

1 JOHN L. MARSHALL  
2 SBN 6733  
3 570 Marsh Avenue  
4 Reno, Nevada 89509  
5 Telephone: (775) 303-4882  
6 johnladuemarshall@gmail.com

7 LUKE A. BUSBY  
8 SBN 10319  
9 316 California Ave.  
10 Reno, NV 89509  
11 775-453-0112  
12 luke@lukeandrewbusbyltd.com

13 *Attorneys for the Defendant*

14  
15 **IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**  
16 **IN AND FOR STOREY COUNTY**

17 \* \* \*

18 LANCE GILMAN,

19 Plaintiff,

20 vs.

21 SAM TOLL,

22 Defendant.

Case No. 18-trt-00001-1e

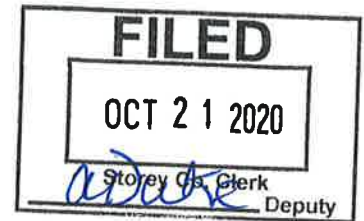
Dept. No. II

23  
24 **NOTICE OF CROSS-APPEAL**

25 Notice is hereby given that Defendant Sam Toll above named, by and through the  
26 undersigned counsel, hereby cross-appeals the September 24, 2020 Order on Motion for  
27 Attorney's Fees and Costs in the above captioned matter. The Plaintiff also tenders  
28 herewith the required \$500 appeal bond.

///

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Electronically Filed  
Oct 27 2020 02:30 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

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**NRS 239B.030(4) AFFIRMATION**

I certify that the attached filing includes no social security numbers or other personal information.

Respectfully submitted this Wednesday, October 21, 2020

By:   
JOHN L. MARSHALL  
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570 Marsh Avenue  
Reno, Nevada 89509  
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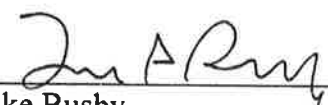
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CERTIFICATE OF SERVICE

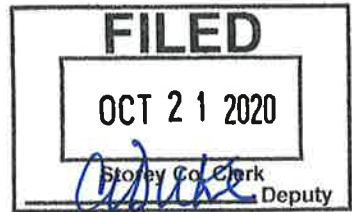
Pursuant to NRCP 5(b), I certify that on the date shown below, I caused service to be completed of a true and correct copy of the foregoing document by:

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- ☐ delivery via Reno/Carson Messenger Service;
- ☐ sending via Federal Express (or other overnight delivery service);
- ☒ depositing for mailing in the U.S. mail, with sufficient postage affixed thereto; or,
- ☐ delivery via electronic means (fax, eflex, NEF, etc.) to:

GUS W. FLANGAS  
JESSICA K. PETERSON  
Flangas Dalacas Law Group  
3275 South Jones Blvd. Suite 105  
Las Vegas, NV 89146  
702-307-9500  
F - 702-382-9452

By:   
Luke Busby

Dated: Oct 21, 2020



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13 *Attorneys for the Defendant*

14 **IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**  
15 **IN AND FOR STOREY COUNTY**

16 \* \* \*

17 LANCE GILMAN,

18 Plaintiff,

19 vs.

20 SAM TOLL,

21 Defendant.

Case No. 18-trt-00001-1e

Dept. No. II

22 \_\_\_\_\_/

23 **CASE APPEAL STATEMENT**

24 Defendant Sam Toll, above named, hereby files the following Case Statement for  
25 the cross-appeal of the September 24, 2020 Order on Motion for Attorney's Fees and  
26 Costs in the above captioned matter.

27 (A) The District Court case number is 18-trt-00001-1e. The Parties are LANCE  
28 GILMAN, an individual, Plaintiff, and SAM TOLL, an individual, Defendant;

1 (B) The name of the judge who entered the order or judgment being appealed: The  
2 Honorable James Wilson;

3 (C) The name of each appellant and the name and address of counsel for each  
4 appellant are:

5 The appellant is Sam Toll.

6 Counsel for the Appellant is:

7  
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18 775-453-0112  
19 luke@lukeandrewbusbyltd.com

20 (D) The name of each respondent and the name and address of appellate counsel  
21 are:

22 The Respondent is Lance Gilman.

23 Counsel for the Respondent are:

24 GUS W. FLANGAS  
25 JESSICA K. PETERSON  
26 Flangas Dalacas Law Group  
27 3275 South Jones Blvd. Suite 105  
28 Las Vegas, NV 89146  
702-307-9500  
F - 702-382-9452

(E) Counsel for the Plaintiff believes that all attorneys named herein are licensed  
to practice law in Nevada;

1 (F) The Appellant was represented by counsel at the District Court and will be on  
2 appeal as well;

3 (G) The district court did not grant the Appellant leave to proceed in forma  
4 pauperis;

5 (H) The proceedings commenced in the District Court on December 17, 2017;

6 (I) The nature of the action and result in the District Court are as follows:

7 Mr. Gilman filed a Complaint in Washoe County District Court on December 2,  
8 2017 alleging that Toll defamed Gilman. The case was removed to Storey County District  
9 Court by Toll and assigned Case No. 18-trt-00001-1e. Mr. Toll filed his Answer on  
10 December 28, 2017, denying that the alleged statements were defamatory or reported with  
11 actual malice. On February 1, 2018 Mr. Toll filed an Anti-SLAPP Special Motion to  
12 Dismiss pursuant to NRS 41.660, arguing that Mr. Gilman's case is based upon Toll's  
13 good faith communications in furtherance of his right to petition or the right to free speech  
14 in direct connection with an issue of public interest. On April 9, 2018, the Court entered  
15 an Order Granting Anti-SLAPP Special Motion to Dismiss in Part, Allowing Limited  
16 Discovery, and Staying Further Proceedings. After substantial proceedings, including a  
17 successful Writ Petition to the Nevada Supreme Court by Toll, on June 15, 2020 Judge  
18 Wilson entered his Order Granting Toll's Anti-SLAPP Special Motion to Dismiss,  
19 terminating Gilman's claims against Toll. In Case No. 18-trt-00001-1e, the Court has  
20 issued an order awarding Toll \$10,000 in statutory damages and \$188,840 in attorney's  
21 fees under the provisions of NRS 41.670. Herein, Toll is appealing the denial of a portion  
22 of attorney's fees and the costs denied to Toll in the Court's September 24, 2020 Order on  
23 Motion for Attorney's Fees and Costs.  
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1 (J) This case has been and currently is the subject of an appeal to the Supreme  
2 Court or the Nevada Court of Appeals in the following dockets:

3 Gilman v. Toll, Consolidated Case No. 81583 (incl. Case Nos. 81874, 81726);  
4 Toll v. Dist. Ct. (Gilman), Case No. 78333.


5 (K) This appeal does not involve child custody or visitation; and

6 (L) The Appellant believes that the appeal involves the possibility of settlement.

7  
8 **NRS 239B.030(4) AFFIRMATION**

9 I certify that the attached filing includes no social security numbers or other  
10 personal information.

11  
12 Respectfully submitted this Wednesday, October 21, 2020

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27 *Attorneys for the Defendant*  
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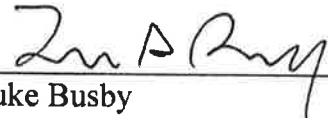
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Las Vegas, NV 89146  
702-307-9500  
F - 702-382-9452

By:   
Luke Busby

Dated: Oct 21, 2020



Judge: WILSON JR, JAMES E

Case No. 18 TRT 00001 1E  
Ticket No.  
CTN:

GILMAN, LANCE

By:

-vs-

TOLL, SAM

DRSPND

By:

Dob:  
Lic:

Sex:  
Sid:

Plate#:  
Make:  
Year:  
Type:  
Venue:  
Location:

Accident:

GILMAN, LANCE

PLNTPET

Bond:  
Type:

Set:  
Posted:

Charges:

Ct:

Offense Dt:  
Arrest Dt:  
Comments:

Cvr:

Sentencing:

No.	Filed	Action	Operator	Fine/Cost	Due
1	10/20/20	DEFENDANT SAM TOLL'S MOTION TO COMPEL PLAINTIFF LANCE GILMAN TO PROVIDE ANSWERS TO INTERROGATORIES Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
2	10/13/20	MOTION FOR STAY PENDING APPEAL Attorney: Gus W. Flangas (4989)	1EADUKE	0.00	0.00
3	10/01/20	CASE APPEAL STATEMENT Attorney: Jessica K. Peterson (10670)	1EADUKE	0.00	0.00
4	10/01/20	NOTICE OF APPEAL FILED Attorney: Jessica K. Peterson (10670) Receipt: 6595 Date: 10/15/2020	1EADUKE	24.00	0.00
5	09/28/20	NOTICE OF ENTRY OF ORDER Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
6	09/24/20	ORDER ON MOTION FOR ATTORNEY'S FEES AND COSTS	1EADUKE	0.00	0.00
7	08/27/20	CASE APPEAL STATEMENT	1EVSTEPHEN	0.00	0.00
8	08/27/20	NOTICE OF APPEAL FILED Filed by Defendant Receipt: 6546 Date: 09/08/2020	1EVSTEPHEN	24.00	0.00
9	08/21/20	SUBMISSION OF PROPOSED ORDER REGARDING DEFENDANT'S MOTION FOR COSTS Attorney: Gus W. Flangas (4989)	1EVSTEPHEN	0.00	0.00
10	08/20/20	ORDER FOR PROPOSED ORDER	1EADUKE	0.00	0.00
11	08/13/20	REQUEST FOR SUBMISSION OF MOTION FOR ATTORNEY'S FEES AND COSTS Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
12	08/12/20	PLAINTIFF'S SUPPLEMENTAL POINTS AND AUTHORITIES ON DEFENDANT'S MOTION FOR COSTS Attorney: Gus W. Flangas (4989)	1EADUKE	0.00	0.00
13	08/04/20	CASE APPEAL STATEMENT Attorney: Gus W. Flangas (4989)	1EADUKE	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
14	08/03/20	NOTICE OF ENTRY OF ORDER Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
15	07/30/20	NOTICE OF ENTRY OF ORDER Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
16	07/29/20	ORDER ALLOWING GILMAN TO FILE A SUR-REPLY RE: THE MOTION FOR COSTS	1EADUKE	0.00	0.00
17	07/29/20	ORDER AWARDING TOLL \$10,000.00 IN STATUTORY DAMAGES	1EADUKE	0.00	0.00
18	07/27/20	SUBMISSION OF PROPOSED ORDER REGARDING TOLL'S MOTION FOR ATTORNEYS FEES AND COSTS Attorney: Gus W. Flangas (4989)	1EADUKE	0.00	0.00
19	07/23/20	ORDER FOR PROPOSED ORDER	1EADUKE	0.00	0.00
20	07/23/20	SUBMISSION OF PROPOSED ORDERS Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
21	07/20/20	REQUEST FOR SUBMISSION OF MOTION FOR ATTORNEY'S FEES AND COSTS Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
22	07/17/20	DEFENDANT SAM TOLL'S REPLY TO OPPOSITION TO MOTION FOR ATTORNEY'S FEES AND COSTS Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
23	07/14/20	OPPOSITION TO MOTION FOR ATTORNEY'S FEES AND COSTS (X2) Attorney: Gus W. Flangus (4989)	1EADUKE	0.00	0.00
24	07/13/20	DEFENDANT SAM TOLL'S RESPONSE IN OPPOSITION TO BRIEF ON COURT'S ORDER REQUIRING THE PLAINTIFF TO SHOW CAUSE WHY HE SHOULD NOT BE ORDERED TO PAY \$10,000 IN STATUTORY DAMAGES Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
25	07/09/20	NOTICE OF APPEAL FILED Attorney: Gus W. Flangas (004989) Receipt: 6509 Date: 08/11/2020	1EADUKE	24.00	0.00
26	07/09/20	STIPULATION AND ORDER GRANTING EXTENSION OF TIME TO FILE OPPOSITION TO MOTION FOR ATTORNEYS FEES AND COSTS -STIPULATION FOR EXTENSION OF TIME- Attorney: Gus W. Flangas (4989)	1EADUKE	0.00	0.00
27	06/29/20	BRIEF ON COURT'S ORDER REQUIRING THE PLAINTIFF TO SHOW CAUSE WHY HE SHOULD NOT BE ORDERED TO PAY \$10,000.00 IN STATUTORY DAMAGES Attorney: Gus W. Flangas (4989)	1EADUKE	0.00	0.00
28	06/23/20	DEFENDANT SAM TOLL'S MOTION FOR ATTORNEY'S FEES AND COSTS Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
29	06/17/20	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1EADUKE	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
30	06/17/20	NOTICE OF ENTRY OF ORDER Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
31	06/15/20	ORDER GRANTING TOLL'S ANTI-SLAPP SPECIAL MOTION TO DISMISS	1EADUKE	0.00	0.00
32	05/18/20	REQUEST FOR SUBMISSION Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
33	05/15/20	REPLY TO DEFENDANT'S OPPOSITION TO PLAINTIFF'S SUPPLEMENTAL POINTS AND AUTHORITIES ON THE SPECIAL MOTION TO DISMISS Attorney: Gus W. Flangas (004989)	1EADUKE	0.00	0.00
34	05/15/20	SUBMISSION OF PLAINTIFF'S PROPOSED ORDER REGARDING THE " ANTI-SLAPP SPECIAL MOTION TO DISMISS PER NRS 41.660" WHICH WAS FILED BY THE DEFENDANT Attorney: Gus W. Flangaas (004989)	1EADUKE	0.00	0.00
35	05/13/20	FILE TO JUDGE	1EADUKE	0.00	0.00
36	04/27/20	OPPOSING SUPPLEMENTAL MEMORANDUM OF POINTS AND AUTHORITIES Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
37	04/15/20	PLAINTIFF'S SUPPLEMENTAL POINTS AND AUTHORITIES ON THE SPECIAL MOTION TO DISMISS Attorney: Gus Flangus (4989)	1EADUKE	0.00	0.00
38	04/07/20	NOTICE OF ENTRY OF ORDER	1EADUKE	0.00	0.00
39	04/07/20	STIPULATION FOR EXTENSION OF TIME Attorney: Gus W. Flangas (4989)	1EADUKE	0.00	0.00
40	03/23/20	NOTICE OF ENTRY OF ORDER Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
41	03/19/20	ORDER AFTER REMAND	1EADUKE	0.00	0.00
42	03/09/20	PLAINTIFF'S SUBMISSION OF HIS DRAFT ORDER Attorney: Gus W. Flangas (4989)	1EADUKE	0.00	0.00
43	03/09/20	NOTICE OF SUPPLEMENTAL AUTHORITY Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
44	03/06/20	SUBMISSION FOR PROPOSED ORDER Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
45	03/02/20	ORDER FOR PROPOSED ORDER	1EADUKE	0.00	0.00
46	02/21/20	REQUEST FOR SUBMISSION Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
47	02/13/20	REPLY BRIEF ON MOTION TO COMPEL AFTER ISSUANCE OF WRIT OF PROHIBITION Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
48	02/07/20	RESPONSE TO OPENING BRIEF ON MOTION TO COMPEL AFTER ISSUANCE OF WRIT OF PROHIBITION MOTION FOR LEAVE TO TAKE THE DEPOSITIONS OF DEFENDANT'S EXPERTS WHO SUBMITTED AFFIDAVITS IN SUPPORT OF DEFENDANT'S OPENING BRIEF Attorney: Gus W. Flangas, Esq. (004989)	1EADUKE	0.00	0.00
49	01/27/20	FILING OF ORIGINAL DECLARATION Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
50	01/23/20	OPENING BRIEF ON MOTION TO COMPEL AFTER ISSUANCE OF WRIT OF PROHIBITION Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
51	01/22/20	ORDER	1EADUKE	0.00	0.00
52	01/21/20	SUBMISSION OF DRAFT ORDER Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
53	01/06/20	TELEPHONE CONFERENCE MEMO TO COMMENCE JANUARY 9, 2020 AT 2:00 PM	1EADUKE	0.00	0.00
54	01/06/20	STATUS CHECK SCHEDULED: Event: STATUS CHECK (STOREY) Date: 01/06/2020 Time: 2:00 pm Judge: WILSON JR, JAMES E Location: STOREY CASES HEARD IN CARSON CITY  Result: HEARING HELD	1EADUKE	0.00	0.00
55	12/18/19	REQUEST FOR STATUS CONFERENCE Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
56	12/10/19	WRIT OF PROHIBITION-SUPREME COURT	1EADUKE	0.00	0.00
57	04/10/19	NOTICE OF ENTRY OF ORDER IN DISTRICT COURT GRANTING STAY OF DISCOVERY	1EADUKE	0.00	0.00
58	04/05/19	REQUEST FOR SUBMISSION OF MOTION FOR CLARIFICATION OF MARCH 18, 2019 ORDER DENYING MOTION TO DISMISS Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
59	04/04/19	ORDER-MOTION GRANTED FROM SUPREME COURT	1EADUKE	0.00	0.00
60	03/28/19	NOTICE OF UNAVAILABILITY OF COUNSEL Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
61	03/27/19	FILE TO JUDGE	1EADUKE	0.00	0.00
62	03/25/19	FILE RETURNED FROM JUDGE	1EADUKE	0.00	0.00
63	03/21/19	ORDER GRANTING STAY OF DISCOVERY	1EADUKE	0.00	0.00
64	03/21/19	MOTION FOR CLARIFICATION OF MARCH 18, 2019 ORDER DENYING MOTION TO DISMISS Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
65	03/21/19	NOTICE OF ENTRY OF ORDER Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
66	03/20/19	LIMITED OPPOSITION TO MOTION TO STAY DISCOVERY & COUNTERMOTION TO EXPAND THE SCOPE OF DISCOVERY  GUS W. FLANGAS, ESQ, SBN 004989 JESSICA K. PETERSON, ESQ, SBN 10670	1EADUKE	0.00	0.00
67	03/19/19	REQUEST FOR SUBMISSION OF MOTION STAY OF DISCOVERY PENDING PETITION FOR WRIT OF PROHIBITION OF MANDAMUS TO THE NEVADA SUPREME COURT Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
68	03/19/19	REPLY BRIEF IN SUPPORT OF MOTION FOR STAY OF DISCOVERY PENDING PETITION FOR WRIT OF PROHIBITION OR MANDAMUS TO THE NEVADA SUPREME COURT Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
69	03/18/19	ORDER DENYING MOTION TO DISMISS	1EADUKE	0.00	0.00
70	03/18/19	NOTICE OF ENTRY OF ORDER Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
71	03/18/19	NOTICE OF FILING OF PETITION FOR EXTRAORDINARY WRIT Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
72	03/14/19	ORDER SHORTENING TIME	1EADUKE	0.00	0.00
73	03/12/19	ERRATA TO OPPOSITION TO MOTION TO DISMISS & TERMINATION OF PROCEEDINGS GUS W FLANGAS, SBN 4989 JESSICA K PETERSON, SBN 10670	1EADUKE	0.00	0.00
74	03/11/19	OPPOSITION TO MOTION TO DISMISS AND TERMINATION OF PROCEEDINGS FLANGAS, GUS W. SBN 004989 PETERSON, JESSICA K. SBN 10670	1EADUKE	0.00	0.00
75	03/11/19	SECOND REQUEST FOR SUBMISSION OF MOTION FOR SUBMISSION OF MOTION TO DISMISS AND TERMINATION OF PROCEEDINGS Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
76	03/11/19	MOTION FOR STAY OF DISCOVERY PENDING PETITION FOR WRIT OF PROHIBITION OR MANDAMUS TO THE NEVADA SUPREME COURT ON ORDER SHORTENING TIME Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
77	03/11/19	REPLY IN SUPPORT OF MOTION FOR SUBMISSION OF MOTION TO DISMISS AND TERMINATION OF PROCEEDINGS Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
78	03/11/19	NOTICE OF ENTRY OF ORDER Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
79	03/11/19	MOTION FOR ORDER SHORTENING TIME TO RESPOND TO MOTION FOR STAY OF DISCOVERY PENDING PETITION FOR WRIT OF PROHIBITION OR MANDAMUS TO THE NEVADA SUPREME COURT Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
80	03/07/19	REQUEST FOR SUBMISSION OF MOTION FOR SUBMISSION OF MOTION TO DISMISS AND TERMINATION OF PROCEEDINGS JOHN L.MARSHLL SBN 6733 LUKE ANDREW BUSBY , SBN 10319	1EADUKE	0.00	0.00
81	03/04/19	ORDER ON PLAINTIFF'S MOTION TO COMPEL, FOR SANCTIONS, TO EXTEND DISCOVERY PERIOD, AND FOR SUMMARY JUDGMENT AND ORDER VACATING HEARING	1EADUKE	0.00	0.00
82	03/04/19	SECOND REQUEST FOR SUBMISSION Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
83	02/28/19	FILE RETURNED FROM JUDGE	1EADUKE	0.00	0.00
84	02/26/19	NOTICE OF ENTRY OF ORDER LUKE ANDREW BUSBY, LTD SBN 10319	1EADUKE	0.00	0.00
85	02/26/19	HEARING SCHEDULED: Event: EVIDENTIARY HEARING (STOREY) Date: 03/15/2019 Time: 8:30 am Judge: WILSON JR, JAMES E Location: DEPT II - STOREY COUNTY  Result: VACATED PROCEEDINGS	1EADUKE	0.00	0.00
86	02/25/19	ORDER SHORTENING TIME	1EADUKE	0.00	0.00
87	02/25/19	MOTION FOR ORDER SHORTENING TIME TO RESPOND TO MOTION FOR SUBMISSION OF MOTION TO DISMISS AND TERMINATION OF PROCEEDINGS  ATTORNEY: JOHN L. MARSHALL, SBN 6733 LUKE A. BUSBY, SBN 10319	1EADUKE	0.00	0.00
88	02/25/19	MOTION FOR SUBMISSION DF MOTION TO DISMISS AND TERMINATION OF PROCEEDINGS ON ORDER SHORTENING TIME ATTORNEY: JOHN L. MARSHALL SBN 6733  LUKE A. BUSBY SBN 10319	1EADUKE	0.00	0.00
89	02/21/19	TELEPHONE CONFERENCE MEMO	1EADUKE	0.00	0.00
90	01/11/19	AMENDED ORDER AFTER HEARING	1EADUKE	0.00	0.00
91	01/11/19	ORDER AFTER HEARING	1EADUKE	0.00	0.00
92	12/19/18	HEARING DATE MEMO 02/22/19	1EADUKE	0.00	0.00
93	12/19/18	DECLARATION OF COUNSEL PERTAINING TO THE NEED FOR A CONTINUANCE OF HEARING GUS W. FLANGAS, ESQ. NEVADA BAR 004989	1EADUKE	0.00	0.00
94	12/19/18	EVIDENTIARY HEARING ON MOTION TO COMPEL  JESSICA PETERSON ESQ., PLAINTIFF'S COUNSEL	1EADUKE	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
95	12/19/18	HEARING SCHEDULED: Event: EVIDENTIARY HEARING (STOREY) Date: 02/22/2019 Time: 9:00 am Judge: WILSON, JAMES E. JR. Location: DEPT II - STOREY COUNTY  Plaintiffs counsel: Jessica Peterson, Esq. Defendants counsel: Luke Busby, Esq.  Result: VACATED PROCEEDINGS	1EADUKE	0.00	0.00
96	12/18/18	DECLARATION OF COUNSEL PERTAINING TO THE NEED FOR A CONTINUANCE OF HEARING  GUS W. FLANGAS, ESQ. BAR NO 004989	1EADUKE	0.00	0.00
97	12/13/18	TELEPHONE CONFERENCE MEMO-REGARDING UPCOMING HEARING ON DECEMBER 20,2018	1EADUKE	0.00	0.00
98	12/13/18	TELEPHONE CONFERENCE REGARDING UPCOMING HEARING ON DECEMBER 20, 2018  JESSICA PETERSON, ESQ. PLAINTIFFS COUNSEL  Attorney: BUSBY, LUKE ANDREW (10319)	1EADUKE	0.00	0.00
99	12/13/18	FILE TO JUDGE-REMAINDER OF FILE SENT TO JUDGE	1EADUKE	0.00	0.00
100	08/29/18	HEARING SCHEDULED: Event: EVIDENTIARY HEARING (STOREY) Date: 12/20/2018 Time: 8:30 am Judge: WILSON JR, JAMES E Location: DEPT II - STOREY COUNTY  Result: VACATED PROCEEDINGS	1EADUKE	0.00	0.00
101	08/22/18	SUPPLEMENTAL POINTS AND AUTHORITIES PURSUANT THE COURT'S AUGUST 8, 2018 ORDER JOHN L. MARSHALL SBN 6733 LUKE ANDREW BUSBY, LTD. BAR NO 10319	1EADUKE	0.00	0.00
102	08/10/18	NOTICE TO APPEAR TELEPHONICALLY FOR SETTING	1EADUKE	0.00	0.00
103	08/08/18	ORDER RE EVIDENTIARY HEARING ON MOTION TO COMPEL	1EADUKE	0.00	0.00
104	07/20/18	FILE TO JUDGE	1EVSTEPHEN	0.00	0.00
105	07/16/18	DISCLOSURE OF EXPARTE COMMUNICATION	1EVSTEPHEN	0.00	0.00
106	07/16/18	DISCLOSURE OF EXPARTE COMMUNICATION	1EVSTEPHEN	0.00	0.00
107	07/13/18	JOINT HEARING STATEMENT Attorney: MARSHALL, JOHN L. SBN 6733	1EADUKE	0.00	0.00
108	06/26/18	ORDER DENYING REQUEST FOR SUBMISSION	1EVSTEPHEN	0.00	0.00
109	06/26/18	ORDER FOR EVIDENTIARY HEARING ON MOTION TO COMPEL	1EVSTEPHEN	0.00	0.00
110	06/22/18	OPPOSITION TO MOTION FOR ORAL ARGUEMENT	1EWBACUS	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
111	06/18/18	PLAINTIFFS MOTION FOR ORAL ARGUMENT	1EWBACUS	0.00	0.00
112	06/08/18	FILE TO JUDGE	1EWBACUS	0.00	0.00
113	06/07/18	REPLY TO OPPOSITION TO PLAINTIFFS MOTION TO COMPEL MOTION FOR SACTIONS MOTION TO EXTEND TIME PERIOD FOR DISCOVERY AND IN THE ALTERNATIVE MOTION FOR PATIAL SUMMARY JUDGMENT	1EWBACUS	0.00	0.00
114	06/04/18	REQUEST FOR SUBMISSION OF SUPPLEMENTAL OPPOSITION AND SUPPLEMENTAL REPLY TO ANTI-SLAPP SPECIAL MOTION TO DISMISS	1EWBACUS	0.00	0.00
115	06/04/18	REPLY TO SUPPLEMENTAL OPPOSITION TO ANTI-SLAPP MOTION TO DISMISS	1EWBACUS	0.00	0.00
116	05/26/18	PLAINTIFFS SUPPLEMENTAL OPPOSITION TO THE DEFENDANTS ANTI SLAPP MOTION	1EWBACUS	0.00	0.00
117	05/22/18	OPPOSITION TO PLAINTIFFS MOTION TO COMPEL MOTION FOR SANCTIONS MOTION TO EXTEND THE TIME PERIOD FOR DISCOVERY AND IN THE ALTERNATIVE MOTION FOR PARTIAL SUMMARY JUDGMENT	1EWBACUS	0.00	0.00
118	05/11/18	PLAINTIFFS MOTION TO COMPEL MORION FOR SANCTIONS MOTION TO EXTEND THE TIME PERIOD FOR DISCOVERY AND IN THE ALTERNATIVE MOTION FOR PARTIAL SUMMARY JUDGMENT	1EWBACUS	0.00	0.00
119	04/20/18	NOTICE OF ENTRY OF ORDER	1EWBACUS	0.00	0.00
120	04/09/18	ORDER GRANTING ANTI SLAPP SPECIAL MOTION TO DISMISS IN PART ALLOWING LIMITED DISCOVERY AND STAYING FURTHER PROCEEDINGS	1EWBACUS	0.00	0.00
121	02/26/18	REQUEST FOR SUBMISSION	1EWBACUS	0.00	0.00
122	02/26/18	DEFENDANTS REPLY TO OPPOSITION TO ANTI SLAPP SPECIAL MOTION TO DISMISS	1EWBACUS	0.00	0.00
123	02/22/18	OPPOSITION TO ANTI SLAPP SPECIAL MOTION TO DISMISS PER NRS 41.660	1EWBACUS	0.00	0.00
124	02/01/18	ANTI SLAPP SPECIAL MOTION TO DISMISS PER NRS 41.660	1EVDIXON	0.00	0.00
125	01/26/18	ORDER CHANGING VENUE Receipt: 5497 Date: 01/30/2018	1EWBACUS	155.00	0.00
Total:				227.00	0.00
Totals By: COST				227.00	0.00
INFORMATION				0.00	0.00
*** End of Report ***					





IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR STOREY COUNTY

-oOo-

LANCE GILMAN,

Plaintiff,

v.

SAM TOLL,

Defendant.

CASE NO. 18 TRT 00001 1E

DEPT. 2

**ORDER ON MOTION FOR ATTORNEY'S FEES AND COSTS**

Before the Court is Sam Toll's Motion for Attorney's Fees and Costs and all papers filed regarding that motion.

Under NRS 41.670(1)(a), if the court grants a special motion to dismiss filed under NRS 41.660 the court shall award reasonable costs and attorney's fees to the person against whom the action was brought.

**ATTORNEY FEES**

**Hourly Rate**

John Marshall, Esq. seeks approval for an hourly rate of \$450 an hour, and Luke Busby, Esq. seeks approval for an hourly rate of \$350 an hour.

1 To determine a reasonable hourly rate, the Court must consider the following  
2 factors: (1) the qualities of the advocate: their ability, training, education, experience,  
3 professional standing and skill; (2) the character of the work done: its difficulty,  
4 intricacy, importance, the time and skill required, the responsibility imposed and the  
5 prominence and character of the parties when they affect the importance of the  
6 litigation; (3) the work actually performed by the lawyers: the skill, time and attention  
7 given to the work; and (4) the result: whether the attorney was successful and what  
8 benefits were derived. *Brunzell v. Golden Gate Nat'l Bank*, 85 Nev. 345, 349, 455 P.2d  
9 31. The Court will also consider whether the requested hourly rates are in-line with  
10 local attorney hourly rates. The Court will address each of these factors in order.

11  
12 *(1) The qualities of the advocate; their ability, training, education, experience,*  
13 *professional standing and skill*

14 Toll's counsels' qualifications and experience are established in the resumes  
15 they attached to their motion. Both attorneys have extensive legal experience, including  
16 in complex litigation and matters affecting the public interest, they have good legal  
17 ability and skill, and the professional standing of each is good.

18  
19 *(2) The character of the work done: its difficulty, intricacy, importance, the*  
20 *time and skill required, the responsibility imposed and the prominence and*  
21 *character of the parties when they affect the importance of the litigation*

22 Litigating an Anti-SLAPP special motion to dismiss is difficult and intricate  
23 because of the number of issues that need to be addressed. The Court's order granting  
24 in part and denying in part the special motion to dismiss was 41 pages.

25 Viable special motions to dismiss in Anti-SLAPP cases are important because  
26 they protect "[g]ood faith communication in furtherance of the right to petition or the  
27 right to free speech in direct connection with an issue of public concern ...." NRS 41.637.

1 Properly prepared special motions to dismiss in Anti-SLAPP cases, require  
2 considerable time and skill. The special motion in this case was properly prepared.

3 This case involves a high profile businessman who is also a county commissioner  
4 suing a small town blogger to stop the blogger's criticism of the commissioner. The  
5 prominence and character of the parties affect the importance of this litigation.  
6

7 *(3) The work actually performed by the lawyers: the skill, time and attention*  
8 *given to the work*

9 Toll's counsel successfully litigated the special motion to dismiss. The filed anti-  
10 SLAPP papers are voluminous. The Court's file consists of nine volumes. Toll's counsel  
11 displayed good skill and attention to the work in their filed papers.  
12

13 *(4) The result: whether the attorney was successful and what benefits were*  
14 *derived*

15 Toll's counsel were successful, the special motion was granted. The benefits are  
16 preserving Toll's right to generate good faith communications in furtherance of his  
17 rights to petition and free speech, and specific and general deterrence to those who  
18 consider interfering with a reporter's right to generate good faith communications in  
19 furtherance of his rights to petition and free speech.  
20

21 *(5) Whether the requested hourly rates are in-line with local attorney hourly*  
22 *rates*

23 Toll's counsel attached to their motion declarations of Reno attorneys that attest  
24 that the hourly rates sought are reasonable and customary. Based upon that evidence  
25 and the Court's experience in handling motions for attorney fees, the Court concludes  
26 the requested hourly rates are in-line with local attorney hourly rates.  
27

1           *Conclusion on hourly rates*

2           Having considered the factors, facts, and circumstances the Court concludes  
3 John Marshall, Esq.'s hourly rate of \$450 an hour, and Luke Busby, Esq.'s hourly rate  
4 of \$350 an hour are reasonable and justified.

5  
6           **Time**

7           In deciding what constitutes a "reasonable fee" in the context of anti-SLAPP  
8 litigation it has been said:

9  
10           "[a] reasonable [attorney's] fee is one that is not excessive or extreme, but rather  
11 moderate or fair. The mere fact that a party and a lawyer contracted for or  
12 incurred a particular amount of attorney's fees does not conclusively prove that  
13 a fee paid by the lawyer's client is reasonable. When a party seeks to shift fees  
14 from its client to the opposing party, the party seeking fees must prove that the  
15 amount of the fees it is requesting is reasonable. That said, when awarding  
16 attorney's fees, the factfinder should exclude "[c]harges for duplicative,  
excessive, or inadequately documented work[.]" See *Toledo v. KBMT Operating*  
*Co., LLC*, 581 S.W.3d 324, 329-31 (Tex. App. 2019); *In re Leonard Jed Co.*, 118  
B.R. 339, 347 (Bankr.D.Md. 1990) ("excessive use of office conferences and  
unnecessary duplication of effort will result in reduction of fees when they are  
unreasonable").

17           Toll cited *Graham-Sult v. Clainos*, 756 F.3d 724, 752 (9th Cir. 2014) for the  
18 proposition that it is appropriate to award all attorneys fees incurred in connection with  
19 the entire case even if some work is not directly related to the anti-SLAPP Motion.  
20 *Graham* recognized the general rule is that the anti-SLAPP attorney fee provision  
21 applies only to the anti-SLAPP motion and not to the entire action. *Id.* Toll has not  
22 provided evidence or argument that justify deviating from the general rule.  
23

24           In *569 E. Cty. Blvd. LLC v. Backcountry Against The Dump, Inc.*, 6 Cal.App.5th  
25 426, 212 Cal. Rptr. 3d 304, (2016). The California Court of Appeals held that "a fee  
26 award under the anti-SLAPP statute may not include matters unrelated to the anti-  
27

1 SLAPP motion, such as . . . summary judgment research, “because such matters are not  
2 “incurred in connection with the anti-SLAPP motion.” *Backcountry*, supra at 310-11.  
3 The Ninth Circuit cited favorably to *Backcountry* in the case of *Century Sur. Co. v.*  
4 *Prince*, 782 F. App’x 553, 558 (9th Cir. 2019) and denied attorneys fees for work that  
5 was not related to the anti-SLAPP Motion (only attorneys’ fees and costs directly  
6 attributable to the anti-SLAPP motion(s) are recoverable). Just recently, the United  
7 States District Court for the State of Nevada required the attorneys seeking their fees to  
8 revise their billing statements to remove any entries not directly related to the anti-  
9 SLAPP motion. *Walker v. Intelli-heart Servs., Inc.*, No. 318CV00132MMDCLB, 2020  
10 WL 1694771, at \*2 (D. Nev. Apr. 7, 2020).

12 Based on the foregoing, the fees that can be awarded to Defendant must be  
13 reasonable, adequately documented, and relate directly to the anti-SLAPP motion, and  
14 not be excessive or duplicative.

15 Having carefully considered the pleadings and papers filed by the parties, the  
16 quality of the legal product, the importance of the issue, and the result obtained, the  
17 Court concludes the hours claimed by Toll included matters not related to the special  
18 motion to dismiss, and some claimed hours were excessive and not reasonable. Toll  
19 will be awarded fees for all time claimed by Toll and not objected to by Gilman plus the  
20 time set forth in the following table which addresses each entry objected to by Gilman.  
21

<b>Date</b>	<b>Description of Work</b>	<b>Time Keeper</b>	<b>Hours Awarded</b>	<b>Objection/ Court’s Decision</b>
12/18/17	Email client	JLM	Ø	Not related to anti-SLAPP motion/ agree

1	12/22/17	Mtg with client	JLM	Ø	Not related to anti-SLAPP motion/ agree
2					
3	12/27/17	Draft and revise Answer + Motion to Change Venue	JLM	Ø	Not related to anti-SLAPP motion/ agree
4					
5	12/22/17	Initial meeting with Toll	LAB	Ø	Not related to anti-SLAPP motion/ agree
6					
7					
8	12/28/17	Draft and revise Answer + Motion to Change Venue	JLM	Ø	Not related to anti-SLAPP motion/ agree
9					
10	12/23/17	Research and draft of Motion to Change Venue	LAB	Ø	Not related to anti-SLAPP motion/ agree
11					
12	12/23/17	Draft Affidavit of Sam Toll re: Motion to Change Venue	LAB	Ø	Not related to anti-SLAPP motion/ agree
13					
14	12/23/17	Draft Answer to Complaint	LAB	Ø	Not related to anti-SLAPP motion/ agree
15					
16					
17	12/26/17	Meeting with Toll and retainer agreement	LAB	Ø	Not related to anti-SLAPP motion/ agree
18					
19	12/28/17	Finalize and file answer	LAB	Ø	Not related to anti-SLAPP motion/ agree
20					
21	1/12/18	Request to submit venue motion	LAB	Ø	Not related to anti-SLAPP motion/ agree
22					
23					
24	12/31/17-2/1/18	Draft Special Motion to Dismiss	LAB JLM	40.0 15.0	Excessive time; duplicative/ Toll failed to show 60+ hours is reasonable; 55 hours is reasonable
25					
26					
27					

1	2/21/18	Review opposition to anti-SLAPP motion	JLM	1.0	Duplicative/disagree
2					
3	2/21/18	Review opposition to anti-SLAPP motion	LAB	2.1	Duplicative/disagree
4					
5	2/21/18-2/26/2018	Work on Reply to Opposition to anti-SLAPP motion	LAB JLM	24.0 12.0	Excessive; duplicative/ Toll failed to show 43+ hours is reasonable; 36 hours is reasonable
6					
7					
8					
9	4/9/2018	Review Order	LAB JLM	1.3 1.0	Duplicative/disagree
10					
11	4/19/18	Meet client re order and discovery	LAB	1.2	Not related to anti-SLAPP motion/disagree
12					
13	4/23/18	Call with Mike Sullivan re: Gilman v. Antinoro	LAB	Ø	Not related to anti-SLAPP motion/ Toll failed to show related to anti-SLAPP motion
14					
15					
16					
17	4/28/18-5/4/18	Toll depo prep	LAB	6.1	Not related to anti-SLAPP motion/disagree
18					
19	4/28/18	Shield law research	LAB	2.3	Not related to anti-SLAPP motion/disagree
20					
21	5/10/18-5/17/18	Prep and attend Osborne deposition and review transcripts	JLM	4.3	Not related to anti-SLAPP motion/disagree
22					
23					
24					
25	5/10/18-5/22/18	Review of Motion for Sanctions; work on opposition to	LAB	Ø	Not related to anti-SLAPP motion/agree
26					
27					

	Motion for Sanctions			
5/19/18	Work on opposition to motion to compel	JLM	4.5	Duplicative; not reasonable/ disagree
6/15/18-6/20/18	Review of Motion for Oral Argument and prepare opposition	LAB JLM	1.0 2.0	Excessive hours; unreasonable/ agree in part
6/27/18-2/22/29	Evidentiary hearing prep	LAB	57.5	Not related to anti-SLAPP motion/ disagree
6/27/18	Review court order; conference between counsel	JLM LAB	1.5 2.1	Block billed, duplicative and interoffice conference/ disagree
6/27/18 and 6/29/18	Counsel conference	LAB JLM	0.5 0.5	Interoffice conference, duplicative/ Agree in part 0.4 not allowed
8/17/18	Counsel conference	JLM	0.8	Interoffice conference; block billed/ disagree
11/30/18	Counsel conference re hearing prep and strategy	JLM LAB	2.4 2.4	Duplicative, interoffice conference/ disagree
2/14/19	Counsel conference re hearing prep	JLM LAB	1.0 1.0	Duplicative, interoffice conference/ disagree; LAB billed 0.3 more and that is excluded from award
2/20/19	Counsel conference re hearing prep	JLM LAB	2.0 2.0	Interoffice meeting; duplicative/ LAB billed 0.4 more and that is



				excluded from award
2/21/19	Counsel conference re hearing prep	JLM LAB	1.5 1.5	Duplicative/ disagree
3/8/19- 3/17/19	Draft writ petition	JLM LAB	12.0 48.0	Not directly related to anti-SLAPP motion/disagree  Duplicative/ Disagree  Excessive hours/ Toll failed to show claimed hours are reasonable; 60 hours is reasonable
5/6/19	Review and outline opposition to writ	JLM	2.3	Not directly related to anti-SLAPP motion, duplicative/ disagree
5/9/19	Review writ answer	LAB	2.0	Not directly related to anti-SLAPP motion, duplicative/ disagree
5/28/19- 6/2/19	Draft writ reply brief	JLM	25.9	Not related to anti-SLAPP motion, duplicative/ disagree
5/10/19- 5/29/19	Work on writ reply brief	LAB	15.7	Not related to anti-SLAPP motion, duplicative/ disagree
8/16/19- 9/5/19	Prep for oral argument	JLM	27.3	Not related to anti-SLAPP motion, duplicative/ disagree

8/25/19-9/3/19	Case outline/prep	LAB	14.5	Not related to anti-SLAPP motion, duplicative/disagree
6/21/20	Work on App for Attorney Fees	JLM	2.5	Duplicative/Disagree  Excessive/agree: Toll failed to show hours reasonable; 2.5 hours is reasonable
6/19/20-6/21/20	Work on App for Attorney Fees	LAB	2.5	Duplicative/Disagree  Excessive/agree: Toll failed to show hours reasonable; 2.5 hours is reasonable

Toll will be awarded attorney fees for John Marshall's services at \$450 per hour for 164.1 hours for a total of \$73,340.

Toll will be awarded attorney fees for Luke Busby's services at \$350/hour for 330 hours for a total of \$115,500. The total attorney fee award is \$188,840.

### **COSTS**

Toll failed to file with his memorandum of costs, any substantiating documentation of the claimed costs. Gilman cited *Cadle Company v. Woods & Erickson, LLP*, 131 Nev. 114, 345 P. 3d 1049 (2015), for the proposition that for a court to award costs it must have justifying documentation, which by necessity means more than a memorandum of costs. The Supreme Court in *Cadle* refused to award certain costs because there was no evidence for the Court to determine that the costs were reasonable, necessary, and actually incurred.

1 In four lines in his reply devoted to the costs issue Toll simply offered some  
2 receipts. He failed to address the arguments raised in Gilman's opposition.


3 Toll's receipts and affidavit that indicating the costs were necessarily incurred  
4 did not establish that the claimed costs were reasonable, necessary, and actually  
5 incurred. Toll's request for costs will be denied.

6  
7 **THE COURT ORDERS:**

8 Toll is awarded \$188,840 in attorney fees.

9 Toll's request for costs is denied.

10 September 24, 2020.

11  
12   
13 \_\_\_\_\_  
14 James E. Wilson Jr.  
15 District Court Judge  
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1 **CERTIFICATE OF SERVICE**

2 I certify that I am an employee of the First Judicial District Court of Nevada;  
3 that on the 24 day of September 2020, I served a copy of this document by placing  
4 a true copy in an envelope addressed to:

5 Gus Flangas, Esquire  
6 Jessica K. Peterson, Esquire  
7 3275 South Jones Blvd.,  
8 Suite. 105  
9 Las Vegas, NV 89146

John L. Marshall, Esquire  
570 Marsh Avenue  
Reno, NV 89509

Luke Andrew Busby, Esq.  
316 California Avenue  
Reno, NV 85909

10 the envelope sealed and then deposited in the Court's central mailing basket in the  
11 court clerk's office for delivery to the USPS at 1111 South Roop Street, Carson City,  
12 Nevada, for mailing.

13   
14 Billie Shadron  
15 Judicial Assistant  
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*A Duke*

1 JOHN L. MARSHALL  
2 SBN 6733  
3 570 Marsh Avenue  
4 Reno, Nevada 89509  
5 Telephone: (775) 303-4882  
6 johnmarshall@charter.net

7 Luke Andrew Busby, Ltd.  
8 Nevada State Bar No. 10319  
9 316 California Ave #82  
10 Reno, NV 89509  
11 775-453-0112  
12 luke@lukeandrewbusbyltd.com

13 *Attorneys for the Defendant*

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IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR STOREY COUNTY

\*\*\*

LANCE GILMAN,

Plaintiff,

vs.

SAM TOLL,

Defendant.

Case No. 18-trt-00001-1c

Dept. No. II

NOTICE OF ENTRY OF ORDER

Please Take Notice: On September 24, 2020 the Court entered an Order on Motion for Attorney's Fees and Costs in the above captioned matter, a true and correct copy of which is attached hereto as Exhibit 1.

///

///

///


///

**NRS 239B.030(4) AFFIRMATION**

I certify that the attached filing includes no social security numbers or other personal information.

Respectfully submitted this Saturday, September 26, 2020:

By: \_\_\_\_\_

  
JOHN L. MARSHALL  
SBN 6733

570 Marsh Avenue  
Reno, Nevada 89509  
Telephone: (775) 303-4882  
johnmarshall@charter.net

Luke Andrew Busby, Ltd.  
Nevada State Bar No. 10319  
316 California Ave #82  
Reno, NV 89509  
775-453-0112  
luke@lukeandrewbusbyltd.com  
*Attorneys for the Defendant*

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Exhibit List


1. Order on Motion for Attorney's Fees and Costs

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**CERTIFICATE OF SERVICE**

I certify that on the date indicated below I served the foregoing document on the following parties via US Mail, postage prepaid, and/or electronic service.

GUS W. FLANGAS  
JESSICA K. PETERSON  
Flangas Dalacas Law Group  
3275 South Jones Blvd. Suite 105  
Las Vegas, NV 89146  
702-307-9500  
F - 702-382-9452

By:   
Luke Busby

Dated: 9-26-20



# Exhibit 1

Exhibit 1