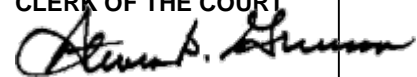


The Grigsby Law Group
2880 West Sahara Ave.
Las Vegas, Nevada 89102
Tel: (702) 202-5235

Electronically Filed
1/26/2021 1:05 PM
Steven D. Grierson
CLERK OF THE COURT



Electronically Filed
Jan 29 2021 03:39 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

NOTC
Aaron D. Grigsby
Nevada Bar No. 9043
The Grigsby Law Group
A Professional Corporation
2880 West Sahara Ave,
Las Vegas, Nevada 89102
Telephone: (702) 202-5235
Facsimile: (702) 944-7856
aaron@grigsbylawgroup.com

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

BARTHOLOMEW MAHONEY,

Plaintiff,

Case No. D-13-477883-D

vs.

Dept. No. S

BONNIE MAHONEY,

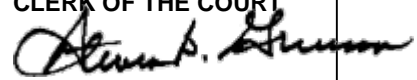
Defendant,

NOTICE OF APPEAL

Notice is hereby given that Plaintiff,
Bartholomew Mahoney, hereby appeals to the Supreme
Court of Nevada from the Order Granting Attorney's
Fees and Costs entered in this action on January 11,
2021.

DATED this 26th day of January, 2021

By: /s/Aaron Grigsby
Aaron D. Grigsby, Esq.
Nevada Bar No. 9043
2880 West Sahara Ave.
Las Vegas, Nevada 89102



ASTA
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Facsimile: (702) 944-7856
aaron@grigsbylawgroup.com
Attorney for Bartholomew Mahoney

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA
BARTHOLOMEW MAHONEY,
Plaintiff, Case No. D-13-477883-D
vs. Dept. No. S
BONNIE MAHONEY,
Defendant,

CASE APPEAL STATEMENT

A.Name of Appellant filing this case appeal
statement:

Bartholomew Mahoney

B.Identify the judge issuing the decision,
judgment, or order appealed from:

The Honorable Vincent Ochoa, Eighth Judicial
District Court

C.Identify each appellant and the name and address
of counsel for each appellant:

Bartholomew Mahoney, Appellant

1 Aaron D. Grigsby, Esq
2 Grigsby Law Group
3 2880 West Sahara Ave.
4 Las Vegas, Nevada 89102
Counsel for Appellant

5 D. Identify each respondent and the name and address
6 of appellate counsel, if known, otherwise name
7 and address of respondent's trial counsel:

8 Bonnie Mahoney, Respondent

9 Kimberly Stutzman, Esq
10 Radford J. Smith, Chartered
11 2470 St. Rose Parkway Suite 206
12 Henderson, Nevada 89014
Counsel for Respondent

13 E. Identify whether Appellant was represented by
14 appointed counsel in the district court:
15 Appellant was not represented by appointed
16 counsel in the district court.

17 F. Identify whether appellant is represented by
18 appointed counsel on appeal:
19 Appellant is not represented by appointed counsel
20 on appeal.

21 G. Identify if Appellant was granted leave to
22 proceed in forma pauperis and if so, the date of
23 the district court's order granting that leave:
24 No

25 H. Date that the proceedings commenced in the
26 district court: May 9, 2019

27 I. Provide a brief description of the nature of the
28 action and result in district court, including

1 the type of judgment or order being appealed and
2 the relief granted by the district court:
3 Post Decree of Divorce action. On May 9, 2019
4 Defendant filed a Motion to adjudicate the
5 arrears. Mr. Mahoney filed an Opposition and
6 Countermotion. An evidentiary hearing was set on
7 the Motion and Countermotion. Counsel for Mr.
8 Mahoney withdrew in April 2020. In May 2020, a
9 Stipulation and Order to continue evidentiary
10 hearing was filed between Defendant's counsel and
11 Mr. Mahoney in proper person. The evidentiary
12 hearing was rescheduled several times. Mr.
13 Mahoney was not provided notice of the
14 evidentiary hearing by the Court when he was in
15 proper person. Mr. Mahoney was not present for
16 the evidentiary hearing and an adverse ruling was
17 entered by the District Court. An Order awarding
18 Defendant her attorney's fees and costs was
19 entered. Mr. Mahoney is appealing that judgment.
20 J. Identify if the case been the subject of an
21 appeal to or original writ proceeding in the
22 Supreme Court: No.
23 K. Identify if appeal involves child custody and
24 visitation: No.
25 L. Identify if appeal involves the possibility of
26 settlement: Yes.

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Dated this 26th day of January, 2021

/s/Aaron Grigsby
Aaron D. Grigsby, Esq.
Nevada Bar No. 9043
2880 West Sahara Ave.
Las Vegas, Nevada 89102
(702) 202-5235

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CASE SUMMARY**CASE NO. D-13-477883-D**

Bartholomew M Mahoney, Plaintiff
vs.
Bonnie M Mahoney, Defendant.

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Location: **Department S**
 Judicial Officer: **Ochoa, Vincent**
 Filed on: **04/04/2013**
 Case Number History:

CASE INFORMATION**Statistical Closures**

01/11/2021 Settled/Withdrawn With Judicial Conference or Hearing
 12/24/2020 Judgment Reached (Bench Trial)
 10/23/2015 Settled/Withdrawn With Judicial Conference or Hearing

Case Type: **Divorce - Complaint**
 Subtype: **Complaint Subject Minor(s)**
 Case Status: **01/26/2021 Reopened**







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

Case Number D-13-477883-D
 Court Department S
 Date Assigned 03/04/2019
 Judicial Officer Ochoa, Vincent

PARTY INFORMATION

Plaintiff	Mahoney, Bartholomew M	Grigsby, Aaron D, ESQ <i>Retained</i> 702-202-5235(W)
Defendant	Mahoney, Bonnie M	Smith, Radford J, ESQ <i>Retained</i> 702-990-6448(W)
Subject Minor	Mahoney, Brigitte Mahoney, Sophie	

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

01/26/2021	 Case Appeal Statement Filed By: Counter Defendant Mahoney, Bartholomew M <i>Case Appeal Statement</i>
01/26/2021	 Notice of Appeal <i>Notice of Appeal</i>
01/26/2021	 Case Appeal Statement <i>Case Appeal Statement</i>
01/26/2021	 Notice of Appeal Filed By: Counter Defendant Mahoney, Bartholomew M <i>Notice of Appeal</i>
01/26/2021	 Notice of Hearing <i>Notice of Hearing</i>
01/25/2021	 Ex Parte Application for Order Party: Counter Defendant Mahoney, Bartholomew M <i>EX-PARTE MOTION FOR AN ORDER SHORTENING TIME</i>
01/25/2021	















CASE SUMMARY

CASE NO. D-13-477883-D

	 Motion to Set Aside Filed by: Counter Defendant Mahoney, Bartholomew M; Attorney Grigsby, Aaron D, ESQ <i>Pltf's Motion to Set Aside Findings of Fact, Conclusions of Law, Order and Judgment from the December 3, 2020 Evidentiary Hearing and Order Granting Attorney's Fees and Costs</i>
01/11/2021	 Notice of Entry Filed By: Counter Claimant Mahoney, Bonnie M <i>Notice of Entry of Order Granting Attorney's Fees and Costs</i>
01/11/2021	 Order <i>Order Granting Attorney's Fees and Costs</i>
12/31/2020	 Memorandum of Costs and Disbursements Filed by: Counter Claimant Mahoney, Bonnie M <i>Defendant's Memorandum of Fees, Costs, and Disbursements and Brunzell Declaration</i>
12/28/2020	 Notice of Entry of Order/Judgment Filed by: Counter Claimant Mahoney, Bonnie M <i>Notice Of Entry Of Findings Of Fact, Conclusions Of Law, Order And Judgment From The December 3, 2020 Evidentiary Hearing</i>
12/24/2020	 Findings of Fact, Conclusions of Law and Judgment <i>Findings of Fact, Conclusions of Law, Order, and Judgment</i>
11/30/2020	 Financial Disclosure Form Filed by: Counter Defendant Mahoney, Bartholomew M <i>Defendant's Updated Financial Disclosure Form</i>
11/30/2020	 Schedule of Arrearages Filed by: Counter Defendant Mahoney, Bartholomew M <i>Defendant's Updated Schedule of Arrears</i>
11/25/2020	 Exhibits Filed By: Counter Claimant Mahoney, Bonnie M <i>Defendant's Second Amended List of Trial Exhibits</i>
11/24/2020	 Exhibits Filed By: Counter Claimant Mahoney, Bonnie M <i>Defendant's Amended Trial Exhibits</i>
11/24/2020	 Exhibits Filed By: Counter Claimant Mahoney, Bonnie M <i>Defendant's Amended Trial Exhibits</i>
11/24/2020	 Exhibits Filed By: Counter Claimant Mahoney, Bonnie M <i>Defendant's List of Trial Exhibits</i>
11/23/2020	 Pre-trial Memorandum Filed By: Counter Claimant Mahoney, Bonnie M <i>Defendant's Pre-Trial Memorandum</i>
10/04/2020	 Order Setting Evidentiary Hearing <i>Order Setting Evidentiary Hearing</i>
09/28/2020	 Certificate of Service Filed by: Counter Claimant Mahoney, Bonnie M <i>Amended Certificate of Service (regarding Notice of Rescheduling Hearing)</i>
09/28/2020	 Certificate of Service Filed by: Counter Claimant Mahoney, Bonnie M <i>Certificate of Service (regarding Notice of Rescheduling Hearing)</i>
09/17/2020	 Notice of Rescheduling of Hearing

CASE SUMMARY

CASE NO. D-13-477883-D

	<i>Notice of Rescheduling of Hearing</i>
05/04/2020	 Stipulation and Order <i>Stipulation and Order to Continue</i>
04/28/2020	 Notice of Entry Filed By: Counter Defendant Mahoney, Bartholomew M <i>Notice of Entry of Order</i>
04/28/2020	 Order Filed By: Counter Defendant Mahoney, Bartholomew M <i>Order for Withdrawal of Counsel</i>
04/27/2020	 Order <i>Order to Withdraw</i>
04/22/2020	 Request Filed By: Counter Defendant Mahoney, Bartholomew M <i>Request for Submission</i>
04/01/2020	 Clerk's Notice of Hearing <i>Clerk's Notice of Hearing</i>
03/31/2020	 Motion for Withdrawal Filed By: Counter Defendant Mahoney, Bartholomew M <i>Motion to Withdraw</i>
03/24/2020	 Financial Disclosure Form Filed by: Counter Claimant Mahoney, Bonnie M <i>Defendant's Updated Financial Disclosure Form</i>
02/26/2020	 Notice Filed By: Attorney Grigsby, Aaron D, ESQ <i>Notice of Change of Law Firm Address</i>
02/04/2020	 Affidavit of Service Filed By: Counter Claimant Mahoney, Bonnie M <i>Affidavit of Service</i>
12/13/2019	 Notice of Entry of Order Filed By: Counter Claimant Mahoney, Bonnie M <i>Notice of Entry of Order After November 13, 2019 Hearing</i>
12/13/2019	 Financial Disclosure Form Filed by: Counter Defendant Mahoney, Bartholomew M <i>Financial Disclosure Form</i>
12/13/2019	 Order Filed By: Counter Claimant Mahoney, Bonnie M <i>Order After November 13, 2019 Hearing</i>
10/08/2019	 Schedule of Arrearages Filed by: Counter Claimant Mahoney, Bonnie M <i>Updated Schedule of Arrearages</i>
10/04/2019	 Reply to Opposition Filed by: Counter Claimant Mahoney, Bonnie M <i>Plaintiff's Reply in Support of her Motion to Reduce Arrearages, Interest, and Penalties to Judgment; to Modify Alimony; to Review Child Support, for Sanctions and Attorney's Fees and Costs</i>
09/18/2019	 Notice of Entry of Order Filed By: Counter Claimant Mahoney, Bonnie M <i>Notice of Entry of Order After August 22, 2019 Hearing</i>


CASE SUMMARY

CASE NO. D-13-477883-D

09/17/2019	 Order Filed By: Counter Claimant Mahoney, Bonnie M <i>Order After August 22, 2019 Hearing</i>
08/21/2019	 Opposition and Countermotion Filed By: Counter Defendant Mahoney, Bartholomew M <i>Opposition to Motion to Reduce Arrearages, Interest and Penalties to Judgment; to Modify Alimony; to Review Child Support, for Sanctions and Attorney s Fees and Costs and Countermotion to Strike Motion and for Attorney s Fees and Costs</i>
08/16/2019	 Notice of Appearance Party: Counter Defendant Mahoney, Bartholomew M <i>Notice of Appearance of Counsel</i>
07/24/2019	 Certificate of Service Filed by: Counter Claimant Mahoney, Bonnie M <i>Certificate of Service</i>
07/24/2019	 Request Filed By: Counter Claimant Mahoney, Bonnie M <i>Request for Submission of Motion Pursuant to EDCR 5.502</i>
06/25/2019	 Certificate of Service Filed by: Counter Claimant Mahoney, Bonnie M <i>Certificate of Service</i>
06/07/2019	 Notice of Entry of Order Filed By: Counter Claimant Mahoney, Bonnie M <i>Notice of Entry of Order Granting Ex Parte Request to Continue Hearing</i>
06/07/2019	 Order Filed By: Counter Claimant Mahoney, Bonnie M <i>Order Granting Ex Parte Request to Continue Hearing</i>
06/07/2019	 Certificate of Service Filed by: Counter Claimant Mahoney, Bonnie M <i>Certificate of Service</i>
06/06/2019	 Notice of Rescheduling of Hearing <i>Notice of Rescheduling of Hearing</i>
05/30/2019	 Ex Parte Filed By: Counter Claimant Mahoney, Bonnie M <i>Ex Parte Request for Order to Continue the Hearing</i>
05/09/2019	 Exhibits Filed By: Counter Claimant Mahoney, Bonnie M <i>Defendant's Appendix of Exhibits to her Motion</i>
05/09/2019	 Certificate of Service Filed by: Counter Claimant Mahoney, Bonnie M <i>Certificate of Service</i>
05/09/2019	 Notice of Hearing <i>Notice of Hearing</i>
05/09/2019	 Financial Disclosure Form Filed by: Counter Claimant Mahoney, Bonnie M <i>Financial Disclsoure Form</i>
05/09/2019	 Schedule of Arrearages Filed by: Counter Claimant Mahoney, Bonnie M <i>Schedule of Arrearages</i>
05/09/2019	

CASE SUMMARY

CASE NO. D-13-477883-D

	 Motion
	Filed By: Counter Claimant Mahoney, Bonnie M <i>Motion to Reduce Arrearages, Interest, and Penalties to Judgment; to Modify Alimony; to Review Child Support, for Sanctions and Attorney's Fees and Costs</i>
03/04/2019	Administrative Reassignment to Department S <i>Judicial Reassignment - From Judge Linda Marquis to Judge Vincent Ochoa</i>
02/08/2016	 Notice of Entry of Decree
	Party: Counter Claimant Mahoney, Bonnie M <i>Notice of Entry of Decree of Divorce</i>
02/08/2016	 Notice of Withdrawal
	Filed by: Counter Defendant Mahoney, Bartholomew M <i>Notice of Withdrawal of Counsel</i>
02/08/2016	 Notice of Entry of Decree
	Party: Counter Defendant Mahoney, Bartholomew M <i>Notice of Entry of Decree of Divorce</i>
02/03/2016	 Decree of Divorce
	Filed by: Counter Defendant Mahoney, Bartholomew M <i>Decree of Divorce</i>
01/28/2016	 Notice
	Filed By: Counter Claimant Mahoney, Bonnie M <i>Defendant's Notice of Intent to Appear by Communication Equipment</i>
12/28/2015	 Notice of Hearing
	<i>Notice of Hearing</i>
10/23/2015	 Order
	Filed By: Counter Defendant Mahoney, Bartholomew M <i>Order</i>
10/23/2015	 Notice of Entry of Order
	Filed By: Counter Defendant Mahoney, Bartholomew M <i>Notice of Entry of Order</i>
10/14/2015	 Request for Summary Disposition
	Filed by: Counter Defendant Mahoney, Bartholomew M <i>Request for Summary Disposition</i>
10/14/2015	 Affidavit of Resident Witness
	Filed by: Counter Defendant Mahoney, Bartholomew M <i>Affidavit of Resident Witness</i>
08/11/2015	 Pre-trial Memorandum
	Filed By: Counter Claimant Mahoney, Bonnie M <i>Defendant's Pre-Trial Memorandum</i>
08/07/2015	 Notice of Taking Deposition
	Filed by: Counter Claimant Mahoney, Bonnie M <i>Notice of Taking Deposition of Custodian of Records for MGM Grand Hotel and Casino</i>
07/31/2015	 Notice of Non Opposition
	Filed by: Counter Claimant Mahoney, Bonnie M <i>Notice of Non Opposition</i>
07/28/2015	 Certificate of Mailing
	Filed By: Counter Defendant Mahoney, Bartholomew M <i>Certificate of Mailing</i>
07/27/2015	 Order Shortening Time
	Filed By: Counter Defendant Mahoney, Bartholomew M

CASE SUMMARY

CASE NO. D-13-477883-D

Order Shortening Time

07/22/2015



Ex Parte Petition

Filed by: Counter Defendant Mahoney, Bartholomew M

Ex Parte Application for Order Shortening Time

07/20/2015



Motion

Filed By: Counter Defendant Mahoney, Bartholomew M

Motion to Withdraw as Counsel of Record

07/16/2015



Subpoena

Filed By: Counter Claimant Mahoney, Bonnie M

Subpoena Duces Tecum

07/16/2015



Notice of Taking Deposition

Filed by: Counter Claimant Mahoney, Bonnie M

Notice of Taking Deposition of Custodian of Records for Southern Wine & Spirits

07/02/2015



Affidavit of Service

Filed By: Counter Defendant Mahoney, Bartholomew M

Affidavit of Service

06/22/2015



Notice of Taking Deposition

Filed by: Counter Claimant Mahoney, Bonnie M

Notice of Taking Deposition of Custodian of Records for Southern Wine & Spirits

06/15/2015



Subpoena Duces Tecum

Filed by: Counter Claimant Mahoney, Bonnie M

Subpoena Duces Tecum Harrah's Las Vegas LLC.

