 at 09:05:00  
Extra Event Text: MOTION FOR JUDGMENT BY DEFAULT (PAPER ORDER PROVIDED)  
Event Disposition: S200 - 3/25/2013
  - 2 Department: D4 -- Event: PROVE UP HEARING -- Scheduled Date & Time: 4/29/2013 at 15:00:00  
Extra Event Text: RE: DAMAGES  
Event Disposition: D435 - 4/29/2013
  - 3 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 6/6/2013 at 14:14:00  
Extra Event Text: PLTFs MOTION FOR JUDGMENT BY DEFAULT (PAPER ORDER PROVIDED)  
Event Disposition: S200 - 7/3/2013
  - 4 Department: D4 -- Event: HEARING... -- Scheduled Date & Time: 7/16/2013 at 14:00:00  
Extra Event Text: (TELEPHONIC) RE: MOTION FOR ORDER SHORTENING TIME  
Event Disposition: D435 - 7/16/2013
  - 5 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 7/16/2013 at 14:55:00  
Extra Event Text: DEFTs MOTIONS TO SET ASIDE DEFAULT/DEFAULT JUDGMENT (NO PAPER ORDER PROVIDED)  
Event Disposition: S200 - 8/26/2013
  - 6 Department: D4 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 2/5/2014 at 13:30:00  
Extra Event Text: (TELEPHONIC) MR. WRIGHT TO INITIATE  
Event Disposition: D435 - 2/5/2014
  - 7 Department: D4 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 2/12/2014 at 09:00:00  
  
Event Disposition: D844 - 1/24/2014

**Report Does Not Contain Sealed Cases or Confidential Information**

- 8 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 3/12/2014 at 08:45:00  
Extra Event Text: SUBMISSION OF PLAINTIFF'S MOTION TO EXTEND DATE TO AMEND PLEADINGS;ALTERNATIVELY, SECOND MOTIN FOR LEAVE TO FILE  
Event Disposition: S200 - 4/7/2014
- 9 Department: D4 -- Event: STATUS CONFERENCE -- Scheduled Date & Time: 4/3/2014 at 14:00:00  
Extra Event Text: /ORAL ARGUMENTS ON ANY SUBMITTED MOTIONS  
Event Disposition: D844 - 3/12/2014
- 10 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 4/14/2014 at 08:56:00  
Extra Event Text: MOTION FOR PARTIAL SUMMARY JUDGMENT  
Event Disposition: S200 - 4/16/2014
- 11 Department: D4 -- Event: STATUS CONFERENCE -- Scheduled Date & Time: 4/23/2014 at 09:30:00  
Extra Event Text: /ORAL ARGUMENTS ON ANY SUBMITTED MOTIONS  
Event Disposition: D870 - 4/22/2014
- 12 Department: D4 -- Event: STATUS CONFERENCE -- Scheduled Date & Time: 5/7/2014 at 10:00:00  
Extra Event Text: //ORAL ARGUMENTS ON ANY SUBMITTED MOTIONS  
Event Disposition: D435 - 5/7/2014
- 13 Department: D4 -- Event: TRIAL - JURY -- Scheduled Date & Time: 6/9/2014 at 10:00:00  
Extra Event Text: [2ND SET-4 DAYS]  
Event Disposition: D845 - 5/16/2014
- 14 Department: D4 -- Event: DECISION -- Scheduled Date & Time: 7/30/2014 at 09:00:00  
Extra Event Text: ON MOTION FOR SUMMARY JUDGMENT/STATUS CONFERENCE  
Event Disposition: D435 - 7/30/2014
- 15 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 12/2/2014 at 11:28:00  
Extra Event Text: MOTION FOR PARTIAL RECONSIDERATION OF THE COURT'S JULY 28, 2014 ORDER (NO ORDER PROVIDED)  
Event Disposition: S200 - 2/6/2015
- 16 Department: D4 -- Event: STATUS CONFERENCE -- Scheduled Date & Time: 12/16/2014 at 14:00:00  
  
Event Disposition: D870 - 12/4/2014
- 17 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 5/13/2015 at 14:13:00  
Extra Event Text: SECOND MOTION FOR PARTIAL SUMMARY JUDGMENT (NO PAPER ORDER)  
Event Disposition: S200 - 7/1/2015
- 18 Department: D4 -- Event: MOTION ... -- Scheduled Date & Time: 7/1/2015 at 13:30:00  
Extra Event Text: FOR PARTIAL SUMMARY JUDGMENT  
Event Disposition: D425 - 7/1/2015
- 19 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 9/25/2015 at 14:00:00  
Extra Event Text: JUDGMENT FOR PARTIAL SUMMARY JUDGMENT (ORDER PROVIDED)  
Event Disposition: S200 - 10/1/2015
- 20 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 10/25/2016 at 09:29:00  
Extra Event Text: MOTION FOR SUMMARY JUDGMENT ON PLAINTIFF'S SLANDER OF TITLE CLAIM (NO ORDER)  
Event Disposition: S200 - 1/3/2017
- 21 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 2/22/2017 at 14:00:00  
Extra Event Text: MOTION FOR SUMMARY JUDGMENT TAKEN UNDER ADVISEMENT AFTER ORAL ARGUMENTS  
Event Disposition: S200 - 3/28/2017

- 22 Department: D4 -- Event: ORAL ARGUMENTS -- Scheduled Date & Time: 2/22/2017 at 14:00:00  
Extra Event Text: ON DFT'S MOTION FOR SUMMARY JUDGMENT  
Event Disposition: D840 - 2/22/2017
  
- 23 Department: D4 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 4/5/2017 at 09:00:00  
  
Event Disposition: D435 - 4/5/2017
  
- 24 Department: D4 -- Event: STATUS HEARING -- Scheduled Date & Time: 8/30/2017 at 14:30:00  
  
Event Disposition: D435 - 8/30/2017
  
- 25 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 9/19/2017 at 15:25:00  
Extra Event Text: MOTION IN LIMINE #1 RE: EXCLUSION OF C. NICHOLAS PEREOS AS TRIAL ADVOCATE  
Event Disposition: S200 - 11/3/2017
  
- 26 Department: D4 -- Event: STATUS CONFERENCE -- Scheduled Date & Time: 9/20/2017 at 09:00:00  
  
Event Disposition: D845 - 9/12/2017
  
- 27 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 9/20/2017 at 13:36:00  
Extra Event Text: PLAINTIFFS MOTION IN LIMINE NUMBER ONE FILED 8/14/17  
Event Disposition: S200 - 11/3/2017
  
- 28 Department: D4 -- Event: TRIAL - JURY -- Scheduled Date & Time: 10/16/2017 at 10:00:00  
Extra Event Text: [1ST SET-3 DAYS]  
Event Disposition: D845 - 8/30/2017
  
- 29 Department: D4 -- Event: EXHIBITS TO BE MARKED W/CLERK -- Scheduled Date & Time: 11/9/2017 at 10:30:00  
  
Event Disposition: D865 - 11/7/2017
  
- 30 Department: D4 -- Event: TRIAL - JURY -- Scheduled Date & Time: 11/13/2017 at 10:00:00  
Extra Event Text: (3 DAYS)  
Event Disposition: D865 - 11/7/2017
  
- 31 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 12/21/2017 at 13:53:00  
Extra Event Text: JUDGMENT  
Event Disposition: S200 - 12/29/2017
  
- 32 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 1/26/2018 at 16:00:00  
Extra Event Text: ORDER REFUNDING JURY FEES (ORDER ATTACHED)  
Event Disposition: S200 - 1/31/2018
  
- 33 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 7/29/2019 at 13:41:00  
Extra Event Text: WASTE MGMT'S MOTION TO VACATE ORDERS AND JUDGMENTS AND ENTER JUD IN FAVOR OF WASTE MANAGEMENT FILED 7-16-19  
Event Disposition: S200 - 9/6/2019
  
- 34 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 8/5/2019 at 13:26:00  
Extra Event Text: PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT  
Event Disposition: S200 - 9/6/2019
  
- 35 Department: D4 -- Event: ORAL ARGUMENTS -- Scheduled Date & Time: 12/6/2019 at 10:30:00  
Extra Event Text: ON WM'S MOTION TO VACATE ORDERS AND JUDGMENTS AND ENTER JUDGMENT IN FAVOR OF WASTE MANAGEMENT AND WEST TAY  
Event Disposition: D435 - 12/6/2019

- 36 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 1/6/2020 at 16:00:00  
Extra Event Text: MOTION FOR AWARD OF ATTORNEYS FEES AND COSTS FILED 12/26/19  
Event Disposition: S200 - 3/10/2020
- 37 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 1/7/2020 at 12:13:00  
Extra Event Text: MOTION TO RETAX COSTS FILED 12/24/19  
Event Disposition: S200 - 3/9/2020

### Actions

- |    | <u>Filing Date</u> | <u>-</u> | <u>Docket Code &amp; Description</u>   |
|----|--------------------|----------|--|
| 1  | 12/3/2012          | -        | \$1425 - \$Complaint - Civil<br><i>No additional text exists for this entry.</i>   |
| 2  | 12/3/2012          | -        | COV - **Civil Cover Sheet<br><i>No additional text exists for this entry.</i>  |
| 3  | 12/3/2012          | -        | PAYRC - **Payment Receipted<br>Additional Text: A Payment of -\$260.00 was made on receipt DCDC386693.   |
| 4  | 1/31/2013          | -        | 2610 - Notice ...<br>Additional Text: NOTICE OF FILING PROOF OF SERVICE  |
| 5  | 1/31/2013          | -        | 1550 - Default<br>Additional Text: WASTE MANAGEMENT OF NEVADA<br>(DEFAULT VACATED AND SET ASIDE PER ORDER ENTERED ON 08/26/13)   |
| 6  | 1/31/2013          | -        | 4085 - Summons Filed<br><i>No additional text exists for this entry.</i>   |
| 7  | 1/31/2013          | -        | 1550 - Default<br>Additional Text: KAREN GONZALEZ<br>(DEFAULT VACATED AND SET ASIDE PER ORDER ENTERED ON 08/26/13)   |
| 8  | 2/14/2013          | -        | 1037 - Affidavit of Default<br>Additional Text: AFFIDAVIT OF C. NICHOLAS PEREOS IN SUPPORT OF MOTION FOR JUDGMENT BY DEFAULT   |
| 9  | 2/14/2013          | -        | 3860 - Request for Submission<br>Additional Text: DOCUMENT TITLE: MOTION FOR JUDGMENT BY DEFAULT (PAPER ORDER PROVIDED)<br>PARTY SUBMITTING: C. NICHOLAS PEREOS<br>DATE SUBMITTED: 02/15/13<br>SUBMITTED BY: JA<br>DATE RECEIVED JUDGE OFFICE: |
| 10 | 2/14/2013          | -        | 2490 - Motion ...<br>Additional Text: MOTION FOR JUDGMENT BY DEFAULT   |
| 11 | 2/21/2013          | -        | 1950 - Memorandum of Costs<br>Additional Text: PLTFS MEMORANDUM OF COSTS AND DISBURSEMENTS   |
| 12 | 3/25/2013          | -        | 3347 - Ord to Set<br>Additional Text: Transaction 3615691 - Approved By: NOREVIEW : 03-25-2013:17:19:58  |
| 13 | 3/25/2013          | -        | S200 - Request for Submission Complet<br><i>No additional text exists for this entry.</i>  |

- 14 3/25/2013 - NEF - Proof of Electronic Service  
Additional Text: Transaction 3615697 - Approved By: NOREVIEW : 03-25-2013:17:21:46
- 15 4/17/2013 - 2605 - Notice to Set  
Additional Text: NOTICE TO SET HEARING RE: DAMAGES
- 16 4/17/2013 - 1250 - Application for Setting  
*No additional text exists for this entry.*
- 17 4/29/2013 - 1075 - Affidavit ...  
Additional Text: AFFIDAVIT OF SANDRA MARTINEZ
- 18 4/29/2013 - 1695 - \*\* Exhibit(s) ...  
Additional Text: PLAINTIFF'S EXHIBITS A THROUGH H WERE MARKED BY THE CLERK.
- 19 5/6/2013 - 4090 - \*\* Summons Issued  
*No additional text exists for this entry.*
- 20 6/4/2013 - 4085 - Summons Filed  
Additional Text: WASTE MANAGEMENT OF NEVADA INC - 05-15-13
- 21 6/6/2013 - 1550 - Default  
Additional Text: DEFAULT - WASTE MANAGEMENT OF NEVADA INC.  
  
(DEFAULT VACATED AND SET ASIDE PER ORDER ENTERED ON 08/26/13)
- 22 6/6/2013 - 2490 - Motion ...  
Additional Text: RENEWED MOTION FOR JUDGMENT BY DEFAULT
- 23 6/6/2013 - 4105 - Supplemental ...  
Additional Text: SUPPLEMENTAL ARGUMENT IN SUPPORT OF MOTION FOR JUDGMENT
- 24 6/6/2013 - 1950 - Memorandum of Costs  
Additional Text: PLTFS REVISED MEMORANDUM OF COSTS AND DISBURSEMENTS
- 25 6/6/2013 - 3860 - Request for Submission  
Additional Text: DOCUMENT TITLE: PLTFS MOTION FOR JUDGMENT BY DEFAULT (PAPER ORDER PROVIDED)  
PARTY SUBMITTING: NICHOLAS PEREOS ESQ  
DATE SUBMITTED: 06-06-13  
SUBMITTED BY: MLAWRENCE  
DATE RECEIVED JUDGE OFFICE:
- 26 6/17/2013 - MIN - \*\*\*Minutes  
Additional Text: 4/29/13 - PROVE UP HEARING - Transaction 3793815 - Approved By: NOREVIEW : 06-17-2013:15:04:43
- 27 6/17/2013 - NEF - Proof of Electronic Service  
Additional Text: Transaction 3793885 - Approved By: NOREVIEW : 06-17-2013:15:09:42
- 28 6/19/2013 - 2520 - Notice of Appearance  
Additional Text: GREGORY S. GILBERT ESQ, BRYAN WRIGHT ESQ AND JERRY SNYDER FOR WASTE MANAGEMENT AND KAREN GONZALEZ - Transaction 3800083 - Approved By: YLLOYD : 06-19-2013:16:40:54
- 29 6/19/2013 - \$1560 - \$Def 1st Appearance - CV  
Additional Text: WASTE MANAGEMENT - Transaction 3800083 - Approved By: YLLOYD : 06-19-2013:16:40:54
- 30 6/19/2013 - \$DEFT - \$Addl Def/Answer - Prty/Appear  
Additional Text: KAREN GONZALEZ - Transaction 3800083 - Approved By: YLLOYD : 06-19-2013:16:40:54

- 31 6/19/2013 - PAYRC - \*\*Payment Received  
Additional Text: A Payment of \$243.00 was made on receipt DCDC412591.
- 32 6/19/2013 - NEF - Proof of Electronic Service  
Additional Text: Transaction 3800774 - Approved By: NOREVIEW : 06-19-2013:16:43:56
- 33 6/26/2013 - 2645 - Opposition to Mtn ...  
Additional Text: DEFENDANTS' OPPOSITION FO RENEWED MOTION FOR JUDGMENT BY DEFAULT AND COUNTERMOTION TO SET ASIDE DEFAULTS - Transaction 3817620 - Approved By: YLLOYD : 06-26-2013:14:57:05
- 34 6/26/2013 - NEF - Proof of Electronic Service  
Additional Text: Transaction 3817999 - Approved By: NOREVIEW : 06-26-2013:15:06:58
- 35 7/3/2013 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*
- 36 7/3/2013 - 1880 - Judgment  
Additional Text: JUDGMENT - Transaction 3831911 - Approved By: NOREVIEW : 07-03-2013:10:34:32  
  
(JUDGMENT VACATED AND SET ASIDE PER ORDERED ENTERED ON 08/26/13)
- 37 7/3/2013 - NEF - Proof of Electronic Service  
Additional Text: Transaction 3831916 - Approved By: NOREVIEW : 07-03-2013:10:35:59
- 38 7/3/2013 - F130 - Default Judgment  
*No additional text exists for this entry.*
- 39 7/8/2013 - 2460 - Mtn Set Aside Default Judg  
Additional Text: DEFENDANTS' MOTION TO SET ASIDE DEFAULT JUDGMENT - Transaction 3839614 - Approved By: MCHOLICO : 07-09-2013:10:10:53
- 40 7/8/2013 - 1670 - Ex-Parte Mtn...  
Additional Text: DEFENDANTS' EX PARTE MOTION FOR ORDER SHORTENING TIME REGARDING DEFENDANTS' MOTION TO SET ASIDE DEFAULT JUDGMENT - Transaction 3839617 - Approved By: MCHOLICO : 07-09-2013:10:14:08
- 41 7/9/2013 - NEF - Proof of Electronic Service  
Additional Text: Transaction 3840121 - Approved By: NOREVIEW : 07-09-2013:10:12:52
- 42 7/9/2013 - NEF - Proof of Electronic Service  
Additional Text: Transaction 3840131 - Approved By: NOREVIEW : 07-09-2013:10:15:38
- 43 7/9/2013 - 3880 - Response...  
Additional Text: RESPONSE TO OPPOSITION TO RENEWED MOTION FOR JUDGMENT BY DEFAULT
- 44 7/9/2013 - 2645 - Opposition to Mtn ...  
Additional Text: OPPOSITION TO MOTION TO SET ASIDE DEFAULT
- 45 7/9/2013 - 1037 - Affidavit of Default  
Additional Text: AFFIDAVIT OF IVORY JONES JR IN SUPPORT OF OPPOSITION TO MOTION TO SET ASIDE DEFAULT
- 46 7/16/2013 - 1325 - \*\* Case Reopened  
*No additional text exists for this entry.*
- 47 7/16/2013 - 1250E - Application for Setting eFile  
Additional Text: TELEPHONIC HEARING ON DEFENDANTS' MOTION FOR ORDER SHORTENING TIME REGARDING DEFENDANTS MOTION TO SET ASIDE DEFAULT JUDGMENT - JULY 16, 2013 AT 2:00 A.M. (DEFENDANTS' COUNSEL TO INITIATE) - Transaction 3856363 - Approved By: NOREVIEW : 07-16-2013:09:13:57

- 48 7/16/2013 - NEF - Proof of Electronic Service  
Additional Text: Transaction 3856385 - Approved By: NOREVIEW : 07-16-2013:09:17:15
- 49 7/16/2013 - 3790 - Reply to/in Opposition  
Additional Text: DEFENDANTS' RESPONSE TO PLAINTIFF'S OPPOSITION TO COUNTERMOTION TO SET ASIDE DEFAULT - Transaction 3856737 - Approved By: AEATON : 07-16-2013:13:12:26
- 50 7/16/2013 - 3860 - Request for Submission  
Additional Text: Transaction 3856958 - Approved By: ACROGHAN : 07-16-2013:13:44:01  
DOCUMENT TITLE: DEFTS COUNTERMOTION TO SET ASIDE DEFAULT (NO PAPER ORDER PROVIDED)  
PARTY SUBMITTING: WRIGHT, ESQ., BRYAN  
DATE SUBMITTED: 7/16/13  
SUBMITTED BY: ACROGHAN  
DATE RECEIVED JUDGE OFFICE:
- 51 7/16/2013 - NEF - Proof of Electronic Service  
Additional Text: Transaction 3857836 - Approved By: NOREVIEW : 07-16-2013:13:13:50
- 52 7/16/2013 - NEF - Proof of Electronic Service  
Additional Text: Transaction 3858076 - Approved By: NOREVIEW : 07-16-2013:13:53:10
- 53 7/17/2013 - 2535 - Notice of Entry of Judgment  
*No additional text exists for this entry.*
- 54 7/25/2013 - MIN - \*\*\*Minutes  
Additional Text: 7/16/13 - HEARING ON MOTION FOR ORDER SHORTENING TIME (TELEPHONIC) - Transaction 3878923 - Approved By: NOREVIEW : 07-25-2013:10:25:06
- 55 7/25/2013 - NEF - Proof of Electronic Service  
Additional Text: Transaction 3878937 - Approved By: NOREVIEW : 07-25-2013:10:27:16
- 56 8/26/2013 - 3370 - Order ...  
Additional Text: ORDER - GRANTING DFT'S COUNTERMTN TO SET ASIDE DEFAULTS; CLERK TO VACATE/SET ASIDE DEFAULTS ENTERED AGAINST KAREN GONZALES & WASTE MGMT; CLERK TO VACATE/SET AISDE JUDGMENT ENTERED AGAINST DFT WASTE MGMT; DFTS KAREN GONZALES AND WASTE MGMT FILE AN ANSWER WITHIN 20 DAYS FROM THE DATE OF THIS ORDER  
  
- Transaction 3950286 - Approved By: NOREVIEW : 08-26-2013:13:26:28
- 57 8/26/2013 - NEF - Proof of Electronic Service  
Additional Text: Transaction 3950297 - Approved By: NOREVIEW : 08-26-2013:13:28:12
- 58 8/26/2013 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*
- 59 8/27/2013 - 2540 - Notice of Entry of Ord  
Additional Text: Transaction 3953556 - Approved By: NOREVIEW : 08-27-2013:09:57:54
- 60 8/27/2013 - NEF - Proof of Electronic Service  
Additional Text: Transaction 3953572 - Approved By: NOREVIEW : 08-27-2013:10:00:51
- 61 9/16/2013 - 1130 - Answer ...  
Additional Text: DEFENDANT'S ANSWER TO PLAINTIFF'S COMPLAINT - Transaction 3999011 - Approved By: MFERNAND : 09-16-2013:14:37:19
- 62 9/16/2013 - NEF - Proof of Electronic Service  
Additional Text: Transaction 3999303 - Approved By: NOREVIEW : 09-16-2013:14:46:03
- 63 9/18/2013 - 2529 - Notice of Early Case Conferenc  
*No additional text exists for this entry.*

- 64 9/27/2013 - 1580 - Demand for Jury  
*No additional text exists for this entry.*
- 65 9/27/2013 - JF - \*\*First Day Jury Fees Deposit  
*No additional text exists for this entry.*
- 66 10/3/2013 - 2520 - Notice of Appearance  
Additional Text: MATTHEW B. HIPPLER, ESQ OBO WASTE MANAGEMENT OF NEVADA, INC. & KAREN GONZALEZ - Transaction 4042737 - Approved By: MFERNAND : 10-03-2013:16:36:59
- 67 10/3/2013 - 2610 - Notice ...  
Additional Text: NOTICE OF DISASSOCIATION OF COUNSEL - JERRY M. SNYDER, ESQ. - Transaction 4042745 - Approved By: MFERNAND : 10-03-2013:16:46:16
- 68 10/3/2013 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4043268 - Approved By: NOREVIEW : 10-03-2013:16:47:30
- 69 10/3/2013 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4043321 - Approved By: NOREVIEW : 10-03-2013:16:57:03
- 70 10/16/2013 - 2605 - Notice to Set  
Additional Text: NOV. 12, 2013 @ 10:00 AM
- 71 10/18/2013 - A120 - Exemption from Arbitration  
Additional Text: Transaction 4075581 - Approved By: MPURDY : 10-18-2013:09:09:12
- 72 10/18/2013 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4075652 - Approved By: NOREVIEW : 10-18-2013:09:13:40
- 73 11/8/2013 - 1835 - Joint Case Conference Report  
*No additional text exists for this entry.*
- 74 11/12/2013 - 1250E - Application for Setting eFile  
Additional Text: PRE-TRIAL CONFERENCE: FEBRUARY 12, 2014 AT 9:00 A.M.; JURY TRIAL (2ND SET-4 DAYS) JUNE 9, 2014 AT 10:00 A.M. - Transaction 4127106 - Approved By: NOREVIEW : 11-12-2013:11:17:23
- 75 11/12/2013 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4127117 - Approved By: NOREVIEW : 11-12-2013:11:19:45
- 76 1/7/2014 - 3915 - Scheduling Order  
Additional Text: Transaction 4237275 - Approved By: NOREVIEW : 01-07-2014:08:17:51
- 77 1/7/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4237285 - Approved By: NOREVIEW : 01-07-2014:08:19:53
- 78 1/13/2014 - 1320 - Case Conference Report  
Additional Text: PLAINTIFFS' FIRST SUPPLEMENT TO CASE CONFERENCE REPORT
- 79 1/24/2014 - 1250E - Application for Setting eFile  
Additional Text: PRE-TRIAL CONFERENCE: FEBRUARY 5, 2014 AT 1:30 P.M. - MR. WRIGHT TO INITIATE (VACATES FEBRUARY 12, 2014 HEARING) - Transaction 4274147 - Approved By: NOREVIEW : 01-24-2014:13:20:18
- 80 1/24/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4274153 - Approved By: NOREVIEW : 01-24-2014:13:21:18
- 81 1/28/2014 - 2490 - Motion ...  
Additional Text: MOTION FOR LEAVE TO AMEND THE COMPLAINT



- 82 2/5/2014 - 2075 - Mtn for Extension of Time  
Additional Text: MOTION TO EXTEND DATE TO AMEND PLEADINGS; ALTERNATIVELY, SECOND MOTION FOR LEAVE TO FILE AN AMENDED COMPLAINT
- 83 2/5/2014 - 1030 - Affidavit in Support...  
Additional Text: AFFIDAVIT OF C. NICHOLAS PEROS IN SUPPORT OF MOTION TO EXTEND DATE TO AMEND PLEADINGS; ALTERNATIVELY, SECOND MOTION FOR LEAVE TO FILE AN AMENDED COMPLAINT MOTION FOR JUDGMENT BY DEFAULT
- 84 2/10/2014 - MIN - \*\*\*Minutes  
Additional Text: PRE-TRIAL CONFERENCE (TELEPHONIC) - 2/5/14 - Transaction 4298857 - Approved By: NOREVIEW : 02-10-2014:16:41:45
- 85 2/10/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4298860 - Approved By: NOREVIEW : 02-10-2014:16:42:46
- 86 2/14/2014 - 1090 - Amended Complaint  
Additional Text: FIRST AMENDED COMPLAINT
- 87 2/19/2014 - 2582 - Notice of Taking Deposition  
Additional Text: NOTICE OF DEPOSITION OF REPRESENTATIVE OF WASTE MANAGEMENT OF NEVADA, INC.
- 88 2/19/2014 - 2582 - Notice of Taking Deposition  
*No additional text exists for this entry.*
- 89 2/24/2014 - 2501 - Non-Opposition ...  
Additional Text: NOTICE OF PARTIAL NON-OPPOSITION TO PLAINTIFF'S MOTION TO EXTEND DATE TO AMEND PLEADINGS - Transaction 4317501 - Approved By: YVILORIA : 02-25-2014:09:21:04
- 90 2/25/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4317815 - Approved By: NOREVIEW : 02-25-2014:09:22:04
- 91 3/11/2014 - 3860 - Request for Submission  
Additional Text: DOCUMENT TITLE: SUBMISSION OF PLAINTIFF'S MOTION TO EXTEND DATE TO AMEND PLEADINGS;ALTERNATIVELY, SECOND MOTIN FOR LEAVE TO FILE AN AMENDED COMPLAINT.  
PARTY SUBMITTING: C. NICHOLAS PEREOS, ESQ  
DATE SUBMITTED: 03/11/2014  
SUBMITTED BY: M TORRES  
DATE RECEIVED JUDGE OFFICE:
- 92 3/11/2014 - \$2200 - \$Mtn for Summary Judgment  
Additional Text: MOTION FOR PARTIAL SUMMARY JUDGMENT
- 93 3/11/2014 - 1030 - Affidavit in Support...  
Additional Text: AFFIDAVIT OF C. NICHOLAS PEREOS IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT
- 94 3/11/2014 - 1030 - Affidavit in Support...  
Additional Text: AFFIDAVIT OF TERI MORRISON IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT
- 95 3/12/2014 - 1250E - Application for Setting eFile  
Additional Text: VACATES STATUS CONFERENCE/ORAL ARGUMENTS SET 4/3/14 AND RESETS FOR 4/23/14 AT 9:30 A.M. - Transaction 4339953 - Approved By: NOREVIEW : 03-12-2014:11:19:46
- 96 3/12/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4339968 - Approved By: NOREVIEW : 03-12-2014:11:22:04
- 97 3/12/2014 - PAYRC - \*\*Payment Receipted  
Additional Text: A Payment of -\$200.00 was made on receipt DCDC446380.
- 98 3/27/2014 - 2582 - Notice of Taking Deposition  
Additional Text: NOTICE OF DEPOSITION OF KAREN GONZALEZ

- 99 3/28/2014 - 2645 - Opposition to Mtn ...  
Additional Text: for Partial Summary Judgment - Transaction 4365026 - Approved By: AZION : 03-28-2014:16:51:03
- 100 3/28/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4365165 - Approved By: NOREVIEW : 03-28-2014:16:52:08
- 101 4/7/2014 - 2280 - Mtn to Continue  
*No additional text exists for this entry.*
- 102 4/7/2014 - 3242 - Ord Setting Hearing  
Additional Text: ORDER SETTING HEARING - ORAL ARGS ON WEST TAYLOR STREET, LLC'S MTN TO EXTEND DATE TO AMEND PLDGS; ALTERNATIVELY, SECOND MTN TO AMEND FOR LEAVE TO FILE AN AMD COMPLAINT SHALL BE HEARD ON APRIL 23, 2014 - Transaction 4376338 - Approved By: NOREVIEW : 04-07-2014:14:51:22
- 103 4/7/2014 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*
- 104 4/7/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4376354 - Approved By: NOREVIEW : 04-07-2014:14:52:23
- 105 4/10/2014 - 2490 - Motion ...  
Additional Text: MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT
- 106 4/10/2014 - 1320 - Case Conference Report  
Additional Text: PLAINTIFF'S SECOND SUPPLEMENT TO CASE CONFERENCE REPORT
- 107 4/11/2014 - 3795 - Reply...  
Additional Text: REPLY ARGUMENT IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT
- 108 4/11/2014 - 3860 - Request for Submission  
Additional Text: DOCUMENT TITLE: MOTION FOR PARTIAL SUMMARY JUDGMENT  
PARTY SUBMITTING: NICHOLAS PEREOS, ESQ  
DATE SUBMITTED: 04/11/2014  
SUBMITTED BY: M TORRES  
DATE RECEIVED JUDGE OFFICE:
- 109 4/16/2014 - 3242 - Ord Setting Hearing  
Additional Text: ORDER SETTING HEARING ON PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT - HEARING SCHEDULED FOR APRIL 23, 2014 - Transaction 4389433 - Approved By: NOREVIEW : 04-16-2014:13:22:13
- 110 4/16/2014 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*
- 111 4/16/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4389436 - Approved By: NOREVIEW : 04-16-2014:13:25:03
- 112 4/22/2014 - 3980 - Stip and Order...  
Additional Text: STIPULATION AND ORDER TO CONTINUE THE APRIL 23, 2014 STATUS HEARING AND HEARING ON ALL PENDING MOTIONS - HEARING CONTINUED TO MAY 7, 2014 AT 10:00 A.M. - Transaction 4398327 - Approved By: NOREVIEW : 04-22-2014:16:22:59
- 113 4/22/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4398333 - Approved By: NOREVIEW : 04-22-2014:16:23:56
- 114 4/25/2014 - 4045 - Stipulation to Continuance  
Additional Text: STIPULATION TO CONTINUE TRIAL AND EXTEND DISCOVERY (FIRST REQUEST) - Transaction 4402891 - Approved By: YVILORIA : 04-25-2014:09:22:18
- 115 4/25/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4403221 - Approved By: NOREVIEW : 04-25-2014:09:23:19

- 116 5/21/2014 - MIN - \*\*\*Minutes  
Additional Text: STATUS CONFERENCE/ARGUMENT ON SUBMITTED MOTIONS - 5/7/14 - Transaction 4442478 - Approved By: NOREVIEW : 05-21-2014:14:05:19
- 117 5/21/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4442486 - Approved By: NOREVIEW : 05-21-2014:14:06:22
- 118 6/17/2014 - 3105 - Ord Granting ...  
Additional Text: ORDER - VACATING JUNE 9, 2014 TRIAL; STATUS CONFERENCE SET FOR JULY 30, 2014 AT 10:00 A.M.; PLTF GRANTED LEAVE TO FILE SECOND AMENDED COMPLAINT, DISCOVERY EXTENDED - Transaction 4479260 - Approved By: NOREVIEW : 06-17-2014:08:39:11
- 119 6/17/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4479269 - Approved By: NOREVIEW : 06-17-2014:08:40:11
- 120 6/27/2014 - 1090 - Amended Complaint  
Additional Text: SECOND
- 121 7/14/2014 - 1140 - Answer to Amended Complaint  
Additional Text: DEFENDANTS' ANSWER TO PLAINTIFF'S SECOND AMENDED COMPLAINT - Transaction 4514746 - Approved By: APOMA : 07-14-2014:12:36:33
- 122 7/14/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4515164 - Approved By: NOREVIEW : 07-14-2014:12:37:27
- 123 7/14/2014 - 1320 - Case Conference Report  
Additional Text: PLAINTIFF'S THIRD SUPPLEMENT TO CASE CONFERENCE REPORT
- 124 7/28/2014 - 3025 - Ord Granting/Denying in Part  
Additional Text: WEST TAYLOR'S MOTON FOR PARTIAL SUMMARY JUDGMENT - Transaction 4535432 - Approved By: NOREVIEW : 07-28-2014:11:49:46
- 125 7/28/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4535438 - Approved By: NOREVIEW : 07-28-2014:11:50:44
- 126 8/19/2014 - MIN - \*\*\*Minutes  
Additional Text: STATUS CONFERENCE - 7/30/14 - Transaction 4567441 - Approved By: NOREVIEW : 08-19-2014:11:01:41
- 127 8/19/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4567463 - Approved By: NOREVIEW : 08-19-2014:11:03:42
- 128 9/3/2014 - \$2200 - \$Mtn for Summary Judgment  
*No additional text exists for this entry.*
- 129 9/3/2014 - PAYRC - \*\*Payment Receipted  
Additional Text: A Payment of -\$200.00 was made on receipt DCD468852.
- 130 9/25/2014 - 2645 - Opposition to Mtn ...  
Additional Text: WASTE MANAGEMENT OF NEVADA, INC.'S OPPOSITION TO PLAINTIFF'S SECOND MOTION FOR PARTIAL SUMMARY JUDGMENT - Transaction 4624288 - Approved By: MFERNAND : 09-25-2014:15:53:36
- 131 9/25/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4624667 - Approved By: NOREVIEW : 09-25-2014:15:54:45
- 132 9/26/2014 - 2175 - Mtn for Reconsideration  
Additional Text: WASTE MANAGEMENT OF NEVADA, INC.'S MOTION FOR PARTIAL RECONSIDERATION OF THE COURT'S JULY 28, 2014 ORDER - Transaction 4625134 - Approved By: MELWOOD : 09-26-2014:11:07:56
- 133 9/26/2014 - 2490 - Motion ...

