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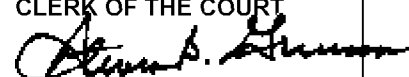
**DISTRICT COURT
CLARK COUNTY, NEVADA**

RUTH L. COHEN, an individual,)	Case No.: A-19-792599-B
)	Dept. No.: XI
Plaintiff,)	
)	<u>NOTICE OF APPEAL</u>
vs.)	
)	
PAUL S. PADDA, an individual; PAUL PADDA)	
LAW, PLLC, a Nevada professional limited)	
liability company; DOE individuals I-X; and, ROE)	
entities I-X,)	
)	
Defendants.)	

.....

.....

.....



Please take notice that Plaintiff Ruth L. Cohen hereby appeals to the Nevada Supreme Court from the “Order Granting Defendants’ Motion for Summary Judgment; Judgment,” notice of entry of which was filed and e-served on February 18, 2020 (attached hereto as Exhibit “1”), and from the “Order Denying Plaintiff’s Motion for Reconsideration,” notice of entry of which was filed and e-served on March 31, 2020 (attached hereto as Exhibit “2.”).

DATED this 8th day of April, 2020.

CAMPBELL & WILLIAMS

By /s/ Philip R. Erwin

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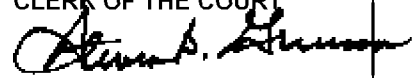
CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of Campbell & Williams, and that on this 8th day of April, 2020 I caused the foregoing document entitled **Notice of Appeal** to be served upon those persons designated by the parties in the E-Service Master List for the above-referenced matter in the Eighth Judicial District Court eFiling System in accordance with the mandatory electronic service requirements of Administrative Order 14-2 and the Nevada Electronic Filing and Conversion Rules.

/s/ Crystal Balaoro

An Employee of Campbell & Williams

EXHIBIT 1



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DISTRICT COURT

CLARK COUNTY, NEVADA

RUTH L. COHEN, an individual,

Plaintiff,

vs.

PAUL S. PADDA, an individual; PAUL
PADDA LAW, PLLC, a Nevada professional
limited liability company; DOE individual I-
X; and, ROE entities I-X,

Defendants.

Case No.: A-19-792599-B
Dept. No.: XI

**NOTICE OF ENTRY OF ORDER
GRANTING DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT;
JUDGMENT**

1 Please take notice that on the 18th day of February, 2020, an Order Granting Defendants'
2 Motion for Summary Judgment; Judgment, was duly entered in the above-entitled matter, a copy
3 of which is attached as "Exhibit 1" and by this reference made part hereof.

4 DATED this 18th day of February, 2020.

5 CAMPBELL & WILLIAMS

6 By /s/ Donald J. Campbell

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15 *Attorneys for Plaintiff Ruth L. Cohen*

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of February, 2020, I caused a true and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT; JUDGMENT** to be served through the Eighth Judicial District Court's electronic filing system, to the following parties:

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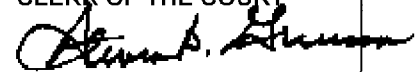
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23 *and PAUL PADDA LAW, PLLC*

24 **DISTRICT COURT**
25 **CLARK COUNTY, NEVADA**

26 RUTH L. COHEN, an Individual,
27
28 Plaintiff,

v.

29 PAUL S. PADDA, an individual; PAUL
30 PADDA LAW, PLLC, a Nevada professional
31 limited liability company; DOE individuals I-
32 X; and ROE entities I-X,
33 Defendants.

Case No. A-19-792599-B
Dept. No. XI

**ORDER GRANTING DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT;
JUDGMENT**

Hearing Date: January 27, 2020

Hearing Time: 9:00 a.m.

34 This matter came before the Court for hearing on the Motion for Summary Judgment
35 (the "Motion") filed by Defendants Paul S. Padda ("Mr. Padda") and Paul Padda Law, PLLC
36 ("Padda Law") (collectively, "Defendants"). J. Stephen Peek, Esq., and Ryan A. Semerad,
37 Esq., of Holland & Hart, LLP, and Tamara Peterson, Esq., of Peterson Baker PLLC appeared
38 on behalf of Defendants; Liane K. Wakayama, Esq., of Marquis Aurbach Coffing, and Samuel

1 R. Mirkovich, Esq., of Campbell & Williams, on behalf of Plaintiff Ruth L. Cohen ("Ms.
2 Cohen").

3 The Court, having carefully considered Defendants' Motion and the exhibits and
4 declarations attached thereto, Ms. Cohen's Opposition to the Motion and the exhibits and
5 affidavit attached thereto, Defendants' Reply in support of the Motion, as well as the arguments
6 of counsel for Defendants and Ms. Cohen, being fully apprised, and good cause appearing,
7 makes the following findings of undisputed fact, which are relevant to the Court's decision on
8 the Motion, and conclusions of law:

9 I.

10 **FINDINGS OF UNDISPUTED FACT**

11 1. On or about January 18, 2011, Mr. Padda and Ms. Cohen formed a partnership
12 called Cohen & Padda, LLP ("C&P") to provide legal services.

13 2. Pursuant to the Partnership Agreement dated January 18, 2011, Mr. Padda and
14 Ms. Cohen acknowledged that the duration of their partnership would be until January 14,
15 2014 or until earlier dissolved by agreement of the parties (the "Partnership Agreement").

16 3. Sometime in 2014, Ms. Cohen began to consider semi-retirement from the
17 practice of law.

18 4. On or about December 23, 2014, Mr. Padda and Ms. Cohen entered into an
19 agreement, which set forth the terms under which they effectuated the dissolution of C&P, and
20 C&P ceased to exist, as of December 31, 2014 (the "Dissolution Agreement").

21 5. Section 7(b) of the Dissolution Agreement provided, in relevant part, that
22 "[w]ith respect to contingency cases in which there is yet to be a recovery by way of settlement
23 or judgment," Ms. Cohen "shall be entitled to a 33.333% percent share of gross attorney's fees
24 recovered in all contingency fee cases for which [C&P] has a signed retainer agreement dated
25 on or before December 31, 2014" (the "Expectancy Interest"). Nothing in the Dissolution
26 Agreement required or anticipated that Ms. Cohen would perform work on the contingency
27 cases that comprised of her Expectancy Interest.

1 6. On January 2, 2015, Mr. Padda formed a new law firm, which after two separate
2 name changes, became Padda Law.

3 7. While she continued to practice law after the dissolution of C&P working
4 primarily on new employment law matters and handling employment discrimination
5 consultations, Ms. Cohen transitioned to part-time work and did not come to the office much.

6 8. On September 12, 2016, Ms. Cohen and Mr. Padda executed a Business
7 Expectancy Interest Resolution Agreement (the "Buyout Agreement"), wherein Ms. Cohen
8 agreed to exchange her Expectancy Interest for the sum certain of \$50,000.00.

9 9. In total, Mr. Padda paid Ms. Cohen, and Ms. Cohen accepted, \$51,500.00 under
10 the Buyout Agreement.

11 10. At the time Ms. Cohen and Mr. Padda entered into the Buyout Agreement,
12 several contingency fee cases subject to Ms. Cohen's Expectancy Interest were still pending
13 and had not reached a complete and final resolution, including, among others, *Garland v. SPB*
14 *Partners, LLC et al.*, Case No. A-15-724139-C (the "Garland Case"), *Moradi v. Nevada*
15 *Property 1, LLC et al.*, Case No. A-14-698824-C (the "Moradi Case"), and *Cochran v. Nevada*
16 *Property 1, LLC et al.*, Case No. A-13-687601-C (the "Cochran Case") (collectively referred
17 to, where appropriate, as the "Pending Cases").

18 11. With respect to her role in the Pending Cases, Ms. Cohen admits the following:

19 (a) "Ms. Cohen's involvement with the Moradi case was limited to the
20 initial intake meeting with Mr. Moradi in 2012, referring Mr. Moradi to a doctor, and
21 meeting with the Cosmopolitan's insurance adjuster."

22 (b) Ms. Cohen "stopped having an active role in the [Moradi] case almost
23 immediately after her initial involvement in 2012."

24 (c) Ms. Cohen "was not involved in the day-to-day aspects of the case, and
25 was not actively working on the [Moradi] case."

26 (d) "In or about 2014", Mr. Padda made a statement to Ms. Cohen about
27 reducing C&P's attorneys' fees in the Garland case and "after that" Ms. Cohen "did not
28 have any further involvement with Mr. Garland's case."

12. On October 6, 2016, Mark Garland, the client in the Garland Case, executed a disbursement sheet authorizing the release of settlement funds.

13. The disbursement sheet for Mr. Garland's case established that the gross attorneys' fees earned by Padda Law totaled \$51,600.00.¹

14. On or about April 6, 2017, Ms. Cohen was notified that she was suspended from the practice of law by the Nevada Board of Continuing Legal Education pursuant to Nevada Supreme Court Rule ("SCR") 212 for her failure to complete the 2016 Continuing Legal Education ("CLE") requirements, as mandated by SCR 210.

15. Upon learning of her suspension, Ms. Cohen "immediately called the bar" and discovered that she would be required to pay \$700.00 and complete her CLE requirements in order to be reinstated.

16. Ms. Cohen made a knowing and intentional decision to remain suspended from the practice of law. (*See* Motion at Ex. 34, 6:17-7:6.) ("And I don't intend to pay them \$700 to get my license back when I'm not going to use it, so. . . . So, it's my protest."; "And when I went to turn [the CLE credits] in, they said, Well, it will cost you \$700, and I said, See you. I'm just not going to do it.").

17. On April 27, 2017, a jury returned a verdict in favor of David Moradi, the client in the Moradi Case, including an award of damages for past and future loss of earnings as well as past and future pain and suffering.

18. On May 23, 2017, Mr. Moradi reached a confidential settlement agreement with the defendants as a complete and final resolution of the Moradi Case.

19. On February 27, 2019, Ms. Cohen, through counsel, and while she was suspended from the practice of law, sent a letter to Mr. Padda demanding, for the first time, payment of certain attorneys' fees Ms. Cohen claimed were owed to her by Defendants pursuant to her Expectancy Interest under the Dissolution Agreement.

20. In the spring of 2019, Stephen Cochran and Melissa Cochran, the clients in the

¹ Ms. Cohen's 33.333% putative share would have equaled \$17,196.67.

1 Cochran Case, reached a confidential settlement agreement with the defendants as a complete
2 and final resolution of the Cochran Case, and on or about July 9, 2019, filed a stipulation and
3 order to dismiss the Cochran Case.

4 21. On April 9, 2019, Ms. Cohen, while she was still suspended from the practice of
5 law, filed her Complaint in this action, asserting the following claims for relief: (1) First Claim
6 for Relief for breach of contract—Partnership Dissolution Agreement (against Mr. Padda); (2)
7 Second Claim for Relief for breach of the implied covenant of good faith and fair dealing
8 (against Mr. Padda); (3) Third Claim for Relief for tortious breach of the implied covenant of
9 good faith and fair dealing (against Mr. Padda); (4) Fourth Claim for Relief for breach of
10 fiduciary duty (against Mr. Padda); (5) Fifth Claim for Relief for fraud in the inducement
11 (against Mr. Padda and Padda Law); (6) Sixth Claim for Relief for fraudulent concealment
12 (against Mr. Padda and Padda Law); (7) Seventh Claim for Relief for fraudulent or intentional
13 misrepresentation (against Mr. Padda and Padda Law); (8) Eighth Claim for Relief for unjust
14 enrichment (against Padda Law or, in the alternative, against Mr. Padda); (9) Ninth Claim for
15 Relief for elder abuse under NRS 41.1395 (against Mr. Padda); and (10) Tenth Claim for
16 Relief for declaratory relief (against Mr. Padda and Padda Law). (*See generally* Compl.)

17 22. The gist of Ms. Cohen's claims is that Mr. Padda and/or Padda Law induced her
18 to enter the Buyout Agreement through fraudulent acts, misrepresentations and/or omissions
19 such that the Buyout Agreement should be rescinded, thereby entitling Ms. Cohen to recover as
20 damages 33.333% of the gross attorneys' fees earned in the Pending Cases pursuant to the
21 Expectancy Interest set forth in the Dissolution Agreement.

22 23. Ms. Cohen asserts that her 33.333% share of the gross legal fees Defendants
23 received for the Pending Cases equals \$3,314,227.49.

24 24. Ms. Cohen seeks to recover this amount (\$3,314,227.49) as damages caused by
25 Defendants' breach of the Dissolution Agreement under her First Claim for Relief. (*See* Compl.
26 at ¶¶ 82-90.)

27 25. Ms. Cohen seeks to recover the same amount of damages (\$3,314,227.49), in
28 addition to other statutory damages, under each of her other claims for relief.

26. On December 19, 2019, the day after Defendants filed their Motion, Ms. Cohen obtained a "Notice of Completion of Requirements for Reinstatement", which was executed by Executive Director Laura Bogden and reinstated Ms. Cohen's law license as of December 19, 2019 (the "Reinstatement Notice").

27. Pursuant to the Reinstatement Notice, the Nevada Board of Continuing Legal Education recognized that Ms. Cohen had completed a minimum of fifteen (15) hours of accredited educational activity within the period of twelve (12) months immediately preceding the filing of her application, as required by SCR 213.

28. Beginning on April 6, 2017, and continuing until December 19, 2019, Ms. Cohen's license to practice law in the State of Nevada was suspended.

29. Ms. Cohen admits she is not seeking quantum meruit damages in this action.

30. If any Finding of Undisputed Fact is properly a Conclusion of Law, it shall be treated as if appropriately identified and designated.

II.

CONCLUSIONS OF LAW

1. Summary judgment is appropriate when, "after review of the record viewed in a light most favorable to the non-moving party, there remain no genuine issues of material fact, and the moving party is entitled to judgment as a matter of law." *Evans v. Samuels*, 119 Nev. 378, 75 P.3d 361, 363 (2003).

2. "A genuine issue of material fact is one where the evidence is such that a reasonable jury could return a verdict for the non-moving party." *Pegasus v. Reno Newspapers, Inc.*, 118 Nev. 706, 713, 57 P.3d 82, 87 (2002) (citation and quotation omitted).

3. The moving party can meet its burden by either "(1) submitting evidence that negates an essential element of the nonmoving party's claim or (2) pointing out that there is an absence of evidence to support the nonmoving party's case." *Torrealba v. Kesmetis*, 124 Nev. 95, 100, 178 P.3d 716, 720 (2008) (internal citations and quotations omitted).

4. On the other hand, "[t]o successfully defend against a summary judgment motion, the nonmoving party must transcend the pleadings and, by affidavit or other

admissible evidence, introduce specific facts that show a genuine issue of material fact." *Id.* (internal citations and quotations omitted). In other words, the nonmoving party must "do more than simply show that there is some metaphysical doubt as to the operative facts in order to avoid summary judgment being entered in the moving party's favor." *Wood v. Safeway, Inc.*, 121 Nev. 724, 732, 121 P.3d 1026, 1031 (2005) (internal citations and quotations omitted).

5. The Nevada Rules of Professional Conduct provide that a "lawyer or law firm shall not share legal fees with a nonlawyer." NRPC 5.4(a).

6. A lawyer who is suspended from the practice of law pursuant to SCR 212 for failing to comply with the CLE requirements required by SCR 210 is a "nonlawyer" for purposes of NRPC 5.4(a). *See e.g., In re Phillips*, 226 Ariz. 112, 121, 244 P.3d 549, 558 (2010) (suspended lawyer is equivalent of nonlawyer for purposes of RPC 5.4(a)); *Disciplinary Counsel v. McCord*, 121 Ohio St.3d 497, 905 N.E.2d 1182, 1189 (2009) (ethical violation for suspended lawyer to receive attorney's fee); *Office of Disciplinary Counsel v. Jackson*, 536 Pa. 26, 637 A.2d 615, 620 (1994) (noting a suspended attorney is a "non-lawyer" within the meaning of the rules"); *Comm. on Prof'l Ethics*, State Bar of Tex., Op. 592 (2010) (prohibiting a lawyer from sharing legal fees with suspended attorney).

7. NRPC 5.4(a) prohibits suspended lawyers from recovering or sharing in attorneys' fees earned on cases that were open and unresolved at the time the lawyers were suspended. *See Lessoff v. Berger*, 2 A.D.3d 127, 767 N.Y.S.2d 605, (Mem)-606 (2003) (stating the general position adopted by courts that, "with respect to cases that were open at the time of [a] suspension, [the suspended attorney's] share in any fees paid after his suspension is limited to the quantum meruit value of any work he performed prior to his suspension.").

8. A lawyer who becomes suspended under SCR 212 for noncompliance with his or her CLE requirements could arguably seek to avoid some of the consequences of this suspension if the lawyer's noncompliance was inadvertent, accidental, or the product of the lawyer's reasonable mistake or misunderstanding. However, a lawyer who becomes suspended under this rule and knowingly or intentionally refuses to remedy his or her deficiencies or

1 deliberately protests the fees associated with remedying his or her deficiencies cannot avoid the
2 consequences of his or her suspension.

3 9. The undisputed facts establish that Ms. Cohen was suspended from the practice
4 of law on or about April 6, 2017, for failing to comply with the CLE requirements imposed by
5 SCR 210.

6 10. The undisputed facts establish that Ms. Cohen knowingly and intentionally
7 refused to reinstate her license until December 19, 2019, the day after Defendants filed their
8 Motion.

9 11. Ms. Cohen was a "nonlawyer" subject to the prohibition on fee sharing provided
10 in NRPC 5.4(a) beginning on April 6, 2017, and continuing until her law license was reinstated
11 on December 19, 2019.

12 12. Mr. Padda's obligation to pay Ms. Cohen the Expectancy Interest under the
13 Dissolution Agreement was rendered illegal and unenforceable the moment Ms. Cohen's law
14 license was suspended. *See McIntosh v. Mills*, 121 Cal. App. 4th 333, 343, 17 Cal. Rptr. 3d 66,
15 73 (2004) (holding that the issue of whether "the doctrine of illegality applies to the fee-sharing
16 agreement between" an attorney and a non-attorney "is a question of law"); *United States v.*
17 *36.06 Acres of Land*, 70 F. Supp. 2d 1272, 1276 (D.N.M. 1999) (holding that "unwritten
18 contingency fee contracts, because they violate the Rules of Professional Conduct, will not be
19 enforced, and an attorney's recovery in such cases will be limited to" the reasonable value of its
20 services under quantum meruit); *Christensen v. Eggen*, 577 N.W.2d 221, 225 (Minn. 1998)
21 (holding that fee-splitting agreement between attorneys "violates public policy because it does
22 not comply with Minn. R. Prof. Conduct 1.5(e) and is therefore unenforceable.").

23 13. With respect to Ms. Cohen's First, Second, and Third Claims for Relief relating
24 to an alleged breach of the Dissolution Agreement, Ms. Cohen is precluded from enforcing Mr.
25 Padda's obligation to pay her the Expectancy Interest and from recovering any share of the
26 attorneys' fees earned by Mr. Padda or Padda Law on the Pending Cases, which were resolved
27 while she was suspended from the practice of law between April 6, 2017, and December 19,
28 2019, including the Moradi Case and the Cochran Case.

14. Although Defendants received funds from the Garland Case before April 6, 2017, Ms. Cohen has not incurred any damages relating to her 33.333% share (or \$17,196.67) of the gross attorneys' fees received by Defendants for the Garland Case and did not present any evidence to establish that she was damaged as a result of "other contingency matters" resolved prior to April 6, 2017, even if she could establish an entitlement to recover such damages, because Ms. Cohen received \$51,500.00 from Defendants under the Buyout Agreement. *See Chicago Title Agency v. Schwartz*, 109 Nev. 415, 418, 851 P.2d 419, 421 (1993) (stating "whether a case be one in contract or in tort, the injured party bears the burden of proving that he or she has been damaged").

15. Having determined that Ms. Cohen is prohibited under NRPC 5.4(a) from enforcing the Expectancy Interest in the Dissolution Agreement on any Pending Cases, the Court cannot, in good conscience, permit Ms. Cohen to use her remaining fraud and fiduciary duty claims, among others, to circumvent NRPC 5.4(a) by essentially enforcing a contract obligation NRPC 5.4(a) renders illegal and unenforceable.

16. If Ms. Cohen is successful on her claim of fraudulent inducement, she would be able to address all of the claims that she has pled in her complaint at trial.

17. There remains a genuine issue of material fact as to whether a special relationship existed between Mr. Padma and Ms. Cohen following the dissolution of C&P.

18. However, given Ms. Cohen's knowing and intentional decision to be suspended from the practice of law as evidenced by Exhibit 34 to Defendants' motion, the Court cannot as a matter of law allow this case to proceed to trial. Thus, summary judgment is granted on that narrow basis.

19. If any Conclusion of Law is properly a Finding of Undisputed Fact, it shall be treated as if appropriately identified and designated.

III.

ORDER AND JUDGMENT

Having entered the foregoing Findings of Undisputed Fact and Conclusions of Law, and good cause appearing,

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendants' Motion is
2 GRANTED.

3 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the granting of
4 Defendants' Motion disposes of all claims asserted by Ms. Cohen against Defendants in this
5 action and, therefore, JUDGMENT is hereby entered against Ms. Cohen and in favor of
6 Defendants.

7 DATED this 18 day of February 2020

8 
9 DISTRICT COURT JUDGE
10 

11 Respectfully submitted by:


12 Declined to Sign

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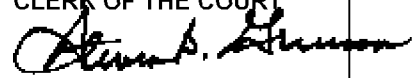
24 Approved as to form by:

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EXHIBIT 2



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and PAUL PADDA LAW, PLLC*

DISTRICT COURT

CLARK COUNTY, NEVADA

RUTH L. COHEN, an Individual,

Plaintiff,

v.

PAUL S. PADDA, an individual; PAUL
PADDA LAW, PLLC, a Nevada professional
limited liability company; DOE individuals I-
X; and ROE entities I-X,

Defendants.

Case No. A-19-792599-B
Dept. No. XI

**NOTICE OF ENTRY OF ORDER
DENYING PLAINTIFF'S MOTION FOR
RECONSIDERATION**

PLEASE TAKE NOTICE that an Order Denying Plaintiff's Motion for Reconsideration
was entered the 31st day of March 2020.

1 A copy of said order is attached hereto.

2 DATED this 31st day of March, 2020

3 HOLLAND & HART LLP

4
5 /s/ Ryan A. Semerad

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15 *PAUL PADDA LAW, PLLC*
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CERTIFICATE OF SERVICE

I hereby certify that on the 31st day of March, 2020, a true and correct copy of the foregoing
**NOTICE OF ENTRY OF ORDER DENYING PLAINTIFF'S MOTION FOR
RECONSIDERATION** was served by the following method(s):

☒ Electronic: by submitting electronically for filing and/or service with the Eighth Judicial District Court's e-filing system and served on counsel electronically in accordance with the E-service list to the following email addresses:

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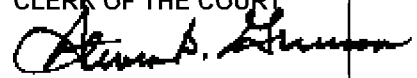
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Attorneys for Plaintiff Ruth L. Cohen

Attorneys for Plaintiff Ruth L. Cohen

/s/ C. Bowman
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*Attorneys for Defendants PAUL S. PADDA
and PAUL PADDA LAW, PLLC*

DISTRICT COURT

CLARK COUNTY, NEVADA

RUTH L. COHEN, an Individual,

Plaintiff,

v.

PAUL S. PADDA, an individual; PAUL
PADDA LAW, PLLC, a Nevada professional
limited liability company; DOE individuals I-
X; and ROE entities I-X,

Defendants.

Case No. A-19-792599-B
Dept. No. XI

**ORDER DENYING PLAINTIFF'S
MOTION FOR RECONSIDERATION**

1 This matter came before the Court and was decided without the necessity of oral argument
2 pursuant to Administrative Order 20-01 on March 25, 2020.¹

3 On December 18, 2019, Defendants Paul S. Padda, Esq. (“Mr. Padda”) and Paul Padda
4 Law, PLLC (“Padda Law”) (collectively, “Defendants”) filed a motion for summary judgment
5 arguing, in relevant part, that, because Plaintiff Ruth L. Cohen (“Ms. Cohen”) was suspended from
6 the practice of law on April 6, 2017, and remained suspended through the filing of that motion,
7 Ms. Cohen was prohibited from receiving any legal fees earned on any cases resolved on or after
8 April 6, 2017, by NRPC 5.4(a) such that the contractual obligation under which Ms. Cohen sought
9 to recover legal fees through this action was illegal and unenforceable as a matter of law.

10 On December 23, 2019, Ms. Cohen filed a motion to extend the time to file her opposition
11 to Defendants’ motion for summary judgment. The Court granted Ms. Cohen’s motion to extend
12 time and established the deadline for Ms. Cohen to file her opposition to January 10, 2020.

13 On January 10, 2020, Ms. Cohen filed her opposition to Defendants’ motion for summary
14 judgment. Regarding Defendants’ arguments concerning Ms. Cohen’s suspension from the
15 practice of law, Ms. Cohen cited one case, *Shimrak v. Garcia-Mendoza*, 112 Nev. 246, 912 P.2d
16 822 (1996).

17 On January 24, 2020, Defendants filed their reply in support of their motion for summary
18 judgment.

19 A hearing was held on Defendants’ motion for summary judgment on January 27, 2020.
20 At that hearing, in regard to Defendants’ arguments about Ms. Cohen’s suspension from the
21 practice of law, Ms. Cohen’s counsel only presented the same arguments Ms. Cohen had made in
22 her opposition, relying exclusively upon the *Shimrak decision* and without referring to other legal
23 authorities or distinguishing the authorities cited by Defendants.

24 On February 18, 2020, the Court granted Defendants’ motion for summary judgment.

25 On February 21, 2020, Ms. Cohen filed a motion for reconsideration of the Court’s order
26 granting Defendants’ motion for summary judgment (the “Motion”). There, Ms. Cohen argued

27 ¹See EDCR 2.23(c) (“The judge may consider the motion on its merits at anytime with or without oral argument, and
28 grant or deny it.”).

1 that the Court's order was "clearly erroneous" because it failed to account for several legal
2 authorities from other jurisdictions, which Ms. Cohen failed to present in her opposition to
3 Defendants' motion for summary judgment or at the original hearing on the same motion.

4 On March 6, 2020, Defendants filed an opposition to Ms. Cohen's Motion (the
5 "Opposition").

6 Ms. Cohen filed a reply in support of her Motion on March 16, 2020.

7 After considering the papers and the pleadings on file, and good cause appearing, the Court
8 hereby orders as follows:

9 IT IS ORDERED THAT the Motion is DENIED.

10 EDCR Rule 2.24 provides, in pertinent part, that a party may seek "reconsideration of a
11 ruling of the court." However, the Nevada Supreme Court has determined that "[o]nly in very rare
12 instances in which new issues of fact or law are raised supporting a ruling contrary to the ruling
13 already reached should a motion for rehearing be granted." *Moore v. City of Las Vegas*, 92 Nev.
14 402, 405, 551 P.2d 244, 246 (1976). A district court may consider a motion for reconsideration
15 concerning a previously decided issue if the decision was clearly erroneous. *See Masonry and Tile*
16 *v. Jolley, Urga & Wirth*, 113 Nev. 737, 741, 941 P.2d 486, 489 (1997). But "[p]oints or contentions
17 not raised in the original hearing cannot be maintained or considered on rehearing." *Achrem v.*
18 *Expressway Plaza Ltd.*, 112 Nev. 737, 742, 917 P.2d 447, 450 (1996); *see also Sargeant v.*
19 *Henderson Taxi*, 425 P.3d 714 (Table), 2017 WL 10242277, at *1 (Nev. Sup. Ct. Dec. 1, 2017).

20 A court's decision is "clearly erroneous" where it would result in manifest injustice if it is
21 enforced or would amount to a fundamental miscarriage of justice. *See Hsu v. Cty. of Clark*, 123
22 Nev. 625, 630–31, 173 P.3d 724, 728–29 (2007). A party's failure to cite or present certain
23 nonbinding authorities from other jurisdictions to this Court in the original hearing on a motion
24 does not render this Court's decision on that motion "clearly erroneous." Thus, this Court's order
25 granting Defendants' motion for summary judgment is not "clearly erroneous" and subject to
26 reconsideration due to Ms. Cohen's failure to cite or present the nonbinding authorities she has
27 identified in her Motion.

28 Further, the authorities Ms. Cohen cites in her Motion do not apply here.

1 In her Motion, Ms. Cohen firsts asks the Court to consider, accept, and apply legal
2 authorities that stand for the general principle that an attorney who becomes disbarred or
3 suspended prior to the resolution of a client's pending matter has voluntarily abandoned that matter
4 such that the attorney may not recover any legal fees of any kind, including the *quantum meruit*
5 value of the services already rendered by the attorney, earned on the matter. *See, e.g., Royden v.*
6 *Ardoyn*, 331 S.W.2d 206, 209 (Tex. 1960). This general principle is far more punitive and exacting
7 than the authorities this Court relied upon in granting Defendants' motion for summary judgment
8 as it denies disbarred and/or suspended attorneys the ability to recover even the reasonable value
9 of services rendered on pending matters following their suspension or disbarment. *See Lessoff v.*
10 *Berger*, 2 A.D.3d 127, 767 N.Y.S.2d 605, (Mem)–606 (2003) (permitting recovery of *quantum*
11 *meruit* value of services rendered on pending matters for disbarred or suspended attorneys). In
12 fact, the line of cases Ms. Cohen relies on in her Motion simply represents the more exacting of
13 two approaches developed across the country to address a disbarred or suspended attorney's ability
14 to recover legal fees after his or her disbarment or suspension. *See, e.g., Pollock v. Wetterau Food*
15 *Distrib. Group*, 11 S.W.3d 754, 772–73 (Mo. Ct. App. 1999) ("There are two schools of thought
16 on the issue of a disbarred attorney's entitlement to recover fees for work performed prior to his
17 disbarment."); *Kourouvacilis v. Am. Fed'n of State, Cty. & Mun. Employees*, 841 N.E.2d 1273,
18 1279 (Mass. App. Ct. 2006) ("Two principal lines of authority have emerged in other jurisdictions
19 concerning an attorney's right to compensation after he has been suspended or disbarred before
20 completion of his services for the client.").

21 Ms. Cohen then requests the Court to consider, accept, and apply a narrow exception to
22 this general principle, which provides that, where an attorney has completed all the services he or
23 she was required to complete on a client's matter before his or her suspension or disbarment, the
24 attorney may recover his or her agreed upon share of the legal fees earned on the matter so long as
25 the attorney's right to such compensation was memorialized in a valid contract executed prior to
26 the attorney's suspension or disbarment. *See Lee v. Cherry*, 812 S.W.2d 361, 363 (Tex. App.
27 1991). The only applicable legal services contracts recognized by these courts (following the more
28 punitive approach which this Court declined to follow) are referral or origination fee agreements.

1 *See, e.g., Lee*, 812 S.W.2d at 361–62; *A.W. Wright & Assocs., P.C. v. Glover, Anderson, Chandler*
2 *& Uzick, LLP*, 993 S.W.2d 466, 467–68 (Tex. App. 1999); *Comm’n on Prof’l Ethics*, State Bar of
3 Tex., Op. 568 (2010) (considering “a signed referral agreement that calls for the two lawyers to
4 share the contingent fee”); *West v. Jayne*, 484 N.W.2d 186, 188 (Iowa 1992); *Simpson v. Rogers*,
5 406 S.W.2d 26, 27 (Mo. 1966). Because Ms. Cohen’s claim to a share of legal fees earned after
6 her suspension in this case is not predicated upon a referral fee or origination fee agreement, the
7 exception to the general “voluntary abandonment” rule recognized by these other jurisdictions
8 does not apply here.

9 ///

10 ///

11 ///

Accordingly, for all these reasons, the Court denies Ms. Cohen's Motion for Reconsideration.

DATED this 31st day of March, 2020


DISTRICT COURT JUDGE

Prepared and submitted by:

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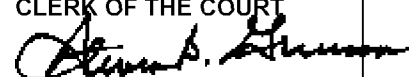
Counsel for Defendants

Approved as to form and content by:

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Attorneys for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

RUTH L. COHEN, an individual,)	Case No.: A-19-792599-B
)	Dept. No.: XI
Plaintiff,)	
)	<u>CASE APPEAL STATEMENT</u>
vs.)	
)	
PAUL S. PADD, an individual; PAUL PADD)	
LAW, PLLC, a Nevada professional limited)	
liability company; DOE individuals I-X; and, ROE)	
entities I-X,)	
)	
Defendants.)	
)	

1. Name of appellant filing this case appeal statement:

Ruth L. Cohen.

2. Identify the judge issuing the decision, judgment, or order appealed from:

The Honorable Judge Elizabeth Gonzalez, District Court Judge.

3. Identify each appellant and the name and address of counsel for each appellant:

Appellant:

Ruth L. Cohen.

Counsel:

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Liane K. Wakayama, Esq.
Dale A. Hayes, Esq.
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Samuel R. Mirkovich, Esq.
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4. Identify each respondent and the name and address of appellate counsel, if known, for each respondent (if the name of a respondent's appellate counsel is unknown, indicate as much and provide the name and address of that respondent's trial counsel):

Respondents:

PAUL S. PADDA, an individual; PAUL PADDA LAW, PLLC, a Nevada professional limited liability company.

Counsel:

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Las Vegas, Nevada 89169

5. Indicate whether any attorney identified above in response to question 3 or 4 is not licensed to practice law in Nevada and, if so, whether the district court granted that attorney permission to appear under SCR 42 (attach a copy of any district court order granting such permission):

N/A

6. Indicate whether appellant is represented by appointed or retained counsel in the district court:

Retained counsel.

7. Indicate whether appellant is represented by appointed or retained counsel on appeal:

Retained counsel.

8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of the entry of the district court order granting such leave:

N/A

9. Indicate the date the proceedings commenced in the district court (e.g. date complaint, indictment, information, or petition was filed):

The Complaint was filed on April 9, 2019.

10. Provide a brief description of the nature of this action and result in the district court, including the type of judgment or order being appealed and the relief granted by the district court:

This case arises out of the dissolution of a partnership between appellant Ruth L. Cohen ("Ms. Cohen") and respondent Paul S. Padda ("Mr. Padda). Specifically, Ms. Cohen brought claims against Mr. Padda for breach of contract, breach of fiduciary duty, and fraud in connection with Mr. Padda's

failure to pay Ms. Cohen her agreed upon share of attorney's fees collected on contingency fee cases that originated pre-dissolution and resolved post-dissolution.

On February 18, 2020, the district court granted Defendants' motion for summary judgment on the grounds that Ms. Cohen was suspended from the practice of law at the time such cases resolved and, thus, was a "non-lawyer" for purposes of Nevada Rules of Professional Conduct 5.4(a). The district court held that Ms. Cohen's suspension from the practice of law rendered the Dissolution Agreement between Ms. Cohen and Mr. Padda illegal and unenforceable. Accordingly, the district court entered its Order Granting Defendants' Motion for Summary Judgment; Judgment on February 18, 2020 and dismissed all of Ms. Cohen's claims. Thereafter, the district court entered its Order Denying Plaintiff's Motion for Reconsideration of the Order Granting Defendants' Motion for Summary Judgment; Judgment on March 31, 2020. Ms. Cohen appeals both orders.

11. Indicate whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior proceeding:

N/A

12. Indicate whether this appeal involves child custody or visitation:

N/A

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.....

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.....

.....

13. If this is a civil case, indicate whether this appeal involves the possibility of settlement:

No, this appeal does not involve the possibility of settlement.

DATED this 8th day of April, 2020.

CAMPBELL & WILLIAMS

By /s/ *Philip R. Erwin*

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SAMUEL R. MIRKOVICH, ESQ. (11662)

PHILIP R. ERWIN, ESQ. (11563)

HAYES | WAKAYAMA

LIANE K. WAKAYAMA, ESQ. (11313)

DALE A. HAYES, JR., ESQ. (9056)

DALE A. HAYES, ESQ. (3430)

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of Campbell & Williams, and that on this 8th day of April, 2020 I caused the foregoing document entitled **Case Appeal Statement** to be served upon those persons designated by the parties in the E-Service Master List for the above-referenced matter in the Eighth Judicial District Court eFiling System in accordance with the mandatory electronic service requirements of Administrative Order 14-2 and the Nevada Electronic Filing and Conversion Rules.

/s/ Crystal Balaoro

An Employee of Campbell & Williams

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. A-19-792599-B**

Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

§
 §
 §
 §
 §

Location: **Department 11**
 Judicial Officer: **Gonzalez, Elizabeth**
 Filed on: **04/09/2019**
 Case Number History:
 Cross-Reference Case Number: **A792599**

CASE INFORMATIONCase Type: **Other Business Court Matters**

Case
 Status: **04/09/2019 Open**




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

Case Number A-19-792599-B
 Court Department 11
 Date Assigned 04/12/2019
 Judicial Officer Gonzalez, Elizabeth

PARTY INFORMATION

Plaintiff	Cohen, Ruth L.	<i>Lead Attorneys</i> Wakayama, Liane K. <i>Retained</i> 702-656-0808(W)
Defendant	Padda, Paul S.	Peek, Joseph S. <i>Retained</i> 702-669-4600(W)
	Paul Padda Law PLLC	Peek, Joseph S. <i>Retained</i> 702-669-4600(W)
Other	Panish Shea & Boyle LLP	Ravipudi, Rahul <i>Retained</i> 310-477-1700(W)
Special Master	Iglody, Lee	

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

04/09/2019	 Complaint (Business Court) Filed By: Plaintiff Cohen, Ruth L. <i>Complaint</i>
04/09/2019	 Initial Appearance Fee Disclosure Filed By: Plaintiff Cohen, Ruth L. <i>Initial Appearance Fee Disclosure</i>
04/09/2019	 Summons Electronically Issued - Service Pending Party: Plaintiff Cohen, Ruth L. <i>Summons Civil -Paul Padda Law, PLLC</i>

CASE SUMMARY

CASE NO. A-19-792599-B

04/09/2019	 Summons Electronically Issued - Service Pending Party: Plaintiff Cohen, Ruth L. <i>Summons - Civil</i>
04/12/2019	 Notice of Department Reassignment <i>Notice of Department Reassignment</i>
04/25/2019	 Motion for Preferential Trial Setting Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Motion for Preferential, Firm Trial Setting and Expedited Discovery Schedule on an Order Shortening Time</i>
04/25/2019	 Certificate Filed By: Plaintiff Cohen, Ruth L. <i>Certificate of E-Mailing</i>
04/26/2019	 Affidavit of Service Filed By: Plaintiff Cohen, Ruth L. <i>Affidavit of Service (Paul Padda Law PLLC)</i>
04/26/2019	 Affidavit of Service Filed By: Plaintiff Cohen, Ruth L. <i>Affidavit of Service (Paul S. Padda)</i>
04/26/2019	 Affidavit of Service Filed By: Plaintiff Cohen, Ruth L. <i>Affidavit of Service</i>
05/03/2019	 Response Filed by: Defendant Paul Padda Law PLLC <i>Response to Plaintiff's Motion for Preferential Firm Trial Setting and Expedited Discovery on an Order Shortening Time</i>
05/03/2019	 Initial Appearance Fee Disclosure Filed By: Defendant Paul Padda Law PLLC <i>Initial Appearance Fee Disclosure</i>
05/03/2019	 Disclosure Statement <i>Paul Padda Law, PLLC's NRCP 7.1 Disclosure Statement</i>
05/03/2019	 Joinder <i>Joinder to Paul Padda Law, PLLC's Opposition to Plaintiff's Motion for Preferential, Firm Trial Setting and Expedited Discovery Schedule on an Order Shortening Time</i>
05/03/2019	 Initial Appearance Fee Disclosure Filed By: Defendant Padda, Paul S. <i>Initial Appearance Fee Disclosure</i>
05/09/2019	 Business Court Order <i>Business Court Order</i>
05/10/2019	 Answer <i>Paul S. Padda's Answer to Complaint</i>

CASE SUMMARY

CASE NO. A-19-792599-B

05/10/2019	 Answer Filed By: Defendant Paul Padda Law PLLC <i>PAUL PADDA LAW, PLLC s ANSWER TO COMPLAINT</i>
05/13/2019	 Order Granting Filed By: Plaintiff Cohen, Ruth L. <i>Order Granting Motion for Preferential Trial Setting</i>
05/13/2019	 Notice of Entry of Order Filed By: Plaintiff Cohen, Ruth L. <i>Notice of Entry of Order</i>
06/07/2019	 Order Setting Civil Jury Trial, Pre-Trial, and Calendar Call <i>Business Court Scheduling Order and Order Setting Civil Jury Trial, Pre-Trial Conference and Calendar Call</i>
06/11/2019	 Transcript of Proceedings <i>Transcript of Proceedings: Mandatory Rule 16 Conference</i>
06/12/2019	 Notice <i>Notice of Submission of Proposed Stipulated Protective Order</i>
06/13/2019	 Motion for Protective Order Filed By: Defendant Paul Padda Law PLLC <i>(10/24/19 Withdrawn) Paul Padda Law, LLC's Motion for Protective Order Regarding Plaintiff's Subpoenas Duces Tecum</i>
06/13/2019	 Joinder <i>Joinder to Paul Padda Law, LLC's Motion for Protective Order Regarding Plaintiff's Subpoenas Duces Tecum</i>
06/14/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
06/17/2019	 Notice <i>Notice of Submission of Proposed ESI Protocol</i>
06/18/2019	 Errata <i>Errata to Notice of Submission of Proposed ESI Protocol</i>
06/19/2019	 Notice <i>Protocol Governing Production of Electronically Stored Information</i>
06/19/2019	 Notice <i>Stipulated Confidentiality Agreement and Protective order</i>
06/24/2019	 Opposition to Motion For Protective Order Filed By: Plaintiff Cohen, Ruth L. <i>Opposition to Paul Padda, Law LLC's [SIC] Motion for Protective Order Regarding Plaintiff's Subpoenas Duces Tecum</i>
07/08/2019	 Motion for Protective Order Filed By: Plaintiff Cohen, Ruth L.

CASE SUMMARY

CASE NO. A-19-792599-B

Plaintiff's Motion for Protective Order Regarding Plaintiff's Deposition on an Order Shortening Time

07/10/2019



Reply

Filed by: Defendant Paul Padda Law PLLC
Reply in Support of Paul Padda Law, PLLC's Motion for Protective Order Regarding Plaintiff's Subpoenas Duces Tecum

07/11/2019



Opposition

Filed By: Defendant Padda, Paul S.
Defendant Paul S. Padda's Opposition to Plaintiff's Motion for Protective Order re Plaintiff's Deposition on an Order Shortening Time

07/12/2019



Joinder

Filed By: Defendant Paul Padda Law PLLC
Joinder to Paul S. Padda's Opposition to Plaintiff's Motion for a Protective Order Regarding Plaintiff's Deposition

07/18/2019



Order Granting Motion

Filed By: Plaintiff Cohen, Ruth L.
Order Granting Plaintiff's Motion for Protective Order Regarding Plaintiff's Deposition on an Order Shortening Time

07/18/2019



Supplement

Filed by: Plaintiff Cohen, Ruth L.
Plaintiff Ruth L. Cohen's Supplement Regarding Mechanism to Protect Privileged Information

07/18/2019



Notice of Entry of Order

Filed By: Plaintiff Cohen, Ruth L.
Notice of Entry of Order

07/26/2019



Transcript of Proceedings

Transcript of Proceedings: Hearing on Motions for Protective Order

07/26/2019



Transcript of Proceedings

Transcript of Proceedings: Continued Hearing on Motions for Protective Orders

08/02/2019



Notice

Filed By: Plaintiff Cohen, Ruth L.
Notice of Submission of Proposed Order Appointing Special Master

08/02/2019



Errata

Filed By: Plaintiff Cohen, Ruth L.
Errata to Notice of Submission of Proposed Order Appointing Special Master

08/02/2019



Notice

Notice of Submission of Proposed Order Appointing Special Master

08/05/2019



Substitution of Attorney

Filed by: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Substitution of Attorney

08/05/2019



Order

Filed By: Defendant Paul Padda Law PLLC

CASE SUMMARY

CASE NO. A-19-792599-B

Order Regarding Motion for Protective Order Regarding Plaintiff's Subpoenas Duces Tecum

08/05/2019



Stipulation and Order

Filed by: Defendant Padda, Paul S.

Stipulation and Proposed Order to Extend Time for Expert Disclosures

08/05/2019



Notice of Entry of Stipulation and Order

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC

Notice of Entry of Stipulation and Proposed Order to Extend Time for Expert Disclosures

08/07/2019



Order Appointing Special Master

Order Appointing Special Master

08/07/2019



Notice of Entry of Order

Filed By: Plaintiff Cohen, Ruth L.

Notice of Entry of Order Appointing Special Master

08/08/2019



Receipt of Copy

Filed by: Plaintiff Cohen, Ruth L.

Receipt of Copy of Order Appointing Special Master (Eglet Law Group, LLP dba Eglet Adams)

08/08/2019



Receipt of Copy

Filed by: Plaintiff Cohen, Ruth L.

Receipt of Copy of Order Appointing Special Master (Panish Shea & Boyle, LLP)

08/20/2019



Motion for Protective Order

Filed By: Plaintiff Cohen, Ruth L.

Plaintiff Ruth L. Cohen's Motion for Protective Order Regarding the Deposition of Karla Koutz on an Order Shortening Time

08/20/2019



Motion to Strike

Filed By: Plaintiff Cohen, Ruth L.

Plaintiff's Motion to Strike Defendants' Expert Disclosure and Report on an Order Shortening Time

08/22/2019



Notice of Entry of Order

Filed By: Plaintiff Cohen, Ruth L.

Notice of Entry of Order Shortening Time and Notice of Hearing on Plaintiff Ruth L. Cohen's Motion for Protective Order Regarding the Deposition of Karla Koutz

08/22/2019



Notice of Entry of Order

Filed By: Plaintiff Cohen, Ruth L.

Notice of Entry of Order Shortening Time and Notice of Hearing on Plaintiff's Motion to Strike Defendants' Expert Disclosure and Report

08/23/2019



Opposition

Defendants' Opposition to Plaintiff Ruth L. Cohen's Motion for Protective Order Regarding the Deposition of Karla Koutz on an Order Shortening Time

08/27/2019



Motion for Protective Order

Filed By: Plaintiff Cohen, Ruth L.

Plaintiff's Motion for Protective Order Regarding Defendants' Subpoena to NP Texas, LLC

08/27/2019

CASE SUMMARY

CASE NO. A-19-792599-B

	 Motion for Protective Order Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Motion for Protective Order Regarding Defendants' Subpoena to Daniel Kim, CPA, P.C.</i>
08/28/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
09/03/2019	 Opposition to Motion Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Defendants' Opposition to Plaintiff's Motion to Strike Defendants' Expert Disclosure and Report on an Order Shortening Time</i>
09/06/2019	 Opposition to Motion For Protective Order Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Defendants' Opposition to Plaintiff's Motion for Protective Order Regarding Defendants' Subpoena to NP Texas, LLC</i>
09/06/2019	 Opposition to Motion For Protective Order Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Defendants' Opposition to Plaintiff's Motion for Protective Order Regarding Defendants' Subpoena to Daniel Kim, CPA, P.C.</i>
09/10/2019	 Master's Report and Order Filed By: Special Master Iglody, Lee <i>Special Master Report</i>
09/10/2019	 Supplement Filed by: Special Master Iglody, Lee <i>Supplement to Special Master Report</i>
09/11/2019	 Reply in Support Filed By: Plaintiff Cohen, Ruth L. <i>Reply in Support of Plaintiff's Motion to Strike Defendants' Expert Disclosure and Report on an Order Shortening Time</i>
09/12/2019	 Order Shortening Time <i>Application for Order Shortening Time on Hearing For Motions for Protective Order Regarding Defendants Subpoena to NP Texas, LLC and Daniel Kim, CPA</i>
09/16/2019	 Motion for Clarification Filed By: Special Master Iglody, Lee <i>Special Master Motion for Clarification and for Instruction on OST</i>
09/18/2019	 Response Filed by: Plaintiff Cohen, Ruth L. <i>Plaintiff's Response to Special Master Motion for Clarification and for Instructions on OST</i>
09/20/2019	 Response Filed by: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Defendants; Response to Special Master Motion for Clarification and for Instruction on OST</i>
09/23/2019	 Objection <i>Panish Shea & Boyle, LLP's Objection to Special Master's Report and Recommendation on Order Shortening Time</i>

CASE SUMMARY

CASE NO. A-19-792599-B

09/23/2019



Objection

Pansih Shea & Boyle, LLP's Objection to Special Master's Report and Recommendation [OST signed and haring set]

09/23/2019



Order Denying Motion

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Order Denying Motion to Strike Defendants' Expert Disclosure and Report

09/23/2019



Order Denying Motion

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Order Denying Motion for Protective Order Regarding Defendants' Subpoena to Daniel Kim, CPA, P.C.

09/23/2019



Order Denying Motion

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Order Denying Motion for Protective Order Regarding Defendants' Subpoena to NP Texas, LLC

09/23/2019



Transcript of Proceedings

Transcript of Proceedings: Hearing on Plaintiff's Motions for Protective Order and Plaintiff's Motion to Strike Expert Report 9/16/19

09/23/2019



Notice of Entry of Order

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Notice of Entry of Order Denying Motion to Strike Defendants' Expert Disclosure and Report

09/23/2019



Notice of Entry of Order

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Notice of Entry of Order Denying Motion for Protective Order re Defendants' Subpoena to NP Texas, LLC

09/23/2019



Notice of Entry of Order

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Notice of Entry of Order Denying Motion for Protective Order re Defendants' Subpoena to Daniel Kim, CPA, P.C.

09/24/2019



Response

Filed by: Plaintiff Cohen, Ruth L.
Plaintiff's Response to Panish Shea & Boyle's Objection to Special Master Report and Recommendations on OST

10/04/2019



Brief

Panish Shea & Boye, LLp's Briefing In Response to Special Master Request for Clarification

10/08/2019



Stipulation and Order

Filed by: Other Panish Shea & Boyle LLP
Stipulation Between Pansih Shea & Boyle, LLP's and Plaintiff Ruth Cohen Regarding Special Master's Request for Clarification

10/08/2019



Notice of Appearance

Party: Plaintiff Cohen, Ruth L.
Notice of Appearance.

10/09/2019



Notice of Entry of Stipulation and Order














CASE SUMMARY

CASE NO. A-19-792599-B

	<p>Filed By: Other Panish Shea & Boyle LLP <i>Notice of Entry of Stipulation and Order</i></p>
10/10/2019	<p> Motion for Clarification Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Request for Hearing on Order Shortening Time on Special Master's Motion for Clarification and for Instruction on OST and Related Briefing</i></p>
10/18/2019	<p> Supplemental Filed by: Special Master Iglody, Lee <i>Second Supplemental Special Master Report</i></p>
10/21/2019	<p> Stipulation and Order <i>Stipulation and Proposed Order Regarding Special Master Review and Production of Certain Documents</i></p>
10/22/2019	<p> Order Filed By: Plaintiff Cohen, Ruth L. <i>Order Granting in Part the Special Master's Motion for Clarification and for Instructions for OST</i></p>
10/22/2019	<p> Notice of Entry of Order Filed By: Plaintiff Cohen, Ruth L. <i>Notice of Entry of Order</i></p>
10/23/2019	<p> Stipulation and Order <i>Stipulation and Proposed Order Regarding Plaintiff's NRCP 30(B)(6) Deposition of Defendant Paul Padda Law, PLLC</i></p>
10/24/2019	<p> Order Shortening Time <i>Defendants' Motion for Protective Order Regarding Plaintiff's Deposition of Defendants on an Order Shortening Time</i></p>
10/24/2019	<p> Notice of Withdrawal of Motion <i>Notice of Withdrawal of Defendants' Motion for Protective Order Regarding Plaintiff's Deposition of Defendants on an Order Shortening Time for Hearing</i></p>
10/30/2019	<p> Motion to Compel Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Motion to Compel Defendants' Production of Documents on Order Shortening Time</i></p>
10/30/2019	<p> Order Shortening Time Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Defendants' Motion to Disqualify Plaintiff's Counsel, The Law Firm of Campbell & Williams on an Order Shortening Time for Hearing</i></p>
11/05/2019	<p> Opposition to Motion Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiffs' Opposition to Defendants' Motion to Disqualify Plaintiff's Counsel, The Law Firm of Campbell & Williams on an Order Shortening Time for Hearing and Countermotion to Strike.</i></p>
11/05/2019	<p> Opposition to Motion to Compel Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Defendants' Opposition to Plaintiff's Motion to Compel Defendants' Production of Documents on an Order Shortening Time</i></p>

CASE SUMMARY

CASE NO. A-19-792599-B

11/05/2019	 Appendix <i>Appendix of Exhibits to Defendants' Opposition to Plaintiff's Motion to Compel Defendants' Production of Documents on An Order Shortening Time</i>
11/07/2019	 Notice of Association of Counsel Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Notice of Association of Counsel</i>
11/08/2019	 Transcript of Proceedings <i>Transcript of Proceedings: Hearing on Plaintiff's Motion to Compel and Defendants' Motion to Disqualify Campbell & Williams</i>
11/12/2019	 Status Report <i>Status Report on Paul Padda's Desktop Computer</i>
11/12/2019	 Objection Filed By: Other Panish Shea & Boyle LLP <i>Panish Shea & Boyle, LLP's Objection to Subpoena to Appear for Deposition</i>
11/12/2019	 Certificate <i>Certificate of Compliance Regarding Seth Cogan Communications</i>
11/13/2019	 Affidavit of Service <i>Affidavit of Service of Subpoena to Wayne Price.</i>
11/14/2019	 Response Filed by: Plaintiff Cohen, Ruth L. <i>Plaintiff's Response to Defendants' Status Report</i>
11/14/2019	 Order Shortening Time Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Motion for Leave to Allow Plaintiff to Take Additional Depositions on an Order Shortening Time</i>
11/15/2019	 Receipt of Copy Filed by: Plaintiff Cohen, Ruth L. <i>Receipt of Copy</i>
11/15/2019	 Opposition to Motion Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Opposition to Plaintiff's Motion for Leave to Allow Plaintiff to Take Additional Depositions on an Order Shortening Time</i>
11/18/2019	 Notice of Entry of Order Filed By: Plaintiff Cohen, Ruth L. <i>Notice of Entry of Order</i>
11/18/2019	 Order Denying Motion Filed By: Plaintiff Cohen, Ruth L. <i>Order Denying Defendants' Motion to Disqualify Plaintiff's Counsel, the Law Firm of Campbell & Williams on an OST</i>
11/22/2019	 Status Report

CASE SUMMARY

CASE NO. A-19-792599-B

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Amended Status Report on Paul Padda's Desktop Computer and Flash Drives

11/26/2019	 Motion for Protective Order Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff Ruth Cohen's Objections to and Motion for Protective Order Regarding Defendants' Amended Notice of Subpoena to Wells Fargo</i>
11/26/2019	 Order Granting Motion Filed By: Plaintiff Cohen, Ruth L. <i>Order Granting Plaintiff's Motion for Leave to Take Additional Depositions on an Order Shortening Time</i>
11/26/2019	 Notice of Entry of Order Filed By: Plaintiff Cohen, Ruth L. <i>Notice of Entry of Order Granting Plaintiff's Motion for Leave to Take Additional Depositions on an Order Shortening Time</i>
11/26/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
11/26/2019	 Stipulation <i>Stipulation and Order Regarding Inspection of Ruth Cohen's Computer</i>
12/02/2019	 Motion to Seal/Redact Records Filed By: Defendant Padda, Paul S. <i>Motion to Seal Exhibit 6 to Defendants' Motion for an Order Shortening Time for Hearing and Opposition to Plaintiff Ruth L. Cohen's Objections to and Motion for Protective Order Regarding Defendants' Amended Notice of Subpoena to Wells Fargo, N.A.</i>
12/02/2019	 Motion <i>Defendants' Motion for an Order Shortening Time for Hearing and Opposition to Plaintiff Ruth L. Cohen's Objections to and Motion for Protective Order Regarding Defendants' Amended Notice of Subpoena to Wells Fargo, N.A.</i>
12/02/2019	 Affidavit of Service Filed By: Plaintiff Cohen, Ruth L. <i>Affidavit of Service of Trial Subpoena to Wayne Price.</i>
12/02/2019	 Affidavit of Service Filed By: Plaintiff Cohen, Ruth L. <i>Affidavit of Service of Trial Subpoena to Jeffrey Appel.</i>
12/03/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
12/03/2019	 Notice of Non Opposition Filed By: Plaintiff Cohen, Ruth L. <i>Notice of Non-Opposition to Motion to Seal Exhibit 6 to Defendants' Motion for an Order Shortening Time for Hearing and Opposition to Plaintiff Ruth L. Cohen's Objections to and Motion for Protective Order Regarding Defendants' Amended Notice of Subpoena to Wells Fargo, N.A.</i>
12/04/2019	 Order Granting Filed By: Plaintiff Cohen, Ruth L.

CASE SUMMARY

CASE NO. A-19-792599-B

Order Granting Plaintiff's Motion to Compel Defendants' Production of Documents on an Order Shortening Time

12/04/2019



Notice of Entry of Order

Filed By: Plaintiff Cohen, Ruth L.

Notice of Entry of Order

12/06/2019



Order Denying Motion

Filed By: Defendant Padda, Paul S.

Order Denying Motion for Protective Order Regarding Defendants' Subpoena to Wells Fargo, N.A.

12/09/2019



Order Granting

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC

Order Granting Motion to Seal Exhibit 6 to Defendants' Motion for an Order Shortening Time for Hearing and Opposition to Plaintiff Ruth L. Cohen's Objections to and Motion for Protective Order Regarding Defendants' Amended Notice of Subpoena to Wells Fargo, N.A.

12/10/2019



Notice of Entry

Filed By: Defendant Padda, Paul S.

Notice of Entry of Order Granting Motion to Seal Exhibit 6 to Defendants' Motion for an Order Shortening Time for Hearing and Opposition to Plaintiff Ruth L. Cohen's Objections to and Motion for Protective Order Regarding Defendants' Amended Notice of Subpoena to Wells Fargo, N.A.

12/10/2019



Notice of Entry

Filed By: Defendant Padda, Paul S.

Notice of Entry of Order Denying Motion for Protective Order Regarding Defendants' Subpoena to Wells Fargo, N.A.

12/11/2019



Motion to Compel

Filed By: Plaintiff Cohen, Ruth L.

Plaintiff's Motion to Compel Wayne Price, Patty Davidson, and Paul Padda to Appear for Their Continued Depositions and to Produce Documents on Order Shortening Time.

12/13/2019



Opposition to Motion to Compel

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC

Opposition to Plaintiff's Motion to Compel Wayne Price, Patty Davidson, and Paul Padda to Appear for Their Continued Depositions and to Produce Documents on Order Shortening Time

12/18/2019



Motion to Seal/Redact Records

Filed By: Defendant Padda, Paul S.

Motion to Redact Portions of Defendants' Motion for Summary Judgment and Exhibit 39 and to Seal Exhibits 20, 21, 28 and 31

12/18/2019



Filed Under Seal

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC

Motion for Summary Judgment

12/18/2019



Filed Under Seal

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC

Appendix of Exhibits to Defendant's Motion for Summary Judgment

12/18/2019



Clerk's Notice of Hearing

Notice of Hearing

CASE SUMMARY

CASE NO. A-19-792599-B

12/19/2019	 Certificate Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Certificate of Compliance Regarding Wayne Price Documents</i>
12/19/2019	 Order Filed By: Plaintiff Cohen, Ruth L. <i>Order Regarding Plaintiff's Motion to Compel Wayne Price, Patty Davidson, and Paul Padda to Appear for their Continued Depositions and to Produce Documents on Order Shortening Time</i>
12/19/2019	 Notice of Entry of Order Filed By: Plaintiff Cohen, Ruth L. <i>Notice of Entry of Order</i>
12/20/2019	 Motion in Limine Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Motion in Limine No. 2 to Exclude Evidence Regarding Ms. Cohen's Gaming and Any Use of the Terms "Gambling Addict" or "Gambling Addiction" or Words to that Effect</i>
12/20/2019	 Motion to Seal/Redact Records Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Motion to Redact or Seal Exhibit 1 to Motion in Limine No. 2 to Exclude Evidence Regarding Ms. Cohen's Gaming and Any Use of the Terms "Gambling Addict" or "Gambling Addiction" or Words to that Effect</i>
12/20/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
12/20/2019	 Motion to Seal/Redact Records Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Motion to Redact Portions of Defendants' Motion in Limine No. 1 and Seal Exhibits 1 - 3</i>
12/20/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
12/20/2019	 Motion in Limine Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Motion in Limine No. 1 to Exclude Argument, Testimony, or Other Evidence Regarding the Jay Paul Gurian a/k/a Jack Gurian Case</i>
12/20/2019	 Motion in Limine Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Motion in Limine No. 3 to Exclude Evidence Concerning Allegations, Claims, and Defenses in Ms. Cohen s Unrelated Litigation</i>
12/20/2019	 Motion in Limine Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Motion in Limine No. 4 to Exclude Privileged Accountant-Client Communications</i>
12/20/2019	 Motion in Limine Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Motion in Limine No. 5 to Exclude All Evidence and Argument Regarding Ms. Cohen s Political Beliefs and Opinions, Religious Beliefs, Alleged Racism, Bigotry, or Homophobia</i>

CASE SUMMARY

CASE NO. A-19-792599-B

12/20/2019	 Motion in Limine Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Motion in Limine No. 6 to Exclude Testimony of Seth Cogan</i>
12/20/2019	 Motion in Limine Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Motion in Limine No. 7 to Exclude Testimony of Defendants Witnesses the Subjects of Whose Testimony Are Undisclosed and Unknown</i>
12/20/2019	 Motion in Limine Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Motion in Limine No. 8 Renewing Motion to Strike Robert Vannah as an Expert and Exclude His Report and Testimony</i>
12/20/2019	 Motion in Limine Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Defendants' Motion in Limine No. 2 to Preclude Plaintiff From Offering Evidence and/or Argument Regarding Defendants' Financial Condition During the Initial Liability Phase of Trial</i>
12/20/2019	 Filed Under Seal Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Motion in Limine No 1 Defendants' Motion in Limine To Exclude Evidence 12/20/19 Motion to Seal/Redact Records</i>
12/20/2019	 Motion in Limine Filed By: Defendant Padda, Paul S. <i>Motion in Limine #6 Defendants' Motion in Limine to Exclude Testimony of Jeffrey Appel Regarding Certain Financial Documents</i>
12/20/2019	 Motion in Limine Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Motion in Limine #9 Defendants' Motion in Limine to Exclude the Testimony and Report of Kathleen Annunziata Nicolaidis</i>
12/20/2019	 Filed Under Seal Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Motion In Limine No. 2 To Exclude Evidence Regarding Ms. Cohen's Gaming And Any Use Of The Terms "Gambling Addict" Or "Gambling Addiction" Or Words To That Effect Per 12/20/19 Motion To Redact Or Seal Exhibit 1 To Motion In Limine No. 2 To Exclude Evidence Regarding Mr. cohen's Gaming And Any Use Of the Terms "Gambling Addict" Or "Gambling Addiction" Or Words To That Effect</i>
12/20/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
12/20/2019	 Motion in Limine <i>Motion in Limine # 4 Defendants' Motion in Limine to Exclude Testimony of Plaintiff's Proposed Summary Witness Kathy Campagna</i>
12/20/2019	 Motion in Limine Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Defendants' Motion in Limine No. 3 to Preclude Plaintiff from Offering Any Evidence of and/or Computation for Unjust Enrichment and Quantum Meruit Damages at Trial</i>

CASE SUMMARY

CASE NO. A-19-792599-B

12/20/2019	 Motion in Limine <i>Motion in Limine No. 10 - Defendants' Motion in Limine to Exclude Evidence or Testimony Related to Wayne Price's History with Paul Padda Law, PLLC</i>
12/20/2019	 Motion in Limine Filed By: Defendant Padda, Paul S. <i>Motion in Limine No. 13 Defendants' Motion in Limine to Exclude Testimony of Karla Koutz Regarding her Opinion of Paul Padda's Character for Truthfulness</i>
12/20/2019	 Motion in Limine Filed By: Defendant Padda, Paul S. <i>Motion in Limine # 12 Defendants' Motion in Limine to Exclude the Testimony and Report of Michael Holpuch</i>
12/20/2019	 Motion in Limine Filed By: Defendant Padda, Paul S. <i>Motion in Limine # 11 Defendants' Motion in Limine to Exclude Evidence, Testimony of Argument Related to Alleged Health Issues Suffered by Ms. Cohen After September 12,2016</i>
12/20/2019	 Motion to Seal/Redact Records <i>Motion to Redact Portions of Defendants' Motion in Limine No. 8 - Motion to Exclude Evidence and Testimony Related to Specific Instances of Conduct and Testimony of Carey Reno</i>
12/20/2019	 Motion in Limine <i>Motion in Limine No. 8 - Defendants' Motion In Limine to Exclude Evidence and Testimony Related to Specific Instances of Conduct and Testimony of Carey Reno</i>
12/20/2019	 Motion in Limine Filed By: Defendant Padda, Paul S. <i>Motion in Limine # 7 Defendants' Motion in Limine to Exclude Evidence or Testimony of Mr. Padda's Job Performance at the United States Attorney's Office and Clients' Opinions or Experiences</i>
12/20/2019	 Motion in Limine Filed By: Defendant Padda, Paul S. <i>Motion in Limine # 14 Defendants' Motion in Llimine to Exclude Testimony of Lay Witnesses Regarding Whether Plaintiff Trusted Defendant Paul S. Padda, Esq.</i>
12/20/2019	 Motion to Seal/Redact Records <i>Motion to Redact Portions of Defendants' Motion in Limine No. 5 and Seal Exhibits 1 - 2</i>
12/20/2019	 Motion in Limine <i>Motion in Limine No 5 Defendants' Motion in Limine to Exclude Evidence and Testimony Related to Specific Instances of Conduct and Karla Koutz's Hearsay Testimony and Speculation</i>
12/23/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
12/23/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
12/23/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>

CASE SUMMARY

CASE NO. A-19-792599-B

12/23/2019	 Order Shortening Time Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Motion to Adopt Plaintiff's Version of the Proposed Jury Questionnaire on an Order Shortening Time</i>
12/23/2019	 Order Shortening Time Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Motion to Extend Opposition Deadline and Establish Briefing Schedule on Order Shortening Time</i>
12/24/2019	 Opposition <i>Defendants' Opposition to Plaintiff's Motion to Extend Opposition Deadline and Establish Briefing Schedule on Order Shortening Time And Countermotion to Advance Hearing Date on Defendants' Motion for Summary Judgment</i>
12/24/2019	 Errata <i>Errata to Defendants' Opposition to Plaintiff's Motion to Extend Opposition Deadline and Establish Briefing Schedule on Order Shortening Time and Countermotion to Advance Hearing Date on Defendants' Motion for Summary Judgment</i>
12/26/2019	 Opposition and Countermotion Filed By: Defendant Padda, Paul S. <i>Defendants' Opposition to Plaintiff's Motion to Adopt Plaintiff's Version of the Proposed Jury Questionnaire and Countermotion to Adopt Defendants' Version of the Proposed Jury Questionnaire</i>
12/31/2019	 Motion to Compel Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Defendants' Motion to Compel Plaintiff to Produce Certain Documents that are Relevant and Material to This Case on An Order Shortening Time for Hearing</i>
01/02/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
01/02/2020	 Clerk's Notice of Nonconforming Document <i>Clerk's Notice of Nonconforming Document</i>
01/02/2020	 Status Report Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Defendants' Status Report Regarding Jury Questionnaire</i>
01/02/2020	 Motion to Compel Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Defendants' Motion to Compel Plaintiff to Produce Certain Documents that are Relevant and Material to this Case on An Order Shortening Time for Hearing</i>
01/02/2020	 Appendix <i>Appendix of Exhibits to Defendants' Motion to Compel Plaintiff to Produce Certain Documents that are Relevant and Material to this Case on An Order Shortening Time for Hearing</i>
01/06/2020	 Opposition to Motion to Compel Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Opposition to Defendants' Motion to Compel Plaintiff to Produce Certain Documents that are Relevant and Material to this Case on an Order Shortening Time for Hearing</i>

CASE SUMMARY

CASE NO. A-19-792599-B

01/07/2020



Reply in Support

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Defendants' Reply In Support of Motion to Compel Plaintiff to Produce Certain Documents that Are Relevant and Material to this Case on An Order Shortening Time for Hearings

01/10/2020



Status Report

Filed By: Plaintiff Cohen, Ruth L.
Status Report Regarding Delivery of Plaintiff's Electronic Devices

01/10/2020



Opposition to Motion For Summary Judgment

Filed By: Plaintiff Cohen, Ruth L.
Plaintiff's Opposition to Defendants' Motion for Summary Judgment

01/10/2020



Appendix

Filed By: Plaintiff Cohen, Ruth L.
Appendix of Exhibits to Plaintiff's Opposition to Defendants' Motion for Summary Judgment (For Filing)

01/10/2020



Motion to Seal/Redact Records

Filed By: Plaintiff Cohen, Ruth L.
Plaintiff's Motion to Redact or Seal Exhibits F, H, and J to Plaintiff's Appendix of Exhibits to Opposition to Defendants' Motion for Summary Judgment

01/10/2020



Opposition to Motion in Limine

Filed By: Plaintiff Cohen, Ruth L.
Plaintiff's Opposition to Defendants' Motion in Limine No. 1 To Exclude Evidence [of Paul Padda's Romantic Relationship with Patty Davidson]

01/10/2020



Opposition to Motion in Limine

Filed By: Plaintiff Cohen, Ruth L.
Plaintiff's Opposition To Defendants' Motion In Limine No. 2 To Preclude Plaintiff From Offering Evidence And/Or Argument Regarding Defendants' Financial Condition During The Initial Liability Phase Of Trial

01/10/2020



Opposition to Motion in Limine

Filed By: Plaintiff Cohen, Ruth L.
Plaintiff's Opposition to Defendants' Motion in Limine No. 4 To Exclude Testimony of Plaintiff's Proposed Summary Witness Kathy Campagna

01/10/2020



Motion to Seal/Redact Records

Filed By: Plaintiff Cohen, Ruth L.
Plaintiff's Motion to Redact or Seal Exhibit 2 to Plaintiff's Opposition to Defendants' Motion in Limine No. 4 to Exclude Testimony of Plaintiff's Proposed Summary Witness Kathy Campagna

01/10/2020



Opposition to Motion in Limine

Defendants' Opposition to Plaintiff's Motion in Limine No.1 to Exclude Argument, Testimony, or Other Evidence Regarding the Jay Paul Gurian A/K/A Jack Gurian Case

01/10/2020



Opposition to Motion in Limine

Defendants' Opposition to Plaintiff's Motion in Limine No.3 to Exclude Evidence Concerning Allegations, Claims, and Defenses in Ms. Cohen's Unrelated Litigation

01/10/2020



Opposition to Motion in Limine

Filed By: Plaintiff Cohen, Ruth L.

CASE SUMMARY

CASE NO. A-19-792599-B

Plaintiff's Opposition to Defendants Motion in Limine #5 to Exclude Evidence and Testimony Related to Specific Instances of Conduct and Karla Koutz's Hearsay Testimony and Speculation

01/10/2020



Motion to Seal/Redact Records

Filed By: Plaintiff Cohen, Ruth L.

Plaintiff's Motion to Redact or Seal Exhibits 1 and 2 to Plaintiff's Opposition to Defendants Motion in Limine #5 to Exclude Evidence and Testimony Related to Specific Instances of Conduct and Karla Koutz's Hearsay Testimony and Speculation

01/10/2020



Motion to Seal/Redact Records

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC

Motion to Redact Portions of Defendants' Opposition to Plaintiff's Motion in Limine No. 4 and Seal Exhibits 1 - 2

01/10/2020



Opposition to Motion in Limine

Defendants' Opposition to Plaintiff's Motion in Limine No. 6 to Exclude Testimony of Seth Cogan

01/10/2020



Opposition to Motion in Limine

Defendant's Opposition to Plaintiff's Motion In Limine No. 7 to Exclude Testimony of Defendants' Witnesses The Subjects of Whose Testimony Was Undisclosed and Unknown

01/10/2020



Opposition to Motion in Limine

Defendants' Opposition to Plaintiff's Motion in Limine No. 8 To Strike Robert Vannah As An Expert and Exclude His Report And Testimony

01/10/2020



Opposition to Motion in Limine

Filed By: Plaintiff Cohen, Ruth L.

Plaintiff's Opposition to Defendants' Motion in Limine No. 6 to Exclude Testimony of Jeffrey Appel Regarding Certain Financial Documents

01/10/2020



Opposition to Motion in Limine

Filed By: Plaintiff Cohen, Ruth L.

Plaintiff's Opposition to Defendants' Motion in Limine No. 7 to Exclude Evidence or Testimony of Mr. Padda's Job Performance at the United States Attorney's Office and Clients' Opinions or Experiences

01/10/2020



Opposition to Motion in Limine

Filed By: Plaintiff Cohen, Ruth L.

Plaintiff's Opposition to Defendants' Motion in Limine No. 9 to Exclude the Testimony and Report of Kathleen Annunziata Nicolaides

01/10/2020



Opposition to Motion in Limine

Filed By: Plaintiff Cohen, Ruth L.

Plaintiff's Opposition to Defendants Motion in Limine No. 10 to Exclude Evidence or Testimony Related to Wayne Price's History with Paul Padda Law, PLLC

01/10/2020



Opposition to Motion in Limine

Filed By: Plaintiff Cohen, Ruth L.

Plaintiff's Opposition to Defendants Motion in Limine #11 to Exclude Evidence, Testimony of Argument Related to Alleged Health Issues Suffered By Ms. Cohen After September 12, 2016

01/10/2020



Opposition to Motion in Limine

Filed By: Plaintiff Cohen, Ruth L.

Plaintiff's Opposition to Defendants' Motion in Limine #12 to Exclude The Testimony and

CASE SUMMARY

CASE NO. A-19-792599-B

Report of Michael Holpuch

01/10/2020



Opposition to Motion in Limine

Plaintiff's Opposition to Defendants' Motion in Limine #14 to Exclude Testimony of Lay Witnesses Regarding Whether Plaintiff Trusted Defendant Paul S Padda Esq

01/10/2020



Opposition to Motion in Limine

Filed By: Plaintiff Cohen, Ruth L.
Plaintiff's Opposition to Defendants Motion in Limine #13 to Exclude Testimony of Karla Koutz Regarding Her Opinion of Paul Padda's Character for Truthfulness

01/10/2020



Motion to Seal/Redact Records

Filed By: Plaintiff Cohen, Ruth L.
Plaintiff's Motion to Redact or Seal Exhibit 34 within Exhibit 1 to Plaintiff's Opposition to Defendants Motion in Limine No. 13 to Exclude Testimony of Karla Koutz Regarding Her Opinion of Paul Padda's Character for Truthfulness

01/10/2020



Opposition to Motion in Limine

Filed By: Plaintiff Cohen, Ruth L.
Plaintiff's Opposition to Defendants' Motion in Limine No. 3 to Preclude Plaintiff from Offering Evidence and/or Computation for Unjust Enrichment and Quantum Meruit Damages at Trial

01/10/2020



Opposition to Motion

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Opposition To Plaintiff's Motion In Limine No. 2 To Exclude Evidence Regarding Ms. Cohen's Gaming And Any Use Of The Terms "Gambling Addict" Or "Gambling Addiction" Or Words To That Effect

01/10/2020



Pre-Trial Disclosure

Party: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Defendants Paul S. Padda and Paul Padda Law, PLLC's Pretrial Disclosures Pursuant to NRCP 16.1(a)(3)

01/10/2020



Opposition to Motion

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Opposition To Plaintiff's Motion In Limine No. 5 To Exclude All Evidence And Argument Regarding Ms. Cohen's Political Beliefs And Opinions, Religious Beliefs, Alleged Racism, Bigotry, Or Homophobia

01/10/2020



Opposition to Motion in Limine

Filed By: Plaintiff Cohen, Ruth L.
Plaintiff's Opposition to Defendants' Motion in Limine #8 to Exclude Evidence and Testimony Related to Specific Instances of Conduct and Testimony of Carey Reno

01/10/2020



Opposition to Motion in Limine

Filed By: Plaintiff Cohen, Ruth L.
Plaintiff's Opposition To Defendants' Motion In Limine #14 To Exclude Testimony Of Lay Witnesses Regarding Whether Plaintiff Trusted Defendant Paul S. Padda, Esq.

01/10/2020



Pre-Trial Disclosure

Party: Plaintiff Cohen, Ruth L.
Plaintiff's Pre-Trial Disclosures Pursuant to NRCP 16.1(a)(3)

01/13/2020



Filed Under Seal

Filed By: Plaintiff Cohen, Ruth L.

CASE SUMMARY

CASE NO. A-19-792599-B

Exhibits To Be Filed Under Seal To Plaintiff's Appendix Of Exhibits To Opposition To Defendants' Motion For Summary Judgment Per 1/10/20 Motion To Redact Or Seal Exhibits F, H, And J To Plaintiff's Appendix Of Exhibits To Opposition To Defendants' Motion For Summary Judgment

01/13/2020



Filed Under Seal

Filed By: Plaintiff Cohen, Ruth L.

Exhibits to Be Filed Under Seal To Plaintiff's Opposition To Defendants' Motion In Limine #13 To Exclude Testimony Of Karla Koutz Regarding Her Opinion Of Paul Padda's Character For Truthfulness Per 1/10/20 Motion To Redact Or Seal Exhibit 34 Within Exhibit 1 To Plaintiff's Opposition To Defendants' Motion In Limine #13 To Exclude Testimony Of Karla Koutz Regarding Her Opinion Of Paula Padda's Character For Truthfulness

01/13/2020



Filed Under Seal

Filed By: Plaintiff Cohen, Ruth L.

Exhibits To Be Filed Under Seal To Plaintiff's Opposition To Defendants' Motion In Limine #4 To Exclude Testimony Of Plaintiff's Proposed Summary Witness Kathy Campagna Per 1/10/20 Plaintiff's Opposition To Defendants' Motion In Limine #4 To Exclude Testimony Of Plaintiff's Proposed Summary Witness Kathy Campagna

01/13/2020



Filed Under Seal

Filed By: Plaintiff Cohen, Ruth L.

Exhibits To Be Filed Under Seal To Plaintiff's Opposition To Defendants' Motion In Limine #5 To Exclude Evidence And Testimony Related To Specific Instances Of Conduct And Karla Koutz's Hearsay Testimony And Speculation Per 1/10/20 Motion To Redact Or Seal Exhibits 1 And 2 To Plaintiff's Opposition To Defendants' Motion In Limine #5 To Exclude Evidence And Testimony Related To Specific Instances Of Conduct And Karla Koutz's Hearsay Testimony And Speculation

01/14/2020



Notice

Notice of Submission of Proposed Order Granting Defendants' Motion to Compel Plaintiff's Production of Certain Documents

01/15/2020



Motion to Seal/Redact Records

Motion to Redact Portions of Defendants' Motion for Sanctions and to Seal Exhibits 6, 7, and 19

01/15/2020



Clerk's Notice of Hearing

Notice of Hearing

01/15/2020



Transcript of Proceedings

Transcript of Proceedings: Hearing on Plaintiff's Motion to Adopt Plaintiff's Proposed Jury Questionnaire

01/15/2020



Stipulation and Order

Stipulation and Proposed Order to Extend Time to File Joint Pretrial Memorandum

01/16/2020



Transcript of Proceedings

Transcript of Proceedings: Hearing on Defendants' Motion to Compel Production of Documents

01/16/2020



Appendix

Appendix of Exhibits to Defendants' Motion for Sanctions Against Plaintiff on Order Shortening Time for Hearing

01/16/2020



Order Shortening Time

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC

CASE SUMMARY

CASE NO. A-19-792599-B

Defendants' Motion for Sanctions Against Plaintiff on An Order Shortening Time for Hearing

01/16/2020



Filed Under Seal

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Defendants' Motion for Sanctions Against Plaintiff on an Order Shortening Time for Hearing (Per Motion to Redact Portions of Defendants' Motion for Sanctions and to Seal Exhibits 6, 7, and 19; Filed 1/15/2020)

01/16/2020



Filed Under Seal

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Appendix of Exhibits to Defendants' Motion for Sanctions Against Plaintiff on an Order Shortening Time for Hearing (Per Motion to Redact Portions of Defendants' Motion for Sanctions and to Seal Exhibits 6, 7, and 19; Filed 1/15/2020)

01/16/2020



Order Granting Motion

Filed By: Plaintiff Cohen, Ruth L.
Order Granting Defendants' Motion to Compel Plaintiff to Produce Certain Documents that are Relevant and Material to this Case

01/17/2020



Notice of Entry of Order

Filed By: Plaintiff Cohen, Ruth L.
Notice of Entry of Order Granting Defendants' Motion to Compel Plaintiff to Produce Certain Documents that are Relevant and Material to this Case

01/21/2020



Opposition

Filed By: Plaintiff Cohen, Ruth L.
Plaintiff's Opposition to Defendants Motion for Sanctions Against Plaintiff on and Order Shortening Time

01/21/2020



Appendix

Filed By: Plaintiff Cohen, Ruth L.
Plaintiff's Appendix of Exhibits to Opposition to Defendants Motion for Sanctions Against Plaintiff on and Order Shortening Time

01/21/2020



Motion to Seal/Redact Records

Filed By: Plaintiff Cohen, Ruth L.
Plaintiff's Motion to Redact or Seal Exhibit 4 to Plaintiff's Appendix of Exhibits to Opposition to Defendants Motion for Sanctions Against Plaintiff on an Order Shortening Time

01/21/2020



Reply

Reply In Support Of Defendants' Motion For Sanctions Against Plaintiff On An Order Shortening Time For Hearing

01/21/2020



Filed Under Seal

Filed By: Plaintiff Cohen, Ruth L.
Exhibit 4 To Plaintiff's Appendix Of Exhibits To Opposition To Defendants' Motion For Sanctions Against Plaintiff On An Order Shortening Time (To Be Filed Under Seal) Per 1/21/20 Motion To Redact5 Or Seal Exhibit 4 To Plaintiff's Appendix Of Exhibits To Opposition To Defendants' Motion For Sanctions Against Plaintiff On An Order Shortening time

01/22/2020



Clerk's Notice of Hearing

Notice of Hearing

01/24/2020



Motion to Seal/Redact Records

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC

CASE SUMMARY

CASE NO. A-19-792599-B

Motion to Redact Portions of Defendants' Reply In Support of Motion in Limine No. 1 to Exclude Evidence

01/24/2020



Reply in Support

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Defendants' Reply In Support of Motion In Limine No. 1 to Exclude Evidence

01/24/2020



Motion to Seal/Redact Records

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Motion to Redact Portions of Defendants' Reply In Support of Motion in Limine No. 5 to Exclude Evidence

01/24/2020



Reply in Support

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Defendants' Reply in Support of Motion in Limine No. 5 to Exclude Evidence and Testimony Related to Specific Instances of Conduct and Karla Koutz's Hearsay Testimony and Speculation

01/24/2020



Reply in Support

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Reply in Support of Defendants' Motion in Limine No. 7 to Exclude Evidence or Testimony of Mr. Padda's Job Performance at the United States Attorney's Office and Clients' Opinions or Experiences

01/24/2020



Reply in Support

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Defendants' Reply in Support of Motion in Limine No.4 to Exclude Testimony of Plaintiff's Proposed Summary Witness Kathy Campagna

01/24/2020



Reply in Support

Filed By: Plaintiff Cohen, Ruth L.
Plaintiff's Reply in Support of Motion in Limine No. 1 to Exclude Argument, Testimony, or Other Evidence Regarding the Jay Paul Gurian a/k/a Jack Gurian Case

01/24/2020



Reply in Support

Filed By: Plaintiff Cohen, Ruth L.
Plaintiff's Reply in Support of Motion in Limine No. 2 to Exclude Evidence Regarding Ms. Cohen's Gaming and Any Use of The Terms "Gambling Addict" or "Gambling Addiction" or Words to That Effect

01/24/2020



Motion to Seal/Redact Records

Filed By: Plaintiff Cohen, Ruth L.
Plaintiff's Motion to Redact or Seal Exhibit 3 and Exhibit 4 to Plaintiff's Reply in Support of Motion in Limine No. 2 to Exclude Evidence Regarding Ms. Cohen's Gaming and Any Use of The Terms "Gambling Addict" or "Gambling Addiction" or Words to That Effect

01/24/2020



Reply in Support

Filed By: Plaintiff Cohen, Ruth L.
Plaintiff's Reply in Support of Motion in Limine No. 3 to Exclude Evidence Concerning Allegations, Claims, and Defenses in Ms. Cohen's Unrelated Litigation

01/24/2020



Reply in Support

Filed By: Plaintiff Cohen, Ruth L.
Plaintiff's Reply in Support of Motion in Limine No. 4 to Exclude Privileged Accountant-Client Communications

01/24/2020

CASE SUMMARY

CASE NO. A-19-792599-B

	 Reply in Support Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Reply in Support of Motion in Limine No. 5 to Exclude all Evidence and Argument Regarding Ms. Cohen's Political Beliefs and Opinions, Religious Beliefs, Alleged Racism, Bigotry, or Homophobia</i>
01/24/2020	 Reply in Support Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Reply in Support of Motion in Limine No. 6 to Exclude Testimony of Seth Cogan</i>
01/24/2020	 Reply in Support Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Reply in Support of Motion in Limine No. 7 to Exclude Testimony of Defendants' Witnesses the Subjects of Whose Testimony is Undisclosed and Unknown</i>
01/24/2020	 Reply in Support Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Reply in Support of Motion in Limine No. 8 Renewing Motion to Strike Robert Vannah as an Expert and Exclude His Report and Testimony</i>
01/24/2020	 Reply in Support Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Defendants' Reply in Support of Motion in Limine No. 9 to Exclude the Testimony and Report of Kathleen Annunziata Nicolaides</i>
01/24/2020	 Reply in Support Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Defendants' Reply In Support of Motion in Limine No. 13 to Exclude Testimony of Karla Koutz Regarding Her Opinion of Paul Padda's Character for Truthfulness</i>
01/24/2020	 Reply in Support Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Defendants' Reply in Support of Motion in Limine No. 6 to Exclude Testimony of Jeffrey Appel Regarding Certain Financial Documents</i>
01/24/2020	 Reply in Support Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Defendants' Reply in Support of the Motion in Limine No. 8 to Exclude Evidence and Testimony Related to Specific Instances of Conduct and Testimony of Carey Reno</i>
01/24/2020	 Motion to Seal/Redact Records Filed By: Plaintiff Cohen, Ruth L. <i>Motion to Redact Portions of Defendants' Reply in Support of Motion in Limine No. 8 to Exclude Evidence</i>
01/24/2020	 Reply in Support Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Defendants' Reply in Support of Motion in Limine No.10 to Exclude Evidence or Testimony Related to Wayne Price's History with Paul Padda Law, PLLC</i>
01/24/2020	 Reply in Support Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Reply in Support of Defendants' Motion in Limine No. 2 to Preclude Plaintiff From Offering Evidence and/or Argument Regarding Defendants' Financial Condition During the Initial Liability Phase of Trial</i>

CASE SUMMARY

CASE NO. A-19-792599-B

01/24/2020	 Reply in Support Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Reply in Support of Defendants' Motion in Limine No. 3 to Preclude Plaintiff from Offering Evidence and/or computation for Unjust Enrichment and Quantum Meruit Damages at Trial</i>
01/24/2020	 Reply in Support Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Defendants' Reply in Support of Motion in Limine No. 11 to Exclude Evidence, Testimony of Argument Related to Alleged Health Issues Suffered by Ms. Cohen After September 12, 2016</i>
01/24/2020	 Reply in Support Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Defendants' Reply in Support of Motion in Limine No.12 to Exclude the Testimony and Report of Michael Holpuch</i>
01/24/2020	 Reply in Support Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Defendants' Reply in Support of Motion in Limine No. 14 to Exclude Testimony of Lay Witnesses Regarding Whether Plaintiff Trusted Defendant Paul S. Padda, ESQ.</i>
01/24/2020	 Reply in Support Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Reply in Support of Defendants' Motion for Summary Judgement</i>
01/24/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
01/24/2020	 Transcript of Proceedings <i>Transcript of Proceedings: Hearing on Defendants' Motion for Sanctions</i>
01/24/2020	 Filed Under Seal <i>Exhibit 3 and Exhibit 4 to Plaintiff's Reply in Support of Motion In Limine No 2 to Exclude Evidence Regarding Ms. Cohen's Gaming and any Use of the Terms "Gambling Addict" or "Gambling Addiction" or Words to that Effect on an Order Shortening Time</i>
01/24/2020	 Joint Pre-Trial Memorandum <i>Joint Pre-Trial Memorandum Pursuant to EDCR 2.67</i>
02/03/2020	 Transcript of Proceedings <i>Transcript of Proceedings: Hearing on Defendants' Motion for Sanctions</i>
02/03/2020	 Transcript of Proceedings <i>Transcript of Proceedings: Defendants' Motion for Summary Judgment and Motion to Redact Portions of Motion for Summary Judgment and Seal Exhibits 20, 21, 28, and 31</i>
02/03/2020	 Order Denying Motion Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Order Denying Motion for Sanctions and Awarding Attorney's Fees</i>
02/03/2020	 Notice of Entry of Order Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Notice of Entry of Order Denying Motion for Sanctions and Awarding Attorneys' Fees</i>
02/11/2020	 Notice

CASE SUMMARY

CASE NO. A-19-792599-B

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Notice of Submission of Proposed Findings of Fact and Conclusions of Law

02/13/2020



Order Granting Motion

Filed By: Plaintiff Cohen, Ruth L.
Order Granting Plaintiff's Motions to Seal or Redact

02/13/2020



Notice of Entry of Order

Filed By: Plaintiff Cohen, Ruth L.
Notice of Entry of Order

02/18/2020



Order Granting Motion

Filed By: Plaintiff Cohen, Ruth L.
Order Granting Defendants' Motion for Summary Judgment; Judgment

02/18/2020



Notice of Entry of Order

Filed By: Plaintiff Cohen, Ruth L.
Notice of Entry of Order Granting Defendants' Motion for Summary Judgment; Judgment.

02/19/2020



Order to Seal

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Order Granting Defendants' Motion to Seal or Redact

02/19/2020



Notice of Entry of Order

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Notice of Entry of Order Granting Defendants' Motion to Seal or Redact

02/21/2020



Motion

Filed By: Plaintiff Cohen, Ruth L.
Plaintiff's Motion for Reconsideration of Order Granting Defendants' Motion for Summary Judgment

02/24/2020



Memorandum of Costs and Disbursements

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Defendants' Verified Memorandum of Costs

02/24/2020



Appendix

Filed By: Attorney Peek, Joseph S.; Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Appendix of Exhibits to Defendants' Verified Memorandum of Costs

02/25/2020



Clerk's Notice of Hearing

Notice of Hearing

02/26/2020



Clerk's Notice of Hearing

Notice of Hearing

02/27/2020



Motion to Retax

Filed By: Plaintiff Cohen, Ruth L.
Plaintiff's Motion to Retax Costs

02/28/2020



Clerk's Notice of Hearing

Notice of Hearing

CASE SUMMARY

CASE NO. A-19-792599-B

03/06/2020	 Notice of Association of Counsel Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Notice of Association of Counsel</i>
03/06/2020	 Opposition Filed By: Defendant Padda, Paul S. <i>Defendants' Opposition to Plaintiff's Motion for Reconsideration</i>
03/11/2020	 Motion for Attorney Fees Filed By: Defendant Padda, Paul S. <i>Defendants' Motion for Attorneys' Fees</i>
03/11/2020	 Appendix Filed By: Defendant Padda, Paul S. <i>Appendix of Exhibits to Defendants' Motion for Attorneys' Fees</i>
03/11/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
03/12/2020	 Opposition Filed By: Defendant Padda, Paul S. <i>Defendants' Opposition to Plaintiff's Motion to Retax Costs</i>
03/12/2020	 Appendix Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC <i>Appendix of Exhibits to Defendants' Opposition to Plaintiff's Motion to Retax Costs</i>
03/16/2020	 Reply in Support Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Reply in Support of Motion for Reconsideration of Order Granting Defendants' Motion for Summary Judgment: Judgment</i>
03/25/2020	 Opposition Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Opposition to Defendants' Motion for Attorneys' Fees</i>
03/25/2020	 Appendix Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Appendix of Exhibits to Opposition to Defendants' Motion for Attorneys' Fees</i>
03/25/2020	 Motion to Seal/Redact Records Filed By: Plaintiff Cohen, Ruth L. <i>Plaintiff's Motion to Redact or Seal Exhibits G, H, I, J, K, L, M, and O 1-65 to Plaintiff's Appendix of Exhibits to Opposition to Defendants' Motion for Attorneys' Fees</i>
03/25/2020	 Temporary Seal Pending Court Approval Filed By: Plaintiff Cohen, Ruth L. <i>Exhibits G, H, I, J, K, L, M, and O 1-65 to Plaintiff's Appendix of Exhibits to Opposition to Defendants' Motion for Attorneys' Fees</i>
03/26/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
03/27/2020	 Reply in Support

CASE SUMMARY

CASE NO. A-19-792599-B

Filed By: Plaintiff Cohen, Ruth L.
Plaintiff's Reply in Support of Motion to Retax Costs

03/31/2020



Order Denying Motion

Filed By: Defendant Padda, Paul S.
Order Denying Plaintiff's Motion for Reconsideration

03/31/2020



Notice of Entry of Order

Filed By: Defendant Padda, Paul S.; Defendant Paul Padda Law PLLC
Notice of Entry of Order Denying Plaintiff's Motion for Reconsideration

04/06/2020



Substitution of Attorney

Filed by: Plaintiff Cohen, Ruth L.
Substitution of Counsel

04/08/2020



Notice of Appeal

Filed By: Plaintiff Cohen, Ruth L.
Notice of Appeal

04/08/2020



Case Appeal Statement

Filed By: Plaintiff Cohen, Ruth L.
Case Appeal Statement

04/09/2020



Reply

Defendants' Reply in Support of Motion for Attorneys' Fees

04/09/2020



Appendix

Appendix to Defendants' Reply In Support of Motion for Attorneys' Fees

DISPOSITIONS

12/04/2019

Order (Judicial Officer: Gonzalez, Elizabeth)

Debtors: Paul S. Padda (Defendant), Paul Padda Law PLLC (Defendant)

Creditors: Ruth L. Cohen (Plaintiff)

Judgment: 12/04/2019, Docketed: 12/04/2019

Total Judgment: 500.00

02/03/2020

Order (Judicial Officer: Gonzalez, Elizabeth)

Debtors: Ruth L. Cohen (Plaintiff)

Creditors: Paul S. Padda (Defendant), Paul Padda Law PLLC (Defendant)

Judgment: 02/03/2020, Docketed: 02/03/2020

Total Judgment: 1,500.00

02/18/2020

Summary Judgment (Judicial Officer: Gonzalez, Elizabeth)

Debtors: Paul S. Padda (Defendant), Paul Padda Law PLLC (Defendant)

Creditors: Ruth L. Cohen (Plaintiff)

Judgment: 02/18/2020, Docketed: 02/19/2020

Comment: Certain Claims

HEARINGS

04/12/2019



Minute Order (3:00 AM) (Judicial Officer: Allf, Nancy)

Minute Order: Recusal

Minute Order - No Hearing Held;

Journal Entry Details:

As Court is acquainted with two of the parties,), in accordance with Rule 2.11(a), and to avoid the appearance of impropriety and implied bias, this Court hereby disqualifies itself and ORDERS, this case be REASSIGNED at random.;

CASE SUMMARY

CASE NO. A-19-792599-B

05/06/2019



Motion for Preferential Trial Setting (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Plaintiff's Motion for Preferential Firm Trial Setting and Expedited Discovery Schedule on an Order Shortening Time

Granted;

Journal Entry Details:

Court noted Plaintiff seeks a preferential trial setting due to Ms. Cohen's age; however, it usually only grants one firm trial setting. Ms. Wakayama advised Plaintiff would request the end of September or September 30th for the close of discovery and agree with the other dates proposed by opposing counsel except that Plaintiff would ask for October 18 to file motions for summary judgment. Mr. Peek noted they need adequate time to file motions for summary judgment and motions in limine. Upon Court's inquiry, Ms. Wakayama confirmed this will be a jury trial and anticipated trial taking 5 to 7 full judicial days. Colloquy regarding trials during the holiday season. Mr. Peek requested the end of January 2020. COURT ORDERED, matter SET for a firm jury trial on February 10, 2020. Parties to come up with a discovery schedule to be discussed at the Rule 16 conference to be held on June 3, 2019. Mr. Peek advised they have not yet answered. COURT NOTED discovery has not yet opened because the rule 16 conference has not yet occurred; however, parties may stipulate to start discovery when the answer is filed. Mr. Peek requested they wait until June 3rd. Ms. Wakayama to prepare today's order. 6-3-19 9:00 AM MANDATORY RULE 16 CONFERENCE 1-16-20 9:30 AM PRE TRIAL CONFERENCE 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM ;

06/03/2019



Mandatory Rule 16 Conference (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

MINUTES

Matter Heard;

Journal Entry Details:

Mr. Peek stated he does not think this is a complex matter with regards to discovery; there will certainly be issues as to whether or not documents are related to some of the cases over which the dispute exists; one of those documents cannot be produced because it belongs to the party as opposed to the law firm; he does not see discovery extending beyond September and would request the close of fact discovery in September, expert disclosures within 15 days thereafter, and complete close of discovery sometime around November 15. Ms. Wakayama stated they do not think this is a complex discovery matter either as it relates to factual issues; however, she does think there would be issues related to ESI, and parties would need to work out deposition dates as there is a large number of people who are out of state; she would ask close of discovery by December 2nd; they are fine with August expert deadlines; their rule 16.1 disclosures are ready to go and can be sent out by June 11; she would request dispositive motions be filed by January 10; it is also important to address now the privileged issues that belong to the party as mentioned by Mr. Peek; they tried to mediate this matter prior to filing the complaint and got only part of the David Moradi litigation file; they did have a conversation with bar counsel, because defense counsel's firm was concerned whether they would be able to release some of these documents to them, mainly conversations between the defendant law firm and Mr. Moradi; her client was also part of the law firm and counsel of record; she has an email from bar counsel Glenn Machado dated March 20, 2019 that the disclosure is permissible under RPC 1.6(b)(5); there may be some pushback, so she does not think a September or November date will work, especially because a lot of the litigation file is coming from the California firm. Court inquired as to whether there would be any ESI searches. Ms. Wakayama stated she does and requested all devices be preserved; they have sent a preservation letter. COURT ORDERED as follows: Initial disclosures pursuant to rule 16.1 to be exchanged by both sides within 2 weeks; Motions to amend pleadings or add parties TO BE FILED within 30 days; Pursuant to agreement of counsel, given the expedited trial setting, the time for discovery responses is shortened from 30 to 20 days; notice requirement prior to issuing a subpoena shortened to 5 business days; Initial expert disclosures where a party bears the burden of proof DUE by August 2, 2019; Rebuttal expert disclosures where a party does not bear the burden of proof DUE by September 13, 2019; Discovery cut-off SET for December 2, 2019; Dispositive motions and motions in limine TO BE FILED by December 20, 2019; Trial Setting Order will ISSUE. COURT FURTHER ORDERED, matter SET for a status check on a draft ESI Protocol and Stipulated Protective Order. Both sides further advised they do not have any concerns with the Rule on 10 depositions per side, not including custodians of records, the 7-hour limit per deposition, and no concerns with the locations. If the 7 hours is exceeded given the two Defendants, counsel can file a motion for protective order. Parties declined the Court's offer of a settlement conference. 6-21-19 CHAMBERS STATUS CHECK: ESI PROTOCOL & STIPULATED PROTECTIVE ORDER 1-16-20 9:30

CASE SUMMARY

CASE NO. A-19-792599-B

AM PRE TRIAL CONFERENCE 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM;

SCHEDULED HEARINGS


CANCELED Status Check (06/21/2019 at 3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
Vacated
Status Check: ESI Protocol & Stipulated Protective Order

06/21/2019 **CANCELED Status Check** (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
Vacated
Status Check: ESI Protocol & Stipulated Protective Order

07/15/2019 **Motion for Protective Order** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
07/15/2019, 07/22/2019
Paul Padda Law, LLC's Motion for Protective Order Regarding Plaintiff's Subpoenas Duces Tecum
Matter Continued;
Matter Heard;
Matter Continued;
Matter Heard;

07/15/2019 **Joinder** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
07/15/2019, 07/22/2019
Joinder to Paul Padda Law, LLC's Motion for Protective Order Regarding Plaintiff's Subpoenas Duces Tecum
Matter Continued;
Matter Heard;
Matter Continued;
Matter Heard;

07/15/2019 **Motion for Protective Order** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
Plaintiff's Motion for Protective Order Regarding Plaintiff's Deposition on an Order Shortening Time
Granted; 2 sessions, 3.5 hours each.

07/15/2019  **All Pending Motions** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
Matter Heard;
Journal Entry Details:
PAUL PADDALAW, LLC'S MOTION FOR PROTECTIVE ORDER REGARDING PLAINTIFF'S SUBPOENA DUCES TECUM... ..JOINDER TO PAUL PADDALAW, LLC'S MOTION FOR PROTECTIVE ORDER REGARDING PLAINTIFF'S SUBPOENA DUCES TECUM... ..PLAINTIFF'S MOTION FOR PROTECTIVE ORDER REGARDING PLAINTIFF'S DEPOSITION ON AN ORDER SHORTENING TIME PAUL PADDALAW, LLC'S MOTION FOR PROTECTIVE ORDER REGARDING PLAINTIFF'S SUBPOENA DUCES TECUM...JOINDER TO PAUL PADDALAW, LLC'S MOTION FOR PROTECTIVE ORDER REGARDING PLAINTIFF'S SUBPOENA DUCES TECUM: Regarding privilege issue on the subpoena duces tecum, Mr. Peek noted his clients claim privilege and his hands are tied with respect to that; the Akin Gump law firm out of New York represents Mr. Morati, and he does not believe the other 2 clients, Garland and Cochran, are represented by counsel today, but the communications have come from the clients to Mr. Padda saying "I don't want you to release anything covered by attorney-client privilege". Court inquired whether the appeal has been completed on the underlying case. Mr. Peek advised there was a resolution in the Morati case, and there are no appellate issues at all; Garland was settled in 2016, and there are no remaining appellate issues there as well; Cochran, he believes, has also been resolved. Court stated it wanted to discuss mechanism issues, because it does not know today the extent of Ms. Cohen's involvement in the litigation of the underlying 3 claims, which would probably influence the Court's decision on the mechanism as to how the information is reviewed, because if she was acting as counsel as alleged, then there will be different issues because she was within the privilege at the time. Mr. Peek stated an evidentiary hearing may be appropriate. Court stated one may be appropriate after Ms. Cohen's deposition. Court stated it will also require counsel to give notice to the real party in interest, who are the holders of the privilege. Ms. Wakayama advised Ms. Cohen was already deposed in a different matter in late 2016 - early 2017 as it relates to her involvement in the Morati case; she even testified she was counsel; if one pulls up the Cochran and Morati cases she is still listed as an

CASE SUMMARY

CASE NO. A-19-792599-B

attorney of record, retained. Ms. Wakayama offered to provide the Court with those case numbers. Court declined and stated it needs something from Ms. Cohen. Ms. Wakayama continued, Ms. Cohen was deposed and counsel have the transcript; what they fail to realize is that this was a partnership; the pockets of information that are discoverable here are that which relates to all the cases, which goes to Mr. Padda's knowledge of making the misrepresentations that he did to Ms. Cohen. Ms. Cohen argued the misrepresentations; the information is discoverable, and the privilege is not waived. Colloquy regarding Mainor Harris issue. COURT ORDERED, matter CONTINUED for one week. Ms. Wakayama to ask Attorney Phil Aurbach if he remembers what mechanism was used because the Court's recollection was that there was a special master who had eyes only, and Mr. Aurbach was counsel for one of the parties; this would only be as to privileged communications. Court further noted Brisbois should have nothing privileged in their files because they are an adverse party. Statement by Mr. Peek regarding Mainor Harris issue. Court stated that to the extent there are communications with adverse parties those would not be protected by a claim of attorney-client privilege. PLAINTIFF'S MOTION FOR PROTECTIVE ORDER REGARDING PLAINTIFF'S DEPOSITION ON AN ORDER SHORTENING: Following arguments by Ms. Wakayama, COURT ORDERED, motion GRANTED; 2 sessions at 3.5 hours each. Ms. Wakayama advised they are aware of Coyote vs. Brightsource regarding breaks and a stipulation has already been circulated. COURT ORDERED, the break between the 2 sessions is DEEMED a requested recess by the Plaintiff. 7-22-19 9:00 AM PAUL PADDALAW, LLC'S MOTION FOR PROTECTIVE ORDER REGARDING PLAINTIFF'S SUBPOENA DUCES TECUM...JOINDER TO PAUL PADDALAW, LLC'S MOTION FOR PROTECTIVE ORDER REGARDING PLAINTIFF'S SUBPOENA DUCES TECUM 12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS 1-16-20 9:30 AM PRE TRIAL CONFERENCE 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM;

07/22/2019



All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Matter Heard;

Journal Entry Details:

PAUL PADDALAW, LLC'S MOTION FOR PROTECTIVE ORDER REGARDING PLAINTIFF'S SUBPOENAS DUCES TECUM...JOINDER TO PAUL PADDALAW, LLC'S MOTION FOR PROTECTIVE ORDER REGARDING PLAINTIFF'S SUBPOENAS DUCES TECUM Attorney Glenn Machado present on behalf of Defendant Paul Padda Law PLLC. Court noted it pulled things that caused it to have a recollection and it was George Schwartz who was appointed as a receiver. Ms. Wakayama noted the Plaintiff filed a supplement and also reached out to Schwartz and Aviva Gordon; this is one of those cases where they really try to keep things out of the public record. Following arguments by Mr. Peek and Ms. Wakayama, COURT ORDERED, Ms. Cohen herself is within the privilege and may review information that would otherwise be privileged related to the cases on which she was counsel of record and part of the firm, which includes these 3 cases; however, this does not extend to her counsel, even given the stipulated protective order. There are two ways parties can proceed; one, to the extent there are responses to any subpoenas being served, Ms. Cohen can personally review that information alone and then determine if further motion practice is needed related to any specific item within that, but the Court is not going to extend that to her counsel; an alternative, which would serve everyone better, is a special master assisting with the review, rather than Ms. Cohen doing the review; the special master can provide a report to the Court that would not be a waiver, because it is a court-ordered to the Court and would provide any additional information related to the valuation included in the communications and memos among the various firms. Mr. Peek stated it would be their preference to have a special master, but he wants the Plaintiff to bear that burden. Court stated it wants a specific order to Ms. Cohen making it clear she may not share the information. Ms. Wakayama argued in opposition to the request of one party bearing the cost as ridiculous and that it should be split equally among all parties. Mr. Peek further requested someone from JAMS, to which Ms. Wakayama suggested they each provide 3 names. Court stated it will work with the parties on a draft order to be submitted by Thursday (July 25, 2019) on the scope of the special master's duties; the cost will be SPLIT EQUALLY amongst all parties (1/3, 1/3, 1/3); each side to also PROPOSE 3 names for a special master, TO BE PROVIDED to the Court by Thursday, July 25th at 3 pm. With regards to Ms. Cohen's suspension, Ms. Wakayama noted it was a CLE suspension. COURT DIRECTED Mr. Peek to prepare the order for today's hearing and Ms. Wakayama to prepare the order related to the scope of the special master. 12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS 1-16-20 9:30 AM PRE TRIAL CONFERENCE 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM;

08/26/2019



Motion for Protective Order (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Plaintiff Ruth L. Cohen's Motion for Protective Order Regarding the Deposition of Karla

CASE SUMMARY

CASE NO. A-19-792599-B

Koutz on an Order Shortening Time

Denied;

Journal Entry Details:

Upon Court's inquiry, Ms. Wakayama advised it will be expensive for her client to travel to Hawaii to take the deposition. Following arguments by Ms. Wakayama and Mr. Peek, COURT ORDERED, motion DENIED; improper inquiry at the deposition may be the subject of a motion in limine prior to trial. Counsel advised September 9th is the date of Mr. Vannah's deposition and requested the motion to strike scheduled on that date be moved to the 16th. COURT SO ORDERED. In addition, Ms. Wakayama requested the deadline for the rebuttal expert report be moved from the 20th to the 27th. No objection by Mr. Peek. COURT GRANTED the request. 9-16-19 9:00 AM PLAINTIFF'S MOTION TO STRIKE DEFENDANTS' EXPERT DISCLOSURE AND REPORT ON AN ORDER SHORTENING TIME 12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS 1-16-20 9:30 AM PRE TRIAL CONFERENCE 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM ;

09/11/2019



Minute Order (9:59 AM) (Judicial Officer: Gonzalez, Elizabeth)

Minute Order re: Special Master Report and Supplement

Minute Order - No Hearing Held;

Journal Entry Details:

The Court has reviewed the special master report and supplement. If either party desires further motion practice on any of the privilege documents identified on the privilege log by the special master they may submit a motion on an OST. 9-16-19 9:00 AM PLAINTIFF'S MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANTS' SUBPOENA TO DANIEL KIM, CPA, P.C.... PLAINTIFF'S MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANTS' SUBPOENA TO NP TEXAS, LLC... PLAINTIFF'S MOTION TO STRIKE DEFENDANTS' EXPERT DISCLOSURE AND REPORT ON A ORDER SHORTENING TIME 12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS 1-16-20 9:30 AM PRE TRIAL CONFERENCE 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 9-11-19;

09/16/2019

Motion to Strike (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Plaintiff's Motion to Strike Defendants' Expert Disclosure and Report on an Order Shortening Time

Denied;

09/16/2019

Motion for Protective Order (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Plaintiff's Motion for Protective Order Regarding Defendants' Subpoena to NP Texas, LLC

Denied;

09/16/2019

Motion for Protective Order (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Plaintiff's Motion for Protective Order Regarding Defendants' Subpoena to Daniel Kim, CPA, P.C.

Denied;

09/16/2019



All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Matter Heard;

Journal Entry Details:

APPEARANCES CONTINUED: Attorney Gregorio Silva, Bar No. 13583, of the law firm of Panish, Shea & Boyle. Per request and agreement, Motion on Order Shortening Time (OST) submitted by Mr. Iglody SET For Monday, September 23, at 9 am. OST signed in open court and returned to Mr. Iglody for filing. Mr. Silva advised that after receiving a subpoena for records he filed a Rule 35 objection; thereafter the Court issued an order appointing special master, and they have produced documents to the special master; however, Mr. Morati is still requesting nothing be made public. COURT DIRECTED counsel to file a motion and it can be set on OST. Mr. Silva excused from the remainder of today's proceeding. PLAINTIFF'S MOTION TO STRIKE DEFENDANTS' EXPERT DISCLOSURE AND REPORT ON AN ORDER SHORTENING TIME: Following arguments by Ms. Wakayama and Mr. Peek, COURT ORDERED, motion to strike DENIED. Ms. Wakayama requested a 3-week extension of the September 27th due date as they do not see anything in the report that they can rebut. Court noted Mr. Vannah has indicated it being flexible. Ms. Wakayama renewed her request for an extension to October 18. COURT DENIED the request as the parties will not be able to meet their current trial date; if continued, they would have a trial until after June. Ms.

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Wakayama excused herself from the remainder of the motions to attend a settlement conference in another case. PLAINTIFF'S MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANTS' SUBPOENA TO NP TEXAS, LLC...PLAINTIFF'S MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANTS' SUBPOENA TO DANIEL KIM, CPA, P.C.: Following arguments by Mr. Moser and Mr. Peek, COURT ORDERED, both motions DENIED. However, to the extent the information from either of the subpoenaed entities is confidential that may be designated as confidential; if counsel believes any of the information from Mr. Kim that will be responsive to the subpoena is privileged, counsel may provide a privilege log or redact; if there is a dispute over the claim of privilege or the redaction, either the Court will resolve it, or if it is a sufficient volume send it to the Special Master. With regards to the Kim information, it will be 2016 forward; with regards to the Stations information, it will be 2015 forward. 12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS 1-16-20 9:30 AM PRE TRIAL CONFERENCE 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM;

09/23/2019



Motion for Clarification (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

09/23/2019, 09/25/2019

Special Master Motion for Clarification and for Instruction on OST

Matter Continued;

Matter Continued;

Matter Continued;

Matter Continued;

Journal Entry Details:

APPEARANCES CONTINUED: Attorney Gregorio Silva, Bar No. 13583, of the law firm of Panish, Shea & Boyle. Court noted there appears to be a disagreement on whether or not the Special Master is done. Argument by Ms. Wakayama. Mr. Silva advised he filed an objection this morning, and he has a copy for the Court as well as an OST. COURT ORDERED, Panish Shea & Boyle, LLP's Objection to Special Master's Report and Recommendation on Order Shortening Time SET for argument on Wednesday, September 25th at 9 am; OST signed in open court and returned to Mr. Silva for filing. Mr. Silva to provide copies of his objection to all parties. COURT FURTHER ORDERED, Special Master's Motion for Clarification CONTINUED to September 25th. 9-25-19 9:00 AM SPECIAL MASTER MOTION FOR CLARIFICATION AND FOR INSTRUCTION ON OST...PANISH SHEA & BOYLE, LLP'S OBJECTION TO SPECIAL MASTER'S REPORT AND RECOMMENDATION ON ORDER SHORTENING TIME 12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS 1-16-20 9:30 AM PRE TRIAL CONFERENCE 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM;

09/25/2019

Objection (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Panish Shea & Boyle, LLP's Objection to Special Master's Report and Recommendation on Order Shortening Time

Matter Continued;

09/25/2019

Objection (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Panish Shea & Boyle LLP's Objection to Special Master Report and Recommendation on OST

Matter Continued;

09/25/2019



All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Matter Heard;

Journal Entry Details:

PANISH SHEA & BOYLE, LLP'S OBJECTION TO SPECIAL MASTER'S REPORT AND RECOMMENDATION ON ORDER SHORTENING TIME PANISH SHEA & BOYLE LLP'S OBJECTION TO SPECIAL MASTER REPORT AND RECOMMENDATION ON OST SPECIAL MASTER MOTION FOR CLARIFICATION AND FOR INSTRUCTION ON OST Gregory Silva, Esq., also present. Colloquy regarding the protective order. Mr. Silva stated he had never seen the protective order stating they were not parties to this case. Further, they never received a motion to compel, never had an opportunity to brief the issues, provide a reason as to why their documents should not be produced, or the reason personal information should not be revealed. Upon Court's inquiry, Mr. Silva advised they would like to address and brief the entirety of Ms. Cohen's assertion that she needs some information from Panish Shea & Boyle to litigate her law suit. Court noted the information currently being sought was a valuation issue. Further, the Court noted Mr. Silva's concerns as to protected information, trade secrets, his firm's commercially sensitive practices. Those issues could be tailored and

CASE SUMMARY

CASE NO. A-19-792599-B

identified. The Court would allow him an opportunity to provide an additional brief to identify the issues and have a discussion. Court provided Mr. Silva the filed protective orders. COURT ORDERED, Status Check / Hearing SET regarding Panish Shea & Boyle's additional brief. COURT FURTHER ORDERED, matters CONTINUED. ALL MATTER CONTINUED TO: 10/09/19 9:00 AM 10/09/19 9:00 AM STATUS CHECK/HEARING: ADDITIONAL BRIEF (PANISH SHEA & BOYLE);

10/08/2019



Minute Order (1:15 PM) (Judicial Officer: Gonzalez, Elizabeth)

Minute Order Vacating Matters on Calendar for October 9, 2019

Minute Order - No Hearing Held;

Journal Entry Details:

COURT ORDERED, the following matters that are on calendar for Wednesday, October 9, 2019 are VACATED per Stipulation and Order: - Status Check/Hearing: Additional Brief (Panish Shea & Boyle) - Panish Shea & Boyle, LLP's Objection to Special Master's Report and Recommendation on Order Shortening Time - Panish Shea & Boyle LLP's Objection to Special Master Report and Recommendation on OST - Special Master Motion for Clarification and for Instruction on OST 12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS 1-16-20 9:30 AM PRE TRIAL CONFERENCE 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM CLERK'S NOTE: Parties notified by distributing a copy of this minute order via electronic mail. / dr 10-8-19 ;

10/08/2019



Telephonic Conference (10:40 AM) (Judicial Officer: Gonzalez, Elizabeth)

Telephonic Conference at Request of Counsel re: Deposition Issues

Matter Heard;

Journal Entry Details:

APPEARANCES CONTINUED: Witness Patricia Davidson, Attorney Tamara Peterson for Ms. Davidson, Ms. Wakayama's paralegal, the Videographer, and Court Reporter. Ms. Wakayama advised she noticed the deposition at 9:30 am; she asked the witness for a current physical address, to which Ms. Peterson objected, stating that they did not want to have that on any type of public record; they subsequently agreed Ms. Peterson would email her Ms. Davidson's home address, but even getting to that agreement took about 15 minutes; secondly, she asked the witness for her date of birth, to which Ms. Peterson objected stating there was no need to know that information; however, relevancy is not a proper objection in relation to the scope of discovery; the latest objection relates to Tammy Boraski, who was the bookkeeper of Padda Law until the end of 2015, which Ms. Davidson testified to; Ms. Davidson also testified that Ms. Boraski worked for her company, so when they asked why Ms. Boraski was no longer working for Profit Boosters LLC, Ms. Davidson's company, there was an objection from counsel, stating there were either privilege issues or that it is against the law to testify related to employment matters; they are asking the Court to issue an order or instruct counsel for the witness to refrain from speaking objections, to refrain from instructing the witness to not answer questions that are not privileged or not under protective order, and that there is no reason to obstruct the examination of the witness when it comes to relevancy objections. Ms. Peterson clarified that her client is a third party witness, the owner of the LLC that contracted with Padda and Cohen and later the Paul Padda law firm; her client has businesses that interact with other law firms in town; with regards to the first question, they have resolved that; however, she believes Ms. Wakayama is harrasing her client with regards to the date of birth, because frankly, it is simply a personal thing; she has accepted service on behalf of her client and has agreed to produce the address; with regards to the last issue, they have not even fully conferred on that; there was a question to the effect of, "Why did Tami Boraski leave Profit Boosters? Did it have something to do with Paul Padda's firm or something else?" She objected and said there may be other privileged issues; apparently Ms. Wakayama got the Court on the phone before she could tell Ms. Wakayama she would not be raising any privilege objections if Ms. Wakayama asks if it had anything to do with Paul Padda's law firm; she can certainly allow her client to answer that; however, if Ms. Wakayama asks questions about why this woman left Profit Boosters and the reasons behind it, she does not think that is appropriate, as it is not an issue in this litigation and may reveal confidential, HR information. Mr. Peek joined in Ms. Peterson's objections regarding Profit Boosters revealing information. Following further argument by Ms. Wakayama, COURT noted it is disappointed that counsel have called the Court. COURT ORDERED, personally identifying information is not something that necessarily needs to be in a deposition transcript in this day and age given issues related to identity theft; if Ms. Peterson as counsel for witness and company believes there is something that may subject her client to issues related to employment separations, she is perfectly able to direct the witness not to answer the questions on that basis; counsel can seek motion practice related to that. 10-9-19 9:00 AM STATUS CHECK/HEARING: ADDITIONAL BRIEF (PANISH SHEA & BOYLE)... ..SPECIAL MASTER MOTION FOR CLARIFICATION

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AND FOR INSTRUCTION ON OST... ..PANISH SHEA & BOYLE, LLP'S OBJECTION TO SPECIAL MASTER'S REPORT AND RECOMMENDATION ON ORDER SHORTENING TIME... ..PANISH SHEA & BOYLE LLP'S OBJECTION TO SPECIAL MASTER REPORT AND RECOMMENDATION ON OST 12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS 1-16-20 9:30 AM PRE TRIAL CONFERENCE 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM;

10/09/2019

CANCELED Hearing (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Vacated - per Stipulation and Order

STATUS CHECK/HEARING: ADDITIONAL BRIEF (PANISH SHEA & BOYLE)

10/15/2019



Telephonic Conference (1:15 PM) (Judicial Officer: Gonzalez, Elizabeth)

Telephonic Conference at Request of Counsel

Matter Heard; objection over ruled; witness directed to answer.

Journal Entry Details:

Ms. Wakayama advised they are at the deposition of Robert Johnson, who is a Plaintiff in a case against Whirlpool that Ms. Cohen worked on in 2015 and that Mr. Padda took over when Ms. Cohen left the firm in 2017. Ms. Wakayama added that she pulled documents from the public docket on the case before Judge Mahan, the first one being the Plaintiff's motion to withdraw, Ruth Cohen, as counsel of record on July 17, 2019 and the second one being a notice of settlement and stipulation and order to continue trial; during her questioning of Mr. Johnson she wanted to know how long the negotiations went on as well as whether the settlement had been finalized; Mr. Johnson testified that the settlement is confidential, but she did not really want to know what the material terms were; Mr. Padda, who is a Defendant in this case, is also appearing at this deposition as Mr. Johnson's counsel, and there may be an issue, as it relates to a conflict, with Mr. Padda instructing the witness not to answer while being a Defendant in this case. Mr. Semerad advised there is a confidentiality clause that governs the settlement and there is a risk to Mr. Johnson personally if he discusses any of the facts related to the settlement; Mr. Padda is only here to protect his client. Court inquired whether counsel had the settlement agreement so the Court can review the confidentiality provisions; otherwise, the witness needs to answer the question, and Mr. Padda can say that a judge ordered him to do so. Mr. Semerad stated he did not have the settlement agreement. COURT ORDERED, objection OVER RULED; the witness is DIRECTED to answer the question. 10-16-19 9:00 AM PLAINTIFF'S REQUEST FOR HEARING ON ORDER SHORTENING TIME ON SPECIAL MASTER'S MOTION FOR CLARIFICATION AND FOR INSTRUCTION ON OST AND RELATED BRIEFING 12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS 1-16-20 9:30 AM PRE TRIAL CONFERENCE 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM;

10/16/2019



Motion for Clarification (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Plaintiff's Request for Hearing on Order Shortening Time on Special Master's Motion for Clarification and for Instruction on OST and Related Briefing

Granted in Part;

Journal Entry Details:

Mr. Moser advised there are a few outstanding issues from Mr. Iglody's motion, most of which have been resolved by stipulation; however, the outstanding issues related to whether or not the special master needs to include facts in his report, the disclosure of a sealed and confidential hearing transcript before Judge Cadish in the Moradi case, the disclosure of attorney work product; additionally, they are actually not seeking attorney client privileged communications. Court directed counsel to identify by Bates numbers the documents for which they are seeking factual information and additional production. At Mr. Moser's request, COURT RECESSED for counsel to go through the report. Proceeding resumed. Mr. Ravipudi appeared by telephone. Mr. Moser detailed the areas of the special master's report and supplement which they were seeking. Mr. Semerad responded that on the attorney client privileged documents the Defendants do not think Mr. Iglody has any obligations to extract anything, but they would defer to the Court. Mr. Silva noted that with respect to the transcript, there is no basis for its relevance to Mr. Padda's knowledge before the trial happened, as it was a post-trial discussion; Mr. Padda was not very involved in that negotiation, and if that were produced, it should be designated as confidential and Panish, Shea, and Boyle would want notice; with respect to the documents whose Bates numbers were identified, he would request a moment to pull the documents from his computer. RECESS. Proceeding resumed. Mr. Silva and Mr. Ravipudi detailed their concerns as it related to the documents specifically identified by Bates numbers, as well as the transcript. Mr. Moser stated his only request is that things would be expedited because they issued subpoenas back in June and agreed to depose

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Mr. Padda and the 30(b)(6) at the end of the month. COURT ORDERED, motion GRANTED IN PART. On page 2 of 15, to the extent that there are any documents from Panish, Shea, and Boyle that are produced, those will be produced under the confidential designation and the parties' stipulated protective order, and any party who challenges the designation must give notice to Panish, Shea, and Boyle, so they have an opportunity to appear and contest any attack on the confidentiality of the document. The following documents NEED TO BE PRODUCED, not redacted but to be marked confidential: - 1304 through 1317 - 1819 through 1824 - 3023 - 4340 through 4342 - 4862 through 4869 - 4872 through 4883 - 5181; 5185; 5186 With respect to 3022 only, Mr. Iglody to extract the financial, dollar figures from that document and supplement the table with that information only, because that is factual information on an authorization of a settlement demand which is not covered by the attorney-client privilege. With respect to Eglet Adams documents, they are not a subject of this discussion so the Court will skip all of those. With respect to pages 6 through 15, it appears those have been resolved by stipulation. With respect to the transcript of the hearing before Judge Cadish, it will be PRODUCED subject to being designated as confidential; it will be marked as confidential, and the parties will keep it confidential. With respect to 5220 through 5223 only, those are ORDERED PRODUCED; the remaining documents are a demand letter from an unrelated California case and are not related to this discussion. Mr. Iglody stated he can be done by this afternoon if he does not receive any objections. COURT ORDERED, matter SET for status check on this Friday's chambers calendar. If there is a hiccup, counsel to notify the Law Clerk, and the Court will schedule a conference call with the parties early next week. Upon Mr. Moser's inquiry, COURT NOTED it stopped at 5186, so the remaining documents on 3 and 4 will not be produced. Mr. Silva requested they get a copy of what Mr. Iglody produces. COURT GRANTED the request. 10-18-19 CHAMBERS STATUS CHECK 12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS 1-16-20 9:30 AM PRE TRIAL CONFERENCE 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM;

10/18/2019



Status Check (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Minute Order - No Hearing Held;

Journal Entry Details:

Court has received no additional communications objecting to special master disbursement of information as discussed at October 16, 2019 hearing. 12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS 1-16-20 9:30 AM PRE TRIAL CONFERENCE 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 10-21-19;

10/29/2019

CANCELED Motion (8:30 AM) (Judicial Officer: Gonzalez, Elizabeth)

Vacated

Defendants' Motion for Protective Order Regarding Plaintiff's Deposition of Defendants on an Order Shortening Time for Hearing

11/06/2019

Motion to Compel (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Plaintiff's Motion to Compel Defendants' Production of Documents on Order Shortening Time Granted;

11/06/2019

Motion to Disqualify Attorney (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Defendants' Motion to Disqualify Plaintiff's Counsel, The Law Firm of Campbell & Williams on an Order Shortening Time for Hearing
Denied;

11/06/2019



All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Matter Heard;

Journal Entry Details:

DEFENDANTS' MOTION TO DISQUALIFY PLAINTIFF'S COUNSEL, THE LAW FIRM OF CAMPBELL & WILLIAMS ON AN ORDER SHORTENING TIME...PLAINTIFF'S MOTION TO COMPEL DEFENDANTS' PRODUCTION OF DOCUMENTS ON ORDER SHORTENING TIME Following arguments by counsel, COURT ORDERED as follows: DEFENDANTS' MOTION TO DISQUALIFY PLAINTIFF'S COUNSEL, THE LAW FIRM OF CAMPBELL & WILLIAMS ON AN ORDER SHORTENING TIME: The cellphone records from the opposition are credible evidence that the declaration of Mr. Padda at paragraph 24 is not an accurate recitation of the communications related to the Moradi case with Mr. Campbell. For that reason, the motion to disqualify is DENIED. PLAINTIFF'S MOTION TO COMPEL DEFENDANTS' PRODUCTION OF DOCUMENTS ON ORDER SHORTENING TIME: With respect to the request for personal tax returns through 2017 for Mr. Padda, that

CASE SUMMARY

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request is GRANTED; information that does not show business income from the law firm MAY BE REDACTED; with respect to the partner draw ledgers for Mr. Padda, those will BE PRODUCED through 2017; tax returns for the business through 2017 will BE PRODUCED; a certification needs TO BE PROVIDED related to the amount of effort put into the emails, that they have been searched and counsel cannot find anything else; the Court is satisfied with the method but just needs a separate certification, so this is done; there is a reference to an inadvertent omission related to a retainer agreement; with the exception of the retainer agreement for Ms. Hall, that is covered by the declaration by Mr. Padda; the phrase "balance sheet general ledger" may have been used in parlance by the witness to mean "balance sheet" and "general ledger", as they are typically two different runs that can be run; the Court will require the balance sheet and general ledger account for the time periods of December 31, 2011 through December 31, 2017 as opposed to a continuous report; the general ledger for the time period January 1, 2011 through December 31, 2017 is to be PRODUCED, which will only be the print-out with the detail; the Court is not ordering the back-up for that. Plaintiff to provide information from questioned document examiner and/or forensic examiner; if not by November 22nd, then they will have to go to December 6th because of the Thanksgiving holiday; if December 6th, Mr. Peek will go to early January for his designation, and then it will be less than a month before trial; this is not an issue that will result in a dispositive motion and arguably motions in limine, so the Court is not so concerned about invading the time up to trial but wants to make sure everyone has an adequate opportunity to do what they need to do. \$500 in fees AWARDED. 12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS 1-16-20 9:30 AM PRE TRIAL CONFERENCE 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM;

11/08/2019



Status Check (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Status Check: Plaintiff's Status Report

Off Calendar;

Journal Entry Details:

Court received email re: timing of disclosure of questioned document examiner. COURT ORDERED, matter OFF CALENDAR. 12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS 1-16-20 9:30 AM PRE TRIAL CONFERENCE 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 11-13-19;

11/18/2019



Motion for Leave (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Plaintiff's Motion for Leave to Allow Plaintiff to Take Additional Depositions on an Order Shortening Time

Granted;

Journal Entry Details:

Arguments by Mr. Campbell and Ms. Peterson. COURT ORDERED, Mr. Kane's affidavit provided by Mr. Campbell in open court MARKED as Court's Exhibit 1. (See worksheet.) COURT ORDERED, Plaintiff may take each of the depositions asked for and they will be limited to 3 hours each; Defendant may ask questions, too, beyond the 3 hours, but Plaintiff's counsel gets 3 hours. Mr. Campbell inquired as to how the Court wants to handle the issue about the computers as they are no longer available for them to inspect. Ms. Peterson responded that they understand the certification is due; she further advised there is a dispute that Mr. Peek has been trying to work out with Ms. Wakayama about experts that they originally retained; they had to engage a second expert, and they are trying to give the Court a supplemental status report on a forensic examination. Court stated it will await that report. Mr. Campbell advised he is not pressuring anyone for things to get done today, or tomorrow; he is simply raising this with the Court, because his guy is up in Oregon. Court noted that hopefully it will get a report on Friday, and that the Court is looking for two issues: questioned documents, and a forensic examination or a certification that the computer does not exist anymore. 12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS 1-16-20 9:30 AM PRE TRIAL CONFERENCE 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM;

12/04/2019

Motion for Protective Order (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Plaintiff Ruth Cohen's Objections to and Motion for Protective Order Regarding Defendants' Amended Notice of Subpoena to Wells Fargo

Over Ruled;

12/04/2019

Motion for Protective Order (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Defendants' Motion for an Order Shortening Time for Hearing and Opposition to Plaintiff

CASE SUMMARY

CASE NO. A-19-792599-B

Ruth L. Cohen's Objections to and Motion for Protective Order Regarding Defendants' Amended Notice of Subpoena to Wells Fargo, N.A.
Matter Heard;

12/04/2019

Motion to Seal/Redact Records (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Motion to Seal Exhibit 6 to Defendants' Motion for an Order Shortening Time for Hearing and Opposition to Plaintiff Ruth L. Cohen's Objections to and Motion for Protective Order Regarding Defendants' Amended Notice of Subpoena to Wells Fargo, N.A.
Granted;

12/04/2019



All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Matter Heard;

Journal Entry Details:

PLAINTIFF RUTH COHEN'S OBJECTIONS TO AND MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANTS' AMENDED NOTICE OF SUBPOENA TO WELLS FARGO [ADVANCED from December 30, 2019]... ...DEFENDANTS' MOTION FOR AN ORDER SHORTENING TIME FOR HEARING AND OPPOSITION TO PLAINTIFF RUTH L. COHEN'S OBJECTIONS TO AND MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANTS' AMENDED NOTICE OF SUBPOENA TO WELLS FARGO, N.A.... ...MOTION TO SEAL EXHIBIT 6 TO DEFENDANTS' MOTION FOR AN ORDER SHORTENING TIME FOR HEARING AND OPPOSITION TO PLAINTIFF RUTH L. COHEN'S OBJECTIONS TO AND MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANTS' AMENDED NOTICE OF SUBPOENA TO WELLS FARGO, N.A. [ADVANCED from the January 3, 2020 chambers calendar] COURT ORDERED, Plaintiff Ruth Cohen's objections to and motion for protective order ADVANCED from December 30, 2019 per the order shortening time, and the Motion to Seal Exhibit 6 ADVANCED from the January 3, 2020 chambers calendar since it relates to the motion on calendar today. Motion to Seal GRANTED as unopposed. PLAINTIFF RUTH COHEN'S OBJECTIONS TO AND MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANTS' AMENDED NOTICE OF SUBPOENA TO WELLS FARGO [ADVANCED from December 30, 2019]... ...DEFENDANTS' MOTION FOR AN ORDER SHORTENING TIME FOR HEARING AND OPPOSITION TO PLAINTIFF RUTH L. COHEN'S OBJECTIONS TO AND MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANTS' AMENDED NOTICE OF SUBPOENA TO WELLS FARGO, N.A.: Following arguments by counsel, COURT ORDERED, OBJECTIONS OVER RULED; the subpoena if served must be served by Friday; if served after Friday, the Defendants will lose it. Proposed order on the motion to compel that the parties have agreed to signed in open court and returned to Mr. Moser for filing. 12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS 1-16-20 9:30 AM PRE TRIAL CONFERENCE 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM;

12/09/2019



Status Check: Trial Readiness (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Matter Heard; status check set for jury questionnaires.

Journal Entry Details:

Mr. Peek advised he had 7 topics to discuss: (1) the deposition of the questioned documents examiner; (2) a request to extend the time to file motions in limine until after the 1st of the year; (3) Plaintiff's request for additional time to depose Paul Padda and the 30(b)(6) for Paul Padda Law; (4) the deposition of the forensic experts on Ruth Cohen's computers; (5) jury questionnaires; (6) a report on the Wells Fargo subpoena duces tecum, i.e., it was done on Thursday and the documents are to be delivered on or before December 18; (7) finally, he is anticipating seeking sanctions against Ms. Cohen for her failure to collect and produce what they now know exist on her computer and which she had testified to under oath was wiped out. Ms. Wakayama advised Plaintiff produced their expert report on the 22nd. Ms. Peterson advised the Defendants have not produced theirs and that she believes it will be later this month as the Court had said 30 days after the 22nd. COURT ORDERED, the depositions of the questioned documents examiners will be PERMITTED; the Court will let the parties work out the schedule, but the Court will not require that they be taken in any particular timeframe. Court noted Larry Smith (forensic computer expert). Ms. Wakayama advised the Plaintiffs plan on producing a rebuttal report and she believes it is due one week after the other side's report is produced. Ms. Peterson noted it is this week. Mr. Peek also noted there are two forensic experts. Ms. Wakayama advised they are not doing the same examiner; HOLO will do Ms. Cohen's and they are deciding on a rebuttal report for the Paul Padda Law computers. Colloquy regarding forensic computer experts. Court further noted Mr. Peek's intention to file a motion for sanctions. Mr. Campbell advised he will only take 40 minutes or so on each of the depositions of Paul Padda and the 30(b)(6) for Paul Padda Law. Ms. Peterson argued those

CASE SUMMARY

CASE NO. A-19-792599-B

depositions are done; Mr. Padda was deposed individually on November 7 and the 30(b)(6) deposition was taken on November 15; never was this discussed until Mr. Campbell brought it up with her after discovery closed. COURT DIRECTED Mr. Campbell to file a motion if newly discovered documents have been produced. With regards to the motions in limine, COURT NOTED it does not want to do those on OST but the Court can work with the parties if they modify their briefing schedule. Mr. Campbell and Mr. Peek advised they are now generating those motions. Ms. Peterson added that the parties will visit with each other and that maybe a stipulation will work. COURT NOTED that as long as the Court has them 4 days in advance. Mr. Peek inquired whether the motions would be heard on the Court's Wednesday session. Court stated a special setting may be created for them. With regards to a jury questionnaire, Mr. Campbell advised it is simply part of what he does as a trial lawyer; he has found it to be very effective, that it streamlines voir dire, and crystallizes issues that may have the jurors be subject to a peremptory challenge or for cause; they have not yet done a draft, but his is pretty straightforward and has been approved in the past. COURT ORDERED, any proposals need to be submitted by December 20, 2019. Matter SET for status check in chambers. If parties are unable to agree, for instance, on the synopsis/factual analysis, counsel to file a motion on OST, i.e. motion to adopt "my" version of the jury questionnaire, as the Court will probably need to have a final version to Jury Services by January 7. Mr. Campbell advised he will be filing a motion on OST with respect to an issue that recently developed related to discovery; they have taken the deposition of Wayne Price, a lawyer who worked at Paul Padda Law; he was very much opposed to having his deposition taken; he finally got a hold of Mr. Price and told him straightforwardly that they would subpoena him and take his deposition; they took his deposition; an affidavit was created after Mr. Price received monies and was created by Paul Padda Law, not him, and they also found out the document had multiple iterations; he was told the documents and iterations would not be produced. COURT DIRECTED Mr. Campbell to put this issue in a motion and file it on OST. 12-20-19 CHAMBERS STATUS CHECK: JURY QUESTIONNAIRE 1-16-20 9:30 AM PRE TRIAL CONFERENCE 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM;

12/16/2019



Motion to Compel (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Plaintiff's Motion to Compel Wayne Price, Patty Davidson, and Paul Padda to Appear for Their Continued Depositions and to Produce Documents on Order Shortening Time.

Granted in Part;

Journal Entry Details:

Following arguments by Mr. Campbell and Ms. Peterson, COURT ORDERED, motion GRANTED IN PART. Each of the 3 depositions may be completed either in the remaining time period or in a period not to exceed 2 hours, whichever is less. The remaining documents and any preserved communications are to be produced, or a certification as to the unavailability or failed efforts to locate those documents or communications is to be done. There will be a limitation on scope to newly disclosed information identified in the motion as well as additional information produced between now and when the depositions occur, unless it was something that was previously available. Ms. Peterson advised she can respond to the certification or production within this week. Court noted it is fine with the depositions being finished in early January and that it does not think they would impact pre-trial motions that the parties would be filing. Mr. Campbell and Ms. Peterson further advised they are going forward with a jury questionnaire, that they both have drafts, and are working to meet the Court's deadline. 12-20-19 CHAMBERS STATUS CHECK: JURY QUESTIONNAIRE 1-16-20 9:30 AM PRE TRIAL CONFERENCE 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM;

12/20/2019



Status Check (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

12/20/2019, 12/27/2019, 12/30/2019

Status Check: Jury Questionnaire

Matter Continued;

Hearing Set;

Matter Heard;

Matter Continued;

Hearing Set;

Matter Heard;

Journal Entry Details:

COURT noting both parties have submitted proposed jury questionnaires, ORDERED, status check CONTINUED to Monday, December 30, 2019 for in court discussion. 12-30-19 9:00 AM PLAINTIFF'S MOTION TO ADOPT PLAINTIFF'S VERSION OF THE PROPOSED JURY QUESTIONNAIRE ON AN ORDER SHORTENING TIME... ...DEFENDANTS'

CASE SUMMARY

CASE No. A-19-792599-B

OPPOSITION TO PLAINTIFF'S MOTION TO ADOPT PLAINTIFF'S VERSION OF THE PROPOSED JURY QUESTIONNAIRE AND COUNTERMOTION TO ADOPT DEFENDANTS' VERSION OF THE PROPOSED JURY QUESTIONNAIRE... ..STATUS CHECK: JURY QUESTIONNAIRE 1-16-20 9:30 AM PRE TRIAL CONFERENCE 1-27-20 9:00 AM MOTION FOR SUMMARY JUDGMENT...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31 2-3-20 10:00 AM PLAINTIFF'S MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT... ..PLAINTIFF'S MOTION IN LIMINE NO. 1 TO EXCLUDE ARGUMENT, TESTIMONY, OR OTHER EVIDENCE REGARDING THE JAY PAUL GURIAN A/K/A JACK GURIAN CASE... ..PLAINTIFF'S MOTION IN LIMINE NO. 3 TO EXCLUDE EVIDENCE CONCERNING ALLEGATIONS, CLAIMS, AND DEFENSES IN MS. COHEN S UNRELATED LITIGATION... ..PLAINTIFF'S MOTION IN LIMINE NO. 4 TO EXCLUDE PRIVILEGED ACCOUNTANT-CLIENT COMMUNICATIONS... ..PLAINTIFF'S MOTION IN LIMINE NO. 5 TO EXCLUDE ALL EVIDENCE AND ARGUMENT REGARDING MS. COHEN S POLITICAL BELIEFS AND OPINIONS, RELIGIOUS BELIEFS, ALLEGED RACISM, BIGOTRY, OR HOMOPHOBIA... ..PLAINTIFF'S MOTION IN LIMINE NO. 6 TO EXCLUDE TESTIMONY OF SETH COGAN... ..PLAINTIFF'S MOTION IN LIMINE NO. 7 TO EXCLUDE TESTIMONY OF DEFENDANTS WITNESSES THE SUBJECTS OF WHOSE TESTIMONY ARE UNDISCLOSED AND UNKNOWN... ..PLAINTIFF'S MOTION IN LIMINE NO. 8 RENEWING MOTION TO STRIKE ROBERT VANNAH AS AN EXPERT AND EXCLUDE HIS REPORT AND TESTIMONY... ..DEFENDANTS' MOTION IN LIMINE NO. 2 TO PRECLUDE PLAINTIFF FROM OFFERING EVIDENCE AND/OR ARGUMENT REGARDING DEFENDANTS' FINANCIAL CONDITION DURING THE INITIAL LIABILITY PHASE OF TRIAL... ..MOTION IN LIMINE #6 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF JEFREY APPEL REGARDING CERTAIN FINANCIAL DOCUMENTS... ..MOTION IN LIMINE #9 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF KATHLEEN ANNUNZIATA NICOLAIDES... ..DEFENDANTS' MOTION IN LIMINE NO. 3 TO PRECLUDE PLAINTIFF FROM OFFERING ANY EVIDENCE OF AND/OR COMPUTATION FOR UNJUST ENRICHMENT AND QUANTUM MERUIT DAMAGES AT TRIAL... ..MOTION IN LIMINE # 4 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF PLAINTIFF'S PROPOSED SUMMARY WITNESS KATHY CAMPAGNA... ..MOTION IN LIMINE NO 5 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND KARLA KOUTZ'S HEARSAY TESTIMONY AND SPECULATION... ..MOTION IN LIMINE # 7 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY OF MR. PADDA'S JOB PERFORMANCE AT THE UNITED STATES ATTORNEY'S OFFICE AND CLIENTS' OPINIONS OR EXPERIENCES... ..MOTION IN LIMINE NO. 8 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO... ..MOTION IN LIMINE NO. 10 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY RELATED TO WAYNE PRICE'S HISTORY WITH PAUL PADDA LAW, PLLC... ..MOTION IN LIMINE # 11 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE, TESTIMONY OF ARGUMENT RELATED TO ALLEGED HEALTH ISSUES SUFFERED BY MS. COHEN AFTER September 12,2016... ..MOTION IN LIMINE # 12 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF MICHAEL HOLPUCH... ..MOTION IN LIMINE NO. 13 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF KARLA KOUTZ REGARDING HER OPINION OF PAUL PADDA'S CHARACTER FOR TRUTHFULNESS... ..MOTION IN LIMINE # 14 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF LAY WITNESSES REGARDING WHETHER PLAINTIFF TRUSTED DEFENDANT PAUL S. PADDA, ESQ... ..PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 1 TO MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 5 AND SEAL EXHIBITS 1-2... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 8 - MOTION TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 1 AND SEAL EXHIBITS 1 - 3 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 12-27-19;

Matter Continued;

Hearing Set;

Matter Heard;

CASE SUMMARY

CASE No. A-19-792599-B

Journal Entry Details:

COURT NOTED no jury questionnaire received, ORDERED, matter CONTINUED for one week. 12-26-19 9:00 AM PLAINTIFF'S MOTION TO EXTEND OPPOSITION DEADLINE AND ESTABLISH BRIEFING SCHEDULE ON ORDER SHORTENING TIME 12-30-19 9:00 am PLAINTIFF'S MOTION TO ADOPT PLAINTIFF'S VERSION OF THE PROPOSED JURY QUESTIONNAIRE ON AN ORDER SHORTENING TIME 12-27-19 CHAMBERS STATUS CHECK: JURY QUESTIONNAIRE 1-16-20 9:30 AM PRE TRIAL CONFERENCE 1-21-20 9:00 AM MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31 1-24-20 CHAMBERS PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 1 TO MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 5 AND SEAL EXHIBITS 1-2... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 8 - MOTION TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 1 AND SEAL EXHIBITS 1 - 3 1-27-20 9:00 AM MOTION FOR SUMMARY JUDGMENT... ..PLAINTIFF'S MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT... ..PLAINTIFF'S MOTION IN LIMINE NO. 1 TO EXCLUDE ARGUMENT, TESTIMONY, OR OTHER EVIDENCE REGARDING THE JAY PAUL GURIAN A/K/A JACK GURIAN CASE... ..PLAINTIFF'S MOTION IN LIMINE NO. 3 TO EXCLUDE EVIDENCE CONCERNING ALLEGATIONS, CLAIMS, AND DEFENSES IN MS. COHEN S UNRELATED LITIGATION... ..PLAINTIFF'S MOTION IN LIMINE NO. 4 TO EXCLUDE PRIVILEGED ACCOUNTANT-CLIENT COMMUNICATIONS... ..PLAINTIFF'S MOTION IN LIMINE NO. 5 TO EXCLUDE ALL EVIDENCE AND ARGUMENT REGARDING MS. COHEN S POLITICAL BELIEFS AND OPINIONS, RELIGIOUS BELIEFS, ALLEGED RACISM, BIGOTRY, OR HOMOPHOBIA... ..PLAINTIFF'S MOTION IN LIMINE NO. 6 TO EXCLUDE TESTIMONY OF SETH COGAN... ..PLAINTIFF'S MOTION IN LIMINE NO. 7 TO EXCLUDE TESTIMONY OF DEFENDANTS WITNESSES THE SUBJECTS OF WHOSE TESTIMONY ARE UNDISCLOSED AND UNKNOWN... ..PLAINTIFF'S MOTION IN LIMINE NO. 8 RENEWING MOTION TO STRIKE ROBERT VANNAH AS AN EXPERT AND EXCLUDE HIS REPORT AND TESTIMONY... ..DEFENDANTS' MOTION IN LIMINE NO. 2 TO PRECLUDE PLAINTIFF FROM OFFERING EVIDENCE AND/OR ARGUMENT REGARDING DEFENDANTS' FINANCIAL CONDITION DURING THE INITIAL LIABILITY PHASE OF TRIAL... ..MOTION IN LIMINE #6 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF JEFREY APPEL REGARDING CERTAIN FINANCIAL DOCUMENTS... ..MOTION IN LIMINE #9 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF KATHLEEN ANNUNZIATA NICOLAIDES... ..DEFENDANTS' MOTION IN LIMINE NO. 3 TO PRECLUDE PLAINTIFF FROM OFFERING ANY EVIDENCE OF AND/OR COMPUTATION FOR UNJUST ENRICHMENT AND QUANTUM MERUIT DAMAGES AT TRIAL... ..MOTION IN LIMINE # 4 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF PLAINTIFF'S PROPOSED SUMMARY WITNESS KATHY CAMPAGNA... ..MOTION IN LIMINE NO 5 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND KARLA KOUTZ'S HEARSAY TESTIMONY AND SPECULATION... ..MOTION IN LIMINE # 7 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY OF MR. PADDA'S JOB PERFORMANCE AT THE UNITED STATES ATTORNEY'S OFFICE AND CLIENTS' OPINIONS OR EXPERIENCES... ..MOTION IN LIMINE NO. 8 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO... ..MOTION IN LIMINE NO. 10 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY RELATED TO WAYNE PRICE'S HISTORY WITH PAUL PADDA LAW, PLLC... ..MOTION IN LIMINE # 11 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE, TESTIMONY OF ARGUMENT RELATED TO ALLEGED HEALTH ISSUES SUFFERED BY MS. COHEN AFTER SEPTEMBER 12,2016... ..MOTION IN LIMINE # 12 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF MICHAEL HOLPUCH... ..MOTION IN LIMINE NO. 13 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF KARLA KOUTZ REGARDING HER OPINION OF PAUL PADDA'S CHARACTER FOR TRUTHFULNESS... ..MOTION IN LIMINE # 14 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF LAY WITNESSES REGARDING WHETHER PLAINTIFF TRUSTED DEFENDANT PAUL S. PADDA, ESQ.... 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 12-23-19;

CASE SUMMARY**CASE NO. A-19-792599-B**

12/23/2019

**Telephonic Conference (10:45 AM)** (Judicial Officer: Gonzalez, Elizabeth)

Telephonic Conference re: Deposition Issue

Matter Heard;

Journal Entry Details:

Call held at 10:35 am. Mr. Campbell advised a court reporter and videographer are also present in the room with them. Mr. Campbell explained that the Plaintiff is entitled to receive the original receipt of final payment that has never been produced before. Mr. Campbell stated he has not actually received the original; yesterday, he communicated by text and by email with Ms. Peterson, who has shown him the original this morning but does not want it marked in this proceeding and does not want the court reporter to be in possession of it; he would like that to be the case, that the court reporter, an independent third party, be in possession of the original. Upon Court's inquiry, Mr. Campbell replied that it is difficult to tell whether the signature is in ink; on the reverse side, the only impression on it is the office manager Patricia Davidson's notary stamp; it appears that part of the document is torn; Mr. Padda's explanation was that checks were attached to it and he tore off the check and just brought this document today to give to Ms. Peterson. Ms. Peterson noted the Court's prior order regarding depositions; the document they are talking about is a receipt of final payment signed by Wayne Price; the copy was already made available under Bates label Padda 8250, which is an exhibit to the deposition; Mr. Campbell wanted to make the original document an exhibit, and she said no, that counsel can come and inspect the original document at Holland and Hart as she does not want to lose the document. Upon Court's inquiry, Mr. Campbell stated he does not know yet but he may have the questioned documents examiner look at it. **COURT ORDERED**, it also does not want the court reporter to be the person who is in custody of this particular document and would prefer it to be in the custody of Ms. Peterson and the risk of loss be associated with her, rather than the court reporter; however, counsel for Plaintiff may use any examination techniques they would like to on the document, and if they think it is appropriate for the questioned documents examiner to look at it, they are to arrange for that examination with either Ms. Peterson or Mr. Peek in his office. Further, the document is **TO BE PLACED** in a clear sleeve. 12-26-19 9:00 AM PLAINTIFF'S MOTION TO EXTEND OPPOSITION DEADLINE AND ESTABLISH BRIEFING SCHEDULE ON ORDER SHORTENING TIME...DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO EXTEND OPPOSITION DEADLINE AND ESTABLISH BRIEFING SCHEDULE ON ORDER SHORTENING TIME AND COUNTERMOTION TO ADVANCE HEARING DATE ON DEFENDANTS' MOTION FOR SUMMARY JUDGMENT 12-30-19 9:00 AM PLAINTIFF'S MOTION TO ADOPT PLAINTIFF'S VERSION OF THE PROPOSED JURY QUESTIONNAIRE ON AN ORDER SHORTENING TIME 12-27-19 CHAMBERS STATUS CHECK: JURY QUESTIONNAIRE 1-16-20 9:30 AM PRE TRIAL CONFERENCE 1-21-20 9:00 AM MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31 1-24-20 CHAMBERS PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 1 TO MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 5 AND SEAL EXHIBITS 1-2... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 8 - MOTION TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 1 AND SEAL EXHIBITS 1 - 3 1-27-20 9:00 AM MOTION FOR SUMMARY JUDGMENT... ..PLAINTIFF'S MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT... ..PLAINTIFF'S MOTION IN LIMINE NO. 1 TO EXCLUDE ARGUMENT, TESTIMONY, OR OTHER EVIDENCE REGARDING THE JAY PAUL GURIAN A/K/A JACK GURIAN CASE... ..PLAINTIFF'S MOTION IN LIMINE NO. 3 TO EXCLUDE EVIDENCE CONCERNING ALLEGATIONS, CLAIMS, AND DEFENSES IN MS. COHEN S UNRELATED LITIGATION... ..PLAINTIFF'S MOTION IN LIMINE NO. 4 TO EXCLUDE PRIVILEGED ACCOUNTANT-CLIENT COMMUNICATIONS... ..PLAINTIFF'S MOTION IN LIMINE NO. 5 TO EXCLUDE ALL EVIDENCE AND ARGUMENT REGARDING MS. COHEN S POLITICAL BELIEFS AND OPINIONS, RELIGIOUS BELIEFS, ALLEGED RACISM, BIGOTRY, OR HOMOPHOBIA... ..PLAINTIFF'S MOTION IN LIMINE NO. 6 TO EXCLUDE TESTIMONY OF SETH COGAN... ..PLAINTIFF'S MOTION IN LIMINE NO. 7 TO EXCLUDE TESTIMONY OF DEFENDANTS WITNESSES THE SUBJECTS OF WHOSE TESTIMONY ARE UNDISCLOSED AND UNKNOWN... ..PLAINTIFF'S MOTION IN LIMINE NO. 8 RENEWING MOTION TO STRIKE ROBERT VANNAH AS AN EXPERT AND EXCLUDE HIS REPORT AND TESTIMONY... ..DEFENDANTS' MOTION IN LIMINE NO. 2 TO PRECLUDE

CASE SUMMARY

CASE No. A-19-792599-B

PLAINTIFF FROM OFFERING EVIDENCE AND/OR ARGUMENT REGARDING DEFENDANTS' FINANCIAL CONDITION DURING THE INITIAL LIABILITY PHASE OF TRIAL... ..MOTION IN LIMINE #6 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF JEFREY APPEL REGARDING CERTAIN FINANCIAL DOCUMENTS... ..MOTION IN LIMINE #9 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF KATHLEEN ANNUNZIATA NICOLAIDES... ..DEFENDANTS' MOTION IN LIMINE NO. 3 TO PRECLUDE PLAINTIFF FROM OFFERING ANY EVIDENCE OF AND/OR COMPUTATION FOR UNJUST ENRICHMENT AND QUANTUM MERUIT DAMAGES AT TRIAL... ..MOTION IN LIMINE # 4 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF PLAINTIFF'S PROPOSED SUMMARY WITNESS KATHY CAMPAGNA... ..MOTION IN LIMINE NO 5 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND KARLA KOUTZ'S HEARSAY TESTIMONY AND SPECULATION... ..MOTION IN LIMINE # 7 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY OF MR. PADDA'S JOB PERFORMANCE AT THE UNITED STATES ATTORNEY'S OFFICE AND CLIENTS' OPINIONS OR EXPERIENCES... ..MOTION IN LIMINE NO. 8 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO... ..MOTION IN LIMINE NO. 10 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY RELATED TO WAYNE PRICE'S HISTORY WITH PAUL PADDA LAW, PLLC... ..MOTION IN LIMINE # 11 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE, TESTIMONY OF ARGUMENT RELATED TO ALLEGED HEALTH ISSUES SUFFERED BY MS. COHEN AFTER September 12,2016... ..MOTION IN LIMINE # 12 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF MICHAEL HOLPUCH... ..MOTION IN LIMINE NO. 13 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF KARLA KOUTZ REGARDING HER OPINION OF PAUL PADDA'S CHARACTER FOR TRUTHFULNESS... ..MOTION IN LIMINE # 14 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF LAY WITNESSES REGARDING WHETHER PLAINTIFF TRUSTED DEFENDANT PAUL S. PADDA, ESQ.... 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM;

12/26/2019

Motion (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Plaintiff's Motion to Extend Opposition Deadline and Establish Briefing Schedule on Order Shortening Time
Granted;

12/26/2019

Opposition and Countermotion (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Defendants' Opposition to Plaintiff's Motion to Extend Opposition Deadline and Establish Briefing Schedule on Order Shortening Time And Countermotion to Advance Hearing Date on Defendants' Motion for Summary Judgment
Matter Heard;

12/26/2019



All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Matter Heard;
Journal Entry Details:

PLAINTIFF'S MOTION TO EXTEND OPPOSITION DEADLINE AND ESTABLISH BRIEFING SCHEDULE ON ORDER SHORTENING TIME...DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO EXTEND OPPOSITION DEADLINE AND ESTABLISH BRIEFING SCHEDULE ON ORDER SHORTENING TIME AND COUNTERMOTION TO ADVANCE HEARING DATE ON DEFENDANTS' MOTION FOR SUMMARY JUDGMENT Arguments by counsel. Court proposed that the motion for summary judgment remain where it currently is and the motions in limine be moved to February 3rd at 10 am. Court RECESSED for counsel to check co-counsel's schedules. Matter RECALLED. Mr. Moser advised Ms. Wakayama and Mr. Campbell are both available on February 3rd. COURT ORDERED, all motions in limine RESET on Monday, February 3, 2020 at 10 am; the motion for summary judgment will REMAIN where it is currently scheduled on January 27, 2020; oppositions to all motions DUE January 10, 2020; replies to all motions DUE January 24, 2020 at noon; counsel to deliver courtesy copies to chambers and if there are any exhibits provide them in tabbed form. Colloquy regarding the jury questionnaire. Ms. Peterson advised she does not know whether the other side has agreed to the Defendants' version so they will file a separate motion. COURT DIRECTED the parties to email both their versions in Microsoft Word format by tomorrow, Friday, December 27, at noon. Ms. Peterson confirmed she placed the document discussed at the December 23rd conference call in a plastic sleeve. Mr. Peterson further advised that they took the deposition of Mr. Price, a third party witness, that afternoon; they

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did not finish, because it came out that he has been receiving email communications from Ms. Cohen and that Ms. Cohen has apparently provided him discovery and asked him to comment on information; all that took place in August; she is now concerned about Ms. Cohen's 16.1 production. COURT ORDERED, Plaintiff to PRODUCE these communications, unless they are privileged; if Plaintiff thinks information is privileged it is to be placed on a privilege log. Mr. Moser advised he was not in that deposition so this is news to him, and he does not know Ms. Wakayama's and her assistant's availability regarding resuming the deposition. At the request of Ms. Peterson, COURT NOTED that it will be happy for the Defendants to have the information by Wednesday next week; the Court will get an update from Ms. Wakayama on Monday (December 30, 2019). Ms. Peterson inquired whether the Court would like an order for this. Court stated counsel is welcome to prepare one although they have the AV recording and the minutes. 12-27-19 CHAMBERS STATUS CHECK: JURY QUESTIONNAIRE 12-30-19 9:00 am PLAINTIFF'S MOTION TO ADOPT PLAINTIFF'S VERSION OF THE PROPOSED JURY QUESTIONNAIRE ON AN ORDER SHORTENING TIME 1-16-20 9:30 AM PRE TRIAL CONFERENCE 1-27-20 9:00 AM MOTION FOR SUMMARY JUDGMENT...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31 2-3-20 10:00 AM PLAINTIFF'S MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT... ..PLAINTIFF'S MOTION IN LIMINE NO. 1 TO EXCLUDE ARGUMENT, TESTIMONY, OR OTHER EVIDENCE REGARDING THE JAY PAUL GURIAN A/K/A JACK GURIAN CASE... ..PLAINTIFF'S MOTION IN LIMINE NO. 3 TO EXCLUDE EVIDENCE CONCERNING ALLEGATIONS, CLAIMS, AND DEFENSES IN MS. COHEN S UNRELATED LITIGATION... ..PLAINTIFF'S MOTION IN LIMINE NO. 4 TO EXCLUDE PRIVILEGED ACCOUNTANT-CLIENT COMMUNICATIONS... ..PLAINTIFF'S MOTION IN LIMINE NO. 5 TO EXCLUDE ALL EVIDENCE AND ARGUMENT REGARDING MS. COHEN S POLITICAL BELIEFS AND OPINIONS, RELIGIOUS BELIEFS, ALLEGED RACISM, BIGOTRY, OR HOMOPHOBIA... ..PLAINTIFF'S MOTION IN LIMINE NO. 6 TO EXCLUDE TESTIMONY OF SETH COGAN... ..PLAINTIFF'S MOTION IN LIMINE NO. 7 TO EXCLUDE TESTIMONY OF DEFENDANTS WITNESSES THE SUBJECTS OF WHOSE TESTIMONY ARE UNDISCLOSED AND UNKNOWN... ..PLAINTIFF'S MOTION IN LIMINE NO. 8 RENEWING MOTION TO STRIKE ROBERT VANNAH AS AN EXPERT AND EXCLUDE HIS REPORT AND TESTIMONY... ..DEFENDANTS' MOTION IN LIMINE NO. 2 TO PRECLUDE PLAINTIFF FROM OFFERING EVIDENCE AND/OR ARGUMENT REGARDING DEFENDANTS' FINANCIAL CONDITION DURING THE INITIAL LIABILITY PHASE OF TRIAL... ..MOTION IN LIMINE #6 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF JEFREY APPEL REGARDING CERTAIN FINANCIAL DOCUMENTS... ..MOTION IN LIMINE #9 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF KATHLEEN ANNUNZIATA NICOLAIDES... ..DEFENDANTS' MOTION IN LIMINE NO. 3 TO PRECLUDE PLAINTIFF FROM OFFERING ANY EVIDENCE OF AND/OR COMPUTATION FOR UNJUST ENRICHMENT AND QUANTUM MERUIT DAMAGES AT TRIAL... ..MOTION IN LIMINE #4 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF PLAINTIFF'S PROPOSED SUMMARY WITNESS KATHY CAMPAGNA... ..MOTION IN LIMINE NO 5 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND KARLA KOUTZ'S HEARSAY TESTIMONY AND SPECULATION... ..MOTION IN LIMINE #7 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY OF MR. PADDA'S JOB PERFORMANCE AT THE UNITED STATES ATTORNEY'S OFFICE AND CLIENTS' OPINIONS OR EXPERIENCES... ..MOTION IN LIMINE NO. 8 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO... ..MOTION IN LIMINE NO. 10 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY RELATED TO WAYNE PRICE'S HISTORY WITH PAUL PADDA LAW, PLLC... ..MOTION IN LIMINE #11 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE, TESTIMONY OF ARGUMENT RELATED TO ALLEGED HEALTH ISSUES SUFFERED BY MS. COHEN AFTER September 12,2016... ..MOTION IN LIMINE #12 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF MICHAEL HOLPUCH... ..MOTION IN LIMINE NO. 13 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF KARLA KOUTZ REGARDING HER OPINION OF PAUL PADDA'S CHARACTER FOR TRUTHFULNESS... ..MOTION IN LIMINE #14 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF LAY WITNESSES REGARDING WHETHER PLAINTIFF TRUSTED DEFENDANT PAUL S. PADDA, ESQ.... PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 1 TO MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 5 AND


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CASE NO. A-19-792599-B

SEAL EXHIBITS 1-2... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 8 - MOTION TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 1 AND SEAL EXHIBITS 1 - 3 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM;

12/30/2019 **Motion** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
Plaintiff's Motion to Adopt Plaintiff's Version of the Proposed Jury Questionnaire on an Order Shortening Time
 Denied;

12/30/2019 **Opposition and Countermotion** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
Defendants' Opposition to Plaintiff's Motion to Adopt Plaintiff's Version of the Proposed Jury Questionnaire and Countermotion to Adopt Defendants' Version of the Proposed Jury Questionnaire
 Denied;

12/30/2019  **All Pending Motions** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
 Matter Heard;
 Journal Entry Details:

PLAINTIFF'S MOTION TO ADOPT PLAINTIFF'S VERSION OF THE PROPOSED JURY QUESTIONNAIRE ON AN ORDER SHORTENING TIME... ..DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO ADOPT PLAINTIFF'S VERSION OF THE PROPOSED JURY QUESTIONNAIRE AND COUNTERMOTION TO ADOPT DEFENDANTS' VERSION OF THE PROPOSED JURY QUESTIONNAIRE... ..STATUS CHECK: JURY QUESTIONNAIRE COURT distributed copies of the draft jury questionnaire, ORDERED, draft questionnaire MARKED as Court's Exhibit 1 for today. (See worksheet.) Court further advised that the jury commissioner is out of town; the Court needs to discuss with her question no. 16 regarding race and ethnicity to be consistent with the report that the Court needs to provide as well as the method. The Court has looked at both versions of the questionnaire and statement of facts; the parties are to REVIEW their copy of Court's Exhibit 1 and PROVIDE comments to the Court by Thursday (January 2, 2020) at NOON, identifying any substantive issues that the Court has missed and that the parties think need to be included. COURT ORDERED, both motions to adopt are DENIED; the Court will not adopt either version but will utilize something similar to Court's Exhibit 1. Parties to submit either a status report or send an email, keeping in mind that emails are left side filed and may not go up to the Nevada Supreme Court. Ms. Wakayama advised there is an issue related to the Court's December 19 order regarding production of communications between Mr. Price, Patty Davidson, Paul Padda, and their agents between August 1, 2018 and December 2, 2019; the Plaintiff received a handful of texts that began in November 2019 between Mr. Padda and Mr. Price; the continued depositions took place on December 23rd, and Mr. Padda testified he did a thorough search on his own without a third party vendor to produce communications; later that day Mr. Price testified there are additional communications and texts, and read that from his phone, between Mr. Padda and himself; there are also texts between Mr. Price and Ms. Davidson; the Plaintiff has not received those nor any internal communications in Paul Padda Law as ordered. Ms. Peterson responded that they were not able to complete the Price deposition, because Mr. Price himself said he had been sent a number of communications from Ms. Cohen; she is not certain that what Mr. Price testified to about communications with Ms. Davidson are accurate; he seemed to be conflating emails with text messages; in his testimony, he referred to a text that he was looking at in an exhibit that was clearly an email; they are trying to figure out exactly what Mr. Price was reading from his own phone to Ms. Cohen, but they believe they have complied with the Court's order; they may have to supplement subsequent to the deposition; they are also trying to coordinate resuming Mr. Price's deposition but do not know when the documents will be produced. Ms. Wakayama represented that they will produce Ms. Cohen's communications with Mr. Price today; there are 2 email chains that Ms. Cohen has located on her computer; there is one email that Mr. Price testified to in his deposition that he blind copied Ms. Cohen on, which neither Ms. Cohen nor they could find, so they asked Holo last week to try to find it on Ms. Cohen's computer. Court inquired whether it would be easier to have Mr. Price detail all the communications on his phone. Ms. Peterson argued that was her same request but they stopped the deposition due to lack of staff and all sorts of issues. Ms. Wakayama advised they already did that but she has not yet received anything; her suggestion would be to mine out internal communications for production. Ms. Peterson argued it needs to be both ways. COURT ORDERED, a certification needs to be provided by a qualified I.T. professional that a search has been done and no further communications can be found. Upon Ms. Peterson's inquiry, Court clarified the text messages will be coming out of Mr. Price's phone; those not on

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his phone will be the internal communications at the law firm about Mr. Price after his departure. Ms. Wakayama added the Plaintiff also requests texts between Mr. Padda and Ms. Davidson because Ms. Davidson testified they do text each other. Court stated it will NOT ORDER those but the Court understands the parties can ask those questions. 1-16-20 9:30 AM PRE TRIAL CONFERENCE 1-27-20 9:00 AM MOTION FOR SUMMARY JUDGMENT...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31 2-3-20 10:00 AM PLAINTIFF'S MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT... ..PLAINTIFF'S MOTION IN LIMINE NO. 1 TO EXCLUDE ARGUMENT, TESTIMONY, OR OTHER EVIDENCE REGARDING THE JAY PAUL GURIAN A/K/A JACK GURIAN CASE... ..PLAINTIFF'S MOTION IN LIMINE NO. 3 TO EXCLUDE EVIDENCE CONCERNING ALLEGATIONS, CLAIMS, AND DEFENSES IN MS. COHEN S UNRELATED LITIGATION... ..PLAINTIFF'S MOTION IN LIMINE NO. 4 TO EXCLUDE PRIVILEGED ACCOUNTANT-CLIENT COMMUNICATIONS... ..PLAINTIFF'S MOTION IN LIMINE NO. 5 TO EXCLUDE ALL EVIDENCE AND ARGUMENT REGARDING MS. COHEN'S POLITICAL BELIEFS AND OPINIONS, RELIGIOUS BELIEFS, ALLEGED RACISM, BIGOTRY, OR HOMOPHOBIA... ..PLAINTIFF'S MOTION IN LIMINE NO. 6 TO EXCLUDE TESTIMONY OF SETH COGAN... ..PLAINTIFF'S MOTION IN LIMINE NO. 7 TO EXCLUDE TESTIMONY OF DEFENDANTS WITNESSES THE SUBJECTS OF WHOSE TESTIMONY ARE UNDISCLOSED AND UNKNOWN... ..PLAINTIFF'S MOTION IN LIMINE NO. 8 RENEWING MOTION TO STRIKE ROBERT VANNAH AS AN EXPERT AND EXCLUDE HIS REPORT AND TESTIMONY... ..DEFENDANTS' MOTION IN LIMINE NO. 2 TO PRECLUDE PLAINTIFF FROM OFFERING EVIDENCE AND/OR ARGUMENT REGARDING DEFENDANTS' FINANCIAL CONDITION DURING THE INITIAL LIABILITY PHASE OF TRIAL... ..MOTION IN LIMINE #6 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF JEFREY APPEL REGARDING CERTAIN FINANCIAL DOCUMENTS... ..MOTION IN LIMINE #9 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF KATHLEEN ANNUNZIATA NICOLAIDES... ..DEFENDANTS' MOTION IN LIMINE NO. 3 TO PRECLUDE PLAINTIFF FROM OFFERING ANY EVIDENCE OF AND/OR COMPUTATION FOR UNJUST ENRICHMENT AND QUANTUM MERUIT DAMAGES AT TRIAL... ..MOTION IN LIMINE # 4 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF PLAINTIFF'S PROPOSED SUMMARY WITNESS KATHY CAMPAGNA... ..MOTION IN LIMINE NO 5 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND KARLA KOUTZ'S HEARSAY TESTIMONY AND SPECULATION... ..MOTION IN LIMINE # 7 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY OF MR. PADDA'S JOB PERFORMANCE AT THE UNITED STATES ATTORNEY'S OFFICE AND CLIENTS' OPINIONS OR EXPERIENCES... ..MOTION IN LIMINE NO. 8 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO... ..MOTION IN LIMINE NO. 10 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY RELATED TO WAYNE PRICE'S HISTORY WITH PAUL PADDA LAW, PLLC... ..MOTION IN LIMINE # 11 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE, TESTIMONY OF ARGUMENT RELATED TO ALLEGED HEALTH ISSUES SUFFERED BY MS. COHEN AFTER September 12,2016... ..MOTION IN LIMINE # 12 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF MICHAEL HOLPUCH... ..MOTION IN LIMINE NO. 13 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF KARLA KOUTZ REGARDING HER OPINION OF PAUL PADDA'S CHARACTER FOR TRUTHFULNESS... ..MOTION IN LIMINE # 14 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF LAY WITNESSES REGARDING WHETHER PLAINTIFF TRUSTED DEFENDANT PAUL S. PADDA, ESQ.... PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 1 TO MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 5 AND SEAL EXHIBITS 1-2... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 8 - MOTION TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 1 AND SEAL EXHIBITS 1 - 3 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM;

01/08/2020



Motion to Compel (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

CASE SUMMARY

CASE No. A-19-792599-B

Defendants' Motion to Compel Plaintiff to Produce Certain Documents that are Relevant and Material to This Case on An Order Shortening Time for Hearing

Granted;

Journal Entry Details:

DISCUSSION REGARDING JURY QUESTIONNAIRE: COURT ORDERED, race report MARKED as Court's Exhibit 1. (See worksheet.) Court noted the race and ethnicity categories will be used, and the Judicial Executive Assistant will modify question no. 16; the jury questionnaire will be sent out to the parties and the Jury Commissioner on Friday; the Jury Commissioner has also indicated that the parties need to make the copies. Both sides advised they are fine with using HOLO. Court noted 100 people will be summoned and 125 questionnaires will be given out. **DEFENDANTS' MOTION TO COMPEL PLAINTIFF TO PRODUCE CERTAIN DOCUMENTS THAT ARE RELEVANT AND MATERIAL TO THIS CASE ON AN ORDER SHORTENING TIME FOR HEARING: Arguments by Mr. Peek and Mr. Moser. COURT ORDERED**, email re: email from Wayne Price to Paul Padda with bcc to Ruth Cohen MARKED as Court's Exhibit 2, and Plaintiff's ESI Privilege Log MARKED as Court's Exhibit 3 for today. (See worksheet.) **COURT ORDERED**, the electronic storage devices of Ms. Cohen will be delivered to HOLO for HOLO to do a search of the devices, including any deleted or hidden files of any communications with any witness and Ms. Cohen; that information will then be provided to Plaintiff's counsel for them to conduct a privilege review, and if any item is privileged, they will have to provide a privilege log immediately, and they will be produced; HOLO will do their best efforts to complete this as soon as possible. The cost will be borne by Ms. Cohen, and, after the production of that additional information, Ms. Cohen will sit for an additional session of deposition not to exceed 4 hours. Delivery of devices SET for status check on this Friday's (January 10, 2020) chambers calendar. 1-10-20 **CHAMBERS STATUS CHECK: DELIVERY OF DEVICES TO HOLO 1-16-20 9:30 AM PRE TRIAL CONFERENCE 1-27-20 9:00 AM MOTION FOR SUMMARY JUDGMENT...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31 2-3-20 10:00 AM PLAINTIFF'S MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT... ..PLAINTIFF'S MOTION IN LIMINE NO. 1 TO EXCLUDE ARGUMENT, TESTIMONY, OR OTHER EVIDENCE REGARDING THE JAY PAUL GURIAN A/K/A JACK GURIAN CASE... ..PLAINTIFF'S MOTION IN LIMINE NO. 3 TO EXCLUDE EVIDENCE CONCERNING ALLEGATIONS, CLAIMS, AND DEFENSES IN MS. COHEN'S UNRELATED LITIGATION... ..PLAINTIFF'S MOTION IN LIMINE NO. 4 TO EXCLUDE PRIVILEGED ACCOUNTANT-CLIENT COMMUNICATIONS... ..PLAINTIFF'S MOTION IN LIMINE NO. 5 TO EXCLUDE ALL EVIDENCE AND ARGUMENT REGARDING MS. COHEN'S POLITICAL BELIEFS AND OPINIONS, RELIGIOUS BELIEFS, ALLEGED RACISM, BIGOTRY, OR HOMOPHOBIA... ..PLAINTIFF'S MOTION IN LIMINE NO. 6 TO EXCLUDE TESTIMONY OF SETH COGAN... ..PLAINTIFF'S MOTION IN LIMINE NO. 7 TO EXCLUDE TESTIMONY OF DEFENDANTS WITNESSES THE SUBJECTS OF WHOSE TESTIMONY ARE UNDISCLOSED AND UNKNOWN... ..PLAINTIFF'S MOTION IN LIMINE NO. 8 RENEWING MOTION TO STRIKE ROBERT VANNAH AS AN EXPERT AND EXCLUDE HIS REPORT AND TESTIMONY... ..DEFENDANTS' MOTION IN LIMINE NO. 2 TO PRECLUDE PLAINTIFF FROM OFFERING EVIDENCE AND/OR ARGUMENT REGARDING DEFENDANTS' FINANCIAL CONDITION DURING THE INITIAL LIABILITY PHASE OF TRIAL... ..MOTION IN LIMINE #6 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF JEFREY APPEL REGARDING CERTAIN FINANCIAL DOCUMENTS... ..MOTION IN LIMINE #9 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF KATHLEEN ANNUNZIATA NICOLAIDES... ..DEFENDANTS' MOTION IN LIMINE NO. 3 TO PRECLUDE PLAINTIFF FROM OFFERING ANY EVIDENCE OF AND/OR COMPUTATION FOR UNJUST ENRICHMENT AND QUANTUM MERUIT DAMAGES AT TRIAL... ..MOTION IN LIMINE # 4 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF PLAINTIFF'S PROPOSED SUMMARY WITNESS KATHY CAMPAGNA... ..MOTION IN LIMINE NO 5 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND KARLA KOUTZ'S HEARSAY TESTIMONY AND SPECULATION... ..MOTION IN LIMINE # 7 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY OF MR. PADDAS JOB PERFORMANCE AT THE UNITED STATES ATTORNEY'S OFFICE AND CLIENTS' OPINIONS OR EXPERIENCES... ..MOTION IN LIMINE NO. 8 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO... ..MOTION IN LIMINE NO. 10 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY RELATED TO WAYNE PRICE'S HISTORY WITH PAUL PADDAS LAW, PLLC... ..MOTION IN LIMINE # 11 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE, TESTIMONY OF ARGUMENT RELATED TO ALLEGED HEALTH ISSUES SUFFERED BY MS. COHEN**

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CASE No. A-19-792599-B

AFTER September 12,2016... ..MOTION IN LIMINE # 12 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF MICHAEL HOLPUCH... ..MOTION IN LIMINE NO. 13 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF KARLA KOUTZ REGARDING HER OPINION OF PAUL PADDAS CHARACTER FOR TRUTHFULNESS... ..MOTION IN LIMINE # 14 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF LAY WITNESSES REGARDING WHETHER PLAINTIFF TRUSTED DEFENDANT PAUL S. PADDAS, ESQ.... PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 1 TO MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 5 AND SEAL EXHIBITS 1-2... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 8 - MOTION TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 1 AND SEAL EXHIBITS 1 - 3 1-27-20 9:00 AM MOTION FOR SUMMARY JUDGMENT... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM;

01/08/2020

CANCELED Motion to Compel (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
Vacated - Duplicate Entry
Defendants' Motion to Compel Plaintiff to Produce Certain Documents that are Relevant and Material to this Case on An Order Shortening Time for Hearing

01/10/2020



Status Check (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
Status Check: Delivery of Devices to HOLO
Minute Order - No Hearing Held;
Journal Entry Details:
The Court notes no status report has been provided. CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 1-10-20;

01/16/2020



Pre Trial Conference (9:30 AM) (Judicial Officer: Gonzalez, Elizabeth)
Matter Heard;
Journal Entry Details:
Court informed the parties it has set aside 3 weeks for this trial and inquired whether it can really be done in 3 weeks, as the parties behind them want to know. Ms. Wakayama estimated 12 to 15 full judicial days. Ms. Peterson advised the Defendants have always thought it would take a little over 2 weeks. Court so noted, and that motion practice has been set up. Upon Court's inquiry, Ms. Peterson advised they are still waiting on the information prior to setting Ms. Cohen's deposition and requested an estimate on getting the report back from HOLO. Ms. Wakayama stated she believes HOLO has completed everything, so she believes they will get it today. COURT DIRECTED counsel to make sure it gets done tomorrow. Court further advised that hopefully the parties will get completed jury questionnaires back next week and reminded them that the Court will need a separate list from them on people they want to excuse. 1-27-20 9:00 AM MOTION FOR SUMMARY JUDGMENT...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31 2-3-20 10:00 AM PLAINTIFF'S MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT... ..PLAINTIFF'S MOTION IN LIMINE NO. 1 TO EXCLUDE ARGUMENT, TESTIMONY, OR OTHER EVIDENCE REGARDING THE JAY PAUL GURIAN A/K/A JACK GURIAN CASE... ..PLAINTIFF'S MOTION IN LIMINE NO. 3 TO EXCLUDE EVIDENCE CONCERNING ALLEGATIONS, CLAIMS, AND DEFENSES IN MS. COHEN'S UNRELATED LITIGATION... ..PLAINTIFF'S MOTION IN LIMINE NO. 4 TO EXCLUDE PRIVILEGED ACCOUNTANT-CLIENT COMMUNICATIONS... ..PLAINTIFF'S MOTION IN LIMINE NO. 5 TO EXCLUDE ALL EVIDENCE AND ARGUMENT REGARDING MS. COHEN'S POLITICAL BELIEFS AND OPINIONS, RELIGIOUS BELIEFS, ALLEGED RACISM, BIGOTRY, OR HOMOPHOBIA... ..PLAINTIFF'S MOTION IN LIMINE NO. 6 TO EXCLUDE TESTIMONY OF SETH COGAN... ..PLAINTIFF'S MOTION IN LIMINE NO. 7 TO EXCLUDE TESTIMONY OF DEFENDANTS WITNESSES THE SUBJECTS OF WHOSE TESTIMONY ARE UNDISCLOSED AND UNKNOWN... ..PLAINTIFF'S MOTION IN LIMINE NO. 8 RENEWING MOTION TO STRIKE ROBERT VANNAH AS AN EXPERT AND EXCLUDE HIS REPORT AND TESTIMONY... ..DEFENDANTS' MOTION IN LIMINE NO. 2 TO PRECLUDE

CASE SUMMARY

CASE No. A-19-792599-B

PLAINTIFF FROM OFFERING EVIDENCE AND/OR ARGUMENT REGARDING DEFENDANTS' FINANCIAL CONDITION DURING THE INITIAL LIABILITY PHASE OF TRIAL... ..MOTION IN LIMINE #6 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF JEFREY APPEL REGARDING CERTAIN FINANCIAL DOCUMENTS... ..MOTION IN LIMINE #9 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF KATHLEEN ANNUNZIATA NICOLAIDES... ..DEFENDANTS' MOTION IN LIMINE NO. 3 TO PRECLUDE PLAINTIFF FROM OFFERING ANY EVIDENCE OF AND/OR COMPUTATION FOR UNJUST ENRICHMENT AND QUANTUM MERUIT DAMAGES AT TRIAL... ..MOTION IN LIMINE # 4 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF PLAINTIFF'S PROPOSED SUMMARY WITNESS KATHY CAMPAGNA... ..MOTION IN LIMINE NO 5 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND KARLA KOUTZ'S HEARSAY TESTIMONY AND SPECULATION... ..MOTION IN LIMINE # 7 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY OF MR. PADDA'S JOB PERFORMANCE AT THE UNITED STATES ATTORNEY'S OFFICE AND CLIENTS' OPINIONS OR EXPERIENCES... ..MOTION IN LIMINE NO. 8 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO... ..MOTION IN LIMINE NO. 10 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY RELATED TO WAYNE PRICE'S HISTORY WITH PAUL PADDA LAW, PLLC... ..MOTION IN LIMINE # 11 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE, TESTIMONY OF ARGUMENT RELATED TO ALLEGED HEALTH ISSUES SUFFERED BY MS. COHEN AFTER September 12,2016... ..MOTION IN LIMINE # 12 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF MICHAEL HOLPUCH... ..MOTION IN LIMINE NO. 13 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF KARLA KOUTZ REGARDING HER OPINION OF PAUL PADDA'S CHARACTER FOR TRUTHFULNESS... ..MOTION IN LIMINE # 14 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF LAY WITNESSES REGARDING WHETHER PLAINTIFF TRUSTED DEFENDANT PAUL S. PADDA, ESQ.... PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 1 TO MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 5 AND SEAL EXHIBITS 1-2... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 8 - MOTION TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 1 AND SEAL EXHIBITS 1 - 3 1-27-20 9:00 AM MOTION FOR SUMMARY JUDGMENT... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM;

01/22/2020



Motion for Sanctions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Defendants' Motion for Sanctions Against Plaintiff on an Order Shortening Time for Hearing Denied; \$1,500 in fees awarded

Journal Entry Details:

Following arguments by Mr. Peek, including a request for an evidentiary hearing, and Mr. Campbell, COURT ORDERED, motion DENIED. While the Court understands the Defendants' frustration related to the late disclosure of information that clearly should have been provided at an earlier stage, the failures do not rise to the level of Rule 37 case terminating sanctions or even evidentiary sanctions. However, the Court AWARDS fees for the late production, and the requirement of proceeding this way in both the motion to compel and the motion for sanctions, in the amount of \$1,500. Colloquy regarding completed jury questionnaires. CONFERENCE AT BENCH, per counsel's request. 1-27-20 9:00 AM MOTION FOR SUMMARY JUDGMENT... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31 2-3-20 10:00 AM PLAINTIFF'S MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT... ..PLAINTIFF'S MOTION IN LIMINE NO. 1 TO EXCLUDE ARGUMENT, TESTIMONY, OR OTHER EVIDENCE REGARDING THE JAY PAUL GURIAN A/K/A JACK GURIAN CASE... ..PLAINTIFF'S MOTION IN LIMINE NO. 3 TO EXCLUDE EVIDENCE CONCERNING ALLEGATIONS, CLAIMS, AND DEFENSES IN MS. COHEN'S UNRELATED LITIGATION... ..PLAINTIFF'S MOTION IN LIMINE NO. 4 TO EXCLUDE PRIVILEGED ACCOUNTANT-CLIENT COMMUNICATIONS... ..PLAINTIFF'S MOTION IN LIMINE NO. 5

CASE SUMMARY

CASE No. A-19-792599-B

TO EXCLUDE ALL EVIDENCE AND ARGUMENT REGARDING MS. COHEN'S POLITICAL BELIEFS AND OPINIONS, RELIGIOUS BELIEFS, ALLEGED RACISM, BIGOTRY, OR HOMOPHOBIA... ..PLAINTIFF'S MOTION IN LIMINE NO. 6 TO EXCLUDE TESTIMONY OF SETH COGAN... ..PLAINTIFF'S MOTION IN LIMINE NO. 7 TO EXCLUDE TESTIMONY OF DEFENDANTS WITNESSES THE SUBJECTS OF WHOSE TESTIMONY ARE UNDISCLOSED AND UNKNOWN... ..PLAINTIFF'S MOTION IN LIMINE NO. 8 RENEWING MOTION TO STRIKE ROBERT VANNAH AS AN EXPERT AND EXCLUDE HIS REPORT AND TESTIMONY... ..DEFENDANTS' MOTION IN LIMINE NO. 2 TO PRECLUDE PLAINTIFF FROM OFFERING EVIDENCE AND/OR ARGUMENT REGARDING DEFENDANTS' FINANCIAL CONDITION DURING THE INITIAL LIABILITY PHASE OF TRIAL... ..MOTION IN LIMINE #6 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF JEFREY APPEL REGARDING CERTAIN FINANCIAL DOCUMENTS... ..MOTION IN LIMINE #9 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF KATHLEEN ANNUNZIATA NICOLAIDES... ..DEFENDANTS' MOTION IN LIMINE NO. 3 TO PRECLUDE PLAINTIFF FROM OFFERING ANY EVIDENCE OF AND/OR COMPUTATION FOR UNJUST ENRICHMENT AND QUANTUM MERUIT DAMAGES AT TRIAL... ..MOTION IN LIMINE # 4 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF PLAINTIFF'S PROPOSED SUMMARY WITNESS KATHY CAMPAGNA... ..MOTION IN LIMINE NO 5 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND KARLA KOUTZ'S HEARSAY TESTIMONY AND SPECULATION... ..MOTION IN LIMINE # 7 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY OF MR. PADDA'S JOB PERFORMANCE AT THE UNITED STATES ATTORNEY'S OFFICE AND CLIENTS' OPINIONS OR EXPERIENCES... ..MOTION IN LIMINE NO. 8 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO... ..MOTION IN LIMINE NO. 10 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY RELATED TO WAYNE PRICE'S HISTORY WITH PAUL PADDA LAW, PLLC... ..MOTION IN LIMINE # 11 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE, TESTIMONY OF ARGUMENT RELATED TO ALLEGED HEALTH ISSUES SUFFERED BY MS. COHEN AFTER September 12,2016... ..MOTION IN LIMINE # 12 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF MICHAEL HOLPUCH... ..MOTION IN LIMINE NO. 13 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF KARLA KOUTZ REGARDING HER OPINION OF PAUL PADDA'S CHARACTER FOR TRUTHFULNESS... ..MOTION IN LIMINE # 14 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF LAY WITNESSES REGARDING WHETHER PLAINTIFF TRUSTED DEFENDANT PAUL S. PADDA, ESQ.... PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 1 TO MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 5 AND SEAL EXHIBITS 1-2... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 8 - MOTION TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 1 AND SEAL EXHIBITS 1 - 3 ...PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 1 TO MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT 2-4-20 9:30 AM CALENDAR CALL 2-10-20 1:30 PM JURY TRIAL - FIRM;

01/27/2020

Motion for Summary Judgment (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Events: 12/18/2019 Filed Under Seal

Motion for Summary Judgment

Granted;

01/27/2020

Motion to Seal/Redact Records (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Motion to Redact Portions of Defendants' Motion for Summary Judgment and Exhibit 39 and to Seal Exhibits 20, 21, 28 and 31

Granted;

01/27/2020



All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Matter Heard;

Journal Entry Details:

CASE SUMMARY

CASE No. A-19-792599-B

MOTION FOR SUMMARY JUDGMENT...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31 MOTION FOR SUMMARY JUDGMENT: Following arguments by Mr. Peek and Ms. Wakayama, COURT ORDERED, motion for summary judgment GRANTED. If the Plaintiff is successful on her claim of fraudulent inducement she will be able to address all of the claims she has pled. There are genuine issues of material fact as to the special relationship; however, given the knowing and intentional decision to be suspended from the practice of law, the Court cannot in good conscience allow this case to proceed. If it were an oversight, they would be in a different position, but given the deposition testimony contained in exhibit 34, the motion for summary judgment is GRANTED on that narrow basis. This is a case dispositive determination. JURY DISCHARGED. Motions in limine and trial VACATED. MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31: COURT ORDERED, motion GRANTED. 2-7-20 CHAMBERS PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 1 TO MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 1 AND SEAL EXHIBITS 1 - 3... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 5 AND SEAL EXHIBITS 1-2... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 8 - MOTION TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO 2-14-20 CHAMBERS PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBITS F, H, AND J TO PLAINTIFF'S APPENDIX OF EXHIBITS TO OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT... ..PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 2 TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION IN LIMINE NO. 4 TO EXCLUDE TESTIMONY OF PLAINTIFF'S PROPOSED SUMMARY WITNESS KATHY CAMPAGNA... ..PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBITS 1 AND 2 TO PLAINTIFF S OPPOSITION TO DEFENDANTS MOTION IN LIMINE #5 TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND KARLA KOUTZ S HEARSAY TESTIMONY AND SPECULATION... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION IN LIMINE NO. 4 AND SEAL EXHIBITS 1 - 2... ..PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 34 WITHIN EXHIBIT 1 TO PLAINTIFF S OPPOSITION TO DEFENDANTS MOTION IN LIMINE NO. 13 TO EXCLUDE TESTIMONY OF KARLA KOUTZ REGARDING HER OPINION OF PAUL PADDA'S CHARACTER FOR TRUTHFULNESS 2-21-20 CHAMBERS DEFENDANT'S MOTION TO REDACT PORTIONS OF DEFENDANTS MOTION FOR SANCTIONS AND TO SEAL EXHIBITS 6,7, AND 19... ..PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 4 TO PLAINTIFF'S APPENDIX OF EXHIBITS TO OPPOSITION TO DEFENDANT'S MOTION FOR SANCTIONS AGAINST PLAINTIFF ON AN ORDER SHORTENING TIME CLERK'S NOTE: Following this proceeding, COURT ORDERED, motions to redact previously set for February 3 RESET on the February 7, 2020 chambers calendar. Parties notified via electronic mail. / dr;

02/03/2020	CANCELED Motion in Limine (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i> <i>Plaintiff's Motion in Limine No. 2 to Exclude Evidence Regarding Ms. Cohen's Gaming and Any Use of the Terms "Gambling Addict" or "Gambling Addiction" or Words to that Effect</i>
02/03/2020	CANCELED Motion in Limine (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i> <i>Plaintiff's Motion in Limine No. 1 to Exclude Argument, Testimony, or Other Evidence Regarding the Jay Paul Gurian a/k/a Jack Gurian Case</i>
02/03/2020	CANCELED Motion in Limine (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i> <i>Plaintiff's Motion in Limine No. 3 to Exclude Evidence Concerning Allegations, Claims, and Defenses in Ms. Cohen s Unrelated Litigation</i>
02/03/2020	CANCELED Motion in Limine (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i> <i>Plaintiff's Motion in Limine No. 4 to Exclude Privileged Accountant-Client Communications</i>
02/03/2020	CANCELED Motion in Limine (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i>

CASE SUMMARY


CASE NO. A-19-792599-B

Plaintiff's Motion in Limine No. 5 to Exclude All Evidence and Argument Regarding Ms. Cohen's Political Beliefs and Opinions, Religious Beliefs, Alleged Racism, Bigotry, or Homophobia

02/03/2020	CANCELED Motion in Limine (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i> <i>Plaintiff's Motion in Limine No. 6 to Exclude Testimony of Seth Cogan</i>
02/03/2020	CANCELED Motion in Limine (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i> <i>Plaintiff's Motion in Limine No. 7 to Exclude Testimony of Defendants Witnesses the Subjects of Whose Testimony Are Undisclosed and Unknown</i>
02/03/2020	CANCELED Motion in Limine (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i> <i>Plaintiff's Motion in Limine No. 8 Renewing Motion to Strike Robert Vannah as an Expert and Exclude His Report and Testimony</i>
02/03/2020	CANCELED Motion in Limine (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i> <i>Defendants' Motion in Limine No. 2 to Preclude Plaintiff From Offering Evidence and/or Argument Regarding Defendants' Financial Condition During the Initial Liability Phase of Trial</i>
02/03/2020	CANCELED Motion in Limine (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i> <i>Motion in Limine #6 Defendants' Motion in Limine to Exclude Testimony of Jeffrey Appel Regarding Certain Financial Documents</i>
02/03/2020	CANCELED Motion in Limine (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i> <i>Motion in Limine #9 Defendants' Motion in Limine to Exclude the Testimony and Report of Kathleen Annunziata Nicolaides</i>
02/03/2020	CANCELED Motion in Limine (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i> <i>Defendants' Motion in Limine No. 3 to Preclude Plaintiff from Offering Any Evidence of and/or Computation for Unjust Enrichment and Quantum Meruit Damages at Trial</i>
02/03/2020	CANCELED Motion in Limine (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i> <i>Motion in Limine # 4 Defendants' Motion in Limine to Exclude Testimony of Plaintiff's Proposed Summary Witness Kathy Campagna</i>
02/03/2020	CANCELED Motion in Limine (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i> <i>Motion in Limine No 5 Defendants' Motion in Limine to Exclude Evidence and Testimony Related to Specific Instances of Conduct and Karla Koutz's Hearsay Testimony and Speculation</i>
02/03/2020	CANCELED Motion in Limine (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i> <i>Motion in Limine # 7 Defendants' Motion in Limine to Exclude Evidence or Testimony of Mr. Padda's Job Performance at the United States Attorney's Office and Clients' Opinions or Experiences</i>
02/03/2020	CANCELED Motion in Limine (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i> <i>Motion in Limine No. 8 - Defendants' Motion In Limine to Exclude Evidence and Testimony Related to Specific Instances of Conduct and Testimony of Carey Reno</i>
02/03/2020	CANCELED Motion in Limine (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

CASE SUMMARY

CASE NO. A-19-792599-B

	<p><i>Vacated - per Judge</i> <i>Motion in Limine No. 10 - Defendants' Motion in Limine to Exclude Evidence or Testimony Related to Wayne Price's History with Paul Padda Law, PLLC</i></p>
02/03/2020	<p>CANCELED Motion in Limine (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i> <i>Motion in Limine # 11 Defendants' Motion in Limine to Exclude Evidence, Testimony of Argument Related to Alleged Health Issues Suffered by Ms. Cohen After September 12,2016</i></p>
02/03/2020	<p>CANCELED Motion in Limine (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i> <i>Motion in Limine # 12 Defendants' Motion in Limine to Exclude the Testimony and Report of Michael Holpuch</i></p>
02/03/2020	<p>CANCELED Motion in Limine (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i> <i>Motion in Limine No. 13 Defendants' Motion in Limine to Exclude Testimony of Karla Koutz Regarding her Opinion of Paul Padda's Character for Truthfulness</i></p>
02/03/2020	<p>CANCELED Motion in Limine (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i> <i>Motion in Limine # 14 Defendants' Motion in Limine to Exclude Testimony of Lay Witnesses Regarding Whether Plaintiff Trusted Defendant Paul S. Padda, Esq.</i></p>
02/04/2020	<p>CANCELED Calendar Call (9:30 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i></p>
02/07/2020	<p>Motion to Seal/Redact Records (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Plaintiff's Motion to Redact or Seal Exhibit 1 to Motion in Limine No. 2 to Exclude Evidence Regarding Ms. Cohen's Gaming and Any Use of the Terms "Gambling Addict" or "Gambling Addiction" or Words to that Effect</i> Granted;</p>
02/07/2020	<p>Motion to Seal/Redact Records (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Motion to Redact Portions of Defendants' Motion in Limine No. 1 and Seal Exhibits 1 - 3</i> Granted;</p>
02/07/2020	<p>Motion to Seal/Redact Records (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Motion to Redact Portions of Defendants' Motion In Limine No. 5 and Seal Exhibits 1-2</i> Granted;</p>
02/07/2020	<p>Motion to Seal/Redact Records (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Motion to Redact Portions of Defendants' Motion in Limine No. 8 - Motion to Exclude Evidence and Testimony Related to Specific Instances of Conduct and Testimony of Carey Reno</i> Granted;</p>
02/07/2020	<p> All Pending Motions (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Minute Order - No Hearing Held; Journal Entry Details: PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 1 TO MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 1 AND SEAL EXHIBITS 1 - 3... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 5 AND SEAL EXHIBITS 1-2... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 8 - MOTION TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO Upon review of the papers and pleadings on file in this Matter, as proper service has been provided, this Court notes no opposition has been filed. Accordingly, pursuant to EDCR 2.20(e) the motions to seal are deemed unopposed. As the proposed sealing and redaction is narrowly tailored to protect confidential personal</p>

CASE SUMMARY

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information, good cause appearing, COURT ORDERED, motions are GRANTED. The following exhibits are sealed and/or redacted: Ex. 1 to Pl. MIL 2; Def. MIL 1 (redacted) and Ex. 1-3; Def MIL 5 (redacted) and Ex. 1-2 and Def MIL 8 (redacted); . Respective Moving Counsel are to prepare and submit an order within ten (10) days and distribute a filed copy to all parties involved in this matter. 2-14-20 CHAMBERS PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBITS F, H, AND J TO PLAINTIFF'S APPENDIX OF EXHIBITS TO OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT... ...PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 2 TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION IN LIMINE NO. 4 TO EXCLUDE TESTIMONY OF PLAINTIFF'S PROPOSED SUMMARY WITNESS KATHY CAMPAGNA... ...PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBITS 1 AND 2 TO PLAINTIFF S OPPOSITION TO DEFENDANTS MOTION IN LIMINE #5 TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND KARLA KOUTZ S HEARSAY TESTIMONY AND SPECULATION... ...MOTION TO REDACT PORTIONS OF DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION IN LIMINE NO. 4 AND SEAL EXHIBITS 1 - 2... ...PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 34 WITHIN EXHIBIT 1 TO PLAINTIFF S OPPOSITION TO DEFENDANTS MOTION IN LIMINE NO. 13 TO EXCLUDE TESTIMONY OF KARLA KOUTZ REGARDING HER OPINION OF PAUL PADDA'S CHARACTER FOR TRUTHFULNESS 2-21-20 CHAMBERS DEFENDANT'S MOTION TO REDACT PORTIIONS OF DEFENDANTS MOTION FOR SANCTIONS AND TO SEAL EXHIBITS 6,7, AND 19... ...PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 4 TO PLAINTIFF'S APPENDIX OF EXHIBITS TO OPPOSITION TO DEFENDANT'S MOTION FOR SANCTIONS AGAINST PLAINTIFF ON AN ORDER SHORTENING TIME CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 2-7-20;

02/10/2020	CANCELED Jury Trial - FIRM (1:30 PM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i>
02/13/2020	Motion to Seal/Redact Records (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Plaintiff's Motion to Redact or Seal Exhibits F, H, and J to Plaintiff's Appendix of Exhibits to Opposition to Defendants' Motion for Summary Judgment</i> Granted;
02/13/2020	Motion to Seal/Redact Records (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Plaintiff's Motion to Redact or Seal Exhibit 2 to Plaintiff's Opposition to Defendants' Motion in Limine No. 4 to Exclude Testimony of Plaintiff's Proposed Summary Witness Kathy Campagna</i> Granted;
02/13/2020	Motion to Seal/Redact Records (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Plaintiff s Motion to Redact or Seal Exhibits 1 and 2 to Plaintiff s Opposition to Defendants Motion in Limine #5 to Exclude Evidence and Testimony Related to Specific Instances of Conduct and Karla Koutz s Hearsay Testimony and Speculation</i> Granted;
02/13/2020	Motion to Seal/Redact Records (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Motion to Redact Portions of Defendants' Opposition to Plaintiff's Motion in Limine No. 4 and Seal Exhibits 1 - 2</i> Granted;
02/13/2020	Motion to Seal/Redact Records (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Plaintiff s Motion to Redact or Seal Exhibit 34 within Exhibit 1 to Plaintiff s Opposition to Defendants Motion in Limine No. 13 to Exclude Testimony of Karla Koutz Regarding Her Opinion of Paul Padda s Character for Truthfulness</i> Granted;
02/13/2020	 All Pending Motions (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Minute Order - No Hearing Held; Journal Entry Details: <i>PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBITS F, H, AND J TO PLAINTIFF'S APPENDIX OF EXHIBITS TO OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT... ...PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 2 TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION IN LIMINE NO. 4 TO EXCLUDE TESTIMONY OF PLAINTIFF'S PROPOSED SUMMARY WITNESS KATHY CAMPAGNA...</i>

CASE SUMMARY

CASE No. A-19-792599-B

...PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBITS 1 AND 2 TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION IN LIMINE #5 TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND KARLA KOUTZ'S HEARSAY TESTIMONY AND SPECULATION... ..MOTION TO REDACT PORTIONS OF DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION IN LIMINE NO. 4 AND SEAL EXHIBITS 1 - 2... ..PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 34 WITHIN EXHIBIT 1 TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION IN LIMINE NO. 13 TO EXCLUDE TESTIMONY OF KARLA KOUTZ REGARDING HER OPINION OF PAUL PADDA'S CHARACTER FOR TRUTHFULNESS Matters ADVANCED from the February 14, 2020 chambers calendar. Upon review of the papers and pleadings on file in this Matter, as proper service has been provided, this Court notes no opposition has been filed. Accordingly, pursuant to EDCR 2.20(e) the motions to seal are deemed unopposed. As the proposed sealing and redaction is narrowly tailored to protect sensitive personal and financial information, good cause appearing, COURT ORDERED, motions are GRANTED. Moving Counsel is to prepare and submit an order within ten (10) days and distribute a filed copy to all parties involved in this matter. 2-21-20 CHAMBERS DEFENDANT'S MOTION TO REDACT PORTIONS OF DEFENDANTS MOTION FOR SANCTIONS AND TO SEAL EXHIBITS 6,7, AND 19... ..PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 4 TO PLAINTIFF'S APPENDIX OF EXHIBITS TO OPPOSITION TO DEFENDANT'S MOTION FOR SANCTIONS AGAINST PLAINTIFF ON AN ORDER SHORTENING TIME... ..DEFENDANT'S MOTION TO REDACT PORTIONS OF DEFENDANTS' REPLY IN SUPPORT OF MOTION IN LIMINE NO. 1 TO EXCLUDE EVIDENCE... ..DEFENDANT'S MOTION TO REDACT PORTIONS OF DEFENDANTS' REPLY IN SUPPORT OF MOTION IN LIMINE NO. 5 TO EXCLUDE EVIDENCE... ..PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 3 AND EXHIBIT 4 TO PLAINTIFF'S REPLY IN SUPPORT OF MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT... ..DEFENDANT'S MOTION TO REDACT PORTIONS OF DEFENDANTS' REPLY IN SUPPORT OF MOTION IN LIMINE NO. 8 TO EXCLUDE EVIDENCE CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 2-13-20;

02/21/2020	Motion to Seal/Redact Records (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Defendant's Motion to Redact Portiions of Defendants Motion for Sanctions and to Seal Exhibits 6,7, and 19</i> Motion Granted;
02/21/2020	Motion to Seal/Redact Records (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Plaintiff's Motion to Redact or Seal Exhibit 4 to Plaintiff's Appendix of Exhibits to Opposition to Defendant's Motion for Sanctions Against Plaintiff on an Order Shortening Time</i> Motion Granted;
02/21/2020	Motion to Seal/Redact Records (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Defendant's Motion to Redact Portions of Defendants' Reply In Support of Motion in Limine No. 1 to Exclude Evidence</i> Motion Granted;
02/21/2020	Motion to Seal/Redact Records (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Defendant's Motion to Redact Portions of Defendants' Reply In Support of Motion in Limine No. 5 to Exclude Evidence</i> Motion Granted;
02/21/2020	Motion to Seal/Redact Records (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Plaintiff's Motion to Redact or Seal Exhibit 3 and Exhibit 4 to Plaintiff's Reply in Support of Motion in Limine No. 2 to Exclude Evidence Regarding Ms. Cohen's Gaming and Any Use of The Terms "Gambling Addict" or "Gambling Addiction" or Words to That Effect</i> Motion Granted;
02/21/2020	Motion to Seal/Redact Records (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Defendant's Motion to Redact Portions of Defendants' Reply in Support of Motion in Limine No. 8 to Exclude Evidence</i> Motion Granted;
02/21/2020	 All Pending Motions (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

CASE SUMMARY

CASE NO. A-19-792599-B

Motion Granted;

Journal Entry Details:

DEFENDANT'S MOTION TO REDACT PORTIONS OF DEFENDANTS MOTION FOR SANCTIONS AND TO SEAL EXHIBITS 6,7, AND 19 ..PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 4 TO PLAINTIFF'S APPENDIX OF EXHIBITS TO OPPOSITION TO DEFENDANT'S MOTION FOR SANCTIONS AGAINST PLAINTIFF ON AN ORDER SHORTENING TIME ..DEFENDANT'S MOTION TO REDACT PORTIONS OF DEFENDANTS' REPLY IN SUPPORT OF MOTION IN LIMINE NO. 1 TO EXCLUDE EVIDENCE ..DEFENDANT'S MOTION TO REDACT PORTIONS OF DEFENDANTS' REPLY IN SUPPORT OF MOTION IN LIMINE NO. 5 TO EXCLUDE EVIDENCE PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 3 AND EXHIBIT 4 TO PLAINTIFF'S REPLY IN SUPPORT OF MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT DEFENDANT'S MOTION TO REDACT PORTIONS OF DEFENDANTS' REPLY IN SUPPORT OF MOTION IN LIMINE NO. 8 TO EXCLUDE EVIDENCE Upon review of the papers and pleadings on file in this Matter, as proper service has been provided, this Court notes no opposition has been filed. Accordingly, pursuant to EDCR 2.20(e) the motions to seal are deemed unopposed. As the proposed sealing and redaction is narrowly tailored to protect sensitive financial and confidential personal information, good cause appearing, COURT ORDERED, motions are GRANTED. Respective Moving Counsel are to prepare and submit an order within ten (10) days and distribute a filed copy to all parties involved in this matter. CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. /lg 2-21-21;

03/23/2020



Motion For Reconsideration (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Plaintiff's Motion for Reconsideration of Order Granting Defendants' Motion for Summary Judgment

Denied;

Journal Entry Details:

Pursuant to Administrative Order 20-01, the Court decides this matter without the necessity of oral argument. The Court having reviewed Plaintiff's Motion for Reconsideration and the related briefing and being fully informed, DENIES the motion. Counsel for Defendant is directed to submit an electronic order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. This Decision sets forth the Court's intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order. 4-3-20 CHAMBERS PLAINTIFF'S MOTION TO RETAX COSTS 4-17-20 CHAMBERS DEFENDANT'S MOTION FOR ATTORNEYS' FEES CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 3-25-20;

04/03/2020

CANCELED Motion For Reconsideration (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Vacated - On In Error

Plaintiff's Motion for Reconsideration of Order Granting Defendants' Motion for Summary Judgment

04/03/2020



Motion to Retax (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Plaintiff's Motion to Retax Costs

Granted in Part;

Journal Entry Details:

The Court having reviewed the Plaintiff's Motion to Retax and the related briefing and being fully informed, GRANTS the motion IN PART. The excess expert fees for Smith and Vannah are disallowed and the ESI fees are disallowed. Counsel for Plaintiff is directed to submit an electronic order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing not related to the OOJ. This Decision sets forth the Court's intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order. 4-17-20 CHAMBERS DEFENDANT'S MOTION FOR ATTORNEYS' FEES 5-1-20 CHAMBERS PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBITS G, H, I, J, K, L, M, AND O 1-65 TO PLAINTIFF'S APPENDIX OF EXHIBITS TO OPPOSITION TO DEFENDANTS' MOTION FOR ATTORNEYS' FEES CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 4-6-20;

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. A-19-792599-B**

04/17/2020	Motion for Attorney Fees (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Defendant's Defendants' Motion for Attorneys' Fees</i>
05/01/2020	Motion to Seal/Redact Records (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Plaintiff's Motion to Redact or Seal Exhibits G, H, I, J, K, L, M, and O 1-65 to Plaintiff's Appendix of Exhibits to Opposition to Defendants' Motion for Attorneys' Fees</i>

DATE	FINANCIAL INFORMATION
	Defendant Padma, Paul S. Total Charges 1,963.00 Total Payments and Credits 1,963.00 Balance Due as of 4/13/2020 0.00
	Defendant Paul Padma Law PLLC Total Charges 1,486.50 Total Payments and Credits 1,486.50 Balance Due as of 4/13/2020 0.00
	Plaintiff Cohen, Ruth L. Total Charges 1,799.00 Total Payments and Credits 1,799.00 Balance Due as of 4/13/2020 0.00

BUSINESS COURT CIVIL COVER SHEET

Clark County, Nevada

Case No. _____
(Assigned by Clerk's Office)

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

Plaintiff(s) (name/address/phone):

Ruth L. Cohen

Attorney (name/address/phone):

Liane K. Wakayama, Esq. (NV Bar No. 11313)

Jared M. Moser, Esq. (NV Bar No. 13003)

Marquis Aurbach Coffing

10001 Park Run Drive

Las Vegas, NV 89145

(702) 382-0711

Defendant(s) (name/address/phone):

Paul S. Pada & Paul Padda Law, PLLC

Attorney (name/address/phone):

Joshua H. Reisman, Esq.

Reisman Sorokac

8965 South Eastern Avenue, Suite 382

Las Vegas, NV 89123

(702) 727-6258

CASE NO: A-19-792599-B
Department 27

II. Nature of Controversy (Please check the applicable boxes for both the civil case type and business court case type)

☐ Arbitration Requested

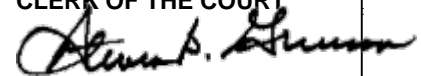
Civil Case Filing Types		Business Court Filing Types
Real Property	Torts	CLARK COUNTY BUSINESS COURT
Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant	Negligence <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence	<input type="checkbox"/> NRS Chapters 78-89 <input type="checkbox"/> Commodities (NRS 91) <input type="checkbox"/> Securities (NRS 90) <input type="checkbox"/> Mergers (NRS 92A) <input type="checkbox"/> Uniform Commercial Code (NRS 104) <input type="checkbox"/> Purchase/Sale of Stock, Assets, or Real Estate <input type="checkbox"/> Trademark or Trade Name (NRS 600) <input type="checkbox"/> Enhanced Case Management <input checked="" type="checkbox"/> Other Business Court Matters
Title to Property <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property	Malpractice <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	
Other Real Property <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	Other Torts <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort	
Construction Defect & Contract	Civil Writs	WASHOE COUNTY BUSINESS COURT
Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect	<input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ	<input type="checkbox"/> NRS Chapters 78-88 <input type="checkbox"/> Commodities (NRS 91) <input type="checkbox"/> Securities (NRS 90) <input type="checkbox"/> Investments (NRS 104 Art. 8) <input type="checkbox"/> Deceptive Trade Practices (NRS 598) <input type="checkbox"/> Trademark/Trade Name (NRS 600) <input type="checkbox"/> Trade Secrets (NRS 600A) <input type="checkbox"/> Enhanced Case Management <input type="checkbox"/> Other Business Court Matters
Contract Case <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract		
Judicial Review/Appeal/Other Civil Filing		
Judicial Review <input type="checkbox"/> Foreclosure Mediation Case	Other Civil Filing <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters	
Appeal Other <input type="checkbox"/> Appeal from Lower Court		

4/9/19

Date

/s/ Jared M. Moser

Signature of initiating party or representative



OGM

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*Attorneys for Defendants PAUL S. PADDA
and PAUL PADDA LAW, PLLC*

DISTRICT COURT

CLARK COUNTY, NEVADA

RUTH L. COHEN, an Individual,

Plaintiff,

v.

PAUL S. PADDA, an individual; PAUL
PADDA LAW, PLLC, a Nevada professional
limited liability company; DOE individuals I-
X; and ROE entities I-X,

Defendants.

Case No. A-19-792599-B
Dept. No. XI

**ORDER GRANTING DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT;
JUDGMENT**

Hearing Date: January 27, 2020

Hearing Time: 9:00 a.m.

This matter came before the Court for hearing on the Motion for Summary Judgment (the "Motion") filed by Defendants Paul S. Padda ("Mr. Padda") and Paul Padda Law, PLLC ("Padda Law") (collectively, "Defendants"). J. Stephen Peek, Esq., and Ryan A. Semerad, Esq., of Holland & Hart, LLP, and Tamara Peterson, Esq., of Peterson Baker PLLC appeared on behalf of Defendants; Liane K. Wakayama, Esq., of Marquis Aurbach Coffing, and Samuel

1 R. Mirkovich, Esq., of Campbell & Williams, on behalf of Plaintiff Ruth L. Cohen ("Ms.
2 Cohen").

3 The Court, having carefully considered Defendants' Motion and the exhibits and
4 declarations attached thereto, Ms. Cohen's Opposition to the Motion and the exhibits and
5 affidavit attached thereto, Defendants' Reply in support of the Motion, as well as the arguments
6 of counsel for Defendants and Ms. Cohen, being fully apprised, and good cause appearing,
7 makes the following findings of undisputed fact, which are relevant to the Court's decision on
8 the Motion, and conclusions of law:

9 I.

10 **FINDINGS OF UNDISPUTED FACT**

11 1. On or about January 18, 2011, Mr. Padda and Ms. Cohen formed a partnership
12 called Cohen & Padda, LLP ("C&P") to provide legal services.

13 2. Pursuant to the Partnership Agreement dated January 18, 2011, Mr. Padda and
14 Ms. Cohen acknowledged that the duration of their partnership would be until January 14,
15 2014 or until earlier dissolved by agreement of the parties (the "Partnership Agreement").

16 3. Sometime in 2014, Ms. Cohen began to consider semi-retirement from the
17 practice of law.

18 4. On or about December 23, 2014, Mr. Padda and Ms. Cohen entered into an
19 agreement, which set forth the terms under which they effectuated the dissolution of C&P, and
20 C&P ceased to exist, as of December 31, 2014 (the "Dissolution Agreement").

21 5. Section 7(b) of the Dissolution Agreement provided, in relevant part, that
22 "[w]ith respect to contingency cases in which there is yet to be a recovery by way of settlement
23 or judgment," Ms. Cohen "shall be entitled to a 33.333% percent share of gross attorney's fees
24 recovered in all contingency fee cases for which [C&P] has a signed retainer agreement dated
25 on or before December 31, 2014" (the "Expectancy Interest"). Nothing in the Dissolution
26 Agreement required or anticipated that Ms. Cohen would perform work on the contingency
27 cases that comprised of her Expectancy Interest.

1 6. On January 2, 2015, Mr. Padda formed a new law firm, which after two separate
2 name changes, became Padda Law.

3 7. While she continued to practice law after the dissolution of C&P working
4 primarily on new employment law matters and handling employment discrimination
5 consultations, Ms. Cohen transitioned to part-time work and did not come to the office much.

6 8. On September 12, 2016, Ms. Cohen and Mr. Padda executed a Business
7 Expectancy Interest Resolution Agreement (the "Buyout Agreement"), wherein Ms. Cohen
8 agreed to exchange her Expectancy Interest for the sum certain of \$50,000.00.

9 9. In total, Mr. Padda paid Ms. Cohen, and Ms. Cohen accepted, \$51,500.00 under
10 the Buyout Agreement.

11 10. At the time Ms. Cohen and Mr. Padda entered into the Buyout Agreement,
12 several contingency fee cases subject to Ms. Cohen's Expectancy Interest were still pending
13 and had not reached a complete and final resolution, including, among others, *Garland v. SPB*
14 *Partners, LLC et al.*, Case No. A-15-724139-C (the "Garland Case"), *Moradi v. Nevada*
15 *Property 1, LLC et al.*, Case No. A-14-698824-C (the "Moradi Case"), and *Cochran v. Nevada*
16 *Property 1, LLC et al.*, Case No. A-13-687601-C (the "Cochran Case") (collectively referred
17 to, where appropriate, as the "Pending Cases").

18 11. With respect to her role in the Pending Cases, Ms. Cohen admits the following:

19 (a) "Ms. Cohen's involvement with the Moradi case was limited to the
20 initial intake meeting with Mr. Moradi in 2012, referring Mr. Moradi to a doctor, and
21 meeting with the Cosmopolitan's insurance adjuster."

22 (b) Ms. Cohen "stopped having an active role in the [Moradi] case almost
23 immediately after her initial involvement in 2012."

24 (c) Ms. Cohen "was not involved in the day-to-day aspects of the case, and
25 was not actively working on the [Moradi] case."

26 (d) "In or about 2014", Mr. Padda made a statement to Ms. Cohen about
27 reducing C&P's attorneys' fees in the Garland case and "after that" Ms. Cohen "did not
28 have any further involvement with Mr. Garland's case."

12. On October 6, 2016, Mark Garland, the client in the Garland Case, executed a disbursement sheet authorizing the release of settlement funds.

13. The disbursement sheet for Mr. Garland's case established that the gross attorneys' fees earned by Padda Law totaled \$51,600.00.¹

14. On or about April 6, 2017, Ms. Cohen was notified that she was suspended from the practice of law by the Nevada Board of Continuing Legal Education pursuant to Nevada Supreme Court Rule ("SCR") 212 for her failure to complete the 2016 Continuing Legal Education ("CLE") requirements, as mandated by SCR 210.

15. Upon learning of her suspension, Ms. Cohen "immediately called the bar" and discovered that she would be required to pay \$700.00 and complete her CLE requirements in order to be reinstated.

16. Ms. Cohen made a knowing and intentional decision to remain suspended from the practice of law. (*See* Motion at Ex. 34, 6:17-7:6.) ("And I don't intend to pay them \$700 to get my license back when I'm not going to use it, so. . . . So, it's my protest."; "And when I went to turn [the CLE credits] in, they said, Well, it will cost you \$700, and I said, See you. I'm just not going to do it.").

17. On April 27, 2017, a jury returned a verdict in favor of David Moradi, the client in the Moradi Case, including an award of damages for past and future loss of earnings as well as past and future pain and suffering.

18. On May 23, 2017, Mr. Moradi reached a confidential settlement agreement with the defendants as a complete and final resolution of the Moradi Case.

19. On February 27, 2019, Ms. Cohen, through counsel, and while she was suspended from the practice of law, sent a letter to Mr. Padda demanding, for the first time, payment of certain attorneys' fees Ms. Cohen claimed were owed to her by Defendants pursuant to her Expectancy Interest under the Dissolution Agreement.

20. In the spring of 2019, Stephen Cochran and Melissa Cochran, the clients in the

¹ Ms. Cohen's 33.333% putative share would have equaled \$17,196.67.

1 Cochran Case, reached a confidential settlement agreement with the defendants as a complete
2 and final resolution of the Cochran Case, and on or about July 9, 2019, filed a stipulation and
3 order to dismiss the Cochran Case.

4 21. On April 9, 2019, Ms. Cohen, while she was still suspended from the practice of
5 law, filed her Complaint in this action, asserting the following claims for relief: (1) First Claim
6 for Relief for breach of contract—Partnership Dissolution Agreement (against Mr. Padda); (2)
7 Second Claim for Relief for breach of the implied covenant of good faith and fair dealing
8 (against Mr. Padda); (3) Third Claim for Relief for tortious breach of the implied covenant of
9 good faith and fair dealing (against Mr. Padda); (4) Fourth Claim for Relief for breach of
10 fiduciary duty (against Mr. Padda); (5) Fifth Claim for Relief for fraud in the inducement
11 (against Mr. Padda and Padda Law); (6) Sixth Claim for Relief for fraudulent concealment
12 (against Mr. Padda and Padda Law); (7) Seventh Claim for Relief for fraudulent or intentional
13 misrepresentation (against Mr. Padda and Padda Law); (8) Eighth Claim for Relief for unjust
14 enrichment (against Padda Law or, in the alternative, against Mr. Padda); (9) Ninth Claim for
15 Relief for elder abuse under NRS 41.1395 (against Mr. Padda); and (10) Tenth Claim for
16 Relief for declaratory relief (against Mr. Padda and Padda Law). (*See generally* Compl.)

17 22. The gist of Ms. Cohen's claims is that Mr. Padda and/or Padda Law induced her
18 to enter the Buyout Agreement through fraudulent acts, misrepresentations and/or omissions
19 such that the Buyout Agreement should be rescinded, thereby entitling Ms. Cohen to recover as
20 damages 33.333% of the gross attorneys' fees earned in the Pending Cases pursuant to the
21 Expectancy Interest set forth in the Dissolution Agreement.

22 23. Ms. Cohen asserts that her 33.333% share of the gross legal fees Defendants
23 received for the Pending Cases equals \$3,314,227.49.

24 24. Ms. Cohen seeks to recover this amount (\$3,314,227.49) as damages caused by
25 Defendants' breach of the Dissolution Agreement under her First Claim for Relief. (*See* Compl.
26 at ¶¶ 82-90.)

27 25. Ms. Cohen seeks to recover the same amount of damages (\$3,314,227.49), in
28 addition to other statutory damages, under each of her other claims for relief.

26. On December 19, 2019, the day after Defendants filed their Motion, Ms. Cohen obtained a "Notice of Completion of Requirements for Reinstatement", which was executed by Executive Director Laura Bogden and reinstated Ms. Cohen's law license as of December 19, 2019 (the "Reinstatement Notice").

27. Pursuant to the Reinstatement Notice, the Nevada Board of Continuing Legal Education recognized that Ms. Cohen had completed a minimum of fifteen (15) hours of accredited educational activity within the period of twelve (12) months immediately preceding the filing of her application, as required by SCR 213.

28. Beginning on April 6, 2017, and continuing until December 19, 2019, Ms. Cohen's license to practice law in the State of Nevada was suspended.

29. Ms. Cohen admits she is not seeking quantum meruit damages in this action.

30. If any Finding of Undisputed Fact is properly a Conclusion of Law, it shall be treated as if appropriately identified and designated.

II.

CONCLUSIONS OF LAW

1. Summary judgment is appropriate when, "after review of the record viewed in a light most favorable to the non-moving party, there remain no genuine issues of material fact, and the moving party is entitled to judgment as a matter of law." *Evans v. Samuels*, 119 Nev. 378, 75 P.3d 361, 363 (2003).

2. "A genuine issue of material fact is one where the evidence is such that a reasonable jury could return a verdict for the non-moving party." *Pegasus v. Reno Newspapers, Inc.*, 118 Nev. 706, 713, 57 P.3d 82, 87 (2002) (citation and quotation omitted).

3. The moving party can meet its burden by either "(1) submitting evidence that negates an essential element of the nonmoving party's claim or (2) pointing out that there is an absence of evidence to support the nonmoving party's case." *Torrealba v. Kesmetis*, 124 Nev. 95, 100, 178 P.3d 716, 720 (2008) (internal citations and quotations omitted).

4. On the other hand, "[t]o successfully defend against a summary judgment motion, the nonmoving party must transcend the pleadings and, by affidavit or other

admissible evidence, introduce specific facts that show a genuine issue of material fact." *Id.* (internal citations and quotations omitted). In other words, the nonmoving party must "do more than simply show that there is some metaphysical doubt as to the operative facts in order to avoid summary judgment being entered in the moving party's favor." *Wood v. Safeway, Inc.*, 121 Nev. 724, 732, 121 P.3d 1026, 1031 (2005) (internal citations and quotations omitted).

5. The Nevada Rules of Professional Conduct provide that a "lawyer or law firm shall not share legal fees with a nonlawyer." NRPC 5.4(a).

6. A lawyer who is suspended from the practice of law pursuant to SCR 212 for failing to comply with the CLE requirements required by SCR 210 is a "nonlawyer" for purposes of NRPC 5.4(a). *See e.g., In re Phillips*, 226 Ariz. 112, 121, 244 P.3d 549, 558 (2010) (suspended lawyer is equivalent of nonlawyer for purposes of RPC 5.4(a)); *Disciplinary Counsel v. McCord*, 121 Ohio St.3d 497, 905 N.E.2d 1182, 1189 (2009) (ethical violation for suspended lawyer to receive attorney's fee); *Office of Disciplinary Counsel v. Jackson*, 536 Pa. 26, 637 A.2d 615, 620 (1994) (noting a suspended attorney is a "non-lawyer" within the meaning of the rules"); *Comm. on Prof'l Ethics*, State Bar of Tex., Op. 592 (2010) (prohibiting a lawyer from sharing legal fees with suspended attorney).

7. NRPC 5.4(a) prohibits suspended lawyers from recovering or sharing in attorneys' fees earned on cases that were open and unresolved at the time the lawyers were suspended. *See Lessoff v. Berger*, 2 A.D.3d 127, 767 N.Y.S.2d 605, (Mem)-606 (2003) (stating the general position adopted by courts that, "with respect to cases that were open at the time of [a] suspension, [the suspended attorney's] share in any fees paid after his suspension is limited to the quantum meruit value of any work he performed prior to his suspension.").

8. A lawyer who becomes suspended under SCR 212 for noncompliance with his or her CLE requirements could arguably seek to avoid some of the consequences of this suspension if the lawyer's noncompliance was inadvertent, accidental, or the product of the lawyer's reasonable mistake or misunderstanding. However, a lawyer who becomes suspended under this rule and knowingly or intentionally refuses to remedy his or her deficiencies or

1 deliberately protests the fees associated with remedying his or her deficiencies cannot avoid the
2 consequences of his or her suspension.

3 9. The undisputed facts establish that Ms. Cohen was suspended from the practice
4 of law on or about April 6, 2017, for failing to comply with the CLE requirements imposed by
5 SCR 210.

6 10. The undisputed facts establish that Ms. Cohen knowingly and intentionally
7 refused to reinstate her license until December 19, 2019, the day after Defendants filed their
8 Motion.

9 11. Ms. Cohen was a "nonlawyer" subject to the prohibition on fee sharing provided
10 in NRPC 5.4(a) beginning on April 6, 2017, and continuing until her law license was reinstated
11 on December 19, 2019.

12 12. Mr. Padda's obligation to pay Ms. Cohen the Expectancy Interest under the
13 Dissolution Agreement was rendered illegal and unenforceable the moment Ms. Cohen's law
14 license was suspended. *See McIntosh v. Mills*, 121 Cal. App. 4th 333, 343, 17 Cal. Rptr. 3d 66,
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21 (holding that fee-splitting agreement between attorneys "violates public policy because it does
22 not comply with Minn. R. Prof. Conduct 1.5(e) and is therefore unenforceable.").

23 13. With respect to Ms. Cohen's First, Second, and Third Claims for Relief relating
24 to an alleged breach of the Dissolution Agreement, Ms. Cohen is precluded from enforcing Mr.
25 Padda's obligation to pay her the Expectancy Interest and from recovering any share of the
26 attorneys' fees earned by Mr. Padda or Padda Law on the Pending Cases, which were resolved
27 while she was suspended from the practice of law between April 6, 2017, and December 19,
28 2019, including the Moradi Case and the Cochran Case.

14. Although Defendants received funds from the Garland Case before April 6, 2017, Ms. Cohen has not incurred any damages relating to her 33.333% share (or \$17,196.67) of the gross attorneys' fees received by Defendants for the Garland Case and did not present any evidence to establish that she was damaged as a result of "other contingency matters" resolved prior to April 6, 2017, even if she could establish an entitlement to recover such damages, because Ms. Cohen received \$51,500.00 from Defendants under the Buyout Agreement. *See Chicago Title Agency v. Schwartz*, 109 Nev. 415, 418, 851 P.2d 419, 421 (1993) (stating "whether a case be one in contract or in tort, the injured party bears the burden of proving that he or she has been damaged").

15. Having determined that Ms. Cohen is prohibited under NRPC 5.4(a) from enforcing the Expectancy Interest in the Dissolution Agreement on any Pending Cases, the Court cannot, in good conscience, permit Ms. Cohen to use her remaining fraud and fiduciary duty claims, among others, to circumvent NRPC 5.4(a) by essentially enforcing a contract obligation NRPC 5.4(a) renders illegal and unenforceable.

16. If Ms. Cohen is successful on her claim of fraudulent inducement, she would be able to address all of the claims that she has pled in her complaint at trial.

17. There remains a genuine issue of material fact as to whether a special relationship existed between Mr. Padma and Ms. Cohen following the dissolution of C&P.

18. However, given Ms. Cohen's knowing and intentional decision to be suspended from the practice of law as evidenced by Exhibit 34 to Defendants' motion, the Court cannot as a matter of law allow this case to proceed to trial. Thus, summary judgment is granted on that narrow basis.

19. If any Conclusion of Law is properly a Finding of Undisputed Fact, it shall be treated as if appropriately identified and designated.

III.

ORDER AND JUDGMENT

Having entered the foregoing Findings of Undisputed Fact and Conclusions of Law, and good cause appearing,

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendants' Motion is
2 GRANTED.

3 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the granting of
4 Defendants' Motion disposes of all claims asserted by Ms. Cohen against Defendants in this
5 action and, therefore, JUDGMENT is hereby entered against Ms. Cohen and in favor of
6 Defendants.

7 DATED this 18 day of February 2020

8 
9 DISTRICT COURT JUDGE
10 

11 Respectfully submitted by:

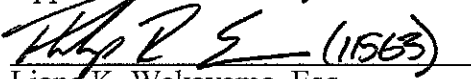
12 **Declined to Sign**

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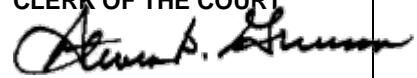
23 *Counsel for Defendants*

24 Approved as to form by:

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Attorneys for Plaintiff Ruth L. Cohen

DISTRICT COURT

CLARK COUNTY, NEVADA

RUTH L. COHEN, an individual,

Plaintiff,

vs.

PAUL S. PADDA, an individual; PAUL
PADDA LAW, PLLC, a Nevada professional
limited liability company; DOE individual I-
X; and, ROE entities I-X,

Defendants.

Case No.: A-19-792599-B
Dept. No.: XI

**NOTICE OF ENTRY OF ORDER
GRANTING DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT;
JUDGMENT**

1 Please take notice that on the 18th day of February, 2020, an Order Granting Defendants'
2 Motion for Summary Judgment; Judgment, was duly entered in the above-entitled matter, a copy
3 of which is attached as "Exhibit 1" and by this reference made part hereof.

4 DATED this 18th day of February, 2020.

5 CAMPBELL & WILLIAMS

6 By /s/ Donald J. Campbell

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16 *Attorneys for Plaintiff Ruth L. Cohen*
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CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of February, 2020, I caused a true and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT; JUDGMENT** to be served through the Eighth Judicial District Court's electronic filing system, to the following parties:

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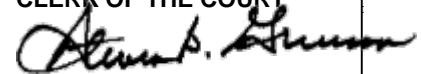
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/s/ **John Y. Chong**
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EXHIBIT 1



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*Attorneys for Defendants PAUL S. PADDA
and PAUL PADDA LAW, PLLC*

DISTRICT COURT

CLARK COUNTY, NEVADA

RUTH L. COHEN, an Individual,

Plaintiff,

v.

PAUL S. PADDA, an individual; PAUL
PADDA LAW, PLLC, a Nevada professional
limited liability company; DOE individuals I-
X; and ROE entities I-X,

Defendants.

Case No. A-19-792599-B
Dept. No. XI

**ORDER GRANTING DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT;
JUDGMENT**

Hearing Date: January 27, 2020

Hearing Time: 9:00 a.m.

This matter came before the Court for hearing on the Motion for Summary Judgment (the "Motion") filed by Defendants Paul S. Padda ("Mr. Padda") and Paul Padda Law, PLLC ("Padda Law") (collectively, "Defendants"). J. Stephen Peek, Esq., and Ryan A. Semerad, Esq., of Holland & Hart, LLP, and Tamara Peterson, Esq., of Peterson Baker PLLC appeared on behalf of Defendants; Liane K. Wakayama, Esq., of Marquis Aurbach Coffing, and Samuel

1 R. Mirkovich, Esq., of Campbell & Williams, on behalf of Plaintiff Ruth L. Cohen ("Ms.
2 Cohen").

3 The Court, having carefully considered Defendants' Motion and the exhibits and
4 declarations attached thereto, Ms. Cohen's Opposition to the Motion and the exhibits and
5 affidavit attached thereto, Defendants' Reply in support of the Motion, as well as the arguments
6 of counsel for Defendants and Ms. Cohen, being fully apprised, and good cause appearing,
7 makes the following findings of undisputed fact, which are relevant to the Court's decision on
8 the Motion, and conclusions of law:

9 I.

10 **FINDINGS OF UNDISPUTED FACT**

11 1. On or about January 18, 2011, Mr. Padda and Ms. Cohen formed a partnership
12 called Cohen & Padda, LLP ("C&P") to provide legal services.

13 2. Pursuant to the Partnership Agreement dated January 18, 2011, Mr. Padda and
14 Ms. Cohen acknowledged that the duration of their partnership would be until January 14,
15 2014 or until earlier dissolved by agreement of the parties (the "Partnership Agreement").

16 3. Sometime in 2014, Ms. Cohen began to consider semi-retirement from the
17 practice of law.

18 4. On or about December 23, 2014, Mr. Padda and Ms. Cohen entered into an
19 agreement, which set forth the terms under which they effectuated the dissolution of C&P, and
20 C&P ceased to exist, as of December 31, 2014 (the "Dissolution Agreement").

21 5. Section 7(b) of the Dissolution Agreement provided, in relevant part, that
22 "[w]ith respect to contingency cases in which there is yet to be a recovery by way of settlement
23 or judgment," Ms. Cohen "shall be entitled to a 33.333% percent share of gross attorney's fees
24 recovered in all contingency fee cases for which [C&P] has a signed retainer agreement dated
25 on or before December 31, 2014" (the "Expectancy Interest"). Nothing in the Dissolution
26 Agreement required or anticipated that Ms. Cohen would perform work on the contingency
27 cases that comprised of her Expectancy Interest.
28

1 6. On January 2, 2015, Mr. Padda formed a new law firm, which after two separate
2 name changes, became Padda Law.

3 7. While she continued to practice law after the dissolution of C&P working
4 primarily on new employment law matters and handling employment discrimination
5 consultations, Ms. Cohen transitioned to part-time work and did not come to the office much.

6 8. On September 12, 2016, Ms. Cohen and Mr. Padda executed a Business
7 Expectancy Interest Resolution Agreement (the "Buyout Agreement"), wherein Ms. Cohen
8 agreed to exchange her Expectancy Interest for the sum certain of \$50,000.00.

9 9. In total, Mr. Padda paid Ms. Cohen, and Ms. Cohen accepted, \$51,500.00 under
10 the Buyout Agreement.

11 10. At the time Ms. Cohen and Mr. Padda entered into the Buyout Agreement,
12 several contingency fee cases subject to Ms. Cohen's Expectancy Interest were still pending
13 and had not reached a complete and final resolution, including, among others, *Garland v. SPB*
14 *Partners, LLC et al.*, Case No. A-15-724139-C (the "Garland Case"), *Moradi v. Nevada*
15 *Property 1, LLC et al.*, Case No. A-14-698824-C (the "Moradi Case"), and *Cochran v. Nevada*
16 *Property 1, LLC et al.*, Case No. A-13-687601-C (the "Cochran Case") (collectively referred
17 to, where appropriate, as the "Pending Cases").

18 11. With respect to her role in the Pending Cases, Ms. Cohen admits the following:

19 (a) "Ms. Cohen's involvement with the Moradi case was limited to the
20 initial intake meeting with Mr. Moradi in 2012, referring Mr. Moradi to a doctor, and
21 meeting with the Cosmopolitan's insurance adjuster."

22 (b) Ms. Cohen "stopped having an active role in the [Moradi] case almost
23 immediately after her initial involvement in 2012."

24 (c) Ms. Cohen "was not involved in the day-to-day aspects of the case, and
25 was not actively working on the [Moradi] case."

26 (d) "In or about 2014", Mr. Padda made a statement to Ms. Cohen about
27 reducing C&P's attorneys' fees in the Garland case and "after that" Ms. Cohen "did not
28 have any further involvement with Mr. Garland's case."

12. On October 6, 2016, Mark Garland, the client in the Garland Case, executed a disbursement sheet authorizing the release of settlement funds.

13. The disbursement sheet for Mr. Garland's case established that the gross attorneys' fees earned by Padda Law totaled \$51,600.00.¹

14. On or about April 6, 2017, Ms. Cohen was notified that she was suspended from the practice of law by the Nevada Board of Continuing Legal Education pursuant to Nevada Supreme Court Rule ("SCR") 212 for her failure to complete the 2016 Continuing Legal Education ("CLE") requirements, as mandated by SCR 210.

15. Upon learning of her suspension, Ms. Cohen "immediately called the bar" and discovered that she would be required to pay \$700.00 and complete her CLE requirements in order to be reinstated.

16. Ms. Cohen made a knowing and intentional decision to remain suspended from the practice of law. (*See* Motion at Ex. 34, 6:17-7:6.) ("And I don't intend to pay them \$700 to get my license back when I'm not going to use it, so. . . . So, it's my protest."; "And when I went to turn [the CLE credits] in, they said, Well, it will cost you \$700, and I said, See you. I'm just not going to do it.").

17. On April 27, 2017, a jury returned a verdict in favor of David Moradi, the client in the Moradi Case, including an award of damages for past and future loss of earnings as well as past and future pain and suffering.

18. On May 23, 2017, Mr. Moradi reached a confidential settlement agreement with the defendants as a complete and final resolution of the Moradi Case.

19. On February 27, 2019, Ms. Cohen, through counsel, and while she was suspended from the practice of law, sent a letter to Mr. Padda demanding, for the first time, payment of certain attorneys' fees Ms. Cohen claimed were owed to her by Defendants pursuant to her Expectancy Interest under the Dissolution Agreement.

20. In the spring of 2019, Stephen Cochran and Melissa Cochran, the clients in the

¹ Ms. Cohen's 33.333% putative share would have equaled \$17,196.67.

1 Cochran Case, reached a confidential settlement agreement with the defendants as a complete
2 and final resolution of the Cochran Case, and on or about July 9, 2019, filed a stipulation and
3 order to dismiss the Cochran Case.

4 21. On April 9, 2019, Ms. Cohen, while she was still suspended from the practice of
5 law, filed her Complaint in this action, asserting the following claims for relief: (1) First Claim
6 for Relief for breach of contract—Partnership Dissolution Agreement (against Mr. Padda); (2)
7 Second Claim for Relief for breach of the implied covenant of good faith and fair dealing
8 (against Mr. Padda); (3) Third Claim for Relief for tortious breach of the implied covenant of
9 good faith and fair dealing (against Mr. Padda); (4) Fourth Claim for Relief for breach of
10 fiduciary duty (against Mr. Padda); (5) Fifth Claim for Relief for fraud in the inducement
11 (against Mr. Padda and Padda Law); (6) Sixth Claim for Relief for fraudulent concealment
12 (against Mr. Padda and Padda Law); (7) Seventh Claim for Relief for fraudulent or intentional
13 misrepresentation (against Mr. Padda and Padda Law); (8) Eighth Claim for Relief for unjust
14 enrichment (against Padda Law or, in the alternative, against Mr. Padda); (9) Ninth Claim for
15 Relief for elder abuse under NRS 41.1395 (against Mr. Padda); and (10) Tenth Claim for
16 Relief for declaratory relief (against Mr. Padda and Padda Law). (*See generally* Compl.)

17 22. The gist of Ms. Cohen's claims is that Mr. Padda and/or Padda Law induced her
18 to enter the Buyout Agreement through fraudulent acts, misrepresentations and/or omissions
19 such that the Buyout Agreement should be rescinded, thereby entitling Ms. Cohen to recover as
20 damages 33.333% of the gross attorneys' fees earned in the Pending Cases pursuant to the
21 Expectancy Interest set forth in the Dissolution Agreement.

22 23. Ms. Cohen asserts that her 33.333% share of the gross legal fees Defendants
23 received for the Pending Cases equals \$3,314,227.49.

24 24. Ms. Cohen seeks to recover this amount (\$3,314,227.49) as damages caused by
25 Defendants' breach of the Dissolution Agreement under her First Claim for Relief. (*See* Compl.
26 at ¶¶ 82-90.)

27 25. Ms. Cohen seeks to recover the same amount of damages (\$3,314,227.49), in
28 addition to other statutory damages, under each of her other claims for relief.

26. On December 19, 2019, the day after Defendants filed their Motion, Ms. Cohen obtained a "Notice of Completion of Requirements for Reinstatement", which was executed by Executive Director Laura Bogden and reinstated Ms. Cohen's law license as of December 19, 2019 (the "Reinstatement Notice").

27. Pursuant to the Reinstatement Notice, the Nevada Board of Continuing Legal Education recognized that Ms. Cohen had completed a minimum of fifteen (15) hours of accredited educational activity within the period of twelve (12) months immediately preceding the filing of her application, as required by SCR 213.

28. Beginning on April 6, 2017, and continuing until December 19, 2019, Ms. Cohen's license to practice law in the State of Nevada was suspended.

29. Ms. Cohen admits she is not seeking quantum meruit damages in this action.

30. If any Finding of Undisputed Fact is properly a Conclusion of Law, it shall be treated as if appropriately identified and designated.

II.

CONCLUSIONS OF LAW

1. Summary judgment is appropriate when, "after review of the record viewed in a light most favorable to the non-moving party, there remain no genuine issues of material fact, and the moving party is entitled to judgment as a matter of law." *Evans v. Samuels*, 119 Nev. 378, 75 P.3d 361, 363 (2003).

2. "A genuine issue of material fact is one where the evidence is such that a reasonable jury could return a verdict for the non-moving party." *Pegasus v. Reno Newspapers, Inc.*, 118 Nev. 706, 713, 57 P.3d 82, 87 (2002) (citation and quotation omitted).

3. The moving party can meet its burden by either "(1) submitting evidence that negates an essential element of the nonmoving party's claim or (2) pointing out that there is an absence of evidence to support the nonmoving party's case." *Torrealba v. Kesmetis*, 124 Nev. 95, 100, 178 P.3d 716, 720 (2008) (internal citations and quotations omitted).

4. On the other hand, "[t]o successfully defend against a summary judgment motion, the nonmoving party must transcend the pleadings and, by affidavit or other

admissible evidence, introduce specific facts that show a genuine issue of material fact." *Id.* (internal citations and quotations omitted). In other words, the nonmoving party must "do more than simply show that there is some metaphysical doubt as to the operative facts in order to avoid summary judgment being entered in the moving party's favor." *Wood v. Safeway, Inc.*, 121 Nev. 724, 732, 121 P.3d 1026, 1031 (2005) (internal citations and quotations omitted).

5. The Nevada Rules of Professional Conduct provide that a "lawyer or law firm shall not share legal fees with a nonlawyer." NRPC 5.4(a).

6. A lawyer who is suspended from the practice of law pursuant to SCR 212 for failing to comply with the CLE requirements required by SCR 210 is a "nonlawyer" for purposes of NRPC 5.4(a). *See e.g., In re Phillips*, 226 Ariz. 112, 121, 244 P.3d 549, 558 (2010) (suspended lawyer is equivalent of nonlawyer for purposes of RPC 5.4(a)); *Disciplinary Counsel v. McCord*, 121 Ohio St.3d 497, 905 N.E.2d 1182, 1189 (2009) (ethical violation for suspended lawyer to receive attorney's fee); *Office of Disciplinary Counsel v. Jackson*, 536 Pa. 26, 637 A.2d 615, 620 (1994) (noting a suspended attorney is a "non-lawyer" within the meaning of the rules"); *Comm. on Prof'l Ethics*, State Bar of Tex., Op. 592 (2010) (prohibiting a lawyer from sharing legal fees with suspended attorney).

7. NRPC 5.4(a) prohibits suspended lawyers from recovering or sharing in attorneys' fees earned on cases that were open and unresolved at the time the lawyers were suspended. *See Lessoff v. Berger*, 2 A.D.3d 127, 767 N.Y.S.2d 605, (Mem)-606 (2003) (stating the general position adopted by courts that, "with respect to cases that were open at the time of [a] suspension, [the suspended attorney's] share in any fees paid after his suspension is limited to the quantum meruit value of any work he performed prior to his suspension.").

8. A lawyer who becomes suspended under SCR 212 for noncompliance with his or her CLE requirements could arguably seek to avoid some of the consequences of this suspension if the lawyer's noncompliance was inadvertent, accidental, or the product of the lawyer's reasonable mistake or misunderstanding. However, a lawyer who becomes suspended under this rule and knowingly or intentionally refuses to remedy his or her deficiencies or

1 deliberately protests the fees associated with remedying his or her deficiencies cannot avoid the
2 consequences of his or her suspension.

3 9. The undisputed facts establish that Ms. Cohen was suspended from the practice
4 of law on or about April 6, 2017, for failing to comply with the CLE requirements imposed by
5 SCR 210.

6 10. The undisputed facts establish that Ms. Cohen knowingly and intentionally
7 refused to reinstate her license until December 19, 2019, the day after Defendants filed their
8 Motion.

9 11. Ms. Cohen was a "nonlawyer" subject to the prohibition on fee sharing provided
10 in NRPC 5.4(a) beginning on April 6, 2017, and continuing until her law license was reinstated
11 on December 19, 2019.

12 12. Mr. Padda's obligation to pay Ms. Cohen the Expectancy Interest under the
13 Dissolution Agreement was rendered illegal and unenforceable the moment Ms. Cohen's law
14 license was suspended. *See McIntosh v. Mills*, 121 Cal. App. 4th 333, 343, 17 Cal. Rptr. 3d 66,
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19 enforced, and an attorney's recovery in such cases will be limited to" the reasonable value of its
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21 (holding that fee-splitting agreement between attorneys "violates public policy because it does
22 not comply with Minn. R. Prof. Conduct 1.5(e) and is therefore unenforceable.").

23 13. With respect to Ms. Cohen's First, Second, and Third Claims for Relief relating
24 to an alleged breach of the Dissolution Agreement, Ms. Cohen is precluded from enforcing Mr.
25 Padda's obligation to pay her the Expectancy Interest and from recovering any share of the
26 attorneys' fees earned by Mr. Padda or Padda Law on the Pending Cases, which were resolved
27 while she was suspended from the practice of law between April 6, 2017, and December 19,
28 2019, including the Moradi Case and the Cochran Case.

14. Although Defendants received funds from the Garland Case before April 6, 2017, Ms. Cohen has not incurred any damages relating to her 33.333% share (or \$17,196.67) of the gross attorneys' fees received by Defendants for the Garland Case and did not present any evidence to establish that she was damaged as a result of "other contingency matters" resolved prior to April 6, 2017, even if she could establish an entitlement to recover such damages, because Ms. Cohen received \$51,500.00 from Defendants under the Buyout Agreement. *See Chicago Title Agency v. Schwartz*, 109 Nev. 415, 418, 851 P.2d 419, 421 (1993) (stating "whether a case be one in contract or in tort, the injured party bears the burden of proving that he or she has been damaged").

15. Having determined that Ms. Cohen is prohibited under NRPC 5.4(a) from enforcing the Expectancy Interest in the Dissolution Agreement on any Pending Cases, the Court cannot, in good conscience, permit Ms. Cohen to use her remaining fraud and fiduciary duty claims, among others, to circumvent NRPC 5.4(a) by essentially enforcing a contract obligation NRPC 5.4(a) renders illegal and unenforceable.

16. If Ms. Cohen is successful on her claim of fraudulent inducement, she would be able to address all of the claims that she has pled in her complaint at trial.

17. There remains a genuine issue of material fact as to whether a special relationship existed between Mr. Padma and Ms. Cohen following the dissolution of C&P.

18. However, given Ms. Cohen's knowing and intentional decision to be suspended from the practice of law as evidenced by Exhibit 34 to Defendants' motion, the Court cannot as a matter of law allow this case to proceed to trial. Thus, summary judgment is granted on that narrow basis.

19. If any Conclusion of Law is properly a Finding of Undisputed Fact, it shall be treated as if appropriately identified and designated.

III.

ORDER AND JUDGMENT

Having entered the foregoing Findings of Undisputed Fact and Conclusions of Law, and good cause appearing,

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendants' Motion is
2 GRANTED.

3 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the granting of
4 Defendants' Motion disposes of all claims asserted by Ms. Cohen against Defendants in this
5 action and, therefore, JUDGMENT is hereby entered against Ms. Cohen and in favor of
6 Defendants.

7 DATED this 18 day of February 2020

8 
9 DISTRICT COURT JUDGE
10 

11 Respectfully submitted by:

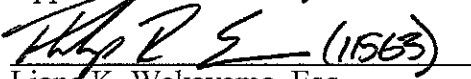
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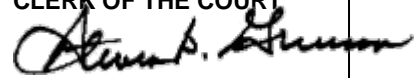
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3993 Howard Hughes Parkway Ste 600
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*Attorneys for Defendants PAUL S. PADDA
and PAUL PADDA LAW, PLLC*

DISTRICT COURT

CLARK COUNTY, NEVADA

RUTH L. COHEN, an Individual,

Plaintiff,

v.

PAUL S. PADDA, an individual; PAUL
PADDA LAW, PLLC, a Nevada professional
limited liability company; DOE individuals I-
X; and ROE entities I-X,

Defendants.

Case No. A-19-792599-B
Dept. No. XI

**ORDER DENYING PLAINTIFF'S
MOTION FOR RECONSIDERATION**

1 This matter came before the Court and was decided without the necessity of oral argument
2 pursuant to Administrative Order 20-01 on March 25, 2020.¹

3 On December 18, 2019, Defendants Paul S. Padda, Esq. (“Mr. Padda”) and Paul Padda
4 Law, PLLC (“Padda Law”) (collectively, “Defendants”) filed a motion for summary judgment
5 arguing, in relevant part, that, because Plaintiff Ruth L. Cohen (“Ms. Cohen”) was suspended from
6 the practice of law on April 6, 2017, and remained suspended through the filing of that motion,
7 Ms. Cohen was prohibited from receiving any legal fees earned on any cases resolved on or after
8 April 6, 2017, by NRPC 5.4(a) such that the contractual obligation under which Ms. Cohen sought
9 to recover legal fees through this action was illegal and unenforceable as a matter of law.

10 On December 23, 2019, Ms. Cohen filed a motion to extend the time to file her opposition
11 to Defendants’ motion for summary judgment. The Court granted Ms. Cohen’s motion to extend
12 time and established the deadline for Ms. Cohen to file her opposition to January 10, 2020.

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14 judgment. Regarding Defendants’ arguments concerning Ms. Cohen’s suspension from the
15 practice of law, Ms. Cohen cited one case, *Shimrak v. Garcia-Mendoza*, 112 Nev. 246, 912 P.2d
16 822 (1996).

17 On January 24, 2020, Defendants filed their reply in support of their motion for summary
18 judgment.

19 A hearing was held on Defendants’ motion for summary judgment on January 27, 2020.
20 At that hearing, in regard to Defendants’ arguments about Ms. Cohen’s suspension from the
21 practice of law, Ms. Cohen’s counsel only presented the same arguments Ms. Cohen had made in
22 her opposition, relying exclusively upon the *Shimrak decision* and without referring to other legal
23 authorities or distinguishing the authorities cited by Defendants.

24 On February 18, 2020, the Court granted Defendants’ motion for summary judgment.

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26 granting Defendants’ motion for summary judgment (the “Motion”). There, Ms. Cohen argued

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28 ¹See EDCR 2.23(c) (“The judge may consider the motion on its merits at anytime with or without oral argument, and
grant or deny it.”).

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2 authorities from other jurisdictions, which Ms. Cohen failed to present in her opposition to
3 Defendants' motion for summary judgment or at the original hearing on the same motion.

4 On March 6, 2020, Defendants filed an opposition to Ms. Cohen's Motion (the
5 "Opposition").

6 Ms. Cohen filed a reply in support of her Motion on March 16, 2020.

7 After considering the papers and the pleadings on file, and good cause appearing, the Court
8 hereby orders as follows:

9 IT IS ORDERED THAT the Motion is DENIED.

10 EDCR Rule 2.24 provides, in pertinent part, that a party may seek "reconsideration of a
11 ruling of the court." However, the Nevada Supreme Court has determined that "[o]nly in very rare
12 instances in which new issues of fact or law are raised supporting a ruling contrary to the ruling
13 already reached should a motion for rehearing be granted." *Moore v. City of Las Vegas*, 92 Nev.
14 402, 405, 551 P.2d 244, 246 (1976). A district court may consider a motion for reconsideration
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19 *Henderson Taxi*, 425 P.3d 714 (Table), 2017 WL 10242277, at *1 (Nev. Sup. Ct. Dec. 1, 2017).

20 A court's decision is "clearly erroneous" where it would result in manifest injustice if it is
21 enforced or would amount to a fundamental miscarriage of justice. *See Hsu v. Cty. of Clark*, 123
22 Nev. 625, 630–31, 173 P.3d 724, 728–29 (2007). A party's failure to cite or present certain
23 nonbinding authorities from other jurisdictions to this Court in the original hearing on a motion
24 does not render this Court's decision on that motion "clearly erroneous." Thus, this Court's order
25 granting Defendants' motion for summary judgment is not "clearly erroneous" and subject to
26 reconsideration due to Ms. Cohen's failure to cite or present the nonbinding authorities she has
27 identified in her Motion.

28 Further, the authorities Ms. Cohen cites in her Motion do not apply here.

1 In her Motion, Ms. Cohen firsts asks the Court to consider, accept, and apply legal
2 authorities that stand for the general principle that an attorney who becomes disbarred or
3 suspended prior to the resolution of a client's pending matter has voluntarily abandoned that matter
4 such that the attorney may not recover any legal fees of any kind, including the *quantum meruit*
5 value of the services already rendered by the attorney, earned on the matter. *See, e.g., Royden v.*
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7 than the authorities this Court relied upon in granting Defendants' motion for summary judgment
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9 of services rendered on pending matters following their suspension or disbarment. *See Lessoff v.*
10 *Berger*, 2 A.D.3d 127, 767 N.Y.S.2d 605, (Mem)–606 (2003) (permitting recovery of *quantum*
11 *meruit* value of services rendered on pending matters for disbarred or suspended attorneys). In
12 fact, the line of cases Ms. Cohen relies on in her Motion simply represents the more exacting of
13 two approaches developed across the country to address a disbarred or suspended attorney's ability
14 to recover legal fees after his or her disbarment or suspension. *See, e.g., Pollock v. Wetterau Food*
15 *Distrib. Group*, 11 S.W.3d 754, 772–73 (Mo. Ct. App. 1999) ("There are two schools of thought
16 on the issue of a disbarred attorney's entitlement to recover fees for work performed prior to his
17 disbarment."); *Kourouvacilis v. Am. Fed'n of State, Cty. & Mun. Employees*, 841 N.E.2d 1273,
18 1279 (Mass. App. Ct. 2006) ("Two principal lines of authority have emerged in other jurisdictions
19 concerning an attorney's right to compensation after he has been suspended or disbarred before
20 completion of his services for the client.").

21 Ms. Cohen then requests the Court to consider, accept, and apply a narrow exception to
22 this general principle, which provides that, where an attorney has completed all the services he or
23 she was required to complete on a client's matter before his or her suspension or disbarment, the
24 attorney may recover his or her agreed upon share of the legal fees earned on the matter so long as
25 the attorney's right to such compensation was memorialized in a valid contract executed prior to
26 the attorney's suspension or disbarment. *See Lee v. Cherry*, 812 S.W.2d 361, 363 (Tex. App.
27 1991). The only applicable legal services contracts recognized by these courts (following the more
28 punitive approach which this Court declined to follow) are referral or origination fee agreements.

1 *See, e.g., Lee*, 812 S.W.2d at 361–62; *A.W. Wright & Assocs., P.C. v. Glover, Anderson, Chandler*
2 *& Uzick, LLP*, 993 S.W.2d 466, 467–68 (Tex. App. 1999); *Comm’n on Prof’l Ethics*, State Bar of
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4 share the contingent fee”); *West v. Jayne*, 484 N.W.2d 186, 188 (Iowa 1992); *Simpson v. Rogers*,
5 406 S.W.2d 26, 27 (Mo. 1966). Because Ms. Cohen’s claim to a share of legal fees earned after
6 her suspension in this case is not predicated upon a referral fee or origination fee agreement, the
7 exception to the general “voluntary abandonment” rule recognized by these other jurisdictions
8 does not apply here.

9 ///

10 ///

11 ///

Accordingly, for all these reasons, the Court denies Ms. Cohen's Motion for Reconsideration.

DATED this 31st day of March, 2020


DISTRICT COURT JUDGE

Prepared and submitted by:

/s/ Ryan A. Semerad
J. Stephen Peek, Esq.
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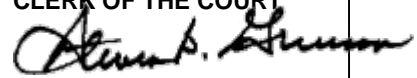
Counsel for Defendants

Approved as to form and content by:

/s/ Philip R. Erwin
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DISTRICT COURT

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Defendants.

Case No. A-19-792599-B
Dept. No. XI

**NOTICE OF ENTRY OF ORDER
DENYING PLAINTIFF'S MOTION FOR
RECONSIDERATION**

PLEASE TAKE NOTICE that an Order Denying Plaintiff's Motion for Reconsideration
was entered the 31st day of March 2020.

1 A copy of said order is attached hereto.

2 DATED this 31st day of March, 2020

3 HOLLAND & HART LLP

4
5 /s/ Ryan A. Semerad

6 J. Stephen Peek, Esq.
7 Ryan A. Semerad, Esq.
8 9555 Hillwood Dr., 2nd Floor
9 Las Vegas, NV 89134

10 Tamara Beatty Peterson, Esq.
11 Nikki L. Baker, Esq.
12 701 S. 7th Street
13 Las Vegas, NV 89101

14 *Attorneys for Defendants PAUL S. PADDA and*
15 *PAUL PADDA LAW, PLLC*
16
17
18
19
20
21
22
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25
26
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28

CERTIFICATE OF SERVICE

I hereby certify that on the 31st day of March, 2020, a true and correct copy of the foregoing
**NOTICE OF ENTRY OF ORDER DENYING PLAINTIFF'S MOTION FOR
RECONSIDERATION** was served by the following method(s):

☒ Electronic: by submitting electronically for filing and/or service with the Eighth Judicial District Court's e-filing system and served on counsel electronically in accordance with the E-service list to the following email addresses:

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Jared M. Moser, Esq.
10001 Park Run Drive
Las Vegas, NV 89145
lwakayama@maclaw.com
jmoser@maclaw.com

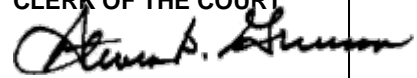
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Samuel R. Mirkovich, Esq.
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Las Vegas, NV 89101
srm@cwlawlv.com

Attorneys for Plaintiff Ruth L. Cohen

Attorneys for Plaintiff Ruth L. Cohen

/s/ C. Bowman
An Employee of Holland & Hart LLP

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11 ruling of the court." However, the Nevada Supreme Court has determined that "[o]nly in very rare
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7 exception to the general “voluntary abandonment” rule recognized by these other jurisdictions
8 does not apply here.

9 ///

10 ///

11 ///

Accordingly, for all these reasons, the Court denies Ms. Cohen's Motion for Reconsideration.

DATED this 31st day of March, 2020


DISTRICT COURT JUDGE

Prepared and submitted by:

/s/ Ryan A. Semerad
J. Stephen Peek, Esq.
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Counsel for Defendants

Approved as to form and content by:

/s/ Philip R. Erwin
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Counsel for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

April 12, 2019

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

April 12, 2019 3:00 AM Minute Order

HEARD BY: Alf, Nancy **COURTROOM:** No Location

COURT CLERK: Nicole McDevitt

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- As Court is acquainted with two of the parties,), in accordance with Rule 2.11(a), and to avoid the appearance of impropriety and implied bias, this Court hereby disqualifies itself and ORDERS, this case be REASSIGNED at random.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

May 06, 2019

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

May 06, 2019 9:00 AM **Motion for Preferential
Trial Setting**

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 03E

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Cohen, Ruth L.	Plaintiff
	Moser, Jared M.	Attorney
	Peek, Joseph S.	Attorney
	Reisman, Joshua H.	Attorney
	Wakayama, Liane K.	Attorney

JOURNAL ENTRIES

- Court noted Plaintiff seeks a preferential trial setting due to Ms. Cohen's age; however, it usually only grants one firm trial setting. Ms. Wakayama advised Plaintiff would request the end of September or September 30th for the close of discovery and agree with the other dates proposed by opposing counsel except that Plaintiff would ask for October 18 to file motions for summary judgment. Mr. Peek noted they need adequate time to file motions for summary judgment and motions in limine. Upon Court's inquiry, Ms. Wakayama confirmed this will be a jury trial and anticipated trial taking 5 to 7 full judicial days. Colloquy regarding trials during the holiday season. Mr. Peek requested the end of January 2020. COURT ORDERED, matter SET for a firm jury trial on February 10, 2020. Parties to come up with a discovery schedule to be discussed at the Rule 16 conference to be held on June 3, 2019. Mr. Peek advised they have not yet answered. COURT NOTED discovery has not yet opened because the rule 16 conference has not yet occurred; however, parties may stipulate to start discovery when the answer is filed. Mr. Peek requested they wait until June 3rd.

Ms. Wakayama to prepare today's order.

6-3-19	9:00 AM	MANDATORY RULE 16 CONFERENCE
1-16-20	9:30 AM	PRE TRIAL CONFERENCE
2-4-20	9:30 AM	CALENDAR CALL
2-10-20	1:30 PM	JURY TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

June 03, 2019

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

**June 03, 2019 9:00 AM Mandatory Rule 16
Conference**

HEARD BY: Gonzalez, Elizabeth**COURTROOM:** RJC Courtroom 03E**COURT CLERK:** Dulce Romea**RECORDER:** Jill Hawkins**REPORTER:****PARTIES**

PRESENT:	Moser, Jared M.	Attorney
	Padda, Paul S.	Defendant
	Peek, Joseph S.	Attorney
	Reisman, Joshua H.	Attorney
	Semerad, Ryan A.	Attorney
	Wakayama, Liane K.	Attorney

JOURNAL ENTRIES

- Mr. Peek stated he does not think this is a complex matter with regards to discovery; there will certainly be issues as to whether or not documents are related to some of the cases over which the dispute exists; one of those documents cannot be produced because it belongs to the party as opposed to the law firm; he does not see discovery extending beyond September and would request the close of fact discovery in September, expert disclosures within 15 days thereafter, and complete close of discovery sometime around November 15. Ms. Wakayama stated they do not think this is a complex discovery matter either as it relates to factual issues; however, she does think there would be issues related to ESI, and parties would need to work out deposition dates as there is a large number of people who are out of state; she would ask close of discovery by December 2nd; they are fine with August expert deadlines; their rule 16.1 disclosures are ready to go and can be sent out by June 11; she would request dispositive motions be filed by January 10; it is also important to address now the privileged issues that belong to the party as mentioned by Mr. Peek; they tried to mediate this matter

prior to filing the complaint and got only part of the David Moradi litigation file; they did have a conversation with bar counsel, because defense counsel's firm was concerned whether they would be able to release some of these documents to them, mainly conversations between the defendant law firm and Mr. Moradi; her client was also part of the law firm and counsel of record; she has an email from bar counsel Glenn Machado dated March 20, 2019 that the disclosure is permissible under RPC 1.6(b)(5); there may be some pushback, so she does not think a September or November date will work, especially because a lot of the litigation file is coming from the California firm. Court inquired as to whether there would be any ESI searches. Ms. Wakayama stated she does and requested all devices be preserved; they have sent a preservation letter.

COURT ORDERED as follows:

Initial disclosures pursuant to rule 16.1 to be exchanged by both sides within 2 weeks;

Motions to amend pleadings or add parties TO BE FILED within 30 days;

Pursuant to agreement of counsel, given the expedited trial setting, the time for discovery responses is shortened from 30 to 20 days; notice requirement prior to issuing a subpoena shortened to 5 business days;

Initial expert disclosures where a party bears the burden of proof DUE by August 2, 2019;

Rebuttal expert disclosures where a party does not bear the burden of proof DUE by September 13, 2019;

Discovery cut-off SET for December 2, 2019;

Dispositive motions and motions in limine TO BE FILED by December 20, 2019;

Trial Setting Order will ISSUE.

COURT FURTHER ORDERED, matter SET for a status check on a draft ESI Protocol and Stipulated Protective Order.

Both sides further advised they do not have any concerns with the Rule on 10 depositions per side, not including custodians of records, the 7-hour limit per deposition, and no concerns with the locations. If the 7 hours is exceeded given the two Defendants, counsel can file a motion for protective order.

Parties declined the Court's offer of a settlement conference.

6-21-19 CHAMBERS STATUS CHECK: ESI PROTOCOL & STIPULATED PROTECTIVE

PRINT DATE: 04/13/2020 Page 5 of 83 Minutes Date: April 12, 2019

ORDER

1-16-20	9:30 AM	PRE TRIAL CONFERENCE
2-4-20	9:30 AM	CALENDAR CALL
2-10-20	1:30 PM	JURY TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

July 15, 2019

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

July 15, 2019 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 03E

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Moser, Jared M.	Attorney
	Peek, Joseph S.	Attorney
	Reisman, Joshua H.	Attorney
	Semerad, Ryan A.	Attorney
	Wakayama, Liane K.	Attorney

JOURNAL ENTRIES

- PAUL PADDA LAW, LLC'S MOTION FOR PROTECTIVE ORDER REGARDING PLAINTIFF'S SUBPOENA DUCES TECUM...

...JOINDER TO PAUL PADDA LAW, LLC'S MOTION FOR PROTECTIVE ORDER REGARDING PLAINTIFF'S SUBPOENA DUCES TECUM...

...PLAINTIFF'S MOTION FOR PROTECTIVE ORDER REGARDING PLAINTIFF'S DEPOSITION ON AN ORDER SHORTENING TIME

PAUL PADDA LAW, LLC'S MOTION FOR PROTECTIVE ORDER REGARDING PLAINTIFF'S SUBPOENA DUCES TECUM...JOINDER TO PAUL PADDA LAW, LLC'S MOTION FOR PROTECTIVE ORDER REGARDING PLAINTIFF'S SUBPOENA DUCES TECUM: Regarding privilege issue on the subpoena duces tecum, Mr. Peek noted his clients claim privilege and his hands are tied with respect to that; the Akin Gump law firm out of New York represents Mr. Morati, and he does not believe the other 2 clients, Garland and Cochran, are represented by counsel today, but the communications have come from the clients to Mr. Padda saying "I don't want you to release

anything covered by attorney-client privilege". Court inquired whether the appeal has been completed on the underlying case. Mr. Peek advised there was a resolution in the Morati case, and there are no appellate issues at all; Garland was settled in 2016, and there are no remaining appellate issues there as well; Cochran, he believes, has also been resolved. Court stated it wanted to discuss mechanism issues, because it does not know today the extent of Ms. Cohen's involvement in the litigation of the underlying 3 claims, which would probably influence the Court's decision on the mechanism as to how the information is reviewed, because if she was acting as counsel as alleged, then there will be different issues because she was within the privilege at the time. Mr. Peek stated an evidentiary hearing may be appropriate. Court stated one may be appropriate after Ms. Cohen's deposition. Court stated it will also require counsel to give notice to the real party in interest, who are the holders of the privilege. Ms. Wakayama advised Ms. Cohen was already deposed in a different matter in late 2016 - early 2017 as it relates to her involvement in the Morati case; she even testified she was counsel; if one pulls up the Cochran and Morati cases she is still listed as an attorney of record, retained. Ms. Wakayama offered to provide the Court with those case numbers. Court declined and stated it needs something from Ms. Cohen. Ms. Wakayama continued, Ms. Cohen was deposed and counsel have the transcript; what they fail to realize is that this was a partnership; the pockets of information that are discoverable here are that which relates to all the cases, which goes to Mr. Padda's knowledge of making the misrepresentations that he did to Ms. Cohen. Ms. Cohen argued the misrepresentations; the information is discoverable, and the privilege is not waived. Colloquy regarding Mainor Harris issue. COURT ORDERED, matter CONTINUED for one week. Ms. Wakayama to ask Attorney Phil Aurbach if he remembers what mechanism was used because the Court's recollection was that there was a special master who had eyes only, and Mr. Aurbach was counsel for one of the parties; this would only be as to privileged communications. Court further noted Brisbois should have nothing privileged in their files because they are an adverse party. Statement by Mr. Peek regarding Mainor Harris issue. Court stated that to the extent there are communications with adverse parties those would not be protected by a claim of attorney-client privilege.

PLAINTIFF'S MOTION FOR PROTECTIVE ORDER REGARDING PLAINTIFF'S DEPOSITION ON AN ORDER SHORTENING: Following arguments by Ms. Wakayama, COURT ORDERED, motion GRANTED; 2 sessions at 3.5 hours each. Ms. Wakayama advised they are aware of Coyote vs. Brightsource regarding breaks and a stipulation has already been circulated. COURT ORDERED, the break between the 2 sessions is DEEMED a requested recess by the Plaintiff.

7-22-19 9:00 AM PAUL PADDA LAW, LLC'S MOTION FOR PROTECTIVE ORDER REGARDING PLAINTIFF'S SUBPOENA DUCES TECUM...JOINDER TO PAUL PADDA LAW, LLC'S MOTION FOR PROTECTIVE ORDER REGARDING PLAINTIFF'S SUBPOENA DUCES TECUM

12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS

1-16-20 9:30 AM PRE TRIAL CONFERENCE

2-4-20	9:30 AM	CALENDAR CALL
2-10-20	1:30 PM	JURY TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

July 22, 2019

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

July 22, 2019 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 03E

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Moser, Jared M. Attorney
Peek, Joseph S. Attorney
Wakayama, Liane K. Attorney

JOURNAL ENTRIES

- PAUL PADDA LAW, LLC'S MOTION FOR PROTECTIVE ORDER REGARDING PLAINTIFF'S SUBPOENAS DUCES TECUM...JOINDER TO PAUL PADDA LAW, LLC'S MOTION FOR PROTECTIVE ORDER REGARDING PLAINTIFF'S SUBPOENAS DUCES TECUM

Attorney Glenn Machado present on behalf of Defendant Paul Padda Law PLLC.

Court noted it pulled things that caused it to have a recollection and it was George Schwartz who was appointed as a receiver. Ms. Wakayama noted the Plaintiff filed a supplement and also reached out to Schwartz and Aviva Gordon; this is one of those cases where they really try to keep things out of the public record. Following arguments by Mr. Peek and Ms. Wakayama, COURT ORDERED, Ms. Cohen herself is within the privilege and may review information that would otherwise be privileged related to the cases on which she was counsel of record and part of the firm, which includes these 3 cases; however, this does not extend to her counsel, even given the stipulated protective order. There are two ways parties can proceed; one, to the extent there are responses to any subpoenas being served, Ms. Cohen can personally review that information alone and then determine if further motion practice is needed related to any specific item within that, but the Court is not going to extend that to

her counsel; an alternative, which would serve everyone better, is a special master assisting with the review, rather than Ms. Cohen doing the review; the special master can provide a report to the Court that would not be a waiver, because it is a court-ordered to the Court and would provide any additional information related to the valuation included in the communications and memos among the various firms.

Mr. Peek stated it would be their preference to have a special master, but he wants the Plaintiff to bear that burden. Court stated it wants a specific order to Ms. Cohen making it clear she may not share the information. Ms. Wakayama argued in opposition to the request of one party bearing the cost as ridiculous and that it should be split equally among all parties. Mr. Peek further requested someone from JAMS, to which Ms. Wakayama suggested they each provide 3 names. Court stated it will work with the parties on a draft order to be submitted by Thursday (July 25, 2019) on the scope of the special master's duties; the cost will be SPLIT EQUALLY amongst all parties (1/3, 1/3, 1/3); each side to also PROPOSE 3 names for a special master, TO BE PROVIDED to the Court by Thursday, July 25th at 3 pm.

With regards to Ms. Cohen's suspension, Ms. Wakayama noted it was a CLE suspension.

COURT DIRECTED Mr. Peek to prepare the order for today's hearing and Ms. Wakayama to prepare the order related to the scope of the special master.

12-9-19	9:00 AM	STATUS CHECK: TRIAL READINESS
1-16-20	9:30 AM	PRE TRIAL CONFERENCE
2-4-20	9:30 AM	CALENDAR CALL
2-10-20	1:30 PM	JURY TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

August 26, 2019

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

**August 26, 2019 9:00 AM Motion for Protective
Order**

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 03E

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Moser, Jared M. Attorney
Peek, Joseph S. Attorney
Wakayama, Liane K. Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, Ms. Wakayama advised it will be expensive for her client to travel to Hawaii to take the deposition. Following arguments by Ms. Wakayama and Mr. Peek, COURT ORDERED, motion DENIED; improper inquiry at the deposition may be the subject of a motion in limine prior to trial.

Counsel advised September 9th is the date of Mr. Vannah's deposition and requested the motion to strike scheduled on that date be moved to the 16th. COURT SO ORDERED.

In addition, Ms. Wakayama requested the deadline for the rebuttal expert report be moved from the 20th to the 27th. No objection by Mr. Peek. COURT GRANTED the request.

9-16-19 9:00 AM PLAINTIFF'S MOTION TO STRIKE DEFENDANTS' EXPERT
DISCLOSURE AND REPORT ON AN ORDER SHORTENING TIME

12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS

1-16-20	9:30 AM	PRE TRIAL CONFERENCE
2-4-20	9:30 AM	CALENDAR CALL
2-10-20	1:30 PM	JURY TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

September 11, 2019

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

September 11, 2019 9:59 AM Minute Order

HEARD BY: Gonzalez, Elizabeth

COURTROOM: Chambers

COURT CLERK: Dulce Romea

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- The Court has reviewed the special master report and supplement. If either party desires further motion practice on any of the privilege documents identified on the privilege log by the special master they may submit a motion on an OST.

9-16-19 9:00 AM PLAINTIFF'S MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANTS' SUBPOENA TO DANIEL KIM, CPA, P.C....

...PLAINTIFF'S MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANTS' SUBPOENA TO NP TEXAS, LLC...

...PLAINTIFF'S MOTION TO STRIKE DEFENDANTS' EXPERT DISCLOSURE AND REPORT ON A ORDER SHORTENING TIME

12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS

1-16-20 9:30 AM PRE TRIAL CONFERENCE

2-4-20 9:30 AM CALENDAR CALL

2-10-20 1:30 PM JURY TRIAL - FIRM

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 9-11-19

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

September 16, 2019

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

September 16, 2019 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 03E

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Iglody, Lee	Special Master
	Moser, Jared M.	Attorney
	Peek, Joseph S.	Attorney
	Wakayama, Liane K.	Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Attorney Gregorio Silva, Bar No. 13583, of the law firm of Panish, Shea & Boyle.

Per request and agreement, Motion on Order Shortening Time (OST) submitted by Mr. Iglody SET For Monday, September 23, at 9 am. OST signed in open court and returned to Mr. Iglody for filing.

Mr. Silva advised that after receiving a subpoena for records he filed a Rule 35 objection; thereafter the Court issued an order appointing special master, and they have produced documents to the special master; however, Mr. Morati is still requesting nothing be made public. COURT DIRECTED counsel to file a motion and it can be set on OST.

Mr. Silva excused from the remainder of today's proceeding.

PLAINTIFF'S MOTION TO STRIKE DEFENDANTS' EXPERT DISCLOSURE AND REPORT ON AN ORDER SHORTENING TIME: Following arguments by Ms. Wakayama and Mr. Peek, COURT

ORDERED, motion to strike DENIED. Ms. Wakayama requested a 3-week extension of the September 27th due date as they do not see anything in the report that they can rebut. Court noted Mr. Vannah has indicated it being flexible. Ms. Wakayama renewed her request for an extension to October 18. COURT DENIED the request as the parties will not be able to meet their current trial date; if continued, they would have a trial until after June.

Ms. Wakayama excused herself from the remainder of the motions to attend a settlement conference in another case.

PLAINTIFF'S MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANTS' SUBPOENA TO NP TEXAS, LLC...PLAINTIFF'S MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANTS' SUBPOENA TO DANIEL KIM, CPA, P.C.: Following arguments by Mr. Moser and Mr. Peek, COURT ORDERED, both motions DENIED. However, to the extent the information from either of the subpoenaed entities is confidential that may be designated as confidential; if counsel believes any of the information from Mr. Kim that will be responsive to the subpoena is privileged, counsel may provide a privilege log or redact; if there is a dispute over the claim of privilege or the redaction, either the Court will resolve it, or if it is a sufficient volume send it to the Special Master. With regards to the Kim information, it will be 2016 forward; with regards to the Stations information, it will be 2015 forward.

12-9-19	9:00 AM	STATUS CHECK: TRIAL READINESS
1-16-20	9:30 AM	PRE TRIAL CONFERENCE
2-4-20	9:30 AM	CALENDAR CALL
2-10-20	1:30 PM	JURY TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

September 23, 2019

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

September 23, 2019 9:00 AM Motion for Clarification

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 03E

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Iglody, Lee	Special Master
	Moser, Jared M.	Attorney
	Semerad, Ryan A.	Attorney
	Wakayama, Liane K.	Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Attorney Gregorio Silva, Bar No. 13583, of the law firm of Panish, Shea & Boyle.

Court noted there appears to be a disagreement on whether or not the Special Master is done. Argument by Ms. Wakayama. Mr. Silva advised he filed an objection this morning, and he has a copy for the Court as well as an OST. COURT ORDERED, Panish Shea & Boyle, LLP's Objection to Special Master's Report and Recommendation on Order Shortening Time SET for argument on Wednesday, September 25th at 9 am; OST signed in open court and returned to Mr. Silva for filing. Mr. Silva to provide copies of his objection to all parties. COURT FURTHER ORDERED, Special Master's Motion for Clarification CONTINUED to September 25th.

9-25-19 9:00 AM SPECIAL MASTER MOTION FOR CLARIFICATION AND FOR
INSTRUCTION ON OST...PANISH SHEA & BOYLE, LLP'S OBJECTION TO SPECIAL MASTER'S
REPORT AND RECOMMENDATION ON ORDER SHORTENING TIME

12-9-19	9:00 AM	STATUS CHECK: TRIAL READINESS
1-16-20	9:30 AM	PRE TRIAL CONFERENCE
2-4-20	9:30 AM	CALENDAR CALL
2-10-20	1:30 PM	JURY TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

September 25, 2019

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

September 25, 2019 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 03E

COURT CLERK: Natalie Ortega

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Iglody, Lee Special Master
Moser, Jared M. Attorney
Semerad, Ryan A. Attorney

JOURNAL ENTRIES

- PANISH SHEA & BOYLE, LLP'S OBJECTION TO SPECIAL MASTER'S REPORT AND RECOMMENDATION ON ORDER SHORTENING TIME PANISH SHEA & BOYLE LLP'S OBJECTION TO SPECIAL MASTER REPORT AND RECOMMENDATION ON OST SPECIAL MASTER MOTION FOR CLARIFICATION AND FOR INSTRUCTION ON OST

Gregory Silva, Esq., also present. Colloquy regarding the protective order. Mr. Silva stated he had never seen the protective order stating they were not parties to this case. Further, they never received a motion to compel, never had an opportunity to brief the issues, provide a reason as to why their documents should not be produced, or the reason personal information should not be revealed. Upon Court's inquiry, Mr. Silva advised they would like to address and brief the entirety of Ms. Cohen's assertion that she needs some information from Panish Shea & Boyle to litigate her law suit. Court noted the information currently being sought was a valuation issue. Further, the Court noted Mr. Silva's concerns as to protected information, trade secrets, his firm's commercially sensitive practices. Those issues could be tailored and identified. The Court would allow him an opportunity to provide an additional brief to identify the issues and have a discussion. Court provided Mr. Silva the filed protective orders. COURT ORDERED, Status Check / Hearing SET regarding Panish Shea & Boyle's

additional brief. COURT FURTHER ORDERED, matters CONTINUED.

ALL MATTER CONTINUED TO: 10/09/19 9:00 AM

10/09/19 9:00 AM STATUS CHECK/HEARING: ADDITIONAL BRIEF (PANISH SHEA & BOYLE)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

October 08, 2019

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

October 08, 2019 10:40 AM Telephonic Conference

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 03E

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Padda, Paul S. Defendant
 Peek, Joseph S. Attorney
 Wakayama, Liane K. Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Witness Patricia Davidson, Attorney Tamara Peterson for Ms. Davidson, Ms. Wakayama's paralegal, the Videographer, and Court Reporter.

Ms. Wakayama advised she noticed the deposition at 9:30 am; she asked the witness for a current physical address, to which Ms. Peterson objected, stating that they did not want to have that on any type of public record; they subsequently agreed Ms. Peterson would email her Ms. Davidson's home address, but even getting to that agreement took about 15 minutes; secondly, she asked the witness for her date of birth, to which Ms. Peterson objected stating there was no need to know that information; however, relevancy is not a proper objection in relation to the scope of discovery; the latest objection relates to Tammy Boraski, who was the bookkeeper of Padda Law until the end of 2015, which Ms. Davidson testified to; Ms. Davidson also testified that Ms. Boraski worked for her company, so when they asked why Ms. Boraski was no longer working for Profit Boosters LLC, Ms. Davidson's company, there was an objection from counsel, stating there were either privilege issues or that it is against the law to testify related to employment matters; they are asking the Court to issue an order or instruct counsel for the witness to refrain from speaking objections, to refrain from instructing the witness to not answer questions that are not privileged or not under protective order,

and that there is no reason to obstruct the examination of the witness when it comes to relevancy objections.

Ms. Peterson clarified that her client is a third party witness, the owner of the LLC that contracted with Padda and Cohen and later the Paul Padda law firm; her client has businesses that interact with other law firms in town; with regards to the first question, they have resolved that; however, she believes Ms. Wakayama is harrassing her client with regards to the date of birth, because frankly, it is simply a personal thing; she has accepted service on behalf of her client and has agreed to produce the address; with regards to the last issue, they have not even fully conferred on that; there was a question to the effect of, "Why did Tami Boraski leave Profit Boosters? Did it have something to do with Paul Padda's firm or something else?" She objected and said there may be other privileged issues; apparently Ms. Wakayama got the Court on the phone before she could tell Ms. Wakayama she would not be raising any privilege objections if Ms. Wakayama asks if it had anything to do with Paul Padda's law firm; she can certainly allow her client to answer that; however, if Ms. Wakayama asks questions about why this woman left Profit Boosters and the reasons behind it, she does not think that is appropriate, as it is not an issue in this litigation and may reveal confidential, HR information.

Mr. Peek joined in Ms. Peterson's objections regarding Profit Boosters revealing information.

Following further argument by Ms. Wakayama, COURT noted it is disappointed that counsel have called the Court. COURT ORDERED, personally identifying information is not something that necessarily needs to be in a deposition transcript in this day and age given issues related to identity theft; if Ms. Peterson as counsel for witness and company believes there is something that may subject her client to issues related to employment separations, she is perfectly able to direct the witness not to answer the questions on that basis; counsel can seek motion practice related to that.

10-9-19 9:00 AM STATUS CHECK/HEARING: ADDITIONAL BRIEF (PANISH SHEA & BOYLE)...

...SPECIAL MASTER MOTION FOR CLARIFICATION AND FOR INSTRUCTION ON OST...

...PANISH SHEA & BOYLE, LLP'S OBJECTION TO SPECIAL MASTER'S REPORT AND RECOMMENDATION ON ORDER SHORTENING TIME...

...PANISH SHEA & BOYLE LLP'S OBJECTION TO SPECIAL MASTER REPORT AND RECOMMENDATION ON OST

12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS

1-16-20 9:30 AM PRE TRIAL CONFERENCE

2-4-20 9:30 AM CALENDAR CALL

2-10-20 1:30 PM JURY TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

October 08, 2019

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

October 08, 2019 1:15 PM Minute Order

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** Chambers

COURT CLERK: Dulce Romea

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT ORDERED, the following matters that are on calendar for Wednesday, October 9, 2019 are VACATED per Stipulation and Order:

- Status Check/Hearing: Additional Brief (Panish Shea & Boyle)
- Panish Shea & Boyle, LLP's Objection to Special Master's Report and Recommendation on Order Shortening Time
- Panish Shea & Boyle LLP's Objection to Special Master Report and Recommendation on OST
- Special Master Motion for Clarification and for Instruction on OST

12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS

1-16-20 9:30 AM PRE TRIAL CONFERENCE

2-4-20 9:30 AM CALENDAR CALL

2-10-20 1:30 PM JURY TRIAL - FIRM

CLERK'S NOTE: Parties notified by distributing a copy of this minute order via electronic mail. / dr

10-8-19

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

October 15, 2019

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

October 15, 2019 1:15 PM Telephonic Conference objection over ruled;
witness directed to
answer.

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 03E

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Cohen, Ruth L.	Plaintiff
	Moser, Jared M.	Attorney
	Padda, Paul S.	Defendant
	Semerad, Ryan A.	Attorney
	Wakayama, Liane K.	Attorney

JOURNAL ENTRIES

- Ms. Wakayama advised they are at the deposition of Robert Johnson, who is a Plaintiff in a case against Whirlpool that Ms. Cohen worked on in 2015 and that Mr. Padda took over when Ms. Cohen left the firm in 2017. Ms. Wakayama added that she pulled documents from the public docket on the case before Judge Mahan, the first one being the Plaintiff's motion to withdraw, Ruth Cohen, as counsel of record on July 17, 2019 and the second one being a notice of settlement and stipulation and order to continue trial; during her questioning of Mr. Johnson she wanted to know how long the negotiations went on as well as whether the settlement had been finalized; Mr. Johnson testified that the settlement is confidential, but she did not really want to know what the material terms were; Mr. Padda, who is a Defendant in this case, is also appearing at this deposition as Mr. Johnson's counsel, and there may be an issue, as it relates to a conflict, with Mr. Padda instructing the witness not to answer while being a Defendant in this case.

Mr. Semerad advised there is a confidentiality clause that governs the settlement and there is a risk to Mr. Johnson personally if he discusses any of the facts related to the settlement; Mr. Padda is only here to protect his client. Court inquired whether counsel had the settlement agreement so the Court can review the confidentiality provisions; otherwise, the witness needs to answer the question, and Mr. Padda can say that a judge ordered him to do so. Mr. Semerad stated he did not have the settlement agreement. COURT ORDERED, objection OVER RULED; the witness is DIRECTED to answer the question.

10-16-19 9:00 AM PLAINTIFF'S REQUEST FOR HEARING ON ORDER SHORTENING
TIME ON SPECIAL MASTER'S MOTION FOR CLARIFICATION AND FOR INSTRUCTION ON
OST AND RELATED BRIEFING

12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS

1-16-20 9:30 AM PRE TRIAL CONFERENCE

2-4-20 9:30 AM CALENDAR CALL

2-10-20 1:30 PM JURY TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters**COURT MINUTES****October 16, 2019**

A-19-792599-B Ruth Cohen, Plaintiff(s)
 vs.
 Paul Padda, Defendant(s)

October 16, 2019 9:00 AM Motion for Clarification

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 03E

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Iglody, Lee	Special Master
	Moser, Jared M.	Attorney
	Ravipudi, Rahul	Attorney
	Semerad, Ryan A.	Attorney
	Silva, Gregorio, ESQ	Attorney

JOURNAL ENTRIES

- Mr. Moser advised there are a few outstanding issues from Mr. Iglody's motion, most of which have been resolved by stipulation; however, the outstanding issues related to whether or not the special master needs to include facts in his report, the disclosure of a sealed and confidential hearing transcript before Judge Cadish in the Moradi case, the disclosure of attorney work product; additionally, they are actually not seeking attorney client privileged communications. Court directed counsel to identify by Bates numbers the documents for which they are seeking factual information and additional production. At Mr. Moser's request, COURT RECESSED for counsel to go through the report.

Proceeding resumed. Mr. Ravipudi appeared by telephone. Mr. Moser detailed the areas of the special master's report and supplement which they were seeking. Mr. Semerad responded that on the attorney client privileged documents the Defendants do not think Mr. Iglody has any obligations to extract anything, but they would defer to the Court. Mr. Silva noted that with respect to the transcript, there is no basis for its relevance to Mr. Padda's knowledge before the trial happened, as it

was a post-trial discussion; Mr. Padda was not very involved in that negotiation, and if that were produced, it should be designated as confidential and Panish, Shea, and Boyle would want notice; with respect to the documents whose Bates numbers were identified, he would request a moment to pull the documents from his computer. RECESS.

Proceeding resumed. Mr. Silva and Mr. Ravipudi detailed their concerns as it related to the documents specifically identified by Bates numbers, as well as the transcript. Mr. Moser stated his only request is that things would be expedited because they issued subpoenas back in June and agreed to depose Mr. Padda and the 30(b)(6) at the end of the month.

COURT ORDERED, motion GRANTED IN PART. On page 2 of 15, to the extent that there are any documents from Panish, Shea, and Boyle that are produced, those will be produced under the confidential designation and the parties' stipulated protective order, and any party who challenges the designation must give notice to Panish, Shea, and Boyle, so they have an opportunity to appear and contest any attack on the confidentiality of the document. The following documents NEED TO BE PRODUCED, not redacted but to be marked confidential:

- 1304 through 1317
- 1819 through 1824
- 3023
- 4340 through 4342
- 4862 through 4869
- 4872 through 4883
- 5181; 5185; 5186

With respect to 3022 only, Mr. Iglody to extract the financial, dollar figures from that document and supplement the table with that information only, because that is factual information on an authorization of a settlement demand which is not covered by the attorney-client privilege.

With respect to Eglet Adams documents, they are not a subject of this discussion so the Court will skip all of those.

With respect to pages 6 through 15, it appears those have been resolved by stipulation.

With respect to the transcript of the hearing before Judge Cadish, it will be PRODUCED subject to being designated as confidential; it will be marked as confidential, and the parties will keep it confidential.

With respect to 5220 through 5223 only, those are ORDERED PRODUCED; the remaining documents are a demand letter from an unrelated California case and are not related to this discussion.

Mr. Iglody stated he can be done by this afternoon if he does not receive any objections.

COURT ORDERED, matter SET for status check on this Friday's chambers calendar. If there is a hiccup, counsel to notify the Law Clerk, and the Court will schedule a conference call with the parties early next week.

Upon Mr. Moser's inquiry, COURT NOTED it stopped at 5186, so the remaining documents on 3 and 4 will not be produced. Mr. Silva requested they get a copy of what Mr. Iglody produces. COURT GRANTED the request.

10-18-19	CHAMBERS	STATUS CHECK
12-9-19	9:00 AM	STATUS CHECK: TRIAL READINESS
1-16-20	9:30 AM	PRE TRIAL CONFERENCE
2-4-20	9:30 AM	CALENDAR CALL
2-10-20	1:30 PM	JURY TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

October 18, 2019

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

October 18, 2019 3:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth

COURTROOM: Chambers

COURT CLERK: Dulce Romea

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Court has received no additional communications objecting to special master disbursement of information as discussed at October 16, 2019 hearing.

12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS

1-16-20 9:30 AM PRE TRIAL CONFERENCE

2-4-20 9:30 AM CALENDAR CALL

2-10-20 1:30 PM JURY TRIAL - FIRM

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 10-21-19

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

November 06, 2019

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

November 06, 2019 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 03E

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Campbell, Donald J.	Attorney
	Mirkovich, Samuel R., ESQ	Attorney
	Moser, Jared M.	Attorney
	Peek, Joseph S.	Attorney
	Semerad, Ryan A.	Attorney
	Wakayama, Liane K.	Attorney

JOURNAL ENTRIES

- DEFENDANTS' MOTION TO DISQUALIFY PLAINTIFF'S COUNSEL, THE LAW FIRM OF CAMPBELL & WILLIAMS ON AN ORDER SHORTENING TIME...PLAINTIFF'S MOTION TO COMPEL DEFENDANTS' PRODUCTION OF DOCUMENTS ON ORDER SHORTENING TIME

Following arguments by counsel, COURT ORDERED as follows:

DEFENDANTS' MOTION TO DISQUALIFY PLAINTIFF'S COUNSEL, THE LAW FIRM OF CAMPBELL & WILLIAMS ON AN ORDER SHORTENING TIME: The cellphone records from the opposition are credible evidence that the declaration of Mr. Padda at paragraph 24 is not an accurate recitation of the communications related to the Moradi case with Mr. Campbell. For that reason, the motion to disqualify is DENIED.

PLAINTIFF'S MOTION TO COMPEL DEFENDANTS' PRODUCTION OF DOCUMENTS ON

ORDER SHORTENING TIME: With respect to the request for personal tax returns through 2017 for Mr. Padda, that request is GRANTED; information that does not show business income from the law firm MAY BE REDACTED; with respect to the partner draw ledgers for Mr. Padda, those will BE PRODUCED through 2017; tax returns for the business through 2017 will BE PRODUCED; a certification needs TO BE PROVIDED related to the amount of effort put into the emails, that they have been searched and counsel cannot find anything else; the Court is satisfied with the method but just needs a separate certification, so this is done; there is a reference to an inadvertent omission related to a retainer agreement; with the exception of the retainer agreement for Ms. Hall, that is covered by the declaration by Mr. Padda; the phrase "balance sheet general ledger" may have been used in parlance by the witness to mean "balance sheet" and "general ledger", as they are typically two different runs that can be run; the Court will require the balance sheet and general ledger account for the time periods of December 31, 2011 through December 31, 2017 as opposed to a continuous report; the general ledger for the time period January 1, 2011 through December 31, 2017 is to be PRODUCED, which will only be the print-out with the detail; the Court is not ordering the back-up for that. Plaintiff to provide information from questioned document examiner and/or forensic examiner; if not by November 22nd, then they will have to go to December 6th because of the Thanksgiving holiday; if December 6th, Mr. Peek will go to early January for his designation, and then it will be less than a month before trial; this is not an issue that will result in a dispositive motion and arguably motions in limine, so the Court is not so concerned about invading the time up to trial but wants to make sure everyone has an adequate opportunity to do what they need to do. \$500 in fees AWARDED.

12-9-19	9:00 AM	STATUS CHECK: TRIAL READINESS
1-16-20	9:30 AM	PRE TRIAL CONFERENCE
2-4-20	9:30 AM	CALENDAR CALL
2-10-20	1:30 PM	JURY TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

November 08, 2019

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

November 08, 2019 3:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth

COURTROOM: Chambers

COURT CLERK: Dulce Romea

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Court received email re: timing of disclosure of questioned document examiner. COURT ORDERED, matter OFF CALENDAR.

12-9-19 9:00 AM STATUS CHECK: TRIAL READINESS

1-16-20 9:30 AM PRE TRIAL CONFERENCE

2-4-20 9:30 AM CALENDAR CALL

2-10-20 1:30 PM JURY TRIAL - FIRM

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 11-13-19

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

November 18, 2019

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

November 18, 2019 9:00 AM Motion for Leave

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 03E

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Campbell, Donald J. Attorney
Moser, Jared M. Attorney
Peterson, Tamara Beatty Attorney

JOURNAL ENTRIES

- Arguments by Mr. Campbell and Ms. Peterson. COURT ORDERED, Mr. Kane's affidavit provided by Mr. Campbell in open court MARKED as Court's Exhibit 1. (See worksheet.) COURT ORDERED, Plaintiff may take each of the depositions asked for and they will be limited to 3 hours each; Defendant may ask questions, too, beyond the 3 hours, but Plaintiff's counsel gets 3 hours.

Mr. Campbell inquired as to how the Court wants to handle the issue about the computers as they are no longer available for them to inspect. Ms. Peterson responded that they understand the certification is due; she further advised there is a dispute that Mr. Peek has been trying to work out with Ms. Wakayama about experts that they originally retained; they had to engage a second expert, and they are trying to give the Court a supplemental status report on a forensic examination. Court stated it will await that report. Mr. Campbell advised he is not pressuring anyone for things to get done today, or tomorrow; he is simply raising this with the Court, because his guy is up in Oregon. Court noted that hopefully it will get a report on Friday, and that the Court is looking for two issues: questioned documents, and a forensic examination or a certification that the computer does not exist anymore.

12-9-19	9:00 AM	STATUS CHECK: TRIAL READINESS
1-16-20	9:30 AM	PRE TRIAL CONFERENCE
2-4-20	9:30 AM	CALENDAR CALL
2-10-20	1:30 PM	JURY TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

December 04, 2019

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

December 04, 2019 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 03E

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Moser, Jared M. Attorney
Semerad, Ryan A. Attorney

JOURNAL ENTRIES

- PLAINTIFF RUTH COHEN'S OBJECTIONS TO AND MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANTS' AMENDED NOTICE OF SUBPOENA TO WELLS FARGO [ADVANCED from December 30, 2019]...
...DEFENDANTS' MOTION FOR AN ORDER SHORTENING TIME FOR HEARING AND OPPOSITION TO PLAINTIFF RUTH L. COHEN'S OBJECTIONS TO AND MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANTS' AMENDED NOTICE OF SUBPOENA TO WELLS FARGO, N.A....
...MOTION TO SEAL EXHIBIT 6 TO DEFENDANTS' MOTION FOR AN ORDER SHORTENING TIME FOR HEARING AND OPPOSITION TO PLAINTIFF RUTH L. COHEN'S OBJECTIONS TO AND MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANTS' AMENDED NOTICE OF SUBPOENA TO WELLS FARGO, N.A. [ADVANCED from the January 3, 2020 chambers calendar]

COURT ORDERED, Plaintiff Ruth Cohen's objections to and motion for protective order ADVANCED from December 30, 2019 per the order shortening time, and the Motion to Seal Exhibit 6 ADVANCED from the January 3, 2020 chambers calendar since it relates to the motion on calendar today. Motion to Seal GRANTED as unopposed.

PLAINTIFF RUTH COHEN'S OBJECTIONS TO AND MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANTS' AMENDED NOTICE OF SUBPOENA TO WELLS FARGO [ADVANCED from December 30, 2019]...

...DEFENDANTS' MOTION FOR AN ORDER SHORTENING TIME FOR HEARING AND OPPOSITION TO PLAINTIFF RUTH L. COHEN'S OBJECTIONS TO AND MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANTS' AMENDED NOTICE OF SUBPOENA TO WELLS FARGO, N.A.: Following arguments by counsel, COURT ORDERED, OBJECTIONS OVER RULED; the subpoena if served must be served by Friday; if served after Friday, the Defendants will lose it.

Proposed order on the motion to compel that the parties have agreed to signed in open court and returned to Mr. Moser for filing.

12-9-19	9:00 AM	STATUS CHECK: TRIAL READINESS
1-16-20	9:30 AM	PRE TRIAL CONFERENCE
2-4-20	9:30 AM	CALENDAR CALL
2-10-20	1:30 PM	JURY TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters**COURT MINUTES****December 09, 2019**

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

December 09, 2019 9:00 AM Status Check: Trial status check set for
Readiness jury questionnaires.

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 03E

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Campbell, Donald J.	Attorney
	Peek, Joseph S.	Attorney
	Peterson, Tamara Beatty	Attorney
	Wakayama, Liane K.	Attorney

JOURNAL ENTRIES

- Mr. Peek advised he had 7 topics to discuss: (1) the deposition of the questioned documents examiner; (2) a request to extend the time to file motions in limine until after the 1st of the year; (3) Plaintiff's request for additional time to depose Paul Padda and the 30(b)(6) for Paul Padda Law; (4) the deposition of the forensic experts on Ruth Cohen's computers; (5) jury questionnaires; (6) a report on the Wells Fargo subpoena duces tecum, i.e., it was done on Thursday and the documents are to be delivered on or before December 18; (7) finally, he is anticipating seeking sanctions against Ms. Cohen for her failure to collect and produce what they now know exist on her computer and which she had testified to under oath was wiped out.

Ms. Wakayama advised Plaintiff produced their expert report on the 22nd. Ms. Peterson advised the Defendants have not produced theirs and that she believes it will be later this month as the Court had said 30 days after the 22nd.

COURT ORDERED, the depositions of the questioned documents examiners will be PERMITTED; the

Court will let the parties work out the schedule, but the Court will not require that they be taken in any particular timeframe.

Court noted Larry Smith (forensic computer expert). Ms. Wakayama advised the Plaintiffs plan on producing a rebuttal report and she believes it is due one week after the other side's report is produced. Ms. Peterson noted it is this week. Mr. Peek also noted there are two forensic experts. Ms. Wakayama advised they are not doing the same examiner; HOLO will do Ms. Cohen's and they are deciding on a rebuttal report for the Paul Padda Law computers. Colloquy regarding forensic computer experts.

Court further noted Mr. Peek's intention to file a motion for sanctions.

Mr. Campbell advised he will only take 40 minutes or so on each of the depositions of Paul Padda and the 30(b)(6) for Paul Padda Law. Ms. Peterson argued those depositions are done; Mr. Padda was deposed individually on November 7 and the 30(b)(6) deposition was taken on November 15; never was this discussed until Mr. Campbell brought it up with her after discovery closed. COURT DIRECTED Mr. Campbell to file a motion if newly discovered documents have been produced.

With regards to the motions in limine, COURT NOTED it does not want to do those on OST but the Court can work with the parties if they modify their briefing schedule. Mr. Campbell and Mr. Peek advised they are now generating those motions. Ms. Peterson added that the parties will visit with each other and that maybe a stipulation will work. COURT NOTED that as long as the Court has them 4 days in advance. Mr. Peek inquired whether the motions would be heard on the Court's Wednesday session. Court stated a special setting may be created for them.

With regards to a jury questionnaire, Mr. Campbell advised it is simply part of what he does as a trial lawyer; he has found it to be very effective, that it streamlines voir dire, and crystallizes issues that may have the jurors be subject to a peremptory challenge or for cause; they have not yet done a draft, but his is pretty straightforward and has been approved in the past. COURT ORDERED, any proposals need to be submitted by December 20, 2019. Matter SET for status check in chambers. If parties are unable to agree, for instance, on the synopsis/factual analysis, counsel to file a motion on OST, i.e. motion to adopt "my" version of the jury questionnaire, as the Court will probably need to have a final version to Jury Services by January 7.

Mr. Campbell advised he will be filing a motion on OST with respect to an issue that recently developed related to discovery; they have taken the deposition of Wayne Price, a lawyer who worked at Paul Padda Law; he was very much opposed to having his deposition taken; he finally got a hold of Mr. Price and told him straightforwardly that they would subpoena him and take his deposition; they took his deposition; an affidavit was created after Mr. Price received monies and was created by Paul Padda Law, not him, and they also found out the document had multiple iterations; he was told the documents and iterations would not be produced. COURT DIRECTED Mr. Campbell to put this issue in a motion and file it on OST.

12-20-19 CHAMBERS STATUS CHECK: JURY QUESTIONNAIRE

1-16-20 9:30 AM PRE TRIAL CONFERENCE

2-4-20 9:30 AM CALENDAR CALL

2-10-20 1:30 PM JURY TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

December 16, 2019

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

December 16, 2019 9:00 AM Motion to Compel

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 03E

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Campbell, Donald J. Attorney
Peek, Joseph S. Attorney
Peterson, Tamara Beatty Attorney
Semerad, Ryan A. Attorney
Wakayama, Liane K. Attorney

JOURNAL ENTRIES

- Following arguments by Mr. Campbell and Ms. Peterson, COURT ORDERED, motion GRANTED IN PART. Each of the 3 depositions may be completed either in the remaining time period or in a period not to exceed 2 hours, whichever is less. The remaining documents and any preserved communications are to be produced, or a certification as to the unavailability or failed efforts to locate those documents or communications is to be done. There will be a limitation on scope to newly disclosed information identified in the motion as well as additional information produced between now and when the depositions occur, unless it was something that was previously available.

Ms. Peterson advised she can respond to the certification or production within this week. Court noted it is fine with the depositions being finished in early January and that it does not think they would impact pre-trial motions that the parties would be filing.

Mr. Campbell and Ms. Peterson further advised they are going forward with a jury questionnaire, that they both have drafts, and are working to meet the Court's deadline.

12-20-19 CHAMBERS STATUS CHECK: JURY QUESTIONNAIRE

1-16-20 9:30 AM PRE TRIAL CONFERENCE

2-4-20 9:30 AM CALENDAR CALL

2-10-20 1:30 PM JURY TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

December 20, 2019

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

December 20, 2019 3:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth

COURTROOM: Chambers

COURT CLERK: Dulce Romea

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT NOTED no jury questionnaire received, ORDERED, matter CONTINUED for one week.

12-26-19 9:00 AM PLAINTIFF'S MOTION TO EXTEND OPPOSITION DEADLINE
AND ESTABLISH BRIEFING SCHEDULE ON ORDER SHORTENING TIME

12-30-19 9:00 am PLAINTIFF'S MOTION TO ADOPT PLAINTIFF'S VERSION OF
THE PROPOSED JURY QUESTIONNAIRE ON AN ORDER SHORTENING TIME

12-27-19 CHAMBERS STATUS CHECK: JURY QUESTIONNAIRE

1-16-20 9:30 AM PRE TRIAL CONFERENCE

1-21-20 9:00 AM MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31

1-24-20 CHAMBERS PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 1 TO
MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING
AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR

WORDS TO THAT EFFECT...

...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 5 AND SEAL EXHIBITS 1-2...

...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 8 - MOTION TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO...

...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 1 AND SEAL EXHIBITS 1 - 3

1-27-20 9:00 AM MOTION FOR SUMMARY JUDGMENT...

...PLAINTIFF'S MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT...

...PLAINTIFF'S MOTION IN LIMINE NO. 1 TO EXCLUDE ARGUMENT, TESTIMONY, OR OTHER EVIDENCE REGARDING THE JAY PAUL GURIAN A/K/A JACK GURIAN CASE...

...PLAINTIFF'S MOTION IN LIMINE NO. 3 TO EXCLUDE EVIDENCE CONCERNING ALLEGATIONS, CLAIMS, AND DEFENSES IN MS. COHEN S UNRELATED LITIGATION...

...PLAINTIFF'S MOTION IN LIMINE NO. 4 TO EXCLUDE PRIVILEGED ACCOUNTANT-CLIENT COMMUNICATIONS...

...PLAINTIFF'S MOTION IN LIMINE NO. 5 TO EXCLUDE ALL EVIDENCE AND ARGUMENT REGARDING MS. COHEN S POLITICAL BELIEFS AND OPINIONS, RELIGIOUS BELIEFS, ALLEGED RACISM, BIGOTRY, OR HOMOPHOBIA...

...PLAINTIFF'S MOTION IN LIMINE NO. 6 TO EXCLUDE TESTIMONY OF SETH COGAN...

...PLAINTIFF'S MOTION IN LIMINE NO. 7 TO EXCLUDE TESTIMONY OF DEFENDANTS WITNESSES THE SUBJECTS OF WHOSE TESTIMONY ARE UNDISCLOSED AND UNKNOWN...

...PLAINTIFF'S MOTION IN LIMINE NO. 8 RENEWING MOTION TO STRIKE ROBERT VANNAH AS AN EXPERT AND EXCLUDE HIS REPORT AND TESTIMONY...

...DEFENDANTS' MOTION IN LIMINE NO. 2 TO PRECLUDE PLAINTIFF FROM OFFERING EVIDENCE AND/OR ARGUMENT REGARDING DEFENDANTS' FINANCIAL CONDITION DURING THE INITIAL LIABILITY PHASE OF TRIAL...

...MOTION IN LIMINE #6 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF JEFREY APPEL REGARDING CERTAIN FINANCIAL DOCUMENTS...

...MOTION IN LIMINE #9 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF KATHLEEN ANNUNZIATA NICOLAIDES...

...DEFENDANTS' MOTION IN LIMINE NO. 3 TO PRECLUDE PLAINTIFF FROM OFFERING ANY EVIDENCE OF AND/OR COMPUTATION FOR UNJUST ENRICHMENT AND QUANTUM MERUIT DAMAGES AT TRIAL...

...MOTION IN LIMINE # 4 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF PLAINTIFF'S PROPOSED SUMMARY WITNESS KATHY CAMPAGNA...

...MOTION IN LIMINE NO 5 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND KARLA KOUTZ'S HEARSAY TESTIMONY AND SPECULATION...

...MOTION IN LIMINE # 7 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR

TESTIMONY OF MR. PADDA'S JOB PERFORMANCE AT THE UNITED STATES ATTORNEY'S OFFICE AND CLIENTS' OPINIONS OR EXPERIENCES...

...MOTION IN LIMINE NO. 8 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO...

...MOTION IN LIMINE NO. 10 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY RELATED TO WAYNE PRICE'S HISTORY WITH PAUL PADDA LAW, PLLC...

...MOTION IN LIMINE # 11 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE, TESTIMONY OF ARGUMENT RELATED TO ALLEGED HEALTH ISSUES SUFFERED BY MS. COHEN AFTER SEPTEMBER 12, 2016...

...MOTION IN LIMINE # 12 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF MICHAEL HOLPUCH...

...MOTION IN LIMINE NO. 13 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF KARLA KOUTZ REGARDING HER OPINION OF PAUL PADDA'S CHARACTER FOR TRUTHFULNESS...

...MOTION IN LIMINE # 14 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF LAY WITNESSES REGARDING WHETHER PLAINTIFF TRUSTED DEFENDANT PAUL S. PADDA, ESQ....

2-4-20 9:30 AM CALENDAR CALL

2-10-20 1:30 PM JURY TRIAL - FIRM

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 12-23-19

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters**COURT MINUTES****December 23, 2019**

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

December 23, 2019 10:45 AM Telephonic Conference

HEARD BY: Gonzalez, Elizabeth**COURTROOM:** RJC Courtroom 03E**COURT CLERK:** Dulce Romea**RECORDER:** Gail Reiger**REPORTER:****PARTIES**

PRESENT:	Campbell, Donald J.	Attorney
	Cohen, Ruth L.	Plaintiff
	Padda, Paul S.	Defendant
	Peterson, Tamara Beatty	Attorney
	Wakayama, Liane K.	Attorney

JOURNAL ENTRIES

- Call held at 10:35 am. Mr. Campbell advised a court reporter and videographer are also present in the room with them.

Mr. Campbell explained that the Plaintiff is entitled to receive the original receipt of final payment that has never been produced before. Mr. Campbell stated he has not actually received the original; yesterday, he communicated by text and by email with Ms. Peterson, who has shown him the original this morning but does not want it marked in this proceeding and does not want the court reporter to be in possession of it; he would like that to be the case, that the court reporter, an independent third party, be in possession of the original. Upon Court's inquiry, Mr. Campbell replied that it is difficult to tell whether the signature is in ink; on the reverse side, the only impression on it is the office manager Patricia Davidson's notary stamp; it appears that part of the document is torn; Mr. Padda's explanation was that checks were attached to it and he tore off the check and just brought this document today to give to Ms. Peterson.

Ms. Peterson noted the Court's prior order regarding depositions; the document they are talking about is a receipt of final payment signed by Wayne Price; the copy was already made available under Bates label Padda 8250, which is an exhibit to the deposition; Mr. Campbell wanted to make the original document an exhibit, and she said no, that counsel can come and inspect the original document at Holland and Hart as she does not want to lose the document.

Upon Court's inquiry, Mr. Campbell stated he does not know yet but he may have the questioned documents examiner look at it.

COURT ORDERED, it also does not want the court reporter to be the person who is in custody of this particular document and would prefer it to be in the custody of Ms. Peterson and the risk of loss be associated with her, rather than the court reporter; however, counsel for Plaintiff may use any examination techniques they would like to on the document, and if they think it is appropriate for the questioned documents examiner to look at it, they are to arrange for that examination with either Ms. Peterson or Mr. Peek in his office. Further, the document is TO BE PLACED in a clear sleeve.

12-26-19 9:00 AM PLAINTIFF'S MOTION TO EXTEND OPPOSITION DEADLINE AND ESTABLISH BRIEFING SCHEDULE ON ORDER SHORTENING TIME...DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO EXTEND OPPOSITION DEADLINE AND ESTABLISH BRIEFING SCHEDULE ON ORDER SHORTENING TIME AND COUNTERMOTION TO ADVANCE HEARING DATE ON DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

12-30-19 9:00 AM PLAINTIFF'S MOTION TO ADOPT PLAINTIFF'S VERSION OF THE PROPOSED JURY QUESTIONNAIRE ON AN ORDER SHORTENING TIME

12-27-19 CHAMBERS STATUS CHECK: JURY QUESTIONNAIRE

1-16-20 9:30 AM PRE TRIAL CONFERENCE

1-21-20 9:00 AM MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31

1-24-20 CHAMBERS PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 1 TO MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT...

...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 5 AND SEAL EXHIBITS 1-2...

...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 8 - MOTION TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO...

...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 1 AND SEAL

EXHIBITS 1 - 3

1-27-20 9:00 AM MOTION FOR SUMMARY JUDGMENT...

...PLAINTIFF'S MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT...

...PLAINTIFF'S MOTION IN LIMINE NO. 1 TO EXCLUDE ARGUMENT, TESTIMONY, OR OTHER EVIDENCE REGARDING THE JAY PAUL GURIAN A/K/A JACK GURIAN CASE...

...PLAINTIFF'S MOTION IN LIMINE NO. 3 TO EXCLUDE EVIDENCE CONCERNING ALLEGATIONS, CLAIMS, AND DEFENSES IN MS. COHEN S UNRELATED LITIGATION...

...PLAINTIFF'S MOTION IN LIMINE NO. 4 TO EXCLUDE PRIVILEGED ACCOUNTANT-CLIENT COMMUNICATIONS...

...PLAINTIFF'S MOTION IN LIMINE NO. 5 TO EXCLUDE ALL EVIDENCE AND ARGUMENT REGARDING MS. COHEN S POLITICAL BELIEFS AND OPINIONS, RELIGIOUS BELIEFS, ALLEGED RACISM, BIGOTRY, OR HOMOPHOBIA...

...PLAINTIFF'S MOTION IN LIMINE NO. 6 TO EXCLUDE TESTIMONY OF SETH COGAN...

...PLAINTIFF'S MOTION IN LIMINE NO. 7 TO EXCLUDE TESTIMONY OF DEFENDANTS WITNESSES THE SUBJECTS OF WHOSE TESTIMONY ARE UNDISCLOSED AND UNKNOWN...

...PLAINTIFF'S MOTION IN LIMINE NO. 8 RENEWING MOTION TO STRIKE ROBERT VANNAH AS AN EXPERT AND EXCLUDE HIS REPORT AND TESTIMONY...

...DEFENDANTS' MOTION IN LIMINE NO. 2 TO PRECLUDE PLAINTIFF FROM OFFERING EVIDENCE AND/OR ARGUMENT REGARDING DEFENDANTS' FINANCIAL CONDITION DURING THE INITIAL LIABILITY PHASE OF TRIAL...

...MOTION IN LIMINE #6 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF JEFREY APPEL REGARDING CERTAIN FINANCIAL DOCUMENTS...

...MOTION IN LIMINE #9 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF KATHLEEN ANNUNZIATA NICOLAIDES...

...DEFENDANTS' MOTION IN LIMINE NO. 3 TO PRECLUDE PLAINTIFF FROM OFFERING ANY EVIDENCE OF AND/OR COMPUTATION FOR UNJUST ENRICHMENT AND QUANTUM MERUIT DAMAGES AT TRIAL...

...MOTION IN LIMINE # 4 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF PLAINTIFF'S PROPOSED SUMMARY WITNESS KATHY CAMPAGNA...

...MOTION IN LIMINE NO 5 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND KARLA KOUTZ'S HEARSAY TESTIMONY AND SPECULATION...

...MOTION IN LIMINE # 7 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY OF MR. PADDA'S JOB PERFORMANCE AT THE UNITED STATES ATTORNEY'S OFFICE AND CLIENTS' OPINIONS OR EXPERIENCES...

...MOTION IN LIMINE NO. 8 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO...

...MOTION IN LIMINE NO. 10 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY RELATED TO WAYNE PRICE'S HISTORY WITH PAUL PADDA LAW, PLLC...

...MOTION IN LIMINE # 11 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE,
TESTIMONY OF ARGUMENT RELATED TO ALLEGED HEALTH ISSUES SUFFERED BY MS.
COHEN AFTER September 12,2016...

...MOTION IN LIMINE # 12 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY
AND REPORT OF MICHAEL HOLPUCH...

...MOTION IN LIMINE NO. 13 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY
OF KARLA KOUTZ REGARDING HER OPINION OF PAUL PADDA'S CHARACTER FOR
TRUTHFULNESS...

...MOTION IN LIMINE # 14 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF
LAY WITNESSES REGARDING WHETHER PLAINTIFF TRUSTED DEFENDANT PAUL S. PADDA,
ESQ....

2-4-20 9:30 AM CALENDAR CALL

2-10-20 1:30 PM JURY TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

December 26, 2019

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

December 26, 2019 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 03E

COURT CLERK: Dulce Romea

RECORDER: Patti Slattery

REPORTER:

PARTIES

PRESENT: Moser, Jared M. Attorney
Padda, Paul S. Defendant
Peterson, Tamara Beatty Attorney

JOURNAL ENTRIES

- PLAINTIFF'S MOTION TO EXTEND OPPOSITION DEADLINE AND ESTABLISH BRIEFING SCHEDULE ON ORDER SHORTENING TIME...DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO EXTEND OPPOSITION DEADLINE AND ESTABLISH BRIEFING SCHEDULE ON ORDER SHORTENING TIME AND COUNTERMOTION TO ADVANCE HEARING DATE ON DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Arguments by counsel. Court proposed that the motion for summary judgment remain where it currently is and the motions in limine be moved to February 3rd at 10 am. Court RECESSED for counsel to check co-counsel's schedules.

Matter RECALLED. Mr. Moser advised Ms. Wakayama and Mr. Campbell are both available on February 3rd. COURT ORDERED, all motions in limine RESET on Monday, February 3, 2020 at 10 am; the motion for summary judgment will REMAIN where it is currently scheduled on January 27, 2020; oppositions to all motions DUE January 10, 2020; replies to all motions DUE January 24, 2020 at noon; counsel to deliver courtesy copies to chambers and if there are any exhibits provide them in tabbed form.

Colloquy regarding the jury questionnaire. Ms. Peterson advised she does not know whether the other side has agreed to the Defendants' version so they will file a separate motion. COURT DIRECTED the parties to email both their versions in Microsoft Word format by tomorrow, Friday, December 27, at noon.

Ms. Peterson confirmed she placed the document discussed at the December 23rd conference call in a plastic sleeve.

Mr. Peterson further advised that they took the deposition of Mr. Price, a third party witness, that afternoon; they did not finish, because it came out that he has been receiving email communications from Ms. Cohen and that Ms. Cohen has apparently provided him discovery and asked him to comment on information; all that took place in August; she is now concerned about Ms. Cohen's 16.1 production. COURT ORDERED, Plaintiff to PRODUCE these communications, unless they are privileged; if Plaintiff thinks information is privileged it is to be placed on a privilege log. Mr. Moser advised he was not in that deposition so this is news to him, and he does not know Ms. Wakayama's and her assistant's availability regarding resuming the deposition. At the request of Ms. Peterson, COURT NOTED that it will be happy for the Defendants to have the information by Wednesday next week; the Court will get an update from Ms. Wakayama on Monday (December 30, 2019). Ms. Peterson inquired whether the Court would like an order for this. Court stated counsel is welcome to prepare one although they have the AV recording and the minutes.

12-27-19 CHAMBERS STATUS CHECK: JURY QUESTIONNAIRE

12-30-19 9:00 am PLAINTIFF'S MOTION TO ADOPT PLAINTIFF'S VERSION OF THE PROPOSED JURY QUESTIONNAIRE ON AN ORDER SHORTENING TIME

1-16-20 9:30 AM PRE TRIAL CONFERENCE

1-27-20 9:00 AM MOTION FOR SUMMARY JUDGMENT...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31

2-3-20 10:00 AM PLAINTIFF'S MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT...
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 ...PLAINTIFF'S MOTION IN LIMINE NO. 3 TO EXCLUDE EVIDENCE CONCERNING ALLEGATIONS, CLAIMS, AND DEFENSES IN MS. COHEN S UNRELATED LITIGATION...
 ...PLAINTIFF'S MOTION IN LIMINE NO. 4 TO EXCLUDE PRIVILEGED ACCOUNTANT-CLIENT COMMUNICATIONS...
 ...PLAINTIFF'S MOTION IN LIMINE NO. 5 TO EXCLUDE ALL EVIDENCE AND ARGUMENT

REGARDING MS. COHEN S POLITICAL BELIEFS AND OPINIONS, RELIGIOUS BELIEFS, ALLEGED RACISM, BIGOTRY, OR HOMOPHOBIA...

...PLAINTIFF'S MOTION IN LIMINE NO. 6 TO EXCLUDE TESTIMONY OF SETH COGAN...

...PLAINTIFF'S MOTION IN LIMINE NO. 7 TO EXCLUDE TESTIMONY OF DEFENDANTS WITNESSES THE SUBJECTS OF WHOSE TESTIMONY ARE UNDISCLOSED AND UNKNOWN...

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...DEFENDANTS' MOTION IN LIMINE NO. 2 TO PRECLUDE PLAINTIFF FROM OFFERING EVIDENCE AND/OR ARGUMENT REGARDING DEFENDANTS' FINANCIAL CONDITION DURING THE INITIAL LIABILITY PHASE OF TRIAL...

...MOTION IN LIMINE #6 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF JEFREY APPEL REGARDING CERTAIN FINANCIAL DOCUMENTS...

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...MOTION IN LIMINE NO. 8 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO...

...MOTION IN LIMINE NO. 10 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY RELATED TO WAYNE PRICE'S HISTORY WITH PAUL PADDA LAW, PLLC...

...MOTION IN LIMINE # 11 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE, TESTIMONY OF ARGUMENT RELATED TO ALLEGED HEALTH ISSUES SUFFERED BY MS. COHEN AFTER September 12,2016...

...MOTION IN LIMINE # 12 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF MICHAEL HOLPUCH...

...MOTION IN LIMINE NO. 13 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF KARLA KOUTZ REGARDING HER OPINION OF PAUL PADDA'S CHARACTER FOR TRUTHFULNESS...

...MOTION IN LIMINE # 14 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF LAY WITNESSES REGARDING WHETHER PLAINTIFF TRUSTED DEFENDANT PAUL S. PADDA, ESQ....

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"GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT...

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...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 1 AND SEAL EXHIBITS 1 - 3

2-4-20 9:30 AM CALENDAR CALL

2-10-20 1:30 PM JURY TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

December 27, 2019

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

December 27, 2019 3:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth

COURTROOM: Chambers

COURT CLERK: Dulce Romea

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT noting both parties have submitted proposed jury questionnaires, ORDERED, status check CONTINUED to Monday, December 30, 2019 for in court discussion.

12-30-19 9:00 AM PLAINTIFF'S MOTION TO ADOPT PLAINTIFF'S VERSION OF THE PROPOSED JURY QUESTIONNAIRE ON AN ORDER SHORTENING TIME...
...DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO ADOPT PLAINTIFF'S VERSION OF THE PROPOSED JURY QUESTIONNAIRE AND COUNTERMOTION TO ADOPT DEFENDANTS' VERSION OF THE PROPOSED JURY QUESTIONNAIRE...
...STATUS CHECK: JURY QUESTIONNAIRE

1-16-20 9:30 AM PRE TRIAL CONFERENCE

1-27-20 9:00 AM MOTION FOR SUMMARY JUDGMENT...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31

2-3-20 10:00 AM PLAINTIFF'S MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING

ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT...

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...DEFENDANTS' MOTION IN LIMINE NO. 2 TO PRECLUDE PLAINTIFF FROM OFFERING EVIDENCE AND/OR ARGUMENT REGARDING DEFENDANTS' FINANCIAL CONDITION DURING THE INITIAL LIABILITY PHASE OF TRIAL...

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...MOTION IN LIMINE # 7 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY OF MR. PADDA'S JOB PERFORMANCE AT THE UNITED STATES ATTORNEY'S OFFICE AND CLIENTS' OPINIONS OR EXPERIENCES...

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...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 1 AND SEAL EXHIBITS 1 - 3

2-4-20 9:30 AM CALENDAR CALL

2-10-20 1:30 PM JURY TRIAL - FIRM

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 12-27-19

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters**COURT MINUTES****December 30, 2019**

A-19-792599-B Ruth Cohen, Plaintiff(s)
 vs.
 Paul Padda, Defendant(s)

December 30, 2019 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 03E

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Mirkovich, Samuel R., ESQ	Attorney
	Padda, Paul S.	Defendant
	Peterson, Tamara Beatty	Attorney
	Wakayama, Liane K.	Attorney

JOURNAL ENTRIES

- PLAINTIFF'S MOTION TO ADOPT PLAINTIFF'S VERSION OF THE PROPOSED JURY QUESTIONNAIRE ON AN ORDER SHORTENING TIME...
 ...DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO ADOPT PLAINTIFF'S VERSION OF THE PROPOSED JURY QUESTIONNAIRE AND COUNTERMOTION TO ADOPT DEFENDANTS' VERSION OF THE PROPOSED JURY QUESTIONNAIRE...
 ...STATUS CHECK: JURY QUESTIONNAIRE

COURT distributed copies of the draft jury questionnaire, ORDERED, draft questionnaire MARKED as Court's Exhibit 1 for today. (See worksheet.) Court further advised that the jury commissioner is out of town; the Court needs to discuss with her question no. 16 regarding race and ethnicity to be consistent with the report that the Court needs to provide as well as the method. The Court has looked at both versions of the questionnaire and statement of facts; the parties are to REVIEW their copy of Court's Exhibit 1 and PROVIDE comments to the Court by Thursday (January 2, 2020) at NOON, identifying any substantive issues that the Court has missed and that the parties think need to be included. COURT ORDERED, both motions to adopt are DENIED; the Court will not adopt

either version but will utilize something similar to Court's Exhibit 1. Parties to submit either a status report or send an email, keeping in mind that emails are left side filed and may not go up to the Nevada Supreme Court.

Ms. Wakayama advised there is an issue related to the Court's December 19 order regarding production of communications between Mr. Price, Patty Davidson, Paul Padda, and their agents between August 1, 2018 and December 2, 2019; the Plaintiff received a handful of texts that began in November 2019 between Mr. Padda and Mr. Price; the continued depositions took place on December 23rd, and Mr. Padda testified he did a thorough search on his own without a third party vendor to produce communications; later that day Mr. Price testified there are additional communications and texts, and read that from his phone, between Mr. Padda and himself; there are also texts between Mr. Price and Ms. Davidson; the Plaintiff has not received those nor any internal communications in Paul Padda Law as ordered. Ms. Peterson responded that they were not able to complete the Price deposition, because Mr. Price himself said he had been sent a number of communications from Ms. Cohen; she is not certain that what Mr. Price testified to about communications with Ms. Davidson are accurate; he seemed to be conflating emails with text messages; in his testimony, he referred to a text that he was looking at in an exhibit that was clearly an email; they are trying to figure out exactly what Mr. Price was reading from his own phone to Ms. Cohen, but they believe they have complied with the Court's order; they may have to supplement subsequent to the deposition; they are also trying to coordinate resuming Mr. Price's deposition but do not know when the documents will be produced.

Ms. Wakayama represented that they will produce Ms. Cohen's communications with Mr. Price today; there are 2 email chains that Ms. Cohen has located on her computer; there is one email that Mr. Price testified to in his deposition that he blind copied Ms. Cohen on, which neither Ms. Cohen nor they could find, so they asked Holo last week to try to find it on Ms. Cohen's computer. Court inquired whether it would be easier to have Mr. Price detail all the communications on his phone. Ms. Peterson argued that was her same request but they stopped the deposition due to lack of staff and all sorts of issues. Ms. Wakayama advised they already did that but she has not yet received anything; her suggestion would be to mine out internal communications for production. Ms. Peterson argued it needs to be both ways. COURT ORDERED, a certification needs to be provided by a qualified I.T. professional that a search has been done and no further communications can be found. Upon Ms. Peterson's inquiry, Court clarified the text messages will be coming out of Mr. Price's phone; those not on his phone will be the internal communications at the law firm about Mr. Price after his departure. Ms. Wakayama added the Plaintiff also requests texts between Mr. Padda and Ms. Davidson because Ms. Davidson testified they do text each other. Court stated it will NOT ORDER those but the Court understands the parties can ask those questions.

1-16-20 9:30 AM PRE TRIAL CONFERENCE

1-27-20 9:00 AM MOTION FOR SUMMARY JUDGMENT...MOTION TO REDACT
PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO

SEAL EXHIBITS 20, 21, 28 AND 31

2-3-20 10:00 AM PLAINTIFF'S MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT...
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...MOTION IN LIMINE NO 5 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND KARLA KOUTZ'S HEARSAY TESTIMONY AND SPECULATION...
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...MOTION IN LIMINE NO. 8 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO...
...MOTION IN LIMINE NO. 10 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY RELATED TO WAYNE PRICE'S HISTORY WITH PAUL PADDA LAW, PLLC...
...MOTION IN LIMINE # 11 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE,

TESTIMONY OF ARGUMENT RELATED TO ALLEGED HEALTH ISSUES SUFFERED BY MS. COHEN AFTER September 12,2016...

...MOTION IN LIMINE # 12 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF MICHAEL HOLPUCH...

...MOTION IN LIMINE NO. 13 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF KARLA KOUTZ REGARDING HER OPINION OF PAUL PADDA'S CHARACTER FOR TRUTHFULNESS...

...MOTION IN LIMINE # 14 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF LAY WITNESSES REGARDING WHETHER PLAINTIFF TRUSTED DEFENDANT PAUL S. PADDA, ESQ....

PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 1 TO MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT...

...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 5 AND SEAL EXHIBITS 1-2...

...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 8 - MOTION TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO...

...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 1 AND SEAL EXHIBITS 1 - 3

2-4-20 9:30 AM CALENDAR CALL

2-10-20 1:30 PM JURY TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters**COURT MINUTES****January 08, 2020**

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

January 08, 2020 9:00 AM Motion to Compel

HEARD BY: Gonzalez, Elizabeth**COURTROOM:** RJC Courtroom 03E**COURT CLERK:** Dulce Romea**RECORDER:** Jill Hawkins**REPORTER:****PARTIES**

PRESENT:	Baker, Nikki L.	Attorney
	Mirkovich, Samuel R., ESQ	Attorney
	Moser, Jared M.	Attorney
	Padda, Paul S.	Defendant
	Peek, Joseph S.	Attorney
	Peterson, Tamara Beatty	Attorney
	Wakayama, Liane K.	Attorney

JOURNAL ENTRIES

- DISCUSSION REGARDING JURY QUESTIONNAIRE: COURT ORDERED, race report MARKED as Court's Exhibit 1. (See worksheet.) Court noted the race and ethnicity categories will be used, and the Judicial Executive Assistant will modify question no. 16; the jury questionnaire will be sent out to the parties and the Jury Commissioner on Friday; the Jury Commissioner has also indicated that the parties need to make the copies. Both sides advised they are fine with using HOLO. Court noted 100 people will be summoned and 125 questionnaires will be given out.

DEFENDANTS' MOTION TO COMPEL PLAINTIFF TO PRODUCE CERTAIN DOCUMENTS THAT ARE RELEVANT AND MATERIAL TO THIS CASE ON AN ORDER SHORTENING TIME FOR HEARING: Arguments by Mr. Peek and Mr. Moser. COURT ORDERED, email re: email from Wayne Price to Paul Padda with bcc to Ruth Cohen MARKED as Court's Exhibit 2, and Plaintiff's ESI Privilege Log MARKED as Court's Exhibit 3 for today. (See worksheet.)

COURT ORDERED, the electronic storage devices of Ms. Cohen will be delivered to HOLO for HOLO to do a search of the devices, including any deleted or hidden files of any communications with any witness and Ms. Cohen; that information will then be provided to Plaintiff's counsel for them to conduct a privilege review, and if any item is privileged, they will have to provide a privilege log immediately, and they will be produced; HOLO will do their best efforts to complete this as soon as possible. The cost will be borne by Ms. Cohen, and, after the production of that additional information, Ms. Cohen will sit for an additional session of deposition not to exceed 4 hours.

Delivery of devices SET for status check on this Friday's (January 10, 2020) chambers calendar.

1-10-20 CHAMBERS STATUS CHECK: DELIVERY OF DEVICES TO HOLO

1-16-20 9:30 AM PRE TRIAL CONFERENCE

1-27-20 9:00 AM MOTION FOR SUMMARY JUDGMENT...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31

2-3-20 10:00 AM PLAINTIFF'S MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT...
 ...PLAINTIFF'S MOTION IN LIMINE NO. 1 TO EXCLUDE ARGUMENT, TESTIMONY, OR OTHER EVIDENCE REGARDING THE JAY PAUL GURIAN A/K/A JACK GURIAN CASE...
 ...PLAINTIFF'S MOTION IN LIMINE NO. 3 TO EXCLUDE EVIDENCE CONCERNING ALLEGATIONS, CLAIMS, AND DEFENSES IN MS. COHEN'S UNRELATED LITIGATION...
 ...PLAINTIFF'S MOTION IN LIMINE NO. 4 TO EXCLUDE PRIVILEGED ACCOUNTANT-CLIENT COMMUNICATIONS...
 ...PLAINTIFF'S MOTION IN LIMINE NO. 5 TO EXCLUDE ALL EVIDENCE AND ARGUMENT REGARDING MS. COHEN'S POLITICAL BELIEFS AND OPINIONS, RELIGIOUS BELIEFS, ALLEGED RACISM, BIGOTRY, OR HOMOPHOBIA...
 ...PLAINTIFF'S MOTION IN LIMINE NO. 6 TO EXCLUDE TESTIMONY OF SETH COGAN...
 ...PLAINTIFF'S MOTION IN LIMINE NO. 7 TO EXCLUDE TESTIMONY OF DEFENDANTS WITNESSES THE SUBJECTS OF WHOSE TESTIMONY ARE UNDISCLOSED AND UNKNOWN...
 ...PLAINTIFF'S MOTION IN LIMINE NO. 8 RENEWING MOTION TO STRIKE ROBERT VANNAH AS AN EXPERT AND EXCLUDE HIS REPORT AND TESTIMONY...
 ...DEFENDANTS' MOTION IN LIMINE NO. 2 TO PRECLUDE PLAINTIFF FROM OFFERING EVIDENCE AND/OR ARGUMENT REGARDING DEFENDANTS' FINANCIAL CONDITION DURING THE INITIAL LIABILITY PHASE OF TRIAL...
 ...MOTION IN LIMINE #6 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF JEFREY APPEL REGARDING CERTAIN FINANCIAL DOCUMENTS...
 ...MOTION IN LIMINE #9 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF KATHLEEN ANNUNZIATA NICOLAIDES...

...DEFENDANTS' MOTION IN LIMINE NO. 3 TO PRECLUDE PLAINTIFF FROM OFFERING ANY EVIDENCE OF AND/OR COMPUTATION FOR UNJUST ENRICHMENT AND QUANTUM MERUIT DAMAGES AT TRIAL...

...MOTION IN LIMINE # 4 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF PLAINTIFF'S PROPOSED SUMMARY WITNESS KATHY CAMPAGNA...

...MOTION IN LIMINE NO 5 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND KARLA KOUTZ'S HEARSAY TESTIMONY AND SPECULATION...

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...MOTION IN LIMINE NO. 10 - DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY RELATED TO WAYNE PRICE'S HISTORY WITH PAUL PADDA LAW, PLLC...

...MOTION IN LIMINE # 11 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE, TESTIMONY OF ARGUMENT RELATED TO ALLEGED HEALTH ISSUES SUFFERED BY MS. COHEN AFTER September 12,2016...

...MOTION IN LIMINE # 12 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF MICHAEL HOLPUCH...

...MOTION IN LIMINE NO. 13 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF KARLA KOUTZ REGARDING HER OPINION OF PAUL PADDA'S CHARACTER FOR TRUTHFULNESS...

...MOTION IN LIMINE # 14 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF LAY WITNESSES REGARDING WHETHER PLAINTIFF TRUSTED DEFENDANT PAUL S. PADDA, ESQ....

PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 1 TO MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT...

...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 5 AND SEAL EXHIBITS 1-2...

...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 8 - MOTION TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO...

...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 1 AND SEAL EXHIBITS 1 - 3

1-27-20 9:00 AM MOTION FOR SUMMARY JUDGMENT...

...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31

2-4-20 9:30 AM CALENDAR CALL

2-10-20 1:30 PM JURY TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

January 10, 2020

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

January 10, 2020 3:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth

COURTROOM: Chambers

COURT CLERK: Dulce Romea

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- The Court notes no status report has been provided.

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 1-10-20

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters**COURT MINUTES****January 16, 2020**

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

January 16, 2020 9:30 AM Pre Trial Conference

HEARD BY: Gonzalez, Elizabeth**COURTROOM:** RJC Courtroom 03E**COURT CLERK:** Dulce Romea**RECORDER:** Jill Hawkins**REPORTER:****PARTIES**

PRESENT:	Campbell, Donald J.	Attorney
	Mirkovich, Samuel R., ESQ	Attorney
	Peterson, Tamara Beatty	Attorney
	Wakayama, Liane K.	Attorney

JOURNAL ENTRIES

- Court informed the parties it has set aside 3 weeks for this trial and inquired whether it can really be done in 3 weeks, as the parties behind them want to know. Ms. Wakayama estimated 12 to 15 full judicial days. Ms. Peterson advised the Defendants have always thought it would take a little over 2 weeks. Court so noted, and that motion practice has been set up.

Upon Court's inquiry, Ms. Peterson advised they are still waiting on the information prior to setting Ms. Cohen's deposition and requested an estimate on getting the report back from HOLO. Ms. Wakayama stated she believes HOLO has completed everything, so she believes they will get it today. COURT DIRECTED counsel to make sure it gets done tomorrow.

Court further advised that hopefully the parties will get completed jury questionnaires back next week and reminded them that the Court will need a separate list from them on people they want to excuse.

1-27-20 9:00 AM MOTION FOR SUMMARY JUDGMENT...MOTION TO REDACT

PRINT DATE: 04/13/2020 Page 67 of 83 Minutes Date: April 12, 2019

PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31

2-3-20 10:00 AM PLAINTIFF'S MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT...

...PLAINTIFF'S MOTION IN LIMINE NO. 1 TO EXCLUDE ARGUMENT, TESTIMONY, OR OTHER EVIDENCE REGARDING THE JAY PAUL GURIAN A/K/A JACK GURIAN CASE...

...PLAINTIFF'S MOTION IN LIMINE NO. 3 TO EXCLUDE EVIDENCE CONCERNING ALLEGATIONS, CLAIMS, AND DEFENSES IN MS. COHEN'S UNRELATED LITIGATION...

...PLAINTIFF'S MOTION IN LIMINE NO. 4 TO EXCLUDE PRIVILEGED ACCOUNTANT-CLIENT COMMUNICATIONS...

...PLAINTIFF'S MOTION IN LIMINE NO. 5 TO EXCLUDE ALL EVIDENCE AND ARGUMENT REGARDING MS. COHEN'S POLITICAL BELIEFS AND OPINIONS, RELIGIOUS BELIEFS, ALLEGED RACISM, BIGOTRY, OR HOMOPHOBIA...

...PLAINTIFF'S MOTION IN LIMINE NO. 6 TO EXCLUDE TESTIMONY OF SETH COGAN...

...PLAINTIFF'S MOTION IN LIMINE NO. 7 TO EXCLUDE TESTIMONY OF DEFENDANTS WITNESSES THE SUBJECTS OF WHOSE TESTIMONY ARE UNDISCLOSED AND UNKNOWN...

...PLAINTIFF'S MOTION IN LIMINE NO. 8 RENEWING MOTION TO STRIKE ROBERT VANNAH AS AN EXPERT AND EXCLUDE HIS REPORT AND TESTIMONY...

...DEFENDANTS' MOTION IN LIMINE NO. 2 TO PRECLUDE PLAINTIFF FROM OFFERING EVIDENCE AND/OR ARGUMENT REGARDING DEFENDANTS' FINANCIAL CONDITION DURING THE INITIAL LIABILITY PHASE OF TRIAL...

...MOTION IN LIMINE #6 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF JEFREY APPEL REGARDING CERTAIN FINANCIAL DOCUMENTS...

...MOTION IN LIMINE #9 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF KATHLEEN ANNUNZIATA NICOLAIDES...

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...MOTION IN LIMINE NO 5 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND KARLA KOUTZ'S HEARSAY TESTIMONY AND SPECULATION...

...MOTION IN LIMINE # 7 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OR TESTIMONY OF MR. PADDA'S JOB PERFORMANCE AT THE UNITED STATES ATTORNEY'S OFFICE AND CLIENTS' OPINIONS OR EXPERIENCES...

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...MOTION IN LIMINE # 11 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE, TESTIMONY OF ARGUMENT RELATED TO ALLEGED HEALTH ISSUES SUFFERED BY MS. COHEN AFTER September 12,2016...

...MOTION IN LIMINE # 12 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY AND REPORT OF MICHAEL HOLPUCH...

...MOTION IN LIMINE NO. 13 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF KARLA KOUTZ REGARDING HER OPINION OF PAUL PADDA'S CHARACTER FOR TRUTHFULNESS...

...MOTION IN LIMINE # 14 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF LAY WITNESSES REGARDING WHETHER PLAINTIFF TRUSTED DEFENDANT PAUL S. PADDA, ESQ....

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...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 1 AND SEAL EXHIBITS 1 - 3

1-27-20 9:00 AM MOTION FOR SUMMARY JUDGMENT...

...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31

2-4-20 9:30 AM CALENDAR CALL

2-10-20 1:30 PM JURY TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

January 22, 2020

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

January 22, 2020

9:00 AM

Motion for Sanctions

**\$1,500 in fees
awarded**

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 03E

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Campbell, Donald J.	Attorney
	Padda, Paul S.	Defendant
	Peek, Joseph S.	Attorney
	Peterson, Tamara Beatty	Attorney
	Wakayama, Liane K.	Attorney

JOURNAL ENTRIES

- Following arguments by Mr. Peek, including a request for an evidentiary hearing, and Mr. Campbell, COURT ORDERED, motion DENIED. While the Court understands the Defendants' frustration related to the late disclosure of information that clearly should have been provided at an earlier stage, the failures do not rise to the level of Rule 37 case terminating sanctions or even evidentiary sanctions. However, the Court AWARDs fees for the late production, and the requirement of proceeding this way in both the motion to compel and the motion for sanctions, in the amount of \$1,500.

Colloquy regarding completed jury questionnaires. CONFERENCE AT BENCH, per counsel's request.

1-27-20 9:00 AM MOTION FOR SUMMARY JUDGMENT...

...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

PRINT DATE: 04/13/2020

Page 70 of 83

Minutes Date:

April 12, 2019

AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31

2-3-20 10:00 AM PLAINTIFF'S MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT...
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...MOTION IN LIMINE # 4 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE TESTIMONY OF PLAINTIFF'S PROPOSED SUMMARY WITNESS KATHY CAMPAGNA...
...MOTION IN LIMINE NO 5 DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND KARLA KOUTZ'S HEARSAY TESTIMONY AND SPECULATION...
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TESTIMONY OF ARGUMENT RELATED TO ALLEGED HEALTH ISSUES SUFFERED BY MS. COHEN AFTER September 12,2016...

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2-4-20 9:30 AM CALENDAR CALL

2-10-20 1:30 PM JURY TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters**COURT MINUTES****January 27, 2020**

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

January 27, 2020 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth**COURTROOM:** RJC Courtroom 03E**COURT CLERK:** Dulce Romea**RECORDER:** Jill Hawkins**REPORTER:****PARTIES**

PRESENT:	Mirkovich, Samuel R., ESQ	Attorney
	Padda, Paul S.	Defendant
	Peek, Joseph S.	Attorney
	Peterson, Tamara Beatty	Attorney
	Semerad, Ryan A.	Attorney
	Wakayama, Liane K.	Attorney

JOURNAL ENTRIES

- MOTION FOR SUMMARY JUDGMENT...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31

MOTION FOR SUMMARY JUDGMENT: Following arguments by Mr. Peek and Ms. Wakayama, COURT ORDERED, motion for summary judgment GRANTED. If the Plaintiff is successful on her claim of fraudulent inducement she will be able to address all of the claims she has pled. There are genuine issues of material fact as to the special relationship; however, given the knowing and intentional decision to be suspended from the practice of law, the Court cannot in good conscience allow this case to proceed. If it were an oversight, they would be in a different position, but given the deposition testimony contained in exhibit 34, the motion for summary judgment is GRANTED on that narrow basis. This is a case dispositive determination. JURY DISCHARGED. Motions in limine and trial VACATED.

MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EXHIBIT 39 AND TO SEAL EXHIBITS 20, 21, 28 AND 31: COURT ORDERED, motion GRANTED.

2-7-20 CHAMBERS PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 1 TO MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT...
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...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 8 - MOTION TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO

2-14-20 CHAMBERS PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBITS F, H, AND J TO PLAINTIFF'S APPENDIX OF EXHIBITS TO OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT...
...PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 2 TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION IN LIMINE NO. 4 TO EXCLUDE TESTIMONY OF PLAINTIFF'S PROPOSED SUMMARY WITNESS KATHY CAMPAGNA...
...PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBITS 1 AND 2 TO PLAINTIFF S OPPOSITION TO DEFENDANTS MOTION IN LIMINE #5 TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND KARLA KOUTZ S HEARSAY TESTIMONY AND SPECULATION...
...MOTION TO REDACT PORTIONS OF DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION IN LIMINE NO. 4 AND SEAL EXHIBITS 1 - 2...
...PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 34 WITHIN EXHIBIT 1 TO PLAINTIFF S OPPOSITION TO DEFENDANTS MOTION IN LIMINE NO. 13 TO EXCLUDE TESTIMONY OF KARLA KOUTZ REGARDING HER OPINION OF PAUL PADDA'S CHARACTER FOR TRUTHFULNESS

2-21-20 CHAMBERS DEFENDANT'S MOTION TO REDACT PORTIONS OF DEFENDANTS MOTION FOR SANCTIONS AND TO SEAL EXHIBITS 6,7, AND 19...
...PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 4 TO PLAINTIFF'S APPENDIX OF EXHIBITS TO OPPOSITION TO DEFENDANT'S MOTION FOR SANCTIONS AGAINST PLAINTIFF ON AN ORDER SHORTENING TIME

CLERK'S NOTE: Following this proceeding, COURT ORDERED, motions to redact previously set for

February 3 RESET on the February 7, 2020 chambers calendar. Parties notified via electronic mail. /
dr

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

February 07, 2020

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

February 07, 2020 3:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth

COURTROOM: Chambers

COURT CLERK: Dulce Romea

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 1 TO MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT...
...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 1 AND SEAL EXHIBITS 1 - 3...
...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 5 AND SEAL EXHIBITS 1-2...
...MOTION TO REDACT PORTIONS OF DEFENDANTS' MOTION IN LIMINE NO. 8 - MOTION TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND TESTIMONY OF CAREY RENO

Upon review of the papers and pleadings on file in this Matter, as proper service has been provided, this Court notes no opposition has been filed. Accordingly, pursuant to EDCR 2.20(e) the motions to seal are deemed unopposed. As the proposed sealing and redaction is narrowly tailored to protect confidential personal information, good cause appearing, COURT ORDERED, motions are GRANTED. The following exhibits are sealed and/or redacted: Ex. 1 to Pl. MIL 2; Def. MIL 1 (redacted) and Ex. 1-3; Def MIL 5 (redacted) and Ex. 1-2 and Def MIL 8 (redacted); . Respective Moving Counsel are to prepare and submit an order within ten (10) days and distribute a filed copy

to all parties involved in this matter.

2-14-20 CHAMBERS PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBITS F, H, AND J TO PLAINTIFF'S APPENDIX OF EXHIBITS TO OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT...

...PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 2 TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION IN LIMINE NO. 4 TO EXCLUDE TESTIMONY OF PLAINTIFF'S PROPOSED SUMMARY WITNESS KATHY CAMPAGNA...

...PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBITS 1 AND 2 TO PLAINTIFF S OPPOSITION TO DEFENDANTS MOTION IN LIMINE #5 TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND KARLA KOUTZ S HEARSAY TESTIMONY AND SPECULATION...

...MOTION TO REDACT PORTIONS OF DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION IN LIMINE NO. 4 AND SEAL EXHIBITS 1 - 2...

...PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 34 WITHIN EXHIBIT 1 TO PLAINTIFF S OPPOSITION TO DEFENDANTS MOTION IN LIMINE NO. 13 TO EXCLUDE TESTIMONY OF KARLA KOUTZ REGARDING HER OPINION OF PAUL PADDA'S CHARACTER FOR TRUTHFULNESS

2-21-20 CHAMBERS DEFENDANT'S MOTION TO REDACT PORTIIONS OF DEFENDANTS MOTION FOR SANCTIONS AND TO SEAL EXHIBITS 6,7, AND 19...

...PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 4 TO PLAINTIFF'S APPENDIX OF EXHIBITS TO OPPOSITION TO DEFENDANT'S MOTION FOR SANCTIONS AGAINST PLAINTIFF ON AN ORDER SHORTENING TIME

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 2-7-20

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

February 13, 2020

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

February 13, 2020 3:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth

COURTROOM: Chambers

COURT CLERK: Dulce Romea

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBITS F, H, AND J TO PLAINTIFF'S APPENDIX OF EXHIBITS TO OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT...

...PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 2 TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION IN LIMINE NO. 4 TO EXCLUDE TESTIMONY OF PLAINTIFF'S PROPOSED SUMMARY WITNESS KATHY CAMPAGNA...

...PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBITS 1 AND 2 TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION IN LIMINE #5 TO EXCLUDE EVIDENCE AND TESTIMONY RELATED TO SPECIFIC INSTANCES OF CONDUCT AND KARLA KOUTZ'S HEARSAY TESTIMONY AND SPECULATION...

...MOTION TO REDACT PORTIONS OF DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION IN LIMINE NO. 4 AND SEAL EXHIBITS 1 - 2...

...PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 34 WITHIN EXHIBIT 1 TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION IN LIMINE NO. 13 TO EXCLUDE TESTIMONY OF KARLA KOUTZ REGARDING HER OPINION OF PAUL PADDA'S CHARACTER FOR TRUTHFULNESS

Matters ADVANCED from the February 14, 2020 chambers calendar.

Upon review of the papers and pleadings on file in this Matter, as proper service has been provided, this Court notes no opposition has been filed. Accordingly, pursuant to EDCR 2.20(e) the motions to seal are deemed unopposed. As the proposed sealing and redaction is narrowly tailored to protect sensitive personal and financial information, good cause appearing, COURT ORDERED, motions are GRANTED. Moving Counsel is to prepare and submit an order within ten (10) days and distribute a filed copy to all parties involved in this matter.

2-21-20 CHAMBERS DEFENDANT'S MOTION TO REDACT PORTIONS OF
DEFENDANTS MOTION FOR SANCTIONS AND TO SEAL EXHIBITS 6,7, AND 19...
...PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 4 TO PLAINTIFF'S APPENDIX OF
EXHIBITS TO OPPOSITION TO DEFENDANT'S MOTION FOR SANCTIONS AGAINST PLAINTIFF
ON AN ORDER SHORTENING TIME...
...DEFENDANT'S MOTION TO REDACT PORTIONS OF DEFENDANTS' REPLY IN SUPPORT OF
MOTION IN LIMINE NO. 1 TO EXCLUDE EVIDENCE...
...DEFENDANT'S MOTION TO REDACT PORTIONS OF DEFENDANTS' REPLY IN SUPPORT OF
MOTION IN LIMINE NO. 5 TO EXCLUDE EVIDENCE...
...PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 3 AND EXHIBIT 4 TO PLAINTIFF'S
REPLY IN SUPPORT OF MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS.
COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING
ADDICTION" OR WORDS TO THAT EFFECT...
...DEFENDANT'S MOTION TO REDACT PORTIONS OF DEFENDANTS' REPLY IN SUPPORT OF
MOTION IN LIMINE NO. 8 TO EXCLUDE EVIDENCE

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 2-13-20

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

February 21, 2020

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

February 21, 2020 3:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth

COURTROOM: Chambers

COURT CLERK: Louisa Garcia

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- DEFENDANT'S MOTION TO REDACT PORTIONS OF DEFENDANTS MOTION FOR SANCTIONS AND TO SEAL EXHIBITS 6,7, AND 19 ..PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 4 TO PLAINTIFF'S APPENDIX OF EXHIBITS TO OPPOSITION TO DEFENDANT'S MOTION FOR SANCTIONS AGAINST PLAINTIFF ON AN ORDER SHORTENING TIME ..DEFENDANT'S MOTION TO REDACT PORTIONS OF DEFENDANTS' REPLY IN SUPPORT OF MOTION IN LIMINE NO. 1 TO EXCLUDE EVIDENCE ..DEFENDANT'S MOTION TO REDACT PORTIONS OF DEFENDANTS' REPLY IN SUPPORT OF MOTION IN LIMINE NO. 5 TO EXCLUDE EVIDENCE PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBIT 3 AND EXHIBIT 4 TO PLAINTIFF'S REPLY IN SUPPORT OF MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE REGARDING MS. COHEN'S GAMING AND ANY USE OF THE TERMS "GAMBLING ADDICT" OR "GAMBLING ADDICTION" OR WORDS TO THAT EFFECT DEFENDANT'S MOTION TO REDACT PORTIONS OF DEFENDANTS' REPLY IN SUPPORT OF MOTION IN LIMINE NO. 8 TO EXCLUDE EVIDENCE

Upon review of the papers and pleadings on file in this Matter, as proper service has been provided, this Court notes no opposition has been filed. Accordingly, pursuant to EDCR 2.20(e) the motions to seal are deemed unopposed. As the proposed sealing and redaction is narrowly tailored to protect sensitive financial and confidential personal information, good cause appearing, COURT ORDERED,

motions are GRANTED. Respective Moving Counsel are to prepare and submit an order within ten (10) days and distribute a filed copy to all parties involved in this matter.

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. /lg 2-21-21

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters**COURT MINUTES****March 23, 2020**

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

**March 23, 2020 9:00 AM Motion For
Reconsideration**

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 03E

COURT CLERK: Dulce Romea

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Pursuant to Administrative Order 20-01, the Court decides this matter without the necessity of oral argument. The Court having reviewed Plaintiff's Motion for Reconsideration and the related briefing and being fully informed, DENIES the motion. Counsel for Defendant is directed to submit an electronic order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. This Decision sets forth the Court's intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order.

4-3-20 CHAMBERS PLAINTIFF'S MOTION TO RETAX COSTS

4-17-20 CHAMBERS DEFENDANT'S MOTION FOR ATTORNEYS' FEES

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 3-25-20

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

April 03, 2020

A-19-792599-B Ruth Cohen, Plaintiff(s)
vs.
Paul Padda, Defendant(s)

April 03, 2020 3:00 AM Motion to Retax

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** Chambers

COURT CLERK: Dulce Romea

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- The Court having reviewed the Plaintiff s Motion to Retax and the related briefing and being fully informed, GRANTS the motion IN PART. The excess expert fees for Smith and Vannah are disallowed and the ESI fees are disallowed. Counsel for Plaintiff is directed to submit an electronic order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing not related to the OOJ. This Decision sets forth the Court's intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order.

4-17-20 CHAMBERS DEFENDANT'S MOTION FOR ATTORNEYS' FEES

5-1-20 CHAMBERS PLAINTIFF'S MOTION TO REDACT OR SEAL EXHIBITS G, H, I, J, K, L, M, AND O 1-65 TO PLAINTIFF'S APPENDIX OF EXHIBITS TO OPPOSITION TO DEFENDANTS' MOTION FOR ATTORNEYS' FEES

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 4-6-20

EXHIBIT(S) LIST

Case No.: A-19-792599-B

Hearing Date: **NOVEMBER 18, 2019**

Dept. No.: **XI**

Judge: **HON. ELIZABETH GONZALEZ**

Court Clerk: DULCE ROMEA

Plaintiff: **RUTH COHEN**

Recorder: **JILL HAWKINS**

Counsel for Plaintiff: *DON CAMPBELL, ESQ.,*

VS.

Defendant: **PAUL PADDA**

JARED MOSER, ESQ.

Counsel for Defendant: TAMARA PETERSON, ESQ.

HEARING BEFORE THE COURT

COURT'S EXHIBITS

[illegible]

EXHIBIT(S) LIST

Case No.: **A-19-792599-B**

Hearing Date: **DECEMBER 30, 2019**

Dept. No.: **XI**

Judge: **HON. ELIZABETH GONZALEZ**

Court Clerk: **DULCE ROMEA**

Plaintiff: **RUTH COHEN**

Recorder: **JILL HAWKINS**

Counsel for Plaintiff: LIA NE KAKAYAMA, Esq.

SAM MIRKOVICH, GSO.

Defendant: **PAUL PADDA**

Counsel for Defendant: TAMARA PETERSON, ESQ.

VS.

HEARING BEFORE THE COURT

COURT'S EXHIBITS

[illegible]

EXHIBIT(S) LIST

Case No.: **A-19-792599-B**

Hearing Date: **JANUARY 8, 2020**Dept. No.: **XI**

Judge: **HON. ELIZABETH GONZALEZ**

Court Clerk: **DULCE ROMEA**

Plaintiff: **RUTH COHEN**

Recorder: **JILL HAWKINS**

Counsel for Plaintiff: LIANE WAKAYAMA, ESQ.

VS.

Defendant: **PAUL PADDA**

JARED MOSER, ESQ.; JARED MOSER, ESQ.

Counsel for Defendant: *J. STEPHEN PEEK, ESQ.*;

TAMARA PETERSON, ESQ.; NIKKI BAKER, ESQ.

HEARING BEFORE THE COURT

COURT'S EXHIBITS

[illegible]



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

LIANE K. WAKAYAMA, ESQ.
4735 S. DURANGO DR., STE 105
LAS VEGAS, NV 89147

DATE: April 13, 2020
CASE: A-19-792599-B

RE CASE: RUTH L. COHEN vs. PAUL S. PADDA; PAUL PADDA LAW, PLLC

NOTICE OF APPEAL FILED: April 8, 2020

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

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

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

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

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

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

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT; JUDGMENT; NOTICE OF ENTRY OF ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT; JUDGMENT; ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION; NOTICE OF ENTRY OF ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

RUTH L. COHEN,

Plaintiff(s),

vs.

PAUL S. PADDA; PAUL PADDA LAW,
PLLC,

Defendant(s),

Case No: A-19-792599-B

Dept No: XI

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 13 day of April 2020.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk