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Elizabeth A. Brown
Clerk of Supreme Court

NOA

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Attorneys for Defendants American Grating, LLC

Edgeworth Family Trust; Brian Edgeworth and Angela Edgeworth

DISTRICT COURT

CLARK COUNTY, NEVADA

LAW OFFICE OF DANIEL S. SIMON,
A PROFESSIONAL CORPORATION;
DANIEL S. SIMON;

Plaintiffs,

vs.

EDGEWORTH FAMILY TRUST;
AMERICAN GRATING, LLC; BRIAN
EDGEWORTH AND ANGELA
EDGEWORTH, INDIVIDUALLY, AND AS
HUSBAND AND WIFE, ROBERT DARBY
VANNAH, ESQ.; JOHN BUCHANAN
GREENE, ESQ.; AND ROBERT D.
VANNAH, CHTD, d/b/a VANNAH &
VANNAH, and DOES I through V and ROE
CORPORATIONS VI through X, inclusive,

Defendants.

CASE NO. A-19-807433-C

DEPT. NO. 24

**DEFENDANTS AMERICAN
GRATING, LLC; EDGEWORTH
FAMILY TRUST; BRIAN
EDGEWORTH AND ANGELA
EDGEWORTH'S NOTICE OF
APPEAL**

NOTICE IS HEREBY GIVEN that American Grating, LLC; Edgeworth Family
Trust; Brian Edgeworth and Angela Edgeworth, Defendants above named, hereby appeal to the
Supreme Court of Nevada from:

1 1. Order Denying the Edgeworth Defendant's Special Anti-Slapp Motion to Dismiss
2 Plaintiffs' Amended Complaint Pursuant to NRS 41.637, entered October 26, 2020 and noticed on
3 October 27, 2020.

4
5 2. All rulings made appealable by the foregoing.

6 DATED this 3rd day of November, 2020.

7 **MESSNER REEVES, LLP**

8
9 /s/ Lauren D. Calvert

10 M. Caleb Meyer, Esq.

11 Nevada Bar No. 13379

12 Renee M. Finch, Esq.

13 Nevada Bar No. 13118

14 Lauren D. Calvert, Esq.

15 Nevada Bar No. 10534

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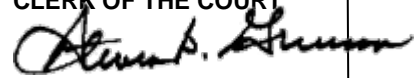
22 lcalvert@messner.com

23 Attorneys for Defendants

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I HEREBY CERTIFY that I am an employee of **MESSNER REEVES LLP**, and pursuant to NRCP 5(b), EDCR 8.05, Administrative Order 14-2, and NEFCR 9, I caused a true and correct copy of the foregoing **NOTICE OF APPEAL** to be submitted electronically for filing and/or service on all parties listed on the Eighth Judicial District Court's Electronic Filing System on this 3rd day of November, 2020.

/s/ Michelle Ordway
An employee of MESSNER REEVES LLP



ASTA

M. Caleb Meyer, Esq.

Nevada Bar No. 13379

Renee M. Finch, Esq.

Nevada Bar No. 13118

Lauren D. Calvert, Esq.

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Attorneys for Defendants American Grating, LLC

Edgeworth Family Trust; Brian Edgeworth and Angela Edgeworth

DISTRICT COURT

CLARK COUNTY, NEVADA

LAW OFFICE OF DANIEL S. SIMON,
A PROFESSIONAL CORPORATION;
DANIEL S. SIMON;

Plaintiffs,

vs.

EDGEWORTH FAMILY TRUST;
AMERICAN GRATING, LLC; BRIAN
EDGEWORTH AND ANGELA
EDGEWORTH, INDIVIDUALLY, AND AS
HUSBAND AND WIFE, ROBERT DARBY
VANNAH, ESQ.; JOHN BUCHANAN
GREENE, ESQ.; AND ROBERT D.
VANNAH, CHTD, d/b/a VANNAH &
VANNAH, and DOES I through V and ROE
CORPORATIONS VI through X, inclusive,

Defendants.

CASE NO. A-19-807433-C

DEPT. NO. 24

**DEFENDANTS AMERICAN
GRATING, LLC; EDGEWORTH
FAMILY TRUST; BRIAN
EDGEWORTH AND ANGELA
EDGEWORTH'S CASE APPEAL
STATEMENT**

1 NOTICE IS HEREBY GIVEN that American Grating, LLC; Edgeworth Family Trust;
2 Brian Edgeworth and Angela Edgeworth, Defendants above named, hereby submit the following
3 Case Appeal Statement pursuant to NRAP 3(f).
4

5 **A. Name of Appellants filing this case appeal statement:**

6 American Grating, LLC; Edgeworth Family Trust; Brian Edgeworth and Angela
7 Edgeworth, Defendants.

8 **B. Presiding judge:**

9 The Hon. Judge Jim Crockett, Clark County District Court, Department 24.

10 **C. Name of each appellant and name and address of counsel:**

11 Appellants American Grating, LLC; Edgeworth Family Trust; Brian Edgeworth and
12 Angela Edgeworth, are represented on this appeal, and were represented in the underlying district
13 court proceedings, by:
14

15 **MESSNER REEVES LLP**

16 M. Caleb Meyer, Esq.
17 Renee M. Finch, Esq.
18 Lauren D. Calvert, Esq.
8945 West Russell Road, Suite 300
Las Vegas, Nevada 89148

19 It is anticipated that Defendants Robert Darby Vannah, Esq., John B. Greene, Esq., and
20 Robert D. Vannah, Chtd., dba Vannah & Vannah will be filing their appeal. They were represented
21 in the underlying district court proceedings by:
22

23 **PATRICIA A. MARR, LTD**

24 Patricia A. Marr, Esq.
2470 St. Rose Pkwy., Ste. 110
Henderson, Nevada 89074

25 **D. Name of each respondent and name and address of counsel:**

26 Respondents Law Office of Daniel S. Simon, A Professional Corporation; and Daniel S.
27 Simon were represented in the underlying district court proceedings by:
28

Peter S. Christiansen, Esq.
Kendeleee L. Works, Esq.
810 S. Casino Center Blvd., Suite 104
Las Vegas, Nevada 89101

E. Whether any attorney identified above is not licensed to practice law in Nevada:

F. Whether Appellants were represented by appointed or retained counsel in the district court and on this appeal:

G. Whether Appellants were granted leave to proceed in forma pauperis:

H. Date the proceedings commenced in the district court:

I. Brief description of the nature of the action and result in the district court, including the type of judgment or order being appealed and the relief granted by the district court:

Appellants retained Robert Vannah, Esq. of Vannah & Vannah and thereafter, on January 4, 2018, filed a Complaint alleging breach of contract, declaratory relief and conversion for Respondents' unlawful dominion and control over funds to which they were not entitled. On

1 November 19, 2018, Judge Tierra Jones granted Appellants' Motion to Adjudicate Attorneys'
2 Liens, finding that Respondents were entitled to attorney's fees totaling \$484,982.50 under the
3 hourly agreement. To date, Simon still has not agreed to release the adjudicated undisputed portion
4 of the funds from the settlement the Edgeworths entered. Respondents are currently withholding
5 over \$2,042,000, an amount more than four times what was adjudicated, and refuse to provide an
6 accounting of the settlement proceeds being withheld. On February 25, 2019, the Edgeworths filed
7 an appeal challenging Judge Jones' Order Adjudicating the Lien. Respondents also filed a Petition
8 for Writ with the Nevada Supreme Court on October 17, 2019, challenging the amount adjudicated
9 by Judge Jones. The Appeal and Writ have been consolidated and are currently pending resolution.
10

11
12 The underlying Complaint here seeks damages against Appellants following litigation on
13 the Edgeworths' January 4, 2018 Complaint and adjudication of lien. Respondents recognize in
14 the underlying Complaint here that the damages sought stem from Appellants' prior Complaint
15 and litigation thereon, which constitute protected speech pursuant to NRS 61.635 through 41.670.

16 On August 27, 2020,¹ Appellants filed their Special Anti-SLAPP Motion to Dismiss
17 pursuant to NRS 41.647, which the district court denied. Appellants appeal the Order Denying
18 their Special Anti-SLAPP Motion to Dismiss Plaintiffs' Amended Complaint Pursuant to NRS
19 41.637, entered October 26, 2020 and noticed on October 27, 2020, under the direct appeal
20 provisions of NRS 41.670(4). Appellants assert that the order entered does not accurately reflect
21 the actual findings made by the district court at the hearing on the motion. Instead, the court found
22 that the conversion claim in the Edgeworths' prior Complaint was not covered by the absolute
23 litigation privilege afforded in the Anti-SLAPP statute and that extra-judicial conversations are
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28 ¹ The Anti-SLAPP motion was initially filed on May 18, 2020. Due to the parallel motions
of co-defendants and the extensive briefing that ensued from all parties, the court ordered the parties
to refile their motions to dismiss to include comprehensive, but succinct, arguments.

1 not afforded anti-SLAPP protection. The court further misconstrued and misapplied the first and
2 second prongs of NRS 41.660(3).

3 **J. Whether the case has previously been the subject of an appeal to or original writ**
4 **proceeding in the Supreme Court:**

5 No.

6 The case is related to Consolidated Appeal Nos. 77678, 78176, 79821

7 **K. Whether this appeal involves child custody or visitation:**

8 No.

9 **L. Whether this appeal involves the possibility of settlement:**

10 No.

11 DATED this 3rd day of November, 2020.

12 **MESSNER REEVES, LLP**

13 /s/ Lauren D. Calvert

14 M. Caleb Meyer, Esq.

15 Nevada Bar No. 13379

16 Renee M. Finch, Esq.

17 Nevada Bar No. 13118

18 Lauren D. Calvert, Esq.

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25 rfinch@messner.com

26 lcalvert@messner.com

27 *Attorneys for Defendants*

1
2
3 **CERTIFICATE OF SERVICE**
4

5 I HEREBY CERTIFY that I am an employee of **MESSNER REEVES LLP**, and pursuant
6 to NRCP 5(b), EDCR 8.05, Administrative Order 14-2, and NEFCR 9, I caused a true and correct
7 copy of the foregoing **CASE APPEAL STATEMENT** to be submitted electronically for filing
8 and/or service on all parties listed on the Eighth Judicial District Court's Electronic Filing System
9 on this 3rd day of November, 2020.
10
11

12 /s/ Michelle Ordway
13 An employee of MESSNER REEVES LLP
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EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. A-19-807433-C**

Law Office of Daniel S Simon, Plaintiff(s)
 vs.
 Edgeworth Family Trust, Defendant(s)

§
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 §

Location: **Department 24**
 Judicial Officer: **Crockett, Jim**
 Filed on: **12/23/2019**
 Case Number History:
 Cross-Reference Case Number: **A807433**

CASE INFORMATIONCase Type: **Intentional Misconduct**

Case
 Status: **12/23/2019 Open**

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

Case Number A-19-807433-C
 Court Department 24
 Date Assigned 04/02/2020
 Judicial Officer Crockett, Jim

PARTY INFORMATION

Plaintiff	Law Office of Daniel S Simon	<i>Lead Attorneys</i> Christiansen, Peter S <i>Retained</i> 702-240-7979(W)
	Simon, Daniel S	
Defendant	American Grating LLC	Finch, Renee M. <i>Retained</i> 702-363-5100(W)
	Edgeworth Family Trust	Finch, Renee M. <i>Retained</i> 702-363-5100(W)
	Edgeworth, Angela	Finch, Renee M. <i>Retained</i> 702-363-5100(W)
	Edgeworth, Brian	Finch, Renee M. <i>Retained</i> 702-363-5100(W)
	Greene, John Buchanan, ESQ	Marr, Patricia A., ESQ <i>Retained</i> 702-353-4225(W)
	Robert D Vannah CHTD	Marr, Patricia A., ESQ <i>Retained</i> 702-353-4225(W)
	Vannah, Robert Darby, ESQ	Marr, Patricia A., ESQ <i>Retained</i> 702-353-4225(W)

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

CASE SUMMARY

CASE NO. A-19-807433-C

12/23/2019	 Complaint With Jury Demand Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S <i>Complaint (Jury Trial Requested)</i>
12/23/2019	 Initial Appearance Fee Disclosure Filed By: Plaintiff Law Office of Daniel S Simon <i>Initial Appearance Fee Disclosure (NRS Chapter 19)</i>
03/16/2020	 Summons Electronically Issued - Service Pending Party: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S <i>Summonses to be issued</i>
03/16/2020	 Summons Electronically Issued - Service Pending <i>Summons to be issued</i>
03/16/2020	 Summons Electronically Issued - Service Pending <i>Summons to be issued</i>
03/16/2020	 Summons Electronically Issued - Service Pending <i>summons to be issued</i>
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03/16/2020	 Summons Electronically Issued - Service Pending <i>summons to be issued</i>
03/16/2020	 Summons Electronically Issued - Service Pending Party: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S <i>Summons to be issued</i>
03/25/2020	 Affidavit of Service Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S <i>Summons Served - American Grating LLC</i>
03/25/2020	 Affidavit of Service Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S Party Served: Defendant Edgeworth, Angela <i>Summons Served - Angela Edgeworth</i>
03/25/2020	 Affidavit of Service Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S Party Served: Defendant Edgeworth, Brian <i>Summons Served - Brian Edgeworth</i>
03/25/2020	 Affidavit of Service Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S Party Served: Defendant Edgeworth Family Trust <i>Summons Served - Edgeworth Family Trust</i>
03/25/2020	 Affidavit of Service Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S Party Served: Defendant Greene, John Buchanan, ESQ <i>Summons Served - John Greene</i>

CASE SUMMARY

CASE NO. A-19-807433-C

03/25/2020



Affidavit of Service

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
Party Served: Defendant Vannah, Robert Darby, ESQ
Summons Served - Robert Vannah

03/25/2020



Affidavit of Service

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
Party Served: Defendant Robert D Vannah CHTD
Summons Served - Vannah & Vannah

04/01/2020



Motion

Emergency Motion to Preserve Evidence on Order Shortening Time

04/02/2020



Peremptory Challenge

Filed by: Defendant Robert D Vannah CHTD
Peremptory Challenge of Judge

04/02/2020



Affidavit of Service

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
Declaration of Service

04/02/2020



Notice of Department Reassignment

Notice of Department Reassignment

04/06/2020



Affidavit of Service

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
Declaration of Service

04/06/2020



Opposition to Motion

Filed By: Defendant Greene, John Buchanan, ESQ; Defendant Vannah, Robert Darby, ESQ; Defendant Robert D Vannah CHTD
OPPOSITION OF ROBERT DARBY VANNAH, ESQ., JOHN BUCHANAN GREENE, ESQ., and, ROBERT D. VANNAH, CHTD., d/b/a VANNAH & VANNAH, TO PLAINTIFFS ERRONEOUSLY LABELED EMERGENCY MOTION TO PRESERVE EVIDENCE

04/06/2020



Initial Appearance Fee Disclosure

Filed By: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela
Initial Appearance Fee Disclosure

04/06/2020



Opposition

Filed By: Defendant Edgeworth Family Trust
Opposition of Edgeworth Family Trust, American Grating, LLC; Brian Edgworth and Angela Edgeworth to Plaintiffs Emergency Motion to Preserve Electronically Stored Information

04/06/2020



Exhibits

Filed By: Defendant Greene, John Buchanan, ESQ; Defendant Vannah, Robert Darby, ESQ; Defendant Robert D Vannah CHTD
Defendants' Exhibit A-1

04/06/2020



Exhibits

Filed By: Defendant Greene, John Buchanan, ESQ; Defendant Vannah, Robert Darby, ESQ; Defendant Robert D Vannah CHTD
Defendants' Exhibit A-2

CASE SUMMARY

CASE NO. A-19-807433-C

04/06/2020



Exhibits

Filed By: Defendant Greene, John Buchanan, ESQ; Defendant Vannah, Robert Darby, ESQ; Defendant Robert D Vannah CHTD
Defendants' Exhibit A-3

04/06/2020



Exhibits

Filed By: Defendant Greene, John Buchanan, ESQ; Defendant Vannah, Robert Darby, ESQ; Defendant Robert D Vannah CHTD
Defendants' Exhibit B

04/06/2020



Initial Appearance Fee Disclosure

Defendants Greene, Esq., Vannah, Esq., and Vannah & Vannah, CHTD.'S Initial Fee Disclosure

04/27/2020



Substitution of Attorney

Substitution of Counsel

04/29/2020



Notice of Entry of Order

Notice of Entry of Order of April 09, 2019 Hearing

04/29/2020



Order

ORDER

04/29/2020



Order

Order of April 9, 2020 hearing

04/30/2020



Motion to Dismiss

Filed By: Defendant Greene, John Buchanan, ESQ; Defendant Vannah, Robert Darby, ESQ; Defendant Robert D Vannah CHTD
Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and, Robert D. Vannah, CHTD., d/b/a Vannah & Vannah, To Dismiss Plaintiffs Complaint, And Motion In The Alternative For A More Definite Statement

04/30/2020



Clerk's Notice of Hearing

Notice of Hearing

05/05/2020



Motion to Associate Counsel

Filed By: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela; Defendant American Grating LLC
Motion to Associate Counsel

05/06/2020



Clerk's Notice of Nonconforming Document

Clerk's Notice of Nonconforming Document

05/06/2020



Filing Fee Remittance

Filing Fee Remittance

05/07/2020



Notice of Compliance

Party: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela
Notice of Compliance

05/07/2020






Opposition

CASE SUMMARY

CASE NO. A-19-807433-C

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
Plaintiffs' Opposition to Motion to Associate Counsel

05/08/2020	 Clerk's Notice of Nonconforming Document and Curative Action <i>Clerk's Notice of Curative Action</i>
05/08/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
05/14/2020	 Notice of Compliance Party: Defendant Greene, John Buchanan, ESQ; Defendant Vannah, Robert Darby, ESQ; Defendant Robert D Vannah CHTD <i>Notice of Compliance</i>
05/14/2020	 Motion to Dismiss <i>Defendants Edgeworth Family Trust, American Grating LLC Brian Edgeworth and Angela Edgeworth's Motion to Dismiss Plaintiff's Complaint</i>
05/15/2020	 Clerk's Notice of Hearing <i>Clerk's Notice of Hearing</i>
05/15/2020	 Notice of Association of Counsel Filed By: Defendant American Grating LLC <i>Notice of Association of Counsel</i>
05/15/2020	 Motion to Dismiss Filed By: Defendant Greene, John Buchanan, ESQ; Defendant Vannah, Robert Darby, ESQ; Defendant Robert D Vannah CHTD <i>Special Motion of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, to Dismiss Plaintiffs' Complaint: Anti-Slapp</i>
05/18/2020	 Stipulation and Order <i>STIPULATION AND ORDER TO EXTEND TIME FOR OPPOSING MOTION TO DISMISS</i>
05/18/2020	 Motion to Dismiss Filed By: Defendant American Grating LLC <i>Special Motion of American Grating, LLC Anti-Slapp Motion to Dismiss Pursuant to NRS 41.63 and for Leave to File Motion in Excess of 30 Pages Pursuant to EDCR 2.20(a)</i>
05/18/2020	 Appendix Filed By: Defendant American Grating LLC <i>Appendix to Special Motion of American Grating, LLC Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637 and for Leave to File Motion in Excess of 30 Pages Pursuant to EDCR 2.20(a)</i>
05/18/2020	 Motion to Dismiss Filed By: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela <i>Edgeworth Family Trust, Brian Edgeworth, and Angela Edgeworth's Special Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637</i>
05/19/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
05/19/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>

CASE SUMMARY

CASE NO. A-19-807433-C

05/19/2020



Filing Fee Remittance

Filed By: Plaintiff Simon, Daniel S

Filing Fee Remittance

05/20/2020



Joinder To Motion

Filed By: Defendant Greene, John Buchanan, ESQ; Defendant Vannah, Robert Darby, ESQ; Defendant Robert D Vannah CHTD

Joinder of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and Robert D. Vannah, CHTD., d/b/a Vannah & Vannah, to Defendants' Special Motions to Dismiss Plaintiffs' Complaint: Anti-Slapp

05/20/2020



Joinder

Filed By: Defendant American Grating LLC

Defendant American Grating, LLC's Joinder To Edgeworth Family Trust, Brian Edgeworth, And Angela Edgeworth s Special Anti-Slapp Motion To Dismiss Pursuant To NRS 41.637

05/20/2020



Joinder

Filed By: Defendant American Grating LLC

Defendant American Grating, LLC's Joinder To Special Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And, Robert D. Vannah, Chtd., D/B/A Vannah & Vannah, To Dismiss Plaintiffs Complaint: Anti-SLAPP

05/20/2020



Joinder To Motion

Filed By: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela

Joinder of Edgeworth Family Trust, and Brian and Angela Edgeworth to American Grating, LLC's, and Robert Darby Vannah, Esq.; John Buchanan Greene, Esq.; and Robert D. Vannah, CHTD. d/b/a Vannah & Vannah's Special Motions to Dismiss Plaintiffs' Complaint

05/21/2020



Amended Complaint

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S

Amended Complaint

05/26/2020



Opposition to Motion to Dismiss

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S

Plaintiff's Opposition to Defendants Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and Robert D. Vannah, Chtd. d/b/a Vannah & Vannah's Motion to Dismiss Plaintiffs' Complaint, and Motion in the Alternative for a More Definite Statement and Leave to File Motion in Excess of 30 Pages Pursuant to EDCR 2.20 (a)

05/28/2020



Opposition to Motion to Dismiss

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S

Plaintiff's Opposition to Special Motion of Robert Darby Vannah Esq, John Buchanan Greene Esq and Robert D Vannah Chtd dba Vannah & Vannah to Dismiss Plaintiffs' Complaint: Anti-Slapp and Leave to File Motion in Excess of 30 Pages Pursuant to EDCR 2.20(a)

05/29/2020



Motion to Dismiss

Filed By: Defendant Greene, John Buchanan, ESQ; Defendant Vannah, Robert Darby, ESQ; Defendant Robert D Vannah CHTD

Motion of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and, Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, to Dismiss Plaintiffs' Amended Complaint

05/29/2020



Motion to Dismiss

Filed By: Defendant Greene, John Buchanan, ESQ; Defendant Vannah, Robert Darby, ESQ; Defendant Robert D Vannah CHTD

CASE SUMMARY

CASE NO. A-19-807433-C

Special Motion of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, to Dismiss Plaintiff's Amended Complaint: Anti-Slapp

05/29/2020



Opposition to Motion to Dismiss

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
Plaintiffs' Opposition to Special Motion of American Grating LLC, Edgeworth Family Trust, Brian Edgeworth and Angela Edgeworth's Motion to Dismiss Plaintiffs' Complaint; Anti-Slapp and Leave to File Brief in Excess of 30 Pages Pursuant to EDCR 2.20(a)

06/01/2020



Clerk's Notice of Hearing

Notice of Hearing

06/01/2020



Clerk's Notice of Hearing

Notice of Hearing

06/01/2020



Errata

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
Errata to Plaintiff's Opposition to Special Motion of Robert Darby Vannah Esq, John Buchanan Green Esq, and Robert D Vannah Chtd dba Vannah & Vannah to Dismiss Plaintiff's Complaint; Anti-Slapp and Leave to File Motion in Excess of 30 Pages Pursuant to EDCR 2.20(a)

06/01/2020



Opposition to Motion to Dismiss

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
Plaintiffs' Opposition to Special Motion of American Grating LLC, Edgeworth Family Trust, Brian Edgeworth and Angela Edgeworth's Motion to Dismiss Plaintiffs' Complaint: Anti-Slapp and Leave to File Brief in Excess of 30 Pages Pursuant to EDCR 2.20 (a)

06/03/2020



Order Shortening Time

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
Motion for Leave to Supplement Plaintiffs' Opposition to Motion to Associate Counsel or in the Alternative, Motion to Disqualify Lisa Carteen Esq, and to Preclude Her Review of Case Materials on Order Shortening Time

06/03/2020



Joinder

Filed By: Defendant American Grating LLC
Defendant American Grating, LLC's Joinder To Special Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And Robert D. Vannah, Chtd., D/B/A Vannah & Vannah, To Dismiss Plaintiffs Amended Complaint: Anti-Slapp

06/03/2020



Joinder To Motion

Filed By: Defendant American Grating LLC
Defendant American Grating, LLC's Joinder To Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And, Robert D. Vannah, Chtd., D/B/A Vannah & Vannah, To Dismiss Plaintiffs Amended Complaint

06/04/2020



Notice of Association of Counsel

Filed By: Defendant American Grating LLC
Notice of Association of Counsel

06/04/2020



Motion to Dismiss

Filed By: Defendant American Grating LLC
Defendant American Grating, LLC s Motion to Dismiss Plaintiffs Amended Complaint

06/04/2020



Appendix

CASE SUMMARY

CASE NO. A-19-807433-C

	<p>Filed By: Defendant American Grating LLC <i>Appendix to Defendant American Grating LLC's Motion to Dismiss Plaintiffs Amended Complaint - Volume 1</i></p>
06/04/2020	<p> Appendix Filed By: Defendant American Grating LLC <i>Appendix to Defendant American Grating LLC's Motion to Dismiss Plaintiffs Amended Complaint - Volume 2</i></p>
06/04/2020	<p> Motion to Dismiss Filed By: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela; Defendant American Grating LLC <i>Renewed Special Motion of Brian Edgeworth Angela Edgeworth, Edgeworth Family Trust and American Grating, LLC Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637 and for Leave to File Motion in Excess of 30 Pages Pursuant to EDCR 2.20(a)</i></p>
06/04/2020	<p> Appendix Filed By: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela; Defendant American Grating LLC <i>Appendix to Renewed Special Motion of Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust and American Grating, LLC Antislapp Motion to Dismiss Pursuant to NRS 41.637 and for Leave to File Motion in Excess of 30 Pages Pursuant to EDCR 2.20(a) - Volume 1</i></p>
06/04/2020	<p> Appendix Filed By: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela; Defendant American Grating LLC <i>Appendix to Renewed Special Motion of Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust and American Grating, LLC Antislapp Motion to Dismiss Pursuant to NRS 41.637 and for Leave to File Motion in Excess of 30 Pages Pursuant to EDCR 2.20(a) - Volume 2</i></p>
06/04/2020	<p> Appendix Filed By: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela; Defendant American Grating LLC <i>Appendix to Renewed Special Motion of Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust and American Grating, LLC Antislapp Motion to Dismiss Pursuant to NRS 41.637 and for Leave to File Motion in Excess of 30 Pages Pursuant to EDCR 2.20(a) - Volume 3</i></p>
06/04/2020	<p> Appendix Filed By: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela; Defendant American Grating LLC <i>Appendix to Renewed Special Motion of Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust and American Grating, LLC Antislapp Motion to Dismiss Pursuant to NRS 41.637 and for Leave to File Motion in Excess of 30 Pages Pursuant to EDCR 2.20(a) - Volume 4</i></p>
06/04/2020	<p> Motion to Dismiss Filed By: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela <i>Defendants Edgeworth Family Trust, Brian Edgeworth and Angela Edgeworth's Motion to Dismiss Plaintiffs' Amended Complaint</i></p>
06/05/2020	<p> Clerk's Notice of Hearing <i>Notice of Hearing</i></p>
06/05/2020	<p> Clerk's Notice of Hearing</p>

