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Electronically Filed  
Jul 21 2021 08:24 a.m.  
Case No. Elizabeth A. Brown  
Clerk of Supreme Court

**RECORD OF DISCIPLINARY PROCEEDINGS,**  
**PLEADINGS AND TRANSCRIPT OF HEARING**

Todd M. Leventhal, Esq.  
Nevada Bar No. 8543  
David Clark, Esq.  
Nevada Bar No.  
9900 Covington Cross Dr., Ste. 120  
Las Vegas, NV 89144  
Counsel for Respondent

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

2                   )  
3 **IN RE:**                   )

4 **TODD M. LEVENTHAL, ESQ.**                   )  
**NEVADA BAR NO. 8543**                   )

**CASE SUMMARY FOR**  
**RECORD ON APPEAL**

5  
6                   **SUMMARY OF NATURE OF THE CASE**

7                   OBC20-0670

8                   On, about, or between February 13, 2020, and June 22, 2020, Mr. Leventhal  
9 represented Amalia Sosa-Avila (hereinafter “Ms. Sosa-Avila”) in two (2) criminal  
10 matters. A retainer agreement for \$6,000.00 was executed between Mr. Leventhal  
11 and Ms. Sosa-Avila. Ms. Sosa-Avila signed the retainer agreement; Mr. Leventhal  
12 did not. Ms. Sosa-Avila did not have money to pay the retainer agreement. Mr.  
13 Leventhal confirmed that he reached an agreement with Ms. Sosa-Avila to accept  
14 collateral as security for the payment of the attorney fees.

15                   Between February 2020 and June 2020, Ms. Sosa-Avila brought items as  
16 collateral to Mr. Leventhal which were accepted by his office. The items Mr.  
17 Leventhal’s office accepted as collateral are as follows: (1) a Louis Vuitton purse;  
18 (2) a diamond ring; and (3) an iPhone. Mr. Leventhal’s office does not have a policy  
19 on accepting collateral nor does the retainer agreement address a policy on accepting  
20 collateral. Mr. Leventhal did not abide by RPC 1.8 (Conflict of Interest: Current

1 Clients: Specific Rules) before receiving possessory interests in the aforementioned  
2 items from Ms. Sosa-Avila.

3 Mr. Leventhal testified that after reviewing the discovery in Ms. Sosa-Avila's  
4 case, he believed that the iPhone, Louis Vuitton purse, and diamond ring were stolen.  
5 Mr. Leventhal testified that upon discovering the items were allegedly stolen, he  
6 turned those items into Metro anonymously. On June 17, 2020, Mr. Leventhal filed  
7 a Motion to Withdraw on both of Ms. Sosa-Avila's cases which were granted on  
8 June 22, 2020.

9 OBC 20-0706

10 On, about, or between July 17, 2019, and June 22, 2020, Mr. Leventhal  
11 represented Zan Mitrov (hereinafter "Mr. Mitrov") in two (2) criminal matters that  
12 went into warrant. During this time, Mr. Mitrov allowed Mr. Leventhal to borrow a  
13 Dodge Viper. On or about July 23, 2019, Mr. Mitrov delivered the Dodge Viper to  
14 Mr. Leventhal's office. Mr. Leventhal did not abide by RPC 1.8 (Conflict of  
15 Interest: Current Clients: Specific Rules) before receiving a possessory interest in  
16 Mr. Mitrov's Viper.

17 Mr. Mitrov asked Mr. Leventhal to return the Dodge Viper to him multiple  
18 times between February 2020 and June 2020. On, about, or between June 5, 2020,  
19 and June 30, 2020, Mr. Mitrov rented a car because he did not have a vehicle with  
20 working A/C. On June 24, 2020, Mr. Mitrov filed a grievance against Mr. Leventhal

1 with the State Bar in an attempt to get his Dodge Viper back. The Dodge Viper was  
2 returned to Mr. Mitrov after he filed a grievance. After Mr. Mitrov received the  
3 Dodge Viper, he withdrew his grievance with the State Bar.

#### 4 Formal Hearing

5 On May 20, 2021, a Formal Hearing was held. After deliberations, the Formal  
6 Hearing Panel unanimously found that the foregoing findings of fact prove by clear  
7 and convincing evidence that Mr. Leventhal knowingly violated RPC 1.8(a)  
8 (Conflict of Interest: Current Clients: Specific Rules) which caused little or no injury  
9 to Ms. Sosa-Avila. In addition, the Formal Hearing Panel, by a 2-1 vote, found that  
10 the foregoing findings of fact prove by clear and convincing evidence that Mr.  
11 Leventhal knowingly violated RPC 1.8(a) (Conflict of Interest: Current Clients:  
12 Specific Rules) with regard to the Dodge Viper which caused injury to Mr. Mitrov.

#### 13 NUMBER OF GRIEVANCES INCLUDED IN CASE

14 Two (2) grievance files.

#### 15 THE RULES OF PROFESSIONAL CONDUCT

16 The Formal Complaint contained two (2) counts of alleged violations of RPC  
17 1.8(a) (Conflict of Interest: Current Clients: Specific Rules).

18 ///

19 ///

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1                   **THE NATURE OF THE RULE VIOLATIONS**

2                   The Formal Hearing Panel found by clear and convincing evidence that Mr.  
3 Leventhal knowingly violated RPC 1.8(a) (Conflict of Interest: Current Clients:  
4 Specific Rules) on two (2) separate occasions.

5                   **SUMMARY OF THE RECOMMENDATION**

6                   Mr. Leventhal should receive a suspension from the practice of law for one  
7 (1) year, and that said term should be stayed for a period of five (5) years. The one  
8 (1) year suspension shall go into effect only if Mr. Leventhal receives a disciplinary  
9 sanction greater than or equal to a letter of reprimand/public reprimand over the next  
10 five (5) years. In addition to what is required by the Nevada CLE Board, Mr.  
11 Leventhal should also be required to complete one (1) CLE hour for ethics and one  
12 (1) CLE hour for law practice management each year.

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1        Lastly, pursuant to SCR 120, Mr. Leventhal shall pay a \$2,500 fee plus the  
2 actual costs of this proceeding no later than the 30th day after the Supreme Court's  
3 Order in this matter or service of a Memorandum of Costs, whichever is later.

4        DATED this 19th day of July 2021.

5                                **STATE BAR OF NEVADA**  
6                                **DANIEL M. HOOGE, BAR COUNSEL**

7                                

9                                **Gerard Gosioco, Assistant Bar Counsel**  
10                               Nevada Bar No. 14371  
11                               3100 West Charleston Boulevard, Suite 100  
12                               Las Vegas, Nevada 89102  
13                               (702) 382-2200  
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11	State Bar of Nevada's Initial Disclosures of Documents and Witnesses Filed March 16, 2021	ROA Page 0100-0104	I
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## **TRANSCRIPTS & EXHIBITS**

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Case No: OBC20-0670; OBC20-0706



**STATE BAR OF NEVADA**  
**SOUTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA, )  
)  
Complainant, )  
vs. )  
)  
TODD M. LEVENTHAL, ESQ., )  
Nevada Bar No. 8543, )  
)  
Respondent. )

**COMPLAINT**

TO: TODD M. LEVENTHAL, Esq.  
c/o Lipson Neilson  
Attn: David A. Clark, Esq.  
9900 Covington Cross Dr., Ste. 120  
Las Vegas, NV 89144

**PLEASE TAKE NOTICE** that pursuant to Nevada Supreme Court Rule ("SCR") 105(2) a **VERIFIED RESPONSE OR ANSWER** to this Complaint **must be filed** with the Office of Bar Counsel, State Bar of Nevada, 3100 W. Charleston Blvd., Suite 100, Las Vegas, Nevada, 89102, **within twenty (20) days of service of this Complaint**. The procedure regarding service is addressed in SCR 109.

**GENERAL ALLEGATIONS**

1. Complainant, State Bar of Nevada (hereinafter "State Bar") alleges that TODD M. LEVENTHAL, Esq. (hereinafter "Respondent"), Nevada Bar No. 8543, is an active member of the State Bar, has been licensed to practice law in the State of Nevada

1 since September 25, 2003, and at all times pertinent to this Complaint, had a principal  
2 place of business for the practice of law located in Clark County, Nevada.

3 2. Respondent has engaged in acts of misconduct in violation of the Nevada  
4 Rules of Professional Conduct ("RPC"), requiring disciplinary sanctions.

5 OBC20-0670

6 3. On or about February 13, 2020, Amalia Sosa-Avila (hereinafter "Ms. Sosa-  
7 Avila") retained Respondent to represent her in two (2) criminal matters for a flat fee of  
8 \$6,000.00, with a down payment of \$3,000.00.

9 4. The retainer only mentions one of Ms. Sosa-Avila's cases.

10 5. Respondent contends that the \$6,000.00 fee was only for one case, and that  
11 he and Ms. Sosa-Avila made a verbal agreement to represent her in a second case for an  
12 additional \$2,000.00.

13 6. Ms. Sosa-Avila, on the other hand, contends that her understanding was  
14 that the \$6,000.00 retainer was for both cases, and that Respondent's secretary  
15 mistakenly forgot to include the second case in the retainer.

16 7. The day before (i.e., February 12, 2020), Ms. Sosa-Avila sent a text message  
17 to Respondent asking whether he was "willing to take ANY merchandise as partial  
18 payment? Maybe a new iPhone? Temperpedic [sic] mattress, 75' Smart TV...etc."

19 8. Respondent replied "[o]f course I'll work with you."

20 9. On or about February 27, 2020, Ms. Sosa-Avila gave Respondent a DJI  
21 Mavic 2 Zoom Wi-Fi Quadcopter drone and a 256GB iPhone 11 Pro Max in lieu of  
22 monetary payment to go toward the retainer.



10. Respondent did not abide by RPC 1.8 (Conflict of Interest: Current Clients: Specific Rules) before receiving possessory interests in the aforementioned items from Ms. Sosa-Avila.

11. On or about April 30, 2020, Ms. Sosa-Avila gave Respondent a Louis Vuitton wallet and a ring in lieu of monetary payment to go toward the retainer.

12. Respondent did not abide by RPC 1.8 (Conflict of Interest: Current Clients: Specific Rules) before receiving possessory interests in the aforementioned items from Ms. Sosa-Avila.

13. On or about June 17, 2020, Respondent filed a Motion to Withdraw on both of Grievant Sosa-Avila's cases which were granted on or about June 22, 2020.

14. Respondent alleges that he discovered that the items he received from Ms. Sosa-Avila were stolen after he withdrew from her cases, and that he returned the items to the Las Vegas Metropolitan Police Department anonymously.

OBC20-0706

15. On or about July 17, 2019, Zan Mitrov (hereinafter “Mr. Mitrov”) retained Respondent to represent him in two (2) criminal matters that went into warrant.

16. Mr. Mitrov agreed to pay Respondent \$5,000.00 for the criminal cases, plus an additional \$500.00 to quash his warrants.

17. Mr. Mitrov paid Respondent \$500.00 in cash the same day.

18. Shortly thereafter, Mr. Mitrov was charged with another criminal case.

19. Respondent agreed to represent Mr. Mitrov in the third criminal case for an additional \$2,500.00.

20. No retainer agreements were executed for any of Mr. Mitrov's cases.

1           21.    At some point during Respondent's representation of Mr. Mitrov,  
2 Respondent asked Mr. Mitrov if he could borrow his Dodge Viper.

3           22.    On or about July 23, 2019, Mr. Mitrov delivered the Viper to Respondent's  
4 office.

5           23.    Respondent did not abide by RPC 1.8 (Conflict of Interest: Current Clients:  
6 Specific Rules) before receiving a possessory interest in Mr. Mitrov's Viper.

7           24.    While still in possession of the Viper, Respondent asked Mr. Mitrov if he  
8 could borrow the Maserati he was driving on or about January 2, 2020.

9           25.    On or about February 18, 2020, Mr. Mitrov had an associate deliver the  
10 Maserati to Respondent's office in exchange for the Viper.

11          26.    Mr. Mitrov's associate delivered the Maserati to Respondent but was unable  
12 to recover the Viper as Respondent told him that the Viper was in North Las Vegas and  
13 that it was too late to pick it up.

14          27.    Respondent did not abide by RPC 1.8 (Conflict of Interest: Current Clients:  
15 Specific Rules) before receiving a possessory interest in Mr. Mitrov's Maserati.

16          28.    On or about February 19, 2020, Respondent asked Mr. Mitrov if he could  
17 have the Maserati for a few more months so that his wife could drive it in California and  
18 that he needed the title to the Maserati so that his wife could register it in California.

19          29.    Mr. Mitrov agreed to Respondent's request in exchange for the Viper.

20          30.    On or about March 4, 2020, Respondent contacted Mr. Mitrov stating that  
21 he no longer wanted the Maserati but, rather, needed money.

22          31.    Mr. Mitrov stated that he received the Maserati back after giving  
23 Respondent an additional \$900.00.

24          32.    Respondent was still in possession of Mr. Mitrov's Viper at this time.

25

33. On or about May 19, 2020, Respondent contacted Mr. Mitrov asking him for restitution.

34. On or about May 21, 2020, Respondent told Mr. Mitrov that the victim wanted their restitution the following day.

35. Although he believed he paid everything he owed, Mr. Mitrov went to Respondent's office to ask how much was still owed.

36. Respondent stated that he did not know the actual number.

37. Mr. Mitrov wrote Respondent a check for \$3,000.00.

38. Mr. Mitrov contends that he paid Respondent a total of \$16,900.00, while Respondent contends that only \$5,900.00 was paid.

39. On or about May 27, 2020, Mr. Mitrov sent Respondent a text message asking when he could retrieve his Viper.

40. Mr. Mitrov sent Respondent numerous text messages that went unanswered.

41. On or about June 17, 2020, Respondent filed a Motion to Withdraw on two of Mr. Mitrov's cases which were granted on or about June 22, 2020.

42. Between May 27, 2020, and the time he received Respondent's motions in the mail, Mr. Mitrov stated that he had no communications with Respondent.

43. Respondent finally returned the Viper in July 2020 after Mr. Mitrov threatened to report it as stolen.

## Count One

### **Rule 1.8 (Conflict of Interest: Current Clients: Specific Rules)**

44. Complainant repeats and realleges the allegations contained in Paragraphs 1 through 43 as if fully incorporated herein.

1           45.    Rule 1.8 (Conflict of Interest: Current Clients: Specific Rules) states, in  
2 pertinent part:

3                   (a) A lawyer shall not enter into a business transaction with a  
4 client or knowingly acquire an ownership, possessory,  
security or other pecuniary interest adverse to a client unless:

5                         (1) The transaction and terms on which the lawyer  
6 acquires the interest are fair and reasonable to the client  
and are fully disclosed and transmitted in writing in a  
manner that can be reasonably understood by the client;

7                         (2) The client is advised in writing of the desirability of  
8 seeking and is given a reasonable opportunity to seek the  
advice of independent legal counsel on the transaction;  
and

9                         (3) The client gives informed consent, in a writing signed  
10 by the client, to the essential terms of the transaction and  
the lawyer's role in the transaction, including whether the  
lawyer is representing the client in the transaction.

11           46.    Respondent acquired a possessory interest in multiple items which were  
12 adverse to Ms. Sosa-Avila.

13           47.    The transaction and terms were not fair or reasonable to Ms. Sosa-Avila.

14           48.    Ms. Sosa-Avila was not advised in writing the desirability of seeking and/or  
15 was not given a reasonable opportunity to seek the advice of independent legal counsel  
16 on the transaction.

17           49.    Ms. Sosa-Avila did not give informed consent, in writing, to the essential  
18 terms of the transaction and Respondent's role in the transaction.

19           50.    Respondent's misconduct resulted in injury and/or potential injury to Ms.  
20 Sosa-Avila.

21           51.    In light of the foregoing, including without limitation paragraphs 2 through  
22 50, Respondent has violated RPC 1.8 (Conflict of Interest: Current Clients: Specific  
23 Rules).  
24  
25

1 **Count Two**

2 **Rule 1.8 (Conflict of Interest: Current Clients: Specific Rules)**

3 52. Complainant repeats and realleges the allegations contained in Paragraphs  
4 1 through 51 as if fully incorporated herein.

5 53. Rule 1.8 (Conflict of Interest: Current Clients: Specific Rules) states, in  
6 pertinent part:

7 (a) A lawyer shall not enter into a business transaction with a  
8 client or knowingly acquire an ownership, possessory,  
security or other pecuniary interest adverse to a client unless:

9 (1) The transaction and terms on which the lawyer  
10 acquires the interest are fair and reasonable to the client  
and are fully disclosed and transmitted in writing in a  
manner that can be reasonably understood by the client;

11 (2) The client is advised in writing of the desirability of  
seeking and is given a reasonable opportunity to seek the  
12 advice of independent legal counsel on the transaction;  
and

13 (3) The client gives informed consent, in a writing signed  
by the client, to the essential terms of the transaction and  
14 the lawyer's role in the transaction, including whether the  
lawyer is representing the client in the transaction.

15 54. Respondent acquired a possessory interest in the Dodge Viper and/or  
16 Maserati which were adverse to Mr. Mitrov.

17 55. The transaction and terms were not fair or reasonable to Mr. Mitrov.

18 56. Mr. Mitrov was not advised in writing the desirability of seeking and/or was  
19 not given a reasonable opportunity to seek the advice of independent legal counsel on the  
20 transaction.

21 57. Mr. Mitrov did not give informed consent, in writing, to the essential terms  
22 of the transaction and Respondent's role in the transaction.  
23  
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1           58.     Respondent's misconduct resulted in injury and/or potential injury to Mr.  
2 Mitrov.

3           59.     In light of the foregoing, including without limitation paragraphs 2 through  
4 58, Respondent has violated RPC 1.8 (Conflict of Interest: Current Clients: Specific  
5 Rules).

6           **WHEREFORE**, Complainant prays as follows:

7           60.     That a hearing be held pursuant to SCR 105;

8           61.     That Respondent be assessed the costs of the disciplinary proceeding  
9 pursuant to SCR 120(1); and

10          62.     That pursuant to SCR 102, such disciplinary action be taken by the Southern  
11 Nevada Disciplinary Board against Respondent as may be deemed appropriate under the  
12 circumstances.

13          DATED this 4<sup>th</sup> day of December, 2020.

14  
15                   STATE BAR OF NEVADA  
16                   DANIEL M. HOOGE, BAR COUNSEL

17                   */s/ Gerard Gosioco*  
18                   Gerard Gosioco, Assistant Bar Counsel  
19                   Nevada Bar No. 14371  
20                   3100 West Charleston Boulevard, Suite 100  
21                   Las Vegas, Nevada 89102  
22                   (702) 382-2200  
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Case No: OBC20-0670; OBC20-0706



**STATE BAR OF NEVADA**  
**SOUTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA, )  
 )  
Complainant, )  
vs. )  
TODD M. LEVENTHAL, ESQ., )  
Nevada Bar No. 8543, )  
Respondent. )

**DESIGNATION OF**  
**HEARING PANEL MEMBERS**

The following are members of the Disciplinary Board for the Southern District of Nevada. Pursuant to Nevada Supreme Court Rule (SCR) 105, you may issue peremptory challenge to five (5) such individuals by delivering the same in writing to the Office of Bar Counsel within twenty (20) days of service of the complaint.

The Chair of the Southern Nevada Disciplinary Board will thereafter designate a hearing panel of three (3) members of the Disciplinary Board, including at least one member who is not an attorney, to hear the above-captioned matter.

1. Ronald C. Bloxham, Esq.
2. Annette Bradley, Esq.
3. John E. Bragonje, Esq.
4. Shemilly Bricoe, Esq.
5. Jacqueline B. Carman, Esq.
6. Andrew A. Chiu, Esq.
7. James P. Chrisman, Esq.
8. Nell Christensen, Esq.

- 1 9. Marc P. Cook, Esq.
- 2 10. Bryan A. Cox, Esq.
- 3 11. Ira W. David, Esq.
- 4 12. Damon Días, Esq.
- 5 13. Sandra DiGiacomo, Esq.
- 6 14. F. Thomas Edwards, Esq.
- 7 15. Matthew Fox, Esq.
- 8 16. Adam Garth, Esq.
- 9 17. Kelly Giordani, Esq.
- 10 18. Angela Guingcangco, Esq.
- 11 19. Parish D. Heshmati, Esq.
- 12 20. Kenneth E. Hogan, Esq.
- 13 21. Jennifer K. Hostetler, Esq.
- 14 22. Franklin Katschke, Esq.
- 15 23. Christopher J. Lalli, Esq.
- 16 24. James T. Leavitt, Esq.
- 17 25. Michael B. Lee, Esq.
- 18 26. Anat R. Levy, Esq.
- 19 27. Jennifer Lloyd, Esq.
- 20 28. Donald Lowrey, Esq.
- 21 29. Jason R. Maier, Esq.
- 22 30. Russell E. Marsh, Esq.
- 23 31. Farhan Naqvi, Esq.
- 24 32. Michael J. Oh, Esq.
- 25 33. Dana Oswalt, Esq.
34. Brian J. Pezzillo, Esq.
35. Gary A. Pulliam, Esq.
36. Paul "Luke" Puschnig, Esq.
37. Michael Rawlins, Esq.
38. Jericho Remitio, Esq.
39. Jarrod Rickard, Esq.
40. Miriam E. Rodriguez, Esq.
41. Vincent Romeo, Esq.
42. Daniel Royal, Esq.
43. Maria Veronica Saladino, Esq.
44. Africa A. Sanchez, Esq.
45. Jen J. Sarafina, Esq.
46. Jay Shafer, Esq.
47. Sarah E. Smith, Esq.
48. James Sweetin, Esq.
49. Dawn Throne, Esq.
50. Stephen Titzer, Esq.
51. Jacob J. Villani, Esq.
52. Marni Watkins, Esq.
53. Reed J. Werner, Esq.
54. Shann D. Winesett, Esq.
55. Mary E. Albregts



- 1 56. Afeni Banks  
2 57. Alexander Falconi  
3 58. Brittany Falconi  
4 59. Joelyne Gold  
5 60. Elizabeth A. Hanson  
6 61. Jack S. Hegeduis  
7 62. Julia D. Hesmati, Pharm. D.  
8 63. William M. Holland  
9 64. Nicholas Kho  
10 65. Annette Kingsley  
11 66. Gale Kotlikova  
12 67. Benjamin S. Lurie  
13 68. Jo Kent McBeath, MD  
14 69. Steve Moore  
15 70. Grace Ossowski  
16 71. Peter Ossowski  
17 72. Kellie C. Rubin  
18 73. Vikki L. Seelig  
19 74. Danny Lee Snyder, Jr.  
20 75. Harvey Weatherford

21  
22 DATED this 4<sup>th</sup> day of December, 2020.  
23  
24  
25

STATE BAR OF NEVADA  
DANIEL M. HOOGE, BAR COUNSEL

*/s/ Gerard Gosioco*  
Gerard Gosioco, Assistant Bar Counsel  
Nevada Bar No. 14371  
3100 West Charleston Boulevard, Suite 100  
Las Vegas, Nevada 89102  
(702) 382-2200

Case No: OBC20-0670; OBC20-0706



**STATE BAR OF NEVADA**  
**SOUTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA, )  
)  
Complainant, )  
vs. )  
)  
TODD M. LEVENTHAL, ESQ., )  
Nevada Bar No. 8543, )  
)  
Respondent. )

**DECLARATION OF MAILING**

TO: Kristi Faust, under penalty of perjury, being first and duly sworn, deposes and says as follows:


1. That Declarant is employed with the State Bar of Nevada and, in such capacity, Declarant is Custodian of Records for the Discipline Department of the State Bar of Nevada.
2. That Declarant states that the enclosed documents are true and correct copies of the **COMPLAINT, FIRST DESIGNATION OF HEARING PANEL MEMBERS, and STATE BAR OF NEVADA'S PEREMPTORY CHALLENGES** in the matter of the *State Bar of Nevada vs. Todd M. Leventhal, Esq.*, Case Nos. OBC20-0670; OBC20-0706.
3. That pursuant to Supreme Court Rule 109, the Complaint, First Designation of Hearing Panel Members, and State Bar of Nevada's Peremptory Challenges were served on the following by placing copies in an envelope which was then sealed

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and postage fully prepaid for regular and certified mail, and deposited in the  
United States mail at Las Vegas, Nevada on **December 4, 2020**, to:

TODD M. LEVENTHAL, Esq.  
c/o Lipson Neilson  
Attn: David A. Clark, Esq.  
9900 Covington Cross Dr., Ste. 120  
Las Vegas, NV 89144  
**CERTIFIED MAILING NO.:7019 2280 0001 9440 7062**

I declare under penalty of perjury that the foregoing is true and correct.  
Dated this 4<sup>th</sup> day of December, 2020.

  
\_\_\_\_\_  
Kristi Faust, an employee  
of the State Bar of Nevada

Case Nos.: OBC20-0670 and OBC20-0706

STATE BAR OF NEVADA  
SOUTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,

Complainant,

vs.

TODD LEVENTHAL, ESQ.,  
Nevada Bar No. 8543

Respondent.

RESPONDENT'S MOTION FOR  
SUMMARY JUDGMENT

Oral Argument Requested

Respondent Todd Leventhal, Esq., Nevada Bar No. 8543 ("Respondent"), by and through his counsel of record, LIPSON NEILSON P.C., hereby moves for summary judgment pursuant to DRP 15 and NRCP 56, as to the State Bar of Nevada's ("State Bar") Complaint on the grounds that the State Bar cannot establish the elements of an RPC 1.8 violation by clear and convincing admissible evidence.

This motion is based upon the following Memorandum of Points and Authorities, the attached Declarations of Todd Leventhal and Zav Mitrov, the pleadings on file, and such other further evidence and argument that the Chair may consider.

**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. INTRODUCTION.**

The State Bar's Complaint consists of two counts involving former clients, but alleges only a single Rule violation of RPC 1.8 (Conflict of Interest: Current Clients: Specific Rules) for each count. Both allege that Mr. Leventhal improperly engaged in a business transaction with a client by taking a possessory interest in personal property "adverse to" the interests of the client.

1 In Count One, the State Bar alleges that Mr. Leventhal took adverse possessory interest in  
2 several items belonging to Amalia Sosa-Avila. *State Bar Complaint (Compl.)*, ¶ 46. In Count  
3 Two, the State Bar alleges that Mr. Leventhal took adverse possessory interest in a Dodge Viper  
4 “and/or” a Maserati automobile owned by Zav Mitrov. *Id.* at ¶ 54. In both counts, the State Bar  
5 alleges that Mr. Leventhal failed to observe the forms and requirements of RPC 1.8 when  
6 “knowingly acquir[ing] a possessory interest adverse to a client. RPC 1.8(a); *Compl.* at ¶¶ 45, 53.  
7

8 However, as the attached Declarations establish, (1) Ms. Sosa-Avila lacked an interest in  
9 the stolen items and gifted one to Mr. Leventhal. Thus, by definition, there is no adverse interest  
10 that triggers RPC 1.8. (2) Mr. Mitrov confirms that he lent the Dodge Viper to Mr. Leventhal not  
11 as payment but as a favor and, supports the fact that Mr. Leventhal never gained a possessory  
12 interest in the Maserati adverse to Mr. Mitrov or for any appreciable time in any event.  
13 Therefore, the State Bar is unable to prove, by clear and convincing evidence, that Mr. Leventhal  
14 violated RPC 1.8, and is entitled to summary judgment as a matter of law.  
15

## 16 **II. RELEVANT FACTS.**

### 17 **A. State Bar Complaint Allegations.**

18 1. Amalia Sosa-Avila retained Mr. Leventhal to represent her in two criminal matters.  
19 *Compl.*, ¶3.

20 2. In lieu of monetary payment, on February 27, 2020, Mrs. Sosa-Avila gave Mr.  
21 Leventhal a drone and iPhone 11. *Compl.*, ¶9.

22 3. In lieu of monetary payment, on April 30, 2020, Mrs. Sosa-Avila gave Mr.  
23 Leventhal a Louis Vuitton wallet and ring. *Compl.*, ¶11.

24 4. Mr. Leventhal “did not abide by RPC 1.8 (Conflict of Interest: Specific Rules)  
25 **before receiving** possessory interests in the aforementioned items from Ms. Sosa-Avila.” *Compl.*,  
26 ¶12 (emphasis added).  
27  
28

1           5.     Mr. Leventhal took possessory interest in several items “which were adverse to  
2 Ms. Sosa-Avila.” *Compl.*, ¶46.

3           6.     Mr. Leventhal was retained to defend Mr. Mitrov in two (2) criminal matters and  
4 shortly thereafter, a third case. *Compl.*, ¶¶15 and 19.

5           7.     At some point in the representation, Mr. Leventhal asked “if he could borrow [Mr.  
6 Mitrov’s] Dodge Viper, which Mr. Mitrov delivered to Respondent’s office. *Compl.*, ¶¶ 21-22.

7           8.     Mr. Leventhal “did not abide by RPC 1.8 (Conflict of Interest: Specific Rules)  
8 before receiving a possessory interest in Mr. Mitrov’s Viper. *Compl.*, ¶23.

9           9.     On February 18, 2020, Mr. Mitrov’s associate delivered a Maserati to Respondent  
10 in exchange for the Viper. *Compl.*, ¶25. However, he was informed by Respondent that the Viper  
11 was in North Las Vegas and it was too late to pick it up. *Id.* at ¶ 26.

12           10.    Mr. Leventhal “did not abide by RPC 1.8 (Conflict of Interest: Specific Rules)  
13 before receiving a possessory interest in Mr. Mitrov’s Maserati. *Compl.*, ¶27.

14           11.    On or about March 4, 2020, Respondent contacted Mr. Mitrov stating that he no  
15 longer wanted the Maserati but, rather, needed money. *Compl.*, ¶30.

16           12.    Mr. Mitrov **stated** that he received the Maserati back after giving Respondent an  
17 additional \$900.00. *Compl.*, ¶30 (emphasis added). *Compl.*, ¶31.

18           13.    “Respondent acquired a possessory interest in the Dodge Viper and/or Maserati  
19 which were adverse to Mr. Mitrov.” *Compl.*, ¶54.

20           **B.     Declaration of Todd Leventhal.**

21           14.    Contrary to Mrs. Sosa-Avila’s assertions, Mr. Leventhal did not agree to accept  
22 personal property in lieu of payment, only that he would work with her and accept items as  
23 collateral until she made payments. *See, Exhibit A*, Declaration of Todd Leventhal, ¶ 4.

24           15.    On February 27, 2020, Mrs. Sosa finally dropped off an Iphone as collateral. Mr.  
25  
26  
27  
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1 Leventhal had no prior knowledge nor agreement as to what items she would drop off to his  
2 office. *Id.* at ¶ 5.

3 16. As to the drone, when Mr. Leventhal mentioned to Mrs. Sosa-Avila that it was his  
4 son's birthday, they delivered, unsolicited, the drone as a gift for Mr. Leventhal's son. *Id.*

5 17. After an appearance on a second matter, Mr. Leventhal's office was calling her  
6 multiple times to see when she would be making a payment on her account. On March 23, 2020,  
7 Mrs. Sosa was supposed to come in and make a payment but she did not do so. *Id.*, at ¶ 7.

8 18. On April 30, 2020, Mrs. Sosa was supposed to drop off a \$1,000.00 payment  
9 toward her agreed fee, but instead she dropped off a Louis Vuitton wallet and diamond ring as  
10 collateral. Again, there was no prior agreement that Mr. Leventhal would accept further items as  
11 collateral and certainly no prior knowledge or agreement to accept these specific items. *Id.*, at ¶ 8.

12 19. Ms. Sosa-Avila never made any promised payments towards her fee and Mr.  
13 Leventhal was forced to withdraw. *Id.* at ¶ 9.

14 20. Upon reviewing the discovery from the DA's office, Mr. Leventhal determined  
15 that the items Ms. Sosa-Avila had left as collateral were identified as stolen property. Mr.  
16 Leventhal confirmed this fact with Ms. Sosa-Avila. *Id.*, at ¶10.

17 21. As to Mr. Mitrov, Mr. Leventhal is informed and believes that he is a freight  
18 shipping broker and used to own a body shop. He drove various vintage cars. Mr. Leventhal did  
19 ask to drive the Dodge Viper but not in exchange for payment of fees or restitution. He drove it  
20 once to Pahrump. Moreover, the battery failed and the car was mostly in the shop for repairs  
21 while he had it. In fact, that is where Mr. Mitrov went to pick up the car. *Id.*, at ¶15.

22 22. As to the Maserati referenced in the State Bar complaint, Mr. Leventhal denies that  
23 he ever asked for title to the vehicle. Further, he never took possession of the Maserati, drove it to  
24 California, or even sat inside it, in any event. *Id.*, at ¶16.

1           **C. Declaration of Zan Mitrov.**

2           18. Mr. Mitrov is the grievant in in File No. OBC20-0706. *See, Exhibit B,*  
3 Declaration of Zan Mitrov, ¶ 2.

4           19. He operates a freight shipping broker business. In the past, he has owned and  
5 operated an automobile body shop. He also buys and drives vintage cars. *Id.*, ¶ 4.

6           20. He let Mr. Leventhal use a Dodge Viper as a favor, not as payment or collateral for  
7 payment of fees. After Mr. Leventhal withdrew as counsel, Mr. Mitrov picked up the Viper at the  
8 repair shop that Mr. Leventhal had it towed to for repairs. He did not pay Mr. Leventhal for its  
9 return. *Id.*, ¶ 5.

10           21. As for the Maserati mentioned in the State Bar complaint, Mr. Leventhal never  
11 took the vehicle to California, never received title to it from Mr. Mitrov nor drove it to his  
12 knowledge. In fact, Mr. Mitrov had considered giving it to him outright before he indicated that  
13 he needed money for restitution. Mr. Mitrov did not pay for the return of the Maserati. *Id.*, ¶ 6.

14           22. Mr. Mitrov has requested that his grievance be withdrawn. *Id.*, at ¶¶ 3 and 7.

15           **III. APPLICABLE LEGAL STANDARDS.**

16           **A. Summary Judgment.**

17           Summary judgment is appropriate when “after a review of the record viewed in a light  
18 most favorable to the nonmoving party, there remains no issues of material fact.” *Barmettler v.*  
19 *Reno Air, Inc.*, 114 Nev. 441, 956 P.2d 1382, 1385 (1998), *citing Butler v. Bogdanovich*, 101  
20 Nev. 449, 451, 705 P.2d 662, 663 (1985); NRCP 56.<sup>1</sup> The non-moving party is not, however,  
21 “entitled to build a case on the gossamer threads of whimsy, speculation, and conjecture.” *Id.*,  
22 *quoting Collins v. Union Fed. Savings & Loan*, 99 Nev. 284, 302, 662 P.2d 610, 621 (1983). In  
23  
24  
25  
26

27           <sup>1</sup> SCR 119(3)(Additional rules of procedure) (“Except as otherwise provided in these rules, the Nevada  
28 Rules of Civil Procedure and the Nevada Rules of Appellate Procedure apply in disciplinary cases.”).



1 evaluating a summary judgment motion, a court views all facts and draws all inferences in a light  
2 most favorable to the nonmoving party. *Kaiser Cement Corp. v. Fischbach & Moore, Inc.*, 793  
3 F.2d 100, 1103 (9th Cir. 1986).

4 In opposing summary judgment under NRCP 56, “the non-moving party may not rest  
5 upon general allegations and conclusions, but must, by affidavit or otherwise, set forth specific  
6 facts demonstrating the existence of a genuine factual issue.” *Wood v. Safeway, Inc.*, 121 Nev.  
7 724, 731, 121 P.3d 1026, 1030-31 (2005), *quoting Pegasus v. Reno Newspapers, Inc.*, 118 Nev.  
8 706, 713, 57 P.3d 82, 87 (2002).

10 A factual dispute is only genuine if the evidence is such that a rational trier of fact could  
11 return a verdict for the non-moving party. *Id.* The non-moving party bears the burden to show  
12 more than some metaphysical doubt as to the operative facts in order to avoid summary judgment.  
13 *Id.*, 121 Nev. at 732, 121 P.3d at 1031.

15 Further, “[w]here an essential element of a claim for relief is absent, the facts, disputed or  
16 otherwise, as to other elements are rendered immaterial and summary judgment is proper.”  
17 *Bulbman*, 108 Nev. at 111, 825 P.2d at 592. *Barmettler v. Reno Air, Inc.*, 114 Nev. 441, 447, 956  
18 P.2d 1382, 1386 (1998).

19 Generally, discovery is not allowed in disciplinary proceedings absent leave of the Chair  
20 for good cause. DRP 18 (Discovery); SCR 110(5). Moreover, the State Bar’s Complaint is  
21 unverified. Therefore, the State cannot rest on the pleadings or the relief under NRCP 56(f) for  
22 additional discovery. It must present **in its Opposition** admissible evidence which establishes a  
23 genuine issue of material fact.  
24

#### 25 **B. State Bar Disciplinary Proceedings.**

26 The State Bar has the burden of proving ethical violations by clear and convincing  
27 evidence. The Supreme Court has described this burden as requiring evidence which “need not  
28

1 possess such a degree of force as to be irresistible, but there must be evidence of tangible facts  
2 from which a legitimate inference . . . may be drawn.” *In re Stuhff*, 108 Nev. 629, 635, 837 P.2d  
3 853, 856 (1992). Clear and convincing evidence is “evidence that establishes every factual  
4 element to be highly probable.” *Butler v. Poulin*, 500 A.2d 257, 260 n.5 (Me. 1985).

5  
6 The Formal Hearing Panel may only find violations of the Rules of Professional Conduct  
7 as charged in the Complaint. *In re Schaeffer*, 25 P.3 191, 204, *mod.* 31 P.2d 365 (Nev. 2000) (*cit.*  
8 *State Bar of Nevada v. Claiborne*, 104 Nev. 115, 756 P.2d 464 (1988) (noting that due process  
9 requirements must be met in bar proceedings)).

10 **IV. ARGUMENT.**

11 **A. The State Bar Cannot Establish the Elements of a Breach of RPC 1.8 As**  
12 **To Count One (Amalia Sosa-Avila) by Clear and Convincing Evidence.**

13 First, by admissible evidence, Respondent has established that the items supposedly left as  
14 payment were stolen. **Exhibit A.** Therefore, the client has no interest in them at all, much less one  
15 adverse to Respondent. Moreover, upon learning that the items were stolen, Mr. Leventhal turned  
16 them over to law enforcement. Thus, he never acquired an adverse interest at all nor kept it once  
17 he discovered it was stolen. On this plain fact alone, Count One should be dismissed as to the  
18 iPhone, wallet, and ring. It would, indeed, work a perversion of the Rules of Ethics and  
19 Professional Conduct to sanction an attorney for coming into possession of stolen property and  
20 doing the right thing by turning it over to law enforcement for return to its rightful owner.

21  
22 With respect to the drone,

23 A lawyer may accept a gift from a client, if the transaction meets general  
24 standards of fairness. For example, a simple gift such as a present given at a  
25 holiday or as a token of appreciation is permitted. If a client offers the lawyer a  
26 more substantial gift, paragraph (c) does not prohibit the lawyer from accepting it,  
27 although such a gift may be voidable by the client under the doctrine of undue  
28 influence, which treats client gifts as presumptively fraudulent.

1 Model R. Prof. Conduct 1.8 cmt 6 (ABA 9<sup>th</sup> ed. 2019).<sup>2</sup>

2 Moreover, as set forth in RPC 1.8 and pled in the State Bar's Complaint, a violation  
3 requires that the attorney "**knowingly** acquire a possessory interest adverse to a client." RPC  
4 1.8(a); *State Bar Compl.* ¶ 12 ("Mr. Leventhal "did not abide by RPC 1.8 (Conflict of Interest:  
5 Specific Rules) **before receiving** possessory interests in the aforementioned items from Ms. Sosa-  
6 Avila." (emphasis added)). Mr. Leventhal's Declaration establishes that he had no prior  
7 agreement as to drone and iPhone. **Exh. A**, ¶ 5. Furthermore, he and his office were demanding  
8 money payments towards the fee, not personal property, when Ms. Sosa-Avila dropped off the  
9 wallet and ring. *Id.*, at ¶¶ 7 and 8. Mr. Leventhal could not have "knowingly" acquired a  
10 possessory interest. Also, he had no opportunity to "abide by" the requirements of RCP 1.8 prior  
11 to receipt of the (stolen) items.  
12

13 As stated above, "the non-moving party may not rest upon general allegations and  
14 conclusions, but must, by affidavit or otherwise, set forth specific facts demonstrating the  
15 existence of a genuine factual issue." *Wood v. Safeway, Inc.*, 121 Nev. 724, 731, 121 P.3d 1026,  
16 1030-31 (2005) (emphasis added). Having established by competent and admissible evidence that  
17 the items are stolen or were a gift (drone), the State Bar is required to present admissible evidence  
18 of its own to establish a genuine issue of material fact.  
19

20 The Chair should hold the State Bar strictly to this standard with respect to Ms. Sosa-  
21 Avila. The Bar had ample notice that Mr. Leventhal determined the items were stolen and that he  
22 turned them over to law enforcement. Indeed, the Complaint acknowledges as much at paragraph  
23 14. And, NRCP 56(c)(4) directs that, "An affidavit or declaration used to support or oppose a  
24

25  
26 <sup>2</sup>The Nevada Rules of Professional Conduct ("RPC") did not enact the preamble and comments to  
27 the ABA Model Rules of Professional Conduct. However, RPC 1.0A provides in part that preamble and  
28 comments to the ABA Model Rules of Professional Conduct may be consulted for guidance in interpreting  
and applying the NRPC, unless there is a conflict between the Nevada Rules and the preamble or  
comments.

1 motion must be made on personal knowledge, set out facts that would be admissible in evidence,  
2 and show that the affiant or declarant is competent to testify on the matters stated.” The State Bar  
3 had ample notice and opportunity to secure admissible evidence to counter Mr. Leventhal’s  
4 Declaration and the arguments in this Motion.

5  
6 In the absence of admissible evidence genuinely disputing the stolen nature of the three  
7 items, Respondent is entitled to summary judgment on Count One as to those items. With respect  
8 to the drone, comment 6 above to Rule 1.8 notes, “If a client offers the lawyer a more substantial  
9 gift, *paragraph (c) does not prohibit the lawyer from accepting it*, although such a gift may be  
10 voidable by the client.” (emphasis added). Based upon the foregoing, Respondent is entitled to  
11 summary judgment on Count One as a matter of law.

12  
13 **B. The State Bar Cannot Establish the Elements of a Breach of RPC 1.8 As  
To Count Two (Zan Motriv) By Clear and Convincing Evidence.**

14 Regarding Count Two, Respondent’s Declaration establishes that the use of the Dodge  
15 Viper was not for payment of services rendered. **Exh. A**, at ¶ 15. Moreover, he denies even  
16 taking possession of the Maserati or even driving it. Even taking as true the State Bar’s own  
17 allegations in the Complaint, Respondent was in possession of the Maserati for exactly two weeks  
18 (February 18 – March 4, 2020). *Compl.* at ¶¶ 25 – 30.

19  
20 And, Mr. Leventhal certainly denies asking for title to it or driving it to California.  
21 Moreover, while the Complaint alleges that Respondent requested title to the Maserati and  
22 indicated that he wanted to drive it to California, the Complaint further alleges that none of this  
23 actually happened. *Compl.* at ¶ 30. There is no allegation that Mr. Leventhal attempted to violate  
24 RPC 1.8 on the set of facts involving the Maserati nor does the Complaint allege a violation of  
25 RPC 8.4 (a) (attempt to violate the Rules of Professional Conduct).

26  
27 More compelling is the Declaration of Zan Mitrov, the actual grievant in Count Two. *See*,  
28 **Exhibit B**. He supports this Motion and requested, while this matter was still in the investigation

1 stage, that his grievance be withdrawn. *Id.*, at ¶ 3. While such a request does not deprive the State  
2 Bar of jurisdiction or require abatement of the complaint, it “may be considered in determining  
3 whether to abate.” *See*, SCR 107. As Mr. Mitrov states in his Declaration, this matter is a  
4 misunderstanding between the two.

5  
6 Furthermore, Mr. Mitrov confirms that neither the use of the Dodge Viper nor the offer of  
7 the Maserati was in exchange for money or fees. He confirms he never signed title of the Maserati  
8 over to Mr. Leventhal and was not required to pay for the return of either vehicle. **Exh. B**, at ¶¶ 5  
9 and 6.

10 On these facts and Declarations, the temporary use of the Viper and even the two-week  
11 presumed possession of the Maserati were gifts from Mr. Mitrov to Mr. Leventhal. To repeat,  
12 comment 6 to Rule 1.8 notes, “If a client offers the lawyer a more substantial gift, *paragraph (c)*  
13 *does not prohibit the lawyer from accepting it*, although such a gift may be voidable by the  
14 client.” Here, Mr. Mitrov does not seek to void the gift of the temporary possession of the  
15 vehicles, as evidenced by his desire to drop the whole thing as a misunderstanding. Thus, without  
16 admissible evidence to the contrary, RPC 1.8(c) allows for the gifts and a violation of the Rule  
17 cannot lie against Mr. Leventhal. He is entitled to summary judgment on Count Two, as well.

18  
19 **C. The State Bar Cannot Rest on the Pleadings.**

20 Respondent is not allowed to file a Reply Brief to this Motion (DRP 15(c)). So, he is  
21 required to anticipate the Opposition arguments of the State Bar.

22  
23 Because the Complaint is unverified, the allegations alone fail to establish *admissible*  
24 *evidence* to create a genuine issue of material fact, particularly in light of the Declarations in  
25 support of the Motion. Further, because there is no discovery allowed in discipline proceedings,  
26 the State Bar cannot avail itself of the safe harbor of NRCP 56(d) to seek admissible evidence.  
27 Under the Disciplinary Rules of Procedure, and NRCP 56, the State Bar must produce in response  
28

1 to this motion admissible evidence to create a genuine issue of material fact in order to survive a  
2 motion for summary judgment.

3 **V. CONCLUSION.**

4 For the foregoing reasons and evidence, Respondent requests that the Chair grant the  
5 Motion for Summary Judgment in its entirety.

6 Dated this 30<sup>st</sup> day of December 2020.

7 LIPSON NEILSON P.C.

8 By: 

9 DAVID A. CLARK  
10 Nevada Bar No. 4443  
11 9900 Covington Cross Drive, Suite 120  
12 Las Vegas, Nevada 89144  
13 *Attorneys for Respondent,*  
14 *Todd Leventhal, Esq.*

15 **CERTIFICATE OF SERVICE**

16 Pursuant to DRP 18((b)(2) and NRCP 5(b), I certify that on the 30<sup>th</sup> day of December  
17 2020, I served via email and mail the foregoing **RESPONDENT'S MOTION FOR**  
18 **SUMMARY JUDGMENT** to the following:

19 Gerard Gosioco  
20 Assistant Bar Counsel  
21 Kristi A. Faust  
22 Hearing Paralegal  
23 3100 W. Charleston Blvd.  
24 Suite 100  
25 Las Vegas, Nevada 89102  
26 [sbnnotices@nvbar.org](mailto:sbnnotices@nvbar.org)  
27 [ggosioco@nvbar.org](mailto:ggosioco@nvbar.org)  
28 [KristiF@nvbar.org](mailto:KristiF@nvbar.org)

  
LIPSON NEILSON P.C.

*State Bar of Nevada v. Todd Leventhal, Esq,*

Case Nos.: OBC20-0670 and OBC20-0706

Declaration of Todd Leventhal to  
Respondent's Motion for Summary Judgment

# EXHIBIT A

Case Nos.: OBC20-0670 and OBC20-0706

**STATE BAR OF NEVADA**  
**SOUTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA,

Complainant,  
vs.

TODD LEVENTHAL, ESQ.,  
Nevada Bar No. 8543

Respondent.

**DECLARATION OF TODD LEVENTHAL**

TODD LEVENTHAL, ESQ., being first duly sworn, deposes and says:

1. I am an attorney licensed to practice in the State of Nevada, and am the named Respondent in this action. I make this Declaration in support of Respondent's Motion for Summary Judgment and/or Motion to Dismiss. I have personal knowledge of the information contained in this Declaration and would qualify as a competent witness if called upon to testify to the facts contained herein.

**OBC20-0670/Amalia Sosa-Avila.**

2. On February 13, 2020 Mrs. Sosa retained me to handle a criminal case. The fee agreement was for \$6,000.00, half down and remainder in monthly payments of \$600.00.

3. Mrs. Sosa did not have any money that day but said that she could drop off some collateral so that I could start on her case. I agreed to accept collateral while she came up for the money to pay attorney fees. Our office filed a Motion to quash warrant on that same day.

4. Contrary to her assertions, I did not agree to accept personal property in lieu of payment, only that I would work with her and accept items as collateral until she made payments.



1           5.       On February 19, 2020, I appeared at the motion hearing and it was granted. On this  
2 day Mrs. Sosa had agreed to drop of collateral but she didn't. On February 27, 2020, Mrs. Sosa  
3 finally dropped off an Iphone as collateral. I had no prior knowledge nor agreement as to what  
4 items she would drop off to my office. As to the drone, I mentioned to Mrs. Sosa and her husband  
5 that it was my son's birthday. Unsolicited, they returned the next day and gave the drone as a gift  
6 for him.

7  
8           6.       On March 2, 2020, Mrs. Sosa texted me to request that I represent her on a court  
9 date she had the next day, March 3, 2020. I agreed to the second case with a verbal agreement in  
10 the amount of \$2000. I appeared the next day in court and confirmed as counsel to represent her.

11           7.       After this court date our office was calling her multiple times to see when she  
12 would be making a payment on her account. On March 23, 2020, Mrs. Sosa was supposed to  
13 come in and make a payment but she did not do so.

14           8.       On April 30, 2020, Mrs. Sosa was supposed to drop off a \$1,000.00 payment  
15 toward her agreed fee, but instead she dropped off a Louis Vuitton wallet and diamond ring as  
16 collateral. Again, there was no prior agreement that I would accept further items as collateral and  
17 certainly no prior knowledge or agreement to accept these specific items.

18           9.       Our office continued to call about payment and she would say that she was going  
19 to come in but never showed up. Through June 2020, Ms. Sosa failed to make any payments  
20 toward her agreed fee. Moreover, she became rude to my staff and I was forced to withdraw from  
21 her cases.

22           10.      Upon reviewing the discovery from the DA's office I determined that the items she  
23 had left as collateral were identified as stolen property. I confirmed this fact with Ms. Sosa.

24           11.      Learning that I was in possession of stolen property, I turned it into the Las Vegas  
25 Metropolitan Police Department anonymously in order that it could be returned to its rightful  
26  
27  
28

1 owner. I did so anonymously because, under RPC 1.6, an attorney is constrained from revealing  
2 client information gained in the course of the representation. That includes the client's identity  
3 regarding stolen property, when the mere identity may expose the client to prosecution. *See, i.e*  
4 *Dean v. Dean*, 607 So. 2d 494, 498 (Fla. 1992).

5 **OBC20-0706/Zan Mitrov.**

6  
7 12. I was retained to defend Mr. Mitrov in a total of three (3) criminal matters, and a  
8 motion to quash a warrant, for a total fee of \$8,000.00. I was able to resolve the first two matters  
9 and quash the warrant. My records indicate that Mr. Mitrov paid approximately \$4,400 toward his  
10 fees.

11 13. For the third matter, Mr. Mitrov was charged with receipt and possession of a  
12 stolen vehicle, that was recovered, apparently stolen from impound, and then sold again to Mr.  
13 Mitrov by the same perpetrators. He was stopped and charged with possession of a stolen vehicle,  
14 drug possession, and DUI.

15 14. I know the owner of the stolen vehicle (an attorney) who was victimized in this  
16 case. We negotiated restitution (between \$6,000 and \$8,000) in order to resolve the case. This  
17 agreement was outside of the court order resolving this matter. However, Mr. Mitrov never paid  
18 the restitution to my knowledge. I eventually withdrew from his cases and he retained new  
19 counsel.  
20

21 15. I understand that Mr. Mitrov is a freight shipping broker and used to own a body  
22 shop. When I was dealing with him, he drove various vintage cars. I did ask to drive the Dodge  
23 Viper but not in exchange for payment of fees or restitution. I drove once to Pahrump because I  
24 had no other car at the time. Moreover, the battery failed and the car was mostly in the shop for  
25 repairs while I had it. In fact, that is where Mr. Mitrov went to pick up the car.  
26

27 16. As to the Maserati referenced in the State Bar complaint, I deny I ever asked for  
28

1 title to the vehicle. Moreover, I never took possession of the Maserati, drove it, or even sat inside  
2 it, in any event.

3 I declare under penalty of perjury under the laws of the State of Nevada that the foregoing  
4 is true and correct to the best of my knowledge.

5 Executed this 30th day of December 2020 in San Francisco, CA

6  
7  
8 /s/ *Todd Leventhal*\_\_\_\_\_

9 TODD LEVENTHAL  
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## David Clark

---

**From:** Todd Leventhal <todlev@yahoo.com>  
**Sent:** Wednesday, December 30, 2020 3:07 PM  
**To:** David Clark  
**Subject:** Re: SBN v. Leventhal

Please e signature. Approved. Thank you.  
Todd

Todd

On Dec 30, 2020, at 12:35 PM, David Clark <DClark@lipsonneilson.com> wrote:

Final update with changes to paragraph 16.

### David A. Clark

<image001.jpg>  
9900 Covington Cross Drive  
Suite 120  
Las Vegas, Nevada 89144-7052  
(702) 382-1500  
(702) 382-1512 (fax)  
E-Mail: [dclark@lipsonneilson.com](mailto:dclark@lipsonneilson.com)  
Website: [www.lipsonneilson.com](http://www.lipsonneilson.com)

OFFICES IN NEVADA, MICHIGAN, and ARIZONA

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#### CONFIDENTIALITY NOTICE

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**From:** David Clark  
**Sent:** Wednesday, December 30, 2020 12:21 PM  
**To:** 'todlev@yahoo.com' <todlev@yahoo.com>; 'Todd Leventhal' <leventhalandassociates@gmail.com>  
**Cc:** Nancy Roza <NRozan@lipsonneilson.com>; Debra Marquez <DMarquez@lipsonneilson.com>  
**Subject:** RE: SBN v. Leventhal

*State Bar of Nevada v. Todd Leventhal, Esq,*

Case Nos.: OBC20-0670 and OBC20-0706

Declaration of Zan Mitrov to  
Respondent's Motion for Summary Judgment

# **EXHIBIT B**

1 Case Nos.: OBC20-0670 and OBC20-0706

2  
3 **STATE BAR OF NEVADA**

4 **SOUTHERN NEVADA DISCIPLINARY BOARD**

5 STATE BAR OF NEVADA, )

6 )  
7 Complainant, )

8 vs. )

9 TODD LEVENTHAL, ESQ., )

10 Nevada Bar No. 8543 )

11 Respondent. )  
12

13 **AFFIDAVIT OF ZAN MITROV**

14 ZAN MITROV, being first duly sworn, deposes and says:

15 1. I am over the age of eighteen (18) and a resident of the State of Nevada. I have  
16 personal knowledge of the information contained in this Affidavit and would qualify as a  
17 competent witness if called upon to testify to the facts contained herein.

18 2. I filed the grievance in File No. OBC20-0706 against Mr. Todd Leventhal. I have  
19 been given a copy of the State Bar's Complaint that includes my grievance. I have also had a  
20 chance to review Mr. Leventhal's Declaration submitted with this Motion.

21 3. I make this Declaration in support of Todd Leventhal's motion for summary  
22 judgment in the State Bar Discipline matter that includes my grievance. Indeed, I contacted the  
23 State Bar in August 2020, to withdraw my grievance. I was informed that I needed to make my  
24 request in writing. I did so via email in August 2020. A true and correct copy of that email is  
25 attached to this Declaration. I never heard back from the State Bar about my request.

26 4. I operate a freight shipping broker business. In the past, I have owned and operated  
27 an automobile body shop. I also buy and drive vintage cars.  
28


1           5.       I let Mr. Leventhal use a Dodge Viper as a favor, not as payment or collateral for  
2 payment of fees. After Mr. Leventhal withdrew as my counsel, I picked up the Viper at the repair  
3 shop that Mr. Leventhal had it towed to for repairs. I did not pay him for its return.

4           6.       As for the Maserati mentioned in the State Bar complaint, Mr. Leventhal never  
5 took the vehicle to California, never received title to it from my nor drove to my knowledge. In  
6 fact, I had considered giving it to him outright before he indicated to me he needed money for  
7 restitution. I did not pay him for its return as alleged in paragraph 31 of the State Bar Complaint.

8           7.       I believe this is a misunderstanding between Mr. Leventhal and me and I again  
9 request that my complaint be withdrawn.

10           I declare under penalty of perjury under the laws of the State of Nevada that the foregoing  
11 is true and correct to the best of my knowledge.

12           Dated this 30th day of December 2020 in Las Vegas, Nevada.

13  
14  
15 

16 ZAN MITROV  
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10:38

LTE



M2

10:38 AM

To: Louise Bcc: Todd >

**Re: Grievance File No.  
OBC20-0706/Todd Leventhal, Esq.**

Good Morning Ms.Watson,

I would like to withdraw the complaint against  
Mr.Todd Leventhal File No.OBC20-0706.

Should you have any questions do not hesitate  
to call me at 702-569-0652 or email me at  
[zan@m2lvnv.com](mailto:zan@m2lvnv.com).

Thank you

On Aug 12, 2020, at 8:37 AM, Louise Watson  
<[LouiseW@nvbar.org](mailto:LouiseW@nvbar.org)> wrote:

Thank you. I will contact you if I need any additional  
information.

Sincerely,

Louise Watson  
Bar Investigator/Program Manager  
Office of Bar Counsel



Case No.: OBC20-0670; OBC20-0706



**STATE BAR OF NEVADA**  
**SOUTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA,

Complainant,

vs.

TODD LEVENTHAL, ESQ.  
NV BAR NO. 8543

Respondent.

**ORDER APPOINTING**  
**HEARING PANEL CHAIR**

**IT IS HEREBY ORDERED** that the following member of the Southern Nevada Disciplinary Board has been designated as the Hearing Panel Chair.

1. Marc Cook, Esq., Chair

DATED this 4th day of January, 2021.

**STATE BAR OF NEVADA**

By: Russell E. Marsh  
Russell E. Marsh (Jan 4, 2021 11:37 PST)  
Russell E. Marsh, Esq.  
Nevada Bar No. 11198  
Chair, Southern Nevada Disciplinary Board

# Hearing Pnl Chair\_Leventhal

Final Audit Report

2021-01-04

Created:	2021-01-04
By:	Cathi Britz (cathib@nvbar.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAA1hvGC4i8F0Dj4Qn2VTWqbdKG6Xh6Atoq

## "Hearing Pnl Chair\_Leventhal" History

-  Document created by Cathi Britz (cathib@nvbar.org)  
2021-01-04 - 6:54:51 PM GMT- IP address: 71.222.19.43
-  Document emailed to Russell E. Marsh (russ@wmlawlv.com) for signature  
2021-01-04 - 6:55:10 PM GMT
-  Email viewed by Russell E. Marsh (russ@wmlawlv.com)  
2021-01-04 - 7:37:35 PM GMT- IP address: 24.120.39.10
-  Document e-signed by Russell E. Marsh (russ@wmlawlv.com)  
Signature Date: 2021-01-04 - 7:37:54 PM GMT - Time Source: server- IP address: 24.120.39.10
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2021-01-04 - 7:37:54 PM GMT

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1. Marc Cook, Esq. (Panel Chair): [mcook@bckltd.com](mailto:mcook@bckltd.com); [SLopan@bckltd.com](mailto:SLopan@bckltd.com)
2. David Clark, Esq. (Counsel for Respondent): [DClark@lipsonneilson.com](mailto:DClark@lipsonneilson.com)
3. Gerard Gosioco, Esq. (Assistant Bar Counsel): [gerardg@nybar.org](mailto:gerardg@nybar.org)

Kristi A. Faust  
Kristi Faust, an employee  
of the State Bar of Nevada

DANIEL M. HOOGE  
Bar Counsel  
Nevada Bar No. 10620  
GERARD GOSIOCO  
Assistant Bar Counsel  
Nevada Bar No. 14371  
3100 W. Charleston Blvd., Ste. 100  
Las Vegas, Nevada 89102  
(702) 382-2200

*Attorneys for the State Bar of Nevada*



STATE BAR OF NEVADA  
SOUTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,  
  
Complainant,  
  
-vs-  
  
TODD M. LEVENTHAL, ESQ.,  
Nevada Bar No. 8543  
  
Respondent.

CASE NO: OBC20-0670; OBC20-0706

**STATE BAR OF NEVADA'S OPPOSITION TO RESPONDENT'S MOTION FOR  
SUMMARY JUDGMENT**

COMES NOW, the State Bar of Nevada (hereinafter "State Bar"), by DANIEL M. HOOGE, Bar Counsel, through GERARD GOSIOCO, Assistant Bar Counsel, and hereby submits the attached Points and Authorities in Opposition to Respondent's Motion for Summary Judgment.

This Opposition is based upon all papers and pleadings on file herein, the attached Points and Authorities in support hereof, and oral argument, if deemed necessary by the Disciplinary Chair in this matter.

///

///

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **PROCEDURAL HISTORY**

3 On or about December 4, 2020, the State Bar filed its Complaint against Respondent with the  
4 following Nevada Rules of Professional Conduct (“RPC”) violations: COUNTS 1 and 2 – Rule 1.8  
5 (Conflict of Interest: Current Clients: Specific Rules). *See* Exhibit 1. Respondent has not filed a  
6 verified Answer. Instead, on or about December 31, 2020, Respondent filed the instant Motion for  
7 Summary Judgment citing Disciplinary Rule of Procedure (“DRP”) 15 and Nevada Rule of Civil  
8 Procedure (“NRCP”) 56. The State Bar responds as follows.

9 **ARGUMENT**

10 The Disciplinary Rules of Procedure “govern procedures before the Northern and Southern  
11 Nevada Disciplinary Boards . . . involving prosecution and adjudication of attorney misconduct and  
12 incapacity.” DRP 1(a). The Nevada Rules of Civil Procedure, on the other hand, apply to disciplinary  
13 matters only when the DRP is silent. Nevada Supreme Court Rule (“SCR”) 119(2) (2020). Pursuant  
14 to the DRP, once a disciplinary complaint is filed, ***Respondent may file a motion to dismiss*** within  
15 twenty (20) calendar days of service of the formal complaint. *See* DRP 15 (emphasis added). The  
16 DRP, on the other hand, makes no mention of motions for summary judgment. Further, a motion to  
17 dismiss is commonly filed in lieu of filing a timely Answer. Respondent’s motion is his first filing  
18 in this matter, filed on the deadline to submit an Answer, and there is no Answer filed. Accordingly,  
19 the instant pleading should be treated as a motion to dismiss rather than a motion for summary  
20 judgment as Respondent erroneously suggests. Nevertheless, Respondent’s argument fails regardless  
21 of whether it is construed as a motion to dismiss or a motion for summary judgment.

22 **A. Respondent’s Argument Fails as a Motion to Dismiss**

23 NRCP 8 provides that a claim “shall contain (1) a short and plain statement of the claim  
24 showing the pleader is entitled to relief and (2) a demand for judgment for the relief the pleader  
25

1 seeks.” Pursuant to NRCP 12(b)(5), a complaint, or a portion thereof, may be dismissed for failure  
2 to state a claim upon which relief may be granted. When entertaining a motion to dismiss, pursuant  
3 to NRCP 12(b)(5), the “task is to determine whether or not the challenged pleading sets forth  
4 allegations sufficient to make out the elements of a right to relief.” *Edgar v. Wagner*, 101 Nev. 226,  
5 227, 699 P.2d 110, 111 (1985). In making this determination, the allegations in the complaint “must  
6 be taken at ‘face value’ and must be construed favorable in the plaintiff’s behalf.” *Id.* at 111-112.  
7 (citation omitted).

8 A motion to dismiss asks for a review of the sufficiency of a complaint. It does not include  
9 consideration of any facts not contained in the pleading. In his motion, Respondent acknowledges  
10 that the two counts in the State Bar’s complaint “allege that Mr. Leventhal improperly engaged in a  
11 business transaction with a client by taking a possessory interest in personal property ‘adverse to’ the  
12 interests of the client.” *See Respondent’s Motion*, p. 1. At no point does Respondent even come close  
13 to alleging that the State Bar’s complaint failed to state a claim upon which relief may be granted.  
14 Instead, Respondent introduces facts that seek to rebut the allegations contained within the State Bar’s  
15 complaint. Therefore, Respondent’s motion should be denied.

16 **B. Respondent’s Argument Fails as a Motion for Summary Judgment**

17 Even assuming the instant pleading is treated as a motion for summary judgment,  
18 Respondent’s argument still fails. A request for summary judgment is considered through the eye of  
19 a rational trier of fact. An issue cannot be summarily adjudicated if a rational trier of fact could return  
20 a verdict for the nonmoving party. *See Wood v. Safeway, Inc.*, 121 P.3d 1026, 1031 (2005). Since  
21 the State Bar is the nonmoving party for this motion, that means that if a rational trier of fact, *i.e.* a  
22 panel member in this disciplinary matter, could find that Respondent’s conduct violated RPC 1.8,  
23 then summary judgment cannot be granted.

1 In addition, “the trial judge may not in granting summary judgment pass upon the credibility  
2 or weight of the opposing affidavits or evidence. That function is reserved for the trial.” *Hidden*  
3 *Wells Ranch, Inc. v. Strip Realty, Inc.*, 425 P.2d 599, 83 Nev. 143 (Nev. 1967)); *see also Borgerson*  
4 *v. Scanlon*, 117 Nev. 216, 19 P.3d 236 (Nev. 2001) (*affirming Hidden Wells Ranch, Inc. v. Strip*  
5 *Realty, Inc.*). Thus, if adjudication of the claims requires weighing evidence or opposing statements,  
6 then it cannot be decided outside of hearing at which the triers of fact consider such evidence.

7 Here, Respondent’s argument fails because the requested summary adjudication of the claims  
8 requires weighing evidence and/or opposing statements. As discussed *supra*, Respondent’s motion  
9 introduces facts that seek to rebut the allegations contained within the State Bar’s complaint. First,  
10 Respondent included an Affidavit of Zane Mitrov in his motion. *See Respondent’s Motion*, pp. 19-21.  
11 The allegations in the complaint are based on Mr. Mitrov’s statements in his grievance. *See Exhibit*  
12 *2*. Respondent argues that the State Bar cannot establish the elements of a breach of RPC 1.8 by clear  
13 and convincing evidence because the Viper and/or Maserati were not given to Respondent in  
14 exchange for money or fees, but rather a gift under RPC 1.8(c). *See Respondent’s Motion*, pp. 9-10.  
15 However, Respondent is misguided.

16 The State Bar never alleged that Respondent’s possession of the Dodge Viper and/or Maserati  
17 were in exchange for money or fees. Rather, the State Bar alleged that “Respondent acquired a  
18 possessory interest in the Dodge Viper and/or Maserati which were adverse to [his client] Mr.  
19 Mitrov.” *See Exhibit 1*, p. 7. Respondent was in possession of the Viper and/or Maserati for an  
20 extended period of time. Mr. Mitrov repeatedly requested the return of the cars from Respondent.  
21 *See Exhibit 2*. Accordingly, Respondent’s possession of those vehicles were adverse to Mr. Mitrov  
22 as he had no means of transportation and had to resort to using Lyft or renting a car from Hertz for  
23 approximately \$5,825.00. *Id.* Finally, Respondent failed to comply with the requirements of RPC  
24 1.8(a) in conjunction with his possession of Mr. Mitrov’s cars.

1 Similarly, the allegations in the complaint are also based on Ms. Sosa-Avila's statements in  
2 her grievance. *See* Exhibit 3. Respondent argues that the State Bar cannot establish the elements of  
3 a breach of RPC 1.8 by clear and convincing evidence because he established that the iPhone, wallet,  
4 and ring were stolen and, therefore, Ms. Sosa-Avila had no interest in them at all. *See Respondent's*  
5 *Motion*, p. 7. Further, Respondent argues that he "had no opportunity to 'abide by' the requirements  
6 of RCP [sic] 1.8 prior to receipt of the (stolen) items." *Id.* at 8. However, Respondent's arguments  
7 are flawed for numerous reasons.

8 First, it is immaterial whether the iPhone, wallet, and ring Respondent received were stolen.  
9 Ms. Sosa-Avila believed that the items she gave Respondent would be used as payment. Accordingly,  
10 taking possession of those items was adverse to Ms. Sosa-Avila. With regard to the drone,  
11 Respondent claims that the drone he received from Ms. Sosa-Avila was an unsolicited gift under RPC  
12 1.8(c). *See Respondent's Motion*, pp. 7-8. However, text messages seem to imply that the drone was  
13 used as payment rather than being a gift. *See* Exhibit 4.

14 Next, Respondent had ample opportunity to abide by the requirements of RPC 1.8. Ms. Sosa-  
15 Avila contacted Respondent on or about February 12, 2020, asking whether he would be willing to  
16 take any merchandise as partial payment. *Id.* On or about February 17, 2020, Respondent asked Ms.  
17 Sosa-Avila to "bring stuff over." *Id.* Accordingly, Respondent had at least five (5) days to comply  
18 with RPC 1.8.

19 Finally, Respondent argues that Mr. Mitrov intended to gift him the cars and that Ms. Sosa-  
20 Avila intended to gift him the drone, and therefore, cannot violate RPC 1.8. Respondent seemingly  
21 relies on a portion of comment 6 of the RPC 1.8 to support his position.<sup>1</sup> *See Respondent's Motion*,  
22 pp. 7-8, 9-10. However, comment 6 goes on to state that "[i]n any event, due to concerns about  
23

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24 <sup>1</sup> The portion of comment 6 Respondent relies on states the following: "If a client offers the lawyer a more substantial  
25 gift, paragraph (c) does not prohibit the lawyer from accepting it, although such a gift may be voidable by the client."  
*See* Model R. Prof. Conduct 1.8 cmt 6 (ABA 9th ed. 2019).



1 overreaching and imposition on clients, a lawyer may not suggest that a substantial gift be made to  
2 the lawyer or for the lawyer's benefit, except where the lawyer is related to the client as set forth in  
3 paragraph (c)." See Model R. Prof. Conduct 1.8 cmt 6 (ABA 9th ed. 2019). Thus, Respondent's  
4 reliance and interpretation of comment 6 is mistaken as (1) Respondent concedes that he asked Mr.  
5 Mitrov to drive the Dodge Viper and (2) it does not appear that Respondent is related to Mr. Mitrov.  
6 See Respondent's Motion, p. 4. In the alternative, Respondent argues that such gifts were not  
7 substantial, and therefore, receipt of them cannot violate RPC 1.8(c). However, objectively  
8 measuring the substantialness of a gift is an issue that should be determined by the trier of fact. Thus,  
9 summary adjudication is inappropriate.

10 Accordingly, a rational trier of fact could find that Respondent's conduct violated RPC 1.8.  
11 Therefore, Respondent's motion should be denied.

12 **CONCLUSION**

13 Based upon the foregoing, the State Bar of Nevada respectfully requests that Respondent's  
14 Motion for Summary Judgment be DENIED.

15 DATED this 15th day of January, 2021.

16  
17 **STATE BAR OF NEVADA**  
**DANIEL M. HOOGE, BAR COUNSEL**

18  
19 */s/ Gerard Gosioco*

20 **Gerard Gosioco, Assistant Bar Counsel**  
21 Nevada Bar No. 14371  
22 3100 West Charleston Boulevard, Suite 100  
23 Las Vegas, Nevada 89102  
24 (702) 382-2200

25 *Attorneys for the State Bar of Nevada*


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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies a true and correct copy of the foregoing **OPPOSITION TO RESPONDENT’S MOTION FOR SUMMARY JUDGMENT** was served via email to:

1. Russell E. Marsh, Esq. (Disciplinary Chair): [remarsh2000@hotmail.com](mailto:remarsh2000@hotmail.com)
2. David A. Clark, Esq. (Counsel for Respondent): [dclark@lipsonneilson.com](mailto:dclark@lipsonneilson.com)
3. Gerard Gosioco, Esq. (Assistant Bar Counsel): [gerardg@nvbar.org](mailto:gerardg@nvbar.org)

Dated this 15th day of January, 2021.

  
\_\_\_\_\_  
Kristi Faust, an employee  
of the State Bar of Nevada

# **Exhibit 1**

Case No: OBC20-0670; OBC20-0706



**STATE BAR OF NEVADA**  
**SOUTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA, )  
)  
Complainant, )  
vs. )  
)  
TODD M. LEVENTHAL, ESQ., )  
Nevada Bar No. 8543, )  
)  
Respondent. )

**COMPLAINT**

TO: TODD M. LEVENTHAL, Esq.  
c/o Lipson Neilson  
Attn: David A. Clark, Esq.  
9900 Covington Cross Dr., Ste. 120  
Las Vegas, NV 89144

**PLEASE TAKE NOTICE** that pursuant to Nevada Supreme Court Rule ("SCR") 105(2) a **VERIFIED RESPONSE OR ANSWER** to this Complaint **must be filed** with the Office of Bar Counsel, State Bar of Nevada, 3100 W. Charleston Blvd., Suite 100, Las Vegas, Nevada, 89102, **within twenty (20) days of service of this Complaint**. The procedure regarding service is addressed in SCR 109.

**GENERAL ALLEGATIONS**

1. Complainant, State Bar of Nevada (hereinafter "State Bar") alleges that TODD M. LEVENTHAL, Esq. (hereinafter "Respondent"), Nevada Bar No. 8543, is an active member of the State Bar, has been licensed to practice law in the State of Nevada

1 since September 25, 2003, and at all times pertinent to this Complaint, had a principal  
2 place of business for the practice of law located in Clark County, Nevada.

3 2. Respondent has engaged in acts of misconduct in violation of the Nevada  
4 Rules of Professional Conduct ("RPC"), requiring disciplinary sanctions.

5 OBC20-0670

6 3. On or about February 13, 2020, Amalia Sosa-Avila (hereinafter "Ms. Sosa-  
7 Avila") retained Respondent to represent her in two (2) criminal matters for a flat fee of  
8 \$6,000.00, with a down payment of \$3,000.00.

9 4. The retainer only mentions one of Ms. Sosa-Avila's cases.

10 5. Respondent contends that the \$6,000.00 fee was only for one case, and that  
11 he and Ms. Sosa-Avila made a verbal agreement to represent her in a second case for an  
12 additional \$2,000.00.

13 6. Ms. Sosa-Avila, on the other hand, contends that her understanding was  
14 that the \$6,000.00 retainer was for both cases, and that Respondent's secretary  
15 mistakenly forgot to include the second case in the retainer.

16 7. The day before (i.e., February 12, 2020), Ms. Sosa-Avila sent a text message  
17 to Respondent asking whether he was "willing to take ANY merchandise as partial  
18 payment? Maybe a new iPhone? Temperpedic [sic] mattress, 75' Smart TV...etc."

19 8. Respondent replied "[o]f course I'll work with you."

20 9. On or about February 27, 2020, Ms. Sosa-Avila gave Respondent a DJI  
21 Mavic 2 Zoom Wi-Fi Quadcopter drone and a 256GB iPhone 11 Pro Max in lieu of  
22 monetary payment to go toward the retainer.

10. Respondent did not abide by RPC 1.8 (Conflict of Interest: Current Clients: Specific Rules) before receiving possessory interests in the aforementioned items from Ms. Sosa-Avila.

11. On or about April 30, 2020, Ms. Sosa-Avila gave Respondent a Louis Vuitton wallet and a ring in lieu of monetary payment to go toward the retainer.

12. Respondent did not abide by RPC 1.8 (Conflict of Interest: Current Clients: Specific Rules) before receiving possessory interests in the aforementioned items from Ms. Sosa-Avila.

13. On or about June 17, 2020, Respondent filed a Motion to Withdraw on both of Grievant Sosa-Avila's cases which were granted on or about June 22, 2020.

14. Respondent alleges that he discovered that the items he received from Ms. Sosa-Avila were stolen after he withdrew from her cases, and that he returned the items to the Las Vegas Metropolitan Police Department anonymously.

OBC20-0706

15. On or about July 17, 2019, Zan Mitrov (hereinafter “Mr. Mitrov”) retained Respondent to represent him in two (2) criminal matters that went into warrant.

16. Mr. Mitrov agreed to pay Respondent \$5,000.00 for the criminal cases, plus an additional \$500.00 to quash his warrants.

17. Mr. Mitrov paid Respondent \$500.00 in cash the same day.

18. Shortly thereafter, Mr. Mitrov was charged with another criminal case.

19. Respondent agreed to represent Mr. Mitrov in the third criminal case for an additional \$2,500.00.

20. No retainer agreements were executed for any of Mr. Mitrov's cases.

1           21.    At some point during Respondent's representation of Mr. Mitrov,  
2 Respondent asked Mr. Mitrov if he could borrow his Dodge Viper.

3           22.    On or about July 23, 2019, Mr. Mitrov delivered the Viper to Respondent's  
4 office.

5           23.    Respondent did not abide by RPC 1.8 (Conflict of Interest: Current Clients:  
6 Specific Rules) before receiving a possessory interest in Mr. Mitrov's Viper.

7           24.    While still in possession of the Viper, Respondent asked Mr. Mitrov if he  
8 could borrow the Maserati he was driving on or about January 2, 2020.

9           25.    On or about February 18, 2020, Mr. Mitrov had an associate deliver the  
10 Maserati to Respondent's office in exchange for the Viper.

11          26.    Mr. Mitrov's associate delivered the Maserati to Respondent but was unable  
12 to recover the Viper as Respondent told him that the Viper was in North Las Vegas and  
13 that it was too late to pick it up.

14          27.    Respondent did not abide by RPC 1.8 (Conflict of Interest: Current Clients:  
15 Specific Rules) before receiving a possessory interest in Mr. Mitrov's Maserati.

16          28.    On or about February 19, 2020, Respondent asked Mr. Mitrov if he could  
17 have the Maserati for a few more months so that his wife could drive it in California and  
18 that he needed the title to the Maserati so that his wife could register it in California.

19          29.    Mr. Mitrov agreed to Respondent's request in exchange for the Viper.

20          30.    On or about March 4, 2020, Respondent contacted Mr. Mitrov stating that  
21 he no longer wanted the Maserati but, rather, needed money.

22          31.    Mr. Mitrov stated that he received the Maserati back after giving  
23 Respondent an additional \$900.00.

24          32.    Respondent was still in possession of Mr. Mitrov's Viper at this time.

25

33. On or about May 19, 2020, Respondent contacted Mr. Mitrov asking him for restitution.

34. On or about May 21, 2020, Respondent told Mr. Mitrov that the victim wanted their restitution the following day.

35. Although he believed he paid everything he owed, Mr. Mitrov went to Respondent's office to ask how much was still owed.

36. Respondent stated that he did not know the actual number.

37. Mr. Mitrov wrote Respondent a check for \$3,000.00.

38. Mr. Mitrov contends that he paid Respondent a total of \$16,900.00, while Respondent contends that only \$5,900.00 was paid.

39. On or about May 27, 2020, Mr. Mitrov sent Respondent a text message asking when he could retrieve his Viper.

40. Mr. Mitrov sent Respondent numerous text messages that went unanswered.

41. On or about June 17, 2020, Respondent filed a Motion to Withdraw on two of Mr. Mitrov's cases which were granted on or about June 22, 2020.

42. Between May 27, 2020, and the time he received Respondent's motions in the mail, Mr. Mitrov stated that he had no communications with Respondent.

43. Respondent finally returned the Viper in July 2020 after Mr. Mitrov threatened to report it as stolen.

## Count One

### **Rule 1.8 (Conflict of Interest: Current Clients: Specific Rules)**

44. Complainant repeats and realleges the allegations contained in Paragraphs 1 through 43 as if fully incorporated herein.



1           45.    Rule 1.8 (Conflict of Interest: Current Clients: Specific Rules) states, in  
2 pertinent part:

3                   (a) A lawyer shall not enter into a business transaction with a  
4 client or knowingly acquire an ownership, possessory,  
security or other pecuniary interest adverse to a client unless:

5                         (1) The transaction and terms on which the lawyer  
6 acquires the interest are fair and reasonable to the client  
and are fully disclosed and transmitted in writing in a  
manner that can be reasonably understood by the client;

7                         (2) The client is advised in writing of the desirability of  
8 seeking and is given a reasonable opportunity to seek the  
advice of independent legal counsel on the transaction;  
and

9                         (3) The client gives informed consent, in a writing signed  
10 by the client, to the essential terms of the transaction and  
the lawyer's role in the transaction, including whether the  
lawyer is representing the client in the transaction.

11           46.    Respondent acquired a possessory interest in multiple items which were  
12 adverse to Ms. Sosa-Avila.

13           47.    The transaction and terms were not fair or reasonable to Ms. Sosa-Avila.

14           48.    Ms. Sosa-Avila was not advised in writing the desirability of seeking and/or  
15 was not given a reasonable opportunity to seek the advice of independent legal counsel  
16 on the transaction.

17           49.    Ms. Sosa-Avila did not give informed consent, in writing, to the essential  
18 terms of the transaction and Respondent's role in the transaction.

19           50.    Respondent's misconduct resulted in injury and/or potential injury to Ms.  
20 Sosa-Avila.

21           51.    In light of the foregoing, including without limitation paragraphs 2 through  
22 50, Respondent has violated RPC 1.8 (Conflict of Interest: Current Clients: Specific  
23 Rules).  
24  
25

1 **Count Two**

2 **Rule 1.8 (Conflict of Interest: Current Clients: Specific Rules)**

3 52. Complainant repeats and realleges the allegations contained in Paragraphs  
4 1 through 51 as if fully incorporated herein.