Additional Text: WASTE MANAGEMENT OF NEVADA, INC.'S MOTION FOR LEAVE TO FILE MOTION FOR PARTIAL RECONSIDERATION OF THE COURT'S JULY 28, 2014 ORDER - Transaction 4625249 - Approved By: MCHOLICO : 09-26-2014:12:26:35

134 9/26/2014 - 2175 - Mtn for Reconsideration

Additional Text: WASTE MANAGEMENT OF NEVADA, INC.'S MOTION FOR PARTIAL RECONSIDERATION OF THE COURT'S JULY 28, 2014 ORDER - Transaction 4625266 - Approved By: MCHOLICO : 09-26-2014:12:28:56

135 9/26/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4625737 - Approved By: NOREVIEW : 09-26-2014:11:08:48

136 9/26/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4625994 - Approved By: NOREVIEW : 09-26-2014:12:27:23

137 9/26/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4625997 - Approved By: NOREVIEW : 09-26-2014:12:30:57

138 10/29/2014 - 4050 - Stipulation ...

Additional Text: STIPULATION - CONTINUANCE OF DECEMBER 16, 2014 HEARING; MTN FOR LEAVE TO FILE MTN FOR PARTIAL RECON MOOT; RESPONSE TO MTN FOR RECON DUE BY NOV 17, 2014, REPLY BY DEC. 1, 2014 - Transaction 4673917 - Approved By: MCHOLICO : 10-29-2014:15:02:37

139 10/29/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4674386 - Approved By: NOREVIEW : 10-29-2014:15:03:21

140 11/5/2014 - 2645 - Opposition to Mtn ...

Additional Text: OPPOSITION TO MOTIN FOR PARTIAL RECONSIDERATION

141 12/1/2014 - 3790 - Reply to/in Opposition

Additional Text: REPLY IN SUPPORT OF WASTE MANAGEMENT OF NEVADA, INC.'S MOTION FOR PARTIAL RECONSIDERATION OF THE COURT'S JULY 28, 2014 ORDER - Transaction 4715854 - Approved By: MELWOOD : 12-02-2014:08:09:36

142 12/2/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4716251 - Approved By: NOREVIEW : 12-02-2014:08:10:33

143 12/2/2014 - 3860 - Request for Submission

Additional Text: MOTION FOR PARTIAL RECONSIDERATION OF THE COURT'S JULY 28, 2014 ORDER (NO ORDER PROVIDED) - Transaction 4716743 - Approved By: MELWOOD : 12-02-2014:11:11:01  
PARTY SUBMITTING: BRYAN WRIGHT, ESQ  
DATE SUBMITTED: 12/02/2014  
SUBMITTED BY: MELWOOD  
DATE RECEIVED JUDGE OFFICE:

144 12/2/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4716890 - Approved By: NOREVIEW : 12-02-2014:11:12:03

145 1/21/2015 - 1290 - Association of Counsel

Additional Text: SEAN D. THUESON, ESQ. / WASTE MANAGEMENT OF NEVADA, INC. - Transaction 4781700 - Approved By: MCHOLICO : 01-21-2015:14:02:51

146 1/21/2015 - NEF - Proof of Electronic Service

Additional Text: Transaction 4781966 - Approved By: NOREVIEW : 01-21-2015:14:03:51

147 2/6/2015 - S200 - Request for Submission Complet

*No additional text exists for this entry.*

148 2/6/2015 - 2842 - Ord Denying Motion

Additional Text: ORDER DENYING DEFENDANTS' MOTION FOR PARTIAL RECONSIDERATION - Transaction 4807427 - Approved By: NOREVIEW : 02-06-2015:14:46:34

149 2/6/2015 - NEF - Proof of Electronic Service

Additional Text: Transaction 4807437 - Approved By: NOREVIEW : 02-06-2015:14:47:36

- 150 2/10/2015 - 2610 - Notice ...  
Additional Text: NOTICE OF DISASSOCIATION OF COUNSEL - BRYAN WRIGHT, ESQ - Transaction 4812424 - Approved By: MELWOOD : 02-11-2015:09:10:49
- 151 2/11/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4812828 - Approved By: NOREVIEW : 02-11-2015:09:11:41
- 152 5/13/2015 - 2490 - Motion ...  
Additional Text: RENEWED MOTION FOR SUMMARY JUDGMENT - Transaction 4951439 - Approved By: MABAKER : 05-13-2015:14:00:57
- 153 5/13/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4951444 - Approved By: NOREVIEW : 05-13-2015:14:01:52
- 154 5/13/2015 - 3795 - Reply...  
Additional Text: REPLY ARGUMENT IN SUPORT OF MOOTION FOR PARTIAL SUMMARY JUDGMENT (SECOND) - Transaction 4951449 - Approved By: MABAKER : 05-13-2015:14:05:22
- 155 5/13/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4951452 - Approved By: NOREVIEW : 05-13-2015:14:06:22
- 156 5/13/2015 - 3860 - Request for Submission  
Additional Text: Transaction 4951457 - Approved By: MABAKER : 05-13-2015:14:10:00  
DOCUMENT TITLE: SECOND MOTION FOR PARTIAL SUMMARY JUDGMENT (NO PAPER ORDER) -  
PARTY SUBMITTING: NICHOLAS PEREOS ESQ.  
DATE SUBMITTED: MAY 13, 2015  
SUBMITTED BY: MABAKER  
DATE RECEIVED JUDGE OFFICE:
- 157 5/13/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4951464 - Approved By: NOREVIEW : 05-13-2015:14:11:04
- 158 6/1/2015 - 4105 - Supplemental ...  
Additional Text: PLAINTIFF'S FIFTH S UPPLEMENT TO CASE CONFERENCE REPORT - Transaction 4978238 - Approved By: YVILORIA : 06-01-2015:16:03:52
- 159 6/1/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4978246 - Approved By: NOREVIEW : 06-01-2015:16:04:53
- 160 7/1/2015 - S200 - Request for Submission Complet  
Additional Text: SECOND MOTION FOR PARTIAL SUMMARY JUDGMENT GRANTED DURING HEARING ON 7/1/15
- 161 7/17/2015 - 4075 - Substitution of Counsel  
Additional Text: MARK SIMONS, ESQ. / WASTE MANAGEMENT OF NEVADA, INC. - Transaction 5049742 - Approved By: MCHOLICO : 07-17-2015:11:52:05
- 162 7/17/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5050331 - Approved By: NOREVIEW : 07-17-2015:11:53:10
- 163 7/31/2015 - MIN - \*\*\*Minutes  
Additional Text: MOTION FOR PARTIAL SUMMARY JUDGMENT (TELEPHONIC) - 7/1/15 - Transaction 5073385 - Approved By: NOREVIEW : 07-31-2015:16:32:25
- 164 7/31/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5073390 - Approved By: NOREVIEW : 07-31-2015:16:35:17
- 165 8/19/2015 - 1040 - Affidavit of Mailing  
Additional Text: Transaction 5101308 - Approved By: NOREVIEW : 08-19-2015:12:49:09
- 166 8/19/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5101310 - Approved By: NOREVIEW : 08-19-2015:12:50:08

- 167 9/25/2015 - 3860 - Request for Submission  
Additional Text: DOCUMENT TITLE: JUDGMENT FOR PARTIAL SUMMARY JUDGMENT (ORDER PROVIDED)  
PARTY SUBMITTING: C. NICHOLAS PEREOS, ESQ.  
DATE SUBMITTED: SEPTEMBER 25, 2015  
SUBMITTED BY: PMSEWELL  
DATE RECEIVED JUDGE OFFICE:
- 168 9/25/2015 - 1356 - Certificate of Mailing  
Additional Text: MAILED TO PARTIES ON 9/9/15
- 169 9/25/2015 - 4105 - Supplemental ...  
Additional Text: PLAINTIFF'S SIXTH SUPPLEMENT TO CASE CONFERENCE REPORT
- 170 10/1/2015 - 1880 - Judgment  
Additional Text: PARTIAL SUMMARY JUDGMENT - Transaction 5168113 - Approved By: NOREVIEW : 10-01-2015:12:51:47
- 171 10/1/2015 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*
- 172 10/1/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5168115 - Approved By: NOREVIEW : 10-01-2015:12:52:46
- 173 11/3/2015 - 1120 - Amended ...  
Additional Text: AMENDED SUBSTITUTION OF COUNSEL - SEAN D. THUESON, GREGORY S GILBER TAND MATTHEW HIPPLER LLP / DEFT WASTE MANAGEMENT OF NEVADA INC AND KAREN GONZALES SUBSTITUTE MARK G. SIMONS - Transaction 5217882 - Approved By: YVILORIA : 11-03-2015:15:58:33
- 174 11/3/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5218120 - Approved By: NOREVIEW : 11-03-2015:15:59:32
- 175 11/25/2015 - 3980 - Stip and Order...  
Additional Text: STIPULATION AND ORDER FOR RULE 54(b) CERTIFICATION AND TO STAY PROCEEDINGS - Transaction 5252177 - Approved By: NOREVIEW : 11-25-2015:08:57:39
- 176 11/25/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5252186 - Approved By: NOREVIEW : 11-25-2015:09:00:56
- 177 11/25/2015 - 2192 - \*\* Case Stayed  
*No additional text exists for this entry.*
- 178 12/2/2015 - \$2515 - \$Notice/Appeal Supreme Court  
*No additional text exists for this entry.*
- 179 12/2/2015 - 1310 - Case Appeal Statement  
*No additional text exists for this entry.*
- 180 12/2/2015 - PAYRC - \*\*Payment Receipted  
Additional Text: A Payment of -\$34.00 was made on receipt DCDC522771.
- 181 12/2/2015 - SAB - \*\*Supreme Court Appeal Bond  
*No additional text exists for this entry.*
- 182 12/3/2015 - 1350 - Certificate of Clerk  
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 5260743 - Approved By: NOREVIEW : 12-03-2015:08:36:18
- 183 12/3/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5260750 - Approved By: NOREVIEW : 12-03-2015:08:37:18

- 184 12/3/2015 - 2535 - Notice of Entry of Judgment  
Additional Text: Transaction 5262121 - Approved By: NOREVIEW : 12-03-2015:14:10:37
- 185 12/3/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5262150 - Approved By: NOREVIEW : 12-03-2015:14:14:14
- 186 12/10/2015 - 1188 - Supreme Court Receipt for Doc  
Additional Text: SUPREME COURT NO. 69307 / RECEIPT FOR DOCUMENTS - Transaction 5273554 - Approved By: NOREVIEW : 12-10-2015:14:55:37
- 187 12/10/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5273559 - Approved By: NOREVIEW : 12-10-2015:14:56:26
- 188 1/26/2016 - 4133 - Supreme Court Notice  
Additional Text: SUPREME COURT NO. 69307/NOTICE TO REQUEST TRANSCRIPT - Transaction 5336204 - Approved By: NOREVIEW : 01-26-2016:08:58:32
- 189 1/26/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5336207 - Approved By: NOREVIEW : 01-26-2016:09:01:16
- 190 3/7/2016 - 4127 - Supreme Ct Ord Dismis Appeal  
Additional Text: SUPREME COURT NO. 69307/ORDER DISMISSING APPEAL - Transaction 5402735 - Approved By: NOREVIEW : 03-07-2016:09:40:52
- 191 3/7/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5402742 - Approved By: NOREVIEW : 03-07-2016:09:41:51
- 192 6/3/2016 - 2605 - Notice to Set  
Additional Text: 6/22/16 @10:00 - Transaction 5545962 - Approved By: CSULEZIC : 06-03-2016:13:37:57
- 193 6/3/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5546222 - Approved By: NOREVIEW : 06-03-2016:13:38:44
- 194 6/15/2016 - 1188 - Supreme Court Receipt for Doc  
Additional Text: SUPREME COURT NO. 70540 / RECEIPT FOR DOCUMENTS - Transaction 5563819 - Approved By: NOREVIEW : 06-15-2016:14:49:19
- 195 6/15/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5563822 - Approved By: NOREVIEW : 06-15-2016:14:50:20
- 196 6/22/2016 - 2540 - Notice of Entry of Ord  
Additional Text: Transaction 5574316 - Approved By: NOREVIEW : 06-22-2016:11:50:49
- 197 6/22/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5574323 - Approved By: NOREVIEW : 06-22-2016:11:51:58
- 198 6/22/2016 - 2540 - Notice of Entry of Ord  
Additional Text: Transaction 5574329 - Approved By: NOREVIEW : 06-22-2016:11:53:10
- 199 6/22/2016 - 2540 - Notice of Entry of Ord  
Additional Text: Transaction 5574329 - Approved By: NOREVIEW : 06-22-2016:11:53:10
- 200 6/22/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5574464 - Approved By: NOREVIEW : 06-22-2016:13:00:30
- 201 7/14/2016 - 4128 - Supreme Court Order Denying  
Additional Text: ORDER DENYING PETITION FOR WRIT OF MANDAMUS - Transaction 5609573 - Approved By: NOREVIEW : 07-14-2016:15:47:51

- 202 7/14/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5609581 - Approved By: NOREVIEW : 07-14-2016:15:48:52
- 203 8/18/2016 - 4131 - Supreme Ct Not/Lieu/Remittitur  
Additional Text: SUPREME COURT NO. 70540 / NOTICE IN LIEU OF REMITTITUR - Transaction 5664950 - Approved By: NOREVIEW : 08-18-2016:09:17:26
- 204 8/18/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5664955 - Approved By: NOREVIEW : 08-18-2016:09:18:28
- 205 8/25/2016 - 2605 - Notice to Set  
Additional Text: NOTICE TO SET TRIAL - 9/07/16 @9:45 - Transaction 5676768 - Approved By: CSULEZIC : 08-25-2016:10:23:12
- 206 8/25/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5677046 - Approved By: NOREVIEW : 08-25-2016:10:24:14
- 207 9/6/2016 - \$2200 - \$Mtn for Summary Judgment  
Additional Text: DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ON PLAINTIFF'S SLANDER OF TITLE CLAIM - Transaction 5693394 - Approved By: CSULEZIC : 09-06-2016:14:44:36
- 208 9/6/2016 - PAYRC - \*\*Payment Receipted  
Additional Text: A Payment of \$200.00 was made on receipt DCDC551643.
- 209 9/6/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5693774 - Approved By: NOREVIEW : 09-06-2016:14:45:40
- 210 9/7/2016 - 1250E - Application for Setting eFile  
Additional Text: PRE-TRIAL CONFERENCE: APRIL 5, 2017 AT 9:00 A.M.;  
JURY TRIAL [1ST SET-3 DAYS] OCTOBER 16, 2017 AT 10:00 A.M.  
- Transaction 5694831 - Approved By: NOREVIEW : 09-07-2016:10:14:33
- 211 9/7/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5694839 - Approved By: NOREVIEW : 09-07-2016:10:17:13
- 212 9/8/2016 - 2610 - Notice ...  
Additional Text: NOTICE OF TRIAL 10/16/17 @10:00 - Transaction 5697654 - Approved By: CSULEZIC : 09-08-2016:14:25:32
- 213 9/8/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5698280 - Approved By: NOREVIEW : 09-08-2016:14:26:31
- 214 9/15/2016 - 2490 - Motion ...  
Additional Text: MOTION FOR ADDITIONAL TIME - Transaction 5708887 - Approved By: CSULEZIC : 09-15-2016:13:17:04
- 215 9/15/2016 - 1030 - Affidavit in Support...  
Additional Text: AFFIDAVIT OF C. NICHOLAS PEREOS IN SUPPORT OF MOTION FOR ADDITIONAL TIME - Transaction 5708887 - Approved By: CSULEZIC : 09-15-2016:13:17:04
- 216 9/15/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5709472 - Approved By: NOREVIEW : 09-15-2016:13:17:59
- 217 9/16/2016 - 2645 - Opposition to Mtn ...  
Additional Text: LIMITED OPPOSITION TO MOTION FOR ADDITIONAL TIME - Transaction 5711080 - Approved By: YVILORIA : 09-16-2016:09:51:53
- 218 9/16/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5711233 - Approved By: NOREVIEW : 09-16-2016:09:52:53



- 219 10/18/2016 - 2650 - Opposition to ...  
Additional Text: OPPOSITION TO MOTION FOR SUMMARY JUDGEMENT ON CLAIMS FOR SLANDER OF TITLE - Transaction 5762292 - Approved By: RKWATKIN : 10-18-2016:11:15:28
- 220 10/18/2016 - 1030 - Affidavit in Support...  
Additional Text: AFFIDAVIT OF TERI MORRISON IN SUPPORT OF OPPOSITION TO MOTION FOR SUMMARY JUDGMENT - Transaction 5762292 - Approved By: RKWATKIN : 10-18-2016:11:15:28
- 221 10/18/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5762612 - Approved By: NOREVIEW : 10-18-2016:11:17:00
- 222 10/24/2016 - 3795 - Reply...  
Additional Text: DEFENDANTS' REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT ON PLAINTIFF'S SLANDER OF TITLE CLAIM - Transaction 5773264 - Approved By: RKWATKIN : 10-25-2016:09:29:08
- 223 10/24/2016 - 3860 - Request for Submission  
Additional Text: Transaction 5773264 - Approved By: RKWATKIN : 10-25-2016:09:29:08  
DOCUMENT TITLE: MOTION FOR SUMMARY JUDGMENT ON PLAINTIFF'S SLANDER OF TITLE CLAIM (NO ORDER)  
PARTY SUBMITTING: MARK SIMONS  
DATE SUBMITTED: 10/25/16  
SUBMITTED BY: RKWATKIN  
DATE RECEIVED JUDGE OFFICE:
- 224 10/25/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5774006 - Approved By: NOREVIEW : 10-25-2016:09:30:08
- 225 1/3/2017 - 3347 - Ord to Set  
Additional Text: ORDER TO SET ORAL ARGUMENTS ON DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ON PLAINTIFF'S SLANDER OF TITLE CLAIM - Transaction 5880271 - Approved By: NOREVIEW : 01-03-2017:08:28:59
- 226 1/3/2017 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*
- 227 1/3/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5880278 - Approved By: NOREVIEW : 01-03-2017:08:29:47
- 228 1/17/2017 - 1250E - Application for Setting eFile  
Additional Text: ORAL ARGUMENTS ON DEFENDANT'S MOTION FOR SUMMARY JUDGMENT - FEBRUARY 22, 2017 AT 2:00 P.M. (2 HOURS) - Transaction 5900387 - Approved By: NOREVIEW : 01-17-2017:14:25:02
- 229 1/17/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5900398 - Approved By: NOREVIEW : 01-17-2017:14:26:00
- 230 3/7/2017 - MIN - \*\*\*Minutes  
Additional Text: ORAL ARGUMENTS ON DEFT'S MOTION FOR SUMMARY JUDGMENT - 2/22/17 - Transaction 5984477 - Approved By: NOREVIEW : 03-07-2017:14:59:12
- 231 3/7/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5984481 - Approved By: NOREVIEW : 03-07-2017:15:00:04
- 232 3/28/2017 - 3025 - Ord Granting/Denying in Part  
Additional Text: - WASTE MANAGEMENT'S AND GONZALEZ MOTION FOR SUMMARY JUDGMENT GRANTED AS TO ANY CLAIM AGAINST GONZALEZ AS AN INDIVIDUAL/DENIED AS TO THE SLANDER OF TITLE CLAIM AGAINST WASTE MANAGEMENT - Transaction 6020742 - Approved By: NOREVIEW : 03-28-2017:12:25:48
- 233 3/28/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6020743 - Approved By: NOREVIEW : 03-28-2017:12:26:49
- 234 3/28/2017 - S200 - Request for Submission Complet  
Additional Text: MOTION FOR SUMMARY JUDGMENT GRANTED IN PART/DENIED IN PART
- 235 4/5/2017 - MIN - \*\*\*Minutes  
Additional Text: PRE-TRIAL CONFERENCE - 4/5/17 - Transaction 6036212 - Approved By: NOREVIEW : 04-05-2017:13:40:04

236 4/5/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6036222 - Approved By: NOREVIEW : 04-05-2017:13:41:00

237 4/19/2017 - 3915 - Scheduling Order  
Additional Text: FIRST AMENDED SCHEDULING ORDER - Transaction 6059380 - Approved By: NOREVIEW : 04-19-2017:11:39:08

238 4/19/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6059383 - Approved By: NOREVIEW : 04-19-2017:11:40:06

239 5/5/2017 - 2610 - Notice ...  
Additional Text: NOTICE OF ISSUANCE OF SUBPOENA DUCES TECUM - Transaction 6086999 - Approved By: CSULEZIC : 05-05-2017:14:11:07

240 5/5/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6087202 - Approved By: NOREVIEW : 05-05-2017:14:12:09

241 5/12/2017 - 4065 - Subpoena Duces Tecum  
Additional Text: SERVED YVONNE ENOS OBO NV ENERGY ON 5/8/17 - Transaction 6097405 - Approved By: PMSEWELL : 05-12-2017:09:04:40

242 5/12/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6097535 - Approved By: NOREVIEW : 05-12-2017:09:05:52

243 5/31/2017 - 2582 - Notice of Taking Deposition  
Additional Text: Transaction 6126240 - Approved By: PMSEWELL : 05-31-2017:16:52:25

244 5/31/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6126353 - Approved By: NOREVIEW : 05-31-2017:16:53:33

245 6/7/2017 - 2582 - Notice of Taking Deposition  
Additional Text: NOTICE OF TAKING OF DEPOSITION - JULY 24, 2017 AT 10:00 AM - Transaction 6136815 - Approved By: TBRITTON : 06-07-2017:13:09:05

246 6/7/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6137063 - Approved By: NOREVIEW : 06-07-2017:13:09:49

247 6/30/2017 - 2980 - Ord Return of Appeal Bond  
Additional Text: Transaction 6175520 - Approved By: NOREVIEW : 06-30-2017:11:44:18

248 6/30/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6175537 - Approved By: NOREVIEW : 06-30-2017:11:45:27

249 7/12/2017 - CHECK - \*\*Trust Disbursement  
Additional Text: A Disbursement of \$500.00 on Check Number 33238

250 7/24/2017 - 1120 - Amended ...  
Additional Text: AMENDED NOTICE OF TAKING DEPOSITIONS - Transaction 6211652 - Approved By: YVILORIA : 07-25-2017:08:26:34

251 7/25/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6211979 - Approved By: NOREVIEW : 07-25-2017:08:27:28

252 7/31/2017 - 1250E - Application for Setting eFile  
Additional Text: STATUS HEARING - AUGUST 30, 2017 AT 2:30 P.M. - Transaction 6222542 - Approved By: NOREVIEW : 07-31-2017:10:41:43

253 7/31/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6222550 - Approved By: NOREVIEW : 07-31-2017:10:42:44

- 254 8/14/2017 - 2245 - Mtn in Limine  
Additional Text: PLAINTIFF'S MOTION IN LIMINE NUMBER ONE TO EXCLUDE EVIDENCE REGARDING OTHER PROPERTY HOLDINGS - Transaction 6247278 - Approved By: YVILORIA : 08-14-2017:12:17:07
- 255 8/14/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6247329 - Approved By: NOREVIEW : 08-14-2017:12:18:10
- 256 8/30/2017 - 2245 - Mtn in Limine  
Additional Text: WASTE MANAGEMENT OF NEVADA, INC.'S MOTION IN LIMINE #1 RE: EXCLUSION OF C. NICHOLAS PEREOS AS TRIAL ADVOCATE - Transaction 6275844 - Approved By: PMSEWELL : 08-30-2017:14:18:39
- 257 8/30/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6276202 - Approved By: NOREVIEW : 08-30-2017:14:19:33
- 258 8/31/2017 - 2610 - Notice ...  
Additional Text: Notice of Firm Name Change: ROBISON BELAUSTEGUI SHARP & LOW NAME CHANGE TO ROBISON, SIMONS, SHARP & BRUST - Transaction 6279026 - Approved By: YVILORIA : 08-31-2017:16:10:20
- 259 8/31/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6279189 - Approved By: NOREVIEW : 08-31-2017:16:13:01
- 260 8/31/2017 - 2645 - Opposition to Mtn ...  
Additional Text: WMON'S OPPOSITION TO PLAINTIFF'S MOTION IN LIMINE #1 TO EXCLUDE EVIDENCE REGARDING OTHER PROPERTY HOLDINGS - Transaction 6279549 - Approved By: SWILLIAM : 09-01-2017:09:10:13
- 261 9/1/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6279847 - Approved By: NOREVIEW : 09-01-2017:09:13:31
- 262 9/12/2017 - 1030 - Affidavit in Support...  
Additional Text: AFFIDAVIT OF C. NICHOLAS PEREOS TO REPLY TO MOTIONS IN LIMINE FILED BY PLAINTIFF & DEFENDANT - Transaction 6295341 - Approved By: YVILORIA : 09-12-2017:15:20:43
- 263 9/12/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6295442 - Approved By: NOREVIEW : 09-12-2017:15:21:35
- 264 9/12/2017 - 3795 - Reply...  
Additional Text: REPLY ARGUMENT IN SUPPORT OF PLAINTIFF'S MOTION IN LIMINE #1 - Transaction 6295489 - Approved By: SWILLIAM : 09-12-2017:15:49:40
- 265 9/12/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6295646 - Approved By: NOREVIEW : 09-12-2017:15:50:34
- 266 9/13/2017 - 2645 - Opposition to Mtn ...  
Additional Text: PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION IN LIMINE - Transaction 6297499 - Approved By: PMSEWELL : 09-13-2017:14:00:45
- 267 9/13/2017 - 1075 - Affidavit ...  
Additional Text: AFFIDAVIT OF TERRI MORRISON - Transaction 6297499 - Approved By: PMSEWELL : 09-13-2017:14:00:45
- 268 9/13/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6297578 - Approved By: NOREVIEW : 09-13-2017:14:01:50
- 269 9/14/2017 - 3695 - Pre-Trial Memorandum  
Additional Text: PLAINTIFF'S PRETRIAL DISCLOSURE - Transaction 6299902 - Approved By: SWILLIAM : 09-14-2017:14:31:43
- 270 9/14/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6300046 - Approved By: NOREVIEW : 09-14-2017:14:32:45
- 271 9/19/2017 - 3795 - Reply...  
Additional Text: WASTE MGMT OF NEVADA INC'S REPLY IN SUPPORT OF MOTION IN LIMINE #1 RE: EXCLUSION OF C. NICHOLAS PEREOS AS TRIAL ADVOCATE - Transaction 6307290 - Approved By: SWILLIAM : 09-19-2017:15:22:46

- 272 9/19/2017 - 3860 - Request for Submission  
Additional Text: -Transaction 6307290 - Approved By: SWILLIAM : 09-19-2017:15:22:46  
DOCUMENT TITLE: MOTION IN LIMINE #1 RE: EXCLUSION OF C. NICHOLAS PEREOS AS TRIAL ADVOCATE  
PARTY SUBMITTING: MARK SIMONS, ESQ  
DATE SUBMITTED: 09/19/2017  
SUBMITTED BY: SWILLIAM  
DATE RECEIVED JUDGE OFFICE:
- 273 9/19/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6307427 - Approved By: NOREVIEW : 09-19-2017:15:23:43
- 274 9/20/2017 - 3860 - Request for Submission  
Additional Text: PLAINTIFFS MOTION IN LIMINE NUMBER ONE FILED 8/14/17 - Transaction 6308996 - Approved By: CSULEZIC : 09-20-2017:12:36:17  
PARTY SUBMITTING: NICHOLAS PEREOS ESQ  
DATE SUBMITTED: 9/20/17  
SUBMITTED BY: CS  
DATE RECEIVED JUDGE OFFICE:
- 275 9/20/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6309002 - Approved By: NOREVIEW : 09-20-2017:12:38:25
- 276 9/22/2017 - 3915 - Scheduling Order  
Additional Text: SECOND AMENDED SCHEDULING ORDER - Transaction 6312602 - Approved By: NOREVIEW : 09-22-2017:08:14:27
- 277 9/22/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6312606 - Approved By: NOREVIEW : 09-22-2017:08:15:24
- 278 9/29/2017 - MIN - \*\*\*Minutes  
Additional Text: STATUS CONFERENCE - 8/30/17 - Transaction 6323854 - Approved By: NOREVIEW : 09-29-2017:09:52:07
- 279 9/29/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6323858 - Approved By: NOREVIEW : 09-29-2017:09:53:05
- 280 10/2/2017 - 2610 - Notice ...  
Additional Text: Notice of Issuance of Subpoena - Transaction 6325767 - Approved By: YVILORIA : 10-02-2017:10:16:52
- 281 10/2/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6325810 - Approved By: NOREVIEW : 10-02-2017:10:17:53
- 282 10/13/2017 - 3695 - Pre-Trial Memorandum  
Additional Text: Transaction 6347030 - Approved By: YVILORIA : 10-13-2017:16:37:21
- 283 10/13/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6347204 - Approved By: NOREVIEW : 10-13-2017:16:38:32
- 284 10/20/2017 - 4105 - Supplemental ...  
Additional Text: DEFENDANT'S FIRST SUPPLEMENTAL PRE-TRIAL DISCLOSURES - Transaction 6358118 - Approved By: YVILORIA : 10-20-2017:16:45:18
- 285 10/20/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6358237 - Approved By: NOREVIEW : 10-20-2017:16:46:20
- 286 10/24/2017 - 2610 - Notice ...  
Additional Text: Notice of Objection - Transaction 6361712 - Approved By: PMSEWELL : 10-24-2017:11:53:06
- 287 10/24/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6361828 - Approved By: NOREVIEW : 10-24-2017:11:54:00

- 288 10/30/2017 - 1290 - Association of Counsel  
Additional Text: DOUGLAS FERMOILE ESQ - Transaction 6369875 - Approved By: CSULEZIC : 10-30-2017:14:41:23
- 289 10/30/2017 - 4220 - Trial Statement - Plaintiff  
Additional Text: TRIAL STATEMENT OF WEST TAYLOR STREET, LLC - Transaction 6369894 - Approved By: YVILORIA : 10-30-2017:14:32:07
- 290 10/30/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6370181 - Approved By: NOREVIEW : 10-30-2017:14:33:23
- 291 10/30/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6370265 - Approved By: NOREVIEW : 10-30-2017:14:42:16
- 292 10/30/2017 - 4210 - Trial Statement - Defendant  
Additional Text: Transaction 6370385 - Approved By: YVILORIA : 10-30-2017:16:03:58
- 293 10/30/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6370688 - Approved By: NOREVIEW : 10-30-2017:16:04:55
- 294 11/3/2017 - 4105 - Supplemental ...  
Additional Text: DEFT'S SECOND SUPPLEMENTAL PRE-TRIAL DISCLOSURES - Transaction 6378550 - Approved By: SWILLIAM : 11-03-2017:11:54:14
- 295 11/3/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6378685 - Approved By: NOREVIEW : 11-03-2017:11:55:16
- 296 11/3/2017 - 3060 - Ord Granting Mtn ...  
Additional Text: ORDER GRANTING WASTE MANAGEMENT OF NEVADA, INC.'S MOTION IN LIMINE #1 RE: EXCLUSION OF C. NICHOLAS PEREOS AS TRIAL ADVOCATE - Transaction 6379464 - Approved By: NOREVIEW : 11-03-2017:15:27:18
- 297 11/3/2017 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*
- 298 11/3/2017 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*
- 299 11/3/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6379468 - Approved By: NOREVIEW : 11-03-2017:15:28:27
- 300 11/3/2017 - 3060 - Ord Granting Mtn ...  
Additional Text: ORDER GRANTING MOTION IN LIMINE TO EXCLUDE EVIDENCE OF OTHER PROPERTY HOLDINGS - Transaction 6379490 - Approved By: NOREVIEW : 11-03-2017:15:34:29
- 301 11/3/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6379501 - Approved By: NOREVIEW : 11-03-2017:15:37:16
- 302 11/7/2017 - 4055 - Subpoena  
Additional Text: Transaction 6383137 - Approved By: YVILORIA : 11-07-2017:10:42:28
- 303 11/7/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6383205 - Approved By: NOREVIEW : 11-07-2017:10:43:24
- 304 11/7/2017 - 2490 - Motion ...  
Additional Text: Motion to Withdraw Jury Trial Demand - Transaction 6383599 - Approved By: YVILORIA : 11-07-2017:12:14:30
- 305 11/7/2017 - 1520 - Declaration  
Additional Text: Declaration of C. Nicholas Pereos in Support of Motion to Withdraw Jury Trial Demand - Transaction 6383599 - Approved By: YVILORIA : 11-07-2017:12:14:30