06/15/2015



Subpoena Duces Tecum

Filed by: Counter Claimant Mahoney, Bonnie M

Subpoena Duces Tecum Innerout, Inc.

06/15/2015



Subpoena Duces Tecum

Filed by: Counter Claimant Mahoney, Bonnie M

Subpoena Duces Tecum Suncoast Hotel and Casino

06/15/2015



Subpoena Duces Tecum

Filed by: Counter Claimant Mahoney, Bonnie M

Subpoena Duces Tecum ETT, Inc.

06/15/2015



Subpoena Duces Tecum

Filed by: Counter Claimant Mahoney, Bonnie M

Subpoena Duces Tecum Rampart Casino

06/15/2015



Subpoena Duces Tecum

Filed by: Counter Claimant Mahoney, Bonnie M

Subpoena Duces Tecum United Coin Machine Co.

06/15/2015



Subpoena Duces Tecum

Filed by: Counter Claimant Mahoney, Bonnie M

Subponea Duces Tecum Parball Corporation DBA Bally's Las Vegas

06/15/2015



Subpoena Duces Tecum

Filed by: Counter Claimant Mahoney, Bonnie M

Subpoena Duces Tecum Becker Gaming Group

06/10/2015



Notice of Hearing

Filed By: Counter Defendant Mahoney, Bartholomew M

Notice of Hearing

06/10/2015










Notice of Rescheduling of Hearing

Filed by: Counter Defendant Mahoney, Bartholomew M

Notice of Rescheduling of Hearing









CASE SUMMARY

CASE NO. D-13-477883-D

06/03/2015	 Financial Disclosure Form Filed by: Counter Claimant Mahoney, Bonnie M <i>General Financial Disclosure Form</i>
06/03/2015	 Notice of Appearance Party: Counter Defendant Mahoney, Bartholomew M <i>Notice of Appearance</i>
05/27/2015	 Case Management Order Filed by: Counter Defendant Mahoney, Bartholomew M <i>Case Management Order</i>
05/21/2015	 Order Shortening Time Filed By: Counter Defendant Mahoney, Bartholomew M <i>Order Shortening Time</i>
05/18/2015	 Ex Parte Application for Order Party: Counter Defendant Mahoney, Bartholomew M <i>Ex Parte Application for an Order Shortening Time</i>
05/15/2015	 Ex Parte Application Filed by: Counter Claimant Mahoney, Bonnie M <i>Ex-Parte Application for an Order Shortening Time</i>
05/15/2015	 Notice of Taking Deposition Filed by: Counter Claimant Mahoney, Bonnie M <i>Amended Notice of Taking Deposition of Custodian of Records for ETT, Inc.</i>
05/15/2015	 Notice of Taking Deposition Filed by: Counter Claimant Mahoney, Bonnie M <i>Amended Notice of Taking Deposition of Custodian of Records for Harrah's Las Vegas, LLC</i>
05/15/2015	 Notice of Taking Deposition Filed by: Counter Claimant Mahoney, Bonnie M <i>Amended Notice of Taking Deposition of Custodian of Records for Parball Corporation DBA Bally's Las Vegas</i>
05/15/2015	 Notice of Taking Deposition Filed by: Counter Claimant Mahoney, Bonnie M <i>Amended Notice of Taking Deposition of Custodian of Records for United Coin Machine, Co.</i>
05/15/2015	 Notice of Taking Deposition Filed by: Counter Claimant Mahoney, Bonnie M <i>Amended Notice of Taking Deposition of Custodian of Records for Rampart Casino</i>
05/15/2015	 Certificate of Mailing Filed By: Counter Claimant Mahoney, Bonnie M <i>Certificate of Mailing</i>
05/15/2015	 Certificate of Mailing Filed By: Counter Claimant Mahoney, Bonnie M <i>Certificate of Mailing</i>
05/15/2015	 Notice of Taking Deposition Filed by: Counter Claimant Mahoney, Bonnie M <i>Amended Notice of Taking Deposition of Custodian of Records for Suncoast Hotel & Casino</i>
05/14/2015	 Motion to Compel Filed by: Counter Claimant Mahoney, Bonnie M <i>Motion to Compel Discovery, For Sanctions, and for Attorney's Fees</i>
05/13/2015	 Certificate of Mailing Filed By: Counter Claimant Mahoney, Bonnie M <i>Certificate of Mailing</i>

CASE SUMMARY

CASE NO. D-13-477883-D

05/13/2015	 Notice of Taking Deposition Filed by: Counter Claimant Mahoney, Bonnie M <i>Notice of Taking Deposition of United Coin Machine, Co.</i>
05/13/2015	 Notice of Taking Deposition Filed by: Counter Claimant Mahoney, Bonnie M <i>Notice of Taking Deposition of Custodian of Record fro Suncoast Hotel and Casino</i>
05/13/2015	 Notice of Taking Deposition Filed by: Counter Claimant Mahoney, Bonnie M <i>Notice of Taking Deposition of Custodian of Records for Parball Corporation DBA Bally's Las Vegas</i>
05/13/2015	 Notice of Taking Deposition Filed by: Counter Claimant Mahoney, Bonnie M <i>Notice of Taking Deposition of Custodian of Records for Innerout, Inc.</i>
05/13/2015	 Notice of Taking Deposition Filed by: Counter Claimant Mahoney, Bonnie M <i>Notice of Taking Deposition of Custodian of Records for Harrah's Las Vegas, LLC</i>
05/13/2015	 Notice of Taking Deposition Filed by: Counter Claimant Mahoney, Bonnie M <i>Notice of Taking Deposition of Custodian of Record for Becker Gaming Group</i>
05/13/2015	 Notice of Taking Deposition Filed by: Counter Claimant Mahoney, Bonnie M <i>Notice of Taking Deposition of Custodian of Record for ETT, INC.</i>
05/13/2015	 Notice of Taking Deposition Filed by: Counter Claimant Mahoney, Bonnie M <i>Notice of Taking Deposition of Custodian of Record for Rampart Casnion</i>
05/06/2015	 Notice of Appearance Party: Counter Claimant Mahoney, Bonnie M <i>Notice of Appearance</i>
03/09/2015	 Case Management Order <i>Case Management Order</i>
03/02/2015	 Order for Family Mediation Center Services
03/02/2015	 Clerk of the Courts Notice of Change of Hearing Filed by: Counter Defendant Mahoney, Bartholomew M <i>Clerk of the Courts Notice of Change of Hearing</i>
01/15/2015	 Stipulation and Order Filed By: Counter Defendant Mahoney, Bartholomew M <i>Stipulation and Order</i>
01/05/2015	Judicial Elections 2014 - Case Reassignment <i>Family Court Judicial Officer Reassignment 2014</i>
09/25/2014	 Stipulation and Order Filed By: Counter Claimant Mahoney, Bonnie M <i>Stipulation and Order</i>
09/22/2014	 Certificate of Mailing Filed By: Counter Defendant Mahoney, Bartholomew M <i>Amended Certificate of Service Re: Notice of Entry of Order Re: Motion to Adjudicate Attorney's Rights, to Enforce Attorney's Lien to Judgment, for an Award of Attorney's Fees and Motion to Withdraw as Counsel for Plaintiff</i>
09/15/2014	 Notice of Entry of Order

CASE SUMMARY

CASE NO. D-13-477883-D

	<p>Filed By: Counter Defendant Mahoney, Bartholomew M</p> <p><i>Notice of Entry of Order Re: Motion to Adjudicate Attorney's Rights, to Enforce Attorney's Lien to Judgment for an Award of Attorney's Fees and Motion to Withdraw as Counsel for Plaintiff</i></p>
09/15/2014	<p> Notice</p> <p>Filed By: Counter Claimant Mahoney, Bonnie M</p> <p><i>Pre-Brief Note to Judge Henderson</i></p>
09/15/2014	<p> Financial Disclosure Form</p> <p>Filed by: Counter Claimant Mahoney, Bonnie M</p> <p><i>Financial Disclosure Form</i></p>
09/12/2014	<p> Order</p> <p>Filed By: Counter Defendant Mahoney, Bartholomew M</p> <p><i>Order Re: Motion to Adjudicate Attorney's Rights, to Enforce Attorney's Lien to Judgment, for an Award of Attorney's Fees and Motion to Withdraw as Counsel for Plaintiff</i></p>
08/27/2014	<p> Notice of Scheduling Settlement Conference</p> <p><i>Notice of Scheduling Settlement Conference</i></p>
08/22/2014	<p> Affidavit of Service</p> <p>Filed By: Counter Defendant Mahoney, Bartholomew M</p> <p><i>Affidavit of Service</i></p>
08/15/2014	<p> Order</p> <p>Filed By: Counter Claimant Mahoney, Bonnie M</p> <p><i>Order Permitting Withdrawal of Counsel and Judgment Re: Attorney's Fees</i></p>
08/15/2014	<p> Notice of Entry of Order</p> <p>Filed By: Counter Defendant Mahoney, Bartholomew M</p> <p><i>Notice of Entry of Order Permitting Withdrawal of Counsel and Judgment Re: Attorney's Fees</i></p>
08/14/2014	<p> Order Shortening Time</p> <p>Filed By: Counter Defendant Mahoney, Bartholomew M</p> <p><i>Order Shortening Time Re: Motion to Adjudicate Attorney's Rights, to Enforce Attorney's Lien to Judgment, for an Award of Attorney's Fees and Motion to Withdraw as Counsel for Plaintiff</i></p>
08/11/2014	<p> Opposition</p> <p>Filed By: Counter Claimant Mahoney, Bonnie M</p> <p><i>Opposition To Adjudicate Attorney's Rights; Enforce Attorney's Lien</i></p>
08/06/2014	<p> Request</p> <p>Filed By: Counter Defendant Mahoney, Bartholomew M</p> <p><i>Request for Submission of Motion without Oral Argument Pursuant to EDCR 5.11</i></p>
07/31/2014	<p> Ex Parte Application</p> <p>Filed by: Counter Defendant Mahoney, Bartholomew M</p> <p><i>Ex Parte Application for Order Shortening Time</i></p>
07/25/2014	<p> Notice of Entry of Order</p> <p>Filed By: Counter Claimant Mahoney, Bonnie M</p> <p><i>Notice of Entry of Order Shortening Time</i></p>
07/24/2014	<p> Order Shortening Time</p> <p>Filed By: Counter Claimant Mahoney, Bonnie M</p> <p><i>Order Shortening Time</i></p>
07/17/2014	<p> Family Court Motion Opposition Fee Information Sheet</p> <p>Filed by: Counter Defendant Mahoney, Bartholomew M</p> <p><i>Family Court Motion/Opposition Fee Information Sheet (NRS 19.0312)</i></p>
07/17/2014	<p> Motion</p> <p>Filed By: Counter Defendant Mahoney, Bartholomew M</p> <p><i>Motion to Adjudicate Attorney's Rights to Enforce Attorney's Lien to Judgment, for an Award</i></p>

CASE SUMMARY

















CASE NO. D-13-477883-D

of Attorney's Fees and Motion to Withdraw as Counsel for Plaintiff

07/17/2014	 Notice of Attorney Lien Filed By: Counter Defendant Mahoney, Bartholomew M <i>Notice of Attorney's Lien</i>
07/17/2014	 Certificate of Mailing Filed By: Counter Claimant Mahoney, Bonnie M <i>Certificate of Mailing</i>
07/17/2014	 Ex Parte Application Filed by: Counter Claimant Mahoney, Bonnie M <i>Ex Parte Application for an Order Shortening Time</i>
07/16/2014	 Motion Filed By: Counter Claimant Mahoney, Bonnie M <i>Motion to Withdraw and to Adjudicate Attorney's Rights, to Enforce Attorney's Lien, and for an Award of Attorney's Fees</i>
07/16/2014	 Notice of Attorney Lien Filed By: Counter Claimant Mahoney, Bonnie M <i>Notice of Claim of Attorney's Lien</i>
06/06/2014	 Financial Disclosure Form Filed by: Counter Claimant Mahoney, Bonnie M <i>Defendant's General Financial Disclosure Form</i>
01/07/2014	 Certificate of Mailing Filed By: Counter Claimant Mahoney, Bonnie M <i>Certificate of Mailing</i>
01/01/2014	Administrative Reassignment to Department B <i>Case reassigned from Judge Charles J. Hoskin Dept E</i>
12/24/2013	 Notice of Rescheduling of Hearing <i>Notice of Rescheduling of Hearing</i>
12/04/2013	 Certificate of Mailing Filed By: Counter Claimant Mahoney, Bonnie M <i>Certificate of Mailing</i>
12/03/2013	 Order Filed By: Counter Claimant Mahoney, Bonnie M <i>Order</i>
12/03/2013	 Notice of Entry of Order Filed By: Counter Claimant Mahoney, Bonnie M <i>Notice of Entry of Order</i>
11/26/2013	 Notice of Entry of Order Filed By: Counter Claimant Mahoney, Bonnie M <i>Notice of Entry of Stipulation and Order to Continue Non-Jury Trial</i>
11/25/2013	 Notice of Hearing <i>Notice of Order to Show Cause Hearing</i>
11/25/2013	 Stipulation and Order Filed By: Counter Claimant Mahoney, Bonnie M <i>Stipulation to Continue Non-Jury Trial</i>
11/19/2013	 Subpoena Duces Tecum Filed by: Counter Claimant Mahoney, Bonnie M <i>Subpeona Duces Tecum - MGM Grand Hotel and Casino</i>
11/08/2013	 Certificate of Mailing

CASE SUMMARY

















CASE NO. D-13-477883-D

	Filed By: Counter Claimant Mahoney, Bonnie M <i>Certificate of Mailing</i>
10/29/2013	 Certificate of Mailing Filed By: Counter Claimant Mahoney, Bonnie M <i>Certificate of Mailing</i>
09/26/2013	 Opposition Filed By: Counter Claimant Mahoney, Bonnie M <i>Opposition and Response to Motion to Adjudicate</i>
08/29/2013	 Notice of Entry of Stipulation and Order Filed by: Counter Claimant Mahoney, Bonnie M <i>Notice of Entry of Stipulation and Order to Continue Non-Jury Trial</i>
08/28/2013	 Certificate of Mailing Filed By: Counter Claimant Mahoney, Bonnie M <i>Certificate of Mailing of Motion to Adjudicate Attorney's Rights</i>
08/27/2013	 Re-Notice Filed by: Counter Claimant Mahoney, Bonnie M <i>Re-Notice of Attorney's Lien</i>
08/27/2013	 Stipulation and Order Filed By: Counter Claimant Mahoney, Bonnie M <i>Stipulation to Continue Non-Jury Trial</i>
08/20/2013	 Motion Filed By: Attorney Rosenblum, Beth Party 2: Counter Claimant Mahoney, Bonnie M <i>Motion to Adjudicate Attorney's Rights, to Enforce Attorney Lien to Judgment</i>
08/12/2013	 Notice of Seminar Completion EDCR 5.07 Filed by: Counter Claimant Mahoney, Bonnie M <i>Notice of Seminar Completion - EDCR 5.07</i>
07/26/2013	 Substitution of Attorney Filed By: Counter Claimant Mahoney, Bonnie M <i>Substitution of Attorneys</i>
07/25/2013	 Notice of Attorney Lien Filed By: Counter Claimant Mahoney, Bonnie M <i>Notice of Attorney's Lien</i>
07/10/2013	 Notice of Entry of Order Filed By: Counter Defendant Mahoney, Bartholomew M <i>Notice of Entry of Order from May 15, 2013 Hearing</i>
07/08/2013	 Order Filed By: Counter Defendant Mahoney, Bartholomew M <i>Order from May 15, 2013 Hearing</i>
06/11/2013	 Certificate of Facsimile Filed by: Counter Defendant Mahoney, Bartholomew M <i>Certificate of Service by Facsimile</i>
06/04/2013	 Reply to Counterclaim Filed By: Counter Defendant Mahoney, Bartholomew M <i>Reply to Defendant/Counterclaimant's Counterclaim for Divorce</i>
05/30/2013	 Witness List Filed by: Counter Claimant Mahoney, Bonnie M <i>Defendant's List of Witnesses and Exhibits</i>
05/15/2013	 Case Management Order

CASE SUMMARY

CASE NO. D-13-477883-D

Case and Trial Management Order

05/15/2013	 Behavior Order
05/14/2013	 Certificate of Service by Facsimile Party: Counter Defendant Mahoney, Bartholomew M <i>Certificate of Service by Facsimile</i>
05/14/2013	 Errata Filed By: Counter Defendant Mahoney, Bartholomew M <i>Errata to Plaintiff/Counterdefendant's Financial Disclosure Form Filed on May 8, 2013</i>
05/13/2013	 Reply Filed By: Counter Claimant Mahoney, Bonnie M <i>Defendant's Reply to Plaintiff's "Response" to the Motion for Temporary Primary Physical Custody of the Minor Children; for Temporary Child Support and Spousal Support; and for Preliminary Fees and Costs</i>
05/09/2013	 Certificate of Service Filed by: Counter Defendant Mahoney, Bartholomew M <i>Certificate of Service by Facsimile</i>
05/09/2013	 Response Filed By: Counter Defendant Mahoney, Bartholomew M <i>Plaintiff's Response to Defendant Bonnie Mahoney's for Temporary Primary Physical Custody; for Child Support and Spousal Support; and for Preliminary Fees and Costs</i>
05/09/2013	 Family Court Motion Opposition Fee Information Sheet Filed by: Counter Defendant Mahoney, Bartholomew M <i>Family Court Motion/Opposition Fee Information Sheet (NRS 19.0312)</i>
05/08/2013	 Financial Disclosure Form Filed by: Counter Defendant Mahoney, Bartholomew M <i>General Financial Disclosure Form</i>
04/22/2013	 Certificate of Mailing Filed By: Counter Claimant Mahoney, Bonnie M <i>Certificate of Mailing</i>
04/19/2013	 Consent to Service By Electronic Means Filed by: Counter Claimant Mahoney, Bonnie M <i>Mutual Consent to Serve by Facsimile Transmission Pursuant to Revised NRCP 5 (b)(2)(D)</i>
04/12/2013	 Financial Disclosure Form Filed by: Counter Claimant Mahoney, Bonnie M <i>General Financial Disclosure Form</i>
04/12/2013	 Joint Preliminary Injunction Filed by: Counter Defendant Mahoney, Bartholomew M <i>Joint Preliminary Injunction</i>
04/12/2013	 Certificate of Mailing Filed By: Counter Claimant Mahoney, Bonnie M <i>Certificate of Mailing</i>
04/11/2013	 Acceptance of Service Filed by: Counter Defendant Mahoney, Bartholomew M <i>Acceptance of Service</i>
04/11/2013	 Summons Issued Only Filed by: Counter Defendant Mahoney, Bartholomew M <i>Summons</i>
04/09/2013	 Certificate of Mailing Filed By: Counter Defendant Mahoney, Bartholomew M

CASE SUMMARY

CASE NO. D-13-477883-D

Certificate of Mailing

04/08/2013



Answer and Counterclaim - Divorce, Annulment, Separate Maint

Filed by: Counter Claimant Mahoney, Bonnie M

Answer to Complaint for Divorce and Counterclaim for Divorce

04/08/2013



Motion

Filed By: Counter Claimant Mahoney, Bonnie M

Defendant's Motion for Temporary Primary Physical Custody of the Minor Children; for Temporary Child Support and Spousal Support; and for Preliminary Fees and Costs

04/01/2013



Complaint for Divorce

Filed by: Counter Defendant Mahoney, Bartholomew M

Complaint for Divorce

DISPOSITIONS

01/11/2021

Judgment (Judicial Officer: Ochoa, Vincent)

Judgment (\$1,339.80, In Full , Awarded to Bonnie Mahoney for Costs)

Judgment (\$22,000.00, In Full , Awarded to Bonnie for Attorney Fees)

09/13/2014

Judgment (Judicial Officer: O'Malley, Gloria)

Judgment (\$14,859.89, In Full , Bartholomew Mahoney owes Denise L. Gentile Esq. plus interest thereon from 1-13-2014 for attorney's fees and costs)

Judgment (\$750.00, In Full , Bartholomew Mahoney owes Denise L Gentile Esq. additional attorney's fees and cost for filing of Motion)

08/15/2014

Judgment (Judicial Officer: O'Malley, Gloria)

Judgment (\$2,330.07, In Full , Attorney's Fees)

Judgment (\$500.00, In Full , Additional Attorney's Fees)

12/03/2013

Judgment (Judicial Officer: Hoskin, Charles J.)

Judgment (\$11,815.34, In Full , Attorney's Fees to Attorney Mushkin)

HEARINGS

03/17/2021

Motion (9:15 AM) (Judicial Officer: Ochoa, Vincent)

Pltf's Motion to Set Aside Findings of Fact, Conclusions of Law, Order and Judgment from the December 3, 2020 Evidentiary Hearing and Order Granting Attorney's Fees and Costs

12/03/2020



Evidentiary Hearing (9:15 AM) (Judicial Officer: Ochoa, Vincent)

Arrearages

Granted;

Journal Entry Details:

Attorney Kimberly Stutzman appeared by audiovisual with Defendant. Counsel stated she sent Plaintiff's Defendant's exhibits. Counsel noted Plaintiff does not have an attorney. Court noted Plaintiff was fully notice about today's trial. Defendant sworn and testified. Testimony and exhibits presented (see worksheet) COURT ORDERED, as follows: Counsel shall send the Clerk the amended Exhibit C within 24 hrs. Child support for (2) children set at \$2,534.98 from 6/1/19 - 8/1/20; then child support is set for one child at \$1,796.00 from 9/1/20. A Wage Assignment is issued to collect all child support and child support arrearages from 6/1/19 until the oldest child graduates from high school. The \$135,169.16 from the bonus Defendant is entitled to is reduced to JUDGMENT and collectible by any legal means. Counsel shall submit a memorandum of fees and cost within two (2) weeks with the exact amount with an Affidavit. Counsel noted her fees are about \$20,000. Court is inclined to grant most of the attorney's fees for preparation of today's hearing. The attorney's fees that has already accrued in the amount of \$6,628.00 is REDUCED to JUDGMENT and can be collectible by any legal means. The sum for unpaid support in the amount of \$35,290.40 is REDUCED to JUDGMENT and collectible by any legal means The unpaid (unreimbursed) orthodontics in the amount of \$3,200.00 is REDUCED to JUDGMENT. Ms. Stutzman shall prepare the Order.;

05/12/2020

CANCELED Motion (3:00 AM) (Judicial Officer: Ochoa, Vincent)

Vacated

Def't's Reply In Support of Motion For The Right Of First Refusal Attys Fees and Related Relief

05/12/2020

CANCELED Motion (3:00 AM) (Judicial Officer: Ochoa, Vincent)

CASE SUMMARY

CASE NO. D-13-477883-D

Vacated - per Order
Motion to Withdraw

11/13/2019



All Pending Motions (9:15 AM) (Judicial Officer: Ochoa, Vincent)

Matter Heard;

Journal Entry Details:

DEFENDANT'S MOTION TO REDUCE ARREARAGES, INTEREST, AND PENALTIES TO JUDGEMENT; TO MODIFY ALIMONY; TO REVIEW CHILD SUPPORT, FOR SANCTIONS AND ATTORNEY'S FEES AND COSTS...MOTION TO REDUCE ARREARS TO JUDGEMENT...PLAINTIFF'S OPPOSITION MOTION TO REDUCE ARREARAGES.

INTEREST AND [PENALTIES; TOES TO JUDGMENT; TO MODIFY ALIMONY; TO REVIEW CHILD SUPPORT, FOR SANCTIONS AND ATTORNEY'S FEES AND COSTS AND COUNTERMOTION TO STRIKE MOTION AND FOR ATTORNEY'S FEES AND COSTS...PLAINTIFF'S REPLY IN SUPPORT OF HER MOTION TO REDUCE ARREARAGES, INTEREST, AND PENALTIES TO JUDGMENT; TO MODIFY ALIMONY; TO REVIEW CHILD SUPPORT, FOR SANCTIONS AND ATTORNEY'S FEES AND COSTS

Kimberly Stutzman bar #14085 appeared for Attorney Smith on behalf of Defendant.

Discussion regarding arrearages. Mr. Grigsby stated the numbers were off and requested an EH. Ms. Stutzman requested more time to conduct discovery. Ms. Stutzman confirmed the arrearages goes back to September 2015. Ms. Stutzman addressed the Plaintiff's bonuses and requested more information. COURT ORDERED, as follows: Evidentiary Hearing (EH) SET 5/7/20 at 1:30 PM, (1/2 day). Scheduling Order Issued and will be sent out by Court.

Discovery is OPEN. Defendant shall have 150 days to conduct discovery. Discovery shall end 45 days before the EH. Plaintiff shall file a Financial Disclosure Form (FDF) within 20 days.

Within 30 days Plaintiff shall provide a list to Defendant of every banking institution, credit union and money order he used to pay and any thing not list on list, he cannot bring into the Evidentiary Hearing. Ms. Stutzman shall write the Plaintiff regarding clarification on the bonuses. If Plaintiff does not cooperate, Ms. Stutzman may subpoena the bonus records.

Defendant shall provide documentation to Plaintiff that she did inquire about the bonuses. Ms. Stutzman shall prepare the Order and Mr. Grigsby shall review then sign off. ;

11/13/2019

Hearing (9:15 AM) (Judicial Officer: Ochoa, Vincent)

Plaintiff's Reply in Support of her Motion to Reduce Arrearages, Interest, and Penalties to Judgment; to Modify Alimony; to Review Child Support, for Sanctions and Attorney's Fees and Costs

Evidentiary Hearing;

08/22/2019



All Pending Motions (9:15 AM) (Judicial Officer: Ochoa, Vincent)

Matter Heard;

Journal Entry Details:

MOTION TO REDUCE ARREARS TO JUDGMENT...DEFENDANT'S MOTION TO REDUCE ARREARAGES, INTEREST, AND PENALTIES TO JUDGMENT; TO MODIFY ALIMONY; TO REVIEW CHILD SUPPORT, FOR SANCTIONS AND ATTORNEY'S FEES AND COSTS...PLAINTIFF'S OPPOSITION TO MOTION TO REDUCE ARREARAGES, INTEREST AND PENALTIES TO JUDGMENT; TO MODIFY ALIMONY; TO REVIEW CHILD SUPPORT, FOR SANCTIONS AND ATTORNEY'S FEES AND COST AND COUNTERMOTION TO STRIKE MOTION AND FOR ATTORNEY'S FEES AND COSTS

Kimberly Stutzman bar #14085 appeared for Attorney Smith on behalf of Defendant. Mr. Grigsby stated he filed an opposition yesterday. Counsel stated Plaintiff has paid support and requested it be extended out. Court reviewed the motions. Arguments by Ms. Stutzman regarding alimony. Counsel requested attorney's fees. Discussion. Court noted if Plaintiff did not pay his 20 % it will go to 35 %. Court noted the issue of alimony is properly raised and opposed and will be taken under advisement before it ends. COURT ORDERED, as follows:

Plaintiff shall provide his W2 forms for 2015, 2016, 2017 and 2018. Both sides shall exchange bank records. Discovery is open under condition Plaintiff provide his W2 forms first. Plaintiff shall file a Financial Disclosure Form (FDF). Counsel may brief the issues. Motions continued to 11-13-19 at 9:15 AM.;

08/22/2019



Opposition & Countermotion (9:15 AM) (Judicial Officer: Ochoa, Vincent)

08/22/2019, 11/13/2019

Plaintiff's Opposition to Motion to Reduce Arrearages, Interest and Penalties to Judgment; to Modify Alimony; to Review Child Support, for Sanctions and Attorney's Fees and Costs and Countermotion to Strike Motion and for Attorney's Fees and Costs




Matter Continued;

Evidentiary Hearing;

Matter Continued;

CASE SUMMARY

CASE NO. D-13-477883-D

	Evidentiary Hearing;
08/22/2019	Motion to Reduce Arrears to Judgment (9:15 AM) (Judicial Officer: Ochoa, Vincent) 08/22/2019, 11/13/2019 Matter Continued; Evidentiary Hearing; Matter Continued; Evidentiary Hearing;
08/22/2019	Motion (9:15 AM) (Judicial Officer: Ochoa, Vincent) 08/22/2019, 11/13/2019 <i>Defendant's Motion to Reduce Arrearages, Interest, and Penalties to Judgment; to Modify Alimony; to Review Child Support, for Sanctions and Attorney's Fees and Costs</i> Matter Continued; Matter Heard; Matter Continued; Matter Heard;
02/03/2016	 Status Check (10:30 AM) (Judicial Officer: Marquis, Linda) Events: 12/28/2015 Notice of Hearing MINUTES  Notice of Hearing <i>Notice of Hearing</i> Off Calendar; Journal Entry Details: <i>STATUS CHECK There being no appearance by either party. MATTER OFF CALENDAR;</i>
08/25/2015	CANCELED Motion (10:00 AM) (Judicial Officer: Marquis, Linda) <i>Vacated - per OST</i> <i>Motion to Withdraw as Counsel of Record</i>
08/20/2015	CANCELED Motion (8:45 AM) (Judicial Officer: Marquis, Linda) <i>Vacated - per Judge</i> <i>Motion to Withdraw as Counsel of Record</i>
08/20/2015	CANCELED Status Check (8:45 AM) (Judicial Officer: Marquis, Linda) <i>Vacated - per Judge</i> <i>Settlement</i>
08/12/2015	 Settlement Conference (10:00 AM) (Judicial Officer: Henderson, Bill) MINUTES Divorce Granted; Journal Entry Details: <i>Court noted a global settlement had been reached in this matter pursuant to the negotiations as outlined below. Incompatibility and residency had been established. Parties SWORN. . Parties shall have JOINT LEGAL CUSTODY with Mother maintaining PRIMARY PHYSICAL CUSTODY of the minors . Father shall pay \$1,091.00 per child, per month as and for CHILD SUPPORT for a total of \$2,182.00 monthly child support, commencing September 1, 2015. Half the monthly payment shall be due by the 5th of each month and the other half due by the 25th of each month. . Plaintiff shall pay \$2,668.00 as and for SPOUSAL SUPPORT per month for a term of four years, commencing September 1, 2015. Half of this monthly payment shall be due by the 5th of each month and the other half due by the 25th of each month. . Plaintiff's payments shall be made by way of direct deposit for which Defendant has set up an account and will provide that account number to counsel. . At the end of each year, Plaintiff shall provide Defendant with his W-2 forms. . Plaintiff receives bonuses at the end of each year and it is agreed that Plaintiff shall pay to Defendant twenty-five percent of the net bonus he receives. For tracking purposes, Plaintiff shall provide Defendant with a copy of his W-2 forms yearly. If Plaintiff does not provide his W-2 forms to Defendant by April 15th of each year, Plaintiff shall be responsible to pay Defendant thirty-five percent of the net of his bonuses. . Plaintiff shall assume all of the IRS debt and will indemnify and hold Defendant harmless for same. . Plaintiff shall assume all credit card debt and shall hold Defendant harmless. All joint credit card accounts shall be closed and not used after today's date. . Each party shall maintain their own vehicles and any encumbrances. . Plaintiff shall pay Defendant the amount of \$10,000.00 as and for her attorney's fees at a rate of \$555.00 per month until paid in full. The \$555.00 monthly payment shall be paid directly to Defendant and commence September 1, 2015 and shall be due by the 15th of each month. . Plaintiff agrees and consents to allow</i>

CASE SUMMARY

CASE NO. D-13-477883-D

Defendant to immediately move out of state (to California) with the children. Defendant will make every effort to move prior to school starting. . Father shall have VISITATION with the minors one weekend per month with a three week notice to Defendant on what weekend visitation he will choose. . There shall be no limits on when Father has contact by telephone or skype with the minors and the minors shall have teenage discretion. . Mother shall provide transportation for visitation purposes for the minors in even months; Father shall provide the transportation in odd months. . For Thanksgiving, winter break, and spring break each year, Father shall have visitation with the minors and the receiver shall provide the transportation for these three holidays. Other than these three holidays, the parties shall use Department B's standard holiday schedule which should be incorporated into the Decree. Father shall also have two weeks of visitation with the minors each summer. . Each party shall enroll and complete the C.O.P.E. class, (Defendant has already completed). . Nevada shall maintain jurisdiction for the purposes of addressing the bonus issue if necessary. . Defendant agrees that if she is contacted for any bill collection, she shall immediately inform Plaintiff to give an opportunity for the matter to be settled prior to filing anything through the courts. . Defendant shall maintain her current last name. Court ORDERED, all conditions, as outlined above, shall become Orders of this Court. This is a binding agreement as of today's date under EDCR 7.50. An Absolute Decree of Divorce is GRANTED. The parties are returned to a single, unmarried status. FURTHER, Mr. Smith shall prepare the Decree. All future dates are VACATED. As soon as the Decree is filed, this case shall be closed. CLERK'S NOTE: A copy of this minute order shall be provided to counsel's office by e-mail. 8/12/15 ck;

08/04/2015



Minute Order (7:30 AM) (Judicial Officer: Marquis, Linda)

Minute Order - No Hearing Held;

Journal Entry Details:

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Upon review of this case, notice from Plaintiff's counsel, and a Non-Opposition by Defendant, the Court determines to hear Attorney Giuliani's Motion to Withdraw as Counsel of Record on August 20, 2015, concurrently with the Parties Status Check: Settlement Conference. Accordingly, Attorney Giuliani's Motion to Withdraw as Counsel of Record set for August 5, 2015, at 10:00a.m. is RESCHEDULED to August 20, 2015, at 8:45a.m. A copy of this minute order shall be provided to both parties. ;

06/09/2015



Case Management Conference (11:00 AM) (Judicial Officer: Marquis, Linda)

Hearing Set;

Journal Entry Details:

Counsel appeared and requested they be allowed to attend a settlement conference with Judge Henderson to attempt resolution before setting a trial. Court ORDERED, Department B's JEA will set a settlement conference with Judge Henderson and notify the parties of the date. Further, matter also set for a status check to ascertain whether or not a trial will need to be set. ;

06/05/2015

CANCELED Non-Jury Trial (1:30 PM) (Judicial Officer: Marquis, Linda)

Vacated

(Pro Pers) 1/2 Day

05/29/2015



Motion (1:30 PM) (Judicial Officer: Beecroft, Chris A., Jr.)

Events: 05/14/2015 Motion to Compel

Defendant's Motion to Compel Discovery, for Sanctions, and for Attorney's Fees

Vacate;

Journal Entry Details:

Joe Ricco, Pro tem presiding. Mark Anderson bar #606 appeared for Attorney Smith on behalf of Defendant. Mr. Anderson stated Plaintiff had new Counsel and he provided the answers they were looking for. Counsel requested the motion vacated with the right to re-notice HEARING MASTER RECOMMENDED, matter to VACATE is GRANTED and the right to re-notice is GRANTED. ;

03/02/2015



Status Check (10:00 AM) (Judicial Officer: Estes, Robert)

Unresolved issues

Hearing Set;

Journal Entry Details:

Parties advised they had to reset their mediation date on the two dates they were given and were then set back in front of this Court for a status check. Court ORDERED, parties are RE-REFERRED to the Family Mediation Center, FILED IN OPEN COURT, and the matter shall be set for trial. CLERK'S NOTE: Due to the Court's schedule, the trial date set for 5/27/15 @

CASE SUMMARY

CASE NO. D-13-477883-D


1:30 PM was changed to 6/5/15 @ 1:30 PM. Clerk notified all parties by U.S. Mail on 3/2/15.

;

09/17/2014 **Settlement Conference** (2:00 PM) (Judicial Officer: Henderson, Bill)

Events: 08/27/2014 Notice of Scheduling Settlement Conference

To be heard by Judge Henderson for Dept. B

08/25/2014  **All Pending Motions** (11:00 AM) (Judicial Officer: O'Malley, Gloria)

Matter Heard;

Journal Entry Details:


CASE MANAGEMENT CONFERENCE...DENISE GENTILE, ESQ'S MOTION TO ADJUDICATE ATTY'S RIGHTS, TO ENFORCE ATTY'S LIEN TO JUDGMENT, FOR AN AWARD OF ATTY'S FEES AND MOTION TO WITHDRAW AS COUNSEL FOR PLTF Ms. Gentile agreed to proceed with the motion and Plaintiff did not have an opposition. Counsel stated she and Plaintiff will work out the money matters. Both Counsel requested a Settlement Conference. Address verification done on Parties. COURT ORDERED, Ms. Gentile motion to withdraw is GRANTED. This case will be set for a Settlement Conference with Judge Henderson by agreement of Parties. The JEA shall notify Parties and Counsel of the date and time. Status Check 9/29/14 at 11:30 AM for unresolved issues or trial. ;

08/25/2014 **Motion for Withdrawal** (11:00 AM) (Judicial Officer: O'Malley, Gloria)

Events: 07/17/2014 Motion

Denise Gentile, Esq.'s Motion to Adjudicate Atty's Rights, to Enforce Atty's Lien to Judgment, for an Award of Atty's Fees and Motion to Withdraw as Counsel for Pltf

Granted;

08/11/2014  **Motion for Withdrawal** (11:15 AM) (Judicial Officer: O'Malley, Gloria)

Events: 07/16/2014 Motion

(Movant) Motion to Withdraw and to Adjudicate Attorney's Rights, to Enforce Attorney's Lien, and for an Award of Attorney's Fees

Granted in Part;

Journal Entry Details:

Court noted Attorney Gentile motion to withdraw which will be set on 8/25/14. Court reviewed Mr. Carman motion to withdraw. Mr. Carman stated there was a breakdown in communication and he believed that Ms. Mahoney had retain another attorney. Ms. Mahoney stated she did not retain another Counsel, but consulted with a friend who is an attorney. In addition, she was not happy about the status of the case. Defendant made decision in court not to continue to retain Mr. Carman but requested he lift the lien and she will pay him \$100.00 per month for attorney's fees. Defendant agreed to the \$2,330.07. Defendant requested the CMC on 8/25/14 be continued, for a settlement conference. Court advised, Defendant will have to ask Attorney Gentile for the continuance or appear and request it. COURT ORDERED, The amount of \$2,233.07 is GRANTED, which is REDUCED to JUDGMENT and execution is STAYED, premise upon Defendant paying \$100.00 per month until paid in full. Once Defendant is employed the amount will increase. Mr. Carman will put in language in the order to indicate, this is not support of a domestic in nature and will include to protect against a BK. Mr. Carman shall Prepare the Order. ;

06/10/2014  **Case Management Conference** (2:30 PM) (Judicial Officer: O'Malley, Gloria)

06/10/2014, 08/25/2014

Matter Continued;


On for Status Check;

Matter Continued;

On for Status Check;

Journal Entry Details:

Mr. Carman stated Parties reconciliation fell through. Further Attorney's Fees is needed and Plaintiff need to get back on track paying his spousal support. Counsel stated there were arrearages. Ms. Gentile represented she may be withdrawing if she is not paid. COURT ORDERED, Plaintiff shall file a FDF within 15 days; Each Party shall PRODUCE financial documents within 30 days. Either Counsel shall file a motion with OST to be set on the same day as the CMC. CMC CONTINUED 8/25/14 at 11:00 AM. ;

05/01/2014  **Status Check** (11:30 AM) (Judicial Officer: O'Malley, Gloria)

Hearing Set;

Journal Entry Details:


STATUS CHECK Counsel advised reconciliation between the parties is falling apart. COURT ORDERED, Case Management Conference SET. CASE MANAGEMENT CONFERENCE

CASE SUMMARY


CASE NO. D-13-477883-D

6/10/14 2:30 PM ;

04/01/2014 **CANCELED Trial** (1:30 PM) (Judicial Officer: Hoskin, Charles J.)
Vacated
Non-Jury Trial - Stack #1 (B)


02/24/2014  **Status Check** (11:00 AM) (Judicial Officer: O'Malley, Gloria)
 Events: 05/15/2013 Case Management Order
Calendar Call (B)
 On for Status Check;
 Journal Entry Details:
Mr. Carman stated Parties are attempting to reconcile and requested a Status Check. Counsel stated opposing Counsel was ill and he will notify her of the new hearing date. COURT ORDERED, Status Check Hearing 5/1/14 at 11:30 AM.;

12/17/2013 **CANCELED Order to Show Cause** (8:30 AM) (Judicial Officer: Hoskin, Charles J.)
Vacated - Moot
Nonsubmission of Order from 10/9/13 hearing

10/09/2013  **Motion** (9:00 AM) (Judicial Officer: Hoskin, Charles J.)
 Events: 08/20/2013 Motion
Beth Rosenblum's Motion To Adjudicate Atty's Rights, To Enforce Atty Lien To Judgment

MINUTES

Granted in Part;
 Journal Entry Details:
BETH ROSENBLUM'S MOTION TO ADJUDICATE ATTY'S RIGHTS, TO ENFORCE ATTY LIEN TO JUDGMENT Rhonda Mushkin, Esq., #2760, appearing on behalf of her motion. Argument by counsel. Mr. Carman stated his office has not received any of the Sargeant Attorney Fees that were previously awarded to Defendant. COURT FINDS, this Court has jurisdiction to adjudicate the lien. COURT ORDERED, the lien is GRANTED and the amount is REDUCED TO JUDGMENT, however, the Judgment is STAYED until the Decree of Divorce is entered. A lien is also granted for the \$7,500, which if collected, will be applied towards the judgment. Ms. Mushkin may pursue that against the Plaintiff by any lawful means. If any of the \$7,500 due from Plaintiff is paid to the Kunin and Carman Law Firm, the lien will attach and that amount will go to Ms. Mushkin as a partial satisfaction of the judgment. If Defendant is disputing the fees, she may file a fee dispute. FURTHER, the attorney's fees are non-dischargeable in bankruptcy. Ms. Mushkin is to prepare the order and Mr. Carman is to sign off. ;

05/15/2013  **All Pending Motions** (10:00 AM) (Judicial Officer: Hoskin, Charles J.)


MINUTES

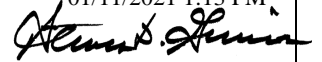
Matter Heard;
 Journal Entry Details:
DEFT'S MOTION FOR TEMPORARY PRIMARY PHYSICAL CUSTODY, FOR TEMPORARY CHILD SUPPORT, SPOUSAL SUPPORT, ATTORNEY FEES...CASE MANAGEMENT CONFERENCE Counsel stated the parties STIPULATE to JOINT LEGAL CUSTODY and Defendant will be the PRIMARY PHYSICAL CUSTODIAN. Further STIPULATED to a WAGE ASSIGNMENT being in effect for the support payments. COURT SO ORDERED. Counsel agreed to the Case Management Conference being heard today and requested a full day for the trial. COURT ORDERED, calendar call and trial date SET. Case and Trial Management Order signed and FILED IN OPEN COURT. Argument regarding Plaintiff's visitation, child support and spousal support. Plaintiff stated that when the children come to his house, they sleep in the master bedroom, he sleeps on the couch and his son sleeps in the second bedroom. Per STIPULATION, a MUTUAL BEHAVIOR ORDER will be in effect. Behavior Order signed and FILED IN OPEN COURT. COURT ORDERED, Plaintiff's VISITATION will be on Thursday evening until taking the children to school on Friday during the 1st, 2nd and 4th Thursdays of the month. Plaintiff will also have every Sunday at 9:00 AM until Monday dropping the children off at School. Plaintiff will also have one weekend per month, providing seven days advance notice. 25% of Plaintiff's gross monthly income is above the statutory cap. TEMPORARY CHILD SUPPORT set at \$2,080.00 per month. COURT DEFERS the request to set child support over the statutory cap until time of trial. Defendant awarded TEMPORARY SPOUSAL SUPPORT in the amount of \$3,500 per month. Defendant shall be responsible for the debts listed on her Financial Disclosure Form. Defendant awarded ATTORNEY'S FEES pursuant to SARGEANT in the amount of \$7,500. The \$7,500 is to be paid within 60 days from today. The loans from the parents are a trial issue. Ms. Gentile is to prepare the order and Ms.

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. D-13-477883-D

05/15/2013	<p><i>Mushkin is to sign off. 9/03/13 11:00 AM CALENDAR CALL 9/16/13 8:30 AM NON-JURY TRIAL - FIRM CLERK'S NOTE: After the hearing concluded, COURT ORDERED, the support payments are effective for the month of April, 2013 as the motion was filed on April 8, 2013. Clerk placed a copy of this minute order in both counsel's attorney file folders. 5/15/13 kj. ;</i></p> <p>Case Management Conference (10:00 AM) (Judicial Officer: Hoskin, Charles J.)</p> <p>MINUTES Non Jury Trial;</p> <p>SCHEDULED HEARINGS CANCELED Trial (04/01/2014 at 1:30 PM) (Judicial Officer: Hoskin, Charles J.) <i>Vacated</i> <i>Non-Jury Trial - Stack #1 (B)</i></p> <p> Status Check (02/24/2014 at 11:00 AM) (Judicial Officer: O'Malley, Gloria) Events: 05/15/2013 Case Management Order <i>Calendar Call (B)</i></p>
05/15/2013	<p>Motion for Temporary Custody (10:00 AM) (Judicial Officer: Hoskin, Charles J.) Events: 04/08/2013 Motion <i>Deft's Motion For Temporary Primary Physical Custody Of The Minor Children, For Temporary Child Support And Spousal Support, And For Preliminary Fees And Costs (JEA note: 16.2 eligible)</i> Granted in Part;</p>
04/05/2013	<p>Summons Mahoney, Bonnie M Served: 04/08/2013</p>
DATE	FINANCIAL INFORMATION
<p>Attorney Carman, Michael P., ESQ Total Charges Total Payments and Credits Balance Due as of 1/27/2021</p>	<p>5.00 5.00 0.00</p>
<p>Counter Claimant Mahoney, Bonnie M Total Charges Total Payments and Credits Balance Due as of 1/27/2021</p>	<p>242.00 242.00 0.00</p>
<p>Counter Defendant Mahoney, Bartholomew M Total Charges Total Payments and Credits Balance Due as of 1/27/2021</p>	<p>384.00 359.00 25.00</p>


CLERK OF THE COURT

ORDR

RADFORD J. SMITH, CHARTERED
KIMBERLY A. STUTZMAN, ESQ.

Nevada Bar No. 014085

2470 St. Rose Parkway, Suite #206

Henderson, Nevada 89074

Telephone: (702) 990-6448

Facsimile: (702) 990-6456

firm@radfordsmith.com

Attorneys for Defendant

**DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

BARTHOLOMEW M. MAHONEY, JR.,

Plaintiff,

vs.

BONNIE M. MAHONEY,

Defendant.

CASE NO.: D-13-477883-D

DEPT NO.: S

ORDER GRANTING ATTORNEY'S FEES AND COSTS

DATE: December 3, 2020

TIME: 9:15 a.m.

This matter coming on for an Evidentiary Hearing; Plaintiff, BARTHOLOMEW M. MAHONEY, JR. ("Bart"), not present and not represented; and Defendant, BONNIE M. MAHONEY ("Bonnie"), present and represented by her attorney of record, Kimberly A. Stutzman, Esq. of the law firm of Radford J. Smith, Chartered. The Court having heard the testimony of witnesses sworn in open court, having reviewed the documentary evidence

1 admitted at the Evidentiary Hearing, and having heard and considered the oral argument of
2 counsel, and good cause appearing therefore, makes the following Order Regarding
3 Attorney's Fees and Costs pursuant to the Court's direction in the Findings of Fact,
4 Conclusions of Law, Order, and Judgment filed December 24, 2020.
5

6
7 1. THE COURT HEREBY FINDS that the Plaintiff, BARTHOLOMEW M.
8 MAHONEY, ("Bart") was not present. The Court further finds that Bart was fully notified
9 about the December 3, 2020 Evidentiary Hearing.
10

11 2. THE COURT FURTHER FINDS that the parties, Plaintiff, BARTHOLOMEW
12 MAHONEY ("Bart"), age 54 and, Defendant, BONNIE MAHONEY ("Bonnie"), age 49,
13 were divorced by stipulated Decree of Divorce ("Decree") filed February 3, 2016.
14

15 3. THE COURT FURTHER FINDS that the parties have two children, BRIGITTE
16 MAHONEY ("Brigitte"), born October 29, 2001 (age 19), and SOPHIA MAHONEY
17 ("Sophia"), born June 12, 2004 (age 16).
18

19 4. THE COURT FURTHER FINDS that Nevada has both personal and subject
20 matter jurisdiction.
21

22 5. THE COURT FURTHER FINDS that, pursuant to the Court's orders in its
23 Findings of Fact, Conclusions of Law, Order and Judgment, filed December 24, 2020, Bonnie
24 is entitled to an award of Attorney's Fees and Costs as a result of prosecuting her Motion and
25 preparing for the Evidentiary Hearing.
26
27
28

1 6. THE COURT FURTHER FINDS that NRS 125.180 states as follows:

2
3 1. When either party to an action for divorce, makes default in paying any
4 sum of money as required by the judgment or order directing the payment
5 thereof, the district court may make an order directing entry of judgment for
6 the amount of such arrears, together with *costs and a reasonable attorney's*
7 *fee.*

8 2. The application for such order shall be upon such notice to the defaulting
9 party as the court may direct.

10 3. The judgment may be enforced by execution or in any other manner
11 provided by law for the collection of money judgments.

12 4. The relief herein provided for is in addition to any other remedy provided
13 by law.

14 [Emphasis added.]

15 7. THE COURT FURTHER FINDS that there is a statutory mandate for an
16 award of fees against a party shown to be in arrearages in child support (NRS 125B.140).

17 NRS 125B.140 states in relevant part:

18 2. Except as otherwise provided in subsection 3 and NRS 125B.012,
19 125B.142 and 125B.144:

20 ...

21 (c) The court shall determine and include in its order:

22 (1) *Interest upon the arrearages* at a rate established pursuant to
23 NRS 99.040, from the time each amount became due; and

24 (2) *A reasonable attorney's fee for the proceeding,*
25 unless the court finds that the responsible parent would experience an
26 undue hardship if required to pay such amounts. *Interest continues to*
27 *accrue on the amount ordered until it is paid, and additional attorney's*
28 *fees must be allowed if required for collection.*

[Emphasis added.]

1 8. THE COURT FURTHER FINDS that Bart failed to pay Bonnie child support,
2 spousal support, bonuses, orthodontic expenses, and attorney fees due under the Court's
3 Decree.
4

5 9. THE COURT FURTHER FINDS that Bart's failures to pay are willful. Bart
6 is a successful businessman. Upon information and belief Bart continues to receive a
7 significant salary including yearly bonuses. There is no legitimate excuse for Bart's
8 nonpayment. He continues to live the same lifestyle he lived during the parties' marriage.
9 He continues to reside in a nice home, purchase discretionary items, take vacations, etc.
10

11 10. THE COURT FURTHER FINDS that as a result of Bart's noncompliance, he
12 unnecessarily multiplied the proceedings in this matter by failing to comply with the
13 Court's orders. Bonnie attempted to minimize the fees related to this matter by giving Bart
14 more than ample opportunity to comply with these orders and by postponing the filing of
15 her Motion in May 2019.
16
17
18
19
20

21 11. THE COURT FURTHER FINDS that Bart failed to appear at the Evidentiary
22 Hearing and failed provide any evidence to support his claims in his opposition.
23

24 12. THE COURT FURTHER FINDS that Bonnie seeks a judgment against Bart
25 for the fees and costs she expended in filing her Motion, preparing for the evidentiary
26 hearing, and in attempting to seek Bart's compliance with the parties' Stipulated Decree of
27 Divorce. Bonnie seeks judgment against Bart for the full amount of fees and costs she has
28

1 incurred.

2 13. THE COURT FURTHER FINDS that Bart multiplied these proceedings and
3
4 as a result, Bonnie has incurred attorney's fees and costs in the prosecution of this Motion.

5 14. THE COURT FURTHER FINDS that a request for an order directing another
6
7 party to pay attorney's fees must be based upon statute, rule or contractual provision. *See,*
8 *e.g., Rowland v. Lepire*, 99 Nev. 308, 662 P.2d 1332 (1983).

9 15. THE COURT FURTHER FINDS that the Eighth Judicial District Rules are
10
11 also a basis for an award of fees and a fine (a penalty above the amount of reasonable
12 attorneys and costs) based upon Bart's breach of the parties' Stipulated Decree.

13
14 16. THE COURT FURTHER FINDS that as stated above, EDCR 7.60 allows an
15
16 order for attorney's fees when a party multiplies the proceedings or "Fails or refuses to
17 comply with any order of a judge of the court." EDCR 7.60(b)(5).

18 17. THE COURT FURTHER FINDS that Bart failed to comply with the Decree
19
20 requirement that he pay child support, alimony, attorney fees, bonuses, and 30/30 health
21 insurance expenses to Bonnie. Bonnie attempted to resolve these issues with Bart to no
22 avail.

23
24 18. THE COURT FURTHER FINDS that NRS 125.150 pertaining to an award
25 for attorney's fees, states in relevant part,

26
27 3. Except as otherwise provided in NRS 125.141, whether or not application
28 for suit money has been made under the provisions of NRS 125.040, the court
may award a ***reasonable attorney's fee*** to either party to an action for divorce

1 if those fees are in issue under the pleadings.

2 [Emphasis added]

3
4 19. THE COURT FURTHER FINDS that in *Miller v. Wilfong*, 121 Nev. 619,
5 621, 119 P.3d 727, 730 (2005), the Court stated:

6
7 [I]t is within the trial court's discretion to determine the reasonable amount
8 of attorney fees under a statute or rule, in exercising that discretion, the court
9 must evaluate the factors set forth in *Brunzell v. Golden Gate National Bank*,
10 85 Nev. 345, 349, 455 P.2d 31, 33 (1969). Under *Brunzell*, when courts
11 determine the appropriate fee to award in civil cases, they must consider
12 various factors, including the qualities of the advocate, the character and
13 difficulty of the work performed, the work actually performed by the
14 attorney, and the result obtained. We take this opportunity to clarify our
15 jurisprudence in family law cases to require trial courts to evaluate
16 the *Brunzell* factors when deciding attorney fee awards. Additionally,
17 in *Wright v. Osburn*, this court stated that family law trial courts must also
18 consider the disparity in income of the parties when awarding
19 fees. Therefore, parties seeking attorney fees in family law cases must
20 support their fee request with affidavits or other evidence that meets the
21 factors in *Brunzell* and *Wright*.

22
23 20. THE COURT FURTHER FINDS that one of the four factors this Court must
24 review, under the above cited decisions in *Wilfong* and *Brunzell*, is the result obtained.

25
26 21. THE COURT FURTHER FINDS that Bonnie filed her Motion for Attorney's
27 Fees and Costs along with her Motion 9, 2019. Thus, her Motion is timely pursuant to
28 NRCp 45.

29
30 22. THE COURT FURTHER FINDS that Bonnie timely filed her Memorandum
31 of Fees and Costs on December 31, 2020.

32
33 23. THE COURT FURTHER FINDS that NRS 18.010 states in relevant part –

1 1. The compensation of an attorney and counselor for his or her services is
2 governed by agreement, express or implied, which is not restrained by law.

3 2. In addition to the cases where an allowance is authorized by specific
4 statute, the court may make an allowance of attorney's fees to a prevailing
5 party:

6 (a) When the prevailing party has not recovered more than \$20,000; or

7 (b) Without regard to the recovery sought, when the court finds that
8 the claim, counterclaim, cross-claim or third-party complaint or defense
9 of the opposing party was brought or maintained without reasonable
10 ground or to harass the prevailing party. The court shall liberally
11 construe the provisions of this paragraph in favor of awarding
12 attorney's fees in all appropriate situations. It is the intent of the
13 Legislature that the court award attorney's fees pursuant to this
14 paragraph and impose sanctions pursuant to Rule 11 of the Nevada
15 Rules of Civil Procedure in all appropriate situations to punish for and
16 deter frivolous or vexatious claims and defenses because such claims
17 and defenses overburden limited judicial resources, hinder the timely
18 resolution of meritorious claims and increase the costs of engaging in
19 business and providing professional services to the public.

20 3. In awarding attorney's fees, the court may pronounce its decision on the
21 fees at the conclusion of the trial or special proceeding without written motion
22 and with or without presentation of additional evidence.

23 4. Subsections 2 and 3 do not apply to any action arising out of a written
24 instrument or agreement which entitles the prevailing party to an award of
25 reasonable attorney's fees.

26 NRS 18.010 [emphasis added].

27 24. THE COURT FURTHER FINDS that NRS 18.100 states in relevant part that:

28 1. The party in whose favor judgment is rendered, and who claims costs, must
file with the clerk, and serve a copy upon the adverse party, within 5 days after
the entry of judgment, or such further time as the court or judge may grant, a
memorandum of the items of the costs in the action or proceeding, which
memorandum must be verified by the oath of the party, or the party's attorney
or agent, or by the clerk of the party's attorney, stating that to the best of his
or her knowledge and belief the items are correct, and that the costs have been
necessarily incurred in the action or proceeding.

1 2. The party in whose favor judgment is rendered shall be entitled to recover
2 the witness fees, although at the time the party may not actually have paid
3 them. Issuance or service of subpoena shall not be necessary to entitle a
4 prevailing party to tax, as costs, witness fees and mileage, provided that such
witnesses be sworn and testify in the cause.

5 3. It shall not be necessary to embody in the memorandum the fees of the
6 clerk, but the clerk shall add the same according to the fees of the clerk fixed
by statute.

7 4. Within 3 days after service of a copy of the memorandum, the adverse party
8 may move the court, upon 2 days' notice, to retax and settle the costs, notice
9 of which motion shall be filed and served on the prevailing party claiming
costs. Upon the hearing of the motion the court or judge shall settle the costs.

10 25. THE COURT FURTHER FINDS that in the instant matter, Bonnie is the
11 prevailing party. Therefore, she should be awarded her attorney's fees and costs.
12

13 26. THE COURT FURTHER FINDS that Moreover, the Eighth Judicial District
14 Rules are also a basis for an award of fees and a fine (a penalty above the amount of
15 reasonable attorneys and costs) based upon Bart's breach of the Court's Decree.
16

17 27. THE COURT FURTHER FINDS that EDCR 7.60 states:
18

19 (a) If without just excuse or because of failure to give reasonable attention to
20 the matter, no appearance is made on behalf of a party on the call of a calendar,
21 at the time set for the hearing of any matter, at a pre-trial conference, or on
the date of trial, the court may order any one or more of the following:

22 (1) Payment by the delinquent attorney or party of costs, in such
amount as the court may fix, to the clerk or to the adverse party.

23 (2) Payment by the delinquent attorney or party of the reasonable
24 expenses, including attorney's fees, to any aggrieved party.

25 (3) Dismissal of the complaint, cross-claim, counter-claim or motion
26 or the striking of the answer and entry of judgment by default, or the
granting of the motion.

27 (4) Any other action it deems appropriate, including, without
28 limitation, imposition of fines.

1 (b) The court may, after notice and an opportunity to be heard, impose upon
2 an attorney or a party any and all sanctions which may, under the facts of the
3 case, be reasonable, including the imposition of fines, costs or attorney's fees
when an attorney or a party without just cause:

4 (1) Presents to the court a motion or an opposition to a motion which
5 is obviously frivolous, unnecessary or unwarranted.

6 (2) ***Fails to prepare for a presentation.***

7 (3) ***So multiplies the proceedings in a case as to increase costs***
8 ***unreasonably and vexatiously.***

9 (4) Fails or refuses to comply with these rules.

10 (5) Fails or refuses to comply with any order of a judge of the court.

11 [Emphasis added.] Here, Bart did not appear for the Evidentiary Hearing. Thus, he failed
12 to prepare for the presentation. He also failed to cooperate in the proceeding. Bonnie was
13 forced to serve seven subpoenas as follows: Wells Fargo, JP Morgan Chase, First Republic
14 Bank, Wynn Las Vegas, Southern Glazer's Wine and Spirits, Golden Entertainment, and
15 Resorts World Las Vegas.

16
17 28. THE COURT FURTHER FINDS that Bart refused to comply with the parties'
18 Stipulated Decree requiring that he pay child support, alimony, attorney fees, and health
19 insurance to Bonnie. Bonnie attempted to resolve these issues with Bart, but he refused
20

21 29. NRS 125.150 pertaining to an award for attorney's fees, states in relevant part,

22 3. Except as otherwise provided in NRS 125.141, whether or not application
23 for suit money has been made under the provisions of NRS 125.040, the court
24 may award a ***reasonable attorney's fee*** to either party to an action for divorce
if those fees are in issue under the pleadings.

25 [Emphasis added]

26
27 30. In *Miller v. Wilfong*, 121 Nev. 619, 621, 119 P.3d 727, 730 (2005), the Court
28 stated:

[I]t is within the trial court's discretion to determine the reasonable amount of attorney fees under a statute or rule, in exercising that discretion, the court must evaluate the factors set forth in *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969). Under *Brunzell*, when courts determine the appropriate fee to award in civil cases, they must consider various factors, including the qualities of the advocate, the character and difficulty of the work performed, the work actually performed by the attorney, and the result obtained. We take this opportunity to clarify our jurisprudence in family law cases to require trial courts to evaluate the *Brunzell* factors when deciding attorney fee awards. Additionally, in *Wright v. Osburn*, this court stated that family law trial courts must also consider the disparity in income of the parties when awarding fees. Therefore, parties seeking attorney fees in family law cases must support their fee request with affidavits or other evidence that meets the factors in *Brunzell* and *Wright*.

Miller v. Wilfong, 121 Nev. 619, 623-24, 119 P.3d 727, 730 (2005).

31. Bonnie seeks reimbursement of his attorney's fees and costs in this matter and as the prevailing party under the criteria set forth in *Miller v. Wilfong*, 121 Nev. 619, 119 P.3d 727 (2005).

32. With regard to fees, the Supreme Court has adopted "well known basic elements," which in addition to hourly time schedules kept by the attorney, are to be considered in determining the reasonable value of an attorney's services qualities, commonly referred to as the *Brunzell* factors.¹

1. *Quality of the Advocate*: his ability, his training, education, experience, professional standing and skill. This factor logically addresses the rate at which counsel charges for services. A skilled and experienced attorney can justify an hourly rate greater

¹ *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, 455 P.2d 31, 33 (1969).

1 than an attorney with less skill and experience. A party may contend that a rate is either
2 reasonable or excessive in the market based upon the education, skill and experience of an
3 attorney, or lack thereof.
4

5 Radford J. Smith, Chartered, is A/V rated firm. The attorneys have litigated almost
6 every aspect of Nevada family law during the course of their respective careers. Its senior
7 attorney, and the lead attorney in the present case, Kimberly A. Stutzman, Esq. (formerly
8 Kimberly A. Medina, KAM on the Bill History) is a graduate of the Golden Gate University
9 School of Law. She received a Specialization Certificate in Family Law and Intellectual
10 Property upon graduation. She exclusively practices family law in the four years that she
11 has been licensed in Nevada. She is also licensed in the state of California. Her rate of \$300
12 per hour is reasonable based on her qualifications, experience, and quality of work
13 performed in this matter.
14
15
16
17

18 2. *The Character of the Work to be Done* – its difficulty, its intricacy, its
19 importance, time and skill required, the responsibility imposed and the prominence and
20 character of the parties where they affect the importance of the litigation. The “character
21 of the work” goes to whether the fee charged was commensurate to the “difficulty, intricacy
22 and importance” of the issues raised. Bonnie incurred the fees addressed above due to
23 Bart’s actions and his failure to comply with basic court orders as well as the parties’
24 *stipulated* Decree of Divorce. Bonnie’s counsel worked diligently to prosecute her Motion,
25
26
27
28

1 reviews thousands of pages of Bart's financial records that had to be subpoenaed in order
2 to seek Bart's compliance in this case.
3

4 3. *The Work Actually Performed by the Lawyer* – the skill, time and attention
5 given to the work. Bonnie's counsel submits that the work done in this case was performed
6 in a competent and professional matter. The fees incurred were necessary, reasonable, and
7 commensurate to the work performed. Bonnie submitted her Billing History with her
8 Memorandum of Fees and Costs.
9
10

11 4. *The Result:* Whether the attorney was successful and what benefits were
12 derived.
13

14 Based on the foregoing, Bonnie was successful in the prosecution of her Motion.
15 Thus, she is the prevailing party. Bonnie incurred costs in the amount of \$1,339.80 and
16 attorney's fees in the amount of \$24,185.00 for a total of \$25,524.80.
17

18 ORDER

19 NOW, THEREFORE, based on the foregoing findings, IT IS HEREBY ORDERED,
20 ADJUDGED AND DECREED THAT:
21

22 1. THE COURT HEREBY ORDERS that Bonnie's Motion for Attorney's Fees
23 and Costs filed with her *Motion to Reduce Arrearages, Interest, and Penalties to Judgment;*
24 *to Modify Alimony; to Review Child Support, for Sanctions and Attorney's Fees and Costs on*
25 *May 9, 2019* shall be GRANTED.
26
27
28

2. THE COURT FURTHER ORDERS that Bart shall pay Bonnie
\$ 1,339.80 as and for her COSTS. This amount is REDUCED TO
JUDGMENT and collectible by all legal means.

3. THE COURT FURTHER ORDERS that Bart shall pay Bonnie \$ 22,000 as and for her ATTORNEY'S FEES. This amount is REDUCED TO JUDGMENT and collectible by all legal means.

IT IS ORDERED.

Dated this 11th day of January, 2021

Vincent Ochoa

279 2D1 DA87 DDCB
Vincent Ochoa
District Court Judge

Respectfully submitted by:

RADFORD J. SMITH, CHARTERED

/s/ Kimberly A. Stutzman
KIMBERLY A. STUTZMAN, ESQ.
Nevada Bar No. 014085
2470 St. Rose Parkway, Suite 206
Henderson, Nevada 89074
(702) 990-6448
Attorneys for Defendant

1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 Bartholomew M Mahoney,
7 Plaintiff

8 vs.

9 Bonnie M Mahoney, Defendant.

CASE NO: D-13-477883-D

DEPT. NO. Department S

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 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:

14 Service Date: 1/11/2021

15 "Roger Giuliani, Esq." .

rgiuliani@att.net

16 Aaron Grigsby

aaron@grigsbylawgroup.com

17 Kimberly Stutzman

kstutzman@radfordsmith.com

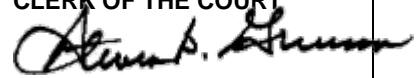
18 Courtney Janson

cJanson@radfordsmith.com

19 Firm RJS

firm@radfordsmith.com

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NEO
RADFORD J. SMITH, CHARTERED
KIMBERLY A. STUTZMAN, ESQ.
Nevada State Bar No. 014085
2470 St. Rose Parkway Suite 206
Henderson, Nevada 89014
Phone: (702) 990-6448; Fax: (702) 990-6456
Email: kstutzman@radfordsmith.com
Attorneys for Defendant

**DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

BARTHOLOMEW M. MAHONEY, JR.,

CASE NO.: D-13-477883-D
DEPT NO.: S

Plaintiff,

vs.

BONNIE M. MAHONEY,

Defendant.

NOTICE OF ENTRY OF ORDER GRANTING ATTORNEY'S FEES AND COSTS

PLEASE TAKE NOTICE that on the 11th day of January 2021, the Honorable Vincent Ochoa entered an Order Granting Attorney's Fees and Costs, a copy of which is attached hereto.

Date this 11th day of January 2021.

/s/ Kimberly A. Stutzman
KIMBERLY A. STUTZMAN, ESQ.
Nevada Bar No. 014085
2470 St. Rose Parkway, Suite 206
Henderson, Nevada 89074
Attorneys for Defendant

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I am over the age of 18 and not a party to the within action. I am “readily familiar” with firm’s practice of collection and processing correspondence for mailing. Under the Firm’s practice, mail is to be deposited with the U.S. Postal Service on the same day as stated below, with postage thereon fully prepaid.

I caused the foregoing document described as “NOTICE OF ENTRY OF ORDER GRANTING ATTORNEY’S FEES AND COSTS” to be served on this 11th day of January 2021, to all interested parties as follows:

☒ BY MAIL: Pursuant to NRCP 5(b), I placed a true copy thereof enclosed in a sealed envelope addressed as follows;

☒ BY ELECTRONIC SERVICE: I transmitted a copy of the foregoing document this date via the Eighth Judicial District Court's electronic filing system;

Bart Mahoney
7960 Rafael Rivera Way, #300
Las Vegas, NV 89113
bmmlv27@gmail.com
Plaintiff in Proper Person

/s/ Courtney Janson
An Employee of Radford J. Smith, Chartered

ORDR

RADFORD J. SMITH, CHARTERED
KIMBERLY A. STUTZMAN, ESQ.

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firm@radfordsmith.com

Attorneys for Defendant

**DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

BARTHOLOMEW M. MAHONEY, JR.,

Plaintiff,

VS.

BONNIE M. MAHONEY,

Defendant.

CASE NO.: D-13-477883-D

DEPT NO.: S

ORDER GRANTING ATTORNEY'S FEES AND COSTS

DATE: December 3, 2020

TIME: 9:15 a.m.

This matter coming on for an Evidentiary Hearing; Plaintiff, BARTHOLOMEW M. MAHONEY, JR. ("Bart"), not present and not represented; and Defendant, BONNIE M. MAHONEY ("Bonnie"), present and represented by her attorney of record, Kimberly A. Stutzman, Esq. of the law firm of Radford J. Smith, Chartered. The Court having heard the testimony of witnesses sworn in open court, having reviewed the documentary evidence

1 admitted at the Evidentiary Hearing, and having heard and considered the oral argument of
2 counsel, and good cause appearing therefore, makes the following Order Regarding
3 Attorney's Fees and Costs pursuant to the Court's direction in the Findings of Fact,
4 Conclusions of Law, Order, and Judgment filed December 24, 2020.
5

6
7 1. THE COURT HEREBY FINDS that the Plaintiff, BARTHOLOMEW M.
8 MAHONEY, ("Bart") was not present. The Court further finds that Bart was fully notified
9 about the December 3, 2020 Evidentiary Hearing.
10

11 2. THE COURT FURTHER FINDS that the parties, Plaintiff, BARTHOLOMEW
12 MAHONEY ("Bart"), age 54 and, Defendant, BONNIE MAHONEY ("Bonnie"), age 49,
13 were divorced by stipulated Decree of Divorce ("Decree") filed February 3, 2016.
14

15 3. THE COURT FURTHER FINDS that the parties have two children, BRIGITTE
16 MAHONEY ("Brigitte"), born October 29, 2001 (age 19), and SOPHIA MAHONEY
17 ("Sophia"), born June 12, 2004 (age 16).
18

19 4. THE COURT FURTHER FINDS that Nevada has both personal and subject
20 matter jurisdiction.
21

22 5. THE COURT FURTHER FINDS that, pursuant to the Court's orders in its
23 Findings of Fact, Conclusions of Law, Order and Judgment, filed December 24, 2020, Bonnie
24 is entitled to an award of Attorney's Fees and Costs as a result of prosecuting her Motion and
25 preparing for the Evidentiary Hearing.
26
27
28

1 6. THE COURT FURTHER FINDS that NRS 125.180 states as follows:

2
3 1. When either party to an action for divorce, makes default in paying any
4 sum of money as required by the judgment or order directing the payment
5 thereof, the district court may make an order directing entry of judgment for
6 the amount of such arrears, together with *costs and a reasonable attorney's*
7 *fee.*

8 2. The application for such order shall be upon such notice to the defaulting
9 party as the court may direct.

10 3. The judgment may be enforced by execution or in any other manner
11 provided by law for the collection of money judgments.

12 4. The relief herein provided for is in addition to any other remedy provided
13 by law.

14 [Emphasis added.]

15 7. THE COURT FURTHER FINDS that there is a statutory mandate for an
16 award of fees against a party shown to be in arrearages in child support (NRS 125B.140).

17 NRS 125B.140 states in relevant part:

18 2. Except as otherwise provided in subsection 3 and NRS 125B.012,
19 125B.142 and 125B.144:

20 ...

21 (c) The court shall determine and include in its order:

22 (1) *Interest upon the arrearages* at a rate established pursuant to
23 NRS 99.040, from the time each amount became due; and

24 (2) *A reasonable attorney's fee for the proceeding,*
25 unless the court finds that the responsible parent would experience an
26 undue hardship if required to pay such amounts. *Interest continues to*
27 *accrue on the amount ordered until it is paid, and additional attorney's*
28 *fees must be allowed if required for collection.*

[Emphasis added.]

1 8. THE COURT FURTHER FINDS that Bart failed to pay Bonnie child support,
2 spousal support, bonuses, orthodontic expenses, and attorney fees due under the Court's
3 Decree.
4

5 9. THE COURT FURTHER FINDS that Bart's failures to pay are willful. Bart
6 is a successful businessman. Upon information and belief Bart continues to receive a
7 significant salary including yearly bonuses. There is no legitimate excuse for Bart's
8 nonpayment. He continues to live the same lifestyle he lived during the parties' marriage.
9 He continues to reside in a nice home, purchase discretionary items, take vacations, etc.
10
11

12 10. THE COURT FURTHER FINDS that as a result of Bart's noncompliance, he
13 unnecessarily multiplied the proceedings in this matter by failing to comply with the
14 Court's orders. Bonnie attempted to minimize the fees related to this matter by giving Bart
15 more than ample opportunity to comply with these orders and by postponing the filing of
16 her Motion in May 2019.
17
18
19
20

21 11. THE COURT FURTHER FINDS that Bart failed to appear at the Evidentiary
22 Hearing and failed provide any evidence to support his claims in his opposition.
23

24 12. THE COURT FURTHER FINDS that Bonnie seeks a judgment against Bart
25 for the fees and costs she expended in filing her Motion, preparing for the evidentiary
26 hearing, and in attempting to seek Bart's compliance with the parties' Stipulated Decree of
27 Divorce. Bonnie seeks judgment against Bart for the full amount of fees and costs she has
28

1 incurred.

2 13. THE COURT FURTHER FINDS that Bart multiplied these proceedings and
3
4 as a result, Bonnie has incurred attorney's fees and costs in the prosecution of this Motion.

5 14. THE COURT FURTHER FINDS that a request for an order directing another
6
7 party to pay attorney's fees must be based upon statute, rule or contractual provision. *See,*
8 *e.g., Rowland v. Lepire*, 99 Nev. 308, 662 P.2d 1332 (1983).

9 15. THE COURT FURTHER FINDS that the Eighth Judicial District Rules are
10
11 also a basis for an award of fees and a fine (a penalty above the amount of reasonable
12 attorneys and costs) based upon Bart's breach of the parties' Stipulated Decree.

13 16. THE COURT FURTHER FINDS that as stated above, EDCR 7.60 allows an
14
15 order for attorney's fees when a party multiplies the proceedings or "Fails or refuses to
16
17 comply with any order of a judge of the court." EDCR 7.60(b)(5).

18 17. THE COURT FURTHER FINDS that Bart failed to comply with the Decree
19
20 requirement that he pay child support, alimony, attorney fees, bonuses, and 30/30 health
21 insurance expenses to Bonnie. Bonnie attempted to resolve these issues with Bart to no
22 avail.

23 18. THE COURT FURTHER FINDS that NRS 125.150 pertaining to an award
24
25 for attorney's fees, states in relevant part,

26
27 3. Except as otherwise provided in NRS 125.141, whether or not application
28 for suit money has been made under the provisions of NRS 125.040, the court
may award a ***reasonable attorney's fee*** to either party to an action for divorce

1 if those fees are in issue under the pleadings.

2 [Emphasis added]

3
4 19. THE COURT FURTHER FINDS that in *Miller v. Wilfong*, 121 Nev. 619,
5 621, 119 P.3d 727, 730 (2005), the Court stated:

6
7 [I]t is within the trial court's discretion to determine the reasonable amount
8 of attorney fees under a statute or rule, in exercising that discretion, the court
9 must evaluate the factors set forth in *Brunzell v. Golden Gate National Bank*,
10 85 Nev. 345, 349, 455 P.2d 31, 33 (1969). Under *Brunzell*, when courts
11 determine the appropriate fee to award in civil cases, they must consider
12 various factors, including the qualities of the advocate, the character and
13 difficulty of the work performed, the work actually performed by the
14 attorney, and the result obtained. We take this opportunity to clarify our
15 jurisprudence in family law cases to require trial courts to evaluate
16 the *Brunzell* factors when deciding attorney fee awards. Additionally,
17 in *Wright v. Osburn*, this court stated that family law trial courts must also
18 consider the disparity in income of the parties when awarding
19 fees. Therefore, parties seeking attorney fees in family law cases must
20 support their fee request with affidavits or other evidence that meets the
21 factors in *Brunzell* and *Wright*.

22 20. THE COURT FURTHER FINDS that one of the four factors this Court must
23 review, under the above cited decisions in *Wilfong* and *Brunzell*, is the result obtained.

24 21. THE COURT FURTHER FINDS that Bonnie filed her Motion for Attorney's
25 Fees and Costs along with her Motion 9, 2019. Thus, her Motion is timely pursuant to
26 NRCP 45.

27 22. THE COURT FURTHER FINDS that Bonnie timely filed her Memorandum
28 of Fees and Costs on December 31, 2020.

23. THE COURT FURTHER FINDS that NRS 18.010 states in relevant part –

1 1. The compensation of an attorney and counselor for his or her services is
2 governed by agreement, express or implied, which is not restrained by law.

3 2. In addition to the cases where an allowance is authorized by specific
4 statute, the court may make an allowance of attorney's fees to a prevailing
5 party:

6 (a) When the prevailing party has not recovered more than \$20,000; or

7 (b) Without regard to the recovery sought, when the court finds that
8 the claim, counterclaim, cross-claim or third-party complaint or defense
9 of the opposing party was brought or maintained without reasonable
10 ground or to harass the prevailing party. The court shall liberally
11 construe the provisions of this paragraph in favor of awarding
12 attorney's fees in all appropriate situations. It is the intent of the
13 Legislature that the court award attorney's fees pursuant to this
14 paragraph and impose sanctions pursuant to Rule 11 of the Nevada
15 Rules of Civil Procedure in all appropriate situations to punish for and
16 deter frivolous or vexatious claims and defenses because such claims
17 and defenses overburden limited judicial resources, hinder the timely
18 resolution of meritorious claims and increase the costs of engaging in
19 business and providing professional services to the public.

20 3. In awarding attorney's fees, the court may pronounce its decision on the
21 fees at the conclusion of the trial or special proceeding without written motion
22 and with or without presentation of additional evidence.

23 4. Subsections 2 and 3 do not apply to any action arising out of a written
24 instrument or agreement which entitles the prevailing party to an award of
25 reasonable attorney's fees.

26 NRS 18.010 [emphasis added].

27 24. THE COURT FURTHER FINDS that NRS 18.100 states in relevant part that:

28 1. The party in whose favor judgment is rendered, and who claims costs, must
file with the clerk, and serve a copy upon the adverse party, within 5 days after
the entry of judgment, or such further time as the court or judge may grant, a
memorandum of the items of the costs in the action or proceeding, which
memorandum must be verified by the oath of the party, or the party's attorney
or agent, or by the clerk of the party's attorney, stating that to the best of his
or her knowledge and belief the items are correct, and that the costs have been
necessarily incurred in the action or proceeding.

1 2. The party in whose favor judgment is rendered shall be entitled to recover
2 the witness fees, although at the time the party may not actually have paid
3 them. Issuance or service of subpoena shall not be necessary to entitle a
4 prevailing party to tax, as costs, witness fees and mileage, provided that such
witnesses be sworn and testify in the cause.

5 3. It shall not be necessary to embody in the memorandum the fees of the
6 clerk, but the clerk shall add the same according to the fees of the clerk fixed
by statute.

7 4. Within 3 days after service of a copy of the memorandum, the adverse party
8 may move the court, upon 2 days' notice, to retax and settle the costs, notice
9 of which motion shall be filed and served on the prevailing party claiming
costs. Upon the hearing of the motion the court or judge shall settle the costs.

10 25. THE COURT FURTHER FINDS that in the instant matter, Bonnie is the
11 prevailing party. Therefore, she should be awarded her attorney's fees and costs.
12

13 26. THE COURT FURTHER FINDS that Moreover, the Eighth Judicial District
14 Rules are also a basis for an award of fees and a fine (a penalty above the amount of
15 reasonable attorneys and costs) based upon Bart's breach of the Court's Decree.
16

17 27. THE COURT FURTHER FINDS that EDCR 7.60 states:
18

19 (a) If without just excuse or because of failure to give reasonable attention to
20 the matter, no appearance is made on behalf of a party on the call of a calendar,
21 at the time set for the hearing of any matter, at a pre-trial conference, or on
the date of trial, the court may order any one or more of the following:

22 (1) Payment by the delinquent attorney or party of costs, in such
amount as the court may fix, to the clerk or to the adverse party.

23 (2) Payment by the delinquent attorney or party of the reasonable
24 expenses, including attorney's fees, to any aggrieved party.

25 (3) Dismissal of the complaint, cross-claim, counter-claim or motion
26 or the striking of the answer and entry of judgment by default, or the
granting of the motion.

27 (4) Any other action it deems appropriate, including, without
28 limitation, imposition of fines.

1 (b) The court may, after notice and an opportunity to be heard, impose upon
2 an attorney or a party any and all sanctions which may, under the facts of the
3 case, be reasonable, including the imposition of fines, costs or attorney's fees
when an attorney or a party without just cause:

4 (1) Presents to the court a motion or an opposition to a motion which
5 is obviously frivolous, unnecessary or unwarranted.

6 (2) ***Fails to prepare for a presentation.***

7 (3) ***So multiplies the proceedings in a case as to increase costs***
8 ***unreasonably and vexatiously.***

9 (4) Fails or refuses to comply with these rules.

10 (5) Fails or refuses to comply with any order of a judge of the court.

11 [Emphasis added.] Here, Bart did not appear for the Evidentiary Hearing. Thus, he failed
12 to prepare for the presentation. He also failed to cooperate in the proceeding. Bonnie was
13 forced to serve seven subpoenas as follows: Wells Fargo, JP Morgan Chase, First Republic
14 Bank, Wynn Las Vegas, Southern Glazer's Wine and Spirits, Golden Entertainment, and
15 Resorts World Las Vegas.

16 28. THE COURT FURTHER FINDS that Bart refused to comply with the parties'
17 Stipulated Decree requiring that he pay child support, alimony, attorney fees, and health
18 insurance to Bonnie. Bonnie attempted to resolve these issues with Bart, but he refused
19

20 29. NRS 125.150 pertaining to an award for attorney's fees, states in relevant part,
21

22 3. Except as otherwise provided in NRS 125.141, whether or not application
23 for suit money has been made under the provisions of NRS 125.040, the court
24 may award a ***reasonable attorney's fee*** to either party to an action for divorce
if those fees are in issue under the pleadings.

25 [Emphasis added]

26 30. In *Miller v. Wilfong*, 121 Nev. 619, 621, 119 P.3d 727, 730 (2005), the Court
27 stated:
28

[I]t is within the trial court's discretion to determine the reasonable amount of attorney fees under a statute or rule, in exercising that discretion, the court must evaluate the factors set forth in *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969). Under *Brunzell*, when courts determine the appropriate fee to award in civil cases, they must consider various factors, including the qualities of the advocate, the character and difficulty of the work performed, the work actually performed by the attorney, and the result obtained. We take this opportunity to clarify our jurisprudence in family law cases to require trial courts to evaluate the *Brunzell* factors when deciding attorney fee awards. Additionally, in *Wright v. Osburn*, this court stated that family law trial courts must also consider the disparity in income of the parties when awarding fees. Therefore, parties seeking attorney fees in family law cases must support their fee request with affidavits or other evidence that meets the factors in *Brunzell* and *Wright*.

Miller v. Wilfong, 121 Nev. 619, 623-24, 119 P.3d 727, 730 (2005).

31. Bonnie seeks reimbursement of his attorney's fees and costs in this matter and as the prevailing party under the criteria set forth in *Miller v. Wilfong*, 121 Nev. 619, 119 P.3d 727 (2005).

32. With regard to fees, the Supreme Court has adopted "well known basic elements," which in addition to hourly time schedules kept by the attorney, are to be considered in determining the reasonable value of an attorney's services qualities, commonly referred to as the *Brunzell* factors.¹

1. *Quality of the Advocate*: his ability, his training, education, experience, professional standing and skill. This factor logically addresses the rate at which counsel charges for services. A skilled and experienced attorney can justify an hourly rate greater

¹ *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, 455 P.2d 31, 33 (1969).

1 than an attorney with less skill and experience. A party may contend that a rate is either
2 reasonable or excessive in the market based upon the education, skill and experience of an
3 attorney, or lack thereof.
4

5 Radford J. Smith, Chartered, is A/V rated firm. The attorneys have litigated almost
6 every aspect of Nevada family law during the course of their respective careers. Its senior
7 attorney, and the lead attorney in the present case, Kimberly A. Stutzman, Esq. (formerly
8 Kimberly A. Medina, KAM on the Bill History) is a graduate of the Golden Gate University
9 School of Law. She received a Specialization Certificate in Family Law and Intellectual
10 Property upon graduation. She exclusively practices family law in the four years that she
11 has been licensed in Nevada. She is also licensed in the state of California. Her rate of \$300
12 per hour is reasonable based on her qualifications, experience, and quality of work
13 performed in this matter.
14
15
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17

18 2. *The Character of the Work to be Done* – its difficulty, its intricacy, its
19 importance, time and skill required, the responsibility imposed and the prominence and
20 character of the parties where they affect the importance of the litigation. The “character
21 of the work” goes to whether the fee charged was commensurate to the “difficulty, intricacy
22 and importance” of the issues raised. Bonnie incurred the fees addressed above due to
23 Bart’s actions and his failure to comply with basic court orders as well as the parties’
24 *stipulated* Decree of Divorce. Bonnie’s counsel worked diligently to prosecute her Motion,
25
26
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28

1 reviews thousands of pages of Bart's financial records that had to be subpoenaed in order
2 to seek Bart's compliance in this case.
3

4 3. *The Work Actually Performed by the Lawyer* – the skill, time and attention
5 given to the work. Bonnie's counsel submits that the work done in this case was performed
6 in a competent and professional matter. The fees incurred were necessary, reasonable, and
7 commensurate to the work performed. Bonnie submitted her Billing History with her
8 Memorandum of Fees and Costs.
9
10

11 4. *The Result:* Whether the attorney was successful and what benefits were
12 derived.
13

14 Based on the foregoing, Bonnie was successful in the prosecution of her Motion.
15 Thus, she is the prevailing party. Bonnie incurred costs in the amount of \$1,339.80 and
16 attorney's fees in the amount of \$24,185.00 for a total of \$25,524.80.
17

18 ORDER

19 NOW, THEREFORE, based on the foregoing findings, IT IS HEREBY ORDERED,
20 ADJUDGED AND DECREED THAT:
21

22 1. THE COURT HEREBY ORDERS that Bonnie's Motion for Attorney's Fees
23 and Costs filed with her *Motion to Reduce Arrearages, Interest, and Penalties to Judgment;*
24 *to Modify Alimony; to Review Child Support, for Sanctions and Attorney's Fees and Costs on*
25 *May 9, 2019* shall be GRANTED.
26
27
28

2. THE COURT FURTHER ORDERS that Bart shall pay Bonnie
\$ 1,339.80 as and for her COSTS. This amount is REDUCED TO
JUDGMENT and collectible by all legal means.

3. THE COURT FURTHER ORDERS that Bart shall pay Bonnie \$ 22,000 as and for her ATTORNEY'S FEES. This amount is REDUCED TO JUDGMENT and collectible by all legal means.

IT IS ORDERED.

Dated this 11th day of January, 2021

Vincent Ochoa

279 2D1 DA87 DDCB
Vincent Ochoa
District Court Judge

Respectfully submitted by:

RADFORD J. SMITH, CHARTERED

/s/ Kimberly A. Stutzman
KIMBERLY A. STUTZMAN, ESQ.
Nevada Bar No. 014085
2470 St. Rose Parkway, Suite 206
Henderson, Nevada 89074
(702) 990-6448
Attorneys for Defendant

1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 Bartholomew M Mahoney,
7 Plaintiff

CASE NO: D-13-477883-D

8 vs.

DEPT. NO. Department S

9 Bonnie M Mahoney, Defendant.

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

15 Service Date: 1/11/2021

16 "Roger Giuliani, Esq." .

rgiuliani@att.net

17 Aaron Grigsby

aaron@grigsbylawgroup.com

18 Kimberly Stutzman

kstutzman@radfordsmith.com

19 Courtney Janson

cJanson@radfordsmith.com

20 Firm RJS

firm@radfordsmith.com

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

May 15, 2013

D-13-477883-D Bartholomew M Mahoney, Plaintiff
vs.
Bonnie M Mahoney, Defendant.

May 15, 2013 10:00 AM All Pending Motions

HEARD BY: Hoskin, Charles J.

COURTROOM: Courtroom 02

COURT CLERK: Kim Jones

PARTIES:

Bartholomew Mahoney, Plaintiff, Counter Defendant, present	Denise Gentile, Attorney, present
Bonnie Mahoney, Defendant, Counter Claimant, present	Rhonda Mushkin, Attorney, present
Brigitte Mahoney, Subject Minor, not present	
Sophie Mahoney, Subject Minor, not present	

JOURNAL ENTRIES

- DEFT'S MOTION FOR TEMPORARY PRIMARY PHYSICAL CUSTODY, FOR TEMPORARY CHILD SUPPORT, SPOUSAL SUPPORT, ATTORNEY FEES...CASE MANAGEMENT CONFERENCE

Counsel stated the parties STIPULATE to JOINT LEGAL CUSTODY and Defendant will be the PRIMARY PHYSICAL CUSTODIAN. Further STIPULATED to a WAGE ASSIGNMENT being in effect for the support payments. COURT SO ORDERED.

Counsel agreed to the Case Management Conference being heard today and requested a full day for the trial.

COURT ORDERED, calendar call and trial date SET. Case and Trial Management Order signed and FILED IN OPEN COURT.

Argument regarding Plaintiff's visitation, child support and spousal support. Plaintiff stated that

PRINT DATE:	01/27/2021	Page 1 of 30	Minutes Date:	May 15, 2013
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

when the children come to his house, they sleep in the master bedroom, he sleeps on the couch and his son sleeps in the second bedroom.

Per STIPULATION, a MUTUAL BEHAVIOR ORDER will be in effect. Behavior Order signed and FILED IN OPEN COURT.

COURT ORDERED, Plaintiff's VISITATION will be on Thursday evening until taking the children to school on Friday during the 1st, 2nd and 4th Thursdays of the month. Plaintiff will also have every Sunday at 9:00 AM until Monday dropping the children off at School. Plaintiff will also have one weekend per month, providing seven days advance notice.

25% of Plaintiff's gross monthly income is above the statutory cap. TEMPORARY CHILD SUPPORT set at \$2,080.00 per month. COURT DEFERS the request to set child support over the statutory cap until time of trial.

Defendant awarded TEMPORARY SPOUSAL SUPPORT in the amount of \$3,500 per month. Defendant shall be responsible for the debts listed on her Financial Disclosure Form.

Defendant awarded ATTORNEY'S FEES pursuant to SARGEANT in the amount of \$7,500. The \$7,500 is to be paid within 60 days from today.

The loans from the parents are a trial issue.

Ms. Gentile is to prepare the order and Ms. Mushkin is to sign off.

9/03/13 11:00 AM CALENDAR CALL

9/16/13 8:30 AM NON-JURY TRIAL - FIRM

CLERK'S NOTE: After the hearing concluded, COURT ORDERED, the support payments are effective for the month of April, 2013 as the motion was filed on April 8, 2013. Clerk placed a copy of this minute order in both counsel's attorney file folders. 5/15/13 kj.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	01/27/2021	Page 2 of 30	Minutes Date:	May 15, 2013
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES****October 09, 2013**

D-13-477883-D Bartholomew M Mahoney, Plaintiff
vs.
Bonnie M Mahoney, Defendant.

October 09, 2013 9:00 AM Motion

HEARD BY: Hoskin, Charles J.**COURTROOM:** Courtroom 02**COURT CLERK:** Kim Jones**PARTIES:**

Bartholomew Mahoney, Plaintiff, Counter Defendant, not present	Aaron Grigsby, Attorney, not present
Bonnie Mahoney, Defendant, Counter Claimant, not present	Radford Smith, Attorney, not present
Brigitte Mahoney, Subject Minor, not present	
Sophie Mahoney, Subject Minor, not present	

JOURNAL ENTRIES

- BETH ROSENBLUM'S MOTION TO ADJUDICATE ATTY'S RIGHTS, TO ENFORCE ATTY LIEN TO JUDGMENT

Rhonda Mushkin, Esq., #2760, appearing on behalf of her motion.

Argument by counsel. Mr. Carman stated his office has not received any of the Sargeant Attorney Fees that were previously awarded to Defendant.

COURT FINDS, this Court has jurisdiction to adjudicate the lien. COURT ORDERED, the lien is GRANTED and the amount is REDUCED TO JUDGMENT, however, the Judgment is STAYED until the Decree of Divorce is entered. A lien is also granted for the \$7,500, which if collected, will be applied towards the judgment. Ms. Mushkin may pursue that against the Plaintiff by any lawful means. If any of the \$7,500 due from Plaintiff is paid to the Kunin and Carman Law Firm, the lien will attach and that amount will go to Ms. Mushkin as a partial satisfaction of the judgment.

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If Defendant is disputing the fees, she may file a fee dispute.

FURTHER, the attorney's fees are non-dischargeable in bankruptcy.

Ms. Mushkin is to prepare the order and Mr. Carman is to sign off.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

February 24, 2014

D-13-477883-D Bartholomew M Mahoney, Plaintiff
vs.
Bonnie M Mahoney, Defendant.

February 24, 2014 11:00 AM Status Check

HEARD BY: O'Malley, Gloria**COURTROOM:** Courtroom 07**COURT CLERK:** Yvette Clayton**PARTIES:**

Bartholomew Mahoney, Plaintiff, Counter Defendant, not present	Aaron Grigsby, Attorney, not present
Bonnie Mahoney, Defendant, Counter Claimant, not present	Radford Smith, Attorney, not present
Brigitte Mahoney, Subject Minor, not present	
Sophie Mahoney, Subject Minor, not present	

JOURNAL ENTRIES

- Mr. Carman stated Parties are attempting to reconcile and requested a Status Check. Counsel stated opposing Counsel was ill and he will notify her of the new hearing date. COURT ORDERED, Status Check Hearing 5/1/14 at 11:30 AM.

INTERIM CONDITIONS:**FUTURE HEARINGS:**

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

May 01, 2014

D-13-477883-D Bartholomew M Mahoney, Plaintiff
vs.
Bonnie M Mahoney, Defendant.

May 01, 2014 11:30 AM Status Check

HEARD BY: O'Malley, Gloria

COURTROOM: Courtroom 07

COURT CLERK: Vickie Warren

PARTIES:

Bartholomew Mahoney, Plaintiff, Counter Defendant, not present	Aaron Grigsby, Attorney, not present
Bonnie Mahoney, Defendant, Counter Claimant, not present	Radford Smith, Attorney, not present
Brigitte Mahoney, Subject Minor, not present	
Sophie Mahoney, Subject Minor, not present	

JOURNAL ENTRIES

- STATUS CHECK

Counsel advised reconciliation between the parties is falling apart.

COURT ORDERED, Case Management Conference SET.

CASE MANAGEMENT CONFERENCE 6/10/14 2:30 PM

INTERIM CONDITIONS:

FUTURE HEARINGS: May 01, 2014 11:30AM Status Check

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Courtroom 07 O'Malley, Gloria

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

June 10, 2014

D-13-477883-D Bartholomew M Mahoney, Plaintiff
vs.
Bonnie M Mahoney, Defendant.

**June 10, 2014 2:30 PM Case Management
Conference**

HEARD BY: Brennan, James

COURTROOM: Courtroom 07

COURT CLERK: Yvette Clayton

PARTIES:

Bartholomew Mahoney, Plaintiff, Counter Defendant, present	Denise Gentile, Attorney, present
Bonnie Mahoney, Defendant, Counter Claimant, present	Michael Carman, Attorney, present
Brigitte Mahoney, Subject Minor, not present	
Sophie Mahoney, Subject Minor, not present	

JOURNAL ENTRIES

- Mr. Carman stated Parties reconciliation fell through. Further Attorney's Fees is needed and Plaintiff need to get back on track paying his spousal support. Counsel stated there were arrearages. Ms. Gentile represented she may be withdrawing if she is not paid.

COURT ORDERED, Plaintiff shall file a FDF within 15 days; Each Party shall PRODUCE financial documents within 30 days. Either Counsel shall file a motion with OST to be set on the same day as the CMC. CMC CONTINUED 8/25/14 at 11:00 AM.

INTERIM CONDITIONS:

FUTURE HEARINGS: Jun 10, 2014 2:30PM Case Management Conference

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES****August 11, 2014**

D-13-477883-D Bartholomew M Mahoney, Plaintiff
vs.
Bonnie M Mahoney, Defendant.

August 11, 2014 11:15 AM Motion for Withdrawal

HEARD BY: O'Malley, Gloria**COURTROOM:** Courtroom 07**COURT CLERK:** Yvette Clayton**PARTIES:**

Bartholomew Mahoney, Plaintiff, Counter Defendant, not present	Aaron Grigsby, Attorney, not present
Bonnie Mahoney, Defendant, Counter Claimant, present	Michael Carman, Attorney, present
Brigitte Mahoney, Subject Minor, not present	
Sophie Mahoney, Subject Minor, not present	

JOURNAL ENTRIES

- Court noted Attorney Gentile motion to withdraw which will be set on 8/25/14. Court reviewed Mr. Carman motion to withdraw. Mr. Carman stated there was a breakdown in communication and he believed that Ms. Mahoney had retain another attorney. Ms. Mahoney stated she did not retain another Counsel, but consulted with a friend who is an attorney. In addition, she was not happy about the status of the case. Defendant made decision in court not to continue to retain Mr. Carman but requested he lift the lien and she will pay him \$100.00 per month for attorney's fees. Defendant agreed to the \$2,330.07. Defendant requested the CMC on 8/25/14 be continued, for a settlement conference. Court advised, Defendant will have to ask Attorney Gentile for the continuance or appear and request it.

COURT ORDERED, The amount of \$2,233.07 is GRANTED, which is REDUCED to JUDGMENT and execution is STAYED, premise upon Defendant paying \$100.00 per month until paid in full. Once Defendant is employed the amount will increase. Mr. Carman will put in language in the order to indicate, this is not support of a domestic in nature and will include to protect against a BK. Mr. Carman shall Prepare the Order.

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INTERIM CONDITIONS:

FUTURE HEARINGS: Aug 25, 2014 11:00AM Case Management Conference
Courtroom 07 O'Malley, Gloria

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES****August 25, 2014**

D-13-477883-D Bartholomew M Mahoney, Plaintiff
vs.
Bonnie M Mahoney, Defendant.

August 25, 2014 11:00 AM All Pending Motions

HEARD BY: O'Malley, Gloria**COURTROOM:** Courtroom 07**COURT CLERK:** Yvette Clayton**PARTIES:**

Bartholomew Mahoney, Plaintiff, Counter Defendant, present	Denise Gentile, Attorney, present
Bonnie Mahoney, Defendant, Counter Claimant, present	Pro Se
Brigitte Mahoney, Subject Minor, not present	
Sophie Mahoney, Subject Minor, not present	

JOURNAL ENTRIES

- CASE MANAGEMENT CONFERENCE...DENISE GENTILE, ESQ'S MOTION TO ADJUDICATE ATTY'S RIGHTS, TO ENFORCE ATTY'S LIEN TO JUDGMENT, FOR AN AWARD OF ATTY'S FEES AND MOTION TO WITHDRAW AS COUNSEL FOR PLTF

Ms. Gentile agreed to proceed with the motion and Plaintiff did not have an opposition. Counsel stated she and Plaintiff will work out the money matters. Both Counsel requested a Settlement Conference. Address verification done on Parties.

COURT ORDERED, Ms. Gentile motion to withdraw is GRANTED. This case will be set for a Settlement Conference with Judge Henderson by agreement of Parties. The JEA shall notify Parties and Counsel of the date and time. Status Check 9/29/14 at 11:30 AM for unresolved issues or trial.

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES****March 02, 2015**

D-13-477883-D Bartholomew M Mahoney, Plaintiff
vs.
Bonnie M Mahoney, Defendant.

March 02, 2015 10:00 AM Status Check

HEARD BY: Estes, Robert**COURTROOM:** Courtroom 07**COURT CLERK:** Connie Kalski**PARTIES:**

Bartholomew Mahoney, Plaintiff, Counter Defendant, present	Pro Se
Bonnie Mahoney, Defendant, Counter Claimant, present	Pro Se
Brigitte Mahoney, Subject Minor, not present	
Sophie Mahoney, Subject Minor, not present	

JOURNAL ENTRIES

- Parties advised they had to reset their mediation date on the two dates they were given and were then set back in front of this Court for a status check.

Court ORDERED, parties are RE-REFERRED to the Family Mediation Center, FILED IN OPEN COURT, and the matter shall be set for trial.

CLERK'S NOTE: Due to the Court's schedule, the trial date set for 5/27/15 @ 1:30 PM was changed to 6/5/15 @ 1:30 PM. Clerk notified all parties by U.S. Mail on 3/2/15.

INTERIM CONDITIONS:**FUTURE HEARINGS:**

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

May 29, 2015

D-13-477883-D Bartholomew M Mahoney, Plaintiff
vs.
Bonnie M Mahoney, Defendant.

May 29, 2015

1:30 PM

Motion

HEARD BY: Beecroft, Chris A., Jr.

COURTROOM: Courtroom 24

COURT CLERK: Yvette Clayton

PARTIES:

Bartholomew Mahoney, Plaintiff, Counter Defendant, not present	Aaron Grigsby, Attorney, not present
Bonnie Mahoney, Defendant, Counter Claimant, not present	Radford Smith, Attorney, not present
Brigitte Mahoney, Subject Minor, not present	
Sophie Mahoney, Subject Minor, not present	

JOURNAL ENTRIES

- Joe Ricco, Pro tem presiding.

Mark Anderson bar #606 appeared for Attorney Smith on behalf of Defendant.

Mr. Anderson stated Plaintiff had new Counsel and he provided the answers they were looking for. Counsel requested the motion vacated with the right to re-notice

HEARING MASTER RECOMMENDED, matter to VACATE is GRANTED and the right to re-notice is GRANTED.

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

June 09, 2015

D-13-477883-D Bartholomew M Mahoney, Plaintiff
vs.
Bonnie M Mahoney, Defendant.

**June 09, 2015 11:00 AM Case Management
Conference**

HEARD BY: Marquis, Linda

COURTROOM: Courtroom 07

COURT CLERK: Connie Kalski

PARTIES:

Bartholomew Mahoney, Plaintiff, Counter Defendant, present	Roger Giuliani, Attorney, present
Bonnie Mahoney, Defendant, Counter Claimant, present	Kurt Smith, Attorney, present
Brigitte Mahoney, Subject Minor, not present	
Sophie Mahoney, Subject Minor, not present	

JOURNAL ENTRIES

- Counsel appeared and requested they be allowed to attend a settlement conference with Judge Henderson to attempt resolution before setting a trial.

Court ORDERED, Department B's JEA will set a settlement conference with Judge Henderson and notify the parties of the date. Further, matter also set for a status check to ascertain whether or not a trial will need to be set.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES****August 04, 2015**

D-13-477883-D Bartholomew M Mahoney, Plaintiff
vs.
Bonnie M Mahoney, Defendant.

August 04, 2015 7:30 AM Minute Order

HEARD BY: Marquis, Linda**COURTROOM:** Courtroom 07**COURT CLERK:** Kathleen Boyle**PARTIES:**

Bartholomew Mahoney, Plaintiff, Counter Defendant, not present	Aaron Grigsby, Attorney, not present
Bonnie Mahoney, Defendant, Counter Claimant, not present	Radford Smith, Attorney, not present
Brigitte Mahoney, Subject Minor, not present	
Sophie Mahoney, Subject Minor, not present	

JOURNAL ENTRIES

- NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action.

Upon review of this case, notice from Plaintiff s counsel, and a Non-Opposition by Defendant, the Court determines to hear Attorney Giuliani s Motion to Withdraw as Counsel of Record on August 20, 2015, concurrently with the Parties Status Check: Settlement Conference.

Accordingly, Attorney Giuliani s Motion to Withdraw as Counsel of Record set for August 5, 2015, at 10:00a.m. is RESCHEDULED to August 20, 2015, at 8:45a.m.

A copy of this minute order shall be provided to both parties.

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES****August 12, 2015**

D-13-477883-D Bartholomew M Mahoney, Plaintiff
vs.
Bonnie M Mahoney, Defendant.

August 12, 2015 10:00 AM Settlement Conference

HEARD BY: Henderson, Bill**COURTROOM:** Conference Room #326**COURT CLERK:** Connie Kalski**PARTIES:**

Bartholomew Mahoney, Plaintiff, Counter Defendant, present	Roger Giuliani, Attorney, present
Bonnie Mahoney, Defendant, Counter Claimant, present	Kurt Smith, Attorney, present
Brigitte Mahoney, Subject Minor, not present	
Sophie Mahoney, Subject Minor, not present	

JOURNAL ENTRIES

- Court noted a global settlement had been reached in this matter pursuant to the negotiations as outlined below. Incompatibility and residency had been established. Parties SWORN.

. Parties shall have JOINT LEGAL CUSTODY with Mother maintaining PRIMARY PHYSICAL CUSTODY of the minors

. Father shall pay \$1,091.00 per child, per month as and for CHILD SUPPORT for a total of \$2,182.00 monthly child support, commencing September 1, 2015. Half the monthly payment shall be due by the 5th of each month and the other half due by the 25th of each month.

. Plaintiff shall pay \$2,668.00 as and for SPOUSAL SUPPORT per month for a term of four years, commencing September 1, 2015. Half of this monthly payment shall be due by the 5th of each month and the other half due by the 25th of each month.

. Plaintiff's payments shall be made by way of direct deposit for which Defendant has set up an

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account and will provide that account number to counsel.

- . At the end of each year, Plaintiff shall provide Defendant with his W-2 forms.
- . Plaintiff receives bonuses at the end of each year and it is agreed that Plaintiff shall pay to Defendant twenty-five percent of the net bonus he receives. For tracking purposes, Plaintiff shall provide Defendant with a copy of his W-2 forms yearly. If Plaintiff does not provide his W-2 forms to Defendant by April 15th of each year, Plaintiff shall be responsible to pay Defendant thirty-five percent of the net of his bonuses.
- . Plaintiff shall assume all of the IRS debt and will indemnify and hold Defendant harmless for same.
- . Plaintiff shall assume all credit card debt and shall hold Defendant harmless. All joint credit card accounts shall be closed and not used after today's date.
- . Each party shall maintain their own vehicles and any encumbrances.
- . Plaintiff shall pay Defendant the amount of \$10,000.00 as and for her attorney's fees at a rate of \$555.00 per month until paid in full. The \$555.00 monthly payment shall be paid directly to Defendant and commence September 1, 2015 and shall be due by the 15th of each month.
- . Plaintiff agrees and consents to allow Defendant to immediately move out of state (to California) with the children. Defendant will make every effort to move prior to school starting.
- . Father shall have VISITATION with the minors one weekend per month with a three week notice to Defendant on what weekend visitation he will choose.
- . There shall be no limits on when Father has contact by telephone or skype with the minors and the minors shall have teenage discretion.
- . Mother shall provide transportation for visitation purposes for the minors in even months; Father shall provide the transportation in odd months.
- . For Thanksgiving, winter break, and spring break each year, Father shall have visitation with the minors and the receiver shall provide the transportation for these three holidays. Other than these three holidays, the parties shall use Department B's standard holiday schedule which should be incorporated into the Decree. Father shall also have two weeks of visitation with the minors each summer.
- . Each party shall enroll and complete the C.O.P.E. class, (Defendant has already completed).
- . Nevada shall maintain jurisdiction for the purposes of addressing the bonus issue if necessary.

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- . Defendant agrees that if she is contacted for any bill collection, she shall immediately inform Plaintiff to give an opportunity for the matter to be settled prior to filing anything through the courts.
- . Defendant shall maintain her current last name.

Court ORDERED, all conditions, as outlined above, shall become Orders of this Court. This is a binding agreement as of today's date under EDCR 7.50. An Absolute Decree of Divorce is GRANTED. The parties are returned to a single, unmarried status.

FURTHER, Mr. Smith shall prepare the Decree. All future dates are VACATED. As soon as the Decree is filed, this case shall be closed.

CLERK'S NOTE: A copy of this minute order shall be provided to counsel's office by e-mail. 8/12/15
ck

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

February 03, 2016

D-13-477883-D Bartholomew M Mahoney, Plaintiff
vs.
Bonnie M Mahoney, Defendant.

February 03, 2016 10:30 AM Status Check

HEARD BY: Marquis, Linda

COURTROOM: Courtroom 07

COURT CLERK: Michelle Prescott

PARTIES:

Bartholomew Mahoney, Plaintiff, Counter Defendant, not present	Aaron Grigsby, Attorney, not present
Bonnie Mahoney, Defendant, Counter Claimant, not present	Radford Smith, Attorney, not present
Brigitte Mahoney, Subject Minor, not present	
Sophie Mahoney, Subject Minor, not present	

JOURNAL ENTRIES

- STATUS CHECK

There being no appearance by either party.

MATTER OFF CALENDAR

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

August 22, 2019

D-13-477883-D Bartholomew M Mahoney, Plaintiff
vs.
Bonnie M Mahoney, Defendant.

August 22, 2019 9:15 AM All Pending Motions

HEARD BY: Ochoa, Vincent

COURTROOM: Courtroom 07

COURT CLERK: Yvette Clayton

PARTIES:

Bartholomew Mahoney, Plaintiff, Counter Defendant, not present	Aaron Grigsby, Attorney, present
Bonnie Mahoney, Defendant, Counter Claimant, present	Radford Smith, Attorney, not present
Brigitte Mahoney, Subject Minor, not present	
Sophie Mahoney, Subject Minor, not present	

JOURNAL ENTRIES

- MOTION TO REDUCE ARREARS TO JUDGMENT...DEFENDANT'S MOTION TO REDUCE ARREARAGES, INTEREST, AND PENALTIES TO JUDGMENT; TO MODIFY ALIMONY; TO REVIEW CHILD SUPPORT, FOR SANCTIONS AND ATTORNEY'S FEES AND COSTS...PLAINTIFF'S OPPOSITION TO MOTION TO REDUCE ARREARAGES, INTEREST AND PENALTIES TO JUDGMENT; TO MODIFY ALIMONY; TO REVIEW CHILD SUPPORT, FOR SANCTIONS AND ATTORNEY'S FEES AND COST AND COUNTERMOTION TO STRIKE MOTION AND FOR ATTORNEY'S FEES AND COSTS

Kimberly Stutzman bar #14085 appeared for Attorney Smith on behalf of Defendant.

Mr. Grigsby stated he filed an opposition yesterday. Counsel stated Plaintiff has paid support and requested it be extended out. Court reviewed the motions.

Arguments by Ms. Stutzman regarding alimony. Counsel requested attorney's fees.

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Discussion. Court noted if Plaintiff did not pay his 20 % it will go to 35 %.

Court noted the issue of alimony is properly raised and opposed and will be taken under advisement before it ends.

COURT ORDERED, as follows:

Plaintiff shall provide his W2 forms for 2015, 2016, 2017 and 2018.

Both sides shall exchange bank records.

Discovery is open under condition Plaintiff provide his W2 forms first.

Plaintiff shall file a Financial Disclosure Form (FDF).

Counsel may brief the issues.

Motions continued to 11-13-19 at 9:15 AM.

INTERIM CONDITIONS:

FUTURE HEARINGS:

Nov 13, 2019 9:15AM Motion
Defendant's Motion to Reduce Arrearages, Interest, and Penalties to Judgment; to Modify Alimony;
to Review Child Support, for Sanctions and Attorney's Fees and Costs
Courtroom 07 Ochoa, Vincent

Nov 13, 2019 9:15AM Motion to Reduce Arrears to Judgment
Courtroom 07 Ochoa, Vincent

Nov 13, 2019 9:15AM Opposition & Countermotion
Plaintiff's Opposition to Motion to Reduce Arrearages, Interest and Penalties to Judgment; to Modify
Alimony; to Review Child Support, for Sanctions and Attorney's Fees and Costs and Countermotion
to Strike Motion and for Attorney's Fees and Costs
Courtroom 07 Ochoa, Vincent

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

November 13, 2019

D-13-477883-D Bartholomew M Mahoney, Plaintiff
vs.
Bonnie M Mahoney, Defendant.

November 13, 9:15 AM All Pending Motions
2019

HEARD BY: Ochoa, Vincent**COURTROOM:** Courtroom 07**COURT CLERK:** Yvette Clayton**PARTIES:**

Bartholomew Mahoney, Plaintiff, Counter Defendant, present	Aaron Grigsby, Attorney, present
Bonnie Mahoney, Defendant, Counter Claimant, present	Radford Smith, Attorney, not present
Brigitte Mahoney, Subject Minor, not present	
Sophie Mahoney, Subject Minor, not present	

JOURNAL ENTRIES

- DEFENDANT'S MOTION TO REDUCE ARREARAGES, INTEREST, AND PENALTIES TO JUDGEMENT; TO MODIFY ALIMONY; TO REVIEW CHILD SUPPORT, FOR SANCTIONS AND ATTORNEY'S FEES AND COSTS...MOTION TO REDUCE ARREARS TO JUDGEMENT...PLAINTIFF'S OPPOSITION MOTION TO REDUCE ARREARAGES. INTEREST AND [PENALTIES;TOES TO JUDGMENT,; TO MODIFY ALIMONY; TO REVIEW CHILD SUPPORT, FOR SANCTIONS AND ATTORNEY'S FEES AND COSTS AND COUNTERMOTION TO STRIKE MOTION AND FOR ATTORNEY'S FEES AND COSTS...PLAINTIFF'S REPLY IN SUPPORT OF HER MOTION TO REDUCE ARREARAGES, INTEREST, AND PENALTIES TO JUDGMENT; TO MODIFY ALIMONY; TO REVIEW CHILD SUPPORT, FOR SANCTIONS AND ATTORNEY'S FEES AND COSTS

Kimberly Stutzman bar #14085 appeared for Attorney Smith on behalf of Defendant.

Discussion regarding arrearages. Mr. Grigsby stated the numbers were off and requested an EH. Ms.

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Stutzman requested more time to conduct discovery. Ms. Stutzman confirmed the arrearages goes back to September 2015. Ms. Stutzman addressed the Plaintiff's bonuses and requested more information.

COURT ORDERED,as follows:

Evidentiary Hearing (EH) SET 5/7/20 at 1:30 PM, (1/2 day). Scheduling Order Issued and will be sent out by Court.

Discovery is OPEN. Defendant shall have 150 days to conduct discovery. Discovery shall end 45 days before the EH.

Plaintiff shall file a Financial Disclosure Form (FDF) within 20 days.

Within 30 days Plaintiff shall provide a list to Defendant of every banking institution, credit union and money order he used to pay and any thing not list on list, he cannot bring into the Evidentiary Hearing.

Ms. Stutzman shall write the Plaintiff regarding clarification on the bonuses. If Plaintiff does not cooperate, Ms. Stutzman may subpoena the bonus records. Defendant shall provide documentation to Plaintiff that she did inquire about the bonuses.

Ms. Stutzman shall prepare the Order and Mr. Grigsby shall review then sign off.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

December 03, 2020

D-13-477883-D Bartholomew M Mahoney, Plaintiff
vs.
Bonnie M Mahoney, Defendant.

December 03, 2020 9:15 AM**Evidentiary Hearing****HEARD BY:** Ochoa, Vincent**COURTROOM:** Courtroom 07**COURT CLERK:** Yvette Clayton**PARTIES:**

Bartholomew Mahoney, Plaintiff, Counter Defendant, not present	Aaron Grigsby, Attorney, not present
Bonnie Mahoney, Defendant, Counter Claimant, not present	Radford Smith, Attorney, not present
Brigitte Mahoney, Subject Minor, not present	
Sophie Mahoney, Subject Minor, not present	

JOURNAL ENTRIES

- Attorney Kimberly Stutzman appeared by audiovisual with Defendant.

Counsel stated she sent Plaintiff's Defendant's exhibits. Counsel noted Plaintiff does not have an attorney.

Court noted Plaintiff was fully notice about today's trial.

Defendant sworn and testified.

Testimony and exhibits presented (see worksheet)

COURT ORDERED, as follows:

Counsel shall send the Clerk the amended Exhibit C within 24 hrs.

PRINT DATE:	01/27/2021	Page 29 of 30	Minutes Date:	May 15, 2013
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Child support for (2) children set at \$2,534.98 from 6/1/19 - 8/1/20; then child support is set for one child at \$1,796.00 from 9/1/20.

A Wage Assignment is issued to collect all child support and child support arrearages from 6/1/19 until the oldest child graduates from high school.

The \$135,169.16 from the bonus Defendant is entitled to is reduced to JUDGMENT and collectible by any legal means.

Counsel shall submit a memorandum of fees and cost within two (2) weeks with the exact amount with an Affidavit. Counsel noted her fees are about \$20,000. Court is inclined to grant most of the attorney's fees for preparation of today's hearing.

The attorney's fees that has already accrued in the amount of \$6,628.00 is REDUCED to JUDGMENT and can be collectible by any legal means.

The sum for unpaid support in the amount of \$35,290.40 is REDUCED to JUDGMENT and collectible by any legal means

The unpaid (unreimbursed) orthodontics in the amount of \$3,200.00 is REDUCED to JUDGMENT.

Ms. Stutzman shall prepare the Order.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	01/27/2021	Page 30 of 30	Minutes Date:	May 15, 2013
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Bonnie Mahoney adv. Bart Mahoney

Case No. D-13-477883-D

DEPARTMENT S

Honorable Vincent Ochoa

DEFENDANT'S EVIDENTIARY HEARING EXHIBITS INDEX

DATE: December 3, 2020

TIME: 9:00 a.m.

Exh.	Description	Offer	Object	Admit
A.	Bonnie's Financial Disclosure Form			
B.	Bart's Financial Disclosure Form	12/3/20		12/3/20
C.	Schedule of Arrears, including demonstrative exhibits: 1. Child Support and Alimony Arrears 2. Attorney's Fees Arrears 3. Bonus Information a. Southern Wine and Spirits Bonus May 15, 2015 b. Southern Wine and Spirits Bonus May 22, 2015 c. Additional Bonus June 4, 2015 d. e. Shamus & Peabody LLC, September 1, 2015 f. Shamus & Peabody LLC, February 15, 2016 g. Thomas Keller, July 22, 2016 h. Wynn Las Vegas i. Wynn Las Vegas j. Golden Entertainment, signing bonus, June 8, 2018 k. Resorts World, January 9, 2020 l. Resorts World, June 6, 2020	12/3/20		12/3/20
D.	Bart's W-2s 2015-2018			
E.	Subpoena response from Chase Bank			
F.	Subpoena response from Wells Fargo Bank	12/3/20		12/3/20
G.	Subpoena response from First Republic Bank	12/3/20		12/3/20

H.	Subpoena response from Southern Glazier Wine and Spirits	12/3/20	12/3/20	AB
I.	Subpoena response from Resorts World Las Vegas	12/3/20	12/3/20	AB
J.	Subpoena response from Golden Entertainment	12/3/20	12/3/20	AB
K.	Chase Checking Account ending #1595, statements from December 2014 to February 2020			
L.	Zelle Transfers between the parties			
M.	Transfers from Bart to Bonnie, June 2019 through to March 2020			
N.	<i>Reserved</i>			
O.	Letter from A. Grigsby, dated December 13, 2019			
P.	<i>Reserved</i>			
Q.	Emails between the parties September 2015 email string regarding transportation fees			
R.	Emails between the parties January 2016 and February 2016 emails regarding orthodontist expenses	12/3/20	12/3/20	AB
S.	Emails between the parties January 2019 email regarding arrears			
T.	Email re IRS Tax Issues, February 2018			
U.	Email re Brigitte Ortho Fees			
V.	Attached copies of Brigitte billing			
W.	Letter from Merrick Bank re Collections, February 18, 2016			
X.	Email re Brigitte Ortho Fees with Bills attached			
Y.	Emails re Overdue Bills			
Z.	Lake Avenue Ortho – Financial Arrangements for Patients	12/3/20	12/3/20	AB
AA.	Emails between the parties re Divorce Decree, November 20, 2015			
BB.	Emails between the parties re Support is past due, January 14-28, 2019			
CC.	Emails between the parties re Possible Suspension – Sophia Mahoney, March 28, 2019 – April 30, 2019			
DD.	Emails between the parties re US, March 13, 2014			
EE.	Text Messages between the parties, beginning April 2017	12/3/20	12/3/20	AB

1	FF.	Radford J. Smith, Chartered Billing Statements			
2	GG.	Subpoena Response from Wynn Las Vegas	12/3/20	12/3/20	AS

3 Dated this 25th day of November 2020.

4 RADFORD J. SMITH, CHARTERED

5 /s/ Kimberly A. Stutzman

6 KIMBERLY A. STUTZMAN, ESQ.

7 Nevada State Bar No. 014085

8 2470 St. Rose Parkway, Suite 206

9 Henderson, Nevada 89074

10 *Attorney for Defendant*

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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Radford J. Smith Chartered ("the Firm"). I am over the age of 18 and not a party to the within action.

I served the foregoing document described as "DEFENDANT'S LIST OF TRIAL EXHIBITS" on December 2, 2020, to all interested parties as follows:

☒ BY ELECTRONIC MAIL: Pursuant to EDCR 7.26, I transmitted a copy of the foregoing document this date via electronic mail to the electronic mail address shown below;

Bart Mahoney
7960 Rafael Rivera Way, #300
Las Vegas, NV 89113

Bart Mahoney bmmlv27@gmail.com

/s/ Courtney Janson
An employee of Radford J. Smith, Chartered



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

AARON F. GRIGSBY
2880 W. SAHARA AVE.
LAS VEGAS, NV 89102

DATE: January 27, 2021
CASE: D-13-477883-D

RE CASE: BARTHOLOMEW M. MAHONEY vs. BONNIE M. MAHONEY

NOTICE OF APPEAL FILED: January 26, 2021 (2)

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 District Court.*
- ☐ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

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

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

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

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER GRANTING ATTORNEY'S FEES AND COSTS; NOTICE OF ENTRY OF ORDER GRANTING ATTORNEY'S FEES AND COSTS; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

BARTHOLOMEW M. MAHONEY,

Plaintiff(s),

vs.

BONNIE M. MAHONEY,

Defendant(s),

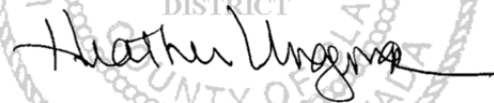
Case No: D-13-477883-D

Dept No: S

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 27 day of January 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk