

1                   **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2       FIRST 100, LLC, a Nevada limited  
3       liability company; 1st ONE HUNDRED  
4       HOLDINGS, LLC, a Nevada limited  
5       liability company,

6                                   Appellants

7       vs.

8       TGC/FARKAS FUNDING, LLC,

9                                   Respondent.

Supreme Court Case No. 82754

District Court Case No. A-20-822273-C

Electronically Filed  
Apr 26 2021 02:13 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

10           Appellants First 100, LLC and 1<sup>st</sup> One Hundred Holdings, LLC, by and through  
11       their attorneys of record, the law firm MAIER GUTIERREZ & ASSOCIATES, submit this  
12       case appeal statement.

13           1.     Name of appellant filing this case appeal statement:

14                 First 100, LLC and 1st One Hundred Holdings, LLC.

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

16                 Honorable District Court Judge Mark R. Denton; Findings of Fact, Conclusions  
17       of Law, & Order Regarding Evidentiary Hearing, entered on April 7, 2021.

18           3.     Identify each appellant and the name and address of counsel for each  
19       appellant:

20                 First 100, LLC and 1st One Hundred Holdings, LLC, both c/o Joseph A.  
21       Gutierrez, Esq., Jason R. Maier, Esq., and Danielle J. Barraza, Esq. of the law firm  
22       MAIER GUTIERREZ & ASSOCIATES located at 8816 Spanish Ridge Avenue, Las Vegas,  
23       Nevada 89148.

24           4.     Identify each respondent and the name and address of appellate counsel,  
25       if known, for each respondent (if the name of a respondent's appellate counsel is  
26       unknown, indicate as much and provide the name and address of that respondent's trial  
27       counsel):

28                 TGC/Farkas Funding, LLC, c/o Erika P. Turner, Esq. and Dylan T. Ciciliano,

1 Esq. of the law firm GARMAN TURNER GORDON, LLP located at 7251 Amigo Street,  
2 Suite 210, Las Vegas, Nevada 89119.

3 5. Indicate whether any attorney identified above in response to question 3  
4 or 4 is not licensed to practice law in Nevada and, if so, whether the district court  
5 granted that attorney permission to appear under SCR 42 (attach a copy of any district  
6 court order granting such permission):

7 N/A.

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

10 Yes, Appellants were represented by retained counsel in the district court.

11 7. Indicate whether appellant is represented by appointed or retained counsel  
12 on appeal:

13 Yes, Appellants are represented by retained counsel on appeal.

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

16 Not applicable. Appellant did not apply for and was not granted leave to proceed  
17 in forma pauperis in the district court.

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

20 Following arbitration, the motion to confirm arbitration award was filed on  
21 October 1, 2020, which commenced proceedings in the district court.

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

25 This dispute involved a company books and records request, with plaintiff  
26 TGC/Farkas Funding, LLC demanding access to defendant First 100's business  
27 records, arguing that its status as a purported member of First 100 substantiated the  
28 right to examine Plaintiff's company records. The matter was initiated in arbitration

1 through the American Arbitration Association, where the Arbitration Panel determined  
2 that First 100 is required to “make all the requested documents and information  
3 available from both companies to [Plaintiff] for inspection and copying.” The  
4 arbitration award was later confirmed by the district court, resulting in a judgment in  
5 favor of TGC/Farkas Funding, LLC in the amount of \$23,975.00.

6       Thereafter, a dispute arose as to whether the parties had settled the matter, which  
7 resulted in various motions being filed, including a motion to enforce settlement,  
8 motion to compel, and motion for an order to show cause. The district court conducted  
9 an evidentiary hearing as to the three motions and issued its Findings of Fact,  
10 Conclusions of Law, and Order (“FFCL”) on April 7, 2021, with notice of entry thereof  
11 also filed on April 7, 2021. In the FFCL, the district court ordered that the motion to  
12 enforce settlement was denied, ordered immediate compliance of the books and records  
13 request which was the subject of the arbitration award confirmed by the district court,  
14 and ordered reimbursement of plaintiff TGC/Farkas Funding, LLC’s fees and costs,  
15 with First 100 and non-party Jay Bloom being “jointly and severally responsible” for  
16 payment of such fees and costs.

17       This appeal follows.

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

21       Not applicable.

22       12. Indicate whether this appeal involves child custody or visitation: This  
23 appeal does not involve child custody or visitation.

24       This appeal does not involve child custody or visitation.

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

Appellants are not opposed to settlement discussions.

DATED this 26th day of April, 2021.

Respectfully submitted,

**MAIER GUTIERREZ & ASSOCIATES**

/s/ Joseph A. Gutierrez  
JASON R. MAIER, ESQ.  
Nevada Bar No. 8557  
JOSEPH A. GUTIERREZ, ESQ.  
Nevada Bar No. 9046  
DANIELLE J. BARRAZA, ESQ.  
Nevada Bar No. 13822  
8816 Spanish Ridge Avenue  
Las Vegas, Nevada 89148  
*Attorneys for First 100, LLC, 1<sup>st</sup> One  
Hundred Holdings, LLC. and Jav Bloom*

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**CERTIFICATE OF SERVICE**

I certify that on the 26th day of April, 2021, I served a copy of this completed **CASE APPEAL STATEMENT** upon all counsel of record, by mailing it by first class mail with sufficient postage prepaid to the following address(es) and electronically filed with the Nevada Supreme Court:

Erika P. Turner, Esq.  
Dylan T. Ciciliano, Esq.  
GARMAN TURNER GORDON, LLP  
7251 Amigo Street, Suite 210  
Las Vegas, Nevada 89119  
*Attorneys for TGC Farkas Funding LLC*

/s/ Natalie Vazquez  
An Employee of MAIER GUTIERREZ & ASSOCIATES