IN THE SUPREME COURT OF THE STATE OF NEVADA

RUTH COHEN, an individual, Appellant/Cross-Respondent, v. PAUL PADDA, et al. Respondents/Cross-Appellants.	Supreme Court Case No. 81018 (Consolidated with Supreme Court Case No. 81172) On Appeal from District Court Case No. A-19-792599-B

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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

DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION FOR RECONSIDERATION

Hearing Date: March 23, 2020
Hearing Time: 9:00 a.m.

Defendant Paul S. Padda, Esq. ("Mr. Padda") and Defendant Paul Padda Law, PLLC ("Padda Law") (collectively, "Defendants"), through their undersigned counsel, hereby oppose Plaintiff Ruth L. Cohen's ("Plaintiff") Motion for Reconsideration of the Court's Order Granting Defendants' Motion for Summary Judgment (the "Motion").

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Case Number: A-19-792599-B

The Motion is without legal or factual support and this Opposition is based upon the following Memorandum of Points and Authorities, the papers on file with the Court, and those matters adduced by the Court at the hearing hereof.

DATED this 6th day of March, 2020

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I. INTRODUCTION

It is *only* the rarest cases that merit a court's reconsideration of its own prior rulings. It is the rare case where new issues of fact or law are even raised by a party that support reconsideration and warrant a rehearing. This is most assuredly not one of those rare cases.

Astoundingly, Plaintiff Ruth L. Cohen ("Plaintiff") comes to this Court with a request for reconsideration of its order granting Defendants' Motion for Summary Judgment not because she has unearthed new issues of fact or law, but because she failed to cite a few (wholly inapplicable) legal authorities from Texas, Iowa, Missouri, and New Jersey dating from 1966 to 2008. While Plaintiff nominally blames the Court for committing a clear legal error, Plaintiff concedes from the very first sentence of her Motion for Reconsideration (the "Motion") that, at bottom, her request is actually born out of her own "Monday morning quarterbacking" rather than any legally recognizable grounds for reconsideration.

Plaintiff had twenty-three (23) days to file her opposition to Defendants' Motion for Summary Judgment. Plaintiff then had another sixteen (16) days to prepare her oral arguments to the Court in opposition to Defendants' Motion for Summary Judgment. Throughout this time, Plaintiff had the assistance of *at least* four attorneys and two well-known local law firms. The Court's ruling granting Defendants' Motion for Summary Judgment is not clearly erroneous because, in the thirty-nine (39) days she had to mount an opposition to Defendants' motion for summary judgment, Plaintiff failed to present to the Court in the original hearing on Defendants' Motion for Summary Judgment the authorities she now cites. The Motion should be denied.

II. RELEVANT FACTS

A. The Dissolution Agreement and Plaintiff's Suspension from the Practice of Law

On December 23, 2014, Plaintiff and Defendant Paul S. Padda, Esq. entered into an agreement to dissolve the partnership they had formed, Cohen & Padda, LLP ("C&P"). This agreement to dissolve C&P (the "Dissolution Agreement") provided, in relevant part, that "[w]ith respect to contingency cases in which there is yet to be a recovery by way of settlement or judgment," Plaintiff "shall be entitled to a 33.333% percent share of gross attorney's fees recovered in all contingency fee cases for which [C&P] has a signed retainer agreement dated on or before

December 31, 2014" (the "Expectancy Interest"). *See* **Exhibit 1** (the Dissolution Agreement) at § 7(b).

On September 12, 2016, Plaintiff and Mr. Padda entered into the Business Expectancy Interest Resolution Agreement (the "Buyout Agreement") wherein Plaintiff agreed to exchange her Expectancy Interest for $50,000.00. Mr. Padda paid Plaintiff $51,500.00 pursuant to the Buyout Agreement from September 2016 to May 2017.[1]

On April 6, 2017, Plaintiff was suspended from the practice of law by the Nevada State Bar for failing to complete her 2016 Continuing Legal Education ("CLE") requirements. Plaintiff acknowledged this fact while testifying under oath on January 4, 2018 (Question: "Are you like, in inactive status?" Answer: "No. I am suspended from the practice of law."). For the next two-and-a-half years, Plaintiff intentionally and knowingly refused to pay the $700 fine to get her law license back as a personal protest against the Nevada State Bar.

B. Plaintiff Was Suspended From The Practice Of Law At The Time Legal Fees Were Earned

While Plaintiff was suspended from the practice of law, Defendants earned attorneys' fees on two contingency fee cases, *Moradi v. Nevada Property 1, LLC et al.*, Case No. A-14-698824-C (the "Moradi Case"), and *Cochran v. Nevada Property 1, LLC et al.*, Case No. A-13-687601-C (the "Cochran Case"), that Mr. Padda had originated before 2015.

Plaintiff did not originate the Moradi Case or the Cochran Case. *See* Complaint at ¶¶ 44, 60. Plaintiff did not refer the Moradi Case or the Cochran Case to C&P or Mr. Padda. *See id.* Plaintiff did not enter into any written agreement whereby she would be entitled to a percentage of the attorneys' fees earned in the Moradi Case, the Cochran Case, or any other case due to her role in bringing these cases to, referring these case to, or originating these cases for C&P, Mr. Padda, or Defendant Paul Padda Law, PLLC ("Padda Law"). *See generally* Complaint. Plaintiff's Expectancy Interest, which she exchanged for $50,000.00 in the Buyout Agreement, was not given

[1]Mr. Padda overpaid Plaintiff under the Buyout Agreement by $1,500.00. The Buyout Agreement payments and the $1,500.00 overpayment ***were not*** referral fees, originations fees, or any other fee splits related to any cases in which Plaintiff claims an interest in the attorneys' fees.

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in consideration for Plaintiff's role in bringing these cases to, referring this case to, or originating these cases for C&P, Mr. Padda, and/or Padda Law. *See* **Exhibit 1** at § 7(b).

C. The Court Grants Defendants' Motion for Summary Judgment

On April 9, 2019, Plaintiff filed her Complaint against Mr. Padda and Padda Law (collectively, "Defendants") seeking compensatory damages equal to the attorneys' fees Plaintiff claimed she was owed pursuant to her Expectancy Interest. *See generally* Complaint. Consequently, from the start of her case against Defendants, Plaintiff knew that her ability to recover attorneys' fees at all would be a central issue in the case.

Defendants deposed Plaintiff on July 22 and July 23, 2019. During her deposition, Plaintiff testified about her suspension in detail. *See, e.g.,* **Exhibit 2** (Excerpts from Depo. Trans. of Ruth L. Cohen) at 115:5-118:24. On October 7, 2019, Defendants asked Plaintiff to admit she was suspended from the practice of law in or about April 2017; without objecting to the request, Plaintiff responded on October 28, 2019 with a simple "Deny".[2] *See* **Exhibit 3** (Plaintiff's Responses to Defendants' Requests for Admission (First Set)). Thus, between July 22, 2019, and October 7, 2019, Plaintiff was put on notice that Defendants believed her suspension from the practice of law was an important component of Defendants' defenses.

On December 18, 2019, Defendants filed their Motion for Summary Judgment. In their Motion for Summary Judgment, Defendants' very first legal argument was Plaintiff is precluded from recovering any share of attorneys' fees earned on cases resolved after she was suspended from the practice of law because her suspension rendered her a "nonlawyer" for purposes of NRPC 5.4(a). *See* Motion for Summary Judgment at 17-19.[3]

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[2]Pursuant to Nevada Rule of Civil Procedure 36(a)(4), "the answering party may assert lack of knowledge or information to as a reason for failing to admit or deny only if the party states that it has made a reasonable inquiry and that the information it knows or can readily obtain is insufficient to enable it to admit or deny." Plaintiff did not choose to assert lack of knowledge. Instead, she made a deliberate decision to flatly misrepresent knowing full well that she had in fact been suspended by the State Bar of Nevada in April 2017; as she had previously admitted under oath while testifying in an unrelated proceeding in January 2018. Plaintiff never sought to later amend, supplement or clarify her response to this request for admission after denying it.

[3]Defendants also argued, and this Court later found and concluded, that Plaintiff has not incurred any damages relating to her claim to attorneys' fees in *Garland v. SPB Partners, LLC et al.*, Case No. A-15-724139-C (the "Garland Case"). *See* Motion for Summary Judgment at 19; Order Granting Defendants' Motion for Summary Judgment at 9. In her Motion, Plaintiff takes no issue

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In that argument, Defendants cited *In re Phillips*, 226 Ariz. 112, 244 P.3d 549 (2010), a decision of the Supreme Court of Arizona that provided that during an attorney's suspension he or she shall not receive any legal fees. *See* Motion for Summary Judgment at 18. Notably, the passage from *In re Phillips* that Defendants cited specifically referred to *West v. Jayne*, 484 N.W.2d 186 (Iowa 1992), which in turn cites to *Sympson v. Rogers*, 406 S.W.2d 26 (Mo. 1966), two of the cases that Plaintiff now claims to have overlooked in her Opposition. *See id.* (citing *In re Phillips*, 226 Ariz. at 121, 244 P.3d at 558).

Two things are clear. First, Plaintiff from July 2019 has had unambiguous notice and knowledge that Defendants believed that Plaintiff's suspension from the practice of law precluded her recovery of any attorneys' fees in her case. Second, Defendants' Motion for Summary Judgment put Plaintiff and her counsel on notice of the *West* / *Sympson* line of authority. Plaintiff could have cited *West* and *Sympson* (though it would not have done her any good) in her Opposition to Defendants' Motion for Summary Judgment and/or at her counsel's oral presentation at the hearing on Defendants' Motion for Summary Judgment.

On December 19, 2019, the day after Defendants filed their Motion for Summary Judgment, Plaintiff had her law license reinstated. *See* Exhibit P to Plaintiff's Opposition to Defendants' Motion for Summary Judgment. Even after securing an extension to file her opposition, Plaintiff cited just one case, *Shimrak v. Garcia-Mendoza*, 112 Nev. 246, 912 P.2d 822 (1996), to oppose Defendants' arguments regarding the effects of her suspension on her ability to recover attorneys' fees. *See* Opposition to Defendants' Motion for Summary Judgment at 21-22. At the hearing seventeen days later, Plaintiff's counsel again could have cited the *West* and *Sympson* line of authority, but instead she relied solely on *Shimrak*.[4]

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with this argument or the Court's findings and conclusions as to her lack of damages stemming from the Garland Case. Nor could she. Thus, the Garland Case and Plaintiff's claims to any damages from that case are beyond the purview of this Motion.

[4] As noted in Defendants' reply to Plaintiff's opposition to Defendants' motion for summary judgment, and at the oral argument held on January 27, 2020, the *Shimrak* case actually undermines Plaintiff's arguments because Plaintiff is the party with the greatest moral fault given her flagrant disregard for her professional and ethical duties

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On February 18, 2020, this Court entered its Order granting Defendants' Motion for Summary Judgment. In doing so, the Court concluded that a lawyer who is suspended from the practice of law for failing to comply with the CLE requirements is a "nonlawyer" under NRPC 5.4(a) who may not receive or share in attorneys' fees earned by a lawyer or law firm. *See* Order Granting Defendants' Motion for Summary Judgment at 7. The Court concluded that 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. *Id.*

C. Plaintiff's Motion for Reconsideration

On February 21, 2020, Plaintiff asked for reconsideration pursuant to EDCR 2.24. Plaintiff avers that "with the benefit of fresh eyes and hindsight" she has determined that the Court erred by granting Defendants' Motion for Summary Judgment because Plaintiff "did not present" certain legal authorities that supposedly rebut the arguments Defendants made in their Motion for Summary Judgment. *See* Motion at 2.

III. PLAINTIFF HAS NO VALID LEGAL GROUNDS FOR SEEKING RECONSIDERATION

This is not the rare or unique case that merits reconsideration. Plaintiff does not present the Court with previously unavailable or undiscoverable evidence or legal authority that undermines the Court's previous ruling. Nor is this the rare or unique case where the Court committed "clear error" in deciding an issue as it did. Rather, Plaintiff simply ignored these particular legal authorities in preparing her opposition to summary judgment. That is not a basis for any court to reconsider its own rulings under Nevada law, and the Court should deny Plaintiff's Motion.

EDCR Rule 2.24 provides, in pertinent part, that a party may seek "reconsideration of a ruling of the court." The Nevada Supreme Court has determined that "[o]nly in very rare instances in which new issues of fact or law are raised supporting a ruling contrary to the ruling already reached should a motion for rehearing be granted." *Moore v. City of Las Vegas*, 92 Nev. 402, 405, 551 P.2d 244, 246 (1976). A district court may consider a motion for reconsideration concerning a previously decided issue if the decision was clearly erroneous. *See Masonry and Tile v. Jolley,*

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Urga & Wirth, 113 Nev. 737, 741, 941 P.2d 486, 489 (1997). But "[p]oints or contentions not raised in the original hearing cannot be maintained or considered on rehearing." *Achrem v. Expressway Plaza Ltd.*, 112 Nev. 737, 742, 917 P.2d 447, 450 (1996); *see also Sargeant v. Henderson Taxi*, 425 P.3d 714 (Table), 2017 WL 10242277, at *1 (Nev. Sup. Ct. Dec. 1, 2017).

The truth is Plaintiff knew that her ability to recover attorneys' fees was a central issue from the start, and from July 22, 2019, Plaintiff had notice that Defendants believed Plaintiff's suspension from the practice of law was relevant to their defense. Defendants made this point explicit in their December 18, 2019 Motion for Summary Judgment. Plaintiff then had thirty-nine days to research and present to this Court *during the original hearing* on Defendants' Motion for Summary Judgment the authorities on which she now stakes her request for reconsideration. Plaintiff's choice not to precludes Plaintiff's request for reconsideration. *See Achrem*, 112 Nev. at 742, 917 P.2d at 450.[5]

Regardless, Plaintiff's new authorities do not apply. They show only that, in situations distinguishable from Plaintiff's, some courts apply a different legal rubric for determining whether a suspended or disbarred attorney may receive any legal fees. In fact, several cases from these (and other) jurisdictions recognize that there are two schools of thought on how to handle a suspended or disbarred attorneys' ability to receive legal fees in certain limited situations, but Plaintiff's case fails under either theory. *See, e.g., Pollock v. Wetterau Food Distrib. Group*, 11

[5]To the extent Plaintiff attempts to argue that *Arnold v. Kip*, 123 Nev. 410, 168 P.3d 1050 (2007), grants a district court discretion to consider the merits of arguments raised for the first time in a motion for reconsideration, Plaintiff is mistaken. In *Arnold*, the Nevada Supreme Court considered, in relevant part, whether an argument raised for the first time in a motion for reconsideration was part of the record on appeal and could be considered on an appeal from a final judgment. *See* 123 Nev. at 416–17, 168 P.3d at 1054. The Court concluded that "if the reconsideration order and motion are properly part of the record on appeal from the final judgment, *and if the district court elected to entertain* ***the motion*** *on its merits*, then we may consider the arguments asserted in the reconsideration motion in deciding an appeal from the final judgment." *Id.* at 417, 168 P.3d at 1054 (emphasis added). Thus, *Arnold* does not grant this Court discretion to consider new arguments in a motion for reconsideration; rather, *Arnold* stands for the proposition that if this Court elects to consider a motion for reconsideration ***in its entirety*** on the merits, then the arguments made therein may be considered on appeal. *See id.* And, this Court's decision to consider a motion for reconsideration on the merits depends entirely on whether the motion is predicated upon one of the few, valid legal bases for reconsideration. *See Moore*, 92 Nev. at 405, 551 P.2d at 246. Because Plaintiff's Motion does not fall within any of the narrow grounds for reconsideration at all, Plaintiff has presented no valid grounds to consider the merits of her Motion and so *Arnold* has no application here.

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S.W.3d 754, 772–73 (Mo. Ct. App. 1999) (recognizing two lines of cases addressing the issue of a suspended or disbarred attorney's ability to receive attorneys' fees and adopting the approach this Court applied in granting Defendants' Motion for Summary Judgment).

This Court should deny Plaintiff's Motion on procedural grounds alone without considering the merits of Plaintiff's substantive arguments. Plaintiff cannot ask for reconsideration merely because she forgot to cite an indiscriminate—and inapplicable—collection of authorities. Nor can Plaintiff ask this Court to reconsider its ruling on the basis that Plaintiff contends that ruling is somehow "clearly erroneous" because some jurisdictions approach the legal issues this Court decided differently when presented with different facts. For all these reasons, the Court's analysis should stop here, and the Court should deny Plaintiff's Motion.

IV. PLAINTIFF'S "NEWLY DISCOVERED" CASES HAVE NO APPLICATION

While this Court need not reach Plaintiff's substantive arguments, those arguments fail on their merits, too. The legal authorities that Plaintiff ignored during the original hearing on Defendants' Motion for Summary Judgment do not change this Court's analysis or the result.

A. The "Lee Exception" to the Texas Rule Does Not Apply

Plaintiff's first takes the Court to Texas, where the Court of Appeals in *Lee v. Cherry* concluded that a referring attorney who resigned in lieu of disciplinary proceedings could recover attorneys' fees earned in the referred case because he had "performed all that was required of him prior to his resignation or disbarment under a client-approved contract." *See* Motion at 4-5 (citing *Lee v. Cherry*, 812 S.W.2d 361, 363 (Tex. App. 1991)). Plaintiff avers that her Expectancy Interest created by the Dissolution Agreement was really a referral fee similar to the fee Doug Cherry agreed in writing to pay James R. Lee, a formerly licensed attorney in Texas, in exchange for Lee referring a personal injury client to Cherry. *See* Motion at 4 (citing *Lee v. Cherry*, 812 S.W.2d 361, 361–62 (Tex. App. 1991)). Plaintiff is wrong.

The general rule under Texas law provides that "[w]here the attorney, prior to the completion of his contingent fee contract is disbarred or suspended, he is **not** entitled to collect either on the contract or quantum meruit for the services, if any, that have been rendered." *See Royden v. Ardoin*, 331 S.W.2d 206, 209 (Tex. 1960); *see also French v. Law Offices of Windle*

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Turley, P.C., 2010 WL 744794, at *3 (Tex. App. Mar. 4, 2010). The general rule under Texas law is based on the principle that an attorney's suspension or disbarment functions as "voluntary abandonment" of the client such that the attorney cannot recover any compensation from that client. *See Royden*, 331 S.W.2d at 209. This "Texas Rule" is much more punitive than the cases cited by Defendants in their Motion for Summary Judgment or the cases relied upon by this Court in granting Defendants' Motion for Summary Judgment because it expressly does not permit a suspended or disbarred attorney from recovering the "quantum meruit" value of the services he or she rendered before her suspension or disbarment on any matter that remains unresolved at the time of his or her suspension or disbarment. *See id.*

Out of this "voluntary abandonment" framework established by *Royden*, the *Lee* court recognized a very narrow exception: where an attorney has completed all the services he or she was required to complete on a client's matter before his or her suspension or disbarment,[6] the attorney may recover his or her share of compensation so long as the attorney's right to compensation is memorialized in a valid contract that was executed prior to the attorney's suspension or disbarment. *See Lee*, 812 S.W.2d at 363. But the *Lee* exception to the Texas Rule applies only in very limited legal services contracts where an attorney's tasks or services are so limited that the attorney could feasibly "complete" the services required of him or her even where he or she is suspended or disbarred prior to the complete resolution of the matter. The only "*Lee*-applicable" legal services contracts recognized by Texas courts are **referral fee** agreements. *See, e.g.*, *Lee*, 812 S.W.2d at 361–62; *A.W. Wright & Assocs., P.C. v. Glover, Anderson, Chandler & Uzick, LLP*, 993 S.W.2d 466, 467–68 (Tex. App. 1999); *Comm'n on Prof'l Ethics*, State Bar of Tex., Op. 568 (2010) (considering "a signed referral agreement that calls for the two lawyers to share the contingent fee")[7].

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[6]*See Cruse v. O'Quinn*, 273 S.W.3d 766, 773 (Tex. App. 2008) ("[T]he relevant inquiry is not whether [the suspended or disbarred attorney] had completed some of [his or her] duties on the cases . . . on the date [he or she] was suspended; it is whether or not [he or she] had completed all of its duties on those cases.").

[7]Plaintiff's suggestion that Opinion No. 568 supports her claim to attorneys' fees is baseless. Opinion No. 568 expressly considered a referral agreement and/or agreements where the suspended attorney provided some valuable services that he or she completed prior to suspension. Plaintiff has taken the position throughout these proceedings that she had virtually no role in the

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For example, in *Cruse v. O'Quinn*, the Texas Court of Appeals refused to apply the *Lee* exception to a disbarred attorney who claimed his disbarment terminated the services he was required to perform such that, under the *Lee* rubric, he had completed all the tasks required of him. 273 S.W.3d 766, 773–74 (Tex. App. 2008). The *Cruse* court explained that the disbarred attorney's argument "is directly contrary to the long-standing precedent in Texas, discussed above, that when a lawyer is unable to fulfill his or her representation of a client, the lawyer is **not** entitled to recovery of any legal fees from an abandoned case and client" and "is also contrary to the disciplinary rule governing the payment of legal fees to non-lawyers, which **prohibits** a lawyer from sharing in legal fees with a non-lawyer." *See id.* at 773 (citing *Royden*, 331 S.W.2d at 209 and Tex. Disciplinary R. Prof'l Conduct 5.04(a)).

So, in citing *Lee* and *A.W. Wright & Assocs.*, *see* Motion at 4-5, Plaintiff is really suggesting three things: first, the Court should adopt the punitive Texas Rule as opposed to the legal principles it relied upon in granting Defendants' Motion for Summary Judgment; second, the Court should adopt the *Lee* exception to the Texas Rule; and, third, the Court should find and conclude that Plaintiff's situation falls within the *Lee* exception. But even if the Court were interested in abandoning the sound legal principles upon which it relied in its order in exchange for the Texas Rule and the *Lee* exception, Plaintiff does not fall within the *Lee* exception.

Plaintiff's only "interest" in attorneys' fees—the Expectancy Interest—was not created in a client-approved referral agreement in recognition of Plaintiff's role in referring a case to Defendants. *Cf. Lee*, S.W.2d at 361–62; *A.W. Wright & Assocs.*, 993 S.W.2d at 467–68; *Comm'n on Prof'l Ethics*, State Bar of Tex., Op. 568. Rather, Plaintiff's Expectancy Interest was created as part of the winding up and dissolution of C&P. Plaintiff did not receive her Expectancy Interest as a result of her performing any discrete value-creating acts that were definitively completed prior to her suspension such as referring any of the cases subject to her Expectancy Interest. *See* Motion at 3-4. In fact, Plaintiff avers that she did not perform any work at all on any of the cases from which she seeks to recover attorneys' fees. *See id.* at 4. Thus, even if this Court were to endorse

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Moradi Case, the primary case in which she seeks attorneys' fee. Thus, Plaintiff cannot avail herself of the propositions in Opinion No. 568 anymore than she can the *Lee* exception.

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and apply both the Texas Rule and the *Lee* exception, Plaintiff's situation cannot fall within the narrow bounds of the *Lee* exception such that she would still be barred from recovering any attorneys' fees.

B. The Iowa and Missouri Rules Do Not Apply

Plaintiff then cites the Court to a decision of the Iowa Supreme Court, which "relied heavily" on a 1966 decision of the Missouri Supreme Court. *See* Motion at 5-6 (citing *West v. Jayne*, 484 N.W.2d 186 (Iowa 1992) and *Sympson v. Rogers*, 406 S.W.2d 26 (Mo. 1966)).[8] But these cases serve her no better than *Lee*. Each of these cases illustrates the principle that an attorney must have earned the fee while still a lawyer by both performing valuable legal services for the client and completing those services before suspension.

In *West*, the Iowa Supreme Court considered whether a suspended attorney could recover an origination fee split for work he generated for the firm. *See* 484 N.W.2d at 188. The Iowa Supreme Court followed, effectively, the Texas Rule's "voluntary abandonment" theory, including the *Lee* exception, and concluded that the suspended attorney could receive the attorneys' fees equal to his origination fee split because he had entered the origination fee split contract prior to his suspension from the practice of law and he had completed all the work he needed to do to earn the origination split. *See id.* at 190. In so doing, the *West* court cited *Sympson* as a supporting authority. *Id.* at 190–91.

Sympson concerned an agreement between a personal injury attorney and two other lawyers wherein the personal injury attorney, in anticipation of disbarment proceedings, agreed to refer five contingency-fee cases—"all of which cases had been filed, investigated and prepared for trial, and one of which had been tried (a first time)"—to the other lawyers with the understanding that the personal injury attorney "should be deemed to have 'already earned' 50% of all fees eventually obtained" in these cases. *See* 406 S.W.2d at 27. The *Sympson* court applied the Texas Rule and

[8]As described *supra* at Part II.B, Plaintiff could have easily found these cases and made the same arguments she now makes in the original briefing and hearing on Defendants' Motion for Summary Judgment had she simply reviewed the cases Defendants cited in their motion. *See Achrem*, 112 Nev. at 742, 917 P.2d at 450 ("Points or contentions not raised in the original hearing cannot be maintained or considered on rehearing.").

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the *Lee* exception to determine that the disbarred personal injury attorney had already earned his portion of the fees in these cases prior to his disbarment such that he could still recover these fees even after his disbarment. *See id.* at 27.

Once more, Plaintiff runs into trouble under these authorities. Plaintiff did not originate the cases in which she claims an interest to the attorneys' fees, nor did she "already earn" her Expectancy Interest by virtue of any efforts she made to work up these cases. *See* Complaint at ¶¶ 44, 60 (alleging that the Moradi Case was referred to C&P by someone other than Plaintiff and that the Cochran Case came to C&P due to media coverage related to the Moradi Case); Plaintiff's Opp. to Defendants' Motion for Summary Judgment at 6 (arguing that Plaintiff had very limited involvement in the Moradi Case). Plaintiff concedes as much as she claimed in her Opposition to Defendants' Motion for Summary Judgment that her involvement in the Moradi Case, the primary case in which she seeks fees, that her involvement was limited to "the initial intake meeting with Mr. Moradi in 2012, referring Mr. Moradi to a doctor, and meeting with the [defendants'] insurance adjuster." *See* Plaintiff's Opp. to Defendants' Motion for Summary Judgment at 6.[9] Plaintiff cannot use her supposedly minimal involvement in the Moradi Case (or any other cases) to demonstrate that her claim to fees is similar to the attorneys in *West* or *Sympson* who either originated the relevant case or performed substantial work on the relevant cases prior to their suspension or disbarment. None of these cases approve awarding attorney's fees to an attorney who does not actually perform services for the client so as to be able to "complete" them. The bottom line is, if Plaintiff actually had no or very limited involvement in the cases in which she seeks attorneys' fees, then she cannot rely on the Texas Rule or other jurisdictions applying the Texas Rule to argue that she had "completed" all the services required of her on these cases to "earn" these attorneys' fees. *See Cruse*, 273 S.W.3d at 773–74.

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[9] Indeed, Plaintiff hides behind her noninvolvement to argue, incorrectly, that she could not have known how valuable the Moradi case was when she entered a new contract to exchange her Expectancy Interest for $50,000.

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C. The New Jersey Rule Does Not Apply

Of all Plaintiff's scattershot legal authorities, the most brazenly inapplicable is Plaintiff's citation to *Eichen, Levinson & Crutchlow, LLP v. Weiner*, 938 A.2d 947 (N.J. Super. Ct. App. Div. 2008). That case interprets Rule 1:20 of the Rules Governing the Courts of the State of New Jersey (the "New Jersey Rules"), a rule that is quite different from Nevada's rules of professional conduct.

In *Eichen*, the Superior Court of New Jersey considered whether an attorney-trustee, appointed pursuant to Rule 1:20–19 of the New Jersey Rules to oversee a suspended or disbarred attorney's law practice, is entitled to take possession of "referral fees that would otherwise be due to the suspended or disbarred attorney pursuant to a referral agreement . . . ." 938 A.2d at 948. The *Eichen* court interpreted the plain language of Rule 1:20–20(b)(13) of the New Jersey Rules, which provide, in relevant part, "[a]n attorney who is suspended . . . or disbarred . . . shall not share in any fee for legal services performed by any other attorney following the disciplined or former attorney's prohibition from practice, but may be compensated for the reasonable value of services rendered . . . prior to the effective date of the prohibition . . . ." *Id.* at 950 (quoting Rule 1:20–20(b)(13)). In particular, the *Eichen* court placed special emphasis on Rule 1:20–20(b)(13)'s "other compensation" clause, which provides that a Rule 1:20–19 attorney-trustee shall be paid all fees for legal services and "other compensation" due to the suspended or disbarred attorney and defines "other compensation" to include "forms of compensation that are due and payable to a suspended or disbarred attorney other than fees for legal services." *Id.* Thus, the *Eichen* court concluded that, pursuant to the plain language of Rule 1:20–20(b)(13)'s "other compensation" clause, the Rule 1:20–19 attorney-trustee could take possession of referral fees owed to a suspended or disbarred attorney pursuant to a referral agreement. *See id.* at 950–51.

Plaintiff may have convinced herself that her Expectancy Interest was, somehow, a referral fee (though the allegations in her Complaint say otherwise), but she cannot seriously argue that the Rules Governing the Courts of the State of New Jersey and New Jersey caselaw interpreting those rules have any purchase in this case, which is before a Nevada state court and involves a claim to attorneys' fees under Nevada state law and rules. In contrast to Rule 1:20, Nevada's RPC

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5.4 discusses sharing fees only with the estate of a deceased lawyer, not with a suspended or disbarred lawyer. *Eichen* and the New Jersey Rules have no application here.

E. The Authorities Plaintiff Cites Demonstrate this Court's Ruling on Defendants' Motion for Summary Judgment Was Not Clearly Erroneous

Lastly, Plaintiff's recitation of these irrelevant and inapplicable legal authorities reveals a deeper flaw in her Motion: this Court's ruling cannot possibly be clearly erroneous if there is such a vigorous split across the country over the ability of suspended or disbarred attorneys to receive attorneys' fees.

A court's decision is clearly erroneous where it would result in manifest injustice if it is enforced or would amount to a fundamental miscarriage of justice. *See Hsu v. Cty. of Clark*, 123 Nev. 625, 630–31, 173 P.3d 724, 728–29 (2007). When examining a request for reconsideration predicated upon legal error, ordinary errors or close calls are insufficient grounds for granting the request; rather, a party must present instances of *clearly erroneous* legal decisions. *See McDowell*, 197 F.3d at 1255. And, if the question or issue presented by the party seeking reconsideration is merely "debatable," then "the district court did not commit clear error . . . ." *Id.*

In their Motion for Summary Judgment and in their reply brief, Defendants cited this Court to persuasive authorities from Arizona, Ohio, Pennsylvania, and New York. These authorities stand for the position that a suspended or disbarred lawyer is a "nonlawyer" for purposes of the applicable professional rules concerning sharing fees with a nonlawyer such that an attorney may not share attorneys' fees with a suspended or disbarred lawyer. *See, e.g., In re Phillips*, 226 Ariz. at 121, 244 P.3d at 558; *Disciplinary Counsel v. McCord*, 121 Ohio St.3d 497, 905 N.E.2d 1182, 1189 (2009). However, this line of cases also stands for the proposition that, while a suspended or disbarred attorney may not share in attorneys' fees earned on a case, he or she "is allowed to recover for the reasonable value of services rendered prior to [suspension or] disbarment so long as he [or she] was not [suspended or] disbarred for misconduct associated with the case." *See Pollock*, 11 S.W.3d at 773 (collecting cases); *see also Lessoff*, 2 A.D.3d 127, 767 N.Y.S.2d at (Mem)–606. In other words, unlike the Texas Rule, this line of cases permits a suspended or

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disbarred attorney to receive compensation for the services he or she has rendered in a case that is not resolved until after his or her suspension and/or disbarment.

The cases Plaintiff cites to in her current Motion simply represent the other line of two lines of caselaw in the country. *See Pollock*, 11 S.W.3d at 772 ("There are two schools of thought on the issue of a disbarred attorney's entitlement to recover fees for work performed prior to his disbarment."); *Kourouvacilis v. Am. Fed'n of State, Cty. & Mun. Employees*, 841 N.E.2d 1273, 1279 (Mass. App. Ct. 2006) ("Two principal lines of authority have emerged in other jurisdictions concerning an attorney's right to compensation after he has been suspended or disbarred before completion of his services for the client."). But Plaintiff's line of cases, adhering to the Texas Rule, is disfavored because it inflicts "retroactive monetary punishment" on suspended and/or disbarred attorneys. *See Pollock*, 11 S.W.3d at 773; *Stein v. Shaw*, 79 A.2d 310, 311–12 (N.J. 1951); *Harris Trust & Sav. Bank v. Chicago College of Osteopathic Med.*, 452 N.E.2d 701, 704–05 (Ill. App. Ct. 1983).

Irrespective of which 'school of thought' is better, recognition that there exists a split of authorities among various jurisdictions defeats Plaintiff's suggestions that this Court's ruling is clearly erroneous because the Court did not pick Plaintiff's preferred set of authorities, including exceptions to that set. This Court did not commit "clear legal error" under these circumstances. Accordingly, Plaintiff's argument that this Court's ruling is clearly erroneous is without merit.

V. CONCLUSION

This Court correctly granted Defendants' Motion for Summary Judgment on the basis of established and fair legal principles that apply directly to Plaintiff's claims. While it is understandable that Plaintiff is not happy with this outcome, her reflections on what she would have done differently do not render the Court's decision clearly erroneous.

Reconsideration is reserved for the rare cases where leaving a ruling undisturbed would fly in the face of new evidence or applicable law or, rarer still, would permit a fundamental miscarriage of justice. Plaintiff's case is simply not one of those exceptional cases. On that basis alone, this Court should deny Plaintiff's Motion.

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Still, should this Court want to entertain the merits of Plaintiff's Motion, this Court should reach the same outcome as the legal authorities Plaintiff presents for the first time in her Motion, which she failed to present during the briefing and hearing on Defendants' Motion for Summary Judgment, do not change the outcome here. These cases simply do not apply to Plaintiff's situation.

Because Plaintiff has no legally recognizable grounds to seek reconsideration and because Plaintiff cannot present any substantive reason for this Court to change its ruling, this Court should deny Plaintiff's Motion in full.

DATED this 6th day of March, 2020

HOLLAND & HART LLP

/s/ J. Stephen Peek, Esq.

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CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of March, 2020, a true and correct copy of the foregoing **DEFENDANTS' OPPOSITION TO 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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An Employee of Holland & Hart LLP

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EXHIBIT 1

PARTNERSHIP DISSOLUTION AGREEMENT

This agreement, which shall become effective December 23, 2014, is intended to effectuate the dissolution of Cohen & Padda, LLP ("Cohen & Padda"), a limited liability partnership. For good and valuable consideration, the parties to this agreement hereby acknowledge and agree to the following:

I.

Acknowledgments

1. Whereas the parties acknowledge that Cohen & Padda, LLP is comprised of two limited liability partners, Ruth L. Cohen, Esq. and Paul S. Padda, Esq. both of whom are natural persons. Cohen & Padda is a limited liability partnership established under the laws of Nevada and licensed to transact business in Nevada. The partnership was established on or about January 18, 2011 and assigned Nevada business identification NV20111042691 by the Nevada Secretary of State's Office. The federal tax identification of the firm is 27-4703090. Cohen & Padda is a partnership providing general legal services to members of the public.

2. Whereas Ruth Cohen has indicated she wishes to partially retire from the practice of law and no longer wishes to be responsible for the financial obligations associated with carrying on a business, the parties agree to dissolve the partnership of Cohen & Padda and take all steps necessary to effectuate that dissolution in a smooth and efficient manner.

3. Whereas the parties agree that Cohen & Padda shall be dissolved effective December 31, 2014 and shall cease to exist thereafter.

II.

Agreements

4. The parties agree that Paul Padda, as a general partner, shall be empowered to take all steps necessary to effectuate the dissolution of Cohen &Padda, including but not limited to the following: (i) filing the appropriate paperwork with the Nevada Secretary of State's Office, (ii) notifying the appropriate federal and state tax authorities and (iii) notifying all appropriate local, state and other regulatory authorities. Any fees required by the Nevada Secretary of State's Office or any other office in connection with the foregoing shall be paid by Cohen & Padda, LLP out of its General Operating Account.

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5. The parties to this agreement, Ruth Cohen and Paul Padda, agree that no other natural person or entity shall possess any rights or duties under this agreement. The parties further agree that neither Ruth Cohen or Paul Padda may assign or transfer any interest/right under this agreement. In the event such an assignment or transfer shall occur, it shall be deemed ineffective and void.

6. Upon dissolution of Cohen & Padda, LLP, Paul Padda shall have the right, but not the obligation, to continue use of the name "Cohen & Padda" with any future law practice or related business he may create. Should Paul Padda decide to use the Cohen & Padda name in connection with any future law practice or related business, Ruth Cohen (including her heirs) hereby forfeits the right to any remuneration, compensation and/or royalty for the use of her name and/or likeness in connection with any future law practice or related business created by Paul Padda.

7. The parties agree to the following terms of compensation for Ruth Cohen with respect to Cohen & Padda, LLP:

a. Upon dissolution of Cohen & Padda, LLP the parties agree that Ruth Cohen shall be entitled to a total payment of $15,000.00 (payable on or before December 1, 2017). Whether the amount referenced herein is paid in one lump sum or in various installments shall be within the exclusive discretion of Paul Padda. The referenced payment (whether made in one lump sum or by separate installment payments) shall constitute a complete and total monetary "buyout" of Ruth Cohen's interests in Cohen & Padda, LLP. As noted in paragraph 6 above, and understood by the parties, Ruth Cohen shall have no ownership interest in any entity created by Paul Padda after December 31, 2014 bearing the name "Cohen & Padda."

b. With respect to contingency fee cases in which there is yet to be a recovery by way of settlement or judgment, Ruth Cohen shall be entitled to a 33.333% percent share of gross attorney's fees recovered in all contingency fee cases for which Cohen & Padda, LLP has a signed retainer agreement dated on or before December 31, 2014. Ruth Cohen shall not be entitled to any percentage of any case (unless set forth in a separate agreement signed by Paul Padda) for which a retainer agreement is executed after January 1, 2015.

c. Ruth Cohen's right to the percentage referenced in preceding paragraph shall be limited to contingency fee cases only and no other type of case (including billable or flat fee). Ruth Cohen expressly forfeits her right to recover any fees obtained by Paul Padda or Cohen & Padda, LLP on a flat fee or billable hourly basis.

8. With respect to the compensation referenced in paragraph 7 above, Ruth Cohen shall be compensated from time-to-time by business check and shall be issued an Internal Revenue Service Form 1099-Misc. Ruth Cohen shall be solely responsible for payment of all federal, state and local taxes. Ruth Cohen shall have no right of inspection with respect to any financial records of Cohen & Padda, LLP or any other entity created by Paul Padda after December 31, 2014.

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9. In exchange for the payment referenced in paragraph 7(a) above, Ruth Cohen expressly forfeits her right to any electronics, furniture, computers, other items, intellectual property or interests currently owned by Cohen & Padda, LLP or any compensation for the value of those items.

10. The parties agree that neither Cohen & Padda, LLP, Paul Padda or any successor entity shall be responsible for any debts unique to Ruth Cohen in her individual capacity. Likewise, Ruth Cohen shall not be responsible for any debts unique to Paul Padda in his individual capacity or incurred by Cohen & Padda, LLP after November 1, 2014.

11. All provisions of this agreement shall be governed by Nevada law and construed in accordance with Nevada law. For purposes of this agreement, both parties shall be construed to be the drafting parties. Any disputes arising under this agreement shall be subject to binding arbitration with no right of appeal to any court or higher authority.

12. Both parties represent they are of sound mind, have fully reviewed this document and agree to be bound by its terms. The parties further represent that this written agreement constitutes a complete and full memorialization of their agreement and that any terms not explicitly set forth in this agreement shall be deemed null and void. This agreement supersedes any prior agreements. A copy of this agreement shall have the same force, validity and effect as an original.

Ruth L. Cohen, Esq.

Dated: December 23rd, 2014

Paul S. Padda, Esq.

Dated: December 23, 2014

NOTARY PUBLIC:

State of Nevada
County of Clark

This instrument was acknowledged before me on this 23rd day of Dec., 2014

by:

ASHLEY POURGHAHREMAN
Notary Public, State of Nevada
Appointment No. 14-13024-1
My Appt. Expires Feb 18, 2018

EXHIBIT 2

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 individuals I-X; and ROE Entities I-X, Defendants.	)	Case No.: A-19-792599-B Volume I

VIDEOTAPED DEPOSITION OF RUTH L. COHEN

Taken on behalf of the Defendant, PAUL S. PADDA, at the law offices of Holland & Hart, 9555 Hillwood Drive, 2nd Floor, Las Vegas, Nevada 89134, commencing at 1:02 p.m., on Monday, July 22, 2019, pursuant to Notice.

REPORTED BY: PAIGE M. CHRISTIAN, CCR #955
Registered Professional Reporter
Certified Realtime Reporter
Certified Realtime Captioner

about stuff. I never thought of myself as an employee. No.

Q. Partners typically share in expenses to run a business.

Did you share any expenses after 2015?

A. No.

Q. How about 2016?

A. No. But I didn't share any profits, either.

Q. Is it your position you should be entitled to share in profits when you haven't shared in expenses?

A. I never said that. You're asking me the --

Q. I'm asking you, is that your position?

A. No.

MS. WAKAYAMA: Objection; incomplete hypothetical.

THE WITNESS: No.

Q. (By Mr. Reisman) Is your answer no?

A. I -- state your question again.

MR. REISMAN: Please state the question again.

(Record read.)

THE WITNESS: I don't know what time you're talking about. I don't -- if I wasn't a partner, I shouldn't be sharing in partner -- partnership money, unless it was the cases I was entitled to, which were

all pending, ready to go.

Q. (By Mr. Reisman) Did you pay for your own CLE in 2015?

A. Yes.

Q. Did you pay for your own CLE in 2016?

A. No. I kind of got turned around about that.

Q. What do you mean by that?

A. Well, I was starting to not feel so great. I forgot about it. And when Pattie pointed it out to me that I was in arrears, I immediately called the bar, because Dan Bogden's wife ran the CLE and I knew her very well. I called her anytime I had a problem.

So I called the CLE office. Right when Pattie told me, I got on the phone. And Dan Bogden's wife was not available, but I spoke with the woman who was in charge of her. She looked me up and said, "Yeah. You're in arrears for your CLEs. You're currently suspended."

I said, "What does that mean?"

She said, "Don't go into court, but you can do anything else."

I said, "What can I do?"

She said, "You can buy tapes and catch up."

I said, "Okay. Do you know where?"

And she gave me the name of a company. I ordered

$125 worth of tapes immediately -- I still have them. I'd bring them in tomorrow if you like -- and I started going through them. And the woman -- I can't remember her name, but she says to me, "Don't worry. As long as you get it done by the end of the year, you'll be fine."

I started going through the tapes, but that was another thing. The place where I had to send my completion, my form, was on my computer. That was gone when I got the computer. It was the same people that had sent me the tapes, and I no longer had a way to communicate with them to get the form, to write it out.

So when he locked me out in September 2017 and I was sick as a dog, anyway, I said, I'm not going to -- why am I going to complete CLEs?

I can't work anymore because he locked me out, and it's too late for me to go somewhere else.

Q. When were you suspended by the bar?

A. I believe it was the spring of 2000 -- must have been 2017, spring of 2017.

Q. Was it April of 2017? Do you know?

A. It could because it was for 2016. You see, Mr. Reisman, we used to go to the MJA conference all the time, and I always had extra credits, but I stopped going. The one that I stopped going at was held in

Canada. It was going to be near a beach. Well, I -- I'm not going to go on the sand. I can't -- I couldn't walk on -- even though you believe my cane is more of a prop than a medical necessity, I need that cane. And I couldn't go on the beach, so I didn't go --

Q. Did --

A. -- and I lost all my CLEs.

Q. Did -- did the firm pay for -- for CLE for you in October 2016?

A. No.

Q. Did it -- did it ever pay for CLE for you after your suspension?

A. No.

Q. At any time during 2016?

A. No. They just told me, you got to -- you got to do it, which I did. I mean, I was in the middle of working it out. And I -- and I had no problem. And, of course, I can't think of her name.

Dan Bogden's wife would have done anything for me. I'd been working with her for years. Anytime I wanted to check on my CLEs, I'd call her. So -- and plus, I knew Dan Bogden since the early '80s so, I mean, it was not a problem that I was behind in my CLEs. Never a problem.

(Mr. Reisman and Mr. Peek conferring.)

C E R T I F I C A T E

STATE OF NEVADA)
)
COUNTY OF CLARK)

I, Paige M. Christian, CCR #955, Registered Professional Reporter, Certified Realtime Reporter, Certified Realtime Captioner, do hereby certify:

That on Monday, July 22, 2019, at 1:02 p.m., appeared before me RUTH L. COHEN, the witness whose deposition is contained herein; that prior to being examined she was by me duly sworn to testify to the truth, the whole truth, and nothing but the truth;

That the deposition was taken down by me in machine shorthand and was thereafter reduced to typewriting under my direction and supervision; that the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings had in the foregoing matter;

That a request for an opportunity to review and make changes to this transcript:

was made by the deponent or a party (and/or their attorney) prior to the completion of the deposition.
X was not made by the deponent or a party (and/or their attorney) prior to the completion of the deposition.
was waived.

I further certify that I am not an attorney for, nor related to, any of the parties hereto, nor in any way interested in the outcome of the cause.

In witness whereof, I have hereunto subscribed my name.

Dated this 31st day of July, 2019, in Clark County, Nevada.

Paige M. Christian, CCR #955
Registered Professional Reporter
Certified Realtime Reporter
Certified Realtime Captioner

EXHIBIT 3

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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 individuals I-X; and, ROE entities I-X, Defendants.	Case No.: A-19-792599-B Dept. No.: XI

PLAINTIFF'S RESPONSE TO DEFENDANTS' REQUEST FOR ADMISSIONS (FIRST SET)

In accordance with NRCP 36, Plaintiff Ruth Cohen ("Plaintiff" or "Ms. Cohen"), by and through her attorneys, Marquis Aurbach Coffing and Campbell & Williams, hereby responds to Defendants' Request for Admissions (First Set). Discovery is ongoing, and therefore, Ms. Cohen is responding based on its current information and knowledge. Accordingly, Ms. Cohen

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Case Number: A-19-792599-B

reserves the right to amend or supplement its answers and responses in accordance with the NRCP.

GENERAL DEFINITIONS AND OBJECTIONS

Ms. Cohen incorporates each of the following General Objections into its responses to each and every Request, regardless of whether the General Objection is also stated specifically in Ms. Cohen's responses.

1. Ms. Cohen objects to each Request, including the instructions and definitions contained therein, to the extent that it attempts or purports to impose requirements or obligations on Ms. Cohen beyond those imposed by the NRCP, to the extent that any Request seeks discovery that is not proportional to the needs of the case, considering the importance of the issues at stake in the action, the amount in controversy, the parties' relative access to relevant information, the parties' resources, the importance of the discovery in resolving the issues, or to the extent that the burden or expense of the proposed discovery outweighs its likely benefit ("calls for information that is not proportional to the needs of the case").

2. Ms. Cohen objects to each Request, including the instructions and definitions contained therein, to the extent that any Request is vague, ambiguous, and fails to describe the information sought with reasonable particularity as to meaning, scope, or application ("vague and ambiguous").

3. Ms. Cohen objects to each Request, including the instructions and definitions contained therein, to the extent that any Request calls for information or documents which are unreasonable in scope and not justified by the issues presented in this action ("overly broad").

4. Ms. Cohen objects to each Request, including the instructions and definitions contained therein, to the extent that any Request calls for information that is cumulative or duplicative of other interrogatories ("duplicative").

5. Ms. Cohen objects to each Request, including the instructions and definitions contained therein, to the extent that any Request is so broad and uncertain that it creates an unreasonable and undue burden upon Ms. Cohen and that the burden or extent of the Request outweighs its likely benefit taking into account the needs of the case and the importance of the

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request in resolving the issues in the litigation, and/or the information sought is more readily obtainable through other, more convenient, less burdensome, and less expensive sources or discovery procedures ("unduly burdensome").

6. Ms. Cohen objects to each Request, including the instructions and definitions contained therein, to the extent that any Request requires disclosure of information protected by the attorney-client privilege, attorney work-product doctrine, trial preparation materials, materials that may be used solely for impeachment, or other materials protected under the NRCP. Among the Requests to which this objection applies are those that request admissions which may reveal counsel's mental impressions, legal reasoning, legal theories, and other confidential attorney work product. Ms. Cohen reserves the right to withhold any such privileged information ("calls for privileged information").

7. Ms. Cohen objects to each Request, including the instructions and definitions contained therein, to the extent that any Request seeks information and requires the disclosure of information that is confidential and proprietary and may otherwise be subject to confidentiality obligations with a non-party restricting the disclosure of such information ("calls for confidential information").

8. Ms. Cohen objects to each Request, including the instructions and definitions contained therein, to the extent that any Request calls for information not actually, or not reasonably or logically expected to be, in Ms. Cohen's possession, custody, or control ("calls for information not within Ms. Cohen's possession, custody, or control").

9. Ms. Cohen objects to each Request to the extent the total quantity propounded by each party exceeds the number permitted by NRCP 36.

RESPONSES TO REQUESTS FOR ADMISSION

REQUEST NO. 1:

Admit that You were suspended from the practice of law in or about April 2017.

RESPONSE TO REQUEST NO. 1:

Deny.

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REQUEST NO. 2:

Admit that You did not execute the fee agreement signed by Mr. David Moradi.

RESPONSE TO REQUEST NO. 2:

Objection. The term "fee agreement" is not defined and is not identified by date. On that basis, Ms. Cohen's response to Request No. 2 is that she admits she did not sign the retainer agreement dated April 10, 2012, and as to the remainder of Request No. 2, Ms. Cohen's response is: Deny.

REQUEST NO. 3:

Admit that You did not execute the fee agreement signed by Mr. Mark Garland.

RESPONSE TO REQUEST NO. 3:

Objection. The term "fee agreement" is not defined and is not identified by date. On that basis, Ms. Cohen's response to Request No. 3 is that she admits she did not sign the retainer agreement dated July 23, 2013, and as to the remainder of Request No. 3, Ms. Cohen's response is: Deny.

REQUEST NO. 4:

Admit that You did not execute the fee agreement signed by Mr. Steven Cochran.

RESPONSE TO REQUEST NO. 4:

Objection. The term "fee agreement" is not defined and is not identified by date. On that basis, Ms. Cohen's response to Request No. 4 is that she admits she did not sign the retainer agreement dated July 16, 2012, and as to the remainder of Request No. 4, Ms. Cohen's response is: Deny.

REQUEST NO. 5:

Admit that You did not execute the fee agreement signed by Mrs. Melissa Cochran.

RESPONSE TO REQUEST NO. 5:

Objection. The term "fee agreement" is not defined and is not identified by date. On that basis, Ms. Cohen's response to Request No. 5 is that she admits she did not sign the retainer agreement dated July 20, 2012, and as to the remainder of Request No. 5, Ms. Cohen's response is: Deny.

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REQUEST NO. 6:

Admit that You were being truthful when, in executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint, You expressly acknowledged in writing in the "Business Interest Expectancy Resolution Agreement" that the value of Your expectancy interests which You were forfeiting "could exceed $50,000.00."

RESPONSE TO REQUEST NO. 6:

Objection. The term "truthful" is vague and ambiguous and not drafted in the proper context since Ms. Cohen was fraudulently induced by Mr. Padda to execute the "Business Interest Expectancy Resolution Agreement." On that basis, Ms. Cohen's response to Request No. 6 is: Deny.

REQUEST NO. 7:

Admit that You were being honest when, in executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint, You expressly acknowledged in writing in the "Business Interest Expectancy Resolution Agreement" that the value of Your expectancy interests which You were forfeiting "could exceed $50,000.00."

RESPONSE TO REQUEST NO. 7:

Objection. The term "honest" is vague and ambiguous and not drafted in the proper context since Ms. Cohen was fraudulently induced by Mr. Padda to execute the "Business Interest Expectancy Resolution Agreement." On that basis, Ms. Cohen's response to Request No. 7 is: Deny.

REQUEST NO. 8:

Admit that You were being truthful when, in executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint, You expressly acknowledged in writing in the "Business Interest Expectancy Resolution Agreement" that the value of Your expectancy interests which You were forfeiting "carry significant risk."

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RESPONSE TO REQUEST NO. 8:

Objection. The term "truthful" is vague and ambiguous and not drafted in the proper context since Ms. Cohen was fraudulently induced by Mr. Padda to execute the "Business Interest Expectancy Resolution Agreement." On that basis, Ms. Cohen's response to Request No. 8 is: Deny.

REQUEST NO. 9:

Admit that You were being honest when, in executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint, You expressly acknowledged in writing in the "Business Interest Expectancy Resolution Agreement" that the value of Your expectancy interests which You were forfeiting "carry significant risk."

RESPONSE TO REQUEST NO. 9:

Objection. The term "honest" is vague and ambiguous and not drafted in the proper context since Ms. Cohen was fraudulently induced by Mr. Padda to execute the "Business Interest Expectancy Resolution Agreement." On that basis, Ms. Cohen's response to Request No. 9 is: Deny.

REQUEST NO. 10:

Admit that at the time You executed the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint, You believed the Moradi Case could result in a verdict or settlement in excess of $1 million.

RESPONSE TO REQUEST NO. 10:

Deny.

REQUEST NO. 11:

Admit that You had access to Mr. David Moradi's contact information before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 11:

Objection. The term "access" is vague and ambiguous. Request No. 11 is also drafted in a manner that implies Ms. Cohen had a reason to contact Mr. Moradi, which she didn't because

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she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 11 is: Deny.

REQUEST NO. 12:

Admit that You could have contacted Mr. David Moradi regarding whether he had returned to work or not before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 12:

Objection. Request No. 12 is drafted in a manner that implies Ms. Cohen had a reason to contact Mr. Moradi, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 12 is: Deny.

REQUEST NO. 13:

Admit that You chose not to contact Mr. David Moradi regarding whether he had returned to work or not before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 13:

Objection. Request No. 13 is drafted in a manner that implies Ms. Cohen had a reason to contact Mr. Moradi, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 13 is: Deny.

REQUEST NO. 14:

Admit that You had access to Mr. Brian Panish, Esq.'s contact information before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 14:

Objection. The term "access" is vague and ambiguous. Request No. 14 is also drafted in a manner that implies Ms. Cohen had a reason to contact Mr. Panish, which she didn't because

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she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 14 is: Deny.

REQUEST NO. 15:

Admit that You could have contacted Mr. Brian Panish, Esq., regarding the possible value of the Moradi matter before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 15:

Objection. Request No. 15 is drafted in a manner that implies Ms. Cohen had a reason to contact Mr. Panish, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 15 is: Deny.

REQUEST NO. 16:

Admit that You chose not to contact Mr. Brian Panish, Esq., regarding the possible value of the Moradi matter before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 16:

Objection. Request No. 16 is drafted in a manner that implies Ms. Cohen had a reason to contact Mr. Panish, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 16 is: Deny.

REQUEST NO. 17:

Admit that You had access to Mr. Rahul Ravipudi, Esq.'s contact information before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 17:

Objection. The term "access" is vague and ambiguous. Request No. 17 is also drafted in a manner that implies Ms. Cohen had a reason to contact Mr. Ravipudi, which she didn't because

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she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 17 is: Deny.

REQUEST NO. 18:

Admit that You could have contacted Mr. Rahul Ravipudi, Esq., regarding the possible value of the Moradi matter before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 18:

Objection. Request No. 18 is drafted in a manner that implies Ms. Cohen had a reason to contact Mr. Ravipudi, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 18 is: Deny.

REQUEST NO. 19:

Admit that You chose not to contact Mr. Rahul Ravipudi, Esq., regarding the possible value of the Moradi matter before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 19:

Objection. Request No. 19 is drafted in a manner that implies Ms. Cohen had a reason to contact Mr. Ravipudi, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 19 is: Deny.

REQUEST NO. 20:

Admit that You had access to Mr. Matthew Stumpf, Esq.'s contact information before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 20:

Objection. The term "access" is vague and ambiguous. Request No. 11 is also drafted in a manner that implies Ms. Cohen had a reason to contact Mr. Stumpf, which she didn't because

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she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 20 is: Deny.

REQUEST NO. 21:

Admit that You could have contacted Mr. Matthew Stumpf, Esq., regarding the possible value of the Moradi matter before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 21:

Objection. Request No. 21 is drafted in a manner that implies Ms. Cohen had a reason to contact Mr. Stumpf, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 21 is: Deny.

REQUEST NO. 22:

Admit that You chose not to contact Mr. Matthew Stumpf, Esq., regarding the possible value of the Moradi matter before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 22:

Objection. Request No. 22 is drafted in a manner that implies Ms. Cohen had a reason to contact Mr. Stumpf, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 22 is: Deny.

REQUEST NO. 23:

Admit that You could have spoken to Mr. Joshua Ang, Esq., about the Moradi Case before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint, if you chose to do so.

RESPONSE TO REQUEST NO. 23:

Objection. Request No. 23 is drafted in a manner that implies Ms. Cohen had a reason to speak to Mr. Ang, which she didn't because she relied upon and trusted Mr. Padda and his

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representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 23 is: Deny.

REQUEST NO. 24:

Admit that You had full access to the file room at the Law Firm before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 24:

Objection. The term "full access" is vague and ambiguous. Request No. 24 is also drafted in a manner that implies Ms. Cohen had a reason to go into the file room at the Law Firm, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 24 is: Deny.

REQUEST NO. 25:

Admit that You could have physically reviewed the paper copies of the case files and/or records for the Moradi and Garland Cases stored in the file room before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 25:

Objection. Request No. 25 is drafted in a manner that implies Ms. Cohen had a reason to physically review the paper copies of the case files and/or records stored in the file room for the Moradi and Garland Cases, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 25 is: Deny.

REQUEST NO. 26:

Admit that You chose not to physically review paper copies of the case files and/or records for the Moradi and Garland Cases stored in the file room before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

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RESPONSE TO REQUEST NO. 26:

Objection. Request No. 26 is drafted in a manner that implies Ms. Cohen had a reason to physically review the paper copies of the case files and/or records stored in the file room for the Moradi and Garland Cases, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 26 is: Deny.

REQUEST NO. 27:

Admit that You had full access to the Law Firm's case management software called "Needles" before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 27:

Deny.

REQUEST NO. 28:

Admit that You could have reviewed copies of the case files and/or records for the Moradi and Garland Cases stored on the "Needles" software platform before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 28:

Deny.

REQUEST NO. 29:

Admit that You chose not to review copies of the case files and/or records for the Moradi and Garland Cases stored on the "Needles" software platform before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 29:

Deny.

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REQUEST NO. 30:

Admit that You had access to the Court's electronic docket for the Moradi and Garland Cases before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 30:

Objection. The term "electronic docket" is vague and ambiguous and, on that basis, Ms. Cohen's response to Request No. 30 is: Deny.

REQUEST NO. 31:

Admit that You could have reviewed copies of the case files and/or records for the Moradi and Garland Cases stored on the Court's electronic docket before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 31:

Objection. Request No. 31 is drafted in a manner that implies Ms. Cohen had a reason to review copies of the case files and/or records for the Moradi and Garland Cases, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 31 is: Deny.

REQUEST NO. 32:

Admit that You chose not to review copies of the case files and/or records for the Moradi and Garland Cases stored on the Court's electronic docket before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 32:

Objection. Request No. 32 is drafted in a manner that implies Ms. Cohen had a reason to review copies of the case files and/or records for the Moradi and Garland Cases, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 32 is: Deny.

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REQUEST NO. 33:

Admit that You had the ability to request copies of the records relating to the Moradi, Garland, or Cochran Cases, including the initial expert disclosures and offers of judgment in the Moradi Case, from the Law Firm's support staff before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 33:

Objection. Request No. 33 is drafted in a manner that implies Ms. Cohen had a reason to request copies of the records relating to the Moradi, Garland, or Cochran cases from the Law Firm's support staff, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 33 is: Deny.

REQUEST NO. 34:

Admit that You could have requested copies of the records relating to the Moradi, Garland, or Cochran Cases, including the initial expert disclosures and offers of judgment in the Moradi Case, from the Law Firm's support staff before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 34:

Objection. Request No. 34 is drafted in a manner that implies Ms. Cohen had a reason to request copies of the records relating to the Moradi, Garland, or Cochran cases from the Law Firm's support staff, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 34 is: Deny.

REQUEST NO. 35:

Admit that You chose not to request copies of the records relating to the Moradi, Garland, or Cochran Cases, including the initial expert disclosures and offers of judgment in the Moradi Case, from the Law Firm's support staff before executing the September 12, 2016,

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"Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 35:

Objection. Request No. 35 is drafted in a manner that implies Ms. Cohen had a reason to request copies of the records relating to the Moradi, Garland, or Cochran cases from the Law Firm's support staff, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 35 is: Deny.

REQUEST NO. 36:

Admit that, before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint, You had an opportunity to review it.

RESPONSE TO REQUEST NO. 36:

Admit.

REQUEST NO. 37:

Admit that, before executing the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint, You expressly acknowledged in writing in the "Business Interest Expectancy Resolution Agreement" that You "determined" for Your own "personal reasons" that it would be advantageous and in Your best interests to forfeit Your expectancy interests in "exchange for the certainty of $50,000.00."

RESPONSE TO REQUEST NO. 37:

Objection. The term "expressly acknowledged" is vague and ambiguous and not drafted in the proper context since Ms. Cohen was fraudulently induced by Mr. Padda to execute the "Business Interest Expectancy Resolution Agreement." On that basis, Ms. Cohen's response to Request No. 37 is: Deny.

REQUEST NO. 38:

Admit that You were being truthful when You expressly acknowledged in the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of

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Your Complaint, that You "determined" for Your own "personal reasons" that it would be advantageous and in Your best interests to forfeit Your expectancy interests in "exchange for the certainty of $50,000.00."

RESPONSE TO REQUEST NO. 38:

Objection. The terms "truthful" and "expressly acknowledged" are vague and ambiguous and not drafted in the proper context since Ms. Cohen was fraudulently induced by Mr. Padda to execute the "Business Interest Expectancy Resolution Agreement." On that basis, Ms. Cohen's response to Request No. 38 is: Deny.

REQUEST NO. 39:

Admit that You chose to enter into the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint for "personal reasons" and not for any business or professional reasons.

RESPONSE TO REQUEST NO. 39:

Deny.

REQUEST NO. 40:

Admit that the "personal reasons" for which You chose to enter into the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint were personal to You.

RESPONSE TO REQUEST NO. 40:

Deny.

REQUEST NO. 41:

Admit that You were being truthful when You expressly acknowledged in the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint, that You "proposed" to Mr. Paul Padda complete and final resolution of any and all of Your Limited Expectancy Interests in exchange for $50,000.00.

RESPONSE TO REQUEST NO. 41:

Objection. The terms "truthful" and "expressly acknowledged" are vague and ambiguous and not drafted in the proper context since Ms. Cohen was fraudulently induced by Mr. Padda to

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execute the "Business Interest Expectancy Resolution Agreement." On that basis, Ms. Cohen's response to Request No. 41 is: Deny.

REQUEST NO. 42:

Admit that the expressed intention of the parties to the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint, was to "effectuate a complete and total resolution of any and all interests, including expectancy interests Ruth L. Cohen, Esq. may have in Cohen & Padda, LLP, Cohen & Padda, PLLC and Paul Padda Law, PLLC."

RESPONSE TO REQUEST NO. 42:

Deny.

REQUEST NO. 43:

Admit that You were being truthful when You represented in the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint that You wanted to "effectuate a complete and total resolution of any and all interests, including expectancy interests Ruth L. Cohen, Esq. may have in Cohen & Padda, LLP, Cohen & Padda, PLLC and Paul Padda Law, PLLC."

RESPONSE TO REQUEST NO. 43:

Objection. The terms "truthful" and "represented" are vague and ambiguous and not drafted in the proper context since Ms. Cohen was fraudulently induced by Mr. Padda to execute the "Business Interest Expectancy Resolution Agreement." On that basis, Ms. Cohen's response to Request No. 43 is: Deny.

REQUEST NO. 44:

Admit that at the time You executed the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint, You were of sound mind and were not suffering from any mental disability, mental illness, or other mental health condition.

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RESPONSE TO REQUEST NO. 44:

Objection. Request No. 44 is drafted in a manner that implies Ms. Cohen executed the "Business Interest Expectancy Resolution Agreement" with full knowledge of all material facts surrounding the buyout of her interests in the Law Firm, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen admits that on September 12, 2016 she was of sound mind and not suffering from any mental disability, mental illness, or other mental health condition and, as to the remainder of Request No. 44, Ms. Cohen's response is: Deny.

REQUEST NO. 45:

Admit that at the time You executed the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint, You were licensed to practice law in the State of Nevada.

RESPONSE TO REQUEST NO. 45:

Objection. Request No. 45 is drafted in a manner that implies Ms. Cohen executed the "Business Interest Expectancy Resolution Agreement" with full knowledge of all material facts surrounding the buyout of her interests in the Law Firm, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen admits that on September 12, 2016, she was licensed to practice law in the State of Nevada and, as to the remainder of Request No. 45, Ms. Cohen's response is: Deny.

REQUEST NO. 46:

Admit that at the time You executed the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint, You were an active member of the Nevada State Bar.

RESPONSE TO REQUEST NO. 46:

Objection. Request No. 46 is drafted in a manner that implies Ms. Cohen executed the "Business Interest Expectancy Resolution Agreement" with full knowledge of all material facts surrounding the buyout of her interests in the Law Firm, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent.

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On that basis, Ms. Cohen admits that on September 12, 2016, she was an active member of the Nevada State Bar and, as to the remainder of Request No. 46, Ms. Cohen's response is: Deny.

REQUEST NO. 47:

Admit that at the time You executed the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint, You were representing Mr. Paul Padda as his attorney in a legal dispute.

RESPONSE TO REQUEST NO. 47:

Objection. The term "legal dispute" is vague and ambiguous. On that basis, Ms. Cohen's response to Request No. 47 is: Deny.

REQUEST NO. 48:

Admit that at the time You executed the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint, You were representing clients, other than Mr. Padda, as an attorney in their legal disputes.

RESPONSE TO REQUEST NO. 48:

Objection. The term "legal dispute" is vague and ambiguous. On that basis, Ms. Cohen admits that on September 12, 2016, she represented clients at the Law Firm and, as to the remainder of Request No. 48, Ms. Cohen's response is: Deny.

REQUEST NO. 49:

Admit that You had more than three (3) decades of experience as an attorney at the time You executed the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 49:

Objection. Request No. 49 is drafted in a manner that implies Ms. Cohen executed the "Business Interest Expectancy Resolution Agreement" with full knowledge of all material facts surrounding the buyout of her interests in the Law Firm, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 49 is: Deny.

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REQUEST NO. 50:

Admit that during Your time at the Law Firm, You counseled clients in employment matters.

RESPONSE TO REQUEST NO. 50:

Admit.

REQUEST NO. 51:

Admit that during Your time at the Law Firm, You counseled clients with respect to employment contracts.

RESPONSE TO REQUEST NO. 51:

Deny.

REQUEST NO. 52:

Admit that during Your time at the Law Firm, You counseled clients in personal injury matters.

RESPONSE TO REQUEST NO. 52:

Admit.

REQUEST NO. 53:

Admit that during Your time at the Law Firm, You counseled clients with respect to contracts, including settlement agreements, while representing those clients in their personal injury matters.

RESPONSE TO REQUEST NO. 53:

Deny.

REQUEST NO. 54:

Admit that, in the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint, You expressly agreed in writing that You were a "drafting" party of that agreement.

RESPONSE TO REQUEST NO. 54:

Objection. Request No. 54 is drafted in a manner that implies Ms. Cohen entered into the "Business Interest Expectancy Resolution Agreement" with full knowledge of all material facts

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surrounding the buyout of her interests in the Law Firm, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 54 is: Deny.

REQUEST NO. 55:

Admit that You were being truthful when You expressly agreed that You were a "drafting" party of the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

RESPONSE TO REQUEST NO. 55:

Objection. The terms "truthful" and "expressly agreed" are vague and ambiguous and not drafted in the proper context since Ms. Cohen was fraudulently induced by Mr. Padda to execute the "Business Interest Expectancy Resolution Agreement." On that basis, Ms. Cohen's response to Request No. 55 is: Deny.

REQUEST NO. 56:

Admit that You had a reasonable opportunity to consult with an attorney of Your choice regarding the "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint before You executed that agreement on September 12, 2016.

RESPONSE TO REQUEST NO. 56:

Objection. Request No. 56 is drafted in a manner that implies Ms. Cohen entered into the "Business Interest Expectancy Resolution Agreement" with full knowledge of all material facts surrounding the buyout of her interests in the Law Firm, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's response to Request No. 56 is: Deny.

REQUEST NO. 57:

Admit that You received $50,000 from the Law Firm and/or Mr. Paul Padda following Your execution of the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint.

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RESPONSE TO REQUEST NO. 57:

Objection. Request No. 57 is drafted in a manner that implies Ms. Cohen entered into the "Business Interest Expectancy Resolution Agreement" with full knowledge of all material facts surrounding the buyout of her interests in the Law Firm, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen admits that she received a $50,000 check and, as to the remainder of Request No. 57, Ms. Cohen's response is: Deny.

REQUEST NO. 58:

Admit that You received via email a copy of the regular MRI image of Mr. David Moradi that included a report stating Mr. David Moradi's injuries were "consistent with traumatic brain injury" on June 26, 2014. See **PADDA00003946-PADDA00003987**.

RESPONSE TO REQUEST NO. 58:

Deny.

REQUEST NO. 59:

Admit that You received a binder of documents and records that included a paper copy of the expert report completed by Dr. Stan V. Smith, Ph.D., in the Moradi Case at a deposition preparation meeting with Mr. Paul Padda and Mr. Joshua Ang in August 2016.

RESPONSE TO REQUEST NO. 59:

Deny.

REQUEST NO. 60:

Admit that You have played gambling games and/or used gaming devices and wagered money in the course of Your participating in gambling activities (as defined above) in 2011, 2012, 2013, 2014, 2015, 2016, and 2017.

RESPONSE TO REQUEST NO. 60:

Admit.

REQUEST NO. 61:

Admit that participating in gambling activities carries the risk of losing of money.

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RESPONSE TO REQUEST NO. 61:

Deny.

REQUEST NO. 62:

Admit that You are an experienced gambler.

RESPONSE TO REQUEST NO. 62:

Objection. The term "experienced" is vague and ambiguous. On that basis, Ms. Cohen's response to Request No. 62 is: Deny.

REQUEST NO. 63:

Admit that You enjoy participating in gambling activities.

RESPONSE TO REQUEST NO. 63:

Admit.

REQUEST NO. 64:

Admit that as a gambler, You understand the concept of the risk of losing money in participating in gambling activities.

RESPONSE TO REQUEST NO. 64:

Deny.

REQUEST NO. 65:

Admit that between January 1, 2015, and September 17, 2019, You lost in excess of $155,000 from Your participating in gambling activities.

RESPONSE TO REQUEST NO. 65:

Deny.

REQUEST NO. 66:

Admit that on September 3, 2016, You wagered in excess of $3,000.00.

RESPONSE TO REQUEST NO. 66:

Deny.

REQUEST NO. 67:

Admit that between September 16, 2016, and September 30, 2016, You wagered in excess of $28,000.00.

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RESPONSE TO REQUEST NO. 67:

Deny.

REQUEST NO. 68:

Admit that for the month of September 2016, You wagered in excess of $42,000.00.

RESPONSE TO REQUEST NO. 68:

Deny.

REQUEST NO. 69:

Admit that wagering money is a recreational activity.

RESPONSE TO REQUEST NO. 69:

Objection. The term "recreational activity" is vague and ambiguous. On that basis, Ms. Cohen's response to Request No. 69 is: Deny.

REQUEST NO. 70:

Admit that wagering in excess of $42,000.00 in the month of September 2016 was a choice on Your part.

RESPONSE TO REQUEST NO. 70:

Deny.

REQUEST NO. 71:

Admit that wagering in excess of $14,000.00 in the 2-week period before September 12, 2016, was a choice on Your part.

RESPONSE TO REQUEST NO. 71:

Deny.

REQUEST NO. 72:

Admit that Mr. Paul Padda did not compel You to gamble in excess of $14,000.00 in the 2-week period before September 12, 2016.

RESPONSE TO REQUEST NO. 72:

Deny.

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REQUEST NO. 73:

Admit that You were being truthful when You acknowledged in the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint, that the agreement "supersedes any prior agreements that may conflict with the terms of this agreement."

RESPONSE TO REQUEST NO. 73:

Objection. The terms "truthful" and "acknowledged" are vague and ambiguous and not drafted in the proper context since Ms. Cohen was fraudulently induced by Mr. Padda to execute the "Business Interest Expectancy Resolution Agreement." On that basis, Ms. Cohen's response to Request No. 73 is: Deny.

REQUEST NO. 74:

Admit that Your intent when You executed the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint, was for that agreement to be a legally enforceable contract.

RESPONSE TO REQUEST NO. 74:

Objection. Request No. 74 is drafted in a manner that implies Ms. Cohen executed the "Business Interest Expectancy Resolution Agreement" with full knowledge of all material facts surrounding the buyout of her interests in the Law Firm, which she didn't because she relied upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's Request to No. 74 is: Deny.

REQUEST NO. 75:

Admit that You agreed to characterize the expectancy interests You were forfeiting in the September 12, 2016, "Business Interest Expectancy Resolution Agreement" referenced in Paragraph 65 of Your Complaint, as "limited."

RESPONSE TO REQUEST NO. 75:

Objection. Request No. 75 is drafted in a manner that implies Ms. Cohen executed the "Business Interest Expectancy Resolution Agreement" with full knowledge of all material facts surrounding the buyout of her interests in the Law Firm, which she didn't because she relied

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upon and trusted Mr. Padda and his representations to her that later turned out to be fraudulent. On that basis, Ms. Cohen's Request to No. 75 is: Deny.

Dated this 28th day of October, 2019.

MARQUIS AURBACH COFFING

By /s/ Jared M. Moser

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSIONS (FIRST SET)** was submitted electronically for filing and/or service with the Eighth Judicial District Court on the 28th day of October, 2019. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:[1]

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[1] Pursuant to EDCR 8.05(a), each party who submits an E-Filed document through the E-Filing System consents to electronic service in accordance with NRCP 5(b)(2)(D).

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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

DEFENDANTS' MOTION FOR ATTORNEYS' FEES *ON AN ORDER SHORTENING TIME FOR HEARING*

Hearing Requested

Defendants Mr. Paul S. Padda, Esq. ("Mr. Padda") and Paul Padda Law, PLLC ("Padda Law") (collectively, "Defendants"), by and through their undersigned counsel, file the following Motion for Attorneys' Fees (the "Motion").

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Case Number: A-19-792599-B

This Motion is made and based on the attached Memorandum of Points and Authorities, NRCP 54(d), NRCP 68, NRS 17.117, the papers and pleadings on file in this action, and any oral argument this Court may allow.

DATED this 10th day of March, 2020

HOLLAND & HART LLP

s/ J. Stephen Peek, Esq.

J. Stephen Peek, Esq.
Ryan A. Semerad, Esq.
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Attorneys for Defendants PAUL S. PADDA and PAUL PADDA LAW, PLLC

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ORDER SHORTENING TIME

IT IS SO ORDERED that **DEFENDANTS' MOTION FOR ATTORNEYS' FEES** will be heard before in Dept. XI, on the _____ day of _____ 2020 at _____.m.

DATED this _____ day of _____ 2020.

_____
DISTRICT COURT JUDGE

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DECLARATION OF RYAN A. SEMERAD, ESQ. IN SUPPORT OF MOTION FOR ORDER SHORTENING TIME

Ryan A. Semerad, Esq., being first duly sworn, hereby deposes and says:

1. I am an associate with Holland & Hart, LLP, counsel for Defendants Paul S. Padda ("Mr. Padda") and Paul Padda Law, PLLC ("PPL") (collectively, "Defendants"). I am duly admitted to practice law in the State of Nevada. Unless stated otherwise, I make this declaration upon personal knowledge and would be competent to testify to the matters stated herein.

2. There exists good cause to hear Defendants' Motion for Attorneys' Fees (the "Motion") on an order shortening time for hearing.

3. On February 18, 2020, the Court entered judgment against Plaintiff Ruth L. Cohen ("Plaintiff") and in favor of Defendants on all of Plaintiff's claims. Written notice of entry of judgment was served on all parties the same time.

4. Accordingly, under NRCP 54(d)(2)(B)(i), Defendants had twenty-one (21) days from February 18, 2020, or until March 10, 2020, to file a post-judgment motion for attorneys' fees.

5. On February 21, 2020, Plaintiff filed a motion for reconsideration pursuant to EDCR 2.24. Plaintiff's EDCR 2.24 motion is set for a hearing on March 23, 2020.

6. Given that this case is at the post-judgment phase, the best use of the Court's limited time and the most cost-effective and efficient use of the parties' and their counsel's time would be to have Defendants' Motion for Attorneys' Fees set for hearing on the same day as Plaintiff's EDCR 2.24 motion, or March 23, 2020. Setting Defendants' Motion on March 23, 2020, allows Plaintiff to have sufficient time to file a response to the Motion while also ensuring that all of the remaining issues in this case are resolved in a timely and efficient manner.

7. Therefore, Defendants request that this Court grant his request for a hearing on shortened time and set the Motion for hearing on March 23, 2020.

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8. I declare under penalty of perjury that the foregoing statements are true.

DATED March 10, 2020.

/s/ Ryan A. Semerad
RYAN A. SEMERAD, ESQ.

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I. INTRODUCTION

On December 18, 2019, Defendants Paul S. Padda, Esq. ("Mr. Padda") and Paul Padda Law, PLLC ("Padda Law") (collectively, "Defendants") served Plaintiff Ruth L. Cohen ("Plaintiff") with an offer of judgment pursuant to NRCP 68 to allow judgment to be taken against Defendants and in favor of Plaintiff for the total sum of $150,000.00, inclusive of all accrued interest, costs, attorneys' fees, and other sums that Plaintiff could claim against Defendants in this matter. Plaintiff rejected Defendants' offer of judgment by not accepting the offer within 14 days after service.

On February 18, 2020, the Court entered an order granting Defendants' Motion for Summary Judgment, disposing of all of Plaintiff's claims against Defendants, and entering judgment against Plaintiff and in favor of Defendants. Thus, Plaintiff failed to obtain a more favorable judgment after rejecting Defendants' offer of judgment. Accordingly, NRCP 68(f) and NRS 17.117(10)-(11) permit Defendants to recover the reasonable attorneys' fees they actually incurred from December 18, 2019, to present from Plaintiff.

Because Plaintiff's claims were not brought in good faith, Defendants' offer of judgment was reasonable and in good faith in both its timing and among, Plaintiff's decision to reject the offer of judgment and proceed to trial was grossly unreasonable and in bad faith, and the fees Defendants seek are reasonable and justified in amount, the Court should award the full amount of attorneys' fees sought by Defendants, $279,167.50, from Plaintiff.

II. RELEVANT FACTS

A. Case Background

On April 9, 2019, Plaintiff filed her Complaint against Defendants alleging a variety of claims that sought, at bottom, to recover 33.333% of attorneys' fees earned by Padda Law on certain cases. *See generally* Complaint. The highest value cases Plaintiff sought to recover a portion of the attorneys' fees from were *Moradi v. Nevada Property 1, LLC et al.*, Case No. A-14-698824-C (the "Moradi Case"), and *Cochran v. Nevada Property 1, LLC et al.*, Case No. A-13-687601-C (the "Cochran Case"). *See* Complaint at ¶¶ 42-64.

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In her initial disclosures, which she served on Defendants on June 17, 2019, Plaintiff estimated her total compensatory damages at $3,458,666.00, which was composed entirely of Plaintiff's claims to 33.333% of the attorneys' fees in the Moradi Case, the Cochran Case, and one other case, *Garland v. SPB Partners, LLC et al.*, Case No. A-15-724139-C (the "Garland Case"). Plaintiff's claim to 33.333% of the attorneys' fees in the Moradi Case comprised the overwhelming majority of her estimated compensatory damages throughout her prosecution of this case as she estimated that Defendants earned $10,000,000.00 in attorneys' fees from the Moradi Case such that she was supposedly owed $3,333,333.00 from the Moradi Case, or about 96% of Plaintiff's claimed compensatory damages. However, as the Court would ultimately determine, from the very start of her action Plaintiff was barred from recovering any amount of attorneys' fees from the Moradi Case (or any other case) because Plaintiff was voluntarily, knowingly, and intentionally suspended from the practice of law and ethically barred from receiving attorneys' fees as a nonlawyer at the time attorneys' fees were paid.

On or about April 6, 2017, Plaintiff 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. Plaintiff made a knowing and intentional decision to remain suspended from the practice of law from April 6, 2017, until December 19, 2019, the day after Defendants filed their motion for summary judgment in this case. *See* **Exhibit 1** (Excerpts of Depo. Trans of Ruth L. Cohen from *McKenna v. Chesnoff* at 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.").

Padda Law earned attorneys' fees from the Moradi Case on or about May 23, 2017, when the parties reached a confidential settlement agreement. Padda Law earned attorneys' fees from the Cochran Case in the spring of 2019 through a confidential settlement agreement.

Thus, Padda Law did not earn any attorneys' fees in the Moradi or Cochran Cases until after Plaintiff was suspended from the practice of law on April 6, 2017. Accordingly, Plaintiff

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was a nonlawyer for purposes of NRPC 5.4(a) at the time Padda Law earned attorneys' fees in the Moradi and Cochran Cases and is forever barred from receiving any attorneys' fees from these cases.

Furthermore, while Padda Law earned attorneys' fees from the Garland Case before April 6, 2017, Padda Law only earned $51,590.00 such that Plaintiff's claimed 33.333% interest, assuming it is valid (which it is not), would be $17,196.67. And Plaintiff received $51,500.00 from Defendants through a superseding buyout agreement related to any limited interest she may have had in certain cases, including the Garland Case. Further still, Plaintiff herself alleges in her Complaint that Defendants gave her $50,000.00 "in or about the summer of 2017" supposedly related to her demand for payment of fees from the Garland Case among others.[1] Therefore, Plaintiff was not damaged as a result of and cannot show any damages[2] resulting from Defendants' conduct as to the attorneys' fees earned in the Garland Case.

The Court recognized that Plaintiff has no right to any attorneys' fees when it granted Defendants' motion for summary judgment. The Court specifically held that, because of Plaintiff's knowing and intentional refusal to reinstate her law license between April 6, 2017, and December 19, 2019, Plaintiff was a nonlawyer prohibited from sharing attorneys' fees under NRCP 5.4(a) during this time period. Accordingly, the Court concluded that there were no genuine issues of material fact as to Plaintiff's claims for damages in this action and so Defendants were entitled to judgment as a matter of law on each and all of Plaintiff's claims for relief.

B. Defendants' Offer of Judgment

On or about December 18, 2019, two weeks after the close of discovery and the same day Defendants filed their Motion for Summary Judgment, Defendants served Plaintiff with an offer of judgment pursuant to NRCP 68 to resolve all claims and defenses in this action between Defendants and Plaintiff. *See* **Exhibit 2** (attached herein). Defendants offered to allow judgment to be taken against them and in favor of Plaintiff for "in the amount of **ONE HUNDRED FIFTY**

[1]Defendants deny that they made any payments related to Plaintiff's claimed interest in fees earned in certain cases, including the Garland Case, in or about the summer of 2017.

[2]Findings of Fact, Conclusions of Law, and Order and Judgement (entered Feb. 18, 2020) at page 9.

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THOUSAND DOLLARS and NO CENTS ($150,000.00) in order to resolve all claims between the parties. This Offer of Judgment is inclusive of attorneys' fees, expenses, prejudgment interest, and costs." *See id.* at 2. Plaintiff rejected Defendants' offer of judgment by not accepting the offer within 14 days after service. *See* NRCP 68(e); NRS 17.117(9).

Two months later, on February 18, 2020, after the parties fully briefed extensive pretrial motions, including twenty-two (22) motions *in limine*, as well as Defendants' dispositive motion for summary judgment, and attended five (5) different hearings before this Court, the Court granted Defendants' motion for summary judgment and entered judgment in their favor. Thus, Plaintiff failed to obtain a more favorable judgment than Defendants' offer of judgment for $150,000.00.

III. DEFENDANTS ARE ENTITLED TO ATTORNEYS' FEES

Because Plaintiff rejected Defendants' offer of judgment and failed to obtain a more favorable judgment, Plaintiff is responsible for Defendants' reasonable attorneys' fees actually incurred from December 18, 2019, onward. *See* NRCP 68(f)(2); NRS 17.117(10)(b). As described in detail below, Defendants actually incurred $279,167.50 in reasonable attorneys' fees from December 18, 2019, to present to defend against Plaintiff's claim. Because each of the required factors this Court must consider in evaluating a request for an award of attorneys' fees under NRCP 68 and NRS 17.117 weigh in favor of awarding attorneys' fees to Defendants here, the Court should award Defendants the total amount of attorneys' fees they incurred.

A. Legal Standard

NRCP 68 establishes the rules regarding offers of judgment. A party may serve an offer of judgment "[a]t any time more than 10 days before trial." NRCP 68(a). If a party "rejects an offer and fails to obtain a more favorable judgment," that party is responsible for "the offeror's post-offer costs, applicable interest on the judgment from the time of the offer to the time of entry of the judgment and reasonable attorneys' fees, if any be allowed, actually incurred by the offeror from the time of the offer." NRCP 68(f)(2); NRS 17.117(10)(b); *see also RTTC Comms., LLC v. The Saratoga Flier, Inc.*, 121 Nev. 34, 40–41, 110 P.3d 24 28 (2005).[3]

[3]The Court should be aware that Defendants properly served an earlier offer of judgment, dated June 18, 2019, which Plaintiff also rejected by failing to respond to it. Accordingly, Defendants are permitted to seek attorneys' fees dating from June 18, 2019, to present pursuant to NRCP 68(f)(2) and NRS 17.117(10)(b), a sum that would be substantially

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In determining whether to award attorneys' fees pursuant to NRCP 68, the Court must evaluate certain factors identified in by the Nevada Supreme Court in *Beattie v. Thomas*, 99 Nev. 579, 668 P.2d 268 (1983) (the "*Beattie* factors"). *See Frazier v. Drake*, 131 Nev. 632, 641–42, 357 P.3d 365, 372 (Ct. App. 2015). Ultimately, however, the decision to award attorneys' fees rests within the Court's discretion, and an appellate court will only review this Court's decision as to an award of attorneys' fees for an abuse of discretion. *Id.* at 642, 357 P.3d at 372.

The *Beattie* factors require the Court to evaluate:

> "(1) whether the plaintiff's claim was brought in good faith; (2) whether the defendants' offer of judgment was reasonable and in good faith in both its timing and amount; (3) whether the plaintiff's decision to reject the offer and proceed to trial was grossly unreasonable or in bad faith; and (4) whether the fees sought by the offeror are reasonable and justified in amount."

Beattie, 99 Nev. at 588-89, 668 P.2d at 274.

"[N]o one factor under *Beattie* is determinative and [the Court] has broad discretion to grant [a] request [for attorneys' fees under NRCP 68] so long as all appropriate factors are considered." *Yamaha Motor Co., U.S.A. v. Arnoult*, 114 Nev. 233, 252 n.16, 955 P.2d 661, 673 n.16 (1998). The first three *Beattie* factors require the Court to consider the parties' motives in making or rejecting an offer of judgment and continuing the litigation. *See Frazier*, 131 Nev. at 642, 357 P.3d at 372. The fourth *Beattie* factor requires the Court to consider the amount of fees requested. *See id.*

When considering the amount of attorneys' fees requested under the fourth *Beattie* factor, the Court's analysis turns on the factors set forth in *Brunzell v. Golden Gate Nat'l Bank*, 85 Nev. 345, 455 P.2d 31 (1969) (the "*Brunzell* factors"). *Brunzell* requires this Court to consider the following in determining the reasonableness of the attorneys' fees requested:

> (1) the qualities of the advocate: his ability, his training, education, experience, professional standing and skill; (2) the character of the work to be done: its difficulty, its intricacy, its importance, time and skill required, the responsibility imposed and the prominence and character of the parties where they affect the importance of the litigation; (3) the work actually performed by the lawyer: the skill, time and attention given to the work; (4) the result: whether the attorney was successful and what benefits were derived.

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greater than the fees Defendants seek in this Motion. Nevertheless, Defendants elect to only seek attorneys' fees from the date of their later offer of judgment to present.

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Brunzell, 85 Nev. at 349, 455 P.2d at 33.

"[I]n determining the amount of fees to award, the court is not limited to one specific approach; its analysis may begin with any method rationally designed to calculate a reasonable amount," so long as the requested amount is reviewed in light of the *Brunzell* factors. *Haley v. Dist. Ct.*, 128 Nev. 171, 178, 273 P.3d 855, 860 (2012).

B. Plaintiff Did Not Bring Her Claims in Good Faith

The first *Beattie* factor for this Court's consideration is whether Plaintiff brought her claims in good faith. *See Beattie*, 99 Nev. at 588–89, 668 P.2d at 274. The answer is Plaintiff did not.

Plaintiff, by her own account, was an active member of the Nevada State Bar from 1976 to April 6, 2017. *See* Complaint at ¶ 7 (noting that Plaintiff first became licensed to practice law in Nevada in 1976); *see* **Exhibit 3** (Order of Suspension for Non-Compliant Members). In the four decades that Plaintiff was admitted to practice law, Plaintiff spent nearly 30 years with the United States Attorney's Office for the District of Nevada and another 10 years in private practice.

The events chronicled in Plaintiff's Complaint relevant to her claims against Defendants span 2014 to 2017. *See generally* Complaint. And Plaintiff filed her Complaint on April 9, 2019. The basic black letter law that nonlawyers may not share in attorneys' fees earned by a lawyer and that a suspension from the practice of law materially affects a person's status as a lawyer remained unchanged throughout the events described in Plaintiff's Complaint and throughout the period of time between those events and the day Plaintiff chose to file her Complaint. Moreover, it defies credulity to suggest that, given Plaintiff's extensive legal experience, Plaintiff did not know or appreciate that NRPC 5.4 prohibits sharing attorneys' fees with nonlawyers and/or that Plaintiff did not understand that she was a nonlawyer prohibited from sharing in attorneys' fees after her suspension from the practice of law on April 6, 2017. Nevertheless, Plaintiff chose to file her Complaint seeking a share of attorneys' fees with either the express or implicit knowledge that she was categorically prohibited from receiving any such fees.

As this Court knows, Plaintiff took an oath when she was admitted to practice law in Nevada. That oath requires Plaintiff to "support, abide by and follow the Rules of Professional Conduct as are now or may hereafter be adopted by the Supreme Court." Yet, Plaintiff chose to

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file an action to pursue a kind of compensatory damages that she was barred from obtaining by those very same Rules of Professional Conduct. *See* NRPC 5.4(a). Thus, Plaintiff did not bring her claims in good faith and the first *Beattie* factor weighs in favor of awarding Defendants the attorneys' fees they incurred after December 18, 2019.

C. Defendants' Offer of Judgment Was Reasonable and In Good Faith in Both Its Timing and Amount

The second *Beattie* factor requires district courts to evaluate "whether the . . . offer of judgment was reasonable and in good faith in both its timing and amount." *Beattie*, 99 Nev. at 588, 668 P.2d at 274. "[T]here is no bright-line rule that qualifies an offer of judgment as per se reasonable in amount; instead, the district court is vested with discretion to consider the adequacy of the offer and the propriety of granting attorney fees." *Certified Fire Prot, Inc. v. Precision Constr., Inc.*, 128 Nev. 371, 383, 283 P.3d 250, 258 (2012). Here, Defendants' offer of judgment on December 18, 2019, for $150,000.00 was reasonable and in good faith both in its timing and amount.

Defendants' offer of judgment was reasonable and in good faith in its timing. First, Defendants served their offer of judgment after discovery had closed, which permitted Plaintiff to conduct extensive discovery to support her claims for relief and permitted Defendants to evaluate the reasonable value of Plaintiff's claims in light of the evidence she had procured. Second, Defendants served their offer of judgment at the same time they filed and served their Motion for Summary Judgment, which allowed Plaintiff to consider whether the offer in light of the clear legal flaws in her claims for relief as articulated in Defendants' dispositive motion. Third, Defendants served their offer of judgment in advance of the motion *in limine* deadline as well as the bulk of the pretrial deadlines in this case, which gave Plaintiff the opportunity to consider settlement *before* the bulk of the necessary pretrial machinations had to be completed and attendant costs had to be incurred. In short, Defendants timed their offer of judgment to give Plaintiff the best vantage point to consider settling her claims in light of the legal infirmities of her case and before Plaintiff had to incur most of the trial-specific costs, legal fees, and expenses.

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Defendants' offer of judgment was reasonable and in good faith in its amount. On November 20, 2019, Plaintiff served Defendants with an offer of judgment for $2,974,999.00, *see* **Exhibit 4** (attached), down from the $3,455,33.00 in compensatory damages and $20,731,998.00 in total damages Plaintiff computed in her Eleventh Supplement Disclosures served on November 18, 2019, *see* **Exhibit 5** (attached). Then, on December 2, 2019, Plaintiff served her Twelfth Supplement Disclosure, the last such disclosure before Defendants served their December 18, 2019, offer of judgment, wherein Plaintiff calculated her compensatory damages at $3,314,227.49 and her total damages at $26,513,819.88. *See* **Exhibit 6** (attached). But, Plaintiff's damages calculations always fundamentally depended on her entitlement to attorneys' fees from the Moradi Case and the Cochran Case, which constituted 95% of her compensatory damages. Given that Plaintiff's suspension from the practice of law at the time attorneys' fees were earned in the Moradi and Cochran Cases prevented Plaintiff from recovering any amount of these fees and given that Plaintiff incurred no damages from the Garland Case, Plaintiff's compensatory damages—using her own disclosures—would be $150,522.18 from "Other Contingency Matters for Clients Who Retained C & P Prior to 12/31/2014." *See* **Exhibit 6** at 15-16. Thus, while Defendants disputed (both then and now) that Plaintiff could ever recover any amount of attorneys' fees from any matters, Defendants' offer of judgment for $150,000.00 accounted for 99.7% of Plaintiff's claimed compensatory damages for these "other" cases. Accordingly, by Plaintiff's own disclosures and damages computation, Defendants' December 18, 2019, offer of judgment for $150,000.00 was reasonable and in good faith in its amount.

For all these reasons, Defendants' offer of judgment was reasonable and in good faith both in its timing and amount. Thus, the second *Beattie* factor weighs in favor of awarding Defendants the attorneys' fees they actually incurred after December 18, 2019.

D. Plaintiff's Decision to Reject Defendants' Offer of Judgment and Proceed to Trial Was Grossly Unreasonable and in Bad Faith

The third *Beattie* factor requires the Court to consider whether Plaintiff's rejection of Defendants' December 18, 2019, offer of judgment was "grossly unreasonable or in bad faith."

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See Yahama Motor Co., 114 Nev. 252, 955 P.2d at 673. It is beyond reasonable dispute that Plaintiff's rejection of Defendants' offer of judgment was grossly unreasonable and in bad faith.

As of December 18, 2019, Defendants had put Plaintiff on notice that her status as a nonlawyer prevented her from recovering any attorneys' fees and so she must have known she had little hope of recovering any attorneys' fees as a result (let alone over $3 million worth of attorneys' fees). Plaintiff effectively conceded the force of Defendants' position by giving up her two-and-a-half year "protest" of the reinstatement fee she owed to the Nevada State Bar and having her law license reinstated the day after Defendants filed their Motion for Summary Judgment. Yet, Plaintiff chose to reject Defendants' $150,000.00 offer of judgment, accepting the risks resulting from this choice, and continue her quixotic (and exorbitantly expensive) quest to extract millions of dollars in attorneys' fees from Defendants via a month-long jury trial.

The simple truth is Plaintiff wanted to roll the dice and see if, somehow, despite the black letter law Defendants relied on and the steep odds she faced in overcoming that law, she could bluff her way into a verdict worth nearly $30 million.[4] But, as shown above, her entire estimate of her damages always hinged upon the validity of her belief that she was entitled to 33.333% of the gross attorneys' fees Defendants earned on the Moradi Case. And Plaintiff must have known that the Moradi Case was ultimately resolved and the attorneys' fees were earned *after* Plaintiff had become a nonlawyer unable to recoup any attorneys' fees.

Plaintiff's appetite for risk and proclivity to "roll the dice" do not make her decision to reject a fair offer of judgment for $150,000.00 reasonable or in good faith. Plaintiff could have ended this case before both parties had to file motions *in limine*, complete briefing on Defendants' Motion for Summary Judgment, and complete (and incur expenses and fees for) all of the required pretrial disclosures and preparations. Plaintiff could have ended this case by recovering 99.7% of the compensatory damages she sought and was not legally barred from recovering (without considering the high risk that Plaintiff could not prove any of these damages to a jury). But

[4]Plaintiff only achieves her highly inflated claim of over $30 million by a claim that she was a victim of elder abuse which entitles her to double damages and that the defendants are guilty of fraud such that she is entitled to treble the damages. From the start of her case, Plaintiff has always postured that her case is worth at least $20 million based on her assumption that her damages would necessarily be doubled and then trebled.

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Plaintiff did not want to resolve her claims reasonably or rationally. Instead, Plaintiff wanted to force Defendants, the Court, and the jury to expend their precious time and attention to see if she could win a long-shot bet in the face of very real legal and evidentiary barriers to obtain a multimillion dollar verdict. A fair settlement was never an option for Plaintiff.

For all of these reasons, Plaintiff choice to ignore the reasonable and good faith resolution of her claims presented by Defendants' December 18, 2019, offer of judgment was grossly unreasonable and in bad faith. Thus, the third *Beattie* factor weighs in favor of awarding Defendants the attorneys' fees they actually incurred from December 18, 2019, to present.

E. The Attorneys' Fees Sought by Defendants Are Reasonable and Justified in Amount

When considering the amount of attorneys' fees requested under the fourth *Beattie* factor, the Court's analysis turns on the *Brunzell* factors, which require the Court to consider:

> (1) the qualities of the advocate: his ability, his training, education, experience, professional standing and skill; (2) the character of the work to be done: its difficulty, its intricacy, its importance, time and skill required, the responsibility imposed and the prominence and character of the parties where they affect the importance of the litigation; (3) the work actually performed by the lawyer: the skill, time and attention given to the work; (4) the result: whether the attorney was successful and what benefits were derived.

Brunzell, 85 Nev. at 349, 455 P.2d at 33.

Defendants are requesting $279,167.50 in total attorneys' fees actually incurred from December 18, 2019, to present in defending themselves against Plaintiff's claims. Defendants employed two different law firms throughout the course of this litigation to defend against Plaintiff's claims seeking tens of millions of dollars in damages. As demonstrated below, the lawyers and law firms Defendants retained are highly skilled, experienced, and trained, the work to be done was intensive and complex as Plaintiff aggressively pursued shifting theories of her case in an effort to extract millions of dollars from Defendants, Defendants' retained lawyers vigorously defended against Plaintiff's claims, and, ultimately, Defendants succeeded entirely in defeating Plaintiff's claims.

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1. The Advocates' Professional Qualities

Holland & Hart LLP ("Holland & Hart") is a regional, AV-rated law firm with extensive experience in complex, high-stakes commercial litigation. *See* **Exhibit 7** (Decl. of J. Stephen Peek, Esq.) at ¶ 4. The attorneys' fees that Defendants incurred from Holland & Hart are reasonable, economical, and are customarily charged to clients of Holland & Hart. *Id.* at ¶ 5. The ability, training, education, experience, professional standing, and skill of the professionals representing Defendants were demonstrated in the pleadings, motions, and other documents filed with the Court as well as the oral presentations made to the Court during hearings in this case. *Id.* at ¶ 6.

Holland & Hart believes that every professional employed on behalf of its clients has a responsibility to control fees and expenses by providing services in an efficient and effective manner. *See id.* at ¶ 7. To this end, Holland & Hart diligently works to coordinate and facilitate the efficient prosecution of the matters for which it is employed. *Id*. at ¶ 8. Staffing of matters within the case is done with the objective of providing the level of representation appropriate to the significance, complexity, and difficulty of the particular matter. *Id*. at ¶ 9. Holland & Hart reviews all client billings for reasonableness and makes adjustments so that the charges are consistent with the value of the services provided. *Id*. at ¶ 10.

Holland & Hart charges hourly rates that are similar to those rates charged by comparable law firms for similar legal services. *Id*. at ¶ 11. Holland & Hart believes that the fees and expenses sought in this application are appropriate, and that the fees are reasonable and necessary in light of the circumstances of this case and the scope and difficulty of the business and legal issues involved. *Id*. at ¶ 12.

J. Stephen Peek, Esq. ("Mr. Peek"), the lead attorney from Holland & Hart with responsibility over this matter, is experienced in complex commercial litigation. *Id.* at ¶ 13. Mr. Peek is a partner at Holland & Hart and has been practicing in the area of commercial litigation for nearly forty-eight (48) years. *Id.* Mr. Peek's abilities, experience, and professional standing and skill have been acknowledged by his peers as Mr. Peek has received the following recognitions: *Chambers USA: America's Leading Lawyers for Business*, Litigation: General

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Commercial, Band 1; *The Best Lawyers in America*© Commercial Litigation (2006-2020); *Mountain States Super Lawyers*®, Business Litigation (2009-2019); Martindale-Hubbell®, AV Preeminent® Rating; and *Nevada Business Magazine*, Nevada Legal Elite (2009-2015). *Id.*

Consistent with its commitment to control fees and expenses through appropriate staffing, Holland & Hart also staffed various associate attorneys and professional personnel on this case. *Id.* at ¶ 14. Ryan A. Semerad, Esq. ("Mr. Semerad") and Brian D. Downing, Esq. ("Mr. Downing") are both associates practicing in the area of commercial litigation staffed on this case. Mr. Semerad and Mr. Downing have been practicing in the area of commercial litigation for about three (3) years and both clerked for state court judges in Nevada. *See id.* Shayna N. Noyce is a paralegal staffed on this case. *Id.*

Peterson Baker, PLLC ("Peterson Baker") is a boutique Nevada commercial litigation firm with a collective 40 years of experience litigating complex legal issues, including business torts and contract disputes. *See* **Exhibit 8** (Decl. of Tamara Beatty Peterson, Esq.) at ¶ 2. The attorneys from Peterson Baker who represented Defendants in this matter charge hourly rates that are similar to those rates charged by comparable law firms for similar legal services. *Id*. at ¶ 3. Peterson Baker believes that the fees and expenses sought in this application are appropriate, and that the fees are reasonable and necessary in light of the circumstances of this case and the scope and difficulty of the business and legal issues involved. *Id*. at ¶ 6.

Ms. Tamara Beatty Peterson, Esq. ("Ms. Peterson") cofounded Peterson Baker in 2016 and has extensive experience in complex commercial litigation as she has taken over thirty (30) jury trials to verdict and numerous bench trials to decision. *Id.* at ¶ 9. Ms. Peterson's abilities, experience, and professional standing and skill have been acknowledged by her peers as she has received the following recognitions: Fellow, The American College of Trial Lawyers (an honor reserved for the top 1% of trial lawyers in the United States and upon which admission is granted by invitation only, based upon the recommendation of the judges they practice before and the opponents they try cases against); Fellow, The Litigation Counsel of America; Fellow, American Bar Foundation; *Chambers USA: America's Leading Lawyers for Business*, Litigation: General Commercial, Band 3; *The Best Lawyers in America*© Commercial Litigation (2014-2020). *Id.*

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Ms. Nikki L. Baker ("Ms. Baker") cofounded Peterson Baker in 2016. *Id.* at ¶ 10. Ms. Baker has focused her practice on commercial and civil litigation since she began her career in 1998. *Id.* While Ms. Baker has tried and prosecuted many cases in state and federal court as well as in various alternative dispute resolution settings, Ms. Baker has also kept her clients out of the courtroom entirely through her success in pretrial motions practice as a result of her strong brief writing and extensive research skills. *Id.* Ms. Baker's abilities, experience, and professional standing and skill have been acknowledged by her peers as she has received the following recognitions: Martindale-Hubbell®, AV Preeminent® Rating; American Bar Foundation; *Chambers USA: America's Leading Lawyers for Business*, Litigation: General Commercial, Recognised Practitioner; *The Best Lawyers in America*© Commercial Litigation (2020). *Id.*

Consistent with its commitment to control fees and expenses through appropriate staffing, Peterson Baker also staffed an associate attorney and professional personnel on this case. *Id.* at ¶ 11. Peterson Baker staffed an associate attorney, Mr. David Astur, Esq. ("Mr. Astur"), and an office manager, Ms. Erin Parcells ("Ms. Parcells"), on this case. *Id.*

2. The Character and Nature of the Litigation

This litigation arose out of Plaintiff's claims that Defendants defrauded her out of a 33.333% interest in the gross attorneys' fees from certain contingency fee cases that Defendants knew would be worth millions of dollars. Plaintiff estimated her damages between $20 and $30 million throughout the course of this case necessitating Defendants to defend themselves vigorously. Moreover, Plaintiff requested and received a preferential trial setting, which accelerated the pace of this case dramatically requiring Defendants and their attorneys to dedicate significant time, money, and resources in a short period of time to prepare for a jury trial of Plaintiff's claims.

Throughout discovery in this case, Plaintiff repeatedly ignored her obligations under the Nevada Rules of Civil Procedure by hiding highly relevant and damaging email communications with supposedly key witnesses and providing demonstrably false testimony in the form of her own deposition testimony and responses to written discovery requests. *See generally* Defendants' Motion to Compel the Production of Certain Documents; Defendants' Motion for Sanctions.

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Moreover, Plaintiff filed numerous motions for protective order in a naked effort to stonewall Defendants' good-faith efforts to obtain relevant documents through the proper NRCP 45 subpoena process or to prevent Defendants from asking damaging questions to Plaintiff's most favorable witness. *See* Plaintiff's Motion for Protective Order Regarding the Deposition of Karla Koutz; 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 for Protective Order Regarding Defendants' Amended Subpoena Duces Tecum to Wells Fargo, N.A.

What's more, Plaintiff's claims were predicated largely on her own self-serving testimony and her attempts to dredge up negative stories about Defendants and any fact witnesses who had testimony favorable to Defendants. Plaintiff's attempt to prosecute her claims via a smear campaign against Defendants and any witness who had testimony favorable to Defendants required Defendants to fully brief fourteen (14) motions *in limine* in anticipation of a 4-week jury trial.

Because of the highly inflammatory claims Plaintiff was making against Defendants, the high stakes of this litigation given Plaintiff's estimated damages, and the deeply troubling nature of Plaintiff's litigation strategy and conduct during discovery, the nature of this litigation justifies the fees incurred by Defendants.

3. The Work Actually Performed by the Advocates

In addition to requesting attorneys' fees with this Motion, counsel for Defendants performed, among other things, the following tasks ***after*** Defendants served Plaintiff with their December 18, 2019 offer of judgment, which Plaintiff rejected:

- Legal research on numerous topics, including (but not limited to):
  - Fee sharing with nonlawyers;
  - The effects of an administrative suspension from the practice of law on a person's ability to collect attorneys' fees;
  - Partnership duties and the effects of dissolution of a partnership on those duties; and

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- Fraudulent concealment and the duty of disclosure element required to plead and prove a claim of fraudulent concealment under Nevada state law;

- Drafting pleadings and motions, including (but not limited to):
  - Defendants' Reply in Support of Motion for Summary Judgment;
  - Defendants' fourteen (14) Motions *in Limine* and Replies in Support Thereof;
  - Defendants' Oppositions to Plaintiff's eight (8) Motions *in Limine*;
  - Defendants' Opposition to Plaintiff's Motion to Extend Deadline and Establish Briefing Schedule;
  - Defendants' Opposition to Plaintiff's Motion to Adopt Plaintiff's Version of the Proposed Jury Questionnaire;
  - Defendants' Motion to Compel Plaintiff to Produce Certain Documents that are Relevant and Material to this Case and Reply in Support Thereof;
  - Defendants' Motion for Sanctions and Reply in Support Thereof;
  - Defendants' Motion for Attorneys' Fees;
  - Defendants' Opposition to Plaintiff's Motion for Reconsideration;
  - Defendants' Opposition to Plaintiff's Motion to Retax Costs;
- Attending and participating in the second day of three (3) continued depositions noticed by Plaintiff;
- Identifying, retaining, corresponding with, and disclosing an expert witness after the close of discovery due to Plaintiff's claims about the evidence in this case;
- Preparing, serving, and filing Defendants' pretrial disclosures pursuant to NRCP 16.1(a)(3);
- Reviewing Plaintiff's pretrial disclosures pursuant to NRCP 16.1(a)(3);
- Preparing, serving, and filing a joint pretrial memorandum in compliance with EDCR 2.67;
- Preparing Defendants' proposed jury questionnaire;
- Reviewing Plaintiff's proposed jury questionnaire;

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- Preparing all necessary documents, exhibits, and other demonstrative items in preparation for a jury trial; and
- Attending about five (5) hearings before the Court and making oral presentations at these hearings where appropriate.[5]

A detailed itemization of the time spent, each professional's billing rate, the matters involved, and costs incurred is described in the accounting attached to each of the aforementioned declarations: the Peek Declaration at **Exhibit 7-A** and the Peterson Declaration at **Exhibit 8-A**.

Because of Plaintiff's failure to accept Defendants' offer of judgment, Defendants incurred attorneys' fees in connection with their defense against Plaintiff's claims. Defendants' counsel spent considerable time in performing the work outlined above and detailed in the exhibits referred to after December 18, 2019, the date of Defendants' offer of judgment. Thus, the Court ought to award the total amount of attorneys' fees incurred by Defendants from June 18, 2019, to date, or $279,167.50.[6]

4. The Result

The result obtained by Defendants in this matter clearly demonstrates the reasonableness of the fees requested herein. After about two (2) months of intensive trial preparation *after* Defendants served their December 18, 2019, offer of judgment for $150,000.00 on Plaintiff, the Court entered summary judgment in favor of Defendants on all of Plaintiff's claims on February 18, 2020. Plaintiff completely failed on all of her claims, which sought upwards of $27 million. Based upon the result obtained, the attorneys' fees incurred by Defendants herein are reasonable and the Court should award them.

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[5]*See* **Exhibit 4** at ¶ 16; **Exhibit 5** at ¶ 13.

[6]This figure is the sum of the actual attorneys' fees Defendants incurred from Holland & Hart and Peterson Baker. Defendants anticipate that they will continue to incur fees through any hearing on this Motion, Plaintiff's Motion for Reconsideration, and/or Plaintiff's Motion to Retax Costs and reserve the right to supplement this amount at the time of the hearing on this Motion. Defendants also reserve the right to supplement this amount for any fees incurred on and after any appeals from the Court's Order Granting Defendants' Motion for Summary Judgment. *See In re Estate & Living Tr. of Miller*, 125 Nev. 550, 555, 216 P.3d 239, 243 (2009) ("We therefore hold that the fee-shifting provisions in NRCP 68 and NRS 17.115 extend to fees incurred on and after appeal.").

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IV. CONCLUSION

Because Plaintiff rejected Defendants' December 18, 2019, offer of judgment and failed to obtain a more favorable judgment, Defendants are entitled to and respectfully request an award of its reasonable attorneys' fees actually incurred from December 18, 2019, to present in the total amount of $279,167.50 against Plaintiff.

DATED this 10th day of March, 2020

HOLLAND & HART LLP

s/ J. Stephen Peek, Esq.

J. Stephen Peek, Esq.
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Attorneys for Defendants PAUL S. PADDA and PAUL PADDA LAW, PLLC

CERTIFICATE OF SERVICE

I hereby certify that on the ____ day of March, 2020, a true and correct copy of the foregoing **DEFENDANTS' MOTION FOR ATTORNEYS' FEES ON AN ORDER SHORTENING TIME FOR HEARING** 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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EXHIBIT 1

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * * * *

MICHELLE McKENNA, Plaintiff, vs. DAVID Z. CHESNOFF, CHTD. P.C. d/b/a CHESNOFF & SCHONFELD; DAVID Z. CHESNOFF, and RICHARD A. SCHONFELD, Defendants.	)	CASE NO. 2:14-CV-01773-JAD-CWH

VIDEOTAPED DEPOSITION OF RUTH COHEN, ESQ.

Taken on Thursday, January 4, 2018

At 10:15 a.m.

Las Vegas, Nevada

REPORTED BY: CHRISTY LYN DeJONKER, CCR NO. 691

JOB NO.: 438601

VIDEOTAPED DEPOSITION OF RUTH COHEN, ESQ.
taken on Thursday, January 4, 2018, at 10:15 a.m., at 3770 Howard Hughes Parkway, Suite 300, Las Vegas, Nevada, before Christy Lyn DeJonker, Certified Court Reporter, in and for the State of Nevada.

APPEARANCES:
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The Videographer:
J.P. MARRETTA

Also Present: RICHARD SCHONFELD
MICHELLE McKENNA

I N D E X

WITNESS: RUTH COHEN, ESQ.

	EXAMINATION	FURTHER EXAMINATION
By Mr. Cooney:	5	

E X H I B I T S

Exhibit No.	Description	Page
1	Plaintiff's Offer of Judgment	45
2	Confidential Mediation Statement	65
3	Lien for Attorney's Fees	65

INFORMATION TO BE SUPPLIED

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THE VIDEOGRAPHER: This is the beginning of Media No. 1 in the deposition of Ruth Cohen in the matter of McKenna versus Chesnoff and Schonfeld, held at Litigation Services on January 4th, 2018, at 10:15 a.m. The court reporter is Christy DeJonker. I am J.P. Marretta, the videographer, an employee of Litigation Services. This deposition is being videotaped at all times unless specified to go off the video record.

Would all present please identify themselves, beginning with the witness.

THE WITNESS: Ruth Cohen. I'm the witness.

MS. STOUT: Kelly Stout, counsel for Ms. McKenna. Also present with me today is Ms. McKenna.

MR. COONEY: I'm Sean Cooney. Attorney for David Chesnoff, Richard Schonfeld, and the law firm of Chesnoff & Schonfeld.

THE VIDEOGRAPHER: Thank you. Will the court reporter please swear in the witness.

Thereupon --

RUTH COHEN, ESQ.,

was called as a witness, and having been first duly sworn, was examined and testified as follows:

THE WITNESS: Sure. Before we start, does

anybody else hear that noise coming from the other room?

MR. COONEY: Yes, I hear it. And I don't know what can be done about it.

THE WITNESS: Okay.

MR. COONEY: I think they're having a telephonic deposition.

THE WITNESS: Oh, all right. It's kind of loud. I'm hard of hearing on the right side.

EXAMINATION

BY MR. COONEY:

Q. Good morning, Ms. Cohen.

A. Good morning.

Q. My name is Sean Cooney. We met once before, I think about a year ago. I represent David Chesnoff, Richard Schonfeld and their firm, Chesnoff & Schonfeld in McKenna's suit against them.

Now, we were talking off the record prior to the deposition. I believe you said that you retired; is that correct?

A. Fully retired, yes.

Q. And prior to retirement, you were a practicing lawyer?

A. Yes.

Q. Okay. As a practicing lawyer, did you take

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many depositions?
A. Hundreds.
Q. Okay. So is it fair to say that you're familiar with the deposition process?
A. I know it by heart, yeah.
Q. So if it's okay with you, I'm just going to dispense with the admonitions. We don't have to go through all of those.
Is that fine?
A. That's fine.
Q. Great. Now, even though you're retired, do you still maintain an active law license?
A. I don't.
Q. Are you, like, in inactive status?
A. No. I am suspended from the practice of law.
Q. And what was the basis for the suspension?
A. I didn't complete my CLEs. I'm 11 credits short. And I don't intend to pay them $700 to get my license back when I'm not going to use it, so. And I don't know if you know this or not, but you have to continue to pay and go to school until you're 70. They don't let you off the hook, even if you're retired from the practice of law. It's ridiculous. So it's my protest.
Q. When was your license suspended?

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A. I don't know. Last year sometime. The credits were for 2016. Like I said, I was 11 credits short. I bought classes, took them. And when I went to turn them in, they said, Well, it will cost you $700, and I said, See you. I'm just not going to do it.
Q. Okay. When did you retire?
A. Well, I partially retired, like, two years ago. I was only working part-time. I think it was two years ago. I fully retired -- well, I like to say this summer, but it was really before that because there was no -- I was only doing consults and there was no work coming in. So I would go to the office, look at my computer and do some paperwork, but I didn't meet with any clients, because we didn't have any. I mean, employment clients. We had plenty of clients.
Q. Okay. Before we get a little more into that, I just wanted to ask you some background questions.
Did you do anything to prepare for the deposition today?
A. No.
Q. Didn't review any documents?
A. No.
Q. Did you speak with anybody prior to coming in today?

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A. No.
Q. Given that you're a lawyer, I'm going to sort of skip the standard educational background stuff. And I just want to start with your law school and move forward. Where did you go to law school?
A. Seaton Hall University School of Law.
Q. Where is that?
A. Actually, the school of law is located in Newark, New Jersey. The main campus is in East Orange, New Jersey.
Q. When did you graduate from law school?
A. I guess before you were born. 1975.
Q. That was before I was born. It was the year my brother was born.
A. Thought so.
Q. And after graduating law school, did you take the bar exam here in Nevada?
A. No. I took the New Jersey bar exam.
Q. Okay. And I assume you passed that?
A. I did.
Q. And how long did you practice in New Jersey?
A. I didn't. I moved here.
Q. Okay. When did you move to Nevada?
A. I moved to Nevada in February of 1976.
Q. Did you take the bar at that time?

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A. I did.
Q. Were you licensed in Nevada also in '76?
A. Yes.
Q. And who did you go to work for after becoming licensed?
A. I started with the Clark County District Attorney's office.
Q. And how long did you work for them?
A. About a year and a half.
Q. So starting in '76 through --
A. No, I started January '77.
Q. Okay. And you worked, you said, through 1978?
A. Yes, spring of 1978.
Q. And after working for the DA's office, who did you work for?
A. I worked for the Department of Justice, United States Attorney's office, District of Nevada.
Q. And how long did you work for the U.S. DOJ?
A. 29 years.
Q. So you said you worked for the District of Nevada. Was there a particular division you worked for while at the DOJ?
A. No, it covered the whole state. There is a Reno office, but that's a satellite office of the main

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office here. So they loosely divide the state for purposes of federal courts. I did cases up in Reno. So I was primarily assigned to the Southern Nevada office.

Q. Okay. Were there particular types of cases that you handled as a U.S. attorney?

A. Yes. The first eight years was criminal, and then I switched to the civil side and did 21 years civil.

Q. In your -- while you were working on the civil side of things, was there a particular practice area that you focused on, in terms of the case, antitrust or something else of that nature?

A. I did a variety of cases. I did almost all of the medical malpractice cases initially. I did employment discrimination, all types. I did Bivens actions. I'm sure there's other things. I can't think of them right now. I represented the United States anytime anybody sued it, and they sued it a lot.

Q. I assume the med mal, that would be med mal defense --

A. Right.

Q. -- where somebody that worked for the United States was accused of --

A. Military usually, VA.

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Q. Any prisoner cases?

A. I actually did a few of those; had a couple of trials, actually. Hated them all.

Q. I'm not familiar with what a Bivens action is. Can you explain that for me?

A. When an employee agent, official -- officer of the United States is sued, they are often sued under a -- there is a constitutional area, but they are often sued under a Bivens form of action. And that's -- that is how you saw a lot of federal agents get sued. It's a constitutionally created cause of action. And there's lots of defenses to it and it's really successful.

Q. Other than the med mal, did you handle any personal injury cases?

A. Yes, slip and falls, car accidents.

Q. What was sort of the highest job title you held prior to leaving the DOJ?

A. Well, if you're not a supervisor, everybody is an assistant United States attorney. I did a short supervisory stint, but I was an assistant United States attorney.

Q. About how long were you a supervisor for?

A. Oh, very short period of time. Maybe six months. I was just filling in between different civil

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chiefs.

Q. Is there a reason why you in the 29 years you were at the DOJ, that you never sought a supervisory role?

A. Sought one? Maybe you haven't heard, but this is the time of women, and they are all coming forward. And there's all kinds of sexual discrimination. I worked for a bunch of white men; a lot of them were in the military and there weren't very many women doing much of anything. Unless, of course, they kissed the butts of the white men, then a couple did get to be supervisors. Even the first female United States attorney didn't do much to help the situation. It was okay. I mean, I liked my job. It was a real good job. Saw a lot of cases. I got to do things lawyers never in their wildest dreams in their entire careers would ever do.

Q. If I'm doing my math right, you left the U.S. DOJ in 2007?

A. '7, I retired.

Q. Did you go into private practice in 2007?

A. I did.

Q. Did you open your own firm?

A. No. I worked for Atkins, Winner & Sherrod, an insurance defense firm.

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Q. What prompted you to leave the DOJ and go into private practice?

A. I had earned a full retirement, and they were giving incentives for people to go. And I said, Fine, show me the door. I'm out the door.

Q. How long did you work for Atkin Winner?

A. I think it was about four years. Three and a half, four years.

Q. 2011-ish, then?

A. Right.

Q. What did you do after Atkin Winner?

A. I went into practice with Paul Padda.

Q. Is that with the firm Cohen & Padda?

A. It was. He and I had been assistant U.S. attorneys together.

Q. And did you stay with Mr. Padda through your, I guess, partial retirement a couple of years ago and full retirement this year -- or last year, I should say. Now that we're in 2018.

A. Exactly.

Q. I'm sorry. Going back to your time with Atkin Winner, what kind of cases did you handle for them?

A. Well, it was an insurance defense firm. They mostly did personal injury defense, but I think it was

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CNA. It was an insurance company that liked me, and they gave me all kinds of weird cases to do. Personal injury, but weird ones, and I kind of liked that. I was of counsel to them. So I was able to bill at partner rate.

Q. Did you handle any plaintiff cases with Atkin Winner?

A. Yes.

Q. Do you have any estimate as to what percentage of your practice was plaintiff versus defense?

A. I would say 10 percent was plaintiff. They were my cases. The firm didn't give them to me. The people came to me, and I took their cases.

Q. Were these also personal injury cases?

A. No.

Q. What types of cases were they mostly?

A. I can't give you a genre. I did a couple of criminal defense matters. I did a couple of contract-type cases, and then I did some plaintiff personal injury.

Q. And then when you left Atkin Winner and opened up the firm with Mr. Padda, did you continue to do mostly defense work, or did your practice shift?

A. Oh, we shifted.

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Q. Was Cohen & Padda exclusively a plaintiff firm?

A. For the most part. We did do some criminal defense, and I think we did a couple of, like, contract cases for defendants. But primarily it was personal injury on the plaintiff's side.

Q. And throughout your career and going all the way back to your time with Clark County District Attorney's office, did you ever handle any traumatic brain injury cases?

A. We did do a couple, yeah. Uh-huh.

Q. Do you recall when those were? And when I ask you that, I am saying exclusive of Ms. McKenna's case.

A. I don't recall specifics, but somewhere when I was in the U.S. Attorney's office there was somebody that had traumatic brain injury. Then just recently in a case that began when I was in the office, Paul -- well, the firm he hired brought in the largest verdict for any individual plaintiff, and that was brain injury.

Q. That was the Cosmopolitan case?

A. Yes.

Q. But that case came in after you had finished -- or after you finished working with Ms. McKenna?

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A. It was tried after, but it came in years before. I was a full-time partner. It came into Cohen & Padda.

Q. Going back to your time with the U.S. DOJ, I just want to clarify. Do you recall how many TBI cases you handled?

A. Just one.

Q. Any TBI cases, any defense cases with Atkin Winner?

A. Oh, geez. The firm had one, and I did not participate.

Q. So you did not personally handle any TBI cases while at Atkin Winner?

A. No, I weighed in on the meetings, strategies and stuff. But no, they didn't ask me to take any role or take any depositions or anything.

Q. And while at Cohen & Padda, you referenced a Cosmopolitan case.

A. Yes.

Q. Did you work actively in that case?

A. Initially I did, yes.

Q. And who was the firm that -- you made reference to another firm coming in to help on the case; is that correct?

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A. Well, they took over the litigation, yes.

Q. And who was that?

A. Brian Paddish. It's apparently a big personal injury firm in California.

Q. Actually I have run into them several times. I used to do defense work in Santa Barbara.

A. Oh, so you know who they are.

Q. So I've had some run-ins with Mr. Paddish.

A. Apparently people don't like him.

Q. He's an interesting character. Let's put it that way.

In addition to this Cosmopolitan case, you also had Ms. McKenna's case at Cohen & Padda; is that correct?

A. Right. And I am thinking there was something else, but it's not coming to mind right now.

Q. Now, my understanding is that Cohen & Padda took over Ms. McKenna's case in -- at the very end of July of 2013; is that correct?

A. I don't remember.

Q. Well, I should be able to find the substitution of attorney. But in any event, there was a substitution of attorney filed in the case, correct?

A. Yes. Absolutely.

Q. And it's your understanding that upon the

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filing of a fully executed substitution of attorney, then the new attorneys are then the attorneys of record, correct?

A. Correct.

Q. So whatever the date on the substitution of attorney is, that would be the date you guys officially took over the case, correct?

A. Yeah, I would think so. I didn't prepare it nor did I file it, but yes, I would think so.

Q. Prior to Cohen & Padda officially taking over Ms. McKenna's case, how many traumatic brain injury cases have you been involved in?

A. That is the same answer I just gave. It didn't change. I didn't add anything to it.

Q. So the one from the U.S. Attorney's office and then the Cosmopolitan case?

A. Yeah.

Q. How involved were you in the handling of Ms. McKenna's case?

A. I was pretty much involved. I am the one that took her to mediation. I met her, I spoke with her, I got to know her. And then I spoke to Schonfeld and the file came over. I read the file and went into mediation. Paul is the one that drafted the motion and appeared in court.

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Q. Okay. Then let me do this, so I can try to delineate a little better what your involvement was so I don't have to go through every single part of the file with you.

A. Okay.

Q. Do you recall when Ms. McKenna first contacted Cohen & Padda?

A. I don't know.

Q. Were you the first person she made contact with?

A. I'm not sure. Obviously it was either Paul or I. I think I might have been the first person to meet with her, but I don't know that I set the meeting. In other words, what would often happen is, Paul or one of the staff would say, Potential client coming in at 10:00. Can you take it? And I would just go in the conference room and there was a potential client, you know. So I'm not sure.

Q. Okay. Was the meeting that you are making reference to, is that the first time that you had spoken to Ms. McKenna?

A. Yes.

Q. Do you recall when that was?

A. No.

Q. Was it --

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A. But it had to be pretty close to when we filed the substitution of attorney, because we didn't meet with her -- I don't think more than once -- twice at the most. And we agreed to take her case.

Q. Do you recall how much time passed, roughly, between the time that you met with her and when you took over the case?

A. No, but it wouldn't have been a long period of time, because we had to move quickly. The case had been pending a long time. That's why she came to us in the first place.

Q. Was Mr. Padda present at the meeting that you had with Ms. McKenna the first time?

A. It was his practice to show up sometimes during a meeting like that. I usually did it, and he would come in and out. So I don't remember.

Q. Do you know how Ms. McKenna found you guys? And by "you guys," I mean your law firm.

A. I know. I don't remember precisely. I think one of her treating physicians referred her to us, but I'm not positive on that.

Q. Do you know who that physician was?

A. I don't remember.

Q. And this first meeting you had with her, how long did the meeting last?

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A. I don't remember.

Q. More than an hour?

A. I wouldn't think so.

Q. And what did she tell you about why she had come into your firm?

MS. STOUT: Before you answer, we -- Sean and I have had some discussions regarding attorney-client privilege. And we are asserting attorney-client privilege in general -- generally. However, we are not going to assert it to the extent that it's conversations that relate to the claims at issue in this case.

MR. COONEY: Yeah, I know what you are talking about. I am having trouble figuring out what the delineation is.

THE WITNESS: Well, we could take a quick break, and I could go get a fresh cup of coffee while you two work it out.

MR. COONEY: Actually, that's probably a good idea. Why don't we do that.

THE VIDEOGRAPHER: We are going off the record. The time is 10:43.

(Whereupon, a recess was taken.)

(Whereupon, Mr. Richard Schonfeld joined the deposition.)

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THE VIDEOGRAPHER: We are back on the record. The time is 11:00.
THE WITNESS: Can you hear me?
THE VIDEOGRAPHER: Perfect.
THE WITNESS: I put my own microphone on. I just wanted to make sure.
BY MR. COONEY:
Q. Okay. Before we went off the record, I had asked you a question about what you had discussed with Ms. McKenna. Ms. Stout had interposed an objection on attorney-client privilege. I'm going to try to break my question down a little bit.
MS. STOUT: What might be useful is I can clarify that I'm not asserting a privilege as to the identification of topics discussed. And perhaps if Ruth identified topics, it would be a little bit simpler to proceed with respect to the privilege issue.
BY MR. COONEY:
Q. Okay. Without sort of getting into the details of sort of the topic matters, what matters did you discuss with Ms. McKenna at that first meeting that you had with her?
A. Are the two of you kidding? Like I remember the matters I discussed. We discussed her case and why it was moving slowly and, you know, if we could help

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her. She was basically destitute.
Q. Did she tell you whether she had consulted with any other lawyers other than Cohen & Padda?
A. No.
Q. And did you feel that you could help her out with her case?
A. I felt we could try.
Q. And ultimately you did, correct?
A. Yes.
Q. Did she express to you at that meeting whether or not she was upset with my clients in their handling of her case?
A. She was extremely upset.
Q. Did she tell you why?
A. Taking too long.
Q. Is there any other reason she expressed to you why she was upset with the handling?
A. I am not sure what she expressed. She expressed other things, but I just don't recall them at the time.
Q. Did you take notes of that first meeting with Ms. McKenna?
A. Oh, boy. I do often take notes, but I don't remember if I took them at that meeting.
Q. Is it your typical practice to take notes at

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an initial client meeting?
A. It's my practice to take notes. I am just one of those people. But I don't always, especially if I don't realize it's going to be a lengthy meeting and I didn't bring a pad and a pen. I don't remember whether I did or I didn't. If I did, they should be in the file. If I didn't, it's not there.
Q. Did Ms. McKenna tell you anything at that first meeting about her employment status at the time?
A. I am sure she did, but I don't remember. I know she was no longer working at Pure. But I don't recall if she told me that she had another job at the time. Work was not easy for her because her mind didn't work so good anymore.
Q. And how did you come to that conclusion?
A. Well, apparently she lost her job at Pure because she couldn't add checks anymore. And according to what she said, because of the almost strangulation she suffered, her carotids were screwed up, and there wasn't enough oxygen to go to the brain.
Q. This was information you had gotten from Ms. McKenna?
A. Yes.
Q. When did Ms. McKenna decide to retain Cohen & Padda? Was it at that meeting, some time

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after?
A. I don't remember. I don't think she ever said those words, at least not to me.
Q. But at some point thereafter, Ms. McKenna signed a substitution of attorney, correct?
A. Correct.
Q. And you said that you called Chesnoff & Schonfeld to get her file from them; is that correct?
A. I think we sent over a fax, and I think Richard Schonfeld called me. But I could have called him. But I think he called me.
Q. Was that conversation in regard to transferring the file, or did you also discuss the substance of the case with him?
A. It was taking a little time to get the file, so I know we discussed it. They were putting it together. And we discussed, you know, why they were losing the file and we were getting it.
Q. So basically, reasons why Ms. McKenna had fired them and hired you?
A. Correct.
Q. Did you discuss the substance of the case against Mr. Jones with Mr. Schonfeld?
A. I don't think we discussed that. I mean,

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that was a given. No reason to discuss it.

Q. How do you mean it was a given?

A. He strangled her. I mean, that wasn't an issue.

Q. Okay. Did you discuss any legal strategy matters with Mr. Schonfeld?

A. No. Why would I -- that doesn't make any sense. I told him what he didn't do and why we were taking the case.

Q. Okay. What was it that you told him that he had not done?

A. You didn't sue all the right people. You weren't doing her case fast. She was upset about it. The woman couldn't work. But you didn't sue the right people. And we were hoping to get into court quick, so we could add these parties.

Q. Okay. So other than not suing the proper parties and the speed at which the case wasn't prosecuted, anything else that you had told him that he had not done?

A. I don't think so. I didn't just tell him. He asked me, and that's when I told him. I wouldn't have volunteered it.

Q. Okay. But one way or the other, those are sort of the two main reasons that you relayed to Mr. Schonfeld about --

A. It wasn't a pleasant conversation.

Q. I imagine it wasn't. I am just trying to get at what it is you told him about why Michelle had fired them and hired you.

A. Okay.

Q. Did you try to get any type of background from Mr. Schonfeld on Ms. McKenna's sort of medical state at the time you took over the case?

A. No. I mean, I think they turned over any medical records they had and we had the names of the physicians, so we could get all the records if we didn't feel that we got them all.

Q. Did you review the medical records in Ms. McKenna's case?

A. I know for sure I didn't review all the medical records. I may have reviewed some medical records. I know one of -- well, I didn't -- I didn't review all of the medical records.

Q. Did somebody else at the firm do it for you?

A. I believe so, yes.

Q. Was it Mr. Padda or someone else?

A. Well, he would have reviewed some of the records, but I think -- I think we might have sent them out to have them reviewed. I think. That is something we did in a lot in those cases; have a medical eye look at it and tell us what we should know. Some of those records are very hard to read. Well, you know. You do defense work.

Q. Now, after the review was done, did Cohen & Padda send out any additional requests for medical records, either through subpoenas or just having Michelle request them?

A. I don't remember.

Q. If those requests were made, would those have been documented in the file?

A. Yes.

Q. Now, I have not looked through the file in detail in quite some time, so I do not recall whether any such requests were made. But on the assumption that there were no requests made, would it be fair to conclude that you felt that the medical file was complete?

A. I don't know if I felt that or not.

Q. Let me see if I can shorten the question up and make it a little clearer. If you guys didn't ask for any more medical records, would it have been because you felt they were all there?

A. It could have been that or it could have been that Michelle provided a bunch of records. I know one or more of her physicians did come up with records. But I don't know if it was -- if we already got them from Chesnoff & Schonfeld or whether we didn't and -- I don't know if it was duplicates or not duplicates. But I do know that Michelle came in with some records and one of her treating physicians. Don't ask me which one, but one of them provided some records. Again, it could have just been duplicates. I don't know, but I knew they came in. We moved pretty quickly to get into court, though.

Q. Do you know -- do you know approximately the volume of the records that Michelle brought into you guys after you took the case over?

A. I don't.

Q. Do you recall what provider they were from?

A. I don't.

Q. Now, if Ms. McKenna had brought additional records in to your firm and given them, how would that be documented in your file? Like, if I wanted to go look at your file, how would I know what documents were provided by her after your retention?

A. I'm not sure. I don't know how the computer document retention worked. We had been through a couple of different programs, so I'm just not sure. I don't know if it was -- I have often seen it put into a

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folder saying "from client," but I don't know in her case how it was -- I don't know who was maintaining the file for us. We had a couple of different caseworkers and a paralegal. I don't know how they put it in the file. Maybe Paul himself put it in the file. I just don't know.

Q. Now, I believe you testified that you didn't recall whether the medical review had been done in-house or whether you sent it out to somebody. Am I remembering that right?

A. Yes.

Q. If it had been done in-house, would there have been a memo generated regarding the medical records?

A. I don't know. Oftentimes, yes. Sometimes just a verbal conversation about, you know, look at this. You know, look what's in the record. But I don't know because it wasn't a conversation I had with the paralegal or caseworker. You'd have to ask Paul.

Q. If you had sent the medical records out for review, would the third-party reviewing service -- would they have generated some kind of a memo for you guys?

A. Oh, of course. They'd want to get paid.

Q. So if it was sent out to a third party, I

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could figure that out by looking at your file and seeing if there was some kind of a memo from somebody who wasn't Cohen & Padda doing that?

A. Correct.

Q. Now, in your experience, when you send medical records out to a third party, is part of their job to identify gaps in the records, letting you know what else that you might want to go look for?

A. Certainly.

Q. And is it your practice when you get a memo from one of these third-party reviewing services, if they identify gaps, is it your practice to seek those records?

A. Sure. Unless, like I said, the client said, Oh, wait, I got a box. Because that has happened to us where a client says, Oh, I have another box.

Q. And when I say, "seek the records," I don't necessarily mean subpoenaing them or going directly to the provider. I mean to also include asking your client if they have a particular set of records.

A. But, yeah, that wouldn't be documented if we asked the client. It would be documented if the client brought in extra records. But like I said, I am not sure how it would be documented on the computer. I just know I have seen folders within our case file that

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says, you know, plaintiff's records or plaintiff brought in. Even if they were duplicates, we would note what the plaintiff brought in, if they brought something in later on.

Q. Do you recall asking Ms. McKenna to bring in any particular records?

A. You know, I don't. I could have, but I don't recall that I did.

Q. Did you do a review of the experts that had been retained by Chesnoff & Schonfeld? And when I say that, I mean look at the reports, see what topic there is --

A. I am sure I did, but I don't remember.

Q. Now, it's my understanding from the file, that Cohen & Padda designated a couple of additional experts to testify on Ms. McKenna's behalf; is that correct?

A. I have a vague recollection of that. But if you are going to ask me who, I am not going to remember. If you want to tell me, I will see if it refreshes my memory.

Q. Well, the first question I want to ask before I get into that is, were you involved in the decision to hire additional experts?

A. No.

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Q. Is that a decision that Mr. Padda was involved with?

A. Yes.

Q. Do you recall ever having conversations with any new experts that the firm was intending to retain on Ms. McKenna's behalf?

A. No.

Q. Do you recall being involved with decisions on what documents or other evidence to provide to those experts, so that they could do their expert work?

A. I don't remember doing that.

Q. Is this something that Mr. Padda handled?

A. He would have, or the medical expert would have requested certain records. It would have been provided to that expert.

Q. One of the experts that Cohen & Padda disclosed on Ms. McKenna's behalf was Dr. Stan Smith. Do you recall that name?

A. Yeah, that's the economist.

Q. Yes.

A. Yeah.

Q. Did you ever talk to Dr. Smith with regards to Ms. McKenna's case?

A. I didn't.

Q. The other expert was a lifecare planner by

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the name of Laura Lampton. Do you recall that name?
A. No. That's not a lifecare planner I have used.
Q. One of the first sort of items in court that I recall seeing after your taking over the case was an attempt to extend the discovery deadlines.
Do you remember that?
A. Yes.
Q. Were you involved in the discussions with Jones' defense lawyer on trying to get that extension?
A. Whose defense lawyer?
Q. Mr. Jones. Patrick Jones. Were you involved -- and Matt Callister was his lawyer. Did you talk to Callister about getting the discovery extension?
A. I believe I did, because I think I went to a deposition. I have known Matt Callister for years. So I know I was involved in a deposition at his office, but I don't know if it was on this case or not. I just don't remember.
Q. Did you do any of the drafting for the -- what was a joint motion to extend discovery?
A. No. I stopped being able to use the computer for drafting quite a while ago. My hands just don't work.

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Q. Did you appear in court for the hearing on that motion?
A. Paul did.
Q. Did you discuss with Mr. Callister the amount of time that you guys wanted in terms of the discovery extension?
A. If I had a discussion with him, I'm sure I did. But I don't remember.
Q. One of the reasons that you had told Mr. Schonfeld for the transfer of the file, was that he had not sued the right people.
Do you remember that?
A. Yes.
Q. And who were the additional people that you felt should have been sued?
A. If I remember correctly, Caesars Palace, for sure. Pure Nightclub, if they weren't already there, and the security force. There was a lack of security the night that Michelle got strangled.
Q. The security force, was that a third-party company?
A. I didn't know, but certainly it was something to explore. As you well know, in personal injury law you try to get as many pockets as you can. Sort it out later.

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Q. Now, after that conversation you had with Mr. Schonfeld, did you do any investigation, like, into who was responsible for providing the security at the Pure Nightclub that night?
A. I don't remember, because we had to get into court to ask for permission to add new parties. We could have done that afterwards. The Court didn't allow it because we were out of time. So that was a real problem.
Q. So the short answer is, no, you did not do any investigation as to who was responsible for the security at the Pure Nightclub that night?
A. I think we had the name of the company.
Q. Do you recall what the name of that company was?
A. No, but it was either Pure or Caesars Palace that cut the security force a couple of weeks before this incident. And so failure to provide adequate security is a huge cause of action in all kinds of cases.
Q. Did you ever determine who was responsible for making the decision to cut the security?
A. No. We certainly would have if discovery had opened and we were allowed to add them as a party. But we weren't allowed to, so. I think you're not

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understanding the window of time we had. It was very short.
Q. Notwithstanding whether or not Pure or Caesars were added as parties, you could have sent them a third-party subpoena to try to get information on these grounds, correct?
A. Sure. Or taken depositions, yeah.
Q. Do you recall ever doing that?
A. I didn't.
Q. Was there a person at your firm who sort of had final say on what to do on this case?
A. Well, I guess that would have been Paul. He basically took over the litigation.
Q. Now, if you wanted to do something on the case, would you have to run it by him, or was he letting you sort of do your own thing?
A. I wouldn't run it by him, but I would let him know. I wouldn't want to conflict something he was doing. When we lost the ability to add parties and get a lot more discovery, I think there was mediation scheduled pretty quickly after that. A matter of a couple of months, I believe.
Q. Does the name of Dr. Mark Haacke ring a bell to you?
A. Not at all.

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Q. I'll represent to you that Dr. Haacke -- and I'm not actually sure if I am pronouncing it correctly. It's spelled H-A-A-C-K-E -- was a Ph.D. my clients had hired prior to Cohen & Padda taking over the case to provide expert opinions in regards to vascular flow. Does that refresh your memory at all?

A. No.

Q. Do you recall ever reviewing a report?

A. No.

Q. Does the name Dr. James Loong ring a bell to you? Last name is spelled L-O-O-N-G. And, again, I may be mispronouncing his name.

A. What's his area?

Q. Neuropsychology.

A. Yeah, I think it was a Chinese guy, if I remember correctly.

Q. Do you recall reviewing his evaluation of Ms. McKenna?

A. I think, yes, I did.

Q. Do you recall having any problems with his evaluation?

A. I don't remember.

Q. Did you ever consider replacing Dr. Loong with another expert in the same field?

A. I didn't.

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Q. Do you recall replacing any of the experts that my client had hired?

A. I believe so, but I don't remember which one and with whom.

Q. Now, I recall that one of the things you discussed with Ms. McKenna at the first meeting you had with her was her sort of inability to work; is that correct?

A. Correct.

Q. And the reason she said -- or the reason she told you why she had been fired from the Pure Nightclub was inability to add receipts, I think is what you said?

A. Checks, yeah.

Q. Was there any other reason that she expressed to you as to why she had been fired from Pure?

A. No.

Q. Did she tell you that she had sued Pure for wrongful termination at the time she came to you?

A. No. Sounds like a good idea, though.

Q. Are you aware that she has --

A. No.

Q. -- that she has since sued this?

A. No.

Q. Did she tell you at the time that she came to talk to you that other than this issue with adding receipts, that she was perfectly capable of doing all other aspects of her job?

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A. I don't know she ever said that, and I don't think I asked her. Maybe she was; maybe she wasn't. I don't know. We didn't discuss it.

Q. Did you ever consider having Ms. McKenna evaluated by a vocational rehabilitation expert?

A. I didn't.

Q. Now, in terms of the additional experts that were disclosed on Ms. McKenna's behalf, did you have any involvement in preparing the expert disclosures that were served on Ms. McKenna?

A. No.

Q. Do you know if Mr. Padda handled that?

A. We had another associate working with us, and she might have done that, and he would have reviewed it. I was mostly working employment and other cases. Paul basically did the personal injury. That was his choice.

Q. Do you recall that associate's name?

A. God, I can see her, and I can't think of her name. I can't think of it right at the moment. It will come to me. Probably at 3:00 a.m.

Q. Why don't we do this. We'll put a blank in the transcript and --

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A. Okay.

Q. -- after the deposition is over, you will have a chance to review it. And if you recall the name at that time --

A. That would be fine.

Q. -- put it in the blank. Or if it comes to you at any point in the deposition, please feel free to volunteer.

A. Okay.

(Please supply information on Certificate of Deponent located on the second-to-the-last page hereof.)

BY MR. COONEY:

Q. In terms of who Cohen & Padda employed, you would have records of that?

A. Oh, sure.

Q. Or the firm would have records of that, since you are retired?

A. Of course.

Q. A question going back to your retirement, even though you're retired, do you still have any ownership interest in the firm of Cohen & Padda?

A. No.

Q. Does that firm still exist now?

A. No. It's Paul Padda.

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Q. When you got the file from Chesnoff & Schonfeld -- and when I say "the file," I mean their file on Ms. McKenna's case against Mr. Patrick Jones.
A. Right.
Q. Did you review it for sort of like income and work history documentation?
A. I don't know what that is. Income and work history document?
Q. Basically, information about the amount of money that Ms. McKenna had made before and after the attack, her work history, such as who she had worked for and how long.
A. Oh, I've never seen that.
Q. So you didn't look through the file for those particular documents?
A. No.
Q. Is there a reason why you didn't do that?
A. Well, first of all, I wasn't tasked with going through the file. Second of all, it was our desire to get moving quickly and to get into court as quickly as we can. We weren't looking at her income at that time. It would have been something that would have been done much later. We were trying, as I said, to get to court to let us add parties. And we were very late in the day for that. But we were hoping the

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court might understand, and we didn't get to.
Q. Okay. And your answer sort of brings to mind a follow-up, which is, did you ever direct anybody else at your firm or a third-party, for that matter, to review Ms. McKenna's file for the work history documentation?
A. Not that I know of. This associate that we hired was tasked, along with our paralegal, to put that file together. And the associate was -- well, she came with me to the mediation, but I don't know what instruction Paul gave her with regard to summarizing things in the file. But I know she was tasked with that.
Q. Did you ever ask Ms. McKenna to provide your firm with income documentation, tax returns, paystubs, et cetera?
A. I didn't ask her. Somebody else could have. I didn't do it.
Q. And I believe you previously testified that you never spoke to Dr. Stan Smith?
A. No. I wouldn't know him if I fell over.
Q. Did you ever exchange emails with him?
A. No.
Q. Do you ever recall seeing an email maybe where you were cc'd, but it wasn't directed to you,

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from Dr. Smith?
A. Well, that's possible.
Q. Do you recall ever seeing any requests by Dr. Smith for additional information that he might need to complete his work?
A. No.
Q. Now, Dr. Smith has his own company. Do you recall seeing any e-mails from anybody else associated with Dr. Smith's company?
A. I don't recall. I did get cc'd on a lot of stuff, though. I mean, I'm talking about in general on cases. Not necessarily Michelle's case, but cases.
Q. Notwithstanding the issue of what parties were in the case, did you ever form an opinion on what her case against Patrick Jones was worth?
A. I am sure that I did, and I am sure it was an initial demand we made at the mediation with Gene Porter. But I can't recall now. I would think it would have been substantial.
Q. Do you recall if it was more than a million dollars?
A. It could have been.
Q. More than 2 million?
A. Possible too.
Q. More than 5 million?

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A. Probably not. I know there was some surgical procedure that Michelle wanted that was very expensive, so that would have figured in there.
Q. Do you recall what that procedure was?
A. Something about opening up her carotids.
Q. Does the term "stent" ring a bell to you?
A. Well, it rings a bell to me because I know that people with heart problems get it all the time. So I don't know where stent -- where I have heard it. So anyway, it was for her carotid arteries, though.
Q. Now, prior to the mediation, Cohen & Padda served an offer of judgment on Matt Callister; is that correct?
A. I don't remember.
Q. Let me see if I can find that.
A. How much was it for?
Q. Let me find it. I'm going to show you what we will go ahead and mark as an exhibit to the deposition. I'll represent to you that this is what I understand to be the offer of judgment that was served.
(Exhibit 1 marked.)
THE WITNESS: It has the name of the associate on the document.
BY MR. COONEY:
Q. Oh, it's on the document. Even better. Is

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that Rachel Solo?
A. That's correct.
Okay. I have looked at it. It doesn't refresh my recollection, but it is my signature.
Q. Okay. Well, I believe the --
A. Do you want me to leave it here?
Q. Yeah, that's fine. Leave it there. I believe the OJ was for $500,000, correct?
A. Correct.
Q. Do you know why that number was chosen?
A. Probably it had something to do with Jan Jones' homeowners insurance.
Q. Okay. Well, I'll represent to you in my review of the file that Jan Jones' homeowners insurance policy limit was $500,000. So is there a reason why the OJ would match the homeowner's insurance limit?
A. That is all there was. You know, I don't know. I could tell you this: I signed it; I saw it. I did not prepare it, and I don't recall coming up with that number.
Q. So you weren't involved in the decision to do the OJ for 500,000?
A. I didn't say that. I don't remember whether I was or I wasn't.
Q. During your career, have you ever done any

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insurance bad faith litigation?
A. No.
Q. Now, you accompanied Ms. McKenna to the mediation; is that correct?
A. That's correct.
Q. I want to show you a document that we will mark as, I guess, Exhibit 2. It is entitled Confidential Mediation Statement. Take a second to look at that. It's only a couple of pages long. Let me know when you have had a chance to --
A. You want me to read the whole --
Q. You don't have to read it word for word. Just familiarize yourself with it.
A. All right. I have skimmed this.
Q. Now, on page 3 of the document, I see what refers to your electronic signature.
A. Yes.
Q. Did you prepare this document?
A. No.
Q. Do you know who prepared it?
A. Rachel Solo.
Q. Did you review the document prior to being submitted to the mediator?
A. Yes.
Q. Do you recall making any changes to it?

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A. Yes.
Q. Do you recall what changes you made?
A. I don't. I often changed things that Rachel wrote.
Q. Do you recall asking Rachel to add more detail to the mediation statement?
A. I don't recall.
Q. Now, there is a mediation statement, or a previous mediation statement, such as the one we have attached as Exhibit 2. Is that sort of your typical practice in providing information to a mediator?
A. No.
Q. What is your typical practice, or was, I should say, since you retired?
A. It would have been more substantial. I'm not sure why there was no medical information attached to it. I don't recall. It might have been we had a short window of time, but -- oh, I see it was. James Loong's report was attached and Laura Lampton. Okay. I didn't think we did because it wasn't attached to this. Okay. No, that would be standard. I just have done mediations statements that were a lot longer.
Q. Okay. In terms of -- and when you say "mediation statements," are you referring to just the statement itself, or are you referring to that as well

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as the exhibits, such as the ones that are attached here?
A. No. I was talking about the size of the actual statement. It just seems a little sparse right now, as I look at it. But it does lay out the facts, just not in tremendous detail. It gives enough for somebody to understand what's going on. But that was not necessarily my practice.
Q. Did Mr. Padda come to the mediation?
A. No.
Q. Do you know why he didn't go?
A. No.
Q. Do you know why this particular mediation statement wasn't as substantial as what you normally would do?
A. I didn't prepare it.
Q. Did you ask Ms. Solo to go back there and revise it and add more to it to make it conform more to your typical practice?
A. No.
Q. Do you know why you didn't do that?
A. No. Like I just said, it appears upon my review this time later, that it was adequate enough. It just wasn't as wordy as I tend to be.
Q. Now, the case settled at that mediation on

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March the 25th, 2014, right?
A. Yes, it did.
Q. What was the amount of the settlement?
A. I think it was 300,000.
Q. And it was several years ago. I'll represent to you the agreed settlement was $225,000.
A. Oh, okay.
Q. Now, when you went in to the mediation, you note here on page 3 of this mediation statement, the offer of judgment for $500,000 had been served on National Surety.
A. Uh-huh.
Q. Did you go into that mediation demanding more than that $500,000?
A. I don't remember. I would think probably.
Q. Can you give an estimate as to what the opening demand was at the mediation?
A. No.
Q. Do you recall if it was more than $1 million?
A. I don't recall.
Q. How confident are you that you would have asked for more than the $500,000 in the OJ?
A. I don't know how to answer that. What do you want it on a scale of one to ten? I don't know how to answer that.

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Q. Sure. A one to ten scale is fine.
A. A five.
Q. So 50/50.
A. (Nods head.)
Q. Now, as far as this $225,000 final settlement number, do you recall if that was the number that the defense offered or a number that Ms. McKenna demanded?
A. I think it was offered and Gene Porter twisted their arm for, if you know Gene Porter.
Q. I do know him, Judge Porter.
A. We older people get to call him Gene.
Q. When that number was offered, did you advise Ms. McKenna to accept it?
A. You know, I don't remember. I know we crunched numbers, because there were certain bills of hers that had to be paid. And we had to give some money to Chesnoff & Schonfeld. And it wasn't a whole lot for her. But we were trying to figure out what we could get the bills that had to be paid reduced to.
And we were successful. We got all of her bills reduced. And everybody took something and they were all happy. It didn't leave much for her. I know we reduced our fees dramatically. So it wasn't a lot of money in terms of what she owed to who. But at least it was -- it got her out of debt, so she wasn't,

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you know, being strangled by all of these bills.
Q. Okay. You sort of anticipated where I was going, but I'm not sure that you answered my question. Did you advise her to take the $225,000?
A. I think that we -- after we crunched the numbers, we did. I know that Judge Porter told her that it was the best he was going to be able to do. And so he left us alone. We went through the bills and showed her, if you take this offer, this is what will happen. And I know her sister was there. I think they had a family discussion.
Because like I said, it wasn't leaving much for her. So we didn't say, This is a great deal, take it. We said, If Gene Porter said this is the best he is going to do, it's the best he is going to do. And this is what it will look like. You don't have to take it, but if you do, this is what it's going to look like. And we advised her that it was her call. We would keep going, if we had to. And it was her decision. Like I said, based on all of the bills that would get settled as a result, she seemed to be happy with it.
Q. Do you recall what Judge Porter said about why it was the best he could do?
A. I have had quite a number of mediations with

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him. And I think he said the same thing. I can't, like, squeeze any more out. This is the best you are going to do today at this mediation.
Q. Did he communicate any reasons to you -- and when I say "you," Judge Porter -- as to why he couldn't get anymore? Is there a specific reason for it, or did he simply say, This is it?
A. I don't think he gave a reason, but I think it's because -- I think he was thinking we were lucky to get money out of a homeowner's policy in this situation anyway. So, you know, Patrick Jones is a grown man.
Q. Do you recall Judge Porter ever saying anything about the fact that certain medical records have not been disclosed that were critical to Ms. McKenna's case?
A. I don't recall that. Disclosed to him?
Q. No, disclosed in the litigation.
A. Oh, I don't remember that at all.
Q. Now, ultimately, Ms. McKenna accepted the $225,000 at that mediation, correct?
A. Correct.
Q. And you have given testimony in regards to medical bills that she had that needed to be paid, et cetera.

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Other than paying these medical bills, did Ms. McKenna ever express anything to you as to why she was taking that number?

A. No.

Q. If you had taken the case to trial, do you think you could have gotten more than 225,000 from a jury?

A. Yes, but it would be uncollectible because the guy's a bum. Patrick Jones is a bum and an alcoholic and probably a drug addict. Yeah, we'd get a nice verdict, but couldn't collect it.

Q. Why do you say that he's a bum?

A. Well, aside from the fact that he strangled Michelle because she wouldn't sit on his lap, you know, he came in, drank himself silly. He's got -- if I remember, there's a background, DUIs, doesn't have a decent job, lives off Mommy. So yeah, he's a bum, and he's a low life. That is what happens when you are raised by a famous, wealthy woman.

Q. What investigation did you conduct prior to the mediation to confirm what you just told me about his being a bum?

A. I seem to recall seeing a background on him. I know he had DUI more than once. And where would I get that from, I don't remember. But I know I knew it.

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And I knew he was a bum. I mean, Mommy got him a limousine and got him, you know, a free pass at Pure. You don't get in there so cheap. He had a VIP table. They usually go for ten grand. Well, I'm very familiar with Pure since David Chesnoff had his 50th birthday there and I went. So what can I say?

Q. Okay. So you recall seeing investigative material showing that Jones had one or more DUIs?

A. I'm thinking it's the only way I would know unless somebody told me, but I believe so.

Q. Now, in terms of you had made a claim that he didn't have a real job or didn't have a job. Did you do any investigation into his employment status at the time?

A. Boy, I don't remember, but somehow I knew.

Q. Do you have any recollection as to what the source of that information was?

A. No.

Q. Did you consider someone's employment status to be sort of important in terms of collecting on a judgment?

A. Well, yes.

MR. COONEY: Why don't we do this; it's noon now.

THE WITNESS: Oh, good Lord.

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MR. COONEY: Can we take a short break? I want to just go over my notes and confer with my client. And then I think that we will probably come back.

THE WITNESS: I think your client left.

MR. COONEY: I know. He took a phone call, I suppose. I think I can probably finish up without having to break for lunch, and then we can have lunch after. Fair?

THE WITNESS: Yeah, I got errands to do. I don't know about you.

MR. COONEY: No errands but plenty of work. Why don't we go off the record and take a quick break and come back in five minutes.

THE VIDEOGRAPHER: We are going off the record. The time is 12:01.

(Whereupon, a recess was taken.)

THE VIDEOGRAPHER: We are back on the record. The time is 12:43.

THE WITNESS: That was quite a lunch break we took.

BY MR. COONEY:

Q. Well, we got to eat. Hopefully we can get this finished up here not too long.

A. And I won't have to call John Thorndal and

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tell him how mean you were to me?

Q. Oh, I hope not.

Now, after the settlement, my client sent a letter to you and Paul Padda, which I will show you and mark as the next exhibit.

Now, this is a letter and included with the letter is a series of time entries on the back. It's only one page. And I am just kind of curious. Take a second to look at the letter.

A. The one I have in front of you?

Q. Yeah. Do you recall seeing that when we sent it to you?

A. Yeah, I do.

Q. And did you review the attachment, which is the rest of the exhibit --

A. That listed the time they put in the case.

Q. Yeah --

A. Yeah, I read it.

Q. Total fee.

A. Uh-huh.

Q. Did you ever object to the assertions in --

A. I think we did. I don't know if it was formal. I know that we thought what they billed was absurd, but I know we paid them. I just don't know how much.

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Q. So you don't recall if you responded to this letter in writing?
A. I don't recall.
Q. Did you ever call Mr. Schonfeld up to try to talk to him about his lien amount?
A. I don't remember.
Q. To your knowledge --
A. I thought I only had one conversation with him.
Q. To your knowledge, did you ever ask him to compromise the lien amount to the --
A. Oh, yeah. Well, you know, when you have things like subpoenas and notice of taking deposition of Keith Leavitt for a half hour, you could have done 14 of them in a half hour. Some of these things are just crazy. Plus it's paralegal work. It's not attorney work. It wasn't billed as a paralegal. It was billed as attorney. Anyway, I could go on and on through all this stuff. But anyway, I know we were very unhappy with it.
Q. Other than being critical of various time entries -- and I'm not going to ask you to look through every entry.
A. Yeah, go ahead.
Q. I think it's justified. Did you have any

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other criticisms of the fact that they were asserting a lien in the case?
A. I don't know what Paul said to them. I know that we discussed the fact that they had a lot of nerve putting a lien on a case that they totally screwed up. Usually attorneys that do that don't have the balls to send in a bill.
Q. And after sending this letter, it's my recollection that my clients filed a motion to enforce their lien, right?
A. Oh, yeah.
Q. Did you handle any of the -- sort of the work related to that motion?
A. No, I didn't.
Counsel, I don't know if you want these marked or not, but I'm just putting them here. So I don't know if you told the reporter to mark it. So I'm just sticking it there.
Q. Yeah, we will mark them. We're making a reference to the ones we marked. I think we have three so far.
A. Okay. So did they get the full amount of their lien?
Q. I believe they did.
A. Geez. Ridiculous.

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MS. STOUT: It's my understanding they were paid in full on the lien.
BY MR. COONEY:
Q. Do you know if your firm ever filed any opposition to the lien?
A. I don't know. I would think we did.
Q. Now, based upon your review of the file that you got from my client and the subsequent handling of the case, is there anything else that you can think of where you are critical of my clients? We talked about not naming Caesars and Pure. We talked about the speed at which --
A. I'm sorry. I didn't hear you. Not naming what?
Q. Caesars and Pure.
A. And the security, of course.
Q. Assuming they were separate from Caesars and Pure.
A. Who cares? Name them anyway.
Q. And I believe you testified about the speed at which the case had been progressing. Other than those two things, anything else you can think of where you are critical of my clients' handling the case?
A. Yeah. Seemed to be an extreme conflict of interest.

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Q. And what was your understanding of that conflict of interest?
A. I have known David Chesnoff a long time. He's a good criminal defense attorney. He should have stayed at his civil practice. He and Jan Jones are real tight. And I think he has been on the board at Caesars. But anyway, Jan Jones on the board of Caesars Palace and David Chesnoff, who is tight with her, didn't sue them. It doesn't look good.
Q. Do you know who Terrance Wattanaba is?
A. I'm sorry, what?
Q. Do you know who Terrance Wattanaba is?
A. No. Sounds like an Indian name. Wattanaba.
Q. I may be pronouncing it incorrectly. But I believe -- actually, I may be getting the name wrong. But are you aware that Mr. Chesnoff has represented clients adverse to Caesars many times throughout his career?
A. Who cares?
Q. What is your basis for saying that Mr. Chesnoff and Jan Jones are real tight?
A. I think that is well-known in the community.
Q. So other than just being, in your mind, common knowledge, any specific things that you can think of?

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A. I may have had something specific, but I don't recall.

Q. You said you thought Mr. Chesnoff might have been on the board at Caesars?

A. Had some role in Caesars Palace. I know Jan Jones is.

Q. Anything that you can think of as to how you came to think that he might have had some role in Caesars Palace?

A. No. You know, you hear a lot of things. It's called gossip. Funny, I haven't heard any on you, though.

Q. I haven't been around long enough.

A. Or maybe you've just been a very good boy.

Q. Other than what we just talked about, vis-à-vis Caesars, any other conflicts of interest that jump out at you?

A. Isn't that enough? You've got to be kidding. Caesars doesn't get sued. There is a close connection. Please. Oh, Chesnoff said that he told Michelle and she waived the conflict, and she said that never happened. Never happened. I tend to believe her.

Q. Okay. So we have gone through the failure to name additional parties, speed at which the case is progressing, conflict of interest. Anything else?

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A. Well, their failure to move the case along caused it to fall outside the statute for us to step in and name parties. We didn't do that. They did it. You sit on a case long enough, you lose all the time dates.

Q. Did you ever advise Ms. McKenna that she might have a malpractice against my clients?

MS. STOUT: Objection. Attorney-client privilege. You are asking about a communication on an area which we have not waived privilege.

MR. COONEY: Are you going to answer the question, or no, Ms. Cohen?

MS. STOUT: The privilege belongs to my client. She doesn't have permission to waive privilege to answer the question.

BY MR. COONEY:

Q. Did you refer Ms. McKenna to her present lawyers?

A. Which present lawyers?

Q. Bailey Kennedy.

A. Oh, no.

Q. Do you know if anybody else at your firm did?

A. I don't know. You will have to ask them.

Q. Do you have any knowledge as to how Ms. McKenna found Bailey Kennedy?

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A. I don't know. Dennis has a reputation for being an excellent litigator, very tenacious, very aggressive and he sues lawyers.

Q. Do you -- have you ever spoken with anybody at Bailey Kennedy?

A. About this case or in general?

Q. About this case.

A. Oh, no. No, but I have been up against Dennis a couple of times. It wasn't pleasant. I like him. He's a fine man, but it wasn't pleasant.

Q. Do you know when Bailey Kennedy first got involved in this matter?

A. I have no idea.

Q. Do you or your former firm Cohen & Padda have any indemnification agreement regarding this malpractice suit?

A. I'm not aware. I wouldn't think so.

Q. Do you have an agreement with Ms. McKenna that she would not sue you for your role in handling the case?

A. Of course she won't. We didn't do anything wrong.

Q. Fair enough. But that's not the question I asked. Do you have a specific agreement with her that she would not sue you?

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A. No. There's no reason to sue us. We fought as hard as we could for her, and she knows it.

MR. COONEY: Okay. I believe that is all the questions that I have. I don't know if --

THE WITNESS: Well, I have a few for you.

MR. COONEY: A few for me? You can ask me after the depo.

MS. STOUT: I have no questions.

THE VIDEOGRAPHER: We are going off the record. The time is 12:57.

(Exhibits 2 and 3 marked.)

(Thereupon, the deposition concluded at 12:57 p.m.)

CERTIFICATE OF REPORTER

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

I, Christy L. DeJonker, a duly commissioned Notary Public, Clark County, State of Nevada, do hereby certify: That I reported the deposition of Ruth Cohen, Esq., commencing on Thursday, January 4, 2018, at 10:15 a.m.

That prior to being deposed, the witness was duly sworn by me to testify to the truth. That I thereafter transcribed my said shorthand notes into typewriting and that the typewritten transcript is a complete, true and accurate transcription of my said shorthand notes. That review of the transcript was not requested.

I further certify that I am not a relative, employee or independent contractor of counsel of any of the parties; nor a relative, employee or independent contractor of the parties involved in said action; nor a person financially interested in the action; nor do I have any other relationship with any of the parties or with counsel of any of the parties involved in the action that may reasonably cause my impartiality to be questioned.

IN WITNESS WHEREOF, I have set my hand in my office in the County of Clark, State of Nevada, this 10th day of January, 2018.

Christy DeJonker

CHRISTY LYN DeJONKER, CCR NO. 691

EXHIBIT 2

OFFR

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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 Individuals I - X; and ROE entities I-X, Defendants.	Case No.: A-19-792599-B Dept. No.: XI **OFFER OF JUDGMENT**

TO: RUTH L. COHEN

FROM: PAUL S. PADDA and PAUL PADDA LAW, PLLC

Defendants Paul S. Padda and Paul Padda Law, PLLC (collectively, "Defendants"), pursuant to NRCP 68, by and through their counsel of record, the law firms of Holland & Hart LLP and Peterson Baker, PLLC, hereby offer to allow judgment to be taken by Plaintiff Ruth L.

Cohen ("Plaintiff") as against Defendants, in the amount of **ONE HUNDRED FIFTY THOUSAND DOLLARS and NO CENTS ($150,000.00)** in order to resolve all claims between the parties. This Offer of Judgment is inclusive of attorneys' fees, expenses, prejudgment interest, and costs.

This Offer of Judgment is not to be construed as an admission of liability for any party hereto, but instead, as an offer to settle the above-referenced action without incurring additional expenses. This Offer of Judgment shall not be introduced into evidence at the time of trial of this action.

Pursuant to NRCP 68, this Offer shall be open for a period of fourteen (14) days from the date of service of this Offer. Should this Offer be accepted, Defendants elect dismissal pursuant to NRCP 68(d)(2).

Dated this 18th day of December, 2019.

By: /s/ Tamara Beatty Peterson
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Las Vegas, NV 89101
702.786.1001

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Peterson Baker, PLLC, and pursuant to NRCP 5(b), EDCR 8.05, Administrative Order 14-2, and NEFCR 9, I caused a true and correct copy of the foregoing **OFFER OF JUDGMENT** to be submitted electronically for service with the Eighth Judicial District Court via the Court's Electronic Filing System on the 18th day of December, 2019, to the following:

Liane K. Wakayama, Esq.
lwakayama@maclaw.com
Jared M. Moser, Esq.
jmoser@maclaw.com
MARQUIS AURBACH COFFING
10001 Park Run Drive
Las Vegas, NV 89145

Attorneys for Plaintiff Ruth L. Cohen

Donald J. Campbell, Esq.
djc@cwlawlv.com
Samuel R. Mirkovich, Esq.
srm@cwlawlv.com
CAMPBELL & WILLIAMS
700 South Seventh Street
Las Vegas, NV 89101

Attorneys for Plaintiff Ruth L. Cohen

/s/ Erin Parcells
An employee of Peterson Baker, PLLC

PETERSON BAKER, PLLC
701 S. 7th Street
Las Vegas, NV 89101
702.786.1001

EXHIBIT 3

NEVADA BOARD OF CONTINUING LEGAL EDUCATION

BY AND BEFORE THE CLE BOARD

No. 72827

IN THE MATTER OF THE ADMINISTRATIVE SUSPENSION OF NON-COMPLIANT MEMBERS OF THE STATE BAR OF NEVADA

FILED

APR 17 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY
CHIEF DEPUTY CLERK

ORDER OF SUSPENSION FOR NON-COMPLIANT MEMBERS

On April 6, 2017, the Executive Director of the Nevada Board of Continuing Legal Education presented to the Nevada Board of Continuing Legal Education via e-mail those members who as of that date were non-compliant with mandatory continuing legal education requirements and/or fees and late fees. The Nevada Board of Continuing Legal Education has given the members proper notice and good cause appearing therefore, the members of the Nevada Board of Continuing Legal Education unanimously agreed to suspend and fine such members.

IT IS HEREBY ORDERED BY THE MEMBERS OF THE NEVADA BOARD OF CONTINUING LEGAL EDUCATION. Nevada Supreme Court Rule 210, minimum continuing legal education requirements. To meet the annual minimum continuing legal education requirements imposed by these rules, each attorney subject to these rules must timely: submit an annual fee and complete the requisite number of credit hours. In accordance with Nevada Supreme Court Rule 212, the following members are suspended from the practice of law

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APR 11 2017
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

17-12612

in Nevada for failing to provide proof of attendance for their continuing legal education programs.

Member	Bar No.
Neil A Ackerman	9950
Thomas K. Agawa	12931
Christopher W. Arledge	9956
Carl E. G. Arnold	8358
Ellston B. Arntz	3853
Gary T. Ashman	7981
Lynn Avants	6208
Andras F. Babero	1658
Roger C. Bailey	12552
Joanna L. Blake	6909
Robert L. Bolick	1106
Stefan Bonfiglio	7608
Justin P. Cannon	12941
Scott M. Cantor	1713
Victor M. Cardoza, Jr.	5599
Ronald F. Cauley	59
Eduardo P. Chacon	8020
Curtiss Steven Chamberlain	11535
Richard Allaye Chan, Jr.	6251
Hanwei Cheng	11080
C. Conrad Claus	6601
Ruth L. Cohen	1782
Travis L. Colbrunn	13323
Nathan M. Costello	1552
William E. Crockett	182
Robert W. Curtis	9317
Demetrios A. Dalacas	7317
Rilus M. Dana	12726
Scott R. Daniel	12356
Loren C. Datlof	10331
Lee E. Davis	3932
Alejandro J. DeCastroverde	6950
Randal A. DeShazer	2337
Valerie L. Del Grosso	11103
Kimberly A. DelMonico	12358
J. Stephen Dolembo	9795
Deryk S. Doty	5625
Matthew S. Dunkley	6627
Travis H. Dunsmoor	13111

Member	Bar No.
David K. Eldan	6285
Crystal L. Eller	4978
Brent T. Ellison	12200
Merielle R. Enriquez	11116
Randall M. Faccinto	208
Craig A. Fahey	7694
Jack A. Ferguson	1851
Walter B. Fey	3317
David Bryce Finley	9310
Sean P. Flanagan	5304
Gus W. Flangas	4989
JohnPaul Fortin	6977
Lisa M. Fraas	4990
Karla M. Gabour	13123
Steven G. Ganim	12745
Douglas J. Gardner	4609
Richard K. Gardner	5317
Michael J. Gianelloni	12748
David L. Goldfarb	10356
Jason A. Gordon	10598
Michael I. Gowdey	6994
David M. Grant	9397
Aubree L. Green	9527
Karen R Griffith	9565
Aaron D Grigsby	9043
Josue C. Guerrero	13137
Jeffrey R. Hall	9572
Mark L. Hardy	5981
Michael J. Harker	5353
Sarah B Hartig	10070
Trevor D. Hartzell	12766
George B. Hibbeler	7746
Cyrus D. Homayouni	8120
William C Horne	9064
Jeannie N. Hua	5672
Manny Ibay	6351
Stephen M. Immerman	3447
Hannah C. Irsfeld	5376
Martina L. Jaccarino	5676
Rodney M. Jean	1395
Dean Y. Kajioka	5030
Fred W. Kennedy	2269
Margaret T. Kinnally	6379

Member	Bar No.
Samira C. Knight	13167
William H. Knudson	5690
Madeline LaForgia	13628
Michael T. Lafferty	5397
Eran Lagstein	7413
Elizabeth A. Lawrence	5698
Alexander G. LeVeque	11183
Michael Y. Lee	11181
Ira S. Levine	2130
Robert K Lewis	12024
Stephen K. Lewis	7064
Robert B. Lindsay	2237
Andrew A. List	6725
Steven T. Long	8163
Talen P. Mack	13179
Jolene J. Manke	7436
David L. Mann	11194
Alexander J. Marks	13792
Jon L Martin	9858
Rebecca S. Maurice	7791
Mary M. Maynard	10675
Steven J. McHugh	4690
Joseph S. Meloro	12256
Ryan A. Mendenhal	9435
Charles T. Meyer	11842
Nadine M. Morton	8583
Doris E. Nehme	6431
Joshua A. Nelson	11849
Suneel J. Nelson	12052
Ross R. Nott	13383
Eurik D. O'Bryant	13554
Catherine M. O'Mara	12462
Miguel A. Olano	8597
Jose C. Pallares	4020
Mark E. Peplowski	7133
Nausheen Kazalbasch Peters	12984
Thomas H. Peterson, III	4025
Brandon L. Phillips	12264
Shannon M. Phillips	12261
Jaime David Pollack	9479
Logan M. Pratt	13563
Puonyarat K. Premsrirut	7141
Deanna R. Rader	9279

Member	Bar No.
Rebecca L Raftery	10192
Charles C Rainey	10723
Julie Raye	10967
Zachary E. Redman	10426
Preston P. Rezaee	10729
Kim A Rieck	13294
David A. Riggi	4727
Darren T. Rodriguez	12857
Peter J. Romleski	7887
Anthony F. Sanchez, III	5478
John P Sande, IV	9175
Jonathan A. Saul	7897
Joseph A. Scalia, II	5123
Brett Schoel	8888
Mark K. Smallhouse	7520
Kurt A. Smith	10764
Ulrich W. Smith	2274
Joshua A. Sommers	13589
Stephanie Sparks	6301
Matthew J. Stafford	12101
John J Stander	9198
Richard A Stellabotte	10239
Clay W. Stucki	4766
Teresa A. Suter Horvath	2493
Andrew D. Taylor	8688
Jennifer N. Taylor	6141
Alan P. Trafton	8292
Scott W. Ulm	12652
Kevin A. Van Ry	6856
Philip T. Varricchio	1087
Aruhn V. Venkat	13606
David J. Wedemeyer	11318
Gregory L. Wilde	4417
Jason M. Wiley	9274
Michael H. Wilfong	10468
Anne J. Williams	4795
Jeffrey L. Willis	4797
Cole B. Wilson	5827
Justin L. Wilson	7560
Cameron S. Wu	13287

IT IS HEREBY ORDERED BY THE MEMBERS OF THE NEVADA BOARD OF CONTINUING LEGAL EDUCATION. In accordance with Nevada Supreme Court Rule 212, the following members are suspended from the practice of law in Nevada for failing to pay the annual, extension and/or late fee.

Member	Bar No.
Neil A. Ackerman	9950
Alyssa Marie Aklestad	13060
Christopher W. Arledge	9956
Carl E. G. Arnold	8358
Ellston B. Arntz	3853
Gary T. Ashman	7981
Lynn Avants	6208
Nancy R. Ayala	7146
Andras F. Babero	1658
Roger C. Bailey	12552
Melissa A. Beutler	10948
Lisa T Blackburn	9762
Joanna L. Blake	6909
Brian L. Blount	13455
Sean L. Brohawn	7618
Nannette S. Brown	748
Daniel M. Bunin	5239
Alan J. Buttell	3031
Erik D. Buzzard	6921
Justin P. Cannon	12941
Victor M. Cardoza, Jr.	5599
Ronald F. Cauley	59
Colin P. Cavanaugh	13842
Eduardo P. Chacon	8020
Curtiss Steven Chamberlain	11535
Richard Allaye Chan, Jr.	6251
Hanwei Cheng	11080
Shawn Christopher	6252
Miles N. Clark	13848
C. Conrad Claus	6601
Ruth L. Cohen	1782
Thomas C. Cook	5266
Nathan M. Costello	1552
Jerrold E. Creed	11094
Randy M. Creighton	11095

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Nadin Cutter	11548
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Lee E. Davis	3932
Randal A. DeShazer	2337
Valerie L. Del Grosso	11103
Kimberly A. DelMonico	12358
Michael D. Detmer	10873
Patrick D. Devine	13859
Sarah M. Dickey	13103
J. Stephen Dolembo	9795
Gerard M. Dondero	13107
Deryk S. Doty	5625
Joshua A. Dowling	12956
Matthew S. Dunkley	6627
Travis H. Dunsmoor	13111
James L. Edwards	4256
David K. Eldan	6285
Crystal L. Eller	4978
Brent T. Ellison	12200
Shereen N. Elshinawy	12201
Randall M. Faccinto	208
Craig A. Fahey	7694
Walter B. Fey	3317
David Bryce Finley	9310
Sean P. Flanagan	5304
Gus W. Flangas	4989
Gloria A. Florendo	6299
Margaret G. Foley	7703
Christopher J. Fowler	13871
Lisa M. Fraas	4990
Karla M. Gabour	13123
Steven G. Ganim	12745
Douglas J. Gardner	4609
Richard K. Gardner	5317
Rex D. Garner	9401
Michael J. Gianelloni	12748
David L. Goldfarb	10356
Jason A. Gordon	10598

Member	Bar No.
Michael I. Gowdey	6994
David M. Grant	9397
Aubree L. Green	9527
Cinema I. Greenberg	8477
Karen H. Greene-Lewis	4105
Paula K. Gregory	11145
Karen R Griffith	9565
Aaron D Grigsby	9043
Josue C. Guerrero	13137
Jeffrey R. Hall	9572
Mark L. Hardy	5981
Michael J. Harker	5353
Sarah B Hartig	10070
Trevor D. Hartzell	12766
Nicole M. Harvey	11147
Dean R. Heidrich	1544
George B. Hibbeler	7746
Michael D. Hoggan	6344
Cyrus D. Homayouni	8120
William C Horne	9064
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Kelly K. Huang	10372
Carl F. Hylin	2726
Manny Ibay	6351
Stephen M. Immerman	3447
Hannah C. Irsfeld	5376
Martina L. Jaccarino	5676
Rodney M. Jean	1395
Isaiah Alexander Jerez	11615
Dean Y. Kajioka	5030
Michael Kind	13903
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Samira C. Knight	13167
William H. Knudson	5690
Madeline LaForgia	13628
Michael T. Lafferty	5397
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Steven T. Long	8163
Talen P. Mack	13179
Jolene J. Manke	7436
David L. Mann	11194
Michael K. Mansfield	44
John B. Marcin	7078
Alexander J. Marks	13792
Cheryl L. Marks	13184
David J Martin	9117
Jon L Martin	9858
Jess Y. Matsuda	10929
Rebecca S. Maurice	7791
Jennifer R. McDonald	8546
Steven J. McHugh	4690
Ayesha Mehdi	13917
Joseph S. Meloro	12256
Ryan A. Mendenhal	9435
Charles T. Meyer	11842
Thomas C. Michaelides	5425
Christin Mills	10684
Frank W. Mitchell	12044
Gemma L. Mondala	10407
Aseal P. Morghem	6424
Robert R. Morishita	6752
Nadine M. Morton	8583
Aaron S. Mouritsen	13380
Doris E. Nehme	6431
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Suneel J. Nelson	12052
Vernon A. Nelson, Jr.	6434
Ross R. Nott	13383
Peter J Novak	9882
Stephen A. Nwogbe	13735
Catherine M. O'Mara	12462
Miguel A. Olano	8597
Seth D. Oxborrow	12844
Jose C. Pallares	4020
Lisa J. Parrella	7126
Cary C. Payne	4357
James W. Pengilly	6085

Member	Bar No.
Mark E. Peplowski	7133
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Jessica K. Peterson	10670
Thomas H. Peterson, III	4025
Brandon L. Phillips	12264
Shannon M. Phillips	12261
Erin L. Plunkett	11442
Steven A. Polasky	13741
Jaime David Pollack	9479
Michael L Potter	9449
Richard A. Prato	3325
Logan M. Pratt	13563
Thorsten J. Pray	5743
Brittany K. Puzey	13745
Nathan D. Quist	13940
Deanna R. Rader	9279
Rebecca L Raftery	10192
Charles C Rainey	10723
Jesse Allen Random	13565
Julie Raye	10967
Preston P. Rezaee	10729
Kim A Rieck	13294
David A. Riggi	4727
Dena I Rinetti	9897
Wilbur M. Roadhouse	4728
Shalom Rubanowitz	6803
Anthony F. Sanchez, III	5478
John P Sande, IV	9175
Jonathan A. Saul	7897
John J. Savage	11455
Joseph A. Scalia, II	5123
Brett Schoel	8888
James K. Schultz	10219
Robert J. Scott	8658
Thomas S. Shaddix	7905
Myra A. Sheehan	4477
Steven M. Shinn	6822
Mark K. Smallhouse	7520
Kurt A. Smith	10764
Mark A. Smith	7918
Samantha S. Smith	13765
Ulrich W. Smith	2274

Member	Bar No.
Jerry M. Snyder	6830
Stephanie Sparks	6301
Matthew J. Stafford	12101
John J Stander	9198
Richard A Stellabotte	10239
Jaimie Stilz	13772
Roger Strassburg	8682
Clay W. Stucki	4766
Teresa A. Suter Horvath	2493
Audren L. Tawaji	13408
Andrew D. Taylor	8688
Jennifer N. Taylor	6141
Belinda Theam	13972
Melanie L. Thomas	12576
Alan P. Trafton	8292
Michaela E. Tramel	9466
Barbara E. Tyler	939
Scott W. Ulm	12652
Kevin A. Van Ry	6856
Philip T. Varricchio	1087
David J. Wedemeyer	11318
Holly D. Welborn	13986
Brody Ray Wight	13615
Terry L. Wike	7211
Jason M. Wiley	9274
Michael H. Wilfong	10468
Anne J. Williams	4795
Jeffrey L. Willis	4797
Cole B. Wilson	5827
Helena Marie S. Wise	4800
Donna M. Wittig	11015

ISSUED this 6th day of April, 2017.

By: Jenny Diane Hubach

Jenny Diane Hubach
Chair, Board of Continuing Legal Education
457 Court St., 2nd Fl.
Reno, NV 89501

EXHIBIT 4

MARQUIS AURBACH COFFING
Liane K. Wakayama, Esq. (11313)
lwakayama@maclaw.com
Jared M. Moser, Esq. (13003)
jmoser@maclaw.com
10001 Park Run Drive
Las Vegas, Nevada 89145
Tel: (702) 382-0711
Fax: (702) 382-5816

CAMPBELL & WILLIAMS
Donald J. Campbell, Esq. (1216)
djc@cwlawlv.com
Samuel R. Mirkovich, Esq. (11662)
srm@cwlawlv.com
700 South Seventh Street
Las Vegas, Nevada 89101
Tel: (702) 382-5222
Fax: (702) 382-0540

Attorneys for Plaintiff

CAMPBELL & WILLIAMS
ATTORNEYS AT LAW
700 SOUTH SEVENTH STREET, LAS VEGAS, NEVADA 89101
Phone: 702.382.5222 • Fax: 702.382.0540
www.campbellandwilliams.com

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 individuals I-X; and, ROE entities I-X, Defendants.	Case No.: A-19-792599-B Dept. No.: XI

PLAINTIFF'S SECOND OFFER OF JUDGMENT TO DEFENDANTS

TO: Defendants Paul S. Padda ("Padda") and Paul Padda Law, PLLC ("Padda Law," and together with Padda, "Defendants"); AND

TO: J. Stephen Peek, Esq. of the law firm of Holland & Hart LLP, and Tamara Beatty Peterson, Esq. of the law firm of Peterson Baker, PLLC, Defendants' counsel of record.

Pursuant to Rule 68 of the Nevada Rules of Civil Procedure, Plaintiff Ruth L. Cohen, ("Plaintiff"), hereby offers to allow judgment to be taken in favor of Plaintiff, and against Defendants Padda and Padda Law, jointly, IN THE TOTAL AMOUNT OF TWO MILLION NINE HUNDRED AND SEVENTY-FOUR THOUSAND NINE HUNDRED AND NINETY-NINE DOLLARS AND 00/100 CENTS ($2,974,999.00), inclusive of costs, expenses, interest, and attorney fees (precluding a separate award of costs, expenses, interest, and attorney fees) in full and complete satisfaction of all claims, counterclaims, damages, causes of action, lawsuits, or losses between Plaintiff and Defendants, and which arise out of or are related to the facts set forth in the case filed in the Eighth Judicial District Court Case No. A-19-792599-B (the "Action").

This Offer shall not to be construed as an admission of any kind and any evidence of this offer is not admissible except in a proceeding to determine attorney fees and costs.

This Offer is being made to fully and completely resolve and compromise the Action pursuant the terms and conditions herein and without further litigation.

As a term and condition, pursuant to NRCP 68, this Offer shall be considered rejected and deemed withdrawn if not accepted within fourteen (14) days from the date of service and, pursuant to NRCP 68, Plaintiff would thereafter seek to enforce against the Defendants all rights afforded against a party who rejects an offer of judgment and fails to obtain a more favorable judgment.

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CAMPBELL & WILLIAMS
ATTORNEYS AT LAW
700 SOUTH SEVENTH STREET, LAS VEGAS, NEVADA 89101
Phone: 702.382.5222 • Fax: 702.382.0540
www.campbellandwilliams.com

Said rights would include allowing Plaintiff to recover from Defendants her attorney fees and costs, including expert fees and costs, and interest on the same from the date of service of this Offer and a prohibition of Defendants from recovering their attorney fees, costs, or an award of interest on any judgment less than the amount offered herein.

Dated this 20th day of November, 2019.

CAMPBELL & WILLIAMS

By /s/ ***Donald J. Campbell***
Donald J. Campbell, Esq. (1216)
Samuel R. Mirkovich, Esq. (11662)
700 South Seventh Street
Las Vegas, Nevada 89101

MARQUIS AURBACH COFFING

Liane K. Wakayama, Esq. (11313)
Jared M. Moser, Esq. (13003)
10001 Park Run Drive
Las Vegas, Nevada 89145

Attorneys for Plaintiff Ruth L. Cohen

CAMPBELL & WILLIAMS
ATTORNEYS AT LAW
700 SOUTH SEVENTH STREET, LAS VEGAS, NEVADA 89101
Phone: 702.382.5222 • Fax: 702.382.0540
www.campbellandwilliams.com

CAMPBELL & WILLIAMS
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700 SOUTH SEVENTH STREET, LAS VEGAS, NEVADA 89101
Phone: 702.382.5222 • Fax: 702.382.0540
www.campbellandwilliams.com

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of Campbell & Williams, and that on this 20th day of November, 2019 I caused the foregoing document entitled **Plaintiff's Second Offer of Judgment to Defendants** 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/ ***John Y. Chong***
An Employee of Campbell & Williams

EXHIBIT 5

Marquis Aurbach Coffing
Liane K. Wakayama, Esq.
Nevada Bar No. 11313
Jared M. Moser, Esq.
Nevada Bar No. 13003
10001 Park Run Drive
Las Vegas, Nevada 89145
Telephone: (702) 382-0711
Facsimile: (702) 382-5816
lwakayama@maclaw.com
jmoser@maclaw.com

Campbell & Williams
Donald J. Campbell, Esq.
Nevada Bar No. 1216
Samuel R. Mirkovich, Esq.
Nevada Bar No. 11662
700 South Seventh Street
Las Vegas, Nevada 89101
Telephone: (702) 382-5222
Facsimile: (702) 382-0540
djc@cwlawlv.com
srm@cwlawlv.com

Attorneys for Plaintiff Ruth L. Cohen

MARQUIS AURBACH COFFING
10001 Park Run Drive
Las Vegas, Nevada 89145
(702) 382-0711 FAX: (702) 382-5816

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 individuals I-X; and, ROE entities I-X, Defendants.	Case No.: A-19-792599-B Dept. No.: XI

PLAINTIFF'S ELEVENTH SUPPLEMENT TO INITIAL DISCLOSURE OF WITNESSES AND DOCUMENTS PURSUANT TO NRCP 16.1

In compliance with NRCP 16.1, Plaintiff Ruth L. Cohen (hereinafter "Plaintiff" or "Ms. Cohen"), by and through her attorneys of record, the law firms of Marquis Aurbach Coffing and Campbell & Williams, hereby produces the attached supplemental list of witnesses and documents related to this matter. ***Supplemental documents are indicated in bold.***

WITNESSES

1. Ruth L. Cohen
   c/o Liane K. Wakayama, Esq.
   Marquis Aurbach Coffing
   10001 Park Run Drive
   Las Vegas, Nevada 89145
   (702) 382-0711

Ms. Cohen is expected to testify regarding the facts and circumstances of this case including, but not limited to, her engagement with Paul S. Padda under the Partnership Agreement to perform legal services for Cohen & Padda, LLP ("C&P"), her engagement with Paul S. Padda to perform legal services for Paul Padda Law, PLLC ("Padda Law"), the matter of *Cochran, et al. v. Nevada Property 1, LLC, et al.*, Clark County, District Court, Case No. A-13-687601-C (the "Cochran Case"), the matter of *Moradi v. Nevada Property 1, LLC, et al.*, Clark County, District Court, Case No. A-14-698824-C (the "Moradi Case"), and the matter of *Garland v. SPB Partners, LLC, et al.*, Clark County, District Court, Case No. A-15-724139-C (the "Garland Case"), among others for which C&P was retained on a contingency fee basis prior to December 31, 2014, and other cases.

2. Paul S. Padda
   c/o J. Stephen Peek, Esq.
   Holland & Hart LLP
   9555 Hillwood Drive, 2nd Floor
   Las Vegas, NV 89134
   (702) 669-4600

Mr. Padda is expected to testify regarding the facts and circumstances of this case including, but not limited to, his engagement with Ms. Cohen under the Partnership Agreement to perform legal services for C&P, engaging Ms. Cohen to perform legal services for Padda Law, the Cochran Case, the Moradi Case, and the Garland Case, among others for which C&P was retained on a contingency fee basis prior to December 31, 2014, and other cases.

/ / /

/ / /

/ / /

MARQUIS AURBACH COFFING
10001 Park Run Drive
Las Vegas, Nevada 89145
(702) 382-0711 FAX: (702) 382-5816

3. NRCP 30(b)(6) Designee of
Paul Padda Law, PLLC
c/o J. Stephen Peek, Esq.
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134
(702) 669-4600

On behalf of Padda Law, this witness is expected to testify regarding the facts and circumstances of this case including, but not limited to, the employment of Ruth L. Cohen for legal services for Padda Law, the Cochran Case, the Moradi Case, and the Garland Case, among others for which C&P was retained on a contingency fee basis prior to December 31, 2014, and other cases.

4. Custodian of Records of
Paul Padda Law, PLLC
c/o J. Stephen Peek, Esq.
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134
(702) 669-4600

On behalf of Padda Law, this witness is expected to testify regarding the facts and circumstances of this case including, but not limited to, any and all records, documents and correspondence involving Ms. Cohen, the Cochran Case, the Moradi Case, and the Garland Case, as well as electronically stored information maintained by Padda Law.

5. Patricia J. Davidson
Chief Operating Officer
Paul Padda Law, PLLC
c/o Tamara Beatty Peterson, Esq.
Peterson Baker, PLLC
701 S 7th St.
Las Vegas, Nevada 89101
(702) 786-1001

Ms. Davidson is expected to testify regarding the facts and circumstances of this case including, but not limited to, the employment of Ms. Cohen for legal services for Padda Law, the Cochran Case, the Moradi Case, and the Garland Case, as well as the circumstances surrounding Ms. Cohen's separation from Padda Law.

/ / /

MARQUIS AURBACH COFFING
10001 Park Run Drive
Las Vegas, Nevada 89145
(702) 382-0711 FAX: (702) 382-5816

6. NRCP 30(b)(6) Designee of
Panish Shea & Boyle, LLP
c/o **Ian Samson**, Esq.
11111 Santa Monica Blvd., Suite 700
Los Angeles, California 90025
(310) 477-1700

On behalf of Panish Shea & Boyle, LLP ("PSB"), this witness is expected to testify regarding the facts and circumstances of this case including, but not limited, to the Moradi Case.

7. Custodian of Records of
Panish Shea & Boyle, LLP
c/o Rahul Ravipudi, Esq.
11111 Santa Monica Blvd., Suite 700
Los Angeles, California 90025
(310) 477-1700

On behalf of PSB, this witness is expected to testify regarding the facts and circumstances of this case including, but not limited to, any and all records, documents and correspondence involving Ms. Cohen, C&P, Padda Law, and the Moradi Case.

8. Wayne Price
8923 Monteloma Way
Henderson, NV 89074-6908
(702) 659-4799

Mr. Price is expected to testify regarding the facts and circumstances of this case including, but not limited to, knowledge from his employment as an attorney with C&P, the Cochran Case, the Moradi Case, and the Garland Case.

9. Ashley Pourghahreman
9612 Scrub Jay Ct
Las Vegas, Nevada 89148
(702) 677-0955

Ms. Coon is expected to testify regarding the facts and circumstances of this case including, but not limited to, knowledge from her employment as a paralegal with C&P, the Cochran Case, the Moradi Case, and the Garland Case.

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10. Karla Koutz
47-266 Kamehameha Highway
Kaneohe, Hawaii 96744
(808) 670-4401

Ms. Koutz is expected to testify regarding the facts and circumstances of this case including, but not limited to, knowledge from her employment as a case worker with C&P, the Cochran Case, the Moradi Case, and the Garland Case.

11. Mark Kane
2700 E. Patrick Lane, Suite 1
Las Vegas, Nevada 89120
(702) 260-4559

Mr. Kane is expected to testify regarding the facts and circumstances of this case including, but not limited to, knowledge from his employment as an information technology specialist with C&P.

12. Tammy Borowski
Address Information Currently Unknown
(702) 630-2637

Ms. Borowski is expected to testify regarding the facts and circumstances of this case including, but not limited to, **her work with Profit Boosters and** her knowledge from her employment and termination as a bookkeeper with C&P and Padda Law.

13. Gregory W. Addington
100 West Liberty Street, Suite 600
Reno, Nevada 89501
(702) 775-784-5438

Mr. Addington is expected to testify regarding the facts and circumstances of this case including, but not limited to, Ms. Cohen's involvement with the Department of Justice's decision to hire Mr. Padda, his observations and impressions of the interactions between Ms. Cohen and Mr. Padda in and out of the office, and his personal observations and memory of the relationship between Ms. Cohen and Mr. Padda, generally.

14. Steven J. Parsons
10091 Park Run Drive, Suite 200
Las Vegas, Nevada 89145
(702) 384-9900

Mr. Parsons is expected to testify regarding the facts and circumstances of this case including, but not limited to, his communications, if any, with Ms. Cohen at all relevant times.

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15. Kulwant K. Padda
259 Little Minah Ct.
Henderson, Nevada 89052
Phone Number Currently Unknown

Mrs. Padda is expected to testify regarding the facts and circumstances of this case including, but not limited to, **her relationship with Ms. Cohen, and** the loans Mrs. Padda and her husband allegedly provided to Defendants.

16. Sherry Prine
169 Adomeit Drive
Henderson, Nevada 89074
(702) 569-7103

Ms. Prine is expected to testify regarding, among other things, her relationship**s** with Patty Davidson and Mr. Padda, **and her observations and Ms. Davidson's statements to Ms. Prine regarding Ms. Davidson's romantic relationship with Mr. Padda**.

17. Carey Reno
7600 Painted Dunes Drive
Las Vegas, Nevada 89149
(702) 498-4445

Ms. Reno is expected to testify regarding, among other things, her relationship with Patty Davidson.

18. Jeff Appel
10675 F**ai**rfield Avenue
Las Vegas, Nevada 89183
(213) 505-7525

Mr. Appel is expected to testify regarding, among other things, his work as controller and bookkeeper at Paul Padda Law, PLLC.

19. **Rachel Solow**
1850 E. Sahara Ave., Suite 107
Las Vegas, NV 89104
(702) 460-1735

Ms. Solow is expected to testify regarding, among other things, her relationships with the parties and others working at C&P and/or Paul Padda Law and her knowledge gained and observations made during her employ with the parties.

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20. **David Oancea a/k/a Vegas Dave**
Address Information Currently Unknown
(702) 353-1003

Mr. Oancea is expected to testify regarding the facts and circumstances of this case including, but not limited to, his experience in retaining Defendants, the payments to Defendants for services rendered or not rendered and Defendants' lack of diligence, and how Defendants took advantage of him before he was forced to hire separate counsel.

21. **Mary Johnson**
Address Information Currently Unknown
Phone Number Currently Unknown

Ms. Johnson is expected to testify regarding the facts and circumstances of this case including, but not limited to, her relationships with the parties and others working at C&P and/or Paul Padda Law and her knowledge gained and observations made during her employ with the parties.

22. **Mindy Pallares**
1820 E. Sahara Avenue, Suite 110
Las Vegas, Nevada 89104
(702) 477-7030

Ms. Pallares is expected to testify regarding the facts and circumstances of this case including, but not limited to, her relationships with the parties and others working at C&P and/or Paul Padda Law and her knowledge gained and observations made during her employ with the parties.

23. **John Shannon**
6130 Elton Avenue, 2nd Floor
Las Vegas, Nevada 89107
(702) 675-4919

Mr. Shannon is expected to testify regarding, among other things, his work, retention, compensation, knowledge, and observations as co-counsel on the parties' cases prior to and after Ms. Cohen's separation.

/ / /

/ / /

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24. **Tarquin Black**
1820 E. Sahara Avenue, Suite 110
Las Vegas, Nevada 89104
(702) 477-7030

Mr. Black is expected to testify regarding, among other things, his relationships with the parties and others working at C&P and/or Paul Padda Law and his knowledge gained and observations made during his employ with the parties

25. **Louis Garfinkel**
1671 W. Horizon Ridge Pkwy, Suite #230
Henderson, Nevada 89012
(702) 673-1612

Mr. Garfinkel is expected to testify regarding, among other things, his work, retention, compensation, knowledge, and observations as co-counsel on the parties' cases prior to and after Ms. Cohen's separation.

26. **NRCP 30(b)(6) Designee of**
Eglet Law Group, LLP
c/o Robert Eglet, Esq.
400 S. Seventh Street, Suite 400
Las Vegas, Nevada
(702) 450-5400

On behalf of Eglet Law, this witness is expected to testify regarding the facts and circumstances of this case including, but not limited, Eglet Law's work, retention, compensation, knowledge, and observations as co-counsel on the parties' cases prior to and after Ms. Cohen's separation.

27. **Custodian of Records of**
Eglet Law Group, LLP
c/o Robert Eglet, Esq.
400 S. Seventh Street, Suite 400
Las Vegas, Nevada
(702) 450-5400

On behalf of Eglet Law, this witness is expected to testify regarding the facts and circumstances of this case including, but not limited to, any and all records, documents and correspondence involving Ms. Cohen, C&P, Padda Law, and Eglet Law's work, retention, compensation, knowledge, and observations as co-counsel on the parties' cases prior to and after Ms. Cohen's separation.

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28. **Robert Adams**
400 S. Seventh Street, Suite 400
Las Vegas, Nevada
(702) 450-5400

Mr. Adams is expected to testify regarding, among other things, his work, retention, compensation, knowledge, and observations as co-counsel on the parties' cases prior to and after Ms. Cohen's separation.

29. **Hui Lim Ang**
Address Information Currently Unknown
Phone Number Currently Unknown

Ms. Ang is expected to testify regarding the facts and circumstances of this case including, but not limited to, her relationships with the parties and others working at C&P and/or Paul Padda Law and her knowledge gained and observations made during her employ with the parties.

30. **Benson Lee**
1820 E. Sahara Avenue, Suite 110
Las Vegas, Nevada 89104
(702) 477-7030

Mr. Lee is expected to testify regarding, among other things, his relationship and interactions with, and observations of, Joshua Ang.

31. **Rahul Ravipudi**
11111 Santa Monica Blvd., Suite 700
Los Angeles, California 90025
(310) 477-1700

Mr. Ravipudi is expected to testify regarding the facts and circumstances of this case including, but not limited, his and/or his firm's work, retention, compensation, knowledge, and observations as co-counsel on the parties' cases prior to and after Ms. Cohen's separation.

32. **Matthew Stumpf**
11111 Santa Monica Blvd., Suite 700
Los Angeles, California 90025
(310) 477-1700

Phone Number Currently Unknown

Mr. Stumpf is expected to testify regarding the facts and circumstances of this case including, but not limited, his and/or his firm's work, retention, compensation, knowledge,

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and observations as co-counsel on the parties' cases prior to and after Ms. Cohen's separation.

33. **Katie [Last Name Unknown]**
Address Information Currently Unknown
Phone Number Currently Unknown

This witness is expected to testify regarding the facts and circumstances of this case including, but not limited, her relationships with the parties and others working at C&P and/or Paul Padda Law and her knowledge gained and observations made during her employ with the parties.

34. **Claudia [Last Name Unknown]**
Address Information Currently Unknown
Phone Number Currently Unknown

This witness is expected to testify regarding the facts and circumstances of this case including, but not limited, her relationships with the parties and others working at C&P and/or Paul Padda Law and her knowledge gained and observations made during her employ with the parties.

35. **Chantay [Last Name Unknown]**
Address Information Currently Unknown
Phone Number Currently Unknown

This witness is expected to testify regarding the facts and circumstances of this case including, but not limited, her relationships with the parties and others working at C&P and/or Paul Padda Law and her knowledge gained and observations made during her employ with the parties.

Plaintiff reserves the right to amend/supplement this disclosure of witnesses as the same become known to Plaintiff throughout the discovery process, including expert witnesses. Plaintiff further reserves the right to call any witness identified by any other party in this action.

DOCUMENTS

No.	Document Description	Bates Nos.
1.	Partnership Agreement, between Ruth Lynn Cohen, LLC and The Padda Law Firm, P.C., dated January 1, 2011	COHEN 000001-000007
2.	Partnership Dissolution Agreement, between Ruth L. Cohen and Paul S. Padda regarding Cohen & Padda,	COHEN 000008-000010

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	LLP, dated November 1, 2014	
3.	Partnership Dissolution Agreement, between Ruth L. Cohen and Paul S. Padda regarding Cohen & Padda, LLP, dated December 23, 2014	COHEN 000011-000013
4.	Business Expectancy Interest Resolution Agreement, between Ruth Cohen and Paul Padda regarding Cohen & Padda, LLP, dated September 12, 2016	COHEN 000014-000015
5.	Expert Report of Stanley Smith, Ph.D., Smith Economics Group regarding Steven Cochran, dated October 13, 2014 *(part of the public record as of December 17, 2014)*	COHEN 000016-000106
6.	Plaintiff David Moradi's Responses to Defendants' First Set of Interrogatories, dated May 4, 2015 *(part of the public record as of November 1, 2016)*	COHEN 000107-000123
7.	Letter from Tyler J. Watson, Esq. to Paul Padda, dated May 20, 2015 *(part of the public record as of November 30, 2016)*	COHEN 000124-000126
8.	Plaintiff's Offer of Judgment, dated December 10, 2015 *(provided to MAC for inspection by Padda on April 2, 2019)*	COHEN 000127-000128
9.	Plaintiff's Initial Expert Witness Disclosures, dated August 18, 2016 *(part of the public record as of December 27, 2016)*	COHEN 000129-000133
10.	Expert Report of Stanley Smith, Ph.D, Smith Economics Group regarding David Moradi, dated August 18, 2016 *(part of the public record as of November 30, 2016)*	COHEN 000134-000185
11.	Defendants' Offer of Judgment to Plaintiff David Moradi, dated January 18, 2017 *(provided to MAC for inspection by Padda on April 2, 2019)*	COHEN 000186-000189
12.	Discovery Commissioner's Report and Recommendations and Court Minutes *(part of the public record as of June 7, 2016)*	COHEN 000190-000197
13.	Excerpts of Plaintiff's Opposition to Defendants' Motion for Partial Summary Judgment Re: Past Wage/Income Loss and Future Earnings Capacity Loss *(part of the public record as of November 30, 2016)*	COHEN 000198-000204
14.	Condensed Deposition Transcript of Ruth Cohen, Esq., dated December 30, 2016 *(provided to MAC for inspection by Padda on April 2, 2019)*	COHEN 000205-000231
15.	Affidavit of Ruth L. Cohen, dated April 14, 2017 *(provided to MAC for inspection by Padda on April 2, 2019)*	COHEN 000232-000235
16.	Check No. 8028 from Paul Padda Law PLLC to Ruth L. Cohen for $50,000.00 for Discretionary Bonus, dated July 20, 2017 *(account number redacted)*	COHEN 000236
17.	Text Messages between Ruth Cohen and Paul Padda, dated September 22, 2017	COHEN 000237-000240

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18.	Text Messages between Ruth Cohen and Patty Davidson dated September 29, 2017	COHEN 000241-000246
19.	Text Messages between Ruth Cohen and Paul Padda, dated December 30, 2017	COHEN 000247-000250
20.	Text Messages between Ruth Cohen and Patty Davidson dated February 4-5, 2019	COHEN 000251-000253
21.	Civil Case Docket for the matter of Johnson v. Whirlpool Corporation, United States District Court Case No. 2:15-cv-02425-JCM-CWH.	COHEN 000254-000264
22.	Photo of "entire Moradi file" provided to MAC by Paul Padda on April 2, 2019	COHEN 000265
23.	Paul Padda Law Website Archive showing Ruth L. Cohen in or about July 2017	COHEN 000266-000270
24.	Email exchange regarding April 2, 2019 meeting	COHEN 000271-000272
25.	Facebook printouts from Paul Padda Law, PLLC page regarding Ruth L. Cohen	COHEN 000273-000283
26.	Documents produced from Lewis Brisbois Bisgaard & Smith in response to Subpoena	GARLAND 000001-000060
27.	Documents produced by Eglet Law Group, LLP, dba Eglet Adams in response to Subpoena	COCHRAN 000001-003190
28.	RipoffReport.com entries concerning Paul Padda	COHEN 000284-000309
29.	Email dated June 6, 2019 from Steven Parsons to Josh Reisman Regarding Ruth Cohen and Paul Padda	COHEN 000310-000311
30.	The Intercept article "Love and Loathing in Las Vegas" dated August 12, 2018	COHEN 000312-000346
31.	Seth Cogan July 17, 2019 Facebook Post and Comments	COHEN 000347-000355
32.	Seth Cogan May 2, 2019 Facebook Post with Ruth Cohen Comments	COHEN 000356-000358
33.	Seth Cogan Facebook Posts regarding Paul Padda	COHEN 000359-000370
34.	First Amended Complaint dated December 5, 2015 in the matter of Cohen & Padda, LLP, et al. v. Emile Bouari, et al., District Court, Clark County, Nevada Case No. A-15-714690-B	COHEN 000371-000397
35.	Plaintiffs' Joint Application for Default Judgment Against Defendants Emile Bouari and Kim Milko dated February 6, 2016 in the matter of Cohen & Padda, LLP, et al. v. Emile Bouari, et al., District Court, Clark County, Nevada Case No. A-15-714690-B	COHEN 000398-000414
36.	Declaration of Joshua Y. Ang dated May 23, 2019 in the matter of Cohen & Padda, LLP, et al. v. Emile Bouari, et al., District Court, Clark County, Nevada Case No. A-15-714690-B	COHEN 000415-000416
37.	Odyssey File & Serve Electronic Service Contacts List for the Moradi Case	COHEN 000417-000418
38.	Email dated September 26, 2019 from Steven Parsons to Liane Wakayama Regarding Cohen v. Padda – Steve Parsons Deposition	COHEN 000419-000420

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39.	Civil Case Docket for the matter of Johnson v. Whirlpool Corporation, United States District Court Case No. 2:15-cv-02425-JCM-CWH	COHEN 000421-000436
40.	Complaint with Jury Demand dated December 18, 2015 in the matter of Johnson v. Whirlpool Corporation, United States District Court Case No. 2:15-cv-02425-JCM-CWH	COHEN 000437-000446
41.	Plaintiff's Motion to Withdraw Ruth Cohen as Counsel of Record dated July 17, 2019 in the matter of Johnson v. Whirlpool Corporation, United States District Court Case No. 2:15-cv-02425-JCM-CWH	COHEN 000447-000449
42.	Order Granting Plaintiff's Motion to Withdraw Ruth Cohen as Counsel of Record dated July 19, 2019 in the matter of Johnson v. Whirlpool Corporation, United States District Court Case No. 2:15-cv-02425-JCM-CWH	COHEN 000450-000452
43.	Notice of Settlement and Stipulation and Order to Continue Trial dated August 9, 2019 in the matter of Johnson v. Whirlpool Corporation, United States District Court Case No. 2:15-cv-02425-JCM-CWH	COHEN 000453-000454
44.	Order Granting Notice of Settlement and Stipulation to Continue Trial dated August 12, 2019 in the matter of Johnson v. Whirlpool Corporation, United States District Court Case No. 2:15-cv-02425-JCM-CWH	COHEN 000455-000456
45.	BlueCross BlueShield Explanation of Benefits for Summerlin Hospital Medical Center for Dates of Service 10/19/2017 – 10/20/2017	COHEN 000457-000460
46.	2017 1099 Misc. Tax Form for Ruth Cohen	COHEN 000461-000462
47.	2019-08-14 to 2019-10-23 emails to Tammy Peterson regarding deposition	COHEN 000463-000494
48.	Text Messages between Ruth Cohen and Sherry Prine	COHEN 000495-000502
49.	Documents produced from Littler Mendelson, P.C. in response to Subpoena	LITTLER0001-0086
50.	Response and Objections to Subpoena Issued to Non-Party Littler Mendelson, P.C.	LITTLER0087-0089
51.	CFO article "SEC Charges Former CFO, Five others at HBOC," dated September 28, 2001	COHEN 000503-000511
52.	Paul Padda Law, PLLC Invoice dated January 3, 2017 regarding Jorge Esquivel-Robles	COHEN 000512-000514
53.	Affidavit of Paul S. Padda dated April 14, 2017 regarding the Moradi Case	COHEN 000515-000518
54.	Declaration of Paul S. Padda dated October 22, 2019 regarding *Jorge Esqiuvel-Robles, et al. v. Align Med, PLLC, et al.*	COHEN 000519-000520
55.	Complaint dated March 3, 2015 in the matter of *Cohen & Padda, LLP, et al. v. Emile Bouari, et al.*	COHEN 000521-000546
56.	Affidavit of Service for First Amended Complaint filed August 5, 2019 in the matter of *Cohen & Padda, LLP, et al. v. Emile Bouari, et al.*	COHEN 000547-000548

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57.	Certificate of Death regarding David Joseph Tully	COHEN 000549-000550
58.	**Affidavit of Mark Kane**	**COHEN 000551-000552**
59.	**Police Report dated February 7, 2002 *(CONFIDENTIAL)***	**COHEN 000553-000554**
60.	**Henderson Chambers seminar "Embezzlement: It's Easy, It's About Money and It's Common in Small Business!" presented by Patty Davidson**	**COHEN 000555**
61.	**Webinar "5 Ways your Bookkeeper Steals from you and What you can do to Lower your Risk"**	**COHEN 000556-000558**

Plaintiff reserves the right to amend/supplement this disclosure of documents as the same become known to Plaintiff throughout the discovery process, including expert witness reports/opinions. Plaintiff further reserves the right to utilize any document disclosed by any other party or non-party herein.

COMPUTATION OF DAMAGES

Ms. Cohen estimates her total unpaid compensation as follows:

As to Garland

40% contingency on $215,000 recovered = $86,000

Ms. Cohen's 1/3 (33.333%) share = $28,667

As to Moradi

Attorney fees awarded to Padda = $10,000,000

Ms. Cohen's 1/3 (33.333%) share = $3,333,333

As to Cochran

40% of Cochran settlement ($1.4 million) = $560,000

Padda's 1/2 share = $280,000

Ms. Cohen's 1/3 (33.333%) share of Padda's share = $93,333

TOTAL COMPENSATORY DAMAGES

$28,667 + $93,333 + $3,333,333 = $3,455,333

In addition, were this case to proceed to and through litigation, she would be entitled to recover double damages for elder abuse (bringing the total to $6,910,666), being over 60 years of age, as well as her reasonable attorney fees and costs. Moreover, because her claims arise from

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acts of fraud, oppression, and malice, she would be entitled to recover treble, punitive damages, bringing the potential recovery in litigation to $20,731,998.

These calculations do not include the employment discrimination cases that Ms. Cohen was handling prior to Padda locking her out of the office in late September 2017. Some of these cases are valued at over a million dollars and litigation is still ongoing.

INSURANCE

N/A.

Dated this 18th day of November, 2019.

MARQUIS AURBACH COFFING

By */s/ Jared M. Moser, Esq.*
Liane K. Wakayama, Esq.
Nevada Bar No. 11313
Jared M. Moser, Esq.
Nevada Bar No. 13003
10001 Park Run Drive
Las Vegas, Nevada 89145

CAMPBELL & WILLIAMS
Donald J. Campbell, Esq.
Nevada Bar No. 1216
Samuel R. Mirkovich, Esq.
Nevada Bar No. 11662
700 South Seventh Street
Las Vegas, Nevada 89101

Attorneys for Plaintiff Ruth L. Cohen

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Las Vegas, Nevada 89145
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EXHIBIT 6

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Marquis Aurbach Coffing
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Nevada Bar No. 11313
Jared M. Moser, Esq.
Nevada Bar No. 13003
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Nevada Bar No. 11662
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Las Vegas, Nevada 89101
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Attorneys for Plaintiff Ruth L. Cohen

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Las Vegas, Nevada 89145
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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 individuals I-X; and, ROE entities I-X, Defendants.	Case No.: A-19-792599-B Dept. No.: XI

PLAINTIFF'S TWELFTH SUPPLEMENT TO INITIAL DISCLOSURE OF WITNESSES AND DOCUMENTS PURSUANT TO NRCP 16.1

In compliance with NRCP 16.1, Plaintiff Ruth L. Cohen (hereinafter "Plaintiff" or "Ms. Cohen"), by and through her attorneys of record, the law firms of Marquis Aurbach Coffing and Campbell & Williams, hereby produces the attached supplemental list of witnesses and documents related to this matter. ***Supplemental documents are indicated in bold.***

WITNESSES

1. Ruth L. Cohen
   c/o Liane K. Wakayama, Esq.
   Marquis Aurbach Coffing
   10001 Park Run Drive
   Las Vegas, Nevada 89145
   (702) 382-0711

Ms. Cohen is expected to testify regarding the facts and circumstances of this case including, but not limited to, her engagement with Paul S. Padda under the Partnership Agreement to perform legal services for Cohen & Padda, LLP ("C&P"), her engagement with Paul S. Padda to perform legal services for Paul Padda Law, PLLC ("Padda Law"), the matter of *Cochran, et al. v. Nevada Property 1, LLC, et al.*, Clark County, District Court, Case No. A-13-687601-C (the "Cochran Case"), the matter of *Moradi v. Nevada Property 1, LLC, et al.*, Clark County, District Court, Case No. A-14-698824-C (the "Moradi Case"), and the matter of *Garland v. SPB Partners, LLC, et al.*, Clark County, District Court, Case No. A-15-724139-C (the "Garland Case"), among others for which C&P was retained on a contingency fee basis prior to December 31, 2014, and other cases.

2. Paul S. Padda
   c/o J. Stephen Peek, Esq.
   Holland & Hart LLP
   9555 Hillwood Drive, 2nd Floor
   Las Vegas, NV 89134
   (702) 669-4600

Mr. Padda is expected to testify regarding the facts and circumstances of this case including, but not limited to, his engagement with Ms. Cohen under the Partnership Agreement to perform legal services for C&P, engaging Ms. Cohen to perform legal services for Padda Law, the Cochran Case, the Moradi Case, and the Garland Case, among others for which C&P was retained on a contingency fee basis prior to December 31, 2014, and other cases.

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3. NRCP 30(b)(6) Designee of
Paul Padda Law, PLLC
c/o J. Stephen Peek, Esq.
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134
(702) 669-4600

On behalf of Padda Law, this witness is expected to testify regarding the facts and circumstances of this case including, but not limited to, the employment of Ruth L. Cohen for legal services for Padda Law, the Cochran Case, the Moradi Case, and the Garland Case, among others for which C&P was retained on a contingency fee basis prior to December 31, 2014, and other cases.

4. Custodian of Records of
Paul Padda Law, PLLC
c/o J. Stephen Peek, Esq.
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134
(702) 669-4600

On behalf of Padda Law, this witness is expected to testify regarding the facts and circumstances of this case including, but not limited to, any and all records, documents and correspondence involving Ms. Cohen, the Cochran Case, the Moradi Case, and the Garland Case, as well as electronically stored information maintained by Padda Law.

5. Patricia J. Davidson
Chief Operating Officer
Paul Padda Law, PLLC
c/o Tamara Beatty Peterson, Esq.
Peterson Baker, PLLC
701 S 7th St.
Las Vegas, Nevada 89101
(702) 786-1001

Ms. Davidson is expected to testify regarding the facts and circumstances of this case including, but not limited to, the employment of Ms. Cohen for legal services for Padda Law, the Cochran Case, the Moradi Case, and the Garland Case, as well as the circumstances surrounding Ms. Cohen's separation from Padda Law.

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6. NRCP 30(b)(6) Designee of
Panish Shea & Boyle, LLP
c/o Ian Samson, Esq.
11111 Santa Monica Blvd., Suite 700
Los Angeles, California 90025
(310) 477-1700

On behalf of Panish Shea & Boyle, LLP ("PSB"), this witness is expected to testify regarding the facts and circumstances of this case including, but not limited, to the Moradi Case.

7. Custodian of Records of
Panish Shea & Boyle, LLP
c/o Rahul Ravipudi, Esq.
11111 Santa Monica Blvd., Suite 700
Los Angeles, California 90025
(310) 477-1700

On behalf of PSB, this witness is expected to testify regarding the facts and circumstances of this case including, but not limited to, any and all records, documents and correspondence involving Ms. Cohen, C&P, Padda Law, and the Moradi Case.

8. Wayne Price
8923 Monteloma Way
Henderson, NV 89074-6908
(702) 659-4799

Mr. Price is expected to testify regarding the facts and circumstances of this case including, but not limited to, knowledge from his employment as an attorney with C&P, the Cochran Case, the Moradi Case, and the Garland Case.

9. Ashley Pourghahreman
9612 Scrub Jay Ct
Las Vegas, Nevada 89148
(702) 677-0955

Ms. Pourghahreman is expected to testify regarding the facts and circumstances of this case including, but not limited to, knowledge from her employment as a paralegal with C&P, the Cochran Case, the Moradi Case, and the Garland Case.

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MARQUIS AURBACH COFFING
10001 Park Run Drive
Las Vegas, Nevada 89145
(702) 382-0711 FAX: (702) 382-5816

10. Karla Koutz
47-266 Kamehameha Highway
Kaneohe, Hawaii 96744
(808) 670-4401

Ms. Koutz is expected to testify regarding the facts and circumstances of this case including, but not limited to, knowledge from her employment as a case worker with C&P, the Cochran Case, the Moradi Case, and the Garland Case.

11. Mark Kane
2700 E. Patrick Lane, Suite 1
Las Vegas, Nevada 89120
(702) 260-4559

Mr. Kane is expected to testify regarding the facts and circumstances of this case including, but not limited to, knowledge from his employment as an information technology specialist with C&P.

12. Tammy Borowski
Address Information Currently Unknown
(702) 630-2637

Ms. Borowski is expected to testify regarding the facts and circumstances of this case including, but not limited to, her work with Profit Boosters and her knowledge from her employment and termination as a bookkeeper with C&P and Padda Law.

13. Gregory W. Addington
100 West Liberty Street, Suite 600
Reno, Nevada 89501
(702) 775-784-5438

Mr. Addington is expected to testify regarding the facts and circumstances of this case including, but not limited to, Ms. Cohen's involvement with the Department of Justice's decision to hire Mr. Padda, his observations and impressions of the interactions between Ms. Cohen and Mr. Padda in and out of the office, and his personal observations and memory of the relationship between Ms. Cohen and Mr. Padda, generally.

14. Steven J. Parsons
10091 Park Run Drive, Suite 200
Las Vegas, Nevada 89145
(702) 384-9900

Mr. Parsons is expected to testify regarding the facts and circumstances of this case including, but not limited to, his communications, if any, with Ms. Cohen at all relevant times.

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10001 Park Run Drive
Las Vegas, Nevada 89145
(702) 382-0711 FAX: (702) 382-5816

15. Kulwant K. Padda
259 Little Minah Ct.
Henderson, Nevada 89052
Phone Number Currently Unknown

Mrs. Padda is expected to testify regarding the facts and circumstances of this case including, but not limited to, her relationship with Ms. Cohen, and the loans Mrs. Padda and her husband allegedly provided to Defendants.

16. Sherry Prine
169 Adomeit Drive
Henderson, Nevada 89074
(702) 569-7103

Ms. Prine is expected to testify regarding, among other things, her relationships with Patty Davidson and Mr. Padda, and her observations and Ms. Davidson's statements to Ms. Prine regarding Ms. Davidson's romantic relationship with Mr. Padda.

17. Carey Reno
7600 Painted Dunes Drive
Las Vegas, Nevada 89149
(702) 498-4445

Ms. Reno is expected to testify regarding, among other things, her relationship with Patty Davidson.

18. Jef**rey** Appel
10675 Fairfield Avenue
Las Vegas, Nevada 89183
(213) 505-7525

Mr. Appel is expected to testify regarding, among other things, his work as controller and bookkeeper at Paul Padda Law, PLLC.

19. Rachel Solow
1850 E. Sahara Ave., Suite 107
Las Vegas, NV 89104
(702) 460-1735

Ms. Solow is expected to testify regarding, among other things, her relationships with the parties and others working at C&P and/or Paul Padda Law and her knowledge gained and observations made during her employ with the parties.

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Las Vegas, Nevada 89145
(702) 382-0711 FAX: (702) 382-5816

20. David Oancea a/k/a Vegas Dave
Address Information Currently Unknown
(702) 353-1003

Mr. Oancea is expected to testify regarding the facts and circumstances of this case including, but not limited to, his experience in retaining Defendants, the payments to Defendants for services rendered or not rendered and Defendants' lack of diligence, and how Defendants took advantage of him before he was forced to hire separate counsel.

21. Mary Johnson
Address Information Currently Unknown
Phone Number Currently Unknown

Ms. Johnson is expected to testify regarding the facts and circumstances of this case including, but not limited to, her relationships with the parties and others working at C&P and/or Paul Padda Law and her knowledge gained and observations made during her employ with the parties.

22. Mindy Pallares
1820 E. Sahara Avenue, Suite 110
Las Vegas, Nevada 89104
(702) 477-7030

Ms. Pallares is expected to testify regarding the facts and circumstances of this case including, but not limited to, her relationships with the parties and others working at C&P and/or Paul Padda Law and her knowledge gained and observations made during her employ with the parties.

23. John Shannon
6130 Elton Avenue, 2nd Floor
Las Vegas, Nevada 89107
(702) 675-4919

Mr. Shannon is expected to testify regarding, among other things, his work, retention, compensation, knowledge, and observations as co-counsel on the parties' cases prior to and after Ms. Cohen's separation.

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10001 Park Run Drive
Las Vegas, Nevada 89145
(702) 382-0711 FAX: (702) 382-5816

24. Tarquin Black
1820 E. Sahara Avenue, Suite 110
Las Vegas, Nevada 89104
(702) 477-7030

Mr. Black is expected to testify regarding, among other things, his relationships with the parties and others working at C&P and/or Paul Padda Law and his knowledge gained and observations made during his employ with the parties

25. Louis Garfinkel
1671 W. Horizon Ridge Pkwy, Suite #230
Henderson, Nevada 89012
(702) 673-1612

Mr. Garfinkel is expected to testify regarding, among other things, his work, retention, compensation, knowledge, and observations as co-counsel on the parties' cases prior to and after Ms. Cohen's separation.

26. NRCP 30(b)(6) Designee of
Eglet Law Group, LLP
c/o Robert Eglet, Esq.
400 S. Seventh Street, Suite 400
Las Vegas, Nevada
(702) 450-5400

On behalf of Eglet Law, this witness is expected to testify regarding the facts and circumstances of this case including, but not limited, Eglet Law's work, retention, compensation, knowledge, and observations as co-counsel on the parties' cases prior to and after Ms. Cohen's separation.

27. Custodian of Records of
Eglet Law Group, LLP
c/o Robert Eglet, Esq.
400 S. Seventh Street, Suite 400
Las Vegas, Nevada
(702) 450-5400

On behalf of Eglet Law, this witness is expected to testify regarding the facts and circumstances of this case including, but not limited to, any and all records, documents and correspondence involving Ms. Cohen, C&P, Padda Law, and Eglet Law's work, retention, compensation, knowledge, and observations as co-counsel on the parties' cases prior to and after Ms. Cohen's separation.

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10001 Park Run Drive
Las Vegas, Nevada 89145
(702) 382-0711 FAX: (702) 382-5816

28. Robert Adams
400 S. Seventh Street, Suite 400
Las Vegas, Nevada
(702) 450-5400

Mr. Adams is expected to testify regarding, among other things, his work, retention, compensation, knowledge, and observations as co-counsel on the parties' cases prior to and after Ms. Cohen's separation.

29. Hui Lim Ang
Address Information Currently Unknown
Phone Number Currently Unknown

Ms. Ang is expected to testify regarding the facts and circumstances of this case including, but not limited to, her relationships with the parties and others working at C&P and/or Paul Padda Law and her knowledge gained and observations made during her employ with the parties.

30. Benson Lee
1820 E. Sahara Avenue, Suite 110
Las Vegas, Nevada 89104
(702) 477-7030

Mr. Lee is expected to testify regarding, among other things, his relationship and interactions with, and observations of, Joshua Ang.

31. Rahul Ravipudi
11111 Santa Monica Blvd., Suite 700
Los Angeles, California 90025
(310) 477-1700

Mr. Ravipudi is expected to testify regarding the facts and circumstances of this case including, but not limited to, his and/or his firm's work, retention, compensation, knowledge, and observations as co-counsel on the parties' cases prior to and after Ms. Cohen's separation.

32. Matthew Stumpf
11111 Santa Monica Blvd., Suite 700
Los Angeles, California 90025
(310) 477-1700

Mr. Stumpf is expected to testify regarding the facts and circumstances of this case including, but not limited to, his and/or his firm's work, retention, compensation, knowledge, and observations as co-counsel on the parties' cases prior to and after Ms. Cohen's separation.

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33. Katie [Last Name Unknown]
Address Information Currently Unknown
Phone Number Currently Unknown

This witness is expected to testify regarding the facts and circumstances of this case including, but not limited to, her relationships with the parties and others working at C&P and/or Paul Padda Law and her knowledge gained and observations made during her employ with the parties.

34. Claudia [Last Name Unknown]
Address Information Currently Unknown
Phone Number Currently Unknown

This witness is expected to testify regarding the facts and circumstances of this case including, but not limited to, her relationships with the parties and others working at C&P and/or Paul Padda Law and her knowledge gained and observations made during her employ with the parties.

35. Chantay [Last Name Unknown]
Address Information Currently Unknown
Phone Number Currently Unknown

This witness is expected to testify regarding the facts and circumstances of this case including, but not limited to, her relationships with the parties and others working at C&P and/or Paul Padda Law and her knowledge gained and observations made during her employ with the parties.

36. Kathleen Annunziata Nicolaides, B.A., D-ABFDE
Associated Forensic Laboratory LLC
24 W. Camelback Rd., #A420
Phoenix, Arizona 85013
(602) 241-1890
kan.fde@aflqd.com

This witness is expected to testify regarding her education, credentials, experience, and expertise in the area of forensic document examination, as well as her evaluation, analysis and opinions that are set forth in her Laboratory Report concerning the document titled "Receipt of Final Payment," produced in this matter by the Defendants as PPL 000091.

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Las Vegas, Nevada 89145
(702) 382-0711 FAX: (702) 382-5816

37. **Mike Holpuch**
Holo Discovery
3016 West Charleston Blvd #170
Las Vegas, NV 89102
(702) 333-4321

This witness is expected to testify regarding his examination, evaluation, and analysis of the computer(s) owned and/or operated by Plaintiff Ruth Cohen during her employment as an attorney with C&P and Padda Law.

38. **Patricia Chavez**
Address Information Currently Unknown
Phone Number Currently Unknown

This witness is expected to testify regarding the facts and circumstances of this case including, but not limited to, her relationships with the parties and others working at C&P and/or Paul Padda Law and her knowledge gained and observations made during her employ with the parties.

39. **Kathy Campagna**
Campagna & Company, CPA's, a Professional Corporation
10091 Park Run Drive, Suite 200
Las Vegas, Nevada 89145
(702) 233-1700

Ms. Campagna is expected to testify as a summary witness to provide testimony regarding her review of financial documents produced by Defendants pursuant to Court order, and to present, connect, and correlate the information therein at the time of trial.

Plaintiff reserves the right to amend/supplement this disclosure of witnesses as the same become known to Plaintiff throughout the discovery process, including expert witnesses. Plaintiff further reserves the right to call any witness identified by any other party in this action.

DOCUMENTS

No.	Document Description	Bates Nos.
1.	Partnership Agreement, between Ruth Lynn Cohen, LLC and The Padda Law Firm, P.C., dated January 1, 2011	COHEN 000001-000007
2.	Partnership Dissolution Agreement, between Ruth L. Cohen and Paul S. Padda regarding Cohen & Padda, LLP, dated November 1, 2014	COHEN 000008-000010
3.	Partnership Dissolution Agreement, between Ruth L. Cohen and Paul S. Padda regarding Cohen & Padda, LLP, dated December 23, 2014	COHEN 000011-000013

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4.	Business Expectancy Interest Resolution Agreement, between Ruth Cohen and Paul Padda regarding Cohen & Padda, LLP, dated September 12, 2016	COHEN 000014-000015
5.	Expert Report of Stanley Smith, Ph.D., Smith Economics Group regarding Steven Cochran, dated October 13, 2014 *(part of the public record as of December 17, 2014)*	COHEN 000016-000106
6.	Plaintiff David Moradi's Responses to Defendants' First Set of Interrogatories, dated May 4, 2015 *(part of the public record as of November 1, 2016)*	COHEN 000107-000123
7.	Letter from Tyler J. Watson, Esq. to Paul Padda, dated May 20, 2015 *(part of the public record as of November 30, 2016)*	COHEN 000124-000126
8.	Plaintiff's Offer of Judgment, dated December 10, 2015 *(provided to MAC for inspection by Padda on April 2, 2019)*	COHEN 000127-000128
9.	Plaintiff's Initial Expert Witness Disclosures, dated August 18, 2016 *(part of the public record as of December 27, 2016)*	COHEN 000129-000133
10.	Expert Report of Stanley Smith, Ph.D, Smith Economics Group regarding David Moradi, dated August 18, 2016 *(part of the public record as of November 30, 2016)*	COHEN 000134-000185
11.	Defendants' Offer of Judgment to Plaintiff David Moradi, dated January 18, 2017 *(provided to MAC for inspection by Padda on April 2, 2019)*	COHEN 000186-000189
12.	Discovery Commissioner's Report and Recommendations and Court Minutes *(part of the public record as of June 7, 2016)*	COHEN 000190-000197
13.	Excerpts of Plaintiff's Opposition to Defendants' Motion for Partial Summary Judgment Re: Past Wage/Income Loss and Future Earnings Capacity Loss *(part of the public record as of November 30, 2016)*	COHEN 000198-000204
14.	Condensed Deposition Transcript of Ruth Cohen, Esq., dated December 30, 2016 *(provided to MAC for inspection by Padda on April 2, 2019)*	COHEN 000205-000231
15.	Affidavit of Ruth L. Cohen, dated April 14, 2017 *(provided to MAC for inspection by Padda on April 2, 2019)*	COHEN 000232-000235
16.	Check No. 8028 from Paul Padda Law PLLC to Ruth L. Cohen for $50,000.00 for Discretionary Bonus, dated July 20, 2017 *(account number redacted)*	COHEN 000236
17.	Text Messages between Ruth Cohen and Paul Padda, dated September 22, 2017	COHEN 000237-000240
18.	Text Messages between Ruth Cohen and Patty Davidson dated September 29, 2017	COHEN 000241-000246
19.	Text Messages between Ruth Cohen and Paul Padda, dated December 30, 2017	COHEN 000247-000250

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20.	Text Messages between Ruth Cohen and Patty Davidson dated February 4-5, 2019	COHEN 000251-000253
21.	Civil Case Docket for the matter of Johnson v. Whirlpool Corporation, United States District Court Case No. 2:15-cv-02425-JCM-CWH.	COHEN 000254-000264
22.	Photo of "entire Moradi file" provided to MAC by Paul Padda on April 2, 2019	COHEN 000265
23.	Paul Padda Law Website Archive showing Ruth L. Cohen in or about July 2017	COHEN 000266-000270
24.	Email exchange regarding April 2, 2019 meeting	COHEN 000271-000272
25.	Facebook printouts from Paul Padda Law, PLLC page regarding Ruth L. Cohen	COHEN 000273-000283
26.	Documents produced from Lewis Brisbois Bisgaard & Smith in response to Subpoena	GARLAND 000001-000060
27.	Documents produced by Eglet Law Group, LLP, dba Eglet Adams in response to Subpoena	COCHRAN 000001-003190
28.	RipoffReport.com entries concerning Paul Padda	COHEN 000284-000309
29.	Email dated June 6, 2019 from Steven Parsons to Josh Reisman Regarding Ruth Cohen and Paul Padda	COHEN 000310-000311
30.	The Intercept article "Love and Loathing in Las Vegas" dated August 12, 2018	COHEN 000312-000346
31.	Seth Cogan July 17, 2019 Facebook Post and Comments	COHEN 000347-000355
32.	Seth Cogan May 2, 2019 Facebook Post with Ruth Cohen Comments	COHEN 000356-000358
33.	Seth Cogan Facebook Posts regarding Paul Padda	COHEN 000359-000370
34.	First Amended Complaint dated December 5, 2015 in the matter of Cohen & Padda, LLP, et al. v. Emile Bouari, et al., District Court, Clark County, Nevada Case No. A-15-714690-B	COHEN 000371-000397
35.	Plaintiffs' Joint Application for Default Judgment Against Defendants Emile Bouari and Kim Milko dated February 6, 2016 in the matter of Cohen & Padda, LLP, et al. v. Emile Bouari, et al., District Court, Clark County, Nevada Case No. A-15-714690-B	COHEN 000398-000414
36.	Declaration of Joshua Y. Ang dated May 23, 2019 in the matter of Cohen & Padda, LLP, et al. v. Emile Bouari, et al., District Court, Clark County, Nevada Case No. A-15-714690-B	COHEN 000415-000416
37.	Odyssey File & Serve Electronic Service Contacts List for the Moradi Case	COHEN 000417-000418
38.	Email dated September 26, 2019 from Steven Parsons to Liane Wakayama Regarding Cohen v. Padda – Steve Parsons Deposition	COHEN 000419-000420
39.	Civil Case Docket for the matter of Johnson v. Whirlpool Corporation, United States District Court Case No. 2:15-cv-02425-JCM-CWH	COHEN 000421-000436
40.	Complaint with Jury Demand dated December 18,	COHEN 000437-000446

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	2015 in the matter of Johnson v. Whirlpool Corporation, United States District Court Case No. 2:15-cv-02425-JCM-CWH	
41.	Plaintiff's Motion to Withdraw Ruth Cohen as Counsel of Record dated July 17, 2019 in the matter of Johnson v. Whirlpool Corporation, United States District Court Case No. 2:15-cv-02425-JCM-CWH	COHEN 000447-000449
42.	Order Granting Plaintiff's Motion to Withdraw Ruth Cohen as Counsel of Record dated July 19, 2019 in the matter of Johnson v. Whirlpool Corporation, United States District Court Case No. 2:15-cv-02425-JCM-CWH	COHEN 000450-000452
43.	Notice of Settlement and Stipulation and Order to Continue Trial dated August 9, 2019 in the matter of Johnson v. Whirlpool Corporation, United States District Court Case No. 2:15-cv-02425-JCM-CWH	COHEN 000453-000454
44.	Order Granting Notice of Settlement and Stipulation to Continue Trial dated August 12, 2019 in the matter of Johnson v. Whirlpool Corporation, United States District Court Case No. 2:15-cv-02425-JCM-CWH	COHEN 000455-000456
45.	BlueCross BlueShield Explanation of Benefits for Summerlin Hospital Medical Center for Dates of Service 10/19/2017 – 10/20/2017	COHEN 000457-000460
46.	2017 1099 Misc. Tax Form for Ruth Cohen	COHEN 000461-000462
47.	2019-08-14 to 2019-10-23 emails to Tammy Peterson regarding deposition	COHEN 000463-000494
48.	Text Messages between Ruth Cohen and Sherry Prine	COHEN 000495-000502
49.	Documents produced from Littler Mendelson, P.C. in response to Subpoena	LITTLER0001-0086
50.	Response and Objections to Subpoena Issued to Non-Party Littler Mendelson, P.C.	LITTLER0087-0089
51.	CFO article "SEC Charges Former CFO, Five others at HBOC," dated September 28, 2001	COHEN 000503-000511
52.	Paul Padda Law, PLLC Invoice dated January 3, 2017 regarding Jorge Esquivel-Robles	COHEN 000512-000514
53.	Affidavit of Paul S. Padda dated April 14, 2017 regarding the Moradi Case	COHEN 000515-000518
54.	Declaration of Paul S. Padda dated October 22, 2019 regarding *Jorge Esquivel-Robles, et al. v. Align Med, PLLC, et al.*	COHEN 000519-000520
55.	Complaint dated March 3, 2015 in the matter of *Cohen & Padda, LLP, et al. v. Emile Bouari, et al.*	COHEN 000521-000546
56.	Affidavit of Service for First Amended Complaint filed August 5, 2019 in the matter of *Cohen & Padda, LLP, et al. v. Emile Bouari, et al.*	COHEN 000547-000548
57.	Certificate of Death regarding David Joseph Tully	COHEN 000549-000550
58.	Affidavit of Mark Kane	COHEN 000551-000552
59.	Police Report dated February 7, 2002 *(CONFIDENTIAL)*	COHEN 000553-000554

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60.	Henderson Chambers seminar "Embezzlement: It's Easy, It's About Money and It's Common in Small Business!" presented by Patty Davidson	COHEN 000555
61.	Webinar "5 Ways your Bookkeeper Steals from you and What you can do to Lower your Risk"	COHEN 000556-000558
62.	November 22, 2019 Laboratory Report by Kathleen Nicolaides concerning Receipt of Final Payment	COHEN 000559-000591
63.	Fee Schedule & Retainer Policy of Kathleen Nicolaides	COHEN 000592
64.	**Moradi Case Docket**	**COHEN 000593-000628**
65.	**Moradi Case Court Minutes dated July 19, 2017**	**COHEN 000629**
66.	**Moradi Case Court Minutes dated August 23, 2017**	**COHEN 000630**
67.	**Plaintiff's Notice of Termination of Attorney-Client Relationship with Panish Shea & Boyle Law firm, filed July 13, 2017 in the Moradi Case**	**COHEN 000631-000632**
68.	**David Moradi's Response to Panish Shea & Boyle's Motion to Withdraw as Attorneys for Plaintiff, filed August 22, 2017 in the Moradi Case**	**COHEN 000633-000635**
69.	**Case Docket regarding *David Moradi v. Panish Shea & Boyle LLP*, Case No. A-17-756171-C**	**COHEN 000636**
70.	**Complaint filed May 30, 2017, *David Moradi v. Panish Shea & Boyle LLP***	**COHEN 000637-000641**
71.	**April 16, 2019 State Bar of Nevada Letter of Reprimand to Suneel Nelson, Esq.**	**COHEN 000642-000643**

Plaintiff reserves the right to amend/supplement this disclosure of documents as the same become known to Plaintiff throughout the discovery process, including expert witness reports/opinions. Plaintiff further reserves the right to utilize any document disclosed by any other party or non-party herein.

COMPUTATION OF DAMAGES

Ms. Cohen estimates her total unpaid compensation as follows:[1]

- **As to Garland:**

  Attorney fees recovered by Defendants = $51,590

  Ms. Cohen's 1/3 (33.333%) share = $17,196.67

- **As to Moradi:**

  Attorney fees recovered by Defendants = $9,186,667

[1] These figures listed in the Computation of Damages are estimates based solely on financial records provided by the Defendants through the course of discovery in this matter. As it has not been independently verified whether the financial records provided by the Defendants are complete and accurate, these figures may not reflect the exact total amount of unpaid compensation due to Ms. Cohen.

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Ms. Cohen's 1/3 (33.333%) share = $3,062,222.33

- **As to Cochran:**

40% of Cochran settlement ($1.4 million) = $560,000

Padda's 1/2 share = $252,858.92

Ms. Cohen's 1/3 (33.333%) share of Padda's share = $84,286.31

- **As to Other Contingency Matters for Clients Who Retained C & P Prior to 12/31/2014:**

Attorney fees collected by Defendants = $564,140.70

Unpaid fees owed to Ms. Cohen = $150,522.18

TOTAL COMPENSATORY DAMAGES

$17,196.67 + $84,286.31 + $3,062,222.33 + $150,522.18	=	**$3,314,227.49**
DOUBLE DAMAGES FOR ELDER ABUSE	=	**$6,628,454.97**
TREBLE, PUNITIVE DAMAGES	=	**$19,885,364.91**
GRAND TOTAL	=	**$26,513,819.88**

INSURANCE

N/A.

Dated this 2nd day of December, 2019.

MARQUIS AURBACH COFFING

By */s/ Jared M. Moser, Esq.*
Liane K. Wakayama, Esq.
Nevada Bar No. 11313
Jared M. Moser, Esq.
Nevada Bar No. 13003
10001 Park Run Drive
Las Vegas, Nevada 89145

CAMPBELL & WILLIAMS
Donald J. Campbell, Esq.
Nevada Bar No. 1216
Samuel R. Mirkovich, Esq.
Nevada Bar No. 11662
700 South Seventh Street
Las Vegas, Nevada 89101

Attorneys for Plaintiff Ruth L. Cohen

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Las Vegas, Nevada 89145
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **PLAINTIFF'S TWELFTH SUPPLEMENT TO INITIAL DISCLOSURE OF WITNESSES AND DOCUMENTS PURSUANT TO NRCP 16.1** was submitted electronically for service with the Eighth Judicial District Court on the 2nd day of December, 2019. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:[2]

HOLLAND & HART LLP J. Stephen Peek, Esq. Ryan Alexander Semerad, Esq. 9555 Hillwood Drive, 2nd Floor Las Vegas, Nevada 89134 Telephone: (702) 669-4600 Facsimile: (702) 669-4650 speek@hollandhart.com rasemerad@hollandhart.com vllarsen@hollandhart.com jlinton@hollandhart.com SANoyce@hollandhart.com PETERSON BAKER, PLLC Tamara Beatty Peterson, Esq. Nikki L. Baker, Esq. 701 S. 7th Street Las Vegas, NV 89101 Telephone: (702) 786-1001 Facsimile: (702) 786-1002 tpeterson@petersonbaker.com nbaker@petersonbaker.com eparcells@petersonbaker.com *Attorneys for Paul S. Padda and Paul Padda Law, PLLC*	CAMPBELL & WILLIAMS Donald J. Campbell, Esq. Samuel Mirkovich, Esq. 700 S. Seventh Street Las Vegas, Nevada 89101 Telephone: (702) 382-5222 Facsimile: (702) 382-0540 djc@cwlawlv.com srm@cwlawlv.com jyc@cwlawlv.com maw@cwlawlv.com *Attorneys for Plaintiff, Ruth L. Cohen*

an employee of Marquis Aurbach Coffing

[2] Pursuant to EDCR 8.05(a), each party who submits an E-Filed document through the E-Filing System consents to electronic service in accordance with NRCP 5(b)(2)(D).

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EXHIBIT 7

DECL
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Nevada Bar No. 1758
Ryan A. Semerad, Esq.
Nevada Bar No. 14615
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tpeterson@petersonbaker.com
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Attorneys for Defendants PAUL S. PADDA and PAUL PADDA LAW, PLLC

HOLLAND & HART LLP
9555 HILLWOOD DRIVE, 2ND FLOOR
LAS VEGAS, NV 89134

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

DECLARATION OF J. STEPHEN PEEK, ESQ. IN SUPPORT OF DEFENDANTS' MOTION FOR ATTORNEY'S FEES

I, J. Stephen Peek, being first duly sworn, deposes and states as follows:

1. I am a partner at the law firm of Holland & Hart, LLP, counsel for Defendant Paul S. Padda, Esq. ("Mr. Padda") and Defendant Paul Padda Law, PLLC ("Padda Law") (collectively, "Defendants") in the above-captioned matter. I make this declaration in support of Defendants'

Motion for Attorney's Fees (the "Motion"). I have personal knowledge of all matters stated herein and would be competent to testify to them if called upon to do so.

2. On December 18, 2019, Defendants served on Plaintiff Ruth L. Cohen ("Plaintiff") an Offer of Judgment pursuant to NRCP 68.

3. Plaintiff did not respond to Defendants' Offer of Judgment.

4. Holland & Hart LLP ("Holland & Hart") is a regional, AV-rated law firm with extensive experience in commercial litigation.

5. The attorneys' fees that were incurred by Defendants because of Plaintiff's decision to reject Defendants' Offer of Judgment and Plaintiff's ensuing conduct and litigation tactics are reasonable, economical, and are customarily charged to clients of Holland & Hart.

6. The ability, training, education, experience, professional standing, and skill of the professionals representing Defendants were demonstrated in the pleadings, motions, and other documents filed with the Court as well as the oral presentations made to the Court during hearings in this case.

7. Holland & Hart believes that every professional employed on behalf of its clients has a responsibility to control fees and expenses by providing services in an efficient and effective manner.

8. To this end, Holland & Hart diligently works to coordinate and facilitate the efficient prosecution of the matters for which it is employed.

9. Staffing of matters within the case is done with the objective of providing the level of representation appropriate to the significance, complexity, and difficulty of the particular matter.

10. Holland & Hart reviews all client billings for reasonableness and makes adjustments so that the charges are consistent with the value of the services provided.

11. Holland & Hart charges hourly rates that are similar to those rates charged by comparable law firms for similar legal services.

12. Holland & Hart believes that the fees and expenses sought in this application are appropriate, and that the fees are reasonable and necessary in light of the circumstances of this

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LAS VEGAS, NV 89134

case and the scope and difficulty of the business and legal issues involved.

13. I had primary responsibility over this matter, and I am experienced in complex litigation. I have been practicing in the area of commercial litigation for nearly forty-eight (48) years. I have been recognized by my peers and received the following recognitions: *Chambers USA: America's Leading Lawyers for Business*, Litigation: General Commercial, Band 1; *The Best Lawyers in America*© Commercial Litigation (2006-2020); *Mountain States Super Lawyers*®, Business Litigation (2009-2019); Martindale-Hubbell®, AV Preeminent® Rating; and *Nevada Business Magazine*, Nevada Legal Elite (2009-2015).

14. Consistent with its commitment to control fees and expenses through appropriate staffing, Holland & Hart also staffed various associate attorneys and professional personnel on this case. Ryan A. Semerad, Esq., and Brian D. Downing, Esq., are both associates who have been practicing in the area of commercial litigation for about three (3) years and clerked for state court judges in Nevada, and Shayna N. Noyce is a paralegal staffed on this case.

15. The nature of this litigation justifies the requested fees, which were actually and necessarily incurred.

16. In addition to requesting attorneys' fees with the Motion, Holland & Hart performed, among other things, the following tasks ***after*** Defendants served their December 18, 2019 offer of judgment on Plaintiff, which Plaintiff rejected:

a. Legal research on numerous topics, including (but not limited to):

i. Fee sharing with nonlawyers;

ii. The effects of an administrative suspension from the practice of law on a person's ability to collect attorney's fees;

iii. Partnership duties and the effects of dissolution of a partnership on those duties; and

iv. Fraudulent concealment and the duty of disclosure element required to plead and prove a claim of fraudulent concealment under Nevada state law;

b. Drafting pleadings and motions, including (but not limited to):

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i. Defendants' fourteen (14) Motions *in Limine* and replies in support thereof;

ii. Defendants' Oppositions to Plaintiff's eight (8) Motions *in Limine*;

iii. Defendants' Opposition to Plaintiff's Motion to Extend Deadline and Establish Briefing Schedule;

iv. Defendants' Opposition to Plaintiff's Motion to Adopt Plaintiff's Version of the Proposed Jury Questionnaire;

v. Defendants' Motion to Compel Plaintiff to Produce Certain Documents that are Relevant and Material to this Case and the reply in support thereof;

vi. Defendants' Motion for Sanctions and the reply in support thereof;

vii. Defendants' Opposition to Plaintiff's Motion for Reconsideration;

viii. Defendants' Opposition to Plaintiff's Motion to Retax Costs;

c. Identifying, retaining, corresponding with, and disclosing an expert witness identified, retained, and disclosed after the close of discovery;

d. Preparing, serving, and filing Defendants' pretrial disclosures pursuant to NRCP 16.1(a)(3);

e. Reviewing Plaintiff's pretrial disclosures pursuant to NRCP 16.1(a)(3);

f. Preparing, serving, and filing a joint pretrial memorandum in compliance with EDCR 2.67;

g. Preparing Defendants' proposed jury questionnaire;

h. Reviewing Plaintiff's proposed jury questionnaire;

i. Preparing all necessary documents, exhibits, and other demonstrative items in preparation for a jury trial; and

j. Attending about five (5) hearings before the Court and making oral presentations at these hearings where appropriate.

17. A detailed itemization of the time spent, each professional's billing rate, the matters involved, and costs incurred is described in the accounting attached to this Declaration as

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Exhibit 7-A.

18. Because of Plaintiff's failure to accept Defendants' Offer of Judgment, and due to Plaintiff's litigation tactics and bad faith in bringing and prosecuting her claims, including her failure to adhere to the Nevada Rules of Civil Procedure during discovery, Defendants incurred attorney's fees in connection with their defense against Plaintiff's claims.

19. Counsel spent considerable time performing the work required to defend Defendants against Plaintiff's claims *after* Plaintiff failed to accept Defendants' Offer of Judgment. *See* **Exhibit 7-A**.

20. The total amount of attorney's fees incurred by Defendants from Holland & Hart was $151,059.00.[1]

21. I declare under penalty of perjury of the laws of the State of Nevada that the foregoing is true and correct.

J. Stephen Peek

J. STEPHEN PEEK, ESQ.

14228664_v3

[1] Defendants anticipate that they will continue to incur fees through the hearing on this Motion and reserves the right to supplement this amount at the time of the hearing.

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LAS VEGAS, NV 89134

EXHIBIT 7-A

HOLLAND&HART LLP

IRS EMPLOYER NO. [redacted]
PLEASE REMIT TO:
P.O. BOX 17283
DENVER, CO 80217-0283

January 23, 2020

Paul S. Padda 4560 S. Decatur Blvd #300 Las Vegas, NV 89103	Invoice No. H&H Ref. No. Client No. Attorney:	1785980 3251818 105516 JSPeek

Regarding: Matter No. 0001 - adv. Ruth Cohen

Invoice Summary

Current fees	**$69,822.00**
Less discount on current fees for invoice #1776444 due to incorrect billing rate.	**$-771.00**
Current fees less discount	**$69,051.00**
Current disbursements	**$13,650.74**
Current charges this invoice	**$82,701.74**
Total outstanding invoices	**$86,177.39**
Total current charges plus outstanding balance	**$168,879.13**

T 303.295.8000 F 303.295.8261
555 17th Street, Suite 200, Denver, CO 80202-3921
Mail to: P.O. Box 8749, Denver, CO 80201-8749
www.hollandhart.com

Holland & Hart LLP

105516 Padda, Paul S.	Invoice No. H&H Ref. No.	1785980 3251818

For professional services rendered through December 31, 2019

Itemized Fees

Description of Work	Date	Tkpr	Hours
[redacted]	12/02/19	RAS	2.60
[redacted]	12/02/19	SAN	1.60
[redacted]	12/03/19	JSP	0.30
[redacted]	12/03/19	BDD	0.80
[redacted]	12/03/19	RAS	3.50
[redacted]	12/03/19	SAN	1.90
[redacted]	12/04/19	JSP	0.20

[redacted]	12/04/19	BDD	1.80
[redacted]	12/04/19	RAS	7.70
[redacted]	12/04/19	SAN	3.80
[redacted]	12/05/19	BDD	1.70
[redacted]	12/05/19	BDD	1.80
[redacted]	12/05/19	BDD	0.40

[redacted]	12/05/19	RAS	7.20
[redacted]	12/05/19	SAN	3.10
[redacted]	12/06/19	JSP	0.90
[redacted]	12/06/19	BDD	2.10
[redacted]	12/06/19	RAS	4.60
[redacted]	12/06/19	BDD	4.10
[redacted]	12/06/19	SAN	1.20

Holland & Hart LLP

105516 Padda, Paul S.	Invoice No. H&H Ref. No.	1785980 3251818

[redacted]			
[redacted]	12/08/19	JSP	0.70
[redacted]	12/09/19	JSP	2.90
[redacted]	12/09/19	BDD	1.20
[redacted]	12/09/19	RAS	2.90
[redacted]	12/09/19	SAN	2.90
[redacted]	12/10/19	JSP	1.10
[redacted]	12/10/19	BDD	0.40
[redacted]	12/10/19	BDD	1.10

[redacted]	12/10/19	RAS	7.70
[redacted]	12/10/19	SAN	3.70
[redacted]	12/11/19	JSP	1.20
[redacted]	12/11/19	BDD	0.80
[redacted]	12/11/19	BDD	0.90
[redacted]	12/11/19	BDD	0.70
[redacted]	12/11/19	RAS	7.70
[redacted]	12/11/19	SAN	4.10

[redacted]			
[redacted]	12/12/19	JSP	1.40
[redacted]	12/12/19	RAS	5.70
[redacted]	12/12/19	SAN	3.60
[redacted]	12/13/19	JSP	0.30
[redacted]	12/13/19	BDD	1.50
[redacted]	12/13/19	RAS	6.90
[redacted]	12/13/19	SAN	0.80

Holland & Hart LLP

105516 Padda, Paul S.	Invoice No. H&H Ref. No.	1785980 3251818

[redacted]			
[redacted]	12/15/19	RAS	8.10
[redacted]	12/16/19	JSP	3.20
[redacted]	12/16/19	BDD	2.30
[redacted]	12/16/19	BDD	1.30
[redacted]	12/16/19	RAS	7.90
[redacted]	12/16/19	SAN	2.80

[redacted]			
[redacted]	12/17/19	JSP	0.80
[redacted]	12/17/19	BDD	4.00
[redacted]	12/17/19	RAS	5.60
[redacted]	12/17/19	SAN	3.10
Review/analyze/respond to e-mail correspondence and attachments regarding OOJ, Larry Stewart expert report, draft order on Motion to Compel, Motion for Summary Judgment, Paul's continued deposition, Wells Fargo documents, Wayne Price Declaration and certification of Wayne Price documents, [redacted]	12/18/19	JSP	2.30
Finalize motion for summary judgment for filing (3.60); draft motion to redact and seal regarding motion for	12/18/19	RAS	5.10

summary judgment (0.80); review subpoenaed documents from Wells Fargo (0.50); telephone conference with Mr. Padda [redacted] (0.20);			
Research Nevada and federal law regarding admissibility [redacted]; research Nevada law regarding admissibility of evidence of bias and motivation for testimony and discretion of Court in limiting the same;	12/18/19	BDD	4.10
Draft and revise Motion in Limine to Exclude Prior Specific Instances of Conduct of Joshua Ang;	12/18/19	BDD	1.80
Draft and revise Motion to Seal related to exhibits to Motion for Summary Judgment; review and revise the same in advance of filing;	12/18/19	BDD	1.10
Review updated motion for summary judgment draft and declaration of RASemerad; cross-check all citations in pleadings, revise exhibit lists and markings of cited testimony in exhibits; redact confidential information from motion to be submitted with motion to seal; communications with the team regarding the same; assist with finalization of appendix of exhibits and motion for submittal to the Court; communications with Ms. Baker [redacted]; review documents produced by Wells Fargo pursuant to subpoena, redact confidential information and prepare the same for production; communications with Ms. Peterson and RASemerad [redacted]	12/18/19	SAN	3.70
Review e-mail correspondence.	12/19/19	JSP	0.40
Review and revise Motions in Limine in advance of filing; revise the same in accordance with proposed stipulation;	12/19/19	BDD	3.50
Draft and revise Stipulation and Order to exclude documents; telephone conference with Tammy Peterson [redacted]; review and revise proposed stipulations regarding exclusion of evidence;	12/19/19	BDD	1.30
Communications with Ms. Parcells, JLinton and VLLarsen [redacted]; update master deposition exhibit matrix and binders; follow-up with team [redacted]; begin preparation of master matrix	12/19/19	SAN	3.30

identifying all cases at-issue in this matter, including information regarding recovery details, retainer agreements, billings/ledgers, offers of judgment and other pertinent documents produced;			
Review, analyze, and respond to e-mail correspondence and attachments regarding MILs, extension of time to respond to MSJ and MILs, and juror questionnaires and survey. Telephone calls Tammy [redacted] Telephone calls Paul [redacted]. Conference call with Professor Hillman and Tammy Peterson [redacted]	12/20/19	JSP	4.90
Finalize motions in limine for filing (7.30); telephone conference with Liane Wakayama and Jared Moser to meet-and-confer regarding motion in limine to exclude evidence of plaintiff's quantum meruit damages or work performed on cases (0.30); telephone conference with Ms. Tammy Peterson [redacted]	12/20/19	RAS	8.10
Draft and revise Motion in Limine to Exclude Health Issues of Ruth Cohen; draft and revise Motion to Seal Motion in Limine regarding Josh Ang; review and revise Motion in Limine regarding expert disclosure; draft and revise Motion to Seal Motion in Limine regarding Prior Conduct of Patricia Davidson; prepare and finalize redacted portions of Motion in Limine regarding Prior Conduct of Patricia Davidson; prepare redacted version of Motion in Limine related to prior conduct of Joshua Ang;	12/20/19	BDD	5.40
Continue preparation of master matrix identifying all cases at-issue in this matter and pertinent details thereto; communications with the team [redacted]; update document disclosure, document production, and subpoenaed documents master matrix and binders; updated deposition transcript and exhibit master matrix and binders; communications with the team [redacted]; assist with finalization of motions in limine and preparation of all exhibits to each motion;	12/20/19	SAN	6.40
Draft motion to approve defendants' jury questionnaire on an order shortening time;	12/22/19	RAS	2.10

Review e-mail correspondence.	12/23/19	JSP	0.30
Draft opposition to plaintiff's motion to extend time for filing oppositions to motion for summary judgment and motions in limine (3.90); telephone conference with Mr. Padda [redacted] (0.70);	12/23/19	RAS	4.60
Research Nevada law regarding permissible contents of jury questionnaire; review Plaintiff's Motion for Jury Questionnaire; draft and revise Defendants' Opposition to Plaintiff's Motion for Jury Questionnaire and Countermotion;	12/23/19	BDD	4.90
Review Plaintiff's Motions in Limine 1 through 8 in advance of conference call [redacted]	12/23/19	BDD	1.80
Telephone conference with N. Baker and R. Semerad [redacted]	12/24/19	BDD	1.10
Telephone conference with Ms. Nikki Baker and BDDowning [redacted] (1.20); finalize opposition to plaintiff's motion to extend (1.50);	12/24/19	RAS	2.70
Review communications regarding jury questionnaire status, dispositive motion/MIL deadlines and hearing dates, opposition to Plaintiff's motion to extend deadlines and countermotion to advance hearing, and potential witness tampering/motion for sanctions and determine impending deadlines and tasks to be completed; review opposition and errata to Plaintiff's motion to extend deadlines and countermotion to advance hearing; review Court's docket to determine if Plaintiff's motion to extend is set for hearing or Chambers decision;	12/24/19	SAN	0.90
Review/respond to e-mail correspondence regarding Motion for Sanctions.	12/25/19	JSP	0.40
Review Plaintiff's Motion in Limine to Strike Robert Vannah as an Expert and Exclude his Report and Testimony;	12/26/19	BDD	0.60
Review/respond to e-mail correspondence.	12/27/19	JSP	0.30
Draft and revise Defendants' Opposition to Plaintiff's	12/27/19	BDD	1.20

Motion in Limine to Strike Robert Vannah as an Expert and Exclude his Report and Testimony;			
Review/respond to e-mail correspondence regarding Motion to Compel and Motion for Sanctions, [redacted] Wayne Price e-mails with Ruth Cohen, and billing;	12/30/19	JSP	1.10
Draft motion to compel production of documents regarding Wayne Price and other witness communications with plaintiff on an order shortening time;	12/30/19	RAS	3.10
Draft and revise Defendants' Opposition to Plaintiff's Motion in Limine to Strike Robert Vannah as an Expert and Exclude his Report and Testimony; review Plaintiff's Motion in Limine and draft Defendants' Opposition to Plaintiff's Motion in Limine No. 6 to Exclude Testimony of Seth Cogan;	12/30/19	BDD	1.10
Review hearing update communications from the team for impending deadlines and tasks to be completed; prepare additional text message documents for production; prepare thirty-fourth supplemental disclosure; communications with team [redacted]; review Plaintiff's thirteenth supplemental disclosure and extract produced documents from the same; update disclosure and document production master indices;	12/30/19	SAN	1.30
Review/respond to e-mail correspondence regarding Motion to Compel and OST for Motion to Compel, meet and confer prior to Motion to Compel;	12/31/19	JSP	1.10
Finalize motion to compel;	12/31/19	RAS	2.80
Review and revise Defendants' Motion to Compel in advance of filing;	12/31/19	BDD	2.70
Begin preparation of exhibits to motion to compel production and second deposition of Plaintiff for filing with the Court; communications with RASemerad [redacted];	12/31/19	SAN	0.80

Total Current Fees: $69,822.00

105516 Padda, Paul S.	Invoice No. H&H Ref. No.	1785980 3251818

Timekeeper Summary

Timekeeper	Tkpr ID	Rate	Hours	Amount
SANoyce	2685	205.00	49.00	10,045.00
JSPeek	5527	650.00	23.80	15,470.00
RASemerad	6056	270.00	106.60	28,782.00
BDDowning	6119	270.00	57.50	15,525.00
			236.90	**$69,822.00**

Disbursements

Description of Disbursements	Date	Amount
Outside Fees: VENDOR: Nationwide Legal LLC; INVOICE#: NV193741-01; DATE: 8/7/2019 - Process Service	08/07/19	116.30
Outside Fees: VENDOR: Esquire Deposition Solutions ([redacted]); INVOICE#: INV1538585; DATE: 8/15/2019 - Transcript	08/15/19	1,209.85
Outside Fees: VENDOR: Certified Legal Video Services; INVOICE#: 17066; DATE: 9/14/2019 - Video deposition	09/14/19	138.39
Outside Fees: VENDOR: Ralph Rosenberg; INVOICE#: 109426; DATE: 9/24/2019 - Videotaped deposition	09/24/19	1,814.14
Ground Travel: 10/16/2019 - Amex - Parking - Parking for a Hearing	10/16/19	17.00
Electronic Filing Charges: Clark County: Stipulation and Proposed Order Regarding Special Master Review and Production of Certain Documents	10/21/19	3.50
Electronic Filing Charges: Clark County: Stipulation and Proposed Order Regarding Plaintiff's NRCP 30(B)(6) Deposition of Defendant Paul Padda Law, PLLC	10/23/19	3.50
Electronic Filing Charges: Clark County: Defendants' Motion for Protective Order Regarding Plaintiff's Deposition of Defendants on an Order Shortening Time	10/24/19	3.50
Electronic Filing Charges: Clark County: Notice of Withdrawal of Defendants' Motion for Protective Order Regarding Plaintiff's Deposition of Defendants on an Order Shortening Time	10/25/19	3.50
Outside Fees: VENDOR: Rocket Reporters; INVOICE#: 203976; DATE: 10/25/2019 - Transcripts	10/25/19	946.32

Outside Fees: VENDOR: Holo Discovery; INVOICE#: 8412; DATE: 10/29/2019 - Relativity Data Hosting	10/29/19	630.10
Electronic Filing Charges: Clark County: Defendants' Motion to Disqualify Plaintiff's Counsel, The Law Firm of Campbell & Williams on an Order Shortening Time for Hearing	10/30/19	3.50
Ground Travel: 11/06/2019 - Amex - Parking - Court Hearing - Garage Parking	11/06/19	11.00
Air Travel: 11/11/2019 - Amex - Airfare - Depo in Baltimore [TRIP CANCELLED}]	11/11/19	1,413.96
Auto Rental: 11/11/2019 - Amex - Car Rental - Depo in Baltimore [TRIP CANCELLED}]	11/11/19	30.00
Lodging: 11/12/2019 - Amex - Hotel - Lodging - Hotel Room for Hearing. 10% of the room is going to be refunded for the cancellation.	11/12/19	84.86
Outside Fees: VENDOR: Esquire Deposition Solutions ([redacted]); INVOICE#: INV1599013; DATE: 11/15/2019 - Deposition Services	11/15/19	1,665.86
Air Travel: 11/18/2019 - Amex - Airfare - Southwest Airline ticket refunded. [TRIP CANCELLED]	11/18/19	-1,413.96
Auto Rental: 11/18/2019 - Amex - Car Rental - Car rental refunded. [TRIP CANCELLED]	11/18/19	-30.00
Lodging: 11/21/2019 - Amex - Hotel - Lodging - 10% of the room fee was refunded [Depo in Baltimore Cancelled]	11/21/19	-8.48
Outside Fees: VENDOR: Rocket Reporters; INVOICE#: 204055; DATE: 11/22/2019 - Transcripts	11/22/19	477.50
Outside Fees: VENDOR: Rocket Reporters; INVOICE#: 204087; DATE: 11/22/2019 - Deposition of Sherry Prine.	11/22/19	505.20
Outside Fees: VENDOR: Holo Discovery; INVOICE#: 8657; DATE: 11/30/2019 - Relativity Data hosting	11/30/19	482.20
Outside Fees: VENDOR: LVLV; INVOICE#: 16927; DATE: 12/4/2019 - Video and transcripts	12/04/19	560.00
Outside Fees: VENDOR: Depo International ([redacted]); INVOICE#: 49936; DATE: 12/5/2019 - Transcripts	12/05/19	980.10
Outside Fees: VENDOR: Depo International ([redacted]); INVOICE#: 49965; DATE: 12/6/2019 - Deposition	12/06/19	488.75

105516 Padda, Paul S.	Invoice No.	1785980
	H&H Ref. No.	3251818

United Parcel Service: COM. NEXT DAY AIR, Larry Stewart, Global Forensic Services, L, SAN LUIS OBISPO, CA, 1Z3V3A670195774875	12/10/19	11.02
Process Service Fee/Cost: VENDOR: Legal Process Service; INVOICE#: 1910235; DATE: 12/12/2019 - Process Service	12/12/19	184.75
Outside Fees: VENDOR: Legal Process Service; INVOICE#: 1909602; DATE: 12/13/2019 - Process Service	12/13/19	235.80
Outside Fees: VENDOR: Rocket Reporters; INVOICE#: 204185; DATE: 12/18/2019 - Transcripts	12/18/19	930.05
Outside Fees: VENDOR: Rocket Reporters; INVOICE#: 204183; DATE: 12/19/2019 - Transcripts	12/19/19	820.20
Outside Fees: VENDOR: Rocket Reporters; INVOICE#: 204187; DATE: 12/19/2019 - Transcripts	12/19/19	377.85
Outside Fees: VENDOR: Rocket Reporters; INVOICE#: 204201; DATE: 12/19/2019 - Deposition	12/19/19	915.85
Outside Fees: VENDOR: Wells Fargo; INVOICE#: 332319; DATE: 12/23/2019 - Document production	12/23/19	38.63
	Total Current Disbursements:	**$13,650.74**

Outstanding Invoices as of 01/23/20

Invoice No.	Date	Amount Billed	Payments	Balance Due
1776444	12/09/19	186,177.39	100,000.00	86,177.39
			Total Outstanding Balance:	**$86,177.39**

HOLLAND&HART LLP

IRS EMPLOYER NO. [redacted]
PLEASE REMIT TO:
P.O. BOX 17283
DENVER, CO 80217-0283

January 23, 2020

Paul S. Padda 4560 S. Decatur Blvd #300 Las Vegas, NV 89103	Invoice No. H&H Ref. No. Client No. Attorney:	1785980 3251818 105516 JSPeek

Regarding: Matter No. 0001 - adv. Ruth Cohen

Invoice Summary

Current fees	**$69,822.00**
Less discount on current fees for invoice #1776444 due to incorrect billing rate.	**$-771.00**
Current fees less discount	**$69,051.00**
Current disbursements	**$13,650.74**
Current charges this invoice	**$82,701.74**
Total outstanding invoices	**$86,177.39**
Total current charges plus outstanding balance	**$168,879.13**

Thank you for your prompt payment. Questions regarding this invoice should be directed to the attorney responsible for your account, or Lisa Anderson, Billing Specialist in our Las Vegas office, at (702) 222-2553 or laanderson@hollandhart.com.

Due On Receipt

Please return this page with your remittance.

HOLLAND&HART LLP

IRS EMPLOYER NO. [redacted]
PLEASE REMIT TO:
P.O. BOX 17283
DENVER, CO 80217-0283

February 11, 2020

Paul S. Padda 4560 S. Decatur Blvd #300 Las Vegas, NV 89103	Invoice No. H&H Ref. No. Client No. Attorney:	1789907 3264994 105516 JSPeek

Regarding: Matter No. 0001 - adv. Ruth Cohen

Invoice Summary

Current fees	**$103,650.00**
Current disbursements	**$8,403.63**
Current charges this invoice	**$112,053.63**
Total outstanding invoices	**$82,701.74**
Total current charges plus outstanding balance	**$194,755.37**

This invoice may reflect changes to our billing rates that took effect on January 1, 2020.

105516 Padda, Paul S.	Invoice No. H&H Ref. No.	1789907 3264994

For professional services rendered through January 31, 2020

Itemized Fees

Description of Work	Date	Tkpr	Hours
Review/analyze/respond to e-mail correspondence regarding Motion to Compel, hospital release, juror questionnaire, proposed order, upcoming focus group.	01/02/20	JSP	1.40
Draft opposition to plaintiff's motion in limine regarding prior cases (1.30); draft opening/closing statement for jury research (2.80);	01/02/20	RAS	4.10
Review/respond to e-mail correspondence regarding Wayne Price deposition and Wayne Price documents, form of Order on Jury Questionnaires and Wayne Price e-mails, Joint Pretrial Memorandum, Motion to Compel,	01/03/20	JSP	1.40
Telephone conference with Mr. Padda [redacted] (0.60); draft motion for sanctions (6.80); review and revise plaintiff's proposed order on jury questionnaire and document certification (0.70);	01/03/20	RAS	8.10
Begin preparation of joint pretrial memorandum; communications with RASemerad [redacted];	01/03/20	SAN	2.90
Review/analyze/respond to e-mail correspondence and attachments regarding collection of Wayne Price e-mails, preparation for focus groups, draft order, joint pretrial memorandum, Opposition to Motion to Compel, production of documents from Wayne Price and Ruth Cohen. Telephone call Paul [redacted]. Review documents produced.	01/06/20	JSP	3.80
Research federal law regarding timing of supplemental disclosure requirements, prejudice resulting from delay, and standard for granting sanctions in connection with a violation;	01/06/20	BDD	2.60
Draft motion for sanctions (8.30); telephone conference with Mr. Padda [redacted] (0.30); draft reply in support of motion to compel (2.10);	01/06/20	RAS	10.70
Draft and revise Opposition to Plaintiff's Motion in Limine No. 6;	01/06/20	BDD	0.90

Communications with team [redacted]; begin preparation of master indexed set of key documents; telephone conference with Ms. Davidson [redacted]; meeting with Mr. Agnew [redacted]; prepare hard drive with copies of video files; convert Relativity load files produced by Plaintiff with her fourteenth supplemental disclosure to PDF files and circulate the same to the team;	01/06/20	SAN	3.80
Attend focus groups presentation [redacted]. Work on production of Wayne Price e-mails. Prepare for hearing on Motion to Compel.	01/07/20	JSP	10.50
Draft and revise Opposition to Plaintiff's Motion in Limine No. 6; review Plaintiff's Motion in Limine No. 1 and outline Opposition in connection with the same;	01/07/20	BDD	5.90
Review for relevance and privilege documents identified by Net Effect (2.30); create supplemental disclosure and privilege log (1.20); draft declaration clarifying Net Effect service ticket (1.50);	01/07/20	RAS	5.00
Communications with Ms. Peterson [redacted]; telephone conferences with Ms. Davidson and Ms. Peterson [redacted]; meetings with RASemerad [redacted]; review banker's box of e-mails provided by NetEffect and work with RASemerad to determine privileged documents, irrelevant documents, and documents to be produced; prepare privilege log and thirty-fifth supplemental disclosure;	01/07/20	SAN	4.40
Prepare for and attend hearing on Motion to Compel. Work on Motion for Sanctions. Review/respond to e-mail correspondence regarding hearing on Motion to Compel, draft order on Motion to Compel, Ruth's e-mail production, jury questionnaire, Joint Pretrial Memorandum, and preparing Motion for Sanctions.	01/08/20	JSP	2.90
Telephone conference with Mr. Padda [redacted] (0.80); draft opposition to plaintiff's motion in limine regarding prior litigation (3.50); prepare joint pretrial memorandum (0.50);	01/08/20	RAS	4.80

Draft and revise Opposition to Plaintiff's Motion in Limine No. 6; review and analyze Plaintiff's Motion in Limine No. 1 and outline Opposition in connection with the same;	01/08/20	BDD	5.90
Communications with Ms. Parcells and VLLarsen [redacted]; prepare updated master deposition exhibit index; communications with RASemerad [redacted];	01/08/20	SAN	2.20
Review and respond to e-mail correspondence and attachments regarding Joint Pretrial Memorandum identifying witnesses and exhibits for trial, Wayne Price deposition, hearing transcript and editing draft order on Motion to Compel, supplemental disclosure from Ruth Cohen, jury questionnaire;	01/09/20	JSP	1.40
Draft and revise Opposition to Plaintiff's Motion in Limine No. 1 (1.2); review and revise Opposition to Plaintiff's Motion in Limine No. 8 (1.8); review Defendants Opposition to Plaintiff's Motion in Limine No. 3 (.3); review Defendants Opposition to Plaintiff's Motion in Limine No. 2 (.6);	01/09/20	BDD	3.90
Draft opposition to plaintiff's motion in limine regarding prior litigation (0.70); telephone conference with Mr. Padda [redacted] (0.60); draft proposed order granting motion to compel (1.30); edit joint pretrial memorandum (0.60); draft opposition to plaintiff's motion in limine regarding witness disclosures (3.10); draft opposition to plaintiff's motion in limine regarding accountant-client privileged communications (1.10);	01/09/20	RAS	7.40
Communications with Ms. Parcells [redacted]; begin review of oppositions to motions in limine and preparation of exhibits to each opposition; communications with RASemerad, VLLarsen and JLinton [redacted];	01/09/20	SAN	2.60
Review/analyze/respond to e-mail correspondence and attachments regarding joint pretrial memorandum, scheduling hearing dates, Cohen status report for delivery of devices, Opposition to Motion for Summary Judgment, and Motions in Limine. Work on joint pretrial memorandum and upcoming pretrial conference.	01/10/20	JSP	1.90

Draft opposition to plaintiff's motion in limine to exclude communications with Daniel Kim (3.10); draft joint pretrial memorandum (2.90); telephone conference with Mr. Don Campbell, Ms. Liane Wakayama, and Ms. Tammy Peterson regarding pretrial disclosures and joint pretrial memorandum (0.50); draft stipulation and order to move deadlines associated with joint pretrial memorandum (1.40); draft opposition to plaintiff's motion in limine to exclude evidence from prior litigation (0.90); review plaintiff's opposition to motion for summary judgment (1.20);	01/10/20	RAS	10.00
Review draft pretrial disclosures and exhibit list; provide responses to the team [redacted]; attend meet and confer telephone conference with opposing counsel, Ms. Peterson and RASemerad regarding joint pretrial memorandum and pretrial disclosures; meeting with RASemerad [redacted]; communications with RASemerad and Ms. Peterson [redacted]; continue preparation of exhibits to oppositions to motions in limine; communications with Ms. Parcells [redacted]; review exhibit list draft and provide comments and suggested changes to Ms. Parcells and Ms. Peterson; revise joint pretrial memorandum with updated witness information from the pretrial disclosures;	01/10/20	SAN	5.30
Review e-mail correspondence regarding Joint Pretrial Memorandum. Work on Motion for Sanctions.	01/12/20	JSP	0.80
Review and work on Motion for Sanctions. Review/respond to e-mail correspondence. Telephone call Paul [redacted].	01/13/20	JSP	3.90
Review plaintiff's proposed pretrial memorandum (1.20); telephone conference with Mr. Don Campbell and Ms. Liane Wakayama regarding joint pretrial memorandum (0.50); draft motion for sanctions (0.80);	01/13/20	RAS	2.50
Work on Motion for Sanctions. Telephone call Paul [redacted]. Review/respond to e-mail correspondence.	01/14/20	JSP	4.20
Review and analyze Plaintiff's Opposition to Defendants' Motion in Limine No. 5 and outline reply; review and	01/14/20	BDD	0.80

analyze Plaintiff's Opposition to Defendants' Motion in Limine No. 8 and outline reply; review and analyze Plaintiff's Opposition to Defendants' Motion in Limine No. 11 and outline reply;			
Draft motion for sanctions (5.10); prepare joint pretrial memorandum (0.60); prepare notice of submission regarding order granting motion to compel (0.50); draft motion to seal and redact confidential portions of motion for sanctions and exhibits thereto (1.20);	01/14/20	RAS	7.40
Review communications with opposing counsel regarding competing orders on motion to compel; communications regarding court reporter invoices and status of the same; communications with VLLarsen and RASemerad [redacted]; begin review of Plaintiff's pretrial memorandum and strategy to combine substantive portions of draft into comprehensive joint pretrial memorandum; begin preparation of joint exhibit list; review draft motion for sanctions;	01/14/20	SAN	1.60
Finalize Motion for Sanctions. Work on Joint Pretrial Memorandum. Review e-mail correspondence.	01/15/20	JSP	1.90
Review and analyze Plaintiff's Oppositions to Defendants' Motions in Limine No. 1-4, 6-7, 9-10, and 12-14 in advance of telephone conference to discuss replies to the same;	01/15/20	BDD	1.20
Review and analyze Plaintiff's Opposition to Defendants' Motion in Limine No. 5 and outline reply; review and analyze Plaintiff's Opposition to Defendants' Motion in Limine No. 8 and outline reply; review and analyze Plaintiff's Opposition to Defendants' Motion in Limine No. 11 and outline reply;	01/15/20	BDD	0.70
Finalize motion for sanctions (1.70); telephone conference with Nikki Baker, Tammy Peterson, and BDDowning [redacted] (0.50); telephone conference with Mr. Padda [redacted] (0.40);	01/15/20	RAS	2.60
Review motion for sanctions and continue preparation of exhibits for filing with the same; communications with RASemerad, VLLarsen and JLinton [redacted]; continue preparation of joint pretrial memorandum, witness lists and exhibit list; communications with the team [redacted];	01/15/20	SAN	4.10

Review and comment [redacted]. Review respond to e-mail correspondence and attachments regarding Order Granting Motion to Compel, Joint Pretrial Memorandum, and Motion for Sanctions. Work on Joint Pretrial Memorandum.	01/16/20	JSP	2.10
Draft joint pretrial memorandum (1.70); prepare joint exhibit list (4.90); telephone conference with Mr. Padda [redacted] (0.40);	01/16/20	RAS	7.00
Continue preparation of joint exhibit list; determine duplicates between Plaintiff's list, our list and the deposition exhibits and code each exhibit; accordingly, communications with RASemerad, JSPeek and Ms. Peterson [redacted]; communications with Ms. Parcells [redacted];	01/16/20	SAN	5.40
Review e-mail correspondence and attachments regarding Joint Pretrial Memorandum	01/17/20	JSP	0.20
Prepare joint pretrial memorandum (1.10); prepare joint exhibit list (6.40);	01/17/20	RAS	7.50
Extract client e-mails produced from Relativity and convert all documents to PDF copies for counsel's review; communications with RASemerad [redacted]; review personal injury/employment client entries on exhibit list and provide descriptions of documents according to bates range; review bulk entries from ESI productions and prepare individual entries on exhibit list for pertinent e-mails to be included; continue review and revisions of exhibit list for de-duplication, addition and removal of necessary exhibits; communications with RASemerad [redacted];	01/17/20	SAN	6.20
Work on [redacted] with Paul, Tammy, and Ryan.	01/18/20	JSP	6.00
Prepare joint exhibit list and other demonstrative exhibits (1.60); meeting with Mr. Padda, Ms. Tammy Peterson, and JSPeek [redacted] (5.30);	01/18/20	RAS	6.90
Revise and de-duplicate joint exhibit list;	01/19/20	RAS	4.10
Draft and revise Defendants' Reply to Defendants' Motion in Limine No. 5; research Nevada and federal law regarding	01/20/20	BDD	6.70

personal knowledge and using gossip and rumor as basis for witness testimony; review Plaintiff's Opposition to Defendants' Motion in Limine No. 8; draft Reply in Support of Defendants' Motion in Limine No. 8;			
Revise, de-duplicate, put in chronological order joint exhibit list (5.10); telephone conference with Ms. Nikki Baker [redacted] (0.50); telephone conference with Mr. Padda [redacted] (1.00); review and scrub plaintiff's Facebook account for relevant communications (0.90);	01/20/20	RAS	7.50
Review documents just produced by Ruth Cohen. Work on Reply in Support of Motion for Sanctions. Prepare for hearing on Motion for Sanctions. Work on Joint Pretrial Memorandum. Review/respond to e-mail correspondence and attachments regarding juror questionnaires. Work on Reply is Support of MSJ.	01/21/20	JSP	3.20
Draft and revise Defendants' Reply to Defendants' Motion in Limine No. 5; Draft and revise Defendants' Reply to Defendants' Motion in Limine No. 8;	01/21/20	BDD	3.40
Review plaintiff's opposition to motion for sanctions (1.20); draft reply in support of motion for sanctions (3.10); update joint pretrial exhibit list (0.50); review opposition to defendants' motion in limine regarding evidence of a supposed romantic relationship between Mr. Padda and Patty Davidson (0.90); draft reply in support of defendants' motion in limine regarding evidence of a supposed romantic relationship between Mr. Padda and Patty Davidson (3.50); telephone conference with Mr. Padda [redacted] (0.70);	01/21/20	RAS	9.90
Convert Relativity load files produced by Plaintiff with her sixteenth supplemental disclosure to PDF files and circulate the same to the team; update document disclosure and document production binders and master index; continue review and revisions to joint exhibit list, including de-duplication, breaking out of block ESI exhibit entries for Wayne Price and Daniel Kim e-mails into singular exhibits, and chronological indexing of each exhibit; communications with RASemerad [redacted];	01/21/20	SAN	6.10
Prepare for and attend hearing on Motion for Sanctions.	01/22/20	JSP	2.90

Review/analyze/respond to e-mail correspondence with attachments regarding outcome of hearing, Ruth's reinstatement documents, Wayne Price continued deposition, Joint Pretrial Memorandum, jury selection and focus group summary, and MIL Replies and Oppositions			
Draft and revise Defendants' Reply to Defendants' Motion in Limine No. 5; draft and revise Reply in Support of Defendants' Motion in Limine No. 8; draft and revise Reply in Support of Defendants' Motion in Limine No. 11;	01/22/20	BDD	4.20
Draft replies in support of defendants' motions in limine numbers 1, 4, 6, 7, 9, 10, 12, 13, and 14;	01/22/20	RAS	12.20
Continue review and revisions to joint exhibit list, including addition of additional pertinent exhibits, de-duplication and removal of block entries and re-entry of the same as individual exhibits; communications with RASemerad [redacted]; review joint pretrial memorandum draft from Plaintiff's counsel and make necessary revisions to the same; communications with RASemerad and Ms. Peterson [redacted];	01/22/20	SAN	2.60
Work on Joint Pretrial Memorandum exhibit list, objections to exhibits, and witnesses.	01/23/20	JSP	4.10
Draft and revise Defendants' Reply to Defendants' Motion in Limine No. 5; draft and revise Reply in Support of Defendants' Motion in Limine No. 8; draft and revise Reply in Support of Defendants' Motion in Limine No. 11; draft and revise Motions to Seal for Motions in Limine Nos. 5 and 8;	01/23/20	BDD	5.30
Communications with Ms. Peterson and JSPeek [redacted]; meeting with JSPeek [redacted]; begin review of additional issues found within exhibit list necessary to resolve prior to finalization; update document disclosure and document production binders and master index;	01/23/20	SAN	4.70
Continued work on Joint Pretrial Memorandum to finalize for filing. Review MSJ pleadings in preparation for hearing on Motion for Summary Judgment. Review/respond to e-mail correspondence regarding MILs, writ relief, Reply in Support of MSJ. Telephone call Paul [redacted]	01/24/20	JSP	5.90

[redacted]

Review and revise Defendants' Replies to Defendants' Motions in Limine; draft and revise Motions to Seal for Motions in Limine Nos. 5 and 8;	01/24/20	BDD	1.60
Continue review of additional issues found within exhibit list necessary to resolve prior to finalization; prepare summary of status and additional tasks completed for team's review; continue revisions to objections to exhibit list and revisions to joint pretrial memorandum; meeting with JSPeek [redacted]; communications with opposing counsel and the team regarding joint pretrial memorandum and witness list; finalize documents for filing with the Court;	01/24/20	SAN	4.40
Prepare for hearing on Motion for Summary Judgment.	01/26/20	JSP	3.70
Prepare for and attend hearing on Motion for Summary Judgment. e-mail correspondence regarding MSJ and next steps. Telephone call Paul.	01/27/20	JSP	1.40
Attend hearing on motion for summary judgment (2.10); prepare draft order granting motion for summary judgment (1.90);	01/27/20	RAS	4.00
Communications with RASemerad [redacted]; review communications and task list of items to be completed following granting of motion for summary judgment;	01/27/20	SAN	0.40
Review/analyze/respond to e-mail correspondence regarding draft order on Motion for Sanctions, cost bill, attorneys' fees,	01/28/20	JSP	0.90
Prepare order granting motion for summary judgment;	01/28/20	RAS	2.50
Begin preparation of draft verified memorandum of costs; meeting with JSPeek and VLLarsen [redacted];	01/28/20	SAN	1.10
Conference with Ryan [redacted]. Conference call with Paul and Ryan [redacted]. Review/analyze/respond to e-mail correspondence and attachment regarding draft Order on Motion for Sanctions.	01/29/20	JSP	1.40

Telephone conference with Mr. Padda [redacted] (0.90); draft proposed order granting motion for summary judgment (0.50);	01/29/20	RAS	1.40
Begin review, edit and comment on proposed order on MSJ. Review and respond to e-mail correspondence regarding draft order and costs.	01/30/20	JSP	1.30
Draft order granting motion for summary judgment (2.90); telephone conference with Mr. Padda [redacted] (0.70);	01/30/20	RAS	3.60
Continue preparation of verified memorandum of costs; discussions with VLLarsen and LAnderson [redacted]; communication with the team [redacted];	01/30/20	SAN	3.90
Review edit and comment on proposed draft of order on MSJ. Review and respond to e-mail correspondence regarding draft order.	01/31/20	JSP	1.20
Communications with Ms. Parcells [redacted];	01/31/20	SAN	0.10

Total Current Fees: $103,650.00

Timekeeper Summary

Timekeeper	Tkpr ID	Rate	Hours	Amount
SANoyce	2685	205.00	61.80	12,669.00
JSPeek	5527	650.00	68.40	44,460.00
RASemerad	6056	270.00	129.20	34,884.00
BDDowning	6119	270.00	43.10	11,637.00
			302.50	**$103,650.00**

Disbursements

Description of Disbursements	Date	Amount
Outside Fees: VENDOR: Holo Discovery; INVOICE#: 7830; DATE: 8/16/2019 - Relativity Hosting July 2019.	08/16/19	678.22

Outside Fees: VENDOR: Holo Discovery; INVOICE#: 7935; DATE: 8/16/2019 - Process PSTs and run search terms.	08/16/19	1,686.40
Outside Fees: VENDOR: Holo Discovery; INVOICE#: 8051; DATE: 8/29/2019 - Relativity Hosting August 2019.	08/29/19	728.18
Other Charges: VENDOR: Holo Discovery; INVOICE#: 8270; DATE: 9/30/2019 - Relativity Hosting September 2019.	09/30/19	680.37
Process Service Fee/Cost: VENDOR: Legal Process Service; INVOICE#: 1908124; DATE: 9/30/2019 - Process Services	09/30/19	443.90
Outside Fees: VENDOR: Rocket Reporters; INVOICE#: 203989; DATE: 10/24/2019 - Transcript	10/24/19	1,532.26
Electronic Filing Charges: Clark County: Defendants' Opposition to Plaintiff's Motion to Compel Defendants' Production of Documents on An Order Shortening Time	11/05/19	3.50
Ground Travel: 11/06/2019 - Amex - Parking - Parking during hearing	11/06/19	17.00
Electronic Filing Charges: Clark County: Status Report on Paul Padda's Desktop Computer	11/12/19	3.50
Electronic Filing Charges: Clark County: Certificate of Compliance Regarding Seth Cogan Communications	11/13/19	3.50
Ground Travel: 11/18/2019 - Amex - Parking - Parking at airport for depo	11/18/19	15.00
Electronic Filing Charges: Clark County: Ann Margaret Cotter's Motion to Retax or Deny Costs	11/19/19	3.50
Outside Fees: VENDOR: Rocket Reporters; INVOICE#: 204047; DATE: 11/22/2019 - Transcripts	11/22/19	1,735.50
Electronic Filing Charges: Clark County: Amended Status Report on Paul Padda's Desktop Computer and Flash Drives	11/22/19	3.50
Electronic Filing Charges: Clark County: Stipulation and Order Regarding Inspection of Ruth Cohen's Computer	11/26/19	3.50
Ground Travel: 12/04/2019 - Amex - Parking - Parking for hearing.	12/04/19	8.00
Ground Travel: 12/09/2019 - Amex - Parking - during hearing	12/09/19	18.00
Ground Travel: 12/16/2019 - Amex - Parking - Court Hearing	12/16/19	17.00
Outside Fees: VENDOR: Holo Discovery; INVOICE#: 8860; DATE: 12/31/2019 - Ruth Cohen v. Paul Padda, et al	12/31/19	332.20

105516 Padda, Paul S.	Invoice No. H&H Ref. No.	1789907 3264994

Outside Fees: VENDOR: Florence M. Hoyt; INVOICE#: 01092020; DATE: 1/9/2020 - Transcript of Motion to Compel	01/09/20	174.75
Ground Travel: 01/16/2020 - Amex - Parking - Hearing	01/16/20	4.00
Outside Fees: VENDOR: Holo Discovery; INVOICE#: 8960; DATE: 1/23/2020 - Printing Services.	01/23/20	230.30
Outside Fees: VENDOR: Florence M. Hoyt; INVOICE#: 2001014; DATE: 1/24/2020 - Transcript Hearing on Defendants' Motion for Sanctions	01/24/20	81.55
	Total Current Disbursements:	**$8,403.63**

Outstanding Invoices as of 02/11/20

Invoice No.	Date	Amount Billed	Payments	Balance Due
1785980	01/23/20	82,701.74	0.00	82,701.74
			Total Outstanding Balance:	**$82,701.74**

HOLLAND&HART LLP

IRS EMPLOYER NO. [redacted]
PLEASE REMIT TO:
P.O. BOX 17283
DENVER, CO 80217-0283

February 11, 2020

Paul S. Padda 4560 S. Decatur Blvd #300 Las Vegas, NV 89103	Invoice No. H&H Ref. No. Client No. Attorney:	1789907 3264994 105516 JSPeek

Regarding: Matter No. 0001 - adv. Ruth Cohen

Invoice Summary

Current fees	**$103,650.00**
Current disbursements	**$8,403.63**
Current charges this invoice	**$112,053.63**
Total outstanding invoices	**$82,701.74**
Total current charges plus outstanding balance	**$194,755.37**

This invoice may reflect changes to our billing rates that took effect on January 1, 2020.

Thank you for your prompt payment. Questions regarding this invoice should be directed to the attorney responsible for your account, or Lisa Anderson, Billing Specialist in our Las Vegas office, at (702) 222-2553 or laanderson@hollandhart.com.

Due On Receipt

Please return this page with your remittance.

HOLLAND&HART LLP

IRS EMPLOYER NO. [redacted]
PLEASE REMIT TO:
P.O. BOX 17283
DENVER, CO 80217-0283

March 10, 2020

Paul S. Padda 4560 S. Decatur Blvd #300 Las Vegas, NV 89103	Invoice No. H&H Ref. No. Client No. Attorney:	1797318 3284132 105516 JSPeek

Regarding: Matter No. 0001 - adv. Ruth Cohen

Invoice Summary

Current fees	**$26,590.50**
Current disbursements	**$4,094.68**
Current charges this invoice	**$30,685.18**
Total outstanding invoices	**$103,650.00**
Total current charges plus outstanding balance	**$134,335.18**

This invoice may reflect changes to our billing rates that took effect on January 1, 2020.

Holland & Hart LLP

105516 Padda, Paul S.	Invoice No. H&H Ref. No.	1797318 3284132

For professional services rendered through February 29, 2020

Itemized Fees

Description of Work	Date	Tkpr	Hours
Review/respond to e-mail correspondence regarding Hillman billing, fees on Motion for Sanctions.	02/03/20	JSP	0.30
Draft proposed order granting motion for summary judgment;	02/03/20	RAS	1.90
Begin preparation of draft verified memorandum of costs;	02/03/20	SAN	0.70
Follow-up communications with Mr. Padda [redacted];	02/05/20	SAN	0.10
Draft proposed order granting motion for summary judgment;	02/06/20	RAS	1.10
Begin review of back-up documentation from Peterson Baker and Mr. Padda for inclusion with memorandum of costs; communications with VLLarsen [redacted];	02/06/20	SAN	0.80
Review/analyze/respond to e-mail correspondence with attached drafts regarding Order on Summary Judgment.	02/07/20	JSP	0.90
Review minute order regarding motions to redact or seal from the Court; review status of outstanding invoices to be paid to HOLO Discovery;	02/07/20	SAN	0.30
Work on finalizing changes to the draft FFCL. Review/respond to e-mail correspondence regarding FFCL. Prepare Notice of Submission of drafts of FFCL with edits and comments.	02/10/20	JSP	2.10
Finalize proposed order granting motion for summary judgment and prepare notice of submission regarding same;	02/10/20	RAS	2.20
Continue preparation of memorandum of costs, including review of all invoices and receipts received to-date, follow-up communications to Ms. Ozmon at Reisman Sorokac, Ms. Parcells at Peterson Baker and VLLarsen [redacted];	02/10/20	SAN	2.70

Review/respond to e-mail correspondence regarding Memorandum of Costs. Review and edit Memorandum of Costs. Finalize Notice of Submission of FFCL.	02/11/20	JSP	1.60
Prepare motion for attorneys' fees;	02/11/20	RAS	1.30
Continue preparation of memorandum of costs; communications to the team [redacted]; communications with RASemerad [redacted]; communications with Peterson Baker [redacted];	02/11/20	SAN	2.20
Draft motion for attorney's fees;	02/12/20	RAS	2.00
Communications with JSPeek and RASemerad [redacted]; follow-up communications with Ms. Ozmon [redacted];	02/12/20	SAN	0.30
Follow-up communications with Ms. Ozmon [redacted]; communications with JSPeek and RASemerad [redacted];	02/13/20	SAN	1.10
Prepare and submit order granting Defendants' motions to seal and/or redact (2.10); draft motion for attorney's fees (2.50);	02/17/20	RAS	4.60
Review back-up cost documentation from Reisman Sorokac; revise memorandum of costs; communications with RASemerad and JSPeek [redacted];	02/17/20	SAN	1.40
Review/respond to e-mail correspondence regarding Memorandum of Costs.	02/18/20	JSP	0.50
Finalize draft of motion for attorney's fees;	02/18/20	RAS	2.90
Communications with Mr. Reisman and Mr. Machado [redacted]; review documents produced by Special Master Iglody and determine exact page count of documents produced for inclusion in motion for fees; communications with RASemerad [redacted]; follow-up with Ms.	02/18/20	SAN	1.70

Parcells at Peterson Baker [redacted]; communications with Veritext regarding copies of outstanding invoices; revise memorandum of costs and communications with RASemerad and JSPeek [redacted]; communications with VLLarsen [redacted];			
Work on Memorandum of Costs. Review/draft/respond to e-mail correspondence regarding Memorandum of Costs. Review draft of Motion for Attorneys' Fees and meet with Ryan regarding Motion. Telephone call with Tammy [redacted]. Telephone call with Paul [redacted].	02/19/20	JSP	3.10
Draft declarations for JSPeek, Tammy Peterson, and Josh Reisman in support of motion for attorney's fees (2.60); telephone conference with JSPeek and Tammy Peterson [redacted] (0.50);	02/19/20	RAS	3.10
Continue preparation and revisions to memorandum of costs; communications with the team [redacted]; follow-up with VLLarsen and LAAnderson [redacted]; review Odyssey e-filing submissions and procure copies of receipts for e-filings made on behalf of Defendants;	02/19/20	SAN	2.90
Prepare motion for attorney's fees;	02/20/20	RAS	0.50
Continue preparation and revisions to memorandum of costs; communications with the team [redacted]; begin preparation and compilation of back-up documentation to be submitted with appendix of exhibits to memorandum of costs; follow-up with Veritext regarding status of invoice documentation;	02/20/20	SAN	3.40
Review e-mail correspondence and attachments regarding Memorandum of Costs.	02/21/20	JSP	0.30
Continue preparation and revisions to memorandum of costs; review LexisNexis report from Reisman Sorokac; begin preparation of draft declaration for Mr. Reisman's review and signature regarding research charges incurred by each member of his firm; communications with RASemerad and Reisman Sorokac [redacted];	02/21/20	SAN	2.80

Review and update verified memorandum of costs (0.60); continue drafting declaration of Josh Reisman in support of verified memorandum of costs (0.80); review plaintiff's motion for reconsideration (2.50);	02/23/20	RAS	3.90
Review and finalize Memorandum of Costs. Review, analyze, and discuss with Ryan [redacted]. Telephone call with Paul [redacted].	02/24/20	JSP	1.90
Telephone conference with Mr. Padda [redacted] (0.50); review plaintiff's motion for reconsideration (1.20); [redacted] draft opposition to plaintiff's motion for reconsideration (1.30);	02/24/20	RAS	7.00
Continue preparation and final revisions to memorandum of costs; follow-up communications with Reisman Sorokac [redacted]; revise and finalize declaration for Mr. Reisman's review and signature; revise appendix of exhibits for submittal with memorandum of costs; prepare exhibits for submittal to the Court, including revisions of sensitive information; communications with RASemerad, JSPeek and VLLarsen [redacted];	02/24/20	SAN	4.70
Draft opposition to plaintiff's motion for reconsideration (5.20); telephone conference with Mr. Padda [redacted] (0.50);	02/25/20	RAS	5.70
Review Plaintiff's motion for reconsideration of order granting motion for summary judgment;	02/25/20	SAN	0.30
Draft opposition to plaintiff's motion for reconsideration;	02/26/20	RAS	8.90
Review and analyze Opposition to Motion for Reconsideration; Telephone calls with Tammy [redacted].	02/27/20	JSP	1.60
Telephone conference with Mr. Padda [redacted] (0.40); review plaintiff's motion to retax costs (1.50); research caselaw cited in same	02/27/20	RAS	3.50

(1.00); outline opposition to plaintiff's motion to retax costs (0.60);			
Review Plaintiff's motion to re-tax costs; follow-up communications with VLLarsen and Las Vegas Legal Video [redacted];	02/27/20	SAN	0.60
Review draft opposition to Plaintiff's motion for reconsideration of order granting motion for summary judgment;	02/28/20	SAN	0.70

Total Current Fees: $26,590.50

Timekeeper Summary

Timekeeper	Tkpr ID	Rate	Hours	Amount
SANoyce	2685	205.00	26.70	5,473.50
JSPeek	5527	650.00	12.30	7,995.00
RASemerad	6056	270.00	48.60	13,122.00
			87.60	**$26,590.50**

Disbursements

Description of Disbursements	Date	Amount
Outside Fees: VENDOR: LVLV; INVOICE#: 16869; DATE: 11/12/2019 - Deposition Services	11/12/19	1,052.50
Electronic Filing Charges: Clark County: Defendants' Motion for an Order Shortening Time for Hearing and Opposition to Plaintiff Ruth L. Cohen's Objections to and Motion;	12/03/19	3.50
Electronic Filing Charges: Clark County: Order Denying Motion for Protective Order Regarding Defendants' Subpoena to Wells Fargo, N.A.	12/06/19	3.50
Electronic Filing Charges: Clark County: Order Granting Motion to Seal Exhibit 6 to Defendants' Motion for an Order Shortening Time for Hearing and Opposition to Plain	12/09/19	3.50
Electronic Filing Charges: Clark County: Notice of Entry of Order Denying Motion for Protective Order Regarding Defendants' Subpoena to Wells Fargo, N.A.	12/10/19	3.50

Electronic Filing Charges: Clark County: Notice of Entry of Order Granting Motion to Seal Exhibit 6 to Defendants' Motion for an Order Shortening Time for Hearing and	12/10/19	3.50
Outside Fees: VENDOR: Veritext, LLC; INVOICE#: CA4088306; DATE: 12/13/2019 - Video Services	12/13/19	651.75
Outside Fees: VENDOR: Veritext, LLC; INVOICE#: CA4085419; DATE: 12/13/2019 - Certified Transcripts	12/13/19	951.55
Ground Travel: 12/16/2019 - Amex - Parking - parking for hearing	12/16/19	7.00
Electronic Filing Charges: Clark County: Motion to Redact Portions of Defendants' Motion for Summary Judgment and Exhibit 39 and to Seal Exhibits 20, 21, 28 and 31	12/18/19	3.50
Electronic Filing Charges: Clark County: Motion in Limine #9 Defendants' Motion in Limine to Exclude the Testimony and Report of Kathleen Annunziata Nicolaides	12/20/19	3.50
Electronic Filing Charges: Clark County: Motion in Limine #6 Defendants' Motion in Limine to Exclude Testimony of Jefrey Appeal Regarding Certain Financial Documents	12/20/19	3.50
Electronic Filing Charges: Clark County: Motion to Redact Portions of Defendants' Motion in Limine No. 1 and Seal Exhibits 1 - 3	12/20/19	3.50
Electronic Filing Charges: Clark County: Motion to Redact Portions of Defendants' Motion in Limine No. 5 and Seal Exhibits 1 - 2	12/21/19	3.50
Electronic Filing Charges: Clark County: Motion in Limine No 5 Defendants' Motion in Limine to Exclude Evidence and Testimony related to Specific Instances of Conduct	12/21/19	3.50
Electronic Filing Charges: Clark County: Motion in Limine # 14 Defendants' Motion in Limine to Exclude Testimony of Lay Witnesses Regarding Whether Plaintiff Trusted	12/21/19	3.50
Electronic Filing Charges: Clark County: Motion in Limine # 7 Defendants' Motion in Limine to Exclude Evidence or Testimony of Mr. Padda's Job Performance at the Unit	12/21/19	3.50
Electronic Filing Charges: Clark County: Motion to Redact Portions of Defendants' Motion in Limine No. 8 - Motion to Exclude Evidence and Testimony Related to Specific	12/21/19	3.50
Electronic Filing Charges: Clark County: Motion in Limine	12/21/19	3.50

No. 8 - Motion to Exclude Evidence and Testimony Related to Specific Instances of Conduct and Testimony of C		
Electronic Filing Charges: Clark County: Motion in Limine # 11 Defendants' Motion in Limine to Exclude Evidence, Testimony of Argument Related to Alleged Health Issue	12/21/19	3.50
Electronic Filing Charges: Clark County: Motion in Limine # 12 Defendants' Motion in Limine to Exclude the Testimony and Report of Michael Holpuch	12/21/19	3.50
Electronic Filing Charges: Clark County: Motion in Limine No. 13 Defendants' Motion in Limine to Exclude Testimony of Karla Koutz Regarding her Opinion of Paul Padda'	12/21/19	3.50
Electronic Filing Charges: Clark County: Motion in Limine No. 10 - Defendants' Motion in Limine to Exclude Evidence or Testimony Related to Wayne Price's History with	12/21/19	3.50
Electronic Filing Charges: Clark County: Motion in Limine # 4 Defendants' Motion in Limine to Exclude Testimony of Plaintiff's Proposed Summary Witness Kathy Campagna	12/21/19	3.50
Electronic Filing Charges: Clark County: Defendants' Opposition to Plaintiff's Motion to Adopt Plaintiff's Version of the Proposed Jury Questionnaire and Countermotion	12/26/19	3.50
Electronic Filing Charges: Clark County: Defendants' Motion to Compel Plaintiff to Produce Certain Documents that are Relevant and Material to This Case on An Order S	01/01/20	3.50
Ground Travel: 01/08/2020 - Amex - Parking - parking for hearing	01/08/20	14.00
Ground Travel: 01/22/2020 - Amex - Parking - parking for hearing	01/22/20	10.00
Ground Travel: 01/27/2020 - Amex - Parking - Parking for Hearing on Motion for Summary Judgment	01/27/20	23.00
Ground Travel: 01/27/2020 - Amex - Parking - Motion for Summary Judgment hearing	01/27/20	20.00
Outside Fees: VENDOR: Holo Discovery; INVOICE#: 9013; DATE: 1/31/2020 - Relativity Data Hosting January 2020	01/31/20	332.20
Outside Fees: VENDOR: Holo Discovery; INVOICE#: 9155; DATE: 2/21/2020 - Scanning and printing services	02/21/20	623.48
Outside Fees: VENDOR: Holo Discovery; INVOICE#: 9240;	02/26/20	332.20

Holland & Hart LLP

105516 Padda, Paul S.	Invoice No. H&H Ref. No.	1797318 3284132

DATE: 2/26/2020 - Relativity data hosting

Total Current Disbursements: $4,094.68

Outstanding Invoices as of 03/10/20

Invoice No.	Date	Amount Billed	Payments	Balance Due
1785980	01/23/20	82,701.74	0.00	82,701.74
1789907	02/11/20	112,053.63	0.00	112,053.63
			Total Outstanding Balance:	**$194,755.37**

HOLLAND&HART LLP

IRS EMPLOYER NO. [redacted]
PLEASE REMIT TO:
P.O. BOX 17283
DENVER, CO 80217-0283

March 10, 2020

Paul S. Padda 4560 S. Decatur Blvd #300 Las Vegas, NV 89103	Invoice No. H&H Ref. No. Client No. Attorney:	1797318 3284132 105516 JSPeek

Regarding: Matter No. 0001 - adv. Ruth Cohen

Invoice Summary

Current fees	**$26,590.50**
Current disbursements	**$4,094.68**
Current charges this invoice	**$30,685.18**
Total outstanding invoices	**$103,650.00**
Total current charges plus outstanding balance	**$134,335.18**

This invoice may reflect changes to our billing rates that took effect on January 1, 2020.

Thank you for your prompt payment. Questions regarding this invoice should be directed to the attorney responsible for your account, or Lisa Anderson, Billing Specialist in our Las Vegas office, at (702) 222-2553 or laanderson@hollandhart.com.

Due On Receipt

Please return this page with your remittance.

EXHIBIT 8

DECL
J. Stephen Peek, Esq.
Nevada Bar No. 1758
Ryan A. Semerad, Esq.
Nevada Bar No. 14615
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134
Phone: 702.669.4600
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Tamara Beatty Peterson, Esq.
Nevada Bar No. 5218
Nikki L. Baker, Esq.
Nevada Bar No. 6562
PETERSON BAKER, PLLC
701 S. 7th Street
Las Vegas, NV 89101
tpeterson@petersonbaker.com
nbaker@petersonbaker.com

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

DECLARATION OF TAMARA BEATTY PETERSON, ESQ. IN SUPPORT OF DEFENDANTS' MOTION FOR ATTORNEY'S FEES

I, Tamara Beatty Peterson, Esq., being first duly sworn, deposes and states as follows:

1. I am a partner and co-founder of Peterson Baker, PLLC ("Peterson Baker"), counsel for Defendant Paul S. Padda, Esq. ("Mr. Padda") and Defendant Paul Padda Law, PLLC ("Padda Law") (collectively, "Defendants") in the above-captioned matter. I make this declaration

in support of Defendants' Motion for Attorney's Fees (the "Motion"). I have personal knowledge of all matters stated herein and would be competent to testify to them if called upon to do so.

2. I am a graduate of UCLA (B.A. 1991) and the University of Arizona College of Law (J.D. 1994). I am a member of the bar of Nevada and admitted to practice before all courts in the State of Nevada, the United States District Court for the District of Nevada, and the Ninth Circuit Court of Appeals.

3. I have more than 25 years of litigation experience in federal and state courts. My practice focuses on complex and multi-party trial and appellate litigation of all types, including in the areas of commercial and business litigation, business torts, and corporate matters. I have litigated extensively in state and federal court, including taking over 30 jury trials to verdict, numerous bench trials, and appeals before the Nevada Supreme Court and the Ninth Circuit Court of Appeals.

4. I am a Fellow with the American College of Trial Lawyers, Litigation Counsel of America, and American Bar Foundation. I have also been listed among the *The Best Lawyers in America © Commercial Litigation* from 2014 to the present, and recognized by *Chambers USA: America's Leading Lawyers for Business*, Litigation, General Commercial, Band 3, since 2014.

5. As a practicing attorney, co-founder of my current law firm, and former partner at a Nevada law firm as well as an Am Law 200 law firm with offices in Las Vegas, Nevada, I am familiar with current and historical hourly billing rates of Nevada attorneys, including those who practice commercial and complex litigation generally and in specialized areas.

6. The attorneys from Peterson Baker who represented Defendants in this matter charge hourly rates that are similar to those rates charged by comparable law firms for similar legal services.

7. The ability, training, education, experience, professional standing, and skill of the professionals representing Defendants were demonstrated in the pleadings, motions, and other documents filed with the Court.

8. Peterson Baker believes that every professional employed on behalf of its clients has a responsibility to control fees and expenses by providing services in an efficient and effective

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manner.

9. Peterson Baker believes that the fees and expenses sought in this application are appropriate, and that the fees are reasonable and necessary in light of the circumstances of this case and the scope and difficulty of the business and legal issues involved.

10. Staffing of matters within the case is done with the objective of providing the level of representation appropriate to the significance, complexity, and difficulty of the particular matter.

11. Peterson Baker believes that the fees and expenses sought in this application are appropriate, and that the fees are reasonable and necessary in light of the circumstances of this case and the scope and difficulty of the business and legal issues involved.

12. Ms. Nikki L. Baker, Esq. ("Ms. Baker") is a partner and is the other co-founder of Peterson Baker. Ms. Baker is a graduate of The University of Oklahoma (B.A. 1995) and The University of Oklahoma College of Law (J.D. 1998). She is a member of the bar of Nevada and admitted to practice before all courts in the State of Nevada, the United States District Court for the District of Nevada, and the Ninth Circuit Court of Appeals. Ms. Baker has focused her practice on commercial and civil litigation since she began her career in 1998. While Ms. Baker has tried and prosecuted many cases in state and federal court as well as in various alternative dispute resolution settings, Ms. Baker has also kept her clients out of the courtroom entirely through her success in pretrial motions practice as a result of her strong brief writing and extensive research skills. Ms. Baker's abilities, experience, and professional standing and skill have been acknowledged by her peers as she has received the following recognitions: Martindale-Hubbell®, AV Preeminent® Rating; American Bar Foundation; *Chambers USA: America's Leading Lawyers for Business*, Litigation: General Commercial, Recognised Practitioner; *The Best Lawyers in America*© Commercial Litigation (2020).

13. Consistent with its commitment to control fees and expenses through appropriate staffing, Peterson Baker also staffed an associate attorney, Mr. David Astur, Esq., and professional personnel, including Ms. Erin Parcells, Certified Paralegal, on this case.

14. The nature of this litigation justifies the requested fees, which were actually and

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necessarily incurred.

15. In addition to requesting attorneys' fees with the Motion, Peterson Baker worked on the following tasks ***after*** December 18, 2019:

a. Legal research on numerous topics, including (but not limited to):

i. Fee sharing with nonlawyers;

ii. The effects of an administrative suspension from the practice of law on a person's ability to collect attorney's fees;

iii. Partnership duties and the effects of dissolution of a partnership on those duties; and

iv. Fraudulent concealment and the duty of disclosure element required to plead and prove a claim of fraudulent concealment under Nevada state law;

b. Drafting pleadings and motions, including (but not limited to):

i. Defendants' fourteen (14) Motions *in Limine* and replies in support thereof;

ii. Defendants' Oppositions to Plaintiff's eight (8) Motions *in Limine*;

iii. Defendants' Opposition to Plaintiff's Motion to Extend Deadline and Establish Briefing Schedule;

iv. Defendants' Opposition to Plaintiff's Motion to Adopt Plaintiff's Version of the Proposed Jury Questionnaire;

v. Defendants' Motion to Compel Plaintiff to Produce Certain Documents that are Relevant and Material to this Case and the reply in support thereof;

vi. Defendants' Motion for Sanctions and the reply in support thereof;

vii. Defendants' Opposition to Plaintiff's Motion for Reconsideration;

c. Attending and participating in three (3) continued depositions noticed by Plaintiff;

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d. Identifying, retaining, corresponding with, and disclosing an expert witness identified, retained, and disclosed after the close of discovery;

e. Preparing, serving, and filing Defendants' pretrial disclosures pursuant to NRCP 16.1(a)(3);

f. Reviewing Plaintiff's pretrial disclosures pursuant to NRCP 16.1(a)(3);

g. Preparing, serving, and filing a joint pretrial memorandum in compliance with EDCR 2.67;

h. Preparing Defendants' proposed jury questionnaire;

i. Reviewing Plaintiff's proposed jury questionnaire;

j. Preparing all necessary documents, exhibits, and other demonstrative items in preparation for a jury trial; and

k. Attending about several hearings before the Court and making oral presentations at these hearings where appropriate.

16. A detailed itemization of the time spent, each professional's billing rate, the matters involved, and costs incurred is described in the accounting attached to this Declaration as **Exhibit 5-A**.

17. Because of Plaintiff's failure to accept Defendants' Offer of Judgment, and due to Plaintiff's litigation tactics and bad faith in bringing and prosecuting her claims, including her failure to adhere to the Nevada Rules of Civil Procedure during discovery, Defendants incurred attorney's fees in connection with their defense against Plaintiff's claims.

18. Peterson Baker spent all of its time performing the work required to defend Defendants against Plaintiff's claims *after* December 18, 2019. *See* **Exhibit 5-A**.

19. The total amount of attorney's fees incurred by Defendants from Peterson Baker was $128,108.50.[1]

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[1] Defendants anticipate that they will continue to incur fees through the hearing on this Motion and reserves the right to supplement this amount at the time of the hearing.

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20. I declare under penalty of perjury of the laws of the State of Nevada that the foregoing is true and correct.

TAMARA BEATTY PETERSON, ESQ.

14322703_v2

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LAS VEGAS, NV 89134

EXHIBIT 8-A

PETERSON BAKER PLLC

INVOICE

701 S. 7th Street
Las Vegas, Nevada 89101
Phone: 702.786.1001

Invoice # 1094
Date: 12/31/2019
Due On: 02/10/2020

Paul S. Padda
Paul Padda Law PLLC
4560 South Decatur Blvd., Ste 300
Las Vegas, NV 89103

Padda, et al. adv. Cohen

Services

Date	Description	Time Keeper	Hours	Rate	Total
12/02/2019	[redacted]	T. Peterson	7.00	$525.00	$3,675.00
12/02/2019	[redacted]	N. Baker	0.20	$495.00	$99.00
12/03/2019	[redacted]	T. Peterson	1.50	$525.00	$787.50
12/03/2019	[redacted]	N. Baker	0.40	$495.00	$198.00
12/04/2019	[redacted]	T. Peterson	1.60	$525.00	$840.00

12/04/2019	[redacted]	N. Baker	0.20	$495.00	$99.00
12/05/2019	[redacted]	T. Peterson	3.60	$525.00	$1,890.00
12/05/2019	[redacted]	N. Baker	3.00	$495.00	$1,485.00
12/06/2019	[redacted]	T. Peterson	2.50	$525.00	$1,312.50
12/06/2019	[redacted]	N. Baker	6.90	$495.00	$3,415.50
12/07/2019	[redacted]	T. Peterson	0.30	$525.00	$157.50
12/08/2019	[redacted]	T. Peterson	0.30	$525.00	$157.50
12/08/2019	[redacted]	N. Baker	11.70	$495.00	$5,791.50
12/09/2019	[redacted]	T. Peterson	5.60	$525.00	$2,940.00

[redacted]

12/09/2019	[redacted]	N. Baker	13.20	$495.00	$6,534.00
12/10/2019	[redacted]	T. Peterson	1.30	$525.00	$682.50
12/10/2019	[redacted]	N. Baker	0.50	$495.00	$247.50
12/11/2019	[redacted]	T. Peterson	4.20	$525.00	$2,205.00
12/11/2019	[redacted]	N. Baker	8.30	$495.00	$4,108.50

[redacted]

12/12/2019	[redacted]	T. Peterson	5.60	$525.00	$2,940.00
12/12/2019	[redacted]	N. Baker	6.70	$495.00	$3,316.50
12/13/2019	[redacted]	T. Peterson	4.30	$525.00	$2,257.50
12/13/2019	[redacted]	N. Baker	3.30	$495.00	$1,633.50
12/15/2019	[redacted]	N. Baker	3.70	$495.00	$1,831.50
12/16/2019	[redacted]	T. Peterson	6.90	$525.00	$3,622.50



12/16/2019	[redacted]	N. Baker	5.50	$495.00	$2,722.50
12/17/2019	[redacted]	T. Peterson	6.30	$525.00	$3,307.50
12/17/2019	[redacted]	N. Baker	8.30	$495.00	$4,108.50

[redacted]

12/18/2019	Email exchange regarding motion to redact [.2]; review draft juror questionnaire [.3]; telephone conference call (2x) with L. Stewart; telephone conference call with S. Peek [redacted] [.7]; review proposed declarations of R. Semerad and P. Padda [.2]; review communication from S. Peek [redacted]; prepare offer of judgment; draft communication as to same [.4]; review L. Stewart draft report; draft communication to team [redacted] [.5]; review and revise proposed juror questionnaire [.8]; review issues regarding production; draft certificate of compliance [.5]; review draft order from D. Campbell; draft revisions; email exchange with S. Peek and R. Semerad [redacted]; draft communication to D. Campbell regarding revisions; email from D. Campbell; he won't agree [.8]; telephone conference call with S. Peek [redacted] [.3]; email exchange with P. Padda [redacted] [.2]; emails regarding production; emails regarding supplemental 16.1 [.3]; telephone conference call with P. Padda [redacted] [.2]; telephone conference call with R. Semerad [redacted] [.3]; draft communication regarding certification; emails regarding same [.4]; emails regarding 16.1 modification to witness testimony [.3]; emails regarding MIL as to alleged relationship [.1]; draft communications regarding juror questionnaire [.2]; review Cohen proposed questionnaire [.3]; review and analyze J. Moser proposed stipulations; draft comments to R. Semerad and S. Peek [.4]; email exchange with P. Padda and S. Peek [redacted] [.2]	T. Peterson	7.60	$525.00	$3,990.00
12/18/2019	Review and revise revised declarations [.5]; review emails regarding comments on draft motion for summary judgment [.2]; make final revisions to motion for summary judgment [1.5]; review emails regarding Offer of Judgment and revise same [.2]; work on Motion in Limine Regarding Unjust Enrichment and conduct legal research [redacted] [8.3]	N. Baker	10.70	$495.00	$5,296.50
12/19/2019	Email from D. Kutinac regarding signed order [.1]; emails from R. Semerad and B. Downing [redacted]; review and analyze proposed stipulation; telephone conference call with B. Downing [.5]; work on issues regarding expert report of L. Stewart; telephone conference call (3x) with L. Stewart; draft communication to L. Stewart; review report and attachments [1.5]; revise proposed stipulation regarding R. Cohen religious issues; draft communication to S.	T. Peterson	5.70	$525.00	$2,992.50

	Peek, R. Semerad [redacted]; review S. Peek comments [.4]; review issues regarding upcoming continued depositions, documents as to same [.3]; telephone conference call with S. Peek [redacted] [.4]; review draft MIL as to unjust enrichment; review [redacted]; confer with N. Baker regarding [redacted]; draft communication to S. Noyce and R. Semerad [redacted] [.5]; email exchange with S. Noyce [redacted] [.2]; prepare for and meet with P. Davidson and P. Padda [redacted] [.7]; telephone conference call with B. Downing [redacted] [.2]; telephone conference call with P. Davidson [redacted] [.2]; draft communication to J. Moser regarding stipulation as to religious beliefs [.2]; review Stewart revised report; revise disclosure of expert report; draft communication to team [.5]				
12/19/2019	Continue working on motion in limine regarding unjust enrichment damages and conduct research [redacted] [4.2]; call with S. Peek and T. Peterson [redacted] [.5]; begin drafting motion in limine on financial condition and conduct legal research [redacted] [2.6]; draft email regarding draft motion in limine on unjust enrichment and questions regarding arguments R. Cohen may raise [.2]; review response [.1]	N. Baker	7.60	$495.00	$3,762.00
12/20/2019	Emails regarding meet and confer on MIL as to unjust enrichment [.2]; confer with N. Baker [redacted] [.3]; multiple emails regarding potential briefing schedule [.5]; review MIL regarding alleged Padda / Davidson relationship; draft comments; review [redacted]; finalize for filing [.6]; work on issues regarding MILs as to unjust enrichment, financial condition; review prior discovery requests; finalize MIL for filing [.5]; telephone conference call with S. Peek [redacted] [.4]; emails to P. Padda [redacted] [.2]; work on issues regarding stipulations; draft communication to J. Moser [.2]; review MAC juror questionnaire; draft communication to L. Wakayama; emails regarding juror questionnaire [.7]; work on issues regarding QDE MIL [.5]; finalize Stewart disclosure for service [.2]; work on issues regarding trust MIL [.2]; work on issues regarding prior job performance MIL [.4]; telephone conference call with Prof. Hillman and S. Peek [1.2]; telephone conference call with S. Peek [.2]; telephone conference call with R. Semerad [.2]; email from J. Moser; telephone conference call with J. Moser; emails with team; draft communication to J. Moser [.4]	T. Peterson	6.90	$525.00	$3,622.50
12/20/2019	Calls with R. Semerad [redacted] [.2]; continue working on motion in limine regarding financial condition and work with T. Peterson [redacted]	N. Baker	3.30	$495.00	$1,633.50

	[1.4]; continue working on, review and finalize unjust enrichment motion in limine [1.0]; review and respond to emails regarding briefing schedule on pre-trial motions [.5]; draft email to R. Semerad [.2]				
12/22/2019	Email from D. Campbell; emails with team [.2]; review prior 30(b)(6) deposition; review prior deposition of P. Padda [2.0]	T. Peterson	2.20	$525.00	$1,155.00
12/23/2019	Prepare for and attend deposition of P. Padda [3.5]; review motion on OST; multiple emails regarding same; prepare for and attend deposition of P. Davidson [2.0]; emails regarding Davidson deposition and Price receipt of final payment [.2]; review motion for extension of time as to oppositions and briefing schedule; review emails regarding same [.2]; prepare for and attend deposition of Wayne Price; draft communication to team regarding testimony [2.0]	T. Peterson	7.90	$525.00	$4,147.50
12/23/2019	Review emails regarding opposition to motion to extend deadline for oppositions to motions in limine and motion for summary judgment, and review motion [.5]; draft email to R. Semerad and B. Downing [.2]; review emails regarding W. Price deposition [.2]	N. Baker	0.90	$495.00	$445.50
12/24/2019	Multiple emails and email exchanges regarding W. Price [.3]; emails regarding opposition to motion for expedited briefing schedule; review and analyze motion; draft comment regarding same [.4]	T. Peterson	0.70	$525.00	$367.50
12/24/2019	Draft email regarding briefing to have motion for summary judgment decided on January 21st or 22nd [.2]; review responses [.2]; briefly skim motions in limine filed by R. Cohen and participate in call with R. Semerad and B. Downing [1.1]	N. Baker	1.50	$495.00	$742.50
12/26/2019	Review communications from P. Padda, S. Peek [.4]; prepare for and attend hearing on order shortening time; draft communication to team regarding outcome [2.0]; multiple emails regarding 16.1 obligations; review issues regarding W. Price; review Ramirez case regarding sanctions for witness tampering; draft timeline [4.0]; email to law clerk regarding statement [.2]; email to team regarding hearing [.2]; emails regarding timeline and production, and regarding witness issues [.3]; draft statement of the case; draft communication to team regarding same [.4]; telephone conference call with S. Peek [.3]; email exchange with S. Chopra [.2]	T. Peterson	8.00	$525.00	$4,200.00

12/26/2019	Review emails regarding outcome of hearing on motion to extend [.2]; review emails regarding W. Price deposition and next steps, and other trial strategy issues [.2]	N. Baker	0.40	$495.00	$198.00
12/27/2019	Review multiple communications regarding statement of the case; revise statement for submission to judge; draft communication to P. Padda; email exchange regarding upcoming hearing; draft communication to D. Kutinac and law clerk [.5]; email from P. Padda [redacted]; email to S. Peek [redacted]; review minute order from court regarding juror questionnaire [.2]	T. Peterson	0.70	$525.00	$367.50
12/30/2019	Prepare for and attend hearing as to juror questionnaire and email issues; draft communication to team regarding outcome [2.5]; emails regarding production of text messages [.2]; review Cohen production of W. Price emails; email exchange with P. Padda [.2]; review analysis of online focus group [.5]; review and analyze court's version of juror questionnaire; draft comments to same [.8]; telephone conference call with P. Padda [redacted] [.2]; review R. Semerad draft motion to compel; draft comments regarding same [.6]; email to L. Wakayama regarding Price [.2]; email exchanges with R. Semerad [.3]	T. Peterson	5.50	$525.00	$2,887.50
12/30/2019	Review emails regarding outcome of hearing [.2]	N. Baker	0.20	$495.00	$99.00
12/31/2019	Emails regarding motion; emails regarding meet and confer; email exchange with L. Wakayama [.4]; telephone conference call with L. Wakayama and J. Moser [.2]; draft communication to team regarding same [.2]; multiple emails regarding filing [redacted]; email exchange regarding declaration [.5]; draft status report regarding juror questionnaire [.5]	T. Peterson	1.80	$525.00	$945.00
				Services Subtotal	**$99,217.50**

Expenses

Type	Date	Description	Time Keeper	Quantity	Rate	Total
Expense	11/13/2019	E106 Online research: WestlawNext Legal Research	T. Peterson	1.00	$65.38	$65.38
Expense	11/14/2019	E106 Online research: WestlawNext Legal Research	N. Baker	1.00	$51.29	$51.29
Expense	11/15/2019	E106 Online research: WestlawNext Legal Research	N. Baker	1.00	$6.01	$6.01
Expense	11/25/2019	E106 Online research: WestlawNext Legal Research	T. Peterson	1.00	$14.09	$14.09

Expense	11/25/2019	E106 Online research: WestlawNext Legal Research	N. Baker	1.00	$138.83	$138.83
Expense	12/09/2019	E109 Local travel: Parking at Courthouse while attending Status Check	T. Peterson	1.00	$15.00	$15.00
Expense	12/13/2019	E112 Court fees: Filing Fee - 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	T. Peterson	1.00	$3.50	$3.50
Expense	12/16/2019	E109 Local travel: Parking at Courthouse while attending Hearing on Plaintiff's Motion to Compel Price, Davidson, and Padda to Appear for Continued Depositions and to Produce Documents on Order Shortening Time	T. Peterson	1.00	$12.00	$12.00
Expense	12/16/2019	E107 Delivery services/messengers: Legal Wings Invoice No. R-1917261.01 - Fee to Deliver Courtesy Copy of Opposition to Motion to Compel Price, Davidson and Padda to Continue Depositions and Produce Documents to Department 11	T. Peterson	1.00	$70.00	$70.00
Expense	12/20/2019	E112 Court fees: Filing Fee - 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	T. Peterson	1.00	$3.50	$3.50
Expense	12/20/2019	E112 Court fees: Filing Fee - 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	T. Peterson	1.00	$3.50	$3.50
Expense	12/24/2019	E107 Delivery services/messengers: Legal Wings Invoice No. R-1917698.01- Fee to Deliver Courtesy Copies of Motions in Limine Nos 2 and 3 to Department 11	T. Peterson	1.00	$25.00	$25.00
					Expenses Subtotal	**$408.10**

Time Keeper	Hours	Rate	Total
Nikki Baker	96.5	$495.00	$47,767.50
Tamara Peterson	98.0	$525.00	$51,450.00
		Subtotal	**$99,625.60**
		Current Invoice Total	**$99,625.60**

Detailed Statement of Account

Other Invoices

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
1080	01/10/2020	$59,260.95	$0.00	$59,260.95

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
1094	02/10/2020	$99,625.60	$0.00	$99,625.60
			Outstanding Balance	**$158,886.55**
			Total Amount Outstanding	**$158,886.55**

Please make all amounts payable to: Peterson Baker, PLLC

PETERSON BAKER PLLC

INVOICE

Invoice # 1115
Date: 01/31/2020
Due On: 03/10/2020

701 S. 7th Street
Las Vegas, Nevada 89101
Phone: 702.786.1001

Paul S. Padda
Paul Padda Law PLLC
4560 South Decatur Blvd., Ste 300
Las Vegas, NV 89103

Padda, et al. adv. Cohen

Services

Date	Description	Time Keeper	Hours	Rate	Discount	Total
01/02/2020	Review notice of hearing; review clerk order regarding nonconforming document; review communications regarding order shortening time [.3]; draft communication to S. Peek and R. Semerad [redacted]; email from J. Moser regarding plaintiff status report [.3]; review communication from P. Padda [redacted] [.2]; review issues [redacted] emails regarding same [.2]; review communication from J. Moser regarding motion to compel; draft communication regarding same; emails from R. Semerad and S. Peek [redacted] [.4]; confer with N. Baker [redacted] [.8]; review proposed order; review R. Semerad revisions; draft communication regarding same [.3]	T. Peterson	2.50	$525.00	-	$1,312.50
01/02/2020	Work with T. Peterson [redacted] [.8]; draft email to team [redacted] [.3]; review emails regarding motion to compel [.2]	N. Baker	1.30	$495.00	-	$643.50
01/02/2020	[redacted] begin research [redacted] [1.0]	D. Astur	1.00	$250.00	-	$250.00
01/03/2020	Review communications regarding W.	T. Peterson	2.30	$525.00	-	$1,207.50

	Price; draft communications as to same; email exchanges regarding Price documents; draft communication regarding certification; email from P. Padda [redacted] [.6]; emails regarding hearing, proposed order, Price email search; draft multiple communications to R. Semerad [redacted] [.5]; email exchanges with P. Davidson and D. Rounds [redacted] [.3]; emails regarding pretrial memorandum [.2]; draft communication to S. Peek [redacted] [.2]; telephone conference call with P. Davidson and D. Rounds [redacted] [.5]					
01/03/2020	Work with N. Baker [redacted] [2.0]; research [redacted]	D. Astur	7.00	$250.00	50.0□	$875.00
01/05/2020	Review and analyze R. Cohen's Motion in Limine No. 2 and Motion in Limine No. 5 [1.0]; draft email regarding points to raise on same [.5]; review and capture screenshots from R. Cohen's Facebook page to address in opposition to Motion in Limine No. 5 [.8]	N. Baker	2.30	$495.00	-	$1,138.50
01/06/2020	Review multiple emails regarding focus group; review and analyze clopening edits from S. Peek; review and analyze clopenings [redacted] [.7]; draft communication to Cohen counsel regarding supplemental production as to Price emails [.2]; review emails regarding December 30 hearing and Cohen version of order; multiple email exchanges with R. Semerad [.5]; draft comments regarding focus group issues [.5]; review D. Rounds issues; email exchange with P. Davidson and P. Padda; review S. Peek emails [redacted]; Rounds will supplement; review D. Rounds supplemental search [.7]; review R. Cohen supplemental disclosures; draft comments regarding same [1.0]; review draft reply brief as to motion to compel; email to R. Semerad [redacted] [.3]; review issues regarding focus group [.4]	T. Peterson	4.30	$525.00	-	$2,257.50
01/06/2020	Begin reviewing first batch of W. Price emails provided by D. Rounds; locate and organize previously produced emails sent/ received or referencing to W. Price [2.3]	E. Parcells	2.30	$105.00	-	$241.50

01/06/2020	Work on opposition to Motion in Limine No. 2 [7.0]; research [redacted] conduct research [redacted]	N. Baker	8.00	$495.00	-	$3,960.00
01/06/2020	Continue research [redacted] review R. Cohen's deposition transcript [1.0]; begin drafting opposition to Motion in Limine No. 5 [2.7]; research [redacted]	D. Astur	6.90	$250.00	-	$1,725.00
01/07/2020	Email from J. Moser; email from D. Campbell; review W. Price issues [.2]; confer with N. Baker and D. Astur [redacted] work on exhibit list for pretrial memorandum [3.5]; multiple email exchanges with R. Semerad, S. Peek, P. Davidson [redacted]; telephone conference call with R. Semerad, S. Peek, P. Davidson [redacted]; review Excel files; draft communication to R. Semerad [.6]; telephone conference call with R. Semerad [redacted] [.2]; review and revise R. Semerad declaration [.2]; draft communication regarding exhibit list issues [.2]	T. Peterson	6.00	$525.00	-	$3,150.00
01/07/2020	Review emails regarding R. Cohen's production of documents and reinstatement of license [.2]	N. Baker	0.20	$495.00	-	$99.00
01/07/2020	Continue research [redacted] [2.2]; review S. Cogan's deposition transcript and □. □outz's deposition transcript [2.0]	D. Astur	4.20	$250.00	50.0□	$525.00
01/08/2020	Prepare for and attend hearing on motion to compel [2.0]; confer with N. Baker [redacted] [.5]; emails from P. Padda and R. Semerad [redacted]; email exchange regarding order; email exchange with R. Semerad [redacted]; coordinate with E. Parcells [redacted] [.5]; email exchange with P. Padda [redacted] [.2]	T. Peterson	3.20	$525.00	-	$1,680.00
01/08/2020	Begin drafting Pretrial Disclosures [1.6]	E. Parcells	1.60	$105.00	-	$168.00

01/08/2020	Work with T. Peterson [.5]; review and respond to emails regarding pretrial conference between counsel [.2]	N. Baker	0.70	$495.00	-	$346.50
01/08/2020	Research [1.1]	D. Astur	1.10	$250.00	-	$275.00
01/09/2020	Continue drafting Pretrial Disclosures [2.6]; revise exhibit list for Pretrial Disclosures [4.5]	E. Parcells	7.10	$105.00	-	$745.50
01/09/2020	Review juror □uestionnaire; draft communication to P. Padda ; email from D. □utinac; email to S. Peek and R. Semerad [.4]; telephone conference call with P. Padda [.2]; emails from R. Semerad ; emails regarding witness list [.5]; work on pretrial disclosures [1.1]; multiple emails regarding pretrial disclosure deadline, meet and confer as to joint pretrial memo [.5]; review R. Cohen supplemental disclosures regarding S. Cogan [.1]; draft communication regarding pretrial disclosure [.2]; review and analyze oppositions to plaintiffs MIL 1,2, 3 [.5]	T. Peterson	3.50	$525.00	-	$1,837.50
01/09/2020	Continue working on opposition to R. Cohen's Motion in Limine No. 2 [4.0]; begin working on opposition to R. Cohen's Motion in Limine No. 5 [3.5]; review and comment on drafts of other oppositions to R. Cohen's Motions in Limine [1.0]	N. Baker	8.50	$495.00	-	$4,207.50
01/09/2020	Discussion with N. Baker [2.1] research draft Reply in Support of Motion in Limine No. 2 [1.1]	D. Astur	4.70	$250.00	100.0□	$0.00
01/10/2020	Emails regarding meet and confer as to joint pretrial memorandum; email exchanges regarding exhibit list proposed by Cohen counsel [.4]; review S. Noyce communication ; work on pretrial disclosures [.2]; emails regarding W. Price and JPTM [.2]; telephone conference call □2x□with R. Semerad [.4]; prepare for and participate in conference call with opposing counsel	T. Peterson	5.50	$525.00	-	$2,887.50

	regarding JPTM [.5]; confer with N. Baker [redacted] [.4]; work on deposition designations for Cogen and Bogash [1.8]; finalize pretrial disclosures for service [.5]; confer with N. Baker [redacted] review and finalize MIL 5 for filing [.7]; multiple emails regarding date of pretrial conference [.2]; review and finalize MIL 2 for filing [.2]					
01/10/2020	Revise Exhibit List to Pretrial Disclosures [3.8]; telephone conference and email exchanges with S. Noyce [redacted] [.1]; revise Pretrial Disclosures [.2]	E. Parcells	4.10	$105.00	-	$430.50
01/10/2020	Continue working on opposition to Motion in Limine No. 5 and conduct legal research [redacted] [6.9]; review [redacted] revisions to oppositions to Motion in Limine Nos. 2 and 5 [1.0]; make final edits to same [2.0]	N. Baker	9.90	$495.00	-	$4,900.50
01/10/2020	Work with N. Baker Reply in Support of Motion in Limine No. 3 [.4]	D. Astur	0.40	$250.00	-	$100.00
01/11/2020	Review communication from P. Padda and review investigative report regarding B. Jackson [.3]	T. Peterson	0.30	$525.00	-	$157.50
01/12/2020	Review communication from P. Padda [redacted] email exchange regarding production [.3]; email from P. Padda [redacted] [.2]	T. Peterson	0.50	$525.00	-	$262.50
01/13/2020	Review emails regarding pretrial conference; court will still hold conference [.2]; email to R. Semerad [redacted] [.2]	T. Peterson	0.40	$525.00	-	$210.00
01/13/2020	Review emails regarding moving deadline to file pre-trial memorandum and pre-trial conference [.2]	N. Baker	0.20	$495.00	-	$99.00
01/14/2020	Review communications regarding competing orders as to □olo review of Cohen computer [.2]; emails regarding Joint pretrial memorandum, and replies in support of MSJ and MILs [.3]	T. Peterson	0.50	$525.00	-	$262.50
01/14/2020	Review and respond to emails regarding call to discuss reply brief [.2]	N. Baker	0.20	$495.00	-	$99.00
01/15/2020	Review communications regarding motions for sanctions; review proposed motion for	T. Peterson	3.10	$525.00	-	$1,627.50

	sanctions [.6]; review P. Padda emails [redacted] [.4]; email exchange with N. Baker, R. Semerad [redacted] [.1]; telephone conference call with D. Campbell regarding W. Price continued deposition [.2]; review S. Noyce combined joint pretrial memorandum [.2]; review and analyze plaintiff opposition to motion for summary judgment [.5]; telephone conference call with N. Baker, R. Semerad, and B. Downing [redacted] [.6]; review issues regarding upcoming pretrial conference [.5]					
01/15/2020	Draft Reply in Support of Motion in Limine No. 3 [3.9]	D. Astur	3.90	$250.00	-	$975.00
01/15/2020	Work with D. Astur [redacted] [.2]; call with R. Semerad and others [redacted] [.5]	N. Baker	0.70	$495.00	-	$346.50
01/16/2020	Prepare for and attend pretrial conference [1.5]; draft communication regarding same; email exchanges regarding W. Price [.4]; telephone conference call with P. Padda [.4]; review issues with expectancy resolution agreement; confer with N. Baker and D. Astur [redacted] [.5]; emails from R. Semerad and L. Wakayama regarding exhibit list to joint pretrial memorandum; email exchange with S. Peek [redacted] [.4]; review multiple emails regarding potential motion to dismiss and statute of limitations issues; review proposed motion [.5]; review R. Semerad proposed combined draft pretrial memoranda; draft comments to R. Semerad [.4]	T. Peterson	4.10	$525.00	-	$2,152.50
01/16/2020	Review and analyze Plaintiff's Opposition to Motion in Limine No. 2 [1.0]; work with D. Astur and T. Peterson [redacted] [1.2]; review and respond to e-mails regarding meeting to review potential trial exhibits [.2]	N. Baker	2.40	$495.00	-	$1,188.00
01/16/2020	Research [redacted]	D. Astur	1.10	$250.00	-	$275.00
01/17/2020	Confer with D. Astur [redacted] [.2]; email exchanges with P. Padda and R. Semerad [redacted]	T. Peterson	0.40	$525.00	-	$210.00

	[redacted] [.2]					
01/17/2020	Review and analyze Plaintiff's Opposition to Motion in Limine No. 3 [.7]; draft emails to D. Astur [redacted] [.8]; review and analyze Opposition to Motion for Summary Judgment [1.2]; begin working on reply brief and conduct legal research [redacted], including review and analysis of cases cited by R. Cohen [3.4]	N. Baker	6.10	$495.00	-	$3,019.50
01/18/2020	Prepare for and meet with P. Padda, R. Semerad, and S. Peek [redacted] [6.0]	T. Peterson	6.00	$525.00	-	$3,150.00
01/20/2020	Emails from P. Padda, R. Semerad [redacted] [.2]; review R. Cohen supplemental disclosures in preparation for hearing on motion for sanctions [.8]; review R. Semerad modifications to joint pretrial order, including redline; verify key documents from pretrial disclosures are on version submitted to plaintiff [.5]	T. Peterson	1.50	$525.00	-	$787.50
01/20/2020	Review and analyze emails regarding allegations regarding Cohen and Padda partnership and fee split issues [.3]; review of draft motion to dismiss [.5]; call with R. Semerad [redacted] [.2]; continue working on reply in support of Motion for Summary Judgment and conduct legal research [redacted]; review emails regarding R. Cohen's Facebook posts [.2]	N. Baker	9.80	$495.00	-	$4,851.00
01/21/2020	Review multiple communications from J. Moser, L. Wakayama, R. Semerad, D. □utinac regarding continued due date for joint pretrial memorandum [.3]; confer with N. Baker [redacted]; review multiple communications regarding R. Cohen production and documents not produced regarding CLE; review R. Semerad emails [redacted] [.5]; emails regarding juror □uestionnaires [.2]; review opposition to motion for sanctions; review and analyze reply brief in support of motion for sanctions [1.0]; emails regarding fee split issues; confer with N. Baker [redacted] [.3]	T. Peterson	2.30	$525.00	-	$1,207.50
01/21/2020	Work with T. Peterson [redacted]	N. Baker	7.40	$495.00	-	$3,663.00

	[redacted] [.5]; review R. Cohen's recent disclosures and draft email regarding same [.4]; review responses [.1]; review R. Cohen's opposition to motion for sanctions and reply in support of same [.3]; continue working on reply in support of Motion for Summary Judgment [6.1]					
01/21/2020	Continue research [redacted]	D. Astur	0.80	$250.00	-	$200.00
01/22/2020	Prepare for and attend hearing on motion for sanctions; confer with P. Padda and S. Peek [redacted] [2.0]; draft communication to D. Campbell regarding W. Price and R. Cohen deposition [.2]; review and analyze Reply for MIL1 [redacted]; draft comment [.5]; email from D. □utinac regarding additional juror information [.1]; review and analyze Reply for MIL 6 [redacted]; draft comments regarding same [.3]; draft communication to L. Wakayama regarding reinstatement application [.2]; emails regarding lack of designation for □outz testimony [.2]; review and analyze reply brief for MIL 7 [.4]; emails regarding □olpuch, potential withdrawal of MIL 12 [.4]; review reply brief for MIL 9 [.2]	T. Peterson	4.50	$525.00	-	$2,362.50
01/22/2020	Review and comment on drafts of reply briefs [.9]; continue working on reply brief in support of Motion for Summary Judgment [10.5]; review and respond to email from T. Peterson [redacted] [.1]; draft email to group [redacted] [.3]	N. Baker	11.80	$495.00	-	$5,841.00
01/22/2020	Confer with N. Baker [redacted] [.3]	D. Astur	0.30	$250.00	-	$75.00
01/23/2020	Email exchange with S. Noyce [redacted] [.2]; email to J. Rodionova regarding exhibit list [.1]; confer with N. Baker [redacted] [.2]; review plaintiff seventeenth supplement as to application for reinstatement [.1]; review S. Peek objections to exhibit list for inclusion in joint pretrial memorandum [.5]	T. Peterson	1.10	$525.00	-	$577.50
01/23/2020	Continue working on reply in support of Motion for Summary Judgment; draft email regarding issues to consider for reply;	N. Baker	6.80	$495.00	-	$3,366.00

	review email and revisions from Client; conduct legal research [redacted]]					
01/24/2020	Review and analyze updated draft of reply brief, and comments from N. Baker and R. Semerad [.5]; review and analyze reply brief in support of MIL 2, [redacted] revisions to same [.4]; review and analyze reply brief in support of MIL 3 [.3]; finalize reply briefs for MIL 2 and 3 for filing [.2]; continue review of exhibit list for JPTM; review S. Noyce comments; draft comments as to exhibit list [1.2]; review and analyze reply brief in support of MIL 11 [.2]; review and finalize reply brief in support of motion for summary judgment [.2]; email exchange with S. Noyce [redacted] [.2]; draft proposed order denying motion for sanctions [.4]	T. Peterson	3.60	$525.00	-	$1,890.00
01/24/2020	Work on, review comments to and finalize reply briefs to Motions in Limine Nos. 2 and 3 [4.4]; review and respond to emails from Client regarding same and reply in support of Motion for Summary Judgment [.5]; continue working on and conducting legal research [redacted] review and analyze R. Cohen's replies in support of Motion in Limine No. 2 and Motion in Limine No. 5 [.5]; draft email to court regarding courtesy copy of reply brief [.2]	N. Baker	7.60	$495.00	-	$3,762.00
01/24/2020	Work on replies in support of Motion in Limine Nos. 2 and 3 [.3]	D. Astur	0.30	$250.00	-	$75.00
01/24/2020	Revisit analogy of other types of professional license suspension and how it affects claims in contract [.6]	D. Astur	0.60	$250.00	100.0□	$0.00
01/25/2020	Continue review of summary judgment motion, exhibits, deposition testimony, case law, supplemental production, all in preparation for upcoming hearing on summary judgment and deposition of R. Cohen [4.0]	T. Peterson	4.00	$525.00	-	$2,100.00
01/27/2020	Prepare for and attend hearing on summary judgment; court grants motion [3.5]; emails regarding next steps, costs, motion for attorney fees, order [.2]	T. Peterson	3.70	$525.00	-	$1,942.50
01/27/2020	Discuss with T. Peterson [redacted] .1]; review and respond to emails regarding same [.2]	N. Baker	0.30	$495.00	-	$148.50

01/28/2020	Confer with N. Baker [redacted] [.5]; review transcript and minutes for motion for sanctions; revise order denying motion for sanctions; draft communication to S. Peek, R. Semerad, P. Padda; emails regarding proposed order [.6]; emails regarding offer of judgment [.2]; draft communication to L. Wakayama and D. Campbell regarding proposed order on motion for sanctions [.2]	T. Peterson	1.50	$525.00	-	$787.50
01/28/2020	Work with T. Peterson [redacted] [.5]	N. Baker	0.50	$495.00	-	$247.50
01/29/2020	Email from L. Wakayama regarding proposed revisions to order; review revisions; email to S. Peek, R. Semerad, P. Padda [redacted]; emails from P. Padda and S. Peek; revise order [.5]; draft communication to L. Wakayama; review communication from J. Bauer; coordinate regarding submission to court [.2]	T. Peterson	0.70	$525.00	-	$367.50
01/30/2020	Review minutes of hearing on summary judgment; review transcript of hearing and findings of court; all in preparation for draft order to be submitted and likely appeal; emails regarding draft order [.5]	T. Peterson	0.50	$525.00	-	$262.50
01/31/2020	Work on issues regarding memorandum of costs; review costs for submission [.5]; review and analyze proposed order, S. Peek edits; review multiple emails regarding proposed order, interplay with transcript [.4]	T. Peterson	0.90	$525.00	-	$472.50
01/31/2020	Review transcript from hearing on Motion for Summary Judgment [.2]; review draft order and emails regarding same [.5]; draft email regarding points to address in order granting motion for summary judgment and review responses [1.0]	N. Baker	1.70	$495.00	-	$841.50
					ine Item Discount Subtotal	**$2,725.00**
					Services Subtotal	**$84,826.00**

Expenses

Type	Date	Description	Time Keeper	Quantity	Rate	Total
Expense	12/04/2019	E106 Online research: WestlawNext	T. Peterson	1.00	$8.25	$8.25

		Legal Research				
Expense	12/06/2019	E106 Online research: WestlawNext Legal Research	N. Baker	1.00	$19.34	$19.34
Expense	12/11/2019	E106 Online research: WestlawNext Legal Research	N. Baker	1.00	$31.72	$31.72
Expense	12/11/2019	E106 Online research: WestlawNext Legal Research	T. Peterson	1.00	$24.76	$24.76
Expense	12/12/2019	E106 Online research: WestlawNext Legal Research	N. Baker	1.00	$66.27	$66.27
Expense	12/12/2019	E106 Online research: WestlawNext Legal Research	T. Peterson	1.00	$96.34	$96.34
Expense	12/13/2019	E106 Online research: WestlawNext Legal Research	T. Peterson	1.00	$20.64	$20.64
Expense	12/16/2019	E106 Online research: WestlawNext Legal Research	N. Baker	1.00	$8.25	$8.25
Expense	12/18/2019	E106 Online research: WestlawNext Legal Research	N. Baker	1.00	$265.33	$265.33
Expense	12/19/2019	E106 Online research: WestlawNext Legal Research	N. Baker	1.00	$182.43	$182.43
Expense	12/20/2019	E106 Online research: WestlawNext Legal Research	N. Baker	1.00	$30.42	$30.42
Expense	12/26/2019	E109 Local travel: Parking at Courthouse while attending □earing on Plaintiff's Motion to Extend Opposition Deadline and Establish Briefing Schedule on Order Shortening Time	T. Peterson	1.00	$9.00	$9.00
Expense	12/26/2019	E106 Online research: WestlawNext Legal Research	T. Peterson	1.00	$4.13	$4.13
Expense	12/30/2019	E109 Local travel: Parking at Courthouse while attending □earing on Plaintiff's Motion to Adopt Plaintiff's Version of the Proposed Jury □uestionnaire	T. Peterson	1.00	$9.00	$9.00
Expense	12/31/2019	E115 Deposition transcripts: Rocket Reporters Invoice No. 204206 - transcript of Wayne Price taken December 2, 2019	T. Peterson	1.00	$2,181.40	$2,181.40
Expense	01/02/2020	E112 Court fees: Filing Fee - Defendants' Defendants' Status Report Regarding Jury □uestionnaire	T. Peterson	1.00	$3.50	$3.50
Expense	01/03/2020	E107 Delivery services/messengers: Legal Wings Invoice No. R-1918451.01 - Fee to Deliver Courtesy Copy of	T. Peterson	1.00	$25.00	$25.00

		Defendants' Status Report Regarding Jury □uestionnaire to Department 11				
Expense	01/06/2020	E106 Online research: WestlawNext Legal Research	D. Astur	1.00	$79.90	$79.90
Expense	01/06/2020	E106 Online research: WestlawNext Legal Research	N. Baker	1.00	$20.14	$20.14
Expense	01/08/2020	E109 Local travel: Parking at Courthouse while attending □earing on Defendants' Motion to Compel Plaintiff to Produce Certain Documents that are Relevant and Material to This Case	T. Peterson	1.00	$10.50	$10.50
Expense	01/08/2020	E115 Deposition transcripts: Rocket Reporters Invoice No. 204286 - transcript of Wayne Price taken December 23, 2019	T. Peterson	1.00	$600.50	$600.50
Expense	01/08/2020	E115 Deposition transcripts: Rocket Reporters Invoice No. 204288 - transcript of Paul Padda, Es□. taken December 23, 2019	T. Peterson	1.00	$782.50	$782.50
Expense	01/08/2020	E106 Online research: WestlawNext Legal Research	D. Astur	1.00	$31.82	$31.82
Expense	01/09/2020	E115 Deposition transcripts: Rocket Reporters Invoice No. 204290 - transcript of Patricia J. Davidson taken December 23, 2019	T. Peterson	1.00	$447.50	$447.50
Expense	01/09/2020	E106 Online research: WestlawNext Legal Research	D. Astur	1.00	$134.91	$134.91
Expense	01/09/2020	E106 Online research: WestlawNext Legal Research	N. Baker	1.00	$9.97	$9.97
Expense	01/10/2020	E112 Court fees: Filing Fee - Oppositions to Motions in Limine Nos. 2 and 5 and Pretrial Disclosures	T. Peterson	1.00	$3.50	$3.50
Expense	01/10/2020	E106 Online research: WestlawNext Legal Research	N. Baker	1.00	$20.25	$20.25
Expense	01/13/2020	E107 Delivery services/messengers: Legal Wings Invoice No. 1919349.01 - fee to delivery courtesy copies of □1□ Opposition to Plaintiff's Motion in Limine No. 2; □2□Opposition to Plaintiff's motion in Limine No. 5 and □3□Defendant's Pretrial Disclosures	T. Peterson	1.00	$25.00	$25.00
Expense	01/15/2020	E106 Online research: WestlawNext Legal Research	D. Astur	1.00	$92.34	$92.34
Expense	01/16/2020	E109 Local travel: Parking at Courthouse while attending Pretrial	T. Peterson	1.00	$6.00	$6.00

		Conference				
Expense	01/16/2020	E106 Online research: WestlawNext Legal Research	D. Astur	1.00	$33.00	$33.00
Expense	01/17/2020	E106 Online research: WestlawNext Legal Research	D. Astur	1.00	$52.85	$52.85
Expense	01/17/2020	E106 Online research: WestlawNext Legal Research	N. Baker	1.00	$78.63	$78.63
Expense	01/20/2020	E106 Online research: WestlawNext Legal Research	N. Baker	1.00	$10.34	$10.34
Expense	01/21/2020	E106 Online research: WestlawNext Legal Research	D. Astur	1.00	$64.99	$64.99
Expense	01/21/2020	E106 Online research: WestlawNext Legal Research	N. Baker	1.00	$24.16	$24.16
Expense	01/22/2020	E109 Local travel: Parking at Courthouse while attending □earing on Defendants' Motion for Sanctions Against Plaintiff	T. Peterson	1.00	$9.00	$9.00
Expense	01/22/2020	E106 Online research: WestlawNext Legal Research	D. Astur	1.00	$30.59	$30.59
Expense	01/22/2020	E106 Online research: WestlawNext Legal Research	N. Baker	1.00	$276.65	$276.65
Expense	01/23/2020	E106 Online research: WestlawNext Legal Research	N. Baker	1.00	$5.72	$5.72
Expense	01/24/2020	E112 Court fees: Filing Fee - Reply in Support of Motion in Limine #2	T. Peterson	1.00	$3.50	$3.50
Expense	01/24/2020	E112 Court fees: Filing Fee - Reply in Support of Motion in Limine #3	T. Peterson	1.00	$3.50	$3.50
Expense	01/24/2020	E112 Court fees: Filing Fee - Reply in Support of Motion for Summary Judgment	T. Peterson	1.00	$3.50	$3.50
Expense	01/24/2020	E106 Online research: WestlawNext Legal Research	D. Astur	1.00	$0.55	$0.55
Expense	01/24/2020	E106 Online research: WestlawNext Legal Research	N. Baker	1.00	$5.35	$5.35
Expense	01/27/2020	E109 Local travel: Parking at Courthouse while attending □earing on Defendants' Motion for Summary Judgment	T. Peterson	1.00	$18.00	$18.00
Expense	01/27/2020	E107 Delivery services/messengers: Legal Wings Invoice No. 1920193.01 - fee to delivery courtesy copies of □1□ Reply in Support of Motion in Limine No.	T. Peterson	1.00	$60.00	$60.00

		2; □2□Reply in Support of Motion in Limine No. 3; and □3□Reply in Support of Motion for Summary Judgment				
Expense	01/31/2020	E107 Delivery services/messengers: Legal Wings Invoice No. 1920673.01 - fee to pick up Order Denying Motion for Sanctions and Awarding Attorney's Fees from Mar□uis Aurbach Coffing	T. Peterson	1.00	$57.00	$57.00
					Expenses Subtotal	**$5,987.94**

Time Keeper	Hours	Rate	Discount	Total
David Astur	32.3	$250.00	-$2,725.00	$5,350.00
Nikki Baker	86.4	$495.00	-	$42,768.00
Tamara Peterson	66.9	$525.00	-	$35,122.50
Erin Parcells	15.1	$105.00	-	$1,585.50
			Subtotal	**$90,813.94**
			Current Invoice Total	**$90,813.94**

Detailed Statement of Account

Other Invoices

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
1080	01/10/2020	$59,260.95	$0.00	$59,260.95
1094	02/10/2020	$99,625.60	$0.00	$99,625.60

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
1115	03/10/2020	$90,813.94	$0.00	$90,813.94
			Outstanding Balance	**$249,700.49**
			Total Amount Outstanding	**$249,700.49**

Please make all amounts payable to: Peterson Baker, PLLC

PETERSON BAKER PLLC

INVOICE

701 S. 7th Street
Las Vegas, Nevada 89101
Phone: 702.786.1001

Invoice # 1143
Date: 02/29/2020
Due On: 04/10/2020

Paul S. Padda
Paul Padda Law PLLC
4560 South Decatur Blvd., Ste 300
Las Vegas, NV 89103

Padda, et al. adv. Cohen

Services

Date	Description	Time Keeper	Hours	Rate	Total
02/03/2020	Review signed order as to sanctions motion; review notice of entry of order; review communication from P. Padda [redacted] [.1]; draft communication to L. Wakayama and J. Moser regarding offer to exchange checks [.2]; confer with N. Baker [redacted] [.2]	T. Peterson	0.50	$525.00	$262.50
02/03/2020	Work on order granting motion for summary judgment [4.0]; conduct legal research [redacted]; draft email regarding revised draft of order and additional issues to consider [.4]	N. Baker	5.40	$495.00	$2,673.00
02/04/2020	Review and analyze proposed order granting motion for summary judgment; review [redacted]; research [redacted]	T. Peterson	0.30	$525.00	$157.50
02/05/2020	Review proposed revisions/comments to draft order granting motion for summary judgment and make additional changes [1.0]	N. Baker	1.00	$495.00	$495.00
02/07/2020	Review and comment on Plaintiff's proposed revisions to order granting motion for summary judgment [.5]	N. Baker	0.50	$495.00	$247.50
02/10/2020	Review S. Peek revisions to order, including comments and suggestions to send to P. Erwin; email to S. Peek [.2]; multiple emails regarding order and submission to court [.1]	T. Peterson	0.30	$525.00	$157.50
02/11/2020	Multiple emails and email exchanges regarding costs, fees, backup for same; review draft memorandum of costs [.5]	T. Peterson	0.50	$525.00	$262.50

02/14/2020	Review prior minute orders, court orders regarding sealing and redaction; draft communication to R. Semerad [.2]	T. Peterson	0.20	$525.00	$105.00
02/17/2020	Work on declaration in support of legal research costs, and draft email regarding same [1.0]	N. Baker	1.00	$495.00	$495.00
02/18/2020	Multiple emails regarding summary judgment order [.2]; review proposed motion for attorney's fees [.4]	T. Peterson	0.60	$525.00	$315.00
02/19/2020	Email exchange with R. Semerad [redacted] [.2]; review S. Peek revisions to Memorandum of costs, [redacted]; draft email [redacted] [.4]; email exchanges with S. Peek [redacted] [.2]; review and analyze R. Semerad revisions to motion for attorney fees; review and revise declaration of T. Peterson, declaration of J. Reisman, and declaration of S. Peek [.8]; email exchange with R. Semerad [redacted] [.2]; telephone conference call with S. Peek and R. Semerad [redacted] [.3]	T. Peterson	2.10	$525.00	$1,102.50
02/21/2020	Telephone conference call with R. Semerad [redacted] [.1]; telephone conference call with P. Padda [redacted] [.2]	T. Peterson	0.30	$525.00	$157.50
				Services Subtotal	**$6,430.50**

Expenses

Type	Date	Description	Time Keeper	Quantity	Rate	Total
Expense	02/03/2020	E112 Court fees: Filing Fee - Order Denying Motion for Sanctions and Awarding Attorney's Fees	T. Peterson	1.00	$3.50	$3.50
Expense	02/03/2020	E112 Court fees: Filing Fee - Notice of Entry of Order Denying Motion for Sanctions and Awarding Attorney's Fees	T. Peterson	1.00	$3.50	$3.50
Expense	02/03/2020	E106 Online research: WestlawNext Legal Research	N. Baker	1.00	$12.89	$12.89
Expense	02/05/2020	E107 Delivery services/messengers: Legal Wings Invoice No. R-1921159.01 - fee to deliver Order Denying Motion for Sanctions and Awarding Attorney's Fees to Department 11 for signature	T. Peterson	1.00	$25.00	$25.00
				Expenses Subtotal		**$44.89**

Time Keeper	Hours	Rate	Total
Nikki Baker	7.9	$495.00	$3,910.50
Tamara Peterson	4.8	$525.00	$2,520.00
		Subtotal	**$6,475.39**
		Current Invoice Total	**$6,475.39**

Detailed Statement of Account

Other Invoices

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
1080	01/10/2020	$59,260.95	$0.00	$59,260.95
1094	02/10/2020	$99,625.60	$0.00	$99,625.60
1115	03/10/2020	$90,813.94	$0.00	$90,813.94

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
1143	04/10/2020	$6,475.39	$0.00	$6,475.39
			Outstanding Balance	**$256,175.88**
			Total Amount Outstanding	**$256,175.88**

Please make all amounts payable to: Peterson Baker, PLLC