

Electronically Filed
Apr 06 2021 10:17 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

1 NOAS
2 BRYAN K. SCOTT
3 City Attorney
4 Nevada Bar No. 4381
5 By: DAVID E. BAILEY
6 Deputy City Attorney
7 Nevada Bar No. 8955
200 Lewis Avenue, Second Floor
Las Vegas, NV 89101
(702) 229-6201 (office)
(702) 464-2530 (fax)
Email: debailey@lasvegasnevada.gov
Attorneys for CITY RESPONDENTS

DISTRICT COURT

CLARK COUNTY, NEVADA

10 SOPHIE LAU, an individual; JEFFREY
11 LAU, an individual; GOOD EARTH
12 ENTERPRISES, INC., a California
13 Corporation; and LIG LAND
14 DEVELOPMENT, LLC, a California
15 Limited Liability Company,

Petitioners,

16 vs.

17 CITY OF LAS VEGAS, a political
18 subdivision of the State of Nevada;
19 CAROLYN GOODMAN, as Mayor of the
20 City of Las Vegas; CITY OF LAS VEGAS
21 DEPARTMENT OF BUILDING &
22 SAFETY, CODE ENFORCEMENT
23 DIVISION, a department of the city of Las
Vegas; VICKI OZUNA, Code Enforcement
Manager; EMILY WETZSTEIN, Code
Enforcement Assistant; KEVIN MCOSKER,
director, Building and Safety department;
JOHN BOYER, as City Council Designee;
DOES 1 through X,

Respondents.

CASE NO. A-19-806797-W
DEPT. NO. VIII

NOTICE OF CROSS APPEAL

25 NOTICE IS HEREBY GIVEN that Respondents CITY OF LAS VEGAS, CAROLYN
26 GOODMAN, CITY OF LAS VEGAS DEPARTMENT OF BUILDING & SAFETY, CODE
27 ENFORCEMENT DIVISION, VICKI OZUNA, EMILY WETZSTEIN, KEVIN McOSKER,
28 and JOHN BOYER, through their attorneys, BRYAN K. SCOTT, City Attorney, by DAVID E.

1 BAILEY, Deputy City Attorney, hereby cross appeal to the Nevada Supreme Court from the
2 Decision and Order Granting Partial Relief entered in the above-referenced case on March 2,
3 2021.

4 DATED this 31st day of March, 2021.

5 BRYAN K. SCOTT
6 City Attorney

7 By: /s/ David E. Bailey
8 DAVID E. BAILEY
9 Deputy City Attorney
10 Nevada Bar No. 8955
11 200 Lewis Avenue, Second Floor
12 Las Vegas, NV 89101
13 Attorneys for CITY RESPONDENTS

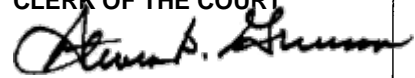
14 **CERTIFICATE OF SERVICE**

15 I hereby certify that on March 31, 2021, I served a true and correct copy of the foregoing
16 NOTICE OF CROSS APPEAL through the electronic filing system of the Eighth Judicial
17 District Court of the State of Nevada, pursuant to Nevada Electronic Filing and Conversion
18 Rules, (or, if necessary, by United States Mail at Las Vegas, Nevada, postage fully prepaid) upon
19 the following:

20 Leo P. Flangas, Esq.
21 Benjamin La Luzerne, Esq.
22 FLANGAS LAW OFFICE
23 600 South Third Street
24 Las Vegas, NV 89101
25 Attorneys for Petitioners

26 Andrew H. Pastwick, Esq.
27 LAW OFFICE OF ANDREW H. PASTWICK L.L.C.
28 1810 East Sahara Avenue, #120
Las Vegas, NV 89104
Attorneys for Petitioners

29 Cindy Kelly
30 AN EMPLOYEE OF THE CITY OF LAS VEGAS



1 ASTA
2 BRYAN K. SCOTT
3 City Attorney
4 Nevada Bar No. 4381
5 By: DAVID E. BAILEY
6 Deputy City Attorney
7 Nevada Bar No. 8955
200 Lewis Avenue, Second Floor
Las Vegas, NV 89101
(702) 229-6201 (office)
(702) 464-2530 (fax)
Email: debailey@lasvegasnevada.gov
Attorneys for CITY RESPONDENTS

8 DISTRICT COURT

9 CLARK COUNTY, NEVADA

10 SOPHIE LAU, an individual; JEFFREY
11 LAU, an individual; GOOD EARTH
12 ENTERPRISES, INC., a California
13 Corporation; and LIG LAND
14 DEVELOPMENT, LLC, a California
15 Limited Liability Company,

16 Petitioners,

17 vs.

18 CITY OF LAS VEGAS, a political
19 subdivision of the State of Nevada;
20 CAROLYN GOODMAN, as Mayor of the
21 City of Las Vegas; CITY OF LAS VEGAS
22 DEPARTMENT OF BUILDING &
23 SAFETY, CODE ENFORCEMENT
DIVISION, a department of the city of Las
Vegas; VICKI OZUNA, Code Enforcement
Manager; EMILY WETZSTEIN, Code
Enforcement Assistant; KEVIN MCOSKER,
director, Building and Safety department;
JOHN BOYER, as City Council Designee;
DOES 1 through X,

24 Respondents.

CASE NO. A-19-806797-W
DEPT. NO. VIII

25 **CASE CROSS APPEAL STATEMENT**

26 1. Name of cross appellants filing this case cross appeal statement:

27 CITY OF LAS VEGAS, CAROLYN GOODMAN, CITY OF LAS VEGAS
28 DEPARTMENT OF BUILDING & SAFETY, CODE ENFORCEMENT DIVISION, VICKI
OZUNA, EMILY WETZSTEIN, KEVIN McOSKER, and JOHN BOYER

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

Honorable Jessica K. Peterson

3. Identify all parties to the proceedings in the district court (the use of et al. to denote parties is prohibited):

Petitioners SOPHIE LAU, an individual; JEFFREY LAU, an individual; GOOD EARTH ENTERPRISES, INC., a California Corporation; and LIG LAND DEVELOPMENT, LLC, a California Limited Liability Company; Respondents CITY OF LAS VEGAS, a political subdivision of the State of Nevada; CAROLYN GOODMAN, as Mayor of the City of Las Vegas; CITY OF LAS VEGAS DEPARTMENT OF BUILDING & SAFETY, CODE ENFORCEMENT DIVISION, a department of the city of Las Vegas; VICKI OZUNA, Code Enforcement Manager; EMILY WETZSTEIN, Code Enforcement Assistant; KEVIN McOSKER, Director, Building and Safety Department; and JOHN BOYER, as City Council Designee.

4. Identify all parties involved in this appeal (the use of et al. to denote parties is prohibited):

Respondents/Cross Appellants CITY OF LAS VEGAS, CITY OF LAS VEGAS DEPARTMENT OF BUILDING & SAFETY, CODE ENFORCEMENT DIVISION, CAROLYN GOODMAN, VICKI OZUNA, EMILY WETZSTEIN, KEVIN McOSKER, and JOHN BOYER; Appellants/Cross Respondents SOPHIE LAU, JEFFREY LAU, GOOD EARTH ENTERPRISES, INC., and LIG LAND DEVELOPMENT, LLC.

5. Set forth name, law firm, address, and telephone number of all counsel on appeal and identify the party or parties whom they represent:

(a) David E. Bailey, Deputy City Attorney, Las Vegas City Attorney's Office, 200 Lewis Avenue, Second Floor, Las Vegas, NV 89101, (702) 229-6201, representing CITY OF LAS VEGAS, CAROLYN GOODMAN, CITY OF LAS VEGAS DEPARTMENT OF BUILDING & SAFETY, CODE ENFORCEMENT DIVISION, VICKI OZUNA, EMILY WETZSTEIN, KEVIN McOSKER, and JOHN BOYER.

....

(b) Andrew H. Pastwick, Esq., LAW OFFICE OF ANDREW H. PASTWICK L.L.C.,
1810 East Sahara Avenue, #120, Las Vegas, NV 89104, (702) 866-9978, representing SOPHIE
LAU, JEFFREY LAU, GOOD EARTH ENTERPRISES, INC., and LIG LAND
DEVELOPMENT, LLC.

6. Indicate whether cross-appellant was represented by appointed or retained counsel
in the district court:

Cross-Appellants were represented by retained counsel in the District Court.

7. Indicate whether cross-appellant is represented by appointed or retained counsel
on appeal:

Cross-Appellants are being represented by retained counsel on appeal.

8. Indicate whether cross-appellant was granted leave to proceed in forma pauperis,
and the date of entry of the district court order granting such leave:

Cross-Appellants were not granted leave to proceed in forma pauperis.

9. Indicate the date the proceedings commenced in the district court (e.g., date
complaint, indictment, information, or petition was filed):

Case commenced in District Court on December 11, 2019.

10. Provide a brief description of the nature of the action and result in the district
court, including the type of judgment or order being appealed and the relief granted by the
district court:

Appellants filed a Petition for Judicial Review with the District Court to challenge the
written decision of the City of Las Vegas City Council Designee (issued following a hearing)
that approved abatement costs and daily civil penalties sought to be assessed by the City of Las
Vegas against real properties owned by Appellants. The costs and penalties arose out of Code
Enforcement abatement activities at the properties.

The properties included the abandoned El Cid motel, which was extremely dilapidated,
experienced dangerous fires, and was the location of repeat criminal activity and homeless
occupation. Appellants eventually demolished the buildings on the properties after the City
began proceedings to demolish the El Cid.

1 Following a hearing, the District Court issued its Decision and Order Granting Partial
2 Relief on March 2, 2021. The District Court approved the assessment of the full amount of
3 abatement costs. But, the District Court improperly substituted its opinion for the Designee and
4 concluded that the Designee abused his discretion by not reducing the amount of daily civil
5 penalties by seventy-five percent (75%). In so doing, the District Court exceeded its powers on
6 review and ordered a reduction in the amount of daily civil penalties by seventy-five percent
7 (75%) instead of remanding the case to the Designee.

8 11. Indicate whether the case has previously been the subject of an appeal or an
9 original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket
10 number of the prior proceeding:

11 The case has not previously been the subject on an appeal or an original writ proceeding
12 in the Supreme Court.

13 12. Indicate whether this appeal involves child custody or visitation:

14 No child custody or visitation is involved.

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

17 This appeal does not involve the possibility of settlement.

18 DATED this 31st day of March, 2021.

19 BRYAN K. SCOTT
20 City Attorney

21 By: /s/ David E. Bailey
22 DAVID E. BAILEY
23 Deputy City Attorney
24 Nevada Bar No. 8955
25 200 Lewis Avenue, Second Floor
26 Las Vegas, NV 89101
27 Attorneys for CITY RESPONDENTS
28

CERTIFICATE OF SERVICE

I hereby certify that on March 31, 2021, I served a true and correct copy of the foregoing
CASE CROSS APPEAL STATEMENT through the electronic filing system of the Eighth
Judicial District Court of the State of Nevada, pursuant to Nevada Electronic Filing and
Conversion Rules, (or, if necessary, by United States Mail at Las Vegas, Nevada, postage fully
prepaid) upon the following:

Andrew H. Pastwick, Esq.
LAW OFFICE OF ANDREW H. PASTWICK L.L.C.
1810 East Sahara Avenue, #120
Las Vegas, NV 89104
Attorneys for Petitioners

Leo P. Flangas, Esq.
Benjamin La Luzerne, Esq.
FLANGAS LAW OFFICE
600 South Third Street
Las Vegas, NV 89101
Attorneys for Petitioners


AN EMPLOYEE OF THE CITY OF LAS VEGAS

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-19-806797-W

Sophie Lau, Plaintiff(s)
 vs.
 City of Las Vegas, Defendant(s)

§
 §
 §
 §
 §

Location: **Department 8**
 Judicial Officer: **Peterson, Jessica K.**
 Filed on: **12/11/2019**
 Case Number History:
 Cross-Reference Case Number: **A806797**

CASE INFORMATION

Statistical Closures
 03/02/2021 Summary Judgment

Case Type: **Writ of Mandamus**

Case Status: **03/02/2021 Closed**

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number A-19-806797-W
 Court Department 8
 Date Assigned 01/04/2021
 Judicial Officer Peterson, Jessica K.

PARTY INFORMATION

| | | <i>Lead Attorneys</i> |
|------------------|---|--|
| Plaintiff | Good Earth Enterprises, Inc. | Pastwick, Andrew H. <i>Retained</i> 702-866-9978(W) |
| | Lau, Jeffrey | Pastwick, Andrew H. <i>Retained</i> 702-866-9978(W) |
| | Lau, Sophie | Pastwick, Andrew H. <i>Retained</i> 702-866-9978(W) |
| | LIG LAND DEVELOPMENT, LLC | Pastwick, Andrew H. <i>Retained</i> 702-866-9978(W) |
| Defendant | Boyer, John | Scott, Bryan K. <i>Retained</i> 7022296201(W) |
| | City of Las Vegas | Scott, Bryan K. <i>Retained</i> 7022296201(W) |
| | City of Las Vegas Department of Building and Safety, Code Enforcement Division | Scott, Bryan K. <i>Retained</i> 7022296201(W) |
| | Goodman, Carolyn | Scott, Bryan K. <i>Retained</i> 7022296201(W) |
| | McOsker, Kevin | Scott, Bryan K. <i>Retained</i> 7022296201(W) |
| | Ozuna, Vicki | Scott, Bryan K. <i>Retained</i> |







CASE SUMMARY

CASE NO. A-19-806797-W

7022296201(W)



Wetzstein, Emily

Scott, Bryan K.
Retained
7022296201(W)



| DATE | EVENTS & ORDERS OF THE COURT | INDEX |
|------------|---|-------|
| | <u>EVENTS</u> | |
| 12/11/2019 |  Petition for Writ of Mandamus Filed by: Plaintiff Lau, Sophie; Plaintiff Lau, Jeffrey; Plaintiff Good Earth Enterprises, Inc.; Plaintiff LIG LAND DEVELOPMENT, LLC <i>Petition for Judicial Review and/or Writs of Certiorari, Mandamus, and Equitable Relief</i> | |
| 02/24/2020 |  Receipt of Copy Filed by: Plaintiff Lau, Sophie; Plaintiff Lau, Jeffrey; Plaintiff Good Earth Enterprises, Inc.; Plaintiff LIG LAND DEVELOPMENT, LLC <i>Receipt of Copy</i> | |
| 04/01/2020 |  Notice of Withdrawal Filed By: Plaintiff Lau, Sophie; Plaintiff Lau, Jeffrey; Plaintiff Good Earth Enterprises, Inc.; Plaintiff LIG LAND DEVELOPMENT, LLC <i>Petitioners Withdrawal of Erroneous Notice of Voluntary Dismissal</i> | |
| 04/09/2020 |  Answer to Complaint Filed by: Defendant City of Las Vegas; Defendant City of Las Vegas Department of Building and Safety, Code Enforcement Division; Defendant Goodman, Carolyn; Defendant Ozuna, Vlcki; Defendant Wetzstein, Emily; Defendant McOsker, Kevin; Defendant Boyer, John <i>Answer to Petition for Judicial Review and/or Writs of Certiorari, Mandamus, and Equitable Relief</i> | |
| 04/28/2020 |  Transmittal of Record Filed By: Defendant City of Las Vegas <i>Transmittal of Record on Review</i> | |
| 06/16/2020 |  Stipulation and Order Filed by: Plaintiff Lau, Sophie; Plaintiff Lau, Jeffrey; Plaintiff Good Earth Enterprises, Inc.; Plaintiff LIG LAND DEVELOPMENT, LLC <i>STIPULATION AND ORDER FOR BRIEFING SCHEDULE</i> | |
| 06/23/2020 |  Stipulation and Order Filed by: Plaintiff Lau, Sophie; Plaintiff Lau, Jeffrey; Plaintiff Good Earth Enterprises, Inc.; Plaintiff LIG LAND DEVELOPMENT, LLC <i>First Amended Stipulation And Order For Briefing Schedule</i> | |
| 06/27/2020 |  Petitioners Opening Brief Filed by: Plaintiff Lau, Sophie; Plaintiff Lau, Jeffrey; Plaintiff Good Earth Enterprises, Inc.; Plaintiff LIG LAND DEVELOPMENT, LLC <i>Petitioners' opening brief</i> | |
| 06/27/2020 |  Exhibits Filed By: Plaintiff Lau, Sophie; Plaintiff Lau, Jeffrey; Plaintiff Good Earth Enterprises, Inc.; Plaintiff LIG LAND DEVELOPMENT, LLC <i>Petitioners' Table of Exhibits and Exhibits to Opening Brief</i> | |
| 07/28/2020 |  Stipulation and Order | |

CASE SUMMARY

CASE NO. A-19-806797-W

| | |
|------------|--|
| | Filed by: Defendant City of Las Vegas <i>Second Amended Stipulation and Order For Briefing Schedule</i> |
| 07/28/2020 |  Notice of Entry of Order Filed By: Defendant City of Las Vegas; Defendant City of Las Vegas Department of Building and Safety, Code Enforcement Division; Defendant Goodman, Carolyn; Defendant Ozuna, Vicki; Defendant Wetzstein, Emily; Defendant McOsker, Kevin; Defendant Boyer, John <i>Notice of Entry of Second Amended Stipulation and Order for Briefing Schedule</i> |
| 08/06/2020 |  Respondent's Answering Brief Filed by: Defendant City of Las Vegas; Defendant City of Las Vegas Department of Building and Safety, Code Enforcement Division; Defendant Goodman, Carolyn; Defendant Ozuna, Vicki; Defendant Wetzstein, Emily; Defendant McOsker, Kevin; Defendant Boyer, John <i>Respondents' Answering Brief</i> |
| 08/24/2020 |  Reply to Opposition Filed by: Plaintiff Lau, Sophie; Plaintiff Lau, Jeffrey; Plaintiff Good Earth Enterprises, Inc.; Plaintiff LIG LAND DEVELOPMENT, LLC <i>Petitioners' Reply to Respondents' Answering Brief</i> |
| 08/24/2020 |  Motion to Strike Filed By: Plaintiff Lau, Sophie; Plaintiff Lau, Jeffrey; Plaintiff Good Earth Enterprises, Inc.; Plaintiff LIG LAND DEVELOPMENT, LLC <i>Petitioners' Motion to Strike Evidence Not Produced Before or at Hearing</i> |
| 08/25/2020 |  Clerk's Notice of Hearing <i>Clerk's Notice of Hearing</i> |
| 09/08/2020 |  Opposition to Motion Filed By: Defendant City of Las Vegas; Defendant City of Las Vegas Department of Building and Safety, Code Enforcement Division; Defendant Goodman, Carolyn; Defendant Ozuna, Vicki; Defendant Wetzstein, Emily; Defendant McOsker, Kevin; Defendant Boyer, John <i>Opposition to Petitioners' Motion to Strike Evidence Not Produced Before or at Hearing</i> |
| 10/08/2020 |  Order Denying Motion Filed By: Defendant City of Las Vegas <i>Order Denying Petitioners' Motion to Strike Evidence Not Produced Before or at Hearing</i> |
| 10/15/2020 |  Notice of Entry of Order Filed By: Defendant City of Las Vegas; Defendant City of Las Vegas Department of Building and Safety, Code Enforcement Division; Defendant Goodman, Carolyn; Defendant Ozuna, Vicki; Defendant Wetzstein, Emily; Defendant McOsker, Kevin; Defendant Boyer, John <i>Notice of Entry of Order Denying Petitioners' Motion to Strike Evidence Not Produced Before or at Hearing</i> |
| 11/15/2020 |  Petition Filed by: Plaintiff Lau, Sophie; Plaintiff Lau, Jeffrey <i>Request for Hearing on Petition for Judicial Review and/or Writs of Certiorari, Mandamus, and Equitable Relief</i> |
| 12/28/2020 |  Clerk's Notice of Hearing <i>Notice of Hearing</i> |


CASE SUMMARY
CASE NO. A-19-806797-W

| | |
|------------------------|--|
| 01/04/2021 | Case Reassigned to Department 8 <i>Judicial Reassignment to Judge Jessica K. Peterson</i> |
| 03/02/2021 |  Decision and Order Filed By: Defendant City of Las Vegas <i>Decision and Order Granting Partial Relief</i> |
| 03/03/2021 |  Notice of Entry of Order Filed By: Defendant City of Las Vegas; Plaintiff Lau, Jeffrey; Defendant City of Las Vegas Department of Building and Safety, Code Enforcement Division; Defendant Goodman, Carolyn; Defendant Ozuna, Vicki; Defendant Wetzstein, Emily; Defendant McOsker, Kevin; Defendant Boyer, John <i>Notice of Entry of Decision and Order Granting Partial Relief</i> |
| 03/24/2021 |  Notice of Appearance Party: Defendant City of Las Vegas; Defendant City of Las Vegas Department of Building and Safety, Code Enforcement Division; Defendant Goodman, Carolyn; Defendant Ozuna, Vicki; Defendant Wetzstein, Emily; Defendant McOsker, Kevin; Defendant Boyer, John <i>Notice of Appearance</i> |
| 03/26/2021 |  Notice of Appearance Party: Plaintiff Lau, Sophie; Plaintiff Lau, Jeffrey; Plaintiff Good Earth Enterprises, Inc.; Plaintiff LIG LAND DEVELOPMENT, LLC <i>Notice of Appearance</i> |
| 03/26/2021 |  Notice of Appearance Party: Plaintiff Lau, Sophie; Plaintiff Lau, Jeffrey; Plaintiff Good Earth Enterprises, Inc.; Plaintiff LIG LAND DEVELOPMENT, LLC <i>Notice of Appearance</i> |
| 03/26/2021 |  Case Appeal Statement Filed By: Plaintiff Lau, Sophie; Plaintiff Lau, Jeffrey; Plaintiff Good Earth Enterprises, Inc.; Plaintiff LIG LAND DEVELOPMENT, LLC <i>Case Appeal Statement</i> |
| 03/29/2021 |  Notice of Appeal Filed By: Plaintiff Lau, Sophie; Plaintiff Lau, Jeffrey; Plaintiff Good Earth Enterprises, Inc.; Plaintiff LIG LAND DEVELOPMENT, LLC |
| 03/31/2021 |  Notice of Appeal Filed By: Defendant City of Las Vegas; Defendant City of Las Vegas Department of Building and Safety, Code Enforcement Division; Defendant Goodman, Carolyn; Defendant Ozuna, Vicki; Defendant Wetzstein, Emily; Defendant McOsker, Kevin; Defendant Boyer, John <i>Notice of Cross Appeal</i> |
| 03/31/2021 |  Case Appeal Statement Filed By: Defendant City of Las Vegas; Defendant City of Las Vegas Department of Building and Safety, Code Enforcement Division; Defendant Goodman, Carolyn; Defendant Ozuna, Vicki; Defendant Wetzstein, Emily; Defendant McOsker, Kevin; Defendant Boyer, John <i>Case Cross Appeal Statement</i> |
| <u>HEARINGS</u> | |
| 10/07/2020 |  Motion to Strike (3:00 AM) (Judicial Officer: Crockett, Jim) <i>Petitioners' Motion to Strike Evidence Not Produced Before or at Hearing</i> Minute Order - No Hearing Held; |

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-19-806797-W

| | |
|------------|--|
| | <p>Journal Entry Details:</p> <p><i>Petitioners' Motion to Strike Evidence Not Produced Before or at Hearing Pursuant to EDCR 2.23 (c) and (d), this matter is being decided on the briefs and pleadings filed by the parties without oral argument since the Court deems oral argument unnecessary. The Court has reviewed the briefing on this Motion to Strike Evidence and finds that the Opposition provides compelling and persuasive reasons to deny the Motion. Accordingly, the Motion to Strike is DENIED for the reasons stated in the opposition. Defendant to prepare and submit the order in accordance with EDCR 7.21 COURT ORDERED, status check SET for the filing of the Order. 11/5/2020 STATUS CHECK: FILING OF ORDER (CHAMBER) CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File & Serve. /rl 10/7/2020 ;</i></p> |
| 11/05/2020 | <p>CANCELED Status Check (3:00 AM) (Judicial Officer: Crockett, Jim)</p> <p><i>Vacated</i></p> <p><i>Status Check: Filing of Order Denying Petitioners' Motion to Strike Evidence Not Produced Before or at Hearing (10/7)</i></p> |
| 02/02/2021 | <p> Petition (9:00 AM) (Judicial Officer: Peterson, Jessica K.)</p> <p><i>Request for Hearing on Petition for Judicial Review and/or Writs of Certiorari, Mandamus, and Equitable Relief</i></p> <p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>Counsel present via BlueJeans. Court disclosed Mr. Curtas was counsel at the law firm the Court was once at and Mr. Flangas is cousins with the Court's former boss. Upon Court's inquiry, Mr. Curtas and Mr. Flangas did not object to the disclosure made. MATTER TRAILED. MATTER RECALLED. All parties present as before. Following arguments by Mr. Flangas and Mr. Curtas, COURT STATED its FINDINGS, and ORDERED, fines IMPOSED at \$250.00 per day and fines REDUCED from January 22nd to February 20th, 28 days at \$250.00; and from January 19th to February 20th, 31 days at \$250.00. Court advised the total amounts are \$7,750.00 and \$7,000.00. Mr. Curtas to prepare the order.;</i></p> |

DATE

FINANCIAL INFORMATION

| | |
|---|-------------|
| Defendant City of Las Vegas | |
| Total Charges | 247.00 |
| Total Payments and Credits | 247.00 |
| Balance Due as of 4/1/2021 | 0.00 |
| Plaintiff Good Earth Enterprises, Inc. | |
| Total Charges | 30.00 |
| Total Payments and Credits | 30.00 |
| Balance Due as of 4/1/2021 | 0.00 |
| Plaintiff Lau, Jeffrey | |
| Total Charges | 30.00 |
| Total Payments and Credits | 30.00 |
| Balance Due as of 4/1/2021 | 0.00 |
| Plaintiff Lau, Sophie | |
| Total Charges | 294.00 |
| Total Payments and Credits | 294.00 |
| Balance Due as of 4/1/2021 | 0.00 |
| Plaintiff LIG LAND DEVELOPMENT, LLC | |
| Total Charges | 30.00 |
| Total Payments and Credits | 30.00 |
| Balance Due as of 4/1/2021 | 0.00 |

DISTRICT COURT CIVIL COVER SHEET

Clark

County, Nevada

Case No. _____

(Assigned by Clerk's Office)

CASE NO: A-19-806797-W
Department 24

I. Party Information (provide both home and mailing addresses if different)

| | |
|--|---|
| Plaintiff(s) (name/address/phone): Sophie Lau, Jeffrey Lau, Good Earth Enterprises, Inc. and LIG Land Development, LLC c/o Flangas & Barnabi, LLC 375 E. Warm Springs Road, Ste. 104 Las Vegas, NV 89119 | Defendant(s) (name/address/phone): City of Las Vegas; Carolyn Goodman as Mayor of Las Vegas; City of Las Vegas Department of Building & Safety, ; Code Enforcement Division; Vicki Ozuna; Emily Wetzstein; Kevin McOsker, and; John Boyer |
| Attorney (name/address/phone): Leo. P. Flangas, Esq., Flangas & Barnabi, LLC 375 E. Warm Springs Road, Ste. 104 Las Vegas, NV 89119 (702) 475-8903 | Attorney (name/address/phone): Unknown |

II. Nature of Controversy (please select the one most applicable filing type below)

Civil Case Filing Types

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

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

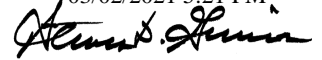
12/11/2019

Date

/s/ Benjamin La Luzerne

Signature of initiating party or representative

See other side for family-related case filings.


CLERK OF THE COURT

1 DAO
2 BRYAN K. SCOTT
3 City Attorney
4 Nevada Bar No. 4381
5 By: JOHN A. CURTAS
6 Deputy City Attorney
7 Nevada Bar No. 1841
495 South Main Street, Sixth Floor
Las Vegas, NV 89101
(702) 229-6629 (office)
(702) 386-1749 (fax)
Email: jacurtas@lasvegasnevada.gov
Attorneys for CITY RESPONDENTS

DISTRICT COURT

CLARK COUNTY, NEVADA

10 SOPHIE LAU, an individual; JEFFREY
11 LAU, an individual; GOOD EARTH
12 ENTERPRISES, INC., a California
13 Corporation; and LIG LAND
14 DEVELOPMENT, LLC, a California
15 Limited Liability Company,

Petitioners,

vs.

16 CITY OF LAS VEGAS, a political
17 subdivision of the State of Nevada;
18 CAROLYN GOODMAN, as Mayor of the
19 City of Las Vegas; CITY OF LAS VEGAS
20 DEPARTMENT OF BUILDING &
21 SAFETY, CODE ENFORCEMENT
22 DIVISION, a department of the city of Las
23 Vegas; VICKI OZUNA, Code Enforcement
Manager; EMILY WETZSTEIN, Code
Enforcement Assistant; KEVIN MCOSKER,
director, Building and Safety department;
JOHN BOYER, as City Council Designee;
DOES 1 through X,

Respondents.

CASE NO. A-19-806797-W
DEPT. NO. VIII

DECISION AND ORDER GRANTING PARTIAL RELIEF

25 The Petition for Judicial Review and/or Writs of Certiorari, Mandamus, and Equitable
26 Relief having come on for hearing February 2, 2021, Petitioners appearing through Leo P.
27 Flangas, Esq., of the FLANGAS LAW OFFICE, Respondents appearing through John A. Curtas,
28 Deputy City Attorney, of the LAS VEGAS CITY ATTORNEY'S OFFICE, the Court having reviewed

1 the pleadings and papers on file herein and having heard the arguments of counsel, this Court
2 hereby finds as follows:

3 As to the property located at 233 South Sixth Street (APN 139-34-611-037): The City of
4 Las Vegas properly imposed a lien for its out-of-pocket costs incurred during the nuisance
5 abatement in the amount of \$22,624.70, and the City Council Designee's findings as to this
6 assessment are hereby upheld as being supported by substantial evidence.

7 As to the property located at 232 South Seventh Street (APN 139-34-611-036): The City
8 of Las Vegas properly imposed a lien for its out-of-pocket costs incurred during the nuisance
9 abatement in the amount of \$924, and the City Council Designee's findings as to this assessment
10 are hereby upheld as being supported by substantial evidence.

11 As to the property located at 615 East Carson Avenue (139-34-611-041): The City of
12 Las Vegas properly imposed a lien for its out-of-pocket costs incurred during the nuisance
13 abatement in the amount of \$23,330, and the City Council Designee's findings as to this
14 assessment are hereby upheld as being supported by substantial evidence.

15 The Court further finds that the Petitioners substantially complied with three of the four
16 conditions imposed by the City of Las Vegas's Revised Demolition Notice and Order to Comply
17 for the property known as 233 South Sixth Street (APN 139-34-611-037), for the period
18 January 19, 2019 – February 20, 2019. Due to this partial compliance, it was an abuse of
19 discretion for the City Council Designee to approve and impose the maximum daily civil penalty
20 of \$32,000.

21 The Court further finds that the Petitioners substantially complied with three of the four
22 conditions imposed on the City of Las Vegas's Revised Demolition Notice and Order to Comply
23 against the subject property known as 232 South Seventh Street (APN 139-34-611-036), for the
24 period January 22, 2019 – February 20, 2019. Due to this partial compliance, it was an abuse of
25 discretion for the City Council Designee to approve and impose the maximum daily civil penalty
26 of \$30,000.

27

28

Accordingly, the Court grants to Petitioners the following relief:

The fine assessed against the subject property known as 233 South Sixth Street (APN 139-34-611-037) is hereby reduced to \$250/day for violations of the City of Las Vegas' Revised Demolition Notice and Order to Comply for the period January 19, 2019 – February 20, 2019, for a total fine of \$7,750.

The fine assessed against the subject property known as 232 South Seventh Street (APN 139-34-611-036)) is hereby reduced to \$250/day for violations of the City of Las Vegas' Revised Demolition Notice and Order to Comply for the period January 22, 2019 – February 20, 2019, for a total fine of \$7,000.

DATED this ____ day of March, 2021.


Dated this 2nd day of March, 2021


DISTRICT COURT JUDGE

SUBMITTED BY:

BRYAN K. SCOTT
City Attorney

3EB C98 E0DE 0A46
Jessica K. Peterson
District Court Judge

By: 
JOHN A. CURTAS
Deputy City Attorney
Nevada Bar No. 1841
495 South Main Street, Sixth Floor
Las Vegas, NV 89101
Attorneys for CITY RESPONDENTS

APPROVED AS TO FORM AND CONTENT:

FLANGAS LAW OFFICE

By: /s/ Leo P. Flangas
LEO P. FLANGAS, ESQ.
Nevada Bar No. 5637
BENJAMIN LA LUZERNE, ESQ.
Nevada Bar No. 12801
600 South Third Street
Las Vegas, NV 89101
Attorneys for Petitioners

Cindy Kelly

From: Leo Flangas <leo@flangaslawfirm.com>
Sent: Monday, March 1, 2021 2:52 PM
To: Cindy Kelly
Cc: John A. Curtas
Subject: RE: Proposed Order re Sophie Lau, et al. v. City of Las Vegas, et al.

CAUTION: This email originated from an **External Source**. Please **use caution** before opening attachments, clicking links, or responding to this email. **Do not sign-in with your City of Las Vegas account credentials.**

Cindy-

The order is acceptable, you can affix my signature on the order and submit to the court.

Thanks, Leo

From: Cindy Kelly <CKelly@LasVegasNevada.GOV>
Sent: Thursday, February 18, 2021 12:21 PM
To: Leo Flangas <leo@flangaslawfirm.com>
Cc: John A. Curtas <jacurtas@LasVegasNevada.GOV>
Subject: Proposed Order re Sophie Lau, et al. v. City of Las Vegas, et al.

Hi Mr. Flangas:

Attached for your review is our proposed Decision and Order Granting Partial Relief in the referenced matter. Please advise if you have changes or whether we can affix your electronic signature to this document. Thank you.

Cindy Kelly

Legal Secretary
City Attorney's Office | Civil Litigation
702-229-2265
495 South Main Street, Sixth Floor | Las Vegas, NV 89101



lasvegasnevada.gov



This e-mail transmission, and any documents, files, or previous e-mail messages attached to it may contain confidential information that is legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained in or attached to this transmission is prohibited. If you have received this transmission in error, please immediately notify us by reply e-mail, by forwarding this to sender, or by telephone at (702) 229-6629, and destroy the original transmission and its attachments without reading or saving them in any manner. Thank you.

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Sophie Lau, Plaintiff(s)

CASE NO: A-19-806797-W

7 vs.

DEPT. NO. Department 8

8 City of Las Vegas, Defendant(s)
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 3/2/2021

15 John Curtas

jacurtas@lasvegasnevada.gov

16 Jeffrey Andrews

jandrews@lasvegasnevada.gov

17 CluAynne Corwin

ccorwin@lasvegasnevada.gov

18 Natasha Smith

natasha@flangaslawfirm.com

19 Leo Flangas

leo@flangaslawfirm.com

20 Flangas Documents

documents@flangaslawfirm.com

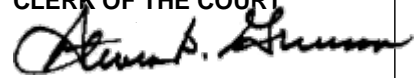
21 John Curtas

jacurtas@LasVegasNevada.GOV

22 Ben La Luzerne

ben@flangaslawfirm.com

23
24
25
26
27
28



NEOJ
BRYAN K. SCOTT
City Attorney
Nevada Bar No. 4381
By: JOHN A. CURTAS
Deputy City Attorney
Nevada Bar No. 1841
495 South Main Street, Sixth Floor
Las Vegas, NV 89101
(702) 229-6629 (office)
(702) 386-1749 (fax)
Email: jacurtas@lasvegasnevada.gov
Attorneys for CITY RESPONDENTS

DISTRICT COURT

CLARK COUNTY, NEVADA

SOPHIE LAU, an individual; JEFFREY
LAU, an individual; GOOD EARTH
ENTERPRISES, INC., a California
Corporation; and LIG LAND
DEVELOPMENT, LLC, a California
Limited Liability Company,

Petitioners,

vs.

CITY OF LAS VEGAS, a political
subdivision of the State of Nevada;
CAROLYN GOODMAN, as Mayor of the
City of Las Vegas; CITY OF LAS VEGAS
DEPARTMENT OF BUILDING &
SAFETY, CODE ENFORCEMENT
DIVISION, a department of the city of Las
Vegas; VICKI OZUNA, Code Enforcement
Manager; EMILY WETZSTEIN, Code
Enforcement Assistant; KEVIN MCOSKER,
director, Building and Safety department;
JOHN BOYER, as City Council Designee;
DOES 1 through X,

Respondents.

CASE NO. A-19-806797-W
DEPT. NO. VIII

**NOTICE OF ENTRY OF DECISION
AND ORDER GRANTING PARTIAL RELIEF**

TO: SOPHIE LAU, JEFFREY LAU, GOOD EARTH ENTERPRISES, INC., and LIG LAND
DEVELOPMENT, LLC, Petitioners, and


TO: LEO P. FLANGAS, ESQ., and BENJAMIN LA LUZERNE, ESQ., their attorneys:

1 PLEASE TAKE NOTICE that a DECISION AND ORDER GRANTING PARTIAL
2 RELIEF was entered in the above-entitled matter on March 2, 2021, a copy of which is attached
3 hereto.

4 DATED this 3 day of March, 2021.

5 BRYAN K. SCOTT
6 City Attorney

7 By:

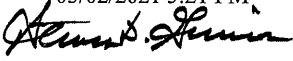

8 JOHN A. CURTAS
9 Deputy City Attorney
10 Nevada Bar No. 1841
11 495 South Main Street, Sixth Floor
12 Las Vegas, NV 89101
13 Attorneys for CITY OF LAS VEGAS

14 **CERTIFICATE OF SERVICE**

15 I hereby certify that on March 3, 2021, I served a true and correct copy of the foregoing
16 NOTICE OF ENTRY OF DECISION AND ORDER GRANTING PARTIAL RELIEF through
17 the electronic filing system of the Eighth Judicial District Court of the State of Nevada, pursuant
18 to Nevada Electronic Filing and Conversion Rules, (or, if necessary, by United States Mail at Las
19 Vegas, Nevada, postage fully prepaid) upon the following:

20 Leo P. Flangas, Esq.
21 Benjamin La Luzerne, Esq.
22 FLANGAS LAW OFFICE
23 600 South Third Street
24 Las Vegas, NV 89101
25 Attorneys for Petitioners

26 
27 AN EMPLOYEE OF THE CITY OF LAS VEGAS
28


CLERK OF THE COURT

1 DAO
2 BRYAN K. SCOTT
3 City Attorney
4 Nevada Bar No. 4381
5 By: JOHN A. CURTAS
6 Deputy City Attorney
7 Nevada Bar No. 1841
8 495 South Main Street, Sixth Floor
9 Las Vegas, NV 89101
10 (702) 229-6629 (office)
11 (702) 386-1749 (fax)
12 Email: jacurtas@lasvegasnevada.gov
13 Attorneys for CITY RESPONDENTS

DISTRICT COURT

CLARK COUNTY, NEVADA

10 SOPHIE LAU, an individual; JEFFREY
11 LAU, an individual; GOOD EARTH
12 ENTERPRISES, INC., a California
13 Corporation; and LIG LAND
14 DEVELOPMENT, LLC, a California
15 Limited Liability Company,

Petitioners,

vs.

16 CITY OF LAS VEGAS, a political
17 subdivision of the State of Nevada;
18 CAROLYN GOODMAN, as Mayor of the
19 City of Las Vegas; CITY OF LAS VEGAS
20 DEPARTMENT OF BUILDING &
21 SAFETY, CODE ENFORCEMENT
22 DIVISION, a department of the city of Las
23 Vegas; VICKI OZUNA, Code Enforcement
24 Manager; EMILY WETZSTEIN, Code
25 Enforcement Assistant; KEVIN MCOSKER,
26 director, Building and Safety department;
27 JOHN BOYER, as City Council Designee;
28 DOES 1 through X,

Respondents.

CASE NO. A-19-806797-W
DEPT. NO. VIII

DECISION AND ORDER GRANTING PARTIAL RELIEF

25 The Petition for Judicial Review and/or Writs of Certiorari, Mandamus, and Equitable
26 Relief having come on for hearing February 2, 2021, Petitioners appearing through Leo P.
27 Flangas, Esq., of the FLANGAS LAW OFFICE, Respondents appearing through John A. Curtas,
28 Deputy City Attorney, of the LAS VEGAS CITY ATTORNEY'S OFFICE, the Court having reviewed

1 the pleadings and papers on file herein and having heard the arguments of counsel, this Court
2 hereby finds as follows:

3 As to the property located at 233 South Sixth Street (APN 139-34-611-037): The City of
4 Las Vegas properly imposed a lien for its out-of-pocket costs incurred during the nuisance
5 abatement in the amount of \$22,624.70, and the City Council Designee's findings as to this
6 assessment are hereby upheld as being supported by substantial evidence.

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9 abatement in the amount of \$924, and the City Council Designee's findings as to this assessment
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16 conditions imposed by the City of Las Vegas's Revised Demolition Notice and Order to Comply
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23 against the subject property known as 232 South Seventh Street (APN 139-34-611-036), for the
24 period January 22, 2019 – February 20, 2019. Due to this partial compliance, it was an abuse of
25 discretion for the City Council Designee to approve and impose the maximum daily civil penalty
26 of \$30,000.

27

28

1 Accordingly, the Court grants to Petitioners the following relief:

2 The fine assessed against the subject property known as 233 South Sixth Street (APN
3 139-34-611-037) is hereby reduced to \$250/day for violations of the City of Las Vegas' Revised
4 Demolition Notice and Order to Comply for the period January 19, 2019 – February 20, 2019,
5 for a total fine of \$7,750.

6 The fine assessed against the subject property known as 232 South Seventh Street (APN
7 139-34-611-036)) is hereby reduced to \$250/day for violations of the City of Las Vegas'
8 Revised Demolition Notice and Order to Comply for the period January 22, 2019 – February 20,
9 2019, for a total fine of \$7,000.

10 DATED this ____ day of March, 2021.


Dated this 2nd day of March, 2021

11
12 
13 DISTRICT COURT JUDGE

14 SUBMITTED BY:

15 BRYAN K. SCOTT
16 City Attorney

3EB C98 E0DE 0A46
Jessica K. Peterson
District Court Judge

17 By: 
18 JOHN A. CURTAS
19 Deputy City Attorney
20 Nevada Bar No. 1841
495 South Main Street, Sixth Floor
Las Vegas, NV 89101
Attorneys for CITY RESPONDENTS

21 APPROVED AS TO FORM AND CONTENT:

22 FLANGAS LAW OFFICE

23
24 By: /s/ Leo P. Flangas
25 LEO P. FLANGAS, ESQ.
26 Nevada Bar No. 5637
27 BENJAMIN LA LUZERNE, ESQ.
28 Nevada Bar No. 12801
600 South Third Street
Las Vegas, NV 89101
Attorneys for Petitioners

Cindy Kelly

From: Leo Flangas <leo@flangaslawfirm.com>
Sent: Monday, March 1, 2021 2:52 PM
To: Cindy Kelly
Cc: John A. Curtas
Subject: RE: Proposed Order re Sophie Lau, et al. v. City of Las Vegas, et al.

CAUTION: This email originated from an External Source. Please use caution before opening attachments, clicking links, or responding to this email. Do not sign in with your City of Las Vegas account credentials.

Cindy-

The order is acceptable, you can affix my signature on the order and submit to the court.

Thanks, Leo

From: Cindy Kelly <CKelly@LasVegasNevada.GOV>
Sent: Thursday, February 18, 2021 12:21 PM
To: Leo Flangas <leo@flangaslawfirm.com>
Cc: John A. Curtas <jacurtas@LasVegasNevada.GOV>
Subject: Proposed Order re Sophie Lau, et al. v. City of Las Vegas, et al.

Hi Mr. Flangas:

Attached for your review is our proposed Decision and Order Granting Partial Relief in the referenced matter. Please advise if you have changes or whether we can affix your electronic signature to this document. Thank you.

Cindy Kelly

Legal Secretary
City Attorney's Office | Civil Litigation
702-229-2265
495 South Main Street, Sixth Floor | Las Vegas, NV 89101



lasvegasnevada.gov



This e-mail transmission, and any documents, files, or previous e-mail messages attached to it may contain confidential information that is legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained in or attached to this transmission is prohibited. If you have received this transmission in error, please immediately notify us by reply e-mail, by forwarding this to sender, or by telephone at (702) 229-6629, and destroy the original transmission and its attachments without reading or saving them in any manner. Thank you.

1 CSERV

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA
4

5
6 Sophie Lau, Plaintiff(s)

CASE NO: A-19-806797-W

7 vs.

DEPT. NO. Department 8

8 City of Las Vegas, Defendant(s)
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 3/2/2021

15 John Curtas

jacurtas@lasvegasnevada.gov

16 Jeffrey Andrews

jandrews@lasvegasnevada.gov

17 CluAynne Corwin

ccorwin@lasvegasnevada.gov

18 Natasha Smith

natasha@flangaslawfirm.com

19 Leo Flangas

leo@flangaslawfirm.com

20 Flangas Documents

documents@flangaslawfirm.com

21 John Curtas

jacurtas@LasVegasNevada.GOV

22 Ben La Luzerne

ben@flangaslawfirm.com
23
24
25
26
27
28

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Writ of Mandamus

COURT MINUTES

October 07, 2020

A-19-806797-W Sophie Lau, Plaintiff(s)
vs.
City of Las Vegas, Defendant(s)

October 07, 2020 3:00 AM Motion to Strike

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

COURT CLERK: Rem Lord

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Petitioners' Motion to Strike Evidence Not Produced Before or at Hearing

Pursuant to EDCR 2.23 (c) and (d), this matter is being decided on the briefs and pleadings filed by the parties without oral argument since the Court deems oral argument unnecessary. The Court has reviewed the briefing on this Motion to Strike Evidence and finds that the Opposition provides compelling and persuasive reasons to deny the Motion. Accordingly, the Motion to Strike is DENIED for the reasons stated in the opposition. Defendant to prepare and submit the order in accordance with EDCR 7.21 COURT ORDERED, status check SET for the filing of the Order.

11/5/2020 STATUS CHECK: FILING OF ORDER (CHAMBER)

CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File & Serve. /rl 10/7/2020

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Writ of Mandamus

COURT MINUTES

February 02, 2021

A-19-806797-W Sophie Lau, Plaintiff(s)
vs.
City of Las Vegas, Defendant(s)

February 02, 2021 9:00 AM Petition

HEARD BY: Peterson, Jessica K. **COURTROOM:** Phoenix Building 11th Floor
116

COURT CLERK: Madalyn Kearney

RECORDER: Nancy Maldonado

REPORTER:

PARTIES

PRESENT: Curtas, John A. Attorney
Flangas, Leonidas P, ESQ Attorney

JOURNAL ENTRIES

- Counsel present via BlueJeans.

Court disclosed Mr. Curtas was counsel at the law firm the Court was once at and Mr. Flangas is cousins with the Court's former boss. Upon Court's inquiry, Mr. Curtas and Mr. Flangas did not object to the disclosure made. MATTER TRAILED.

MATTER RECALLED. All parties present as before. Following arguments by Mr. Flangas and Mr. Curtas, COURT STATED its FINDINGS, and ORDERED, fines IMPOSED at \$250.00 per day and fines REDUCED from January 22nd to February 20th, 28 days at \$250.00; and from January 19th to February 20th, 31 days at \$250.00. Court advised the total amounts are \$7,750.00 and \$7,000.00. Mr. Curtas to prepare the order.

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 CROSS APPEAL; CASE CROSS APPEAL STATEMENT;
DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; DECISION AND ORDER
GRANTING PARTIAL RELIEF; NOTICE OF ENTRY OF DECISION AND ORDER GRANTING
PARTIAL RELIEF; DISTRICT COURT MINUTES

SOPHIE LAU; JEFFREY LAU; GOOD EARTH
ENTERPRISES, INC.; LIG LAND
DEVELOPMENT, LLC,

Petitioner(s),

vs.

CITY OF LAS VEGAS, a political subdivision
of the State of Nevada; CAROLYN
GOODMAN, as Mayor of the City of Las Vegas;
CITY OF LAS VEGAS DEPARTMENT OF
BUILDING & SAFETY, CODE
ENFORCEMENT DIVISION, a department of
the City of Las Vegas; VICKI OZUNA, Code
Enforcement Manager; EMILY WETZSTEIN,
Code Enforcement Assistant; KEVIN
MCOSKER, director, Building and Safety
department; JOHN BOYER, as City Council
Designee,

Respondent(s),

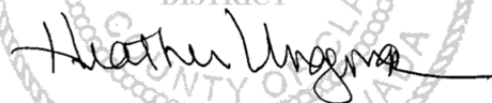
Case No: A-19-806797-W

Dept No: VIII

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 1 day of April 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk