

Electronically Filed
Aug 31 2020 11:37 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

1 NOAS (CIV)
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9 Email: dstephens@davidstephenslaw.com
10 Attorneys for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

CHEYENNE NALDER,)	CASE NO.: 07A549111
)	
)	DEPT NO.: XX
Plaintiff,)	
)	
vs.)	
)	
GARY LEWIS,)	
)	
Defendants.)	
)	
UNITED AUTOMOBILE INSURANCE)	
COMPANY,)	
)	
Intervenor.)	
)	

NOTICE OF APPEAL

Date: n/a
Time: n/a

NOTICE IS HEREBY GIVEN that Cheyenne Nalder, Plaintiff above named, hereby appeals to the Supreme Court of Nevada from the order denying her motion for attorney's fees against the Plaintiff and in favor of the Defendant entered in this action on the 24th day of July, 2020.

Dated this 26th day of August, 2020.

S/David A Stephens
David A. Stephens, Esq.
Nevada Bar No. 00902
Stephens Law Offices
3636 N. Rancho Drive
Las Vegas, NV 89130
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of August, 2020, I served the following document:

NOTICE OF APPEAL

☒ VIA ELECTRONIC FILING; (N.E.F.R. 9(b))

Daniel Polsenberg, Esq.

Matthew J. Douglas, Esq.

Thomas F. Christensen, Esq.

E. Breen Arntz, Esq.

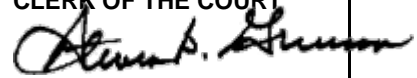
☐ VIA ELECTRONIC SERVICE (N.E.F.R. 9) .

☐ BY MAIL: by placing the documents(s) listed above in a sealed envelope, postage prepaid in the U. S. Mail at Las Vegas, Nevada, addressed as set forth below:

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s/David A Stephens
An Employee of Stephens Law Offices



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Email: dstephens@davidstephenslaw.com
Attorneys for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

CHEYENNE NALDER,)	CASE NO.: 07A549111
)	
)	DEPT NO.: XX
Plaintiff,)	
)	
vs.)	
)	
GARY LEWIS,)	
)	
Defendants.)	
)	
UNITED AUTOMOBILE INSURANCE)	
COMPANY,)	
)	
Intervenor.)	

CASE APPEAL STATEMENT

Date: n/a
Time: n/a

1. Name of appellant filing this case appeal statement:

Cheyenne Nalder

2. Judge issuing Order appealed from:

Honorable Eric Johnson

3. Appellant and Counsel for Appellant:

Appellant: Cheyenne Nalder

David A. Stephens, Esq.
Nevada Bar No. 0902
Stephens Law Offices
3636 N. Rancho Drive
Las Vegas, NV 89103
Telephone: (702) 656-2355

Facsimile: (702) 656-2776
Email: dstephens@davidstephenslaw.com
Attorneys for Cheyenne Nalder

4. Respondent and Counsel for Respondent

Respondent: Gary Lewis

Thomas F. Christensen, Esq.
Nevada Bar No. 2326
Christensen Law Offices
1000 S. Valley View Boulevard
Las Vegas, NV 89107
Telephone: (702) 870-1000
Facsimile: (702) 870-6152
Email: thomasc@injuryhelpnow.com

And

E. Breen Arntz, Esq.
Nevada Bar No. 03853
5545 Mountain Vista, #E
Las Vegas, NV 89120
Telephone: (702) 384-8000
Facsimile: (702) 446-8164
Email: breen@breen.com
Attorneys for Gary Lewis

Intervenor: United Automobile Insurance Company

Daniel F. Polsenberg, Esq.
Nevada Bar No. 02376
Lewis Rocha Rothgerber Christie
3993 Howard Hughes Parkway, #600
Las Vegas, NV 89169
Telephone: (702) 949-8200
Facsimile: (702) 949-8398
Email: dpolsenberg@LRRC.com

And

Matthew J. Douglas, Esq.
Nevada Bar No. 11371
Winner & Sherrod
1117 S. Rancho Drive
Las Vegas, NV 89102
Telephone: (702) 243-7000
Facsimile: (702) 243-7059
Email: mdouglas@winnerfirm.com
Attorneys for United Automobile Insurance Company

5. Are the identified counsel licensed to practice law in Nevada:

1 All listed counsel are licensed to practice law in Nevada.

2 6. Was Appellant represented by retained or appointed counsel in District Court:

3 Appellant was represented by retained counsel in District Court.

4 7. Is Respondent represented by retained or appointed counsel on appeal:

5 Respondent Gary Lewis is represented by retained counsel on appeal.

6 Intervenor, United Automobile Insurance Company, is represented by retained counsel
7 on appeal

8 8. Was Appellant granted leave to proceed in forma pauperis, and date of order:

9 Appellant was not granted leave to proceed in forma pauperis.

10 9. The date proceedings commenced in District Court.

11 Proceedings commenced in District Court on October 9, 2007.

12 10. Brief Description of Nature of the Action and the Result

13 Cheyenne Nalder, who was then a minor, sued Gary Lewis, with her father as
14 Guardian ad Litem, for injuries she suffered in an automobile accident.

15 The District Court entered judgment in her favor for \$3,434,444.62, plus interest at the
16 legal rate on June 3, 2008.

17 Cheyenne amended the judgment to replace her guardian ad litem with herself when
18 she reached the age of majority.

19 United Automobile Insurance Company was allowed to intervene after the amended
20 judgment was entered. It then filed a motion to set aside the amended judgment, which was
21 denied.

22 This Court then ordered that United Automobile Insurance Company had intervened
23 improperly in this matter and struck the intervention.

24 Cheyenne Nalder then filed a motion for attorney's fees and costs. The District Court
25 granted the costs, but denied the attorney's fees request. This denial of attorney's fees is being
26 appealed by Cheyenne Nalder.

1 11. Prior Appeals or Writ Proceedings

2 The following appeals and writ proceedings have been filed in this matter:

3 Case No. 78085 - a writ proceeding. Case Caption, Cheyenne Nalder and Gary Lewis
4 v. Eighth Judicial District Court, United Automobile Insurance Company as Real Party in
5 Interest.

6 Case No. 78243 - a writ proceeding. Case Caption, Gary Lewis v. Eighth Judicial
7 District Court, United Automobile Insurance Company and Cheyenne Nalder as Real Party
8 in Interest.

9 Case No. 79487 - an appeal proceeding. Case Caption, United Automobile Insurance
10 Company v. Cheyenne Nalder and Gary Lewis.

11 Case No. 80965 - a writ proceeding. Case Caption, United Automobile Insurance
12 Company v. Eighth Judicial District Court, Cheyenne Nalder and Gary Lewis as real parties
13 in interest.

14 12. Child Custody and Visitation

15 This case does not involve issues of child custody or child visitation

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

17 This is a civil case. Appellant believes that there is a possibility of settling this matter.

18 Dated this 26th day of August, 2020.

19
20
21 S/David A Stephens
22 David A. Stephens, Esq.
23 Nevada Bar No. 00902
24 Stephens Law Offices
25 3636 N. Rancho Drive
26 Las Vegas, NV 89130
27 Attorneys for Cheyenne Nalder
28

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of August, 2020, I served the following document:

CASE APPEAL STATEMENT

☒ VIA ELECTRONIC FILING; (N.E.F.R. 9(b))

Daniel Polsenberg, Esq.

Matthew J. Douglas, Esq.

Thomas F. Christensen, Esq.

E. Breen Arntz, Esq.

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s/David A Stephens
An Employee of Stephens Law Offices

CASE SUMMARY**CASE NO. 07A549111**James Nalder
vs
Gary Lewis§
§
§
§
§
§Location: **Department 20**
Judicial Officer: **Johnson, Eric**
Filed on: **10/02/2007**
Case Number History:
Cross-Reference Case **A549111**
Number:
Supreme Court No.: **79487****CASE INFORMATION**Case Type: **Negligence - Auto**Case
Status: **12/03/2018 Reactivated****DATE****CASE ASSIGNMENT****Current Case Assignment**Case Number 07A549111
Court Department 20
Date Assigned 10/29/2018
Judicial Officer Johnson, Eric**PARTY INFORMATION****Plaintiff****Nalder, Cheyenne***Lead Attorneys***Stephens, David Allen**
Retained
702-656-2355(W)**Nalder, James****Stephens, David Allen**
Retained
702-656-2355(W)**Defendant****Lewis, Gary****Conversion****No Convert Value @ 07A549111****Extended**

Removed: 04/24/2009

Connection Type

Converted From Blackstone

Guardian Ad Litem**Nalder, James****Intervenor****United Automobile Insurance Company****Douglas, Matthew J**
Retained
702-243-7000(W)**Subject Minor****Nalder, Cheyenne****Third Party Defendant****Resnick & Louis P.C. Randall Tindall, Esq.**Removed: 01/29/2019
Data Entry Error**Resnick and Louis PC**Removed: 01/28/2019
Dismissed**Tindall, Randall Esq**Removed: 01/28/2019
Dismissed**United Automobile Insurance Company**Removed: 01/28/2019
Dismissed

CASE SUMMARY**CASE NO. 07A549111****Third Party
Plaintiff****Lewis, Gary**Removed: 11/28/2018
Data Entry Error**Lewis, Gary**Removed: 01/28/2019
Dismissed














DATE	EVENTS & ORDERS OF THE COURT	INDEX
	<u>EVENTS</u>	
10/02/2007	 Petition <i>PETITION FOR ORDER APPOINTING GUARDIAN AD LITEM Fee \$148.00</i>	07A5491110001.tif pages
10/09/2007	 Order Appointing Guardian Ad Litem Filed By: Plaintiff Nalder, James <i>ORDER APPOINTING GUARDIAN AD LITEM</i>	07A5491110002.tif pages
10/09/2007	 Initial Appearance Fee Disclosure Filed By: Plaintiff Nalder, James <i>INITIAL APPEARANCE FEE DISCLOSURE</i>	07A5491110003.tif pages
10/09/2007	 Complaint Filed By: Plaintiff Nalder, James <i>COMPLAINT FILED</i>	07A5491110004.tif pages
11/02/2007	 Summons Filed by: Plaintiff Nalder, James <i>SUMMONS</i>	07A5491110005.tif pages
12/13/2007	 Default Filed By: Plaintiff Nalder, James <i>DEFAULT</i>	07A5491110006.tif pages
12/21/2007	 Petition for Compromise of Minors Claim Filed by: Plaintiff Nalder, James <i>PETITION TO COMPROMISE CLAIM OF MINORS</i>	07A5491110007.tif pages
01/04/2008	 Conversion Case Event Type <i>STATUS CHECK: BLOCKED ACCOUNT /1</i>	07A5491110008.tif pages
01/04/2008	Judgment Filed By: Subject Minor Nalder, Cheyenne <i>ORDER OF APPROVAL OF MINORS CLAIM</i>	07A5491110009.tif pages
04/08/2008	Conversion Case Event Type <i>HEARING RE: SHOW CAUSE /2</i>	07A5491110010.tif pages
04/14/2008	Motion <i>ALL PENDING MOTIONS 4-14-08</i>	07A5491110011.tif pages
04/14/2008	Conversion Case Event Type <i>STATUS CHECK: PAYMENT OF SANCTIONS/ FURTHER PROCEEDINGS VR 5/21/08</i>	07A5491110012.tif pages
04/21/2008	Conversion Case Event Type <i>PROVE UP OF DEFAULT /5</i>	07A5491110013.tif pages

CASE SUMMARY**CASE NO. 07A549111**

04/22/2008	Motion <i>ALL PENDING MOTIONS 4-22-08</i>	07A5491110014.tif pages
04/30/2008	Motion <i>ALL PENDING MOTIONS 4-30-08</i>	07A5491110015.tif pages
05/15/2008	 Application Filed By: Plaintiff Nalder, James <i>APPLICATION FOR JUDGMENT BY DEFAULT</i>	07A5491110016.tif pages
05/15/2008	 Notice Filed By: Plaintiff Nalder, James <i>NOTICE OF PAYING SANCTIONS</i>	07A5491110017.tif pages
05/16/2008	 Application Filed By: Plaintiff Nalder, James <i>AMENDED APPLICATION FOR JUDGMENT BY DEFAULT</i>	07A5491110018.tif pages
05/28/2008	Conversion Case Event Type <i>MINUTE ORDER RE: BLOCKED ACCOUNT</i>	07A5491110019.tif pages
05/29/2008	Conversion Case Event Type <i>STATUS CHECK: PAYMENT OF SANCTIONS/ FURTHER PROCEEDINGS</i>	07A5491110020.tif pages
05/29/2008	Conversion Case Event Type <i>STATUS CHECK: BLOCKED ACCOUNT</i>	07A5491110021.tif pages
06/03/2008	 Judgment Filed By: Plaintiff Nalder, James <i>DEFAULT JUDGMENT PLUS LEGAL INTEREST</i>	07A5491110022.tif pages
06/03/2008	Judgment Filed By: Subject Minor Nalder, Cheyenne <i>DEFAULT JUDGMENT PLUS LEGAL INTEREST</i>	07A5491110023.tif pages
06/30/2008	Acknowledgment Filed By: Plaintiff Nalder, James <i>ACKNOWLEDGEMENT OF BLOCKED ACCOUNT</i>	07A5491110024.tif pages
08/01/2008	 Motion <i>PLTF'S MTN TO STRIKE SOCIAL SECURITY NUMBER/11 (vj 9/2/08)</i>	07A5491110025.tif pages
08/26/2008	 Notice of Entry of Judgment Filed By: Plaintiff Nalder, James <i>NOTICE OF ENTRY OF JUDGMENT</i>	07A5491110028.tif pages
09/02/2008	Conversion Case Event Type <i>MINUTE ORDER RE: PLTF'S MTN TO STRIKE SOCIAL SECURITY NUMBER</i>	07A5491110026.tif pages
09/03/2008	Conversion Case Event Type <i>STATUS CHECK: HEARING VI 10-3-08</i>	07A5491110027.tif pages
09/05/2008	 Acknowledgment Filed By: Plaintiff Nalder, James <i>ACKNOWLEDGEMENT OF BLOCKED ACCOUNT</i>	07A5491110029.tif pages
07/29/2009		

CASE SUMMARY

CASE NO. 07A549111

	 Writ of Execution Filed by: Plaintiff Nalder, James
02/01/2010	 Affidavit of Service <i>Affidavit of Service</i>
06/24/2011	Case Reassigned to Department 29 <i>Case reassigned from Judge Kathleen E. Delaney</i>
01/02/2017	Case Reassigned to Department 29 <i>Case reassigned from Judge Susan Scann Dept 29</i>
03/22/2018	 Ex Parte Motion <i>Ex Parte Motion to Amend Judgment in the Name of Cheyenne Nalder, Individually</i>
03/28/2018	 Amended Judgment <i>Amended Judgment</i>
05/18/2018	 Notice of Entry <i>Notice of Entry of Amended Judgment</i>
08/17/2018	 Motion to Intervene Party: Intervenor United Automobile Insurance Company <i>UAIC's Motion to Intervene</i>
09/17/2018	 Opposition Filed By: Subject Minor Nalder, Cheyenne <i>Plaintiff's Opposition to Motion to Intervene</i>
09/18/2018	 Reply in Support Filed By: Intervenor United Automobile Insurance Company <i>UAIC's Reply in Support of its Motion to Intervene</i>
09/27/2018	 Initial Appearance Fee Disclosure Filed By: Defendant Lewis, Gary <i>Initial Appearance Fee Disclosure (NRS Chapter 19)</i>
10/08/2018	 Opposition Filed By: Subject Minor Nalder, Cheyenne <i>Plaintiff's Opposition to Defendant's Motion for Relief from Judgment</i>
10/17/2018	 Motion to Strike Filed By: Defendant Lewis, Gary <i>Defendant's Motion to Strike Defendant's Motion for Relief from Judgment</i>
10/19/2018	 Initial Appearance Fee Disclosure <i>Initial Appearance Fee Disclosure</i>
10/19/2018	 Notice of Entry of Order Filed By: Intervenor United Automobile Insurance Company <i>Notice of Entry of Order on Intervenor United Automobile Insurance Company's Motion to Intervene</i>
10/19/2018	

CASE SUMMARY

CASE NO. 07A549111

	 Motion Filed By: Intervenor United Automobile Insurance Company <i>UAIC's Motion for Relief from Judgment Pursuant to NRCP 60</i>
10/29/2018	 Notice of Department Reassignment <i>Notice of Department Reassignment</i>
10/29/2018	 Notice of Department Reassignment <i>Amended Notice of Department Reassignment</i>
10/29/2018	 Opposition Filed By: Defendant Lewis, Gary <i>Defendant's Opposition to Intervenor's Motion for Relief From Judgment Pursuant to NRCP 60</i>
10/29/2018	 Opposition Filed By: Subject Minor Nalder, Cheyenne <i>Plaintiff's Opposition to UAIC's Motion for Relief from Judgment</i>
11/01/2018	 Opposition Filed By: Defendant Lewis, Gary <i>Opposition to Gary Lewis' Motion to Strike Motion to Set Aside Judgment</i>
11/02/2018	 Opposition Filed By: Intervenor United Automobile Insurance Company <i>UAIC'S Opposition to Defendant's Motion to Strike Defendant's Motion for Relief from Judgment & Counter-Motion for Evidentiary Hearing for a Fraud Upon the Court or, Alternatively, for the Court to Vacate the 3/28/18 Amended Judgment on Its Own Motion</i>
11/08/2018	 Motion for Sanctions Filed By: Defendant Lewis, Gary <i>NRCP 11 Motion for Sanctions</i>
11/08/2018	 Notice of Hearing Filed By: Defendant Lewis, Gary <i>Notice of Hearing</i>
11/15/2018	 Opposition Filed By: Defendant Lewis, Gary <i>Defendant's Opposition To Counter-Motion For Evidentiary Hearing For A Fraud Upon The Court Or, Alternatively, For The Court To Vacate The 3/28/18 Amended Judgment On It's Own Motion</i>
11/20/2018	 Opposition and Countermotion <i>Plaintiff's Opposition to UAIC's Counter Motion for Evidentiary Hearing for Fraud Upon the Court or, Alternatively, for the Court to Vacate the 3/28/2018 Amended Judgment on its Own Motion</i>
11/26/2018	 Motion to Consolidate Filed By: Intervenor United Automobile Insurance Company <i>Intervenor's Motion to Consolidate on Order Shortening Time</i>
11/27/2018	 Opposition Filed By: Subject Minor Nalder, Cheyenne <i>Plaintiff's Opposition to Intervenor UAIC's Motion to Consolidate</i>

CASE SUMMARY

CASE NO. 07A549111

11/27/2018	 Opposition Filed By: Defendant Lewis, Gary <i>Opposition to UAIC's Motion to Consolidate and Countermotion to Set Aside Void Order and To Strike All Filings By Intervenor</i>
11/28/2018	 Opposition Filed By: Intervenor United Automobile Insurance Company <i>UAIC's Opposition to Defendant Lewis' Motions for Sanctions Against Randall Tindall, Esq.</i>
12/03/2018	 Notice of Hearing <i>Notice of Hearings</i>
12/10/2018	 Motion Filed By: Defendant Lewis, Gary <i>(1/3/18 Withdrawn) Motion For Relief From Orders And Joinder In Motions For Relief From Orders</i>
12/12/2018	 Motion Filed By: Defendant Lewis, Gary <i>(2/14/19 Withdrawn- Filed also in A772220) - Motion For Relief From Orders And Joinder In Motions For Relief From Orders On Order Shortening Time</i>
12/12/2018	 Stipulation and Order Filed by: Defendant Lewis, Gary <i>Stipulation Regarding Scheduling Of Hearing Dates</i>
12/13/2018	 Motion to Set Aside Filed By: Plaintiff Nalder, Cheyenne <i>Plaintiff's Motion to Set Aside Order, Pursuant to NRCP 60(b) Allowing UAIC to Intervene</i>
12/14/2018	 Opposition Filed By: Intervenor United Automobile Insurance Company <i>Uaic s Opposition To Third Party Plaintiff Lewis Counter-Motion For Summary Judgment & Counter-Motion To Strike Affidavit Of Lewis In Support Of Same Counter-Motion For Summary Judgment And/Or Stay Proceedings Pending Appellate Ruling And/Or Stay Counter-Motion For Summary Judgment Pending Necessary Discovery Pursuant To N.R.C.P. 56(F)</i>
12/20/2018	 Opposition to Motion For Summary Judgment Filed By: Intervenor United Automobile Insurance Company <i>UAIC s Opposition To Plaintiff Nalder s Motion For Summary Judgment & Counter-Motion To Stay Proceedings Pending Appellate Ruling</i>
12/20/2018	 Opposition to Motion Filed By: Third Party Defendant Resnick and Louis PC <i>Randall Tindall, Esq., and Resnick & Louis P.C.'s Opposition to Defendant/Cross-Claimant's NRCP 11 Motion for Sanctions</i>
12/27/2018	 Stipulation <i>Stipulation Re: Early Case Conference and Early Case Conference Report</i>
12/27/2018	 Order Granting Motion

CASE SUMMARY

CASE NO. 07A549111

Filed By: Intervenor United Automobile Insurance Company
Order Granting Intervenor's Motion to Consolidate Cases on Order Shortening Time

12/28/2018



Notice of Entry

Filed By: Intervenor United Automobile Insurance Company
Notice of Entry of Order Granting Intervenor's Motion to Consolidate Cases on Order Shortening Time

12/31/2018



Opposition

Filed By: Intervenor United Automobile Insurance Company
UAIC's Opposition to Third Party Plaintiff Lewis Motion for Relief from Order and Joinder in Motions for Relief from Orders on Order Shortening Time as well as UAIC's Opposition to Plaintiff's Motion to Set Aside Order, Pursuant To N.R.C.P. 60(B), Allowing UAIC to Intervene & Opposition to Defendant Lewis Motion for Relief from Orders and Joinder in Motions for Relief from Orders and, UAIC's Counter-Motion to Stay Pending Ruling on Appeal

01/02/2019



Reply in Support

Filed By: Intervenor United Automobile Insurance Company
UAIC's Reply in Support of its Motion for Relief from Judgment Pursuant to NRCP 60

01/02/2019



Reply in Support

Filed By: Intervenor United Automobile Insurance Company
UAIC's Reply In Support of Its Counter-Motion for Evidentiary Hearing for a Fraud Upon the Court or, Alternatively, for the Court to Vacate The 3/28/18 Amended Judgment on its Own Motion

01/02/2019



Reply in Support

Filed By: Intervenor United Automobile Insurance Company
UAIC'S REPLY IN SUPPORT OF ITS MOTION TO DISMISS PLAINTIFF'S COMPLAINT & MOTION FOR COURT TO DENY STIPULATION TO ENTER JUDGMENT BETWEEN PLAINTIFF AND LEWIS and/or, IN THE ALTERNATIVE TO STAY SAME PENDING HEARING ON MOTION TO DISMISS

01/02/2019



Opposition

Filed By: Defendant Lewis, Gary
Opposition to Counter-Motion to Strike Affidavit of Lewis in Support of his Counter-Motion for Summary Judgment AND Opposition to UAIC's Counter-Motion to Stay proceedings pending Appellate Ruling and Stay Counter-Motion for Summary Judgment Pending Necessary Discovery Pursuant to NRCP 56(f) and Reply in Support of Motion to Set Aside Order Allowing Intervention and Oppositions and Replies in Support of any other Motions to be heard on January 9, 2019

01/02/2019



Withdrawal

Filed by: Defendant Lewis, Gary
Defendant's Withdrawal Of Defendant's Motion For Relief From Judgment Pursuant To NRCP 60

01/02/2019



Withdrawal

Filed by: Defendant Lewis, Gary
Defendant's Withdrawal Of Defendant's Motion To Dismiss And Withdrawal Of Defendant's Motion For Relief From Judgment Pursuant To NRCP 60

01/07/2019














Motion to Withdraw As Counsel

Filed By: Defendant Lewis, Gary
Motion to Withdraw As Counsel on Order Shortening Time

01/16/2019

CASE SUMMARY













CASE NO. 07A549111

	 Reply in Support Filed By: Intervenor United Automobile Insurance Company <i>UAIC's Reply in Support of its Motion to Dismiss Lewis' Third Party Complaint & Replies in Support of its Counter-Motion to Strike Affidavit of Lewis in Support of the Counter-Motion for Summary Judgment and/or to Stay Proceedings Pending Appellate Ruling and/or Stay Counter-Motion for Summary Judgment Pending Necessary Discovery Pursuant to N.R.C.P. 56(f)</i>
01/16/2019	 Reply Filed by: Third Party Plaintiff Lewis, Gary <i>Third Party Plaintiff's Reply in Support of his Counter-Motion for Summary Judgment</i>
01/16/2019	 Reply in Support Filed By: Plaintiff Nalder, Cheyenne <i>Plaintiff's Reply in Support of Her Motion for Summary Judgment and Opposition to Countermotion for Stay</i>
01/22/2019	 Notice of Acceptance of Offer Filed By: Defendant Lewis, Gary <i>Notice of Acceptance of Offer of Judgment in Case 18-A-772220</i>
01/22/2019	 Judgment Filed By: Defendant Lewis, Gary <i>(A772220) Judgment Pursuant to NRCP 68 in Case No. 18-A-772220</i>
01/28/2019	 Notice of Entry of Judgment Filed By: Subject Minor Nalder, Cheyenne; Plaintiff Nalder, Cheyenne <i>Notice of Entry of Judgment</i>
01/28/2019	 Stipulation and Order Filed by: Third Party Defendant Resnick and Louis PC; Third Party Defendant Tindall, Randall Esq <i>Stipulation and Order for Dismissal of All Third-Party Claims with Prejudice Against Third-Party Defendants Randall Tindall, Esq. and Resnick & Louis P.C.</i>
01/29/2019	 Notice of Entry of Stipulation & Order for Dismissal Filed By: Third Party Defendant Resnick & Louis P.C. Randall Tindall, Esq. <i>Notice of Entry Stipulation and Order for Dismissal of all Third-Party Claims, With Prejudice, Against Third Party Defendants Randall Tindall, Esq., And Resnick & Louis, P.C.</i>
02/05/2019	 Order Granting Motion Filed By: Intervenor United Automobile Insurance Company <i>A549111 and A772220 Order Granting Randall Tindall's Resnick & Louis P.C.'s Motion to Withdraw As Counsel</i>
02/05/2019	 Notice of Entry of Order Filed By: Intervenor United Automobile Insurance Company <i>Notice of Entry of Order Granting Randall Tindall and Resnick & Louis P.C.'s Motion to Withdraw as Counsel</i>
02/11/2019	 Motion for Relief Filed By: Intervenor United Automobile Insurance Company <i>UAIC s Motion For Relief From Judgment, Entered 1/23/19 In Case No A-18-772220-C, Pursuant to NRCP 60 and/or, in The Alternative, Motion for Rehearing on Motion to Dismiss Plaintiff s First Cause of Action in Case No A-18-772220-C on an Order</i>

CASE SUMMARY

CASE NO. 07A549111










Shortening Time

02/14/2019	 Order <i>Order Granting in Part Motion for Relief From Judgment, Entered 1/23/19 In Case No A-18-772220-C, Pursuant To NRCP 60 And/Or, In the Alternative, Motion for Rehearing on Motion to Dismiss Plaintiff's First Cause of Action In Case No A-18-772220-C On An Order Shortening Time</i>
02/14/2019	 Notice of Entry of Order Filed By: Intervenor United Automobile Insurance Company <i>NOTICE OF ENTRY OF ORDER GRANTING IN PART MOTION FOR RELIEF FROM JUDGMENT, ENTERED 1123/19 IN CASE NO A-18-772220-C, PURSUANT TO NRCP 60 AND/OR, IN THE ALTERNATIVE, MOTION FOR REHEARING ON MOTION TO DISMISS PLAINTIFF'S FIRST CAUSE OF ACTION IN CASE NO A.18.772220-C ON AN ORDER SHORTENING TIME</i>
02/14/2019	 Transcript of Proceedings <i>Defense's Motion to Withdraw on Order Shortening Time Defendant's Motions to Dismiss and Motions for Relief Defendant's Motions to Strike Motions to Dismiss and for Relief UAIC's Motion for Relief, Motion to Dismiss Plaintiffs' Complaint, Motion for Court to Deny Stipulation to Enter Judgment Between Plaintiff and Lewis, and Opposition to Third Party Plaintiff Lewis's Motion for Relief From Order and Joinder in Motions for Relief From Orders on Order Shortening Time, January 9, 2019</i>
02/14/2019	 Order Filed By: Intervenor United Automobile Insurance Company <i>Order on Motions Heard on January 9, 2019</i>
02/14/2019	 Order Filed By: Intervenor United Automobile Insurance Company <i>Order on Motions for January 23, 2019</i>
02/15/2019	 Notice of Entry of Order Filed By: Intervenor United Automobile Insurance Company <i>NOTICE OF ENTRY OF ORDER ON MOTIONS HEARD ON JANUARY 23, 2019</i>
02/15/2019	 Notice of Entry of Order <i>NOTICE OF ENTRY OF ORDER ON MOTIONS HEARD ON JANUARY 9, 2019</i>
02/15/2019	 Request Filed by: Defendant Lewis, Gary <i>Request for Stay</i>
03/01/2019	 Motion Filed By: Defendant Lewis, Gary <i>Motion for Reconsideration, Motion for hearing and Motion for Relief from Order</i>
03/04/2019	 Motion <i>Motion for Reconsideration of Orders signed 2/11/19, Motion for Hearing and Motion for Relief from Orders</i>
03/06/2019	 Notice of Hearing <i>Notice of Hearing</i>
03/15/2019	 Opposition to Motion Filed By: Intervenor United Automobile Insurance Company

CASE SUMMARY

CASE NO. 07A549111

UAIC's Opposition to 3rd Party Plaintiff Lewis' Motion for Reconsideration, Motion for Hearing and Motion for Relief from Order

03/18/2019	 Notice of Change of Hearing <i>Notice of Change of Hearing</i>
03/18/2019	 Opposition to Motion Filed By: Intervenor United Automobile Insurance Company UAIC'S OPPOSITION TO 3RD PARTY PLAINTIFF LEWIS' MOTION FOR RECONSIDERATION OF ORDERS SIGNED 2/11/19, MOTION FOR HEARING, AND MOTION FOR RELIEF FROM ORDERS AND UAIC'S COUNTER-MOTION TO STRIKE UNTIMELY JOINDER BY PLAINTIFF TO SAID MOTION
03/19/2019	 Joinder <i>Joinder in Motion for Reconsideration of Orders Signed 2/11/2019, Motion for Hearing, and Motion for Relief from Orders</i>
04/04/2019	 Reply Filed by: Defendant Lewis, Gary <i>Reply In Support of Motion for Reconsideration, Motion for Hearing and Motion for Relief for Order and Reply in Support of Motion for Reconsideration of Orders Signed 2/11/19, Motion for Hearing and Motion for Relief from Orders</i>
07/08/2019	 Transcript of Proceedings <i>Transcript of Hearing: All Pending Motions, April 10, 2019</i>
07/26/2019	 Order <i>Order</i>
07/30/2019	 Notice of Entry of Order Filed By: Defendant Lewis, Gary <i>Notice of Entry of Order</i>
08/21/2019	 Case Appeal Statement Filed By: Intervenor United Automobile Insurance Company <i>Case Appeal Statement</i>
08/21/2019	 Notice of Appeal Filed By: Intervenor United Automobile Insurance Company <i>Notice of Appeal</i>
09/25/2019	 Motion for Relief Filed By: Subject Minor Nalder, Cheyenne <i>Motion for Relief from Stay and Renewed Motion for Summary Judgment</i>
09/25/2019	 Ex Parte Motion Filed By: Subject Minor Nalder, Cheyenne <i>Plaintiff's Ex Parte Motion for Order Shortening Time</i>
09/25/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
09/27/2019	 Notice of Association of Counsel Filed By: Intervenor United Automobile Insurance Company

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Notice of Association of Counsel

09/27/2019	 Notice Filed By: Intervenor United Automobile Insurance Company <i>United Automobile Insurance Company's Notice of Nevada Supreme Court Decision</i>
09/27/2019	 Amended Notice Filed By: Intervenor United Automobile Insurance Company <i>United Automobile Insurance Company's Amended Notice of Nevada Supreme Court Decision</i>
10/01/2019	 Notice of Change of Hearing <i>Notice of Change of Hearing</i>
10/09/2019	 Opposition to Motion Filed By: Intervenor United Automobile Insurance Company <i>Opposition to "Plaintiff's Motion for Relief from Stay and Renewed Motion for Summary Judgment"</i>
10/16/2019	 Notice of Change of Firm Name Filed By: Intervenor United Automobile Insurance Company <i>NOTICE OF FIRM NAME CHANGE</i>
10/25/2019	 Reply in Support Filed By: Subject Minor Nalder, Cheyenne; Plaintiff Nalder, Cheyenne <i>Plaintiff's Reply in Support of Plaintiff's Motion for Relief from Stay and Renewed Motion for Summary Judgment</i>
01/22/2020	 Stipulation and Order <i>Stipulation and Order to Continue Hearing Date & Time</i>
01/23/2020	 Notice of Hearing <i>Notice of Hearing</i>
01/28/2020	 Stipulation and Order Filed by: Defendant Lewis, Gary <i>Stipulation and Order to Continue Hearing Date & Time</i>
03/23/2020	 Motion for Order Extending Time Filed by: Intervenor United Automobile Insurance Company <i>Motion for Extension of Time to File Supplemental Brief and Cross-Motion for Summary Judgment (First Request)</i>
03/24/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
03/24/2020	 Motion to Disqualify Judge Filed By: Defendant Lewis, Gary <i>Motion to Disqualify Judge Eric Johnson</i>
03/24/2020	 Errata Filed By: Intervenor United Automobile Insurance Company <i>Errata to "Motion for Extension of Time to File Supplemental Brief and Cross-Motion for Summary Judgment"</i>

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03/24/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
03/24/2020	 Opposition to Motion Filed By: Defendant Lewis, Gary <i>Third Party Plaintiff's Opposition to Motion for Extension of Time to File Supplemental Brief and Cross-Motion for Summary Judgment</i>
03/25/2020	 Errata Filed By: Defendant Lewis, Gary <i>Errata to Third Party Plaintiff's Opposition to Motion for Extension of Time to File Supplemental Brief and Cross-Motion for Summary Judgment</i>
03/25/2020	 Transcript of Proceedings <i>Transcript of Proceedings: Status Check: Supreme Court Decision Plaintiffs' Motion for Relief From Stay and Renewed Motion for Summary Judgment, March 4, 2020</i>
03/25/2020	 Supplemental Brief Filed By: Defendant Lewis, Gary <i>Supplemental Brief</i>
04/01/2020	 Affidavit <i>Judge Eric Johnson's Answer to Plaintiff's Motion to Disqualify Judge Eric Johnson</i>
04/07/2020	 Opposition to Motion Filed By: Intervenor United Automobile Insurance Company <i>UAIC's Opposition to Gary Lewis's Motion to Disqualify Judge Eric Johnson</i>
04/08/2020	 Countermotion For Summary Judgment Filed By: Intervenor United Automobile Insurance Company <i>Supplemental Brief and Cross-Motion for Summary Judgment</i>
04/09/2020	 Motion Filed By: Intervenor United Automobile Insurance Company <i>UAIC's Motion to Supplement Its "Opposition to Gary Lewis's Motion to Disqualify Judge Eric Johnson"</i>
04/10/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
04/13/2020	 Notice Filed By: Intervenor United Automobile Insurance Company <i>Notice of Filing of Writ Petition</i>
04/22/2020	 Opposition <i>Opposition to Supplemental Brief and Cross-Motion for Summary Judgment and Reply in Support of Third Party Plaintiff's Motion for Partial Summary Judgment</i>
04/22/2020	 Reply in Support Filed By: Plaintiff Nalder, Cheyenne <i>Cheyenne Nalder's Reply in Support of her Motion for Summary Judgment and Opposition to the Countermotion for Summary Judgment Filed by UAIC</i>








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04/22/2020	 Reply in Support Filed By: Intervenor United Automobile Insurance Company <i>Reply Brief on "Motion for Extension of Time to File Supplemental Brief and Cross-Motion for Summary Judgment"</i>
04/28/2020	 Reply in Support Filed By: Defendant Lewis, Gary <i>Reply in Support of Motion to Disqualify Judge Eric Johnson</i>
05/01/2020	 Reply in Support Filed By: Defendant Lewis, Gary <i>Supplemental Reply in Support of Motion to Disqualify Eric Johnson</i>
05/07/2020	 Decision and Order <i>Decision and Order</i>
05/12/2020	 Order <i>Order</i>
05/29/2020	 Notice of Hearing <i>Notice of Hearing</i>
06/02/2020	 Motion for Fees Filed By: Subject Minor Nalder, Cheyenne <i>Cheyenne Nalder's Motion for Fees and Costs</i>
06/02/2020	 Clerk's Notice of Nonconforming Document <i>Clerk's Notice of Nonconforming Document</i>
06/05/2020	 Clerk's Notice of Nonconforming Document and Curative Action <i>Clerk's Notice of Curative Action</i>
06/05/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
06/12/2020	 Motion for Attorney Fees and Costs Filed By: Defendant Lewis, Gary <i>Gary Lewis' Motion for Attorney's Fees and Costs</i>
06/16/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
06/16/2020	 Opposition to Motion Filed By: Intervenor United Automobile Insurance Company <i>Opposition to Cheyenne Nalder's Motion for Costs and Attorney's Fees</i>
06/17/2020	 Filing Fee Remittance Filed By: Intervenor United Automobile Insurance Company <i>Balance due on behalf of United Automobile Insurance Summary Judgment #37</i>
06/23/2020	 Notice of Entry Filed By: Defendant Lewis, Gary <i>Notice of Entry of Order</i>

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06/26/2020	 Opposition to Motion Filed By: Intervenor United Automobile Insurance Company <i>Opposition to Gary Lewis's Motion for Attorney's Fees and Costs</i>
06/29/2020	 Reply in Support Filed By: Subject Minor Nalder, Cheyenne <i>Reply in Support of Cheyenne Nalder's Motion for Fees and Costs</i>
07/24/2020	 Order <i>Order Regarding Cheyenne Nalder's Motion for Costs and Attorney's Fees</i>
07/27/2020	 Notice of Entry of Decision and Order Filed By: Intervenor United Automobile Insurance Company <i>Notice of Entry of Order Regarding Cheyenne Nalder's Motion for Costs and Attorney's Fees</i>
07/29/2020	 Reply in Support Filed By: Defendant Lewis, Gary <i>Gary Lewis' Reply in Support of Motion for Attorney's Fees and Costs</i>
08/26/2020	 Notice of Appeal Filed By: Subject Minor Nalder, Cheyenne <i>Notice of Appeal</i>
08/26/2020	 Case Appeal Statement Filed By: Subject Minor Nalder, Cheyenne <i>Case Appeal Statement</i>

DISPOSITIONS

01/04/2008	Order Approving Minor's Compromise (Judicial Officer: Cadish, Elissa F.) Converted Disposition: Entry Date & Time: 01/07/2008 @ 08:24 Description: ORDER OF APPROVAL OF MINORS CLAIM Debtor: Lewis, Gary Creditor: Nalder, Cheyenne Amount Awarded: \$66519.11 Attorney Fees: \$33333.33 Costs: \$147.56 Interest Amount: \$0.00 Total: \$100000.00
06/03/2008	Default Judgment Plus Legal Interest (Judicial Officer: Cadish, Elissa F.) Converted Disposition: Entry Date & Time: 06/05/2008 @ 11:09 Description: DEFAULT JUDGMENT PLUS LEGAL INTEREST Debtor: Lewis, Gary Creditor: Nalder, Cheyenne Amount Awarded: \$3500000.00 Attorney Fees: \$0.00 Costs: \$0.00 Interest Amount: \$0.00 Total: \$3500000.00
03/28/2018	Amended Default Judgment Plus Legal Interest (Judicial Officer: Cadish, Elissa F.) Converted Disposition: Entry Date & Time: 06/05/2008 @ 11:00 Description: DEFAULT JUDGMENT PLUS LEGAL INTEREST Debtor: Lewis, Gary

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	<p>Creditor: Nalder, James Amount Awarded: \$3500000.00 Attorney Fees: \$0.00 Costs: \$0.00 Interest Amount: \$0.00 Total: \$3500000.00</p> <p>Debtors: Gary Lewis (Defendant) Creditors: James Nalder (Plaintiff) Judgment: 03/28/2018, Docketed: 03/29/2018 Total Judgment: 3,434,444.63</p>
01/28/2019	<p>Order of Dismissal With Prejudice (Judicial Officer: Johnson, Eric) Debtors: Gary Lewis (Third Party Plaintiff) Creditors: Resnick and Louis PC (Third Party Defendant), Tindall, Randall Esq (Third Party Defendant), United Automobile Insurance Company (Third Party Defendant) Judgment: 01/28/2019, Docketed: 01/29/2019</p>
01/30/2019	<p>Compromise Settlement (Judicial Officer: Johnson, Eric) Debtors: Gary Lewis (Defendant) Creditors: Cheyenne Nalder (Plaintiff) Judgment: 01/30/2019, Docketed: 01/22/2019 Total Judgment: 5,696,810.41 Comment: 2/14/19 Judgment Withdrawn Per Order</p>
02/14/2019	<p>Amended Compromise Settlement (Judicial Officer: Johnson, Eric) Debtors: Gary Lewis (Defendant) Creditors: Cheyenne Nalder (Plaintiff) Judgment: 02/14/2019 Total Judgment: 5,696,810.41 Comment: 2-14-19 Per Order Judgment Withdrawn (See also in Cons. Case) Debtors: Gary Lewis (Defendant) Creditors: Cheyenne Nalder (Plaintiff) Judgment: 01/23/2019, Docketed: 01/22/2019 Total Judgment: 5,696,810.41</p>
	<p><u>HEARINGS</u></p>
03/03/2008	<p>Status Check: Blocked Account (3:00 AM) (Judicial Officer: Cadish, Elissa F.) Events: 01/04/2008 Conversion Case Event Type STATUS CHECK: BLOCKED ACCOUNT /1 Continuance Granted; Journal Entry Details: <i>Proof of establishment of the blocked account has not been filed. COURT ORDERED, proceedings CONTINUED; counsel need not appear ONLY if proof of the blocked account has been filed, otherwise, counsel must be present. CLERK'S NOTE: The above minute order has been Distributed to: Thomas F. Christensen (Christensen Law Office) ;</i></p>
03/31/2008	<p>CANCELED Status Check: Blocked Account (9:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated</i> Continuance Granted; Journal Entry Details: <i>Court notes matters were previously calendared and there has not been any communication from counsel. COURT ORDERED, proceedings CONTINUED for a show cause hearing. 4-14-08 9:00 AM SHOW CAUSE HEARING. CLERK'S NOTE: The above minute order has been Distributed to: Thomas F. Christensen (Christensen Law Office) ;</i></p>
04/14/2008	<p>CANCELED Status Check: Blocked Account (9:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated</i> Continuance Granted;</p>
04/14/2008	<p>Show Cause Hearing (9:00 AM) (Judicial Officer: Cadish, Elissa F.)</p>

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Events: 04/08/2008 Conversion Case Event Type
HEARING RE: SHOW CAUSE /2

04/14/2008	<p>All Pending Motions (9:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>ALL PENDING MOTIONS 4-14-08 Court Clerk: Keith Reed Reporter/Recorder: Jessica Ramirez Heard By: ELISSA CADISH</i> Matter Heard; Journal Entry Details: <i>HEARING: SHOW CAUSE...STATUS CHECK: BLOCKED ACCOUNT Court stated findings and finds cause to issue contempt sanctions and ORDERED, Thomas Christensen Esq. is to pay \$500.00 to Clark County Legal Services; proceedings continued for the presence of counsel, proof of payment of the \$500.00 sanction and for the consideration of any additional sanctions. 4-22-08 9:00 AM STATUS CHECK: BLOCKED ACCOUNT...STATUS CHECK: PAYMENT OF SANCTIONS/FURTHER PROCEEDINGS CLERK'S NOTE: The above minute order has been Distributed & FAXED TO: Thomas Christensen (Christensen Law Offcs) CLERK'S NOTE: Notice of proceedings for 4-14-08 was not retrieved by counsel from his attorney bin. ;</i></p>
04/22/2008	<p>CANCELED Status Check: Blocked Account (9:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated</i> Continuance Granted;</p>
04/22/2008	<p>Status Check (9:00 AM) (Judicial Officer: Cadish, Elissa F.) Events: 04/14/2008 Conversion Case Event Type <i>STATUS CHECK: PAYMENT OF SANCTIONS/ FURTHER PROCEEDINGS VR 5/21/08</i> Continuance Granted;</p>
04/22/2008	<p>All Pending Motions (9:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>ALL PENDING MOTIONS 4-22-08 Court Clerk: Keith Reed Reporter/Recorder: Jessica Ramirez Heard By: ELISSA CADISH</i> Matter Heard; Journal Entry Details: <i>STATUS: CHECK PAYMENT OF SANCTIONS/FURTHER PROCEEDINGS...STATUS CHECK: BLOCKED ACCOUNT Court again notes the failure of counsel to appear and ORDERED, sanctions of \$1,000.00 for contempt issued and to be paid to Clark County Legal Services; proceedings CONTINUED for the presence of counsel. The Court will consider the issuance of a bench warrant should counsel fail to appear at the next hearing. CONTINUED TO: 4-30-08 9:00 AM CLERK'S NOTE: The above minute order has been Distributed & FAXED TO: Thomas Christensen (Christensen Law Offcs) ;</i></p>
04/30/2008	<p>CANCELED Status Check: Blocked Account (9:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated</i> Continuance Granted;</p>
04/30/2008	<p>CANCELED Status Check (9:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated</i> Continuance Granted;</p>
04/30/2008	<p>All Pending Motions (9:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>ALL PENDING MOTIONS 4-30-08 Court Clerk: Keith Reed Reporter/Recorder: Jessica Ramirez Heard By: ELISSA CADISH</i> Matter Heard; Journal Entry Details: <i>STATUS CHECK: PAYMENT OF SANCTIONS/FURTHER PROCEEDINGS...STATUS CHECK: BLOCKED ACCOUNT Upon the inquiry of the Court, Mr. Sampson stated he received the Court's fax of April 29th. Court noted the history of the case and the failure of counsel to appear/comply upon many notifications via fax and by placing notice in counsels attorney bin. Mr. Sampson apologized to the Court and advised that on April 28th word was received the annuity has been funded; the documentation is expected within the next 30 days. Mr. Sampson represented there may have been a glitch in his office because he has no idea what the problem is in the receipt of the faxes; willing to</i></p>

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pay the sanctions if appropriate, but would request the punishment befit the crime due to the glitch in the office. Upon the inquiry of the Court, Mr. Sampson stated the sanctions have not been paid. COURT ORDERED, the additional sanctions imposed of \$1,000.00 will be VACATED; the sanctions of \$500.00 are warranted; proceedings CONTINUED for confirmation of payment of sanctions to Clark County Legal Services. CONTINUED TO: 5-29-08 9:00 AM ;

- 05/21/2008 **Minute Order** (3:00 AM) (Judicial Officer: Cadish, Elissa F.)
MINUTE ORDER RE: BLOCKED ACCOUNT Relief Clerk: Phyllis Irby/pi Heard By: ELISSA CADISH
 Matter Heard;
 Journal Entry Details:
The court finds the proof of payments is filed and in compliance with this court's order. CLERK'S NOTE: The above minute order has been distributed to: Thomas F. Christensen, Esq., (Christensen Law offices) ;
- 05/22/2008 **Prove Up/Default** (9:00 AM) (Judicial Officer: Cadish, Elissa F.)
 Events: 04/21/2008 Conversion Case Event Type
PROVE UP OF DEFAULT /5 Relief Clerk: Phyllis Irby/pi Reporter/Recorder: Jessica Ramirez Heard By: ELISSA CADISH
 Motion Granted;
 Journal Entry Details:
Plaintiff's Sworn & Testified. Following argument of counsel. COURT ORDERED, Default is GRANTED. \$3,500,000.00 AWARDED to cover all categories of damages. ;
- 05/29/2008 **CANCELED Status Check: Blocked Account** (9:00 AM) (Judicial Officer: Cadish, Elissa F.)
Vacated
- 05/29/2008 **CANCELED Status Check** (9:00 AM) (Judicial Officer: Cadish, Elissa F.)
Vacated
- 05/29/2008 **Status Check** (9:00 AM) (Judicial Officer: Cadish, Elissa F.)
STATUS CHECK: PAYMENT OF SANCTIONS/ FURTHER PROCEEDINGS Relief Clerk: Nora Pena Reporter/Recorder: Jessica Ramirez Heard By: ELISSA CADISH
 Matter Heard;
 Journal Entry Details:
Court advised she received proof of sanctions was paid and the account has not been established yet. Mr. Sampson provided a letter from Shelly Mack indicating Toni Perez was having a delay. COURT ORDERED, matter CONTINUED and if proof not filed then counsel and representatives need to explain why the account is not established. 6/26/08 9:00 AM STATUS CHECK: BLOCKED ACCOUNT ;
- 06/26/2008 **Status Check** (9:00 AM) (Judicial Officer: Cadish, Elissa F.)
 Events: 05/29/2008 Conversion Case Event Type
STATUS CHECK: BLOCKED ACCOUNT Court Clerk: Keith Reed Reporter/Recorder: Jessica Ramirez Heard By: ELISSA CADISH
 Blocked Account / Proof Filed;
 Journal Entry Details:
Mr. Sampson advised the Court he received last night via Federal Express confirmation the blocked account has been established & has the proof. CONFERENCE AT BENCH. The Court is satisfied the blocked account has been established and admonished counsel to make sure any social security numbers are redacted from the documents prior to filing. ;
- 09/02/2008 **Minute Order** (3:00 AM) (Judicial Officer: Cadish, Elissa F.)
MINUTE ORDER RE: PLTF'S MTN TO STRIKE SOCIAL SECURITY NUMBER Relief Clerk: Monica Schmidt Heard By: ELISSA CADISH
 Matter Heard;
 Journal Entry Details:
COURT ORDERED, Plaintiff's Motion to Strike Social Security Number GRANTED; 9/3/08 hearing VACATED. The Motion to redact was properly filed and served, and no opposition having been filed, the Court finds redacting the minor's personal identifier is a


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privacy interest that outweighs the public need for access. COURT ORDERED, Motion to Redact the minor's social security number GRANTED; the Acknowledgment of Opening Blocked Trust Account filed on June 30, 2008 is to be STRICKEN from the record and file; the attorney to file a redacted version; and Status Check SET. Mr. Christensen to prepare the Order. 10/6/08 CHAMBERS CALENDAR STATUS CHECK CLERK'S NOTE: The above minute order has been distributed to: Thomas F. Christensen, Esq., (Christensen Law offices) ;

09/03/2008 **CANCELED Motion to Strike** (3:00 AM) (Judicial Officer: Cadish, Elissa F.)
Events: 08/01/2008 Motion
Vacated

10/06/2008 **CANCELED Status Check** (3:00 AM) (Judicial Officer: Cadish, Elissa F.)
Events: 09/03/2008 Conversion Case Event Type
Vacated
Matter Heard;
Journal Entry Details:
Pursuant to Law Clerk, an amended proof of establishment of the blocked account has been filed with the social security number redacted. COURT ORDERED, CASE CLOSED.
;

09/19/2018  **Motion to Intervene** (3:00 AM) (Judicial Officer: Jones, David M)
UAIC's Motion to Intervene
Granted;
Journal Entry Details:
There being no opposition, COURT ORDERED, Motion GRANTED. CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Haly Pannullo, to all registered parties for Odyssey File & Serve hvp/9/26/18;

10/24/2018  **Minute Order** (10:55 AM) (Judicial Officer: Jones, David M)
Minute Order Re: Recusal
Recused; Minute Order Re: Recusal
Journal Entry Details:
E. Breen Arntz, Esq., present on behalf of Deft. David A. Stephens, Esq., present on behalf of Pltf. in A772220. The Court disclosed Mr. Tindall worked with the Court in the firm for Farmers Insurance and does not see any conflict. Mr. Winner stated he does not see a conflict. Mr. Christensen stated he and Mr. Lewis does see a conflict because Mr. Lewis submitted a complaint to the bar because Mr. Tindall's representation is not authorized by Mr. Lewis and contrary to his interest. Court inquired what that has to do with the conflict. Mr. Christensen stated he is a Third Party Deft. in the cross claim and third party complaint that was filed. Further, Mr. Christensen requested the Court recuse at this time. Colloquy. Mr. Christensen requested time to review issues and from the very beginning the intervenor filed motion to Intervene. On the face of those motions, the certificate of service was improper on both motions and in both cases. On one it did not have anything filled in as to who was served and on the other one it was checked electronic service but Mr. Stephens was not on the Court's electronic service platform at the time that they signed and also did not have any service for Mr. Lewis or any attorney representing Mr. Lewis and those motions are defective to begin with. When Mr. Stephens discovered these motions were filed, filed oppositions and delivered courtesy copies to the Court prior to the hearing date. The Intervenor also filed replies and those oppositions were not considered by the Court and the Court granted the motions that were not properly noticed and then had an order prepared that was not run by anyone in the case and did not sign stipulated judgment that was submitted to the Court prior to the hearing on the motion but did sign order allowing intervention which is improper. Post judgment intervention is clear Nevada law that you cannot intervene after trial and that is in the other case that is already to judgment. Additionally, still waiting for the stipulated judgment in this case and have no information why we have not received that. Gary Lewis submitted bar complaint against Mr. Tindall for his entering appearances on his behalf. Court stated he is not hearing this as it does not come before this Court. Mr. Winner objected to counsel advising of the bar complaint. Mr. Christensen further stated bar counsel immediately dismissed the bar complaint and said Mr. Tindall is involved in this ongoing case and they were not going to do anything. If a judge refers this to the bar, then they will investigate. Further, Mr. Christensen requested the Court refer Mr. Tindall to the bar. There has been letters sent to Mr. Tindall from Mr. Lewis advising his to stop representing him, stop


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putting forth frivolous defenses in case on Mr. Lewis' behalf and Mr. Tindall refuses to. Colloquy. Opposition by Mr. Winner as to the request for this Court to recuse and believes the new pleadings are frivolous and a clumsy effort forcing the Court to appoint another judge on the case. Colloquy. Further opposition by Mr. Winner. Due to this Court and Mr. Tindall having a previous working relationship, to avoid the appearance of impropriety and implied bias, this Court hereby disqualifies itself and ORDERS, this case be REASSIGNED at random.;

11/28/2018 **CANCELED Motion to Consolidate** (10:30 AM) (Judicial Officer: Johnson, Eric)
Vacated
Intervenor's Motion to Consolidate on OST

11/28/2018 **CANCELED Motion to Consolidate** (10:30 AM) (Judicial Officer: Johnson, Eric)
Vacated - per Law Clerk
Intervenor's Motion to Consolidate on Order Shortening Time

11/30/2018  **Minute Order** (11:30 AM) (Judicial Officer: Johnson, Eric)
Minute Order - No Hearing Held;
Journal Entry Details:
Intervenor United Automobile Insurance Company filed a Motion to Consolidate on Order Shortening Time on November 26, 2018. Defendant/Third Party Plaintiff Gary Lewis filed its Opposition and Countermotion to Set Aside Void Order and to Strike All Filings by Intervenor, or, in the Alternative, for Summary Judgment on November 27, 2018. The matter was subsequently scheduled for hearing on November 28, 2018. After considering the pleadings and argument of counsel, the Court GRANTS United Automobile Insurance Company's Motion to Consolidate on Order Shortening Time and DEFERS Defendant/ Third Party Plaintiff Lewis' Countermotion to Set Aside Void Order and to Strike All Filings by Intervenor, or, in the Alternative, for Summary Judgment. The Court finds that claims in both cases arise from the same car accident and the same issues of law and facts exist in both cases. The Court further finds that decisions made in both cases, as well as the matters currently on appeal, will affect the litigation in both cases and so it is beneficial for the cases to be consolidated. Further, the cases were both being litigated before Department XXIX prior to the cases being reassigned and being placed in separate departments. The Court further finds that the parties will not be prejudiced by the consolidation of the cases and that judicial economy favors their consolidation. The Court hereby consolidates Case No. A772220 into Case No. A594111. The Court finds that the issues brought up in the Countermotion are currently being litigated in the Nevada Supreme Court on appeal and so the Court does not have the jurisdiction to hear them. The Court will DEFER ruling on the Countermotion pending the decision from the Nevada Supreme Court. The Court hereby VACATES the November 28, 2018 hearing. Intervenor is directed to prepare a proposed order including detailed findings of fact and conclusions of law, and to circulate it to opposing counsel for approval as to form and content before submitting it to chambers for signature. ;

01/09/2019 **Motion for Relief** (8:30 AM) (Judicial Officer: Johnson, Eric)
Defendant's Motion for Relief from Judgment Pursuant to NRCP 60
Minute Order Dated 10-24-18
Withdrawn;

01/09/2019 **Motion to Strike** (8:30 AM) (Judicial Officer: Johnson, Eric)
Defendant's Motion to Strike Defendant's Motion for Relief from Judgment
Minute Order Dated 10-24-18
Granted;

01/09/2019 **Motion for Relief** (8:30 AM) (Judicial Officer: Johnson, Eric)
UAIC's Motion for Relief from Judgment Pursuant to NRCP 60
Minute Order Dated 10-24-18
Denied;

01/09/2019 **Motion to Dismiss** (8:30 AM) (Judicial Officer: Johnson, Eric)
Defendant's Motion to Dismiss
Withdrawn;

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01/09/2019	<p>Motion to Dismiss (8:30 AM) (Judicial Officer: Johnson, Eric)</p> <p><i>UAIC's Motion to Dismiss Plaintiff's Complaint and Motion for Court to Deny Stipulation to Enter Judgment Between Plaintiff and Lewis and/or in the Alternative to Stay Same Pending Hearing on Motion to Dismiss</i></p> <p>Granted in Part;</p>
01/09/2019	<p>Motion for Relief (8:30 AM) (Judicial Officer: Johnson, Eric)</p> <p><i>Defendant's Motion for Relief From Judgment Pursuant to NRCP 60</i></p> <p>Withdrawn;</p>
01/09/2019	<p>Motion to Strike (8:30 AM) (Judicial Officer: Johnson, Eric)</p> <p><i>Defendant's Motion to Strike Both Defendant's Motion for Relief from Judgment and Defendant's Motion to Dismiss</i></p> <p>Granted;</p>
01/09/2019	<p>Joinder (8:30 AM) (Judicial Officer: Johnson, Eric)</p> <p><i>Motion For Relief From Orders And Joinder In Motions For Relief From Orders On Order Shortening Time</i></p> <p>Denied;</p>
01/09/2019	<p>Motion to Set Aside (8:30 AM) (Judicial Officer: Johnson, Eric)</p> <p><i>Plaintiff's Motion to Set Aside Order, Pursuant to NRCP 60(b) Allowing UAIC to Intervene</i></p> <p>Denied;</p>
01/09/2019	<p>Opposition and Countermotion (8:30 AM) (Judicial Officer: Johnson, Eric)</p> <p><i>UAIC s Opposition to Third Party Plaintiff Lewis Motion for Relief from Order and Joinder in Motions for Relief from Orders on Order Shortening Time as well as UAIC s Opposition to Plaintiff s Motion to Set Aside Order, Pursuant To N.R.C.P. 60(B), Allowing UAIC to Intervene & Opposition to Defendant Lewis Motion for Relief from Orders and Joinder in Motions for Relief from Orders and, UAIC s Counter-Motion to Stay Pending Ruling on Appeal</i></p> <p>Granted in Part;</p>
01/09/2019	<p>Motion to Withdraw as Counsel (8:30 AM) (Judicial Officer: Johnson, Eric)</p> <p><i>Defense's Motion to Withdraw As Counsel on OST</i></p> <p>Granted;</p>
01/09/2019	<p>CANCELED Motion to Withdraw as Counsel (8:30 AM) (Judicial Officer: Johnson, Eric)</p> <p><i>Vacated - Duplicate Entry</i></p> <p><i>Motion to Withdraw As Counsel on Order Shortening Time</i></p>
01/09/2019	<p> All Pending Motions (8:30 AM) (Judicial Officer: Johnson, Eric)</p> <p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>Also present: David Stephens, Thomas Christensen and Breen Arntz. Following lengthy arguments by Mr. Tindall, Mr. Arntz, Mr. Douglas, Mr. Winner, Mr. Stephens and Mr. Christensen, COURT ORDERED, AS TO: DEFENDANT'S MOTION TO STRIKE BOTH DEFENDANT'S MOTION FOR RELIEF FROM JUDGMENT AND DEFENDANT'S MOTION TO DISMISS: Motion GRANTED. UAIC'S MOTION FOR RELIEF FROM JUDGMENT PURSUANT TO NRCP 60: Motion DENIED. DEFENDANT'S MOTION TO STRIKE DEFENDANT'S MOTION FOR RELIEF FROM JUDGMENT: Motion GRANTED. DEFENDANT'S MOTION FOR RELIEF FROM JUDGMENT PURSUANT TO NRCP 60: Motion WITHDRAWN. UAIC'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT AND MOTION FOR COURT TO DENY STIPULATION TO ENTER JUDGMENT BETWEEN PLAINTIFF AND LEWIS AND/OR IN THE ALTERNATIVE TO STAY SAME PENDING HEARING ON MOTION TO DISMISS: Motion GRANTED-IN-PART. DEFENDANT'S MOTION TO DISMISS: Motion WITHDRAWN. MOTION FOR RELIEF FROM ORDERS AND JOINDER IN MOTIONS FOR RELIEF FROM ORDERS ON ORDER SHORTENING TIME: Motion DENIED. UAIC'S OPPOSITION TO THIRD PARTY PLAINTIFF LEWIS MOTION FOR RELIEF FROM ORDER AND JOINDER IN MOTIONS FOR RELIEF FROM ORDERS ON ORDER SHORTENING TIME AS WELL AS UAIC'S OPPOSITION TO PLAINTIFF'S MOTION TO SET ASIDE ORDER,</i></p>

CASE SUMMARY**CASE NO. 07A549111**

PURSUANT TO N.R.C.P. 60(B), ALLOWING UAIC TO INTERVENE & OPPOSITION TO DEFENDANT LEWIS' MOTION FOR RELIEF FROM ORDERS AND JOINDER IN MOTIONS FOR RELIEF FROM ORDERS AND UAIC'S COUNTER-MOTION TO STAY PENDING RULING ON APPEAL: Motion GRANTED-IN-PART. DEFENSE'S MOTION TO WITHDRAW AS COUNSEL ON OST: Motion GRANTED. MOTION TO WITHDRAW AS COUNSEL ON ORDER SHORTENING TIME: Motion GRANTED. PLAINTIFF'S MOTION TO SET ASIDE ORDER, PURSUANT TO NRCP 60 (b) ALLOWING UAIC TO INTERVENE: Motion DENIED.;

01/22/2019

**Minute Order** (7:15 AM) (Judicial Officer: Johnson, Eric)

Minute Order - No Hearing Held;

Journal Entry Details:

Plaintiff Cheyenne Nalder filed a Motion for Summary Judgment and Relief from Order Pursuant to NRCP 60(b) on November 28, 2018. Defendant UAIC filed its Opposition and Countermotion to Stay Proceedings Pending Appellate Ruling on December 20, 2018. Defendant UAIC filed a Motion to Dismiss Third Party Plaintiff Lewis' Third Party Complaint on November 15, 2018. Defendant Gary Lewis filed an Opposition and Countermotion for Summary Judgment on November 27, 2018. UAIC filed its Opposition and Countermotion to Strike Affidavit of Lewis and/or Stay Proceedings Pending Appellate Ruling and/or Stay Countermotion for Summary Judgment Pursuant to NRCP 56(f). These matters were subsequently scheduled for hearing on January 23, 2019. After considering the pleadings and argument of counsel, the Court GRANTS UAIC's Countermotion to Stay Proceedings Pending Appellate Ruling and STAYS Plaintiff's Motion for Summary Judgment and Relief from Order Pursuant to NRCP 60(b). Based on the hearing set on January 9, 2019, the Court finds that the issues raised in the Plaintiff's Motion are the same as those which are currently before the Nevada Supreme Court. Therefore, in the interest of judicial economy, the Court stays Plaintiff's motion until a decision has been issued by the Nevada Supreme Court. After considering the pleadings and argument of counsel, the Court GRANTS UAIC's Countermotion to Stay Proceedings Pending Appellate Ruling and STAYS UAIC's Motion to Dismiss Third Party Plaintiff Lewis' Third Party Complaint and STAYS Defendant Lewis' Countermotion for Summary Judgment. Further, the Court DENIES UAIC's Countermotion to Strike Affidavit of Lewis and DENIES UAIC's Countermotion for Summary Judgment Pursuant to NRCP 56(f). The Court finds that, while it believes that the ruling in the Federal Court is a final judgment and the Court would be inclined to agree that the same issues have been dealt with in the Federal case. So, in the interest of judicial economy, the Court stays ruling on the Motion to Dismiss and the Countermotion for Summary Judgment pending a decision from the Ninth Circuit Court of Appeals regarding the bad faith claim. The Court hereby VACATES the January 23, 2019 hearing. Counsel for UAIC is directed to prepare a proposed order and to circulate it to opposing counsel for approval as to form and content before submitting it to chambers for signature. Law Clerk to notify the parties.;

01/23/2019

CANCELED Motion for Sanctions (8:30 AM) (Judicial Officer: Johnson, Eric)*Vacated - per Law Clerk**NRCP 11 Motion for Sanctions*

01/23/2019

CANCELED Motion for Sanctions (8:30 AM) (Judicial Officer: Johnson, Eric)*Vacated - per Law Clerk**NRCP 11 Motion for Sanctions*

01/23/2019

CANCELED Motion for Summary Judgment (8:30 AM) (Judicial Officer: Johnson, Eric)*Vacated - per Law Clerk**Plaintiff's Motion for Summary Judgment and Relief From Order Pursuant to NRCP 60(b)*

01/23/2019

CANCELED Motion to Dismiss (8:30 AM) (Judicial Officer: Johnson, Eric)*Vacated - per Law Clerk**UAIC's Motion to Dismiss Third Party Plaintiff Lewis's Third Party Complaint*

01/23/2019

CANCELED Opposition and Countermotion (8:30 AM) (Judicial Officer: Johnson, Eric)*Vacated - per Law Clerk**Opposition to UAIC's Motion to Dismiss and Countermotion for Summary Judgment*

01/23/2019

CANCELED Opposition and Countermotion (8:30 AM) (Judicial Officer: Johnson, Eric)*Vacated - per Law Clerk*

CASE SUMMARY

CASE NO. 07A549111

Uaic s Opposition To Third Party Plaintiff Lewis Counter-Motion For Summary Judgment & Counter-Motion To Strike Affidavit Of Lewis In Support Of Same Counter-Motion For Summary Judgment And/Or Stay Proceedings Pending Appellate Ruling And/Or Stay Counter-Motion For Summary Judgment Pending Necessary Discovery Pursuant To N.R.C.P. 56(F)

01/23/2019 **CANCELED Opposition and Countermotion** (8:30 AM) (Judicial Officer: Johnson, Eric)
Vacated - per Law Clerk
UAIC s Opposition To Plaintiff Nalder s Motion For Summary Judgment & Counter-Motion To Stay Proceedings Pending Appellate Ruling


01/30/2019 **CANCELED Motion to Dismiss** (10:30 AM) (Judicial Officer: Johnson, Eric)
Vacated - per Law Clerk
Third-Party Defendants Randall Tindall, Esq., and Resnick & Louis P.C.'s (1) Motion to Dismiss or, (2) In the Alternative for a More Definite Statement or (3) In the Alternative, to Dismiss Resnick & Louis for Failure to State a Claim


02/20/2019 **CANCELED Motion for Relief** (8:30 AM) (Judicial Officer: Johnson, Eric)
Vacated
UAIC's Motion for Relief from Judgment, Entered 01/23/19 in Case No. A-18-772220-C, Pursuant to NRCP 60 and/or, In the Alternative, Motion for Rehearing on Motion to Dismiss Plaintiff's First Cause of Action in Case No. A-18-772220-C on OST

04/10/2019 **Motion For Reconsideration** (8:30 AM) (Judicial Officer: Johnson, Eric)
Third Party Plaintiff's Motion for Reconsideration, Motion for Hearing and Motion for Relief from Order
Denied;

04/10/2019 **Motion For Reconsideration** (8:30 AM) (Judicial Officer: Johnson, Eric)
Third Party Plaintiff's Motion for Reconsideration of Orders signed 2/11/19, Motion for Hearing and Motion for Relief from Orders
Denied;

04/10/2019 **Joinder** (8:30 AM) (Judicial Officer: Johnson, Eric)
Plaintiff's Joinder in Motion for Reconsideration of Orders Signed 2/11/2019, Motion for Hearing, and Motion for Relief from Orders
Denied;



04/10/2019  **All Pending Motions** (8:30 AM) (Judicial Officer: Johnson, Eric)
Matter Heard;
Journal Entry Details:
THIRD PARTY PLAINTIFF'S MOTION FOR RECONSIDERATION OF ORDERS SIGNED 2/11/19, MOTION FOR HEARING AND MOTION FOR RELIEF FROM ORDERS...THIRD PARTY PLAINTIFF'S MOTION FOR RECONSIDERATION, MOTION FOR HEARING AND MOTION FOR RELIEF FROM ORDER...PLAINTIFF'S JOINDER IN MOTION FOR RECONSIDERATION OF ORDERS SIGNED 2/11/12019, MOTION FOR HEARING, AND MOTION FOR RELIEF FROM ORDERS Also present, Thomas Christensen, representing Third Party Plaintiff. Arguments by Mr. Christensen in support of his position. Statements by Mr. Stephens and Mr. Douglas. Following, COURT ORDERED, all Motions are DENIED. Colloquy as to the Supreme Court decision. Following, COURT ORDERED, status check date of 10/23 is MOVED UP to the end of August. 8/28/19 10:30 AM STATUS CHECK: SUPREME COURT DECISION;

11/04/2019  **Minute Order** (2:18 PM) (Judicial Officer: Johnson, Eric)
Minute Order Re: Motion for Relief from Stay and Renewed Motion for Summary Judgment
Minute Order - No Hearing Held;
Journal Entry Details:
Plaintiff filed a Motion for Relief from Stay and Renewed Motion for Summary Judgment on September 25, 2019. This matter was subsequently scheduled for hearing on November 6, 2019. Additionally, a Status Check for Supreme Court Decision was previously scheduled by the Court on November 6, 2019. As discussed in Plaintiff's Motion for Relief



CASE SUMMARY

CASE NO. 07A549111

from Stay, the Nevada Supreme Court did enter an order in response to questions posed by the United States Court of Appeals for the Ninth Circuit relevant to the instant matter before this Court. However, Plaintiff has filed a motion with the Nevada Supreme Court seeking reconsideration of the high Court's order. If the high Court takes up Plaintiff's request for reconsideration, its subsequent reconsidered decision would likely weigh on the decisions of this Court in the instant case. Consequently, after considering the pleadings and arguments of counsel, the Court reschedules all hearings in this matter to December 4, 2019. This should allow for the Nevada Supreme Court to determine if it will reconsider its order. If the high Court declines, the Court will consider at that time Plaintiff's Motion for Relief from Stay and Renewed Motion for Summary Judgment. 12/4/19 8:30 AM PLAINTIFF'S MOTION FOR RELIEF FROM STAY...RENEWED MOTION FOR SUMMARY JUDGMENT;

03/04/2020	<p>Status Check (8:30 AM) (Judicial Officer: Johnson, Eric) <i>Status Check: Supreme Court Decision</i></p> <p>Matter Heard;</p>
03/04/2020	<p>Motion for Relief (8:30 AM) (Judicial Officer: Johnson, Eric) <i>Plaintiff's Motion for Relief from Stay and Renewed Motion for Summary Judgment</i></p> <p>Granted;</p>
03/04/2020	<p> All Pending Motions (8:30 AM) (Judicial Officer: Johnson, Eric) Matter Heard; Journal Entry Details: STATUS CHECK: SUPREME COURT DECISION...PLAINTIFF'S MOTION FOR RELIEF FROM STAY AND RENEWED MOTION FOR SUMMARY JUDGMENT Also present, Dawn Hooker and Breen Arntz for Third Party Plaintiff, Gary Lewis. Statements by Ms. Hooker requesting the Court recuse itself. Following objections by Mr. Polsenberg and Mr. Douglas, Court advised Ms. Hooker of the proper procedure. AS TO THE MOTION: Arguments by Mr. Polsenberg, Ms. Hooker and Mr. Stephens in support of their respective positions. Following, COURT ORDERED, Motion is GRANTED in that the STAY is lifted. Colloquy as to a Motion for Summary Judgment. Following, COURT ORDERED, the following briefing schedule: Mr. Polsenberg to file by 3/25; Mr. Stephens to respond by 4/8; Mr. Polsenberg to reply by 4/22 and matter SET for argument. Mr. Stephens to prepare the Order. 5/20/20 8:30 AM HEARING: MOTION FOR SUMMARY JUDGMENT;</p>
05/05/2020	<p> Motion (10:30 AM) (Judicial Officer: Bell, Linda Marie) <i>Gary Lewis's Motion to Disqualify Judge Eric Johnson</i></p> <p>MINUTES Denied; Journal Entry Details: Court noted it was not anticipating any appearances and is not going to hear argument on this matter. COURT ORDERED, matter UNDER ADVISEMENT.;</p>
05/06/2020	<p>CANCELED Motion (9:00 AM) (Judicial Officer: Johnson, Eric) <i>Vacated</i> <i>Intervener's Motion for Extension of Time to File Supplemental Brief and Cross-Motion for Summary Judgment (First Request)</i></p>
05/12/2020	<p>CANCELED Motion (8:30 AM) (Judicial Officer: Johnson, Eric) <i>Vacated</i> <i>UAIC's Motion to Supplement Its "Opposition to Gary Lewis's Motion to Disqualify Judge Eric Johnson"</i></p>
05/19/2020	<p>CANCELED Hearing (8:30 AM) (Judicial Officer: Johnson, Eric) <i>Vacated</i> <i>Hearing: Motion for Summary Judgment</i></p>
06/09/2020	<p>CANCELED Status Check (8:30 AM) (Judicial Officer: Johnson, Eric) <i>Vacated - per Law Clerk</i></p>

CASE SUMMARY**CASE NO. 07A549111**

07/07/2020	 Motion for Attorney Fees and Costs (8:30 AM) (Judicial Officer: Johnson, Eric) <i>Cheyenne Nalder's Motion for Fees and Costs</i> Granted in Part; Journal Entry Details: <i>Mr. Stephens appeared by video via Blue Jeans. Mr. Douglas, Mr. Christensen and Mr. Polsenberg appeared by phone via Blue Jeans. Court noted it had reviewed the Motion, Opposition, and Reply. Arguments by Mr. Stephens, Mr. Christensen, and Mr. Douglas. COURT ORDERED, Motion GRANTED as to costs in the amount of \$458.52. Court noted, according to the statute, attorney's fees are not costs and there does not seem to be bad faith in this case. COURT FURTHER ORDERED, Motion DENIED as to attorney's fees. Mr. Stephens to prepare the order. ;</i>
07/30/2020	 Minute Order (3:00 AM) (Judicial Officer: Johnson, Eric) Minute Order - No Hearing Held; Journal Entry Details: <i>Defendant filed Gary Lewis Motion for Attorney s Fees and Costs on June 12, 2020. The matter was subsequently scheduled for hearing on August 5, 2020. After considering the pleadings and argument of counsel, the Court DENIES Defendant Gary Lewis Motion to Attorney s Fees and Costs. As to costs, [i]f the claim of the party intervening is not sustained, the party intervening shall pay all costs incurred by the intervention. NRS 12.130. However, the Nevada Supreme Court has held that [w]ithout evidence to determine whether a cost was reasonable and necessary, a district court may not award costs. Cadle Co. v. Woods & Erickson, LLP, 131 Nev. 114, 121 (2015). Here, the attached memorandum of costs provides no additional justifying documentation or evidence. Therefore, Defendant s motion is DENIED WITHOUT PREJUDICE as to the request for costs. As to attorney s fees, the Court finds they are not recoverable costs under NRS 12.130. Further, the Court finds UAIC did not maintain its position without reasonable ground or in bad faith so as to otherwise support an award of attorney s fees. Therefore, Defendant s motion is DENIED as to the request for attorney s fees. The Court hereby VACATES the August 5, 2020 hearing. Counsel for UAIC is directed to prepare a proposed order and to circulate it to opposing counsel for approval as to form and content before submitting it to chambers for signature. Law Clerk to notify the parties.;</i>
08/05/2020	CANCELED Motion for Attorney Fees and Costs (9:00 AM) (Judicial Officer: Johnson, Eric) <i>Vacated</i> <i>Gary Lewis' Motion for Attorney's Fees and Costs</i>

DATE**FINANCIAL INFORMATION**

Conversion Extended Connection Type No Convert Value @ 07A549111	
Total Charges	161.00
Total Payments and Credits	161.00
Balance Due as of 8/27/2020	0.00
Third Party Defendant Resnick & Louis P.C. Randall Tindall, Esq.	
Total Charges	3.50
Total Payments and Credits	3.50
Balance Due as of 8/27/2020	0.00
Third Party Defendant Tindall, Randall Esq	
Total Charges	10.50
Total Payments and Credits	10.50
Balance Due as of 8/27/2020	0.00
Defendant Lewis, Gary	
Total Charges	231.00
Total Payments and Credits	231.00
Balance Due as of 8/27/2020	0.00
Intervenor United Automobile Insurance Company	
Total Charges	703.00
Total Payments and Credits	703.00

CASE SUMMARY

CASE NO. 07A549111

Balance Due as of 8/27/2020	0.00
Subject Minor Nalder, Cheyenne	
Total Charges	24.00
Total Payments and Credits	24.00
Balance Due as of 8/27/2020	0.00
Intervenor United Automobile Insurance Company	
Appeal Bond Balance as of 8/27/2020	500.00

Clark County, Nevada
Case No. 14-00000000-00000000
(Assigned by Clerk's Office)

Form PA 201
Rev. 2-06

Heather S. Smith
CLERK OF THE COURT

ORDR

MATTHEW J. DOUGLAS (SBN 11,371)
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JHenriod@LRRC.com
ASmith@LRRC.com

Attorneys for United Automobile Insurance Company

DISTRICT COURT
CLARK COUNTY, NEVADA

CHEYENNE NALDER,

Plaintiff,

vs.

GARY LEWIS; DOES I through V,
inclusive,

Defendants.

UNITED AUTOMOBILE INSURANCE
COMPANY,

Intervener.

Case No. 07A549111

Dep't No. 20

**ORDER REGARDING CHEYENNE
NALDER'S MOTION FOR COSTS
AND ATTORNEY'S FEES**

Hearing Date: July 7, 2020
Hearing Time: 8:30 a.m.

On July 7, 2020, this Court heard plaintiff Cheyenne Nalder's motion for costs and attorney's fees.


Having considered the briefing and oral argument by counsel for plaintiff, defendant Gary Lewis, and United Automobile Insurance Company, this Court orders as follows:

Plaintiff's motion is GRANTED as to costs in the amount of \$458.52, which were documented and unopposed.

1 As to attorney's fees, this Court notes that attorney's fees are not recover-
2 able costs according to NRS 12.130, and UAIC did not maintain its position
3 without reasonable ground or in bad faith so as to otherwise support an award
4 of attorney's fees. Therefore, plaintiff's motion is DENIED as to the request for
5 attorney's fees.

Dated this 24th day of July, 2020

6 Dated this ____ day of July, 2020.

7 

8

DISTRICT COURT JUDGE

9 Respectfully submitted by:
10 LEWIS ROCA ROTHGERBER CHRISTIE LLP

02B D83 58BF 3375
Eric Johnson
District Court Judge

11
12 By: /s/ Abraham G. Smith
13 DANIEL F. POLSENBERG (SBN 2376)
14 J CHRISTOPHER JORGENSEN (SBN 5382)
15 JOEL D. HENRIOD (SBN 8492)
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17 *Attorneys for United Automobile*
18 *Insurance Company*

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 James Nalder

CASE NO: 07A549111

7 vs

DEPT. NO. Department 20

8 Gary Lewis
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Order was served via the court's electronic eFile system to all
13 recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 7/24/2020

15 Lorrie Johnson

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16 Michael Hetey

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17 Master Calendar

calendar@thorndal.com

18 Court Notices

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19 Stefanie Mitchell

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20 Joel Henriod

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21 Abraham Smith

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22 Jessie Helm

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23 David Stephens

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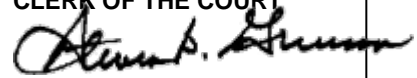
24 David Stephens

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25 Randall Tindall

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8	Matthew Douglas	mdouglas@winnerfirm.com
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1 **NOEJ**

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17 ASmith@LRRC.com

18 *Attorneys for United Automobile Insurance Company*

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

CHEYENNE NALDER,

Plaintiff,

vs.

GARY LEWIS; DOES I through V,
inclusive,

Defendants.

UNITED AUTOMOBILE INSURANCE
COMPANY,

Intervener.

Case No. 07A549111

Dep't No. 20

**NOTICE OF ENTRY OF ORDER
REGARDING CHEYENNE
NALDER'S MOTION FOR COSTS
AND ATTORNEY'S FEES**

Hearing Date: July 7, 2020

Hearing Time: 8:30 a.m.

Please take notice that the attached "Order Regarding Cheyenne Nalder's Motion for Costs and Attorney's Fees" was entered on July 24, 2020.

Dated this 27th day of July, 2020.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ Abraham G. Smith

DANIEL F. POLSENBERG (SBN 2376)

J CHRISTOPHER JORGENSEN (SBN 5382)

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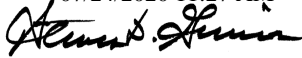
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*Attorneys for United Automobile
Insurance Company*

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I certify that on July 27, 2020, I served the foregoing “Notice of Entry of Order Regarding Cheyenne Nalder’s Motion for Costs and Attorney’s Fees” through the Court’s electronic filing system upon all parties on the master e-file and serve list.

/s/ Lisa M. Noltie
An Employee of Lewis Roca Rothgerber Christie LLP


CLERK OF THE COURT

ORDR

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Attorneys for United Automobile Insurance Company

DISTRICT COURT
CLARK COUNTY, NEVADA

CHEYENNE NALDER,
Plaintiff,

vs.

GARY LEWIS; DOES I through V,
inclusive,
Defendants.

UNITED AUTOMOBILE INSURANCE
COMPANY,
Intervener.

Case No. 07A549111

Dep't No. 20

**ORDER REGARDING CHEYENNE
NALDER'S MOTION FOR COSTS
AND ATTORNEY'S FEES**

Hearing Date: July 7, 2020
Hearing Time: 8:30 a.m.

On July 7, 2020, this Court heard plaintiff Cheyenne Nalder's motion for costs and attorney's fees.


Having considered the briefing and oral argument by counsel for plaintiff, defendant Gary Lewis, and United Automobile Insurance Company, this Court orders as follows:

Plaintiff's motion is GRANTED as to costs in the amount of \$458.52, which were documented and unopposed.

1 As to attorney's fees, this Court notes that attorney's fees are not recover-
2 able costs according to NRS 12.130, and UAIC did not maintain its position
3 without reasonable ground or in bad faith so as to otherwise support an award
4 of attorney's fees. Therefore, plaintiff's motion is DENIED as to the request for
5 attorney's fees.

Dated this 24th day of July, 2020

6 Dated this ____ day of July, 2020.

7 

8

DISTRICT COURT JUDGE

9 Respectfully submitted by:
10 LEWIS ROCA ROTHGERBER CHRISTIE LLP

02B D83 58BF 3375
Eric Johnson
District Court Judge

11
12 By: /s/ Abraham G. Smith
13 DANIEL F. POLSENBERG (SBN 2376)
14 J CHRISTOPHER JORGENSEN (SBN 5382)
15 JOEL D. HENRIOD (SBN 8492)
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Las Vegas, Nevada 89169

17 *Attorneys for United Automobile*
18 *Insurance Company*

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 James Nalder

CASE NO: 07A549111

7 vs

DEPT. NO. Department 20

8 Gary Lewis
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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12 Court. The foregoing Order was served via the court's electronic eFile system to all
13 recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 7/24/2020

15 Lorrie Johnson

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16 Michael Hetey

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17 Master Calendar

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18 Court Notices

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19 Stefanie Mitchell

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4	Lisa Lee	llee@thedplg.com
5	Eservice Filing	eservice@thedplg.com
6	Amy Ebinger	aebinger@thedplg.com
7	Lisa Noltie	lnoltie@lrrc.com
8	Matthew Douglas	mdouglas@winnerfirm.com
9	AWS E-Services	eservices@winnerfirm.com
10	Victoria Hall	vhall@winnerfirm.com
11		
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**DISTRICT COURT
CLARK COUNTY, NEVADA****Negligence - Auto****COURT MINUTES****March 03, 2008**

07A549111 James Nalder
 vs
 Gary Lewis

**March 03, 2008 3:00 AM Status Check: Blocked
 Account**

HEARD BY: Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:****RECORDER:****REPORTER:**

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Proof of establishment of the blocked account has not been filed. COURT ORDERED, proceedings CONTINUED; counsel need not appear ONLY if proof of the blocked account has been filed, otherwise, counsel must be present.

CLERK'S NOTE: The above minute order has been Distributed to: Thomas F. Christensen
(Christensen Law Office)

**DISTRICT COURT
CLARK COUNTY, NEVADA****Negligence - Auto****COURT MINUTES****March 31, 2008**

07A549111 James Nalder
 vs
 Gary Lewis

**March 31, 2008 9:00 AM Status Check: Blocked
 Account**

HEARD BY: Cadish, Elissa F.**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:**

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Court notes matters were previously calendared and there has not been any communication from counsel. COURT ORDERED, proceedings CONTINUED for a show cause hearing.

4-14-08 9:00 AM SHOW CAUSE HEARING.

CLERK'S NOTE: The above minute order has been Distributed to: Thomas F. Christensen
(Christensen Law Office)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

April 14, 2008

07A549111 James Nalder
 vs
 Gary Lewis

April 14, 2008 9:00 AM All Pending Motions

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- HEARING: SHOW CAUSE...STATUS CHECK: BLOCKED ACCOUNT

Court stated findings and finds cause to issue contempt sanctions and ORDERED, Thomas Christensen Esq. is to pay \$500.00 to Clark County Legal Services; proceedings continued for the presence of counsel, proof of payment of the \$500.00 sanction and for the consideration of any additional sanctions.

4-22-08 9:00 AM STATUS CHECK: BLOCKED ACCOUNT...STATUS CHECK: PAYMENT OF SANCTIONS/FURTHER PROCEEDINGS

CLERK'S NOTE: The above minute order has been Distributed & FAXED TO: Thomas Christensen (Christensen Law Offcs)

CLERK'S NOTE: Notice of proceedings for 4-14-08 was not retrieved by counsel from his attorney bin.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto**COURT MINUTES****April 22, 2008**

07A549111 James Nalder
 vs
 Gary Lewis

April 22, 2008**9:00 AM****All Pending Motions****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:****RECORDER:****REPORTER:**

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- STATUS: CHECK PAYMENT OF SANCTIONS/FURTHER PROCEEDINGS...STATUS CHECK:
BLOCKED ACCOUNT

Court again notes the failure of counsel to appear and ORDERED, sanctions of \$1,000.00 for contempt issued and to be paid to Clark County Legal Services; proceedings CONTINUED for the presence of counsel. The Court will consider the issuance of a bench warrant should counsel fail to appear at the next hearing.

CONTINUED TO: 4-30-08 9:00 AM

CLERK'S NOTE: The above minute order has been Distributed & FAXED TO: Thomas Christensen
(Christensen Law Offcs)

**DISTRICT COURT
CLARK COUNTY, NEVADA****Negligence - Auto****COURT MINUTES****April 30, 2008**

07A549111 James Nalder
 vs
 Gary Lewis

April 30, 2008**9:00 AM****All Pending Motions****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Sampson, David F. Attorney**JOURNAL ENTRIES**

- STATUS CHECK: PAYMENT OF SANCTIONS/FURTHER PROCEEDINGS...STATUS CHECK:
BLOCKED ACCOUNT

Upon the inquiry of the Court, Mr. Sampson stated he received the Court's fax of April 29th. Court noted the history of the case and the failure of counsel to appear/comply upon many notifications via fax and by placing notice in counsels attorney bin. Mr. Sampson apologized to the Court and advised that on April 28th word was received the annuity has been funded; the documentation is expected within the next 30 days. Mr. Sampson represented there may have been a glitch in his office because he has no idea what the problem is in the receipt of the faxes; willing to pay the sanctions if appropriate, but would request the punishment befit the crime due to the glitch in the office. Upon the inquiry of the Court, Mr. Sampson stated the sanctions have not been paid. COURT ORDERED, the additional sanctions imposed of \$1,000.00 will be VACATED; the sanctions of \$500.00 are warranted; proceedings CONTINUED for confirmation of payment of sanctions to Clark County Legal Services.

CONTINUED TO: 5-29-08 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

May 21, 2008

07A549111 James Nalder
 vs
 Gary Lewis

May 21, 2008

3:00 AM

Minute Order

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- The court finds the proof of payments is filed and in compliance with this court's order.

CLERK'S NOTE: The above minute order has been distributed to: Thomas F. Christensen, Esq.,
(Christensen Law offices)

May 22, 2008

Minutes Date: March 03, 2008

**DISTRICT COURT
CLARK COUNTY, NEVADA****Negligence - Auto****COURT MINUTES****May 29, 2008**

07A549111 James Nalder
 vs
 Gary Lewis

May 29, 2008 9:00 AM Status Check

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Sampson, David F. Attorney

JOURNAL ENTRIES

- Court advised she received proof of sanctions was paid and the account has not been established yet. Mr. Sampson provided a letter from Shelly Mack indicating Toni Perez was having a delay. COURT ORDERED, matter CONTINUED and if proof not filed then counsel and representatives need to explain why the account is not established.
6/26/08 9:00 AM STATUS CHECK: BLOCKED ACCOUNT

**DISTRICT COURT
CLARK COUNTY, NEVADA****Negligence - Auto****COURT MINUTES****June 26, 2008**

07A549111 James Nalder
 vs
 Gary Lewis

June 26, 2008 9:00 AM Status Check

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Sampson, David F. Attorney

JOURNAL ENTRIES

- Mr. Sampson advised the Court he received last night via Federal Express confirmation the blocked account has been established & has the proof. CONFERENCE AT BENCH. The Court is satisfied the blocked account has been established and admonished counsel to make sure any social security numbers are redacted from the documents prior to filing.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto**COURT MINUTES****September 02, 2008**

07A549111 James Nalder
 vs
 Gary Lewis

September 02, 2008 3:00 AM Minute Order

HEARD BY: Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:****RECORDER:****REPORTER:**

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT ORDERED, Plaintiff's Motion to Strike Social Security Number GRANTED; 9/3/08 hearing VACATED. The Motion to redact was properly filed and served, and no opposition having been filed, the Court finds redacting the minor's personal identifier is a privacy interest that outweighs the public need for access. COURT ORDERED, Motion to Redact the minor's social security number GRANTED; the Acknowledgment of Opening Blocked Trust Account filed on June 30, 2008 is to be STRICKEN from the record and file; the attorney to file a redacted version; and Status Check SET.

Mr. Christensen to prepare the Order.

10/6/08 CHAMBERS CALENDAR STATUS CHECK

CLERK'S NOTE: The above minute order has been distributed to: Thomas F. Christensen, Esq.,
(Christensen Law offices)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

October 06, 2008

07A549111 James Nalder
vs
Gary Lewis

October 06, 2008 3:00 AM Status Check

HEARD BY: Cadish, Elissa F.

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Pursuant to Law Clerk, an amended proof of establishment of the blocked account has been filed with the social security number redacted. COURT ORDERED, CASE CLOSED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

September 19, 2018

07A549111 James Nalder
 vs
 Gary Lewis

September 19, 2018 3:00 AM Motion to Intervene

HEARD BY: Jones, David M **COURTROOM:** Chambers

COURT CLERK: Haly Pannullo

RECORDER: Melissa Delgado-Murphy

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- There being no opposition, COURT ORDERED, Motion GRANTED.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Haly Pannullo, to all registered parties for Odyssey File & Serve hvp/9/26/18

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

October 24, 2018

07A549111 James Nalder
 vs
 Gary Lewis

October 24, 2018

10:55 AM

Minute Order

Minute Order Re:
Recusal

HEARD BY: Jones, David M

COURTROOM: RJC Courtroom 15A

COURT CLERK: April Watkins

RECORDER: Melissa Delgado-Murphy

REPORTER:

PARTIES

PRESENT:	Christensen, Thomas F.	Attorney
	Douglas, Matthew J	Attorney
	Tindall, Randy W.	Attorney
	Winner, Thomas E.	Attorney

JOURNAL ENTRIES

- E. Breen Arntz, Esq., present on behalf of Deft. David A. Stephens, Esq., present on behalf of Pltf. in A772220.

The Court disclosed Mr. Tindall worked with the Court in the firm for Farmers Insurance and does not see any conflict. Mr. Winner stated he does not see a conflict. Mr. Christensen stated he and Mr. Lewis does see a conflict because Mr. Lewis submitted a complaint to the bar because Mr. Tindall's representation is not authorized by Mr. Lewis and contrary to his interest. Court inquired what that has to do with the conflict. Mr. Christensen stated he is a Third Party Deft. in the cross claim and third party complaint that was filed. Further, Mr. Christensen requested the Court recuse at this time. Colloquy. Mr. Christensen requested time to review issues and from the very beginning the intervenor filed motion to Intervene. On the face of those motions, the certificate of service was improper on both motions and in both cases. On one it did not have anything filled in as to who was served and on the other one it was checked electronic service but Mr. Stephens was not on the Court's electronic service platform at the time that they signed and also did not have any service for Mr.

Lewis or any attorney representing Mr. Lewis and those motions are defective to begin with. When Mr. Stephens discovered these motions were filed, filed oppositions and delivered courtesy copies to the Court prior to the hearing date. The Intervenor also filed replies and those oppositions were not considered by the Court and the Court granted the motions that were not properly noticed and then had an order prepared that was not run by anyone in the case and did not sign stipulated judgment that was submitted to the Court prior to the hearing on the motion but did sign order allowing intervention which is improper. Post judgment intervention is clear Nevada law that you cannot intervene after trial and that is in the other case that is already to judgment. Additionally, still waiting for the stipulated judgment in this case and have no information why we have not received that. Gary Lewis submitted bar complaint against Mr. Tindall for his entering appearances on his behalf. Court stated he is not hearing this as it does not come before this Court. Mr. Winner objected to counsel advising of the bar complaint. Mr. Christensen further stated bar counsel immediately dismissed the bar complaint and said Mr. Tindall is involved in this ongoing case and they were not going to do anything. If a judge refers this to the bar, then they will investigate. Further, Mr. Christensen requested the Court refer Mr. Tindall to the bar. There has been letters sent to Mr. Tindall from Mr. Lewis advising his to stop representing him, stop putting forth frivolous defenses in case on Mr. Lewis' behalf and Mr. Tindall refuses to. Colloquy. Opposition by Mr. Winner as to the request for this Court to recuse and believes the new pleadings are frivolous and a clumsy effort forcing the Court to appoint another judge on the case. Colloquy. Further opposition by Mr. Winner. Due to this Court and Mr. Tindall having a previous working relationship, to avoid the appearance of impropriety and implied bias, this Court hereby disqualifies itself and ORDERS, this case be REASSIGNED at random.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto**COURT MINUTES****November 30, 2018**

07A549111 James Nalder
 vs
 Gary Lewis

November 30, 2018 11:30 AM Minute Order

HEARD BY: Johnson, Eric**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:**

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Intervenor United Automobile Insurance Company filed a Motion to Consolidate on Order Shortening Time on November 26, 2018. Defendant/Third Party Plaintiff Gary Lewis filed its Opposition and Countermotion to Set Aside Void Order and to Strike All Filings by Intervenor, or, in the Alternative, for Summary Judgment on November 27, 2018. The matter was subsequently scheduled for hearing on November 28, 2018.

After considering the pleadings and argument of counsel, the Court GRANTS United Automobile Insurance Company's Motion to Consolidate on Order Shortening Time and DEFERS Defendant/Third Party Plaintiff Lewis' Countermotion to Set Aside Void Order and to Strike All Filings by Intervenor, or, in the Alternative, for Summary Judgment.

The Court finds that claims in both cases arise from the same car accident and the same issues of law and facts exist in both cases. The Court further finds that decisions made in both cases, as well as the matters currently on appeal, will affect the litigation in both cases and so it is beneficial for the cases to be consolidated. Further, the cases were both being litigated before Department XXIX prior to the cases being reassigned and being placed in separate departments. The Court further finds that the parties will not be prejudiced by the consolidation of the cases and that judicial economy favors their consolidation. The Court hereby consolidates Case No. A772220 into Case No. A594111.

The Court finds that the issues brought up in the Countermotion are currently being litigated in the Nevada Supreme Court on appeal and so the Court does not have the jurisdiction to hear them. The Court will DEFER ruling on the Countermotion pending the decision from the Nevada Supreme Court.

The Court hereby VACATES the November 28, 2018 hearing. Intervenor is directed to prepare a proposed order including detailed findings of fact and conclusions of law, and to circulate it to opposing counsel for approval as to form and content before submitting it to chambers for signature.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto**COURT MINUTES****January 09, 2019**

07A549111 James Nalder
 vs
 Gary Lewis

January 09, 2019 8:30 AM All Pending Motions

HEARD BY: Johnson, Eric **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Linda Skinner

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT: Douglas, Matthew J Attorney
 Waite, Dan R Attorney
 Winner, Thomas E. Attorney

JOURNAL ENTRIES

- Also present: David Stephens, Thomas Christensen and Breen Arntz.

Following lengthy arguments by Mr. Tindall, Mr. Arntz, Mr. Douglas, Mr. Winner, Mr. Stephens and Mr. Christensen, COURT ORDERED, AS TO:

DEFENDANT'S MOTION TO STRIKE BOTH DEFENDANT'S MOTION FOR RELIEF FROM JUDGMENT AND DEFENDANT'S MOTION TO DISMISS: Motion GRANTED.

UAIC'S MOTION FOR RELIEF FROM JUDGMENT PURSUANT TO NRCP 60: Motion DENIED.

DEFENDANT'S MOTION TO STRIKE DEFENDANT'S MOTION FOR RELIEF FROM JUDGMENT: Motion GRANTED.

DEFENDANT'S MOTION FOR RELIEF FROM JUDGMENT PURSUANT TO NRCP 60: Motion WITHDRAWN.

UAIC'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT AND MOTION FOR COURT TO DENY STIPULATION TO ENTER JUDGMENT BETWEEN PLAINTIFF AND LEWIS AND/OR IN THE ALTERNATIVE TO STAY SAME PENDING HEARING ON MOTION TO DISMISS: Motion GRANTED-IN-PART.

DEFENDANT'S MOTION TO DISMISS: Motion WITHDRAWN.

MOTION FOR RELIEF FROM ORDERS AND JOINDER IN MOTIONS FOR RELIEF FROM ORDERS ON ORDER SHORTENING TIME: Motion DENIED.

UAIC'S OPPOSITION TO THIRD PARTY PLAINTIFF LEWIS MOTION FOR RELIEF FROM ORDER AND JOINDER IN MOTIONS FOR RELIEF FROM ORDERS ON ORDER SHORTENING TIME AS WELL AS UAIC'S OPPOSITION TO PLAINTIFF'S MOTION TO SET ASIDE ORDER, PURSUANT TO N.R.C.P. 60(B), ALLOWING UAIC TO INTERVENE & OPPOSITION TO DEFENDANT LEWIS' MOTION FOR RELIEF FROM ORDERS AND JOINDER IN MOTIONS FOR RELIEF FROM ORDERS AND UAIC'S COUNTER-MOTION TO STAY PENDING RULING ON APPEAL: Motion GRANTED-IN-PART.

DEFENSE'S MOTION TO WITHDRAW AS COUNSEL ON OST: Motion GRANTED.

MOTION TO WITHDRAW AS COUNSEL ON ORDER SHORTENING TIME: Motion GRANTED.

PLAINTIFF'S MOTION TO SET ASIDE ORDER, PURSUANT TO NRCP 60 (b) ALLOWING UAIC TO INTERVENE: Motion DENIED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto**COURT MINUTES****January 22, 2019**

07A549111 James Nalder
 vs
 Gary Lewis

January 22, 2019 7:15 AM Minute Order

HEARD BY: Johnson, Eric **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Linda Skinner

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Plaintiff Cheyenne Nalder filed a Motion for Summary Judgment and Relief from Order Pursuant to NRCP 60(b) on November 28, 2018. Defendant UAIC filed its Opposition and Countermotion to Stay Proceedings Pending Appellate Ruling on December 20, 2018. Defendant UAIC filed a Motion to Dismiss Third Party Plaintiff Lewis' Third Party Complaint on November 15, 2018. Defendant Gary Lewis filed an Opposition and Countermotion for Summary Judgment on November 27, 2018. UAIC filed its Opposition and Countermotion to Strike Affidavit of Lewis and/or Stay Proceedings Pending Appellate Ruling and/or Stay Countermotion for Summary Judgment Pursuant to NRCP 56(f). These matters were subsequently scheduled for hearing on January 23, 2019.

After considering the pleadings and argument of counsel, the Court GRANTS UAIC's Countermotion to Stay Proceedings Pending Appellate Ruling and STAYS Plaintiff's Motion for Summary Judgment and Relief from Order Pursuant to NRCP 60(b). Based on the hearing set on January 9, 2019, the Court finds that the issues raised in the Plaintiff ' Motion are the same as those which are currently before the Nevada Supreme Court. Therefore, in the interest of judicial economy, the Court stays Plaintiff's motion until a decision has been issued by the Nevada Supreme Court.

After considering the pleadings and argument of counsel, the Court GRANTS UAIC's Countermotion to Stay Proceedings Pending Appellate Ruling and STAYS UAIC's Motion to Dismiss Third Party

Plaintiff Lewis' Third Party Complaint and STAYS Defendant Lewis' Countermotion for Summary Judgment. Further, the Court DENIES UAIC's Countermotion to Strike Affidavit of Lewis and DENIES UAIC's Countermotion for Summary Judgment Pursuant to NRCP 56(f). The Court finds that, while it believes that the ruling in the Federal Court is a final judgment and the Court would be inclined to agree that the same issues have been dealt with in the Federal case. So, in the interest of judicial economy, the Court stays ruling on the Motion to Dismiss and the Countermotion for Summary Judgment pending a decision from the Ninth Circuit Court of Appeals regarding the bad faith claim.

The Court hereby VACATES the January 23, 2019 hearing. Counsel for UAIC is directed to prepare a proposed order and to circulate it to opposing counsel for approval as to form and content before submitting it to chambers for signature.

Law Clerk to notify the parties.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto**COURT MINUTES****April 10, 2019**

07A549111 James Nalder
 vs
 Gary Lewis

April 10, 2019 8:30 AM All Pending Motions

HEARD BY: Johnson, Eric **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Linda Skinner

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT: Douglas, Matthew J Attorney
 Stephens, David Allen Attorney

JOURNAL ENTRIES

- THIRD PARTY PLAINTIFF'S MOTION FOR RECONSIDERATION OF ORDERS SIGNED 2/11/19, MOTION FOR HEARING AND MOTION FOR RELIEF FROM ORDERS...THIRD PARTY PLAINTIFF'S MOTION FOR RECONSIDERATION, MOTION FOR HEARING AND MOTION FOR RELIEF FROM ORDER...PLAINTIFF'S JOINDER IN MOTION FOR RECONSIDERATION OF ORDERS SIGNED 2/11/12019, MOTION FOR HEARING, AND MOTION FOR RELIEF FROM ORDERS

Also present, Thomas Christensen, representing Third Party Plaintiff.

Arguments by Mr. Christensen in support of his position. Statements by Mr. Stephens and Mr. Douglas. Following, COURT ORDERED, all Motions are DENIED. Colloquy as to the Supreme Court decision. Following, COURT ORDERED, status check date of 10/23 is MOVED UP to the end of August.

8/28/19 10:30 AM STATUS CHECK: SUPREME COURT DECISION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

November 04, 2019

07A549111 James Nalder
 vs
 Gary Lewis

November 04, 2019 2:18 PM Minute Order

HEARD BY: Johnson, Eric**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Plaintiff filed a Motion for Relief from Stay and Renewed Motion for Summary Judgment on September 25, 2019. This matter was subsequently scheduled for hearing on November 6, 2019. Additionally, a Status Check for Supreme Court Decision was previously scheduled by the Court on November 6, 2019. As discussed in Plaintiff's Motion for Relief from Stay, the Nevada Supreme Court did enter an order in response to questions posed by the United States Court of Appeals for the Ninth Circuit relevant to the instant matter before this Court. However, Plaintiff has filed a motion with the Nevada Supreme Court seeking reconsideration of the high Court's order. If the high Court takes up Plaintiff's request for reconsideration, its subsequent reconsidered decision would likely weigh on the decisions of this Court in the instant case. Consequently, after considering the pleadings and arguments of counsel, the Court reschedules all hearings in this matter to December 4, 2019. This should allow for the Nevada Supreme Court to determine if it will reconsider its order. If the high Court declines, the Court will consider at that time Plaintiff's Motion for Relief from Stay and Renewed Motion for Summary Judgment.

12/4/19 8:30 AM PLAINTIFF'S MOTION FOR RELIEF FROM STAY...RENEWED MOTION FOR SUMMARY JUDGMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto**COURT MINUTES****March 04, 2020**

07A549111 James Nalder
 vs
 Gary Lewis

March 04, 2020 8:30 AM All Pending Motions

HEARD BY: Johnson, Eric **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Linda Skinner

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT: Douglas, Matthew J Attorney
 Polsenberg, Daniel F. Attorney
 Stephens, David Allen Attorney

JOURNAL ENTRIES

- STATUS CHECK: SUPREME COURT DECISION...PLAINTIFF'S MOTION FOR RELIEF FROM STAY AND RENEWED MOTION FOR SUMMARY JUDGMENT

Also present, Dawn Hooker and Breen Arntz for Third Party Plaintiff, Gary Lewis.

Statements by Ms. Hooker requesting the Court recuse itself. Following objections by Mr. Polsenberg and Mr. Douglas, Court advised Ms. Hooker of the proper procedure.

AS TO THE MOTION: Arguments by Mr. Polsenberg, Ms. Hooker and Mr. Stephens in support of their respective positions. Following, COURT ORDERED, Motion is GRANTED in that the STAY is lifted. Colloquy as to a Motion for Summary Judgment. Following, COURT ORDERED, the following briefing schedule:

Mr. Polsenberg to file by 3/25;

Mr. Stephens to respond by 4/8;

Mr. Polsenberg to reply by 4/22 and matter SET for argument.

07A549111

Mr. Stephens to prepare the Order.

5/20/20 8:30 AM HEARING: MOTION FOR SUMMARY JUDGMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

May 05, 2020

07A549111 James Nalder
 vs
 Gary Lewis

May 05, 2020 10:30 AM Motion

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Kimberly Estala

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Douglas, Matthew J Attorney
 Polsenberg, Daniel F. Attorney

JOURNAL ENTRIES

- Court noted it was not anticipating any appearances and is not going to hear argument on this matter. COURT ORDERED, matter UNDER ADVISEMENT.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

July 07, 2020

07A549111 James Nalder
 vs
 Gary Lewis

July 07, 2020

8:30 AM

**Motion for Attorney Fees
and Costs**

HEARD BY: Johnson, Eric

COURTROOM: RJC Courtroom 12A

COURT CLERK: Linda Skinner
 Samantha Albrecht

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Douglas, Matthew J	Attorney
	Polsenberg, Daniel F.	Attorney
	Smith, Abraham G.	Attorney
	Stephens, David Allen	Attorney

JOURNAL ENTRIES

- Mr. Stephens appeared by video via Blue Jeans. Mr. Douglas, Mr. Christensen and Mr. Polsenberg appeared by phone via Blue Jeans.

Court noted it had reviewed the Motion, Opposition, and Reply. Arguments by Mr. Stephens, Mr. Christensen, and Mr. Douglas. COURT ORDERED, Motion GRANTED as to costs in the amount of \$458.52. Court noted, according to the statute, attorney's fees are not costs and there does not seem to be bad faith in this case. COURT FURTHER ORDERED, Motion DENIED as to attorney's fees. Mr. Stephens to prepare the order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto**COURT MINUTES****July 30, 2020**

07A549111 James Nalder
 vs
 Gary Lewis

July 30, 2020 3:00 AM Minute Order

HEARD BY: Johnson, Eric **COURTROOM:** Chambers

COURT CLERK: Samantha Albrecht

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Defendant filed Gary Lewis Motion for Attorney s Fees and Costs on June 12, 2020. The matter was subsequently scheduled for hearing on August 5, 2020.

After considering the pleadings and argument of counsel, the Court DENIES Defendant Gary Lewis Motion to Attorney s Fees and Costs.

As to costs, [i]f the claim of the party intervening is not sustained, the party intervening shall pay all costs incurred by the intervention. NRS 12.130. However, the Nevada Supreme Court has held that [w]ithout evidence to determine whether a cost was reasonable and necessary, a district court may not award costs. Cadle Co. v. Woods & Erickson, LLP, 131 Nev. 114, 121 (2015). Here, the attached memorandum of costs provides no additional justifying documentation or evidence. Therefore, Defendant s motion is DENIED WITHOUT PREJUDICE as to the request for costs.

As to attorney s fees, the Court finds they are not recoverable costs under NRS 12.130. Further, the Court finds UAIC did not maintain its position without reasonable ground or in bad faith so as to otherwise support an award of attorney s fees. Therefore, Defendant s motion is DENIED as to the request for attorney s fees.

The Court hereby VACATES the August 5, 2020 hearing. Counsel for UAIC is directed to prepare a

proposed order and to circulate it to opposing counsel for approval as to form and content before submitting it to chambers for signature.

Law Clerk to notify the parties.



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

DAVID A. STEPHENS, ESQ.
3636 N. RANCHO DR.
LAS VEGAS, NV 89130

DATE: August 27, 2020
CASE: 07A549111

RE CASE: JAMES NALDER, individually and as Guardian ad Litem for CHEYENNE NALDER vs. GARY LEWIS

NOTICE OF APPEAL FILED: August 26, 2020

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT TRANSMITTED HAVE BEEN MARKED:**

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)**
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)**
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
 - *Previously paid Bonds are not transferable between appeals without an order of the court.*
- ☐ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. The district court clerk shall apprise appellant of the deficiencies in writing, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (g) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

*****Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.***

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER REGARDING CHEYENNE NALDER'S MOTION FOR COSTS AND ATTORNEY'S FEES; NOTICE OF ENTRY OF ORDER REGARDING CHEYENNE NALDER'S MOTION FOR COSTS AND ATTORNEY'S FEES; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

JAMES NALDER, individually and as Guardian
ad Litem for CHEYENNE NALDER,

Plaintiff(s),

vs.

GARY LEWIS,

Defendant(s),

Case No: 07A549111

Dept No: XX

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 27 day of August 2020.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk