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5 *Attorneys for Nanyah Vegas, LLC*

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Jun 23 2020 02:48 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

7
8 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

9 NANYAH VEGAS, LLC, A Nevada
10 limited liability company,

11 Appellant,

12 v.

13 SIG ROGICH aka SIGMUND
14 ROGICH as Trustee of The Rogich
15 Family Irrevocable Trust; ELDORADO
16 HILLS, LLC, a Nevada limited liability
17 company; TELD, LLC, a Nevada
18 limited liability company; PETER
19 ELIADES, individually and as Trustee
of the The Eliades Survivor Trust of
10/30/08; and IMITATIONS, LLC, a
Nevada limited liability company,

20 Respondents.
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Supreme Court No.: 81238
(District Court Case No. A686303)

**APPELLANT NANYAH VEGAS,
LLC'S DOCKETING STATEMENT**

1 **1. Judicial District:**

2 Eighth Judicial District Court; Department: XXVII; County: Clark; Judge:
3
4 Honorable District Judge Nancy Allf; District Court Case No. A16-746239-C
5 consolidated with A-13-686303-C.

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

7 Nanyah Vegas, LLC (“Nanyah”) is represented by Mark G. Simons
8
9 (Nevada Bar No. 5132) of Simons Hall Johnston PC, 6490 S. McCarran Blvd.,
10 Ste. F46, Reno, Nevada 89509.

11
12 **3. Attorney(s) representing respondent(s):**

13 Eldorado Hills, LLC (“Eldorado Hills”); Teld, LLC (“Teld”); and Peter
14 Eliades individually (“Eliades”), and as Trustee of The Eliades Survivor Trust of
15 10/30/08 (“Eliades Trust”) are represented by Dennis L. Kennedy (Nevada Bar
16 No. 1462) and Joseph A. Liebman (Nevada Bar No. 10125) of Bailey Kennedy
17 LLP, 8984 Spanish Ridge Avenue, Las Vegas, Nevada 89148.

18
19 Sigmund Rogich (“Rogich”), individually and as Trustee of the Rogich
20 Family Irrevocable Trust (“Rogich Trust”) and Imitations, LLC (“Imitations”) are
21 represented by Brenoch Wirthlin (Nevada Bar No. 10282), of Hutchison &
22 Steffen, 10080 W. Alta Dr., Suite 200, Las Vegas, Nevada 89145.
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1 **4. Nature of disposition:**

2 Award of attorney's fees and costs in favor of Defendants.

3
4 **5. Does this appeal raise issues concerning Child Custody, Venue or**
5 **Termination of parental rights?**

6 No.

7
8 **6. Pending and prior proceedings in this court:**

- 9 • Case No. 66823, Nanyah v. Eldorado. Resulted in an Order of Reversal
10 and Remand issued by this Court to correct the district court's erroneous
11 application of a statute of limitations.
- 12 • Case No. 67595, Huerta v. Rogich
- 13 • Case No. 70492, Huerta v. Rogich
- 14 • Case No. 70492-COA, Huerta v. Rogich
- 15 • Case No. 79072, Nanyah v. 8th Jud. Dist. Ct. (Rogich Trust): Writ
16 Petition granted by this Court, with the Writ proceedings subsequently
17 mooted by final orders being entered by the district court necessitating
18 this appeal.
- 19 • Case No. 79917, Nanyah v. Rogich, et al.: appeal currently pending
20 before this Court.
- 21 • Case No. 81038, Nanyah v. Rogich, et al.: appeal currently pending
22 before this Court.
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1 **7. Pending and prior proceedings in other courts:**

2 In Case No. 66823, Nanyah v. Eldorado, this Court entered its Order of
3
4 Reversal and Remand correcting the district court's erroneous application of a
5 statute of limitations. Subsequently, Case No. A16-746239-C was initiated and
6 proceeded before the Honorable Judge Ronald Isreal until consolidation with the
7
8 original action.

9 **8. Nature of the action:**

10 Nanyah invested \$1.5 million into Eldorado. In 2007, Eldorado received
11
12 Nanyah's investment and failed to issue it a formal membership interest. In
13 2008, the various Defendants executed a number of interrelated contracts
14 transferring membership interests in Eldorado with all contracts expressly
15 recognized and confirming Nanyah's \$1.5 million investment into Eldorado.
16
17 Eldorado even amended its Operating Agreement to incorporate and confirm
18 Nanyah's \$1.5 million investment and Nanyah's right to receive repayment of its
19 investment and/or to receive a commensurate membership interest. Pursuant to
20 the various agreements, the Rogich Trust agreed to act as Eldorado's surety to
21 repay Nanyah its investment and/or to issue it a membership interest from the
22 Rogich Trust's interest in Eldorado. In 2012, the Eliades Trust acquired the
23 Rogich Trust's interest in Eldorado and agreed that it was taking ownership of
24 the Rogich Trust's interest "subject to" Nanyah's membership interest rights.
25
26

1 The district court embarked on a convoluted journey to dismiss all of
2 Nanyah's claims employing a variety of erroneous legal decisions. The district
3 court also refused to apply the clear and unambiguous terms of the various
4 agreements. The district court eventually dismissed all of Nanyah's claims
5 necessitating an appeal to correct and remedy the numerous deficiencies and
6 errors committed by the district court (See Docket No. 79917).
7

8
9 The district court subsequently entered its erroneous orders granting
10 attorney's fees and costs in favor of Defendants and against Nanyah necessitating
11 this appeal.
12

13 **9. Issues on appeal:**

14 Did the district court err in awarding attorney's fees and costs in favor of
15 Defendants?
16

17 **10. Pending proceedings in this court raising the same or similar issues:**

18 N/A.
19

20 **11. Constitutional issues:**

21 N/A.
22

23 **12. Other issues:**

24 N/A.
25

26 **13. Assignment to the Court of Appeals or retention in the Supreme Court:**

This case does not fall within any of the categories of cases presumptively

1 assigned to the Supreme Court or Court of Appeals under NRAP 17. In addition,
2 this appeal raises a number of issues of first impression for this Court to address
3 and resolve regarding an award of attorney's fees in the third-party beneficiary
4 context.
5

6 **14. Trial:**

7
8 N/A.

9 **15. Judicial Disqualification:**

10
11 N/A.

12 **16. Date of entry of written judgment or order appealed from:**

13 1. 5/4/2020 Order Granting Defendants Peter Eliades and Teld, LLC's
14 Motion for Attorney's Fees;

15 2. 5/4/2020 Judgment;

16 3. 5/5/2020 Order: (1) Granting Rogich Defendants' Renewed Motion
17 for Attorneys' Fees and Costs; and (2) Denying Nanyah's Motion to Retax Costs
18 Submitted by Rogich Defendants; and
19
20

21 4. 5/5/2020 Judgment Regarding Award of Attorneys' Fees and Costs
22 in Favor of the Rogich Defendants.
23

24 ///

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1 **17. Date written notice of entry of judgment or order was served:**

2 1. Notice of Entry of the 5/4/2020 Order Granting Defendants Peter
3 Eliades and Teld, LLC's Motion for Attorney's Fees and subsequent 5/4/2020
4 Judgment was entered on May 6, 2020.

5
6 2. Notice of Entry of the 5/5/2020 Order: (1) Granting Rogich
7 Defendants' Renewed Motion for Attorneys' Fees and Costs; and (2) Denying
8 Nanyah's Motion to Retax Costs Submitted by Rogich Defendants; and 5/5/2020
9 Judgment Regarding Award of Attorneys' Fees and Costs in Favor of the Rogich
10 Defendants was entered on May 7, 2020.

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12
13 **18. If the time for filing the notice of appeal was tolled by a post-judgment**
14 **motion (NRCp 50(b), 52(b), or 59):**

15 N/A.

16
17 **19. Date notice of appeal filed:**

18 Nanyah's Notice of Appeal was timely filed on May 21, 2020.

19
20 **20. Specify statute or rule governing the time limit for filing the notice of**
21 **appeal, e.g., NRAP 4(a) or other:**

22 NRAP 4(a)(1).

23
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1 **21. Specify the statute or other authority granting this court jurisdiction to**
2 **review the judgment or order appealed from:**

3 NRAP 3(A)(b)(8); Campos-Garcia v. Johnston, 130 Nev. 610, 612, 331
4
5 P.2d 890, 891 (2014) (“order awarding attorney fees and costs was independently
6 appealable as a special order after final judgment. . .”).

7
8 **22. List all parties involved in the action or consolidated actions in the**
9 **district court:**

10 **(a) Parties:**

11 1. Case No. A-13-686303-C

12 ▪ Plaintiffs: Carlos Huerta, individually and as Trustee of
13 The Alexander Christopher Trust, a Trust established in
14 Nevada as assignee of interest of Go Global, Inc., a Nevada
15 corporation; Nanyah Vegas, LLC, a Nevada limited liability
16 company.

17 ▪ Defendants: Sig Rogich aka Sigmund Rogich as Trustee of
18 the Rogich Family Irrevocable Trust; Eldorado Hills, LLC,
19 a Nevada limited liability company.

20 2. Case No. A-16-746239-C

21 ▪ Plaintiffs: Nanyah Vegas, LLC, a Nevada limited liability
22 company.
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- Defendants: TELD, LLC, a Nevada limited liability company; Peter Eliades, individually and as Trustee of The Eliades Survivor Trust of 10/30/08; Sigmund Rogich individually and as Trustee of The Rogich Family Irrevocable Trust; Imitations, LLC, a Nevada limited liability company.

(b) If all parties in the district court are not parties to this appeal, explain in detail why those parties are not involved in this appeal: Carlos Huerta and the Alexander Christopher Trust (“Huerta”) already appealed the dismissal of all their claims against Rogich and the Rogich Trust in Case No. 67595.¹ It was a final judgment because the District Court had also dismissed Nanyah’s unjust enrichment claim against Eldorado Hills at that time (which was later reversed and remanded in Case No. 66823). Huerta’s appeal was ultimately dismissed due to an untimely notice of appeal.

All parties in the district court are subject to the primary underlying appeals in Docket Nos. 79917 and 81038. This appeal only addresses a post-judgment award of attorney’s fees and costs in favor of Defendants.

¹ Case No. 70492-COA also addressed (and affirmed) the dismissal of Huerta’s claims against Rogich and the Rogich Trust.

1 **23. Give a brief description (3 to 5 words) of each party's separate claims,**
2 **counterclaims, cross-claims, or third-party claims and the date of formal**
3 **disposition of each claim.**
4

5 A. Case No. A-13-686303-C

- 6 ○ Fourth Claim for Relief – Unjust Enrichment; and additional
7 claims for implied in fact contract and third-party beneficiary
8 status – Nanyah against Eldorado Hills – October 4, 2019,
9 Decision.

10 B. Case No. A-16-746239-C

- 11 ○ First Claim for Relief – Breach of Contract – Nanyah against the
12 Rogich Trust, Rogich, Teld and Eliades.
 - 13 ▪ Dismissed against Teld and Eliades via the October 5,
14 2018, summary judgment order;
 - 15 ▪ Dismissed against the Rogich Trust via the April 30,
16 2018, Order;
 - 17 ▪ Dismissed against Rogich via the October 4, 2019,
18 Decision.
- 19 ○ Second Claim for Relief – Contractual Breach of the Implied
20 Covenant of Good Faith and Fair Dealing – Nanyah against the
21 Rogich Trust, Rogich, Teld and Eliades.

- 1 ▪ Dismissed against Teld and Eliades via the October 5,
2 2018, summary judgment Order;
- 3 ▪ Dismissed against the Rogich Trust via the April 30,
4 2019, Order;
- 5 ▪ Dismissed against Rogich via the October 4, 2019
6 Decision.
- 7 ○ Third Claim for Relief – Tortious Breach of the Implied
8 Covenant of Good Faith and Fair Dealing – Nanyah against
9 Rogich Trust, Rogich, Teld, and Eliades.
10
11 ▪ Dismissed against Teld and Eliades via the October 5,
12 2018, summary judgment order;
- 13 ▪ Dismissed against the Rogich Trust via the April 30,
14 2019, Order;
- 15 ▪ Dismissed against Rogich via the October 4, 2019,
16 Decision.
- 17 ○ Fourth Claim for relief – withdrawn.
- 18 ○ Fifth Claim for Relief – Constructive Trust - Nanyah against
19 the Eliades Trust.
20
21 ▪ Dismissed via the May 22, 2018, Order.
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- Sixth Claim for Relief – Conspiracy – Nanyah against the Rogich Trust, Rogich, Imitations, Teld, Eliades and the Eliades Trust.
 - Dismissed against Teld, Eliades and the Eliades Trust via the October 5, 2018 Order;
 - Dismissed against the Rogich Trust via the April 30, 2019 Order;
 - Dismissed against Rogich and Imitations via the October 4, 2019, Decision.
- Seventh Claim for Relief – Fraudulent Transfer – Nanyah against the Rogich Trust and the Eliades Trust.
 - Dismissed via the May 22, 2018, Order Granting Partial Summary Judgment.
- Eighth Claim for Relief – Declaratory Relief – Nanyah against Rogich, the Rogich Trust, Imitations, Teld, Eliades and the Eliades Trust.
 - Dismissed against Teld, Eliades and the Eliades Trust via the October 5, 2018, summary judgment Order;

1 ▪ Dismissed, effective as of April 16, 2019, against
2 Rogich, Rogich Trust and Imitations via Order dated
3 April 22, 2020.
4

5 ○ Ninth Claim for Relief – Specific Performance – Nanyah
6 against Rogich, the Rogich Trust, Imitations, Teld, Eliades and
7 the Eliades Trust.
8

9 ▪ Dismissed against Teld, Eliades and the Eliades Trust
10 via the October 5, 2018, summary judgment order;
11

12 ▪ Dismissed, effective as of April 16, 2019, against
13 Rogich, Rogich Trust and Imitations via Order dated
14 April 22, 2020.
15

16 **24. Did the judgment or order appealed from adjudicate ALL the claims**
17 **alleged below and the rights and liabilities of ALL the parties to the action**
18 **or consolidated actions below?**
19

20 Yes, in appeal Docket No. 79917. This appeal addresses only the post-
21 judgment award of attorney's fees and costs in favor of Defendants.
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23 **25. If you answered "No" to question 24, complete the following:**
24

25 N/A.
26

1 26. If you answered “no” to any part of question 25, explain the basis for
2 seeking appellate review (*e.g.*, order is independently appealable under
3 NRAP 3A(b)):
4

5 N/A.

6 27. File-stamped copies of the following documents are included in the
7 primary appeal Docket No. 79917:
8

9 **Exhibit 1:** Amended Complaint in Case No. A-13-686303-C;

10 **Exhibit 2:** Complaint in Case No. A-16-746239-C;

11 **Exhibit 3:** 5/22/18 Order Partially Granting Summary Judgment;

12 **Exhibit 4:** 5/22/18 Order Denying Countermotion for Summary Judgment
13 and Denying NRCP 56(F) Relief;
14

15 **Exhibit 5:** 5/22/18 Notice of Entry of Orders;

16 **Exhibit 6:** 8/10/18 Order Denying Nanyah Vegas, LLC’s Motion for
17 Reconsideration (of 5/22/18 Order);
18

19 **Exhibit 7:** 8/13/18 Notice of Entry of Order;

20 **Exhibit 8:** 10/5/18 Order: (1) Granting Defendants Peter Eliades,
21 Individually and as Trustee of The Eliades Survivor Trust of 10/30/08, and Teld,
22 LLC’s Motion for Summary Judgment; and (2) Denying Nanyah Vegas, LLC’s
23 Countermotion for Summary Judgment;
24

25 **Exhibit 9:** 10/8/18 Notice of Entry of Order;
26

1 **Exhibit 10:** 4/10/19 Order Denying Nanyah Vegas, LLC's Motion in
2 Limine #5: Parol Evidence Rule;

3
4 **Exhibit 11:** 4/10/19 Notice of Entry of Order;

5 **Exhibit 12:** 5/1/19 Order Denying Nanyah Vegas, LLC's Motion to
6 Reconsider Order on Motion in Limine #5 re: Parol Evidence Rule;

7
8 **Exhibit 13:** 5/1/19 Notice of Entry of Order;

9 **Exhibit 14:** 4/17/19 Order Denying Nanyah Vegas, LLC's Motion in
10 Limine #6 re: Date of Discovery;

11
12 **Exhibit 15:** 4/17/19 Notice of Entry of Order;

13 **Exhibit 16:** 5/1/19 Order Denying Plaintiff Nanyah Vegas, LLC's Motion
14 to Settle Jury Instructions;

15
16 **Exhibit 17:** 5/1/19 Notice of Entry of Order;

17 **Exhibit 18:** 5/29/19 Order Denying Nanyah Vegas, LLC's Motion for
18 NRCP 15 Relief;

19
20 **Exhibit 19:** 6/24/19 Notice of Entry of Order;

21 **Exhibit 20:** 5/29/19 Order Regarding Plaintiff's Emergency Motion to
22 Address Defendant The Rogich Family Irrevocable Trust's NRS 163.120 Notice
23 and/or Motion to Continue Trial for Purposes of NRS 163.120;

24
25 **Exhibit 21:** 6/24/19 Notice of Entry of Order;

26 **Exhibit 22:** 4/30/19 Order (Dismissal of Rogich Trust);

1 **Exhibit 23:** 4/30/19 Notice of Entry of Order;

2 **Exhibit 24:** 10/4/19 Decision and Order; and

3 **Exhibit 25:** 10/4/19 Notice of Entry of Order.

4
5 **28. File-stamped copies of the following documents are included in the**
6 **secondary appeal Docket No. 81038:**

7
8 **Exhibit 26:** 3/16/2020 Order Granting Defendants Peter Eliades and Teld,
9 LLC's Motion for Attorney's Fees and Setting Supplemental Briefing on
10 Apportionment;

11 **Exhibit 27:** 3/16/2020 Notice of Entry of Order.

12
13 **29. File-stamped copies of the following documents relating to this appeal**
14 **are attached hereto:**

15 **Exhibit 28:** 5/4/2020 Order Granting Defendants Peter Eliades and Teld,
16 LLC's Motion for Attorney's Fees;

17 **Exhibit 29:** 5/6/2020 Notice of Entry of Order Granting Defendants Peter
18 Eliades and Teld, LLC's Motion for Attorney's Fees;

19 **Exhibit 30:** 5/4/2020 Judgment;


20 **Exhibit 31:** 5/6/2020 Notice of Entry Judgment;

21 **Exhibit 32:** 5/5/2020 Order: (1) Granting Rogich Defendants' Renewed
22 Motion for Attorneys' Fees and Costs; and (2) Denying Nanyah's Motion to
23 Retax Costs Submitted by Rogich Defendants;
24
25
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Exhibit 34: 5/5/2020 Judgment Regarding Award of Attorneys' Fees and
s in Favor of the Rogich Defendants.

VERIFICATION

Dated this 23rd day of June, 2020.


MARK G. SIMONS
Attorney for Appellant Nanyah Vegas, LLC

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CERTIFICATE OF SERVICE

Pursuant to NRAP 25, I certify that I am an employee of SIMONS HALL JOHNSTON PC, and that on this date I caused to be served a true copy of the **APPELLANT NANYAH VEGAS, LLC'S DOCKETING STATEMENT** on all parties to this action by the method(s) indicated below:

X by using the Supreme Court Electronic Filing System:


Brenoch Wirthlin
HUTCHISON & STEFFEN
10080 W. Alta Dr., Suite 200
Las Vegas, Nevada 89145

*Attorneys for Sigmund Rogich, Individually and as Trustee of the
Rogich Family Irrevocable Trust and Imitations, LLC*

Joseph Liebman
Dennis Kennedy
Bailey Kennedy
8984 Spanish Ridge Avenue
Las Vegas, NV 89148-1302

*Attorneys for Eldorado Hills, LLC, Teld, LLC, a Nevada limited
liability company; Peter Eliades, individually and as Trustee of the
The Eliades Survivor Trust of 10/30/08*

DATED: This 23 day of June, 2020.



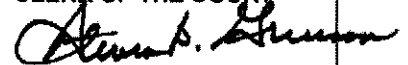
JODI ALHASAN

EXHIBIT 1

NO.	DESCRIPTION	PAGES
28	5/4/2020 Order Granting Defendants Peter Eliades and Teld, LLC's Motion for Attorney's Fees	4
29	5/6/2020 Notice of Entry of Order Granting Defendants Peter Eliades and Teld, LLC's Motion for Attorney's Fees	7
30	5/4/2020 Judgment	2
31	5/6/2020 Notice of Entry of Judgment	5
32	5/5/2020 Order: (1) Granting Rogich Defendants' Renewed Motion for Attorneys' Fees and Costs; and (2) Denying Nanyah's Motion to Retax Costs Submitted by Rogich Defendants;	6
33	5/7/2020 Notice of Entry of Order	9
34	5/5/2020 Judgment Regarding Award of Attorneys' Fees and Costs in Favor of the Rogich Defendants	2
35	5/7/2020 Notice of Entry of Order (sic)	5

EXHIBIT 28

EXHIBIT 28



ORDR (CIV)

DENNIS L. KENNEDY
Nevada Bar No. 1462

JOSEPH A. LIEBMAN
Nevada Bar No. 10125

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Attorneys for Defendants PETE ELIADES, THE
ELIADES SURVIVOR TRUST OF 10/30/08,
TELD, LLC and ELDORADO HILLS, LLC

DISTRICT COURT
CLARK COUNTY, NEVADA

CARLOS A. HUERTA, an individual;
CARLOS A. HUERTA as Trustee of THE
ALEXANDER CHRISTOPHER TRUST, a
Trust established in Nevada as assignee of
interests of GO GLOBAL, INC., a Nevada
Corporation; NANYAH VEGAS, LLC, A
Nevada limited liability company,

Plaintiffs,

vs.

SIG ROGICH aka SIGMUND ROGICH as
Trustee of The Rogich Family Irrevocable
Trust; ELDORADO HILLS, LLC, a Nevada
limited liability company; DOES I-X; and/or
ROE CORPORATIONS I-X, inclusive,

Defendants.

NANYAH VEGAS, LLC, a Nevada limited
liability company,

Plaintiff,

vs.

TELD, LLC, a Nevada limited liability
company; PETER ELIADES, individually and
as Trustee of The Eliades Survivor Trust of
10/30/08; SIGMUND ROGICH, individually
and as Trustee of The Rogich Family
Irrevocable Trust; IMITATIONS, LLC, a
Nevada limited liability company; DOES I-X;
and/or ROE CORPORATIONS I-X, inclusive,

Defendants.

Case No. A-13-686303-C
Dept. No. XXVII

**ORDER GRANTING DEFENDANTS
PETER ELIADES AND TELD, LLC'S
MOTION FOR ATTORNEY'S FEES**

CONSOLIDATED WITH:

Case No. A-16-746239-C

Defendants Peter Eliades (“Eliades”) and Teld, LLC’s (“Teld”) Motion for Attorney’s Fees (the “Motion for Attorney’s Fees”) originally came before the Court on January 30, 2020. At that time, the Court granted the Motion for Attorney’s Fees, but also ordered that Eliades and Teld submit supplemental briefing in the form of an affidavit or declaration from their counsel, showing how their request for \$216,236.25 was apportioned between Eliades, Teld, The Eliades Survivor Trust of 10/30/08 (the “Eliades Trust”), and Eldorado Hills, LLC (“Eldorado Hills”), and to what extent Eliades and Teld claimed that apportionment is impracticable due to the interrelationship between the claims and parties. Eliades and Teld’s supplemental declaration was filed on February 21, 2020. Nanyah Vegas, LLC (“Nanyah”) filed a response to Eliades and Teld’s supplemental declaration on March 20, 2020. On March 31, 2020, the Court issued a minute order providing its final ruling on the Motion for Attorney’s Fees, which is set forth in detail below.

FINDINGS OF FACT

- Section 9(d) of the Membership Interest Purchase Agreement (the “MIPA”) contains the following prevailing party attorney’s fees provision.

In the event that any action or proceeding is instituted to interpret or enforce the terms and provisions of this Agreement, however, the prevailing party shall be entitled to its costs and attorney’s fees, in addition to any other relief it may obtain or be entitled to.

- Eliades and Teld are both parties to the MIPA.
- Nanyah sued both Eliades and Teld for alleged breaches of the MIPA. In doing so, Nanyah alleged that it was an intended third-party beneficiary under the MIPA.
- Any finding of fact set forth herein more appropriately designated as a conclusion of law shall be so designated.

CONCLUSIONS OF LAW

- The Court finds that Nanyah was an intended third-party beneficiary under the MIPA. Thus, Nanyah is bound by Section 9(d) of the MIPA. *Canfora v. Coast Hotels and Casinos, Inc.* 121 Nev. 771, 779, 121 P.3d 599, 604 (2005).
- The Court also finds that Eliades and Teld are the prevailing parties against Nanyah under Section 9(d) of the MIPA, as this Court previously entered summary judgment in their favor

1 and dismissed all of Nanyah's claims against them. Thus, Eliades and Teld are entitled to
2 reimbursement of their reasonable attorney's fees from Nanyah.

3 ➤ "Generally, in calculating attorney's fees, the court should consider the qualities of the
4 advocate, the character of the work to be done, the work actually performed by the lawyer,
5 and the result." *Hornwood v. Smith's Food King No. 1*, 107 Nev. 80, 87, 807 P.2d 208, 213
6 (1991) (citing to *Brunzell v. Golden Gate Nat'l Bank*, 85 Nev. 345, 349, 455 P.2d 31, 33
7 (1969)).

8 ➤ The Court further finds that Eliades and Teld have fulfilled the *Brunzell* factors above.
9 Specifically, the Court finds that Eliades and Teld's counsel are qualified advocates, that the
10 character of their work and the work performed were reasonable and justified, and that the
11 result they obtained for Eliades and Teld—entry of summary judgment—was successful.

12 ➤ The Court also finds that Eliades and Teld's counsel's hourly rates are reasonable in this
13 community for complex commercial litigation and allowed by courts in Nevada for
14 professional services rendered in complex commercial litigation.

15 ➤ If the Court ultimately determines that apportionment is impracticable because the claims and
16 parties are interrelated, the Court has the discretion to decline apportionment. *Mayfield v.*
17 *Koroghli*, 124 Nev. 343, 353-54, 184 P.3d 362, 369 (2008). However, the Court is first
18 required to make a good faith effort to apportion attorney's fees, considering that
19 Bailey ♦ Kennedy also represented Eldorado Hills and the Eliades Trust (two non-parties to
20 the MIPA) in this consolidated action.

21 ➤ The Court therefore requested a supplemental affidavit or declaration from Eliades and
22 Teld's undersigned counsel relating to apportionment. Following this Court's review of the
23 supplemental declaration as well as Nanyah's response thereto, the Court finds that Eliades
24 and Teld apportioned attorney's fees between them and the Eliades Trust/Eldorado Hills (two
25 non-parties to the MIPA) when practicable, such as with respect to a Motion for Summary
26 Judgment filed solely on Eldorado Hills' behalf, which was omitted from Eliades and Teld's
27 request for attorney's fees. For the remainder, the Court finds that it was impracticable to
28 apportion attorney's fees because of the interrelationship between the parties and claims.

- 1 ➤ Accordingly, the Court finds that Nanyah is obligated to pay \$216,236.25 to Eliades and to
2 Teld as reimbursement for their incurred attorney's fees.
3 ➤ Any conclusion of law set forth herein more appropriately designated as a finding of fact
4 shall be so designated.

5 **ORDER**

6 The Court, having heard oral argument, having reviewed the papers, exhibits, and pleadings
7 on file, and having considered the same, and for the reasons stated upon the record, GRANTS the
8 Motion for Attorney's Fees and orders that Nanyah is obligated to pay \$216,236.25 to Eliades and to
9 Teld. The Court will issue a separate monetary judgment for that amount.

10 DATED this 4th day of May, 2020.

11
12 Nancy L. Alf
13 DISTRICT COURT JUDGE
14

15 Submitted by:

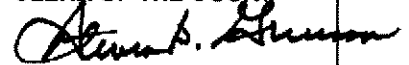
16 BAILEY ♦ KENNEDY

17 By /s/ Joseph A. Liebman
18 Dennis Kennedy, Esq.
19 Joseph Liebman, Esq.
8984 Spanish Ridge Avenue
Las Vegas, NV 89148-1302

20 *Attorneys for Defendants PETE ELIADES,*
21 *THE ELIADES SURVIVOR TRUST OF*
22 *10/30/08, TELD, LLC and ELDORADO*
HILLS, LLC

EXHIBIT 29

EXHIBIT 29



NEOJ (CIV)

DENNIS L. KENNEDY

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JOSEPH A. LIEBMAN

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Attorneys for Defendants PETE ELIADES, THE
ELIADES SURVIVOR TRUST OF 10/30/08,
TELD, LLC and ELDORADO HILLS, LLC

DISTRICT COURT
CLARK COUNTY, NEVADA

CARLOS A. HUERTA, an individual;
CARLOS A. HUERTA as Trustee of THE
ALEXANDER CHRISTOPHER TRUST, a
Trust established in Nevada as assignee of
interests of GO GLOBAL, INC., a Nevada
Corporation; NANYAH VEGAS, LLC, A
Nevada limited liability company,

Plaintiffs,

vs.

SIG ROGICH aka SIGMUND ROGICH as
Trustee of The Rogich Family Irrevocable
Trust; ELDORADO HILLS, LLC, a Nevada
limited liability company; DOES I-X; and/or
ROE CORPORATIONS I-X, inclusive,

Defendants.

NANYAH VEGAS, LLC, a Nevada limited
liability company,

Plaintiff,

vs.

TELD, LLC, a Nevada limited liability
company; PETER ELIADES, individually and
as Trustee of The Eliades Survivor Trust of
10/30/08; SIGMUND ROGICH, individually
and as Trustee of The Rogich Family
Irrevocable Trust; IMITATIONS, LLC, a
Nevada limited liability company; DOES I-X;
and/or ROE CORPORATIONS I-X, inclusive,

Defendants.

Case No. A-13-686303-C

Dept. No. XXVII

**NOTICE OF ENTRY OF ORDER
GRANTING DEFENDANTS
PETER ELIADES AND TELD, LLC'S
MOTION FOR ATTORNEY'S FEES**

CONSOLIDATED WITH:

Case No. A-16-746239-C

1 PLEASE TAKE NOTICE that an Order Granting Defendants Peter Eliades and Teld, LLC's
2 Motion for Attorney's Fees was entered in the above-captioned action on May 4, 2020, a true and
3 correct copy of which is attached hereto.

4 DATED this 6th day of May, 2020.

5 BAILEY ♦ KENNEDY

6
7 By: /s/ Joseph A. Liebman
8 DENNIS L. KENNEDY
9 JOSEPH A. LIEBMAN

10 *Attorneys for Defendants* PETE ELIADES,
11 THE ELIADES SURVIVOR TRUST OF
12 10/30/08, TELD, LLC and
13 ELDORADO HILLS, LLC
14
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CERTIFICATE OF SERVICE

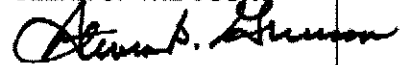
I certify that I am an employee of BAILEY ♦ KENNEDY and that on the 6th day of May, 2020, service of the foregoing **NOTICE OF ENTRY OF ORDER GRANTING DEFENDANTS PETER ELIADES AND TELD, LLC'S MOTION FOR ATTORNEY'S FEES** was made by mandatory electronic service through the Eighth Judicial District Court's electronic filing system and/or by depositing a true and correct copy in the U.S. Mail, first class postage prepaid, and addressed to the following at their last known address:

MARK G. SIMONS, ESQ. SIMONS HALL JOHNSTON PC 6490 S. McCarran Blvd., Suite F-46 Reno, NV 89509	Email: msimons@shjnevada.com <i>Attorneys for Plaintiff</i> NANYAH VEGAS, LLC
--	---

BRENOCH WIRTHLIN, ESQ. HUTCHISON & STEFFEN, PLLC 10080 West Alta Drive, Suite 200 Las Vegas, NV 89145	bwirthlin@hutchlegal.com <i>Attorneys for Defendants</i> SIG ROGICH aka SIGMUND ROGICH, Individually and as Trustee of THE ROGICH FAMILY IRREVOCABLE TRUST, and IMITATIONS, LLC
---	---

MICHAEL V. CRISTALLI JANIECE S. MARSHALL GENTILE CRISTALLI MILLER ARMENI SAVARESE 410 South Rampart Blvd., Suite 420 Las Vegas, NV 89145	Email: mcristalli@gcmaslaw.com jmarshall@gcmaslaw.com <i>Attorneys for Defendants</i> SIG ROGICH aka SIGMUND ROGICH as Trustee of THE ROGICH FAMILY IRREVOCABLE TRUST
---	---

/s/ Sharon L. Murnane
Employee of BAILEY ♦ KENNEDY



ORDR (CIV)

DENNIS L. KENNEDY
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JOSEPH A. LIEBMAN
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Attorneys for Defendants PETE ELIADES, THE
ELIADES SURVIVOR TRUST OF 10/30/08,
TELD, LLC and ELDORADO HILLS, LLC

DISTRICT COURT
CLARK COUNTY, NEVADA

CARLOS A. HUERTA, an individual;
CARLOS A. HUERTA as Trustee of THE
ALEXANDER CHRISTOPHER TRUST, a
Trust established in Nevada as assignee of
interests of GO GLOBAL, INC., a Nevada
Corporation; NANYAH VEGAS, LLC, A
Nevada limited liability company,

Plaintiffs,

vs.

SIG ROGICH aka SIGMUND ROGICH as
Trustee of The Rogich Family Irrevocable
Trust; ELDORADO HILLS, LLC, a Nevada
limited liability company; DOES I-X; and/or
ROE CORPORATIONS I-X, inclusive,

Defendants.

NANYAH VEGAS, LLC, a Nevada limited
liability company,

Plaintiff,

vs.

TELD, LLC, a Nevada limited liability
company; PETER ELIADES, individually and
as Trustee of The Eliades Survivor Trust of
10/30/08; SIGMUND ROGICH, individually
and as Trustee of The Rogich Family
Irrevocable Trust; IMITATIONS, LLC, a
Nevada limited liability company; DOES I-X;
and/or ROE CORPORATIONS I-X, inclusive,

Defendants.

Case No. A-13-686303-C
Dept. No. XXVII

**ORDER GRANTING DEFENDANTS
PETER ELIADES AND TELD, LLC'S
MOTION FOR ATTORNEY'S FEES**

CONSOLIDATED WITH:

Case No. A-16-746239-C

Defendants Peter Eliades (“Eliades”) and Teld, LLC’s (“Teld”) Motion for Attorney’s Fees (the “Motion for Attorney’s Fees”) originally came before the Court on January 30, 2020. At that time, the Court granted the Motion for Attorney’s Fees, but also ordered that Eliades and Teld submit supplemental briefing in the form of an affidavit or declaration from their counsel, showing how their request for \$216,236.25 was apportioned between Eliades, Teld, The Eliades Survivor Trust of 10/30/08 (the “Eliades Trust”), and Eldorado Hills, LLC (“Eldorado Hills”), and to what extent Eliades and Teld claimed that apportionment is impracticable due to the interrelationship between the claims and parties. Eliades and Teld’s supplemental declaration was filed on February 21, 2020. Nanyah Vegas, LLC (“Nanyah”) filed a response to Eliades and Teld’s supplemental declaration on March 20, 2020. On March 31, 2020, the Court issued a minute order providing its final ruling on the Motion for Attorney’s Fees, which is set forth in detail below.

FINDINGS OF FACT

- Section 9(d) of the Membership Interest Purchase Agreement (the “MIPA”) contains the following prevailing party attorney’s fees provision.

In the event that any action or proceeding is instituted to interpret or enforce the terms and provisions of this Agreement, however, the prevailing party shall be entitled to its costs and attorney’s fees, in addition to any other relief it may obtain or be entitled to.

- Eliades and Teld are both parties to the MIPA.
- Nanyah sued both Eliades and Teld for alleged breaches of the MIPA. In doing so, Nanyah alleged that it was an intended third-party beneficiary under the MIPA.
- Any finding of fact set forth herein more appropriately designated as a conclusion of law shall be so designated.

CONCLUSIONS OF LAW

- The Court finds that Nanyah was an intended third-party beneficiary under the MIPA. Thus, Nanyah is bound by Section 9(d) of the MIPA. *Canfora v. Coast Hotels and Casinos, Inc.* 121 Nev. 771, 779, 121 P.3d 599, 604 (2005).
- The Court also finds that Eliades and Teld are the prevailing parties against Nanyah under Section 9(d) of the MIPA, as this Court previously entered summary judgment in their favor

1 and dismissed all of Nanyah's claims against them. Thus, Eliades and Teld are entitled to
2 reimbursement of their reasonable attorney's fees from Nanyah.

- 3 ➤ "Generally, in calculating attorney's fees, the court should consider the qualities of the
4 advocate, the character of the work to be done, the work actually performed by the lawyer,
5 and the result." *Hornwood v. Smith's Food King No. 1*, 107 Nev. 80, 87, 807 P.2d 208, 213
6 (1991) (citing to *Brunzell v. Golden Gate Nat'l Bank*, 85 Nev. 345, 349, 455 P.2d 31, 33
7 (1969)).
- 8 ➤ The Court further finds that Eliades and Teld have fulfilled the *Brunzell* factors above.
9 Specifically, the Court finds that Eliades and Teld's counsel are qualified advocates, that the
10 character of their work and the work performed were reasonable and justified, and that the
11 result they obtained for Eliades and Teld—entry of summary judgment—was successful.
- 12 ➤ The Court also finds that Eliades and Teld's counsel's hourly rates are reasonable in this
13 community for complex commercial litigation and allowed by courts in Nevada for
14 professional services rendered in complex commercial litigation.
- 15 ➤ If the Court ultimately determines that apportionment is impracticable because the claims and
16 parties are interrelated, the Court has the discretion to decline apportionment. *Mayfield v.*
17 *Koroghli*, 124 Nev. 343, 353-54, 184 P.3d 362, 369 (2008). However, the Court is first
18 required to make a good faith effort to apportion attorney's fees, considering that
19 Bailey ♦ Kennedy also represented Eldorado Hills and the Eliades Trust (two non-parties to
20 the MIPA) in this consolidated action.
- 21 ➤ The Court therefore requested a supplemental affidavit or declaration from Eliades and
22 Teld's undersigned counsel relating to apportionment. Following this Court's review of the
23 supplemental declaration as well as Nanyah's response thereto, the Court finds that Eliades
24 and Teld apportioned attorney's fees between them and the Eliades Trust/Eldorado Hills (two
25 non-parties to the MIPA) when practicable, such as with respect to a Motion for Summary
26 Judgment filed solely on Eldorado Hills' behalf, which was omitted from Eliades and Teld's
27 request for attorney's fees. For the remainder, the Court finds that it was impracticable to
28 apportion attorney's fees because of the interrelationship between the parties and claims.

- 1 ➤ Accordingly, the Court finds that Nanyah is obligated to pay \$216,236.25 to Eliades and to
2 Teld as reimbursement for their incurred attorney's fees.
3 ➤ Any conclusion of law set forth herein more appropriately designated as a finding of fact
4 shall be so designated.

5 **ORDER**

6 The Court, having heard oral argument, having reviewed the papers, exhibits, and pleadings
7 on file, and having considered the same, and for the reasons stated upon the record, GRANTS the
8 Motion for Attorney's Fees and orders that Nanyah is obligated to pay \$216,236.25 to Eliades and to
9 Teld. The Court will issue a separate monetary judgment for that amount.

10 DATED this 4th day of May, 2020.

11
12
13 Nancy L. Alf
14 DISTRICT COURT JUDGE

15 Submitted by:

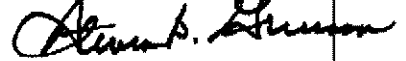
16 BAILEY ♦ KENNEDY

17 By /s/ Joseph A. Liebman
18 Dennis Kennedy, Esq.
19 Joseph Liebman, Esq.
8984 Spanish Ridge Avenue
Las Vegas, NV 89148-1302

20 *Attorneys for Defendants PETE ELIADES,*
21 *THE ELIADES SURVIVOR TRUST OF*
22 *10/30/08, TELD, LLC and ELDORADO*
23 *HILLS, LLC*
24
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EXHIBIT 30

EXHIBIT 30



JUDG (CIV)

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JOSEPH A. LIEBMAN
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Attorneys for Defendants PETE ELIADES, THE
ELIADES SURVIVOR TRUST OF 10/30/08,
TELD, LLC, and ELDORADO HILLS, LLC

DISTRICT COURT
CLARK COUNTY, NEVADA

CARLOS A. HUERTA, an individual;
CARLOS A. HUERTA as Trustee of THE
ALEXANDER CHRISTOPHER TRUST, a
Trust established in Nevada as assignee of
interests of GO GLOBAL, INC., a Nevada
Corporation; NANYAH VEGAS, LLC, A
Nevada limited liability company,

Plaintiffs,

vs.

SIG ROGICH aka SIGMUND ROGICH as
Trustee of The Rogich Family Irrevocable
Trust; ELDORADO HILLS, LLC, a Nevada
limited liability company; DOES I-X; and/or
ROE CORPORATIONS I-X, inclusive,

Defendants.

NANYAH VEGAS, LLC, a Nevada limited
liability company,

Plaintiff,

vs.

TELD, LLC, a Nevada limited liability
company; PETER ELIADES, individually and
as Trustee of The Eliades Survivor Trust of
10/30/08; SIGMUND ROGICH, individually
and as Trustee of The Rogich Family
Irrevocable Trust; IMITATIONS, LLC, a
Nevada limited liability company; DOES I-X;
and/or ROE CORPORATIONS I-X, inclusive,

Defendants.

Case No. A-13-686303-C
Dept. No. XXVII

JUDGMENT

CONSOLIDATED WITH:

Case No. A-16-746239-C

Judgment is entered in favor of Peter Eliades and Teld, LLC and against Nanyah Vegas, LLC in the amount of two hundred and sixteen thousand, two hundred and thirty-six and 25/100 dollars (\$216,236.25). Interest shall continue to accrue from entry of Judgment until paid in full.

Judgment is also entered in favor of Peter Eliades, The Eliades Survivor Trust of 10/30/08, Teld, LLC, and Eldorado Hills, LLC and against Nanyah Vegas, LLC in the amount of thirty-one thousand, ten and 98/100 dollars (\$31,010.98). Interest shall continue to accrue from entry of Judgment until paid in full.

DATED this 4th day of May, 2020.

Nancy L Alf
DISTRICT COURT JUDGE

Submitted by:

BAILEY ♦ KENNEDY

By /s/ Joseph A. Liebman

Dennis L. Kennedy, Esq.

Joseph A. Liebman, Esq.

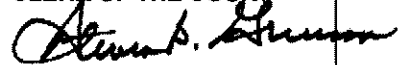
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Las Vegas, NV 89148-1302

Attorneys for Defendants PETE ELIADES,
THE ELIADES SURVIVOR TRUST OF 10/30/08,
TELD, LLC, and ELDORADO HILLS, LLC

EXHIBIT 31

EXHIBIT 31



NJUD (CIV)

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JOSEPH A. LIEBMAN
Nevada Bar No. 10125

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Attorneys for Defendants PETE ELIADES, THE
ELIADES SURVIVOR TRUST OF 10/30/08,
TELD, LLC and ELDORADO HILLS, LLC

DISTRICT COURT
CLARK COUNTY, NEVADA

CARLOS A. HUERTA, an individual;
CARLOS A. HUERTA as Trustee of THE
ALEXANDER CHRISTOPHER TRUST, a
Trust established in Nevada as assignee of
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Corporation; NANYAH VEGAS, LLC, A
Nevada limited liability company,

Plaintiffs,

vs.

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Trustee of The Rogich Family Irrevocable
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limited liability company; DOES I-X; and/or
ROE CORPORATIONS I-X, inclusive,

Defendants.

NANYAH VEGAS, LLC, a Nevada limited
liability company,

Plaintiff,

vs.

TELD, LLC, a Nevada limited liability
company; PETER ELIADES, individually and
as Trustee of The Eliades Survivor Trust of
10/30/08; SIGMUND ROGICH, individually
and as Trustee of The Rogich Family
Irrevocable Trust; IMITATIONS, LLC, a
Nevada limited liability company; DOES I-X;
and/or ROE CORPORATIONS I-X, inclusive,

Defendants.

Case No. A-13-686303-C
Dept. No. XXVII

NOTICE OF ENTRY OF JUDGMENT

CONSOLIDATED WITH:

Case No. A-16-746239-C

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PLEASE TAKE NOTICE that a Judgment was entered in the above-captioned action on
May 4, 2020, a true and correct copy of which is attached hereto.

DATED this 6th day of May, 2020.

BAILEY ♦ KENNEDY

By: /s/ Joseph A. Liebman
DENNIS L. KENNEDY
JOSEPH A. LIEBMAN

Attorneys for Defendants PETE ELIADES,
THE ELIADES SURVIVOR TRUST OF
10/30/08, TELD, LLC and
ELDORADO HILLS, LLC

CERTIFICATE OF SERVICE

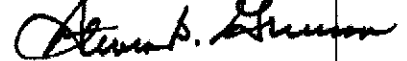
I certify that I am an employee of BAILEY ♦ KENNEDY and that on the 6th day of May, 2020, service of the foregoing **NOTICE OF ENTRY OF JUDGMENT** was made by mandatory electronic service through the Eighth Judicial District Court's electronic filing system and/or by depositing a true and correct copy in the U.S. Mail, first class postage prepaid, and addressed to the following at their last known address:

MARK G. SIMONS, ESQ. SIMONS HALL JOHNSTON PC 6490 S. McCarran Blvd., Suite F-46 Reno, NV 89509	Email: msimons@shjnevada.com <i>Attorneys for Plaintiff</i> NANYAH VEGAS, LLC
--	---

BRENOCH WIRTHLIN, ESQ. HUTCHISON & STEFFEN, PLLC 10080 West Alta Drive, Suite 200 Las Vegas, NV 89145	bwirthlin@hutchlegal.com <i>Attorneys for Defendants</i> SIG ROGICH aka SIGMUND ROGICH, Individually and as Trustee of THE ROGICH FAMILY IRREVOCABLE TRUST, and IMITATIONS, LLC
---	---

MICHAEL V. CRISTALLI JANIECE S. MARSHALL GENTILE CRISTALLI MILLER ARMENI SAVARESE 410 South Rampart Blvd., Suite 420 Las Vegas, NV 89145	Email: mcristalli@gcmaslaw.com jmarshall@gcmaslaw.com <i>Attorneys for Defendants</i> SIG ROGICH aka SIGMUND ROGICH as Trustee of THE ROGICH FAMILY IRREVOCABLE TRUST
---	---

/s/ Sharon L. Murnane
Employee of BAILEY ♦ KENNEDY



JUDG (CIV)

DENNIS L. KENNEDY

Nevada Bar No. 1462

JOSEPH A. LIEBMAN

Nevada Bar No. 10125

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Attorneys for Defendants PETE ELIADES, THE
ELIADES SURVIVOR TRUST OF 10/30/08,
TELD, LLC, and ELDORADO HILLS, LLC

DISTRICT COURT
CLARK COUNTY, NEVADA

CARLOS A. HUERTA, an individual;
CARLOS A. HUERTA as Trustee of THE
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Defendants.

NANYAH VEGAS, LLC, a Nevada limited
liability company,

Plaintiff,

vs.

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company; PETER ELIADES, individually and
as Trustee of The Eliades Survivor Trust of
10/30/08; SIGMUND ROGICH, individually
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Irrevocable Trust; IMITATIONS, LLC, a
Nevada limited liability company; DOES I-X;
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Defendants.

Case No. A-13-686303-C
Dept. No. XXVII

JUDGMENT

CONSOLIDATED WITH:

Case No. A-16-746239-C

Judgment is entered in favor of Peter Eliades and Teld, LLC and against Nanyah Vegas, LLC in the amount of two hundred and sixteen thousand, two hundred and thirty-six and 25/100 dollars (\$216,236.25). Interest shall continue to accrue from entry of Judgment until paid in full.

Judgment is also entered in favor of Peter Eliades, The Eliades Survivor Trust of 10/30/08, Teld, LLC, and Eldorado Hills, LLC and against Nanyah Vegas, LLC in the amount of thirty-one thousand, ten and 98/100 dollars (\$31,010.98). Interest shall continue to accrue from entry of Judgment until paid in full.

DATED this 4th day of May, 2020.

Nancy L Alf
DISTRICT COURT JUDGE

Submitted by:

BAILEY ♦ KENNEDY

By /s/ Joseph A. Liebman

Dennis L. Kennedy, Esq.

Joseph A. Liebman, Esq.

8984 Spanish Ridge Avenue

Las Vegas, NV 89148-1302

Attorneys for Defendants PETE ELIADES,
THE ELIADES SURVIVOR TRUST OF 10/30/08,
TELD, LLC, and ELDORADO HILLS, LLC

EXHIBIT 32

EXHIBIT 32



ORDER

Brenoch Wirthlin, Esq. (NV Bar No. 10282)

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*Attorneys for Sigmund Rogich, Individually and
as Trustee of the Rogich Family Irrevocable Trust,
and Imitations, LLC*

IN THE EIGHTH JUDICIAL DISTRICT OF

THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK

CARLOS A. HUERTA, an individual; CARLOS
A. HUERTA as Trustee of THE ALEXANDER
CHRISTOPHER TRUST, a Trust established in
Nevada as assignee of interests of GO GLOBAL,
INC., a Nevada corporation; NANYAH VEGAS,
LLC A Nevada limited liability company,

Plaintiffs,

v.

SIG ROGICH aka SIGMUND ROGICH as
Trustee of The Rogich Family Irrevocable Trust;
ELDORADO HILLS, LLC, a Nevada limited
liability company; DOES I-X; and/or ROE
CORPORATIONS I-X, inclusive,

Defendants.

NANYAH VEGAS, LLC, a Nevada limited
liability company,

Plaintiff,

v.

TELD, LLC, a Nevada limited liability company,
PETER ELIADES, individually and as Trustee of
the Eliades Survivor Trust of 10/30/08;
SIGMUND ROGICH, individually and as Trustee
of The Rogich Family Irrevocable Trust;
IMITATIONS, LLC, a Nevada limited liability
company; DOES I-X; and/or ROE
CORPORATIONS I-X, inclusive,

Defendants.

Case No.: A-13-686303-C

Dept. No.: XXVII

Consolidated With:

Case No.: A-16-746239-C

**ORDER: (1) GRANTING ROGICH
DEFENDANTS' RENEWED MOTION
FOR ATTORNEYS' FEES AND
COSTS; AND (2) DENYING
NANYAH'S MOTION TO RETAX
COSTS SUBMITTED BY ROGICH
DEFENDANTS**

Date of Hearing: January 30, 2020

Time of Hearing: 11:00 a.m.

1 **ORDER: (1) GRANTING ROGICH DEFENDANTS' RENEWED MOTION FOR**
2 **ATTORNEYS' FEES AND COSTS; AND (2) DENYING NANYAH'S MOTION TO**
3 **RETAX COSTS SUBMITTED BY ROGICH DEFENDANTS**

4 Defendants SIGMUND ROGICH, as Trustee of The Rogich Family Irrevocable Trust
5 ("The Rogich Trust"), Sigmund Rogich individually ("Rogich") and Imitations, LLC
6 ("Imitations" and collectively with the Rogich Trust and Rogich referred to herein as the
7 "Rogich Defendants"), filed their Renewed Motion for Attorneys' Fees and Costs ("Attorneys'
8 Fees Motion") on October 22, 2019; Plaintiff NANYAH VEGAS, LLC ("Nanyah") filed its
9 Opposition to such Attorneys' Fees Motion on January 8, 2020; the Rogich Defendants filed
10 their Reply brief on January 23, 2020.

11 Nanyah filed its Motion to Retax Costs submitted by the Rogich Defendants'
12 Memorandum of Costs and Disbursements ("Motion to Retax Costs") on October 16, 2019; the
13 Rogich Defendants filed their Opposition to such Motion to Retax on January 9, 2020; and
14 Nanyah filed its Reply brief on January 23, 2020.

15 Both of the aforementioned Motions having come for hearing on **January 30, 2020** at
16 **11:00 a.m.**, with all parties being represented by their undersigned counsel of record; Mark
17 Simons, Esq., having appeared at the hearing on behalf of Nanyah, and Brenoch Wirthlin, Esq.,
18 having appeared at the hearing on behalf of the Rogich Defendants; the Court having requested a
19 supplemental declaration from counsel for the Rogich Defendants regarding the redactions and
20 block billings provided for within its Motion ("Supplemental Declaration"); the Rogich
21 Defendants having filed their Supplemental Declaration on February 28, 2020; Nanyah having
22 filed its response ("Nanyah's Response") to the Supplemental Declaration on March 19, 2020;
23 the Court having reviewed and considered all papers on file in this matter, including without
24 limitation the Supplemental Declaration and Nanyah's Response thereto, as well as having heard
25 and considered arguments made by counsel at the time of the hearing on this matter, good cause
26 appearing, hereby issues the following findings of fact, conclusions of law¹, and Order:

27 _____
28 ¹ If any findings of fact are more appropriately deemed conclusions of law or *vice versa*, they are so deemed.

1 **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

2 1. The Court finds that while it is not appropriate to award attorneys' fees to the
3 Rogich Defendants under NRS 18, it is appropriate for this Court to award the Rogich
4 Defendants their reasonable attorneys' fees and costs pursuant to NRCP 68;

5 2. The Court finds that the Offer of Judgment served on Nanyah on October 29, 2018
6 (the "Offer") pursuant to NRCP 68 was made in good faith, both in in timing and amount, and, as
7 such, the fees incurred thereafter by the Rogich Defendants, in the principal amount of
8 \$541,021.50, were appropriate, reasonable and justified, and are hereby awarded;

9 3. The Court finds that the it was grossly unreasonable – not in bad faith – but
10 grossly unreasonable for Nanyah not to accept the Offer;

11 4. That in awarding fees, the Court considers: (1) the qualities of the advocate: his
12 ability, his training, education, experience, professional standing and skill; (2) the character of the
13 work to be done: its difficulty, its intricacy, its importance, time and skill required, the
14 responsibility imposed and the prominence and character of the parties where they affect the
15 importance of the litigation; (3) the work actually performed by the lawyer: the skill, time and
16 attention given to the work; (4) the result: whether the attorney was successful and what benefits
17 were derived. Brunzell v. Golden Gate Nat. Bank, 85 Nev. 345, 349 50 (1969).

18 5. That after review, the Declarations submitted by the Rogich Defendants' counsel
19 justify the award of fees as requested, and finds that the Rogich Defendants have fully satisfied
20 each of the Brunzell factors as set forth therein. Id.;

21 6. Specifically, the Court finds that the Rogich Defendants' counsel are qualified
22 advocates, that the work performed and hours spent were reasonable, justified and not
23 duplicative, and that the result obtained, including dismissal of the Rogich Trust and summary
24 judgment in favor of Rogich and Imitations, was successful;

25 7. The Court further finds that although there was some block billing, there was
26 sufficient detail that the Court could determine that the time was reasonably spent;

27 8. The Court further finds that the hourly rate was very low compared to the skill of
28 the attorney;

1 9. The Court further finds that although there were some redactions on the attorneys'
2 fee invoices, the Court finds there was no churning or duplicative work and the work was
3 advanced in good faith;

4 10. The Court further reiterates its finding that all of the costs included in the Rogich
5 Defendants' Amended Memorandum of Costs in the amount of \$39,748.55 are justified,
6 including copying charges, filing fees, messenger fees, postage, Secretary of State copy of
7 records, service of process and Westlaw expenses, all of which costs have previously been
8 awarded to the Rogich Defendants; and

9 11. The Court further finds that with respect to the Westlaw expenses, they are
10 significantly less than the other Defendants when the Rogich Defendants were in the case much
11 longer and had the laboring oar of defense.

12 ///

13 ///

14 ///

ORDER

Based upon the foregoing Findings of Fact, and good cause appearing,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. That Rogich Defendants' Attorneys' Fees Motion is hereby GRANTED as set forth herein;

2. That Nanyah's Motion to Retax Costs was previously DENIED;

3. That, pursuant to NRCP 68, the Rogich Defendants are entitled and are hereby awarded their reasonable attorneys' fees as a judgment against Nanyah Vegas, LLC in the amount of **\$541,021.50**;

4. That the Rogich Defendants were previously awarded their costs as a judgment against Nanyah Vegas, LLC in the amount of **\$39,748.55**;

5. That the awards of attorneys' fees and costs to the Rogich Defendants shall bear post judgment interest at the Nevada statutory interest rate per annum from the date

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of award until fully satisfied, for all of which let execution and garnishment issue forthwith.

DATED: May 5, 2020.

Nancy L. Alf
DISTRICT COURT JUDGE

Submitted by:

HUTCHISON & STEFFEN

By: /s/Brenoch Wirthlin
Brenoch Wirthlin, Esq. (NV Bar No. 10282)
10080 W. Alta Dr., Suite 200
Las Vegas, Nevada 89145
Email: bwirthlin@hutchlegal.com
Attorneys for the Rogich Defendants

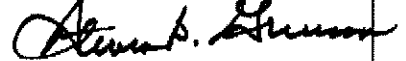
APPROVED AS TO FORM

By: Did Not Sign
Mark Simons, Esq.
SIMONS HALL JOHNSTON
6490 S. McCarran Blvd., Ste F-46
Reno, NV 89509
Attorneys for Nanyah Vegas, LLC

By: Did Not Sign
Joseph Liebman, Esq.
BAILEY KENNEDY
8984 Spanish Ridge Avenue
Las Vegas, NV 89148
*Attorneys for Pete Eliades, The Eliades
Survivor Trust, TELD, LLC, and
Eldorado Hills, LLC*

EXHIBIT 33

EXHIBIT 33



1 **NEO**
Brenoch Wirthlin, Esq. (NV Bar No. 10282)
2 **HUTCHISON & STEFFEN**
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3 Las Vegas, Nevada 89145
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4 Facsimile: (702) 385-2086
Email: bwirthlin@hutchlegal.com
5 *Attorneys for Sigmund Rogich, Individually and*
6 *as Trustee of the Rogich Family Irrevocable Trust,*
and Imitations, LLC

7
8 **IN THE EIGHTH JUDICIAL DISTRICT OF**

9 **THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK**

10 CARLOS A. HUERTA, an individual; CARLOS
A. HUERTA as Trustee of THE ALEXANDER
11 CHRISTOPHER TRUST, a Trust established in
Nevada as assignee of interests of GO GLOBAL,
12 INC., a Nevada corporation; NANYAH VEGAS,
LLC A Nevada limited liability company,

13 Plaintiffs,

14 v.

15 SIG ROGICH aka SIGMUND ROGICH as
Trustee of The Rogich Family Irrevocable Trust;
16 ELDORADO HILLS, LLC, a Nevada limited
liability company; DOES I-X; and/or ROE
17 CORPORATIONS I-X, inclusive,

18 Defendants.

19 NANYAH VEGAS, LLC, a Nevada limited
20 liability company,

21 Plaintiff,

22 v.

22 TELD, LLC, a Nevada limited liability company,
PETER ELIADES, individually and as Trustee of
23 the Eliades Survivor Trust of 10/30/08;
SIGMUND ROGICH, individually and as Trustee
24 of The Rogich Family Irrevocable Trust;
IMITATIONS, LLC, a Nevada limited liability
25 company; DOES I-X; and/or ROE
CORPORATIONS I-X, inclusive,

26 Defendants.

Case No.: A-13-686303-C

Dept. No.: XXVII

Consolidated With:

Case No.: A-16-746239-C

NOTICE OF ENTRY OF ORDER

1 PLEASE TAKE NOTICE that an Order: (1) Granting Rogich Defendants' Renewed
2 Motion for Attorneys' Fees and Costs; and (2) Denying Nanyah's Motion to Retax Costs
3 Submitted by Rogich Defendants was entered on the 5th day of May, 2020, a copy of which is
4 attached hereto.

5 Dated this 7th day of May, 2020.

6 **HUTCHISON & STEFFEN**

7
8 By: /s/Brenoch Wirthlin
9 Brenoch Wirthlin, Esq. (NV Bar No. 10282)
10 10080 W. Alta Dr., Suite 200
11 Las Vegas, Nevada 89145
12 Email: bwirthlin@hutchlegal.com
13 *Attorneys for the Rogich Defendants*
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that on this 7th day of May, 2020, I caused the document entitled **NOTICE OF ENTRY OF ORDER** to be served on the following by

Electronic Service to:

ALL PARTIES ON THE E-SERVICE LIST

/s/Danielle Kelley
An Employee of Hutchison & Steffen, PLLC



ORDR

Brenoch Wirthlin, Esq. (NV Bar No. 10282)

HUTCHISON & STEFFEN

10080 W. Alta Dr., Suite 200

Las Vegas, Nevada 89145

Telephone: (702) 385-2500

Facsimile: (702) 385-2086

Email: bwirthlin@hutchlegal.com

*Attorneys for Sigmund Rogich, Individually and
as Trustee of the Rogich Family Irrevocable Trust,
and Imitations, LLC*

IN THE EIGHTH JUDICIAL DISTRICT OF

THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK

CARLOS A. HUERTA, an individual; CARLOS
A. HUERTA as Trustee of THE ALEXANDER
CHRISTOPHER TRUST, a Trust established in
Nevada as assignee of interests of GO GLOBAL,
INC., a Nevada corporation; NANYAH VEGAS,
LLC A Nevada limited liability company,

Plaintiffs,

v.

SIG ROGICH aka SIGMUND ROGICH as
Trustee of The Rogich Family Irrevocable Trust;
ELDORADO HILLS, LLC, a Nevada limited
liability company; DOES I-X; and/or ROE
CORPORATIONS I-X, inclusive,

Defendants.

NANYAH VEGAS, LLC, a Nevada limited
liability company,

Plaintiff,

v.

TELD, LLC, a Nevada limited liability company,
PETER ELIADES, individually and as Trustee of
the Eliades Survivor Trust of 10/30/08;
SIGMUND ROGICH, individually and as Trustee
of The Rogich Family Irrevocable Trust;
IMITATIONS, LLC, a Nevada limited liability
company; DOES I-X; and/or ROE
CORPORATIONS I-X, inclusive,

Defendants.

Case No.: A-13-686303-C

Dept. No.: XXVII

Consolidated With:

Case No.: A-16-746239-C

**ORDER: (1) GRANTING ROGICH
DEFENDANTS' RENEWED MOTION
FOR ATTORNEYS' FEES AND
COSTS; AND (2) DENYING
NANYAH'S MOTION TO RETAX
COSTS SUBMITTED BY ROGICH
DEFENDANTS**

Date of Hearing: January 30, 2020

Time of Hearing: 11:00 a.m.

1 **ORDER: (1) GRANTING ROGICH DEFENDANTS' RENEWED MOTION FOR**
2 **ATTORNEYS' FEES AND COSTS; AND (2) DENYING NANYAH'S MOTION TO**
3 **RETAX COSTS SUBMITTED BY ROGICH DEFENDANTS**

4 Defendants SIGMUND ROGICH, as Trustee of The Rogich Family Irrevocable Trust
5 ("The Rogich Trust"), Sigmund Rogich individually ("Rogich") and Imitations, LLC
6 ("Imitations" and collectively with the Rogich Trust and Rogich referred to herein as the
7 "Rogich Defendants"), filed their Renewed Motion for Attorneys' Fees and Costs ("Attorneys'
8 Fees Motion") on October 22, 2019; Plaintiff NANYAH VEGAS, LLC ("Nanyah") filed its
9 Opposition to such Attorneys' Fees Motion on January 8, 2020; the Rogich Defendants filed
10 their Reply brief on January 23, 2020.

11 Nanyah filed its Motion to Retax Costs submitted by the Rogich Defendants'
12 Memorandum of Costs and Disbursements ("Motion to Retax Costs") on October 16, 2019; the
13 Rogich Defendants filed their Opposition to such Motion to Retax on January 9, 2020; and
14 Nanyah filed its Reply brief on January 23, 2020.

15 Both of the aforementioned Motions having come for hearing on **January 30, 2020** at
16 **11:00 a.m.**, with all parties being represented by their undersigned counsel of record; Mark
17 Simons, Esq., having appeared at the hearing on behalf of Nanyah, and Brenoch Wirthlin, Esq.,
18 having appeared at the hearing on behalf of the Rogich Defendants; the Court having requested a
19 supplemental declaration from counsel for the Rogich Defendants regarding the redactions and
20 block billings provided for within its Motion ("Supplemental Declaration"); the Rogich
21 Defendants having filed their Supplemental Declaration on February 28, 2020; Nanyah having
22 filed its response ("Nanyah's Response") to the Supplemental Declaration on March 19, 2020;
23 the Court having reviewed and considered all papers on file in this matter, including without
24 limitation the Supplemental Declaration and Nanyah's Response thereto, as well as having heard
25 and considered arguments made by counsel at the time of the hearing on this matter, good cause
26 appearing, hereby issues the following findings of fact, conclusions of law¹, and Order:

27 _____
28 ¹ If any findings of fact are more appropriately deemed conclusions of law or *vice versa*, they are so deemed.

1 **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

2 1. The Court finds that while it is not appropriate to award attorneys' fees to the
3 Rogich Defendants under NRS 18, it is appropriate for this Court to award the Rogich
4 Defendants their reasonable attorneys' fees and costs pursuant to NRCP 68;

5 2. The Court finds that the Offer of Judgment served on Nanyah on October 29, 2018
6 (the "Offer") pursuant to NRCP 68 was made in good faith, both in in timing and amount, and, as
7 such, the fees incurred thereafter by the Rogich Defendants, in the principal amount of
8 \$541,021.50, were appropriate, reasonable and justified, and are hereby awarded;

9 3. The Court finds that the it was grossly unreasonable – not in bad faith – but
10 grossly unreasonable for Nanyah not to accept the Offer;

11 4. That in awarding fees, the Court considers: (1) the qualities of the advocate: his
12 ability, his training, education, experience, professional standing and skill; (2) the character of the
13 work to be done: its difficulty, its intricacy, its importance, time and skill required, the
14 responsibility imposed and the prominence and character of the parties where they affect the
15 importance of the litigation; (3) the work actually performed by the lawyer: the skill, time and
16 attention given to the work; (4) the result: whether the attorney was successful and what benefits
17 were derived. Brunzell v. Golden Gate Nat. Bank, 85 Nev. 345, 349 50 (1969).

18 5. That after review, the Declarations submitted by the Rogich Defendants' counsel
19 justify the award of fees as requested, and finds that the Rogich Defendants have fully satisfied
20 each of the Brunzell factors as set forth therein. Id.;

21 6. Specifically, the Court finds that the Rogich Defendants' counsel are qualified
22 advocates, that the work performed and hours spent were reasonable, justified and not
23 duplicative, and that the result obtained, including dismissal of the Rogich Trust and summary
24 judgment in favor of Rogich and Imitations, was successful;

25 7. The Court further finds that although there was some block billing, there was
26 sufficient detail that the Court could determine that the time was reasonably spent;

27 8. The Court further finds that the hourly rate was very low compared to the skill of
28 the attorney;

1 9. The Court further finds that although there were some redactions on the attorneys'
2 fee invoices, the Court finds there was no churning or duplicative work and the work was
3 advanced in good faith;

4 10. The Court further reiterates its finding that all of the costs included in the Rogich
5 Defendants' Amended Memorandum of Costs in the amount of \$39,748.55 are justified,
6 including copying charges, filing fees, messenger fees, postage, Secretary of State copy of
7 records, service of process and Westlaw expenses, all of which costs have previously been
8 awarded to the Rogich Defendants; and

9 11. The Court further finds that with respect to the Westlaw expenses, they are
10 significantly less than the other Defendants when the Rogich Defendants were in the case much
11 longer and had the laboring oar of defense.

12 ///

13 ///

14 ///

ORDER

Based upon the foregoing Findings of Fact, and good cause appearing,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. That Rogich Defendants' Attorneys' Fees Motion is hereby GRANTED as set forth herein;

2. That Nanyah's Motion to Retax Costs was previously DENIED;

3. That, pursuant to NRCP 68, the Rogich Defendants are entitled and are hereby awarded their reasonable attorneys' fees as a judgment against Nanyah Vegas, LLC in the amount of **\$541,021.50**;

4. That the Rogich Defendants were previously awarded their costs as a judgment against Nanyah Vegas, LLC in the amount of **\$39,748.55**;

5. That the awards of attorneys' fees and costs to the Rogich Defendants shall bear post judgment interest at the Nevada statutory interest rate per annum from the date

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of award until fully satisfied, for all of which let execution and garnishment issue forthwith.

DATED: May 5, 2020.

Nancy L Alf
DISTRICT COURT JUDGE

Submitted by:

HUTCHISON & STEFFEN

By: /s/Brenoch Wirthlin
Brenoch Wirthlin, Esq. (NV Bar No. 10282)
10080 W. Alta Dr., Suite 200
Las Vegas, Nevada 89145
Email: bwirthlin@hutchlegal.com
Attorneys for the Rogich Defendants

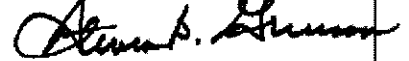
APPROVED AS TO FORM

By: Did Not Sign
Mark Simons, Esq.
SIMONS HALL JOHNSTON
6490 S. McCarran Blvd., Ste F-46
Reno, NV 89509
Attorneys for Nanyah Vegas, LLC

By: Did Not Sign
Joseph Liebman, Esq.
BAILEY KENNEDY
8984 Spanish Ridge Avenue
Las Vegas, NV 89148
*Attorneys for Pete Eliades, The Eliades
Survivor Trust, TELD, LLC, and
Eldorado Hills, LLC*

EXHIBIT 34

EXHIBIT 34



JUDG (CIV)

Brenoch Wirthlin, Esq. (NV Bar No. 10282)

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Email: bwirthlin@hutchlegal.com

*Attorneys for Sigmund Rogich, Individually and
as Trustee of the Rogich Family Irrevocable Trust,
and Imitations, LLC*

IN THE EIGHTH JUDICIAL DISTRICT OF

THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK

CARLOS A. HUERTA, an individual; CARLOS
A. HUERTA as Trustee of THE ALEXANDER
CHRISTOPHER TRUST, a Trust established in
Nevada as assignee of interests of GO GLOBAL,
INC., a Nevada corporation; NANYAH VEGAS,
LLC A Nevada limited liability company,

Plaintiffs,

v.

SIG ROGICH aka SIGMUND ROGICH as
Trustee of The Rogich Family Irrevocable Trust;
ELDORADO HILLS, LLC, a Nevada limited
liability company; DOES I-X; and/or ROE
CORPORATIONS I-X, inclusive,

Defendants.

NANYAH VEGAS, LLC, a Nevada limited
liability company,

Plaintiff,

v.

TELD, LLC, a Nevada limited liability company,
PETER ELIADES, individually and as Trustee of
the Eliades Survivor Trust of 10/30/08;
SIGMUND ROGICH, individually and as Trustee
of The Rogich Family Irrevocable Trust;
IMITATIONS, LLC, a Nevada limited liability
company; DOES I-X; and/or ROE
CORPORATIONS I-X, inclusive,

Defendants.

Case No.: A-13-686303-C

Dept. No.: XXVII

Consolidated With:

Case No.: A-16-746239-C

**JUDGMENT REGARDING AWARD
OF ATTORNEYS' FEES AND COSTS
IN FAVOR OF
THE ROGICH DEFENDANTS**

**JUDGMENT REGARDING AWARD OF ATTORNEYS' FEES AND COSTS IN
FAVOR OF THE ROGICH DEFENDANTS**

Judgment is hereby entered in favor of SIGMUND ROGICH, as Trustee of The Rogich Family Irrevocable Trust ("The Rogich Trust"), Sigmund Rogich individually ("Rogich") and Imitations, LLC ("Imitations" and collectively with the Rogich Trust and Rogich referred to herein as the "Rogich Defendants") and against Nanyah Vegas, LLC, in the amount of \$541,021.50 for reasonable attorneys' fees, and additionally in the amount of \$39,748.55 for reasonable costs, for a judgment against Nanyah Vegas, LLC in the total principal amount of **\$580,770.05**. Said amount shall bear post judgment interest at the Nevada statutory interest rate per annum from the date of award until fully satisfied, for all of which let execution and garnishment issue forthwith.

DATED: May 5, 2020.


DISTRICT COURT JUDGE

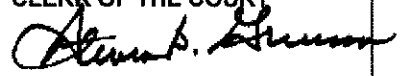
Submitted by:

HUTCHISON & STEFFEN

By: /s/Brenoch Wirthlin
Brenoch Wirthlin, Esq. (NV Bar No. 10282)
10080 W. Alta Dr., Suite 200
Las Vegas, Nevada 89145
Email: bwirthlin@hutchlegal.com
Attorneys for the Rogich Defendants

EXHIBIT 35

EXHIBIT 35



1 **NEO**
Brenoch Wirthlin, Esq. (NV Bar No. 10282)
2 **HUTCHISON & STEFFEN**
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3 Las Vegas, Nevada 89145
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4 Facsimile: (702) 385-2086
Email: bwirthlin@hutchlegal.com
5 *Attorneys for Sigmund Rogich, Individually and*
6 *as Trustee of the Rogich Family Irrevocable Trust,*
and Imitations, LLC

7
8 **IN THE EIGHTH JUDICIAL DISTRICT OF**

9 **THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK**

10 CARLOS A. HUERTA, an individual; CARLOS
A. HUERTA as Trustee of THE ALEXANDER
11 CHRISTOPHER TRUST, a Trust established in
Nevada as assignee of interests of GO GLOBAL,
12 INC., a Nevada corporation; NANYAH VEGAS,
LLC A Nevada limited liability company,

13 Plaintiffs,

14 v.

15 SIG ROGICH aka SIGMUND ROGICH as
Trustee of The Rogich Family Irrevocable Trust;
16 ELDORADO HILLS, LLC, a Nevada limited
liability company; DOES I-X; and/or ROE
17 CORPORATIONS I-X, inclusive,

18 Defendants.

19 NANYAH VEGAS, LLC, a Nevada limited
20 liability company,

21 Plaintiff,

22 v.

22 TELD, LLC, a Nevada limited liability company,
PETER ELIADES, individually and as Trustee of
23 the Eliades Survivor Trust of 10/30/08;
SIGMUND ROGICH, individually and as Trustee
24 of The Rogich Family Irrevocable Trust;
IMITATIONS, LLC, a Nevada limited liability
25 company; DOES I-X; and/or ROE
CORPORATIONS I-X, inclusive,

26 Defendants.

Case No.: A-13-686303-C

Dept. No.: XXVII

Consolidated With:

Case No.: A-16-746239-C

NOTICE OF ENTRY OF ORDER

1 PLEASE TAKE NOTICE that a Judgment Regarding Award of Attorneys' Fees and
2 Costs in Favor of the Rogich Defendants was entered on the 5th day of May, 2020, a copy of
3 which is attached hereto.

4 Dated this 7th day of May, 2020.

5 **HUTCHISON & STEFFEN**

6
7 By: /s/Brenoch Wirthlin
8 Brenoch Wirthlin, Esq. (NV Bar No. 10282)
9 10080 W. Alta Dr., Suite 200
10 Las Vegas, Nevada 89145
11 Email: bwirthlin@hutchlegal.com
12 *Attorneys for the Rogich Defendants*
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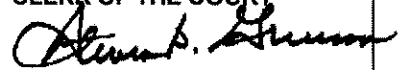
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that on this 7th day of May, 2020, I caused the document entitled **NOTICE OF ENTRY OF ORDER** to be served on the following by Electronic Service to:

ALL PARTIES ON THE E-SERVICE LIST

/s/Danielle Kelley
An Employee of Hutchison & Steffen, PLLC



JUDG (CIV)

Brenoch Wirthlin, Esq. (NV Bar No. 10282)

HUTCHISON & STEFFEN

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Telephone: (702) 385-2500

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Email: bwirthlin@hutchlegal.com

*Attorneys for Sigmund Rogich, Individually and
as Trustee of the Rogich Family Irrevocable Trust,
and Imitations, LLC*

IN THE EIGHTH JUDICIAL DISTRICT OF

THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK

CARLOS A. HUERTA, an individual; CARLOS
A. HUERTA as Trustee of THE ALEXANDER
CHRISTOPHER TRUST, a Trust established in
Nevada as assignee of interests of GO GLOBAL,
INC., a Nevada corporation; NANYAH VEGAS,
LLC A Nevada limited liability company,

Plaintiffs,

v.

SIG ROGICH aka SIGMUND ROGICH as
Trustee of The Rogich Family Irrevocable Trust;
ELDORADO HILLS, LLC, a Nevada limited
liability company; DOES I-X; and/or ROE
CORPORATIONS I-X, inclusive,

Defendants.

NANYAH VEGAS, LLC, a Nevada limited
liability company,

Plaintiff,

v.

TELD, LLC, a Nevada limited liability company,
PETER ELIADES, individually and as Trustee of
the Eliades Survivor Trust of 10/30/08;
SIGMUND ROGICH, individually and as Trustee
of The Rogich Family Irrevocable Trust;
IMITATIONS, LLC, a Nevada limited liability
company; DOES I-X; and/or ROE
CORPORATIONS I-X, inclusive,

Defendants.

Case No.: A-13-686303-C

Dept. No.: XXVII

Consolidated With:

Case No.: A-16-746239-C

**JUDGMENT REGARDING AWARD
OF ATTORNEYS' FEES AND COSTS
IN FAVOR OF
THE ROGICH DEFENDANTS**

**JUDGMENT REGARDING AWARD OF ATTORNEYS' FEES AND COSTS IN
FAVOR OF THE ROGICH DEFENDANTS**

Judgment is hereby entered in favor of SIGMUND ROGICH, as Trustee of The Rogich Family Irrevocable Trust ("The Rogich Trust"), Sigmund Rogich individually ("Rogich") and Imitations, LLC ("Imitations" and collectively with the Rogich Trust and Rogich referred to herein as the "Rogich Defendants") and against Nanyah Vegas, LLC, in the amount of \$541,021.50 for reasonable attorneys' fees, and additionally in the amount of \$39,748.55 for reasonable costs, for a judgment against Nanyah Vegas, LLC in the total principal amount of **\$580,770.05**. Said amount shall bear post judgment interest at the Nevada statutory interest rate per annum from the date of award until fully satisfied, for all of which let execution and garnishment issue forthwith.

DATED: May 5, 2020.

Nancy L. Alf
DISTRICT COURT JUDGE

Submitted by:

HUTCHISON & STEFFEN

By: /s/Brenoch Wirthlin
Brenoch Wirthlin, Esq. (NV Bar No. 10282)
10080 W. Alta Dr., Suite 200
Las Vegas, Nevada 89145
Email: bwirthlin@hutchlegal.com
Attorneys for the Rogich Defendants