- 306 11/7/2017 - 2140 - Mtn Ord Shortening Time  
Additional Text: DFX: EXHIBIT MISSING COVER PAGE - Transaction 6383599 - Approved By: YVILORIA : 11-07-2017:12:14:30
- 307 11/7/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6383707 - Approved By: NOREVIEW : 11-07-2017:12:17:14
- 308 12/13/2017 - 1040 - Affidavit of Mailing  
Additional Text: Affidavit of Mailing Proposed Judgment - Transaction 6436769 - Approved By: NOREVIEW : 12-13-2017:09:37:14
- 309 12/13/2017 - NEF - Proof of Electronic Service  
Additional Text: -Transaction 6436771 - Approved By: NOREVIEW : 12-13-2017:09:38:14  
DOCUMENT TITLE: JUDGMENT  
PARTY SUBMITTING: NICHOLAS PEREOS, ESQ  
DATE SUBMITTED: 12/21/2017  
SUBMITTED BY: SWILLIAM  
DATE RECEIVED JUDGE OFFICE:
- 310 12/21/2017 - 3860 - Request for Submission  
Additional Text: - Transaction 6450146 - Approved By: SWILLIAM : 12-21-2017:13:50:14  
DOCUMENT TITLE: JUDGMENT  
PARTY SUBMITTING: NICHOLAS PEREOS, ESQ  
DATE SUBMITTED: 12/21/2017  
SUBMITTED BY: SWILLIAM  
DATE RECEIVED JUDGE OFFICE:
- 311 12/21/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6450323 - Approved By: NOREVIEW : 12-21-2017:13:52:26
- 312 12/29/2017 - F140 - Adj Summary Judgment  
*No additional text exists for this entry.*
- 313 12/29/2017 - 1880 - Judgment  
Additional Text: Transaction 6458942 - Approved By: NOREVIEW : 12-29-2017:13:28:05
- 314 12/29/2017 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*
- 315 12/29/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6458945 - Approved By: NOREVIEW : 12-29-2017:13:28:55
- 316 1/8/2018 - 2535 - Notice of Entry of Judgment  
Additional Text: Transaction 6469497 - Approved By: NOREVIEW : 01-08-2018:09:23:06
- 317 1/8/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6469500 - Approved By: NOREVIEW : 01-08-2018:09:24:06
- 318 1/8/2018 - \$2515 - \$Notice/Appeal Supreme Court  
Additional Text: Transaction 6470977 - Approved By: YVILORIA : 01-08-2018:15:48:43
- 319 1/8/2018 - PAYRC - \*\*Payment Receipted  
Additional Text: A Payment of \$34.00 was made on receipt DCDC596888.
- 320 1/8/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6471075 - Approved By: NOREVIEW : 01-08-2018:15:49:41
- 321 1/8/2018 - 1310 - Case Appeal Statement  
Additional Text: Transaction 6471160 - Approved By: YVILORIA : 01-08-2018:16:05:50

- 322 1/8/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6471169 - Approved By: NOREVIEW : 01-08-2018:16:06:34
- 323 1/11/2018 - SAB - \*\*Supreme Court Appeal Bond  
Additional Text: Bond ID: SAB-18-00003; Total Bond Amount: \$500.00.  
  
Bond Code, SAB, Receipted for: SITE DEFINED TRUST DEPOSIT, on 11-JAN-2018 in the amount of \$500.00 on case ID CV12-02995.
- 324 1/11/2018 - 1350 - Certificate of Clerk  
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 6477887 - Approved By: NOREVIEW : 01-11-2018:15:12:30
- 325 1/11/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6477892 - Approved By: NOREVIEW : 01-11-2018:15:13:26
- 326 1/17/2018 - 1188 - Supreme Court Receipt for Doc  
Additional Text: SUPREME COURT NO. 74876 / RECEIPT FOR DOCUMENTS - Transaction 6484391 - Approved By: NOREVIEW : 01-17-2018:12:32:52
- 327 1/17/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6484396 - Approved By: NOREVIEW : 01-17-2018:12:33:52
- 328 1/26/2018 - 3860 - Request for Submission  
Additional Text: - Transaction 6501632 - Approved By: PMSEWELL : 01-26-2018:15:48:03  
DOCUMENT TITLE: ORDER REFUNDING JURY FEES (ORDER ATTACHED)  
PARTY SUBMITTING: NICHOLAS PEREOS, ESQ.  
DATE SUBMITTED: JANUARY 26, 2018  
SUBMITTED BY: PMSEWELL  
DATE RECEIVED JUDGE OFFICE:
- 329 1/26/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6501980 - Approved By: NOREVIEW : 01-26-2018:15:49:00
- 330 1/31/2018 - 2990 - Ord Return of Jury Fees  
Additional Text: Transaction 6507581 - Approved By: NOREVIEW : 01-31-2018:09:06:48
- 331 1/31/2018 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*
- 332 1/31/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6507591 - Approved By: NOREVIEW : 01-31-2018:09:07:55
- 333 2/6/2018 - CHECK - \*\*Trust Disbursement  
Additional Text: A Disbursement of \$320.00 on Check Number 33838
- 334 2/12/2018 - 4075 - Substitution of Counsel  
Additional Text: MARK SIMONS, ESQ. FOR WASTE MANAGEMENT IN PLACE OF ROBISON SIMONS SHARP & BRUST - Transaction 6528093 - Approved By: PMSEWELL : 02-12-2018:16:28:48
- 335 2/12/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6528567 - Approved By: NOREVIEW : 02-12-2018:16:29:50
- 336 3/22/2018 - 1120 - Amended ...  
Additional Text: AMENDED JUDGMENT - Transaction 6591271 - Approved By: PMSEWELL : 03-22-2018:14:56:51
- 337 3/22/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6591534 - Approved By: NOREVIEW : 03-22-2018:15:00:03
- 338 3/23/2018 - 2535 - Notice of Entry of Judgment  
Additional Text: Transaction 6592422 - Approved By: NOREVIEW : 03-23-2018:08:47:36

- 339 3/23/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6592425 - Approved By: NOREVIEW : 03-23-2018:08:48:36
- 340 3/8/2019 - 4129 - Supreme Ct Order Granting ...  
Additional Text: SUPREME COURT NO. 74876 / ORDER GRANTING MOTION - Transaction 7156187 - Approved By: NOREVIEW : 03-08-2019:11:21:39
- 341 3/8/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7156202 - Approved By: NOREVIEW : 03-08-2019:11:23:05
- 342 6/28/2019 - 4120 - Supreme Court Opinion  
Additional Text: SUPREME COURT NO. 74876 / 135 NEV., ADVANCE OPINION 21 - Transaction 7347437 - Approved By: NOREVIEW : 06-28-2019:14:34:00
- 343 6/28/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7347443 - Approved By: NOREVIEW : 06-28-2019:14:35:00
- 344 6/28/2019 - 3863 - \*\*Submit regarding Appeals  
Additional Text: DOCUMENT TITLE: SUPREME COURT NO. 74876 / 135 NEV., ADVANCE OPINION 21 - NO S1 BUILT  
PARTY SUBMITTING: NEVADA SUPREME COURT  
DATE SUBMITTED: 6-28-19  
SUBMITTED BY: YV  
DATE RECEIVED JUDGE OFFICE:
- 345 7/8/2019 - 2610 - Notice ...  
Additional Text: NOTICE OF FIRM NAME CHANGE - Transaction 7360602 - Approved By: YVILORIA : 07-08-2019:16:25:36
- 346 7/8/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7361010 - Approved By: NOREVIEW : 07-08-2019:16:27:57
- 347 7/16/2019 - 2490 - Motion ...  
Additional Text: MOTION TO VACATE ORDERS AND JUDGMENTS AND ENTER JUDGMENT IN FAVOR OF WASTE MANAGEMENT - Transaction 7376872 - Approved By: YVILORIA : 07-16-2019:16:38:20
- 348 7/16/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7376906 - Approved By: NOREVIEW : 07-16-2019:16:40:31
- 349 7/23/2019 - 4145 - Supreme Court Remittitur  
Additional Text: SUPREME COURT NO. 74876 / REMITTITUR - Transaction 7389364 - Approved By: NOREVIEW : 07-23-2019:15:35:43
- 350 7/23/2019 - 4111 - Supreme Ct Clk's Cert & Judg  
Additional Text: SUPREME COURT NO. 74876 / CLERK'S CERTIFICATE & JUDGMENT - Transaction 7389364 - Approved By: NOREVIEW : 07-23-2019:15:35:43
- 351 7/23/2019 - 4120 - Supreme Court Opinion  
Additional Text: SUPREME COURT NO. 74876 / 135 NEV., ADVANCE OPINION 21 - Transaction 7389364 - Approved By: NOREVIEW : 07-23-2019:15:35:43
- 352 7/23/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7389378 - Approved By: NOREVIEW : 07-23-2019:15:37:18
- 353 7/26/2019 - 3880 - Response...  
Additional Text: RESPONSE TO MOTION TO VACATE ORDERS, OPPOSITION TO MOTION FOR JUDGMENT IN FAVOR OF WASTE MANAGEMET, CROSS MOTON TO SUMMARY JUDGMENT ON LIENS - Transaction 7396685 - Approved By: YVILORIA : 07-26-2019:13:01:25
- 354 7/26/2019 - 1030 - Affidavit in Support...  
Additional Text: AFFIDAVIT OF C. NICHOLAS PEREROS IN RESPONSE TO MOTION TO VACATE ORDERS - Transaction 7396685 - Approved By: YVILORIA : 07-26-2019:13:01:25
- 355 7/26/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7396759 - Approved By: NOREVIEW : 07-26-2019:13:04:24



- 356 7/29/2019 - 3795 - Reply...  
Additional Text: REPLY IN SUPPORT OF MOTION TO VACATE ORDERS AND JUDGMENTS AND ENTER JUDGMENT IN FAVOR OF WASTE MANAGEMENT AND OPPOSITION TO CROSS MOTION FOR SUMMARY JUDGMENT - Transaction 7398871 - Approved By: YVILORIA : 07-29-2019:13:41:04
- 357 7/29/2019 - 3860 - Request for Submission  
Additional Text: REQUEST FOR SUBMISSION - Transaction 7398871 - Approved By: YVILORIA : 07-29-2019:13:41:04  
DOCUMENT TITLE: WASTE MANAGEMENT OF NEVADA INC'S MOTION TO VACATE ORDERS AND JUDGMENTS AND ENTER JUDGMENT IN FAVOR OF WASTE MANAGEMENT FILED 7-16-19  
PARTY SUBMITTING: MARK SIMONS ESQ  
DATE SUBMITTED: 7-29-19  
SUBMITTED BY: YV  
DATE RECEIVED JUDGE OFFICE:
- 358 7/29/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7399165 - Approved By: NOREVIEW : 07-29-2019:13:42:09
- 359 8/2/2019 - 2980 - Ord Return of Appeal Bond  
Additional Text: ORDER FOR RETURN OF APPEAL BOND - Transaction 7409959 - Approved By: NOREVIEW : 08-02-2019:15:47:38
- 360 8/2/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7409963 - Approved By: NOREVIEW : 08-02-2019:15:48:43
- 361 8/5/2019 - 3795 - Reply...  
Additional Text: REPLY ARGUMENT IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT - Transaction 7411471 - Approved By: YVILORIA : 08-05-2019:13:24:47
- 362 8/5/2019 - 3860 - Request for Submission  
Additional Text: REQUEST FOR SUBMISSION OF CROSS MOTION FOR SUMMARY JUDGMENT - Transaction 7411471 - Approved By: YVILORIA : 08-05-2019:13:24:47  
DOCUMENT TITLE: PROPOSED SUMMARY JUDGMENT  
PARTY SUBMITTING: NICHOLAS PEREOS ESQ  
DATE SUBMITTED: 8-5-19  
SUBMITTED BY: YV  
DATE RECEIVED JUDGE OFFICE:
- 363 8/5/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7411638 - Approved By: NOREVIEW : 08-05-2019:13:26:19
- 364 8/7/2019 - CHECK - \*\*Trust Disbursement  
Additional Text: A Disbursement of \$500.00 on Check Number 10803
- 365 9/6/2019 - 3347 - Ord to Set  
Additional Text: ORAL ARGUMENTS ON WM'S MOTION TO VACATE ORDERS AND JUDGMENTS AND ENTER JUDGMENT IN FAVOR OF WASTE MANAGEMENT AND WEST TAYLOR'S CROSS MOTION TO SUMMARY JUDGMENT ON LIENS - Transaction 7471847 - Approved By: NOREVIEW : 09-06-2019:15:29:32
- 366 9/6/2019 - S200 - Request for Submission Complet  
Additional Text: ORDER TO SET ORAL ARGUMENTS FILED
- 367 9/6/2019 - S200 - Request for Submission Complet  
Additional Text: ORDER TO SET ORAL ARGUMENTS FILED
- 368 9/6/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7471859 - Approved By: NOREVIEW : 09-06-2019:15:30:57
- 369 9/18/2019 - 1250 - Application for Setting  
Additional Text: - ORAL ARGUMENTS ON PENDING MOTIONS - 12/6/19 AT 10:30 FOR 1 HOUR - Transaction 7490794 - Approved By: NOREVIEW : 09-18-2019:12:21:00
- 370 9/18/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7490799 - Approved By: NOREVIEW : 09-18-2019:12:21:59

- 371 12/12/2019 - MIN - \*\*\*Minutes  
Additional Text: 12/06/2019 ORAL ARGUMENTS - Transaction 7635423 - Approved By: NOREVIEW : 12-12-2019:13:37:09
- 372 12/12/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7635425 - Approved By: NOREVIEW : 12-12-2019:13:38:10
- 373 12/18/2019 - 3373 - Other ...  
Additional Text: PROPOSED ORDER DISMISSING ACTION - Transaction 7645084 - Approved By: NOREVIEW : 12-18-2019:13:05:11
- 374 12/18/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7645088 - Approved By: NOREVIEW : 12-18-2019:13:06:10
- 375 12/18/2019 - 2920 - Ord for Dismissal...  
Additional Text: ORDER DISMISSING ACTION - Transaction 7645153 - Approved By: NOREVIEW : 12-18-2019:13:23:48
- 376 12/18/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7645162 - Approved By: NOREVIEW : 12-18-2019:13:24:52
- 377 12/18/2019 - F135 - Adj Motion to Dismiss by DEFT  
*No additional text exists for this entry.*
- 378 12/23/2019 - 2540 - Notice of Entry of Ord  
Additional Text: NOTICE OF ENTRY OF ORDER DISMISSING ACTION - Transaction 7652684 - Approved By: NOREVIEW : 12-23-2019:13:22:39
- 379 12/23/2019 - 1950 - Memorandum of Costs  
Additional Text: MEMORANDUM OF COSTS - Transaction 7652684 - Approved By: NOREVIEW : 12-23-2019:13:22:39
- 380 12/23/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7652688 - Approved By: NOREVIEW : 12-23-2019:13:23:42
- 381 12/24/2019 - 2430 - Mtn to Retax Costs  
Additional Text: MOTION TO RETAX COSTS - Transaction 7655078 - Approved By: NOREVIEW : 12-24-2019:13:40:39
- 382 12/24/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7655080 - Approved By: NOREVIEW : 12-24-2019:13:41:41
- 383 12/26/2019 - 2010 - Mtn for Attorney's Fee  
Additional Text: MOTION FOR AWARD OF ATTORNEYS FEES AND COSTS - Transaction 7656230 - Approved By: NOREVIEW : 12-26-2019:13:51:38
- 384 12/26/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7656240 - Approved By: NOREVIEW : 12-26-2019:13:52:55
- 385 1/2/2020 - 2645 - Opposition to Mtn ...  
Additional Text: OPPOSITION TO MOTION TO RETAX COSTS - Transaction 7664805 - Approved By: YVILORIA : 01-02-2020:15:20:35
- 386 1/2/2020 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7664888 - Approved By: NOREVIEW : 01-02-2020:15:21:38
- 387 1/3/2020 - 2645 - Opposition to Mtn ...  
Additional Text: OPPOSITION TO MOTION FOR ATTORNEYS FEES - Transaction 7666856 - Approved By: YVILORIA : 01-03-2020:14:07:07
- 388 1/3/2020 - 1520 - Declaration  
Additional Text: DECLARATION OF C. NICHOLAS PEREOS IN SUPPORT OF OPPOSITION TO MOTION FOR ATTORNEY FEES - Transaction 7666856 - Approved By: YVILORIA : 01-03-2020:14:07:07

- 389 1/3/2020 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7666877 - Approved By: NOREVIEW : 01-03-2020:14:08:11
- 390 1/6/2020 - 3795 - Reply...  
Additional Text: REPLY IN SUPPORT OF MOTION FOR AWARD OF ATTORNEYS FEES AND COSTS - Transaction 7670140 - Approved By: CSULEZIC : 01-06-2020:16:58:20
- 391 1/6/2020 - 3860 - Request for Submission  
Additional Text: MOTION FOR AWARD OF ATTORNEYS FEES AND COSTS FILED 12/26/19 - Transaction 7670140 - Approved By: CSULEZIC : 01-06-2020:16:58:20  
PARTY SUBMITTING: MARK SIMONS ESQ  
DATE SUBMITTED: 1/06/2020  
SUBMITTED BY: CS  
DATE RECEIVED JUDGE OFFICE:
- 392 1/6/2020 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7670491 - Approved By: NOREVIEW : 01-06-2020:17:01:10
- 393 1/7/2020 - 3795 - Reply...  
Additional Text: REPLY ARGUMENT IN SUPPORT OF MOTION TO RETAX COSTS - Transaction 7671710 - Approved By: CSULEZIC : 01-07-2020:12:01:31
- 394 1/7/2020 - 3860 - Request for Submission  
Additional Text: REQUEST FOR SUBMISSION OF MOTION TO RETAX COSTS FILED 12/24/19 - Transaction 7671710 - Approved By: CSULEZIC : 01-07-2020:12:01:31  
PARTY SUBMITTING: C. NICHOLAS PEREOS ESQ  
DATE SUBMITTED: 1/07/2020  
SUBMITTED BY: CS  
DATE RECEIVED JUDGE OFFICE:
- 395 1/7/2020 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7671748 - Approved By: NOREVIEW : 01-07-2020:12:03:44
- 396 3/9/2020 - 3025 - Ord Granting/Denying in Part  
Additional Text: ORDER GRANTING IN PART AND DENYING IN PART WEST TAYLOR STREET, LLC'S MOTION TO RETAX COSTS - Transaction 7783157 - Approved By: NOREVIEW : 03-09-2020:16:53:42
- 397 3/9/2020 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7783168 - Approved By: NOREVIEW : 03-09-2020:16:55:06
- 398 3/9/2020 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*
- 399 3/10/2020 - 2540 - Notice of Entry of Ord  
Additional Text: Transaction 7783378 - Approved By: NOREVIEW : 03-10-2020:08:19:14
- 400 3/10/2020 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7783382 - Approved By: NOREVIEW : 03-10-2020:08:20:15
- 401 3/10/2020 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*
- 402 3/10/2020 - 2842 - Ord Denying Motion  
Additional Text: ORDER DENYING WASTE MANAGEMENT OF NEVADA, INC.'S MOTION FOR AWARD OF ATTORNEYS' FEES - Transaction 7785355 - Approved By: NOREVIEW : 03-10-2020:15:29:51
- 403 3/10/2020 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7785362 - Approved By: NOREVIEW : 03-10-2020:15:31:18
- 404 3/11/2020 - 2540 - Notice of Entry of Ord  
Additional Text: Transaction 7786350 - Approved By: NOREVIEW : 03-11-2020:09:39:51

405 3/11/2020 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7786354 - Approved By: NOREVIEW : 03-11-2020:09:40:56

406 3/19/2020 - \$2515 - \$Notice/Appeal Supreme Court  
Additional Text: NOTICE OF APPEAL - Transaction 7799520 - Approved By: YVILORIA : 03-19-2020:10:05:35

407 3/19/2020 - 1310 - Case Appeal Statement  
Additional Text: CASE APPEAL STATEMENT - Transaction 7799520 - Approved By: YVILORIA : 03-19-2020:10:05:35

408 3/19/2020 - PAYRC - \*\*Payment Receipted  
Additional Text: A Payment of \$24.00 was made on receipt DCDC657449.

409 3/19/2020 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7799566 - Approved By: NOREVIEW : 03-19-2020:10:07:02

410 3/19/2020 - SAB - \*\*Supreme Court Appeal Bond  
Additional Text: WASTE MANAGEMENT OF NEVADA INC. - Transaction 7799615 - Approved By: YVILORIA : 03-19-2020:10:26:41

411 3/19/2020 - PAYRC - \*\*Payment Receipted  
Additional Text: A Payment of \$500.00 was made on receipt DCDC657450.

412 3/19/2020 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7799626 - Approved By: NOREVIEW : 03-19-2020:10:28:51

413 3/19/2020 - 4113 - District Ct Deficiency Notice  
Additional Text: DISTRICT COURT DEFICIENCY NOTICE - FILING FEE - DUE TO COURT CLOSURE TO PUBLIC FILING FEE WILL BE MAILED DIRECTLY TO SUPREME COURT - Transaction 7799691 - Approved By: NOREVIEW : 03-19-2020:10:47:21

414 3/19/2020 - 1350 - Certificate of Clerk  
Additional Text: CERTIFICATE OF CLERK & TRANSMITTAL - NOTICE OF APPEAL - Transaction 7799691 - Approved By: NOREVIEW : 03-19-2020:10:47:21

415 3/19/2020 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7799696 - Approved By: NOREVIEW : 03-19-2020:10:48:36

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4  
5  
6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7 IN AND FOR THE COUNTY OF WASHOE

8 WEST TAYLOR STREET, LLC, a limited  
9 liability company,

Case No. CV12-02995

10 Plaintiff,

Dept. No. 4

11 vs.

12 WASTE MANAGEMENT OF NEVADA,  
13 INC., and DOES I through X,

Defendants.

14 **ORDER DENYING WASTE MANAGEMENT OF NEVADA, INC.'S**  
15 **MOTION FOR AWARD OF ATTORNEYS' FEES**

16 On July 27, 2017, WASTE MANAGEMENT OF NEVADA, INC., (hereinafter "Waste  
17 Management"), by and through its attorney, Mark G. Simons, Esq., served an Offer of Judgment  
18 upon WEST TAYLOR, STREET, LLC (hereinafter "WTS") offering to allow judgment in favor  
19 of WTS and against Waste Management in the amount of \$10,000.00. WTS, by and through its  
20 attorney, C. Nicholas Pereos, Esq., did not accept the Offer.

21 On June 27, 2019, a *Decision* was entered in Waste Management v. West Taylor Street,  
22 LLC, 135 Nev. Ad. Op. 21, wherein the Nevada Supreme Court found that this Court erroneously  
23 granted summary judgment in favor of West Taylor Street, LLC (hereinafter "WTS") based upon  
24 an incorrect interpretation of NRS 444.520, and that application of a statute of limitations to the  
25 foreclosure of a garbage lien was improper. As a result, the Nevada Supreme Court reversed and  
26 remanded for further proceedings consistent with the Decision.

27 On December 23, 2019, Waste Management filed a *Memorandum of Costs*. On December  
28 24, 2019, WTS filed a *Motion to Retax Costs*. On December 26, 2019, Waste Management filed

1 a *Motion for Award of Attorneys' Fees and Costs*. On January 2, 2020, Waste Management filed  
2 an *Opposition to Motion to Retax Costs*. On January 3, 2020, WTS filed an *Opposition to Motion*  
3 *for Attorney Fees*, as well as a *Declaration of C. Nicholas Pereos in Support of Opposition to*  
4 *Motion for Attorney Fees*. On January 6, 2020, Waste Management filed *Reply in Support of*  
5 *Motion for Award of Attorneys' Fees and Costs*, and submitted the matter for the Court's  
6 consideration. On January 7, 2020, WTS filed a *Reply Argument in Support of Motion to Retax*  
7 *Costs*, and submitted the matter for the Court's consideration. On March 9, 2020, the Court entered  
8 its Order Granting in Part and Denying in Part West Taylor Street, LLC's Motion to Retax Costs  
9 in this matter.

10 The "purpose of NRCP 68 is to encourage the settlement of lawsuits before trial." Morgan  
11 v. Demille, 106 Nev. 671, 674 (1990). Pursuant to NRCP 68(f)(1)(a) when a plaintiff rejects an  
12 offer of judgment and fails to obtain a more favorable judgment, the plaintiff cannot recover any  
13 costs, expenses, or attorney fees and may not recover interest for the period after the service of the  
14 offer and before the judgment. Furthermore, the plaintiff must pay the defendants post-offer costs,  
15 and expenses, including a reasonable sum to cover any expenses incurred by the offeror for each  
16 expert witness whose services were reasonably necessary to prepare for and conduct the trial of  
17 the case, applicable interest on the judgment from the time of the offer to the time of entry of the  
18 judgment and reasonable attorney fees, if any be allowed, actually incurred by the offeror from the  
19 time of the offer." NRCP 68(f)(1)(b).

20 NCRP 68(g) states:

21 To invoke the penalties of this rule, the court must determine if the offeree failed  
22 to obtain a more favorable judgment. If the offer provided that costs, expenses,  
23 interest, and if attorney fees are permitted by law or contract, attorney fees, would  
24 be added by the court, the court must compare the amount of the offer with the  
25 principal amount of the judgment, without inclusion of costs, expenses, interest,  
and if attorney fees are permitted by law or contract, attorney fees. If a party made  
an offer in a set amount that precluded a separate award of costs, expenses, interest,  
and if attorney fees are permitted by law or contract, attorney fees, the court must  
compare the amount of the offer, together with the offeree's pre-offer taxable costs,  
expenses, interest, and if attorney fees are permitted by law or contract, attorney  
fees, with the principal amount of the judgment.

26 NCRP 68(g).

27 "[T]he trial court must carefully evaluate the following factors [in determining to award  
28 attorney's fees pursuant to NRCP 68]: (1) whether the plaintiff's claim was brought in good faith;

1 (2) whether the defendants' offer of judgment was reasonable and in good faith in both its timing  
2 and amount; (3) whether the plaintiff's decision to reject the offer and proceed to trial was grossly  
3 unreasonable or in bad faith; and (4) whether the fees sought by the offeror are reasonable and  
4 justified in amount. After weighing the foregoing factors, the district judge may, where warranted,  
5 award up to the full amount of fees requested.” Beattie v. Thomas, 99 Nev. 579, 588–89 (1983).  
6 Under Beattie, no one factor is determinative, and the district court has broad discretion to grant  
7 the request for attorney’s fees, so long as all appropriate factors are considered. Yamaha Motor  
8 Co., U.S.A. v. Arnoult, 114 Nev. 233, 252, fn.16 (1998).

9 In determining the reasonable value of an attorney's services, the Court must consider four  
10 factors: “(1) the qualities of the advocate: his ability, his training, education, experience,  
11 professional standing and skill; (2) the character of the work to be done: its difficulty, its intricacy,  
12 its importance, time and skill required, the responsibility imposed and the prominence and  
13 character of the parties where they affect the importance of the litigation; (3) the work actually  
14 performed by the lawyer: the skill, time and attention given to the work; (4) the result: whether the  
15 attorney was successful and what benefits were derived.” Brunzell v. Golden Gate Nat. Bank, 85  
16 Nev. 345, 349 (1969).

17 First, the Court will consider the first Beattie factor in determining an award of attorney’s  
18 fees pursuant to NRCP 68: whether Plaintiff’s claim was brought in good faith. The plaintiff,  
19 WTS, initially contacted Waste Management regarding not receiving its bills which had been sent  
20 to the wrong address. WTS worked with Waste Management and believed the account had been  
21 settled. Unbeknownst to the WTS, Waste Management continued to carry the account delinquent.  
22 Two years later, without any warning, Waste Management issued its first lien against WTS. When  
23 the Complaint in this case was filed, there were three liens against WTS’s property which totaled  
24 \$1,754.12. Waste Management removed the liens on the property in August 2014, following the  
25 Court’s July 28, 2014 Order. Under the November 17, 2015, *Stipulation and Order for Rule*  
26 *54(b) Certification and to Stay Proceedings*, the outstanding claim for Slander of Title was stayed  
27 while the Defendant, Waste Management, actively pursued an appeal of the October 1, 2015 Partial  
28

1 Summary Judgment. Waste Management filed two appeals with the Nevada Supreme Court, as  
2 well as a Petition for Writ of Mandamus.

3 Waste Management claims that WTS initiated extensive litigation over minor amounts in  
4 controversy and continued to pursue extensive litigation even after the liens were removed from  
5 WTS's property. WTS argues that it initiated litigation only after attempts at resolution of this  
6 dispute outside of Court were unsuccessful. WTS further alleges that Waste Management's  
7 practices of improperly imposing fees, late fees, fines, and liens on property would customarily be  
8 cost prohibitive to private parties wishing to fight them. Also, the lawsuit served to benefit the  
9 community who uses Waste Management's services under the Doctrine of Substantial Benefit.

10 Unlike most private parties, WTS was able to afford litigation and successfully fought to  
11 have the liens removed. As such, the Court finds that WTS's claim was brought in good faith.

12 Second, the Court will consider the second Beattie factor; whether Defendants' offer of  
13 judgment was reasonable and in good faith in both its timing and amount. NRCP 68(a) states that  
14 "[a]t any time more than 21 days before trial, any party may serve an offer in writing to allow  
15 judgment to be taken in accordance with its terms and conditions." NRCP 68(a). Failure to  
16 Accept Offer, "within 14 days after service . . . will be considered rejected by the offeree and  
17 deemed withdrawn by the offeror." NRCP(e).

18 Waste Management made an offer under NRCP 68, on July 27, 2017. The offer was made  
19 three years after the liens had been released from WTS's property and was made approximately  
20 five months before trial was to commence. The only outstanding claim before the Court for  
21 consideration was WTS's Slander of Title claim. Waste Management's offer was to pay WTS  
22 \$10,000.00. In addition, Waste Management promised to forgive the charges of \$1,754.12 that  
23 had been incurred in relation to the three liens that had been released. While the amount offered  
24 would not have covered costs, or attorney's fees, had C. Nicholas Pereos, Esq. charged WTS for  
25 his time, the offer was reasonable in relation to the gravamen of the case. Therefore, Waste  
26 Management, made the offer in good faith, in both its timing and amount. Third, the Court will  
27 consider the third factor in Beattie; whether Plaintiff's decision to reject the offer and proceed to  
28 trial was grossly unreasonable or in bad faith. As stated above, Waste Management's offer was



1 reasonable in relation to the gravamen of the initial claims brought. While Waste Management  
2 contends that WTS did not incur any special damages resulting from the recordation of Waste  
3 Management's liens and that WTS pursued extensive litigation even after the liens were removed  
4 from WTS's property, WTS did not have to accept the offer, as settlement is voluntary. WTS's  
5 decision to reject the offered amount, after years of ongoing litigation does not appear to be  
6 unreasonable or made in bad faith. Therefore, the Court finds WTS's decision to reject the offer  
7 and proceed to trial was not grossly unreasonable, nor was it made in bad faith.

8 The final Beattie factor the Court must consider is whether the fees sought by Waste  
9 Management, the offeror, are reasonable and justified in amount. In determining the reasonable  
10 value of an attorney's services, the Court must consider the four Brunzell factors. The Court finds  
11 that Mark G. Simons, Esq., who represented Waste Management, is a skilled and professional  
12 advocate, as evidenced by his training, ability, and education. The case brought by Waste  
13 Management, was the first to ask the Nevada Supreme Court to interpret issues regarding NRS  
14 444.520. The character of the work to be done in this case required Mr. Simons to expend much  
15 time and skill. Furthermore, it is difficult to litigate statutes that have not yet been interpreted by  
16 higher courts.

17 Moreover, the Court finds the work actually performed by the lawyer required skill, time,  
18 and attention. Mr. Simons has adequately recorded the time he committed to the representation he  
19 provided to Waste Management. The Supreme Court in this case interpreted NRS 444.520 to  
20 apply mechanics lien statutes only to foreclosure proceedings, not to the recording and perfecting  
21 requirements of garbage liens, which the current statute appears to be silent on. This result allowed  
22 the attorney to successfully represent Waste Management in defeating WTS's claims. Therefore,  
23 under the Brunzell factors, the Court finds that Mr. Simons was effective counsel whose fees were  
24 reasonable and justified in amount.

25 Weighing the four Beattie factors, no one factor is determinative. The Court finds that  
26 while Waste Management's offer was reasonable and the attorneys effectively represented their  
27 client, an award of attorneys' fees is not justified in this case. WTS's claims were brought in good  
28 faith, and WTS's decision to reject the offer to proceed to trial was not grossly unreasonable or

1 made in bad faith. The plaintiff, while not successful at the Nevada Supreme Court, did  
2 successfully have liens removed by Waste Management, and was reasonable in pursuing the  
3 litigation against Waste Management. The Court, therefore, denies Waste Management's Motion  
4 for award of attorneys' fees.

5 IT IS HEREBY ORDERED that Waste Management of Nevada, Inc.'s Motion for Award  
6 of Attorneys' Fees is DENIED.

7 DATED this 10 day of March, 2020.

8 Connie J. Steinheimer  
9 DISTRICT JUDGE  
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**CERTIFICATE OF SERVICE**

CASE NO. CV12-02995

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the STATE OF NEVADA, COUNTY OF WASHOE; that on the 10 day of March, 2020, I filed the **ORDER DENYING WASTE MANAGEMENT OF NEVADA, INC.'S MOTION FOR AWARD OF ATTORNEYS' FEES** with the Clerk of the Court.

I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

       **Personal delivery to the following: [NONE]**

  X   **Electronically filed with the Clerk of the Court, using the eFlex system which constitutes effective service for all eFiled documents pursuant to the eFile User Agreement.**

MARK SIMONS, ESQ. for WASTE MANAGEMENT OF NEVADA INC

THERESE SHANKS, ESQ.

DOUGLAS FERMOILE, ESQ. for WEST TAYLOR STREET LLC

C. PEREOS, ESQ. for WEST TAYLOR STREET LLC

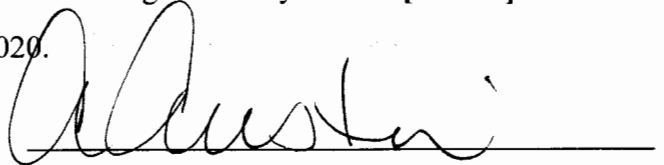
       **Transmitted document to the Second Judicial District Court mailing system in a sealed envelope for postage and mailing by Washoe County using the United States Postal Service in Reno, Nevada: [NONE]**

       **Placed a true copy in a sealed envelope for service via:**

       Reno/Carson Messenger Service – [NONE]

       Federal Express or other overnight delivery service [NONE]

DATED this 10 day of March, 2020.



1 CODE:  
2 C. NICHOLAS PEREOS, ESQ.  
3 Nevada Bar #0000013  
4 1610 MEADOW WOOD LANE, STE. 202  
5 RENO, NV 89502  
6 (775) 329-0678  
7 ATTORNEYS FOR PLAINTIFF

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IN THE SECOND JUDICIAL DISTRICT COURT OF NEVADA  
IN AND FOR THE COUNTY OF WASHOE

\*\*\*\*\*

WEST TAYLOR STREET, LLC,  
a limited liability company,

Case No. CV12 02995  
Dept. No. 4

Plaintiff,

vs.

WASTE MANAGEMENT OF NEVADA,  
INC., KAREN GONZALEZ, and  
DOES 1 THROUGH 10,

Defendants.

NOTICE OF ENTRY OF ORDER

TO: DEFENDANTS ABOVE-NAMED AND THEIR ATTORNEY OF RECORD:

NOTICE IS HEREBY GIVEN that on the 10<sup>th</sup> day of March, 2020, an Order Denying Defendants' Motion for Award of Attorney's Fees was entered in the above-entitled action in favor of Plaintiff and against Defendants, a copy of which is marked as **Exhibit "1"** attached hereto and made a part hereof.

The undersigned affirms that the foregoing pleading does not contain a social security number.

///

///

**AFFIRMATION**

The undersigned affirms that the foregoing pleading does not contain a social security number.

DATED this 11<sup>th</sup> day of March, 2020

C. NICHOLAS PEREOS, LTD.



By: \_\_\_\_\_  
C. NICHOLAS PEREOS, ESQ.  
1610 MEADOW WOOD LANE, STE. 202  
RENO, NV 89502  
ATTORNEY FOR PLAINTIFF

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SIMONS HALL JOHNSTON  
Mark G. Simons, Esq.  
*ATTORNEY FOR DEFENDANTS*

Iris M. Norton  
Iris M. Norton

FILED  
Electronically  
CV12-02995  
2020-03-11 09:39:09 AM  
Jacqueline Bryant  
Clerk of the Court  
Transaction # 7786350

**EXHIBIT "1"**

**EXHIBIT "1"**

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF WASHOE

WEST TAYLOR STREET, LLC, a limited  
liability company,

Plaintiff,

vs.

WASTE MANAGEMENT OF NEVADA,  
INC., and DOES I through X,

Defendants.

Case No. CV12-02995

Dept. No. 4

**ORDER DENYING WASTE MANAGEMENT OF NEVADA, INC.'S  
MOTION FOR AWARD OF ATTORNEYS' FEES**

On July 27, 2017, WASTE MANAGEMENT OF NEVADA, INC., (hereinafter "Waste Management"), by and through its attorney, Mark G. Simons, Esq., served an Offer of Judgment upon WEST TAYLOR, STREET, LLC (hereinafter "WTS") offering to allow judgment in favor of WTS and against Waste Management in the amount of \$10,000.00. WTS, by and through its attorney, C. Nicholas Pereos, Esq., did not accept the Offer.

On June 27, 2019, a *Decision* was entered in Waste Management v. West Taylor Street, LLC, 135 Nev. Ad. Op. 21, wherein the Nevada Supreme Court found that this Court erroneously granted summary judgment in favor of West Taylor Street, LLC (hereinafter "WTS") based upon an incorrect interpretation of NRS 444.520, and that application of a statute of limitations to the foreclosure of a garbage lien was improper. As a result, the Nevada Supreme Court reversed and remanded for further proceedings consistent with the Decision.

On December 23, 2019, Waste Management filed a *Memorandum of Costs*. On December 24, 2019, WTS filed a *Motion to Retax Costs*. On December 26, 2019, Waste Management filed



1 a *Motion for Award of Attorneys' Fees and Costs*. On January 2, 2020, Waste Management filed  
2 an *Opposition to Motion to Retax Costs*. On January 3, 2020, WTS filed an *Opposition to Motion*  
3 *for Attorney Fees*, as well as a *Declaration of C. Nicholas Pereos in Support of Opposition to*  
4 *Motion for Attorney Fees*. On January 6, 2020, Waste Management filed *Reply in Support of*  
5 *Motion for Award of Attorneys' Fees and Costs*, and submitted the matter for the Court's  
6 consideration. On January 7, 2020, WTS filed a *Reply Argument in Support of Motion to Retax*  
7 *Costs*, and submitted the matter for the Court's consideration. On March 9, 2020, the Court entered  
8 its Order Granting in Part and Denying in Part West Taylor Street, LLC's Motion to Retax Costs  
9 in this matter.

10 The "purpose of NRCP 68 is to encourage the settlement of lawsuits before trial." Morgan  
11 v. Demille, 106 Nev. 671, 674 (1990). Pursuant to NRCP 68(f)(1)(a) when a plaintiff rejects an  
12 offer of judgment and fails to obtain a more favorable judgment, the plaintiff cannot recover any  
13 costs, expenses, or attorney fees and may not recover interest for the period after the service of the  
14 offer and before the judgment. Furthermore, the plaintiff must pay the defendants post-offer costs,  
15 and expenses, including a reasonable sum to cover any expenses incurred by the offeror for each  
16 expert witness whose services were reasonably necessary to prepare for and conduct the trial of  
17 the case, applicable interest on the judgment from the time of the offer to the time of entry of the  
18 judgment and reasonable attorney fees, if any be allowed, actually incurred by the offeror from the  
19 time of the offer." NRCP 68(f)(1)(b).

20 NCRP 68(g) states:

21 To invoke the penalties of this rule, the court must determine if the offeree failed  
22 to obtain a more favorable judgment. If the offer provided that costs, expenses,  
23 interest, and if attorney fees are permitted by law or contract, attorney fees, would  
24 be added by the court, the court must compare the amount of the offer with the  
25 principal amount of the judgment, without inclusion of costs, expenses, interest,  
26 and if attorney fees are permitted by law or contract, attorney fees. If a party made  
27 an offer in a set amount that precluded a separate award of costs, expenses, interest,  
28 and if attorney fees are permitted by law or contract, attorney fees, the court must  
compare the amount of the offer, together with the offeree's pre-offer taxable costs,  
expenses, interest, and if attorney fees are permitted by law or contract, attorney  
fees, with the principal amount of the judgment.

26 NCRP 68(g).

27 "[T]he trial court must carefully evaluate the following factors [in determining to award  
28 attorney's fees pursuant to NRCP 68]: (1) whether the plaintiff's claim was brought in good faith;

1 (2) whether the defendants' offer of judgment was reasonable and in good faith in both its timing  
2 and amount; (3) whether the plaintiff's decision to reject the offer and proceed to trial was grossly  
3 unreasonable or in bad faith; and (4) whether the fees sought by the offeror are reasonable and  
4 justified in amount. After weighing the foregoing factors, the district judge may, where warranted,  
5 award up to the full amount of fees requested." Beattie v. Thomas, 99 Nev. 579, 588–89 (1983).  
6 Under Beattie, no one factor is determinative, and the district court has broad discretion to grant  
7 the request for attorney's fees, so long as all appropriate factors are considered. Yamaha Motor  
8 Co., U.S.A. v. Arnoult, 114 Nev. 233, 252, fn.16 (1998).

9 In determining the reasonable value of an attorney's services, the Court must consider four  
10 factors: "(1) the qualities of the advocate: his ability, his training, education, experience,  
11 professional standing and skill; (2) the character of the work to be done: its difficulty, its intricacy,  
12 its importance, time and skill required, the responsibility imposed and the prominence and  
13 character of the parties where they affect the importance of the litigation; (3) the work actually  
14 performed by the lawyer: the skill, time and attention given to the work; (4) the result: whether the  
15 attorney was successful and what benefits were derived." Brunzell v. Golden Gate Nat. Bank, 85  
16 Nev. 345, 349 (1969).

17 First, the Court will consider the first Beattie factor in determining an award of attorney's  
18 fees pursuant to NRCP 68: whether Plaintiff's claim was brought in good faith. The plaintiff,  
19 WTS, initially contacted Waste Management regarding not receiving its bills which had been sent  
20 to the wrong address. WTS worked with Waste Management and believed the account had been  
21 settled. Unbeknownst to the WTS, Waste Management continued to carry the account delinquent.  
22 Two years later, without any warning, Waste Management issued its first lien against WTS. When  
23 the Complaint in this case was filed, there were three liens against WTS's property which totaled  
24 \$1,754.12. Waste Management removed the liens on the property in August 2014, following the  
25 Court's July 28, 2014 Order. Under the November 17, 2015, *Stipulation and Order for Rule*  
26 *54(b) Certification and to Stay Proceedings*, the outstanding claim for Slander of Title was stayed  
27 while the Defendant, Waste Management, actively pursued an appeal of the October 1, 2015 Partial  
28



1 Summary Judgment. Waste Management filed two appeals with the Nevada Supreme Court, as  
2 well as a Petition for Writ of Mandamus.

3 Waste Management claims that WTS initiated extensive litigation over minor amounts in  
4 controversy and continued to pursue extensive litigation even after the liens were removed from  
5 WTS's property. WTS argues that it initiated litigation only after attempts at resolution of this  
6 dispute outside of Court were unsuccessful. WTS further alleges that Waste Management's  
7 practices of improperly imposing fees, late fees, fines, and liens on property would customarily be  
8 cost prohibitive to private parties wishing to fight them. Also, the lawsuit served to benefit the  
9 community who uses Waste Management's services under the Doctrine of Substantial Benefit.

10 Unlike most private parties, WTS was able to afford litigation and successfully fought to  
11 have the liens removed. As such, the Court finds that WTS's claim was brought in good faith.

12 Second, the Court will consider the second Beattie factor; whether Defendants' offer of  
13 judgment was reasonable and in good faith in both its timing and amount. NRCP 68(a) states that  
14 "[a]t any time more than 21 days before trial, any party may serve an offer in writing to allow  
15 judgment to be taken in accordance with its terms and conditions." NRCP 68(a). Failure to  
16 Accept Offer, "within 14 days after service . . . will be considered rejected by the offeree and  
17 deemed withdrawn by the offeror." NRCP(e).

18 Waste Management made an offer under NRCP 68, on July 27, 2017. The offer was made  
19 three years after the liens had been released from WTS's property and was made approximately  
20 five months before trial was to commence. The only outstanding claim before the Court for  
21 consideration was WTS's Slander of Title claim. Waste Management's offer was to pay WTS  
22 \$10,000.00. In addition, Waste Management promised to forgive the charges of \$1,754.12 that  
23 had been incurred in relation to the three liens that had been released. While the amount offered  
24 would not have covered costs, or attorney's fees, had C. Nicholas Pereos, Esq. charged WTS for  
25 his time, the offer was reasonable in relation to the gravamen of the case. Therefore, Waste  
26 Management, made the offer in good faith, in both its timing and amount. Third, the Court will  
27 consider the third factor in Beattie; whether Plaintiff's decision to reject the offer and proceed to  
28 trial was grossly unreasonable or in bad faith. As stated above, Waste Management's offer was

1 reasonable in relation to the gravamen of the initial claims brought. While Waste Management  
2 contends that WTS did not incur any special damages resulting from the recordation of Waste  
3 Management's liens and that WTS pursued extensive litigation even after the liens were removed  
4 from WTS's property, WTS did not have to accept the offer, as settlement is voluntary. WTS's  
5 decision to reject the offered amount, after years of ongoing litigation does not appear to be  
6 unreasonable or made in bad faith. Therefore, the Court finds WTS's decision to reject the offer  
7 and proceed to trial was not grossly unreasonable, nor was it made in bad faith.

8 The final Beattie factor the Court must consider is whether the fees sought by Waste  
9 Management, the offeror, are reasonable and justified in amount. In determining the reasonable  
10 value of an attorney's services, the Court must consider the four Brunzell factors. The Court finds  
11 that Mark G. Simons, Esq., who represented Waste Management, is a skilled and professional  
12 advocate, as evidenced by his training, ability, and education. The case brought by Waste  
13 Management, was the first to ask the Nevada Supreme Court to interpret issues regarding NRS  
14 444.520. The character of the work to be done in this case required Mr. Simons to expend much  
15 time and skill. Furthermore, it is difficult to litigate statutes that have not yet been interpreted by  
16 higher courts.

17 Moreover, the Court finds the work actually performed by the lawyer required skill, time,  
18 and attention. Mr. Simons has adequately recorded the time he committed to the representation he  
19 provided to Waste Management. The Supreme Court in this case interpreted NRS 444.520 to  
20 apply mechanics lien statutes only to foreclosure proceedings, not to the recording and perfecting  
21 requirements of garbage liens, which the current statute appears to be silent on. This result allowed  
22 the attorney to successfully represent Waste Management in defeating WTS's claims. Therefore,  
23 under the Brunzell factors, the Court finds that Mr. Simons was effective counsel whose fees were  
24 reasonable and justified in amount.

25 Weighing the four Beattie factors, no one factor is determinative. The Court finds that  
26 while Waste Management's offer was reasonable and the attorneys effectively represented their  
27 client, an award of attorneys' fees is not justified in this case. WTS's claims were brought in good  
28 faith, and WTS's decision to reject the offer to proceed to trial was not grossly unreasonable or

1 made in bad faith. The plaintiff, while not successful at the Nevada Supreme Court, did  
2 successfully have liens removed by Waste Management, and was reasonable in pursuing the  
3 litigation against Waste Management. The Court, therefore, denies Waste Management's Motion  
4 for award of attorneys' fees.

5 IT IS HEREBY ORDERED that Waste Management of Nevada, Inc.'s Motion for Award  
6 of Attorneys' Fees is DENIED.

7 DATED this 10 day of March, 2020.

8 Connie J. Steinheimer  
9 DISTRICT JUDGE  
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**CERTIFICATE OF SERVICE**

CASE NO. CV12-02995

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the STATE OF NEVADA, COUNTY OF WASHOE; that on the 10 day of March, 2020, I filed the **ORDER DENYING WASTE MANAGEMENT OF NEVADA, INC.'S MOTION FOR AWARD OF ATTORNEYS' FEES** with the Clerk of the Court.

I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

       **Personal delivery to the following: [NONE]**

  X   **Electronically filed with the Clerk of the Court, using the eFlex system which constitutes effective service for all eFiled documents pursuant to the eFile User Agreement.**

MARK SIMONS, ESQ. for WASTE MANAGEMENT OF NEVADA INC

THERESE SHANKS, ESQ.

DOUGLAS FERMOILE, ESQ. for WEST TAYLOR STREET LLC

C. PEREOS, ESQ. for WEST TAYLOR STREET LLC

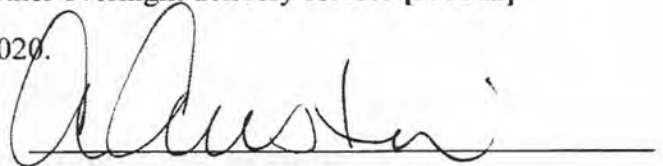
       **Transmitted document to the Second Judicial District Court mailing system in a sealed envelope for postage and mailing by Washoe County using the United States Postal Service in Reno, Nevada: [NONE]**

       **Placed a true copy in a sealed envelope for service via:**

       Reno/Carson Messenger Service – [NONE]

       Federal Express or other overnight delivery service [NONE]

DATED this 10 day of March, 2020.



CASE NO. CV12-02995      **WEST TAYLOR STREET VS. WASTE MANAGEMENT, ETAL**

**DATE, JUDGE**

**OFFICERS OF**

**COURT PRESENT**

**APPEARANCES-HEARING**

**CONT'D TO**

4/29/13

**PROVE UP HEARING**

HONORABLE *Plaintiff's Exhibits A through H were marked by the Clerk prior to the*

CONNIE J. *hearing.*

STEINHEIMER C. Nicholas Pereos, Esq., was present on behalf of the Plaintiff.

DEPT. NO. 4 Defendants were not present or represented.

M. Merkouris Discussion ensued between the Court and counsel Pereos regarding service  
(Clerk) on the Defendants.

S. Culp **COURT ORDERED:** Counsel Pereos shall reset this hearing once he has  
(Reporter) completed service on the Defendants and prepared a supplemental brief.

---

## Exhibits

**Title: WEST TAYLOR STREET VS. WASTE MANAGEMENT, ETAL**  
**PLAINTIFF: WEST TAYLOR STREET PATY: C. NICHOLAS PEREOS, ESQ.**

**DEFENDANT: WASTE MANAGEMENT, ETAL DATY: N/A**

**Case No: CV12-02995**

**Dept. No: 4**

**Clerk: M. MERKOURIS**

**Date: 4/29/13**

Exhibit No.	Party	Description	Marked	Offered	Admitted
A	PLAINTIFF	Notice of Intent to Lien for Garbage Fees	4/29/13		
B	PLAINTIFF	Letter to Waste Management dated 11/1/12	4/29/13		
C	PLAINTIFF	Letter to Waste Management dated 11/1/12	4/29/13		
D	PLAINTIFF	Letter to Waste Management dated 10/12/12	4/29/13		
E	PLAINTIFF	Letter to Waste Management dated 9/13/12	4/29/13		
F	PLAINTIFF	Notice of Lien for Garbage Fees Residential User	4/29/13		
G	PLAINTIFF	Letter to Waste Management dated 5/24/10	4/29/13		
H	PLAINTIFF	Letter to Waste Management dated 7/13/07	4/29/13		



CASE NO. CV12-02995

WEST TAYLOR STREET VS. WASTE MANAGEMENT, ET AL

DATE, JUDGE  
OFFICERS OF  
COURT PRESENT

APPEARANCES-HEARING

---

07/16/13  
HONORABLE  
CONNIE J.  
STEINHEIMER  
DEPT. NO. 4  
C. Lloyd  
(Clerk)  
S. Loder  
(Reporter)

HEARING: ON MOTION FOR ORDER SHORTENING TIME (TELEPHONIC)  
Plaintiff, West Taylor Street, LLC was represented by counsel, C. Nicholas Pereos, Esq.  
present via telephone.  
Defendant, Waste Management, Et al was represented by counsel, Bryan L. Wright,  
Esq. present via telephone.  
Discussion ensued between respective counsel and the Court regarding the status of the  
pending motion to for order shortening time.  
Counsel Wright addressed the Court advising the matter has been fully briefed and  
submitted.  
COURT ORDERED: Motion for order shortening time shall be DENIED. Court further  
took the matter as to the motion to set aside the default judgment and motion to set  
aside the clerk's default judgment under advisement.  
No further hearings were set.  
Court concluded and stood in recess.

CASE NO. CV12-02995     **TITLE: WEST TAYLOR STREET LLC VS. WASTE  
MANAGEMENT OF NEVADA, INC., and KAREN  
GONZALEZ**

**DATE, JUDGE  
OFFICERS OF**

**COURT PRESENT**

**APPEARANCES-HEARING**

**CONT'D TO**

2/5/14

**PRE-TRIAL CONFERENCE (TELEPHONIC)**

HONORABLE

Counsel Nicholas Pereos, Esq., represented the Plaintiff. Counsel Bryan

CONNIE

Wright, Esq., represented the Defendants.

STEINHEIMER

Plaintiff's counsel advised the Court of the necessity to request leave of the

DEPT. NO.4

Scheduling Order in regards to amending the pleadings and will be filing a

M. Stone

formal Motion prior to the deadline set forth in the Scheduling Order.

(Clerk)

Respective counsel advised the Court that they had no objection to the

Not Reported

deadline outlined in the Scheduling Order regarding the submission of

dispositive Motions.

Upon defense counsel having no objection, **COURT ENTERED ORDER** granting the Motion to Amend Complaint to correct typographical errors. Plaintiff's counsel shall file the Amended Complaint within 10 days of the date of this hearing and serve on defense counsel by mail. The Defendants' Answer to the Original Complaint shall stand as to the Amended Complaint. Respective counsel further advised the Court that a Motion for Partial Summary Judgment shall be filed, fully briefed and submitted to the Court within the next month and could be dispositive of the case.

Status conference set. Oral arguments on any motions submitted to the Court shall be heard at such conference. No telephonic appearances will be allowed.

**4/3/14**

**2:00 p.m.**

**Status**

**Conference**

CASE NO. CV12-02995     **TITLE: WEST TAYLOR STREET LLC VS. WASTE  
MANAGEMENT OF NEVADA, INC., and KAREN  
GONZALEZ**

**DATE, JUDGE  
OFFICERS OF**

**COURT PRESENT**

**APPEARANCES-HEARING**

**CONT'D TO**

5/7/14	<b><u>STATUS CONFERENCE/ARGUMENTS ON SUBMITTED MOTIONS</u></b>
HONORABLE	Counsel Nicholas Pereos, Esq., represented the Plaintiff. Counsel Bryan
CONNIE	Wright, Esq., represented the Defendants.
STEINHEIMER	Upon agreement by counsel to allow an amendment to the pleadings and to
DEPT. NO.4	continue the trial date, <b>COURT ENTERED ORDER</b> vacating the trial
M. Stone	currently scheduled for June 9, 2014 and allowing for limited discovery. A
(Clerk)	status conference was set in order to reset trial after the limited discovery is
R. Malnerich	complete.
(Reporter)	Motion for Summary Judgment by Plaintiff's counsel; presented argument;
	objection and argument by Defendant's counsel; reply by Plaintiff's counsel.
	<b>COURT</b> took arguments under consideration and would render decision on
	the Motion at the status conference.

**7/30/14  
9:00 a.m.  
Status  
Conference**

CASE NO. CV12-02995     **TITLE: WEST TAYLOR STREET LLC VS. WASTE  
MANAGEMENT OF NEVADA, INC., and KAREN  
GONZALEZ**

**DATE, JUDGE  
OFFICERS OF**

**COURT PRESENT**

**APPEARANCES-HEARING**

**CONT'D TO**

7/30/14

**STATUS CONFERENCE**

HONORABLE

Nicholas Pereos, Esq., represented the Plaintiff. Bryan Wright, Esq.,

**12/16/14**

CONNIE

represented the Defendants.

**2:00 p.m.**

STEINHEIMER

Respective counsel noted receipt of the decision from the Court on the

**Status**

DEPT. NO.4

Motion for Summary Judgment. Counsel further advised the Court that

**Conference**

M. Stone

there are issues with the current lien which could cause a Motion to Strike

(Clerk)

Lien to occur or the Lien may be voluntarily released.

J. Schonlau

Counsel Pereos request additional time to set trial in order to consult and

(Reporter)

narrow issues.

Counsel Wright advised the Court that the defendant's may move to

reconsider the decision on the Motion for Summary Judgment.

**COURT ENTERED ORDER** allowing additional time to set trial in order for

issues to be resolved and/or narrowed. **COURT** directed counsel to submit

for decision any Motions that need a ruling prior to trial being set by

December 1, 2014. A written decision will be entered prior to the next

hearing or an oral decision will be pronounced at the hearing.

Additional status conference set wherein trial will be set.

CASE NO. CV12-02995     **TITLE: WEST TAYLOR STREET LLC VS. WASTE  
MANAGEMENT OF NEVADA, INC., and KAREN  
GONZALEZ**

**DATE, JUDGE  
OFFICERS OF**

**COURT PRESENT**

**APPEARANCES-HEARING**

**CONT'D TO**

7/1/15	<b><u>MOTION FOR PARTIAL SUMMARY JUDGMENT (TELEPHONIC)</u></b>
HONORABLE	Nicholas Pereos, Esq., represented the Plaintiff. Sean Thueson, Esq.,
CONNIE	represented the Defendants.
STEINHEIMER	Court advised counsel of purpose for hearing. At request of the Court,
DEPT. NO.4	counsel clarified the issues in the Motion for Partial Summary Judgment.
M. Stone	Upon review of the Motion and the clarifications presented by counsel,
(Clerk)	<b>COURT ENTERED ORDER</b> granting the Motion for Partial Summary
Not Reported	Judgment. Counsel Pereos to provide proposed Judgment to the Court.
	Based on the entry of the Judgment, respective counsel advised the Court
	that the case is narrowed to the Slander claim only.
	Court recessed.

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CASE NO. CV12-02995     **TITLE: WEST TAYLOR STREET, LLC, VS. WASTE  
MANAGEMENT OF NEVADA, INC., and KAREN  
GONZALEZ**

**DATE, JUDGE  
OFFICERS OF  
COURT PRESENT**

**APPEARANCES-HEARING**

**CONT'D TO**

2/22/17

**ORAL ARGUMENTS ON DEFENDANT'S MOTION FOR SUMMARY**

HONORABLE **JUDGMENT**

CONNIE C. Nicholas Pereos, Esq., represented the Plaintiff. Mark Simons, Esq.,  
STEINHEIMER represented the Defendants.

DEPT. NO.4 Motion for Summary Judgment by counsel Simons; presented argument;  
M. Stone objection and argument by counsel Pereos.

(Clerk) During counsel Pereos' argument the Plaintiff conceded that Motion for  
Not Reported Summary Judgment should be granted as to Defendant Karen Gonzalez as the  
Plaintiff has no evidence that Defendant Gonzalez acted independently from  
her employment at Waste management of Nevada, Inc.

Counsel Simons presented reply argument in support of the Motion for  
Summary Judgment.

**COURT** took Defendant's Motion for Summary Judgement under advisement.

Court recessed.

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CASE NO. CV12-02995      **TITLE: WEST TAYLOR STREET, LLC, VS. WASTE  
MANAGEMENT OF NEVADA, INC.**

DATE, JUDGE  
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

<p>4/5/17 HONORABLE CONNIE STEINHEIMER DEPT. NO.4 M. Stone (Clerk) Not Reported</p>	<p><b><u>PRE-TRIAL CONFERENCE</u></b> C. Nicholas Pereos, Esq., represented the Plaintiff. Mark Simons, Esq., represented the Defendant. Counsel Pereos advised the Court that all discovery is complete with the exception of taking the deposition of Karen Gonzalez which is only need should she be testifying at trial. Counsel Simons advised the Court that it has yet to be determined as to whether or not Ms. Gonzalez would testify. Respective counsel advised the Court that there are no experts involved in this case and that no additional dispositive Motions are to be filed. <b>COURT</b> established the following discovery deadlines: The close of discovery deadline will be July 18, 2017; the last date to <b><u>file</u></b> dispositive Motions, including Motions in Limine regarding Expert Witnesses, will be August 16, 2017; the last date to <b><u>submit</u></b> dispositive Motions, including Motions in Limine regarding Expert Witnesses, will be September 15, 2017; the last date to <b><u>file</u></b> "other" Motions in Limine will be August 30, 2017; the last date to <b><u>submit</u></b> "other" Motions in Limine will be September 29, 2017; and the last date to file/submit Trial Statements and Jury Instructions will be October 2, 2017. All dates will be codified in a Scheduling Order. Counsel Simons advised the Court that he was attempting to re-engage the parties in settlement discussions. Counsel Pereos advised the Court that he will have Douglas Fermoile as co-counsel during trial who will be able to examined counsel Pereos should he be called to testify. Status conference set.</p>	<p><b>9/20/17 9:00 a.m. Status Conference</b>  <b>10/16/17 10:00 a.m. Jury Trial (3 days)</b></p>
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CASE NO. CV12-02995      **TITLE: WEST TAYLOR STREET, LLC, VS. WASTE  
MANAGEMENT OF NEVADA, INC.**

**DATE, JUDGE  
OFFICERS OF**

**COURT PRESENT**

**APPEARANCES-HEARING**

**CONT'D TO**

8/30/17	<b><u>STATUS CONFERENCE</u></b>	
HONORABLE	C. Nicholas Pereos, Esq., represented the Plaintiff. Mark Simons, Esq.,	
CONNIE	represented the Defendant.	<b>11/13/17</b>
STEINHEIMER	Respective counsel advised the Court that the case will not resolve prior to trial.	<b>10:00 a.m.</b>
DEPT. NO.4	Court advised counsel that should this case proceed to trial on October 16, 2017	<b>Jury Trial</b>
M. Stone	the trial will have to be heard by another Judge of the District.	<b>(3 days)</b>
(Clerk)	Respective counsel requested that the trial be vacated and reset so the matter	
Not Reported	could remain in Department 4 due to the lengthy history of this case.	
	<b>COURT ENTERED ORDER</b> continuing the trial in this matter. The date to	
	submit Jury Instruction and file Trial Statements will be moved with the new trial	
	date.	
	Counsel Pereos advised the Court that Douglas Fermoile, Esq., will be assisting	
	him with the trial when counsel Pereos testifies in the trial. Counsel Simons	
	presented objection.	
	Court noted the filing of a Motion in Limine by Plaintiff.	
	Counsel Simons advised the Court that he will also be filing a Motion in Limine	
	on behalf of the Defendant.	
	Court recessed.	

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CASE NO. CV12-02995     **TITLE: WEST TAYLOR STREET VS. WASTE  
MANAGEMENT ET AL**

**DATE, JUDGE  
OFFICERS OF  
COURT PRESENT**

**APPEARANCE-HEARING**

**CONT'D TO**

12/06/2019  
HONORABLE  
CONNIE  
STEINHEIMER  
DEPT. NO. 4  
T. Adrian  
(Clerk)  
*Not Reported*

**ORAL ARGUMENTS**

C. Nicholas Pereos, Esq., represented the Plaintiff. Mark Simons, Esq., represented the Defendant.  
Defendant's counsel presented Motion to Vacate Orders and Judgments and Enter Judgment in Favor of Waste Management pursuant to the Supreme Court ruling.  
Plaintiff's counsel acknowledged that there may have been some miscommunication as to the procedural appropriateness of proceeding with litigation given the Supreme Court's ruling.  
Discussion ensued regarding what claims, if any, were pending before the Court at this time.  
**COURT ENTERED ORDER** vacating judgments and setting aside Orders filed on July 28, 2014, October 1, 2015, December 29, 2017, and March 22, 2018 pursuant to the Nevada Supreme Court ruling.  
Discussion ensued where the case stands procedurally and what means are necessary to effectively close the case.  
Upon review of the Second Amended Complaint filed June 27, 2014, **COURT** found that there are no pending claims before the Court to litigate.  
All claims have been resolved.  
**COURT ENTERED ORDER** dismissing the case.

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Code 4132

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF WASHOE

WEST TAYLOR STREET, LLC, a limited liability company,

Case No. CV12-02995

Plaintiff,

Dept. No. 4

vs.

WASTE MANAGEMENT OF NEVADA, INC., and DOES I  
through X,

Defendant.

**NOTICE OF APPEAL DEFICIENCY**

TO: Clerk of the Court, Nevada Supreme Court,  
and All Parties or their Respective Counsel Of Record:

On March 19<sup>th</sup>, 2020, Attorney Mark G. Simons, Esq. for Waste Management of Nevada, Inc., filed a Notice of Appeal with the Court. Plaintiff failed to include the Two Hundred Fifty Dollar (\$250.00) Supreme Court filing fee.

Pursuant to NRAP 3(a)(3), on March 19<sup>th</sup>, 2020, the Notice of Appeal was filed with the Nevada Supreme Court. By copy of this notice Attorney Mark S. Simons, Esq., was apprised of the deficiency.

Dated this 19th day of March, 2020.

Jacqueline Bryant  
Clerk of the Court

By: /s/YViloria  
YViloria  
Deputy Clerk

CERTIFICATE OF SERVICE

CASE NO. CV12-02995

I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County Of Washoe; that on the 19th day of March, 2020, I electronically filed the Notice of Appeal Deficiency with the Clerk of the Court by using the ECF system.

I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

Electronically filed with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:

MARK SIMONS, ESQ. for WASTE MANAGEMENT OF NEVADA INC

THERESE SHANKS, ESQ.

DOUGLAS FERMOILE, ESQ. for WEST TAYLOR STREET LLC

C. PEREOS, ESQ. for WEST TAYLOR STREET LLC

Deposited in the Washoe County mailing system for postage and mailing with the United States Postal Service in Reno, Nevada:

/s/YViloria  
YViloria  
Deputy Clerk

Code 1350

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF WASHOE

WEST TAYLOR STREET, LLC, a limited liability company,

Case No. CV12-02995

Plaintiff,

Dept. No. 4

vs.

WASTE MANAGEMENT OF NEVADA, INC., and DOES I  
through X,

Defendant.

**CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL**

I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on the 19th day of March, 2020, I electronically filed the Notice of Appeal in the above entitled matter to the Nevada Supreme Court.

I further certify that the transmitted record is a true and correct copy of the original pleadings on file with the Second Judicial District Court.

Dated this 19th day of March, 2020.

Jacqueline Bryant  
Clerk of the Court  
By /s//YViloria  
YViloria  
Deputy Clerk