5 53. Rule 1.8 (Conflict of Interest: Current Clients: Specific Rules) states, in  
6 pertinent part:

7 (a) A lawyer shall not enter into a business transaction with a  
8 client or knowingly acquire an ownership, possessory,  
security or other pecuniary interest adverse to a client unless:

9 (1) The transaction and terms on which the lawyer  
10 acquires the interest are fair and reasonable to the client  
and are fully disclosed and transmitted in writing in a  
manner that can be reasonably understood by the client;

11 (2) The client is advised in writing of the desirability of  
seeking and is given a reasonable opportunity to seek the  
12 advice of independent legal counsel on the transaction;  
and

13 (3) The client gives informed consent, in a writing signed  
by the client, to the essential terms of the transaction and  
14 the lawyer's role in the transaction, including whether the  
lawyer is representing the client in the transaction.

15 54. Respondent acquired a possessory interest in the Dodge Viper and/or  
16 Maserati which were adverse to Mr. Mitrov.

17 55. The transaction and terms were not fair or reasonable to Mr. Mitrov.

18 56. Mr. Mitrov was not advised in writing the desirability of seeking and/or was  
19 not given a reasonable opportunity to seek the advice of independent legal counsel on the  
20 transaction.

21 57. Mr. Mitrov did not give informed consent, in writing, to the essential terms  
22 of the transaction and Respondent's role in the transaction.  
23  
24  
25

1        58.     Respondent's misconduct resulted in injury and/or potential injury to Mr.  
2 Mitrov.

3        59.     In light of the foregoing, including without limitation paragraphs 2 through  
4 58, Respondent has violated RPC 1.8 (Conflict of Interest: Current Clients: Specific  
5 Rules).

6        **WHEREFORE**, Complainant prays as follows:

7        60.     That a hearing be held pursuant to SCR 105;

8        61.     That Respondent be assessed the costs of the disciplinary proceeding  
9 pursuant to SCR 120(1); and

10       62.     That pursuant to SCR 102, such disciplinary action be taken by the Southern  
11 Nevada Disciplinary Board against Respondent as may be deemed appropriate under the  
12 circumstances.

13       DATED this 4<sup>th</sup> day of December, 2020.

14  
15                    STATE BAR OF NEVADA  
16                    DANIEL M. HOOGE, BAR COUNSEL

17                    */s/ Gerard Gosioco*  
18                    Gerard Gosioco, Assistant Bar Counsel  
19                    Nevada Bar No. 14371  
20                    3100 West Charleston Boulevard, Suite 100  
21                    Las Vegas, Nevada 89102  
22                    (702) 382-2200  
23  
24  
25

# **Exhibit 2**

**From:** [nevadabarforms@gmail.com](mailto:nevadabarforms@gmail.com)  
**To:** [complaints; nevadabarforms@gmail.com](mailto:complaints;nevadabarforms@gmail.com)  
**Subject:** New submission from File a Complaint Online  
**Date:** Wednesday, June 24, 2020 5:20:16 AM

---

**First, Middle and Last Name**

Zan Mitrov

**Your Address**

10691 Allegrini dr  
Las Vegas, NEVADA 89141  
[Map It](#)

**Your Email**

[zan@m2lvnv.com](mailto:zan@m2lvnv.com)

**Your Primary Telephone Number**

(702) 569-0652

**Your Secondary Telephone Number**

(702) 580-6005

**Attorney Information****Attorney Name**

TODD LEVENTHAL

**Law Firm Name**

LEVENTHAL AND ASSOCIATES

**Attorney Address**

626 S 3RD ST  
LAS VEGAS, NV 89141  
[Map It](#)

**Previous Contact with the State Bar of Nevada**

Have you previously contacted the State Bar of Nevada regarding this matter?

No

**Hiring the Attorney**

Did you hire/retain the attorney about whom you are complaining?

Yes

When did the representation begin?

07/23/2019

What was the fee arrangement?

8000.00

How much have you paid the lawyer to date?

16900.00
<b>Brief description of the nature of the case the attorney was engaged to handle (i.e. personal injury, criminal, malpractice)</b>
Poss drug not for i-state commerce Poss drug not for i-state commerce Poss of a stolen vehicle DUI of alcohol and/or controlled or prohibited substance, 1st offense
<b>Names and contact information for other persons who can provide additional information concerning your complaint</b>
NEY CEDENO Phone:702-801-7313 Address:6841 Mataro dr,Las Vegas,NV,89103 GABRIELA LOPEZ Phone:702-580-6005 Address:10691 Allegrini dr Las Vegas,NV,89141
<b>Litigation</b>
<b>Case Number</b>
Case No. 19F10566X
<b>Name of court or agency</b>
Justice Court Dept 2
<b>Explanation of Grievance</b>
<b>Complaint Details</b>
<p>Dear Sirs,</p> <p>March 5th 2019 and May 26th 2019 I was arrested and retained Michael Pandullo as my lawyer. May 29th 2019 I left the States and went overseas to visit my parents(This trip was planned and tickets purchased Jan 2019). When I got back in the States i found that I have warrant for an arrest Mr.Pandullo license was suspended and he didn't show up at court. However I hired Todd Leventhal July 17th to represent me at court for which he agreed and said that I haven't been in trouble with the law before he will have cases dismissed or maybe I have to pay fine and go to some counseling classes and that his fee will be \$2000.00 for the first case and \$3000.00 for the second case for a total of \$5000.00 to which I agreed. I asked him don't I need to sign some paperwork to which he said Don't worry brother I know you and you seem honest person. Then we went to his secretary and he instructed her to file for a motion to squash the warrant. Also he said that I have to pay for that \$500.00 Again I agreed and paid \$500.00 the same time with cash I asked for a receipt and said don't worry brother we trust each other. I asked if I have to pay the \$5000.00 next time we go to a court he said you don't have to pay full amount but you have to bring half 2500.00 At the day of the court July 23rd before we entered the court room I gave him envelope with cash of \$3000.00 and I told him here is 3K. After the court we walked to his office and talked personal stuff. He asked me if I have any sports car. I told him that I have Vintage Dodge Viper and it's super fast. He asked me if he can drive it for couple weeks because something is wrong with his car. I said ofcourse and brought my Viper to his office the same day.He liked it after we drove it together and said 2 weeks brother and you can take it. I said ok. Next court was set up for August 27th. I was driving to court for the first case and he called me and said that I don't have to go to court today that he moved it for Sep 3rd. Sep 3rd before we entered the court room I handed him envelope with \$2000.00 cash for the remaining balance. Haloween night I was charged with DUI. I called his office and scheduled meeting with him on Nov 17th. I told him for the DUI and asked him if he can represent me to court for that matter to. He agreed and said that his fee will be \$2500.00, I agreed and gave him \$1000.00 the same day. For the second case next court date was scheduled for Oct 23rd. Mr.Leventhal told me that I don't have to be present then, but there will be some restitution fee that have to be paid to the victim for</p>

the stolen vehicle. I asked how much and he said not a lot probably \$5000.00 To me it didn't sound right but I said ok. Next court date Dec 3rd for the first case I've completed the requirments that Judge ruled and gave Todd \$2500.00 in a envelope before we entered the court room. Jan 2nd I was gambling and won a Jackpot of a \$60000.00. Next morning I called him and told him that I have cash for him. He said I am about to leave to California and I can meet with him by Artisan Hotel. I went there and handed him \$2000.00 cash and told him about my Jackpot won. He asked me what kind of car was that I was driving. I said it's Maserati. He said this one I like and he really would like to drive it for a bit. I said ok and told him but I need my Viper back he said don't worry brother I got you. Jan 15th he texted me and asked me If I am bringing the car. I was in California and told him that I will bring it when I get back. Next court date for second case was Feb 11th 2020. After we left court he said that restution was \$6000.00 for the victim. I said alright but I have to go to the bank and pull out cash. He said bring it to the office. I was back at his office same day with \$1500.00 cash in a envelope. He was busy and I had to leave to pick up kids from school. I asked if it's ok to leave envelope with his secretary. Door was open and I wanted to give him the envelope. He just said leave it with the girl and I gave her the envelope. Feb 18th I was busy around the house with my kids and called a friend Ney Ceden0 to take the Maserati to his office and bring the Viper back. Ney called me and said that he dropped the car and to call him a lyft. I ask him why left aren't you with the Viper he said that Todd told him that the Viper was in North Vegas and it's already late to get it now. I didn't like that and went to his office next day Feb 19th. We spoke at his office and he said that he wants to give the Maserati to his wife for couple months but she is in California and have to drive the car there. He also asked me if I have a title for the car because she have to drive it there and register it in California and for assurance he will put me as a lien on the car so I don't think that something odd is going on. I said ok I will bring you title tomorrow and I will pick up Viper then. He said alright brother I'll have Viper here. Feb 21st I sent him a mesage that I have the title what time to go there. No respond from him. Then I send another message saying that I am handicap(with no car) No respond. Feb 27th again I said message asking him if he is bringing the Viper? No respond . Then another message on March 3rd no respond. Finally March 4th he responded after I told him that I am using lyft. He said I don't want Maserati but he need money. I said ok. March 5th i went to his office and he told me that he have to go to California that his dad is sick. We went with his car to the shop that had the Maserati on Spring Mounting and Torrey Pines. I had \$1000.00 cash with me and gave him \$900.00 and kept \$100.00 for me. He told me this story how people are not paying him and he hope that I am not like them. I said no I will keep my word on what was agreed and I mention that I think that I paid almost everything what was talked about. March 11th I send a message to ask about his father. He replied that he is good. No communication until May 19th when he sent me a message that he need money ASAP that victim is not happy. I replied that I can't leave at this moment because it was my daughter 5th grade graduation but I can meet him after 4. No response from him. Then message May 21st that today is the last day to bring money. I said I will be at your office by 330. I knew i paid for the all cases plus restitution but I still took \$1000.00 with me. When I got to his office I felt his attitude and ego at the highest level that could be. The minute i sat he asked me did you bring my money. I didn't like that and asked if I can be excused to go to restroom. He asked my why? I said I just need little water to splash my face. When I get back I asked how much money I owe him. He wouldn't give me a number. I said I don't have it written down how much I gave him but if think for 15 min I'll have a number for him( I bluffed I knew how much I've given him). He said that I owe the full ammount for restution fee. I asked how much is that. He said 8K. Again I corrected him and said that it was \$6000.00 but that was paid. I said give me a account number I'll send you money now at the same time time I bluffed again and said I will take care of the Victim directly give me a number. He said I don't know account number for him. Then he said how much you have with you. I said the ammount I have will not make you happy and it's better to leave like that and to think for a day and tommorow to touch base. He said you know what brother don't worry about it I am good. I signed a blank check from my Company and handed to him and said go ahead Mister enter the amount you think I owe you. He said I cannot do that. i wrote \$3000.00 on the check thinking that he will be super happy. The expresion on his face was sour. I said damn Todd you are doing the same think as me. He said what is that. I said I will not comment. He got mad and said so you are teaching me now. I said I bether go and ask when I can pick up Viper. He said maybe next week you can. I waited a week and send him a message May 27th asking him when can I pick up the car. No respond I send messages 4-5 times no respond. June 5th I had to rent a car from Hertz and paid \$5825.00 until end of June. I paid that much only for a month. Todd have my car for almost a year how much shall he pay? Viper is consider exotic car and it cost more. was upset and called his cell phone no respond. I went to security gate to the comunity he lives and said that I have to go and see him. The



Officer called him and he said that he will call me back no respond. June 15th I went to his office no one opened the door. Sunday 21st I send him a message asking him to send me a number how much he thinks I owe him and I will have money for him today or tomorrow. Before we went for Fathers day dinner with my wife and kids I went to check mail and there was envelope from his office. I opened it and noticed something about court for 22nd. I send a message asking if I have to show at court he didn't responded. Later that night I read the papers he filled a motion that he wants to withdraw his services as a counsel stating that I lack communication, also I am burden for his financial fees and that he talked to me about that already. I don't recall him talking about that. Also in the letter he sworn before Public Notary that he will mail a copy of the same papers via Certified mail. Motion was filled on 17th. There was a stamp printed on the 18th usings STAMPS service and not send out until 19th because when I checked my mail Friday night after work there was nothing from his office.

I am law abiding citizen paying taxes and employing 15 people for the last 9 years. Yes I did mistakes in 2019 for which I am remorseful and already correcting them by going to NA Mettings and staying drug free.

The fact that Todd sworn that

- I lack communication
- I am burden for his financial

made me file this complain because I am the opposite of that.

Also how can I say to Judge Sciscento on July 28th that I have been good and fulfill the requirements he ruled when my Lawyer is stating the opposite. I showed up at court the 22nd and was told to contact my Lawyer. I called Monday at 9 am to schedule a meeting with his secretary and she told me that Todd will call me later in the afternoon. No phone call

I called next day and was told the same thing. No call

I know that If I call tomorrow I will be told the same thing and again no phone call. However when I show at court and say that my lawyer never gave me the papers from my cases so I can hire new Lawyer he will say that I never called and that will be his prove for his withdraw and that will be his asking to put a lien on my Viper because he never received payments.

Whole time I was dealing with his office and himself I only received phone calls to ensure that I am bringing cash and one time a phone call from his office. All the phone calls were made from me to them. Because from the industry I work in I learned that you have to inspect what you expect and after all is My Name, My reputation, My freedom and My kids Father that is dealing with those consequences I am dealing for the choices I made in 2019, again that I am very remorseful and taking steps of correcting them. I believe that with filing this claim I will have a chance to speak my side about the Motion Mr. Leventhal filled.

#### Explain what measures you have taken to resolve this matter directly with the attorney

I believed I've included that in previous chapter.

Should you have any questions or anything at all do not hesitate to call me at my cell 702-569-0652 or send email to [zan@m2lvnv.com](mailto:zan@m2lvnv.com)

Thank You

#### Related File(s)

- [Phone-Calls.pdf](#)
- [Motion.pdf](#)
- [Text-Mesages.pdf](#)
- [1bd5853e50fbd4b0b45573fe717f5353c4682dc4d507f8f6d8677d3b425ff442-1.pdf](#)



# **Exhibit 3**

**From:** [nevadabarforms@gmail.com](mailto:nevadabarforms@gmail.com)  
**To:** [complaints; nevadabarforms@gmail.com](mailto:complaints;nevadabarforms@gmail.com)  
**Subject:** New submission from File a Complaint Online  
**Date:** Sunday, June 28, 2020 11:35:28 PM

---

**First, Middle and Last Name**

AMALIA EVA MARIA SOSA-AVILA

**Your Address**

2995 E SUNSET RD #E213  
LAS VEGAS, NV 89120  
[Map It](#)

**Your Email**

[itoldu1stbro3784@aol.com](mailto:itoldu1stbro3784@aol.com)

**Your Primary Telephone Number**

(702) 379-5333

**Your Secondary Telephone Number**

(702) 721-9318

**Attorney Information**

**Attorney Name**

todd leventhal

**Law Firm Name**

leventhal and associates, llc

**Attorney Address**

626 3RD ST  
LAS VEGAS, NV 89101  
[Map It](#)

**Previous Contact with the State Bar of Nevada**

**Have you previously contacted the State Bar of Nevada regarding this matter?**

No

**If known, what was the file number for the case or claim?**

20F00283A, 19F03827B

**Hiring the Attorney**

**Did you hire/retain the attorney about whom you are complaining?**

Yes

**When did the representation begin?**

02/19/2020

**What was the fee arrangement?**

\$6,000 IN CASH OR MERCHANADISE
<b>How much have you paid the lawyer to date?</b>
\$3000 cash & 5-6,000 in Merchandise
<b>Brief description of the nature of the case the attorney was engaged to handle (i.e. personal injury, criminal, malpractice)</b>
two open cases, both Criminal and had separate counsel representing each individually. I needed an attorney that was going to handle both and not have ta wo paths that don't communicate.
<b>Names and contact information for other persons who can provide additional information concerning your complaint</b>
Wesley Avila 775-237-2011 Lisa Waldron 702-773-4956 Janice Sosa 702-273-4741 Samantha Potts
<b>Litigation</b>
<b>Case Name</b>
State of Nevada vs Amalia Sosa-Avila
<b>Case Number</b>
20F00283A, 19F03827B
<b>Name of court or agency</b>
CLARK COUNTY JUSTICE COURT
<b>Explanation of Grievance</b>
<b>Complaint Details</b>
I went to court at 9:30am on 06/23/2020 and i looked on the Court Calendar and seen that, i was on the list, i then went to my courtroom. Upon checking in, the woman could not find my name on her roster, she asked the bailiff and he also said, i didn't have court but was confused by my name still showing on the docket so he went to check the actual status, that's also when i received a call from my bondsman saying that I was going into warrant, so i spoke with her and asked her what i should do, she then advised me to call the Justice court clerk and ask for the procedure due to COVID-19, so I confirmed with the Clerk of the Court and went to place myself back on calendar all within the same day. Come to find out that Todd Leventhal had put in a 'Motion to Withdraw Counsel' and his reason was because he saw that he was going to have a financial burden in sight. When I have multiple screenshots of our texting conversations between my 702-379-5333 and his cell 415-640-4864. Todd Leventhal stating "I will work with you" in response to me asking if he will work with us (myself and my husband) financially and if he'd take merchandise as payment. The agreement was in fact; as long as I had the money and or merchandise in place for the cash or utilized as collateral, by the preliminary hearing date, everything would be okay as far as me and my husbands representation being taken care of. In his motion to withdraw, he states, that I "have damaged our relationship beyond repair." How is this?? Because he SAYS (AND THINKS HE CAN GET AWAY WITH IT!)that I didn't pay, when in fact i over paid. Because he's allowing himself to believe he can not only fool the Justice system but 'screw' ME over in the process. Because he is able to, by simply spewing out a few lies, that he just has to "say 'this is this and that is that' " and it'd hold more power, due to the assumption that he has integrity expected of him. That he is to die where he stands or so help him God! because his oath that he gave is being upheld. Knowingly so, he then will discredit all claims, if any would dare, that would come from an ex-felon/defendant, because it would then be seen as MY mistake or as a 'he said, she said' situation. So he wouldn't be questioned when he said she (meaning me, Amalia) didn't pay. He is believed easily. It didn't occur to me that I would have a Lawyer I

couldn't trust because I was trusting him with my most extremely valued possession, that being my freedom! He never apparently, gotten around to sending me any receipts from whatever form of payment I did give him. I never thought twice of this because honestly, I was not expecting for my own attorney to abuse his position by trying to get one over on me. In the screenshots of the transacting dialogue between leventhal and I, he clearly never once complains about money! I kept open communication with him the entire time! When I was released from CCDC on bail, I was released with nothing! my storage was gone (i wasn't able to make a payment during my stay) and the other one was right behind it. Life was throwing a curve towards the domino effect and i was working with nothing and made small moves to get to places but I managed. I kept such an open line of communication that I even disclosed the embarrassing details of my living situation. If he had an issue with something he should've said something more than the less of it. However, I was getting closer to my preliminary hearing & I repeatedly asked him the same few questions that HE failed to answer and HE failed to communicate any misunderstandings and or miscommunications. He didn't try and clarify. He called me as a matter of fact, and thanked us with a guarantee that we should worry no more for representation. His son was so happy that he'd given him a drone, and it made him feel really good and as long as we kept bringing items like that then we were GOLDEN!

#### Explain what measures you have taken to resolve this matter directly with the attorney

Even though we brought him all these items he still seemed to have a Dr. Jekyll and Mr. Hyde thing going on with himself. One day he's content and showing gratitude and humility. The next day he's disrespectful and belligerent, showing greed and pride issues. I kept my cool, bit my tongue and kept pushing regardless of the inconsistency I'd observe from his conversation and body language. I was still forcing myself to be subjected to his badgering at his office and his disrespectful acts of superiority, only because I didn't have a whole bunch of money and or time to be considered as wasted. My husband would constantly try to "keep the peace" for lack of a better term. I tried talking to him and as you can see in texts, it was pointless. I asked him about my discovery and he wants to put in a motion to withdraw (in which I didn't think he was serious) but yet he's willing to talk about all the stuff he's getting but not want to answer any of my business related questions, in which I have every right to know about so I know how to move forward with my husbands and my freedom.

#### Related File(s)

- [ABF891F3-B107-4840-9CA4-CEB7013A498F.png](#)
- [17B398AF-DCE9-44A9-BDB1-B07CF4755466.png](#)
- [097AB029-25F0-4207-84EF-BB3BE75BF070.png](#)
- [5F6BC271-AAA3-412E-BFFA-33164BFC2B28.png](#)
- [54162D17-0494-4E74-83D1-8D1D8E26E554.png](#)
- [13C0152D-595A-4A1E-B830-4FBB5276D79F.png](#)
- [25E42632-F2C0-479B-9A4A-1ECB767C72F8.png](#)
- [A2BF29F0-A0CB-48AC-9E18-177DB4F702A6.png](#)
- [9905ECFE-5526-44B6-93E7-FF4AC18C0055.png](#)
- [CD3814AC-336D-44DC-BFA1-2DA213DB09AC.png](#)
- [1C71C43E-4BFA-4AB1-B475-0058FFB53BC5.png](#)
- [51373710-20F7-4233-94F9-3D7E9499E685.png](#)
- [BF85ECE7-BBC7-436B-8DAE-E630CEE3A1DD.png](#)
- [08D6A249-B4A3-4B27-A4D0-B647FD176C92.png](#)
- [36ECA8F9-B3D4-4736-B1BB-6A9A9C78C353.png](#)
- [89681E28-C6A9-4762-BD8F-92AE4CB4B616.png](#)
- [95EA6BC6-AD6C-4FF6-9853-B4A7D3E7C333.png](#)
- [F71C06D2-A2B1-4CCA-8AA3-FEFA89CC8E63.png](#)
- [AD937E07-7A9A-4669-9858-781878CCDCB2.png](#)
- [1CB60D87-5AF6-4734-A747-A1DC8E5EDCA4.jpeg](#)
- [E01AAAF1-9FB9-49B3-85A6-AE9D5ACF3711.jpeg](#)
- [8B4BD5E0-AC1A-4BCF-ADFF-2BF4809E3D85.jpeg](#)
- [7E4CA000-0FA8-4CCF-83FF-2352274F0DF5.jpeg](#)
- [A0BEE1C6-1997-4EA8-96ED-8A493841D5FB.png](#)
- [BC1220B6-E3AE-471A-AE06-65AE9CF78424.png](#)

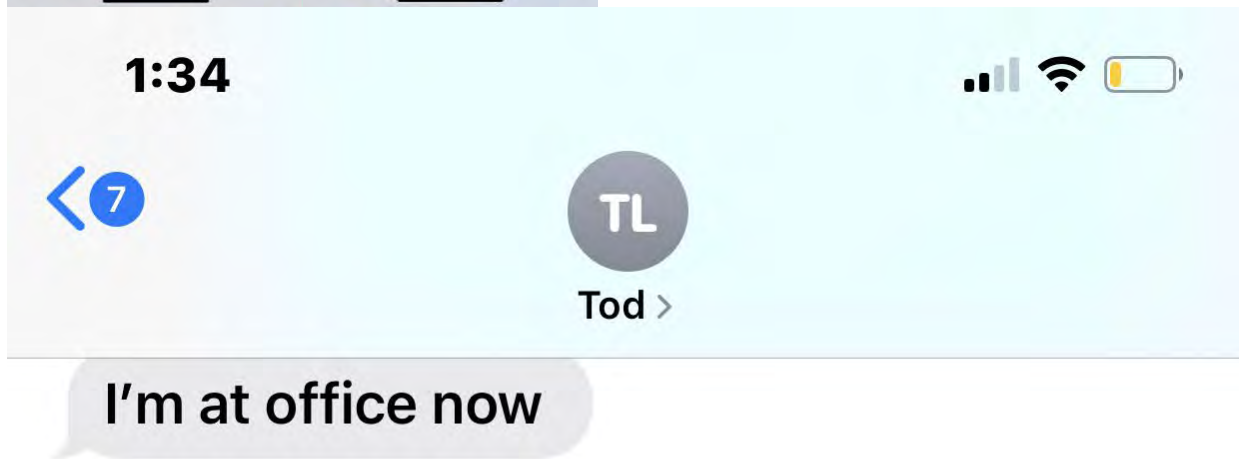
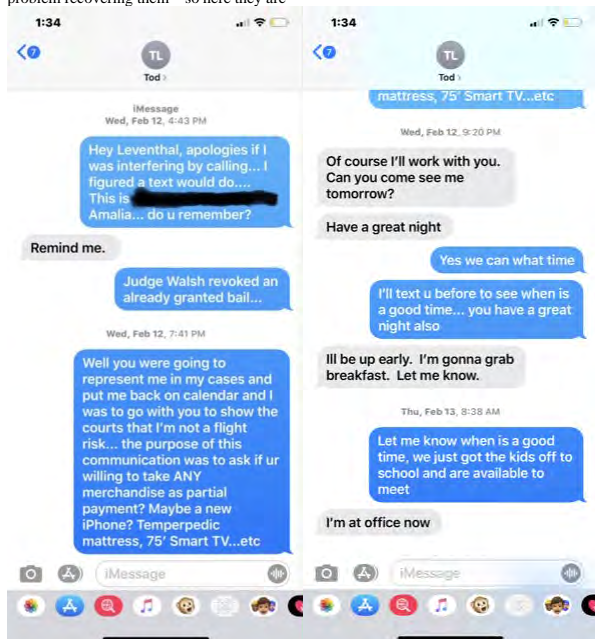
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- [F546BB49-D038-4CCA-8944-22281A90FE41.jpeg](#)
- [AC9DF008-00FA-412B-815A-EF63D221A6FD.png](#)
- [CC07D5DD-A70D-402D-9890-16EB0E745B78.jpeg](#)

# **Exhibit 4**

From: [Amelia S A](#)  
To: [Louise Watson](#)  
Subject: Crv. File No:OBC20-0670/Todd Leventhal, Esq  
Date: Tuesday, July 28, 2020 8:26:35 PM  
Attachments: [Image21.png](#)  
[Image17.png](#)  
[Image20.png](#)  
[Image14.png](#)  
[Image27.png](#)  
[Image25.png](#)  
[Image12.png](#)  
[Image16.png](#)  
[Image23.png](#)  
[Image10.png](#)  
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[Image5.png](#)  
[Image6.png](#)  
[Image22.png](#)  
[Image15.png](#)  
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[Image9.png](#)  
[Image18.png](#)  
[Image12.png](#)  
[Image27.png](#)  
[Image20.png](#)  
[Image13.png](#)  
[Image24.png](#)

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My apologies about the delayed response I have such a hectic and tight running schedule that, honestly, I spaced that whole part because for some reason I told myself that I already did it Besides that my number changed and the same night left my phone on my car and it was crushed in the middle of the street So its obvious I get some pretty bad cases of luck! However, I finally got my phone from apple and I got your letter from the mail and can move forward now because i email those screenshots to my Mom, just in case for some crazy reason I had a problem recovering them so here they are



Thu, Feb 13, 10:46 AM

I am here



I am here  
In the office

Sun, Feb 16, 1:48 PM

This is Amalia and this is my new number the other one is no longer

Mon, Feb 17, 8:58 AM

Good morning. Got it. When you coming in ?

I am in the process now trying to recover my car that's the police had av hold on... did u receive my email...?

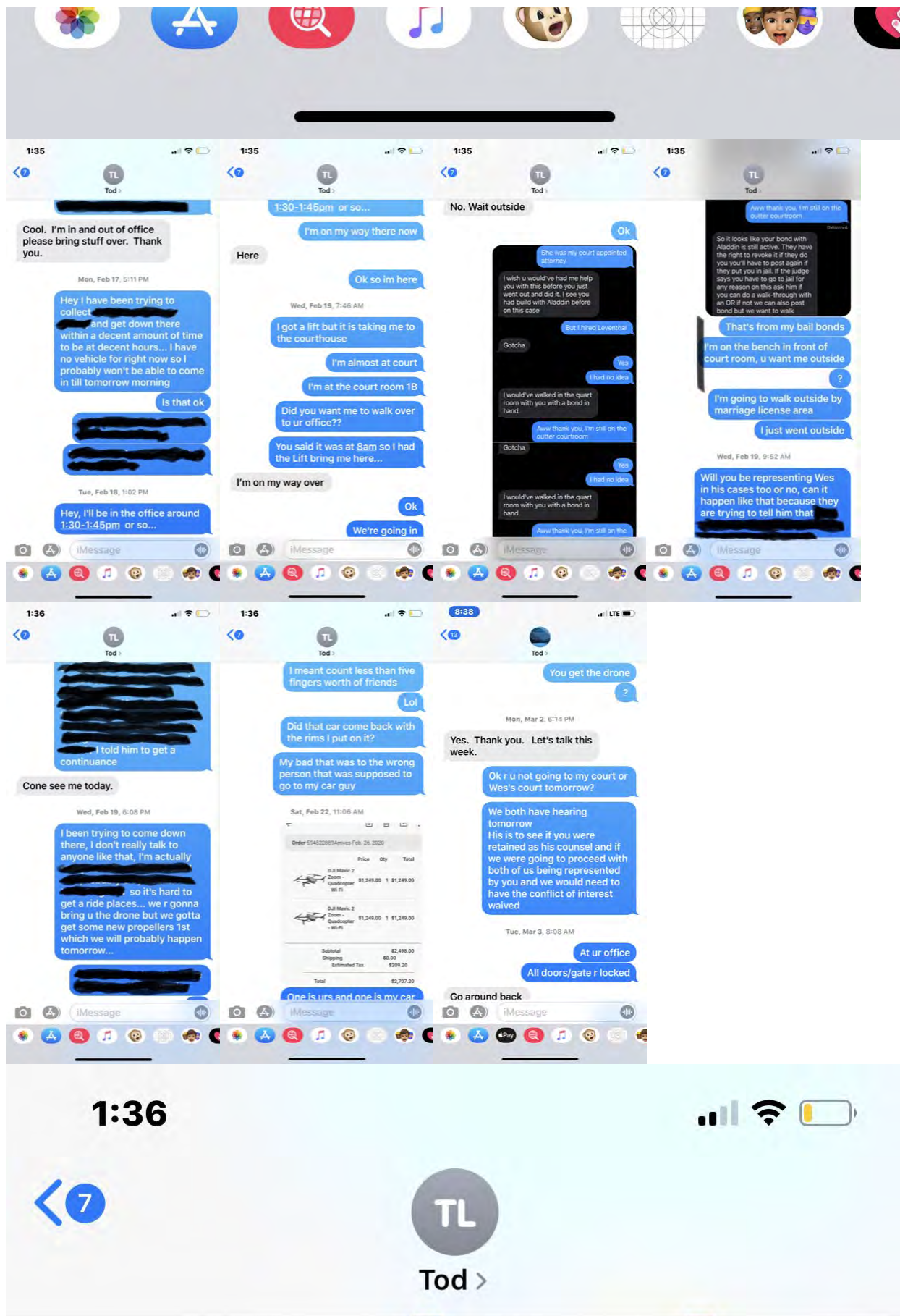
I seen that I have court on the 19th...? [REDACTED]  
[REDACTED]  
[REDACTED] well...

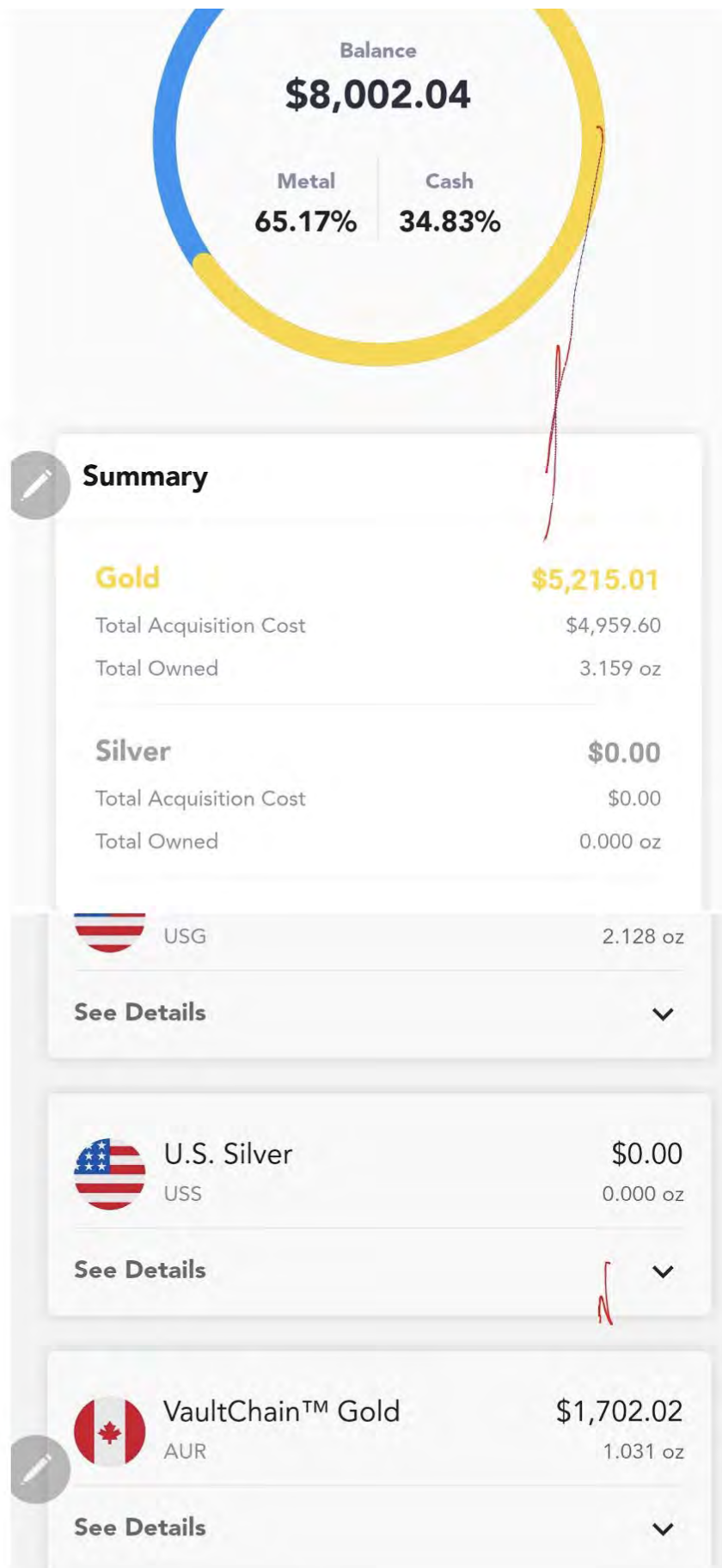


iMessage

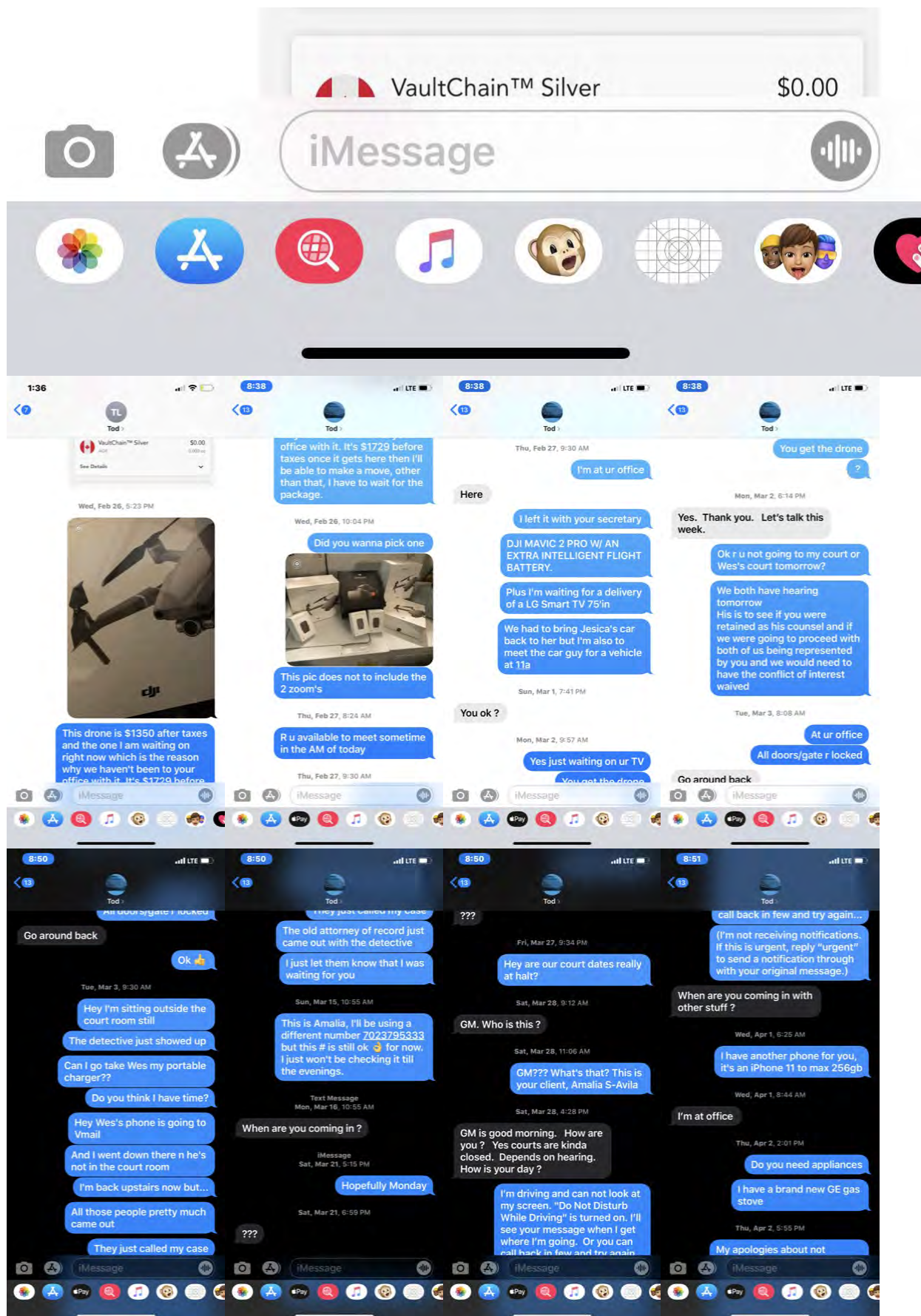


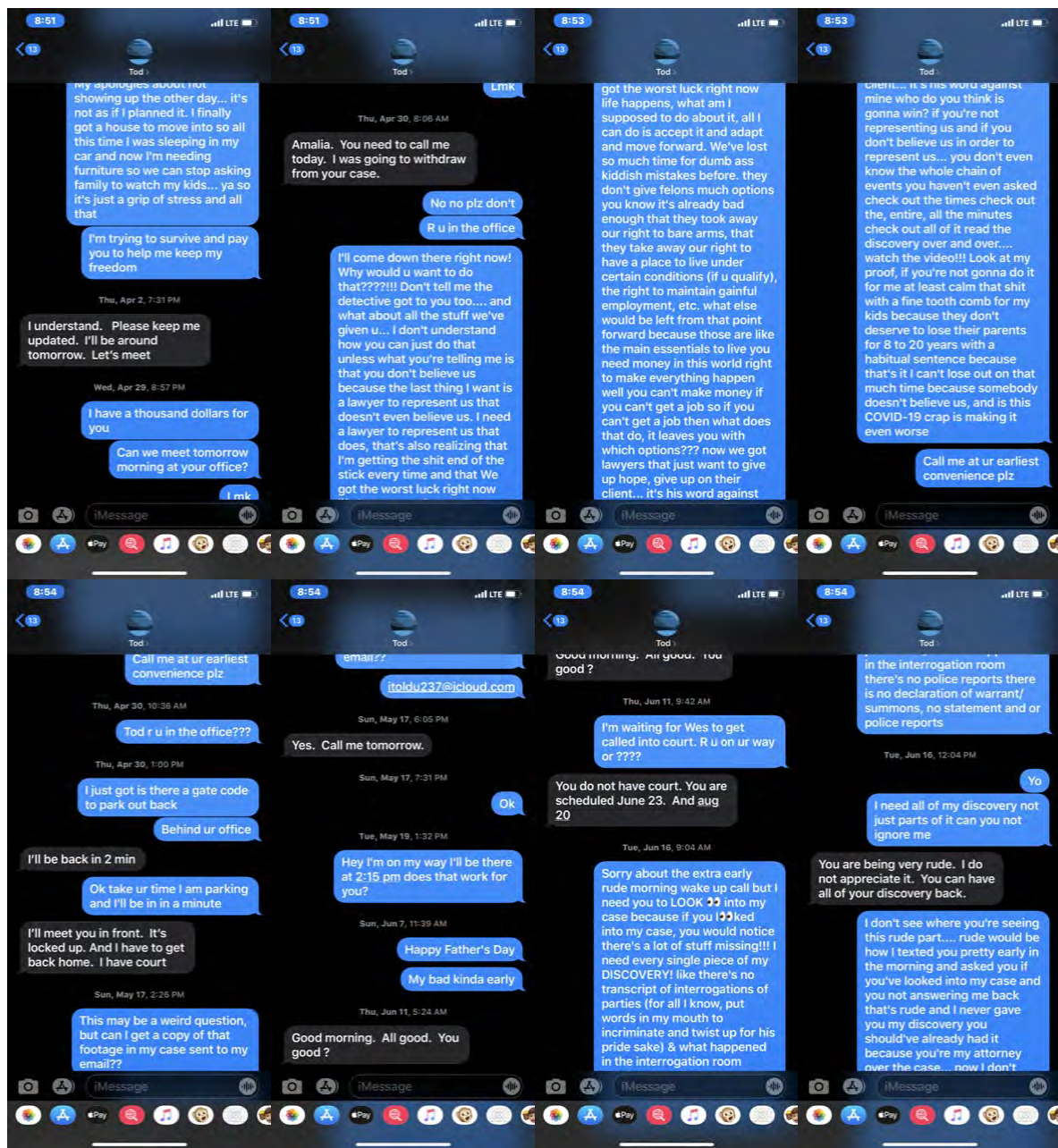




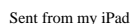












Case Nos.: OBC20-0670 and OBC20-0706



STATE BAR OF NEVADA

SOUTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,

Complainant,

vs.

TODD LEVENTHAL, ESQ.,  
Nevada Bar No. 8543

Respondent.

RESPONDENT'S REPLY IN SUPPORT  
OF MOTION FOR SUMMARY  
JUDGMENT

Oral Argument Requested

Respondent Todd Leventhal, Esq., Nevada Bar No. 8543 ("Respondent"), seeks to file this Reply in Support of his Motion for Summary Judgment on the following grounds (*emphasis added*):

1. Pursuant to DRP 15 (c), "there shall be no replies filed, *absent good cause*."
2. DPR 16 states, "The Hearing Panel Chair, if appointed, shall hear and decide *all motions* or stipulations, except motions filed pursuant to Rule 13(b), if appropriate, and Rule 15." DRP 16(c) allows for the filing of replies within (five (5) judicial days after the response is filed."

If the Chair deems this a motion pursuant to DRP 15, then Respondent submits that good cause exists, as discussed below, for the filing of this Reply. Alternatively, if the Chair construes this as a Motion for Summary Judgment, rather than a Motion to Dismiss, then under DRP 16, Respondent is allowed to file this Reply.

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///

///

1     **I.     ARGUMENT.**

2             **A.     Respondent’s Motion for Summary Judgment is Properly Brought**  
3             **and Presented.**

4             In its Opposition, the State Bar maintains that a motion pursuant to NRCP 56 is  
5     improvident as an initial pleading, being contrary to DRP 15 for filing a motion in lieu of an  
6     answer. State Bar of Nevada’s *Opposition*, p. 2: lines 15-20 (“The DRP [15], on the other hand,  
7     makes no mention of motions for summary judgment. . . . Accordingly, the instant pleading  
8     should be treated as a motion to dismiss rather than a motion for summary judgment as  
9     Respondent erroneously suggests.”).

10            However, as the Chair knows, and as the State Bar acknowledges, SCR 119(3)  
11     (Additional rules of procedure) provides that “except as otherwise provided in these rules, the  
12     Nevada Rules of Civil Procedure and the Nevada Rules of Appellate Procedure apply in  
13     disciplinary cases.” Moreover, NRCP 56 (b) states, “A party against whom a claim,  
14     counterclaim, or cross-claim is asserted or a declaratory judgment is sought *may, at any time,*  
15     move with or without supporting affidavits for a summary judgment in the party’s favor as to all  
16     or any part thereof.” (*emphasis* added). *See, also, Cummings v. City of Las Vegas Municipal*  
17     *Corp.*, 88 Nev. 479, 499 P.2d 650 (1972).

18            If this matter is construed as a Motion to Dismiss, the Chair can convert it to a Motion for  
19     Summary Judgment. “Where matters outside pleadings were presented to and not excluded by  
20     court, motion to dismiss was correctly treated as one for summary judgment.” *Stevens v.*  
21     *McGimsey*, 99 Nev. 840, 673 P.2d 499 (1983). Therefore, under either DRP 15 or DRP 16,  
22     Respondent has timely and properly brought this motion for summary judgment and the Chair  
23     may properly consider it, DRP 16 (“The Hearing Panel Chair, if appointed, shall hear and decide  
24     all motions. . . .”).  
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///

1           **B.       The Chair Should Disregard State Bar’s Exhibits 2, 3, and 4.**

2           In opposing summary judgment under NRCP 56, “the non-moving party may not rest  
3 upon general allegations and conclusions, *but must, by affidavit or otherwise*, set forth specific  
4 facts demonstrating the existence of a genuine factual issue.” *Wood v. Safeway, Inc.*, 121 Nev.  
5 724, 731, 121 P.3d 1026, 1030-31 (2005), *quoting Pegasus v. Reno Newspapers, Inc.*, 118 Nev.  
6 706, 713, 57 P.3d 82, 87 (2002). In addition, “an affidavit or declaration used to support or  
7 oppose a motion *must be made on personal knowledge, set out facts that would be admissible in*  
8 *evidence*, and show that the affiant or declarant is competent to testify on the matters stated.”  
9 NRCP 56(c)(4) (*emphasis added*).  
10

11           The Chair should disregard and strike State Bar’s Exhibits 2, 3, and 4. These statements  
12 and documents are rank hearsay, lack foundation of any kind, and are neither authenticated by  
13 proper affidavit nor self-authenticating on their face. The State Bar did not even bother to argue  
14 any grounds for admissibility, such as, perhaps business records (which still would have required  
15 a COR affidavit). *See, also, Schneider v. Continental Assur. Co.*, 110 Nev. 1270, 885 P.2d 572  
16 (1994) (District court erred in relying on inadmissible evidence in granting summary judgment  
17 where moving party’s additional materials were neither sworn to or certified and moving party  
18 did not submit affidavits in support of motion).  
19

20           As stated in Respondent’s Motion, the State Bar had ample notice of Mr. Leventhal’s  
21 contention that Ms. Avila-Sosa gave him stolen property as the Complaint acknowledges. *Compl.*,  
22 ¶ 14. The State Bar could have easily obtained a declaration from the grievant asserting that she  
23 owned the property. Respondent has no words to reply to the State Bar’s incredible assertion that,  
24 “it is immaterial whether the [stolen items] Respondent received were stolen. Ms. Avila-Sosa  
25 believed that the items she gave Respondent would be used as payment.” *Opposition*, 5:8-9. The  
26 proffered exhibits fail as admissible evidence to oppose Respondent’s Motion for Summary  
27  
28



Judgment and should be stricken and disregarded.

## **II. CONCLUSION.**

Because the State Bar has failed to present a genuine issue of material fact, based upon competent and admissible evidence, Respondent requests that the Chair grant the Motion for Summary Judgment in its entirety.

Dated this 20<sup>th</sup> day of January 2021.

LIPSON NEILSON P.C.

*/s/ David A. Clark*

By: \_\_\_\_\_

DAVID A. CLARK  
Nevada Bar No. 4443  
9900 Covington Cross Drive, Suite 120  
Las Vegas, Nevada 89144  
*Attorneys for Respondent,  
Todd Leventhal, Esq.*

### **CERTIFICATE OF SERVICE**

Pursuant to DRP 18((b)(2) and NRCP 5(b), I certify that on the 20<sup>th</sup> day of January 2021, I served via email the foregoing **RESPONDENT'S REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT** to the following:

Gerard Gosioco  
Assistant Bar Counsel  
Kristi A. Faust  
Hearing Paralegal  
3100 W. Charleston Blvd.  
Suite 100  
Las Vegas, Nevada 89102  
[sbnnotices@nvbar.org](mailto:sbnnotices@nvbar.org)  
[ggosioco@nvbar.org](mailto:ggosioco@nvbar.org)  
[KristiF@nvbar.org](mailto:KristiF@nvbar.org)

*/s/ Debra Marquez*

\_\_\_\_\_  
LIPSON NEILSON P.C.



Case Nos.: OBC 20-0670 and OBC 20-706

**STATE BAR OF NEVADA  
SOUTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA,	)	
	)	
Complainant,	)	
vs.	)	
	)	
TODD LEVENTHAL, ESQ.,	)	
	)	
Nevada Bar No. 8543,	)	
	)	
Respondent.	)	

**ORDER**

This matter is before the Chair of the Southern Nevada Disciplinary Board on Respondent's Motion for Summary Judgment, filed on December 31, 2020. The Board Chair has also considered the State Bar of Nevada's Opposition to Respondent's Motion for Summary Judgment, filed on January 15, 2021; and Respondent's Reply Brief in Support of Motion for Summary Judgment, submitted on January 20, 2021.

Under Rule 15 of the Disciplinary Rules of Procedure (DRP), the respondent may file "a motion to dismiss all or part of the Complaint." Rule 15 provides:

**Rule 15. Motions to Dismiss or For More Definite Statement.** Separate from a verified response or answer, Respondent may file a motion to dismiss all or part of the Complaint or a motion for more definite statement. Such motion must be filed and served within twenty (20) calendar days of service of the formal Complaint and assert all available basis for dismissal of the allegations in the Complaint, such as those listed in NRCP 12(b). A failure to assert all available basis in one motion shall be deemed a waiver of any unasserted defenses, absent good cause shown for the failure.

All motions under Rule 15 are to be decided by the Chair or Vice Chair of the Disciplinary Board. DRP 15(a). Pursuant to Rule 16, all other motions (except those under Rule 13(b)), are decided by

1 the Panel Chair. Replies are not allowed under Rule 15, except for good cause, while replies are  
2 allowed as a matter of course for other motions. *Compare* DRP 15(c) *with* DRP 16(c).

3 The present motion shall be deemed a summary judgment motion under NRCP 56, and not a  
4 motion to dismiss under Rule 15. The motion is styled as a “Motion for Summary Judgment,” and  
5 cites to NRCP 56, which applies to summary judgment motions. It does not cite to any particular basis  
6 for dismissal under NRCP 12(b), which is incorporated under DRP 15 (a Rule 15 motion shall “assert  
7 all available basis for dismissal of the allegations in the Complaint, such as those listed in NRCP 12(b)”). The  
8 motion attaches exhibits in an effort to establish facts outside of the Complaint. Further, in his Reply,  
9 Respondent challenges the exhibits submitted with the State Bar’s Opposition as contrary to NRCP  
10 56. Reply at 3-4. While the State Bar contends that the motion should be denied whether it is deemed  
11 a motion to dismiss or one for summary judgment, Opposition at 2-6, the issue at this point is who  
12 should decide the motion.

13 Because this is best considered a motion for summary judgment and not a motion to dismiss  
14 under Rule 15, this motion should be decided by the Panel Chair. Further, the Panel Chair is in the  
15 best position to determine the timing of the decision on the motion and what evidence should be  
16 considered. The Panel Chair should also determine what addition pleadings or motions should be filed  
17 or considered, and when that should be done. For example, if an answer has not been filed, the Panel  
18 Chair may order the Respondent to file one, either before or after a decision on the present motion.

19 Accordingly, Respondent’s Motion for Summary Judgment is not decided by the Board Chair  
20 and shall be directed to the Panel Chair. Further, the Reply submitted by Respondent shall be deemed  
21 properly submitted under Rule 16(c), and should be considered by the Panel Chair.  
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IT IS SO ORDERED.

Dated this 10<sup>th</sup> day of February, 2021.

SOUTHERN NEVADA DISCIPLINARY BOARD

By: *Russell E. Marsh*  
Russell E. Marsh, Esq.  
CHAIR

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# 2021.02.10-.Order re Summ. Jdnmt. Motion - Board Chair

Final Audit Report

2021-02-10

Created:	2021-02-10
By:	Kristi Faust (kristif@nvbar.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAAnfi-CdMTJHhW-awh_qhuFECcmU55Y7-s

## "2021.02.10-.Order re Summ. Jdnmt. Motion - Board Chair" History



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FILED

FEB 12 2021

STATE BAR OF NEVADA  
BY: B. Felix  
OFFICE OF BAR COUNSEL

Case Nos.: OBC 20-0670 and OBC 20-706

STATE BAR OF NEVADA  
SOUTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,  
Complainant,  
v.  
TODD LEVENTHAL, ESQ.  
Nevada Bar No. 8543,  
Respondent.

**ORDER DENYING RESPONDENT'S  
MOTION FOR SUMMARY JUDGMENT**

The panel chair has reviewed the Complaint, the Motion for Summary Judgment, Opposition thereto and the Reply. In reviewing this issue, the Court notes that both counts against the Respondent are for violation of Rule 1.8(a) identifying an alleged Rule violation by Respondent for entering "into a business transaction with a client or knowingly acquire an ownership, possessory, security or other pecuniary interest adverse to a client unless . . . ."

The Complainant further alleges that the Respondent acquired possessory interest in multiple items from Ms. Sosa-Avila (Paragraph 46 of the Complaint) and further that Respondent acquired a possessory interest in other items from Mr. Mitrov. (Paragraph 54) Both counts allege that the transaction terms were not fair or reasonable, that the non-lawyer client was not advised in writing of their options under 1.8(a)(2) and did not give informed consent consistent with 1.8(a)(3).

As to the first Count, the Respondent asserts that "[c]ontrary to Ms. Sosa-Avila's assertions, Mr. Leventhal did not agree to accept personal property in lieu of payment, only that he would work with her and accept items as collateral until she made payments."<sup>1</sup> However, this

<sup>1</sup>See Motion for Summary Judgment, p. 3, ll 24-26, citing to Declaration of Todd Leventhal.



1 statement acknowledges that there is a factual dispute as to the agreement between the parties *i.e.*  
2 that Mr. Leventhal's position is contrary to Ms. Sosa-Avila's factual assertions on this issue. On  
3 Summary Judgment, this issue must be construed in favor of the State Bar. There is a material  
4 dispute of fact as to whether these items were to be dropped off as collateral or in lieu of  
5 payment. The text exchanges and exhibits<sup>2</sup> outline and support a factual background that, when  
6 construed in the light most favorable to the Respondent, certainly creates a material issue of fact.

7 The standard for addressing the intent of parties is typically a question of fact that should  
8 be resolved by the trier of fact and not by summary disposition. See *e.g.*, *Mullis v. Nevada*  
9 *National Bank*, 98 Nev. 510, 654 P.2d 533 (1982); *Parman v. Petricciani*, 70 Nev. 427, 272 P.2d  
10 492 (1954). Similarly, cases in which a particular state of mind of a party is an element to the  
11 case are generally not suited for disposition by summary judgment. *Mendocino Environmental*  
12 *Center v. Mendocino*, 192 F.3d 1283, 1302 (9th Cir. 1999). Rule 56 authorizes summary  
13 judgement only when it is quite clear what the truth is and that no genuine issue of fact or dispute  
14 remains. *Caughlin Ranch Homeowners Association v. Caughlin Club*, 109 Nev. 264, 849 P.2d  
15 310 (1993).

16 Next, Respondent asserts that the "items left as collateral" were stolen property that  
17 Respondent subsequently anonymously turned in to the Las Vegas Metropolitan Police  
18 Department. Respondent does not refute this statement. However, the Respondent's affidavit  
19 refers to the drone as a gift and the other items as collateral. Thus, based on the evidence and  
20 arguments presented in the Motion for Summary Judgement, the drone was not turned over to the  
21 Las Vegas Metropolitan Police Department. Consequently, there is at least a material issue of  
22 disputed fact as to the possession of this drone as it applies to the Count against Respondent.

23 Because the drone was evidently not returned, the legal issue developed in Respondent's  
24 motion, *i.e.*, how (or if) Rule 1.8 would apply in the event the property transaction involved  
25 property that was not actually owned by the non-lawyer client is still an open question that does  
26 not need to be resolved in conjunction with this motion. However, neither party provided legal

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27  
28 <sup>2</sup> The consideration of Complainant's exhibits will be addressed hereinbelow.



1 authority to address this issue. With no legal support for this exemption from Rule 1.8 issue, it  
2 remains open as to any property the fact finders conclude were stolen. The Panel Chair would  
3 urge the parties to address this issue, with citations to authority in later briefings. However, for  
4 purposes of this Motion for Summary Judgment, as at least one item, the drone, is not alleged to  
5 have been stolen, this issue remains open.

6 Based on the foregoing, Summary Judgment is denied as to Count One.

7 As to Count Two, while Mr. Mitrov has submitted a sworn Complaint in support of the  
8 action against Respondent, and an affidavit in support of dismissal, both acknowledge that he  
9 knowingly turned over possession of two vehicles to the Respondent. Moreover, Mr. Mitrov  
10 does not retract in his affidavit the statement in his Complaint that Mr. Leventhal sought title to  
11 the Maserati. Instead, he advises that Leventhal never received title. Additionally, Mr.  
12 Leventhal's affidavit admits that he took possession of the Dodge Viper but advises it was not in  
13 exchange for payment of fees or restitution. Mr. Mitrov gives two mutually exclusive statements  
14 in that regard and thus, there remains a material issue of fact. While Respondent asserts that the  
15 possession of the Dodge Viper was "not in exchange for payment of fees or restitution" Rule 1.6  
16 does not have any such restriction. On the contrary, it addresses a lawyer entering into a  
17 "business transaction with a client . . . ." Respondent admits that Mr. Mitrov was a client.  
18 Respondent admits that he entered into a type of business transaction with this client.  
19 Respondent further admits that he acquired at least a possessory interest in the Dodge Viper.  
20 Thus, neither Mr. Mitrov nor Respondent's affidavit, even without considering the sworn  
21 Complaint by Mitrov, exculpate the Respondent. On the contrary, these affidavits seem to  
22 impugn an acknowledgment that Rule 1.8 applies and thus, the trier of fact would need to  
23 determine compliance with Subsections 1, 2 and 3.

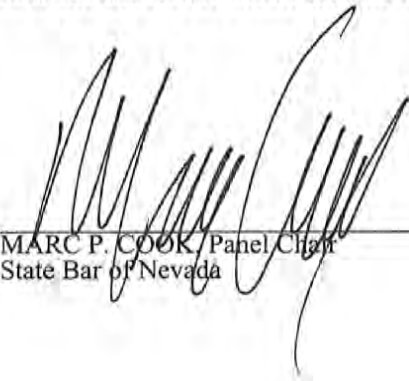
24 Accordingly, Summary Judgment is denied on Count Two.

25 Finally, the Reply addresses the standard for consideration of the evidence in Opposition  
26 to the Motion for Summary Judgment. It certainly would have been better practice to have  
27 supplemented affidavits sufficient to identify for admissibility purposes the text messages and the  
28 statement by Ms. Sosa-Avila. The same is not necessary with regard to Mr. Mitrov as even the

1 affidavit attached to the Motion for Summary Judgment itself creates an issue of fact even though  
2 it is mutually exclusive to the initial Complaint. However, the Panel Chair is considering, with  
3 the caveat that admissible evidence must be proffered at the hearing for this information to be  
4 considered, as, for purposes of Summary Judgment, judges, (and in this instance the Panel  
5 Chair), are directed not to summarily resolve cases with disputed facts.<sup>3</sup> In fact, the 9<sup>th</sup> Circuit has  
6 cautioned against granting motion for summary judgment for violations of local rules when a  
7 triable issue of fact is otherwise apparent. See *e.g. Marshall v. Gates*, 44 F.3d 722 (9<sup>th</sup> Cir.  
8 1995); *Hussein v. Ersek*, Case No. 3:07-cv-0056-LRH-VTC, 2010 U.S. Dist. LEXIS 50453  
9 (D.Nev. May 21, 2010). Accordingly, out of an abundance of caution and deference for the high  
10 standard of summary judgment, these documents are being considered and thus the analysis as  
11 stated hereinabove denying summary judgment are the result thereof.

12 The Respondent is thus directed to file an Answer within the time frame prescribed in the  
13 Rules.

14  
15 **IT IS SO ORDERED.**

16  
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18 MARC P. COOK, Panel Chair  
19 State Bar of Nevada  
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28 <sup>3</sup>See *Allyn v. McDonald*, 112 Nev. 68, 71, 910 P.2d 263, 266 (1996).

1 **CERTIFICATE OF SERVICE**

2 I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen (18)  
3 years, and I am not a party to, nor interested in, this action. On this 12<sup>th</sup> day of February, 2021, I  
4 caused to be served a true and correct copy of the foregoing **ORDER DENYING**  
5 **RESPONDENT'S MOTION FOR SUMMARY JUDGMENT** by the method indicated below:

6 ☐ **BY FAX:** by transmitting via facsimile the document(s) listed above to the fax number(s)  
7 set forth below on this date before 5:00 p.m. pursuant to EDCR Rule 7.26(a). A printed  
8 transmission record is attached to the file copy of this document(s).

9 ☐ **BY U.S. MAIL:** by placing the document(s) listed above in a sealed envelope with postage  
thereon fully prepaid, in the United States mail at Las Vegas, Nevada addressed as set forth  
below.

10 \*\*\*\*\*

11 ☐ **BY HAND DELIVERY:** at Las Vegas, Nevada addressed as set forth below.

12 ☒ **BY EMAIL:** by emailing a PDF of the document(s) listed above to the email address(es) of  
the individual(s) listed below:

13 Russell E. Marsh, Esq. (Disciplinary Chair): [remarsh2000@hotmail.com](mailto:remarsh2000@hotmail.com)  
14 David A. Clark, Esq. (Counsel for Respondent): [dclark@lipsonneilson.com](mailto:dclark@lipsonneilson.com)  
15 Gerard Gosioco, Esq. (Assistant Bar Counsel): [gerard@nvbar.org](mailto:gerard@nvbar.org)

16 ☐ **BY OVERNIGHT MAIL:** by causing document(s) to be picked up by an overnight delivery  
17 service company for delivery to the addressee(s) on the next business day.

18 ☐ **BY ELECTRONIC SUBMISSION:** submitted to the Eighth Judicial District Court, for  
19 electronic filing in accordance with NRCP 5(b), NEFCR Administrative Order 14-2 and  
NEFCR 9(e) and service upon the Court's Service List for the above-referenced case.

20 

21 An employee of COOK & KELESIS, LTD.  
22

Case No.: OBC20-0670; OBC20-0706



**STATE BAR OF NEVADA**

**SOUTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA,

Complainant,

vs.

TODD LEVENTHAL, ESQ.,  
Nevada Bar No. 8543

Respondent.

**RESPONDENT'S VERIFIED ANSWER  
TO STATE BAR'S COMPLAINT**

Respondent, Todd Leventhal, Esq., Nevada Bar No. 8543 ("Respondent"), by and through his counsel of record, David A. Clark, of LIPSON NEILSON, P.C., hereby responds to the State Bar of Nevada's Complaints as follows:

1. Answering paragraph 1, Respondent admits the allegations contained therein.
2. Answering paragraph 2, Respondent denies the allegations contained therein.

OBC20-0670

3. Answering paragraphs 3 and 4, Respondent denies the allegations contained therein. To the extent the allegations reference any documents with respect to these allegations, said documents speak for themselves.

4. Answering paragraph 5, Respondent admits the allegations contained therein.

5. Answering paragraphs 6, 7, and 8, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore deny the allegations.

6. Answering paragraphs 9 and 10, Respondent denies the allegations contained therein.

7. Answering paragraph 10, Respondent denies the allegations contained therein.

8. Answering paragraph 11, Respondent admits that Ms. Sosa-Avila gave Respondent a Louis Vuitton wallet and a ring but denies the rest of the allegations contained

1     therein.

2             9.     Answering paragraph 12, Respondent denies the allegations contained therein.

3             10.    Answering paragraph 13, Respondent is without knowledge or information  
4     sufficient to form a belief as to the truth of the allegations contained therein and therefore deny  
5     the allegations. To the extent the allegations reference any documents with respect to these  
6     allegations, said documents speak for themselves.

7             11.    Answering paragraph 14, Respondent admits the allegations contained therein.

8                             OBC20-0706

9             12.    Answering paragraph 15, Respondent admits the allegations contained therein.

10            13.    Answering paragraphs 16 through 20, inclusive, Respondent is without  
11     knowledge or information sufficient to form a belief as to the truth of the allegations contained  
12     therein and therefore deny the allegations. To the extent the allegations reference any documents  
13     with respect to these allegations, said documents speak for themselves.

14            14.    Answering paragraph 21, Respondent denies the allegations contained therein.

15            15.    Answering paragraph 22, Respondent admits the allegations contained therein.

16            16.    Answering paragraphs 23 and 24, Respondent denies the allegations contained  
17     therein.

18            17.    Answering paragraphs 25 and 26, Respondent is without knowledge or  
19     information sufficient to form a belief as to the truth of the allegations contained therein and  
20     therefore deny the allegations.

21            18.    Answering paragraphs 27 through 30, inclusive, Respondent denies the  
22     allegations contained therein.

23            19.    Answering paragraphs 31 through 35, inclusive, Respondent is without  
24     knowledge or information sufficient to form a belief as to the truth of the allegations contained  
25     therein and therefore deny the allegations.

26            20.    Answering paragraph 36, Respondent denies the allegations contained therein.

27            21.    Answering paragraph 37, Respondent is without knowledge or information  
28     sufficient to form a belief as to the truth of the allegations contained therein and therefore deny

1 the allegations.

2 22. Answering paragraph 38, Respondent denies receiving a total of \$16,900.00 from  
3 Mr. Mitrov for fees, and contends only \$5,900.00 was paid.

4 23. Answering paragraphs 39 and 40, inclusive, Respondent is without knowledge or  
5 information sufficient to form a belief as to the truth of the allegations contained therein and  
6 therefore deny the allegations.

7 24. Answering paragraph 41, Respondent is without knowledge or information  
8 sufficient to form a belief as to the truth of the allegations contained therein and therefore deny  
9 the allegations. To the extent the allegations reference any documents with respect to these  
10 allegations, said documents speak for themselves.

11 25. Answering paragraphs 42 and 43, Respondent is without knowledge or  
12 information sufficient to form a belief as to the truth of the allegations contained therein and  
13 therefore deny the allegations.

14 **Count One**

15 **RPC 1.8 (Conflict of Interest: Current Clients: Specific Rules)**

16 26. Answering paragraph 45, Respondent repeats his responses to paragraphs 1  
17 through 43, inclusive, and incorporates them herein as if fully set forth.

18 27. Answering paragraph 45, Respondent admits that the excerpt quoted appears in  
19 the text of Nevada's Rule of Professional Conduct 1.8.

20 28. Answering paragraphs 46 through 50, inclusive, Respondent denies the  
21 allegations contained therein.

22 29. Answering paragraph 51, Respondent avers that the allegations contained therein  
23 call for legal conclusions and are simply a characterization of argument to which no response is  
24 required. To the extent the allegations plead a factual predicate, Respondent denies the  
25 allegations.

26 **Count Two**

27 **RPC 1.8 (Conflict of Interest: Current Clients: Specific Rules)**

28 30. Answering paragraph 52, Respondent repeats his responses to paragraphs 1

1 through 51, inclusive, and incorporates them herein as if fully set forth.

2 31. Answering paragraph 53, Respondent admits that the excerpt quoted appears in  
3 the text of Nevada's Rule of Professional Conduct 1.8.

4 32. Answering paragraphs 54 through 58, inclusive, Respondent denies the  
5 allegations contained therein.

6 33. Answering paragraph 59, Respondent avers that the allegations contained therein  
7 call for legal conclusions and are simply a characterization of argument to which no response is  
8 required. To the extent the allegations plead a factual predicate, Respondent denies the  
9 allegations.

10 **AFFIRMATIVE DEFENSES**

11 1. The State Bar's Complaint fails to state a claim upon which relief can be granted.

12 2. If any of the alleged Rules violations are found to have occurred by clear and  
13 convincing evidence, Respondent lacked the requisite mental state (neither intentional, knowing  
14 nor negligent) under *ABA Standards for Imposing Lawyer Sanctions* 3.0 to warrant either a  
15 finding that he violated the Rule or to warrant the imposition of a discipline sanction.

16 3. The grievants, Sosa and Mitrov, were not harmed or prejudiced for purposes of  
17 supporting a violation of RPC 1.8.

18 4. The terms of the transactions were fair, reasonable, fully disclosed, and  
19 transmitted in writing in a manner reasonably understandable.

20 5. Pursuant to SCR 102.5(2), Respondent asserts mitigating circumstances that may  
21 justify a reduction in the degree of discipline to be imposed.

22 6. If any of the alleged Rules violations are found to have occurred by clear and  
23 convincing evidence, the mitigating factors of SCR 102.5 outweigh any aggravating factors in  
24 the imposition of any sanction.

25 7. If any of the alleged Rules violations are found to have occurred by clear and  
26 convincing evidence, any imposition of lawyer sanction must reflect Respondent's individual  
27 conduct and circumstances pursuant to *ABA Standards for Imposing Lawyer Sanctions* 1.3.  
28

1           8.       The State Bar's claims are barred, in whole or in part, due to prosecutorial  
2 misconduct and/or malicious prosecution.

3           9.       The State Bar's claims are barred, in whole or in part, by the equitable doctrines of  
4 laches, waiver, estoppel and/or unclean hands.

5           10.      If it is found that Respondent accepted a gift, such transaction met the general  
6 standards of fairness, was a token of appreciation and/or is merely voidable by the client, but  
7 otherwise permitted under comment 6 to RPC 1.8.

8           11.      All possible affirmative defenses may not have been alleged herein insofar as  
9 sufficient facts were not available after reasonable inquiry upon filing of this Answer. Therefore,  
10 Respondent reserves the right to amend this Answer to allege additional affirmative defenses and  
11 claims, as applicable, upon further investigation and discovery.

12           WHEREFORE, Respondent prays as follows:

13           1.       That the State Bar take nothing by virtue of the Complaints, and that the same be  
14 dismissed with prejudice; and,

15           2.       For such other relief as the Board or Court may deem just and proper.

16           Dated this 26<sup>th</sup> day of February, 2021.

17                               LIPSON NEILSON, P.C.,

18                               /s/ *David A. Clark*

19           By: \_\_\_\_\_

20                               DAVID A. CLARK  
21                               Nevada Bar No. 4443  
22                               9900 Covington Cross Drive, Suite 120  
23                               Las Vegas, Nevada 89144  
24                               Attorneys for Respondent, Todd Leventhal, Esq.

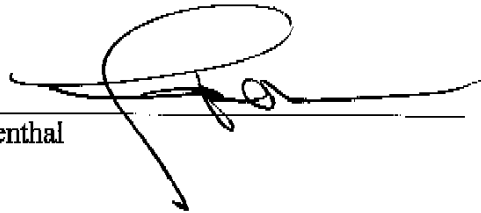


VERIFICATION

I, Todd Leventhal, being first duly sworn, depose and say:

I am the Respondent in this matter. I have read the foregoing Answer in Case Nos. OBC20-0670 and OBC20-0706 and know the contents thereof. The same are true and correct of my own knowledge except those matters stated upon information and belief and, as to those matters, I believe them to be true.

Todd Leventhal



**CERTIFICATE OF SERVICE**

Pursuant to DRP 18((b)(2) and NRCP 5(b), I certify that on the 26<sup>th</sup> day of February, 2021, I served via email the foregoing **RESPONDENT'S VERIFIED ANSWER TO STATE BAR'S COMPLAINT** to the following:

Daniel M. Hooge, Bar Counsel  
Shain G. Manuele, Assistant Bar Counsel  
Kristi A. Faust, Hearing Paralegal  
Office of Bar Counsel  
3100 W. Charleston Blvd., Suite 100  
Las Vegas, Nevada 89102  
[shainm@nvbar.org](mailto:shainm@nvbar.org)  
[KristiF@nvbar.org](mailto:KristiF@nvbar.org)

*/s/ Debra Marquez*

\_\_\_\_\_  
Employee of LIPSON NEILSON P.C.

Case No: OBC20-0670; OBC20-0706



**STATE BAR OF NEVADA**

**SOUTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA,

Complainant,

vs.

TODD M. LEVENTHAL, ESQ.,  
Nevada Bar No. 8543,

Respondent.

**NOTICE OF TELEPHONIC INITIAL  
CASE CONFERENCE**

PLEASE TAKE NOTICE, the telephonic Initial Case Conference in the above-entitled matter is set for **Tuesday, March 9, 2021, at 10:00 a.m.** The State Bar conference number is (877) 594-8353, participant passcode is 16816576 then #.

DATED this 3<sup>rd</sup> day of March, 2021.

STATE BAR OF NEVADA  
DANIEL M. HOOGE, BAR COUNSEL

/s/ Gerard Gosioco  
Gerard Gosioco, Assistant Bar Counsel  
Nevada Bar No. 14371  
3100 West Charleston Boulevard, Suite 100  
Las Vegas, Nevada 89102  
(702) 382-2200

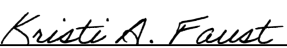
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies a true and correct copy of the foregoing **NOTICE OF TELEPHONIC INITIAL CASE CONFERENCE** was served via email to:

1. Marc Cook, Esq. (Panel Chair): [mcook@bckltd.com](mailto:mcook@bckltd.com); [SFagin@bckltd.com](mailto:SFagin@bckltd.com)
2. David Clark, Esq. (Counsel for Respondent): [DClark@lipsonneilson.com](mailto:DClark@lipsonneilson.com)
3. Gerard Gosioco, Esq. (Assistant Bar Counsel): [gerardg@nvbar.org](mailto:gerardg@nvbar.org)

Dated this 3<sup>rd</sup> day of March, 2021.

  
\_\_\_\_\_  
Kristi Faust, an employee  
of the State Bar of Nevada



FILED

MAR 15 2021

STATE BAR OF NEVADA  
BY [Signature]  
OFFICE OF BAR COUNSEL

Case No: OBC20-0670; OBC20-0706

## STATE BAR OF NEVADA

## SOUTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,

Complainant,

vs.

TODD M. LEVENTHAL, ESQ.,  
Nevada Bar No. 8543,

Respondent.

**SCHEDULING ORDER**

Pursuant to Rule 17 of the Disciplinary Rules of Procedure ("DRP"), on March 9, 2021, at 10:00 a.m. Marc Cook, Esq., the Formal Hearing Panel Chair, met telephonically with Gerard Gosioco, Esq., Bar Counsel, on behalf of the State Bar of Nevada, and David Clark, Esq., on behalf of Respondent to conduct the Initial Conference in this matter.

During the Case Conference the parties discussed disclosures, discovery issues, the potential for resolution of this matter prior to the hearing, a status conference, and the hearing date.

The parties agreed to the following:

**1.** The parties consent to service by electronic means of all documents pursuant to SCR 109(2), NRCP 5, and DRP 11(b)(3) with the understanding that **all documents need to be submitted by 5:00 p.m. to be file stamped timely.**

**2.** The parties stipulate that venue is proper in Clark County, Nevada.

**3.** The Formal Hearing for this matter is hereby set for **one (1) day starting at 9:00 a.m. on May 20, 2021**, and shall take place at the State Bar office located at 3100 W. Charleston Blvd., Suite 100, Las Vegas Nevada 89102 unless the State Bar offices are

1 unable to accommodate an in-person hearing due to COVID-19 precautions. If the State Bar  
2 offices are unable to accommodate an in-person hearing, the hearing shall take place  
3 virtually via Zoom Conferencing.

4       **4.** On or before **March 16, 2021, at 5:00 p.m.**, the State Bar of Nevada's  
5 initial disclosures shall be served on all parties. The documents provided by the State Bar  
6 shall be bates stamped with numerical designations. *See* DRP 17 (a).

7       **5.** On or before **March 24, 2021, at 5:00 p.m.**, Respondent's initial  
8 disclosures shall be served on all parties. The documents provided by the Respondent shall  
9 be bates stamped with alphabetical exhibit designations. *See* DRP 17 (a).

10       **6.** On or before **April 5, 2021, at 5:00 p.m.**, the parties shall file and serve  
11 any Motions.

12       **7.** On or before **April 19, 2021, at 5:00 p.m.**, all oppositions to the Motions,  
13 if any, shall be filed and served on the parties.

14       **8.** On or before **April 26, 2021, at 5:00 p.m.**, all replies to any opposition, if  
15 any, shall be filed and served on the parties.

16       **9.** On or before **April 20, 2021, at 5:00 p.m.**, the parties shall serve a Final  
17 Designation of witnesses expected to testify and exhibits expected to be presented at the  
18 Formal Hearing in this matter, pursuant to SCR 105(2)(d), DRP 17(a) and DRP 21.

19       **10.** All documents disclosed shall be bates stamped, the State Bar will use  
20 numerical exhibit designations and Respondent will use alphabetical exhibit designations,  
21 pursuant to DRP 17.

22       **11.** On **May 13, 2021, at 10:00 a.m.**, the parties shall meet telephonically with  
23 Marc Cook Esq. the Formal Hearing Panel Chair, for the Pre-hearing Conference. Any  
24 pending issues, including pending Motions, will be addressed at the Pre-hearing Conference.  
25

1 The parties shall use the State Bar conference bridge (877) 594-8353 and the passcode is  
2 16816576#.


3 Pursuant to DRP 23, at the Pre-hearing conference (i) the parties shall discuss all  
4 matters needing attention prior to the hearing date, (ii) the Chair may rule on any motions  
5 or disputes including motions to exclude evidence, witnesses, or other pretrial evidentiary  
6 matter, and (iii) the parties shall discuss and determine stipulated exhibits proffered by  
7 either the State Bar or Respondent as well as a stipulated statement of facts, if any.

8 **12.** The parties stipulate to waive SCR 105(2)(d) to allow for the formal  
9 appointment of the remaining hearing panel members on a date that is greater than 45 days  
10 prior to the scheduled hearing.

11 Based on the parties' verbal agreement to the foregoing during the telephonic Initial  
12 Conference and good cause appearing, **IT IS SO ORDERED.**

13 Dated this 12 day of March, 2021.

14 SOUTHERN NEVADA DISCIPLINARY BOARD

15  
16 By:   
Marc Cook, Esq.  
Hearing Panel Chair  
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# 2021.03.10- Scheduling Order

Final Audit Report

2021-03-12

Created:	2021-03-12
By:	Kristi Faust (kristif@nvbar.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAA3mx9RN3C3zj8V1YJYHSryuWVtMamJKKf

## "2021.03.10- Scheduling Order" History

-  Document created by Kristi Faust (kristif@nvbar.org)  
2021-03-12 - 10:08:10 PM GMT- IP address: 148.170.93.30
-  Document emailed to Marc Cook (mcook@bckltd.com) for signature  
2021-03-12 - 10:08:27 PM GMT
-  Email viewed by Marc Cook (mcook@bckltd.com)  
2021-03-12 - 10:45:58 PM GMT- IP address: 174.71.209.84
-  Document e-signed by Marc Cook (mcook@bckltd.com)  
Signature Date: 2021-03-12 - 10:46:41 PM GMT - Time Source: server- IP address: 174.71.209.84
-  Agreement completed.  
2021-03-12 - 10:46:41 PM GMT

Case Nos: OBC20-0670; OBC20-0706



**STATE BAR OF NEVADA**  
**SOUTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA, )  
 )  
Complainant, )  
vs. )  
 )  
TODD M. LEVENTHAL, ESQ., )  
Nevada Bar No. 8543, )  
 )  
Respondent. )

**STATE BAR OF NEVADA'S**  
**INITIAL DISCLOSURES OF**  
**DOCUMENTS AND WITNESSES**

TO: TODD M. LEVENTHAL, Esq.  
c/o Lipson Neilson  
Attn: David A. Clark, Esq.  
9900 Covington Cross Dr., Ste. 120  
Las Vegas, NV 89144

PLEASE TAKE NOTICE that the following is a list of witnesses and a summary of evidence which may be offered against Respondent at the time of the Formal Hearing, in the above-entitled complaint.

**A. Documentary Evidence**

Any and all documentation contained in the State Bar of Nevada's file including but not limited to, correspondence, emails, memorandums, text messages, notes, payments, invoices, bank records, receipts, billing entries and pleadings regarding grievance file numbers OBC20-0670 and OBC20-0706.

Any and all documentation contained in records of the State Bar of Nevada regarding Respondent's licensure, compliance with reporting requirements, and disciplinary history.

The State Bar reserves the right to supplement this list as necessary.

Exhibit#	Document	Bates Stamped
1.	Formal Hearing Packet	will be produced prior to hearing
2.	Affidavit of Prior Discipline	will be produced at the time of hearing
3.	OBC20-0670 Grievance	SBN 001-SBN 004
4.	19F03827B Court Docket	SBN 001-SBN 003
5.	20F00283A Court Docket	SBN 001-SBN 005
6.	Text Message Conversations Between Respondent and Ms. Sosa-Avila	SBN 001-SBN 028
7.	Retainer Agreement	SBN 001-SBN 003
8.	Motion to Withdraw (19F03827B)	SBN 001-SBN 007
9.	Motion to Withdraw (20F00283A)	SBN 001-SBN 007
10.	Letter of Investigation – July 29, 2020	SBN 001-SBN 034
11.	Response to Letter of Investigation – August 13, 2020	SBN 001-SBN 015
12.	OBC20-0706 Grievance	SBN 001-SBN 004
13.	19F04218X Court Docket	SBN 001-SBN 003
14.	19F10566X Court Docket	SBN 001-SBN 003
15.	20F07538X Court Docket	SBN 001-SBN 002
16.	\$500.00 Receipt – July 17, 2019	SBN 001
17.	Motion to Withdraw (19F10566X)	SBN 001-SBN 007
18.	Motion to Withdraw (20F07538X)	SBN 001-SBN 007
19.	Text Message Conversations Between Respondent and Mr. Mitrov	SBN 001-SBN 014

20.	Car Rental Receipt (June 5, 2020 - June 30, 2020)	SBN 001-SBN 007
21.	Letter of Investigation – July 17, 2020	SBN 001
22.	Response to Letter of Investigation – July 29, 2020	SBN 001-SBN 016
23.	Email from Mr. Mitrov to Louise Ms. Watson	SBN 001-SBN 003

The State Bar incorporates by reference all documents identified by Respondent in these matters.

**B. Witnesses and Brief Statement of Facts**

1. Respondent, Todd M. Leventhal, Esq., will be called and would be expected to testify regarding his conduct and communications surrounding the events related to, and any and all documents pertinent to, each of the charged violations of the Rules of Professional Conduct, including but not limited to facts pertaining to the breach of his professional responsibilities as an attorney, his mental state pursuant to ABA Standards, the harm resulting from his conduct, and any aggravating and mitigating factors pursuant to Supreme Court Rule 102.5. Respondent is expected to provide testimony regarding the facts and circumstances regarding OBC20-0670 and OBC20-0706.

2. Louise Watson, an investigator with the State Bar of Nevada Office of Bar Counsel, is expected to provide testimony regarding her investigation of OBC20-0670 and OBC20-0706, including but not limited to, information and documents provided by Respondent and Grievant(s), communications with Respondent and Grievant(s), and Respondent's disciplinary history.

3. Amalia Sosa-Avila is expected to offer testimony regarding the facts and circumstances regarding Case No. OBC20-0670, including but not limited to, the facts and circumstances surrounding the allegations contained in said grievance.

1           4.       Zan Mitrov is expected to offer testimony regarding the facts and circumstances  
2 regarding Case No. OBC20-0706, including but not limited to, the facts and circumstances  
3 surrounding the allegations contained in said grievance.

4           Dated this 16th day of March, 2021.

5  
6                               **STATE BAR OF NEVADA**  
7                               **DANIEL M. HOOGE, BAR COUNSEL**

8                               */s/ Gerard Gosioco*

9                               **Gerard Gosioco, Assistant Bar Counsel**  
10                              Nevada Bar No. 14371  
11                              3100 West Charleston Boulevard, Suite 100  
12                              Las Vegas, Nevada 89102  
13                              (702) 382-2200  
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1. David A. Clark, Esq. (Counsel for Respondent): [dclark@lipsonneilson.com](mailto:dclark@lipsonneilson.com)
2. Gerard Gosioco, Esq. (Assistant Bar Counsel): [gerardg@nvbar.org](mailto:gerardg@nvbar.org)

By: Kristi A. Faust  
Kristi Faust,  
An employee of the State Bar of Nevada



FILED

MAR 22 2021

STATE BAR OF NEVADA  
BY: B. Felix  
OFFICE OF BAR COUNSEL

Case Nos: OBC20-0670; OBC20-0706

STATE BAR OF NEVADA

SOUTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,

Complainant,

vs.

TODD LEVENTHAL, ESQ.

NV BAR No. 8543

Respondent.

**AD HOC ORDER**  
**HEARING PANEL CHAIR**

**IT IS HEREBY ORDERED** that the following member of the Southern Nevada Disciplinary Board, MARC COOK has been released as panel Chair, and will be replaced by panel member F. THOMAS EDWARDS.

DATED this 22 day of March, 2021.

STATE BAR OF NEVADA

By: Russell E. Marsh  
Russell E. Marsh (Mar 22, 2021 12:33 PDT)  
Russell E. Marsh, Esq.  
Nevada Bar No. 11198  
Chair, Southern Nevada Disciplinary Board



# Ad Hoc Order\_Leventhal

Final Audit Report

2021-03-22

Created:	2021-03-22
By:	Cathi Britz (cathib@nvbar.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAK-nDkDXBDHT8oh5JJuyMIUvZeKWvDnDr

## "Ad Hoc Order\_Leventhal" History

-  Document created by Cathi Britz (cathib@nvbar.org)  
2021-03-22 - 7:21:18 PM GMT- IP address: 71.222.19.43
-  Document emailed to Russell E. Marsh (russ@wmlawlv.com) for signature  
2021-03-22 - 7:22:05 PM GMT
-  Email viewed by Russell E. Marsh (russ@wmlawlv.com)  
2021-03-22 - 7:33:05 PM GMT- IP address: 24.120.39.10
-  Document e-signed by Russell E. Marsh (russ@wmlawlv.com)  
Signature Date: 2021-03-22 - 7:33:40 PM GMT - Time Source: server- IP address: 24.120.39.10
-  Agreement completed.  
2021-03-22 - 7:33:40 PM GMT



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1. Marc Cook, Esq. (Released Panel Chair): [mcook@bckltd.com](mailto:mcook@bckltd.com);  
[SFagin@bckltd.com](mailto:SFagin@bckltd.com)

2. F. Thomas Edwards, Esq. (Panel Chair): [tedwards@nevadafirm.com](mailto:tedwards@nevadafirm.com);  
[ssell@nevadalawfirm.com](mailto:ssell@nevadalawfirm.com)

3. David Clark, Esq. (Counsel for Respondent): [DClark@lipsonneilson.com](mailto:DClark@lipsonneilson.com)

4. Gerard Gosioco, Esq. (Assistant Bar Counsel): [gerardg@nvbar.org](mailto:gerardg@nvbar.org)

Dated this 22nd day of March, 2021.

Kristi A. Faust  
Kristi Faust, an employee  
of the State Bar of Nevada



FILED

MAR 24 2021

STATE BAR OF NEVADA  
BY: *B. Felix*  
OFFICE OF BAR COUNSEL

Case No.: OBC20-0670; OBC20-0706

## STATE BAR OF NEVADA

## SOUTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,

Complainant,

vs.

TODD LEVENTHAL, ESQ.,  
Nevada Bar No. 8543

Respondent.

**RESPONDENT'S INITIAL  
DISCLOSURES OF LIST OF WITNESSES  
AND DOCUMENTS**

Respondent, Todd Leventhal, Esq., Nevada Bar No. 8543 ("Respondent"), by and through his counsel of record, David A. Clark, of LIPSON NEILSON, P.C., hereby files his List of Witnesses and Documents, as follows:

**A. Documentary Evidence.**

Bates No.	Description
LEV000001-LEV000024	Criminal Complaint, Las Vegas Justice Court Case No. 19F03827A
LEV000025-LEV000029	Court Transcript, Las Vegas Justice Court Case No. 19F03827A
LEV000030-LEV000032	Incident File Full Report, Las Vegas Justice Court Case No. 19F03827A
LEV000033	Summons, Las Vegas Justice Court Case No. 19F03827A
LEV000034-LEV000038	Surveillance Video, Surveillance Video Disclaimer and Instructions, Las Vegas Justice Court Case No. 19F03827A
LEV000039-LEV000066	Criminal Complaint, Las Vegas Justice Court Case No. 20F00283A
LEV000067-LEV000069	Register of Actions, Las Vegas Justice Court Case No. 20F00283A
LEV000070-LEV000087	Nevada Pretrial Risk Assessment, Las Vegas Justice Court Case No. 20F00283A
LEV000088-LEV000122	Voluntary Statements, Las Vegas Justice Court Case No. 20F00283A

<b>LEV000123</b>	Video Recording of Voluntary Statement of Joseph Avila, Las Vegas Justice Court Case No. 20F00283A;
<b>LEV000124</b>	Video Recording of Voluntary Statement of Amalia Avila, Las Vegas Justice Court Case No. 20F00283A

**B. Witnesses.**

1. Amalia Sosa-Avila  
Address presently unknown

Ms. Sosa-Avila will testify regarding the facts and circumstances surrounding

2. Zane Mitrov  
Address presently unknown

Mr. Mitrov will testify regarding the facts and circumstances surrounding

3. Detective J. Haynes P#14010  
Las Vegas Metropolitan Police Department  
200 S. Martin Luther King Blvd.  
Las Vegas, NV 89106  
(702) 828-3111

Detective Haynes will testify regarding his investigation of the crimes of burglary/possession of stolen credit cards/fraudulent activity committed on or about November 19, 2019, brought against Amalia Sosa-Avila.

4. Detective S. Singh P#13322  
Las Vegas Metropolitan Police Department  
200 S. Martin Luther King Blvd.  
Las Vegas, NV 89106  
(702) 828-3111

Detective Singh will testify regarding his investigation of the crimes of burglary and grand larceny committed on or about November 4, 2018, brought against Amalia Sosa-Avila.

5. Jeffrey Marr  
Address presently unknown

Mr. Marr will testify regarding the facts and circumstances surrounding this matter.

6. Ann Dunn, Esq., Clark County Deputy District Attorney  
200 Lewis Ave  
Las Vegas, NV 89101  
(702) 671-2500

1 Ms. Dunn with testify regarding the facts and circumstances surrounding Las Vegas  
2 Justice Court Case No. 20F00283A, State of Nevada v. Amalia Sosa-Avila.

3  
4 7. Hetty Wong, Esq., Clark County Deputy District Attorney  
5 200 Lewis Ave  
6 Las Vegas, NV 89101  
7 (702) 671-2500

8 Ms. Wong with testify regarding the facts and circumstances surrounding Las Vegas  
9 Justice Court Case No. 19F03827B, State of Nevada v. Amalia Maria Sosa-Avila

10 Dated this 24<sup>th</sup> day of March, 2021.

11 LIPSON NEILSON, P.C.,

12 /s/ *David A. Clark*

13 By: \_\_\_\_\_

14 DAVID A. CLARK  
15 Nevada Bar No. 4443  
16 9900 Covington Cross Drive, Suite 120  
17 Las Vegas, Nevada 89144  
18 *Attorneys for Respondent, Todd Leventhal, Esq.*

**CERTIFICATE OF SERVICE**

Pursuant to DRP 18((b)(2) and NRCP 5(b), I certify that on the 24<sup>th</sup> day of March, 2021,  
I served via email the foregoing **RESPONDENT'S INITIAL DISCLOSURES OF LIST OF  
WITNESSES AND DOCUMENTS** to the following:

Daniel M. Hooge, Bar Counsel  
Gerard Gosioco, Assistant Bar Counsel  
Kristi A. Faust, Hearing Paralegal  
Office of Bar Counsel  
3100 W. Charleston Blvd., Suite 100  
Las Vegas, Nevada 89102  
[gerardg@nvbar.org](mailto:gerardg@nvbar.org)  
[KristiF@nvbar.org](mailto:KristiF@nvbar.org)

*/s/ Debra Marquez*

\_\_\_\_\_  
Employee of LIPSON NEILSON P.C.



Am 79 - SET BAIL  
OFFICE OF THE DISTRICT ATTORNEY  
CLARK COUNTY, NEVADA

CLARK COUNTY  
District Attorney

DISCOVERY DIVISION  
DA ADMINISTRATION

## REQUEST FOR DISCOVERY

### DISCOVERY INFORMATION

Request Date: \_\_\_\_\_ Clerk's Initials: \_\_\_\_\_

eFile/CD pages @ \$.25 ea \_\_\_\_\_

# of Pages hard copy @ \$.50 ea 18 Date: 11/1/10 Case #: 10-000000-0000

Duplication of Video/CD/Tapes/Disk @ \$25.00 ea \_\_\_\_\_ Printed Pictures @ \$1.00 ea \_\_\_\_\_

Defendant: DA - 10-000000-0000 Dept: 3 Next Court Date: \_\_\_\_\_

Amount Due: 9.00 Bates Stamp: \_\_\_\_\_ to \_\_\_\_\_

☐ APPOINTED COUNSEL

☐ RETAINED COUNSEL

☐ PUBLIC DEFENDER/SPECIAL PUB DEF

☐ PRO PER

### ATTORNEY INFORMATION

email address: \_\_\_\_\_

Bar #: \_\_\_\_\_ Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### PROMISE OF RECIPROCAL DISCOVERY

I am the named Defendant or the attorney for the named Defendant. In executing this Request for Discovery, I acknowledge receipt of the discovery provided by the State and the State's request for discovery and I promise to comply with all the requirements of NRS 174.245 and 174.295.

**Payment For Copies:** Make all checks payable to: **CLARK COUNTY TREASURER.**

**Remit To:** District Attorney's Office, 200 Lewis Ave 3<sup>rd</sup> Floor, ATTN: Discovery, Las Vegas, NV 89155-2212. Upon signing, in consideration of the copying services provided, Attorney agrees to be liable for the above costs and for such other costs for copies provided in this case, notwithstanding any right of Attorney to collect such costs from Defendant or Third Parties. Attorneys who do not accept this liability must make arrangements to pre-pay or copy discovery at the Office of the District Attorney under supervision upon their own portable copiers.

### DISCOVERY PROVIDED BY STATE

The State has provided any: (a) written or recorded statements made by a witness; (b) results or reports of physical or mental examinations, scientific tests or scientific experiments; and (c) books, papers, documents or tangible objects, any and all of which is within the possession, custody or control of the District Attorney which the prosecuting attorney intends to introduce in the case-in-chief of the State. Additional discovery will be provided as it becomes available pursuant to NRS 174.295. The State agrees to comply with the discovery statutes contained within the Nevada Revised Statutes as well as those legal opinions interpreting the State's discovery obligations. The State further agrees to provide all material consistent with *Brady v. Maryland*, 373 U.S. 83 (1963), *Giglio v. United States*, 405 U.S. 10 (1972), and their progenies. Discovery beyond what is statutorily and constitutionally required may not be provided.

### STATE'S REQUEST FOR DISCOVERY

Defendant agrees to accept this document as constituting a sufficient request for discovery under NRS 174.245 in compliance with NRS 174.285. Pursuant to NRS 174.245, the State hereby requests that the Defendant provide to the Office of the District Attorney to inspect any or photograph any: (a) written or recorded statements made by a witness; (b) results or reports of physical or mental examinations, scientific tests or scientific experiments; and (c) books, papers, documents or tangible objects, any and all of which is within the possession, custody or control of the Defendant or Defendant's counsel, the existence of which is known, or by the exercise of due diligence may become known to Defendant or Defendant's counsel which Defendant or Defendant's counsel intends to introduce in evidence during the case-in-chief. The Defendant agrees to provide such documents within 30 days of receiving the attached documents or 30 days (whichever is later) and provide additional discovery as it becomes available pursuant to NRS 174.295.

18- 06006

JUSTICE COURT, LAS VEGAS TOWNSHIP  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

WESLEY NORMAN AVILA #1918834,  
AMALIA MARIA SOSA AVILA, aka,  
Amalia Eva Maria Sosa Avila #1921777,

Defendants.

CASE NO: 19F03827A-B

DEPT NO: 3

CRIMINAL COMPLAINT

The Defendants above named having committed the crimes of BURGLARY (Category B Felony - NRS 205.060 - NOC 50424) and GRAND LARCENY (Category B Felony - NRS 205.220.1, 205.222.3 - NOC 56008), in the manner following, to wit: That the said Defendants, on or about the 4th day of November, 2018, at and within the County of Clark, State of Nevada,

COUNT 1 - BURGLARY

did willfully, unlawfully, and feloniously enter a residence, owned or occupied by MONIKKI WILLIAMS, located at 4381 West Flamingo Road, Las Vegas, Clark County, Nevada, with intent to commit larceny.

COUNT 2 - GRAND LARCENY

did then and there willfully, unlawfully, feloniously, and intentionally, with intent to deprive the owner permanently thereof, steal, take and carry away, lead away or drive away property owned by MONIKKI WILLIAMS, having a value of \$3,500.00, or greater, to wit: an iPad and/or a purse and/or U.S. Currency and/or Bluetooth head phones and/or a suitcase and/or a wallet.

S.C. 1/23/20 @ 8:30  
SC ON DEMAND

bail 2,500 reduced  
8/20/19  
PH: \$700/19 e  
930 cm

4/29/19 JC3 P/c GPC

W:\2019\2019F\03827\19F03827-COMP-001.DOCX

PH 2/20/20 PAN

1 All of which is contrary to the form, force and effect of Statutes in such cases made and  
2 provided and against the peace and dignity of the State of Nevada. Said Complainant makes  
3 this declaration subject to the penalty of perjury.  
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6 03/05/19  
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27 19F03827A-B/ew  
28 LVMPD EV# 181199999923  
(TK3)



LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**DECLARATION OF WARRANT/SUMMONS**  
(N.R.S. 171.106)  
(N.R.S. 53 amended 7/13/1993)  
**"PRINT"**

"Click to Add/Edit Event # on All Pages"

Event Number: LLV181199999923

STATE OF NEVADA     )     SOSA AVILA, AMALIA MARIA  
                              ) ss: ID#: 1921777  
COUNTY OF CLARK    )     DOB: 12/26/1986   SS#: :

S. SINGH PN13322, being first duly sworn, deposes and says:

That He is a Detective with the Las Vegas Metropolitan Police Department, being so employed for a period of 10 years, assigned to investigate the crime(s) of BURGLARY (NRS 205.060), GRAND LARCENY (NRS 205.220), committed on or about 11/04/18, which investigation has developed AVILA, WESLEY NORMAN & SOSA AVILA, AMALIA MARIA as the perpetrator thereof.

**THAT DECLARANT DEVELOPED THE FOLLOWING FACTS IN THE COURSE OF THE INVESTIGATION OF SAID CRIME, TO WIT:**

I, Detective S. Singh PN13322 am currently assigned to investigate the crime of Burglary & Grand Larceny under EVT# LLV181199999923. An online crime report was initially created on November 5<sup>th</sup>, 2018, which was completed by victim Monikki, Williams. Monikki became the victim of Burglary on November 4<sup>th</sup>, 2018 at the Palms Hotel and Casino located at 4381 West Flamingo Road. Monikki was a registered guest in Palms Place room number 18-303 along with her friend Day, Wanetta. Monikki was the only victim that filed a report with LVMPD for Burglary. Monikki and Day had exited their room at 1230 hours on November 4<sup>th</sup>, 2018 and later returned at 2000 hours to find their hotel room burglarized. Monikki's suitcase was left open and had been ransacked. Monikki's purple suitcase was stolen along with Monikki's black purse and cash. The items stolen from the room included Apple iPad Pro valued at \$649.00, Michael Kors diamond/silver wrist watch valued at \$300.00, Sony Bluetooth head phones valued at \$50.00, Purple travel suitcase valued at 149.00, pink carrier bag valued at \$150.00, wallet valued at \$100.00, and women's clothing valued at \$300.00. The total value of the stolen items is estimated at \$1698.00.

The theft of Monikki's property from their room was recorded on surveillance video. Surveillance video was recovered from Palms and impounded as evidence at CCAC.

Monikki and Day exited their room at 1230 hours on 11/04/18 and returned to their room at approximately 2000 hours, which is recoded on surveillance cameras.

The following activity was observed on video surveillance cameras.

LEWIS & CLARK METROPOLITAN POLICE DEPARTMENT  
**CONTINUATION**

Event #: LLV181199999923

At 1246:05 hours on 11/04/18, Palms guest room attendant (identified as Sosa, Amalia ID# 1921777 via information provided by Palms Hotel and Casino security) entered room 303 with a trash bin cart for room service. Sosa exits room 303 along with the cart at 1532:00 hours. It appears the Sosa stays in room 303 for estimated three hours for room service.

After leaving room 303, at 1713:44 hours Sosa arrived at the North hallway with a cleaning cart and entered room 308 for room service. At 1714:17 hours, Sosa exits room 308 and is observed going back in room 303 without the cleaning cart. Sosa stays in room 303 for estimated one to two minutes and is observed on surveillance cameras exiting room 303 at 1715:16 hours. At 1715:21 hours, Sosa returned to room 308 and stays in the same room unit 1809:10 hours.

On the surveillance video, a white male adult wearing blue jeans, black hoodie, sunglasses and white t-shirt is seen entering into Monikki's room 303 at 1730:50 hours on 11/04/18 and exiting room 303 with a purple suitcase at 1733:54 hours. The same suitcase along with additional property was reported stolen by Minikki to security later that day.

The suspect was later identified as Avila, Wesley Norman (ID#1918834). A records check showed Sosa is currently married to Avila, Wesley Norman. Avila matched the description of the suspect on surveillance video. I viewed a CCDC booking photo and Nevada DMV photograph of Avila, Wesley Norman (ID#1918834). Those photographs were compared to video surveillance, and Avila, Wesley Norman (ID#1918834) appeared to be the same person involved in the theft under LVMPD Event # LLV181199999923. Avila's facial features to include a similar mustache, hairline, large forehead, and large ears along with physical body characteristics are similar to the subject seen inside the video. Avila was not a registered guest at the Palms Hotel and Casino at the time of the theft.

Palms security cameras records the following details related to Avila. Avila is seen walking into the Palms parking lot area at 1725:22 hours on 11/04/18 from Arville Street. Avila is observed talking on his cell phone while walking towards the Palms. The suspect walks from the casino parking lot area all the way to the 18<sup>th</sup>-floor lobby. Avila did not take any detours or make contact with anyone before arriving directly at the 18<sup>th</sup>-floor lobby area. Avila keeps his head down at all times and appears to be keeping a low profile when walking through the Casino.

On surveillance video at 1729:23 hours on 11/04/18, after arriving at the 18<sup>th</sup> floor, Avila walks to the North hallway and is observed entering room 308, where Sosa is located. Avila is seen later exiting the same room with a white towel. Avila is not a registered guest at the hotel and never approached anyone including security for assistance as he walks from the parking lot area to room 308 located on the 18<sup>th</sup> floor of the hotel.

Avila then exits room 308 at 1730:50 hours with white towel in his left arm and walks directly to and enters room 303. At 1733:54 hours, Avila is seen exiting room 303 with a purple suitcase in his hands. Avila walks to the elevators and uses the elevator to arrive at the lobby area of the Palms Casino. Avila walks off property to Arville Street.

LEWIS & CLARK METROPOLITAN POLICE DEPARTMENT  
**CONTINUATION**

Event #: LLV181199999923

Based on the facts and circumstances observed on video surveillance, it appears on the surveillance video that the white male adult (Avila) and guest room attendance (Sosa) were familiar with each other. Sosa did not report the subject to a security or notify security about any suspicious activity that occurred in room 308. It appears the entrance door to room 303 was left unlocked by Sosa due to her making an unauthorized entry into the room the second time.

A criminal record check was conducted on both Sosa and Avila. The record check showed Sosa is a registered felon for four counts of Burglary, Possession of Control Substance-Methamphetamine and Auto Burglary. The record check on Avila showed he is a registered felon for Assault on a Police Officer and Malicious Destruction of Police Property. Avila has a prior arrest record that includes being arrested for Burglary, Possession of Burglary Tools, Possession of stolen property, Using Credit Cards without Owner's Consent, and Robbery.


Based on all of the facts and circumstances probable cause exists for the issuance of an arrest warrant for Avila, Wesley Norman (ID#1918834) for Burglary NRS 205.060 and Grand Larceny NRS 205.220. Sosa did collaborate with Avila to commit Burglary and Grand Larceny by leaving the room 303 unlocked and therefore allowing easy access for Avila into the room to commit Burglary and Grand Larceny. Sosa spent three hours inside the victim's room, and the suspect (Avila) stayed in the room for few minutes to commit theft of multiple items. The victim's room was ransacked, and multiple items from different locations were stolen along with the suitcase. It appeared that Sosa used her position as guest room attendant to assist Avila commit Burglary and Grand Larceny in room 303.

Wherefore, Declarant prays that a Warrant of Arrest is issued for suspect AVILA, WESLEY NORMAN & SOSA AVILA, AMALIA MARIA on the charge(s) of BURGLARY (NRS205.060), GRAND LARCENY (NRS205.220), & CONSPIRACY TO COMMIT BURGLARY (199.480).


**I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.**

**Executed on this 22nd day of December, 2018, 2018.**

DECLARANT:

 PN1332

WITNESS:

 15249

DATE:

12/27/16.

# Incident File Summary Report

Incident File #IN20180015132

Incident File # :	IN20180015132	Record Creation Details
Date/Time Occurred:	04-Nov-2018 17:30	Department: Surveillance
Day of Week Occurred:	Sunday	Owner: dthomps
Date/Time Created:	04-Nov-2018 21:43	Operator ID: dthomps
Date/Time Closed:	09-Nov-2018 12:56	Operator Name:
Closed By:	scline	Personnel ID:

## Location of Incident:

Property:	Palms
Location:	Palms Place
Sublocation:	Palms Place Floor 18

## Details of Incident:

Daily Log #:	DL20181065592
Reference:	8182
Incident Type:	Criminal
Specific:	Theft
Category:	Guest
Incident Status:	Closed
Synopsis:	Security reports missing property claim from registered guest Monique Williams in Palms Place Room18-303.
Checklist:	- Archived to Digital Evidence - Photo(s) - Subject

## Narrative:

Created On	Created By	Modified On	Modified By
04-Nov-2018 21:44	dthomps	09-Nov-2018 12:56	scline

On 11/04/18 at approximately 20:20 hours, Security reports missing property claim from registered guest Monique Williams in Palms Place (PP) Room18-303 between 12:30 - 20:00 hours today. The second guest who also was staying at that same room, is name is Wanetta Day. The guests claimed that when they got back from their outing around 20:00 hours, they noticed that the room light was off, one of their suitcases was wide open by the door. The other purple suitcase was missing along with a black purse and cash.

## Review of Room 301/303 Vestibule & North Hallway:

- > 12:30:44 hours, - 2 Black Female Adults (Williams and Day) exit vestibule of reported room, walk toward elevators.
- > 12:46:05 hours - Guest Room Attendant (GRA) enters Room 301/303 Vestibule with cleaning cart.
- > 13:28:00 hours - Trash Bin Cart enters vestibule, out at 13:30 hours.
- > 13:36:10 hours - GRA walks in Room 301/303 Vestibule.
- > 14:27:00 hours - Per lock interrogation, Key ID #60, PPlace HK. Supv was used for room 18-303.
- > 15:32:00 hours - GRA departs Room 301/303 Vestibule with cart.
- > 17:13:44 hours - GRA arrives to North Hallway with cleaning cart and enters vestibule for rooms 306/308.

Reporting Party:

Supervisor:

Printed: 12/1/2018 11:08

Page 1 / 4

Incident File Summary Report

Incident File #IN20180015132

- > 17:14:17 hours - GRA exits vestibule 306/308, enters back into Room 301/303 Vestibule (without cleaning cart), out at 17:15:16 hours. Per lock interrogation, Key ID #60, PPlace HK. Supv was used for room 18-303
- > 17:15:21 hours - GRA returns to the vestibule for 306/308. 18:09:10 hours, GRA exits vestibule for 306/308 with cleaning cart.

Note: GRA was identified as Team Member (TM) - Amalia Sosa Avila (ID #558518).

Review of Suspect (possible White Male Adult or Hispanic Male Adult):

- > 17:25:22 hours - Suspect walks on property from Arville Street.
- > 17:25:22 hours - Suspect appears to start to talk on his cell phone as he walks East. At 17:26:54 hours, the suspect begins walking West back toward Palms Place.
- > 17:27:54 hours - Arrives at PP Elevator Lobby.
- > 17:28:10 hours - Enters Laguna elevator (LR-5), remains active on cellphone.
- > 17:28:58 hours - Exits Laguna Elevator Skytube level and enters Skytube Guest Elevator (SW)
- > 17:29:23 hours - Suspect Arrives on 18th floor lobby, walks to the North Hallway and enters the vestibule for room 306/308. Note: TM Amalia Sosa Avila is still in this vestibule.
- > 17:30:50 hours - Suspect exits vestibule with white towels in left arm, makes a right in hallway, directly goes to and enters vestibule for rooms 301/303.
- > 17:33:54 hours - Suspect exits Room 301/303 vestibule with one purple piece of luggage and then goes to the elevators.
- > 17:34:35 hours - Suspect enters Guest Elevator (LR-3), exits back on Skytube level.
- > 17:36:06 hours - Suspect enters Laguna Elevator (LR-5) and exits elevator on Valet Lobby Level.
- > 17:36:36 hours - Suspect walks off property to Arville Street.

Coverage Dubbed.

End.

Executive Brief: Missing Property - Security reports missing property claim from registered guest Monique Williams in Palms Place (PP) Room 18-303 between 12:30 - 20:00 today. Review showed a possible hispanic male adult enter the room then exit with a suitcase. The male walked off property with the suitcase. Metro was advised and met with the guest to file a report. A detective was assigned to the case.

Reporting Party:

Supervisor:

Printed: 12/1/2018 11:08

Page 2 / 4

Attachments:

Title:  
Lock Interrogation  
18-303.pdf

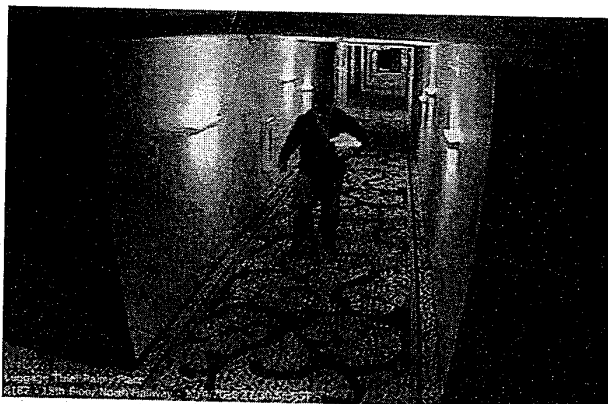
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scline on Nov 5, 2018 16:32

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Title:

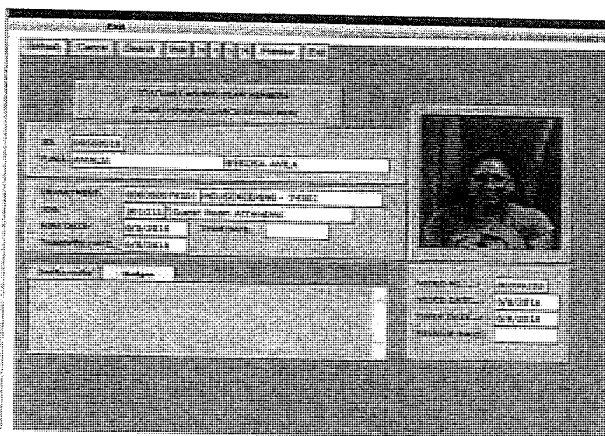
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dthomps on Nov 4, 2018 21:48

Original Filename:  
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Place.jpg



scline on Nov 5, 2018 16:28

TM GRA.jpg



dthomps on Nov 4, 2018 21:48

Luggage Thief Palms Place  
II.jpg

Reporting Party:

Supervisor:

Printed: 12/1/2018 11:08

Page 3 / 4



End of Attachments

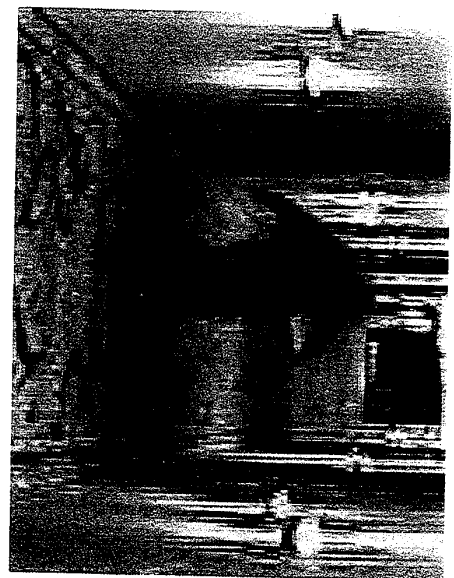
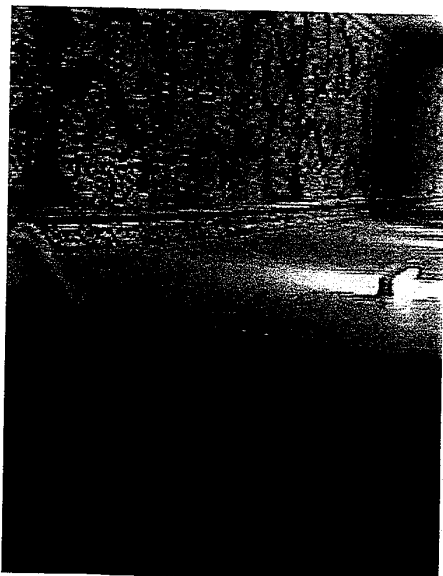
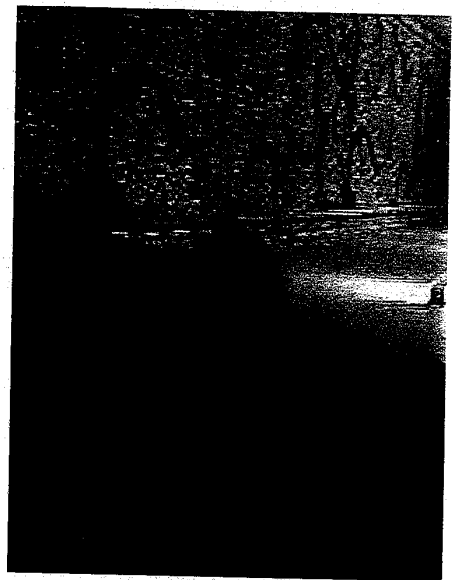
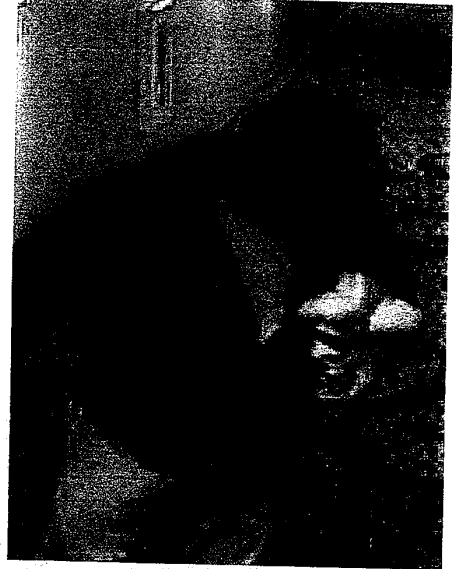
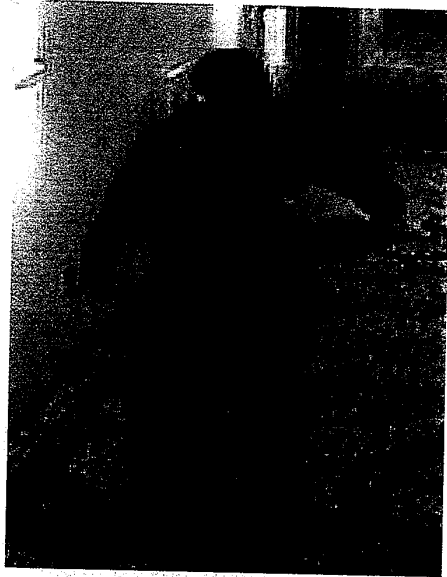
Reporting Party:

Printed: 12/1/2018 11:08

Supervisor:

Page 4 / 4

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LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**DECLARATION OF WARRANT/SUMMONS**  
(N.R.S. 171.106)  
(N.R.S. 53 amended 7/13/1993)  
**"PRINT"**

"Click to Add/Edit Event # on All Pages"

Event Number: LLV181199999923

STATE OF NEVADA     )     AVILA, WESLEY NORMAN  
                              ) ss: ID#: 1918834  
COUNTY OF CLARK    )     DOB: 08/05/1985 SS#: .

S. SINGH PN13322, being first duly sworn, deposes and says:

That He is a Detective with the Las Vegas Metropolitan Police Department, being so employed for a period of 10 years, assigned to investigate the crime(s) of BURGLARY (NRS 205.060), GRAND LARCENY (NRS 205.220), committed on or about 11/04/18, which investigation has developed AVILA, WESLEY NORMAN & SOSA AVILA, AMALIA MARIA as the perpetrator thereof.

**THAT DECLARANT DEVELOPED THE FOLLOWING FACTS IN THE COURSE OF THE INVESTIGATION OF SAID CRIME, TO WIT:**

I, Detective S. Singh PN13322 am currently assigned to investigate the crime of Burglary & Grand Larceny under EVT# LLV181199999923. An online crime report was initially created on November 5<sup>th</sup>, 2018, which was completed by victim Monikki, Williams. Monikki became the victim of Burglary on November 4<sup>th</sup>, 2018 at the Palms Hotel and Casino located at 4381 West Flamingo Road. Monikki was a registered guest in Palms Place room number 18-303 along with her friend Day, Wanetta. Monikki was the only victim that filed a report with LVMPD for Burglary. Monikki and Day had exited their room at 1230 hours on November 4<sup>th</sup>, 2018 and later returned at 2000 hours to find their hotel room burglarized. Monikki's suitcase was left open and had been ransacked. Monikki's purple suitcase was stolen along with Monikki's black purse and cash. The items stolen from the room included Apple iPad Pro valued at \$649.00, Michael Kors diamond/silver wrist watch valued at \$300.00, Sony Bluetooth head phones valued at \$50.00, Purple travel suitcase valued at 149.00, pink carrier bag valued at \$150.00, wallet valued at \$100.00, and women's clothing valued at \$300.00. The total value of the stolen items is estimated at \$1698.00.

The theft of Monikki's property from their room was recorded on surveillance video. Surveillance video was recovered from Palms and impounded as evidence at CCAC.

Monikki and Day exited their room at 1230 hours on 11/04/18 and returned to their room at approximately 2000 hours, which is recoded on surveillance cameras.

The following activity was observed on video surveillance cameras.

LEWIS & CLARK METROPOLITAN POLICE DEPARTMENT  
**CONTINUATION**

Event #: LLV181199999923

14:49  
At 1246:05 hours on 11/04/18, Palms guest room attendant (identified as Sosa, Amalia ID# 1921777 via information provided by Palms Hotel and Casino security) entered room 303 with a trash bin cart for room service. Sosa exits room 303 along with the cart at 1532:00 hours. It appears the Sosa stays in room 303 for estimated three hours for room service.

After leaving room 303, at 1713:44 hours Sosa arrived at the North hallway with a cleaning cart and entered room 308 for room service. At 1714:17 hours, Sosa exits room 308 and is observed going back in room 303 without the cleaning cart. Sosa stays in room 303 for estimated one to two minutes and is observed on surveillance cameras exiting room 303 at 1715:16 hours. At 1715:21 hours, Sosa returned to room 308 and stays in the same room unit 1809:10 hours.

On the surveillance video, a white male adult wearing blue jeans, black hoodie, sunglasses and white t-shirt is seen entering into Monikki's room 303 at 1730:50 hours on 11/04/18 and exiting room 303 with a purple suitcase at 1733:54 hours. The same suitcase along with additional property was reported stolen by Minikki to security later that day.

The suspect was later identified as Avila, Wesley Norman (ID#1918834). A records check showed Sosa is currently married to Avila, Wesley Norman. Avila matched the description of the suspect on surveillance video. I viewed a CCDC booking photo and Nevada DMV photograph of Avila, Wesley Norman (ID#1918834). Those photographs were compared to video surveillance, and Avila, Wesley Norman (ID#1918834) appeared to be the same person involved in the theft under LVMPD Event # LLV181199999923. Avila's facial features to include a similar mustache, hairline, large forehead, and large ears along with physical body characteristics are similar to the subject seen inside the video. Avila was not a registered guest at the Palms Hotel and Casino at the time of the theft.

Palms security cameras records the following details related to Avila. Avila is seen walking into the Palms parking lot area at 1725:22 hours on 11/04/18 from Arville Street. Avila is observed talking on his cell phone while walking towards the Palms. The suspect walks from the casino parking lot area all the way to the 18<sup>th</sup>-floor lobby. Avila did not take any detours or make contact with anyone before arriving directly at the 18<sup>th</sup>-floor lobby area. Avila keeps his head down at all times and appears to be keeping a low profile when walking through the Casino.

On surveillance video at 1729:23 hours on 11/04/18, after arriving at the 18<sup>th</sup> floor, Avila walks to the North hallway and is observed entering room 308, where Sosa is located. Avila is seen later exiting the same room with a white towel. Avila is not a registered guest at the hotel and never approached anyone including security for assistance as he walks from the parking lot area to room 308 located on the 18<sup>th</sup> floor of the hotel.

Avila then exits room 308 at 1730:50 hours with white towel in his left arm and walks directly to and enters room 303. At 1733:54 hours, Avila is seen exiting room 303 with a purple suitcase in his hands. Avila walks to the elevators and uses the elevator to arrive at the lobby area of the Palms Casino. Avila walks off property to Arville Street.

LEWIS & CLARK METROPOLITAN POLICE DEPARTMENT  
**CONTINUATION**

Event #: LLV181199999923

Based on the facts and circumstances observed on video surveillance, it appears on the surveillance video that the white male adult (Avila) and guest room attendance (Sosa) were familiar with each other. Sosa did not report the subject to a security or notify security about any suspicious activity that occurred in room 308. It appears the entrance door to room 303 was left unlocked by Sosa due to her making an unauthorized entry into the room the second time.

A criminal record check was conducted on both Sosa and Avila. The record check showed Sosa is a registered felon for four counts of Burglary, Possession of Control Substance-Methamphetamine and Auto Burglary. The record check on Avila showed he is a registered felon for Assault on a Police Officer and Malicious Destruction of Police Property. Avila has a prior arrest record that includes being arrested for Burglary, Possession of Burglary Tools, Possession of stolen property, Using Credit Cards without Owner's Consent, and Robbery.


Based on all of the facts and circumstances probable cause exists for the issuance of an arrest warrant for Avila, Wesley Norman (ID#1918834) for Burglary NRS 205.060 and Grand Larceny NRS 205.220. Sosa did collaborate with Avila to commit Burglary and Grand Larceny by leaving the room 303 unlocked and therefore allowing easy access for Avila into the room to commit Burglary and Grand Larceny. Sosa spent three hours inside the victim's room, and the suspect (Avila) stayed in the room for few minutes to commit theft of multiple items. The victim's room was ransacked, and multiple items from different locations were stolen along with the suitcase. It appeared that Sosa used her position as guest room attendant to assist Avila commit Burglary and Grand Larceny in room 303.

Wherefore, Declarant prays that a Warrant of Arrest is issued for suspect AVILA, WESLEY NORMAN & SOSA AVILA, AMALIA MARIA on the charge(s) of BURGLARY (NRS205.060), GRAND LARCENY (NRS205.220), & CONSPIRACY TO COMMIT BURGLARY (199.480).

**I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.**

**Executed on this 22nd day of December, 2018, 2018.**

DECLARANT:

 PN13322

WITNESS:

 15249

DATE:

12/27/18.



Arrest / Detective Report

Administrative

Location **4381 West FLAMINGO Road, 89103 LAS VEGAS, NV 89103** Sector / Beat **M5**  
Occurred On (Date / Time) **11/4/2018 12:05:00 PM** Or Between (Date / Time) **11/4/2018 10:05:00 PM**  
Reporting Officer **9999999 - Interface, Coplogic** Reported On **11/5/2018**  
Entered By **9999999 - Interface, Coplogic** Entered On **11/5/2018 10:38:24 AM**  
Supervisor **09133 - Ruesch, Stayce** Follow Up Pro Squad **ORO 1** Follow Up  
Jurisdiction **Clark County** Report Type **Officer Created - Sgt Approval** Disposition **Active**  
Route To: Related Cases **LLV181100019697**  
Connecting Reports

Assisting Officers:

Offenses

**Burglary, (1st)(F)-NRS 205.060.2**

Completed **Yes** Hate/Bias **None (No Bias)** Domestic Violence  
Entry **No Force Used** Premises Entered **1** Type Security  
Weapons Location Type **Hotel/Motel/Etc.** Tools  
Criminal Activities

Victims

Name: **Monikki Williams**

Victim Type **Individual** Written Statement  
Victim of **50424 - Burglary, (1st)(F)-NRS 205.060.2** Can ID Suspect  
Domestic Battery **No**  
SSN **500-76-6627** DOB **7/11/1974** Age **44** Sex **Female** Race **Black or African American** Ethnicity **Not Hispanic or Latino**  
Height **504** Weight **222** Hair Color Eye Color  
Employer/School  
Occupation/Grade  
DLN **T981315286** DL State **Missouri** Work Schedule  
Resident **Resident** DL Country **United States**  
Injury Tourist Departure Date  
Injury Weapons

Addresses

Home Address **6317 North Drive Saint Louis, MO 63130 United States**

Phones

Home/Residence **314-725-3411**

Mobile **314-853-6497**

Email

**msmw30@gmail.com**

Offender Relationships

Domestic Violence Information

Relationship to Suspect

Intimate Relationship

Voluntary Statement

Injury Severity

Photos Taken

Primary Aggressor Determined  
Drug/Alcohol Involvement  
DV Information Provided  
Medical Attention

Notes:

Suspects

Arrestees

Witnesses

Other Entities

12/14/2018 11:19 AM

LLV181199999923

Page 1 of 5

## Properties

9999923

Type: **Electronics (TV, Music, CD/DVD Players, etc...)**

Status	<b>Stolen</b>	Quantity	<b>1</b>	Value	<b>649.00</b>	Color	<b>Black</b>
Description	<b>IPad Pro</b>						
Manufacturer	<b>Apple</b>	Model	<b>Ipad Pro</b>	Serial No./VIN	<b>DMPSV66RGXPY</b>		
Vehicle Year		Body Type		Lic Plate Exp			
Lic Plate #		Lic Plate State					
Insurance Company							
Owner	<b>V - Monikki Williams</b>						
Notes:							

### Detailed Property Information

Length	Width	Height
Horse Power	Propulsion Serial #	
Caliber	Barrel Length	
Features		

### Recovered Property Information

Recovered Date	Recovered Value
Recovered Location	Recovered Reason
Recovered By	Recovered Stock #
Owner Type	Released To
Insurance Rep.	Tow Company

Type: **Jewelry / Precious Metals**

Status	<b>Stolen</b>	Quantity	<b>1</b>	Value	<b>300.00</b>	Color	<b>Silver or Aluminum</b>
Description	<b>Diamond Silver watch</b>						
Manufacturer	<b>Michael Kors</b>	Model	<b>Sofia</b>	Serial No./VIN	<b>734369551</b>		
Vehicle Year		Body Type		Lic Plate Exp			
Lic Plate #		Lic Plate State					
Insurance Company							
Owner	<b>V - Monikki Williams</b>						
Notes:							

### Detailed Property Information

Length	Width	Height
Horse Power	Propulsion Serial #	
Caliber	Barrel Length	
Features		

### Recovered Property Information

Recovered Date	Recovered Value
Recovered Location	Recovered Reason
Recovered By	Recovered Stock #
Owner Type	Released To
Insurance Rep.	Tow Company

Type: **Clothing, belts, glasses, purses/wallets**

Status	<b>Stolen</b>	Quantity	<b>10</b>	Value	<b>300.00</b>	Color	<b>Blue</b>
Description	<b>4 pair of pants(2 blue jeans, tan jeans, black jeans), 5 shirts</b>						
Manufacturer	<b>Several brands</b>	Model		Serial No./VIN			
Vehicle Year		Body Type		Lic Plate Exp			
Lic Plate #		Lic Plate State					
Insurance Company							
Owner	<b>V - Monikki Williams</b>						
Notes:							

### Detailed Property Information

Length	Width	Height
Horse Power	Propulsion Serial #	
Caliber	Barrel Length	
Features		

9999923

## Recovered Property Information

Recovered Date	Recovered Value
Recovered Location	Recovered Reason
Recovered By	Recovered Stock #
Owner Type	Released To
Insurance Rep.	Tow Company

Type: **Misc. (Cell Phones, Bicycles, Worthless Doc, items not listed)**

Status	<b>Stolen</b>	Quantity	<b>2</b>	Value	<b>50.00</b>	Color	<b>Black</b>
Description	<b>2 black Bluetooth head phones</b>						
Manufacturer	<b>Sony</b>	Model	<b>Head phones</b>	Serial No./VIN	<b>Unk</b>		
Vehicle Year		Body Type		Lic Plate Exp			
Lic Plate #		Lic Plate State					
Insurance Company							
Owner	<b>V - Monikki Williams</b>						
Notes:							

## Detailed Property Information

Length	Width	Height
Horse Power	Propulsion Serial #	
Caliber	Barrel Length	
Features		

## Recovered Property Information

Recovered Date	Recovered Value
Recovered Location	Recovered Reason
Recovered By	Recovered Stock #
Owner Type	Released To
Insurance Rep.	Tow Company

Type: **Clothing, belts, glasses, purses/wallets**

Status	<b>Stolen</b>	Quantity	<b>1</b>	Value	<b>149.00</b>	Color	<b>Purple</b>
Description	<b>Purple traveling bag</b>						
Manufacturer	<b>Samonic</b>	Model	<b>Luggage</b>	Serial No./VIN	<b>Unk</b>		
Vehicle Year		Body Type		Lic Plate Exp			
Lic Plate #		Lic Plate State					
Insurance Company							
Owner	<b>V - Monikki Williams</b>						
Notes:							

## Detailed Property Information

Length	Width	Height
Horse Power	Propulsion Serial #	
Caliber	Barrel Length	
Features		

## Recovered Property Information

Recovered Date	Recovered Value
Recovered Location	Recovered Reason
Recovered By	Recovered Stock #
Owner Type	Released To
Insurance Rep.	Tow Company

Type: **Clothing, belts, glasses, purses/wallets**

Status	<b>Stolen</b>	Quantity	<b>1</b>	Value	<b>150.00</b>	Color	<b>Pink</b>
Description	<b>Pink carrier bag</b>						
Manufacturer	<b>Michael Kors</b>	Model	<b>Carrier bag</b>	Serial No./VIN	<b>Unk</b>		
Vehicle Year		Body Type		Lic Plate Exp			
Lic Plate #		Lic Plate State					
Insurance Company							
Owner	<b>V - Monikki Williams</b>						
Notes:							

### Detailed Property Information

Length  
Horse Power  
Caliber  
Features

Width  
Propulsion Serial #  
Barrel Length

Height

9999923

### Recovered Property Information

Recovered Date  
Recovered Location  
Recovered By  
Owner Type  
Insurance Rep.

Recovered Value  
Recovered Reason  
Recovered Stock #  
Released To  
Tow Company

Type: Clothing, belts, glasses, purses/wallets

Status	Stolen	Quantity	1	Value	100.00	Color	Beige
Description	Wallet with Macy card, bank card, social card						
Manufacturer	Social Security Card	Model	Id	Serial No./VIN	Identification		
Vehicle Year		Body Type					
Lic Plate #		Lic Plate State		Lic Plate Exp			
Insurance Company							
Owner	V - Monikki Williams						
Notes:							

### Detailed Property Information

Length  
Horse Power  
Caliber  
Features

Width  
Propulsion Serial #  
Barrel Length

Height

### Recovered Property Information

Recovered Date  
Recovered Location  
Recovered By  
Owner Type  
Insurance Rep.

Recovered Value  
Recovered Reason  
Recovered Stock #  
Released To  
Tow Company

### Solvability

### Modus Operandi

MO General  
Occupied?

General Premise

MO Against Property

Entry Point

Entry/Attempt Method

Safe Entry

Victim Location

Maid

Exit Point

Entry Tool

Suspect Actions

Electronic Locks

Inspectress

Surrounding Area  
Specific Premise

Entry Location

Vehicle Entry

Additional Factors

Video Surveillance

MO Against People

Victim-Suspect Relationship

Victim Condition

Suspect Pretended to Be

Sexual Acts

Pre-Incident Contact  
Suspect Solicited/Offered  
Suspect Actions  
Vehicle Involvement

### Narrative

So our room was burglarized sometime yesterday Sunday Nov. 3rd. We stayed out walking downtown all day, so we don't know exactly when it happened. We left out 1230pm and returned at 8pm. We came back to our expensive room to find all my things gone luggage, clothes, jewelry, iPad, shoes. My sister's things were rambled through. We filed a report with security and absolutely nothing has taken place

Patrol Follow-Up

9999923



## NEVADA PRETRIAL RISK (NPR) ASSESSMENT

Assessment Date: 4/28/2019

Assessor: YVETTE ANDERSON

County: Clark

Defendant's Name: Amalia Sosa

DOB:

AGE: 32

Case/Booking #: 19F03827B

12/26/1986

Dept #: 3

Address: PENDING INTERVIEW

Contact Phone #:

# of Current Charges: 2

City:

State: Zip:

Most Serious Charge: Burglary, (1st)

Total Bail at booking: 5000.00

### SCORING ITEMS

### SCORE

1. Does the Defendant Have a Pending Pretrial Case at Booking?

No If yes, list case # and jurisdiction:

0

2. Age at First Arrest (include juvenile arrests)

First Arrest Date 8-16-05

20 yrs and under

2

3. Prior Misdemeanor Convictions (past 10 years)

One to five

1

4. Prior Felony/Gross Misd. Convictions (past 10 years)

One or more

1

5. Prior Violent Crime Convictions (past 10 years)

None

0

6. Prior FTAs (past 24 months)

None

0

7. Substance Abuse (past 10 years)

Prior multiple arrests-drug use or poss/alcohol/drunkenness

2

8. Mitigating Verified Stability Factors (limit of -2 pts. total deduction)

If 1, 2 and 3 not applicable

0

TOTAL SCORE:

6

Risk Level: Moderate Risk, 6 Points

OVERRIDE?: ☐ Yes

☒ No

Override Reason(s):

If Other, explain:

Final Recommended Risk Level:

☐ LOW

☒ MODERATE

☐ HIGHER

Supervisor/Designee Signature \_\_\_\_\_

Date: 4/28/2019

19F03827B

NPR

Nevada Risk Assessment Tool

10836934



IMAGED

Revised 8.2017

Felony convictions: 6

AMALIA SOSA

YEAR	STATE	CHARGE
15	NV	PCS WITS
15	NV	CONSP VUCSA
09	NV	PCS
06	NV	BURG
06	NV	CONSP BURG
06	NV	BURG

Misdemeanor Convictions: 3

FTAS: 2

Detainers: NONE

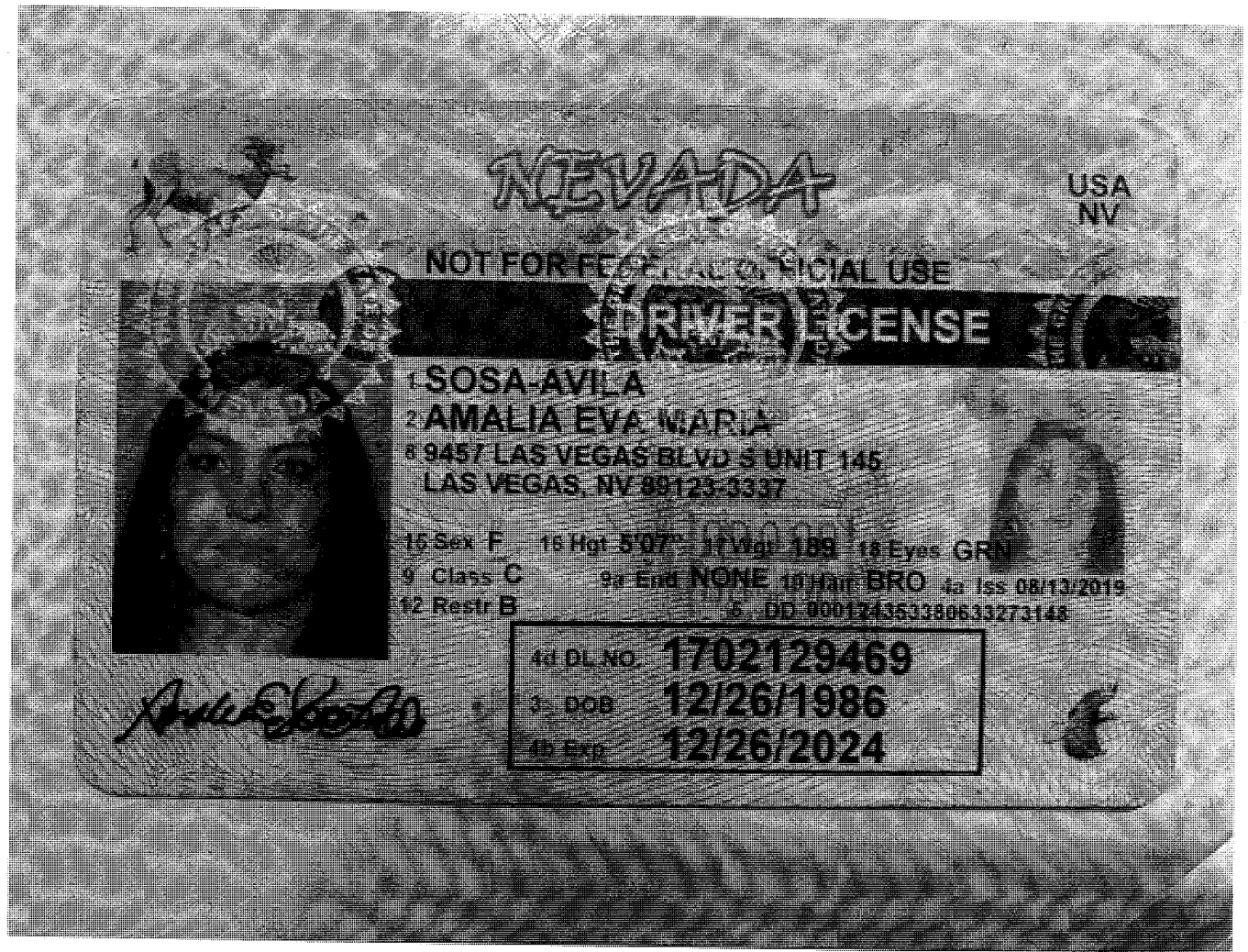
Pending Cases: NONE

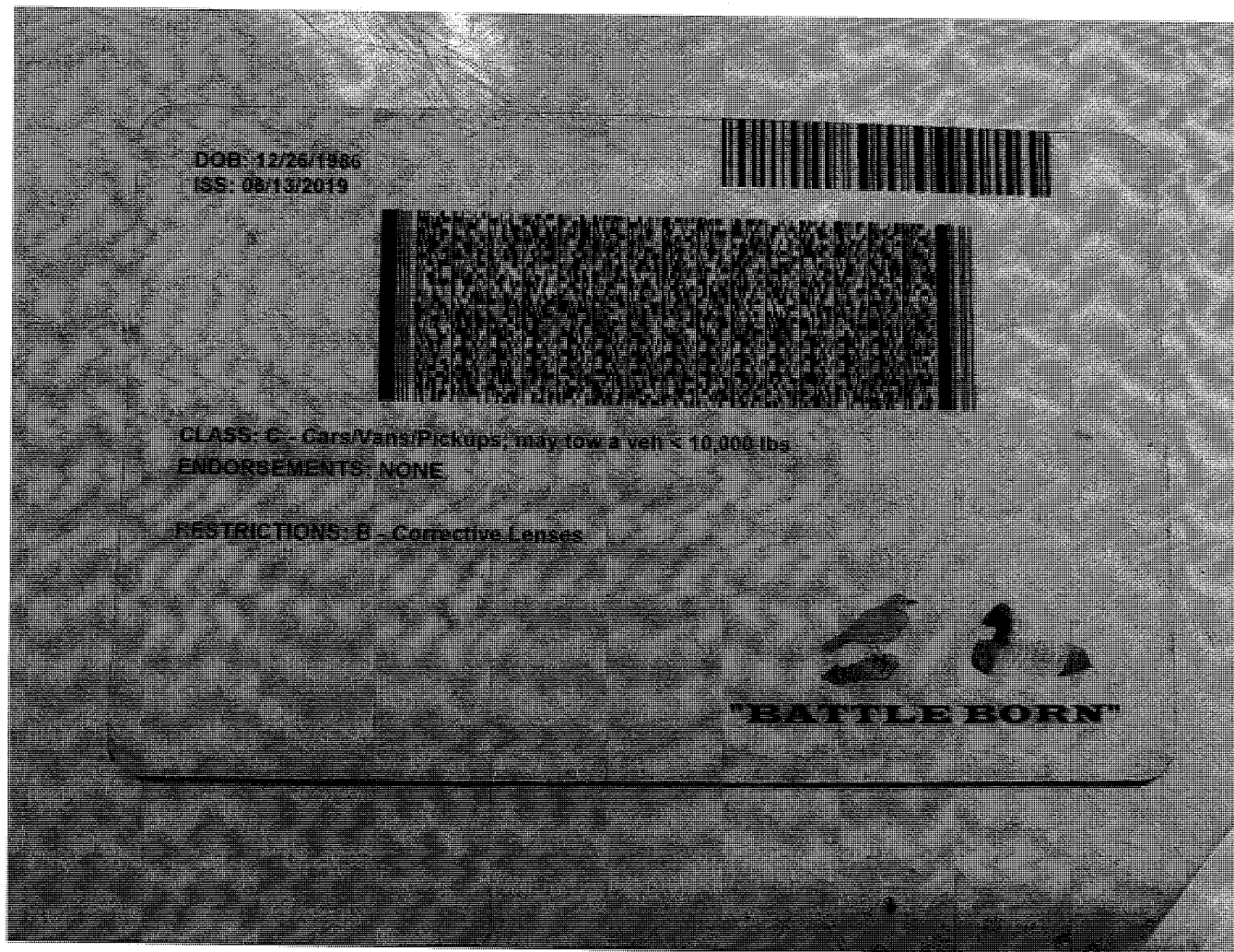
Revised 8.2017

# CLARK COUNTY PUBLIC DEFENDER'S OFFICE - INTAKE FORM

Name: Amalia Sosa Avila Date: 4.29.19  
 DOB: 12.26.1986 Social Security #: 525 61 6055  
 Address: 2995 E. Sunset Rd #213 City: LV State: NV Zip: 89120  
☒ Mailing ☐ Permanent ☐ Relative ☐ Homeless ☐ Section 8 ☐ Group Home/Transitional Housing  
 Email Address: itoldu237@gmail.com  
 Phone: 702 937 9065 Home Work ☒ Cell ☐ Text message notifications ☒ Yes ☐ No  
 Emergency Contact Name: Wesley Janice & Lisa Phone: 702 273 4741  
702 773 4956  
 Language: ☒ English ☐ Spanish ☐ Other: \_\_\_\_\_  
 In Custody at: ☒ CCDC ☐ Stewart/Mojave ☐ North Valley Complex ☐ NSP: \_\_\_\_\_  
 Where were you born? Albuquerque, NM Last grade completed in school: 12 Special Ed/IEP  
 Do you have a valid ID? No ☐ Yes ☒ Nevada ID ☐ Other: \_\_\_\_\_  
 Daily Obligation: ☒ Job ☒ School ☒ Child Care ☒ Elder Care ☐ Other: \_\_\_\_\_  
 Place of Employment: Avila Services Phone: 702 937 6 Supervisor: Wes  
 Income: ☒ Employed ☐ Unemployed ☐ V.A. ☐ Retired ☐ Child Support ☐ Social Security for \_\_\_\_\_  
 Do you have any children under the age of 10? ☒ YES ☐ NO  
 Transportation plan ☒ Drive ☐ Ride ☐ Bus ☐ Walk ☐ Don't know ☐ Other: \_\_\_\_\_  
 Do you have any other current cases? Yes ☐ No ☒  
 Currently on Probation or Parole? Yes ☐ No ☒  
 Have you ever been convicted of a felony in ANY state? Yes ☐ No ☒  
 Health Insurance: ☒ Yes ☐ No Medicaid/Medicare: ☒ Yes ☐ No Previous head injury? Yes ☐ No ☒  
 MEDICAL HISTORY/CURRENT ISSUES: No ☐ Yes: Arthritis  
 SUBSTANCE ABUSE: Yes ☐ No ☒ Prior treatment?: No ☐ Drug Court ☒ Yes at STARS @ FMVCC  
 MENTAL HEALTH ISSUES: No ☐ Yes, I was previously diagnosed as: ☒ Bipolar ☐ Schizophrenic ☐ Schizoaffective  
 Major Depressive Disorder ☐ Other: \_\_\_\_\_  
 Are you currently taking medication? ☒ No ☐ Yes, I am taking \_\_\_\_\_  
 Have you been prescribed medication before? No ☐ Yes, I was prescribed Seroquil  
 Previous client of: SNAMH (6161) Rawson Neal Lakes Crossing DRC Mental Health Court  
 Other Mental Health Facility: \_\_\_\_\_  
 MILITARY: Have you EVER served in the U.S. Military? Yes ☐ No ☒  
 Enrolled with the VA? Yes ☐ No ☒  
 Were you discharged under General/Honorable Conditions? ~~Yes~~ No ☒

3.2019





1 CASE NO.

2

3 IN THE JUSTICE COURT OF LAS VEGAS TOWNSHIP

4 CLARK COUNTY, STATE OF NEVADA

5

6 STATE OF NEVADA,

7 PLAINTIFF,

8 VS.

9 AMALIA MARIA SOSA AVILA,

10 DEFENDANT,

11

12 REPORTER'S TRANSCRIPT OF PROCEEDINGS

13

14 BEFORE THE HONORABLE ROBERT J. WALSH, JUSTICE OF THE PEACE

15

16 WEDNESDAY, FEBRUARY 19, 2020

17 8:50 O'CLOCK A.M.

18

19 FOR THE PLAINTIFF:

CHAD N. LEXIS,  
DEPUTY DISTRICT ATTORNEY

20

21 FOR THE DEFENDANT:

TODD M. LEVENTHAL, ESQ.

22

23 \* \* \* \*

24 REPORTED BY: KIT MACDONALD, C.C.R.  
25 CERTIFICATE NO. 65

1 LAS VEGAS, CLARK COUNTY, NEVADA, WEDNESDAY, FEBRUARY 19, 2020  
2 8:50 O'CLOCK A.M.  
3 \* \* \* \* \*  
4 **THE COURT:** AMALIA MARIA SOSA AVILA, 19F03827B.  
5 **MR. LEVENTHAL:** GOOD MORNING, JUDGE.  
6 **THE COURT:** GOOD MORNING.  
7 **MR. LEVENTHAL:** HOW ARE YOU?  
8 THIS IS -- SHE'S PRESENT OUT OF CUSTODY. I'M GOING TO BE  
9 SUBSTITUTING IN. THIS IS MY MOTION TO QUASH THE BENCH  
10 WARRANT, SET IT FOR PRELIM.  
11 **THE COURT:** SO DID SHE MISS HER PRELIMINARY HEARING DATE?  
12 **MR. LEVENTHAL:** NO, I DON'T BELIEVE SO.  
13 WHEN -- DID YOU MISS IT?  
14 **THE DEFENDANT:** NO, I DIDN'T.  
15 (MR. LEVENTHAL SPEAKING WITH THE DEFENDANT.)  
16 **MR. LEVENTHAL:** OH, YEAH, IT GOT VACATED.  
17 **THE COURT:** I'M SORRY?  
18 **MR. LEVENTHAL:** IT WAS VACATED, YOUR HONOR. SHE HAD  
19 PICKED UP A -- OR SHE WAS ARRESTED FOR ANOTHER CASE AND -- BUT  
20 THAT'S SET FOR PRELIM, I BELIEVE, IN, WHAT, TWO WEEKS?  
21 **THE DEFENDANT:** UM-HUM.  
22 **MR. LEVENTHAL:** IN TWO WEEKS.  
23 **THE COURT:** WELL HER BAIL WAS SET AT 5,000 CASH OR SURETY  
24 IN THIS CASE.  
25 **MR. LEVENTHAL:** RIGHT, AND SHE POSTED THAT.

1       **THE COURT:**   OKAY.

2       **MR. LEVENTHAL:**   AND THEN -- SO I'M ASKING THAT THAT BAIL

3 BE SET -- RESET AND THEN WE'RE --

4       **THE COURT:**   REINSTATED.

5       **MR. LEVENTHAL:**   REINSTATED, AND THEN WE CAN RESET THE

6 PRELIM IN THE ORDINARY COURSE.

7       **THE COURT:**   MR. LEXIS?

8       **MR. LEXIS:**    I OBJECT TO THAT.

9       IF YOU'VE SEEN HER FILE, WE HAD A MOTION TO REVOKE BAIL

10 AFTER SHE PICKED UP HER OTHER CASE AND THEN SHE WENT INTO

11 WARRANT.

12       **THE COURT:**   WHAT'S THE NEW CASE SHE PICKED UP?

13       **MR. LEVENTHAL:**   THE NEW CASE SHE PICKED UP IS A ONE

14 CHARGE, ONE COUNT OF ONE CREDIT CARD, JUDGE, AND I HAVE

15 RECEIVED A VERY GOOD DEFENSE FOR THAT, A NOTARIZED COPY FROM

16 THE GENTLEMAN WHO ACTUALLY GAVE HER THE CREDIT CARD.

17       **THE COURT:**   BAIL STANDS, SET AT \$5,000 CASH OR SURETY.

18       DO WE WANT TO SET A STATUS CHECK DATE TO MAKE SURE THAT'S

19 REINSTATED, MR. LEXIS, OR DO YOU JUST WANT TO SET THE PRELIM?

20       **MR. LEXIS:**    SET THE PRELIM.

21       **THE COURT:**   PRELIM, ORDINARY COURSE?

22       **MR. LEVENTHAL:**   PERFECT.   THANK YOU.

23       **THE COURT:**   THAT DATE IS?

24       **THE CLERK:**   MAY 21ST AT 9:30.

25       **MR. LEVENTHAL:**   THANK YOU, JUDGE.



1       **THE COURT:**   GOOD LUCK, MA'AM.  
2       **THE DEFENDANT:**   THANK YOU.  
3  
4               (AT 8:52 A.M. THE PROCEEDINGS WERE RECESSED.)  
5                               \*   \*   \*   \*  
6       **ATTEST:**   FULL, TRUE AND CERTIFIED TRANSCRIPT.  
7                               /S/KIT MACDONALD  
8                               KIT MACDONALD, C.C.R.  
9                               COURT REPORTER  
                             C.C.R. NO. 65  
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CLARK COUNTY  
District Attorney

OFFICE OF THE DISTRICT ATTORNEY  
CLARK COUNTY, NEVADA

DISCOVERY RECEIPT AND REQUEST FOR RECIPROCAL DISCOVERY

Defendant: Amalia Avila Date: 8/14/19  
Case No: 19F03827B Dept: JC 3 By: BB

**Discovery Provided in this Disbursement:**

Number of Pages: 3 Number of CD's: 1  
Number of USB Flash Drives: \_\_\_\_\_ Bates Numbered: \_\_\_\_\_ to \_\_\_\_\_  
Other: \_\_\_\_\_

**DISCOVERY PROVIDED BY STATE**

The State has provided any: (a) written or recorded statements made by a witness; (b) results or reports of physical or mental examinations, scientific tests or scientific experiments; and (c) books, papers, documents or tangible objects, any and all of which is within the possession, custody or control of the District Attorney which the prosecuting attorney intends to introduce in the case-in-chief of the State. Additional discovery will be provided as it becomes available pursuant to NRS 174.295. The State agrees to comply with the discovery statutes contained within the Nevada Revised Statutes as well as those legal opinions interpreting the State's discovery obligations. The State further agrees to provide all material consistent with *Brady v. Maryland*, 373 U.S. 83 (1963), *Giglio v. United States*, 405 U.S. 10 (1972), and their progenies. Discovery beyond what is statutorily and constitutionally required may not be provided.

**STATE'S REQUEST FOR DISCOVERY**

Defendant agrees to accept this document as constituting a sufficient request for discovery under NRS 174.245 in compliance with NRS 174.285. Pursuant to NRS 174.245, the State hereby requests that the Defendant provide to the Office of the District Attorney to inspect and copy or photograph any: (a) written or recorded statements made by a witness; (b) results or reports of physical or mental examinations, scientific tests or scientific experiments; and (c) books, papers, documents or tangible objects, any and all of which is within the possession, custody or control of the Defendant or Defendant's counsel, the existence of which is known, or by the exercise of due diligence may become known, to the Defendant or Defendant's counsel which Defendant or Defendant's counsel intends to introduce in evidence during the case-in-chief of the Defendant. The Defendant agrees to provide such documents within 30 days of receiving the attached documents or 30 days prior to trial (whichever is sooner) and provide additional discovery as it becomes available pursuant to NRS 174.295.

**Recipient Information:**

Name: Marissa Border Bar #: 8381  
☐ Retained ☐ Public Defender ☐ Special Public Defender ☒ Appointed Counsel ☐ Pro Per

In executing this Discovery Receipt and Request for Reciprocal Discovery, I acknowledge receipt of the discovery provided by the State and the State's request for discovery and I promise to comply with all the requirements of NRS 174.245 and 174.295.

Signature: [Signature] Date: 8/20/19

0004934

cleaning cart.

- > 13:28:00 hours - Trash Bin Cart enters vestibule, out at 13:30 hours.
- > 13:36:10 hours - GRA walks in Room 301/303 Vestibule.
- > 14:27:00 hours - Per lock interrogation, Key ID #60, PPlace HK. Supv was used for room 18-303.
- > 15:32:00 hours - GRA departs Room 301/303 Vestibule with cart.

- > 17:13:44 hours - GRA arrives to North Hallway with cleaning cart and enters vestibule for rooms 306/308.
- > 17:14:17 hours - GRA exits vestibule 306/308, enters back into Room 301/303 Vestibule (without cleaning cart), out at 17:15:16 hours. Per lock interrogation, Key ID #60, PPlace HK. Supv was used for room 18-303
- > 17:15:21 hours - GRA returns to the vestibule for 306/308. 18:09:10 hours, GRA exits vestibule for 306/308 with cleaning cart.

Note: GRA was identified as Team Member (TM) - Amalia Sosa Avila (ID #558518).

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Review of Suspect (possible White Male Adult or Hispanic Male Adult):

- > 17:25:22 hours - Suspect walks on property from Arville Street.
- > 17:25:22 hours - Suspect appears to start to talk on his cell phone as he walks East. At 17:26:54 hours, the suspect begins walking West back toward Palms Place.
- > 17:27:54 hours - Arrives at PP Elevator Lobby.
- > 17:28:10 hours - Enters Laguna elevator (LR-5), remains active on cellphone.
- > 17:28:58 hours - Exits Laguna Elevator Skytube level and enters Skytube Guest Elevator (SW)
- > 17:29:23 hours - Suspect Arrives on 18th floor lobby, walks to the North Hallway and enters the vestibule for room 306/308. Note: TM Amalia Sosa Avila is still in this vestibule.
- > 17:30:50 hours - Suspect exits vestibule with white towels in left arm, makes a right in hallway, directly goes to and enters vestibule for rooms 301/303.
- > 17:33:54 hours - Suspect exits Room 301/303 vestibule with one purple piece of luggage and then goes to the elevators.
- > 17:34:35 hours - Suspect enters Guest Elevator (LR-3), exits back on Skytube level.
- > 17:36:06 hours - Suspect enters Laguna Elevator (LR-5) and exits elevator on Valet Lobby Level.
- > 17:36:36 hours - Suspect walks off property to Arville Street.

Coverage Dubbed.

End.

Reporting Party:

Supervisor:

Printed: 7/31/2019 12:44

Page 2 / 3

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**Incident File Full Report****Incident File #IN20180015132**

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**Executive Brief:**

Missing Property - Security reports missing property claim from registered guest Monique Williams in Palms Place (PP) Room18-303 between 12:30 - 20:00 today. Review showed a possible hispanic male adult enter the room then exit with a suitcase. The male walked off property with the suitcase. Metro was advised and met with the guest to file a report. A detective was assigned to the case.

Reporting Party:

Supervisor:

Printed: 7/31/2019 12:44

Page 3 / 3

FILED

2020 MAY 15 A 9:55

JUSTICE COURT, LAS VEGAS TOWNSHIP  
CLARK COUNTY, NEVADA

\*\*\*\*

BY PDC  
DEPUTY

THE STATE OF NEVADA,  
Plaintiff

VS

AMALIA MARIA SOSA AVILA  
Defendant

CASE NO: 19F03827B

DEPT NO: JC Department 3

SUMMONS

THE STATE OF NEVADA TO:  
AMALIA MARIA SOSA AVILA  
9457 S LAS VEGAS BLVD  
LAS VEGAS NV 89123

YOU ARE HEREBY SUMMONED TO APPEAR before me at the Las Vegas Township Justice Court, 200 E Lewis Ave, Las Vegas, Nevada on the following date and time:

**20th day of August, 2020 at 9:30 AM in RJC Courtroom 1B**  
(Verify the courtroom location by viewing the courthouse monitors upon arrival)

Your appearance is required to answer the charge(s) of:

COUNT:	CC:	NRS:	CHARGE:
001	0030600911	205.060.2	Burglary, (1st) [50424]
002	0030600911	205.222.3	Grand larceny, \$3500+ [56008]
003	0030600911	205.060.2	Conspiracy to commit burglary [50445]
004	0030600911	205.220	Conspiracy to commit grand larceny [50545]

CC: Attorney  
Todd M. Leventhal  
626 S Third St  
Las Vegas NV 89101

Dated this 14th day of May, 2020

*Harmony Letizia*

HARMONY LETIZIA  
JUSTICE OF THE PEACE

CERTIFICATE OF MAILING

I hereby certify that service of the SUMMONS was made this 14th day of May, 2020 by depositing a copy in the U.S. Mail, postage prepaid, to the above referenced address.

BY: PDC

# DISCLAIMER

The person(s) requesting a copy of the Surveillance Video accepts it with full knowledge and understanding that the information contained within the video is confidential and of a sensitive nature. The information contained in the video may only be duplicated or distributed for a law enforcement purpose, or as otherwise required by law.

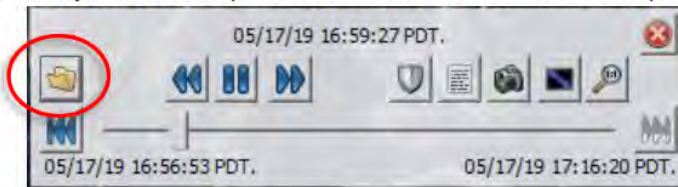
Unless required by law, Surveillance Video will not be released or used for any media purposes without prior written authorization from Station Casinos LLC's Legal Department or the Corporate Vice President of Security.

# Surveillance Video Instructions

*How to open files (pending USB/disc auto-run upon insertion):*

## **Option 1**

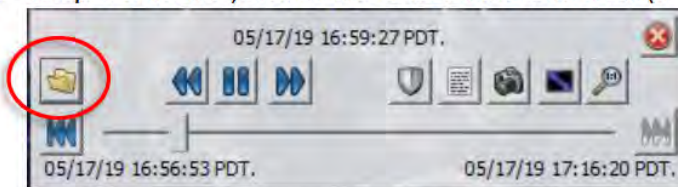
1. Double Click on the Player.exe application to open;
2. Select a Surveillus Export File dialog box will appear, click on the file you wish to view;
3. Click Open;
4. To open other files, click on the folder on the control bar (center bottom of the screen);



5. Repeat steps 2 and 3.

## **Option 2**

1. Select file by clicking and dragging the file on to the Player.exe application;
2. To open other files, click on the folder on the control bar (center bottom of the screen);



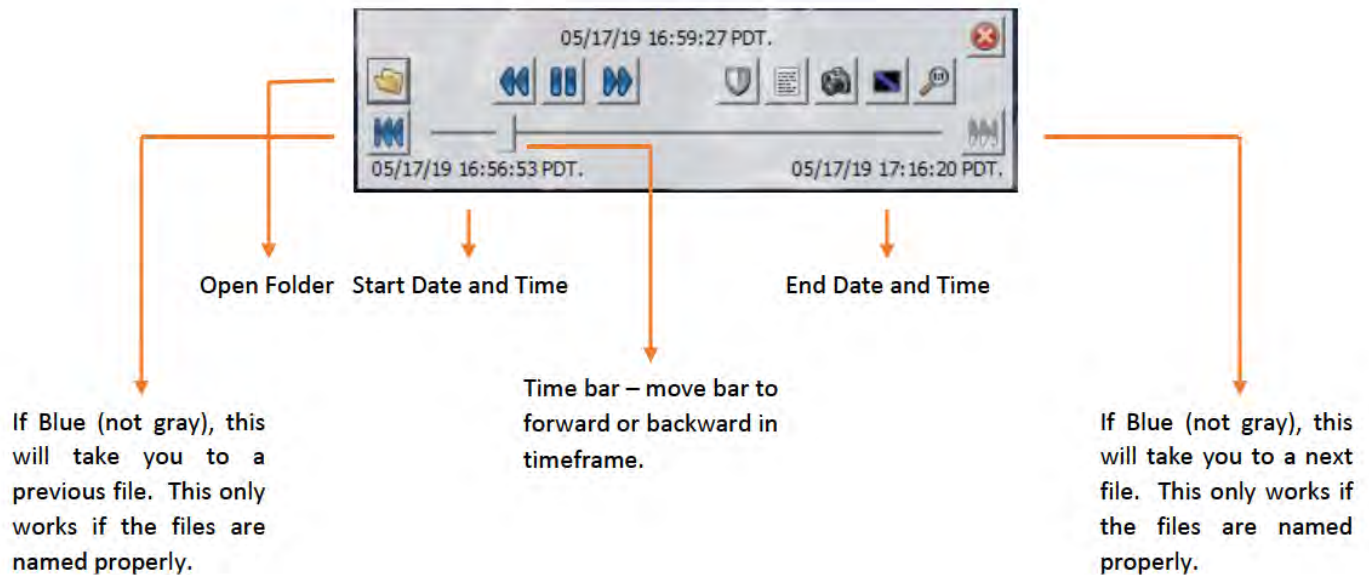
3. Select a Surveillus Export File dialog box will appear, click on the file you wish to view;
4. Click Open;
5. Repeat steps 3 and 4 to open other files.