CASE SUMMARY

CASE NO. A-19-807433-C

Notice of Hearing

06/05/2020



Clerk's Notice of Hearing
Notice of Hearing

06/05/2020



Joinder To Motion
Filed By: Defendant Edgeworth, Brian; Defendant Edgeworth, Angela
Joinder of Edgeworth Family Trust, and Brian and Angela Edgeworth to American Grating, LLC's, and Robert Darby Vannah, Esq.; John Buchanan Greene, Esq.; and Robert D. Vannah, CHTD. d/b/a Vannah & Vannah's Motions to Dismiss Plaintiffs' Amended Complaint

06/05/2020



Opposition to Motion
Opposition to Plaintiffs' Motion for Leave to Supplement Plaintiffs' Opposition to Motion to Associate Counsel or in the Alternative, Motion to Disqualify Lisa Carteen, Esq. and to Preclude her Review of Case Materials and Countermotion for Attorneys' Fees

06/08/2020



Joinder To Motion
Filed By: Defendant Greene, John Buchanan, ESQ; Defendant Vannah, Robert Darby, ESQ; Defendant Robert D Vannah CHTD
Joinder of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, to Defendants' Motion to Dismiss Plaintiffs' Amended Complaint and Defendant's Renewed Special Motion to Dismiss Plaintiffs' Amended Complaint: Anti-Slapp

06/08/2020



Errata
Filed By: Defendant Edgeworth, Brian; Defendant Edgeworth, Angela; Defendant American Grating LLC
Errata to Opposition to Plaintiffs' Motion for Leave to Supplement Plaintiffs' Opposition to Motion to Associate Counsel or in the alternative, Motion to Disqualify Lisa Carteen, Esq. and to preclude her review of Case Materials and Countermotion for Attorneys' Fees

06/09/2020



Reply to Opposition
Filed by: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
Reply to Motion for Leave to Supplement Plaintiffs' Opposition to Motion to Associate Counsel or in the Alternative, Motion to Disqualify Lisa Carteen Esq and to Preclude Her Review of Case Material on Order Shortening Time

06/18/2020



Supplement to Opposition
Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
Supplement to Plaintiffs' Opposition to Motion to Associate Counsel

06/25/2020



Reply to Opposition
Filed by: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela
Reply to Plaintiffs' Opposition to Motion to Associate Counsel

07/01/2020



Motion to Dismiss
Defendant American Grating, LLC's Amended Motion to Dismiss Plaintiffs' Amended Complaint (Amended)

07/01/2020



Appendix
Appendix to Defendant American Grating, LLC's Amended Motion to Dismiss Plaintiffs' Amended Complaint (Amended) Volume 1

07/01/2020



Appendix
Appendix to Defendant American Grating, LLC's Amended Motion to Dismiss Plaintiffs'

CASE SUMMARY

CASE NO. A-19-807433-C

Amended Complaint (Amended) Volume 2

07/01/2020



Motion

Filed By: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela
Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust and American Grating, LLC Renewed Special Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637 (Amended)

07/01/2020



Appendix

Appendix Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust and American Grating, LLC Renewed Special Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637 (Amended) Volume 1

07/01/2020



Appendix

Appendix Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust and American Grating, LLC Renewed Special Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637 (Amended) Volume 2

07/01/2020



Appendix

Appendix Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust and American Grating, LLC Renewed Special Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637 (Amended) Volume 3

07/01/2020



Motion

Filed By: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela
Special Motion of American Grating, LLC Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637 (Amended)

07/01/2020



Appendix

Appendix to Special Motion of American Grating, LLC Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637 Volume 1

07/01/2020



Appendix

Appendix to Special Motion of American Grating, LLC Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637 Volume 2

07/02/2020



Order

Filed By: Defendant Edgeworth, Brian
Order Granting in Part, and Denying in Part Plaintiff's Motion for Leave to Supplement Plaintiffs' Opposition to Motion to Associate Lisa Carteen, ESQ, and to Preclude Her Review of Case Materials on Order Shortening Time

07/02/2020



Notice of Entry of Order

Notice of Entry of Order

07/07/2020



Order Granting Motion

Filed By: Defendant Edgeworth, Brian
Order Granting Lisa Carteen's Motion to Practice Pro Hac Vice

07/08/2020



Notice of Entry of Order

Filed By: Defendant Edgeworth Family Trust
Notice of Entry of Order Granting Lisa Carteen's Motion to Practice Pro Hac Vice

07/09/2020



Joinder To Motion

Filed By: Defendant Edgeworth Family Trust

CASE SUMMARY

CASE NO. A-19-807433-C

Joinder of Edgeworth Family Trust, and Brian and Angela Edgeworth to American Grating, LLC's, Amended Motions to Dismiss Plaintiffs' Complaint and Amended Complaint

07/15/2020



Opposition to Motion

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
Plaintiffs Opposition To Special Motion Of American Grating LLC, Edgeworth Family Trust, Brian Edgeworth And Angela Edgeworth S Motion To Dismiss Plaintiffs Initial Complaint: Anti-Slapp

07/15/2020



Opposition to Motion to Dismiss

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
Plaintiffs Opposition To Defendants Edgeworth Family Trust, American Grating, LLC, Brian Edgeworth And Angela Edgeworth S Motion To Dismiss Plaintiffs Amended Complaint

07/15/2020



Opposition to Motion to Dismiss

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
Plaintiffs Opposition To Renewed Special Motion Of Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust And American Grating, LLC Motion To Dismiss Pursuant To NRS 41.637 Anti Slapp

07/15/2020



Appendix

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
PLAINTIFFS MASTER APPENDIX FOR OPPOSITIONS TO ALL DEFENDANTS MOTIONS TO DISMISS PLAINTIFFS COMPLAINT AND AMENDED COMPLAINT PURSAUNT TO NRCP 12(b)(5) AND SPECIAL MOTIONS TO DISMISS: ANTI-SLAPP

07/15/2020



Opposition to Motion to Dismiss

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
Plaintiffs Opposition To Defendants Edgeworth Family Trust, American Grating, LLC, Brian Edgeworth And Angela Edgeworth S Motion To Dismiss Plaintiffs Initial Complaint

07/15/2020



Opposition to Motion to Dismiss

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
Plaintiffs Opposition To Defendants Robert Darby Vannah, Esq, John Buchanan Greene, Esq, And Robert D Vannah, Chtd d/b/a Vannah & Vannah S Motion To Dismiss Plaintiffs Amended Complaint

07/15/2020



Opposition to Motion to Dismiss

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
Plaintiffs Opposition To Special Motion of Robert Darby Vannah, Esq, John Buchanan Greene, Esq, And Robert D Vannah, Chtd d/b/a Vannah & Vannah S Motion To Dismiss Plaintiffs Amended Complaint: Anti-Slapp

07/15/2020



Opposition to Motion to Dismiss

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
Plaintiffs Opposition To Special Motion of Robert Darby Vannah, Esq, John Buchanan Greene, Esq, And Robert D Vannah, Chtd d/b/a Vannah & Vannah S Motion To Dismiss Plaintiffs Initial Complaint: Anti-Slapp

07/15/2020



Opposition to Motion to Dismiss

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
Plaintiffs Opposition To Special Motion of Robert Darby Vannah, Esq, John Buchanan Greene, Esq, And Robert D Vannah, Chtd d/b/a Vannah & Vannah S Motion To Dismiss Plaintiffs Initial Complaint, and Motion in the Alternative for a More Definite Statement

07/23/2020



Reply to Opposition

Reply to Plaintiffs' Opposition to the Motion of Robert Darby Vannah Esq, John Buchanan

CASE SUMMARY

CASE NO. A-19-807433-C

Greene Esq, and Robert D Vannah Chtd dba Vannah & Vannah to Dismiss Plaintiffs' Complaint

07/23/2020



Reply to Opposition

Filed by: Defendant Greene, John Buchanan, ESQ; Defendant Vannah, Robert Darby, ESQ; Defendant Robert D Vannah CHTD

Reply to Plaintiffs' Opposition to the Motion of Robert Darby Vannah Esq, John Buchanan Green Esq, and Robert D Vannah Chtd dba Vannah & Vannah, to Dismiss Plaintiffs' Amended Complaint

07/23/2020



Reply to Opposition

Reply of Robert Darby Vannah Esq, John Buchanan Greene Esq, and Robert D Vannah Chtd dba Vannah & Vannah to Plaintiffs' Opposition to Vannah's Special Motion to Dismiss Plaintiffs' Complaint: Anti-Slapp

07/23/2020



Reply

Reply of Robert Darby Vannah Esq, John Buchanan Greene Esq, and Robert D Vannah Chtd dba Vannah & Vannah to Plaintiffs' Opposition to Vannah's Special Motion to Dismiss Plaintiffs' Complaint: Anti-Slapp

07/23/2020



Reply in Support

Filed By: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela

Reply in Support of Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust and American Grating, LLC's Special Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637

07/23/2020



Appendix

Filed By: Defendant American Grating LLC

Appendix to Reply in Support of Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust and American Grating, LLC Special Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637 Volume 1

07/23/2020



Appendix

Filed By: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela

Appendix to Reply in Support of Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust and American Grating, LLC Special Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637 Volume 2

07/23/2020



Reply in Support

Filed By: Defendant American Grating LLC

Reply in Support of Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust and American Grating, LLC's Renewed Special Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637(Amended)

07/23/2020



Appendix

Filed By: Defendant American Grating LLC

Appendix to Reply in Support of Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust and American Grating, LLC's Renewed Special Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637(Amended) Volume 1

07/23/2020



Appendix

Filed By: Defendant American Grating LLC

Appendix to Reply in Support of Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust and American Grating, LLC's Renewed Special Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637(Amended) Volume 2

07/23/2020

CASE SUMMARY

CASE NO. A-19-807433-C

	 Appendix Filed By: Defendant American Grating LLC <i>Appendix to Reply in Support of Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust and American Grating, LLC's Renewed Special Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637(Amended) Volume 3</i>
07/23/2020	 Appendix Filed By: Defendant American Grating LLC <i>Appendix to Reply in Support of Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust and American Grating, LLC's Renewed Special Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637(Amended) Volume 4</i>
07/23/2020	 Appendix Filed By: Defendant American Grating LLC <i>Appendix to Reply in Support of Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust and American Grating, LLC's Renewed Special Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637(Amended) Volume 5</i>
07/23/2020	 Reply in Support Filed By: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela; Defendant American Grating LLC <i>Defendants Edgeworth Family Trust, American Grating, LLC, Brian Edgeworth and Angela Edgeworth's Reply in Support of 12(b)(5) Motion to Dismiss Plaintiffs' Initial Complaint</i>
07/23/2020	 Appendix Filed By: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela; Defendant American Grating LLC <i>Reply in Support of Edgeworth Family Appendix to Reply in Support of Defendants Edgeworth Family Trust, American Grating, LLC, Brian Edgeworth and Angela Edgeworth's Reply in Support of 12(b)(5) Motion to Dismiss Plaintiffs' Amended Complaint Volume 1</i>
07/23/2020	 Reply in Support Filed By: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela; Defendant American Grating LLC <i>Reply in Support of Edgeworth Family Trust, American Grating, LLC, Brian Edgeworth and Angela Edgeworth's Reply in Support of 12(b)(5) Motion to Dismiss Plaintiffs' Amended Complaint</i>
07/23/2020	 Errata Filed By: Defendant American Grating LLC <i>Errata to Appendix to Reply in Support of Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust and American Grating, LLC Renewed Special Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637 (Amended) Volume 1</i>
07/31/2020	 Joinder Filed By: Defendant American Grating LLC <i>Defendants Edgeworth Family Trust; American Grating, Llc; Brian Edgeworth And Angela Edgeworth, Individually, And As Husband And Wife s Joinder To Reply To Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And, Robert D. Vannah, Chtd., D/B/A Vannah & Vannah, To Plaintiff s Opposition To Vannah s Special Motion To Dismiss Plaintiffs Amended Complaint: Anti-Slapp</i>
07/31/2020	 Joinder Filed By: Defendant American Grating LLC <i>Defendants Edgeworth Family Trust; American Grating, Llc; Brian Edgeworth And Angela Edgeworth, Individually, And As Husband And Wife s Joinder To Reply To Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And, Robert D. Vannah, Chtd., D/B/A Vannah & Vannah, To Plaintiff s Opposition To Vannah s Special Motion To Dismiss Plaintiffs</i>

CASE SUMMARY

CASE NO. A-19-807433-C

Complaint: Anti-Slapp

07/31/2020



Joinder

Filed By: Defendant American Grating LLC
Defendants Edgeworth Family Trust; American Grating, Llc; Brian Edgeworth And Angela Edgeworth, Individually, And As Husband And Wife s Joinder To Reply To Plaintiffs Opposition To The Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And, Robert D. Vannah, Chtd., D/B/A Vannah & Vannah, To Dismiss Plaintiffs Amended Complaint

07/31/2020



Joinder

Filed By: Defendant American Grating LLC
Defendants Edgeworth Family Trust; American Grating, Llc; Brian Edgeworth And Angela Edgeworth, Individually, And As Husband And Wife s Joinder To Reply To Plaintiffs Opposition To The Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And, Robert D. Vannah, Chtd., D/B/A Vannah & Vannah, To Dismiss Plaintiffs Complaint

08/25/2020



Motion to Dismiss

Filed By: Defendant Greene, John Buchanan, ESQ; Defendant Vannah, Robert Darby, ESQ; Defendant Robert D Vannah CHTD
Special Motion of Robert Darby Vannah, Esq., John Buchanan, Esq. and Robert D. Vannah, Chtd., dba Vannah & Vannah, to Dismiss Plaintiff's Amended Complaint; ANTI-SLAPP

08/26/2020



Clerk's Notice of Hearing

Notice of Hearing

08/26/2020



Motion to Dismiss

Filed By: Defendant Greene, John Buchanan, ESQ; Defendant Vannah, Robert Darby, ESQ; Defendant Robert D Vannah CHTD
Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and, Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, To Dismiss Plaintiffs Amended Complaint

08/26/2020



Clerk's Notice of Hearing

Notice of Hearing

08/27/2020



Notice of Change of Hearing

Notice of Change of Hearing

08/27/2020



Motion to Dismiss

Filed By: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela; Defendant American Grating LLC
Edgeworth Defendants' Special Anti-Slapp Motion to Dismiss Plaintiff's Amended Complaint Pursuant to NRS 41.637

08/27/2020



Appendix

Filed By: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela; Defendant American Grating LLC
Appendix to Edgeworth Defendants' Special Anti-Slapp Motion to Dismiss Plaintiff's Amended Complaint Pursuant to NRS 41.637 Volume 1

08/27/2020



Appendix

Filed By: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela; Defendant American Grating LLC
Appendix to Edgeworth Defendants' Special Anti-Slapp Motion to Dismiss Plaintiff's Amended Complaint Pursuant to NRS 41.637 Volume 2

09/01/2020



Clerk's Notice of Hearing

CASE SUMMARY

CASE NO. A-19-807433-C

Notice of Hearing

09/10/2020



Opposition to Motion to Dismiss

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
*PLAINTIFFS OPPOSITION TO EDGEWORTH DEFENDANTS SPECIAL ANTI-SLAPP
MOTION TO DISMISS PLAINTIFFS AMENDED COMPLAINT PURSUANT TO NRS 41.637*

09/10/2020



Appendix

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
*PLAINTIFFS MASTER APPENDIX FOR OPPOSITIONS TO ALL DEFENDANTS MOTIONS
TO DISMISS PLAINTIFFS AMENDED COMPLAINT PURSAUNT TO NRCP 12(b)(5) AND
SPECIAL MOTIONS TO DISMISS: ANTI-SLAPP*

09/10/2020



Opposition to Motion to Dismiss

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
*Plaintiffs' Opposition to Special Motion of Robert Darby Vannah, Esq., John Buchanan
Greene, Esq., and Robert D. Vannah, Chtd. d/b/a Vannah & Vannah, to Dismiss Plaintiffs'
Amended Complaint: Anti-Slapp*

09/10/2020



Opposition to Motion to Dismiss

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
*Plaintiffs' Opposition To Defendants Robert Darby Vannah, Esq., John Buchanan Greene,
Esq., And Robert D. Vannah, Chtd. D/B/A Vannah & Vannah's Motion To Dismiss Plaintiffs'
Amended Complaint*

09/24/2020



Reply to Opposition

Filed by: Defendant Greene, John Buchanan, ESQ; Defendant Vannah, Robert Darby,
ESQ; Defendant Robert D Vannah CHTD
Reply to Opposition to Special Motion to Dismiss

09/24/2020



Reply to Opposition

Filed by: Defendant Greene, John Buchanan, ESQ; Defendant Vannah, Robert Darby,
ESQ; Defendant Robert D Vannah CHTD
Reply to Opposition to Dismiss Plaintiff's Amended Complaint (Vannah, Chtd. Defendants)

09/24/2020



Reply in Support

*Reply In Support of Edgeworth Defendants' Special Anti-Slapp Motion to Dismiss Plaintiffs'
Amended Complaint Pursuant to NRS 41.637*

09/24/2020



Appendix

Filed By: Defendant American Grating LLC
*Appendix to Reply In Support of Edgeworth Defendants' Special Anti-Slapp Motion to Dismiss
Plaintiffs' Amended Complaint Pursuant to NRS 41.637 Vol 1*

09/24/2020



Appendix

Filed By: Defendant American Grating LLC
*Appendix to Reply In Support of Edgeworth Defendants' Special Anti-Slapp Motion to Dismiss
Plaintiffs' Amended Complaint Pursuant to NRS 41.637 Vol 2*

09/24/2020



Reply to Opposition

Reply to Opposition to Special Motion to Dismiss

09/25/2020



Joinder

Filed By: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant
Edgeworth, Angela; Defendant American Grating LLC
Defendants Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust And American

CASE SUMMARY

CASE NO. A-19-807433-C

Grating, Llc s Joinder To Reply Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And Robert D. Vannah, Chtd., D/B/A Vannah & Vannah, To Plaintiffs Opposition To Vannah s Motion To Dismiss Plaintiffs Amended Complaint

09/25/2020



Joinder

Filed By: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela; Defendant American Grating LLC
Defendants Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust And American Grating, Llc s Joinder To Reply Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And Robert D. Vannah, Chtd., D/B/A Vannah & Vannah, To Plaintiffs Opposition To Vannah s Special Motion To Dismiss Plaintiffs Amended Complaint: Anti-Slapp

09/25/2020



Joinder

Filed By: Defendant Greene, John Buchanan, ESQ; Defendant Vannah, Robert Darby, ESQ; Defendant Robert D Vannah CHTD
Joinder of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, to Defendants' Reply Re: Special Motions to Dismiss Plaintiffs' Amended Complaint: Anti-Slapp

10/06/2020



Recorders Transcript of Hearing

Recorders Transcript of Hearing Re: 10/01/20

10/19/2020



Substitution of Attorney

Filed by: Defendant Edgeworth Family Trust; Defendant Edgeworth, Brian; Defendant Edgeworth, Angela; Defendant American Grating LLC
Substitution of Attorneys

10/26/2020



Order Denying Motion

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
Order Denying the Edgeworth Defendant's Special Anti-Slapp Motion to Dismiss Plaintiffs' Amended Complaint Pursuant to NRS 41.637

10/26/2020



Order Denying Motion

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
Order Denying the Special Motion of Robert Darby Vannah, Esq. John Buchanan Green, Esq., and Robert D. Vannah, Chtd. d/b/a Vannah & Vannah, to Dismiss Plaintiffs' Amended Complaint: Anti-Slapp

10/26/2020



Order Denying Motion

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
Order Denying Defendants Robert Darby Vannah, Esq., John Buchanan Green, Esq., and Robert D. Vannah, Chtd. d/b/a Vannah & Vannah's, Motion to Dismiss Plaintiffs' Amended Complaint

10/27/2020



Notice of Entry of Order

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
NOTICE OF ENTRY OF ORDER DENYING THE EDGEWORTH DEFENDANTS SPECIAL ANTI-SLAPP MOTION TO DISMISS PLAINTIFFS AMENDED COMPLAINT PURSUANT TO NRS 41.637

10/27/2020



Notice of Entry of Order

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
NOTICE OF ENTRY OF ORDER DENYING DEFENDANTS ROBERT DARBY VANNAH, ESQ., JOHN BUCHANAN GREENE, ESQ., and ROBERT D. VANNAH, CHTD. d/b/a VANNAH & VANNAH S MOTION TO DISMISS PLAINTIFFS AMENDED COMPLAINT

10/27/2020



Notice of Entry of Order

CASE SUMMARY

CASE NO. A-19-807433-C

Filed By: Plaintiff Law Office of Daniel S Simon; Plaintiff Simon, Daniel S
NOTICE OF ENTRY OF ORDER DENYING THE SPECIAL MOTION OF ROBERT DARBY VANNAH, ESQ., JOHN BUCHANAN GREENE, ESQ., AND ROBERT D. VANNAH, CHTD. d/b/a VANNAH & VANNAH, TO DISMISS PLAINTIFFS AMENDED COMPLAINT: ANTI-SLAPP

11/02/2020



Notice of Appeal

Filed By: Defendant Greene, John Buchanan, ESQ; Defendant Vannah, Robert Darby, ESQ; Defendant Robert D Vannah CHTD
Notice of Appeal

11/02/2020



Case Appeal Statement

Filed By: Defendant Greene, John Buchanan, ESQ; Defendant Vannah, Robert Darby, ESQ; Defendant Robert D Vannah CHTD
Case Appeal Statement

11/03/2020



Notice of Appeal

Defendants American Grating, LLC; Edgeworth Family Trust; Brian Edgeworth and Angela Edgeworth's Notice of Appeal

11/03/2020



Case Appeal Statement

Defendants American Grating, LLC; Edgeworth Family Trust; Brian Edgeworth and Angela Edgeworth's Case Appeal Statement

HEARINGS

04/09/2020



Motion (9:00 AM) (Judicial Officer: Crockett, Jim)

Emergency Motion to Preserve Evidence on Order Shortening Time

Denied; Emergency Motion to Preserve Evidence on Order Shortening Time

Journal Entry Details:

ATTORNEY PRESENT: James Christensen, Appellate counsel for consolidated cases (not counsel on this case); Lisa Carteen present with Mr. McNutt. She will appear when her Pro Hac Vice application is processed. The Court stated in the response filed by Defts on 4-6-2020, "we will in fact preserve any and all evidence sources that Simon references," and Defts never had any intention of doing anything else. The Court stated there is an agreement, or a lack of opposition. That is Mr. Christiansen's understanding with the caveat of the protocol how the Court applies the Order. Mr. Christiansen requested a date range on electronic data from November 15, 2017 through the present, including communications to Third Parties. Argument by Mr. Christiansen; counsel requested a protocol to mirror or take an image of cell phones (Vannah and Edgeworth). The Court suggested backing up everything now to a hard drive. Ms. Marr proposed each party consult with their independent IT person how to craft the Order. Argument by Ms. Marr regarding this emergency Motion with the backdrop of the pandemic. Argument by Mr. McNutt; the law imposes the obligation without Plaintiff's Motion, the date range was not presented in the Motion, and for this case, the documents will be preserved. Mr. McNutt requested to meet and confer on the parameters. COURT ORDERED, counsel for the parties will meet and confer via COVID-19 protocol, and exchange draft documents electronically; by 5-7-2020, counsel are to have filed a Stipulation and Order on the protocols for electronically stored information; the timeframe begins November 2017; Status Check SET on the Chambers Calendar to ensure the Order is filed. Mr. McNutt has no problem with the timeframe for preservation, but counsel does not want an incorrect inference. COURT ORDERED, motion is DENIED; the Court Directed counsel how to proceed. Ms. Marr will prepare the Order, and counsel to approve as to form and content. 5-21-2020 3:00 a.m. In Chambers Status Check: Stipulation and Order;

05/21/2020

CANCELED Status Check (3:00 AM) (Judicial Officer: Crockett, Jim)

Vacated

Status Check: Filing of Stipulation and Order

06/11/2020



Motion for Leave (9:00 AM) (Judicial Officer: Crockett, Jim)

MOTION FOR LEAVE TO SUPPLEMENT PLAINTIFF S OPPOSITION TO MOTION TO ASSOCIATE COUNSEL OR IN THE ALTERNATIVE, MOTION TO DISQUALIFY LISA CARTEEN, ESQ. AND TO PRECLUDE HER REVIEW OF CASE MATERIALS ON ORDER

CASE SUMMARY

CASE NO. A-19-807433-C

SHORTENING TIME

Granted in Part;

Journal Entry Details:

MOTION FOR LEAVE TO SUPPLEMENT PLAINTIFF'S OPPOSITION TO MOTION TO ASSOCIATE COUNSEL OR IN THE ALTERNATIVE, MOTION TO DISQUALIFY LISA CARTEEN, ESQ. AND TO PRECLUDE HER REVIEW OF CASE MATERIALS ON ORDER SHORTENING TIME Court reviewed the procedural history of the case. Colloquy regarding future filings. COURT ORDERED, Motion to Supplement GRANTED. Colloquy regarding scheduling. COURT FURTHER ORDERED, Motions scheduled to be heard 6/30/2020 and 7/7/2020 RESET to 8/13/2020 at 9:00 am.;

06/26/2020



Motion to Associate Counsel (3:00 AM) (Judicial Officer: Crockett, Jim)

Motion to Associate Counsel

Minute Order - No Hearing Held;

Journal Entry Details:

This Chambers matter is being decided on the briefs and/or pleadings filed. The Motion to Associate attorney Lisa Carteen is granted. The Court reviewed the Motion (5/5/20) Opposition (5/7/20), Supplemental Opposition (6/3/20), Opposition to Motion to Supplement (6/5/20), the Errata to Opposition (6/8/20) and the Reply to Opposition (6/9/20), Plaintiff s Supplemental Opposition filed 6/18/20, and Defendant s 6/25/20 Reply and is aware that Plaintiff contends Ms. Carteen should not be allowed to serve as counsel in this case because she may be a material witness and thus disqualified as counsel. However, the Court is ruling that there is no reason why Ms. Carteen cannot be admitted pro hac vice. Once admitted pro hac she is subject to the same potential disqualifications as any other counsel in the case. Accordingly, the motion to admit Ms. Carteen pro hac vice is granted and counsel for the Edgeworths is to submit an order granting Ms. Carteen s admission pro hac within fourteen days. COURT ORDERED, status check SET for the filing of the Order. 7/30/2020 STATUS CHECK: FILING OF ORDER (CHAMBERS) CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File & Serve. /rl 6/26/2020 ;

07/30/2020

CANCELED Status Check (3:00 AM) (Judicial Officer: Crockett, Jim)

Vacated

Status Check: Filing of Order (6/26)

08/13/2020

Motion to Dismiss (9:00 AM) (Judicial Officer: Crockett, Jim)

Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and, Robert D. Vannah, CHTD., d/b/a Vannah & Vannah, To Dismiss Plaintiffs Complaint, And Motion In The Alternative For A More Definite Statement

Off Calendar;

08/13/2020

Motion to Dismiss (9:00 AM) (Judicial Officer: Crockett, Jim)

Defendants Edgeworth Family Trust, American Grating LLC Brian Edgeworth and Angela Edgeworth's Motion to Dismiss Plaintiffs Complaint

Off Calendar;

08/13/2020

Motion to Dismiss (9:00 AM) (Judicial Officer: Crockett, Jim)

Special Motion of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, to Dismiss Plaintiffs' Complaint: Anti-Slapp

Off Calendar;

08/13/2020

Motion to Dismiss (9:00 AM) (Judicial Officer: Crockett, Jim)

Special Motion of American Grating, LLC Anti-Slapp Motion to Dismiss Pursuant to NRS 41.63 and for Leave to File Motion in Excess of 30 Pages Pursuant to EDCR 2.20(a)

Off Calendar;

08/13/2020

Motion to Dismiss (9:00 AM) (Judicial Officer: Crockett, Jim)

Edgeworth Family Trust, Brian Edgeworth, and Angela Edgeworth's Special Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637

Off Calendar;

08/13/2020

Joinder (9:00 AM) (Judicial Officer: Crockett, Jim)

Joinder of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and Robert D.Vannah,


CASE SUMMARY

CASE NO. A-19-807433-C

	<p><i>CHTD., d/b/a Vannah & Vannah, to Defendants' Special Motions to Dismiss Plaintiffs' Complaint: Anti-Slapp</i></p> <p>Off Calendar;</p>
08/13/2020	<p>Joinder (9:00 AM) (Judicial Officer: Crockett, Jim)</p> <p><i>Defendant American Grating, LLC's Joinder To Edgeworth Family Trust, Brian Edgeworth, And Angela Edgeworth s Special Anti-Slapp Motion To Dismiss Pursuant To NRS 41.637</i></p> <p>Off Calendar;</p>
08/13/2020	<p>Joinder (9:00 AM) (Judicial Officer: Crockett, Jim)</p> <p><i>Defendant American Grating, LLC's Joinder To Special Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And, Robert D. Vannah, Chtd., D/B/A Vannah & Vannah, To Dismiss Plaintiffs Complaint: Anti-SLAPP</i></p> <p>Off Calendar;</p>
08/13/2020	<p>Joinder (9:00 AM) (Judicial Officer: Crockett, Jim)</p> <p><i>Joinder of Edgeworth Family Trust, and Brian and Angela Edgeworth to American Grating, LLC's, and Robert Darby Vannah, Esq.; John Buchanan Greene, Esq.; and Robert D. Vannah, CHTD. d/b/a Vannah & Vannah's Special Motions to Dismiss Plaintiffs' Complaint</i></p> <p>Off Calendar;</p>
08/13/2020	<p>Motion to Dismiss (9:00 AM) (Judicial Officer: Crockett, Jim)</p> <p><i>Special Motion of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, to Dismiss Plaintiff's Amended Complaint: Anti-Slapp</i></p> <p>Off Calendar;</p>
08/13/2020	<p>Motion to Dismiss (9:00 AM) (Judicial Officer: Crockett, Jim)</p> <p><i>Motion of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and, Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, to Dismiss Plaintiffs' Amended Complaint</i></p> <p>Off Calendar;</p>
08/13/2020	<p>Joinder (9:00 AM) (Judicial Officer: Crockett, Jim)</p> <p><i>Defendant American Grating, LLC's Joinder To Special Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And Robert D. Vannah, Chtd., D/B/A Vannah & Vannah, To Dismiss Plaintiffs Amended Complaint: Anti-Slapp</i></p> <p>Off Calendar;</p>
08/13/2020	<p>Joinder (9:00 AM) (Judicial Officer: Crockett, Jim)</p> <p><i>Defendant American Grating, LLC's Joinder To Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And, Robert D. Vannah, Chtd., D/B/A Vannah & Vannah, To Dismiss Plaintiffs Amended Complaint</i></p> <p>Off Calendar;</p>
08/13/2020	<p>Motion to Dismiss (9:00 AM) (Judicial Officer: Crockett, Jim)</p> <p><i>Defendant American Grating, LLC s Motion to Dismiss Plaintiffs Amended Complaint</i></p> <p>Off Calendar;</p>
08/13/2020	<p>Motion (9:00 AM) (Judicial Officer: Crockett, Jim)</p> <p><i>Renewed Special Motion of Brian Edgeworth Angela Edgeworth, Edgeworth Family Trust and American Grating, LLC Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637 and for Leave to File Motion in Excess of 30 Pages Pursuant to EDCR 2.20(a)</i></p> <p>Off Calendar;</p>
08/13/2020	<p>Motion to Dismiss (9:00 AM) (Judicial Officer: Crockett, Jim)</p> <p><i>Defendans Edgeworth Family Trust, Brian Edgeworth and Angela Edgeworth's Motion to Dismiss PLaintiffs' Amended Complaint</i></p> <p>Off Calendar;</p>
08/13/2020	<p>Joinder (9:00 AM) (Judicial Officer: Crockett, Jim)</p> <p><i>Joinder of Edgeworth Family Trust, and Brian and Angela Edgeworth to American Grating, LLC's, and Robert Darby Vannah, Esq.; John Buchanan Greene, Esq.; and Robert D. Vannah,</i></p>

CASE SUMMARY

CASE NO. A-19-807433-C

	CHTD. d/b/a Vannah & Vannah's Motions to Dismiss Plaintiffs' Amended Complaint Off Calendar;
08/13/2020	<p>Joinder (9:00 AM) (Judicial Officer: Crockett, Jim)</p> <p><i>Joinder of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, to Defendants' Motion to Dismiss Plaintiffs' Amended Complaint and Defendant's Renewed Special Motion to Dismiss Plaintiffs' Amended Complaint: Anti-Slapp</i></p> <p>Off Calendar;</p>
08/13/2020	<p>CANCELED All Pending Motions (9:00 AM) (Judicial Officer: Crockett, Jim)</p> <p><i>Vacated - Set in Error</i></p>
08/13/2020	<p> All Pending Motions (9:00 AM) (Judicial Officer: Crockett, Jim)</p> <p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and, Robert D. Vannah, CHTD., d/b/a Vannah & Vannah, To Dismiss Plaintiffs Complaint, And Motion In The Alternative For A More Definite Statement ... Defendants Edgeworth Family Trust, American Grating LLC Brian Edgeworth and Angela Edgeworth's Motion to Dismiss Plaintiffs Complaint ... Special Motion of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, to Dismiss Plaintiff's Amended Complaint: Anti-Slapp ... Joinder of Edgeworth Family Trust, and Brian and Angela Edgeworth to American Grating, LLC's, and Robert Darby Vannah, Esq.; John Buchanan Greene, Esq.; and Robert D. Vannah, CHTD. d/b/a Vannah & Vannah's Special Motions to Dismiss Plaintiffs' Complaint ... Defendant American Grating, LLC's Joinder To Special Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And, Robert D. Vannah, Chtd., D/B/A Vannah & Vannah, To Dismiss Plaintiffs Complaint: Anti-SLAPP ... Defendant American Grating, LLC's Joinder To Edgeworth Family Trust, Brian Edgeworth, And Angela Edgeworth s Special Anti-Slapp Motion To Dismiss Pursuant To NRS 41.637 ... Joinder of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and Robert D.Vannah, CHTD., d/b/a Vannah & Vannah, to Defendants' Special Motions to Dismiss Plaintiffs' Complaint: Anti-Slapp ... Motion of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and, Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, to Dismiss Plaintiffs' Amended Complaint ... Defendant American Grating, LLC's Joinder To Special Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And Robert D. Vannah, Chtd., D/B/A Vannah & Vannah, To Dismiss Plaintiffs Amended Complaint: Anti-Slapp ... Defendant American Grating, LLC's Joinder To Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And, Robert D. Vannah, Chtd., D/B/A Vannah & Vannah, To Dismiss Plaintiffs Amended Complaint ... Defendant American Grating, LLC s Motion to Dismiss Plaintiffs Amended Complaint ... Renewed Special Motion of Brian Edgeworth Angela Edgeworth, Edgeworth Family Trust and American Grating, LLC Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637 and for Leave to File Motion in Excess of 30 Pages Pursuant to EDCR 2.20(a) ... Defendants Edgeworth Family Trust, Brian Edgeworth and Angela Edgeworth's Motion to Dismiss PLaintiffs' Amended Complaint ... Joinder of Edgeworth Family Trust, and Brian and Angela Edgeworth to American Grating, LLC's, and Robert Darby Vannah, Esq.; John Buchanan Greene, Esq.; and Robert D. Vannah, CHTD. d/b/a Vannah & Vannah's Motions to Dismiss Plaintiffs' Amended Complaint ... Joinder of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, to Defendants' Motion to Dismiss Plaintiffs' Amended Complaint and Defendant's Renewed Special Motion to Dismiss Plaintiffs' Amended Complaint: Anti-Slapp ... Special Motion of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, to Dismiss Plaintiffs' Complaint: Anti-Slapp ... Special Motion of American Grating, LLC Anti-Slapp Motion to Dismiss Pursuant to NRS 41.63 and for Leave to File Motion in Excess of 30 Pages Pursuant to EDCR 2.20(a) ... Edgeworth Family Trust, Brian Edgeworth, and Angela Edgeworth's Special Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637 Court reviewed the procedural history of the case and admonished counsel regarding length of filings being several thousand pages long. COURT ORDERED, all matters, motions and joinder OFF CALENDAR. Court instructed counsel to correctly file appropriate motions by 8/27/2020, oppositions to be filed by 9/10/2020, reply briefs due 9/24/2020 and hearing will be set 10/1/2020. ;</i></p>
10/01/2020	<p>Motion to Dismiss (9:00 AM) (Judicial Officer: Crockett, Jim)</p> <p><i>Special Motion of Robert Darby Vannah, Esq., John Buchanan, Esq. and Robert D. Vannah, Chtd., dba Vannah & Vannah, to Dismiss Plaintiffs Amended Complaint; ANTI-SLAPP</i></p>

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-19-807433-C

	Denied;
10/01/2020	Motion to Dismiss (9:00 AM) (Judicial Officer: Crockett, Jim) <i>Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and, Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, To Dismiss Plaintiffs Amended Complaint</i> MO Dated 08-13-2020 Denied;
10/01/2020	Motion to Dismiss (9:00 AM) (Judicial Officer: Crockett, Jim) <i>Edgeworth Defendants' Special Anti-Slapp Motion to Dismiss Plaintiff's Amended Complaint Pursuant to NRS 41.637</i> Denied;
10/01/2020	Joinder (9:00 AM) (Judicial Officer: Crockett, Jim) <i>Defendants Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust And American Grating, Llc s Joinder To Reply Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And Robert D. Vannah, Chtd., D/B/A Vannah & Vannah, To Plaintiffs Opposition To Vannah s Special Motion To Dismiss Plaintiffs Amended Complaint: Anti-Slapp</i> Denied;
10/01/2020	 All Pending Motions (9:00 AM) (Judicial Officer: Crockett, Jim) Matter Heard; Journal Entry Details: <i>Defendants Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust And American Grating, Llc s Joinder To Reply Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And Robert D. Vannah, Chtd., D/B/A Vannah & Vannah, To Plaintiffs' Opposition To Vannah's Special Motion To Dismiss Plaintiffs' Amended Complaint: Anti-Slapp Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and, Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, To Dismiss Plaintiffs' Amended Complaint Edgeworth Defendants' Special Anti-Slapp Motion to Dismiss Plaintiff's Amended Complaint Pursuant to NRS 41.637 Special Motion of Robert Darby Vannah, Esq., John Buchanan, Esq. and Robert D. Vannah, Chtd., dba Vannah & Vannah, to Dismiss Plaintiff's Amended Complaint; ANTI-SLAPP Court reviewed the procedural history of the case and stated inclinations. Arguments by counsel. Defendants Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust And American Grating, Llc s Joinder To Reply Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And Robert D. Vannah, Chtd., D/B/A Vannah & Vannah, To Plaintiffs Opposition To Vannah's Special Motion To Dismiss Plaintiffs Amended Complaint: Anti-Slapp; COURT ORDERED, motion DENIED. Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and, Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, To Dismiss Plaintiffs Amended Complaint; COURT ORDERED, motion DENIED Edgeworth Defendants' Special Anti-Slapp Motion to Dismiss Plaintiff's Amended Complaint Pursuant to NRS 41.637; COURT ORDERED, motion DENIED. Special Motion of Robert Darby Vannah, Esq., John Buchanan, Esq. and Robert D. Vannah, Chtd., dba Vannah & Vannah, to Dismiss Plaintiff's Amended Complaint; ANTI-SLAPP; COURT ORDERED, motion DENIED. Plaintiff's counsel Mr. Christiansen to prepare and submit the Orders within fourteen days per EDCR 7.21, counsel to review as to form and content. COURT FURTHER ORDERED, status check SET for the filing of the Orders. 10/29/2020 STATUS CHECK: FILING OF ORDERS (CHAMBERS);</i>
10/29/2020	CANCELED Status Check (3:00 AM) (Judicial Officer: Crockett, Jim) Vacated <i>Status Check: Filing of Orders Denying Motions from 10/1/20</i>

DATE

FINANCIAL INFORMATION

Defendant American Grating LLC	
Total Charges	0.00
Total Payments and Credits	0.00
Balance Due as of 11/4/2020	0.00
Defendant Edgeworth Family Trust	
Total Charges	313.00
Total Payments and Credits	313.00
Balance Due as of 11/4/2020	0.00

CASE SUMMARY**CASE NO. A-19-807433-C**

Defendant Edgeworth, Angela	
Total Charges	0.00
Total Payments and Credits	0.00
Balance Due as of 11/4/2020	0.00
Defendant Edgeworth, Brian	
Total Charges	24.00
Total Payments and Credits	24.00
Balance Due as of 11/4/2020	0.00
Defendant Robert D Vannah CHTD	
Total Charges	474.00
Total Payments and Credits	474.00
Balance Due as of 11/4/2020	0.00
Plaintiff Law Office of Daniel S Simon	
Total Charges	300.00
Total Payments and Credits	300.00
Balance Due as of 11/4/2020	0.00
Plaintiff Simon, Daniel S	
Total Charges	0.00
Total Payments and Credits	0.00
Balance Due as of 11/4/2020	0.00

DISTRICT COURT CIVIL COVER SHEET

CASE NO: A-19-807433-C
Department 2

County, Nevada

Case No. _____
(Assigned by Clerk's Office)**I. Party Information** (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone): LAW OFFICE OF DANIEL S. SIMON, A PROFESSIONAL CORPORATION; DANIEL S. SIMON	Defendant(s) (name/address/phone): EDGEWORTH FAMILY TRUST; et. al.
Attorney (name/address/phone): PETER S. CHRISTIANSEN, ESQ. 810 S. Casino Center Blvd., LV, NV 89101 (702) 240-7979	Attorney (name/address/phone):

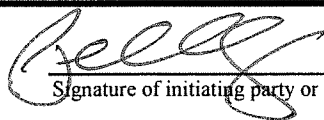
II. Nature of Controversy (please select the one most applicable filing type below)**Civil Case Filing Types**

Real Property Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant Title to Property <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property Other Real Property <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	Negligence <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence Malpractice <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	Torts Other Torts <input type="checkbox"/> Product Liability <input checked="" type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
Probate Probate (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate Estate Value <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	Construction Defect & Contract Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect Contract Case <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	Judicial Review/Appeal Judicial Review <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency Nevada State Agency Appeal <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency Appeal Other <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
Civil Writ <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ		Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

Business Court filings should be filed using the Business Court civil coversheet.

12-20-19

Date



Signature of initiating party or representative

See other side for family-related case filings.

ORDR

PETER S. CHRISTIANSEN, ESQ.

Nevada Bar No. 5254

KENDELEE L. WORKS, ESQ.

Nevada Bar No. 9611

pete@christiansenlaw.com

CHRISTIANSEN LAW OFFICES

810 South Casino Center Blvd., Suite 104

Las Vegas, Nevada 89101

Telephone: (702) 240-7979

Attorney for Plaintiffs

DISTRICT COURT

CLARK COUNTY, NEVADA

LAW OFFICE OF DANIEL S. SIMON, A
PROFESSIONAL CORPORATION;
DANIEL S. SIMON;

Plaintiffs,

vs.

EDGEWORTH FAMILY TRUST;
AMERICAN GRATING, LLC; BRIAN
EDGEWORTH AND ANGELA
EDGEWORTH, INDIVIDUALLY, AS
HUSBAND AND WIFE; ROBERT DARBY
VANNAH, ESQ.; JOHN BUCHANAN
GREENE, ESQ.; and ROBERT D.
VANNAH, CHTD. d/b/a VANNAH &
VANNAH, and DOES I through V and ROE
CORPORATIONS VI through X, inclusive,

Defendants.

CASE NO.: A-19-807433-C
DEPT NO.: XXIV

**ORDER DENYING THE EDGEWORTH
DEFENDANTS' SPECIAL ANTI-SLAPP
MOTION TO DISMISS PLAINTIFFS'
AMENDED COMPLAINT PURSUANT
TO NRS 41.637**

This matter having come before the Honorable Jim Crockett on October 1, 2020, regarding the Edgeworth Defendants' Special Anti-Slapp Motion to Dismiss Plaintiffs' Amended Complaint Pursuant to NRS 41.637, filed on August 27, 2020, with Peter S. Christiansen, Esq. and Kendelea L. Works, Esq. of CHRISTIANSEN LAW OFFICES appearing on behalf of Plaintiffs LAW OFFICE OF DANIEL S. SIMON, A PROFESSIONAL CORPORATION and

DANIEL S. SIMON, Patricia A. Marr, Esq. of PATRICIA A. MARR, LTD, appearing on behalf of Defendants ROBERT DARBY VANNAH ESQ., JOHN B. GREENE, ESQ., and ROBERT D. VANNAH, CHTD., dba VANNAH & VANNAH, and Renee M. Finch, Esq. and Christine L. Atwood, Esq., of MESSNER REEVES, LLP. and Patricia Lee, Esq., of HUTCHISON & STEFFEN, PLLC, appearing on behalf of Defendants EDGEWORTH FAMILY TRUST, AMERICAN GRATING, LLC, BRIAN EDGEWORTH and ANGELA EDGEWORTH (hereinafter collectively referred to as the “Edgeworth Parties”), the Court having heard the arguments of the parties and considering the moving papers and oppositions filed thereto, NOW THEREFORE, for good cause appearing, hereby finds:

1. When a party files a special motion to dismiss under Nevada’s anti-SLAPP statutes, NRS 41.635-NRS 41.670, that party bears the initial burden of production and persuasion. Here, the Edgeworth Defendants as the moving party, must first make a threshold showing that Plaintiffs’ claims against them are based on “[g]ood faith communication[s] in furtherance of the right to free speech in direct connection with an issue of public concern...which is truthful or made without knowledge of its falsehood.” NRS 41.637.
2. If an anti-SLAPP motion is filed, a court “shall” first ‘[d]etermine whether the moving party has established, by a preponderance of the evidence, that the claim is based upon a good faith communication in furtherance of the right to petition or the right to free speech in direct connection with an issue of public concern... which is truthful or is made without knowledge of its falsehood.” NRS 41.660(3)(a). “No communication falls within the purview of NRS 41.660 unless it is truthful or made without knowledge of its falsity.” *Shapiro v. Welt*, 133 Nev. 35, 40, 389 P.3d 262, 268 (2017)(internal citations omitted).
3. If a court finds “the moving party has met the burden pursuant to paragraph(a),” the court shall then “determine whether the plaintiff[s] ha[ve] demonstrated with prima facie evidence a probability of prevailing on the claim.”(NRS 41.660(3)(b), as defined in NRS 41.665(2).

- 1 4. THIS COURT FINDS that in Case No. A-16-738444-C in the Eighth Judicial
2 District Court, Clark County, Nevada, the Honorable Tierra Jones entered orders,
3 which included dismissing the underlying lawsuit against Simon and finding that the
4 conversion claims against him, which give rise to the instant lawsuit, were not filed
5 and/or maintained on reasonable grounds. In awarding attorney's fees and costs for
6 Simon having to defend the groundless claims, Judge Jones expressly found "it was
7 an impossibility for Mr. Simon to have converted the Edgeworths' property." This
8 court will not disturb the findings of a sister court on this issue. *See Five Star Capital*
9 *Corp. v. Ruby*, 124 Nev. 1048. 194 P.3d 709 (2008).
- 10 5. THE COURT FURTHER FINDS based on the evidence and briefings before it, that
11 there could not be any good faith legal or factual basis for the underlying conversion
12 claim against Simon when there was a pre-litigation accord and satisfaction reached
13 between the parties about how dominion and control over the funds was to be
14 exercised pending resolution of the attorney lien dispute.
- 15 6. THE COURT FURTHER FINDS, in light of the foregoing, that the Edgeworth Parties
16 did not meet their burden under the first prong of the anti-SLAPP analysis because
17 they cannot show, based on a preponderance of the evidence, that the underlying
18 conversion claims against Simon were good faith communications, which were
19 truthful and/or made without knowledge of falsity.
- 20 7. THE COURT FURTHER FINDS that it must only advance to the second prong of the
21 Anti-SLAPP analysis in the event that the Edgeworth Parties met their burden to show
22 by a preponderance of the evidence that their underlying claims against Simon were
23 based upon good faith communications made in furtherance of the right to free speech
24 in direct connection with an issue of public concern. Only then would the burden
25 shift to Plaintiffs to show with prima facie evidence, a probability of prevailing on
26 their claims. Because the Edgeworth Parties have not met their burden, this Court
27 need not consider the second prong of the anti-SLAPP analysis.
28

CHRISTIANSEN LAW OFFICES

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Las Vegas, Nevada 89101

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8. THE COURT FURTHER FINDS however, that if it reached the second prong of the Anti-SLAPP analysis, which it does not, Simon has shown prima facie evidence of a probability of prevailing on Plaintiffs' claims and that there are genuine issues of material fact at this stage in the litigation, which require discovery.

9. THE COURT FURTHER FINDS there are questions of fact as to whether or not what took place during the Edgeworth Parties' extrajudicial discussions with outside third parties, in particular, former Justice Miriam Shearing, Attorney Lisa Carteen and volleyball coach Rueben Herrera, were in direct connection with the lawsuit or not.

10. In light of the foregoing, IT IS HEREBY ORDERED that the Edgeworth Defendants' Special Anti-Slapp Motion to Dismiss Plaintiffs' Amended Complaint Pursuant to NRS 41.637, is DENIED.


Dated this 26th day of October, 2020

DATED this _____ day of October, 2020.


DISTRICT COURT JUDGE

Respectfully submitted:

CHRISTIANSEN LAW OFFICES


PETER S. CHRISTIANSEN, ESQ.
Nevada Bar No. 5254
KENDELEE WORKS, ESQ.
Nevada Bar No. 9611
810 S. Casino Center Blvd., Ste. 104
Las Vegas, Nevada 89101
Attorneys for Plaintiffs

0CB F33 6FA2 EDF2
Jim Crockett
District Court Judge

Approved as to Form and Content
MESSNER REEVES, LLP

RENEE M. FINCH, ESQ.
Nevada Bar No. 13118
8945 W. Russel Road, Ste. 300
Las Vegas, Nevada 89148
*Attorneys for Defendants Edgeworth Family
Trust; American Grating; Brian Edgeworth
and Angela Edgeworth*

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Law Office of Daniel S Simon,
Plaintiff(s)

CASE NO: A-19-807433-C

7 vs.

DEPT. NO. Department 24

8
9 Edgeworth Family Trust,
Defendant(s)

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

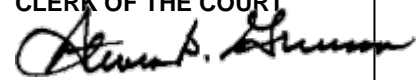
12
13 This automated certificate of service was generated by the Eighth Judicial District
14 Court. The foregoing Order was served via the court's electronic eFile system to all
recipients registered for e-Service on the above entitled case as listed below:

15 Service Date: 10/26/2020

16 Peter Christiansen	pete@christiansenlaw.com
17 Whitney Barrett	wbarrett@christiansenlaw.com
18 Kendelea Leascher Works	kworks@christiansenlaw.com
19 R. Todd Terry	tterry@christiansenlaw.com
20 Keely Perdue	keely@christiansenlaw.com
21 Jonathan Crain	jcrain@christiansenlaw.com
22 Renee Finch	rfinch@messner.com
23 Caleb Meyer	cmeyer@messner.com
24 Suzanne Morehead	smorehead@hutchlegal.com
25 Chandi Melton	chandi@christiansenlaw.com

26
27
28

1	Jessie Church	jromero@vannahlaw.com
2	Bridget Salazar	bsalazar@vannahlaw.com
3	John Greene	jgreene@vannahlaw.com
4	Patricia Lee	plee@hutchlegal.com
5	Patricia Marr	patricia@marrlawlv.com
6	Daniel Simon	lawyers@simonlawlv.com
7	Robert Vannah	rvannah@vannahlaw.com
8	Esther Barrios Sandoval	esther@christiansenlaw.com
9	Christine Atwood	catwood@messner.com
10	Jackie Olivo	jolivo@messner.com
11	Nicholle Pendergraft	npendergraft@messner.com
12	Front Desk	office@marrlawlv.com
13	Aileen Bencomo	ab@christiansenlaw.com
14	Heather Bennett	hshepherd@hutchlegal.com
15	Ramez Ghally	rghally@hutchlegal.com
16	Jessica Adams	jessica@marrlawlv.com
17	Michelle Ordway	mordway@messner.com
18	David Gould	dgould@messner.com
19	Lisa Carteen	Lisa.Carteen@tuckerellis.com
20	Britteena Stafford	britteena.stafford@tuckerellis.com
21		
22		
23		
24		
25		
26		
27		
28		



1 **NEOJ**
2 **PETER S. CHRISTIANSEN, ESQ.**
3 Nevada Bar No. 5254
4 **KENDELEE L. WORKS, ESQ.**
5 Nevada Bar No. 9611
6 pete@christiansenlaw.com
7 **CHRISTIANSEN LAW OFFICES**
8 810 South Casino Center Blvd., Suite 104
9 Las Vegas, Nevada 89101
10 Telephone: (702) 240-7979
11 *Attorney for Plaintiffs*

8 **DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

10 LAW OFFICE OF DANIEL S. SIMON, A
11 PROFESSIONAL CORPORATION;
12 DANIEL S. SIMON;

13 Plaintiffs,

14 vs.

15 EDGEWORTH FAMILY TRUST;
16 AMERICAN GRATING, LLC; BRIAN
17 EDGEWORTH AND ANGELA
18 EDGEWORTH, INDIVIDUALLY, AS
19 HUSBAND AND WIFE; ROBERT DARBY
20 VANNAH, ESQ.; JOHN BUCHANAN
21 GREENE, ESQ.; and ROBERT D.
22 VANNAH, CHTD. d/b/a VANNAH &
23 VANNAH, and DOES I through V and ROE
24 CORPORATIONS VI through X, inclusive,

25 Defendants.

CASE NO.: A-19-807433-C
DEPT NO.: XXIV

**NOTICE OF ENTRY OF ORDER
DENYING THE EDGEWORTH
DEFENDANTS' SPECIAL ANTI-SLAPP
MOTION TO DISMISS PLAINTIFFS'
AMENDED COMPLAINT PURSUANT
TO NRS 41.637**

23 PLEASE TAKE NOTICE, that an Order on the Edgeworth Defendants' Special Anti-
24 Slapp Motion to Dismiss Plaintiffs' Amended Complaint Pursuant to NRS 41.637, was entered

25 ///

26 ///

27 ///

1 in the above-entitled matter on the 26th day of October, 2020, a copy of which is attached hereto.

2 DATED this 27th day of October, 2020.

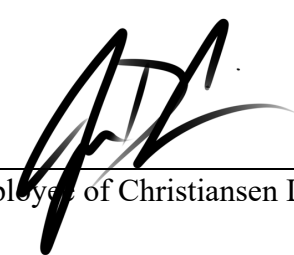
3 **CHRISTIANSEN LAW OFFICES**

4 

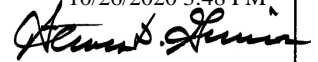
5 PETER S. CHRISTIANSEN, ESQ.
6 Nevada Bar No. 5254
7 KENDELEE WORKS, ESQ.
8 Nevada Bar No. 9611
9 810 S. Casino Center Blvd., Ste. 104
10 Las Vegas, Nevada 89101
11 *Attorneys for Plaintiffs*

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of CHRISTIANSEN LAW OFFICES, and that on this 27th day of October, 2020 I caused the foregoing document entitled **NOTICE OF ENTRY OF ORDER DENYING THE EDGEWORTH DEFENDANTS' SPECIAL ANTI-SLAPP MOTION TO DISMISS PLAINTIFFS' AMENDED COMPLAINT PURSUANT TO NRS 41.637** to be served upon those persons designated by the parties in the E-Service Master List for the above-referenced matter in the Eighth Judicial District Court eFiling System in accordance with the mandatory electronic service requirements of Administrative Order 14-2 and the Nevada Electronic Filing and Conversion Rules.



An employee of Christiansen Law Offices


CLERK OF THE COURT

ORDR

PETER S. CHRISTIANSEN, ESQ.

Nevada Bar No. 5254

KENDELEE L. WORKS, ESQ.

Nevada Bar No. 9611

pete@christiansenlaw.com

CHRISTIANSEN LAW OFFICES

810 South Casino Center Blvd., Suite 104

Las Vegas, Nevada 89101

Telephone: (702) 240-7979

Attorney for Plaintiffs

DISTRICT COURT

CLARK COUNTY, NEVADA

LAW OFFICE OF DANIEL S. SIMON, A
PROFESSIONAL CORPORATION;
DANIEL S. SIMON;

Plaintiffs,

vs.

EDGEWORTH FAMILY TRUST;
AMERICAN GRATING, LLC; BRIAN
EDGEWORTH AND ANGELA
EDGEWORTH, INDIVIDUALLY, AS
HUSBAND AND WIFE; ROBERT DARBY
VANNAH, ESQ.; JOHN BUCHANAN
GREENE, ESQ.; and ROBERT D.
VANNAH, CHTD. d/b/a VANNAH &
VANNAH, and DOES I through V and ROE
CORPORATIONS VI through X, inclusive,

Defendants.

CASE NO.: A-19-807433-C
DEPT NO.: XXIV

**ORDER DENYING THE EDGEWORTH
DEFENDANTS' SPECIAL ANTI-SLAPP
MOTION TO DISMISS PLAINTIFFS'
AMENDED COMPLAINT PURSUANT
TO NRS 41.637**

This matter having come before the Honorable Jim Crockett on October 1, 2020, regarding the Edgeworth Defendants' Special Anti-Slapp Motion to Dismiss Plaintiffs' Amended Complaint Pursuant to NRS 41.637, filed on August 27, 2020, with Peter S. Christiansen, Esq. and Kendelea L. Works, Esq. of CHRISTIANSEN LAW OFFICES appearing on behalf of Plaintiffs LAW OFFICE OF DANIEL S. SIMON, A PROFESSIONAL CORPORATION and

CHRISTIANSEN LAW OFFICES
810 S. Casino Center Blvd., Suite 104
Las Vegas, Nevada 89101
702-240-7979 • Fax 866-412-6992

DANIEL S. SIMON, Patricia A. Marr, Esq. of PATRICIA A. MARR, LTD, appearing on behalf of Defendants ROBERT DARBY VANNAH ESQ., JOHN B. GREENE, ESQ., and ROBERT D. VANNAH, CHTD., dba VANNAH & VANNAH, and Renee M. Finch, Esq. and Christine L. Atwood, Esq., of MESSNER REEVES, LLP. and Patricia Lee, Esq., of HUTCHISON & STEFFEN, PLLC, appearing on behalf of Defendants EDGEWORTH FAMILY TRUST, AMERICAN GRATING, LLC, BRIAN EDGEWORTH and ANGELA EDGEWORTH (hereinafter collectively referred to as the “Edgeworth Parties”), the Court having heard the arguments of the parties and considering the moving papers and oppositions filed thereto, NOW THEREFORE, for good cause appearing, hereby finds:

1. When a party files a special motion to dismiss under Nevada’s anti-SLAPP statutes, NRS 41.635-NRS 41.670, that party bears the initial burden of production and persuasion. Here, the Edgeworth Defendants as the moving party, must first make a threshold showing that Plaintiffs’ claims against them are based on “[g]ood faith communication[s] in furtherance of the right to free speech in direct connection with an issue of public concern...which is truthful or made without knowledge of its falsehood.” NRS 41.637.
2. If an anti-SLAPP motion is filed, a court “shall” first ‘[d]etermine whether the moving party has established, by a preponderance of the evidence, that the claim is based upon a good faith communication in furtherance of the right to petition or the right to free speech in direct connection with an issue of public concern... which is truthful or is made without knowledge of its falsehood.” NRS 41.660(3)(a). “No communication falls within the purview of NRS 41.660 unless it is truthful or made without knowledge of its falsity.” *Shapiro v. Welt*, 133 Nev. 35, 40, 389 P.3d 262, 268 (2017)(internal citations omitted).
3. If a court finds “the moving party has met the burden pursuant to paragraph(a),” the court shall then “determine whether the plaintiff[s] ha[ve] demonstrated with prima facie evidence a probability of prevailing on the claim.”(NRS 41.660(3)(b), as defined in NRS 41.665(2).

- 1 4. THIS COURT FINDS that in Case No. A-16-738444-C in the Eighth Judicial
2 District Court, Clark County, Nevada, the Honorable Tierra Jones entered orders,
3 which included dismissing the underlying lawsuit against Simon and finding that the
4 conversion claims against him, which give rise to the instant lawsuit, were not filed
5 and/or maintained on reasonable grounds. In awarding attorney's fees and costs for
6 Simon having to defend the groundless claims, Judge Jones expressly found "it was
7 an impossibility for Mr. Simon to have converted the Edgeworths' property." This
8 court will not disturb the findings of a sister court on this issue. *See Five Star Capital*
9 *Corp. v. Ruby*, 124 Nev. 1048. 194 P.3d 709 (2008).
- 10 5. THE COURT FURTHER FINDS based on the evidence and briefings before it, that
11 there could not be any good faith legal or factual basis for the underlying conversion
12 claim against Simon when there was a pre-litigation accord and satisfaction reached
13 between the parties about how dominion and control over the funds was to be
14 exercised pending resolution of the attorney lien dispute.
- 15 6. THE COURT FURTHER FINDS, in light of the foregoing, that the Edgeworth Parties
16 did not meet their burden under the first prong of the anti-SLAPP analysis because
17 they cannot show, based on a preponderance of the evidence, that the underlying
18 conversion claims against Simon were good faith communications, which were
19 truthful and/or made without knowledge of falsity.
- 20 7. THE COURT FURTHER FINDS that it must only advance to the second prong of the
21 Anti-SLAPP analysis in the event that the Edgeworth Parties met their burden to show
22 by a preponderance of the evidence that their underlying claims against Simon were
23 based upon good faith communications made in furtherance of the right to free speech
24 in direct connection with an issue of public concern. Only then would the burden
25 shift to Plaintiffs to show with prima facie evidence, a probability of prevailing on
26 their claims. Because the Edgeworth Parties have not met their burden, this Court
27 need not consider the second prong of the anti-SLAPP analysis.
28

CHRISTIANSEN LAW OFFICES

810 S. Casino Center Blvd., Suite 104

Las Vegas, Nevada 89101

702-240-7979 • Fax 866-412-6992

1 8. THE COURT FURTHER FINDS however, that if it reached the second prong of the
2 Anti-SLAPP analysis, which it does not, Simon has shown prima facie evidence of a
3 probability of prevailing on Plaintiffs' claims and that there are genuine issues of
4 material fact at this stage in the litigation, which require discovery.

5 9. THE COURT FURTHER FINDS there are questions of fact as to whether or not what
6 took place during the Edgeworth Parties' extrajudicial discussions with outside third
7 parties, in particular, former Justice Miriam Shearing, Attorney Lisa Carteen and
8 volleyball coach Rueben Herrera, were in direct connection with the lawsuit or not.

9 10. In light of the foregoing, IT IS HEREBY ORDERED that the Edgeworth Defendants'
10 Special Anti-Slapp Motion to Dismiss Plaintiffs' Amended Complaint Pursuant to
11 NRS 41.637, is DENIED.


Dated this 26th day of October, 2020

12 DATED this _____ day of October, 2020.

13
14 
DISTRICT COURT JUDGE

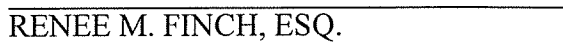
15 Respectfully submitted:

16 **CHRISTIANSEN LAW OFFICES**

17 
18 PETER S. CHRISTIANSEN, ESQ.
19 Nevada Bar No. 5254
20 KENDELEE WORKS, ESQ.
21 Nevada Bar No. 9611
22 810 S. Casino Center Blvd., Ste. 104
23 Las Vegas, Nevada 89101
24 *Attorneys for Plaintiffs*

0CB F33 6FA2 EDF2
Jim Crockett
District Court Judge

25 Approved as to Form and Content
26 **MESSNER REEVES, LLP**

27 
28 RENEE M. FINCH, ESQ.
Nevada Bar No. 13118
8945 W. Russel Road, Ste. 300
Las Vegas, Nevada 89148
*Attorneys for Defendants Edgeworth Family
Trust; American Grating; Brian Edgeworth
and Angela Edgeworth*

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Law Office of Daniel S Simon,
Plaintiff(s)

CASE NO: A-19-807433-C

7 vs.

DEPT. NO. Department 24

8
9 Edgeworth Family Trust,
Defendant(s)

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

15 Service Date: 10/26/2020

16 Peter Christiansen	pete@christiansenlaw.com
17 Whitney Barrett	wbarrett@christiansenlaw.com
18 Kendelea Leascher Works	kworks@christiansenlaw.com
19 R. Todd Terry	tterry@christiansenlaw.com
20 Keely Perdue	keely@christiansenlaw.com
21 Jonathan Crain	jcrain@christiansenlaw.com
22 Renee Finch	rfinch@messner.com
23 Caleb Meyer	cmeyer@messner.com
24 Suzanne Morehead	smorehead@hutchlegal.com
25 Chandi Melton	chandi@christiansenlaw.com

26
27
28

1	Jessie Church	jromero@vannahlaw.com
2	Bridget Salazar	bsalazar@vannahlaw.com
3	John Greene	jgreene@vannahlaw.com
4	Patricia Lee	plee@hutchlegal.com
5	Patricia Marr	patricia@marrlawlv.com
6	Daniel Simon	lawyers@simonlawlv.com
7	Robert Vannah	rvannah@vannahlaw.com
8	Esther Barrios Sandoval	esther@christiansenlaw.com
9	Christine Atwood	catwood@messner.com
10	Jackie Olivo	jolivo@messner.com
11	Nicholle Pendergraft	npendergraft@messner.com
12	Front Desk	office@marrlawlv.com
13	Aileen Bencomo	ab@christiansenlaw.com
14	Heather Bennett	hshepherd@hutchlegal.com
15	Ramez Ghally	rghally@hutchlegal.com
16	Jessica Adams	jessica@marrlawlv.com
17	Michelle Ordway	mordway@messner.com
18	David Gould	dgould@messner.com
19	Lisa Carteen	Lisa.Carteen@tuckerellis.com
20	Britteena Stafford	britteena.stafford@tuckerellis.com
21		
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Intentional Misconduct

COURT MINUTES

April 09, 2020

A-19-807433-C Law Office of Daniel S Simon, Plaintiff(s)
vs.
Edgeworth Family Trust, Defendant(s)

**April 09, 2020 9:00 AM Motion Emergency Motion to
Preserve Evidence on
Order Shortening
Time**

HEARD BY: Crockett, Jim **COURTROOM:** Phoenix Building 11th Floor
116

COURT CLERK: Rem Lord

RECORDER: Nancy Maldonado

REPORTER:

PARTIES

PRESENT: Christiansen, Peter S Attorney
Marr, Patricia A., ESQ Attorney
McNutt, Daniel R. Attorney
Works, Kendelea Leascher Attorney

JOURNAL ENTRIES

- ATTORNEY PRESENT: James Christensen, Appellate counsel for consolidated cases (not counsel on this case); Lisa Carteen present with Mr. McNutt. She will appear when her Pro Hac Vice application is processed.

The Court stated in the response filed by Defts on 4-6-2020, "we will in fact preserve any and all evidence sources that Simon references," and Defts never had any intention of doing anything else. The Court stated there is an agreement, or a lack of opposition. That is Mr. Christiansen's understanding with the caveat of the protocol how the Court applies the Order. Mr. Christiansen requested a date range on electronic data from November 15, 2017 through the present, including communications to Third Parties. Argument by Mr. Christiansen; counsel requested a protocol to

mirror or take an image of cell phones (Vannah and Edgeworth).

The Court suggested backing up everything now to a hard drive. Ms. Marr proposed each party consult with their independent IT person how to craft the Order. Argument by Ms. Marr regarding this emergency Motion with the backdrop of the pandemic. Argument by Mr. McNutt; the law imposes the obligation without Plaintiff's Motion, the date range was not presented in the Motion, and for this case, the documents will be preserved. Mr. McNutt requested to meet and confer on the parameters.

COURT ORDERED, counsel for the parties will meet and confer via COVID-19 protocol, and exchange draft documents electronically; by 5-7-2020, counsel are to have filed a Stipulation and Order on the protocols for electronically stored information; the timeframe begins November 2017; Status Check SET on the Chambers Calendar to ensure the Order is filed. Mr. McNutt has no problem with the timeframe for preservation, but counsel does not want an incorrect inference. COURT ORDERED, motion is DENIED; the Court Directed counsel how to proceed.

Ms. Marr will prepare the Order, and counsel to approve as to form and content.

5-21-2020 3:00 a.m. In Chambers Status Check: Stipulation and Order

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Intentional Misconduct

COURT MINUTES

June 11, 2020

A-19-807433-C Law Office of Daniel S Simon, Plaintiff(s)
vs.
Edgeworth Family Trust, Defendant(s)

June 11, 2020 9:00 AM Motion for Leave

HEARD BY: Crockett, Jim **COURTROOM:** Phoenix Building 11th Floor
116

COURT CLERK: Rem Lord

RECORDER: Trisha Garcia

REPORTER:

PARTIES

PRESENT: Atwood, Christine L. Attorney
Christiansen, Peter S Attorney
Lee, Patricia Attorney
Marr, Patricia A., ESQ Attorney
Works, Kendelea Leascher Attorney

JOURNAL ENTRIES

- MOTION FOR LEAVE TO SUPPLEMENT PLAINTIFF'S OPPOSITION TO MOTION TO ASSOCIATE COUNSEL OR IN THE ALTERNATIVE, MOTION TO DISQUALIFY LISA CARTEEN, ESQ. AND TO PRECLUDE HER REVIEW OF CASE MATERIALS ON ORDER SHORTENING TIME

Court reviewed the procedural history of the case. Colloquy regarding future filings. COURT ORDERED, Motion to Supplement GRANTED. Colloquy regarding scheduling. COURT FURTHER ORDERED, Motions scheduled to be heard 6/30/2020 and 7/7/2020 RESET to 8/13/2020 at 9:00 am.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Intentional Misconduct**COURT MINUTES****June 26, 2020**

A-19-807433-C Law Office of Daniel S Simon, Plaintiff(s)
vs.
Edgeworth Family Trust, Defendant(s)

**June 26, 2020 3:00 AM Motion to Associate
Counsel**

HEARD BY: Crockett, Jim**COURTROOM:** Phoenix Building 11th Floor
116**COURT CLERK:** Rem Lord**RECORDER:****REPORTER:**

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- This Chambers matter is being decided on the briefs and/or pleadings filed. The Motion to Associate attorney Lisa Carteen is granted. The Court reviewed the Motion (5/5/20) Opposition (5/7/20), Supplemental Opposition (6/3/20), Opposition to Motion to Supplement (6/5/20), the Errata to Opposition (6/8/20) and the Reply to Opposition (6/9/20), Plaintiff s Supplemental Opposition filed 6/18/20, and Defendant s 6/25/20 Reply and is aware that Plaintiff contends Ms. Carteen should not be allowed to serve as counsel in this case because she may be a material witness and thus disqualified as counsel. However, the Court is ruling that there is no reason why Ms. Carteen cannot be admitted pro hac vice. Once admitted pro hac she is subject to the same potential disqualifications as any other counsel in the case. Accordingly, the motion to admit Ms. Carteen pro hac vice is granted and counsel for the Edgeworths is to submit an order granting Ms. Carteen s admission pro hac within fourteen days. COURT ORDERED, status check SET for the filing of the Order.

7/30/2020 STATUS CHECK: FILING OF ORDER (CHAMBERS)

CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File & Serve. /rl 6/26/2020

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Intentional Misconduct

COURT MINUTES

August 13, 2020

A-19-807433-C Law Office of Daniel S Simon, Plaintiff(s)
vs.
Edgeworth Family Trust, Defendant(s)

August 13, 2020 9:00 AM All Pending Motions

HEARD BY: Crockett, Jim **COURTROOM:** Phoenix Building 11th Floor
116

COURT CLERK: Rem Lord

RECORDER: Nancy Maldonado

REPORTER:

PARTIES

PRESENT: Christiansen, Peter S Attorney
Finch, Renee M. Attorney
Marr, Patricia A., ESQ Attorney
Meyer, Michael C. Attorney

JOURNAL ENTRIES

- Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and, Robert D. Vannah, CHTD., d/b/a Vannah & Vannah, To Dismiss Plaintiffs Complaint, And Motion In The Alternative For A More Definite Statement ... Defendants Edgeworth Family Trust, American Grating LLC Brian Edgeworth and Angela Edgeworth's Motion to Dismiss Plaintiffs Complaint ... Special Motion of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, to Dismiss Plaintiff's Amended Complaint: Anti-Slapp ... Joinder of Edgeworth Family Trust, and Brian and Angela Edgeworth to American Grating, LLC's, and Robert Darby Vannah, Esq.; John Buchanan Greene, Esq.; and Robert D. Vannah, CHTD. d/b/a Vannah & Vannah's Special Motions to Dismiss Plaintiffs' Complaint ... Defendant American Grating, LLC's Joinder To Special Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And, Robert D. Vannah, Chtd., D/B/A Vannah & Vannah, To Dismiss Plaintiffs Complaint: Anti-SLAPP ... Defendant American Grating, LLC's Joinder To Edgeworth Family Trust, Brian Edgeworth, And Angela Edgeworth s Special Anti-Slapp Motion To Dismiss Pursuant To NRS 41.637 ... Joinder of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and Robert D.Vannah, CHTD., d/b/a

Vannah & Vannah, to Defendants' Special Motions to Dismiss Plaintiffs' Complaint: Anti-Slapp ... Motion of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and, Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, to Dismiss Plaintiffs' Amended Complaint ... Defendant American Grating, LLC's Joinder To Special Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And Robert D. Vannah, Chtd., D/B/ A Vannah & Vannah, To Dismiss Plaintiffs Amended Complaint: Anti-Slapp ... Defendant American Grating, LLC's Joinder To Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And, Robert D. Vannah, Chtd., D/B/ A Vannah & Vannah, To Dismiss Plaintiffs Amended Complaint ... Renewed Special Motion of Brian Edgeworth Angela Edgeworth, Edgeworth Family Trust and American Grating, LLC Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637 and for Leave to File Motion in Excess of 30 Pages Pursuant to EDCR 2.20(a) ... Defendants Edgeworth Family Trust, Brian Edgeworth and Angela Edgeworth's Motion to Dismiss Plaintiffs' Amended Complaint ... Joinder of Edgeworth Family Trust, and Brian and Angela Edgeworth to American Grating, LLC's, and Robert Darby Vannah, Esq.; John Buchanan Greene, Esq.; and Robert D. Vannah, CHTD. d/b/a Vannah & Vannah's Motions to Dismiss Plaintiffs' Amended Complaint ... Joinder of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, to Defendants' Motion to Dismiss Plaintiffs' Amended Complaint and Defendant's Renewed Special Motion to Dismiss Plaintiffs' Amended Complaint: Anti-Slapp ... Special Motion of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, to Dismiss Plaintiffs' Complaint: Anti-Slapp ... Special Motion of American Grating, LLC Anti-Slapp Motion to Dismiss Pursuant to NRS 41.63 and for Leave to File Motion in Excess of 30 Pages Pursuant to EDCR 2.20(a) ... Edgeworth Family Trust, Brian Edgeworth, and Angela Edgeworth's Special Anti-Slapp Motion to Dismiss Pursuant to NRS 41.637

Court reviewed the procedural history of the case and admonished counsel regarding length of filings being several thousand pages long. COURT ORDERED, all matters, motions and joinder OFF CALENDAR. Court instructed counsel to correctly file appropriate motions by 8/27/2020, oppositions to be filed by 9/10/2020, reply briefs due 9/24/2020 and hearing will be set 10/1/2020.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Intentional Misconduct

COURT MINUTES

October 01, 2020

A-19-807433-C Law Office of Daniel S Simon, Plaintiff(s)
vs.
Edgeworth Family Trust, Defendant(s)

October 01, 2020 9:00 AM All Pending Motions

HEARD BY: Crockett, Jim **COURTROOM:** Phoenix Building 11th Floor
116

COURT CLERK: Rem Lord

RECORDER: Nancy Maldonado

REPORTER:

PARTIES

PRESENT: Atwood, Christine L. Attorney
Christiansen, Peter S Attorney
Finch, Renee M. Attorney
Lee, Patricia Attorney
Marr, Patricia A., ESQ Attorney

JOURNAL ENTRIES

- Defendants Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust And American Grating, Llc s Joinder To Reply Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And Robert D. Vannah, Chtd., D/B/A Vannah & Vannah, To Plaintiffs' Opposition To Vannah's Special Motion To Dismiss Plaintiffs' Amended Complaint: Anti-Slapp Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and, Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, To Dismiss Plaintiffs' Amended Complaint Edgeworth Defendants' Special Anti-Slapp Motion to Dismiss Plaintiff's Amended Complaint Pursuant to NRS 41.637 Special Motion of Robert Darby Vannah, Esq., John Buchanan, Esq. and Robert D. Vannah, Chtd., dba Vannah & Vannah, to Dismiss Plaintiff's Amended Complaint; ANTI-SLAPP

Court reviewed the procedural history of the case and stated inclinations. Arguments by counsel.

Defendants Brian Edgeworth, Angela Edgeworth, Edgeworth Family Trust And American Grating,

Llc s Joinder To Reply Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., And Robert D. Vannah, Chtd., D/B/A Vannah & Vannah, To Plaintiffs Opposition To Vannah's Special Motion To Dismiss Plaintiffs Amended Complaint: Anti-Slapp; COURT ORDERED, motion DENIED.

Motion Of Robert Darby Vannah, Esq., John Buchanan Greene, Esq., and, Robert D. Vannah, Chtd., d/b/a Vannah & Vannah, To Dismiss Plaintiffs Amended Complaint; COURT ORDERED, motion DENIED

Edgeworth Defendants' Special Anti-Slapp Motion to Dismiss Plaintiff's Amended Complaint Pursuant to NRS 41.637; COURT ORDERED, motion DENIED.

Special Motion of Robert Darby Vannah, Esq., John Buchanan, Esq. and Robert D. Vannah, Chtd., dba Vannah & Vannah, to Dismiss Plaintiff's Amended Complaint; ANTI-SLAPP; COURT ORDERED, motion DENIED.

Plaintiff's counsel Mr. Christiansen to prepare and submit the Orders within fourteen days per EDCR 7.21, counsel to review as to form and content.

COURT FURTHER ORDERED, status check SET for the filing of the Orders.

10/29/2020 STATUS CHECK: FILING OF ORDERS (CHAMBERS)



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

M. CALEB MEYER, ESQ.
8945 W. RUSSELL RD., STE 300
LAS VEGAS, NV 89148

DATE: November 4, 2020
CASE: A-19-807433-C

RE CASE: LAW OFFICE OF DANIEL S. SIMON, A PROFESSIONAL CORPORATION; DANIEL S. SIMON vs. EDGEWORTH FAMILY TRUST; AMERICAN GRATING, LLC; BRIAN EDGEWORTH; ANGELA EDGEWORTH; ROBERT DARBY VANNAH, ESQ.; JOHN BUCHANA GREENE, ESQ.; ROBERT D. VANNAH, CHTD., D/B/A VANNAH & VANNAH

NOTICE OF APPEAL FILED: November 3, 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):

DEFENDANTS AMERICAN GRATING, LLC; EDGEWORTH FAMILY TRUST; BRIAN EDGEWORTH AND ANGELA EDGEWORTH'S NOTICE OF APPEAL; DEFENDANTS AMERICAN GRATING, LLC; EDGEWORTH FAMILY TRUST; BRIAN EDGEWORTH AND ANGELA EDGEWORTH'S CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER DENYING THE EDGEWORTH DEFENDANTS' SPECIAL ANTI-SLAPP MOTION TO DISMISS PLAINTIFFS' AMENDED COMPLAINT PURSUANT TO NRS 41.637; NOTICE OF ENTRY OF ORDER DENYING THE EDGEWORTH DEFENDANTS' SPECIAL ANTI-SLAPP MOTION TO DISMISS PLAINTIFFS' AMENDED COMPLAINT PURSUANT TO NRS 41.637; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

LAW OFFICE OF DANIEL S. SIMON, A
PROFESSIONAL CORPORATION; DANIEL
S. SIMON,

Plaintiff(s),

vs.

EDGEWORTH FAMILY TRUST; AMERICAN
GRATING, LLC; BRIAN EDGEWORTH;
ANGELA EDGEWORTH; ROBERT DARBY
VANNAH, ESQ.; JOHN BUCHANA GREEN,
ESQ.; ROBERT D. VANNAH, CHTD., D/B/A
VANNAH & VANNAH,

Defendant(s),

Case No: A-19-807433-C

Dept No: XXIV

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 4 day of November 2020.

Steven D. Grierson, Clerk of the Court

A handwritten signature in black ink, appearing to read 'Amanda Hampton', is written over a faint, circular official seal of the United States District Court for the District of Nevada. The seal contains the text 'UNITED STATES DISTRICT COURT OF THE EIGHTH JUDICIAL DISTRICT LAS VEGAS, NEVADA'.

Amanda Hampton, Deputy Clerk
A-19-807433-C