*How to access USB or Disc (pending USB or disc does not auto-run upon insertion):*

1. Open Windows Explorer;
2. Locate "USB Drive" (possibly driver D or E);
3. Click on drive;
4. See Option 1 or 2 above to continue.



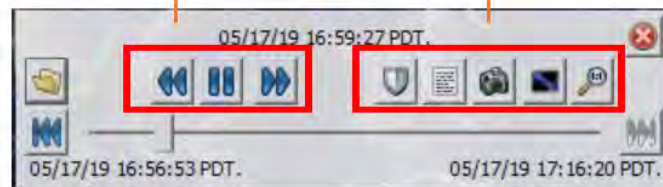
# Controlling Video Player Instructions



2x, 4x, 8x, 16x, 32x speed forward and backward... as well as pause, play and frame by frame.

Current date and time being displayed on file

Watermark authenticator, notes, snapshot (photo capability, display size and zoom magnifier.



LEV000036

JUSTICE COURT, LAS VEGAS TOWNSHIP  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

AMALIA SOSA-AVILA, aka,  
Amalia Eva Sosa Avila #1921777,

Defendant.

CASE NO: 20F00283A

DEPT NO: 12

CRIMINAL COMPLAINT

The Defendant above named having committed the crimes of CONSPIRACY TO COMMIT BURGLARY (Gross Misdemeanor - NRS 205.060, 199.480 - NOC 50445); BURGLARY (Category B Felony - NRS 205.060 - NOC 50424); POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S CONSENT (Category D Felony - NRS 205.690 - NOC 50790); and FRAUDULENT USE OF CREDIT OR DEBIT CARD (Category D Felony - NRS 205.760(1) - NOC 50796), in the manner following, to wit: That the said Defendant, on or about the 30th day of November, 2019, at and within the County of Clark, State of Nevada,

COUNT 1 - CONSPIRACY TO COMMIT BURGLARY

did willfully and unlawfully conspire with Wesley Avila to commit a burglary, by the defendant and/or Wesley Avila committing the acts as set forth in Count 2, said acts being incorporated by this reference as though fully set forth herein.

COUNT 2 - BURGLARY

did willfully, unlawfully, and feloniously enter a building, owned or occupied by HOME DEPOT, located at 7015 Arroyo Crossing Parkway, Las Vegas, Clark County, Nevada, with intent to commit a felony, to wit: forgery and/or fraudulent use of credit card.

COUNT 3 - POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDER'S CONSENT

did willfully, unlawfully, and feloniously, have in her possession, without the consent of the cardholder, a credit or debit card, to wit: a credit card ending in 2229, issued in the

1/7/20 JCB J112 P/C PH: 1/22/2020

W:\2020\2020F\002\83\20F00283-COMP-001.DOCX

1 name of DEAN BOWMAN, with intent to circulate, use, sell, or transfer said card, with intent  
2 to defraud the cardholder and/or the issuer of said credit or debit card.

3 COUNT 4 - FRAUDULENT USE OF CREDIT OR DEBIT CARD

4 did then and there willfully, unlawfully, feloniously, and with intent to defraud, use a  
5 credit card ending in 2229, issued in the name of DEAN BOWMAN, the Defendant presenting  
6 the said debit or credit card to HOME DEPOT, located at 7015 Arroyo Crossing Parkway, Las  
7 Vegas, Clark County, Nevada, to obtain money, goods, property, services or anything of value,  
8 to wit: by defendant using said credit card to make a purchase at HOME DEPOT, the  
9 Defendant not being the cardholder, nor being authorized by the cardholder to use said card or  
10 card number.

11 All of which is contrary to the form, force and effect of Statutes in such cases made and  
12 provided and against the peace and dignity of the State of Nevada. Said Complainant makes  
13 this declaration subject to the penalty of perjury.

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27 20F00283A/mab  
28 LVMPD EV# 191299999832  
(TK12)



**LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
DECLARATION OF ARREST REPORT**

<input checked="" type="checkbox"/> County Jail		<input type="checkbox"/> City Jail		<input checked="" type="checkbox"/> Adult		<input type="checkbox"/> Juvenile		Bureau: SVAC		
ID# 1921777		EVENT # LLV19129999832		ARRESTEE'S NAME (LAST) SOSA-AVILA			(FIRST) AMALIA		(MIDDLE)	SSN# 525-61-6055
RACE W	SEX F	DOB 12/26/1986		HGT 5'08"	WGT 195	HAIR BRO	EYES HAZ	POB GRN		
ARRESTEE'S ADDRESS TRANSIENT							CITY LAS VEGAS		STATE NV	ZIP CODE
OCCURRED DATE: 11/30/2019		TIME: 1800		ARREST DATE: 01/04/2020		TIME: 1012		LOCATION OF ARREST (NUMBER, STREET, CITY, STATE, ZIP CODE) 3531 S. RAINBOW BLVD. LAS VEGAS, NV 89103		
LOCATION OF CRIME (NUMBER, STREET, CITY, STATE, ZIP CODE) 3226 Spring Mountain RD. LAS VEGAS, NV										
CHARGES / OFFENSES Burglary Possession of Credit Card W/O Owners Consent (5 counts) Fraudulent Use of Credit or Debit Card (5 Counts) Buy/Possess/Receive Stolen Property Conspiracy to Commit Burglary										
CONNECTING REPORTS (TYPE OR EVENT NUMBER) FELONY ARREST PACKET										

The undersigned makes the following declarations subject to the penalty of perjury and says: That I am a peace officer with the LVMPD, being so employed for a period of approximately 11 year(s).

That I learned the following facts and circumstances which lead me to believe that the above named subject committed or was committing the offenses above at the location of 3531 S. RAINBOW BLVD. LAS VEGAS, NV 89103 and that the offense(s) occurred at approximately 1012 hours on the 4th day of January, 2020.

**Details for Probable Cause:**

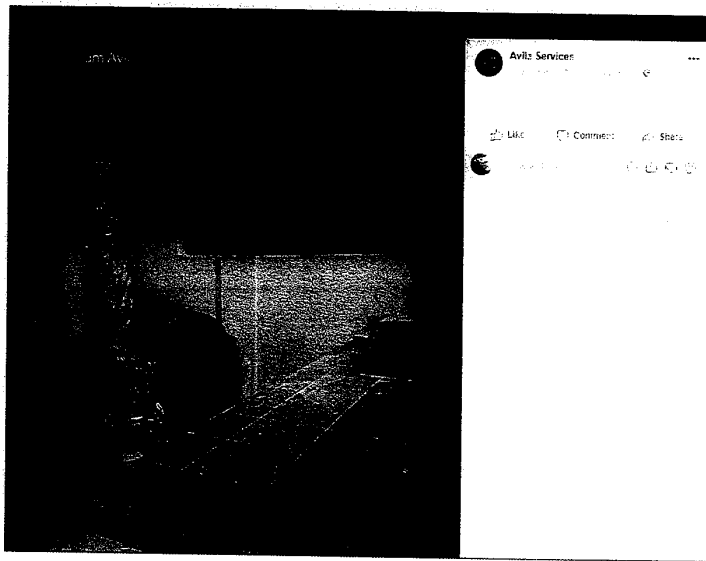
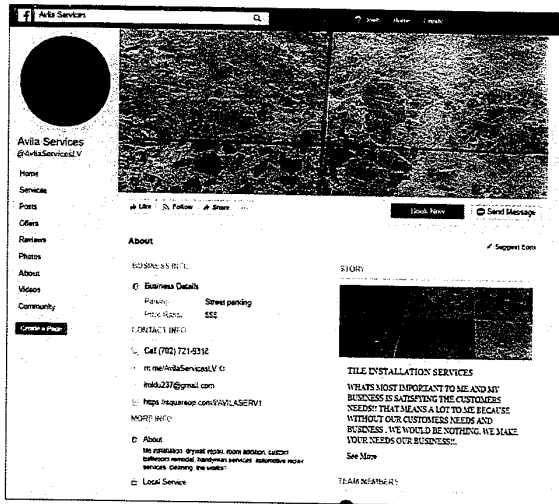
On Friday December 5, 2019 Detective J. Haynes P#14001 was assigned LVMPD event LLV19129999831. The details of this event, which were entered via an online report, stated that the victim's vehicle, a Dodge Ram pickup truck with Wyoming license plate 02T30920 registered to, Bowman, Dean DOB: 05/31/1961, was burglarized outside the address of 3226 Spring Mountain Road. Las Vegas, NV 89102. According to the victim he and his wife were inside the business for approximately 15 minutes. Upon their exit of the business they discovered their vehicle to have been burglarized and a number of personal items to include a Home Depot credit card, Discover Credit Card, A laptop, and an Apple Ipad had been taken. Detective Haynes proceeded to make contact with the Home Depot store located at 7015 Aroyo Crossing Las Vegas, NV on 12/06/2019. This Home Depot was listed as one of the locations that the victim's stolen Home Depot credit card was used. Detective Haynes spoke with the Loss Prevention manager Shane Webber and recovered a large amount of high quality digital video footage showing a white or Hispanic Male adult making a number of purchases at the self-checkout inside the Home Depot store. These purchases were determined to have been made using the stolen Home Depot credit card of Dean Bowman with the last four digits being 2229. Through the use of this video footage Detective Haynes was able to isolate an image which was sent to the LVMPD Facial Recognition unit for analysis pm 12/06/2019. On 12/11/2019 Detective Haynes opened a department email from the LVMPD Fusion Watch Center which had a possible match for one of the suspects who were recorded on video using Dean Bowman's Home Depot credit card. This email response included a positive facial identification match of a male individual identified as Avila, Wesley ID# 1918834. On 12/12/2019 Detective Haynes proceeded to further the investigation. A criminal records check was conducted on Avila which returned with extensive criminal history which included crimes such as burglary, Therefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**CONTINUATION REPORT**

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possession of burglary tools, and possession of credit cards without owners consent as well as a number of other criminal offenses. Detective Haynes proceeded to attempt to locate Avila through social media sites as a means of further positively identify him as the same individual who was seen to have made the purchases in the video recovered.

Detective Haynes located two Facebook accounts associated with Wesley Avila. The first is listed as Avila Services located at the address of <https://www.facebook.com/AvilaServicesLV/>.



The second is a personal Facebook account for Wesley Avila which can be connected to through the Avila Services business Facebook page. The address for this account is as follows.  
<https://www.facebook.com/wesley.avila.7311>

*Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).*

[FOOTERTEXT]

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
CONTINUATION REPORT

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A Facebook preservation request was immediately applied for on 12/12/2019 upon the discovery of both of the Facebook accounts associated with Avila. Further investigation into the personal Facebook account of Wesley Avila revealed that he uses his personal account to sell a number of items. Among these items was a listing for a Ring Alarm System with motion sensors. This is critically important due to the fact that a ring Motion 2pk was purchased using the stolen credit card of Bowman on 12/01/2019. This purchase was made by Avila and his female accomplice on 12/01/2019 at approximately 1336 hours at the address of 7015 Arroyo Crossing Parkway Las Vegas, NV.

This item is listed in the receipt recovered from Home Depot as follows – 842861101607 RING MOT 2PK <A> 59.99.

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

[FOOTERTEXT]

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
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The screenshot shows the Facebook profile of Wesley Avila. The profile picture is a dark image. The cover photo is a dark image. The timeline shows several posts:

- A post from Wesley Avila, December 4, 2019, titled "Used Sony Audio System for sale in Las Vegas - letgo". The text of the post reads: "Used Sony Audio System for sale in Las Vegas - Sony Audio System posted by Amalia Avila in Las Vegas. Bluetooth friendly Must have Super loud Good for parties, gatherings, has mic hookups". It has 2 shares.
- A post from Wesley Avila, December 4, 2019, titled "RING Alarm Combo~Contact Sensors & Motion Detector 2pk for Sale in Las Vegas, NV - OfferUp". The text of the post reads: "New (never used), YOU NEED TO HAVE RING Alarm System cuz it has the base to connect these brand new devices. I didn't realize that on black friday & ran out & past my budget... Make an offer!".
- A post from Wesley Avila, December 4, 2019, titled "RING Contact Sensors for Sale in Las Vegas, NV - OfferUp". The text of the post reads: "New (never used), RING Contact Sensors and to".

The left sidebar shows the "Photos" section with a grid of images, including a photo of a person's face. Below the photos is the "Friends" section, showing a profile for "Left Tiffin University" from 2014. At the bottom of the page, there is a footer with links for "Privacy", "Terms", "Advertising", "Ad Choices", and "Cookies", and a copyright notice for "Facebook © 2020".

This post was made as a link that connected an Offerup account which is connected to the user name of Amalia under the following profile address - <https://offerup.com/p/35001811/>. This link was followed which connected to an OfferUp profile which shows a clear image of Avila along with an unknown female. This female closely matches the female who can be seen on the video footage recovered from the Home Depot security system. This

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

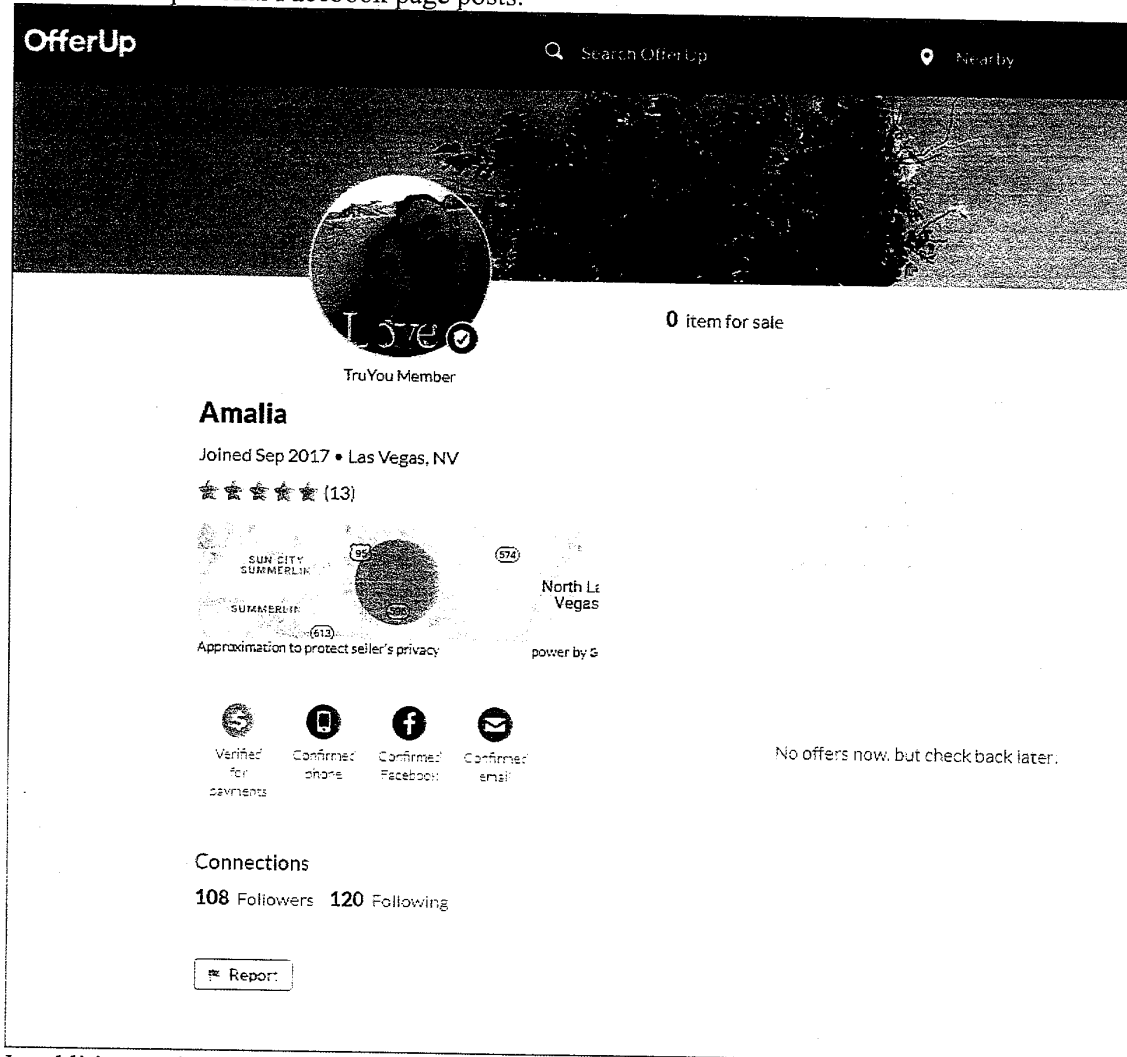
[FOOTERTEXT]



LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**CONTINUATION REPORT**

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female also closely matches the same female who can be seen in a number of photos on Wesley Avila's business and personal Facebook page posts.



In addition to the Ring Security system the following items were shown to have been purchased with the stolen Home Depot Credit card of Dean Bowman under the same transaction.

- Indoor Security Camera – white
- 4.5 Metal Cutting Diamond Blade
- Noell Pull-down Kitchen Faucet Stainless Steel
- Adapter set
- Metal cutoff blade
- X2 36 pack AA batteries
- 16 pack AAA batteries
- T&G Pliers
- Bolt Cutters
- Youth size sports balls

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

[FOOTERTEXT]

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**CONTINUATION REPORT**

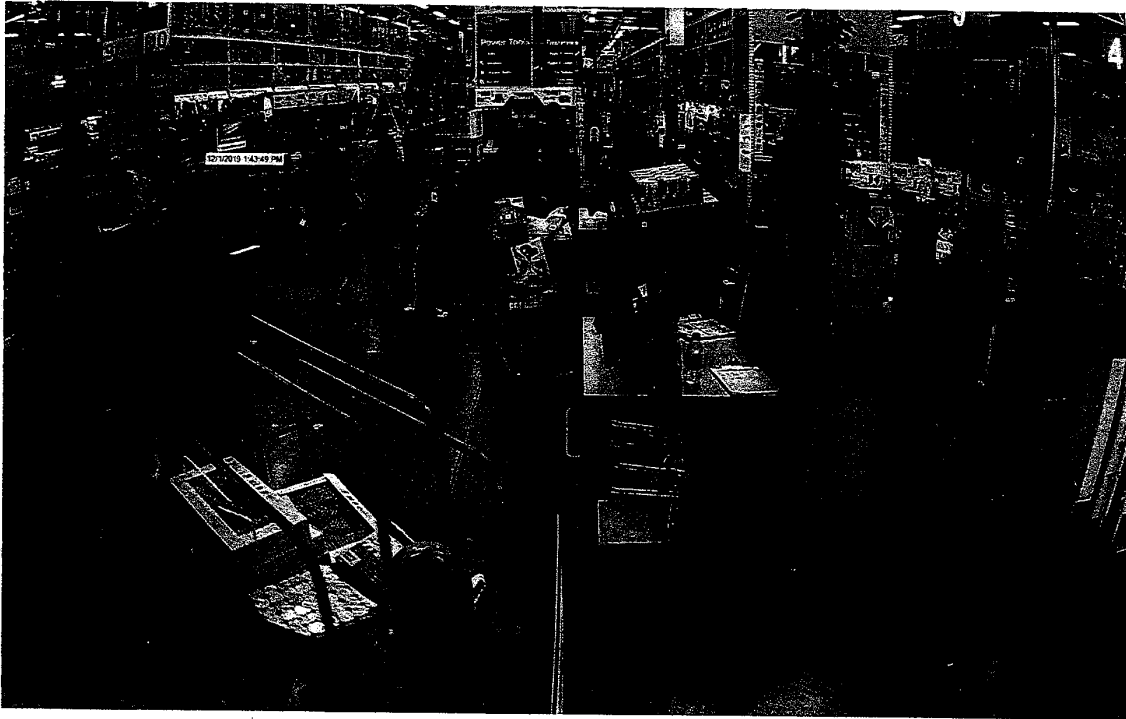
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- Door locks

These items are of specific interest. The Avila Services business page listed on Facebook is listed as a tile and home repair service. Included in the items purchased on 12/1/2019 are a number of items which are used in the process of home repair and improvement to include the above listed items as well as the items listed below. These items were purchased at the same location on the same date at a different time under a different transaction number. However, these purchases were made by the same individual using the same stolen Home Depot Credit Card of Bowman. These items are as follows.

- Portatorch – Lincoln Electric Oxy-Acetylene Port-A-Torch – Purchased 12/01/2019 1249 hours
- Ryobe 18v Impact Wrench Kit w/ 2yr replacement – Purchased 12/01/2019 1240 hours
- Tile Flooring – 12/12 Grecian White Octagon X20 pieces – Purchased 12/01/2019 0137 hours
- Tile Flooring – 12x24 Cascade Ridge-CA-15 X 6 pieces - Purchased 12/01/2019 0137 hours
- Versabond Bonding Mortar – White - Purchased 12/01/2019 0137 hours

All of the items listed to have been purchased are specific in the use of home upgrades and home repair. These items were purchased with the stolen credit card of Bowman by an individual who has been identified as Wesley Avila ID# 1918834. The ongoing investigation into Avila has shown that items which are exactly similar to at least one of those purchased have been listed and sold through Facebook and OfferUp under accounts that Avila is directly associated with or the owner of. The following photos shows Avila exiting Home Depot with said items.



*Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).*

[FOOTERTEXT]

LVMPD 602 (Rev 02/18) Word 2013

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
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On 12/26/2019 Detective Haynes made contact with CCSD School Police in an attempt to gain information regarding Sosa-Avila and/or Avila's listed address information by going through student information. Detective Haynes spoke with Dispatcher Garcia who provided a listed address for one a registered child Wesley Sosa-Avila at 364 Silverado Pines Ave. Las Vegas, NV 89123. Detective Haynes created a 463 under event LLV191200118402 and proceeded to check the address.

Detective Haynes proceeded to make contact at the address. The property was found to be empty and to have recently been vacated. Detective Haynes once again made contact with CCSD to determine what school Wesley Sosa-Avila was currently registered to attend. Once again Dispatcher Garcia provided information for an elementary school a short distance away John R Hummel Elementary school. Detective Haynes attempted to make contact at the school but was informed that due to the holiday vacation the school would not reopen for some time. Detective Haynes was able to determine that Wesley Sosa-Avila most recently attended school on 12/20/2019. That day being the last day before the Christmas Break.

Detective Haynes proceeded to conduct additional investigation regarding the address of 354 Silverado Pines Ave. There have been a number of criminal event created in December of 2019. Under event LLV191200013027 a 406v was created listing Wesley Avila as the suspect in an auto burglary involving the property management for the above address from which he had recently been evicted.

Under event LLV191200083043 a burglary was reported at the address. Under this report a number of new appliances were listed as having been stolen from the property. The victim of this event was the same victim from the previously listed event, Progress Residential located at 8485 W Sunset Rd # 103 Las Vegas, NV 89113. In both of these previous events the auto burglary and the residential burglary Wesley Avila is a common entity. Both of these crimes closely match the MO used by Wesley Avila.

Detective Haynes was able to locate an additional mailing address used by Wesley Avila of 9457 S Las Vegas Boulevard # 145 Las Vegas, NV. Detective Haynes proceeded to this address to conduct an area check. It was found that apartment # 145 was repeated a number of times in this complex. However additional research showed that numerous events have been reported to have taken place at the address of 9475 S Las Vegas Blvd Building 20 apt 145 Las Vegas, NV. These events being event LLV191100078353 and LLV191100078075. Research into these events show that Sosa-Avila and Avila were previous residents at these addresses and have been evicted since. Checks at these residences were negative in attempting to locate the suspects.

On 01/02/2020 Detective Haynes proceeded to conduct records checks into previous police contacts for Wesley Avilla. These checks returned with a connection to a family member identified as Joseph Avila. Joseph's listed address is 9457 Las Vegas Bld Unit 145. This is the same address listed and checked previously which Wesley and Amalia list as their previous residence. When interviewed by patrol officers Joseph and Wesley Avila were in a 1992 Ford Explorer truck. This Ford Explorer was registered to the address of 2320 Tucumcari Dr #1010. A records search was conducted to attempt to determine who is currently living at the listed address. The return showed that Wesley Avila was previously listed as living at that address.

Contact made with a Courtney Lawson at the management company for Ashford Manor located at the address of 2320 Tucumcari Dr. Lawson advised to send a request on LVMPD letterhead requesting the required information. This request was sent via email and Lawson was able to confirm that Avila, Wesley and Sosa-Avila, Amalia were previously tenants at that address but have since moved out of the residence.

Detective Haynes proceeded to conduct online searches and investigations and was able to find a current Facebook post by Sosa-Avila, Amalia on 12/27/2019 to the personal Facebook account at <https://www.facebook.com/kraz37> looking to sell a Louis Vuitton wallet. This post can be seen below.

*Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).*

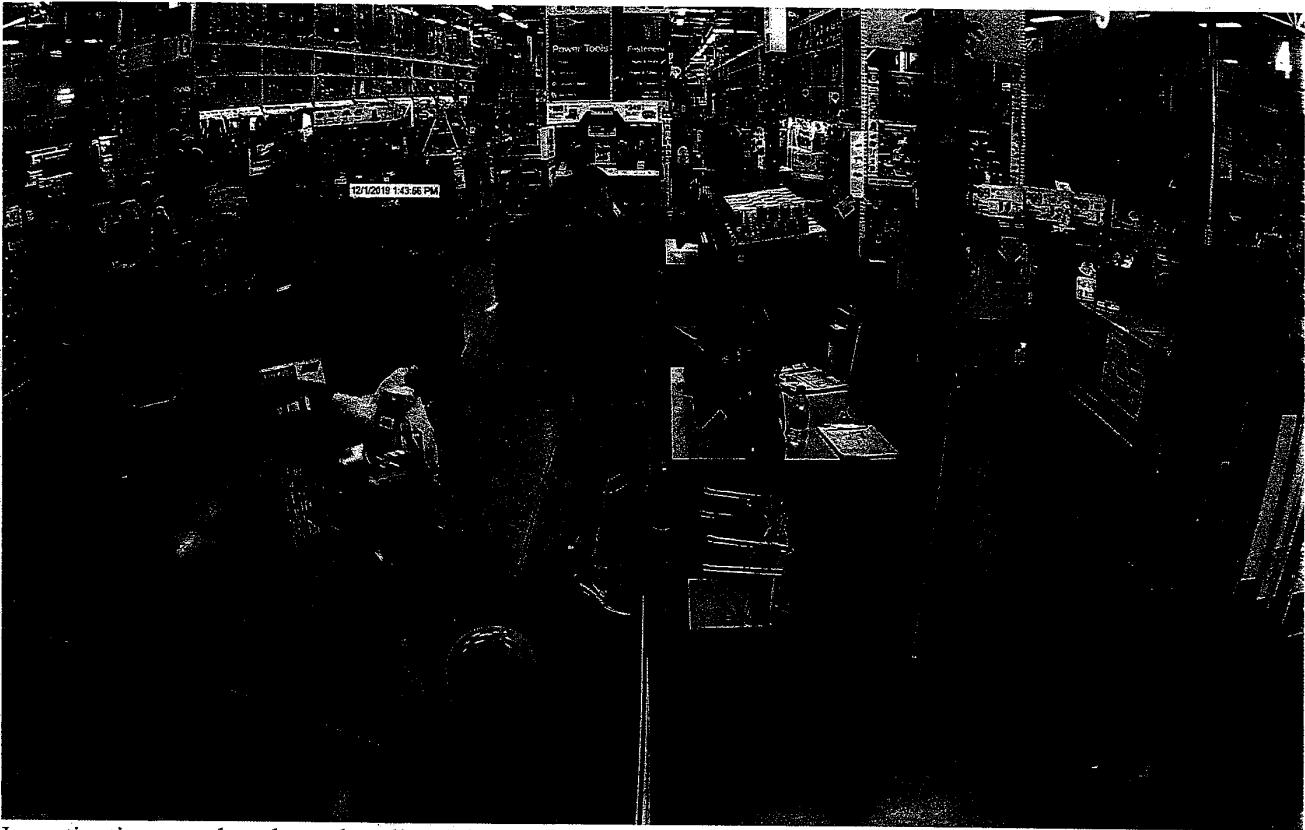
[FOOTERTEXT]

LVMPD 602 (Rev 02/18) Word 2013

Jeffrey Mar

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
CONTINUATION REPORT

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Investigative searches through online sales sites returned with an Offerup Account associated with the User Name of mt\_asosa the following details are associated with said account.

Username: mt\_asosa

Email: itoldu237@gmail.com

Phone: 702-937-9065

Facebook ID: 10209721258258756

Further investigation revealed that this account was associated with an Amalia E Sosa DOB: 12/26/1986 SSN: 525-61-6055 who has been identified as the wife of Asosa, Wesley.

On 12/13/2019 Detective Haynes furthered his investigation regarding the female identified as Amalia Sosa. A Facebook profile for Sosa at the address of: <https://www.facebook.com/kraz37> was located. A request was immediately placed with Facebook to preserve the account details upon the discovery of this profile.

Further investigation into Sosa's Facebook profile revealed a phone number shown in an image of an advertisement she had placed on her Facebook for Avila Services. In this advertisement listed a phone number of 725-200-9427 was located. Records searches show this number is associated with an Avila, Wesley located at the address of 2320 Tucumcari Dr Apt 1010 Las Vegas, NV 89108.

A check at the Tucumcari Dr address returned negative when checking the area for the suspect vehicle. Area checked on 12/13/2019 at approximately 0830 hrs.

Facebook warrants were completed and sent to Facebook Inc. for both Avila, Wesley and Sosa-Avila, Amalia. These warrants will include Facebook Messenger records.

*Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).*

[FOOTERTEXT]

LVMPD 602 (Rev 02/18) Word 2013

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
CONTINUATION REPORT

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Detective Haynes working with the Spring Valley Area Command Information Officer Samuel Wittwer P# 15218 was able to make contact with Sosa-Avila through facebook messenger in an attempt to setup a time to meet and purchase the listed item. Sosa-Avila responded to the text message and a meeting time was agreed to of 10am on 01/04/2019 at the address of 3485 S Rainbow Blvd, Las Vegas, NV 89146. This is Burger King with a wide open parking lot. The series of text messages between Sosa-Avila and Detective Haynes, using a fake Facebook account follows.

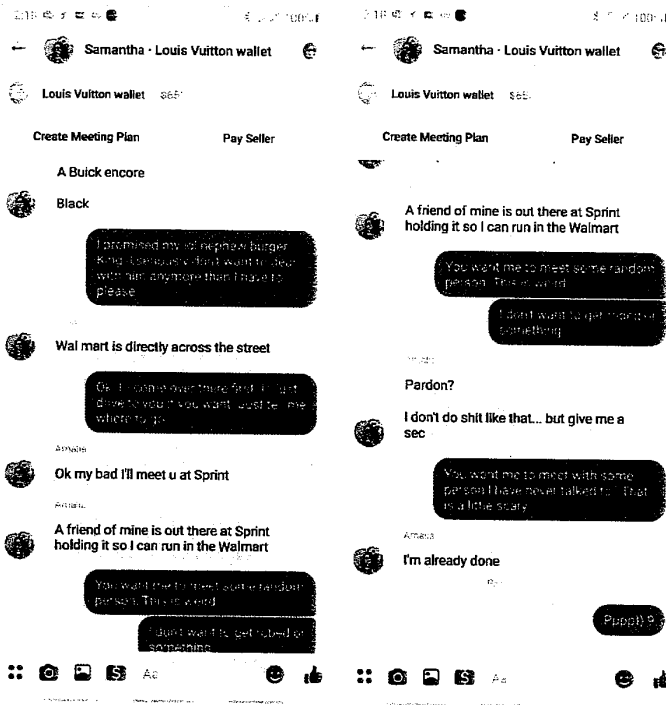
Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

[FOOTERTEXT]

LVMPD 602 (Rev 02/18) Word 2013

# LAS VEGAS METROPOLITAN POLICE DEPARTMENT CONTINUATION REPORT

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On the morning of 01/04/2020 Detective Haynes created an event under LVMPD event number LLV200100016469. The purpose of this event was to put in place a controlled operation to meet with Sosa-Avila and take her into custody in an attempt to recover the stolen property and make contact with all suspects involved. The original agreement with Sosa-Avila was to meet in the parking lot of 3485 S Rainbow Blvd. Las Vegas NV. Shortly before Officer arrival, as can be seen in the text messages, Sosa-Avila changed the address and location to the parking lot of the Walmart directly across Spring Mountain Rd. from the above listed address.

As Sosa-Avila was sending these text messages to the account being used by Detective Haynes Officer B. Rose P#9661 could see an unidentified male adult walking through the parking lot of the Burger King at 3485 S Rainbow Blvd looking into each of the parked vehicles and taking photos of the vehicle license plates with his cell phone. This information was relayed to all Officers involved in the operations. As this was taking place Sosa-Avila agreed to meet with Detective Haynes, believing he was a female names Samantha, at the address of 3531 S. Rainbow Blvd. Las Vegas, NV 89103. This business is located inside the same parking lot as the Walmart previously referred to.

Officers observed a female matching Sosa-Avila's description along with an unknown male standing to the back of the spring store. Two marked black and white patrol vehicle immediately approached Sosa-Avila and the unknown male and proceeded to make contact. At the same time Detective Haynes and Detective Haynes moved into position to block Sosa-Avila as she attempted to flee back to a black vehicle she was driving. Officer immediately took Sosa-Avila and her companion into custody upon Detective Haynes' order. Detective Haynes had a number of criminal felony charges for Sosa-Avila's arrest to include Burglary, Possession of Credit Card W/O Owners Consent X5, Fraudulent Use of Credit or Debit Card X5, Buy/Possess/Receive Stolen Property, Conspiracy to Commit Burglary. Each of these charges was in direct relation to her use of the victim,

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

[FOOTERTEXT]

LVMPD 602 (Rev 02/18) Word 2013

AS VEGAS METROPOLITAN POLICE DEPARTMENT  
**CONTINUATION REPORT**

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Dean Bowman's, Home Depot card to make a number of illegal purchases at the Home depot located at 7015 Arroyo Crossing Las Vegas, NV.

Detective Haynes recognized the male as Joseph Avila who was previously identified as the brother of Wesley Avila. Detective Haynes knew that Joseph Avila was a convicted felon who had failed to keep his address current. As result probable cause existed upon contact to take Joseph Avila into custody for failure to keep his address up to date.

Upon taking Joseph Avila into custody Officers proceeded to conduct a search incident to arrest. Officer J. Chavez P#17237 working as marked patrol unit 2p46 proceeded to search Joseph Avila pockets and shoes. Upon removing the shoes of Joseph Avila a number of shaved keys, commonly used in the crimes of burglary, were located in his socks. Each of these keys was handmade and resembled the master keys used by the USPS when making entry into postal boxes. In addition a number of other keys were located which were shaved in nature and resembled those used to commit auto burglary and auto theft. In addition Joseph Avila was found to be in possession of a fraudulent identification which pictured his face but had the personal identifying details of another printed upon it. Lastly Joseph Avila was found to be in possession of a clearly Forged Credit Card which could be seen to have been modified by attempting to change the embossed numbers on this card. Each of these items was impounded under LVMPD event number LLV200100016469 as evidence to the crimes committed by Joseph Avila.

Both Joseph Avila and Sosa-Avila were transported back to Spring Valley Area Command where both individual were interviewed by Detective J. Haynes. Both Joseph Avila and Sosa-Avila were read their Miranda Right by Detective Haynes at 1130 hour to which each individual stated they understood their rights.

Detective Haynes interviewed Sosa-Avila, Amalia first. A summary of this interview follows.

Amalia stated to Detective Haynes initially that she had no information regarding any auto burglary that could have been committed. Sosa-Avila went on to state that she was innocent for some time. After a short period of speaking Sosa-Avila changed her story. She eventually told detective Haynes that she received the Home Depot credit card from an acquaintance she knows only as Sporty. According to Sosa-Avila Sporty owed her and Wesley Avila approximately 2,000 dollars for work they completed for him and giving them the Home Depot card was his way of repaying them. As the interrogation went on Sosa-Avila admitted to Detective Haynes that she knew the credit card she claimed to have received from a man named Sporty was stolen. She went on to state that she and Wesley Avila proceeded to use this Home Depot credit card a number of times to purchase various items. Sosa-Avila claimed that she gave most of the items away. However, when pressed about the previously mentioned Facebook post selling items that were purchased with the use of Dean Bowman's Home Depot credit card Sosa-Avila admitted that she and Wesley Avila had sold the Ring Security system through Offerup. When asked about the other items purchased Sosa-Avila would not answer Detective Haynes when he inquired as to where they were. She repeated that she had simply given them away.

Sosa-Avila admitted to detective Haynes in an audio and video recorded setting, under Miranda, that she had knowingly used a stolen credit card to make a number of illegal purchases. Sosa-Avila admitted that she, along with her legal husband Wesley Avila committed the crimes of:

Burglary

Possession of Credit Card W/O Owners Consent (5 counts)

Fraudulent Use of Credit or Debit Card (5 Counts)

Buy/Possess/Receive Stolen Property

Conspiracy to Commit Burglary

Detective Haynes concluded the interview with Sosa-Avila and proceeded to make contact with Joseph Avila.

Detective Haynes, while audio and video recording Joseph Avila, proceeded to ask him a number of questions.

A summary of this interview follows.

*Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).*

[FOOTERTEXT]

LVMPD 602 (Rev 02/18) Word 2013



CLARK COUNTY METROPOLITAN POLICE DEPARTMENT  
**CONTINUATION REPORT**

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Page 13 of 13

Detective Haynes asked Joseph Avila if he was aware of the previously committed auto burglary that had been completed. Avila denied any involvement. Detective Haynes went on to ask Joseph Avila about his relationship with Wesley Avila and Amalia Sosa-Avila. Joseph Avila stated that he knew that they were involved in some illegal activity as a result would try to limit his interactions with them. Joseph had no information to give regarding the ongoing investigation of Sosa-Avila and Wesley Avila.

Detective Haynes proceeded to ask Joseph Avila about the shaved keys which were found in his possession. Joseph Avila attempted to claim that he had simply found those key but could not tell detective Haynes why he kept them or put them into his socks. When pressed harder Joseph Avila could not answer with any clarity why he was in possession of items often used to commit Burglary. It is important to note that Joseph Avila has a long criminal history of Burglary and has previously been convicted for Felonies for the same. When asked about the Fraudulent Credit card Joseph Avila claimed that he had "just found it" and put it in his wallet. Again when pressed for details, Joseph Avila could not answer with any clarity or verifiable truths. Lastly Joseph Avila was asked about the fraudulent identification. Joseph Avila admitted that it was him in the photo but claimed that it was an old piece of identification that "a friend" had made for him.

Detective Haynes asked Joseph Avila pointedly if he knew that possession any of these items, the shaved keys, the fraudulent credit card, or the fraudulent identification were against the law. Joseph Avila admitted that he knew that it was a legal violation. Joseph Avila has been previously arrested and prosecuted for each of the crimes he is currently being charged for. Those crimes being.

Possession of Burglary Tools

Possess Document or Identification to Establish False Status/Identity

Forgery of a Credit Card.

Transcriptions of both interviews will be available upon request.

Both Sosa-Avila, Amalia and Joseph Avila were arrested and charged accordingly. Each were transported to Clark County Detention Center where they were booked accordingly.

\*\*\*\*\* End \*\*\*\*\*

*Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).*

[FOOTERTEXT]

LVMPD 602 (Rev 02/18) Word 2013

LAS VEGAS METROPOLITAN POLICE  
DEPARTMENT  
400 S. Martin Luther King Blvd.  
Las Vegas, NV 89106



Case Report No.: LLV191299999832

Arrest / Detective Report

Administrative

Location: 3226 Spring Mountain Road LAS VEGAS, NV 89102  
Occurred On (Date / Time) 11/30/2019 6:00:00 PM  
Reporting Officer 9999999 - Interface, Coplogic  
Entered By 9999999 - Interface, Coplogic  
Supervisor 16207 - Perez, Alyssa  
Jurisdiction Clark County  
Route To: Connecting Reports  
Or Between (Date / Time) 11/30/2019 6:30:00 PM  
Reported On 12/1/2019  
Entered On 12/6/2019 12:19:49 PM  
Follow Up Pro Squad ORO 1  
Report Type Officer Created - Sgt Approval  
Disposition Active

Assisting Officers:

Offenses

Burglary(F)- Auto -NRS 205.060.2

Completed Yes  
Entry Hate/Bias None (No Bias)  
Weapons Premises Entered  
Criminal Activities Type Security Location Type Specialty Store (TV, Fur, Etc.)

Victims

Name: Dean A Bowman

Victim Type Individual  
Victim of 50424 - Burglary(F)- Auto -NRS 205.060.2  
SSN 520-88-5361 DOB 5/31/1961 Age 58 Sex Male  
Height 510 Weight 170 Hair Color Eye Color  
Employer/School Occupation/Grade  
DLN 100585298 DL State Wyoming Work Schedule United States  
Resident Resident Tourist Departure Date Injury Weapons

Addresses  
Residence 6275 county road 211 Road Pine Bluffs, WY 82082 United States

Phones  
Home/Residence 307-287-0261

Email  
bbowman043070@yahoo.com

Offender Relationships  
Domestic Violence Information  
Relationship to Suspect Primary Aggressor Determined  
Intimate Relationship Drug/Alcohol Involvement  
Voluntary Statement DV Information Provided  
Injury Severity Medical Attention  
Photos Taken

Notes:

Suspects

Name: Unknown

Written Stmt. No Alerts Non-English Language

Aliases  
Moniker

Scope ID DOB Age 25 - 40 SSN  
Race White Ethnicity Unknown Build Handedness

1/4/2020 3:45 PM

20F00283B - AVILA, JOSEPH Page 33 of 60

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ROA Page 0164

Sex **Male** Height **5' 9" - 5' 11"** Weight **190 - 220** Hair Color **Brown** Eye Color **Unknown**

Employer/School  
Hair Length  
Complexion  
Appearance  
Speech manner  
DLN  
Resident **Unknown**  
Habitual Offender Status  
Primary Means of Attack/Weapon  
Employer/School  
Occupation/Grade  
DL State  
Tourist Departure  
DL Country  
Place of Birth  
MO Factors  
Weapon Features  
Occupation/Grade  
Injury/Condition  
Speech Characteristics  
Eyes  
Teeth

Scars, Marks and Tattoos  
Addresses

Phones

**Domestic Violence Information**

TPO in Effect  
Injury Severity  
Photos Taken  
Drug/Alcohol Involvement  
Medical Attention  
Suspect Demeanor  
Voluntary Statement  
DV Info provided

Notes:

Name **Unknw**

Written Stmt **No** Alerts Non-English Language

Aliases  
Moniker

Scope ID  
Race **White**  
Sex **Female**  
DOB  
Ethnicity **Not Hispanic or Latino**  
Age **30-40**  
SSN  
Height  
Weight **170 - 200**  
Build  
Hair Color **Brown**  
Handedness  
Eye Color

Employer/School  
Hair Length  
Complexion  
Appearance  
Speech manner  
DLN  
Resident **Unknown**  
Habitual Offender Status  
Primary Means of Attack/Weapon  
Employer/School  
Occupation/Grade  
DL State  
Tourist Departure  
DL Country  
Place of Birth  
MO Factors  
Weapon Features  
Occupation/Grade  
Injury/Condition  
Speech Characteristics  
Eyes  
Teeth

Scars, Marks and Tattoos

Addresses

Residence **Unknown**

Phones

**Domestic Violence Information**

TPO in Effect  
Injury Severity  
Photos Taken  
Drug/Alcohol Involvement  
Medical Attention  
Suspect Demeanor  
Voluntary Statement  
DV Info provided

Notes:

**Arrestees**

**Witnesses**

**Other Entities**

**Properties**

Type: **Computers and Office Equipment**

Status **Stolen** Quantity **2** Value **1200.00** Color **Black**  
Description **do not have serial numbers**  
Manufacturer **hp** Model **laptop** Serial No./VIN **1**  
Vehicle Year Body Type

20F00283B - AVILA, JOSEPH Page 34 of 60  
1/4/2020 3:45 PM LLV191299999832

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Lic Plate #  
Insurance Company  
Owner **V - Dean A Bowman**  
Notes

Lic Plate State

Lic Plate Exp

Detailed Property Information

Length Width  
Horse Power Propulsion Serial # Height  
Caliber Barrel Length  
Features

Recovered Property Information

Recovered Date Recovered Value  
Recovered Location Recovered Reason  
Recovered By Recovered Stock #  
Owner Type Released To  
Insurance Rep. Tow Company

Type: **Computers and Office Equipment**

Status **Stolen** Quantity **1** Value **600.00** Color **White**  
Description **do not have but it was with verizon and has been marked stolen**  
Manufacturer **apple** Model **ipad** Serial No./VIN **1**  
Vehicle Year Body Type  
Lic Plate # Lic Plate State Lic Plate Exp  
Insurance Company  
Owner **V - Dean A Bowman**  
Notes:

Detailed Property Information

Length Width  
Horse Power Propulsion Serial # Height  
Caliber Barrel Length  
Features

Recovered Property Information

Recovered Date Recovered Value  
Recovered Location Recovered Reason  
Recovered By Recovered Stock #  
Owner Type Released To  
Insurance Rep. Tow Company

Type: **Misc. (Cell Phones, Bicycles, Worthless Doc, items not listed)**

Status **Stolen** Quantity **1** Value **1000.00** Color **Orange**  
Description **Home depot credit card which was used, the info is in the details**  
Manufacturer **credit cards** Model **credit** Serial No./VIN **home depot**  
Vehicle Year Body Type  
Lic Plate # Lic Plate State Lic Plate Exp  
Insurance Company  
Owner **V - Dean A Bowman**  
Notes: **Card Number: 6035 3201 1667 2229**

Detailed Property Information

Length Width  
Horse Power Propulsion Serial # Height  
Caliber Barrel Length  
Features

Recovered Property Information

Recovered Date Recovered Value  
Recovered Location Recovered Reason  
Recovered By Recovered Stock #  
Owner Type Released To  
Insurance Rep. Tow Company

Type: Clothing, belts, glasses, purses/wallets

Status **Stolen** Quantity **1** Value **400.00** Color **Blue**  
Description **overnight bag had my glasses and contacts**  
Manufacturer **glasse** Model **glasses** Serial No /VIN **1**  
Vehicle Year Body Type Lic Plate State Lic Plate Exp  
Insurance Company  
Owner **V - Dean A Bowman**  
Notes

Detailed Property Information

Length Width Height  
Horse Power Propulsion Serial #  
Caliber Barrel Length  
Features

Recovered Property Information

Recovered Date Recovered Value  
Recovered Location Recovered Reason  
Recovered By Recovered Stock #  
Owner Type Released To  
Insurance Rep. Tow Company

Type: Misc. (Cell Phones, Bicycles, Worthless Doc, items not listed)

Status **Stolen** Quantity **1** Value **300.00** Color **Red**  
Description **One discover card red white and blue, was used at a home depot and gas**  
Manufacturer **Discover** Model **Credit card** Serial No /VIN **1**  
Vehicle Year Body Type Lic Plate State Lic Plate Exp  
Insurance Company  
Owner **V - Dean A Bowman**  
Notes

Detailed Property Information

Length Width Height  
Horse Power Propulsion Serial #  
Caliber Barrel Length  
Features

Recovered Property Information

Recovered Date Recovered Value  
Recovered Location Recovered Reason  
Recovered By Recovered Stock #  
Owner Type Released To  
Insurance Rep. Tow Company

Type: Automobile (not Stolen or Recovered)

Status **Information Only** Quantity **1** Value Color **Maroon or Burgundy**  
Description **dodge pickup registered to Dean a Bowman**  
Manufacturer **DODGE** Model **ram** Serial No /VIN **3C6UR5JL0HG763938**  
Vehicle Year Body Type **Pickup Truck** Lic Plate State **Wyoming** Lic Plate Exp **2019-01-01T00:00:00**  
Insurance Company  
Owner **V - Dean A Bowman**  
Notes

Detailed Property Information

Length Width Height  
Horse Power Propulsion Serial #  
Caliber Barrel Length  
Features

Recovered Property Information

Recovered Date  
Recovered Location  
Recovered By  
Owner Type  
Insurance Rep

Recovered Value  
Recovered Reason  
Recovered Stock #  
Released To  
Tow Company

### Solvability

---

### Modus Operandi

---

MO General  
Occupied?  
General Premise  
MO Against Property  
Entry Point  
Entry/Attempt Method  
Safe Entry  
Victim Location  
Maid

Exit Point  
Entry Tool  
Suspect Actions  
Electronic Locks  
Inspectress

Surrounding Area  
Specific Premise

Entry Location  
Vehicle Entry  
Additional Factors  
Video Surveillance

MO Against People  
Victim-Suspect Relationship  
Victim Condition  
Suspect Pretended to Be  
Sexual Acts

Pre-Incident Contact  
Suspect Solicited/Offered  
Suspect Actions  
Vehicle Involvement

### Narrative

---

While we were in a store our back passenger window was broke out of our pickup, stealing numerous things from our back seat. With this was a home depot card and a discover card. We have documentation that these were used at the home depot 7015 Arroyo crossing. We have 4 charges to the home depot card and one to the discover there. The home depot fraud dept said he used it at the self check. WE have contacted the home depot and they said they have cameras that could possibly show the transactions. I have amounts of 340.99 for an electric portable torch, one for 119.37 for an impact wrench and 2 year warranty, one for 576.08 for some toys, bolt cutters, motion detector, security cameras and diamond blade, and one for 379.05 for some flooring. These are all on Dec 1st at the same home depot listed above. The property belonged to us, we are self employed so we are the company.

Patrol Follow-Up



## Credit Services - Receipt LookUp Receipt

Printed on: 12/06/2019 09:55:50

Transaction Identifier : [3308, 12/01/2019, 51, 8527]

### Receipt Image



**More saving.  
More doing.<sup>SM</sup>**

MATTHEW\_J\_PERKINS@HOMEDEPOT.COM  
7015 ARROYO CROSSING PKWY 702-270-6446

3308 00051 85277 12/01/19 01:36 PM  
SELF CHECKOUT

842861101607 RING MOT 2PK <A> 59.99  
RING ALARM WRLS MOTION DET 2PK  
842861107845 INDR CAM W <A> 59.97  
INDOOR SECURITY CAM, WHITE  
008925137603 4.5INDIAMOND <A> 14.97  
DIABLO 4.5 METAL CUTTING DIAMOND BLD  
026508273043 NOELL KITCH <A> 219.00  
NOELL PULL-DOWN KITCH FAUCET SS  
037103245632 HADPTR3PC <A> 11.97  
3PC 1/4" AND 3/8" ADAPTER SET  
008925094524 4.5" MTL CUT <A>  
DIABLO 4-1/2"X7/8" METAL CUTOFF BLDE  
2@3.10 6.20  
039800068194 AA 36 PACK <A> 15.98  
ENERGIZER AA 36-PACK  
041333032665 OPT AAA 12PK <A> 14.31  
OPTIMUM AAA - 12 PK - EAS TAG  
037103299673 4.5" T&G PLIER <A> 7.97  
CRESCENT 4 T&G PLIER  
037103322470 BOLT CUTTER <A> 49.97  
HK PORTER 24" GEN-PURP BOLT CUTTERS  
812350152205 SPORTS BALL <A> 14.88  
SPB-YOUTH SIZE SPORTS BALL 3 PACK  
883351291583 DOORLOCK <A> 56.97  
KS SIG JUNO DBL CYL CMB PK SATN NICK

SUBTOTAL 532.18  
SALES TAX 43.90  
TOTAL \$576.08

XXXXXXXXXXXX2229 HOME DEPOT

USD\$ 576.08

AUTH CODE 001031/8510768

TA

AID A0000000049999D8400303

THD PLCC CO

N



3308 51 85277 12/01/2019 4765

<https://webapp.homedepot.com/BLUWebApp/>

20F00283B - AVILA, JOSEPH

### Account Details

Xref number	Account Number	Type	ExpDate	Signature	Entry
XXXXXXXXXXXX2229	XXXXXXXXXXXX2229	HD	NA	Y	CHIP
Settlement Release Date : 12/02/2019					
EMV Brand					
Application A0000000049999D8400303			EMV brand THD PLCC		
ID :			application CON		
CVM code : 7			name :		
Display CVM			CVM		
code : SIGNATURE			description SIGNATURE		
			EVM		
			fallback NA		
			indicator :		

### Miscellaneous Details

Sales Posting Date : 12/01/2019

RETURN POLICY DEFINITIONS  
POLICY ID DAYS POLICY EXPIRES ON  
A 11 365 11/30/2020

\*\*\*\*\*

### DID WE NAIL IT?

Take a short survey for a chance TO WIN  
A \$5,000 HOME DEPOT GIFT CARD

Opine en español

[www.homedepot.com/survey](http://www.homedepot.com/survey)

User ID: H8B 174151 170894  
PASSWORD: 19601 170843

Entries must be completed within 14 days  
of purchase. Entrants must be 18 or  
older to enter. See complete rules on  
website. No purchase necessary.





# Credit Services - Receipt LookUp Receipt

Printed on: 12/06/2019 09:55:28

Transaction Identifier : [3308, 12/01/2019, 51, 8495]

## Receipt Image



**More saving.  
More doing.<sup>SM</sup>**

MATTHEW\_J\_PERKINS@HOMEDEPOT.COM  
7015 ARROYO CROSSING PKWY 702-270-6446

3308 00051 84957 12/01/19 12:40 PM  
SELF CHECKOUT

033287176410 IMPACT WR <A> 99.00  
RYB 18V IMPACT WRENCH KIT  
0000-629-967 2 YR REPLACE <B,U> 12.20N  
D25 2 YR HDPP REPLACE \$50-\$99.99

SUBTOTAL 111.20  
SALES TAX 8.17  
TOTAL \$119.37

XXXXXXXXXXXX2229 HOME DEPOT USD\$ 119.37

AUTH CODE 001139/8510753 TA  
AID A0000000049999D8400303 THD PLCC CO

N

<U> - NON-DISCOUNTABLE ITEM



3308 51 84957 12/01/2019 4765

RETURN POLICY DEFINITIONS  
POLICY ID DAYS POLICY EXPIRES ON  
A 11 365 11/30/2020  
B 9 90 02/29/2020

\*\*\*\*\*

## DID WE NAIL IT?

Take a short survey for a chance TO WIN  
A \$5,000 HOME DEPOT GIFT CARD

Opine en español

[www.homedepot.com/survey](http://www.homedepot.com/survey)

User ID: H8B 173511 170254  
PASSWORD: 19601 170203

## Account Details

Xref number	Account Number	Type	ExpDate	Signature	Entry
XXXXXXXXXXXX2229	XXXXXXXXXXXX2229	HO	NA	Y	CHIP
Settlement Release Date : 12/02/2019					
EMV Brand			EMV brand		
Application A00000C0049999D8400303			application THD PLCC		
ID :			name : CON		
CVM code : 7			CVM description SIGNATURE		
Display CVM			EVM		
code : SIGNATURE			fallback NA		
			indicator :		

## Miscellaneous Details

Sales Posting Date : 12/01/2019

12/01/2019

Receipt Lookup



# Credit Services - Receipt LookUp

## Receipt

Printed on: 12/06/2019 09:55:44

Transaction Identifier : [3308, 12/01/2019, 61, 9725]

### Receipt Image



**More saving.  
More doing.™**

MATTHEW\_J\_PERKINS@HOMEDEPOT.COM  
7015 ARROYO CROSSING PKWY 702-270-6446

3308 00061 97255 12/01/19 01:37 PM  
CASHIER ELISEO

747583008046 12X12MOSAIC <A>  
12X12 GREEKIAN WHT OCTAGON 10MM-EA  
2@9.99 199.80  
010186421841 VERSABOND <A>  
VERSABOND BONDING MORTAR-WHITE 50LB  
2@16.98 33.96  
1002-820-814 12X24FLOOR <A>  
12X24 CASCADE RIDGE-CA-15.04SF  
6@19.40 116.40

SUBTOTAL 350.16  
SALES TAX 28.89  
TOTAL \$379.05

XXXXXXXXXX2229 HOME DEPOT USD\$ 379.05

AUTH CODE 001015/8610952 TA  
AID A0000000049999D8400303 THD PLCC CO

N



3308 61 97255 12/01/2019 5541

RETURN POLICY DEFINITIONS  
POLICY ID DAYS POLICY EXPIRES ON  
A 11 365 11/30/2020

\*\*\*\*\*

### DID WE NAIL IT?

Take a short survey for a chance TO WIN  
A \$5,000 HOME DEPOT GIFT CARD

Opine en español

[www.homedepot.com/survey](http://www.homedepot.com/survey)

User ID: H8B 198107 194860

<https://webapp.homedepot.com/RUWebApp>

20F00283B - AVILA, JOSEPH

### Account Details

Kref number	Account Number	Type	ExpDate	Signature	Entry
XXXXXXXXXXXX2229	XXXXXXXXXXXX2229	HD	NA	Y	CHIT
Settlement Release Date : 12/02/2019					
EMV Brand					
Application A0000000049999D8400303			EMV brand THD PLCC		
ID :			application CON		
CVM code : 7			name :		
Display CVM			CVM		
code :			description SIGNATURE		
			:		
			EVM		
			fallback NA		
			indicator :		

### Miscellaneous Details

Sales Posting Date : 12/01/2019



# Credit Services - Receipt LookUp Receipt

Printed on: 12/06/2019 09:55:35

Transaction Identifier : [3308, 12/01/2019, 62, 6751]

## Receipt Image



**More saving.  
More doing.<sup>SM</sup>**

MATTHEW\_J\_PERKINS@HOMEDEPOT.COM  
7015 ARROYO CROSSING PKWY 702-270-6446

3308 00062 67512 12/01/19 12:49 PM  
SELF CHECKOUT

725636004955 PORTATORCH <A> 315.00  
LINCOLN ELEC OXY-ACET PORT-A-TORCH

SUBTOTAL 315.00  
SALES TAX 25.99  
TOTAL \$340.99

XXXXXXXXXXXX2229 HOME DEPOT

USD\$ 340.99

AUTH CODE 001366/8620373 TA

AID A0000000049999D8400303 THD PLCC CO

N



3308 62 67512 12/01/2019 3166

## RETURN POLICY DEFINITIONS

POLICY ID	DAYS	POLICY EXPIRES ON
A 11	365	11/30/2020

\*\*\*\*\*

## DID WE NAIL IT?

Take a short survey for a chance TO WIN  
A \$5,000 HOME DEPOT GIFT CARD

Opine en español

[www.homedepot.com/survey](http://www.homedepot.com/survey)

User ID: H8B 138621 135375  
PASSWORD: 19601 135313

Entries must be completed within 14 days  
of purchase. Entrants must be 18 or  
older to enter. See complete rules on  
website. No purchase necessary.

## Account Details

Xref number	Account Number	Type	ExpDate	Signature	Entry
XXXXXXXXXXXX2229	XXXXXXXXXXXX2229	HD	NA	Y	CHIP
Settlement Release Date : 12/02/2019					
EMV Brand			EMV brand		
Application A0000000049999D8400303			application THD PLCC		
ID :			name :		
CVM code : 7			description SIGNATURE		
Display CVM			EVM		
code : SIGNATURE			fallback NA		
			indicator :		

## Miscellaneous Details

Sales Posting Date : 12/01/2019

12/02/2018

Receipt Lookup

Entries must be completed within 14 days  
of purchase. Entrants must be 18 or  
older to enter. See complete rules on  
website. No purchase necessary.

## REGISTER OF ACTIONS

### CASE No. 20F00283A

State of Nevada vs. SOSA-AVILA, AMALIA

§  
§  
§  
§  
§

Case Type: **Felony**  
 Date Filed: **01/07/2020**  
 Location: **JC Department 12**

#### RELATED CASE INFORMATION

**Related Cases**

PC20F00283B (Multi-Defendant Case)

#### PARTY INFORMATION

Defendant **SOSA-AVILA, AMALIA**

**Lead Attorneys**  
**Jess Matsuda**  
*Court Appointed*  
 7023830506(W)

State of  
Nevada

State of Nevada

#### CHARGE INFORMATION

**Charges: SOSA-AVILA, AMALIA**

	Statute	Level	Date
1. Conspiracy to commit burglary [50445]	205.060.2	Gross Misdemeanor	11/30/2019
2. Burglary, first offense [50424]	205.060.2	Felony	11/30/2019
3. Obtain or possess credit or debit card without cardholders consent [50790]	205.690	Felony	11/30/2019
4. Use credit or debt card or identifying information on card or account without consent [50796]	205.760.1c	Felony	11/30/2019
999. Use credit or debt card or identifying information on card or account without consent [50796]	205.760.1c	Felony	01/04/2020
999. Buy/poss/rcv stolen prop, \$650 - \$3500 [56057]	205.275.2b	Felony	01/04/2020
999. Buy/poss/rcv stolen prop, \$650 - \$3500 [56057]	205.275.2b	Felony	01/04/2020
999. Buy/poss/rcv stolen prop, \$650 - \$3500 [56057]	205.275.2b	Felony	01/04/2020
999. Buy/poss/rcv stolen prop, \$650 - \$3500 [56057]	205.275.2b	Felony	01/04/2020
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999. Buy/poss/rcv stolen prop, \$650 - \$3500 [56057]	205.275.2b	Felony	01/04/2020
999. Obtain or possess credit or debit card without cardholders consent [50790]	205.690	Felony	01/04/2020
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999. Obtain or possess credit or debit card without cardholders consent [50790]	205.690	Felony	01/04/2020
999. Use credit or debt card or identifying information on card or account without consent [50796]	205.760.1c	Felony	01/04/2020
999. Use credit or debt card or identifying information on card or account without consent [50796]	205.760.1c	Felony	01/04/2020
999. Use credit or debt card or identifying information on card or account without consent [50796]	205.760.1c	Felony	01/04/2020

#### EVENTS & ORDERS OF THE COURT

**DISPOSITIONS**

01/06/2020	<b>Disposition</b> (Judicial Officer: Sullivan, Diana L.) 999. Use credit or debt card or identifying information on card or account without consent [50796] DA Denial
01/06/2020	<b>Disposition</b> (Judicial Officer: Sullivan, Diana L.) 999. Buy/poss/rcv stolen prop, \$650 - \$3500 [56057] DA Denial
01/06/2020	<b>Disposition</b> (Judicial Officer: Sullivan, Diana L.) 999. Buy/poss/rcv stolen prop, \$650 - \$3500 [56057] DA Denial
01/06/2020	<b>Disposition</b> (Judicial Officer: Sullivan, Diana L.) 999. Buy/poss/rcv stolen prop, \$650 - \$3500 [56057]

	DA Denial
01/06/2020	<b>Disposition</b> (Judicial Officer: Sullivan, Diana L.) 999. Buy/poss/rcv stolen prop, \$650 - \$3500 [56057] DA Denial
01/06/2020	<b>Disposition</b> (Judicial Officer: Sullivan, Diana L.) 999. Buy/poss/rcv stolen prop, \$650 - \$3500 [56057] DA Denial
01/06/2020	<b>Disposition</b> (Judicial Officer: Sullivan, Diana L.) 999. Obtain or possess credit or debit card without cardholders consent [50790] DA Denial
01/06/2020	<b>Disposition</b> (Judicial Officer: Sullivan, Diana L.) 999. Obtain or possess credit or debit card without cardholders consent [50790] DA Denial
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01/06/2020	<b>Disposition</b> (Judicial Officer: Sullivan, Diana L.) 999. Use credit or debt card or identifying information on card or account without consent [50796] DA Denial

**OTHER EVENTS AND HEARINGS**

01/04/2020	<b>Multi-Defendant Case</b>
01/04/2020	<b>Standard Bail Set</b> <i>Ct1: \$10000 Cash/\$10000 Surety</i>
01/04/2020	<b>CTRACK Track Assignment JC12</b>
01/04/2020	<b>Standard Bail Set</b> <i>Ct8: \$5000 Cash/\$5000 Surety</i>
01/04/2020	<b>Standard Bail Set</b> <i>Ct7: \$5000 Cash/\$5000 Surety</i>
01/04/2020	<b>Standard Bail Set</b> <i>Ct5: \$5000 Cash/\$5000 Surety</i>
01/04/2020	<b>Standard Bail Set</b> <i>Ct2: \$3000 Cash/\$3000 Surety</i>
01/04/2020	<b>Standard Bail Set</b> <i>Ct4: \$5000 Cash/\$5000 Surety</i>
01/04/2020	<b>Standard Bail Set</b> <i>Ct3: \$3000 Cash/\$3000 Surety</i>
01/04/2020	<b>Standard Bail Set</b> <i>Ct9: \$2000 Cash/\$2000 Surety</i>
01/04/2020	<b>Standard Bail Set</b> <i>Ct6: \$5000 Cash/\$5000 Surety</i>
01/04/2020	<b>Standard Bail Set</b> <i>Ct10: \$3000 Cash/\$3000 Surety</i>
01/04/2020	<b>Standard Bail Set</b> <i>Ct11: \$3000 Cash/\$3000 Surety</i>
01/04/2020	<b>Standard Bail Set</b> <i>Ct13: \$3000 Cash/\$3000 Surety</i>
01/04/2020	<b>Standard Bail Set</b> <i>Ct12: \$3000 Cash/\$3000 Surety</i>
01/04/2020	<b>Standard Bail Set</b> <i>Ct14: \$3000 Cash/\$3000 Surety</i>
01/04/2020	<b>Standard Bail Set</b> <i>Ct17: \$3000 Cash/\$3000 Surety</i>
01/04/2020	<b>Standard Bail Set</b> <i>Ct15: \$3000 Cash/\$3000 Surety</i>
01/04/2020	<b>Standard Bail Set</b> <i>Ct16: \$3000 Cash/\$3000 Surety</i>
01/04/2020	<b>Financial Affidavit</b>
01/04/2020	<b>Probable Cause Review Packet - Initial Appearance Court</b>
01/05/2020	<b>Initial Appearance Justice Court (PC Review)</b> (1:30 PM) (Judicial Officer Sciscento, Joseph S.) Result: Matter Heard
01/05/2020	<b>Not Released NPR</b>
01/05/2020	<b>Nevada Risk Assessment Tool</b>
01/05/2020	<b>CTRACK Case Modified</b> <i>Judge/SUL;</i>
01/05/2020	<b>72-Hour Hearing Completed</b>

3/3/2020

<https://lvjcpa.clarkcountynv.gov/Anonymous/CaseDetail.aspx?CaseID=13097961>

01/05/2020 **Probable Cause Found**

01/05/2020 **Counsel Provisionally Appointed**  
*M. Pensabene, Esq. provisionally appointed for limited purposes of first appearance hearing.*

01/05/2020 **Bail Argument Heard**  
*The Court has heard arguments from the prosecution and defense counsel regarding custody of the Defendant*

01/05/2020 **Bail Reset - Cash or Surety**  
*Counts: 001; 002; 003; 004; 005; 006; 007; 008; 009; 010; 011; 012; 013; 014; 015; 016; 017 - \$0.00/\$0.00 Total Bail*

01/05/2020 **Defendant Detained Due to Arrest on Felony Charge**  
*while out of custody on another charge (NRS 178.487).*

01/05/2020 **Continued for Status Check on filing of Criminal Complaint**

01/05/2020 **Minute Order - Initial Appearance**

01/06/2020 **CTRACK Case Modified**

01/06/2020 **PC Charge Modification**  
*ChargeType/BB; Count/001; Code/50424; Degree/F; ChargeTrackNumber/0025880193001;*

01/06/2020 **PC Charge Modification**  
*ChargeType/BB; Count/009; Code/50445; Degree/G; ChargeTrackNumber/0025880193017;*

01/07/2020 **Status Check on Filing of Criminal Complaint (8:00 AM) (Judicial Officer Sullivan, Diana L.)**  
*In Custody*  
 Result: Matter Heard

01/07/2020 **Criminal Complaint**  
*Filed in open Court*

01/07/2020 **Initial Appearance Completed**  
*Defendant Advised of Charges on Criminal Complaint, Waives Reading of Criminal Complaint*

01/07/2020 **Defendant Not Identified as a Veteran**  
*After Court inquiry, the defendant represented that they are not a Veteran and not a member of the Military.*

01/07/2020 **Defendant Identified as Indigent**  
*Defendant and the Court discussed the appointment of counsel and defendant requested appointment of counsel.*

01/07/2020 **Counsel Appointed**  
*J. Matsuda, Esq. appointed in absentia*

01/07/2020 **Discovery Placed in Contract Attorney Box**

01/07/2020 **Bail Reset - Cash or Surety**  
*Counts: 001; 002; 003; 004 - \$0.00/\$0.00 Total Bail*

01/07/2020 **Defendant Detained Due to Arrest on Felony Charge**  
*while out of custody on another charge (NRS 178.487).*

01/07/2020 **Released from Custody - DA Denial**  
*Offenses not charged in criminal complaint*

01/07/2020 **Status Check**  
*Date set by Court to see if the State sought to revoke the Defendant in his other matter.*

01/07/2020 **Notify**  
*J. Matsuda notified by Courtroom staff/jy*

01/07/2020 **Minute Order - Department 12**

01/14/2020 **Status Check (8:00 AM) (Judicial Officer Sullivan, Diana L.)**  
*In custody*  
 Result: Matter Heard

01/14/2020 **Court reviews history of case**

01/14/2020 **Comment**  
*State did not move to revoke the Defendant*

01/14/2020 **Bail Argument Made**

01/14/2020 **Bail Reset - Cash or Surety**  
*Counts: 001; 002; 003; 004 - \$3,000.00/\$3,000.00 Total Bail*

01/14/2020 **Future Court Date Stands**  
*1/22/20 9:30 AM for Preliminary hearing*

01/14/2020 **Minute Order - Department 12**

01/15/2020 **Surety Bond**

01/15/2020 **Surety Bond Acceptance-Notice of Appearance**

01/16/2020 **Waiver of Extradition After Admission to Bail**

01/22/2020 **Preliminary Hearing (9:30 AM) (Judicial Officer Sullivan, Diana L.)**  
*Surety Bond*  
*01/22/2020 Reset by Court to 01/22/2020*  
 Result: Matter Continued

01/22/2020 **Motion to Continue - Defense**  
*Granted with no objection by the State*

01/22/2020 **Preliminary Hearing Date Reset**

01/22/2020 **Minute Order - Department 12**

03/03/2020 **Preliminary Hearing (9:30 AM) (Judicial Officer Sullivan, Diana L.)**  
*Surety Bond*

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**FINANCIAL INFORMATION**


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	<b>Defendant SOSA-AVILA, AMALIA</b>		
	Total Financial Assessment		50.00
	Total Payments and Credits		50.00
	<b>Balance Due as of 03/03/2020</b>		<b>0.00</b>
01/15/2020	Transaction Assessment		50.00
01/15/2020	Payment (Window)	Receipt # PT-2020-00397	(50.00)
		Kind Bail Bond	



805a

## NEVADA PRETRIAL RISK (NPR) ASSESSMENT

Assessment Date: 1/5/2020

Assessor: Jonah Battie

County: Clark

Defendant's Name: Amalia Sosa

DOB:

AGE: 33

Case/Booking #: 20F00283A

12/26/1986

Dept #: JC-12

Address: UNABLE TO VERIFY

Contact Phone #:

# of Current Charges: 12

City:

State: Zip:

Lives w/  
kids + sister in  
law

725-219-1390

Most Serious Charge: Burglary, (2+)

Total Bail at booking: \$67,000.00

### SCORING ITEMS

SCORE

1. Does the Defendant Have a Pending Pretrial Case at Booking?

Yes If yes, list case # and jurisdiction: 19F03827B JC-3

2

2. Age at First Arrest (include juvenile arrests)

20 yrs and under

First Arrest Date 8/16/2005

2

3. Prior Misdemeanor Convictions (past 10 years)

One to five

MJ - 2014

1

4. Prior Felony/Gross Misd. Convictions (past 10 years)

One or more

FAMILY - parents

1

5. Prior Violent Crime Convictions (past 10 years)

None

PC20F00283A  
NPR  
Nevada Risk Assessment Tool  
11821762

0

6. Prior FTAs (past 24 months)

None



0

7. Substance Abuse (past 10 years)

Prior multiple arrests-drug use or poss/alcohol/drunkenness

3 kids - ages 9, 8, 5

2

8. Mitigating Verified Stability Factors (limit of -2 pts. total deduction)

If 1, 2 and 3 not applicable

LIVE w/ Δ

① Military

② Owns company called

TOTAL SCORE: 8

Risk Level: Moderate Risk, 8 Points

Override Reason(s): PR-MoreSever

If Other, explain:

Final Recommended Risk Level: Higher

☐ LOW

☐ MODERATE

☒ HIGHER

Supervisor/Designee Signature

Date: 1/5/2020

Detained

Revised 8.2017

1/5/20 MAP DA PLC SV 1/7/20 JC 12.

**Felony convictions: 6**

YEAR	STATE	CHARGE
06	NV	BURGLARY
06	NV	CONSP BURGLARY
06	NV	BURGLARY
09	NV	PCS
15	NV	CONSP VIOL UCS ACT
15	NV	PCS W/ITS

**Misdemeanor Convictions: 3**

**FTAS: 2**

**Detainers: NONE**

**Pending Cases: 19F03827B JC-3 PRELIM 2/20/2020**

↓  
Burg  
GL  
CONSP Burg  
CONSP GL  
OK'd since 4/2019

Revised 8.2017

CONFIDENTIAL

**FINANCIAL AFFIDAVIT**

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT, INVESTIGATIVE OR OTHER COURT SERVICES FOR INDIGENT PERSONS

**JUSTICE COURT LAS VEGAS TOWNSHIP**

IN THE CASE OF  
STATE OF NEVADA VS.

CASE # 20F00283A

DEPT 12

Sosa, Amalia Eva

DATE: 1/4/2020

**SECTION 1**

I, Amalia Sosa, do solemnly swear under penalty or perjury that I am named as defendant in the case of State of Nevada VS. Amalia Sosa and that I do not have the ability to pay for an attorney or for any other court services necessary for my defense because: (check (✓) all that apply)

- I currently receive SSI benefits;
- I am currently a public housing resident / Section 8 recipient;
- p I am currently receiving food stamps; \$743
- I am currently a welfare recipient (TANF);
- I currently receive Unemployment / Workers Compensation benefits as my sole income;
- I have been determined disabled but benefits are pending;
- I am unemployed with no source of income;
- I am a resident of Shade Tree Shelter;
- I am a recipient of HELP Homeless Outreach Subsidy;
- I am a recipient of Women's Development Housing Assistance;
- p I am a recipient of Medicaid Disability Insurance;
- I am a resident of the Salvation Army or a Transitional Housing Program;
- I am currently incarcerated;

Do you now or have you ever served in any branch of the United States Armed Forces whether active duty, reserve or guard?

I Am -

I Am Not p

COMMENTS:

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Are you employed? YES

How much do you earn each month? VARIES

Name and Address of employer: SELF EMPLOYED – OCD CLEANING.INK

Does your spouse work? YES

How much does he/she earn per month? UNK

Do you have any other income (from retirement funds, interest, dividends, rents, etc.)? NO

List all other income sources:

How much money do you have in bank accounts? \$0

Do you own any real estate, motor vehicles, motor homes, stocks or other valuable property? NO Please describe and list value:

Marital Status: Married

Total Number of dependents: 3

List the people you support (Name, Age & Relationship):

What is your address? 3774 MONTE CARLOS LAS VEGAS. NV

How much do you pay monthly in rent or mortgage? HELPS OUT

List all other significant debts:

C.C \$2000.00

I declare under penalty of perjury that the foregoing is true and correct. (NRS 53.045).

SIGNATURE OF DEFENDANT \_\_\_\_\_

Revision Date: December 7, 2015

\*PAGE 1 OF 1 UOF BODY CAM  
\*D/c# 192177 NEW ID  
JUVENILE DNA SAMPLE TAKEN DNA NOT REQ'D  
CO. SGT APPROVAL  
REBOOK ABSENTIA FORM 6 NDOC EXT TO LAS VEGAS LVC HND NLV COURTESY HOLD DETAINER  
LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
TEMPORARY CUSTODY RECORD  
(\* DENOTES OFFICER REQUIRED FIELD)  
P220693111324  
ARREST DATE: 1/4/2020 ARREST TIME: 1012  
EVENT #: 191299999832  
CO-DEF: Y

*INTAKE NAME (AKA, ALIAS, ETC.)		LAST		FIRST		MIDDLE		TRUE NAME		LAST		FIRST		MIDDLE													
SOSA-AVILA		AMALIA		SOSA AVILA		LAS VEGAS		STATE NV		ZIP 89103		PLACE OF BIRTH		EVA MARIA													
UNK		ALBUQUERQUE, NEW MEXICO		ALBUQUERQUE, NEW MEXICO		ALBUQUERQUE, NEW MEXICO		ALBUQUERQUE, NEW MEXICO		ALBUQUERQUE, NEW MEXICO		ALBUQUERQUE, NEW MEXICO		ALBUQUERQUE, NEW MEXICO													
DATE OF BIRTH 12/26/1986		RACE W		HISP ETHN H		SEX F		HEIGHT 5'08"		WEIGHT 195		HAIR BRO		EYES GRN		BLOG/APT.#		CITY		CITIZENSHIP		CITIZEN'S ARREST		CITIZEN'S ARREST		CITIZEN'S ARREST	
3226 SPRING MOUNTAIN RD LAS VEGAS, NV 89103		LAS VEGAS, NV 89103		LAS VEGAS, NV 89103		LAS VEGAS, NV 89103		LAS VEGAS, NV 89103		LAS VEGAS, NV 89103		LAS VEGAS, NV 89103		LAS VEGAS, NV 89103		LAS VEGAS, NV 89103		LAS VEGAS, NV 89103		LAS VEGAS, NV 89103		LAS VEGAS, NV 89103		LAS VEGAS, NV 89103		LAS VEGAS, NV 89103	
*ARR **		COURT JURIS		WARRANT # / CASE #		#		CNTS		NOC CODE		M GM F		CHARGE LITERAL		ORD / MRS		BAIL		EVENT# / NIC#		CITIZEN'S ARREST		CITIZEN'S ARREST		CITIZEN'S ARREST	
PC		JC				1		50425		50425		50425		BURGLARY, (2+)		205.060.2		10000		191299999832		191299999832		191299999832		191299999832	
PC		JC				5		50790		50790		50790		OBT/POSS CR/DEB CARD W/O C-HOLDERS CONSEN		205.690		15000		191299999832		191299999832		191299999832		191299999832	
PC		JC				5		50796		50796		50796		USE CR/DEB CARD, OR ID, W/O CONSENT		205.760.1		15000		191299999832		191299999832		191299999832		191299999832	
PC		JC				5		56057		56057		56057		BUY/POSS/RCV STOLEN PROP, \$650 - 3500		205.275.2		25000		191299999832		191299999832		191299999832		191299999832	
PC		JC				1		55198		55198		55198		CONSP COMMIT CRIMINAL CONTEMPT		199.480		2000		191299999832		191299999832		191299999832		191299999832	
*OTHER JURISDICTION:		PC - PROBABLE CAUSE		BS - BONDSMAN SURRENDER		BW - BENCH WARRANT		AW - ARREST WARRANT		RM - REMAND		GJI - GRAND JURY INDICTMENT															

TIME STAMP AT BOOKING 1/4/2020 7:34 PM		*ARRESTING OFFICER SIGNATURE JOSHUA LEE HAYNES		*PRINTED NAME JOSHUA LEE HAYNES		14010		*P#		MPD		*AGENCY		P2		*SECTOR/BEAT OF ARREST		SVAC		AREA CMD		TIME STAMP AT RELEASING of this	
P# R17608M		*TRANSPORTING OFFICER SIGNATURE DAVID GUILLERMO VARGAS		*PRINTED NAME DAVID GUILLERMO VARGAS		16302		*P#		MPD		*AGENCY		SVAC		AREA CMD		SVAC		AREA CMD		TIME STAMP AT RELEASING of this	
DOC DIST P#		*EMERGENCY CONTACT JANICE SOSA		NAME		CUSTODY RELEASED TO																TIME STAMP AT RELEASING of this	
		*RELATIONSHIP MOTHER		POSITION																		TIME STAMP AT RELEASING of this	
		*PHONE NUMBER (702) 273-4741		AGENCY																		TIME STAMP AT RELEASING of this	
		*EMAIL ADDRESS																				TIME STAMP AT RELEASING of this	
P# R17608M		*ARRESTING OFFICER SIGNATURE		*PRINTED NAME		14010		*P#		MPD		*AGENCY		P2		*SECTOR/BEAT OF ARREST		SVAC		AREA CMD		TIME STAMP AT RELEASING of this	
DOC DIST P#		*TRANSPORTING OFFICER SIGNATURE		*PRINTED NAME		16302		*P#		MPD		*AGENCY		SVAC		AREA CMD		SVAC		AREA CMD		TIME STAMP AT RELEASING of this	
P# R17608M		*ARRESTING OFFICER SIGNATURE		*PRINTED NAME		14010		*P#		MPD		*AGENCY		P2		*SECTOR/BEAT OF ARREST		SVAC		AREA CMD		TIME STAMP AT RELEASING of this	
DOC DIST P#		*TRANSPORTING OFFICER SIGNATURE		*PRINTED NAME		16302		*P#		MPD		*AGENCY		SVAC		AREA CMD		SVAC		AREA CMD		TIME STAMP AT RELEASING of this	
P# R17608M		*ARRESTING OFFICER SIGNATURE		*PRINTED NAME		14010		*P#		MPD		*AGENCY		P2		*SECTOR/BEAT OF ARREST		SVAC		AREA CMD		TIME STAMP AT RELEASING of this	
DOC DIST P#		*TRANSPORTING OFFICER SIGNATURE		*PRINTED NAME		16302		*P#		MPD		*AGENCY		SVAC		AREA CMD		SVAC		AREA CMD		TIME STAMP AT RELEASING of this	
P# R17608M		*ARRESTING OFFICER SIGNATURE		*PRINTED NAME		14010		*P#		MPD		*AGENCY		P2		*SECTOR/BEAT OF ARREST		SVAC		AREA CMD		TIME STAMP AT RELEASING of this	
DOC DIST P#		*TRANSPORTING OFFICER SIGNATURE		*PRINTED NAME		16302		*P#		MPD		*AGENCY		SVAC		AREA CMD		SVAC		AREA CMD		TIME STAMP AT RELEASING of this	
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P# R17608M		*ARRESTING OFFICER SIGNATURE		*PRINTED																			

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT**  
**DECLARATION OF ARREST REPORT**

☒ County Jail    ☐ City Jail    ☒ Adult    ☐ Juvenile    Bureau: SVAC

ID# <b>1921777</b>		EVENT # <b>LLV19129999832</b>		ARRESTEE'S NAME (LAST) <b>SOSA-AVILA</b>			(FIRST) <b>AMALIA</b>		(MIDDLE)		SSN# <b>525-61-6055</b>
RACE <b>W</b>	SEX <b>F</b>	DOB <b>12/26/1986</b>	HGT <b>5'08"</b>	WGT <b>195</b>	HAIR <b>BRO</b>	EYES <b>HAZ</b>	POB <b>GRN</b>				
ARRESTEE'S ADDRESS <b>TRANSIENT</b>						CITY <b>LAS VEGAS</b>		STATE <b>NV</b>		ZIP CODE	
OCCURRED DATE: <b>11/30/2019</b>		TIME: <b>1800</b>		ARREST DATE: <b>01/04/2020</b>		TIME: <b>1012</b>		LOCATION OF ARREST (NUMBER, STREET, CITY, STATE, ZIP CODE) <b>3531 S. RAINBOW BLVD. LAS VEGAS, NV 89103</b>			
LOCATION OF CRIME (NUMBER, STREET, CITY, STATE, ZIP CODE) <b>3226 Spring Mountain RD. LAS VEGAS, NV</b>											
CHARGES / OFFENSES <b>Burglary</b> <b>Possession of Credit Card W/O Owners Consent (5 counts)</b> <b>Fraudulent Use of Credit or Debit Card (5 Counts)</b> <b>Buy/Possess/Receive Stolen Property</b> <b>Conspiracy to Commit Burglary</b>											
CONNECTING REPORTS (TYPE OR EVENT NUMBER) <b>FELONY ARREST PACKET</b>											

The undersigned makes the following declarations subject to the penalty of perjury and says: That I am a peace officer with the LVMPD, being so employed for a period of approximately 11 year(s).

That I learned the following facts and circumstances which lead me to believe that the above named subject committed or was committing the offenses above at the location of 3531 S. RAINBOW BLVD. LAS VEGAS, NV 89103 and that the offense(s) occurred at approximately 1012 hours on the 4th day of January, 2020.

**Details for Probable Cause:**

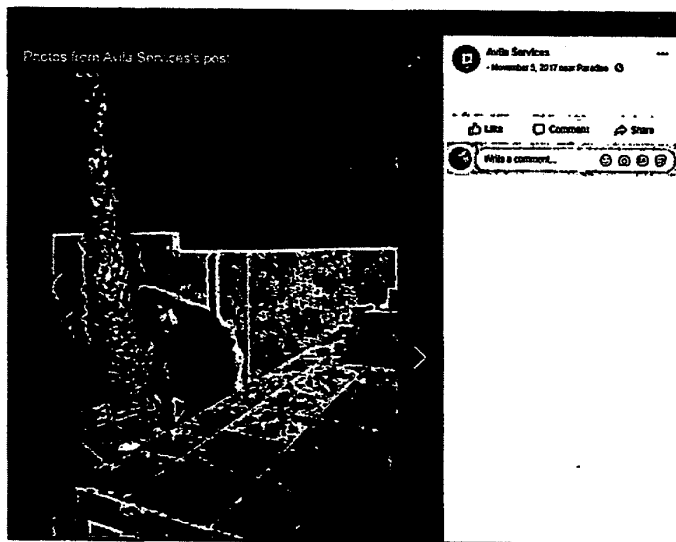
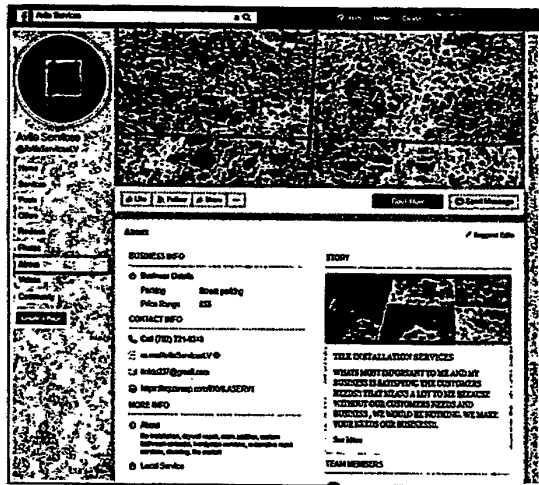
On Friday December 5, 2019 Detective J. Haynes P#14001 was assigned LVMPD event LLV19129999831. The details of this event, which were entered via an online report, stated that the victim's vehicle, a Dodge Ram pickup truck with Wyoming license plate 02T30920 registered to, Bowman, Dean DOB: 05/31/1961, was burglarized outside the address of 3226 Spring Mountain Road. Las Vegas, NV 89102. According to the victim he and his wife were inside the business for approximately 15 minutes. Upon their exit of the business they discovered their vehicle to have been burglarized and a number of personal items to include a Home Depot credit card, Discover Credit Card, A laptop, and an Apple Ipad had been taken. Detective Haynes proceeded to make contact with the Home Depot store located at 7015 Aroyo Crossing Las Vegas, NV on 12/06/2019. This Home Depot was listed as one of the locations that the victim's stolen Home Depot credit card was used. Detective Haynes spoke with the Loss Prevention manager Shane Webber and recovered a large amount of high quality digital video footage showing a white or Hispanic Male adult making a number of purchases at the self-checkout inside the Home Depot store. These purchases were determined to have been made using the stolen Home Depot credit card of Dean Bowman with the last four digits being 2229. Through the use of this video footage Detective Haynes was able to isolate an image which was sent to the LVMPD Facial Recognition unit for analysis pm 12/06/2019. On 12/11/2019 Detective Haynes opened a department email from the LVMPD Fusion Watch Center which had a possible match for one of the suspects who were recorded on video using Dean Bowman's Home Depot credit card. This email response included a positive facial identification match of a male individual identified as Avila, Wesley ID# 1918834. On 12/12/2019 Detective Haynes proceeded to further the investigation. A criminal records check was conducted on Avila which returned with extensive criminal history which included crimes such as burglary, Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

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possession of burglary tools, and possession of credit cards without owners consent as well as a number of other criminal offenses. Detective Haynes proceeded to attempt to locate Avila through social media sites as a means of further positively identify him as the same individual who was seen to have made the purchases in the video recovered.

Detective Haynes located two Facebook accounts associated with Wesley Avila. The first is listed as Avila Services located at the address of <https://www.facebook.com/AvilaServicesLV/>.



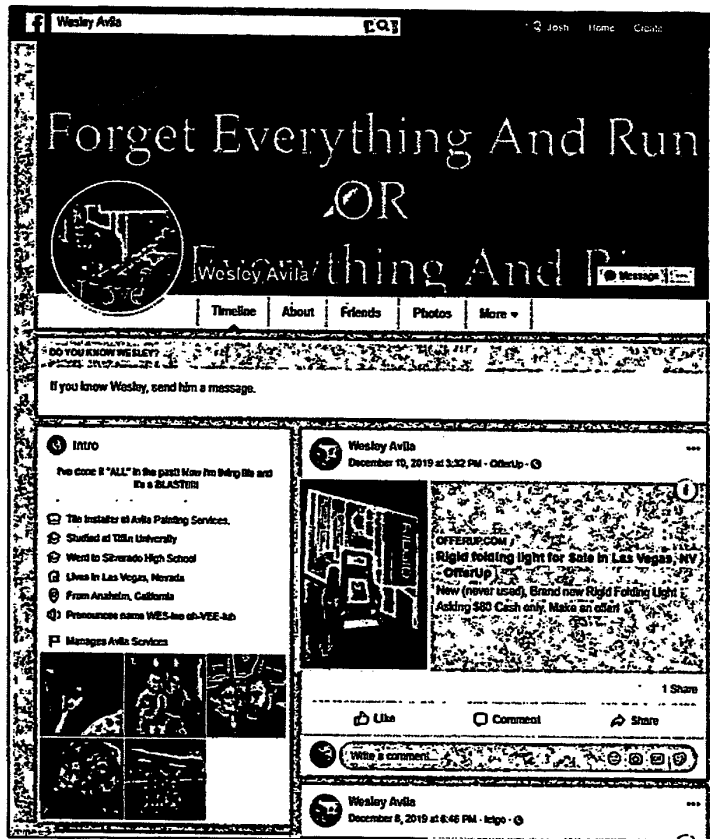
The second is a personal Facebook account for Wesley Avila which can be connected to through the Avila Services business Facebook page. The address for this account is as follows.  
<https://www.facebook.com/wesley.avila.7311>

*Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).*

[ FOOTERTEXT ]

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A Facebook preservation request was immediately applied for on 12/12/2019 upon the discovery of both of the Facebook accounts associated with Avila. Further investigation into the personal Facebook account of Wesley Avila revealed that he uses his personal account to sell a number of items. Among these items was a listing for a Ring Alarm System with motion sensors. This is critically important due to the fact that a ring Motion 2pk was purchased using the stolen credit card of Bowman on 12/01/2019. This purchase was made by Avila and his female accomplice on 12/01/2019 at approximately 1336 hours at the address of 7015 Arroyo Crossing Parkway Las Vegas, NV.

This item is listed in the receipt recovered from Home Depot as follows – 842861101607 RING MOT 2PK  
<A> 59.99.

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

[FOOTERTEXT]

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The screenshot displays a Facebook profile for Wesley Avila. The top navigation bar includes the Facebook logo, the name 'Wesley Avila', a search icon, and links for 'Josh', 'Home', and 'Create'. Below the navigation bar, the profile header shows 'Wesley Avila' with tabs for 'Timeline' and 'Recent'. The left sidebar contains sections for 'Photos' (a grid of images), 'Friends', and 'Life Events' (featuring 'Left Tiffin University 2014'). The main content area shows a timeline of posts. The first post is a link post from 'LETGO.COM' titled 'Used Sony Audio System for sale in Las Vegas - letgo', with a description: 'Used Sony Audio System for sale in Las Vegas - Sony Audio System posted by Amalia Avila in Las Vegas. Bluetooth friendly Must have Super loud Good for parties, gatherings, has mic hookups'. It has 2 shares and interaction buttons for Like, Comment, and Share. The second post is from 'Wesley Avila' dated December 4, 2019, titled 'OfferUp', with a description: 'OFFERUP.COM RING Alarm Combo-Contact Sensors & Motion Detector 2pk for Sale in Las Vegas, NV - OfferUp New (never used), YOU NEED TO HAVE: RING Alarm System becu it has the base to connect these brand new devices. I didn't realize that on black friday & ran out & past my budget. Make an offer!'. The third post is another 'OfferUp' link post from 'OFFERUP.COM' titled 'RING Contact Sensors for Sale in Las Vegas, NV - OfferUp' with the description: 'New (never used), RING Contact Sensors and to...'. At the bottom of the page, there are links for 'English (US) · Español · Português (Brasil) · Français (France) · Deutsch', 'Privacy · Terms · Advertising · Ad Choices · Cookies · More', and 'Facebook © 2020'.

This post was made as a link that connected an Offerup account which is connected to the user name of Amalia under the following profile address - <https://offerup.com/p/35001811/>. This link was followed which connected to an OfferUp profile which shows a clear image of Avila along with an unknown female. This female closely matches the female who can be seen on the video footage recovered from the Home Depot security system. This

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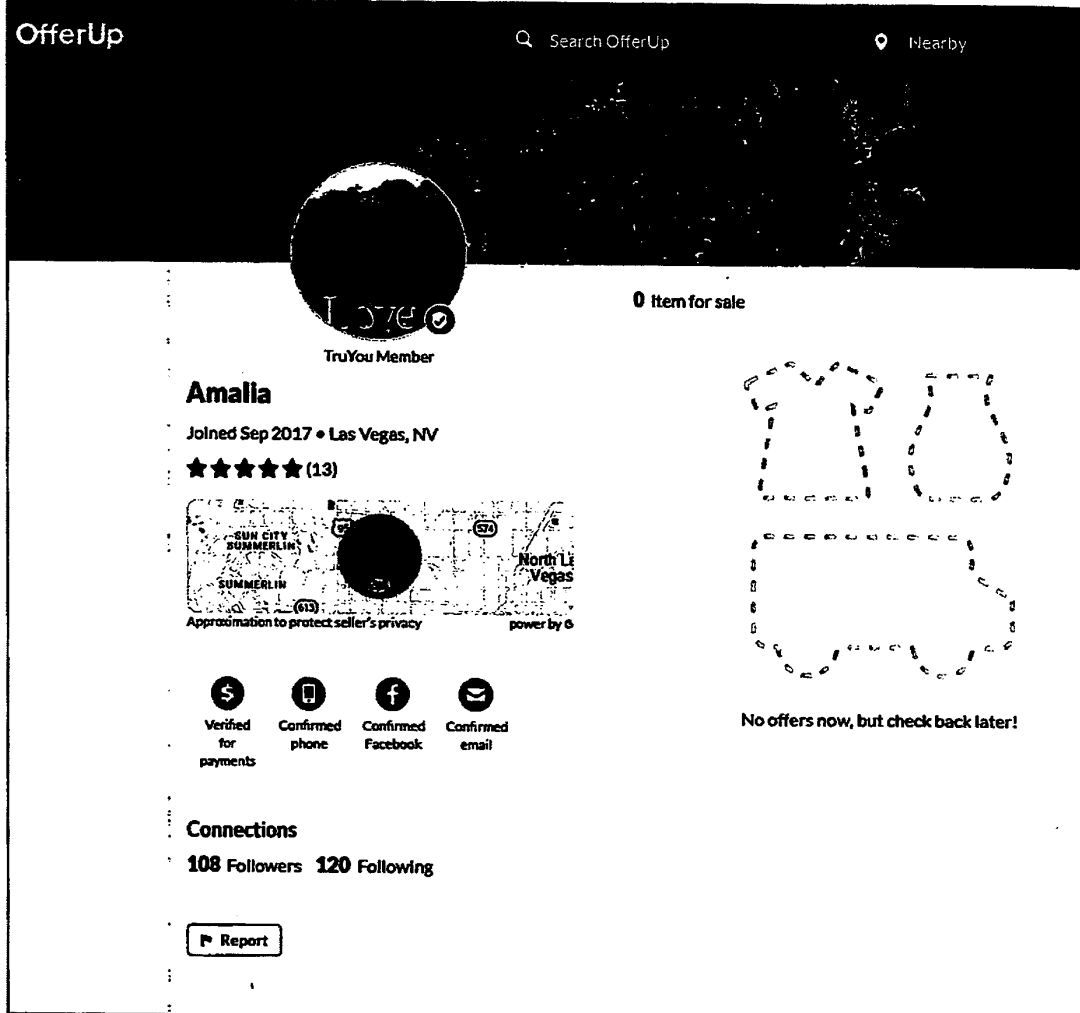
[FOOTERTEXT]

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female also closely matches the same female who can be seen in a number of photos on Wesley Avila's business and personal Facebook page posts.



In addition to the Ring Security system the following items were shown to have been purchased with the stolen Home Depot Credit card of Dean Bowman under the same transaction.

- Indoor Security Camera – white
- 4.5 Metal Cutting Diamond Blade
- Noell Pull-down Kitchen Faucet Stainless Steel
- Adapter set
- Metal cutoff blade
- X2 36 pack AA batteries
- 16 pack AAA batteries
- T&G Pliers
- Bolt Cutters
- Youth size sports balls

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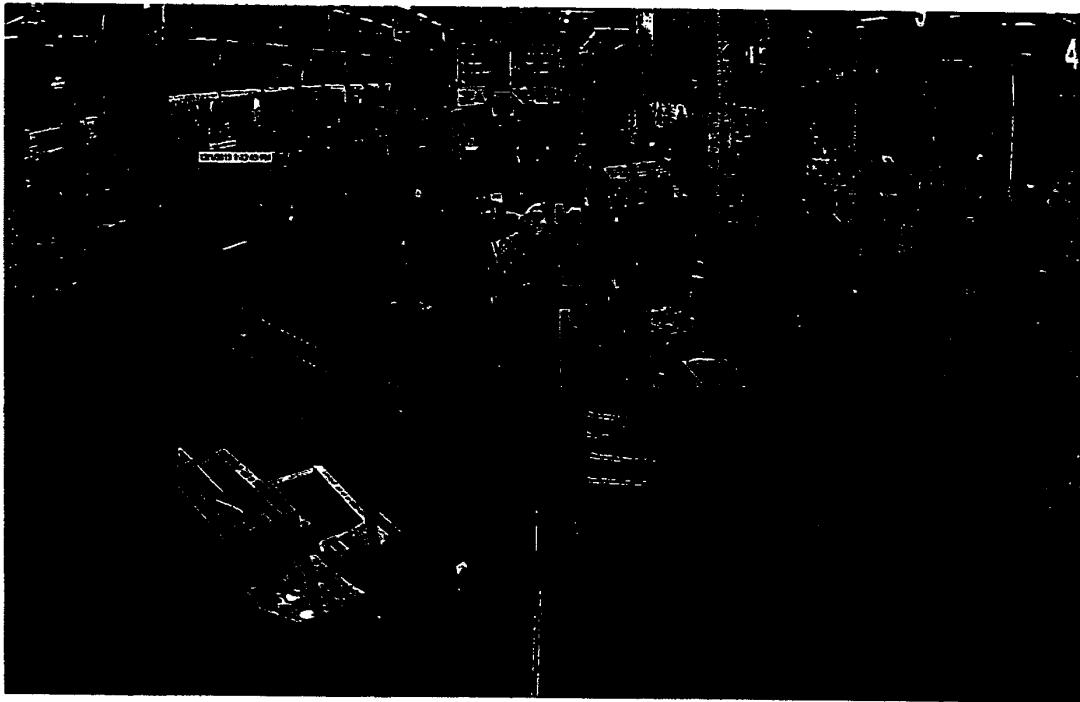
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- Door locks

These items are of specific interest. The Avila Services business page listed on Facebook is listed as a tile and home repair service. Included in the items purchased on 12/1/2019 are a number of items which are used in the process of home repair and improvement to include the above listed items as well as the items listed below. These items were purchased at the same location on the same date at a different time under a different transaction number. However, these purchases were made by the same individual using the same stolen Home Depot Credit Card of Bowman. These items are as follows.

- Portatorch – Lincoln Electric Oxy-Acetylene Port-A-Torch – Purchased 12/01/2019 1249 hours
- Ryobe 18v Impact Wrench Kit w/ 2yr replacement – Purchased 12/01/2019 1240 hours
- Tile Flooring – 12/12 Grecian White Octagon X20 pieces – Purchased 12/01/2019 0137 hours
- Tile Flooring – 12x24 Cascade Ridge-CA-15 X 6 pieces - Purchased 12/01/2019 0137 hours
- Versabond Bonding Mortar – White - Purchased 12/01/2019 0137 hours

All of the items listed to have been purchased are specific in the use of home upgrades and home repair. These items were purchased with the stolen credit card of Bowman by an individual who has been identified as Wesley Avila ID# 1918834. The ongoing investigation into Avila has shown that items which are exactly similar to at least one of those purchased have been listed and sold through Facebook and OfferUp under accounts that Avila is directly associated with or the owner of. The following photos shows Avila exiting Home Depot with said items.



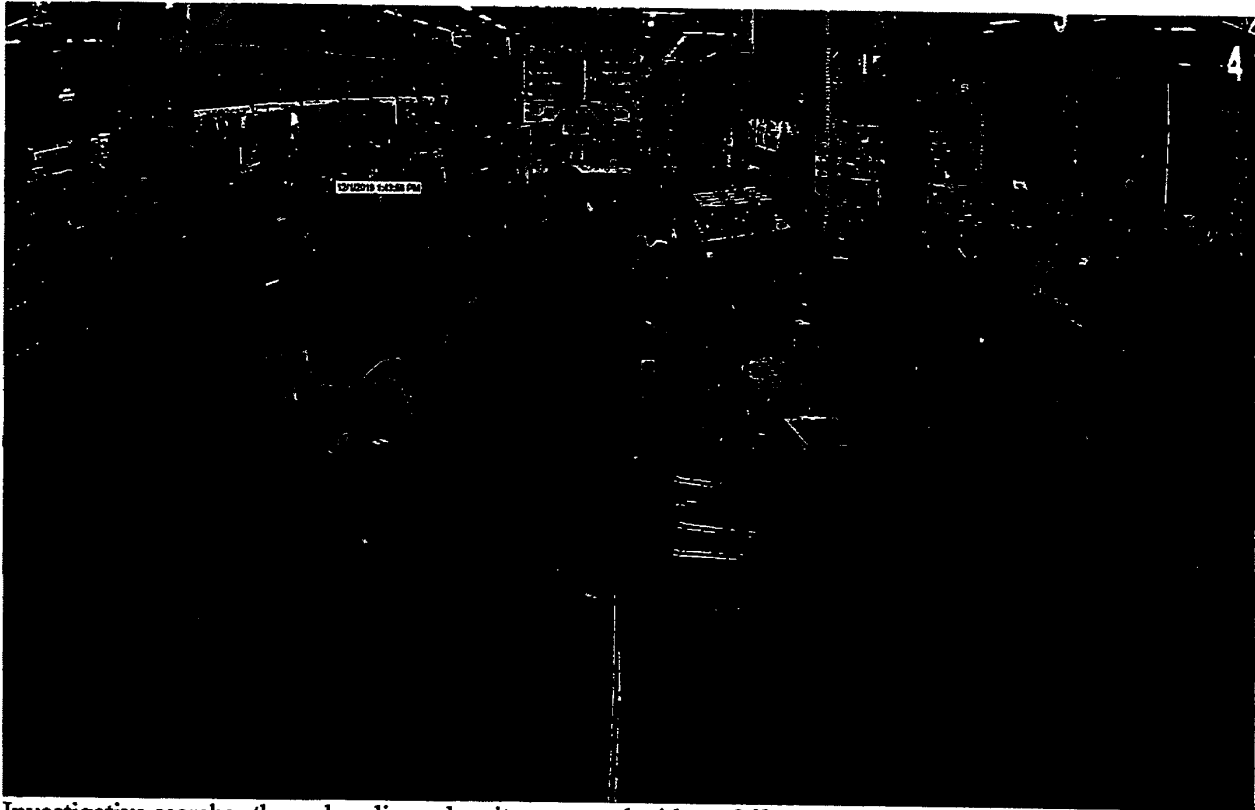
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Investigative searches through online sales sites returned with an Offerup Account associated with the User Name of mt\_asosa the following details are associated with said account.

Username: mt\_asosa

Email: itoldu237@gmail.com

Phone: 702-937-9065

Facebook ID: 10209721258258756

Further investigation revealed that this account was associated with an Amalia E Sosa DOB: 12/26/1986 SSN: 525-61-6055 who has been identified as the wife of Asosa, Wesley.

On 12/13/2019 Detective Haynes furthered his investigation regarding the female identified as Amalia Sosa. A Facebook profile for Sosa at the address of: <https://www.facebook.com/kraz37> was located. A request was immediately placed with Facebook to preserve the account details upon the discovery of this profile.

Further investigation into Sosa's Facebook profile revealed a phone number shown in an image of an advertisement she had placed on her Facebook for Avila Services. In this advertisement listed a phone number of 725-200-9427 was located. Records searches show this number is associated with an Avila, Wesley located at the address of 2320 Tucumcari Dr Apt 1010 Las Vegas, NV 89108.

A check at the Tucumcari Dr address returned negative when checking the area for the suspect vehicle. Area checked on 12/13/2019 at approximately 0830 hrs.

Facebook warrants were completed and sent to Facebook Inc. for both Avila, Wesley and Sosa-Avila, Amalia. These warrants will include Facebook Messenger records.

*Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).*

[ FOOTERTEXT ]

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On 12/26/2019 Detective Haynes made contact with CCSD School Police in an attempt to gain information regarding Sosa-Avila and/or Avila's listed address information by going through student information. Detective Haynes spoke with Dispatcher Garcia who provided a listed address for one a registered child Wesley Sosa-Avila at 364 Silverado Pines Ave. Las Vegas, NV 89123. Detective Haynes created a 463 under event LLV191200118402 and proceeded to check the address.

Detective Haynes proceeded to make contact at the address. The property was found to be empty and to have recently been vacated. Detective Haynes once again made contact with CCSD to determine what school Wesley Sosa-Avila was currently registered to attend. Once again Dispatcher Garcia provided information for an elementary school a short distance away John R Hummel Elementary school. Detective Haynes attempted to make contact at the school but was informed that due to the holiday vacation the school would not reopen for some time. Detective Haynes was able to determine that Wesley Sosa-Avila most recently attended school on 12/20/2019. That day being the last day before the Christmas Break.

Detective Haynes proceeded to conduct additional investigation regarding the address of 354 Silverado Pines Ave. There have been a number of criminal event created in December of 2019. Under event LLV191200013027 a 406v was created listing Wesley Avila as the suspect in an auto burglary involving the property management for the above address from which he had recently been evicted.

Under event LLV191200083043 a burglary was reported at the address. Under this report a number of new appliances were listed as having been stolen from the property. The victim of this event was the same victim from the previously listed event, Progress Residential located at 8485 W Sunset Rd # 103 Las Vegas, NV 89113. In both of these previous events the auto burglary and the residential burglary Wesley Avila is a common entity. Both of these crimes closely match the MO used by Wesley Avila.

Detective Haynes was able to locate an additional mailing address used by Wesley Avila of 9457 S Las Vegas Boulevard # 145 Las Vegas, NV. Detective Haynes proceeded to this address to conduct an area check. It was found that apartment # 145 was repeated a number of times in this complex. However additional research showed that numerous events have been reported to have taken place at the address of 9475 S Las Vegas Blvd Building 20 apt 145 Las Vegas, NV. These events being event LLV191100078353 and LLV191100078075. Research into these events show that Sosa-Avila and Avila were previous residents at these addresses and have been evicted since. Checks at these residences were negative in attempting to locate the suspects.

On 01/02/2020 Detective Haynes proceeded to conduct records checks into previous police contacts for Wesley Avila. These checks returned with a connection to a family member identified as Joseph Avila. Joseph's listed address is 9457 Las Vegas Bld Unit 145. This is the same address listed and checked previously which Wesley and Amalia list as their previous residence. When interviewed by patrol officers Joseph and Wesley Avila were in a 1992 Ford Explorer truck. This Ford Explorer was registered to the address of 2320 Tucumcari Dr #1010. A records search was conducted to attempt to determine who is currently living at the listed address. The return showed that Wesley Avila was previously listed as living at that address.

Contact made with a Courtney Lawson at the management company for Ashford Manor located at the address of 2320 Tucumcari Dr. Lawson advised to send a request on LVMPD letterhead requesting the required information. This request was sent via email and Lawson was able to confirm that Avila, Wesley and Sosa-Avila, Amalia were previously tenants at that address but have since moved out of the residence.

Detective Haynes proceeded to conduct online searches and investigations and was able to find a current Facebook post by Sosa-Avila, Amalia on 12/27/2019 to the personal Facebook account at <https://www.facebook.com/kraz37> looking to sell a Louis Vuitton wallet. This post can be seen below.

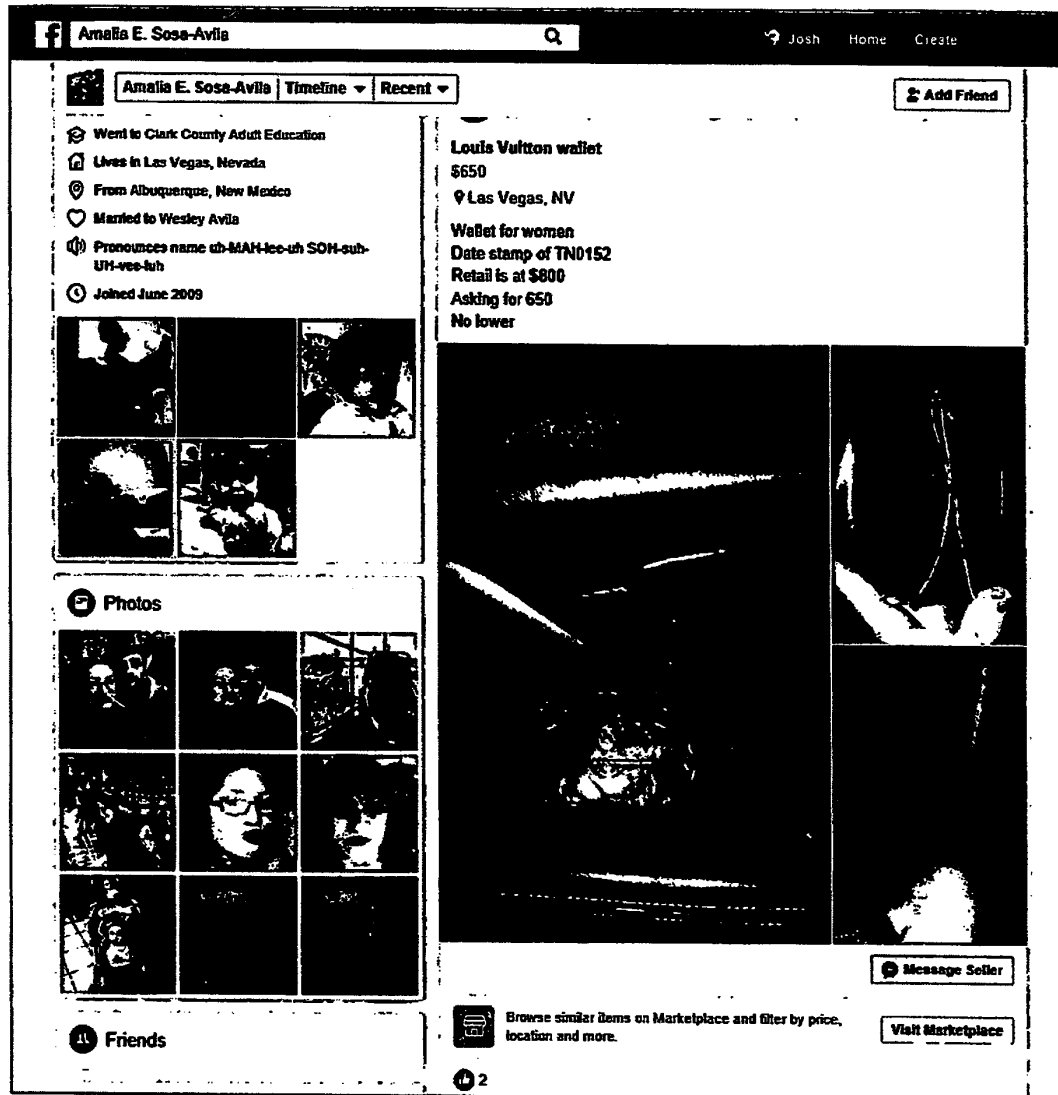
*Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).*

[ FOOTERTEXT ]

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Detective Haynes working with the Spring Valley Area Command Information Officer Samuel Wittwer P# 15218 was able to make contact with Sosa-Avila through facebook messenger in an attempt to setup a time to meet and purchase the listed item. Sosa-Avila responded to the text message and a meeting time was agreed to of 10am on 01/04/2019 at the address of 3485 S Rainbow Blvd, Las Vegas, NV 89146. This is Burger King with a wide open parking lot. The series of text messages between Sosa-Avila and Detective Haynes, using a fake Facebook account follows.

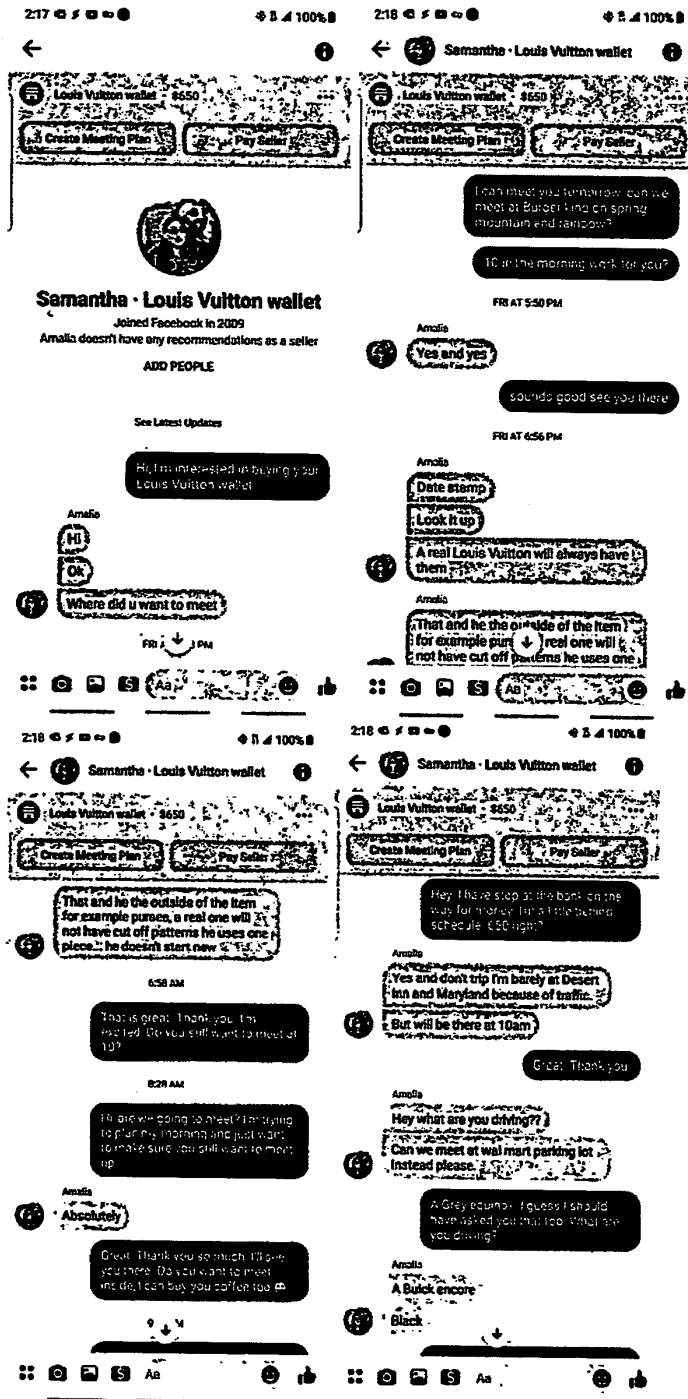
Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

[FOOTERTEXT]

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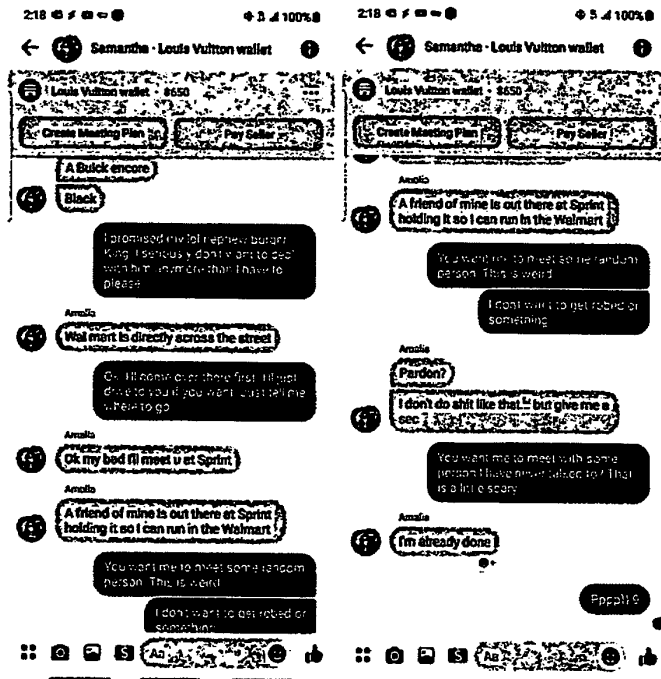
Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

[ FOOTERTEXT ]

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On the morning of 01/04/2020 Detective Haynes created an event under LVMPD event number LLV200100016469. The purpose of this event was to put in place a controlled operation to meet with Sosa-Avila and take her into custody in an attempt to recover the stolen property and make contact with all suspects involved. The original agreement with Sosa-Avila was to meet in the parking lot of 3485 S Rainbow Blvd. Las Vegas NV. Shortly before Officer arrival, as can be seen in the text messages, Sosa-Avila changed the address and location to the parking lot of the Walmart directly across Spring Mountain Rd. from the above listed address.

As Sosa-Avila was sending these text messages to the account being used by Detective Haynes Officer B. Rose P#9661 could see an unidentified male adult walking through the parking lot of the Burger King at 3485 S Rainbow Blvd looking into each of the parked vehicles and taking photos of the vehicle license plates with his cell phone. This information was relayed to all Officers involved in the operations. As this was taking place Sosa-Avila agreed to meet with Detective Haynes, believing he was a female names Samantha, at the address of 3531 S. Rainbow Blvd. Las Vegas, NV 89103. This business is located inside the same parking lot as the Walmart previously referred to.

Officers observed a female matching Sosa-Avila's description along with an unknown male standing to the back of the spring store. Two marked black and white patrol vehicle immediately approached Sosa-Avila and the unknown male and proceeded to make contact. At the same time Detective Haynes and Detective Haynes moved into position to block Sosa-Avila as she attempted to flee back to a black vehicle she was driving. Officer immediately took Sosa-Avila and her companion into custody upon Detective Haynes' order. Detective Haynes had a number of criminal felony charges for Sosa-Avila's arrest to include Burglary, Possession of Credit Card W/O Owners Consent X5, Fraudulent Use of Credit or Debit Card X5, Buy/Possess/Receive Stolen Property, Conspiracy to Commit Burglary. Each of these charges was in direct relation to her use of the victim,

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

[ FOOTERTEXT ]

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Dean Bowman's, Home Depot card to make a number of illegal purchases at the Home depot located at 7015 Arroyo Crossing Las Vegas, NV.

Detective Haynes recognized the male as Joseph Avila who was previously identified as the brother of Wesley Avila. Detective Haynes knew that Joseph Avila was a convicted felon who had failed to keep his address current. As result probable cause existed upon contact to take Joseph Avila into custody for failure to keep his address up to date.

Upon taking Joseph Avila into custody Officers proceeded to conduct a search incident to arrest. Officer J. Chavez P#17237 working as marked patrol unit 2p46 proceeded to search Joseph Avila pockets and shoes. Upon removing the shoes of Joseph Avila a number of shaved keys, commonly used in the crimes of burglary, were located in his socks. Each of these keys was handmade and resembled the master keys used by the USPS when making entry into postal boxes. In addition a number of other keys were located which were shaved in nature and resembled those used to commit auto burglary and auto theft. In addition Joseph Avila was found to be in possession of a fraudulent identification which pictured his face but had the personal identifying details of another printed upon it. Lastly Joseph Avila was found to be in possession of a clearly Forged Credit Card which could be seen to have been modified by attempting to change the embossed numbers on this card. Each of these items was impounded under LVMPD event number LLV200100016469 as evidence to the crimes committed by Joseph Avila.

Both Joseph Avila and Sosa-Avila were transported back to Spring Valley Area Command where both individual were interviewed by Detective J. Haynes. Both Joseph Avila and Sosa-Avila were read their Miranda Right by Detective Haynes at 1130 hour to which each individual stated they understood their rights.

Detective Haynes interviewed Sosa-Avila, Amalia first. A summary of this interview follows.

Amalia stated to Detective Haynes initially that she had no information regarding any auto burglary that could have been committed. Sosa-Avila went on to state that she was innocent for some time. After a short period of speaking Sosa-Avila changed her story. She eventually told detective Haynes that she received the Home Depot credit card from an acquaintance she knows only as Sporty. According to Sosa-Avila Sporty owed her and Wesley Avila approximately 2,000 dollars for work they completed for him and giving them the Home Depot card was his way of repaying them. As the interrogation went on Sosa-Avila admitted to Detective Haynes that she knew the credit card she claimed to have received from a man named Sporty was stolen. She went on to state that she and Wesley Avila proceeded to use this Home Depot credit card a number of times to purchase various items. Sosa-Avila claimed that she gave most of the items away. However, when pressed about the previously mentioned Facebook post selling items that were purchased with the use of Dean Bowman's Home Depot credit card Sosa-Avila admitted that she and Wesley Avila had sold the Ring Security system through Offerup. When asked about the other items purchased Sosa-Avila would not answer Detective Haynes when he inquired as to where they were. She repeated that she had simply given them away.

Sosa-Avila admitted to detective Haynes in an audio and video recorded setting, under Miranda, that she had knowingly used a stolen credit card to make a number of illegal purchases. Sosa-Avila admitted that she, along with her legal husband Wesley Avila committed the crimes of:

Burglary

Possession of Credit Card W/O Owners Consent (5 counts)

Fraudulent Use of Credit or Debit Card (5 Counts)

Buy/Possess/Receive Stolen Property

Conspiracy to Commit Burglary

Detective Haynes concluded the interview with Sosa-Avila and proceeded to make contact with Joseph Avila. Detective Haynes, while audio and video recording Joseph Avila, proceeded to ask him a number of questions. A summary of this interview follows.

*Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).*

[ FOOTERTEXT ]

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Detective Haynes asked Joseph Avila if he was aware of the previously committed auto burglary that had been completed. Avila denied any involvement. Detective Haynes went on to ask Joseph Avila about his relationship with Wesley Avila and Amalia Sosa-Avial. Joseph Avila stated that he knew that they were involved in some illegal activity as a result would try to limit his interactions with them. Joseph had no information to give regarding the ongoing investigation of Sosa-Avila and Wesley Avila.

Detective Haynes proceeded to ask Joseph Avila about the shaved keys which were found in his possession. Joseph Avila attempted to claim that he had simply found those key but could not tell detective Haynes why he kept them or put them into his socks. When pressed harder Joseph Avila could not answer with any clarity why he was in possession of items often used to commit Burglary. It is important to note that Joseph Avila has a long criminal history of Burglary and has previously been convicted for Felonies for the same. When asked about the Fraudulent Credit card Joseph Avila claimed that he had "just found it" and put it in his wallet. Again when pressed for details, Joseph Avila could not answer with any clarity or verifiable truths. Lastly Joseph Avila was asked about the fraudulent identification. Joseph Avila admitted that it was him in the photo but claimed that it was an old piece of identification that "a friend" had made for him.

Detective Haynes asked Joseph Avila pointedly if he knew that possession any of these items, the shaved keys, the fraudulent credit card, or the fraudulent identification were against the law. Joseph Avila admitted that he knew that it was a legal violation. Joseph Avila has been previously arrested and prosecuted for each of the crimes he is currently being charged for. Those crimes being.

Possession of Burglary Tools

Possess Document or Identification to Establish False Status/Identity

Forgery of a Credit Card.

Transcriptions of both interviews will be available upon request.

Both Sosa-Avila, Amalia and Joseph Avila were arrested and charged accordingly. Each were transported to Clark County Detention Center where they were booked accordingly.

\*\*\*\*\* End \*\*\*\*\*

*Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).*

{ FOOTERTEXT }

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LAS VEGAS METROPOLITAN POLICE DEPARTMENT

**VOLUNTARY STATEMENT**

PAGE 1

EVENT #: 191299999832

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**SPECIFIC CRIME:** BURGLARY/AUTO BURGLARY/POSSESSION OF STOLEN CREDIT  
CARDS/FRAUDULENT ACTIVITY

**DATE OCCURRED:** 11/30/2019 **TIME OCCURRED:** 1800-1830

**LOCATION OF OCCURRENCE:** 3226 SPRING MOUNTAIN RD LAS VEGAS, NV 89102

**CITY OF LAS VEGAS**

**CLARK COUNTY**

---

**NAME OF PERSON GIVING STATEMENT:** AMALIA SOSA-AVILA

**DOB:** 12/26/1986

**SOCIAL SECURITY #:** 525-61-6055

**RACE:** W

**SEX:** F

**HEIGHT:** 5'8"

**WEIGHT:** 195

**HAIR:** BROWN

**EYES:** GREEN

**HOME ADDRESS:**

**PHONE 1:**

**WORK ADDRESS:**

**PHONE 2:**

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The following is the transcription of a tape-recorded interview conducted by Detective J. Haynes, P# 14010, LVMPD Spring Valley Area Command Patrol Investigations Section, on January 4<sup>th</sup>, 2020 at 1230 hours.

Q: Operator, this is Detective J. Haynes, P# 14010, with the Las Vegas Metropolitan Police Department Spring Valley Patrol Investigation Section conducting a taped interview with Sosa, S-O-S-A, Avila, A-V-I-L-A. First name Amalia, A-M-A-L-I-A. Social Security Number 525-61-6055. Date of birth, 12-26-1986 to be a Hispanic female adult. Approximately 5'8" in height, 195 pounds with brown hair and green eyes. This interview is being conducted at Spring Valley Area Command 8445 Eldora Street. The date is 01-04 of 2020. The time will be 1230 hours.

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**VOLUNTARY STATEMENT**  
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EVENT #: 191299999832  
STATEMENT OF: AMALIA SOSA-AVILA

This interview is being conducted as part of an ongoing investigation calving-  
involving the crimes of burglary, auto burglary, possession of stolen credit cards  
and fraudulent activity, which occurred on 11-30-2019 at approximately 1240  
hours at the location of - hold that, 3226 Spring Mountain Road, Las Vegas,  
Nevada, 89102.

Q1: The Arroyo Crossings, Las Vegas, Nevada.

Q: The fraudulent activity took place at 7015 Arroyo Crossings, Las Vegas, Nevada  
under LVMPD Event# Lincoln, Lincoln, Victor, 191299999832. What is your  
current phone number?

A: Mmm...

Q: What number do you use for contact or whatever?

A: 702-721-9318.

Q: Do you work right now?

A: Yeah.

Q: Where do you work at?

A: I own a business, a cleaning business.

Q: Which one? What's the name of it?

A: It's called OCD Clean, Inc.

Q: Okay. Okay. So you're self-employed?

A: Mm-hm.

Q: Okay. What address do you use for that?

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**VOLUNTARY STATEMENT**

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STATEMENT OF: AMALIA SOSA-AVILA

A: Uh, I use my mom's.

Q: What address?

A: 2995 East Sunset.

Q: Is that an apartment?

A: Uh, it's a condo.

Q: And what's the unit number?

A: Um, E213.

Q: Do you know the zip code?

A: Uh, 89120.

Q: 120?

A: Yeah.

Q: Okay. Is there a preferred time to contact you?

A: Um, like afternoon.

Q: Okay.

A: Morning.

Q: Aft- after 12:00-ish.

A: Morning - afternoon - well before 'cause I'm usually up in the morning to take the kids to school, so...

Q: Okay. Are they still going to the same school over there by...

A: Mm-hm.

Q: ...like, uh, the casino over there and stuff? That whole area?

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**VOLUNTARY STATEMENT**

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STATEMENT OF: AMALIA SOSA-AVILA

A: By the South Point?

Q: South Point in that area?

A: Yeah.

Q: Yeah. Mornings then.

A: And, uh, that's cool.

Q: Okay. Um, I informed you your Miranda rights. Okay. I'd like to talk to you about your involvement and everything we've been talking about. Um, I revised you of your Miranda rights at 10:30. Okay. You acknowledged your rights, is that correct?

A: Uh-huh.

Q: Yes?

A: Yes.

Q: Okay. So - do you want - I don't know if calling him again is gonna make a difference. He's just gonna yell on the phone. Do you want to try to call him again? What number is it that you're gonna call?

A: Mmm, 725 number.

Q: Do you know it?

A: Uh, I don't know it. But hers.

Q: Okay.

A: Not him.

Q: Can you just go ahead and open it up and tell me what the phone number is, so I

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**VOLUNTARY STATEMENT**

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STATEMENT OF: AMALIA SOSA-AVILA

can document it?

A: 725-219-1379.

Q: 725-219?

A: Mm-hm.

Q: What is it? 7...

A: 1379.

Q: 1379. And that's - that's, uh, Wesley's phone?

A: Mm-hm.

Q: Is that a pay as you go?

A: Um...

Q: Like, uh, like...

A: I think one of his friends got it for him.

Q: Okay. So it's not his? Well it is his.

A: Well it is his, but...

Q: It's not in his name.

A: Right. His friend gave it to him.

Q: Okay. All right. Then go ahead and call him. As soon as it starts going crazy though, we're gonna hang up the phone. Okay?

A1: Hello.

A: Hey....

A1: Hi babe.

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**VOLUNTARY STATEMENT**

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STATEMENT OF: AMALIA SOSA-AVILA

A: ...you're on speaker.

A1: Okay.

A: So I don't know - I don't know. I don't know what to do here, but I just know that I wanna go home to the kids and that's it.

A1: Baby, you sent - you lawyer up. That's what you do.

A: I know that. But I wanna go home.

A1: I told you they're trying to fuckin' interrogate you right now, man.

Q: Haven't even talked to her yet?

A: They haven't - we haven't even - babe, they - they haven't asked me anything really.

Q: I don't need to speak to her. Do you understand that?

A1: Okay. So...

Q: I'm trying to give you an opportunity to do right by your wife.

A: Just...

A1: Do right? You want me to fuckin' admit and you know by turning myself in, which I didn't - which I'm not guilty of.

Q: Okay. That's fine. That's fine.

A1: I would - that's my fuckin' life and I'm not doin' wrong, officer.

Q: If you wanna talk, come talk to me. We're at, uh, Eldora.

A1: (Unintelligible) you guys.

Q: I don't understand what his deal is. Okay. Listen.



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**VOLUNTARY STATEMENT**

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STATEMENT OF: AMALIA SOSA-AVILA

A: It's not like you guys asked me anything. I'm just...

Q: I know and that's - that's the thing. And I'm being completely honest, right?  
Have I lied at any point about anything? I haven't. There's - this is the thing  
Amalia, I don't...

A: It's Amalia.

Q: Amalia. I'm sorry, Amalia. It's - I'm terrible with names. I apologize. Um, this is  
the thing. I - I don't - I don't have to talk to either one of you guys. The video is  
so clear. Um, I mean, the video is so clear that it led me directly back to you  
guys. It's clear enough, they gave me these pictures. These pictures are so  
good, that I was able to pull - and that's only two of them. But I was able to pull  
facial recognition and clearly get identities from both of those photos as well as  
the tattoos on the sides of your necks. Okay? I have documentation of every  
transaction that was made using that debit card - that Home Depot card. Um...

A: Wait a minute, we didn't - we didn't do that though. It was given to us.

Q: I watched the whole transaction.

A: No, I'm talkin' about the car.

Q: Okay. Well we're gonna talk about that. Okay?

A: It was given to us by a guy named Sporty.

Q: Okay. Well we're gonna back up and talk about it. But this is the thing, 'cause  
I'm not even charging you with the car thing. I'm not charging you with the - with  
the burglary of the vehicle. None of that. I'm charging you with five counts of

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**VOLUNTARY STATEMENT**

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STATEMENT OF: AMALIA SOSA-AVILA

burglary.

A: What?

Q: And every time you guys ran that card - it was run five times. It's a charge for burglary.

A: Mmm.

Q: Five for three counts of possession for a credit card without owners' consent. Five counts of fraudulent use of a credit card and then buying possession with stolen property.

A: Mm-hm.

Q: Five counts.

A: Uh-uh.

Q: Now those are all felonies. That's 20 felony charges right there.

A: Uh-uh.

Q: Okay. Um, that's a total of 23 felony charges. With your criminal history and what we're lookin' at...

A: I already know.

Q: I know you know. Well you probably know better than I do.

A: I know.

Q: And your - your husband for whatever reason seems to think I'm playing a game and I don't have any - any way to talk to you. I have enough that I was already able to get warrants on a number of your guys' pieces of social media. Okay? I

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STATEMENT OF: AMALIA SOSA-AVILA

have plenty. Now again, this conversation we're gonna start talkin' about exactly what happened. Okay? I need you to explain to me what happened.

A: I don't know.

Q: I know you - there's - there's pieces. And I need you to fill in the gaps for me.

Um, but obviously you guys did use the credit card. You - you - you became...

A: We had permission though.

Q: You did not from the owner.

A: Mm-hm.

Q: Sporty is nowhere - now- nowhere on the owner's name of that card.

A: I - I know. Well it's a nickname.

Q: Right. But - okay. So why don't you back up and tell me exactly what happened then?

A: Uh, he called us up 'cause I told - I was stressing out about meeting these deadlines was like all the jobs that we were supposed to be getting and then getting presents and blah - blah - blah. And he just - he owed us money - Sporty did. I never knew...

Q: And that's his real name is Sporty?

A: ...I don't know what his real name - I don't know what his real name is.

Q: How do you - how do you contact him?

A: I thought his real name was like - like Dean there's D - D. Something like that, but I never really asked him and his real name 'cause it's not something I just ask

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**VOLUNTARY STATEMENT**

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people.

Q: And how do you even contact this guy then?

A: Uh, well he used to have a phone number that we used to call until he like tried to, um, get this girl that lives in my old apartment to like, uh, fight with me for some reason. And she ended up...

Q: Which apartment was that?

A: At the 145...

Q: The Southwest - West Boulevard?

A: Uh-huh. And the girl - that me and her had exchanged words. And supposedly he was trying to tell her that I was stealing from her when I wasn't. I never even been in her - back over there. All I did was kept checking my mail because I had a key to my mailbox until she changed it, which from that point forward, I never went back over there. And after that, uh, pretty much me and her, yeah, exchanged words. And she came running outside, uh, when I went over there - why she came running outside with an axe or something. And I told her to put it down. And then she didn't want to, so like I grabbed my, uh, my nightstick, um - um, like it's a retractable one. I went and grabbed that out of my car. And then, uh, um, she swung first, so I swung back. And she ended up hittin' me in my arm like I don't know if you see that.

Q: Well but how does this have anything to do with the...

A: Because this - that's the - I'm telling you, like, why, like, this Sporty guy that's like

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STATEMENT OF: AMALIA SOSA-AVILA

- he was my neighbor.

Q: Okay.

A: So I never really asked him like...

Q: So...

A: ...what the hell his name was. It just didn't occur to me.

Q: So he - he just happened to have this...

A: Well he owed us money. So, like, he just told us to go ahead and go - go and get what we needed. And that was it.

Q: Okay. Okay. And what does Sporty drive?

A: Uh, a big ass truck.

Q: Okay.

A: A gold.

Q: Well that day you guys were driving a blue hatchback.

A: A blue hatchback.

Q: Yeah.

A: Yeah. Um...

Q: Whose car is that?

A: That was the same car that you, yeah.

Q: The one - the little Buick?

A: Yeah.

Q: It looked blue in the picture.

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**VOLUNTARY STATEMENT**

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STATEMENT OF: AMALIA SOSA-AVILA

A: It's not even a hatchback.

Q: Well SUV style, whatever. It was that one?

A: Yeah.

Q: It looked blue.

A: It was blue.

Q: What'd ya - oh you guys spray painted or somethin', huh?

A: Well yeah. 'Cause it was ugly. It was like too gray.

Q: So you guys painted that thing down for the blue.

A: Mm-hm.

Q: Okay. That makes more sense. Okay. So he just gave you this card and told you guys to just go ahead and go use it?

A: Yeah.

Q: Buy what you wanted?

A: Yeah.

Q: How much money did he owe you?

A: He owed us, uh, mmm, well over like 2 grand.

Q: Okay.

A: We did tile for him too - before. And he said, like, 'cause it would help him out with his rent. So like of course big-hearted person like he - he just decided to, you know, come up with a tile job. So that's how that ended up happening.

Q: Okay.

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**VOLUNTARY STATEMENT**

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STATEMENT OF: AMALIA SOSA-AVILA

- A: I'm sorry things just were like that. I didn't know that none of that stuff.
- Q: Well it's, uh, just one of those things where, um, like if you made a purchase, right? If you made one purchase that'd be the one thing, but you guys went back-and-forth...
- A: Yeah.
- Q: ...five times...
- A: Mm-hm.
- Q: ...over the process of whether that's really (unintelligible).
- A: For a few days.
- Q: One day? The first - well the first day I'm talkin' about - the first day you went in there five times back-to-back...
- A: Uh-huh.
- Q: ...and purchased things.
- A: Yeah.
- Q: Everyone left property back-and-forth to the car, to repurchase things.
- A: Yeah.
- Q: Why - why in and out so many times?
- A: Um, because I never got what I went in there for. 'Cause I have a problem with spending.
- Q: Problem with spending?
- A: Yeah. Like - like when I wanna go to Walmart too.

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- Q: So what - what does that mean? I don't understand.
- A: Like I go in there and I can - usually I'll come out bro- broke, but I get so sidetracked with what else I need, that I just seem to grab that and totally forget.
- Q: Well why would that - why would that matter if you weren't even gonna spend your own money? You're spending money that belongs to somebody else, so...
- A: Because I was trying to stay within a budget, so that way overdue their - their situation.
- Q: Okay.
- A: And then having to owe them, if I went over.
- Q: Okay. What happened to all the stuff you guys bought?
- A: Um, we gave it away.
- Q: You bought stuff at Home Depot and just gave it away?
- A: Yeah.
- Q: You sure about that?
- A: Yeah. Like, they were presents, yeah.
- Q: Okay. So you didn't sell any of it?
- A: Uh-uh.
- Q: Especially not that - that Ring system on OfferUp?
- A: Mmm, that was it. And that - I really didn't wanna do that. 'Cause I really wanted that thing.
- Q: But - so, I mean, obviously you bought items and you resold them over the



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internet or at least one of them. The Ring that...

A: Yeah. I just sold one of them because the other ones I still have them and I use them.

Q: Where are those at?

A: Uh, they should've been in the car. If they're not in the car, then I think I have them either at my - my mom's, my - or my sister-in-law's, but I'm not quite sure exactly.

Q: Your mom's over on Easterns- Eastern.

A: Yeah.

Q: Um, do you know your mom's phone number?

A: Yeah.

Q: Because that's gonna be important.

A: Yeah.

Q: What is her number?

A: 702-273-4741. Her name is Janice.

Q: J-A-N-I-C-E?

A: Uh-huh.

Q: And she has your kids?

A: Yes, all three of 'em.

Q: Do you guys live there right now with your mom?

A: No, I don't - I don't live there.

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Q: Where do you guys live right now?

A: Uh, we kinda don't.

Q: I know 'cause you got evicted from your last place.

A: Uh-huh.

Q: So where you guys been sleepin'?

A: So, I mean, I've been sleepin' in the car. That's why the little kids are stayin' at my mom's 'cause I'm not tryin' to drag my kids along in - in the turmoil that we're going through. And...

Q: Okay.

A: ...until I could fuckin' wrap my head around what the hell is goin' on and like either get with the program or change things. I have...

Q: You - you...

A: ...started - needed to change my environment.

Q: ...you - you do - you do.

A: Yeah.

Q: I mean, that's actually is speaking the truth.

A: I know.

Q: I mean...

A: Yeah.

Q: ...'cause of what you got goin' on right now is not - not, I mean, obviously it's not good. 'Cause it ain't helpin' you at all.

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- A: Right. I know.
- Q: Um...
- A: That's why like my kids are at my mom's and then...
- Q: How were you - did you have your kids...
- A: ...any money I get I pretty much go and spend it on whatever they needed.
- Q: Did you have your kids before you got locked up the first time?
- A: Did I have my kids...
- Q: Yeah. 'Cause you went through that, uh...
- A: Oh yeah.
- Q: ...confessor's program, right?
- A: That - that was, um, yeah. That was - yeah, I kinda had my kids going along with me.
- Q: Going with...
- A: Like they would - when I got evicted, uh, I was kinda like not willing. My pride was too...
- Q: Too big?
- A: Yeah. Too big and I wasn't able to see what was better for them, which was to not be drivin' around with me all day long. And like nowhere to go. Like it wasn't what I wanted for them, but that's what I did.
- Q: Where - where did they - when you were in prison - 'cause you were in prison, right? Were you in the Nevada State?

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A: Uh-huh.

Q: For how long?

A: For two years.

Q: So where'd they live when you were in Nevada State?

A: Uh, they lived with my brother and my mother-in-law.

Q: Okay. Okay. And then, um, so the stuff that was purchased, I mean, you said you gave a lot of it away. What do you have left?

A: Nothing.

Q: Nothing?

A: Yeah. Nothing.

Q: Well you just told me you had some of the Ring things.

A: Except for the Ring.

Q: Where are those at?

A: I don't remember exactly where they're at.

Q: Okay. Are they...

A: They're either at my mom's...

Q: Are they...

A: ...or like at my - my sister-in-law's. I could ask my sister-in-law.

Q: ...or - or in that car?

A: No, they're not in the car.

Q: Well you said they might be in the car when we were talkin'.

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A: Well they might be, but I don't think so.

Q: What's your sister-in-law's name?

A: Uh, Jessica or Francine.

Q: Both of those names or one of those names?

A: Both of those names.

Q: Two different people...

A: They're two different people.

Q: ...or two different - Francine. Okay. With the Sosa?

A: No, uh...

Q: Or is it Avila - Avila?

A: Uh, well Jessica is Avila. And then Francine is Muldoon.

Q: Muldoon?

A: Uh-huh.

Q: Do, uh, you guys live and back-and-forth to scratch everyone's whim?

A: Mmm. Yeah. Like I don't go to my mom's unless I'm just taking the kids over there or unless I'm talking to her about the kids or like we're tryin' to like she's just tryin' - my mom is there to just help me with the kids.

Q: Okay.

A: Like in any way she can. But, um, a long time ago, like I didn't ruin my chances of living there, but someone else ruined my chances of ever staying there.

'Cause now the trust is very slim with that whole situation because I've asked if I

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could stay there, but it - I was told no, so...

Q: Wesley?

A: ...I, yeah. I, like, pretty much respect that decision to the fullest and I wouldn't put that on anybody.

Q: Sure. How - how long you been together with Wesley?

A: Like eight years.

Q: Eight years. A good eight years? Bad eight years?

A: But - ups and downs.

Q: Does it surprise you that he put you in this position? I mean, why - why - I don't understand why he'd be so willing to just say take the ride. Like he thinks that - that we - I can't - I can't do what we're doing if I don't have charges. You know what I mean? That's against the law for me to do that. I would never do that because it puts me in jeopardy. I - I'd get in trouble. So, I mean, do you - do you think that he thinks that I'm dumb enough that I don't have somethin' to work with or what - what is his deal?

A: Well I just...

Q: I mean, for him to put you in this position...

A: ...I just think that he doesn't know like because they were givin' to us by Sporty. So, like, we didn't think anything of that.

Q: Okay. But where - where you're gonna have a problem with that - with that defense, is that Sporty is a nonexistent. Nobody knows who Sporty is. So

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what...

A: He is existent though.

Q: Right. But - but in the grand scheme of things you can't even tell me the guy's real name.

A: He's at - hold on, he's at 115...

Q: In that - in that...

A: Yeah.

Q: ...what 145 South Boulevard?

A: Or yeah. Not 145, uh, 9- 9547.

Q: Number 115?

A: Mm-hm.

Q: What building?

A: Uh, I don't know the building numbers. None of them. It's the one that's like, if you're looking out from the apartment that I was living at, he's like over there.

Q: Hm.

A: This building.

Q: And this...

A: The very next building.

Q: Well...

A: The very next building.

Q: ...the other - other part of it is gonna make it hard is your guys' history, right?

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You got a history of...

A: I know.

Q: ...fraudulent shit...

A: It's the whole point.

Q: ...and stolen burglary and all this stuff.

A: That's...

Q: So Sporty kinda set you guys up. It was a perfect setup, because there is - I can't see many juries believing that some random dude committed an auto burglary and stole somebody's debit card or - or Home Depot card that wasn't even...

A: Setup.

Q: ...it wasn't even activated yet. You then activated that card.

A: He didn't tell me that. It didn't come after...

Q: Okay. Well see you know more than I do then. 'Cause the card had never been used.

A: Mm-hm.

Q: And - but, I mean, he just steals a card and says, "I think I'm gonna give this to these people that I owe money too." I mean, this - this is - my advice to you is this, okay. The - the CYA save your ass type of thing is the more - and you - you've dealt with police quite a bit. You know the game. So you know what I'm telling you is true or not true, right? But with what you're giving me right now,



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there is absolutely nothing that I'm gonna be able to write in this report that's gonna reflect good on you. You're not assisting.

A: How am I not?

Q: You're not - you're not because you're not telling me anything that's remotely indic- indicative of the truth.

A: I just told you where - where I got it from.

Q: Just some dude named, Sporty. He just bought you...

A: No, that's his name. Oh my God. He said his name is Sporty.

Q: Mm-hm.

A: That's how I was introduced by him.

Q: How long did you live at that address?

A: Uh, I'd say about maybe at most six months.

Q: And your husband did \$2000 worth of work for this dude and you only know him as Sporty?

A: Well yeah.

Q: Okay.

A: I mean, like, I'm not tell - I'm not lying to you.

Q: No, it's okay. I mean, it's just I - okay. Let me ask you this. Who did you sell that Ring too?

A: Uh, a guy on Off, uh...

Q: OfferUp?

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A: Yeah.

Q: Okay. Do you remember his name?

A: No.

Q: Did he - did he call you?

A: Did he call me?

Q: Yeah. Did he ever call you on the phone?

A: Yeah. Yeah.

Q: You guys exchanged phone numbers?

A: Yeah.

Q: Do you still have his phone number?

A: I think so.

Q: Okay. Give me that phone number.

A: Where's OfferUp? I'm trying to find the archive. I know it's...

Q: Um, let me see if someone has it. It doesn't matter. Because I'll, uh, I'll just get a search warrant for OfferUp and go through it that way. It doesn't matter. Okay. Um, I'll tell you really don't - I mean, there's - let me ask you this. If I - if I want to talk to Wesley, and clearly I do, where do I find him at?

A: Honestly at this point, I fuckin' don't even know 'cause I know he's not gonna be anywhere...

Q: Okay.

A: ...where - anywhere known.

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Q: Okay. All right.

A: Like I just don't understand how like - look I'm not tryin' to make you mad.

Q: No, that's okay.

A: I'm tryin' to tell you what I know as the truth that I know it as.

Q: Okay.

A: This is what is told to me. I really don't like askin' you too many questions when you guys told to me, 'cause I don't feel like - like it was my spot at the time to do that unless it was being like, I don't know. Like it - I don't - I only ask questions if I feel like it's gonna impact my life like greatly in a bad way or something like or if I feel suspicious about something. But it seems right to me.

Q: Okay. So let me ask...

A: Because he owed us money and he was gonna, I guess...

Q: What about that - what about that, uh, Louis Vuitton purse? Where'd that one come from?

A: Well the purse?

Q: The one you were sellin' today?

A: Uh, it was a wallet.

Q: The wallet, whatever. It's all the same to me. Purse - wallet - it's all the same.

A: Uh, that honestly, I don't know, but it was just there in my car.

Q: It was there?

A: And I was told to get rid of it, so...

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- Q: Who told you to get rid of it?
- A: Sporty.
- Q: Again.
- A: Yeah.
- Q: Okay. All right. Um...
- A: Look his name is Jeffrey Mar.
- Q: Uh, what, uh, that's a good way - good way to start this, right? How - how do you know this dude?
- A: Is any of this gonna be fuckin' heard by anybody else?
- Q: Nope. This is mine for - for this purpose.
- A: Only?
- Q: Yep.
- A: Only your ears are gonna hear it.
- Q: That's because I have to go back and remember what we talked about, so I can write shit. So I have to document - record it, because I have to know what was said. I do this with every single interview I do. So, I mean, like Sporty - Jeffrey - is it M-A-R-R or M-A-R? Who - who is this dude? I mean...
- A: He's my - he was my neighbor at one point.
- Q: Well right. I mean, but he, uh, you're - okay. I...
- A: He's the one who did that.
- Q: Did the 406- the - the - the stolen burglary of the vehicle?

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CONTINUATION REPORT

HEADER  
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2:18 100%  
Samantha - Louis Vuitton wallet  
Louis Vuitton wallet \$65  
Create Meeting Plan Pay Seller

2:19 100%  
Samantha - Louis Vuitton wallet  
Louis Vuitton wallet \$65  
Create Meeting Plan Pay Seller

I can meet you tomorrow. Can we meet at Burger King on Spring Mountain and Campbell?

10 at the morning work for you?

Yes and yes

sounds good see you there

PP AT 2:56 PM

Amelia

Date stamp

Look it up

A real Louis Vuitton will always have them

Amelia

That and he the outside of the item for example purses. A real one will not have cut off patterns he uses one

Hi, I'm interested in buying your Louis Vuitton wallet.

Amelia

Hi

Ok

Where did u want to meet

PP AT 2:56 PM

2:18 100%  
Samantha - Louis Vuitton wallet  
Louis Vuitton wallet \$65  
Create Meeting Plan Pay Seller

2:18 100%  
Samantha - Louis Vuitton wallet  
Louis Vuitton wallet \$65  
Create Meeting Plan Pay Seller

That and he the outside of the item for example purses, a real one will not have cut off patterns he uses one piece... he doesn't start new

Hey, I have stop at the bank on the way for money. I'm a bit behind schedule. ESO right?

Yes and don't trip I'm barely at Desert Inn and Maryland because of traffic.

But will be there at 10am

Great. Thank you

Hi are we going to meet? I'm trying to plan my morning and just want to make sure you still want to meet up.

A Gray coupe... I guess I should have asked you that too. What are you driving?

A Buick encore

Black

Absolutely

Great. Thank you so much. I'll see you there. Do you want to meet inside, I can buy you coffee too.

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

[FOOTERTEXT]

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A: Yeah.

Q: How do you know that? How - how do you know that?

A: Because I found out afterwards.

Q: From whom? Who told you?

A: Himself.

Q: So he - he just went and broke into some vehicle and he came and told you that he did it?

A: Yeah. And then he came up on, uh, some little devices too. Like these little things - the body, um, I don't know what the fuck they're called. Bugs.

Q: Where were those at?

A: I have no idea.

Q: Okay.

A: Honestly, I don't know. But I know that ever since he told me that I never went back to - to his house. He tripped me out.

Q: So - so he told you that he burglarized the car. What did he say?

A: It came up on these. That means...

Q: Right. I know what it means.

A: That's it.

Q: So he told you where he came up on it?

A: No, not where. He just said, "I came up on these."

Q: Okay. And then what? And then he handed - handed you those cards?

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- A: And then he said if you guys need to, you guys can go ahead and, you know, go...
- Q: Did he tell you what...
- A: ...get whatever you needed. Like he's...
- Q: ...did he tell you what else he took?
- A: Uh-uh. Besides those things.
- Q: Besides the cards and the little bugs.
- A: Bugs.
- Q: That's it.
- A: Uh-huh.
- Q: Okay.
- A: He might even still have them too. He knew very well how to use 'em.
- Q: How old is this guy?
- A: Uh -uh, I'd say like maybe 40s. Possibly 50s.
- Q: Black, white, Mexican?
- A: Uh, white dude.
- Q: How tall is he?
- A: He's - he's actually very short. He's like about this short. He looks like a tall girl kinda.
- Q: Uh - uh, how heavy do you think he is?
- A: Uh, like roughly - I don't know. Like maybe 180 - short kinda roundedness.

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- Q: About what - 5 foot tall?
- A: About 5'5", maybe.
- Q: Oh yeah.
- A: Or a little lower.
- Q: Okay. And he drives - what, a big black truck is what you said?
- A: No, a gold.
- Q: A gold truck?
- A: Yeah.
- Q: What kind of truck is it?
- A: Yu- Yukon, I believe or a Denali or something like that. One of those two.
- Q: Was it new or older?
- A: Uh, in the middle. I don't know what year. I have no idea.
- Q: Okay. Was it Nevada plates, you think? Do you remember?
- A: Uh - uh, I think so.
- Q: Okay.
- A: I didn't pay attention to that.
- Q: So - so did he reach out to Wesley or he reach out to you about that stuff?
- A: Um, I just walked outside and he was just pretty much, he's like, "Hey."
- Q: Is this when you guys were still livin' there?
- A: Well yeah. Kind of like in the middle of the move. So it was like around there.
- Q: Okay. And then you guys moved from there over to that other house that - that



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you guys recently got evicted from, right?

A: Mm-hm.

Q: How long were you guys at that house?

A: Uh, like a month.

Q: A month. Okay. And then, uh, they for whatever reason, did they get you guys out of there pretty quick? And then, um, what happened?

A: Yeah. We got scammed at that house...

Q: Did you?

A: ...and that was all dirty.

Q: Okay. Well how'd you get scammed at that house?

A: Because my friend Jen was supposed to like - she was supposed to pretty much go in halves with me to go get, uh, a place. And pretty much it seemed to me like she was in on whatever was going on there or something. But like - anyways we met with a realtor and, uh, in this building that was actually right next to where my mom stays. Uh, it's literally right next to where she stays. I forgot the address though. Um, it's on Sunset. Um, we went over there and met with the realtor and everything.

Q: Okay.

A: And it seemed straight because I've been scammed before and got done super dirty and all that shit. But like I made sure that this time we went to the realtor's office and we did. And we - everything was fine. Everybody signed papers. And

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we walked out. We go down to - when we get to the house and stuff everything's fine for about like three or four days. And next thing you know, somebody's showing up at the door knocking and telling me that like - like we gotta go. Like I - so I was tryin' to see what kind of - I was like, "Let me look at your deed. Like 'cause I don't know if you're the real owner." And blah - blah - blah - blah. "I'd like to see some type of ID." And, um, person- the person still didn't show me no document and just pretty much gave me a piece of paper telling me I got scammed and this is the business card and blah - blah - blah. So that's how that went. And then we ended up seeing a summary eviction, but we didn't get no notice before that like we're supposed to.

Q: Okay.

A: We just had sher- a constable show up at the door.

Q: Right. And then Wesley went back to the house and stuff because you guys left stuff there. You guys had to collect here. Am I right?

A: What - what house?

Q: That house that you got evicted from. He said - she was back at that house a couple days later when the realtors and stuff showed up. He was inside there.

A: Oh yeah - yeah. He was just there - no he was there once.

Q: Okay. Well the neighbor...

A: That I know of.

Q: Well the neighbors called. I mean, it must've been another time because...

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A: Uh -uh.

Q: ...the neighbors watched him break into somebody else's car right outside of the house after you guys got evicted.

A: No way.

Q: Yeah. The - the one of the realtors' cars. They filed a police report. And then...

A: What - he was never even there that long.

Q: Well then there was a couple complaints 'cause they were stolen from the house.

A: Like he went way before then. What?

Q: Yeah. It's not my case though. I'm just curious about it. That's all. So yeah basically.

A: Are you fuckin' kiddin' me?

Q: Blinds were stolen at that house right after you guys left. And Wesley was found in that house, like they...

A: Found in the house?

Q: Yeah. They caught him inside the house.

A: Doing what?

Q: Uh, it was him.

A: Are you sure it was him?

Q: But yeah.

A: You know, he has a brother.

Q: I - I know. 'Cause I was with him too.

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- A: Kinda looking...
- Q: Well either way. I don't care. That's not what we're talkin' about. I was just curious how that played out. But, um...
- A: When would - when could that have been though 'cause like...
- Q: I don't know. I'm sure the detective - once I get ahold of him, we'll talk to Wesley about it.
- A: What the fuck?
- Q: So - all right. Well this is how - this is what it looks like right now. I mean, you - you just told me too like this Shorty dude, I mean, he told you he came up on some...
- A: Sporty.
- Q: Sporty, sorry. He came up on some stuff.
- A: After.
- Q: And then he gave it to you. I mean, so you're tellin' me you received stolen property from this dude knowing full well he stole it?
- A: No, I said I found out afterwards.
- Q: You told me he came up on it and you guys could get rid of it if you wanted to.
- A: Yeah. He said I came up on these, but like at the same time, like, I wasn't asking questions.
- Q: You just told me. You just explained to me what came up on that means.
- A: I did.

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- Q: You knew straight up that it was stolen. You knew that. You just told me you did, right?
- A: I was kinda hoping it wasn't, I guess.
- Q: Right. You knew though. I mean, you just told me you knew. You just explained to me what it means. So you guys received stolen property from some dude that apparently owes you money and you went and used the stolen property to make a bunch of purchases knowing it was stolen. That's another felony charge.
- A: Seriously dude. Like come on man.
- Q: I...
- A: You're like not even like tryin' to work with me here.
- Q: You...
- A: I'm tryin' to tell you shit that I shouldn't even say.
- Q: I didn't - I didn't have it. Did I? I'm just tellin' you.
- A: I'm just sayin' dude. Like, you're stressin' me out, man.
- Q: I'm stressin'. Okay. Well I - I - I can understand that. I do understand that.
- Operator, this will conclude the interview.
- A: Just because...
- Q: The time is 1254 hours.
- A: I'm just being honest.

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**THIS VOLUNTARY STATEMENT WAS COMPLETED AT SPRING VALLEY AREA  
COMMAND ON THE 4<sup>TH</sup> DAY OF JANUARY, AT 1254 HOURS.**



FILED

MAR 22 2021

STATE BAR OF NEVADA  
BY: *B. Felix*  
OFFICE OF BAR COUNSEL

Case Nos.: OBC20-0670; OBC20-0706

## STATE BAR OF NEVADA

## SOUTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,

Complainant,

vs.

TODD LEVENTHAL, ESQ.,  
Nevada Bar No. 8543

Respondent.

**RESPONDENT'S OFFER OF  
JUDGMENT PURSUANT TO SCR 113  
AND NRCP 68**To: Complainant, State Bar of Nevada, and Gerard Gosioco, Asst. Bar Counsel,  
attorney of record;PLEASE TAKE NOTICE THAT pursuant to Supreme Court Rule 113(a) and  
Nev.R.Civ.Proc. 68,<sup>1</sup> Respondent, Todd Leventhal, by and through his counsel of record, hereby  
offers and does tender a conditional guilty plea in exchange for a stated form of discipline, with  
the following terms:

1. **Count One of the Complaint (OBC20-0670/Amalia Sosa-Avila).**  
**Respondent offers to plead guilty to a violation of RPC 1.8 (Conflict of**  
**Interest: Current Clients: Specific Rules) in exchange for: A Letter of**  
**Caution pursuant to SCR 102(8), and payment of actual incurred costs**  
**pursuant to SCR 120(1).**

2. **Count Two of the Complaint (OBC20-0706/Zan Mitrov).** Respondent  
**offers to plead guilty to a violation of RPC 1.8 (Conflict of Interest: Current**  
**Clients: Specific Rules) in exchange for: A Letter of Caution pursuant to**  
**SCR 102(8), and payment of actual incurred costs pursuant to SCR 120(1).**

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<sup>1</sup> See, SCR 119 (3).

ROA Page 0233

Case Nos: OBC20-0670; OBC20-0706



FILED

MAR 25 2021

STATE BAR OF NEVADA  
BY: B. Felix  
OFFICE OF BAR COUNSEL

**STATE BAR OF NEVADA  
SOUTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA,

Complainant,

vs.

TODD LEVENTHAL, ESQ.

NV BAR No. 8543

Respondent.

**ORDER APPOINTING  
FORMAL HEARING PANEL**

**IT IS HEREBY ORDERED** that the following members of the Southern Nevada Disciplinary Board have been designated as members of the formal hearing panel in the above-entitled action. The hearing will be convened on the 20<sup>th</sup> day of May, 2021 starting at 9:00 a.m. via Zoom Video Conferencing.

1. F. Thomas Edwards, Esq., Chair;
2. Mike Lee, Esq.
3. Steve Moore, Laymember

DATED this 24 day of March, 2021.

**STATE BAR OF NEVADA**

Russell E. Marsh

By: Russell E. Marsh (Mar 24, 2021 10:19 PDT)

Russell E. Marsh, Esq.

Nevada Bar No. 11198

Chair, Southern Nevada Disciplinary Board



# Hearing Panel Ord\_Leventhal

Final Audit Report

2021-03-24

Created:	2021-03-23
By:	Cathi Britz (cathib@nvbar.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAj43OrWuUweBE-8agu8fjdSAfDVDWfV9X

## "Hearing Panel Ord\_Leventhal" History

-  Document created by Cathi Britz (cathib@nvbar.org)  
2021-03-23 - 11:34:28 PM GMT- IP address: 71.222.19.43
-  Document emailed to Russell E. Marsh (russ@wmlawlv.com) for signature  
2021-03-23 - 11:35:15 PM GMT
-  Email viewed by Russell E. Marsh (russ@wmlawlv.com)  
2021-03-24 - 0:03:00 AM GMT- IP address: 70.170.35.195
-  Document e-signed by Russell E. Marsh (russ@wmlawlv.com)  
Signature Date: 2021-03-24 - 5:19:23 PM GMT - Time Source: server- IP address: 24.120.39.10
-  Agreement completed.  
2021-03-24 - 5:19:23 PM GMT

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**ORDER** was served via email to:

- Dated this 25th day of March, 2021.

-1-

Case No: OBC20-0670; OBC20-0706



FILED

MAR 31 2021

STATE BAR OF NEVADA  
BY: *B. Felix*  
OFFICE OF BAR COUNSEL

**STATE BAR OF NEVADA**

**SOUTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA,

Complainant,

vs.

TODD M. LEVENTHAL, ESQ.,  
Nevada Bar No. 8543,

Respondent.

**NOTICE OF FORMAL HEARING**

PLEASE TAKE NOTICE that the formal hearing in the above-entitled action has been scheduled for **one day on May 20, 2021, at the hour of 9:00 a.m.** The hearing will be conducted via audio/visual simultaneous transmission (using Zoom) hosted from Las Vegas Nevada. The State Bar of Nevada will email an access link on May 19, 2021.

DATED this 31st day of March, 2021.

STATE BAR OF NEVADA  
DANIEL M. HOOGE, BAR COUNSEL

*/s/ Gerard Gosioco*

**Gerard Gosioco, Assistant Bar Counsel**

Nevada Bar No. 14371

3100 West Charleston Boulevard, Suite 100

Las Vegas, Nevada 89102

(702) 382-2200


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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies a true and correct copy of the foregoing **NOTICE OF FORMAL HEARING** was served via email to:

1. F. Thomas Edwards, Esq. (Panel Chair): [tedwards@nevadafirm.com](mailto:tedwards@nevadafirm.com); [ssell@nevadalawfirm.com](mailto:ssell@nevadalawfirm.com)
2. Mike Lee, Esq. (Panel Member): [mike@mblnv.com](mailto:mike@mblnv.com)
3. Steve Moore (Lay Member): [rotaryactv@cox.net](mailto:rotaryactv@cox.net)
4. David Clark, Esq. (Counsel for Respondent): [DClark@lipsonneilson.com](mailto:DClark@lipsonneilson.com)
5. Gerard Gosioco, Esq. (Assistant Bar Counsel): [gerardg@nvbar.org](mailto:gerardg@nvbar.org)

Dated this 31<sup>st</sup> day of March, 2021.

  
\_\_\_\_\_  
Kristi Faust, an employee  
of the State Bar of Nevada

Case Nos: OBC20-0670; OBC20-0706



FILED

APR 19 2021

STATE BAR OF NEVADA  
BY: B. Felix  
OFFICE OF BAR COUNSEL

**STATE BAR OF NEVADA**  
**SOUTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA, )  
)  
Complainant, )  
vs. )  
)  
TODD M. LEVENTHAL, ESQ., )  
Nevada Bar No. 8543, )  
)  
Respondent. )

**STATE BAR OF NEVADA'S**  
**FINAL DISCLOSURES OF**  
**DOCUMENTS AND WITNESSES**

PLEASE TAKE NOTICE that the following is a list of witnesses and a summary of evidence which may be offered against Respondent at the time of the Formal Hearing, in the above-entitled complaint.

**A. Documentary Evidence**

Any and all documentation contained in the State Bar of Nevada's file including but not limited to, correspondence, emails, memorandums, text messages, notes, payments, invoices, bank records, receipts, billing entries and pleadings regarding grievance file numbers OBC20-0670 and OBC20-0706.

Any and all documentation contained in records of the State Bar of Nevada regarding Respondent's licensure, compliance with reporting requirements, and disciplinary history.

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The State Bar reserves the right to supplement this list as necessary.

Exhibit#	Document	Bates Stamped
1.	Formal Hearing Packet	will be produced prior to hearing
2.	Affidavit of Prior Discipline	will be produced at the time of hearing
3.	OBC20-0670 Grievance	SBN 001-SBN 004
4.	19F03827B Court Docket	SBN 001-SBN 003
5.	20F00283A Court Docket	SBN 001-SBN 005
6.	Text Message Conversations Between Respondent and Ms. Sosa-Avila	SBN 001-SBN 028
7.	Retainer Agreement	SBN 001-SBN 003
8.	Motion to Withdraw (19F03827B)	SBN 001-SBN 007
9.	Motion to Withdraw (20F00283A)	SBN 001-SBN 007
10.	Letter of Investigation – July 29, 2020	SBN 001-SBN 034
11.	Response to Letter of Investigation – August 13, 2020	SBN 001-SBN 015
12.	OBC20-0706 Grievance	SBN 001-SBN 004
13.	19F04218X Court Docket	SBN 001-SBN 003
14.	19F10566X Court Docket	SBN 001-SBN 003
15.	20F07538X Court Docket	SBN 001-SBN 002
16.	\$500.00 Receipt – July 17, 2019	SBN 001
17.	Motion to Withdraw (19F10566X)	SBN 001-SBN 007
18.	Motion to Withdraw (20F07538X)	SBN 001-SBN 007
19.	Text Message Conversations Between Respondent and Mr. Mitrov	SBN 001-SBN 014
20.	Car Rental Receipt (June 5, 2020 - June 30, 2020)	SBN 001-SBN 007
21.	Letter of Investigation – July 17, 2020	SBN 001

22.	Response to Letter of Investigation – July 29, 2020	SBN 001-SBN 016
23.	Email from Mr. Mitrov to Louise Ms. Watson	SBN 001-SBN 003

The State Bar incorporates by reference all documents identified by Respondent in these matters.

**B. Witnesses and Brief Statement of Facts**

1. Respondent, Todd M. Leventhal, Esq., will be called and would be expected to testify regarding his conduct and communications surrounding the events related to, and any and all documents pertinent to, each of the charged violations of the Rules of Professional Conduct, including but not limited to facts pertaining to the breach of his professional responsibilities as an attorney, his mental state pursuant to ABA Standards, the harm resulting from his conduct, and any aggravating and mitigating factors pursuant to Supreme Court Rule 102.5. Respondent is expected to provide testimony regarding the facts and circumstances regarding OBC20-0670 and OBC20-0706.

2. Louise Watson, an investigator with the State Bar of Nevada Office of Bar Counsel, is expected to provide testimony regarding her investigation of OBC20-0670 and OBC20-0706, including but not limited to, information and documents provided by Respondent and Grievant(s), communications with Respondent and Grievant(s), and Respondent's disciplinary history.

3. Amalia Sosa-Avila is expected to offer testimony regarding the facts and circumstances regarding Case No. OBC20-0670, including but not limited to, the facts and circumstances surrounding the allegations contained in said grievance.

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///

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1           4.       Zan Mitrov is expected to offer testimony regarding the facts and circumstances  
2 regarding Case No. OBC20-0706, including but not limited to, the facts and circumstances  
3 surrounding the allegations contained in said grievance.

4           Dated this 19th day of April, 2021.

5  
6                               **STATE BAR OF NEVADA**  
7                               **DANIEL M. HOOGE, BAR COUNSEL**

8                               */s/ Gerard Gosioco*

9                               **Gerard Gosioco, Assistant Bar Counsel**  
10                              Nevada Bar No. 14371  
11                              3100 West Charleston Boulevard, Suite 100  
12                              Las Vegas, Nevada 89102  
13                              (702) 382-2200  
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1. David A. Clark, Esq. (Counsel for Respondent): [dclark@lipsonneilson.com](mailto:dclark@lipsonneilson.com)
2. Gerard Gosioco, Esq. (Assistant Bar Counsel): [gerardg@nvbar.org](mailto:gerardg@nvbar.org)

By: Kristi Faust  
Kristi Faust,  
An employee of the State Bar of Nevada



FILED

APR 21 2021

STATE BAR OF NEVADA  
BY: *B. Felix*  
OFFICE OF BAR COUNSEL

Case No.: OBC20-0670; OBC20-0706

## STATE BAR OF NEVADA

## SOUTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,

Complainant,

vs.

TODD LEVENTHAL, ESQ.,  
Nevada Bar No. 8543

Respondent.

**RESPONDENT'S FINAL DISCLOSURES  
OF LIST OF WITNESSES AND  
DOCUMENTS**

Respondent, Todd Leventhal, Esq., Nevada Bar No. 8543 ("Respondent"), by and through his counsel of record, David A. Clark, of LIPSON NEILSON P.C., hereby files his Final Disclosures of Witnesses and Documents, as follows:

**A. Documentary Evidence.**

Bates No.	Description
LEV000001-LEV000024	Criminal Complaint, Las Vegas Justice Court Case No. 19F03827A
LEV000025-LEV000029	Court Transcript, Las Vegas Justice Court Case No. 19F03827A
LEV000030-LEV000032	Incident File Full Report, Las Vegas Justice Court Case No. 19F03827A
LEV0000033	Summons, Las Vegas Justice Court Case No. 19F03827A
LEV000034-LEV000038	Surveillance Video, Surveillance Video Disclaimer and Instructions, Las Vegas Justice Court Case No. 19F03827A
LEV000039-LEV000066	Criminal Complaint, Las Vegas Justice Court Case No. 20F00283A
LEV000067-LEV000069	Register of Actions, Las Vegas Justice Court Case No. 20F00283A
LEV000070-LEV000087	Nevada Pretrial Risk Assessment, Las Vegas Justice Court Case No. 20F00283A
LEV000088-LEV000122	Voluntary Statements, Las Vegas Justice Court Case No. 20F00283A

<b>LEV000123</b>	Video Recording of Voluntary Statement of Joseph Avila, Las Vegas Justice Court Case No. 20F00283A;
<b>LEV000124</b>	Video Recording of Voluntary Statement of Amalia Avila, Las Vegas Justice Court Case No. 20F00283A
<b>LEV 000125-126</b>	Affidavit of Zan Mitrov, dated December 30, 2020, and previously submitted with Respondent's first Motion for Summary Judgment.
<b>SBN Exhibit 23 (001)</b>	Email from Zan Mitrov to Louise Watson, dated September 14, 2020, withdrawing his complaint against Respondent.

**B. Witnesses.**

1. Amalia Sosa-Avila  
Address presently unknown

Ms. Sosa-Avila will testify regarding the facts and circumstances set forth in the State Bar's Complaint.

2. Zan Mitrov  
Address presently unknown

Mr. Mitrov is expected to testify regarding the facts and circumstances set forth in the State Bar's Complaint and his Affidavit previously submitted.

3. Detective J. Haynes P#14010  
Las Vegas Metropolitan Police Department  
200 S. Martin Luther King Blvd.  
Las Vegas, NV 89106  
(702) 828-3111

Detective Haynes is expected to testify regarding his investigation of the crimes of burglary/possession of stolen credit cards/fraudulent activity committed on or about November 19, 2019, brought against Amalia Sosa-Avila.

4. Detective S. Singh P#13322  
Las Vegas Metropolitan Police Department  
200 S. Martin Luther King Blvd.  
Las Vegas, NV 89106  
(702) 828-3111

Detective Singh is expected to testify regarding his investigation of the crimes of

1 burglary and grand larceny committed on or about November 4, 2018, brought against Amalia  
2 Sosa-Avila.

3 5. Jeffrey Marr  
4 Address presently unknown

5 Mr. Marr is expected to testify regarding the facts and circumstances surrounding this  
6 matter.

7 6. Ann Dunn, Esq., Clark County Deputy District Attorney  
8 200 Lewis Ave  
9 Las Vegas, NV 89101  
10 (702) 671-2500

11 Ms. Dunn is expected to testify regarding the facts and circumstances surrounding Las  
12 Vegas Justice Court Case No. 20F00283A, State of Nevada v. Amalia Sosa-Avila.

13 7. Hetty Wong, Esq., Clark County Deputy District Attorney  
14 200 Lewis Ave  
15 Las Vegas, NV 89101  
16 (702) 671-2500

17 Ms. Wong is expected to testify regarding the facts and circumstances surrounding Las  
18 Vegas Justice Court Case No. 19F03827B, State of Nevada v. Amalia Maria Sosa-Avila.

19 8. Sgt. Robert Whitley (ret).  
20 Metropolitan Police  
21 (702) 496-1004

22 Sgt. Whitley is expected to testify regarding prior dealings with Respondent regarding  
23 return of stolen property and Plaintiff's character and reputation.

24 9. Randolph Goldberg, Esq.  
25 Gold Medal Injury Law  
26 2001 S. Rainbow Blvd., Suite 140, Las Vegas, NV 89146  
27 (702) 304-7625

28 Mr. Goldberg was the victim of the car theft involving Mr. Mitrov. He is expected to  
testify regarding his agreement with Respondent for restitution by Mr. Mitrov and to  
Respondent's character and reputation.

10. Maribel Godinez  
Leventhal and Associates, PLLC

Ms. Godinez is expected to testify regarding the facts and circumstances set forth in the State Bar's Complaint, her interaction and communications with both Grievants, and the discovery, pleadings, and evidence in the Grievants' criminal matters.

Dated this 20<sup>th</sup> day of April 2021.

LIPSON NEILSON, P.C.,

*/s/ David A. Clark*

By:

\_\_\_\_\_  
DAVID A. CLARK  
Nevada Bar No. 4443  
9900 Covington Cross Drive, Suite 120  
Las Vegas, Nevada 89144  
*Attorneys for Respondent, Todd Leventhal, Esq.*

**CERTIFICATE OF SERVICE**

Pursuant to DRP 18((b)(2) and NRCP 5(b), I certify that on the 20<sup>th</sup> day of April 2021, I served via email the foregoing **RESPONDENT'S FINAL DISCLOSURES OF LIST OF WITNESSES AND DOCUMENTS** to the following:

Gerard Gosioco, Assistant Bar Counsel  
Kristi A. Faust, Hearing Paralegal  
Office of Bar Counsel  
3100 W. Charleston Blvd., Suite 100  
Las Vegas, Nevada 89102  
[gerardg@nvbar.org](mailto:gerardg@nvbar.org)  
[KristiF@nvbar.org](mailto:KristiF@nvbar.org)

*/s/ Debra Marquez*

\_\_\_\_\_  
Employee of LIPSON NEILSON P.C.

Case Nos.: OBC20-0670 and OBC20-0706

**STATE BAR OF NEVADA**  
**SOUTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA,

Complainant,

vs.

TODD LEVENTHAL, ESQ.,  
Nevada Bar No. 8543

Respondent.

**AFFIDAVIT OF ZAN MITROV**

ZAN MITROV, being first duly sworn, deposes and says:

1. I am over the age of eighteen (18) and a resident of the State of Nevada. I have personal knowledge of the information contained in this Affidavit and would qualify as a competent witness if called upon to testify to the facts contained herein.

2. I filed the grievance in File No. OBC20-0706 against Mr. Todd Leventhal. I have been given a copy of the State Bar's Complaint that includes my grievance. I have also had a chance to review Mr. Leventhal's Declaration submitted with this Motion.

3. I make this Declaration in support of Todd Leventhal's motion for summary judgment in the State Bar Discipline matter that includes my grievance. Indeed, I contacted the State Bar in August 2020, to withdraw my grievance. I was informed that I needed to make my request in writing. I did so via email in August 2020. A true and correct copy of that email is attached to this Declaration. I never heard back from the State Bar about my request.

4. I operate a freight shipping broker business. In the past, I have owned and operated an automobile body shop. I also buy and drive vintage cars.

1           5.       I let Mr. Leventhal use a Dodge Viper as a favor, not as payment or collateral for  
2 payment of fees. After Mr. Leventhal withdrew as my counsel, I picked up the Viper at the repair  
3 shop that Mr. Leventhal had it towed to for repairs. I did not pay him for its return.

4           6.       As for the Maserati mentioned in the State Bar complaint, Mr. Leventhal never  
5 took the vehicle to California, never received title to it from my nor drove to my knowledge. In  
6 fact, I had considered giving it to him outright before he indicated to me he needed money for  
7 restitution. I did not pay him for its return as alleged in paragraph 31 of the State Bar Complaint.

8           7.       I believe this is a misunderstanding between Mr. Leventhal and me and I again  
9 request that my complaint be withdrawn.  
10

11           I declare under penalty of perjury under the laws of the State of Nevada that the foregoing  
12 is true and correct to the best of my knowledge.

13           Dated this 30th day of December 2020 in Las Vegas, Nevada.

14           

15           \_\_\_\_\_  
16 ZAN MITROV  
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FILED

MAY 04 2021

STATE BAR OF NEVADA  
BY: D. J. J. J.  
OFFICE OF BAR COUNSEL

Case No: OBC20-0670; OBC20-0706

STATE BAR OF NEVADA

SOUTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA, )  
)  
Complainant, )  
vs. )  
)  
TODD M. LEVENTHAL, ESQ., )  
Nevada Bar No. 8543, )  
)  
Respondent. )

NOTICE OF HEARING ON  
RESPONDENT'S MOTION

PLEASE TAKE NOTICE, the hearing on Respondent's motion in the above-entitled matter is set for **Thursday, May 6, 2021, at 11:00 a.m.** The State Bar conference number is (877) 594-8353, participant passcode is 16816576 then #.

DATED this 4th day of May, 2021.

STATE BAR OF NEVADA  
DANIEL M. HOOGE, BAR COUNSEL

/s/ Gerard Gosioco

/s/ Gerard Gosioco (May 4, 2021 10:07 PDT)

Gerard Gosioco, Assistant Bar Counsel

Nevada Bar No. 14371

3100 West Charleston Boulevard, Suite 100

Las Vegas, Nevada 89102

(702) 382-2200



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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies a true and correct copy of the foregoing **NOTICE OF HEARING ON RESPONDENT’S MOTION** was served via email to:

1. F. Thomas Edwards, Esq. (Panel Chair): [tedwards@nevadafirm.com](mailto:tedwards@nevadafirm.com);  
[ssell@nevadafirm.com](mailto:ssell@nevadafirm.com)
2. David Clark, Esq. (Counsel for Respondent): [DClark@lipsonneilson.com](mailto:DClark@lipsonneilson.com)
3. Gerard Gosioco, Esq. (Assistant Bar Counsel): [gerardg@nvbar.org](mailto:gerardg@nvbar.org)

Dated this 4th day of May, 2021.

*Sonia Del Rio*

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Sonia Del Rio, an employee  
of the State Bar of Nevada



FILED

MAY 06 2021

STATE BAR OF NEVADA

BY: *[Signature]*  
OFFICE OF BAR COUNSEL

Case Nos.: OBC20-0670 and OBC20-0706

## STATE BAR OF NEVADA

## SOUTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,

Complainant,

vs.

TODD LEVENTHAL, ESQ.,  
Nevada Bar No. 8543

Respondent.

## RESPONDENT'S TRIAL BRIEF

Pursuant to Disciplinary Rule of Procedure 24, Respondent Todd Leventhal, Esq., by and through his counsel of record, hereby submits his Trial Brief.

**MEMORANDUM OF POINTS AND AUTHORITIES****I. INTRODUCTION.**

The State Bar's Complaint consists of two counts involving former clients, but alleges only a single Rule violation of RPC 1.8 (a) (Conflict of Interest: Current Clients: Specific Rules) for each count. Both allege that Mr. Leventhal improperly engaged in a business transaction with a client by taking a possessory interest in personal property "adverse to" the interests of the client.

In Count One, the State Bar alleges that Mr. Leventhal took adverse possessory interest in several items belonging to Amalia Sosa-Avila. *State Bar Complaint (Compl.)*, ¶ 46. In Count Two, the State Bar alleges that Mr. Leventhal took adverse possessory interest in a Dodge Viper "and/or" a Maserati automobile owned by Zav Mitrov. *Id.* at ¶ 54. In both counts, the State Bar alleges that Mr. Leventhal failed to observe the forms and requirements of RPC 1.8 (a) when "knowingly acquir[ing] a possessory interest adverse to a client. RPC 1.8(a); *Compl.* at ¶¶ 45, 53.

1           However, Respondent believes the testimony will establish that Ms. Sosa-Avila lacked an  
2 interest in three of the items because they were stolen property and the fourth (drone) was gifted  
3 one to Mr. Leventhal. Thus, by definition, there is no adverse interest that triggers RPC 1.8 (a).

4           Second, Mr. Mitrov confirms that he lent the Dodge Viper to Mr. Leventhal not as  
5 payment but as a favor and, supports the fact that Mr. Leventhal never gained a possessory  
6 interest in the Maserati adverse to Mr. Mitrov or for any appreciable time in any event. Mr.  
7 Mitrov has also requested that his grievance be withdrawn. Therefore, the State Bar is unable to  
8 prove, by clear and convincing evidence, that Mr. Leventhal violated RPC 1.8 (a) on either  
9 grievance.  
10

11       **II.     UNDISPUTED RELEVANTS FACTS/ALLEGATIONS.<sup>1</sup>**

12           **A.     State Bar Complaint Allegations.**

13           The State Bar Complaint alleges two separate violations of the same Rule, RPC1.8 (a),  
14 which states:  
15

16           Rule 1.8.   Conflict of Interest: Current Clients: Specific Rules.

17           (a) A lawyer shall not enter into a business transaction with a client or knowingly  
18 acquire an ownership, possessory, security or other pecuniary interest adverse to a  
19 client unless:

20               (1) The transaction and terms on which the lawyer acquires the interest  
21 are fair and reasonable to the client and are fully disclosed and transmitted in  
22 writing in a manner that can be reasonably understood by the client;

23               (2) The client is advised in writing of the desirability of seeking and is  
24 given a reasonable opportunity to seek the advice of independent legal counsel on  
25 the transaction; and

26               (3) The client gives informed consent, in a writing signed by the client, to  
27 the essential terms of the transaction and the lawyer's role in the transaction,  
28 including whether the lawyer is representing the client in the transaction.

24       ///  
25       ///  
26

27       <sup>1</sup> All facts referenced in this Trial Brief are taken from the State Bar's Complaint, the written response or  
28 exhibits previously not excluded. Respondent and undersigned counsel anticipate that persons identified as  
witnesses will testify consistent with the narrative presented here.

1 NOTE: the Complaint does not plead a violation of and other section of RPC 1.8 nor a violation  
2 of RPC 8.4(a) (“It is professional misconduct for a lawyer to: violate or *attempt to violate* the  
3 Rules of Professional Conduct.”) (*emphasis* added).

4 The State Bar Complaint then alleges, as follows:

5 *Case No. OBC20-0670 – Amalia Sosa-Avila.*

6 1. Amalia Sosa-Avila retained Mr. Leventhal to represent her in two criminal matters.  
7 *Compl.*, ¶3.

8 2. In lieu of monetary payment, on February 27, 2020, Mrs. Sosa-Avila gave Mr.  
9 Leventhal a drone and iPhone 11. *Compl.*, ¶9.

10 3. In lieu of monetary payment, on April 30, 2020, Mrs. Sosa-Avila gave Mr.  
11 Leventhal a Louis Vuitton wallet and ring. *Compl.*, ¶11.

12 4. Mr. Leventhal “did not abide by RPC 1.8 (Conflict of Interest: Specific Rules)  
13 **before receiving** possessory interests in the aforementioned items from Ms. Sosa-Avila.” *Compl.*,  
14 ¶12 (*emphasis* added).

15 5. Mr. Leventhal took possessory interest **in several items** “which were adverse to  
16 Ms. Sosa-Avila.” *Compl.*, ¶46 (*emphasis* added).

17 **B. Testimony of Todd Leventhal on Count One.**

18 Mr. Leventhal will testify consistent with a prior Declaration submitted in this matter.

19 6. Contrary to Mrs. Sosa-Avila’s assertions, Mr. Leventhal did not agree to accept  
20 personal property in lieu of payment, only that he would work with her and accept items as  
21 collateral until she made payments.

22 7. On February 27, 2020, Mrs. Sosa finally dropped off an iPhone as collateral. Mr.  
23 Leventhal had no prior knowledge nor agreement as to what items she would drop off to his  
24 office.

1           8.       As to the drone, when Mr. Leventhal mentioned to Mrs. Sosa-Avila that it was his  
2 son's birthday, they delivered, unsolicited, the drone as a gift for Mr. Leventhal's son.

3           9.       After an appearance on a second matter, Mr. Leventhal's office was calling her  
4 multiple times to see when she would be making a payment on her account. On March 23, 2020,  
5 Mrs. Sosa was supposed to come in and make a payment but she did not do so.  
6

7           10.      On April 30, 2020, Mrs. Sosa was supposed to drop off a \$1,000.00 payment  
8 toward her agreed fee, but instead she dropped off a Louis Vuitton wallet and diamond ring as  
9 collateral. Again, there was no prior agreement that Mr. Leventhal would accept further items as  
10 collateral and certainly no prior knowledge or agreement to accept these specific items.

11          11.      Ms. Sosa-Avila never made any promised payments towards her fee and Mr.  
12 Leventhal was forced to withdraw.

13          12.      Upon reviewing the discovery from the DA's office, Mr. Leventhal determined  
14 that the items Ms. Sosa-Avila had left as collateral were identified as stolen property. Mr.  
15 Leventhal confirmed this fact with Ms. Sosa-Avila. This fact is admitted in Respondent's verified  
16 Answer.  
17

18          13.      Thereafter, Mr. Leventhal turned over the stolen property to a Las Vegas Metro  
19 Detective. He did so anonymously to protect his former client's identity.  
20

21               *Case No. OBC20-0706 – Zan Mitrov.*

22               The State Bar Complaint alleges:

23          14.      Mr. Leventhal was retained to defend Mr. Mitrov in two (2) criminal matters and  
24 shortly thereafter, a third case. *Compl.*, ¶¶15 and 19.

25          15.      At some point in the representation, Mr. Leventhal asked "if he could borrow [Mr.  
26 Mitrov's] Dodge Viper, which Mr. Mitrov delivered to Respondent's office. *Compl.*, ¶¶ 21-22.  
27  
28

1           16.     Mr. Leventhal “did not abide by RPC 1.8 (Conflict of Interest: Specific Rules)  
2 before receiving a possessory interest in Mr. Mitrov’s Viper. *Compl.*, ¶23.

3           17.     On February 18, 2020, Mr. Mitrov’s associate delivered a Maserati to Respondent  
4 in exchange for the Viper. *Compl.*, ¶25. However, he was informed by Respondent that the Viper  
5 was in North Las Vegas and it was too late to pick it up. *Id.* at ¶ 26.

6           18.     Mr. Leventhal “did not abide by RPC 1.8 (Conflict of Interest: Specific Rules)  
7 before receiving a possessory interest in Mr. Mitrov’s Maserati. *Compl.*, ¶27.

8           19.     On or about March 4, 2020, Respondent contacted Mr. Mitrov stating that he no  
9 longer wanted the Maserati but, rather, needed money. *Compl.*, ¶30.

10           20.     Mr. Mitrov **stated** that he received the Maserati back after giving Respondent an  
11 additional \$900.00. *Compl.*, ¶30 (emphasis added). *Compl.*, ¶31 (**emphasis** added).

12           21.     “Respondent acquired a possessory interest in the Dodge Viper and/or Maserati  
13 which were adverse to Mr. Mitrov.” *Compl.*, ¶54.

14           **C.     Testimony of Todd Leventhal on Count Two.**

15           22.     As to Mr. Mitrov, Mr. Leventhal is informed and believes that he is a freight  
16 shipping broker and used to own a body shop. He drove various vintage cars. Mr. Leventhal did  
17 ask to drive the Dodge Viper but not in exchange for payment of fees or restitution. He drove it  
18 once to Pahrump. Moreover, the battery failed and the car was mostly in the shop for repairs  
19 while he had it. In fact, that is where Mr. Mitrov went to pick up the car.

20           23.     As to the Maserati referenced in the State Bar complaint, Mr. Leventhal denies that  
21 he ever asked for title to the vehicle. Further, he never took possession of the Maserati, drove it to  
22 California, or even sat inside it, in any event.

23           **D.     Anticipated Testimony of Zan Mitrov.**

24           Mr. Mitrov is expected to testify consistent with the following:  
25  
26  
27  
28

1           18.     Mr. Mitrov is the grievant in in File No. OBC20-0706.

2           19.     He operates a freight shipping broker business. In the past, he has owned and  
3 operated an automobile body shop. He also buys and drives vintage cars.

4           20.     He let Mr. Leventhal use a Dodge Viper as a favor, not as payment or collateral for  
5 payment of fees. After Mr. Leventhal withdrew as counsel, Mr. Mitrov picked up the Viper at the  
6 repair shop that Mr. Leventhal had it towed to for repairs. He did not pay Mr. Leventhal for its  
7 return.  
8

9           21.     As for the Maserati mentioned in the State Bar complaint, Mr. Leventhal never  
10 took the vehicle to California, never received title to it from Mr. Mitrov nor drove it to his  
11 knowledge. In fact, Mr. Mitrov had considered giving it to him outright before Mr. Leventhal  
12 indicated that he needed money for restitution. Mr. Mitrov did not pay for the return of the  
13 Maserati.  
14

15           22.     Mr. Mitrov has requested that his grievance be withdrawn. *See, also*, State Bar's  
16 Exhibit 23.

17     **III.     STANDARD OF PROOF AND LEGAL ANALYSIS.**

18           **A.     Legal Standard and Authority.**

19           The State Bar has the burden of proving ethical violations by clear and convincing  
20 evidence. The State Bar must prove lawyer misconduct by substantial, clear, convincing, and  
21 satisfactory evidence. *In re Lober*, 78 P.3d 442 (Kan. 2003). Clear and convincing evidence is  
22 “evidence that establishes every factual element to be highly probable.” *Butler v. Poulin*, 500  
23 A.2d 257, 260 n.5 (Me. 1985).

24           The Formal Hearing Panel may only find violations of the Supreme Court Rules of  
25 Professional Conduct as charged in the Complaint. *In re Schaeffer*, 25 P.3 191, 204, *mod.* 31 P.2d  
26 365 (Nev. 2000) (*cit. State Bar of Nevada v. Claiborne*, 104 Nev. 115, 756 P.2d 464 (1988)  
27 (noting that due process requirements must be met in bar proceedings)).  
28

**B. Applicable Rules and Standards of Discipline Sanctions.**

The ABA's publication, *Standards for Imposing Lawyer Sanctions* (Center for Professional Responsibility, 1991) ("ABA Standards") is commonly used to discern the appropriate sanctions to be imposed in disciplinary proceedings. The guidance in the *Standards* **helps ensure greater consistency in disciplinary sanctions for similar offenses.** See *In re Lawrence Rex Young*, 49 Cal.3d 257, 776 P.2d 1021, 1026 (Ca. 1989) (emphasis added). The Nevada Supreme Court utilized the ABA Standards in *In re Discipline of Lerner*, 124 Nev. 1232, 197 P.3d 1067, 1077 n. 42 (2008) in order to assess the proper disciplinary sanction to impose.

The ABA Standards Section 3.0 provides the following general factors to consider when imposing sanctions pursuant to a finding of misconduct:

- (a) the duty violated;
- (b) the lawyer's mental state;
- (c) the potential or actual injury caused by the lawyer's misconduct; and
- (d) the existence of aggravating or mitigating factors.

**C. Appropriate Findings of Violations and Sanction.**

The purpose of attorney discipline is not punishment, but rather to protect the public and confidence in the integrity of the bar. See, *State Bar of Nevada v. Claiborne*, 104 Nev. 115, 129, 756 P.2d 464, 473 (1988) ("paramount objective of bar disciplinary proceedings is not additional punishment of the attorney, but rather to protect the public from persons unfit to serve as attorneys and to maintain public confidence in the bar as a whole").

Standard 1.3 of the *ABA Standards for Imposing Lawyer Sanctions* confirms that the sanction must reflect individual circumstances. See, i.e. *Romero-Barcelo v. Acevedo-Vila*, 275 F.Supp.2d 177 (D.P.R. 2003) (discipline must reflect each individual lawyer's circumstances and aggravating and mitigating factors in each case); *In re Discipline of Crawley*, 164 P.3d 1232, 1237 (Utah 2007) ("It is a delicate and often difficult task to craft sanctions appropriate for individual attorneys, no two of which have engaged in the same misconduct under the same aggravating and mitigating circumstances").

The State Bar bears the burden of proof of clear and convincing evidence on all counts and elements. Simply because the State Bar has filed a formal complaint (usually reserved for



misconduct warranting public sanction) does not prevent this Panel from finding that the State Bar has failed to prove its case.

Nevada's RPC 1.0A (Guidelines for Interpreting the Nevada Rules of Professional Conduct) provides that:

(a) The Rules of Professional Conduct are rules of reason. They should be interpreted with reference to the purposes of legal representation and of the law itself.

. . . . .

(c) Failure to comply with an obligation or prohibition imposed by a Rule is a basis for invoking the disciplinary process. *The Rules presuppose that disciplinary assessment of a lawyer's conduct will be made on the basis of the facts and circumstances as they existed at the time of the conduct in question and in recognition of the fact that a lawyer often has to act upon uncertain or incomplete evidence of the situation.* (emphasis added).

Even if there is a finding of a Rule violation, the Panel has authority to impose no sanction whatsoever (dismissal or Letter of Caution):

[T]he Rules presuppose that *whether or not discipline should be imposed for a violation*, and the severity of a sanction, depend on all the circumstances, such as the willfulness and seriousness of the violation, extenuating factors and whether there have been previous violations.

RPC 1.0(c). By way of example to demonstrate this point, SCR 102 (Types of discipline) provides for dismissal as a sanction for established misconduct:

Misconduct is grounds for:

. . . . .

8. *Letter of caution* imposed by a hearing or screening panel of the disciplinary board and issued by bar counsel, or imposed by the supreme court, *which is a dismissal* but cautions the attorney regarding specific conduct and/or disciplinary rules. A letter of caution may not be used as an aggravating factor in any subsequent disciplinary proceeding (emphasis added).

Therefore, even upon a finding by clear and convincing evidence of a rule violation, SCR 102 provides that this Panel may still appropriately return a Dismissal or a Letter of Caution.

///

///

1 **IV. DISCUSSION.**

2 **A. The State Bar Cannot Establish the Elements of a Breach of RPC 1.8 (a)**  
3 **As to Count One (Amalia Sosa-Avila) by Clear and Convincing Evidence.**

4 Respondent expects to establish that **several items** (*Compl.* ¶ 46) supposedly left as  
5 payment were stolen.

6 Except as otherwise provided in NRS 501.3765, a person commits an offense  
7 involving stolen property if the person, for his or her own gain or to prevent the  
8 owner from again possessing the owner's property, buys, receives, possesses or  
withholds property:

9 (a) Knowing that it is stolen property; or

10 (b) Under such circumstances as should have caused a reasonable person to  
11 know that it is stolen property.

12 Nev. Rev. Stat. § 205.275(1). Respondent submits that, as a matter of law, this grievant cannot  
13 have a legally cognizable possessory interest in stolen property. Therefore, Mr. Leventhal cannot  
14 acquire a possessory interest "adverse to the client" regarding the "several items" that were stolen  
15 property.

16 Upon learning about the stolen items, Mr. Leventhal turned them over to law enforcement.  
17 Thus, he never acquired an adverse interest at all nor kept it once he discovered they were stolen.  
18 On these plain facts, Count One should be dismissed as to the iPhone, wallet, and ring. Indeed, it  
19 would work a perversion of the Rules of Ethics and Professional Conduct to sanction an attorney  
20 for coming into possession of stolen property and doing the right thing by turning it over to law  
21 enforcement for return to its rightful owner.  
22

23 Moreover, as set forth in RPC 1.8 and pled in the State Bar's Complaint, a violation  
24 requires that the attorney "**knowingly** acquire a possessory interest adverse to a client." RPC  
25 1.8(a); *State Bar Compl.* ¶ 12 ("Mr. Leventhal "did not abide by RPC 1.8 (Conflict of Interest:  
26 Specific Rules) **before receiving** possessory interests in the aforementioned items from Ms. Sosa-  
27 Avila." (**emphasis** added)).  
28

1 Mr. Leventhal's testimony will establish that he had no prior agreement as to the drone  
2 and iPhone. The drone was an unsolicited gift and the iPhone was unexpected. Furthermore, he  
3 and his office were demanding money payments towards the fee, not personal property, when Ms.  
4 Sosa-Avila dropped off the wallet and ring. Therefore, Mr. Leventhal could not have "knowingly"  
5 acquired a possessory interest. Also, he had no opportunity to "abide by" the requirements of RCP  
6 1.8 prior to receipt of the (stolen) items.  
7

8 Further, with respect to the drone, two more considerations are relevant. First, if it is a gift  
9 from the client, then Mr. Leventhal cannot have acquired a possessory interest "adverse to the  
10 client." She voluntarily relinquished possession and ownership to it as an unsolicited gift for his  
11 son. If it is a gift, RPC 1.8 (a) simply does not apply. The State Bar's Complaint, as pled, cannot  
12 support a violation of RPC 1.8(a).  
13

14 Second, in case the State Bar seeks to amend the Complaint according to proof at trial, it  
15 may allege that the drone violates RPC 1.8(c), which states in part, "A lawyer shall not solicit any  
16 substantial gift from a client." However, there is no anticipated evidence that Mr. Leventhal  
17 solicited a drone as a gift for his son. Also, even if that point is disputed, in such a case, mere  
18 acceptance of a gift is permitted under RPC 1.8.  
19

20 A lawyer may accept a gift from a client, if the transaction meets general  
21 standards of fairness. For example, a simple gift such as a present given at a  
22 holiday or as a token of appreciation is permitted. **If a client offers the lawyer a  
23 more substantial gift, paragraph (c) does not prohibit the lawyer from  
24 accepting it**, although such a gift may be voidable by the client under the doctrine  
25 of undue influence, which treats client gifts as presumptively fraudulent.

26 Model R. Prof. Conduct 1.8 cmt 6 (ABA 9<sup>th</sup> ed. 2019) (**emphasis added**).<sup>2</sup>  
27  
28

---

<sup>2</sup>The Nevada Rules of Professional Conduct ("RPC") did not enact the preamble and comments to the ABA Model Rules of Professional Conduct. However, RPC 1.0A provides in part that preamble and comments to the ABA Model Rules of Professional Conduct may be consulted for guidance in interpreting and applying the NRPC, unless there is a conflict between the Nevada Rules and the preamble or comments.

1 The Bar had ample notice that Mr. Leventhal determined the items were stolen and that he  
2 turned them over to law enforcement. *See, State Bar's Exhibit 11.* Indeed, the Complaint  
3 acknowledges as much at paragraph 14. *Compl.* ¶ 14.

4 In the absence of admissible evidence genuinely disputing the stolen nature of the three  
5 items (iPhone, wallet, ring), they fail by definition to establish "an adverse interest" to the client.  
6 With respect to the drone, if it is a gift, it likewise fails by definition to establish a violation of  
7 RPC 1.8 (a). And, as a gift, Mr. Leventhal's mere acceptance of it does not violate RPC 1.8(c). As  
8 comment 6 above to Rule 1.8 notes, "If a client offers the lawyer a more substantial gift,  
9 *paragraph (c) does not prohibit the lawyer from accepting it*, although such a gift may be  
10 voidable by the client." (*emphasis added*). Based upon the foregoing, the State Bar cannot  
11 establish a violation of RPC 1.8 (a) with respect to Count One, Grievance No. OBC20-0670/  
12 Amalia Sosa-Avila.

13  
14  
15 **B. The State Bar Cannot Establish the Elements of a Breach of RPC 1.8 (a)**  
16 **As to Count Two (Zan Motriv) By Clear and Convincing Evidence.**

17 Regarding Count Two, Respondent's and Mr. Zitrov's testimony will establish that the use  
18 of the Dodge Viper was not for payment of services rendered. Moreover, both will affirm that Mr.  
19 Leventhal never received title to the Maserati or even drove it. Even taking as true the State Bar's  
20 own allegations in the Complaint, Respondent was in possession of the Maserati for exactly two  
21 weeks (February 18 – March 4, 2020). *Compl.* at ¶¶ 25 – 30.

22 Mr. Leventhal denies even asking for title to the Maserati or taking it to California.  
23 Moreover, while the Complaint alleges that Respondent requested title to the Maserati and  
24 indicated that he wanted to drive it to California, the Complaint further alleges that none of this  
25 actually happened. *Compl.* at ¶ 30. There is no allegation that Mr. Leventhal attempted to violate  
26 RPC 1.8 on the set of facts involving the Maserati nor does the Complaint allege a violation of  
27 RPC 8.4 (a) (attempt to violate the Rules of Professional Conduct).  
28

1 More compelling, Zan Mitrov, the actual grievant in Count Two, requested, while this  
2 matter was still in the investigation stage, that his grievance be withdrawn. *See, State Bar's*  
3 **Exhibit 23, p. 0001.** While such a request does not deprive the State Bar of jurisdiction or require  
4 abatement of the complaint, it "may be considered in determining whether to abate." *See, SCR*  
5 107.

6  
7 Therefore, on these facts and anticipated testimony, the temporary use of the Viper and  
8 (assuming *arguendo*) even the two-week presumed possession of the Maserati were gifts from  
9 Mr. Mitrov to Mr. Leventhal. As such, the same analysis of RPC 1.8 (a) above regarding Count  
10 One applies likewise to Count Two. If the temporary use of the vehicle (s) was a gift, it cannot be  
11 an interest "adverse to the client." Even if the client was inconvenienced or encountered expenses  
12 as a result, the gift of the temporary use was voluntary, and not "adverse." There is no evidence  
13 that Mr. Mitrov was required to pay consideration for the return of either vehicle.

14  
15 And, as a gift, the same considerations of RPC 1.8 (c) and ABA comment 6 to Rule 1.8  
16 applies, "If a client offers the lawyer a more substantial gift, ***paragraph (c) does not prohibit the***  
17 ***lawyer from accepting it***, although such a gift may be voidable by the client." Here, Mr. Mitrov  
18 does not seek to void the gift of the temporary possession of the vehicles, as evidenced by his  
19 desire to drop the whole thing as a misunderstanding. Thus, without admissible evidence to the  
20 contrary, RPC 1.8(c) allows for the gifts and a violation of Rule 1.8 (a) or (c) cannot lie against  
21 Mr. Leventhal.

22  
23 **C. Disciplinary Sanctions Are Unfair and Unwarranted Here.**

24 Sanctioning Mr. Leventhal under these circumstances is particularly unfair and smacks of  
25 selective prosecution. The purpose of attorney discipline is not punishment, but rather to protect  
26 the public and confidence in the integrity of the bar. *State Bar v. Claiborne*, 104 Nev. 115, 129,  
27 756 P.2d 464, 473 (1988) ("paramount objective of bar disciplinary proceedings is not additional  
28 punishment of the attorney, but rather to protect the public from persons unfit to serve as

1 attorneys and to maintain public confidence in the bar as a whole”).

2 Here, Mr. Leventhal received as collateral property from Ms. Avila-Sosa, which turned  
3 out to be stolen.<sup>3</sup> He did the correct thing and turned it over to law enforcement for return to the  
4 rightful owner or as evidence of a crime necessary for a prosecution. Also, he turned it over  
5 anonymously in order to protect the Fifth Amendment rights of his former client (*see, i.e. Dean v.*  
6 *Dean*, 607 So. 2d 494, 498 (Fla. 1992) (RPC 1.6 constraints on revealing client information  
7 include the client’s identity regarding stolen property, when the mere identity may expose the  
8 client to prosecution).

9 On Count One, Mr. Leventhal did the right thing, and none of the “several items”  
10 establishes an RPC 1.8 (a) violation as a matter of law. The facts do not support a violation for  
11 acquiring a possessory interest “adverse to the client” nor does a sanction for doing the right thing  
12 serve the Bar’s mission to protect the public and the integrity of the bar and legal system.

13 On Count Two, aside from the same technical defects with the gift, Mr. Mitrov requested  
14 that his grievance be withdrawn as a “misunderstanding” between the parties. There is no  
15 evidence of a threat to the public, of any ongoing problems with his practice, or intentional  
16 misconduct.

17 No sanction is required to protect the public or educate Mr. Leventhal or the members of  
18 the bar on the proper course of conduct in this situation. Since punishment is not a goal of  
19 attorney sanctions, any penalty would be punitive under these facts.

20 **V. CONCLUSION.**

21 It is the State Bar’s burden to prove misconduct by “clear and convincing evidence.” If it  
22 fails to do so, the Panel must dismiss the Complaint. And, even if the State Bar does prove a  
23 violation, this Panel can still decline to impose a sanction, being mindful that “**whether or not**  
24 **discipline should be imposed for a violation**, and the severity of a sanction, depend on all the  
25 circumstances,” and that “the sanction must reflect individual circumstances.”

26 Under these facts, the State Bar cannot prove a violation of RPC 1.8 (a) nor can it justify

27 \_\_\_\_\_  
28 <sup>3</sup> Ms. Sosa-Avila never actually paid anything pursuant to her retainer agreement with Mr. Leventhal.

1 the imposition of a disciplinary sanction.

2 Dated this 6<sup>TH</sup> day of May 2020.

3 LIPSON NEILSON P.C.

4 */s/ David A. Clark*

5 By: \_\_\_\_\_

6 DAVID A. CLARK  
7 Nevada Bar No. 4443  
8 9900 Covington Cross Drive, Suite 120  
9 Las Vegas, Nevada 89144  
10 *Attorneys for Respondent,*  
11 *Todd Leventhal, Esq.*

12 **CERTIFICATE OF SERVICE**

13 Pursuant to DRP 18((b)(2) and NRCP 5(b), I certify that on the 6<sup>th</sup> day of May, 2021, I  
14 served via email and mail the foregoing **RESPONDENT'S TRIAL BRIEF** to the following:

15 Gerard Gosioco  
16 Assistant Bar Counsel  
17 Kristi A. Faust  
18 Hearing Paralegal  
19 3100 W. Charleston Blvd.  
20 Suite 100  
21 Las Vegas, Nevada 89102  
22 [sbnnotices@nvbar.org](mailto:sbnnotices@nvbar.org)  
23 [ggsioco@nvbar.org](mailto:ggsioco@nvbar.org)  
24 [KristiF@nvbar.org](mailto:KristiF@nvbar.org)  
25 [tedwards@nevadafirm.com](mailto:tedwards@nevadafirm.com)  
26 [mike@mblnv.com](mailto:mike@mblnv.com)  
27 [rotaryactv@cox.net](mailto:rotaryactv@cox.net)

28 */s/ Debra Marquez* \_\_\_\_\_

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FILED

MAY 07 2021

STATE BAR OF NEVADA  
BY: *[Signature]*  
OFFICE OF BAR COUNSEL

Case No.: OBC20-0670; OBC20-0706

STATE BAR OF NEVADA

SOUTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,

Complainant,

vs.

TODD LEVENTHAL, ESQ.,  
Nevada Bar No. 8543

Respondent.

RESPONDENT'S OBJECTIONS TO  
STATE BAR EXHIBITS

Pursuant to DRP 22, and the Scheduling Order in this matter that sets the Pre-Hearing Conference for May 13, 2021, Respondent, Todd Leventhal, Esq., Nevada Bar No. 8543 ("Respondent"), hereby submits his Objections to State Bar of Nevada Exhibits, attached hereto.

Dated this 6<sup>th</sup> day of May 2021.

LIPSON NEILSON, P.C.,

*/s/ David A. Clark*

By:

DAVID A. CLARK  
Nevada Bar No. 4443  
9900 Covington Cross Drive, Suite 120  
Las Vegas, Nevada 89144  
*Attorneys for Respondent, Todd Leventhal, Esq.*



**CERTIFICATE OF SERVICE**

Pursuant to DRP 18((b)(2) and NRCP 5(b), I certify that on the 6<sup>th</sup> day of May 2021, I served via email the foregoing **RESPONDENT'S OBJECTIONS TO STATE BAR EXHIBITS** to the following:

Gerard Gosioco, Asst. Bar Counsel  
Kristi A. Faust, Hearing Paralegal  
Office of Bar Counsel  
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*/s/ Debra Marquez*

\_\_\_\_\_  
Employee of LIPSON NEILSON P.C.

***SBN v. Todd Leventhal***  
**Case Nos: OBC20-0670; OBC20-0706**

**Respondent's Objections to  
State Bar of Nevada Exhibits**

<b>Document</b>	<b>Date/Filed</b>	<b>Previously Marked</b>	<b>Exhibit #</b>	<b>Respondent's Objections</b>
Hearing Packet			SBN Exhibit 1	
Affidavit of Custodian of Records			SBN Exhibit 2	PER AGREEMENT - BIFURCATED See, SCR 102.5(a); ABA
OBC20-0670 Grievance of Amalia Sosa-Avila	6/28/2020		SBN Exhibit 3	Hearsay, foundation, failure of State Bar to disclose documents linked to grievance
19F03827B Court Docket			SBN Exhibit 4	Hearsay, relevance, current docket
20F00283A Court Docket			SBN Exhibit 5	Hearsay, relevance, current docket
Text Message Conversations Between Respondent and Ms. Sosa-Avila			SBN Exhibit 6	Hearsay, foundation, authenticity (6), redacted – no privilege log (1) (3) (4) (7) (8)
Retainer Agreement			SBN Exhibit 7	
Motion to Withdraw (19F03827B)			SBN Exhibit 8	
Motion to Withdraw (20F00283A)			SBN Exhibit 9	
Letter of Investigation - July 29, 2020, and Text Messages			SBN Exhibit 10	Hearsay, relevance, foundation
Response to Letter of Investigation-August 13, 2020			SBN Exhibit 11	Hearsay, relevance, foundation
OBC20-0706 Grievance			SBN Exhibit 12	Hearsay, foundation
19F04218X Court Docket			SBN Exhibit 13	Hearsay, relevance, current docket

19F10566X Court Docket			SBN Exhibit 14	Hearsay, relevance, current docket
20F07538X Court Docket			SBN Exhibit 15	Hearsay, relevance, current docket
\$500.00 Receipt-July 17, 2019			SBN Exhibit 16	Foundation, relevance
Motion to Withdraw (19F10566X)			SBN Exhibit 17	
Motion to Withdraw (20F07538X)			SBN Exhibit 18	
Text Message Conversations Between Respondent and Mr. Mitrov			SBN Exhibit 19	Hearsay, foundation, authenticity
Car Rental Receipt (June 5, 2020 - June 30, 2020)			SBN Exhibit 20	Hearsay, foundation, authenticity, relevance
Letter of Investigation - July 17, 2020			SBN Exhibit 21	Hearsay, relevance, foundation
Response to Letter of Investigation – July 29, 2020			SBN Exhibit 22	
Email from Mr. Mitrov to Mrs. Louise. Watson			SBN Exhibit 23	Page 001 no objection. Page 002 references attached receipt for new DUI lawyer. Attachment never provided despite

1 Case Nos: OBC20-0670; OBC20-0706



FILED

MAY 07 2021

STATE BAR OF NEVADA  
BY: *B. Felix*  
OFFICE OF BAR COUNSEL

2  
3  
4 **STATE BAR OF NEVADA**

5 **SOUTHERN NEVADA DISCIPLINARY BOARD**

6  
7 STATE BAR OF NEVADA, )

8 Complainant, )

9 vs. )

10 TODD M. LEVENTHAL, ESQ., )

11 Nevada Bar No. 8543, )

Respondent. )

**STATE BAR OF NEVADA'S**  
**SUPPLEMENTAL DISCLOSURES OF**  
**DOCUMENTS AND WITNESSES**

12  
13 PLEASE TAKE NOTICE that the following is a supplemental list of witnesses and a  
14 summary of evidence which may be offered against Respondent at the time of the Formal Hearing,  
15 in the above-entitled complaint.

16 **A. Documentary Evidence**

17 Any and all documentation contained in the State Bar of Nevada's file including but not  
18 limited to, correspondence, emails, memorandums, text messages, notes, payments, invoices, bank  
19 records, receipts, billing entries and pleadings regarding grievance file numbers OBC20-0670 and  
20 OBC20-0706.

21 Any and all documentation contained in records of the State Bar of Nevada regarding  
22 Respondent's licensure, compliance with reporting requirements, and disciplinary history.

23 ///

24 ///

The State Bar reserves the right to supplement this list as necessary.

Exhibit#	Document	Bates Stamped
1.	Formal Hearing Packet	will be produced prior to hearing
2.	Affidavit of Prior Discipline	will be produced at the time of hearing
3.	OBC20-0670 Grievance	SBN 001-SBN 004
3a.	<b>OBC20-0670 Grievance Attachments</b>	<b>SBN 001- SBN 007</b>
4.	19F03827B Court Docket	SBN 001-SBN 003
5.	20F00283A Court Docket	SBN 001-SBN 005
6.	Text Message Conversations Between Respondent and Ms. Sosa-Avila	SBN 001-SBN 028
7.	Retainer Agreement	SBN 001-SBN 003
8.	Motion to Withdraw (19F03827B)	SBN 001-SBN 007
9.	Motion to Withdraw (20F00283A)	SBN 001-SBN 007
10.	Letter of Investigation – July 29, 2020	SBN 001-SBN 034
11.	Response to Letter of Investigation – August 13, 2020	SBN 001-SBN 015
12.	OBC20-0706 Grievance	SBN 001-SBN 004
12a.	<b>OBC20-0706 Grievance Attachments</b>	<b>SBN 001- SBN 056</b>
13.	19F04218X Court Docket	SBN 001-SBN 003
14.	19F10566X Court Docket	SBN 001-SBN 003
15.	20F07538X Court Docket	SBN 001-SBN 002
16.	\$500.00 Receipt – July 17, 2019	SBN 001
17.	Motion to Withdraw (19F10566X)	SBN 001-SBN 007
18.	Motion to Withdraw (20F07538X)	SBN 001-SBN 007
19.	Text Message Conversations Between Respondent and Mr. Mitrov	SBN 001-SBN 014

20.	Car Rental Receipt (June 5, 2020 - June 30, 2020)	SBN 001-SBN 007
21.	Letter of Investigation – July 17, 2020	SBN 001
22.	Response to Letter of Investigation – July 29, 2020	SBN 001-SBN 016
23.	Email from Mr. Mitrov to Louise Ms. Watson	SBN 001-SBN 003
<b>23a.</b>	<b>Email from Mr. Mitrov to Louise Watson Attachments</b>	<b>SBN 001- SBN 002</b>

The State Bar incorporates by reference all documents identified by Respondent in these matters.

**B. Witnesses and Brief Statement of Facts**

1. Respondent, Todd M. Leventhal, Esq., will be called and would be expected to testify regarding his conduct and communications surrounding the events related to, and any and all documents pertinent to, each of the charged violations of the Rules of Professional Conduct, including but not limited to facts pertaining to the breach of his professional responsibilities as an attorney, his mental state pursuant to ABA Standards, the harm resulting from his conduct, and any aggravating and mitigating factors pursuant to Supreme Court Rule 102.5. Respondent is expected to provide testimony regarding the facts and circumstances regarding OBC20-0670 and OBC20-0706.

2. Louise Watson, an investigator with the State Bar of Nevada Office of Bar Counsel, is expected to provide testimony regarding her investigation of OBC20-0670 and OBC20-0706, including but not limited to, information and documents provided by Respondent and Grievant(s), communications with Respondent and Grievant(s), and Respondent's disciplinary history.

3. Amalia Sosa-Avila is expected to offer testimony regarding the facts and circumstances regarding Case No. OBC20-0670, including but not limited to, the facts and circumstances surrounding the allegations contained in said grievance.

1           4.       Zan Mitrov is expected to offer testimony regarding the facts and circumstances  
2 regarding Case No. OBC20-0706, including but not limited to, the facts and circumstances  
3 surrounding the allegations contained in said grievance.

4           Dated this 7<sup>th</sup> day of May, 2021.

5  
6                               **STATE BAR OF NEVADA**  
7                               **DANIEL M. HOOGE, BAR COUNSEL**

8                               */s/ Gerard Gosioco*

9                               **Gerard Gosioco, Assistant Bar Counsel**  
10                              Nevada Bar No. 14371  
11                              3100 West Charleston Boulevard, Suite 100  
12                              Las Vegas, Nevada 89102  
13                              (702) 382-2200  
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1. David A. Clark, Esq. (Counsel for Respondent): [dclark@lipsonneilson.com](mailto:dclark@lipsonneilson.com)
2. Gerard Gosioco, Esq. (Assistant Bar Counsel): [gerardg@nvbar.org](mailto:gerardg@nvbar.org)

By: Kristi Faust  
Kristi Faust,  
An employee of the State Bar of Nevada

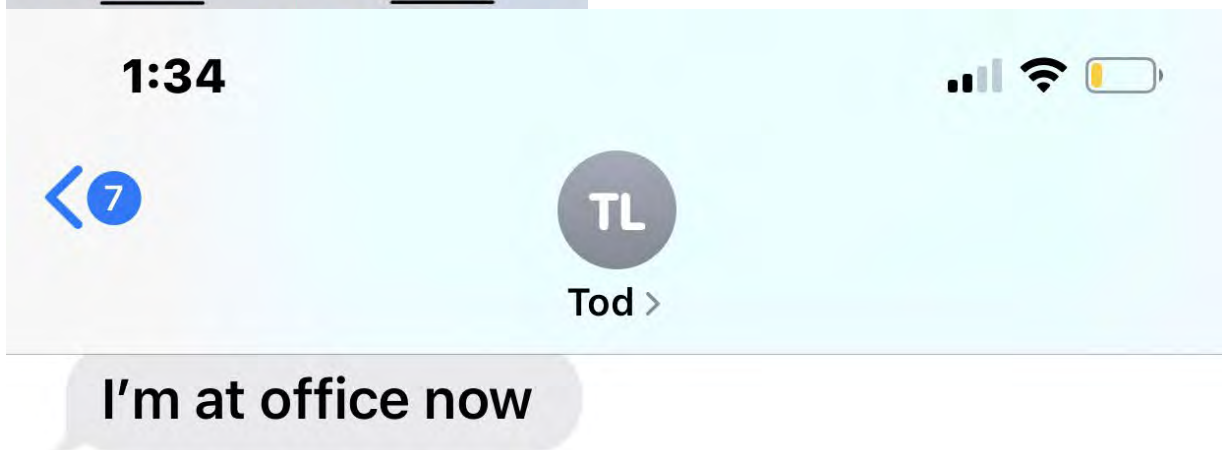
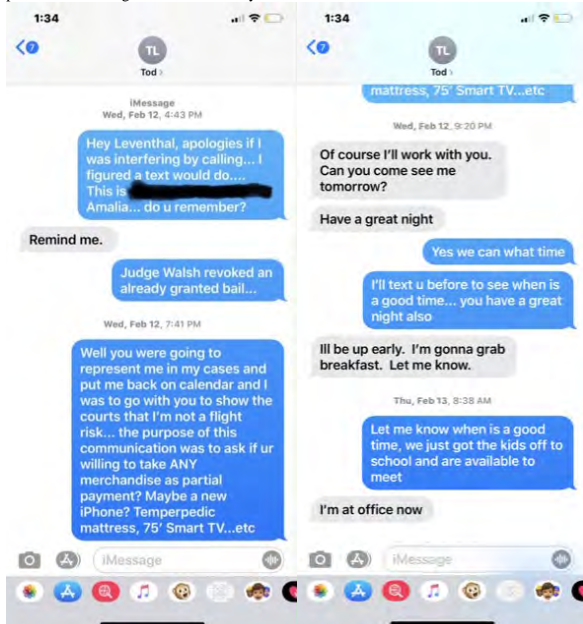


# Exhibit 3a

From: [Amalia S.A](#)  
To: [Louise Watson](#)  
Subject: Grev. File No: OBC20-0670/Todd Leventhal, Esq  
Date: Tuesday, July 28, 2020 8:26:35 PM  
Attachments: [image21.png](#)  
[image17.png](#)  
[image20.png](#)  
[image14.png](#)  
[image2.png](#)  
[image25.png](#)  
[image12.png](#)  
[image16.png](#)  
[image23.png](#)  
[image10.png](#)  
[image26.png](#)  
[image5.png](#)  
[image6.png](#)  
[image22.png](#)  
[image15.png](#)  
[image29.png](#)  
[image9.png](#)  
[image18.png](#)  
[image19.png](#)  
[image27.png](#)  
[image20.png](#)  
[image13.png](#)  
[image24.png](#)

Download full resolution images  
Available until Aug 27, 2020

My apologies about the delayed response I have such a hectic and tight running schedule that, honestly, I spaced that whole part because for some reason I told myself that I already did it Besides that my number changed and the same night left my phone on my car and it was crushed in the middle of the street So its obvious I get some pretty bad cases of luck! However, I finally got my phone from apple and I got your letter from the mail and can move forward now because i email those screenshots to my Mom, just in case for some crazy reason I had a problem recovering them so here they are



Thu, Feb 13, 10:46 AM

I am here

I am here  
In the office

Sun, Feb 16, 1:48 PM

This is Amalia and this is my new number the other one is no longer

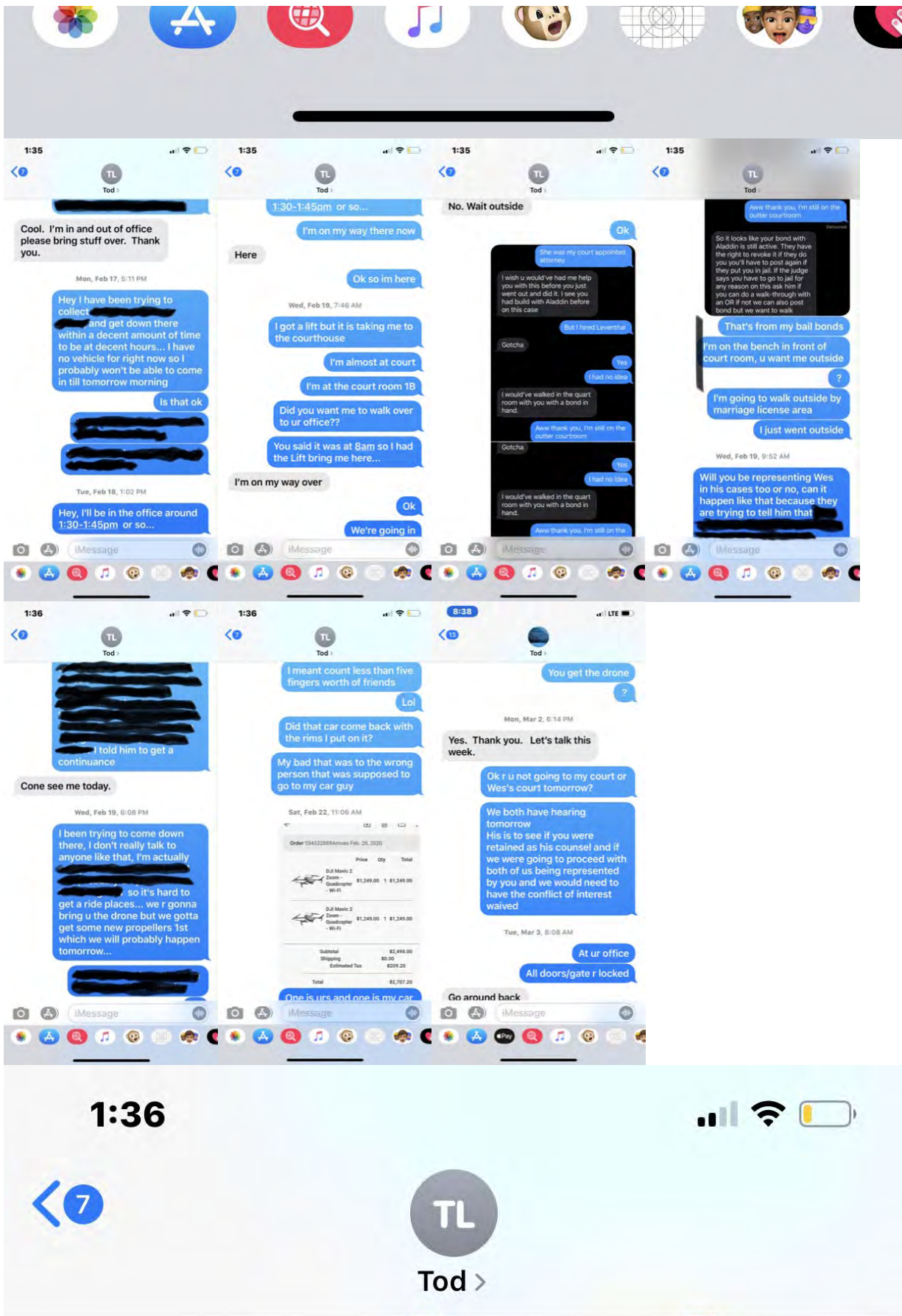
Mon, Feb 17, 8:58 AM

Good morning. Got it. When you coming in ?

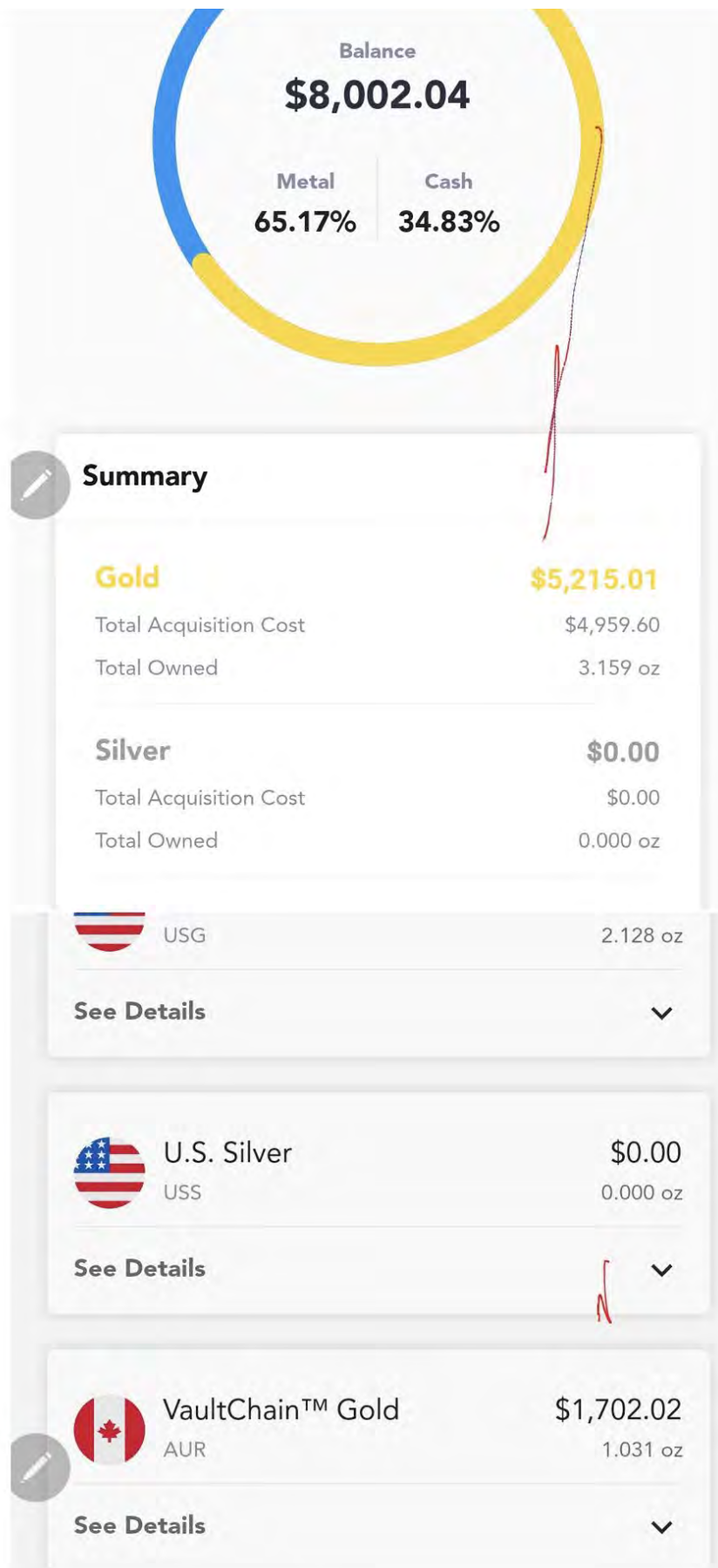
I am in the process now trying to recover my car that's the police had av hold on... did u receive my email...?

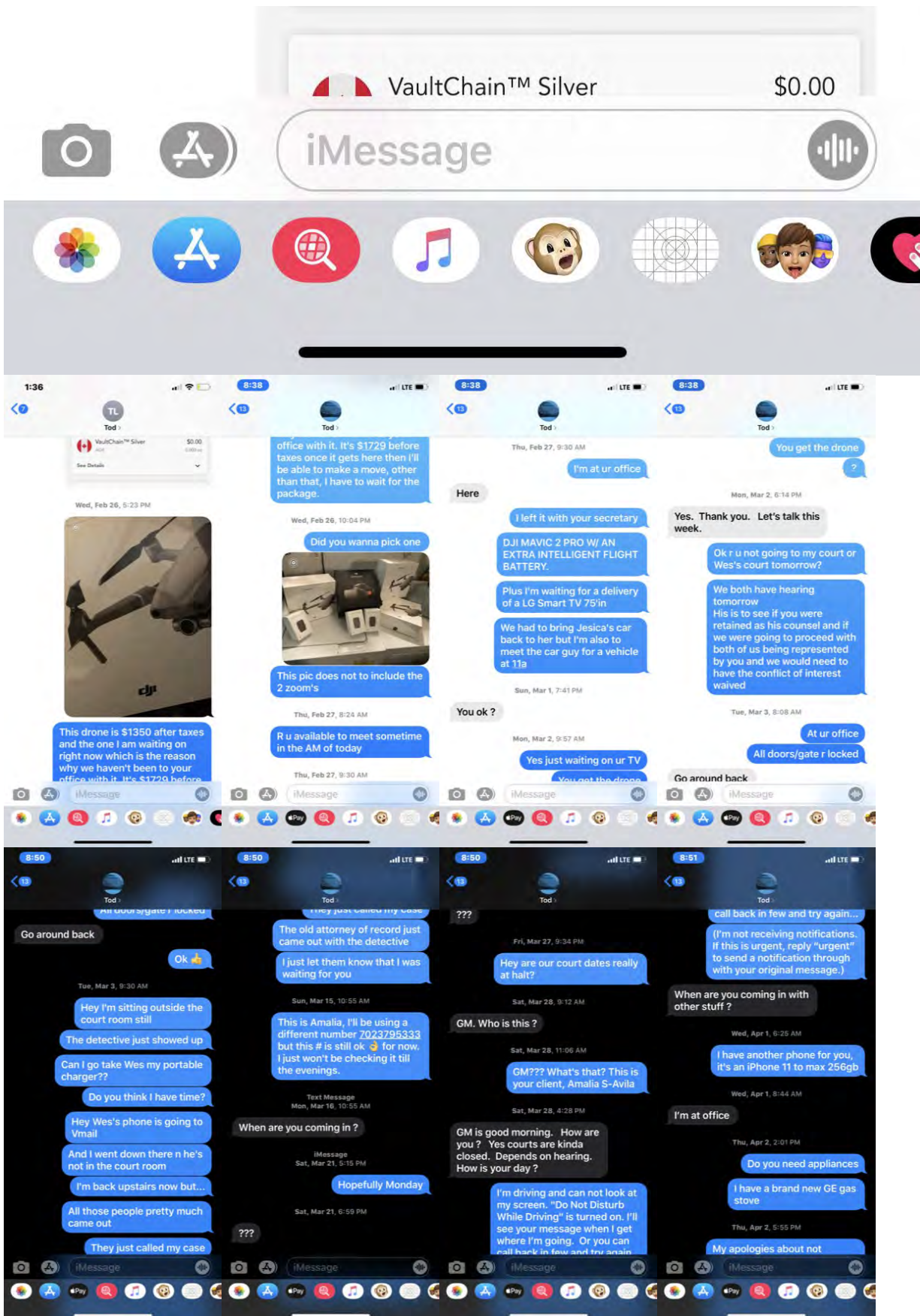
I seen that I have court on the 19th...? [REDACTED]  
[REDACTED]  
[REDACTED] well



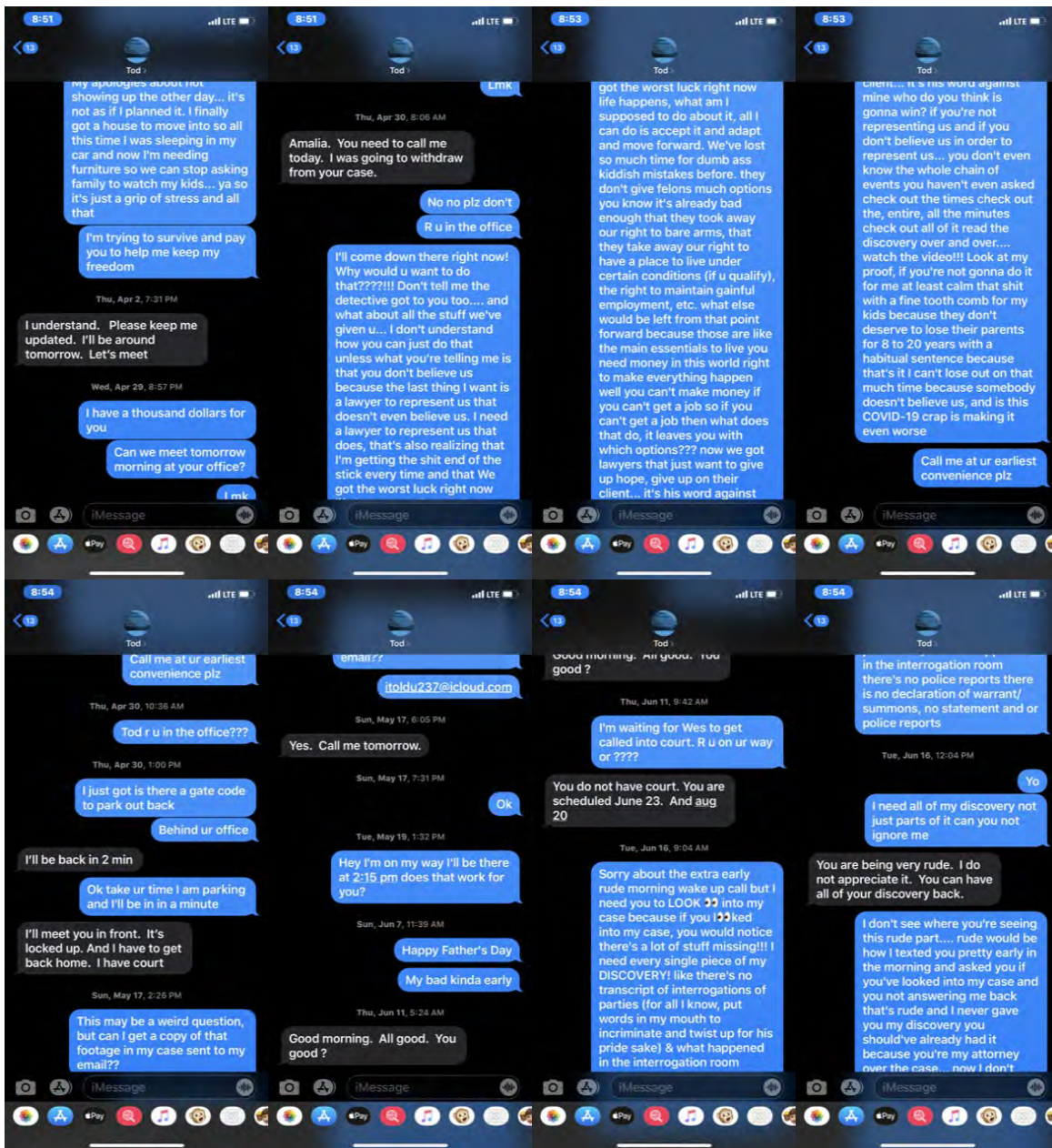


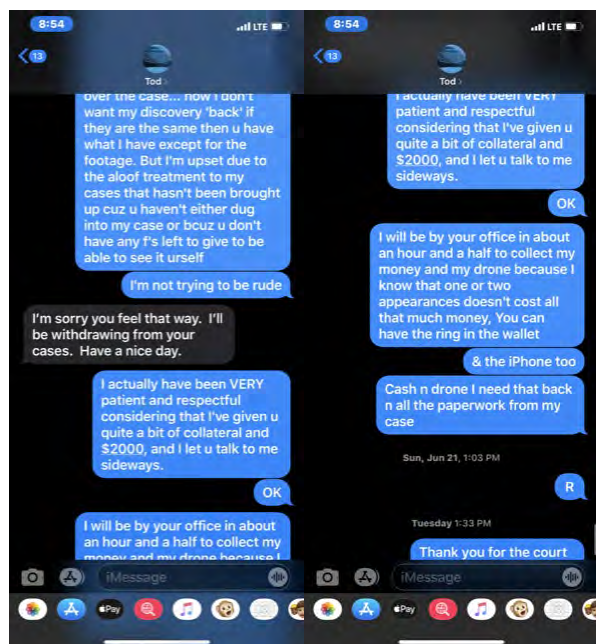












Sent from my iPad



# Exhibit 12a



Zan

Call details

Filter

Jul 10 - Aug 09, 2019

Total: 766 minutes

Total charges: \$0.00

Date & Time (Pacific)	Destination	Number	Min	Type	Charge
08/05/19, 1:13 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
08/06/19, 2:40 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
08/06/19, 2:41 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
08/07/19, 5:06 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
08/09/19, 12:13 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
08/05/19, 8:04 PM	to LAS VEGAS/NV	(702) 580-0343	1 Min	T-Mobile to T-Mobile	--
08/07/19, 2:41 PM	to LAS VEGAS/NV	(702) 575-3026	3 Min	T-Mobile to T-Mobile	--
07/11/19, 6:08 PM	Macedonia (Wi-Fi Call) to LAS VEGAS, NV	(702) 569-0652	1 Min	Roaming	--
08/01/19, 5:19 PM	to LAS VEGAS/NV	(702) 559-4468	1 Min	-	--
08/01/19, 5:19 PM	Incoming	(702) 559-4468	1 Min	-	--
08/01/19, 7:26 PM	to LAS VEGAS/NV	(702) 559-4468	1 Min	-	--
08/01/19, 7:29 PM	to LAS VEGAS/NV	(702) 559-4468	2 Min	-	--
08/01/19, 7:35 PM	Incoming	(702) 559-4468	1 Min	-	--
07/16/19, 3:45 PM	to LAS VEGAS/NV	(702) 517-8858	1 Min	-	--
07/16/19, 4:18 PM	Incoming	(702) 517-8858	1 Min	-	--
07/17/19, 8:59 AM	to LAS VEGAS/NV	(702) 503-5258	1 Min	-	--
07/17/19, 1:14 PM	to LAS VEGAS/NV	(702) 503-5258	1 Min	-	--
07/17/19, 10:03 AM	to LAS VEGAS/NV	(702) 503-1502	2 Min	-	--
07/18/19, 4:59 PM	Incoming	(702) 503-1502	1 Min	-	--
07/18/19, 4:59 PM	to LAS VEGAS/NV	(702) 503-1502	1 Min	-	--
07/18/19, 5:00 PM	to LAS VEGAS/NV	(702) 503-1502	1 Min	-	--
07/18/19, 7:30 PM	to LAS VEGAS/NV	(702) 503-1502	1 Min	-	--
07/18/19, 9:06 PM	Incoming	(702) 503-1502	1 Min	-	--
07/18/19, 11:20 PM	Incoming	(702) 503-1502	1 Min	-	--
07/17/19, 8:25 AM	to LAS VEGAS/NV	(702) 480-1425	1 Min	T-Mobile to T-Mobile	--
07/22/19, 11:57 AM	Incoming	(702) 472-8686	2 Min	-	--
07/16/19, 11:28 AM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
07/16/19, 12:23 PM	Incoming	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
07/16/19, 3:27 PM	to LAS VEGAS/NV	(702) 470-6314	2 Min	T-Mobile to T-Mobile	--
07/17/19, 9:44 AM	to LAS VEGAS/NV	(702) 470-6314	2 Min	T-Mobile to T-Mobile	--
07/18/19, 2:12 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
07/18/19, 2:13 PM	Incoming	(702) 470-6314	2 Min	T-Mobile to T-Mobile	--
07/18/19, 5:27 PM	Incoming	(702) 470-6314	2 Min	T-Mobile to T-Mobile	--
07/18/19, 7:08 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
07/20/19, 12:22 PM	Incoming	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
07/20/19, 1:35 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
07/20/19, 1:52 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
07/29/19, 3:55 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
07/29/19, 9:41 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
08/01/19, 1:53 PM	to LAS VEGAS/NV	(702) 457-2500	1 Min	Wi-Fi call	--
07/22/19, 11:49 AM	Incoming	(702) 444-5337	1 Min	-	--
07/16/19, 3:13 PM	Incoming	(702) 426-5826	3 Min	T-Mobile to T-Mobile	--
07/19/19, 12:12 PM	to LAS VEGAS/NV	(702) 426-5826	3 Min	T-Mobile to T-Mobile	--
07/18/19, 4:55 PM	to LAS VEGAS/NV	(702) 417-6444	1 Min	-	--
07/18/19, 8:59 PM	to LAS VEGAS/NV	(702) 417-6444	1 Min	-	--
07/18/19, 9:40 PM	to LAS VEGAS/NV	(702) 417-6444	2 Min	-	--
08/01/19, 4:27 PM	to LAS VEGAS/NV	(702) 382-9261	1 Min	-	--
07/17/19, 10:14 AM	to LAS VEGAS/NV	(702) 378-3785	7 Min	-	--
07/18/19, 4:48 PM	Incoming	(702) 376-5925	2 Min	Call Waiting	--
07/18/19, 5:09 PM	Incoming	(702) 376-5925	1 Min	-	--



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Call details

Filter

Aug 10 - Sep 09, 2019

Total: 772 minutes

Total charges: \$0.00

Date & Time (Pacific)	Destination	Number	Min	Type	Charge
08/26/19, 4:03 PM	to LAS VEGAS/NV	(702) 472-8686	5 Min	Wi-Fi call	--
08/18/19, 1:24 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
08/18/19, 1:24 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
08/18/19, 1:24 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
08/18/19, 2:28 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
08/18/19, 2:34 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
08/20/19, 5:33 PM	Incoming	(702) 470-6314	1 Min	Wi-Fi call	--
08/25/19, 1:47 AM	to LAS VEGAS/NV	(702) 470-6314	2 Min	T-Mobile to T-Mobile	--
09/01/19, 3:55 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
09/01/19, 4:52 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
09/01/19, 9:25 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
09/07/19, 7:10 PM	to LAS VEGAS/NV	(702) 456-0057	1 Min	-	--
08/29/19, 2:21 PM	to LAS VEGAS/NV	(702) 455-4191	1 Min	-	--
08/29/19, 2:46 PM	to LAS VEGAS/NV	(702) 455-4191	1 Min	-	--
08/29/19, 2:35 PM	to LAS VEGAS/NV	(702) 445-4191	1 Min	-	--
08/29/19, 2:35 PM	to LAS VEGAS/NV	(702) 445-4191	1 Min	-	--
08/20/19, 8:18 AM	Incoming	(702) 426-5826	2 Min	T-Mobile to T-Mobile	--
08/20/19, 8:26 AM	to LAS VEGAS/NV	(702) 426-5826	4 Min	T-Mobile to T-Mobile	--
09/01/19, 3:46 PM	to LAS VEGAS/NV	(702) 417-6444	3 Min	-	--
08/28/19, 2:17 PM	Incoming	(702) 378-3785	11 Min	-	--
08/28/19, 2:27 PM	to LAS VEGAS/NV	(702) 378-3785	27 Min	-	--
08/17/19, 11:23 AM	to LAS VEGAS/NV	(702) 365-7111	3 Min	-	--
08/30/19, 6:58 PM	to LAS VEGAS/NV	(702) 355-7796	1 Min	T-Mobile to T-Mobile	--
08/30/19, 6:59 PM	Incoming	(702) 355-7796	3 Min	T-Mobile to T-Mobile	--
08/30/19, 7:02 PM	Incoming	(702) 355-7796	1 Min	T-Mobile to T-Mobile	--
09/02/19, 3:45 PM	Incoming	(702) 355-7796	2 Min	T-Mobile to T-Mobile	--
09/07/19, 6:20 PM	to LAS VEGAS/NV	(702) 355-7796	2 Min	Wi-Fi call	--
08/29/19, 3:58 PM	to LAS VEGAS/NV	(702) 349-6165	1 Min	-	--
08/29/19, 5:16 PM	to LAS VEGAS/NV	(702) 349-6165	1 Min	-	--
08/29/19, 5:48 PM	to LAS VEGAS/NV	(702) 349-6165	1 Min	-	--
08/29/19, 5:50 PM	to LAS VEGAS/NV	(702) 349-6165	1 Min	-	--
09/01/19, 7:06 PM	Incoming	(702) 349-6165	1 Min	-	--
09/02/19, 1:19 AM	to LAS VEGAS/NV	(702) 349-6165	2 Min	-	--
09/04/19, 3:23 PM	to LAS VEGAS/NV	(702) 349-6165	1 Min	-	--
09/04/19, 5:39 PM	to LAS VEGAS/NV	(702) 349-6165	1 Min	-	--
09/04/19, 5:39 PM	to LAS VEGAS/NV	(702) 349-6165	1 Min	-	--
09/04/19, 5:43 PM	to LAS VEGAS/NV	(702) 349-6165	1 Min	-	--
09/04/19, 6:53 PM	Incoming	(702) 349-6165	2 Min	-	--
09/04/19, 7:48 PM	to LAS VEGAS/NV	(702) 349-6165	1 Min	-	--
09/04/19, 8:04 PM	to LAS VEGAS/NV	(702) 349-6165	1 Min	-	--
09/04/19, 10:15 PM	to LAS VEGAS/NV	(702) 349-6165	1 Min	-	--
09/04/19, 10:57 PM	Incoming	(702) 349-6165	1 Min	-	--
09/04/19, 11:16 PM	Incoming	(702) 349-6165	1 Min	-	--
09/04/19, 11:21 PM	Incoming	(702) 349-6165	1 Min	-	--
09/05/19, 12:14 AM	Incoming	(702) 349-6165	1 Min	-	--
09/05/19, 10:02 AM	to LAS VEGAS/NV	(702) 349-6165	1 Min	-	--
09/05/19, 2:25 PM	Incoming	(702) 349-6165	1 Min	Wi-Fi call	--
09/06/19, 7:44 PM	Incoming	(702) 349-6165	2 Min	-	--
09/06/19, 8:09 PM	Incoming	(702) 349-6165	1 Min	-	--

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Download usage records

English Español

8/22/2020

My T-Mobile | Usage



MENU

Zan

Call details

Filter

Aug 10 - Sep 08, 2019

Total: 772 minutes

Total charges: \$0.00

Date & Time (Pacific)	Destination	Number	Min	Type	Charge
09/05/19, 9:27 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
09/05/19, 3:28 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
09/06/19, 12:56 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
09/06/19, 1:39 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
09/06/19, 1:42 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
09/09/19, 2:04 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
09/09/19, 7:27 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
08/27/19, 12:12 PM	Incoming	(415) 944-3415	2 Min	Wi-Fi call	--
08/27/19, 8:26 AM	Incoming	(415) 640-4864	2 Min	-	--
08/27/19, 8:31 AM	Incoming	(415) 640-4864	1 Min	-	--
09/03/19, 10:38 AM	to BUTTE/MT	(406) 299-1029	1 Min	-	--
08/20/19, 11:25 AM	to HOUSTON/TX	(346) 326-0011	1 Min	-	--
09/05/19, 12:13 PM	Incoming	(314) 325-5016	5 Min	-	--
09/05/19, 1:18 PM	to LADUE/MO	(314) 325-5016	3 Min	-	--
08/28/19, 4:30 PM	to LOS BANOS/CA	(209) 827-8030	3 Min	Wi-Fi call	--
08/28/19, 5:31 PM	Incoming		1 Min	-	--

1 2 3 4 5 6 7 8 9

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English Español

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Zan

Call details

Filter

~~SEP 10 - OCT 09, 2019~~

Total: 895 minutes

Total charges: \$5.00

Date & Time (Pacific)	Destination	Number	Min	Type	Charge
09/30/19, 2:56 PM	to LAS VEGAS/NV	(702) 601-5826	3 Min	-	--
09/30/19, 11:21 AM	Incoming	(702) 601-5826	3 Min	-	--
09/30/19, 11:19 AM	Incoming	(702) 601-5826	2 Min	-	--
09/27/19, 7:43 AM	to LAS VEGAS/NV	(702) 601-5826	1 Min	Wi-Fi call	--
09/27/19, 7:43 AM	Incoming	(702) 601-5826	4 Min	Wi-Fi call	--
09/17/19, 7:00 PM	to LAS VEGAS/NV	(702) 601-5826	1 Min	-	--
09/17/19, 6:15 PM	Incoming	(702) 601-5826	1 Min	-	--
09/10/19, 1:02 PM	to LAS VEGAS/NV	(702) 588-8095	3 Min	T-Mobile to T-Mobile	--
09/10/19, 12:57 PM	to LAS VEGAS/NV	(702) 588-8095	1 Min	T-Mobile to T-Mobile	--
10/07/19, 3:14 PM	to LAS VEGAS/NV	(702) 580-6005	2 Min	Wi-Fi call	--
10/06/19, 8:59 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
10/06/19, 8:50 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
10/04/19, 2:51 PM	Incoming	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
10/04/19, 12:01 PM	to LAS VEGAS/NV	(702) 580-6005	5 Min	T-Mobile to T-Mobile	--
10/04/19, 1:35 AM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
09/27/19, 7:25 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
09/27/19, 2:41 PM	Incoming	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
09/27/19, 11:32 AM	Incoming	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
09/24/19, 4:12 PM	Incoming	(702) 580-6005	2 Min	Wi-Fi call	--
09/23/19, 6:48 PM	Incoming	(702) 580-6005	2 Min	T-Mobile to T-Mobile	--
09/22/19, 4:51 PM	to LAS VEGAS/NV	(702) 580-6005	3 Min	T-Mobile to T-Mobile	--
09/20/19, 6:53 PM	Incoming	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
09/19/19, 1:07 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
09/19/19, 9:53 AM	Incoming	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
09/18/19, 6:50 PM	Incoming	(702) 580-6005	2 Min	T-Mobile to T-Mobile	--
09/17/19, 1:41 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
09/17/19, 1:12 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
09/14/19, 11:06 AM	to LAS VEGAS/NV	(702) 580-6005	1 Min	Wi-Fi call	--
09/30/19, 1:57 PM	to LAS VEGAS/NV	(702) 557-2327	2 Min	-	--
09/30/19, 12:06 AM	to LAS VEGAS/NV	(702) 547-7777	7 Min	-	--
09/29/19, 7:44 PM	to LAS VEGAS/NV	(702) 547-7777	8 Min	-	--
09/22/19, 7:47 PM	to LAS VEGAS/NV	(702) 480-2853	1 Min	-	--
09/17/19, 6:07 PM	to LAS VEGAS/NV	(702) 480-1425	2 Min	T-Mobile to T-Mobile	--
09/23/19, 11:07 AM	to LAS VEGAS/NV	(702) 472-8686	1 Min	-	--
09/23/19, 11:00 AM	to LAS VEGAS/NV	(702) 472-8686	2 Min	-	--
09/17/19, 10:51 AM	to LAS VEGAS/NV	(702) 451-5153	4 Min	-	--
09/27/19, 10:37 AM	Incoming	(702) 448-2260	1 Min	-	--
10/07/19, 2:07 PM	Incoming	(702) 426-5826	1 Min	Wi-Fi call	--
10/07/19, 1:44 PM	to LAS VEGAS/NV	(702) 426-5826	1 Min	Wi-Fi call	--
10/07/19, 12:41 PM	Incoming	(702) 426-5826	2 Min	T-Mobile to T-Mobile	--
10/07/19, 12:34 PM	to LAS VEGAS/NV	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
10/05/19, 10:30 PM	to LAS VEGAS/NV	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
10/05/19, 9:16 PM	Incoming	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
10/05/19, 9:04 PM	to LAS VEGAS/NV	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
10/05/19, 8:56 PM	to LAS VEGAS/NV	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
10/05/19, 8:40 PM	Incoming	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
10/05/19, 4:57 PM	to LAS VEGAS/NV	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
10/05/19, 4:20 PM	Incoming	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
10/05/19, 4:06 PM	to LAS VEGAS/NV	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--



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Call details

**NO PHONE CALLS**Sep 19 - Oct 09, 2019

Filter

Total: 895 minutes

Total charges: \$5.00

Date & Time (Pacific)	Destination	Number	Min	Type	Charge
09/18/19, 10:02 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
09/17/19, 6:58 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
09/17/19, 4:08 PM	to MASSAPEQUA/NY	(516) 494-1001	2 Min	Call Forward	--
09/13/19, 7:50 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
09/13/19, 4:12 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
09/13/19, 4:08 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
09/13/19, 1:39 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
09/13/19, 10:33 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
09/13/19, 9:44 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
09/13/19, 9:39 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
09/11/19, 3:25 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
09/11/19, 8:21 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
09/10/19, 2:48 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
09/10/19, 10:54 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
09/10/19, 10:46 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
09/10/19, 10:28 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
09/10/19, 1:18 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/07/19, 2:29 PM	to MONTREAL/QC	(514) 343-0044	3 Min	Wi-Fi call	\$3.00
10/07/19, 1:48 PM	Incoming	(514) 343-0044	1 Min	Wi-Fi call	--
10/04/19, 12:19 PM	to MONTREAL/QC	(514) 343-0044	2 Min	-	\$2.00
09/16/19, 10:59 AM	Incoming	(480) 365-2002	6 Min	-	--
09/16/19, 10:36 AM	to PHOENIX/AZ	(480) 365-2002	2 Min	-	--
09/19/19, 3:35 PM	Incoming	(480) 360-7694	7 Min	-	--
09/21/19, 1:55 PM	Incoming	(425) 599-9337	3 Min	-	--
09/21/19, 1:54 PM	to HALLS LAKE/WA	(425) 599-9337	1 Min	-	--
10/09/19, 8:03 AM	to SAN JOSE W/CA	(408) 516-4191	1 Min	-	--
10/07/19, 10:56 AM	to ATLANTA/GA	(404) 629-2728	1 Min	-	--
10/07/19, 10:57 AM	to ATLANTA/GA	(404) 592-0234	1 Min	-	--
09/27/19, 10:39 AM	Incoming	(336) 393-9865	23 Min	-	--
09/27/19, 9:22 PM	to LOSANGELES/CA	(323) 301-9794	5 Min	-	--
09/13/19, 10:34 PM	to LOSANGELES/CA	(323) 301-9794	1 Min	-	--
09/13/19, 9:52 PM	Incoming	(323) 301-9794	17 Min	-	--
09/20/19, 9:59 PM	Incoming	(204) 272-0306	1 Min	-	--
10/04/19, 6:30 PM	Incoming		1 Min	-	--

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Call details

Filter

Oct 10 - Nov 09, 2019

Total: 864 minutes

Total charges: \$9.00

Date & Time (Pacific)	Destination	Number	Min	Type	Charge
10/28/19, 6:00 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
11/01/19, 10:55 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
11/02/19, 2:25 PM	Incoming	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
11/02/19, 7:48 PM	Incoming	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
11/03/19, 10:47 AM	Incoming	(702) 580-6005	3 Min	T-Mobile to T-Mobile	--
11/03/19, 12:06 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
11/03/19, 12:08 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
11/04/19, 12:09 PM	to LAS VEGAS/NV	(702) 580-6005	2 Min	T-Mobile to T-Mobile	--
11/04/19, 9:51 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	Wi-Fi call	--
11/06/19, 10:57 AM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
11/07/19, 10:17 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	Wi-Fi call	--
11/08/19, 2:39 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
11/08/19, 3:03 PM	Incoming	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
11/08/19, 10:11 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
11/09/19, 1:26 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
11/09/19, 4:51 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
11/09/19, 5:24 PM	Incoming	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
10/10/19, 11:17 PM	to LAS VEGAS/NV	(702) 572-7728	1 Min	-	--
10/17/19, 7:57 PM	Incoming	(702) 572-7728	8 Min	-	--
10/17/19, 10:49 PM	Incoming	(702) 572-7728	1 Min	-	--
11/09/19, 5:59 PM	to LAS VEGAS/NV	(702) 572-6048	2 Min	-	--
10/16/19, 9:10 AM	Incoming	(702) 569-7855	1 Min	Wi-Fi call	--
11/07/19, 4:46 PM	to LAS VEGAS/NV	(702) 569-2651	1 Min	-	--
10/25/19, 6:25 PM	Incoming	(702) 566-9794	1 Min	Wi-Fi call	--
11/08/19, 9:57 AM	to LAS VEGAS/NV	(702) 566-2573	5 Min	-	--
10/29/19, 4:12 PM	to LAS VEGAS/NV	(702) 558-3571	2 Min	-	--
11/03/19, 10:24 AM	to LAS VEGAS/NV	(702) 545-0888	1 Min	-	--
11/08/19, 12:24 AM	Incoming	(702) 504-1569	4 Min	-	--
11/08/19, 2:37 PM	Incoming	(702) 504-1569	2 Min	-	--
10/22/19, 11:22 AM	Incoming	(702) 503-1502	7 Min	-	--
10/28/19, 1:53 PM	to LAS VEGAS/NV	(702) 503-1502	2 Min	-	--
11/08/19, 9:49 AM	to LAS VEGAS/NV	(702) 486-4100	2 Min	-	--
11/08/19, 12:50 PM	Incoming	(702) 481-9900	1 Min	T-Mobile to T-Mobile	--
11/08/19, 4:07 PM	to LAS VEGAS/NV	(702) 480-2892	3 Min	-	--
11/08/19, 4:24 PM	Incoming	(702) 480-2892	1 Min	-	--
10/15/19, 1:52 PM	to LAS VEGAS/NV	(702) 472-8586	1 Min	-	--
11/08/19, 10:09 AM	to LAS VEGAS/NV	(702) 472-8586	2 Min	-	--
10/14/19, 8:34 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
10/17/19, 4:30 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
10/16/19, 8:32 PM	to LAS VEGAS/NV	(702) 460-5062	1 Min	-	--
10/16/19, 8:52 AM	to LAS VEGAS/NV	(702) 458-7794	6 Min	Wi-Fi call	--
10/23/19, 9:53 AM	to LAS VEGAS/NV	(702) 458-7794	9 Min	-	--
10/11/19, 9:55 AM	to LAS VEGAS/NV	(702) 457-2500	1 Min	-	--
10/21/19, 6:01 PM	to LAS VEGAS/NV	(702) 445-0866	2 Min	Wi-Fi call	--
10/11/19, 1:18 PM	to LAS VEGAS/NV	(702) 426-5826	2 Min	Wi-Fi call	--
10/12/19, 9:26 PM	to LAS VEGAS/NV	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
10/12/19, 9:41 PM	to LAS VEGAS/NV	(702) 426-5826	3 Min	T-Mobile to T-Mobile	--
10/17/19, 10:55 AM	to LAS VEGAS/NV	(702) 426-5826	6 Min	T-Mobile to T-Mobile	--
10/31/19, 10:21 PM	to LAS VEGAS/NV	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
11/03/19, 10:21 AM	to LAS VEGAS/NV	(702) 426-5826	3 Min	T-Mobile to T-Mobile	--

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Call details

Filter

No PHONE CALLS

Oct 10 - Nov 09, 2019

Total: 864 minutes

Total charges: \$9.00

Date & Time (Pacific)	Destination	Number	Min	Type	Charge
10/25/19, 3:43 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/26/19, 8:05 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/26/19, 8:07 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/26/19, 10:10 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/26/19, 10:27 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/26/19, 11:11 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/26/19, 11:21 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/26/19, 2:38 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/28/19, 8:19 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/28/19, 2:38 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/28/19, 6:51 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/28/19, 7:21 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/29/19, 8:11 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
10/29/19, 8:18 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
10/29/19, 8:38 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
10/29/19, 8:55 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
10/29/19, 1:16 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/29/19, 1:48 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/29/19, 2:37 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/30/19, 8:39 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/30/19, 9:16 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/30/19, 11:45 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/30/19, 12:09 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/30/19, 2:22 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/30/19, 5:47 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/31/19, 9:27 AM	to MASSAPEQUA/NY	(516) 494-1001	2 Min	Call Forward	--
10/31/19, 12:04 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/31/19, 12:10 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
11/01/19, 8:34 AM	to MASSAPEQUA/NY	(516) 494-1001	2 Min	Call Forward	--
11/01/19, 10:14 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
11/01/19, 11:32 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
11/01/19, 8:31 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
11/03/19, 8:00 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
11/04/19, 7:15 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
11/04/19, 10:20 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
11/04/19, 6:23 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
11/05/19, 2:46 PM	to MASSAPEQUA/NY	(516) 494-1001	2 Min	Call Forward	--
11/05/19, 3:44 PM	to MASSAPEQUA/NY	(516) 494-1001	2 Min	Call Forward	--
11/07/19, 1:02 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
11/07/19, 2:36 PM	to MASSAPEQUA/NY	(516) 494-1001	2 Min	Call Forward	--
11/07/19, 8:05 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
11/07/19, 8:14 PM	to MASSAPEQUA/NY	(516) 494-1001	2 Min	Call Forward	--
11/08/19, 12:21 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
11/08/19, 9:43 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
10/13/19, 6:16 PM	to ASHTABULA/OH	(440) 855-0195	2 Min	Wi-Fi call	--
10/13/19, 6:22 PM	Incoming	(440) 855-0195	2 Min	Wi-Fi call	--
10/20/19, 1:28 PM	to HALLS LAKE/WA	(425) 599-9337	1 Min	-	--
10/15/19, 5:55 PM	to PORTCLINTN/OH	(419) 967-4137	2 Min	T-Mobile to T-Mobile	--
10/15/19, 7:25 PM	Incoming	(419) 967-4137	1 Min	T-Mobile to T-Mobile	--
10/15/19, 1:43 PM	to ATLANTA/GA	(404) 592-0234	1 Min	-	--

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6/22/2020



## My T-Mobile | Usage

MENU

Zan

Call details

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Nov 10 - Dec 09, 2019

Total: 1295 minutes

Total charges: \$12.00

Date & Time (Pacific)	Destination	Number	Min	Type	Charge
11/22/19, 11:11 AM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
11/23/19, 1:31 PM	to LAS VEGAS/NV	(702) 580-6005	2 Min	T-Mobile to T-Mobile	--
11/25/19, 1:38 PM	to LAS VEGAS/NV	(702) 580-6005	2 Min	T-Mobile to T-Mobile	--
11/26/19, 8:06 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
11/26/19, 8:07 PM	Incoming	(702) 580-6005	1 Min	Call Waiting	--
11/26/19, 9:09 PM	Incoming	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
11/27/19, 5:33 PM	to LAS VEGAS/NV	(702) 580-6005	2 Min	T-Mobile to T-Mobile	--
11/27/19, 6:56 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
11/30/19, 3:13 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
12/04/19, 4:23 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	Wi-Fi call	--
12/04/19, 8:44 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	Wi-Fi call	--
12/05/19, 4:17 PM	Incoming	(702) 580-6005	1 Min	Wi-Fi call	--
12/05/19, 4:19 PM	Incoming	(702) 580-6005	1 Min	Wi-Fi call	--
12/05/19, 6:50 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
12/06/19, 12:01 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
12/06/19, 12:02 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
12/07/19, 2:07 PM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
12/08/19, 10:04 PM	to LAS VEGAS/NV	(702) 580-6005	2 Min	T-Mobile to T-Mobile	--
12/09/19, 10:48 AM	to LAS VEGAS/NV	(702) 580-6005	1 Min	T-Mobile to T-Mobile	--
12/09/19, 10:49 AM	to LAS VEGAS/NV	(702) 580-6005	3 Min	T-Mobile to T-Mobile	--
12/09/19, 6:09 PM	to LAS VEGAS/NV	(702) 580-6005	2 Min	T-Mobile to T-Mobile	--
11/14/19, 10:18 AM	to LAS VEGAS/NV	(702) 580-0343	3 Min	T-Mobile to T-Mobile	--
11/15/19, 5:33 PM	Incoming	(702) 580-0343	1 Min	T-Mobile to T-Mobile	--
11/13/19, 2:04 PM	Incoming	(702) 575-3026	2 Min	T-Mobile to T-Mobile	--
11/10/19, 9:34 AM	to LAS VEGAS/NV	(702) 572-6048	2 Min	-	--
11/10/19, 11:45 AM	Incoming	(702) 572-6048	2 Min	-	--
11/10/19, 12:53 PM	to LAS VEGAS/NV	(702) 572-6048	2 Min	-	--
11/10/19, 1:08 PM	to LAS VEGAS/NV	(702) 572-6048	1 Min	-	--
11/10/19, 1:10 PM	to LAS VEGAS/NV	(702) 572-6048	1 Min	-	--
11/11/19, 12:45 PM	to LAS VEGAS/NV	(702) 572-6048	2 Min	-	--
11/11/19, 2:36 PM	Incoming	(702) 572-6048	1 Min	-	--
11/11/19, 2:56 PM	Incoming	(702) 572-6048	1 Min	-	--
11/12/19, 11:46 AM	Incoming	(702) 572-6048	3 Min	-	--
11/14/19, 2:05 PM	to LAS VEGAS/NV	(702) 572-6048	1 Min	-	--
11/16/19, 1:58 PM	to LAS VEGAS/NV	(702) 566-2573	1 Min	-	--
11/18/19, 11:21 AM	to LAS VEGAS/NV	(702) 566-2573	6 Min	-	--
11/27/19, 12:04 PM	to LAS VEGAS/NV	(702) 565-7555	3 Min	-	--
11/13/19, 2:00 PM	to LAS VEGAS/NV	(702) 551-1503	1 Min	-	--
11/28/19, 1:51 PM	to LAS VEGAS/NV	(702) 547-6500	1 Min	-	--
11/30/19, 4:23 PM	to LAS VEGAS/NV	(702) 530-2129	2 Min	-	--
11/30/19, 4:23 PM	to LAS VEGAS/NV	(702) 530-2129	1 Min	-	--
11/10/19, 9:18 AM	to LAS VEGAS/NV	(702) 505-3224	4 Min	-	--
11/28/19, 2:19 PM	Incoming	(702) 503-1502	3 Min	-	--
12/06/19, 4:44 PM	Incoming	(702) 503-1502	2 Min	-	--
11/23/19, 8:11 AM	Incoming	(702) 492-4612	1 Min	-	--
11/23/19, 8:51 AM	Incoming	(702) 492-4612	1 Min	-	--
11/15/19, 10:59 AM	to LAS VEGAS/NV	(702) 486-4100	2 Min	-	--
11/13/19, 2:21 PM	to LAS VEGAS/NV	(702) 480-2892	2 Min	-	--
11/23/19, 11:52 AM	to LAS VEGAS/NV	(702) 472-8686	4 Min	-	--
11/27/19, 12:16 PM	to LAS VEGAS/NV	(702) 472-8686	1 Min	-	--

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Call details

Nov 10 - Dec 09, 2019

*No Phone Calls*

Filter

Total: 1295 minutes

Total charges: \$12.00

Date & Time (Pacific)	Destination	Number	Min	Type	Charge
12/02/19, 5:29 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/02/19, 7:57 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/02/19, 8:13 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/02/19, 8:50 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/03/19, 10:27 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/03/19, 10:58 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/03/19, 11:33 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/03/19, 12:38 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/03/19, 1:18 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/03/19, 3:32 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/04/19, 11:07 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/04/19, 1:57 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
12/04/19, 3:42 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
12/05/19, 12:43 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/05/19, 3:12 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/06/19, 11:10 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/08/19, 3:56 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/09/19, 8:05 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/09/19, 10:25 AM	to MASSAPEQUA/NY	(516) 494-1001	2 Min	Call Forward	--
12/09/19, 10:35 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/09/19, 10:41 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/09/19, 10:41 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/09/19, 11:39 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/09/19, 4:58 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/09/19, 5:12 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/09/19, 5:13 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/09/19, 5:13 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/09/19, 7:43 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/09/19, 11:05 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/05/19, 12:13 PM	Incoming	(480) 365-2002	12 Min	Call Waiting	--
12/06/19, 12:51 PM	Incoming	(416) 499-9936	1 Min	-	--
12/09/19, 8:58 AM	Incoming	(408) 219-9434	1 Min	-	--
11/25/19, 10:33 PM	to ORLANDO/FL	(407) 641-1324	1 Min	-	--
11/30/19, 8:46 PM	to OPELKA/AL	(334) 203-9826	2 Min	Conference call	--
12/05/19, 11:57 AM	to LOSANGELES/CA	(323) 987-2333	9 Min	-	--
11/14/19, 3:12 PM	to LOSANGELES/CA	(323) 749-1001	1 Min	T-Mobile to T-Mobile	--
11/14/19, 3:13 PM	to LOSANGELES/CA	(323) 749-1001	1 Min	T-Mobile to T-Mobile	--
11/15/19, 10:31 AM	to LOSANGELES/CA	(323) 749-1001	1 Min	T-Mobile to T-Mobile	--
11/15/19, 10:46 AM	to LOSANGELES/CA	(323) 749-1001	1 Min	T-Mobile to T-Mobile	--
11/15/19, 11:37 AM	to LOSANGELES/CA	(323) 749-1001	1 Min	T-Mobile to T-Mobile	--
11/15/19, 1:10 PM	to LOSANGELES/CA	(323) 749-1001	1 Min	T-Mobile to T-Mobile	--
11/15/19, 7:24 PM	to LOSANGELES/CA	(323) 749-1001	1 Min	T-Mobile to T-Mobile	--
12/05/19, 2:30 PM	to LOSANGELES/CA	(323) 333-9371	4 Min	-	--
12/05/19, 10:21 AM	to MIAMI/FL	(305) 534-1666	9 Min	-	--
11/23/19, 6:56 AM	to WAUKEGAN/IL	(224) 656-4498	3 Min	-	--
11/23/19, 7:02 AM	to WAUKEGAN/IL	(224) 656-4498	3 Min	-	--
11/11/19, 4:36 PM	VM Retrieval	(123)	1 Min	Voice mail	--

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Call details

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Dec 10 - Jan 09, 2020

Total: 1068 minutes

Total charges: \$0.00

Date & Time (Pacific)	Destination	Number	Min	Type	Charge
12/26/19, 1:22 PM	Incoming	(702) 503-1502	1 Min	-	--
01/07/20, 8:11 PM	to LAS VEGAS/NV	(702) 503-1502	3 Min	-	--
01/02/20, 1:00 PM	to LAS VEGAS/NV	(702) 499-2083	1 Min	-	--
01/02/20, 1:09 PM	Incoming	(702) 499-2083	1 Min	-	--
01/08/20, 2:48 PM	Incoming	(702) 488-0441	1 Min	Wi-Fi call	--
01/08/20, 10:52 PM	to LAS VEGAS/NV	(702) 488-0441	1 Min	-	--
12/12/19, 12:37 PM	to LAS VEGAS/NV	(702) 486-8617	2 Min	-	--
12/19/19, 9:05 AM	to LAS VEGAS/NV	(702) 486-8617	3 Min	-	--
12/12/19, 2:33 PM	Incoming	(702) 486-4368	5 Min	-	--
12/19/19, 8:55 AM	Incoming	(702) 486-4368	1 Min	-	--
12/20/19, 9:37 AM	Incoming	(702) 486-4368	2 Min	-	--
01/07/20, 2:53 PM	Incoming	(702) 486-4368	2 Min	-	--
12/18/19, 1:54 PM	to LAS VEGAS/NV	(702) 486-4000	1 Min	-	--
12/17/19, 12:55 PM	Incoming	(702) 480-2892	1 Min	-	--
12/18/19, 10:32 AM	Incoming	(702) 480-2892	1 Min	Wi-Fi call	--
12/18/19, 10:38 AM	Incoming	(702) 480-2892	1 Min	-	--
12/18/19, 12:50 PM	Incoming	(702) 480-2892	1 Min	Wi-Fi call	--
12/19/19, 7:12 PM	to LAS VEGAS/NV	(702) 480-1425	4 Min	T-Mobile to T-Mobile	--
12/13/19, 9:42 AM	to LAS VEGAS/NV	(702) 472-8686	2 Min	-	--
12/18/19, 9:23 AM	to LAS VEGAS/NV	(702) 472-8686	1 Min	-	--
01/03/20, 9:54 AM	to LAS VEGAS/NV	(702) 472-8686	2 Min	-	--
01/03/20, 10:29 AM	to LAS VEGAS/NV	(702) 472-8686	2 Min	-	--
01/06/20, 4:13 PM	Incoming	(702) 472-8686	1 Min	-	--
01/06/20, 4:19 PM	Incoming	(702) 472-8686	1 Min	-	--
12/21/19, 1:48 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
12/29/19, 8:15 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
01/08/20, 6:31 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
12/10/19, 8:06 AM	to LAS VEGAS/NV	(702) 458-0092	1 Min	Wi-Fi call	--
12/10/19, 8:07 AM	to LAS VEGAS/NV	(702) 457-8077	1 Min	Wi-Fi call	--
12/10/19, 8:04 AM	to LAS VEGAS/NV	(702) 457-2500	1 Min	Wi-Fi call	--
12/10/19, 8:03 AM	to LAS VEGAS/NV	(702) 457-2000	1 Min	Wi-Fi call	--
01/05/20, 12:04 PM	Incoming	(702) 443-0482	2 Min	Call Waiting	--
01/05/20, 3:11 PM	to LAS VEGAS/NV	(702) 443-0482	1 Min	T-Mobile to T-Mobile	--
01/05/20, 3:18 PM	Incoming	(702) 443-0482	1 Min	T-Mobile to T-Mobile	--
12/27/19, 2:50 PM	to LAS VEGAS/NV	(702) 426-5826	6 Min	T-Mobile to T-Mobile	--
12/27/19, 2:56 PM	to LAS VEGAS/NV	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
01/03/20, 6:02 PM	Incoming	(702) 426-5826	4 Min	T-Mobile to T-Mobile	--
01/03/20, 6:06 PM	to LAS VEGAS/NV	(702) 426-5826	2 Min	T-Mobile to T-Mobile	--
01/03/20, 7:32 PM	to LAS VEGAS/NV	(702) 426-5826	2 Min	T-Mobile to T-Mobile	--
01/02/20, 2:24 PM	Incoming	(702) 425-2029	8 Min	Wi-Fi call	--
12/27/19, 10:08 PM	to LAS VEGAS/NV	(702) 417-6444	4 Min	-	--
01/03/20, 5:36 PM	to LAS VEGAS/NV	(702) 415-2576	2 Min	-	--
12/19/19, 8:15 PM	to LAS VEGAS/NV	(702) 402-5555	1 Min	-	--
12/10/19, 7:59 AM	to LAS VEGAS/NV	(702) 386-9575	1 Min	Wi-Fi call	--
12/13/19, 8:48 PM	Incoming	(702) 378-0296	2 Min	-	--
12/28/19, 4:29 PM	to LAS VEGAS/NV	(702) 375-0129	1 Min	-	--
12/14/19, 1:54 PM	to MESQUITE/NV	(702) 344-8427	2 Min	T-Mobile to T-Mobile	--
12/15/19, 3:50 PM	to MESQUITE/NV	(702) 344-8427	2 Min	T-Mobile to T-Mobile	--
12/17/19, 1:30 PM	Incoming	(702) 344-8427	2 Min	T-Mobile to T-Mobile	--
12/17/19, 3:19 PM	Incoming	(702) 344-8427	2 Min	T-Mobile to T-Mobile	--

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Dec 10 - Jan 09, 2020

Total: 1068 minutes

Total charges: \$0.00

Date & Time (Pacific)	Destination	Number	Min	Type	Charge
01/09/20, 4:17 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
01/09/20, 4:37 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
01/09/20, 9:13 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
12/25/19, 7:17 AM	to AUSTIN/TX	(512) 270-3540	1 Min	-	--
12/25/19, 7:19 AM	to AUSTIN/TX	(512) 270-3540	1 Min	-	--
12/10/19, 6:52 PM	Incoming	(509) 394-4292	1 Min	-	--
01/05/20, 11:08 AM	to NEWORLEANS/LA	(504) 302-8132	2 Min	-	--
01/05/20, 12:07 PM	to NEWORLEANS/LA	(504) 302-8132	2 Min	-	--
01/05/20, 3:16 PM	to NEWORLEANS/LA	(504) 302-8132	1 Min	-	--
12/30/19, 4:44 PM	to NEWORLEANS/LA	(504) 302-8070	1 Min	-	--
01/03/20, 10:57 AM	to LAFFITE/LA	(504) 233-0755	1 Min	-	--
01/06/20, 7:23 PM	Incoming	(484) 342-5205	1 Min	-	--
01/06/20, 7:24 PM	to CONSHOHCKN/PA	(484) 342-5205	1 Min	-	--
12/12/19, 11:00 AM	Incoming	(480) 365-2002	3 Min	-	--
12/10/19, 1:42 PM	Incoming	(469) 312-7025	1 Min	Wi-Fi call	--
12/13/19, 10:46 AM	to SNFCCENTRE/CA	(415) 640-4864	1 Min	-	--
01/03/20, 9:57 AM	Incoming	(415) 640-4864	2 Min	-	--
01/03/20, 10:03 AM	Incoming	(415) 640-4864	1 Min	Call Waiting	--
01/03/20, 10:13 AM	Incoming	(415) 640-4864	1 Min	-	--
01/07/20, 5:24 PM	Incoming	(360) 719-9692	2 Min	Conference call	--
01/05/20, 10:56 AM	to PHILA/PA	(267) 507-4039	1 Min	-	--

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Jan 10 - Feb 09, 2020

Total charges: \$0.00

Total: 1351 minutes

Date & Time (Pacific)	Destination	Number	Min	Type	Charge
02/03/20, 12:20 PM	to LAS VEGAS/NV	(702) 486-8617	2 Min	Wi-Fi call	--
01/11/20, 4:22 PM	to LAS VEGAS/NV	(702) 481-0467	1 Min	-	--
01/11/20, 8:43 PM	to LAS VEGAS/NV	(702) 481-0467	1 Min	-	--
01/11/20, 2:07 PM	to LAS VEGAS/NV	(702) 470-6314	2 Min	T-Mobile to T-Mobile	--
01/11/20, 3:13 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
01/11/20, 6:31 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
01/11/20, 7:54 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
01/19/20, 10:27 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
01/26/20, 7:41 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
02/01/20, 12:30 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
02/08/20, 5:17 PM	to LAS VEGAS/NV	(702) 470-6314	2 Min	T-Mobile to T-Mobile	--
01/22/20, 11:53 AM	to LAS VEGAS/NV	(702) 457-2500	3 Min	-	--
02/05/20, 2:09 PM	to LAS VEGAS/NV	(702) 457-2500	2 Min	Wi-Fi call	--
01/20/20, 5:30 PM	to LAS VEGAS/NV	(702) 435-9200	1 Min	-	--
01/20/20, 5:31 PM	to LAS VEGAS/NV	(702) 435-9200	1 Min	-	--
01/20/20, 6:54 PM	to LAS VEGAS/NV	(702) 435-9200	4 Min	-	--
01/13/20, 11:52 AM	to LAS VEGAS/NV	(702) 426-5826	4 Min	T-Mobile to T-Mobile	--
01/29/20, 1:43 PM	Incoming	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
01/29/20, 2:17 PM	to LAS VEGAS/NV	(702) 426-5826	2 Min	T-Mobile to T-Mobile	--
01/31/20, 4:45 PM	to LAS VEGAS/NV	(702) 426-5826	1 Min	Wi-Fi call	--
01/31/20, 5:51 PM	Incoming	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
02/03/20, 10:13 AM	to LAS VEGAS/NV	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
01/27/20, 10:07 AM	Incoming	(702) 425-3285	1 Min	-	--
01/27/20, 10:19 AM	to LAS VEGAS/NV	(702) 425-3285	1 Min	-	--
01/11/20, 3:11 PM	to LAS VEGAS/NV	(702) 417-6444	2 Min	-	--
01/18/20, 3:04 PM	to LAS VEGAS/NV	(702) 412-9176	3 Min	-	--
01/18/20, 9:35 PM	to LAS VEGAS/NV	(702) 412-9176	1 Min	-	--
01/18/20, 10:34 PM	to LAS VEGAS/NV	(702) 412-9176	1 Min	-	--
01/21/20, 11:44 AM	to LAS VEGAS/NV	(702) 388-8822	1 Min	-	--
01/23/20, 1:17 PM	to LAS VEGAS/NV	(702) 388-8822	1 Min	-	--
01/25/20, 8:15 PM	to LAS VEGAS/NV	(702) 382-3508	7 Min	-	--
02/06/20, 1:02 PM	to LAS VEGAS/NV	(702) 365-7111	2 Min	Wi-Fi call	--
02/06/20, 4:20 PM	to LAS VEGAS/NV	(702) 365-7111	1 Min	-	--
01/26/20, 9:40 PM	to LAS VEGAS/NV	(702) 343-4349	1 Min	-	--
01/17/20, 4:21 PM	to LAS VEGAS/NV	(702) 339-0679	8 Min	-	--
01/17/20, 4:32 PM	to LAS VEGAS/NV	(702) 339-0679	3 Min	-	--
01/24/20, 6:19 PM	to LAS VEGAS/NV	(702) 320-7777	1 Min	-	--
01/14/20, 7:38 PM	Incoming	(702) 308-5537	3 Min	-	--
01/14/20, 10:47 PM	Incoming	(702) 308-5537	3 Min	-	--
01/17/20, 4:56 AM	Incoming	(702) 308-5537	1 Min	-	--
01/17/20, 4:58 AM	to LAS VEGAS/NV	(702) 308-5537	1 Min	-	--
01/17/20, 5:01 AM	to LAS VEGAS/NV	(702) 308-5537	1 Min	-	--
01/17/20, 6:06 AM	to LAS VEGAS/NV	(702) 308-5537	1 Min	-	--
01/17/20, 6:11 AM	to LAS VEGAS/NV	(702) 308-5537	1 Min	-	--
01/17/20, 4:37 PM	Incoming	(702) 308-5537	2 Min	-	--
01/19/20, 10:10 PM	to LAS VEGAS/NV	(702) 308-5537	1 Min	-	--
01/19/20, 10:14 PM	to LAS VEGAS/NV	(702) 308-5537	1 Min	-	--
01/20/20, 7:31 PM	to LAS VEGAS/NV	(702) 308-5537	2 Min	-	--
01/20/20, 9:07 PM	to LAS VEGAS/NV	(702) 308-5537	2 Min	-	--
01/21/20, 10:49 PM	to LAS VEGAS/NV	(702) 308-5537	2 Min	-	--

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No PHONE CALLS

Jan 10 - Feb 09, 2020

Filter

Total: 1351 minutes

Total charges: \$0.00

Date & Time (Pacific)	Destination	Number	Min	Type	Charge
02/05/20, 10:26 AM	to MASSAPEQUA/NY	(516) 494-1001	4 Min	Call Forward	--
02/05/20, 12:07 PM	to MASSAPEQUA/NY	(516) 494-1001	2 Min	Call Forward	--
02/06/20, 10:18 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
02/06/20, 12:25 PM	to MASSAPEQUA/NY	(516) 494-1001	2 Min	Wi-Fi call	--
02/06/20, 12:37 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
02/06/20, 5:19 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
02/06/20, 5:21 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
02/06/20, 6:57 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
02/07/20, 9:28 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
02/07/20, 10:26 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
02/07/20, 10:59 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
02/07/20, 1:56 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
02/07/20, 3:55 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
02/07/20, 5:21 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
02/07/20, 5:58 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
02/07/20, 8:57 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
02/07/20, 9:53 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
02/08/20, 10:02 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
02/08/20, 12:33 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
02/08/20, 2:00 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
02/09/20, 10:30 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
02/09/20, 12:04 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
02/09/20, 2:30 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
02/09/20, 5:07 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
02/09/20, 5:24 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
02/09/20, 5:29 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
02/09/20, 9:52 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
02/09/20, 9:53 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
01/28/20, 1:15 AM	to NEWORLEANS/LA	(504) 302-3528	1 Min	-	--
01/27/20, 4:45 PM	to NEWORLEANS/LA	(504) 272-7114	9 Min	Wi-Fi call	--
01/22/20, 12:00 PM	Incoming	(480) 365-2909	5 Min	-	--
01/27/20, 10:22 AM	to STRONGSVL/OH	(440) 732-0555	2 Min	-	--
01/27/20, 10:22 AM	to STRONGSVL/OH	(440) 732-0555	1 Min	-	--
01/27/20, 12:11 PM	Incoming	(440) 732-0555	2 Min	-	--
01/27/20, 12:47 PM	to STRONGSVL/OH	(440) 732-0555	2 Min	-	--
01/27/20, 1:06 PM	to STRONGSVL/OH	(440) 732-0555	2 Min	-	--
01/24/20, 11:45 AM	to LOSANGELES/CA	(323) 749-1001	5 Min	T-Mobile to T-Mobile	--
01/24/20, 1:15 PM	to LOSANGELES/CA	(323) 749-1001	2 Min	T-Mobile to T-Mobile	--
01/24/20, 4:46 PM	to LOSANGELES/CA	(323) 749-1001	1 Min	T-Mobile to T-Mobile	--
01/24/20, 4:58 PM	Incoming	(323) 749-1001	3 Min	T-Mobile to T-Mobile	--
01/25/20, 6:11 PM	to LOSANGELES/CA	(323) 749-1001	2 Min	T-Mobile to T-Mobile	--
01/25/20, 6:13 PM	to LOSANGELES/CA	(323) 749-1001	1 Min	T-Mobile to T-Mobile	--
01/25/20, 10:14 PM	to LOSANGELES/CA	(323) 749-1001	1 Min	T-Mobile to T-Mobile	--
01/27/20, 9:23 AM	Incoming	(323) 749-1001	2 Min	T-Mobile to T-Mobile	--
01/27/20, 5:34 PM	Incoming	(323) 749-1001	1 Min	Wi-Fi call	--
01/27/20, 7:04 PM	to LOSANGELES/CA	(323) 749-1001	2 Min	Wi-Fi call	--
01/27/20, 7:45 PM	Incoming	(323) 749-1001	1 Min	T-Mobile to T-Mobile	--
01/29/20, 8:46 AM	Incoming	(323) 749-1001	1 Min	T-Mobile to T-Mobile	--
01/29/20, 9:58 AM	to LOSANGELES/CA	(323) 749-1001	1 Min	T-Mobile to T-Mobile	--
01/29/20, 9:59 AM	to LOSANGELES/CA	(323) 749-1001	1 Min	T-Mobile to T-Mobile	--

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No PHONE CALLS

Filter

Mar 10 - Apr 09, 2020

Total: 834 minutes

Total charges: \$0.00

Date & Time (Pacific)	Destination	Number	Min	Type	Charge
03/24/20, 4:55 PM	to LAS VEGAS/NV	(702) 499-2083	3 Min	-	--
03/24/20, 5:03 PM	Incoming	(702) 499-2083	1 Min	-	--
03/31/20, 10:05 AM	to LAS VEGAS/NV	(702) 499-2083	1 Min	-	--
03/31/20, 10:36 AM	Incoming	(702) 499-2083	1 Min	-	--
03/16/20, 3:11 PM	to LAS VEGAS/NV	(702) 486-4938	2 Min	-	--
03/16/20, 1:28 PM	Incoming	(702) 470-6314	2 Min	T-Mobile to T-Mobile	--
03/22/20, 7:58 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
03/31/20, 12:22 PM	to LAS VEGAS/NV	(702) 449-5378	1 Min	-	--
03/10/20, 9:27 PM	to LAS VEGAS/NV	(702) 426-5826	2 Min	Wi-Fi call	--
03/19/20, 12:52 PM	Incoming	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
03/19/20, 5:20 PM	to LAS VEGAS/NV	(702) 426-5826	4 Min	T-Mobile to T-Mobile	--
03/21/20, 4:42 PM	to LAS VEGAS/NV	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
03/22/20, 5:43 PM	to LAS VEGAS/NV	(702) 426-5826	2 Min	T-Mobile to T-Mobile	--
03/23/20, 9:44 AM	Incoming	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
03/10/20, 6:18 PM	to LAS VEGAS/NV	(702) 416-5180	1 Min	Wi-Fi call	--
03/14/20, 12:23 AM	to LAS VEGAS/NV	(702) 416-5180	2 Min	-	--
03/14/20, 10:16 PM	to LAS VEGAS/NV	(702) 416-5180	2 Min	-	--
03/14/20, 10:49 PM	Incoming	(702) 416-5180	1 Min	-	--
03/14/20, 11:23 PM	to LAS VEGAS/NV	(702) 416-5180	1 Min	-	--
04/03/20, 1:41 PM	to LAS VEGAS/NV	(702) 413-2212	15 Min	T-Mobile to T-Mobile	--
04/03/20, 1:56 PM	to LAS VEGAS/NV	(702) 413-2212	1 Min	T-Mobile to T-Mobile	--
04/06/20, 2:54 PM	to LAS VEGAS/NV	(702) 380-2848	1 Min	-	--
04/05/20, 12:51 PM	Incoming	(702) 378-3785	3 Min	-	--
03/15/20, 3:54 PM	Incoming	(702) 376-5925	1 Min	-	--
03/28/20, 6:47 PM	to LAS VEGAS/NV	(702) 376-5925	1 Min	-	--
03/30/20, 3:43 PM	to LAS VEGAS/NV	(702) 376-5925	2 Min	-	--
04/03/20, 4:06 PM	to LAS VEGAS/NV	(702) 375-5929	6 Min	-	--
03/20/20, 3:29 PM	Incoming	(702) 358-7146	1 Min	T-Mobile to T-Mobile	--
03/21/20, 6:36 PM	to LAS VEGAS/NV	(702) 358-7146	1 Min	T-Mobile to T-Mobile	--
03/21/20, 8:35 PM	to LAS VEGAS/NV	(702) 358-7146	1 Min	T-Mobile to T-Mobile	--
03/22/20, 3:54 PM	to LAS VEGAS/NV	(702) 358-7146	2 Min	T-Mobile to T-Mobile	--
03/26/20, 2:09 PM	to MESQUITE/NV	(702) 344-3866	1 Min	T-Mobile to T-Mobile	--
04/04/20, 8:25 PM	to LAS VEGAS/NV	(702) 308-5537	2 Min	-	--
04/08/20, 11:38 AM	Incoming	(702) 308-5537	2 Min	-	--
04/08/20, 4:04 PM	to LAS VEGAS/NV	(702) 308-5537	1 Min	-	--
04/01/20, 3:16 PM	Incoming	(702) 283-7560	1 Min	-	--
03/31/20, 12:39 PM	to LAS VEGAS/NV	(702) 260-4902	1 Min	-	--
03/30/20, 7:49 PM	to LAS VEGAS/NV	(702) 234-9778	2 Min	-	--
04/06/20, 2:21 PM	Incoming	(702) 234-9778	3 Min	-	--
03/20/20, 1:11 PM	to LAS VEGAS/NV	(702) 205-7825	1 Min	T-Mobile to T-Mobile	--
04/06/20, 3:17 PM	to NEW YORK/NY	(646) 362-8726	1 Min	-	--
03/31/20, 10:28 AM	Incoming	(575) 223-5027	1 Min	Call Waiting	--
03/10/20, 11:21 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/10/20, 12:33 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/10/20, 6:23 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
03/10/20, 7:07 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
03/11/20, 8:27 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/11/20, 10:26 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/11/20, 10:26 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/11/20, 10:29 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--

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NO PHONE CALLS

Mar 10 - Apr 09, 2020

Filter

Total: 834 minutes

Total charges: \$0.00

Date & Time (Pacific)	Destination	Number	Min	Type	Charge
03/11/20, 11:53 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/11/20, 11:54 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/11/20, 3:28 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
03/11/20, 3:50 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
03/11/20, 7:45 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
03/12/20, 10:48 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
03/12/20, 11:23 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
03/12/20, 12:54 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
03/12/20, 1:03 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
03/12/20, 4:06 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
03/13/20, 10:49 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
03/13/20, 6:25 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
03/28/20, 10:53 PM	to MIDVALE/UT	(885) 246-4179	1 Min	-	--
03/23/20, 4:36 PM	to CHICAGO/IL	(312) 997-5587	3 Min	Conference call	--
03/16/20, 2:26 PM	to RIDGEWOOD/NJ	(201) 345-7644	2 Min	-	--
03/16/20, 11:34 AM	Incoming		1 Min	-	--

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Feb 10 - Mar 09, 2020

Total: 861 minutes

Total charges: \$0.00

Date & Time (Pacific)	Destination	Number	Min	Type	Charge
03/03/20, 2:33 PM	to LAS VEGAS/NV	(702) 505-3224	1 Min	-	--
02/26/20, 12:24 PM	to LAS VEGAS/NV	(702) 486-8690	2 Min	-	--
02/25/20, 4:09 PM	to LAS VEGAS/NV	(702) 486-4368	26 Min	-	--
03/05/20, 9:04 AM	Incoming	(702) 486-4368	2 Min	-	--
02/17/20, 9:12 AM	Incoming	(702) 479-8467	2 Min	-	--
02/17/20, 3:04 PM	Incoming	(702) 479-8467	1 Min	-	--
02/17/20, 6:42 PM	to LAS VEGAS/NV	(702) 479-8467	1 Min	-	--
02/18/20, 5:57 PM	Incoming	(702) 479-8467	1 Min	-	--
02/13/20, 3:33 PM	to LAS VEGAS/NV	(702) 472-8686	4 Min	-	--
02/17/20, 3:21 PM	to LAS VEGAS/NV	(702) 472-8686	1 Min	-	--
02/17/20, 5:35 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
03/05/20, 3:52 PM	Incoming	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
03/05/20, 6:10 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
03/05/20, 6:23 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
02/10/20, 10:02 AM	Incoming	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
02/10/20, 10:20 AM	to LAS VEGAS/NV	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
02/13/20, 2:19 PM	to LAS VEGAS/NV	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
02/17/20, 2:30 PM	Incoming	(702) 426-5826	2 Min	T-Mobile to T-Mobile	--
02/23/20, 11:50 AM	to LAS VEGAS/NV	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
02/23/20, 12:31 PM	to LAS VEGAS/NV	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
02/23/20, 2:26 PM	to LAS VEGAS/NV	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
02/25/20, 4:08 PM	to LAS VEGAS/NV	(702) 426-5826	2 Min	T-Mobile to T-Mobile	--
02/28/20, 4:08 PM	Incoming	(702) 426-5826	6 Min	T-Mobile to T-Mobile	--
03/05/20, 2:57 PM	Incoming	(702) 426-5826	2 Min	T-Mobile to T-Mobile	--
02/19/20, 10:01 AM	to LAS VEGAS/NV	(702) 425-3285	6 Min	-	--
02/24/20, 7:39 AM	to LAS VEGAS/NV	(702) 425-3285	1 Min	-	--
02/19/20, 2:23 PM	to LAS VEGAS/NV	(702) 376-2574	2 Min	T-Mobile to T-Mobile	--
02/27/20, 4:55 PM	Incoming	(702) 376-2574	4 Min	T-Mobile to T-Mobile	--
02/28/20, 10:21 AM	to LAS VEGAS/NV	(702) 376-2574	1 Min	T-Mobile to T-Mobile	--
02/28/20, 1:06 PM	Incoming	(702) 376-2574	1 Min	T-Mobile to T-Mobile	--
02/15/20, 1:33 PM	Incoming	(702) 364-9595	1 Min	-	--
02/21/20, 1:27 PM	to LAS VEGAS/NV	(702) 358-7146	1 Min	T-Mobile to T-Mobile	--
02/21/20, 1:59 PM	to LAS VEGAS/NV	(702) 358-7146	1 Min	T-Mobile to T-Mobile	--
02/21/20, 2:07 PM	Incoming	(702) 358-7146	1 Min	T-Mobile to T-Mobile	--
02/22/20, 2:27 PM	to LAS VEGAS/NV	(702) 358-7146	1 Min	T-Mobile to T-Mobile	--
02/22/20, 2:41 PM	to LAS VEGAS/NV	(702) 358-7146	1 Min	T-Mobile to T-Mobile	--
02/22/20, 2:43 PM	to LAS VEGAS/NV	(702) 358-7146	2 Min	T-Mobile to T-Mobile	--
02/22/20, 2:43 PM	to LAS VEGAS/NV	(702) 358-7146	1 Min	T-Mobile to T-Mobile	--
02/18/20, 8:19 PM	to MESQUITE/NV	(702) 344-8427	3 Min	T-Mobile to T-Mobile	--
02/18/20, 8:40 PM	to MESQUITE/NV	(702) 344-8427	1 Min	T-Mobile to T-Mobile	--
02/18/20, 9:23 PM	to MESQUITE/NV	(702) 344-8427	2 Min	T-Mobile to T-Mobile	--
02/18/20, 9:25 PM	to MESQUITE/NV	(702) 344-8427	1 Min	T-Mobile to T-Mobile	--
02/18/20, 9:28 PM	Incoming	(702) 344-8427	1 Min	T-Mobile to T-Mobile	--
02/19/20, 12:23 PM	to MESQUITE/NV	(702) 344-8427	1 Min	T-Mobile to T-Mobile	--
02/19/20, 12:38 PM	Incoming	(702) 344-8427	1 Min	T-Mobile to T-Mobile	--
02/19/20, 1:49 PM	to MESQUITE/NV	(702) 344-8427	1 Min	T-Mobile to T-Mobile	--



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Call details

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Feb 10 - Mar 09, 2020

Total: 861 minutes

Total charges: \$0.00

Date & Time (Pacific)	Destination	Number	Min	Type	Charge
02/28/20, 10:24 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
02/28/20, 12:38 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
03/01/20, 3:30 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/01/20, 3:46 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/01/20, 5:03 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/02/20, 9:21 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/02/20, 3:06 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/03/20, 9:04 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/03/20, 9:49 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/03/20, 10:22 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/03/20, 12:59 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/03/20, 5:56 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/05/20, 12:34 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/05/20, 12:34 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/05/20, 12:34 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/06/20, 10:14 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
03/06/20, 10:49 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
03/06/20, 12:20 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
03/06/20, 12:30 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
03/06/20, 1:27 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
03/06/20, 3:24 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
03/06/20, 3:31 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
03/06/20, 7:56 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
03/08/20, 6:47 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/09/20, 9:01 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/09/20, 11:02 AM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/09/20, 1:49 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/09/20, 2:59 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/09/20, 3:34 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Wi-Fi call	--
03/09/20, 4:38 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/09/20, 4:38 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/09/20, 5:02 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/09/20, 6:08 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
03/09/20, 6:23 PM	to MASSAPEQUA/NY	(516) 494-1001	1 Min	Call Forward	--
02/10/20, 2:55 PM	Incoming	(484) 758-7915	2 Min	T-Mobile to T-Mobile	--
02/11/20, 9:31 PM	Incoming	(480) 278-9077	1 Min	T-Mobile to T-Mobile	--
02/13/20, 8:40 PM	Incoming	(480) 278-9077	1 Min	T-Mobile to T-Mobile	--
02/13/20, 8:59 PM	to PHOENIX/AZ	(480) 278-9077	1 Min	T-Mobile to T-Mobile	--
02/13/20, 8:59 PM	to PHOENIX/AZ	(480) 278-9077	1 Min	T-Mobile to T-Mobile	--
02/13/20, 9:00 PM	Incoming	(480) 278-9077	1 Min	T-Mobile to T-Mobile	--
03/03/20, 8:32 AM	to PHOENIX/AZ	(480) 209-6234	1 Min	-	--
03/03/20, 9:05 AM	to PHOENIX/AZ	(480) 209-6234	1 Min	-	--
03/03/20, 9:07 AM	to PHOENIX/AZ	(480) 209-6234	1 Min	-	--
02/19/20, 2:17 PM	Incoming	(415) 640-4864	1 Min	-	--
03/04/20, 1:36 PM	to QUEENS NYC/NY	(347) 690-7086	1 Min	-	--
02/10/20, 12:36 PM	to LOSANGELES/CA	(323) 749-1001	2 Min	T-Mobile to T-Mobile	--
02/10/20, 6:05 PM	Incoming	(323) 749-1001	2 Min	Wi-Fi call	--
02/11/20, 1:38 PM	Incoming	(323) 749-1001	3 Min	T-Mobile to T-Mobile	--
02/11/20, 1:43 PM	to LOSANGELES/CA	(323) 749-1001	1 Min	T-Mobile to T-Mobile	--
02/11/20, 4:17 PM	Incoming	(323) 749-1001	1 Min	T-Mobile to T-Mobile	--

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Call details*NO PHONE CALLS*

Apr 10 - May 09, 2020

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Total: 1005 minutes

Total charges: \$70.00

Date & Time (Pacific)	Destination	Number	Min	Type	Charge
04/22/20, 3:53 PM	to LAS VEGAS/NV	(702) 501-5500	10 Min	-	--
04/28/20, 5:06 PM	to LAS VEGAS/NV	(702) 485-3000	1 Min	-	--
04/13/20, 3:08 PM	to LAS VEGAS/NV	(702) 480-1425	3 Min	T-Mobile to T-Mobile	--
04/30/20, 10:49 PM	to LAS VEGAS/NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile	--
04/22/20, 12:03 PM	to LAS VEGAS/NV	(702) 457-2500	1 Min	-	--
05/08/20, 8:14 PM	Incoming	(702) 443-3425	1 Min	-	--
04/13/20, 2:10 PM	to LAS VEGAS/NV	(702) 426-5826	2 Min	T-Mobile to T-Mobile	--
04/13/20, 6:06 PM	to LAS VEGAS/NV	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
04/15/20, 12:49 PM	to LAS VEGAS/NV	(702) 426-5826	7 Min	T-Mobile to T-Mobile	--
04/15/20, 6:27 PM	to LAS VEGAS/NV	(702) 426-5826	2 Min	T-Mobile to T-Mobile	--
04/24/20, 12:27 PM	to LAS VEGAS/NV	(702) 426-5826	2 Min	T-Mobile to T-Mobile	--
04/28/20, 3:28 PM	to LAS VEGAS/NV	(702) 426-5826	5 Min	T-Mobile to T-Mobile	--
05/02/20, 7:20 PM	to LAS VEGAS/NV	(702) 426-5826	3 Min	T-Mobile to T-Mobile	--
05/02/20, 7:22 PM	to LAS VEGAS/NV	(702) 426-5826	14 Min	T-Mobile to T-Mobile	--
05/02/20, 7:36 PM	Incoming	(702) 426-5826	1 Min	T-Mobile to T-Mobile	--
05/06/20, 3:59 PM	to LAS VEGAS/NV	(702) 426-5826	2 Min	T-Mobile to T-Mobile	--
05/07/20, 7:33 AM	to LAS VEGAS/NV	(702) 415-2576	2 Min	-	--
05/02/20, 8:38 PM	to LAS VEGAS/NV	(702) 413-2212	7 Min	T-Mobile to T-Mobile	--
04/13/20, 10:57 AM	to LAS VEGAS/NV	(702) 386-1747	1 Min	-	--
04/20/20, 2:42 PM	to LAS VEGAS/NV	(702) 376-5925	1 Min	-	--
05/04/20, 10:20 PM	Incoming	(702) 376-5925	4 Min	-	--
05/06/20, 2:43 PM	to LAS VEGAS/NV	(702) 376-5925	1 Min	-	--
04/23/20, 10:07 PM	to LAS VEGAS/NV	(702) 372-7191	1 Min	-	--
04/23/20, 10:36 PM	to LAS VEGAS/NV	(702) 372-7191	1 Min	-	--
04/23/20, 11:03 PM	to LAS VEGAS/NV	(702) 372-7191	1 Min	-	--
04/23/20, 11:23 PM	to LAS VEGAS/NV	(702) 372-7191	1 Min	-	--
04/23/20, 11:26 PM	to LAS VEGAS/NV	(702) 372-7191	1 Min	-	--
04/24/20, 2:06 AM	Incoming	(702) 372-7191	1 Min	-	--
04/25/20, 3:42 PM	to LAS VEGAS/NV	(702) 372-7191	2 Min	-	--
04/28/20, 5:05 PM	to LAS VEGAS/NV	(702) 364-2700	1 Min	-	--
04/29/20, 12:11 PM	to LAS VEGAS/NV	(702) 364-2700	4 Min	-	--
04/23/20, 2:51 PM	to LAS VEGAS/NV	(702) 348-7509	1 Min	-	--
04/13/20, 5:53 PM	to MESQUITE/NV	(702) 344-8427	1 Min	T-Mobile to T-Mobile	--
04/13/20, 5:59 PM	to MESQUITE/NV	(702) 344-8427	1 Min	T-Mobile to T-Mobile	--
04/13/20, 6:54 PM	to MESQUITE/NV	(702) 344-8427	1 Min	T-Mobile to T-Mobile	--
04/22/20, 2:43 PM	Incoming	(702) 344-8427	5 Min	-	--
05/08/20, 1:27 PM	Incoming	(702) 344-8427	3 Min	-	--
05/03/20, 4:35 PM	to LAS VEGAS/NV	(702) 343-6917	2 Min	-	--
05/03/20, 5:14 PM	Incoming	(702) 343-6917	1 Min	-	--
04/13/20, 2:06 PM	to LAS VEGAS/NV	(702) 308-5537	1 Min	-	--
04/13/20, 2:06 PM	to LAS VEGAS/NV	(702) 308-5537	1 Min	-	--
04/13/20, 2:06 PM	to LAS VEGAS/NV	(702) 308-5537	1 Min	-	--
04/18/20, 7:15 PM	Incoming	(702) 308-5537	3 Min	-	--
04/19/20, 12:10 AM	Incoming	(702) 308-5537	1 Min	-	--
04/19/20, 12:11 AM	Incoming	(702) 308-5537	1 Min	-	--
04/23/20, 7:10 PM	to LAS VEGAS/NV	(702) 308-5537	1 Min	-	--
05/02/20, 3:24 AM	to LAS VEGAS/NV	(702) 308-5537	1 Min	-	--
05/02/20, 3:58 AM	to LAS VEGAS/NV	(702) 308-5537	1 Min	-	--
05/07/20, 3:18 PM	to LAS VEGAS/NV	(702) 270-0017	2 Min	-	--
05/02/20, 9:56 AM	to LAS VEGAS/NV	(702) 266-8049	1 Min	-	--

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Total: 1005 minutes

Total charges: \$70.00

Date & Time (Pacific)	Destination	Number	Min	Type	Charge
05/06/20, 11:35 AM	to KYLE/SD	(605) 781-0260	1 Min	Call Forward	--
05/06/20, 11:39 AM	to KYLE/SD	(605) 781-0260	1 Min	Call Forward	--
05/06/20, 11:49 AM	to KYLE/SD	(605) 781-0260	1 Min	Call Forward	--
05/06/20, 12:22 PM	to KYLE/SD	(605) 781-0260	1 Min	Call Forward	--
05/06/20, 12:24 PM	to KYLE/SD	(605) 781-0260	1 Min	Call Forward	--
05/06/20, 3:59 PM	to KYLE/SD	(605) 781-0260	1 Min	Call Forward	--
05/06/20, 5:26 PM	to KYLE/SD	(605) 781-0260	1 Min	Call Forward	--
05/07/20, 9:00 AM	to KYLE/SD	(605) 781-0260	2 Min	Call Forward	--
05/07/20, 11:52 AM	to KYLE/SD	(605) 781-0260	1 Min	Call Forward	--
05/07/20, 11:54 AM	to KYLE/SD	(605) 781-0260	1 Min	Call Forward	--
05/07/20, 12:10 PM	to KYLE/SD	(605) 781-0260	1 Min	Call Forward	--
05/07/20, 12:42 PM	to KYLE/SD	(605) 781-0260	1 Min	Call Forward	--
05/07/20, 4:52 PM	to KYLE/SD	(605) 781-0260	1 Min	Call Forward	--
05/07/20, 5:48 PM	to KYLE/SD	(605) 781-0260	1 Min	Call Forward	--
05/08/20, 2:21 PM	to KYLE/SD	(605) 781-0260	1 Min	Call Forward	--
05/08/20, 4:56 PM	to KYLE/SD	(605) 781-0260	1 Min	Call Forward	--
05/08/20, 5:42 PM	to KYLE/SD	(605) 781-0260	1 Min	Call Forward	--
05/08/20, 7:20 PM	to KYLE/SD	(605) 781-0260	1 Min	Call Forward	--
05/08/20, 7:24 PM	to KYLE/SD	(605) 781-0260	1 Min	Call Forward	--
05/08/20, 7:43 PM	to KYLE/SD	(605) 781-0260	1 Min	Call Forward	--
05/09/20, 10:45 AM	to KYLE/SD	(605) 781-0260	1 Min	Call Forward	--
04/20/20, 7:00 PM	to VANCOUVER/BC	(604) 341-1280	70 Min	-	\$70.00
04/24/20, 4:39 PM	to PHOENIX/AZ	(602) 615-6615	1 Min	-	--
04/17/20, 10:28 AM	Incoming	(253) 863-2205	2 Min	-	--
04/29/20, 11:53 PM	to CHESHIRE/CT	(203) 872-5774	1 Min	-	--

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Jul 10 - Current

Total: 450 minutes

Date & Time (Pacific)	Destination	Number	Min	Type
06/18/2020,01:21 PM	LAS VEGAS, NV	(702) 503-1502	4 Min	--
06/18/2020,05:57 PM	LAS VEGAS, NV	(702) 503-1502	2 Min	--
06/18/2020,10:31 PM	LAS VEGAS, NV	(702) 503-1502	2 Min	--
06/19/2020,05:14 PM	LAS VEGAS, NV	(702) 503-1502	3 Min	--
06/19/2020,05:49 PM	INCOMING	(702) 503-1502	1 Min	--
06/19/2020,06:00 PM	INCOMING	(702) 503-1502	1 Min	--
06/10/2020,11:34 AM	INCOMING	(702) 481-9900	7 Min	T-Mobile to T-Mobile
06/09/2020,11:36 PM	INCOMING	(702) 481-4538	1 Min	--
06/10/2020,07:16 AM	LAS VEGAS, NV	(702) 481-4538	1 Min	--
06/13/2020,02:56 PM	INCOMING	(702) 481-4538	1 Min	--
06/18/2020,08:14 PM	INCOMING	(702) 480-1425	1 Min	T-Mobile to T-Mobile
06/18/2020,08:21 PM	INCOMING	(702) 480-1425	2 Min	T-Mobile to T-Mobile
06/18/2020,08:41 PM	LAS VEGAS, NV	(702) 480-1425	1 Min	T-Mobile to T-Mobile
06/18/2020,08:43 PM	INCOMING	(702) 480-1425	1 Min	T-Mobile to T-Mobile
06/18/2020,10:32 PM	INCOMING	(702) 480-1425	2 Min	T-Mobile to T-Mobile
06/15/2020,04:20 PM	LAS VEGAS, NV	(702) 472-8686	1 Min	--
06/10/2020,11:02 PM	LAS VEGAS, NV	(702) 470-6314	1 Min	T-Mobile to T-Mobile
06/17/2020,04:01 PM	LAS VEGAS, NV	(702) 455-7188	1 Min	Wi-Fi call
06/17/2020,04:01 PM	LAS VEGAS, NV	(702) 455-7188	1 Min	Wi-Fi call
06/17/2020,04:02 PM	LAS VEGAS, NV	(702) 455-7188	12 Min	Wi-Fi call
06/17/2020,04:44 PM	INCOMING	(702) 455-7188	2 Min	Wi-Fi call
06/17/2020,04:52 PM	INCOMING	(702) 455-7188	4 Min	Wi-Fi call
06/16/2020,03:31 PM	LAS VEGAS, NV	(702) 385-3504	2 Min	--
06/13/2020,07:57 AM	LAS VEGAS, NV	(702) 308-5537	1 Min	Wi-Fi call
06/14/2020,11:52 AM	LAS VEGAS, NV	(702) 308-5537	1 Min	--
06/14/2020,03:35 PM	INCOMING	(702) 308-5537	1 Min	Wi-Fi call
06/14/2020,04:13 PM	INCOMING	(702) 308-5537	1 Min	Wi-Fi call
06/14/2020,08:28 PM	LAS VEGAS, NV	(702) 308-5537	3 Min	--
06/18/2020,06:46 PM	LAS VEGAS, NV	(702) 308-5537	2 Min	--
06/13/2020,08:36 AM	LAS VEGAS, NV	(702) 306-0680	2 Min	T-Mobile to T-Mobile
06/10/2020,07:04 PM	LAS VEGAS, NV	(702) 275-4595	4 Min	--
06/12/2020,10:14 AM	LAS VEGAS, NV	(702) 275-4595	1 Min	--
06/12/2020,10:15 AM	INCOMING	(702) 275-4595	2 Min	--
06/12/2020,07:10 PM	INCOMING	(702) 275-4595	1 Min	--
06/13/2020,10:27 AM	INCOMING	(702) 275-4595	7 Min	--
06/10/2020,12:31 PM	INCOMING	(702) 232-3855	1 Min	--
06/13/2020,03:27 PM	LAS VEGAS, NV	(702) 232-3855	1 Min	--
06/15/2020,09:41 AM	LAS VEGAS, NV	(702) 205-3358	2 Min	--
06/18/2020,04:10 PM	LAS VEGAS, NV	(702) 205-3358	1 Min	--
06/09/2020,09:16 PM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/10/2020,08:29 AM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/10/2020,09:27 AM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/10/2020,09:30 AM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/10/2020,10:06 AM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/10/2020,10:56 AM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/10/2020,11:20 AM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/10/2020,11:24 AM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/10/2020,12:39 PM	PINE RIDGE, SD	(605) 615-0718	3 Min	Call Forward
06/10/2020,02:11 PM	PINE RIDGE, SD	(605) 615-0718	1 Min	Wi-Fi call
06/10/2020,04:09 PM	PINE RIDGE, SD	(605) 615-0718	2 Min	Call Forward

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Total: 450 minutes

Date & Time (Pacific)	Destination	Number	Min	Type
06/17/2020,07:19 PM	PINE RIDGE, SD	(605) 615-0718	2 Min	Wi-Fi call
06/18/2020,09:44 AM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/18/2020,09:44 AM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/18/2020,11:40 AM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/18/2020,12:07 PM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/18/2020,12:50 PM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/18/2020,06:45 PM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/18/2020,07:43 PM	PINE RIDGE, SD	(605) 615-0718	6 Min	Call Forward
06/18/2020,08:20 PM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/19/2020,12:36 PM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/19/2020,12:48 PM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/19/2020,01:12 PM	PINE RIDGE, SD	(605) 615-0718	2 Min	Call Forward
06/19/2020,01:47 PM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/20/2020,03:13 PM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/20/2020,03:23 PM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/21/2020,03:39 AM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/21/2020,03:51 AM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/21/2020,12:18 PM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/21/2020,12:28 PM	PINE RIDGE, SD	(605) 615-0718	1 Min	Wi-Fi call
06/21/2020,01:55 PM	PINE RIDGE, SD	(605) 615-0718	1 Min	Wi-Fi call
06/21/2020,09:04 PM	PINE RIDGE, SD	(605) 615-0718	1 Min	Call Forward
06/10/2020,12:08 AM	NEWORLEANS, LA	(504) 272-7048	1 Min	--
06/10/2020,07:16 AM	NEWORLEANS, LA	(504) 272-7048	1 Min	--
06/10/2020,12:25 PM	NEWORLEANS, LA	(504) 272-7048	1 Min	--
06/10/2020,12:26 PM	NEWORLEANS, LA	(504) 272-7048	1 Min	--
06/13/2020,02:45 PM	NEWORLEANS, LA	(504) 272-7048	2 Min	--
06/13/2020,03:02 PM	NEWORLEANS, LA	(504) 272-7048	1 Min	--
06/13/2020,03:17 PM	NEWORLEANS, LA	(504) 272-7048	2 Min	--
06/13/2020,03:20 PM	NEWORLEANS, LA	(504) 272-7048	1 Min	--
06/10/2020,06:47 AM	BEVERLYHLS, CA	(424) 202-4896	4 Min	--
06/10/2020,06:53 AM	BEVERLYHLS, CA	(424) 202-4896	1 Min	--
06/10/2020,11:16 AM	BEVERLYHLS, CA	(424) 202-4896	1 Min	--
06/13/2020,07:39 AM	BEVERLYHLS, CA	(424) 202-4896	2 Min	Wi-Fi call
06/13/2020,09:26 AM	BEVERLYHLS, CA	(424) 202-4896	2 Min	--
06/13/2020,10:20 AM	BEVERLYHLS, CA	(424) 202-4896	2 Min	--
06/13/2020,11:30 AM	BEVERLYHLS, CA	(424) 202-4896	2 Min	--
06/14/2020,10:50 PM	BEVERLYHLS, CA	(424) 202-4896	1 Min	Wi-Fi call
06/14/2020,11:23 PM	INCOMING	(424) 202-4896	6 Min	--
06/15/2020,04:32 PM	BEVERLYHLS, CA	(424) 202-4896	3 Min	--
06/19/2020,01:25 PM	LOSANGELES, CA	(323) 749-1001	3 Min	T-Mobile to T-Mobile
06/19/2020,03:04 PM	LOSANGELES, CA	(323) 749-1001	1 Min	T-Mobile to T-Mobile
06/19/2020,03:07 PM	LOSANGELES, CA	(323) 749-1001	1 Min	T-Mobile to T-Mobile
06/19/2020,03:12 PM	LOSANGELES, CA	(323) 749-1001	1 Min	T-Mobile to T-Mobile
06/19/2020,03:13 PM	INCOMING	(323) 749-1001	1 Min	T-Mobile to T-Mobile
06/10/2020,07:08 AM	DETROIT, MI	(313) 438-8237	1 Min	--
06/09/2020,08:08 PM	WLOSANGELS, CA	(310) 208-9005	1 Min	--
06/13/2020,09:22 AM	WLOSANGELS, CA	(310) 208-9005	3 Min	--
06/13/2020,04:41 PM	WLOSANGELS, CA	(310) 208-9005	3 Min	--
06/17/2020,08:23 PM	WLOSANGELS, CA	(310) 208-9005	3 Min	--
06/18/2020,11:50 AM	VM Retrieval	(123)	1 Min	Voicemail

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1/2

1 MOT

2 TODD M. LEVENTHAL, ESQ.

3 Nevada Bar No: 008543

4 California Bar No: 223577

5 LEVENTHAL & ASSOCIATES, PLLC.

6 626 S. Third St.

7 Las Vegas, Nevada 89101

8 leventhalandassociates@gmail.com

9 (702) 472-8686 – office

10 Attorney for Defendant

11 JUSTICE COURT, LAS VEGAS TOWNSHIP  
12 CLARK COUNTY, NEVADA

13 THE STATE OF NEVADA,

14 Plaintiff,

15 vs.

16 ZAN MITROV,

17 Defendant.

Case No: 19F10566X

Dept. No.: JC Department 2

18 **MOTION TO WITHDRAW AS ATTORNEY OF RECORD**

19 COMES NOW, TODD M. LEVENTHAL, ESQ., and moves this Honorable Court

20 for its order authorizing him to withdraw as attorney of record for Defendant, Zan  
21 Mitrov.

22 This Motion is made and based upon the pleadings on file herein and the affidavit  
23 of counsel attached hereto.

24 DATED this 17<sup>th</sup> day of June, 2020.

25 Respectfully submitted,

26 /s/ Todd M. Leventhal

27 TODD M. LEVENTHAL, ESQ.

28 LEVENTHAL & ASSOCIATES, PLLC.

Nevada Bar No: 8543

626 S. Third Street

Las Vegas, Nevada 89101

FILED

2020 JUN 17 P 1:20

JUSTICE COURT  
LAS VEGAS, NEVADA

BY \_\_\_\_\_  
DEPUTY

**NOTICE OF MOTION**

TO: ZAN MITROV: 10691 Allegrini Dr., Las Vegas, NV 89141  
TO: CLARK COUNTY DISTRICT ATTORNEY

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the undersigned will bring on the foregoing MOTION TO WITHDRAW AS ATTORNEY OF RECORD on for hearing the 22 day of JUN, 2020, at the hour of 8A.m. of said day in Department 2 of the above-entitled Court or as soon thereafter as counsel may be heard.

DATED this 17<sup>th</sup> day of June, 2020.

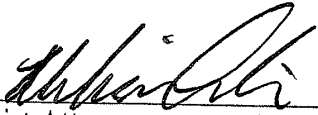
Respectfully submitted,

/s/ Todd M. Leventhal

**TODD M. LEVENTHAL, ESQ.**  
LEVENTHAL & ASSOCIATES, PLLC.  
Nevada Bar No: 8543  
626 S. Third Street  
Las Vegas, Nevada 89101  
*Attorney for Defendant*

**RECEIPT OF COPY**

RECEIPT OF COPY of the MOTION TO WITHDRAW AS ATTORNEY OF RECORD is hereby acknowledged this 17 day of June, 2020.

  
District Attorney  
200 Lewis Avenue  
Las Vegas, NV 89101



**POINTS AND AUTHORITIES**

Supreme Court Rule 166, in combination with SCR 48 and EDCR 7.40, govern the standard for withdrawals of attorneys from representation of a client in a legal matter.

It states, in pertinent part:

2. Except as stated in subsection 3, a lawyer may withdraw from representing a client if withdrawal can be accomplished without material adverse effect on the interests of the client, or if:

(a) The client persist in a course of action involving the lawyer's services that the lawyer reasonably believes is criminal or fraudulent;

(b) The client has used the lawyer's services to perpetrate a crime or fraud;

(c) A client insists upon pursuing an objective that the lawyer considers repugnant or imprudent;

(d) The client fails substantially to fulfill an obligation to the lawyer regarding the lawyer's services and has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled.

(e) The representation will result in an unreasonable financial burden on the lawyer or has been rendered unreasonably difficult by the client; or

(f) Other good cause for withdrawal exists.

(g) Except as stated in paragraph (c), a lawyer may withdraw from representing a client if withdrawal can be accomplished without material adverse effect on the interest of the client, or if:

The representation will result in an unreasonable financial burden on the lawyer or has been rendered unreasonable difficult by the client; or other good cause of withdrawal exists.

Accordingly, Todd M. Leventhal, Esq., requests to withdraw as counsel of record for ZAN MITROV, Defendant, for reasons stated on his Affidavit of Counsel attached hereto.

1 Therefore, TODD M. LEVENTHAL, ESQ. from Leventhal and Associates,  
2 PLLC., requests this Honorable Court grant and Order to Todd M. Leventhal, Esq.  
3 allowing him to withdraw as the attorney of record for ZAN MITROV, Defendant.  
4  
5

6 DATED this 17<sup>th</sup> day of June, 2020.  
7

8 /s/ Todd M. Leventhal

9 **TODD M. LEVENTHAL, ESQ.**  
10 **LEVENTHAL & ASSOCIATES, PLLC.**  
11 Nevada Bar No: 8543  
12 626 S. Third Street  
13 Las Vegas, Nevada 89101  
14 *Attorney for Defendant*  
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**AFFIDAVIT OF TODD M. LEVENTHAL, ESQ.**

STATE OF NEVADA  
COUNTY OF CLARK } ss:

TODD M. LEVENTHAL, ESQ., being first duly sworn upon oath, deposes and says:

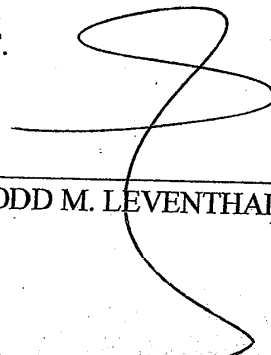
1. Your affiant is an attorney duly licensed to practice law in the State of Nevada;
2. That your affiant makes this Affidavit in support of this Motion to Withdraw as Attorney of Record;
3. That Since filing an appearance on behalf of Defendant, It has become clear that there has been a breakdown in communication between Counsel and Defendant, ZAN MITROV and the relationship has been damaged beyond repair. The situation has deteriorated to the point that it is essential that Mr. Mitrov retain new counsel as there is lack of communication between Client and Counsel and the attorney-client relationship has completely broken down. The instant matter is set for Status Check on Requirements on July 28, 2020 at 8:00 a.m. Counsel Requests to withdraw before the court date.
4. Further, Zan Mitrov didn't fulfill his financial agreement with Leventhal and Associates and the representation will result in an unreasonable financial burden on the lawyer or has been rendered unreasonably difficult by the client; or other good cause of withdrawal exists.
5. That the affiant is no longer able to continue with the case, therefore, your affiant requests that said attorney withdraw as attorney of record for the aforementioned Defendant.
6. That your affiant believes that it would be in the best interest of all parties concerned if he were permitted to withdraw as attorney of record for the Defendant, aforementioned;

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7. That pursuant to E.D.C.R. 7.40, a copy of this application will be served upon the Defendant, by certified mail at the following address:

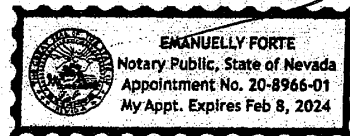
**ZAN MITROV**  
**10691 Allegrini Dr.**  
**Las Vegas, NV 89141**

FURTHER YOUR AFFIANT SAYETH NAUGHT.

  
TODD M. LEVENTHAL, ESQ

SUBSCRIBED and SWORN to before me  
This 17th day of June, 2020.

  
NOTARY PUBLIC in and for said  
County and State.



**CERTIFICATE OF SERVICE**

I hereby certify that on 17<sup>th</sup> day of June, 2020 a true and correct copy of the  
**MOTION TO WITHDRAW AS ATTORNEY OF RECORD** was addressed to the  
parties below, to be served as follows:

☒ By placing a true and correct copy of the same to be deposited for mailing in the  
U.S. Mail, enclosed in a sealed envelope upon which Certified mail

☐ via facsimile; and/or CC e-mail

☐ by hand delivery to the parties listed below; and/or

☐ By electronic service via ODYSSEY eFileNV through the District Court.

**Zan Mitrov**  
10691 Allegrini Dr.  
Las Vegas, NV 89141  
*Defendant*

/s/ Emma Forte

An Employee of TODD M. LEVENTHAL, ESQ.  
LEVENTHAL AND ASSOCIATES, PLLC.

1 **MOT**

2 **TODD M. LEVENTHAL, ESQ.**

3 Nevada Bar No: 008543

4 California Bar No: 223577

5 **LEVENTHAL & ASSOCIATES, PLLC.**

6 626 S. Third St.

7 Las Vegas, Nevada 89101

8 leventhalandassociates@gmail.com

9 (702) 472-8686 – office

10 *Attorney for Defendant*

11 **JUSTICE COURT, LAS VEGAS TOWNSHIP**  
12 **CLARK COUNTY, NEVADA**

13 THE STATE OF NEVADA,

14 Plaintiff,

15 vs.

16 ZAN MITROV,

17 Defendant.

Case No: 20F07538X

Dept. No.: JC Department 13

18 **MOTION TO WITHDRAW AS ATTORNEY OF RECORD**

19 COMES NOW, TODD M. LEVENTHAL, ESQ., and moves this Honorable Court

20 for its order authorizing him to withdraw as attorney of record for Defendant, Zan  
21 Mitrov.

22 This Motion is made and based upon the pleadings on file herein and the affidavit  
23 of counsel attached hereto.

24 DATED this 17<sup>th</sup> day of June, 2020.

25 Respectfully submitted,

26 /s/ Todd M. Leventhal

27 **TODD M. LEVENTHAL, ESQ.**

28 **LEVENTHAL & ASSOCIATES, PLLC.**

Nevada Bar No: 8543

626 S. Third Street

Las Vegas, Nevada 89101

**FILED**

2020 JUN 17 P 1:22

GMH  
JUSTICE COURT  
LAS VEGAS NEVADA

BY \_\_\_\_\_  
DEPUTY

LEVENTHAL & ASSOCIATES, PLLC.

626 S. Third Street  
Las Vegas, Nevada, 89101  
(702) 472-8686 FAX: (702) 472-8685

**NOTICE OF MOTION**

TO: ZAN MITROV: 10691 Allegrini Dr., Las Vegas, NV 89141  
TO: CLARK COUNTY DISTRICT ATTORNEY

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the undersigned will bring on the foregoing MOTION TO WITHDRAW AS ATTORNEY OF RECORD on for hearing the 22 day of JUN, 2020, at the hour of 8:00 A.m. of said day in Department 13 of the above-entitled Court or as soon thereafter as counsel may be heard.

DATED this 17<sup>th</sup> day of June, 2020.

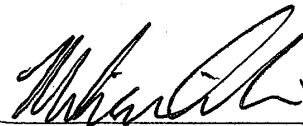
Respectfully submitted,

/s/ Todd M. Leventhal

**TODD M. LEVENTHAL, ESQ.**  
LEVENTHAL & ASSOCIATES, PLLC.  
Nevada Bar No: 8543  
626 S. Third Street  
Las Vegas, Nevada 89101  
*Attorney for Defendant*

**RECEIPT OF COPY**

RECEIPT OF COPY of the MOTION TO WITHDRAW AS ATTORNEY OF RECORD is hereby acknowledged this 17 day of June, 2020.



District Attorney  
200 Lewis Avenue  
Las Vegas, NV 89101

**POINTS AND AUTHORITIES**

Supreme Court Rule 166, in combination with SCR 48 and EDCR 7.40, govern the standard for withdrawals of attorneys from representation of a client in a legal matter. It states, in pertinent part:

2. Except as stated in subsection 3, a lawyer may withdraw from representing a client if withdrawal can be accomplished without material adverse effect on the interests of the client, or if:

(a) The client persist in a course of action involving the lawyer's services that the lawyer reasonably believes is criminal or fraudulent;

(b) The client has used the lawyer's services to perpetrate a crime or fraud;

(c) A client insists upon pursuing an objective that the lawyer considers repugnant or imprudent;

(d) The client fails substantially to fulfill an obligation to the lawyer regarding the lawyer's services and has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled.

(e) The representation will result in an unreasonable financial burden on the lawyer or has been rendered unreasonably difficult by the client; or

(f) Other good cause for withdrawal exists.

(g) Except as stated in paragraph (c), a lawyer may withdraw from representing a client if withdrawal can be accomplished without material adverse effect on the interest of the client, or if:

The representation will result in an unreasonable financial burden on the lawyer or has been rendered unreasonable difficult by the client; or other good cause of withdrawal exists.

Accordingly, Todd M. Leventhal, Esq., requests to withdraw as counsel of record for ZAN MITROV, Defendant, for reasons stated on his Affidavit of Counsel attached hereto.



1 Therefore, TODD M. LEVENTHAL, ESQ. from Leventhal and Associates,  
2 PLLC., requests this Honorable Court grant and Order to Todd M. Leventhal, Esq.  
3 allowing him to withdraw as the attorney of record for ZAN MITROV, Defendant.  
4

5  
6 DATED this 17<sup>th</sup> day of June, 2020.  
7

8 /s/ Todd M. Leventhal  
9 **TODD M. LEVENTHAL, ESQ.**  
10 **LEVENTHAL & ASSOCIATES, PLLC.**  
11 Nevada Bar No: 8543  
12 626 S. Third Street  
13 Las Vegas, Nevada 89101  
14 *Attorney for Defendant*  
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**AFFIDAVIT OF TODD M. LEVENTHAL, ESQ.**

STATE OF NEVADA }  
COUNTY OF CLARK } ss:

TODD M. LEVENTHAL, ESQ., being first duly sworn upon oath, deposes and says:

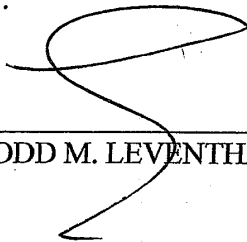
1. Your affiant is an attorney duly licensed to practice law in the State of Nevada;
2. That your affiant makes this Affidavit in support of this Motion to Withdraw as Attorney of Record;
3. That Since filing an appearance on behalf of Defendant, It has become clear that there has been a breakdown in communication between Counsel and Defendant, ZAN MITROV and the relationship has been damaged beyond repair. The situation has deteriorated to the point that it is essential that Mr. Mitrov retain new counsel as there is lack of communication between Client and Counsel and the attorney-client relationship has completely broken down. The instant matter is set for Initial Appearance on August 3, 2020 at 7:30 a.m. Counsel Requests to withdraw before the court date.
4. Further, Zan Mitrov didn't fulfill his financial agreement with Leventhal and Associates and the representation will result in an unreasonable financial burden on the lawyer or has been rendered unreasonably difficult by the client; or other good cause of withdrawal exists.
5. That the affiant is no longer able to continue with the case, therefore, your affiant requests that said attorney withdraw as attorney of record for the aforementioned Defendant.
6. That your affiant believes that it would be in the best interest of all parties concerned if he were permitted to withdraw as attorney of record for the Defendant, aforementioned;

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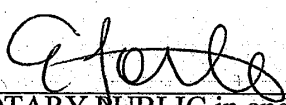
7. That pursuant to E.D.C.R. 7.40, a copy of this application will be served upon the Defendant, by certified mail at the following address:

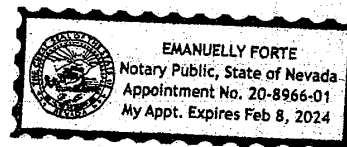
**ZAN MITROV**  
**10691 Allegrini Dr.**  
**Las Vegas, NV 89141**

FURTHER YOUR AFFIANT SAYETH NAUGHT.

  
TODD M. LEVENTHAL, ESQ

SUBSCRIBED and SWORN to before me  
This 17th day of June, 2020.

  
NOTARY PUBLIC in and for said  
County and State.



**CERTIFICATE OF SERVICE**

I hereby certify that on 17<sup>th</sup> day of June, 2020 a true and correct copy of the  
**MOTION TO WITHDRAW AS ATTORNEY OF RECORD** was addressed to the  
parties below, to be served as follows:

☒ By placing a true and correct copy of the same to be deposited for mailing in the  
U.S. Mail, enclosed in a sealed envelope upon which Certified mail

☐ via facsimile; and/or CC e-mail

☐ by hand delivery to the parties listed below; and/or

☐ By electronic service via ODYSSEY eFileNV through the District Court.

**Zan Mitrov**  
10691 Allegrini Dr.  
Las Vegas, NV 89141  
*Defendant*

/s/ Emma Forte

An Employee of TODD M. LEVENTHAL, ESQ.  
LEVENTHAL AND ASSOCIATES, PLLC.

7:04



Todd Lawer Cell >

Missouri  
Mon, Jul 22, 10:22 AM

Morning Todd, do I have to be in court tomorrow with you?

Mon, Jul 22, 12:28 PM

Is this Jonny ?

Yes it's me. V called me and said to meet you at court. I have payment for you. I can bring it now or tomorrow when I see you

Ok. See you tomorrow

Tue, Jul 23, 7:49 AM

Good morning I am by 8a and 8b



Not Delivered

Good morning I am by 8a and 8b

On my way!

Tue, Jul 23, 9:12 AM

Bring car to office brother

Tue, Jul 23, 10:15 AM

Call me

I am



7:04



Todd Lawer Cell

I am

I just got home

What time you coming back  
brother?

I am at your office

Wya

Lunch brother. Back in 20. Hang  
out

I'm here

I'm here

Where

Sun, Aug 25, 7:58 PM

Good evening Todd, do I have to  
show up at court on Tuesday?

Mon, Aug 26, 4:33 PM

Yes bother

Tue, Oct 15, 4:40 PM

There is a beautiful restaurant  
Bulgarian on Trop and Jones let me  
buy you lunch there



7:04



T

Todd Lawer Cell >

There is a beautiful restaurant  
Bulgarian on Trop and Jones let me  
buy you lunch there

Wed, Oct 23, 8:16 AM

GM Todd

What up. ?

Waiting for elevator to get up to  
court room

Sat, Nov 16, 11:48 AM

Todd let's meet up today.  
Something is not right believe me.

Sun, Nov 17, 7:30 PM

I'll be at the office then. After 12  
right?

No around 11 brother.

I would love to. This week.

Alright I'll line up something this  
week

Thu, Nov 28, 1:40 PM

Wish you a blessed Thanksgiving  
Brother!!!



7:04



T

Todd Lawer Cell

You too brother

Tue, Dec 3, 8:27 AM

GM Brother I'm waiting for you  
outside of courtroom 8A

Sent as Text Message

GM Brother I'm waiting for you  
outside of courtroom 8A

Tue, Dec 3, 11:03 PM

?? When ?

This weekend I am going to  
Universal studio in LA. It's my son's  
9th birthday. After that any day is  
good for me.

Fri, Dec 13, 10:14 AM

Call me

GM Brother, I just finished at the  
DMV. I am heading your way  
actually to the court to get stamped  
copy of the closed case. Shall I  
come and see you?

Fri, Dec 13, 11:52 AM

I stopped at your office. Seyday  
schedule me for Monday at 1500





7:04



Todd Lawer Cell

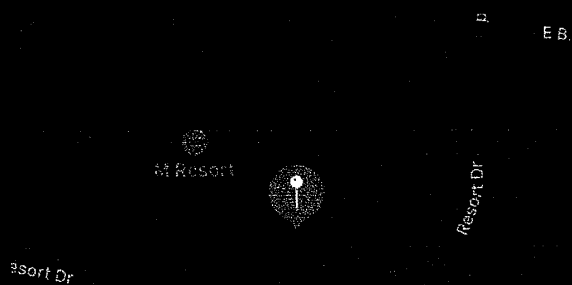
Fri, Dec 13, 3:34 PM

See you then

Wed, Dec 18, 2:39 PM

You tell me brother

Fri, Jan 3, 10:01 AM



My Location

Mon, Jan 6, 2:41 PM

Brother do I have to be in court tomorrow

Read

Mon, Jan 6, 5:29 PM

No. I got you.

Wed, Jan 15, 2:22 PM

Brother. You bringing the car ?

I am in California till Sunday next



App Store

Google Play



7:04



Todd Lawer Cell

week I will do it

Wed, Jan 15, 5:31 PM

AWSOME. Ty

Wed, Jan 22, 10:19 AM

Good morning Mr. Todd,  
I didn't forget you for the Maserati I  
am waiting for a part I should have it  
tomorrow and bring it to you

Wed, Jan 22, 12:36 PM

AWSOME. Ty brother

Wed, Jan 29, 10:33 AM

GM brother, where shall I bro g the  
car. I have therapy until 3 pm. After  
that I can drive to you.

Cool. Office brother. Ty

Wed, Jan 29, 3:30 PM

What time brother.

I'm leaving my office now

30-40 min

Is it ok



7:04



Todd Lawer Cell

Tue, Feb 11, 1:31 PM

Still good for 2 pm at your office? I'll leave my office now

Yes sir. Ty.

Can I leave you the envelope with your secretary? I have to pick up kids from school.

Mon, Feb 17, 9:01 AM

Good morning. When coming in today ?

Good Morning. Your secretary schedule it for tomorrow, but I can come today. When is a good time for you?

I'm around today

Ok I'll call you when on my way

Mon, Feb 17, 1:40 PM

I'll be in at 330. Will it work for you?

Mon, Feb 17, 3:23 PM

I am leaving my office now am I OK to come. Let me know what up

7:04



T

Todd Lawer Cell

I am getting it clean and shiny for you



Cool brother. Tried calling. You around tomorrow?

I'll come tomorrow afternoon

Perfect. Thank you.



It's a piece of shit but looks good lol



7:04



T

Todd Lawer Cell >

It's a piece of shit but looks good lol

Tue, Feb 18, 3:22 PM

Car will be at your office at 415

Wed, Feb 19, 12:53 PM

Brother is the office closed today. I am here but doors locked.

Wed, Feb 19, 2:18 PM

Was it by mistake the call?

Fri, Feb 21, 10:36 AM

Brother, what time to bring title and pick up Viper?

Fri, Feb 21, 1:31 PM

Todd I am handicap

Thu, Feb 27, 2:49 PM

Brother. You bringing the Viper?

Tue, Mar 3, 4:25 PM

My Brother from another Mother!!!!

Wed, Mar 4, 4:50 PM

Brother I need someone to bring me Viper to my office I have no car I'm



7:04



Todd Lawer Cell

Brother I need someone to bring me Viper to my office I have no car I'm using Lyft. I don't like it to many crazy drivers.  
Thank you

Brother it's no problem. I don't want Maserati but I need money.

I got you are you tomorrow in the office?

Around 10 am brother.

Ok I'll be there I'll take Viper first and will see next week for Maserati.

Thu, Mar 5 9:00 AM

Good Morning I'll be at the office  
130-1045

Wed, Mar 11, 9:58 AM

GM how is your dad brother?

Wed, Mar 11, 2:13 PM

Better brother. Thank you. You good?

Tue, May 19, 1:01 PM

Brother. Good morning. I need you



7:04



Todd Lower Cell

Brother. Good morning. I need you to bring in money ASAP. Victim not happy.

Ok Brother. Let's meet after 5 please I am dealing with my kids graduation until 4. I can meet you anywhere.

Thu, May 21, 9:48 AM

Hey brother I'll be at office in 30 min meet me Today is last day. He wants it by tomorrow Friday and I'm taking off. Thank you

I got you brother. I'll let you know when on my way.

Brother I will need to pick up Viper today. Is it to much to ask to have it at the office today? Thank you

Thu, May 21, 2:25 PM

I'll be at your office by 330

Here

Can I call you later?

I'll be back in 20 min

Ok I'll be close by here



7:04



Todd Lawer Cell

Ok I'll be close by here

On my way! 10 min

Kk

Here

Me 2

Wed, May 27, 10:48 AM

Good Morning Brother. When can I pick up Viper.

Wed, May 27, 2:38 PM

JULY 18<sup>TH</sup> — \$500 TO V  
JULY 23<sup>RD</sup> — \$3000 Todd AT COURT  
~~SEP 8<sup>TH</sup>~~  
SEP 8<sup>TH</sup> — \$2000 Todd AT COURT  
NOV 13<sup>TH</sup> — \$1000 Todd AT OFFICE  
DEC 8<sup>TH</sup> — \$2500 Todd AT COURT  
JAN 7<sup>TH</sup> — \$1000 Todd BY ARTISAN  
FEB 11<sup>TH</sup> — \$1200 Todd AT OFFICE  
MARCH 8<sup>TH</sup> — \$700 Todd IN CAR ON THE WAY TO WORK  
MAY 21<sup>ST</sup> — \$13000 C. HERE AT COURT

---

\$16900

FIRST 2 CASES \$5000 + \$2500 SECOND  
D&I \$1500  
\$2500 16900  
VICTIM - 6.8 8500  
2500 LEFT FOR VICTIM



7:04



T

Todd Lawer Cell >

Thu, May 28, 8:25 PM

??? Wut up?

Fri, May 29, 3:18 PM

Brother I am at your office. Can you open

Tue, Jun 2, 2:55 PM

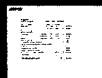
Todd I need the Viper... Today.

Wife not happy..... I have trouble at home.....



My daughter is saying daddy you are not telling me the truth you sold the Viper.... Common brother

Sat, Jun 6, 1:45 PM



7:04



Todd Lawer Cell >

I have no car

Sat, Jun 13, 9:39 PM

Brother from another mother. I got a treatment like I put curse on you. Lol I am arguing with my wife.

Text Message  
Mon, Jun 15, 4:22 PM

I am at your office are you in today

iMessage  
Yesterday 1:11 PM

Brother, how much \$\$\$ you think I owe by your numbers. I send you a list of how much I gave so far. Give me a number and I'll have it for you tomorrow or today if you have time to meet. Did the agents call you I have them your number to call you and talk to you if they have any questions. I need my car it's been a year that you have it. Thank you for understanding and apologies if I did something wrong.

Yesterday 3:36 PM

I got something in the mail from your office. Do I have to show in court 6/22

Delivered





Rental Record# 541228730

ZAN MITROV

Gold Plus Rewards

Vehicle: 2020 ESCALADE

Lot: \*\*\* Space: \*\*\*

License: NV 074M15

Rental Rate\*

3 @ \$	581.86	per wk	T \$	1745.58
4 @ \$	83.21	ex day	T \$	332.84

\*Includes Unlimited Miles

Additional Products

Loss Dmg Wvr	Accepted @ \$	89.99	per day	\$	2249.75
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LIS	Accepted @ \$	18.85	per day	\$	471.25
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PAI/PEC	Accepted @ \$	6.95	per day	\$	173.75
---------	---------------	------	---------	----	--------

Frequent Flyer Surcharge				\$	.00
--------------------------	--	--	--	----	-----

Fuel Purchase Option Accepted				\$	74.31
-------------------------------	--	--	--	----	-------

You pre-purchased a full tank and may return at any fuel level.

Service Charges/Taxes

CUSTOMER FACILITY CHARGE					100.00
--------------------------	--	--	--	--	--------

VEHICLE LICENSE COST RECOVERY				\$	54.00
-------------------------------	--	--	--	----	-------

Tax 20.375 % On Est. Taxable Till \$		2078.42		\$	423.48
--------------------------------------	--	---------	--	----	--------

ADJUSTMENTS

TOTAL ESTIMATED CHARGE				\$	5624.96
------------------------	--	--	--	----	---------

Credit Card Authorization Amount \$ 5825 .00

Rented by The Hertz Corporation

Vehicle: 01197 / 5057542 LocNum: NVLAS11 / 0117011

Miles Out: 2815 Plan: RCUW8 Class: P6

Rental Location: LAS VEGAS-MCCARRAN AP

Rental Time: 06 /05 /20 at 959 PM

Return Location: LAS VEGAS-MCCARRAN AP

Return Time: 06 /30 /20 at 900 PM

Rental Extensions/Changes 1-800-654-4174

Emergency Road Service 1-800-654-5060

For Explanation of Charges: WWW.HERTZ.COM/CHARGEEXPLAINED

This estimate assumes you will rent and return at the locations and times indicated, and that you will not exceed any mileage limitations.

Rental Rate subject to increase if You return Car more than 24 hours before or 24 hours after scheduled Return Time. Late returns may be subject to extra hour and/or extra day charges.

Charges indicated as \*\*\*\* will be calculated at return.

Taxable charges are preceded by a "T".

541228730

PG 1 OF 7 #



Further information relating to Your rental charges, and other terms to which You agree, appear below.

FUEL & SERVICE CHARGES: YOU AGREE TO ACCEPT FUEL  
PURCHASE OPTION (FPO) AT \$ 74.31 PER RENTAL; NO CREDIT  
FOR FUEL IN CAR AT RETURN.  
YOU AGREE TO OPTIONAL SERVICES OF:  
PREM RD SVC DECLINED  
OTHER FEES AND ASSESSMENTS:  
CUSTOMER FACILITY CHARGE \$4.00 PER DAY  
VEHICLE LICENSE COST RECOVERY 2.16 PER DAY  
TAX RATE - 20.375 % APPLIES TO ALL CHARGES MARKED T  
TAX RATE INCLUDES 10.000% GOV. SERVICES FEE  
No "Additional Authorized Operators" Without Our Prior Written Approval.

CDP 1392782 - You Represent That You Are Specifically Authorized  
to Receive The Benefits Extended To Employees/Members Of  
HERTZ MEMBER PROGRAM  
Passenger Capacity: The Passenger Capacity Of This Vehicle Is  
Determined By The Number of Seatbelts And, By Law, Must Not Be  
Exceeded. While In The Vehicle, Please Fasten Your Seatbelt.  
It Saves Lives And It's The Law. Should You Require A Larger Vehicle,  
Please Check At The Counter For Availability.

- You Will Be Charged An Administrative Fee Along With Towing/Impound Expenses If The Car Must Be Towed As A Result Of Your Negligence.
- We prohibit smoking in all Vehicles. Cleaning fee will apply for violations.
- Excessive Mileage On A Repeat Basis May Result In Suspension Of Future Renting Privileges.
- You Are Required To Contact Us To Extend The Rental If The Car Will Not Be Returned By The Due Date On The Rental Record.
- RETURN CHANGE FEE of \$10 will be applied if You return the Car to a different location from that which was scheduled, or if you return more than 12 hours after the date and time previously scheduled, and You notify us of an extension of Your rental by the return date and time previously scheduled by calling 1-800-654-4174. If you do not notify us of such a change, the LATE RETURN FEE of up to \$15 per day, up to a maximum of five (5) days/\$75 will apply. These fees will be applied in addition to any increase in rate that may occur as a result of changing the drop off location or the timeframe of Your rental.

RES D: J41931069C4 PLAN - DWKL CLASS - 04  
PREPARED BY: 3193 / NVLAS11 PRINTED: 06 /05 /20 21 59



## REFUELING OPTIONS

THE FOLLOWING APPLIES TO RENTALS FROM THIS LOCATION AND AMENDS AND SUPERSEDES SECTION 8. OF THE RENTAL AGREEMENT, RENTAL JACKET PORTION AND THE APPLICABLE REFUELING PROVISIONS OF GOLD AND PLATINUM PROGRAM TERMS:

## 8. REFUELING OPTIONS

Most Hertz rentals come with a full tank of gas, but that is not always the case. There are three refueling options:

1. IF YOU DO NOT PURCHASE FUEL FROM HERTZ AT THE BEGINNING OF YOUR RENTAL AND YOU RETURN THE CAR WITH AT LEAST AS MUCH FUEL AS WAS IN IT WHEN YOU RECEIVED IT, You will not pay Hertz a charge for fuel.

2. IF YOU DO NOT PURCHASE FUEL FROM HERTZ AT THE BEGINNING OF YOUR RENTAL AND YOU RETURN THE CAR WITH LESS FUEL THAN WAS IN IT WHEN YOU RECEIVED IT, Hertz will charge You a Fuel and Service Charge at the applicable per-mile or per-gallon rate specified on the Rental Record.

a. The per-mile rate is used if You do not buy fuel during the rental. To calculate this amount, Hertz multiplies the number of miles driven, as shown on the car's odometer, times the per-mile rate shown on the Rental Record.

b. The per-gallon rate is used if You buy fuel during the rental but the tank is not as full when You return the Car as when You received it. To calculate this amount, Hertz multiplies the number of gallons needed to refill the fuel tank to the level it was at when You received the Car, times the per-gallon rate.

ALTHOUGH TWO METHODS ARE USED FOR EASE OF CALCULATION, THE PER-MILE AND PER-GALLON RATES PRODUCE APPROXIMATELY THE SAME RESULT.

3. IF YOU CHOOSE TO PURCHASE FUEL FROM HERTZ AT THE BEGINNING OF YOUR RENTAL BY SELECTING THE FUEL PURCHASE OPTION, You will be charged as shown on the Rental Record for that purchase. IF YOU CHOOSE THIS OPTION, YOU WILL NOT INCUR AN ADDITIONAL FUEL AND SERVICE CHARGE, BUT YOU WILL NOT RECEIVE ANY CREDIT FOR FUEL LEFT IN THE TANK AT THE TIME OF RETURN, except in the following cases:

- a. For rentals in Hawaii, if You return the Car with a full tank of fuel, You will receive a credit for the amount previously charged for the purchase of fuel from Hertz.
- b. For rentals other than Replacement Rentals, if You drive the Car 75 miles or less and return it with less than a full tank of fuel, You will receive credit for the amount previously charged for the purchase of fuel from Hertz and will be charged for the fuel used at the per-mile rate shown on the Rental Record, but only if this will reduce the amount You pay for fuel.

EXCEPT FOR RENTALS AS TO WHICH CLAUSE (a) OR (b) OF SUBPARAGRAPH (3) BECOMES APPLICABLE, THE PER GALLON COST OF THE FUEL PURCHASE OPTION WILL ALWAYS BE LOWER THAN THE FUEL AND SERVICE CHARGE. BUT IF YOU ELECT THE FUEL PURCHASE OPTION YOU WILL NOT RECEIVE CREDIT FOR FUEL LEFT IN THE TANK AT THE TIME OF RETURN. THE COST OF REFUELING THE CAR YOURSELF AT A LOCAL SERVICE STATION WILL GENERALLY BE LOWER THAN THE FUEL AND SERVICE CHARGE OR THE FUEL PURCHASE OPTION. HOWEVER, THE FUEL AND SERVICE CHARGE AND THE FUEL PURCHASE OPTION ALLOW FOR THE CONVENIENCE OF NOT HAVING TO STOP AND REFUEL THE CAR PRIOR TO RETURN.



### IMPORTANT INFORMATION REGARDING TOLLS

You are responsible to pay all tolls. For your convenience, we offer PlatePass, an electronic toll payment system operated by PlatePass, L.L.C., for use on toll roads in the areas specified below.

\*\*\*\*\*

In the following areas all our vehicles (even without a windshield toll transponder) may use any cashless electronic toll lane: The entire States of FLORIDA, GEORGIA, COLORADO, NORTH CAROLINA AND TEXAS, in Seattle, the TACOMA NARROWS BRIDGE and the SR 520 BRIDGE

TO USE PLATEPASS IN THESE AREAS: pass through the cashless toll lane. You will be billed automatically as outlined below.

IF YOU DO NOT WISH TO USE PLATEPASS IN THESE AREAS, use only traditional cash toll lanes (if available) and make payment directly to the toll authority. In both video and transponder toll areas, pay all tolls with cash or your own toll transponder (where permitted) compatible to the toll road, and if your rental vehicle includes a transponder, make sure it remains fully enclosed within the shield box. Some toll roads no longer accept cash payments. If you incur a toll on these roads, without using your own compatible transponder, and you do not utilize an alternate means of payment to the toll authority, you will be enrolled in PlatePass.

\*\*\*\*\*

In DELAWARE, ILLINOIS, INDIANA, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, OHIO, PENNSYLVANIA, VIRGINIA AND WEST VIRGINIA, the toll authority may allow for an alternate payment method, such as payment by mail or online. Please contact the applicable toll authority. In some of these states that operate gated cashless toll lanes, only vehicles equipped with a windshield toll transponder may access the cashless toll lanes.

TO USE PLATEPASS IN THESE STATES, slide the drawer holding the transponder out of the shield box and pass through the cashless toll lane. You will be billed automatically as outlined below.

IF YOU DO NOT WISH TO USE PLATEPASS IN THESE STATES, use only traditional cash lanes (if available) to make payment directly to the toll authority or contact the applicable toll authority for alternate payment options.

\*\*\*\*\*

CALIFORNIA CUSTOMERS: PlatePass coverage is available on the Golden Gate Bridge, San Francisco-Oakland Bay Bridge, Richmond-San Rafael Bridge, Carquinez Bridge, Benicia-Martinez Bridge, Antioch Bridge, San Mateo Bridge, Dumbarton Bridge, SR 73, SR 133, SR 241 and SR 261 ONLY. Coverage is NOT available on I-10, I-110, SR 91, I-15 Express Lanes and SR 125. On the Golden Gate Bridge, the toll authority allows for payment online or in person up to 30 days before crossing or within forty-eight (48) hours after crossing the cashless toll bridge. Detailed information is available at [www.bayareafastrak.org](http://www.bayareafastrak.org) In Southern California, for toll roads that accept PlatePass, the toll authority allows for payment by phone/online within five (5) days of accessing the toll road. If you travel in the excluded HOV lanes in Southern California or if you travel on toll roads in Southern California that do not accept PlatePass, you will be charged an administrative fee of \$30.00 in addition to tolls and penalties.

\*\*\*\*\*

NOTE: Certain toll roads do not accept cash. If you travel on such a toll road without a personal transponder that can be used on the toll road, and you do not utilize an alternate means of payment to the toll authority, you will be required to use PlatePass and be billed automatically as outlined below, or incur toll charges or violations for which you will be responsible.



Where permitted by Toll Authorities, you may opt to use your personal transponder. Follow the instructions above for NOT utilizing PlatePass and install a compatible transponder properly.

If PlatePass is used, PlatePass L.L.C. will charge you a convenience fee of \$5.95 for each calendar day of your rental on which tolls are incurred plus incurred tolls at the Toll Authority's cash toll rate or highest undiscounted toll rate. PlatePass L.L.C. will separately charge your credit or debit card the applicable charges after the close of your rental. Charges typically take 1-3 weeks after the rental closes to appear on your statement, but a longer delay may occur. Cash customers will be invoiced.

**PARKING AND MOVING CITATIONS.** You are responsible for the payment of all vehicle parking and moving citations assessed against You or the Car during the rental period, including all such citations captured by camera and any related fines, fees or penalties. If a citation-issuing authority notifies us that we may be liable for any such citation and any related fines, fees or penalties, You will be charged an administrative fee of up to \$42.00 for each such notification. You authorize us to release your billing/rental information to PlatePass, L.L.C. and ATS Processing Services, L.L.C. to process and bill for all tolls and moving citations and administrative charges and service fees.



ARBITRATION PROVISION: THIS AGREEMENT REQUIRES ARBITRATION OR A SMALL CLAIMS COURT CASE ON AN INDIVIDUAL BASIS, RATHER THAN JURY TRIALS OR CLASS ACTIONS. BY ENTERING INTO THIS AGREEMENT, YOU AGREE TO THIS ARBITRATION PROVISION.

Except for claims for property damage, personal injury or death, ANY DISPUTES BETWEEN You and us ("us" and "we" for the purposes of this Arbitration Provision means The Hertz Corporation, ("Hertz") its parent and affiliate corporations, and their respective officers, directors and employees and any vendor or third party providing services for this rental transaction) MUST BE RESOLVED ONLY BY ARBITRATION OR IN A SMALL CLAIMS COURT ON AN INDIVIDUAL BASIS; CLASS ARBITRATIONS AND CLASS ACTIONS ARE NOT ALLOWED. YOU AND WE EACH WAIVE THE RIGHT TO A TRIAL BY JURY OR TO PARTICIPATE IN A CLASS ACTION, EITHER AS A CLASS REPRESENTATIVE OR CLASS MEMBER. You and we remain free to bring any issues to the attention of government agencies.

This Arbitration Provision's scope is broad and includes, without limitation, any claims arising from or relating to this Agreement or any aspect of the relationship or communications between us, whether based in contract, tort, statute, fraud, misrepresentation, equity, or any other legal theory. It is governed by the Federal Arbitration Act, 9 U.S.C. § 1 et seq.

In any arbitration under this Arbitration Provision, all issues are for the arbitrator to decide, including his or her own jurisdiction, and any objections with respect to the existence, scope or validity of this Arbitration Provision. The arbitration will take place in the county of Your billing address unless agreed otherwise.

The American Arbitration Association ("AAA") will administer any arbitration pursuant to its Consumer Arbitration Rules (the "Rules"). You can obtain the Rules at [www.adr.org](http://www.adr.org).

You or we may commence an arbitration by providing a written demand for arbitration to the other (to us: The Hertz Corporation, 8501 Williams Road, Estero, FL 33928 Attn: Arbitration) and two copies of the demand to the AAA. If You seek \$10,000 or less through arbitration, we will reimburse You for any AAA required filing fee.

The arbitrator may award injunctive relief as well as money, but only in favor of and as warranted by the claim of the individual party seeking relief. Judgment on the arbitral award may be entered in any court having jurisdiction. An arbitration award and any judgment confirming it apply only to the specific parties in that case and cannot be used in any other case except to enforce the award itself. The arbitrator may not consolidate more than one person's claims, and may not otherwise preside over any form of representative or class action.

IF YOU DO NOT WISH TO AGREE TO THIS ARBITRATION PROVISION, YOU MUST NOTIFY HERTZ IN WRITING WITHIN 30 DAYS OF YOUR RECEIPT OF THIS AGREEMENT BY EMAIL AT [no.arbitration@hertz.com](mailto:no.arbitration@hertz.com) OR BY MAIL TO The Hertz Corporation, 8501 Williams Road, Estero, FL 33928, Attn: Arbitration. Include Your name, address, the number at the top of this Rental Record, and a clear statement that You do not agree to this Arbitration Provision. If you have previously notified Hertz of Your decision to opt out of this Arbitration Provision, You do not need to do so again.

541228730





## TO BE CHARGED TO:

DISC XXXXXXXXXXXX4070 &lt; AUTH \$5825 .00 / 00637P

The Vehicle may be equipped with telematics technology that allows us to track or otherwise locate, disable and repossess the Vehicle and to obtain data about the Vehicle's use during your rental, including fuel usage and miles driven. By entering into this Agreement, You consent to our use of such telematics during your rental as permitted by applicable law.

Liability Protection: If You DO NOT elect Liability Insurance Supplement (LIS) and/or You violate the Terms and Conditions of the Rental Agreement, where permitted by law, if Hertz makes any payment as a result of an accident You are responsible to indemnify Hertz for all payments made including attorney fees and costs. If You elect LIS, LIS provides protection from liability for third party automobile claims for the difference between the liability limits in Paragraph 10 of the Rental Agreement and the maximum combined single limit of \$1,000,000 for bodily injury, including death and property damage. LIS also includes uninsured/underinsured motorist coverage (while occupying the Car) for bodily injury and property damage, if applicable, for the difference between the statutory minimum underlying limits and \$1,000,000 for each accident.

STATE LAW REQUIRES THE OPERATOR AND ALL PASSENGERS AGE 6 AND OVER, OR LESS THAN 60 POUNDS, REGARDLESS OF AGE, TO USE THEIR SAFETY BELTS. If you decline Loss Damage Waiver (LDW), which is optional, You may be responsible for any loss or damage to the Car regardless of fault -- see Par. 4 of the Rental Agreement Terms And Conditions, which appear on the folder (GN1900005) delivered to You with this Rental Record (the Rental Terms). Coverage for all or part of Your responsibility may be provided by Your own auto insurance or under your credit card agreement. By signing below, You acknowledge that You have read, understand, accept and agree to the above and the Rental Terms, and You accept or decline the Optional Services as shown on Card 1 and Card 2.

X \_\_\_\_\_  
541228730

Our Privacy Policy governs the use of data about you. A copy of the policy is available at the rental counter and online at [hertz.com](http://hertz.com)

# Exhibit 23a

8/12/2020

Print :: Workspace Webmail

## Payment Receipt from J Chip Siegel Chartered for \$2,500.00

"J Chip Siegel Chartered" [receipts@lawpay.com]

Sent: 7/31/2020 9:53 AM

To: ""zan@m2lvnv.com"" <zan@m2lvnv.com>

---

### Payment Receipt

**\$2,500.00**

#### J Chip Siegel Chartered

601 S 7th st  
Las Vegas, Nevada 89101  
(702) 387-2447

#### Account Holder

Zan Mitrov  
10691 Allegrini Dr  
las Vegas, Nevada 89141

---

### Payment Summary

<b>Account:</b>	Operating	<b>Amount Paid:</b>	\$2,500.00
<b>Reference:</b>	20F07538X	<b>Payment Method:</b>	VISA
		<b>Card Number:</b>	*****6753
		<b>Entry Mode:</b>	Manual
		<b>Auth Code:</b>	031821
		<b>Payment Date:</b>	July 31, 2020 09:53 am
		<b>Transaction Id:</b>	34158406

---

Signature

By signing above, I confirm that I am an authorized user of the card being used for this transaction and understand and agree to the terms and conditions of this payment. I also agree to pay, and specifically authorize to charge my credit card for the services provided. I further agree that in the event my credit card becomes invalid, I will provide a new valid credit card upon request, to be charged for the payment of any outstanding balances owed.



[legalchip@hotmail.com](mailto:legalchip@hotmail.com)

---

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---

8/12/2020

Print :: Workspace Webmail

## Payment Receipt from J Chip Siegel Chartered for \$2,500.00

"J Chip Siegel Chartered" [receipts@lawpay.com]

Sent: 8/8/2020 6:22 PM

To: ""zan@m2lvnv.com"" <zan@m2lvnv.com>

---

### Payment Receipt

**\$2,500.00**

**J Chip Siegel Chartered**  
601 S 7th st  
Las Vegas, Nevada 89101  
(702) 387-2447

**Account Holder**  
ZAN MITROV  
10691 Allegrini dr  
Las Vegas , Nevada 89141

---

### Payment Summary

<b>Account:</b>	Operating	<b>Amount Paid:</b>	\$2,500.00
		<b>Payment Method:</b>	Discover
		<b>Card Number:</b>	*****4070
		<b>Entry Mode:</b>	Manual
		<b>Auth Code:</b>	00871P
		<b>Payment Date:</b>	August 08, 2020 06:19 pm
		<b>Transaction Id:</b>	34462813



[legalchip@hotmail.com](mailto:legalchip@hotmail.com)

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FILED

MAY 14 2021

STATE BAR OF NEVADA  
BY: *[Signature]*  
OFFICE OF BAR COUNSEL

Case No.: OBC20-0670; OBC20-0706

STATE BAR OF NEVADA

SOUTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,

Complainant,

vs.

TODD LEVENTHAL, ESQ.,  
Nevada Bar No. 8543

Respondent.

**RESPONDENT'S FIRST SUPPLEMENT  
TO FINAL DISCLOSURES OF LIST OF  
WITNESSES AND DOCUMENTS**

Respondent, Todd Leventhal, Esq., Nevada Bar No. 8543 ("Respondent"), by and through his counsel of record, David A. Clark, of LIPSON NEILSON, P.C., hereby files his First Supplement to Final Disclosures of Witnesses and Documents, as follows (*new information in bold*):

**A. Documentary Evidence.**

Bates No.	Description
LEV000001-LEV000024	Criminal Complaint, Las Vegas Justice Court Case No. 19F03827A
LEV000025-LEV000029	Court Transcript, Las Vegas Justice Court Case No. 19F03827A
LEV000030-LEV000032	Incident File Full Report, Las Vegas Justice Court Case No. 19F03827A
LEV0000033	Summons, Las Vegas Justice Court Case No. 19F03827A
LEV000034-LEV000038	Surveillance Video, Surveillance Video Disclaimer and Instructions, Las Vegas Justice Court Case No. 19F03827A
LEV000039-LEV000066	Criminal Complaint, Las Vegas Justice Court Case No. 20F00283A
LEV000067-LEV000069	Register of Actions, Las Vegas Justice Court Case No. 20F00283A
LEV000070-LEV000087	Nevada Pretrial Risk Assessment, Las Vegas Justice Court Case No. 20F00283A
LEV000088-LEV000122	Voluntary Statements, Las Vegas Justice Court Case No. 20F00283A

1	LEV000123	Video Recording of Voluntary Statement of Joseph Avila, Las Vegas Justice Court Case No. 20F00283A;
2		
3	LEV000124	Video Recording of Voluntary Statement of Amalia Avila, Las Vegas Justice Court Case No. 20F00283A
4		
5	LEV000125-126	Affidavit of Zan Mitrov, dated December 30, 2020, and previously submitted with Respondent's first Motion for Summary Judgment.
6		
7	SBN Exhibit 23 (001)	Email from Zan Mitrov to Louise Watson, dated September 14, 2020, withdrawing his complaint against Respondent.
8		
9	<i>LEV000127</i>	<i>Email from Zan Mitrov to Louise Watson, dated May 12, 2021, stating he will hire a lawyer</i>
10	<i>LEV000128</i>	<i>Email from State Bar enclosing declaration of Louise Watson</i>
11	<i>LEV000129-000130</i>	<i>Declaration of Louise Watson</i>
12		

**B. Witnesses.**

1. Amalia Sosa-Avila  
Address presently unknown

Ms. Sosa-Avila will testify regarding the facts and circumstances set forth in the State Bar's Complaint.

2. Zan Mitrov  
Address presently unknown

Mr. Mitrov is expected to testify regarding the facts and circumstances set forth in the State Bar's Complaint and his Affidavit previously submitted.

3. Detective J. Haynes P#14010  
Las Vegas Metropolitan Police Department  
200 S. Martin Luther King Blvd.  
Las Vegas, NV 89106  
(702) 828-3111

Detective Haynes is expected to testify regarding his investigation of the crimes of burglary/possession of stolen credit cards/fraudulent activity committed on or about November 19, 2019, brought against Amalia Sosa-Avila.

- 1           4.     Detective S. Singh P#13322  
2                 Las Vegas Metropolitan Police Department  
3                 200 S. Martin Luther King Blvd.  
4                 Las Vegas, NV 89106  
5                 (702) 828-3111

6           Detective Singh is expected to testify regarding his investigation of the crimes of  
7 burglary and grand larceny committed on or about November 4, 2018, brought against Amalia  
8 Sosa-Avila.

- 9           5.     Jeffrey Marr  
10                 Address presently unknown

11           Mr. Marr is expected to testify regarding the facts and circumstances surrounding this  
12 matter.

- 13           6.     Ann Dunn, Esq., Clark County Deputy District Attorney  
14                 200 Lewis Ave  
15                 Las Vegas, NV 89101  
16                 (702) 671-2500

17           Ms. Dunn is expected to testify regarding the facts and circumstances surrounding Las  
18 Vegas Justice Court Case No. 20F00283A, State of Nevada v. Amalia Sosa-Avila.

- 19           7.     Hetty Wong, Esq., Clark County Deputy District Attorney  
20                 200 Lewis Ave  
21                 Las Vegas, NV 89101  
22                 (702) 671-2500

23           Ms. Wong is expected to testify regarding the facts and circumstances surrounding Las  
24 Vegas Justice Court Case No. 19F03827B, State of Nevada v. Amalia Maria Sosa-Avila.

- 25           8.     ***Detective Aaron Perez***  
26                 ***Las Vegas Metropolitan Police Department***  
27                 ***200 S. Martin Luther King Blvd.***  
28                 ***Las Vegas, NV 89106***  
                ***(702) 353-0055***

***Detective Perez is expected to testify regarding receiving the stolen property here from***  
***Respondent anonymously.***

9.     Randolph Goldberg, Esq.  
                    Gold Medal Injury Law  
                    2001 S. Rainbow Blvd., Suite 140, Las Vegas, NV 89146  
                    (702) 304-7625

1 Mr. Goldberg was the victim of the car theft involving Mr. Mitrov. He is expected to  
2 testify regarding his agreement with Respondent for restitution by Mr. Mitrov and to  
3 Respondent's character and reputation.

4 10. Maribel Godinez  
5 Leventhal and Associates, PLLC

6 Ms. Godinez is expected to testify regarding the facts and circumstances set forth in the  
7 State Bar's Complaint, her interaction and communications with both Grievants, and the  
8 discovery, pleadings, and evidence in the Grievants' criminal matters.

9  
10 **11. Louise Watson**  
11 **Investigator**  
12 **State Bar of Nevada**  
13 **3100 W. Charleston Blvd.**  
14 **Las Vegas, NV 89102**  
15 **(702) 382-2200**

16 *Ms. Watson is expected to testify regarding her communications with Zan Mitrov,*  
17 *emails she received from him and her Declaration dated May 13, 2021.*

18 Dated this 13<sup>th</sup> day of May, 2021.

19 LIPSON NEILSON, P.C.,

20 /s/ David A. Clark

21 By:

22 DAVID A. CLARK  
23 Nevada Bar No. 4443  
24 9900 Covington Cross Drive, Suite 120  
25 Las Vegas, Nevada 89144  
26 *Attorneys for Respondent, Todd Leventhal, Esq.*  
27  
28



**CERTIFICATE OF SERVICE**

Pursuant to DRP 18((b)(2) and NRCP 5(b), I certify that on the 13<sup>th</sup> day of May 2021, I served via email the foregoing **RESPONDENT'S FIRST SUPPLEMENT TO FINAL DISCLOSURES OF LIST OF WITNESSES AND DOCUMENTS** to the following:

Gerard Gosioco, Assistant Bar Counsel  
Kristi A. Faust, Hearing Paralegal  
Office of Bar Counsel  
3100 W. Charleston Blvd., Suite 100  
Las Vegas, Nevada 89102  
[gerardg@nvbar.org](mailto:gerardg@nvbar.org)  
[KristiF@nvbar.org](mailto:KristiF@nvbar.org)

*/s/ Debra Marquez*

\_\_\_\_\_  
Employee of LIPSON NEILSON P.C.

---

**From:** Gerard Gosioco <gerardg@nvbar.org>  
**Sent:** Thursday, May 13, 2021 10:26 AM  
**To:** David Clark  
**Cc:** Louise Watson; Kristi Faust; Debra Marquez  
**Subject:** FW: Zan Mitrov

Mr. Clark,

Attached is yesterday's email from Mr. Mitrov to Ms. Watson.

Gerard Gosioco

-----Original Message-----

From: MTMK LOGISTICS <zan@m2lvnv.com>  
Sent: Wednesday, May 12, 2021 2:44 PM  
To: Louise Watson <LouiseW@nvbar.org>  
Subject: Zan Mitrov

Miss. Watson,

I will hire a lawyer for this matter. Reasoning for that decision is that I want to be left alone so I can continue doing my daily activities with the business.

Again I have nothing else to seek from MrLeventhal, He gave me my vehicle within 48 hours as I asked also he gave me money to cover my rental cost from June 5th to June 30th.

Thank you

Sent from my iPhone

---

**From:** Gerard Gosioco <gerardg@nvbar.org>  
**Sent:** Thursday, May 13, 2021 9:33 AM  
**To:** Tom Edwards  
**Cc:** David Clark; Kristi Faust; Debra Marquez  
**Subject:** FW: Louise Watson has shared the Watson Declaration with you  
**Attachments:** Watson Declaration.pdf

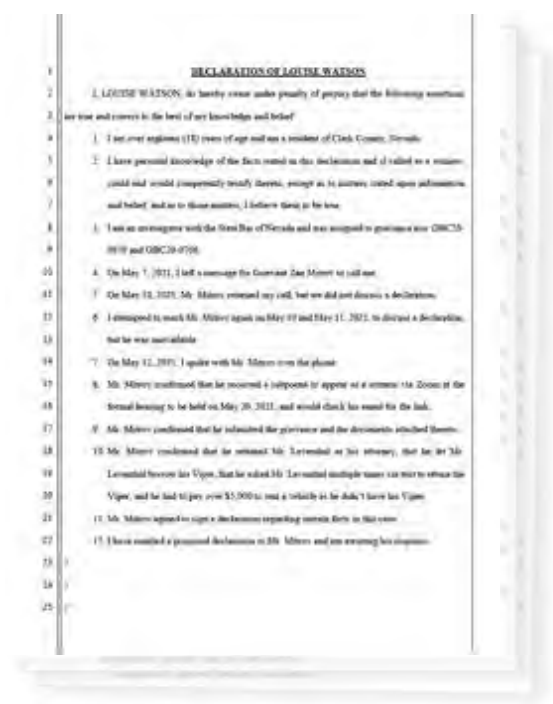
Good Morning Mr. Edwards,

Attached is the declaration of Louise Watson, an investigator with the State Bar. Please let me know if you have any trouble opening the document. Thank you.

Gerard Gosioco

---

**From:** Louise Watson <adobesign@adobesign.com>  
**Sent:** Thursday, May 13, 2021 9:30 AM  
**To:** Gerard Gosioco <gerardg@nvbar.org>  
**Subject:** Louise Watson has shared the Watson Declaration with you



2 pages

## Attached is your copy of the Watson Declaration

Attached is your copy of the **Watson Declaration**, from: Louise Watson ([louisew@nvbar.org](mailto:louisew@nvbar.org)) for your records.

[Click here](#) to view this document online in your Adobe Sign account.

### Why use Adobe Sign:

- Exchange, Sign, and File Any Document. In Seconds!
- Set-up Reminders. Instantly Share Copies with Others.
- See All of Your Documents, Anytime, Anywhere.

**DECLARATION OF LOUISE WATSON**

I, LOUISE WATSON, do hereby swear under penalty of perjury that the following assertions are true and correct to the best of my knowledge and belief:

1. I am over eighteen (18) years of age and am a resident of Clark County, Nevada.
2. I have personal knowledge of the facts stated in this declaration and if called as a witness, could and would competently testify thereto, except as to matters stated upon information and belief, and as to those matters, I believe them to be true.
3. I am an investigator with the State Bar of Nevada and was assigned to grievance nos. OBC20-0670 and OBC20-0706.
4. On May 7, 2021, I left a message for Grievant Zane Mitrov to call me.
5. On May 10, 2021, Mr. Mitrov returned my call, but we did not discuss a declaration.
6. I attempted to reach Mr. Mitrov again on May 10 and May 11, 2021, to discuss a declaration, but he was unavailable.
7. On May 12, 2021, I spoke with Mr. Mitrov over the phone.
8. Mr. Mitrov confirmed that he received a subpoena to appear as a witness via Zoom at the formal hearing to be held on May 20, 2021, and would check his email for the link.
9. Mr. Mitrov confirmed that he submitted the grievance and the documents attached thereto.
10. Mr. Mitrov confirmed that he retained Mr. Leventhal as his attorney, that he let Mr. Leventhal borrow his Viper, that he asked Mr. Leventhal multiple times via text to return the Viper, and he had to pay over \$5,000 to rent a vehicle as he didn't have his Viper.
11. Mr. Mitrov agreed to sign a declaration regarding certain facts in this case.
12. I have emailed a proposed declaration to Mr. Mitrov and am awaiting his response.

//

//

//

1 I declare under penalty of perjury under the laws of the State of Nevada<sup>1</sup> that the foregoing is  
2 true and correct.

3 FURTHER YOUR DECLARANT SAYETH NAUGHT.

4 EXECUTED this 13th day of May, 2021.

5  
6 *Louise Watson*

7 \_\_\_\_\_  
8 LOUISE WATSON, Declarant  
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24 \_\_\_\_\_  
25 <sup>1</sup> NRS 53.045 Use of unsworn declaration in lieu of affidavit or other sworn declaration; exception. Any matter whose existence or truth may be established by an affidavit or other sworn declaration may be established with the same effect by an unsworn declaration of its existence or truth signed by the declarant under penalty of perjury, and dated, in substantially the following form.

Case No: OBC20-0670; OBC20-0706



**STATE BAR OF NEVADA**  
**SOUTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA,	)	
	)	
Complainant,	)	
vs.	)	
	)	
TODD M. LEVENTHAL, ESQ.,	)	
Nevada Bar No. 8543,	)	
	)	
Respondent.	)	
	)	

**ORDER**

**PROCEDURAL POSTURE AND SUMMARY OF RULING**

Respondent, Todd Leventhal, Esq., filed his Motion to Reconsider on Order Shortening Time on May 19, 2021. The Motion was reviewed and for reasons stated herein, the Motion is **DENIED**.

**DECISION**

1. SCR 110(7) only allows a deposition if the witness is not subject to a subpoena or is unable to attend to testify at the hearing because of age, illness or other infirmity. Respondent has not argued or shown that Mr. Mitrov is not subject to a subpoena or is unable to attend to testify at the hearing because of age, illness or other infirmity. Therefore, SCR 110(7) does not appear to provide a mechanism for the State Bar to take Mr. Mitrov's deposition. Respondent has not explained how DRP 1 permits the State Bar to take Mr. Mitrov's deposition. Therefore, the

1 conclusion that the State Bar does not have the ability to compel deposition  
2 testimony in this case is not clearly erroneous.

3 2. If a nonmovant shows by affidavit or declaration that, for specified reasons, it cannot  
4 present facts essential to justify its opposition, NRCP56(d)(1) provides that the  
5 motion for summary judgment can be denied. The State Bar provided such a  
6 declaration, such that denial of summary judgment is expressly allowed by the rule.

7 3. Respondent has not cited to legal authority that an attorney is relieved of his  
8 obligations under RPC 1.8 if the property he receives from his client is stolen.

9 4. Allowing the State Bar to attempt to prove its claims at a disciplinary hearing is not  
10 manifestly unjust.

11 For these reasons, Respondent's Motion to Reconsider on Order Shortening Time is

12 **DENIED.**

13 Good cause appearing, **IT IS SO ORDERED.**

14 Dated this 21 day of May, 2021.

15 SOUTHERN NEVADA DISCIPLINARY BOARD

16 Tom Edwards

17 By: Tom Edwards (May 19, 2021 16:36 PDT)

18 F. Thomas Edwards, Esq.  
19 *Hearing Panel Chair*

20

21

22

23

24

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies a true and correct copy of the foregoing **ORDER** was served via email to:

1. F. Thomas Edwards, Esq. (Panel Chair): [tedwards@nevadafirm.com](mailto:tedwards@nevadafirm.com)
2. David Clark, Esq. (Counsel for Respondent): [DClark@lipsonneilson.com](mailto:DClark@lipsonneilson.com)
3. Gerard Gosioco, Esq. (Assistant Bar Counsel): [gerardg@nvbar.org](mailto:gerardg@nvbar.org)

Dated this 19th day of May, 2021.

  
\_\_\_\_\_  
Kristi Faust, an employee  
of the State Bar of Nevada



# 2021.05.19- Order re Motion for Reconsideration

Final Audit Report

2021-05-19

Created:	2021-05-19
By:	Kristi Faust (kfaust@nvbar.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAUiaYuHGzIreuPWSGTMjZs8-XAk6CM2BG

## "2021.05.19- Order re Motion for Reconsideration" History



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Adobe Sign

Case No: OBC20-0670; OBC20-0706



FILED

MAY 19 2021

STATE BAR OF NEVADA  
BY: B. Zeb  
OFFICE OF BAR COUNSEL

**STATE BAR OF NEVADA**  
**SOUTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA, )  
)  
Complainant, )  
vs. )  
)  
TODD M. LEVENTHAL, ESQ., )  
Nevada Bar No. 8543, )  
)  
Respondent. )

**NOTICE OF FILING**

Attached hereto as **Exhibit A** for the record are the Affidavits of Due Diligence from Nationwide Legal. These Affidavits demonstrate the efforts made to locate the Grievant Amalia Sosa-Avila and serve the Trial Subpoena upon her.

Attached hereto as **Exhibit B** for the record is the Affidavit of Service from Nationwide Legal. This Affidavit demonstrates the Trial Subpoena was served upon Grievant Zan Mitrov on May 8, 2021.

DATED this 19<sup>th</sup> day of May, 2021.

STATE BAR OF NEVADA  
DANIEL M. HOOGE, BAR COUNSEL

/s/ Gerard Gosioco  
Gerard Gosioco, Assistant Bar Counsel  
Nevada Bar No. 14371  
3100 West Charleston Boulevard, Suite 100  
Las Vegas, Nevada 89102  
(702) 382-2200

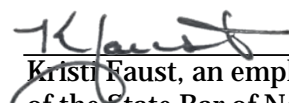
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**CERTIFICATE OF SERVICE**

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1. F. Thomas Edwards, Esq. (Panel Chair): [tedwards@nevadafirm.com](mailto:tedwards@nevadafirm.com);
2. David Clark, Esq. (Counsel for Respondent): [DClark@lipsonneilson.com](mailto:DClark@lipsonneilson.com)
3. Gerard Gosioco, Esq. (Assistant Bar Counsel): [gerardg@nvbar.org](mailto:gerardg@nvbar.org)

Dated this 19<sup>th</sup> day of May, 2021.

  
\_\_\_\_\_  
Kristi Faust, an employee  
of the State Bar of Nevada

# **Exhibit A**

AFFIDAVIT OF DUE DILIGENCE

STATE BAR OF NEVADA SOUTHERN NEVADA DISCIPLINARY BOARD  
CLARK COUNTY, STATE OF NEVADA

STATE BAR OF NEVADA,

Complainant

v.

TODD M. LEVENTHAL, ESQ.,  
Nevada Bar No. 8543,

Respondent

Case No.: OBC20-0670/0706

Gerard Gosioco, Esq., Bar No. 14371

OFFICE OF BAR COUNSEL

3100 W. Charleston 100

Las Vegas, NV 89102

(702) 382-2200

*Attorneys for the Complainant*

Client File# OBC20-0670

I, Judith Mae All, being sworn, states: That I am a licensed process server registered in Nevada. I received a copy of the Trial Subpoena, from OFFICE OF BAR COUNSEL

That attempts were made to serve Amalia Sosa-Avila with Trial Subpoena, at:

Attempted at 2995 E. Sunset Road, Unit E213, Las Vegas, NV 89120 On 5/14/2021 at 9:16 AM

Results: Spoke with: Male - Current Resident - through video doorbell camera who stated wrong address, does not know subject.

I being duly sworn, states: that all times herein, Affiant was and is over 18 years of age, not a party to or interested in the proceedings in which this Affidavit is made. I declare under penalty of perjury that the foregoing is true and correct.

Date: 5/17/2021

Judith Mae All  
Registered Work Card# R-040570  
State of Nevada

(No Notary Per NRS 53.045)

Service Provided for:  
Nationwide Legal Nevada, LLC  
626 S. 7th Street  
Las Vegas, NV 89101  
(702) 385-5444  
Nevada Lic # 1656



Control #: NV241992  
Reference: OBC20-0670

**AFFIDAVIT OF DUE DILIGENCE**

**STATE BAR OF NEVADA SOUTHERN NEVADA DISCIPLINARY BOARD  
CLARK COUNTY, STATE OF NEVADA**

STATE BAR OF NEVADA,

Complainant

v.

TODD M. LEVENTHAL, ESQ.,  
Nevada Bar No. 8543,

Respondent

Case No.: OBC20-0670/0706

Gerard Gosioco, Esq., Bar No. 14371

OFFICE OF BAR COUNSEL

3100 W. Charleston 100

Las Vegas, NV 89102

(702) 382-2200

*Attorneys for the Complainant*

Client File# OBC20-0670

I, Sean Keseday, being sworn, states: That I am a licensed process server registered in Nevada. I received a copy of the Trial Subpoena, from OFFICE OF BAR COUNSEL

That attempts were made to serve Amalia Sosa-Avila with Trial Subpoena, at:

Attempted at 9457 S. Las Vegas Blvd., Unit 145, Las Vegas, NV 89123 On 5/17/2021 at 6:28 PM

Results: No answer, quiet inside.

Attempted at 9457 S. Las Vegas Blvd., Unit 145, Las Vegas, NV 89123 On 5/18/2021 at 6:01 PM

Results: BAD ADDRESS: Vacant.

I being duly sworn, states: that all times herein, Affiant was and is over 18 years of age, not a party to or interested in the proceedings in which this Affidavit is made. I declare under penalty of perjury that the foregoing is true and correct.

Date: 5/19/2021



Sean Keseday  
Registered Work Card# R-065975  
State of Nevada

(No Notary Per NRS 53.045)

Service Provided for:  
Nationwide Legal Nevada, LLC  
626 S. 7th Street  
Las Vegas, NV 89101  
(702) 385-5444  
Nevada Lic # 1656



Control #: NV242044  
Reference: OBC20-0670

# **Exhibit B**

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**AFFIDAVIT OF SERVICE**

**STATE BAR OF NEVADA SOUTHERN NEVADA DISCIPLINARY BOARD  
CLARK COUNTY, STATE OF NEVADA**

STATE BAR OF NEVADA,

Plaintiff(s)

v.

TODD M. LEVENTHAL, ESQ.,  
Nevada Bar No. 8543,

Defendant(s)

Case No.: OBC20-0670/0706

Gerard Gosioco, Esq., Bar No. 14371

OFFICE OF BAR COUNSEL

3100 W. Charleston 100

Las Vegas, NV 89102

(702) 382-2200

Attorneys for the Complainant

Client File# OBC20-0670

I, Tyler Trewet, being sworn, states: That I am a licensed process server registered in Nevada. I received a copy of the Trial Subpoena, from OFFICE OF BAR COUNSEL

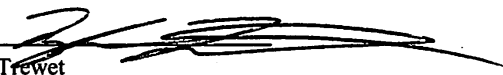
That on 5/8/2021 at 5:42 PM at 10691 Allegrini Drive, Las Vegas, NV 89141 I served Zan Mitrov with the above-listed documents by personally delivering a true and correct copy of the documents by leaving with Gabriella Lopez whose relationship is Spouse/Co-Resident, a person of suitable age and discretion residing at the defendants usual place of abode.

That the description of the person actually served is as follows:

Gender: Female, Race: Caucasian, Age: 41 - 45 yrs., Height: 5'6", Weight: 125 - 135 lbs., Hair: Blonde, Eyes: Hazel

I being duly sworn, states: that all times herein, Affiant was and is over 18 years of age, not a party to or interested in the proceedings in which this Affidavit is made. I declare under penalty of perjury that the foregoing is true and correct.

Date: 5/13/21

  
Tyler Trewet  
Registered Work Card# R201904184  
State of Nevada

(No Notary Per NRS 53.045)

Service Provided for:  
Nationwide Legal Nevada, LLC  
626 S. 7th Street  
Las Vegas, NV 89101  
(702) 385-5444  
Nevada Lic # 1656



Control #: NV241720  
Reference: OBC20-0670



Case No: OBC20-0670; OBC20-0706



STATE BAR OF NEVADA  
BY: *[Signature]*  
OFFICE OF BAR COUNSEL

**STATE BAR OF NEVADA**

**SOUTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA,

Complainant,

vs.

TODD M. LEVENTHAL, ESQ.,  
Nevada Bar No. 8543,

Respondent.

**ORDER**

**PROCEDURAL POSTURE NAD SUMMARY OF RULING**

Respondent, Todd Leventhal, Esq., filed his Motion for Summary Judgment on December 31, 2020. On January 15, 2021, Complainant, the State Bar of Nevada, filed its Opposition to Respondent's Motion. On January 20, 2021, the Respondent filed his Reply in Support of his Motion for Summary Judgment. The Motion was heard, argued, and for reasons stated herein, the Motion is **DENIED**.

**DECISION**

1. Given the lack of discovery in a disciplinary matter, and specifically the inability to compel deposition testimony, it is not clear whether summary judgment is applicable to disciplinary proceedings.
2. Nonetheless, it appears that Respondent's declaration confirms that he knowingly acquired a possessory interest adverse to his Ms. Sosa-Avila when he states: "Mrs. Sosa did not have any money that day but said that she could drop off some collateral so that I could start on her case. I agreed to accept collateral while she came up for the money to pay attorney fees." See Leventhal Dec., paragraph 3.

1 Taking property as collateral, whether stolen or not, would appear to be taking a  
2 possessory interest adverse to Respondent's client, triggering the obligations of  
3 RPC 1.8, such that summary judgment upon Count One (re: Ms . Sosa-Avila) of  
4 the Complaint is not appropriate.

- 5 3. As to Count Two (re: Mr. Mitrov), the State Bar provided a declaration showing  
6 that despite efforts to get Mr. Mitrov to sign a declaration to oppose summary  
7 judgment, they have been unable to obtain said declaration. Therefore, pursuant  
8 to NRCP 56(d)(1), summary judgment upon Count Two (re: Mr. Mitrov) of the  
9 Complaint is not appropriate.

10 For these reasons, Respondent's Motion for Summary Judgment is **DENIED**.

11 Good cause appearing, **IT IS SO ORDERED**.

12 Dated this 19th day of May, 2021.

13 SOUTHERN NEVADA DISCIPLINARY BOARD

14  
15 By: Tom Edwards  
Tom Edwards (May 19, 2021 10:10 PDT)

16 F. Thomas Edwards, Esq.  
Hearing Panel Chair  
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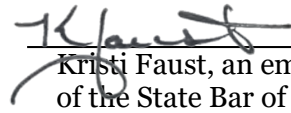
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies a true and correct copy of the foregoing **ORDER**  
was served via email to:

1. F. Thomas Edwards, Esq. (Panel Chair): [tedwards@nevadafirm.com](mailto:tedwards@nevadafirm.com)
2. David Clark, Esq. (Counsel for Respondent): [DClark@lipsonneilson.com](mailto:DClark@lipsonneilson.com)
3. Gerard Gosioco, Esq. (Assistant Bar Counsel): [gerardg@nvbar.org](mailto:gerardg@nvbar.org)

Dated this 19th day of May, 2021.

  
\_\_\_\_\_  
Kristi Faust, an employee  
of the State Bar of Nevada

# 2021.05.19- Order re Motion for Summary Judgment

Final Audit Report

2021-05-19

Created:	2021-05-19
By:	Kristi Faust (kfaust@nvbar.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAhfdGPvk6y4GWo1EqcSiB2oL1D5ngYG9

## "2021.05.19- Order re Motion for Summary Judgment" History



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Agreement completed.

2021-05-19 - 5:10:03 PM GMT



FILED

MAY 19 2021

STATE BAR OF NEVADA

BY: *B. Zeb*  
OFFICE OF BAR COUNSEL

Case Nos.: OBC20-0670 and OBC20-0706

## STATE BAR OF NEVADA

## SOUTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,

Complainant,

vs.

TODD LEVENTHAL, ESQ.,  
Nevada Bar No. 8543

Respondent.

**RESPONDENT'S MOTION TO  
RECONSIDER ON ORDER  
SHORTENING TIME****(Hearing Requested)**

Respondent Todd Leventhal, Esq., by and through his counsel of record, David A. Clark, of the firm Lipson Neilson, P.C., hereby submits this Motion to Reconsider the Chair's Order Denying Respondent Summary Judgment, entered today, May 19, 2021, on the basis that the Order constitutes clear error and is manifestly unjust. Furthermore, because the Formal Hearing is scheduled for tomorrow, May 20, 2021, Respondent brings this Motion seeking an Order Shortening Time to set for hearing.

**ORDER SHORTENING TIME FOR HEARING  
ON MOTION TO RECONSIDER**

The Chair, having examined Respondent's Motion to Reconsider, along with the supporting Declaration of Counsel, being fully advised in the premises, and for good cause appearing, finds that Respondent's Motion should be heard on order shortened time.

This Chair therefore ORDERS that the hearing on Respondent's Motion to Reconsider shall be shortened to \_\_\_\_\_, 2021 at \_\_\_\_ a.m./p.m., or as soon thereafter as counsel may be heard. The State Bar may file and serve an Opposition no later than \_\_\_\_\_,

Lipson Neilson P.C.

9900 Covington Cross Drive, Suite 120  
Las Vegas, Nevada 89144  
(702) 382-1500 FAX: (702) 382-1512

2021 at \_\_\_\_ a.m./p.m.

DATED this \_\_\_\_ day of May 2021.

FORMAL HEARING CHAIR

**DECLARATION OF DAVID A. CLARK**

David A. Clark, declares as follows:

1. I am an attorney licensed to practice in the State of Nevada. I am counsel in the above captioned matter for Respondent, Todd Leventhal, Esq.,

2. I make this declaration upon personal knowledge, and if called as a witness, I could and would competently testify to the facts contained in this declaration. I make this Declaration in support of Respondent's Motion to Reconsider the Chair's May 19, 2021, Order denying Respondent's Motion for Summary Judgment, on Order Shortening Time.

3. The two attachments to this Motion are true and correct copies of what they are offered to be.

4. Respondent filed his Motion for Summary Judgment December 31, 2020. Contained in that Motion was the Declaration of Zan Mitrov, which declared that he let Mr. Leventhal use a Dodge Viper as a favor, not as payment or collateral for payment of fees. He also declared that he wanted to withdraw his grievance and included an email he sent to the State Bar in September 2020, requesting to withdraw his complaint.

5. On May 6, 2021, the Chair heard Respondent's Motion for Summary Judgment. At that hearing, the Chair directed the State Bar to provide a counter Declaration from Mr. Mitrov or another one explaining why the Bar could not secure one from the grievant.

6. Despite that, the State Bar failed to provide a proper responsive declaration until yesterday, May 18, 2021, at 3:47 pm. The Chair then issued his Order Denying this morning, at 9:27 a.m.

7. The Formal Hearing in this case is set for tomorrow, May 20, 2021, at 9:00 a.m. If Respondent's Motion to Reconsider is set in the regular course, it will not be heard and considered prior to trial. As such, to the extent that the Order Respondent seeks to reconsider is

1 clearly erroneous or manifestly unjust, it will deny Respondent a fair hearing regarding his  
2 license to practice law.

3 8. This instant Motion has been brought on order shortening time and in good faith.  
4 The Motion is not brought for purposes of undue delay, bad faith or other dilatory motive.

5 I declare under penalty of perjury that the foregoing is true and correct.

6 DATED this 19<sup>th</sup> of May 2021.

7 /s/ David A. Clark

8 DAVID A. CLARK

9 **MEMORANDUM OF POINTS AND AUTHORITIES**

10 **I. INTRODUCTION AND FACTUAL BASIS.**

11 The State Bar has known about Zan Mitrov's reticence to proceed with his grievance  
12 since September 2020, while it was still in the investigative stage. *See*, State Bar's Exhibit 23,  
13 page 1 (attached hereto). It had ample opportunity at that time to secure a statement prior to  
14 filing the Complaint December 4, 2020.

15 When the Bar was served with Zan Mitrov's Declaration in support of Mr. Leventhal's  
16 Motion for Summary Judgment on December 31, 2020, it reinforced this reluctance and also  
17 established facts contrary to the State Bar's Complaint, to wit:

18 He let Mr. Leventhal use a Dodge Viper *as a favor, not as payment or collateral*  
19 *for payment of fees*. After Mr. Leventhal withdrew as counsel, Mr. Mitrov picked  
20 up the Viper at the repair shop that Mr. Leventhal had it towed to for repairs. *He*  
21 *did not pay Mr. Leventhal for its return*. As for the Maserati mentioned in the  
22 State Bar complaint, Mr. Leventhal never took the vehicle to California, never  
23 received title to it from Mr. Mitrov nor drove it to his knowledge.

24 Respondent's *Motion for Summary Judgment, Exhibit B (emphasis added)*. Between December  
25 31, 2020, and the hearing on Respondent's Motion for Summary Judgment, the State Bar never  
26 even attempted to depose Mr. Mitrov under SCR 110(7), which expressly provides,

27 **Deposition in lieu of appearance.** With the approval of the chair, testimony  
28 may be taken by deposition or by commission if the witness is not subject to  
subpoena or is unable to attend or testify at the hearing because of age, illness, or  
other infirmity.

1 In the Order Denying Respondent's Motion for Summary Judgment, the Chair found:

2 1. Given the lack of discovery in a disciplinary matter, and specifically the  
3 inability to compel deposition testimony, it is not clear whether summary  
4 judgment is applicable to disciplinary proceedings.

5 2. Nonetheless, it appears that Respondent's declaration confirms that he  
6 knowingly acquired a possessory interest adverse to his Ms. Sosa-Avila when he  
7 states: "Mrs. Sosa did not have any money that day but said that she could drop  
8 off some collateral so that I could start on her case. I agreed to accept collateral  
9 while she came up for the money to pay attorney fees." See Leventhal Dec.,  
10 paragraph 3. Taking property as collateral, whether stolen or not, would appear to  
11 be taking a possessory interest adverse to Respondent's client, triggering the  
12 obligations of RPC 1.8, such that summary judgment upon Count One (re: Ms.  
13 Sosa-Avila) of the Complaint is not appropriate.

14 3. As to Count Two (re: Mr. Mitrov), the State Bar provided a declaration  
15 showing that despite efforts to get Mr. Mitrov to sign a declaration to oppose  
16 summary judgment, they have been unable to obtain said declaration. Therefore,  
17 pursuant to NRCP 56(d)(1), summary judgment upon Count Two (re: Mr. Mitrov)  
18 of the Complaint is not appropriate.

19 For these reasons, Respondent's motion for summary judgment is denied.

20 *See, Order of Chair Denying Motion for Summary Judgment*, dated May 19, 2021, a true and  
21 correct copy of which is attached hereto).

## 22 **II. THE LEGAL STANDARD.**

23 Disciplinary Rules of Procedure (DRP) 1 states:

24 b) **Purpose.** The purpose of these rules is to expedite disciplinary hearings  
25 through procedures designed to streamline presentation of evidence,  
26 facilitate coordination of discovery and scheduling of Hearing Panels,  
27 while ensuring the just and proper administration of attorney regulation.

28 c) **Applicability of other rules.** Except as otherwise provided in the Supreme  
Court Rules (SCR), the Nevada Rules of Civil Procedure (NRCP) and  
Nevada Rules of Appellate Procedure (NRAP shall apply in disciplinary  
cases. See SCR 119(2). The rules applicable to the admission of evidence  
in the District Courts of Nevada govern admission of evidence in  
disciplinary cases. See SCR 105(2)(f).

A district court has inherent powers to "amend, correct, resettle, modify, or vacate, as the  
case may be, an order previously made and entered on motion in the progress of the cause or



1 proceeding.” *Trail v. Faretto*, 91 Nev.401, 403, 536 P.2d 1026, 1027 (1975).  
2 A district court may also reconsider a previously decided issue if the decision was clearly  
3 erroneous. *Masonry & Tile Contractors Ass’n v. Jolley, Urga & Wirth, Ltd.*, 113 Nev. 737, 941  
4 P.2d 486 (1997). This includes those “instances in which *new issues of fact* or law are raised  
5 supporting a ruling contrary to the ruling already reached.” *Id.*

6  
7 While reconsideration is “an extraordinary remedy, to be used sparingly and in the  
8 interest of finality and conservation of judicial resources,” reconsideration is appropriate if the  
9 district court (1) is presented with newly discovered evidence, (2) ***committed clear error or the***  
10 ***initial decision was manifestly unjust***, or (3) if there is an intervening change in controlling  
11 law.” *School Dist. No. 1J v. ACandS, Inc.*, 5 F.3d 1255, 1263 (9th Cir.1993); *Kona Enters., Inc.*,  
12 *v. Estate of Bishop*, 229 F.3d 877, 890 (9th Cir. 2000) (citation omitted) (***emphasis*** added).

13  
14 With respect to motions for summary judgment under NRCP 56 and the Court’s ability to  
15 postpone or deny it,

16 "Rule 56(f) [now (d)] is not a shield that can be raised to block a motion for  
17 summary judgment without even the slightest showing by the opposing party that  
18 his opposition is meritorious. A party invoking its protections must do so in good  
19 faith by affirmatively demonstrating why he cannot respond to a movant's  
20 affidavits as otherwise required by Rule 56(e) and how postponement of a ruling  
21 on the motion will enable him, by discovery or other means, to rebut the movant's  
22 showing of the absence of a genuine issue of fact. Where, as here, a party fails to  
23 carry his burden under Rule 56(f), postponement of a ruling on a motion for  
24 summary judgment is unjustified."

25  
26  
27 *Bakerink v. Orthopaedic Assocs.*, 94 Nev. 428, 431, 581 P.2d 9, 11 (1978) (*quoting Willmar*  
28 *Poultry Co. v. Morton-Norwich Products*, 520 F.2d 289, 297 (8th Cir. 1975), *cert. denied*, 424  
U.S. 915 (1975).\\

1 **III. ARGUMENT.**

2 **A. The Chair's First Finding is Clearly Erroneous.**

3  
4 The Chair's first finding in its Order is

5 1. Given the lack of discovery in a disciplinary matter, and specifically the  
6 inability to compel deposition testimony, it is not clear whether summary  
judgment is applicable to disciplinary proceedings.

7 This is clearly an incorrect statement of rules in the face of DRP 1 and SCR 110, which plainly  
8 allows for depositions in a discipline case. The State Bar has had notice of Mr. Mitrov's reticence  
9 since his September 2020 email to Mrs. Watson, State Bar Investigator. This is months prior to  
10 the filing of the Complaint. Thus, the State Bar could have secured his statement or other  
11 evidence to support his grievance prior to the discovery restrictions in formal proceedings.

12 Moreover, for four (4) months, the State Bar had Mr. Mitrov's Declaration supporting  
13 Summary Judgment. Yet, in all that time, the State Bar never sought leave to depose him even  
14 though SCR 110 gives the Bar that express right. Therefore, there is no "inability to compel  
15 deposition testimony" once the Complaint is filed and the Chair's reliance on this premise is clear  
16 error.

17  
18 Furthermore, NRCP 56 does apply per DRP 1 and SCR 119. Therefore, summary  
19 judgment is applicable to disciplinary proceedings.

20  
21 **B. The State Bar Has Slept on its Duty to Adequately Oppose  
Respondent's Motion for Summary Judgment on Count Two.**

22 And that clear error is central to the Chair's denial of summary judgment on Count Two  
23 (Mitrov). The State Bar failed to provide a sufficient counter Declaration to that of Mr. Mitrov's  
24 which was attached to Respondent's Motion for Summary Judgment. Nevertheless, the Chair  
25 postponed ruling on the Motion May 6, 2021, to allow the State Bar to secure a proper rebuttal  
26 declaration. This runs counter to the Supreme Court's holding in *Bakerink*, 94 Nev. at 431, *supra*.  
27 The State Bar never secured one.  
28

1 In fact, its communications with Mr. Mitrov make clear he has no intention of testifying at  
2 the Formal Hearing (nor has the State Bar submitted admissible evidence that he will). Thus, the  
3 State Bar has failed to carry its burden under NRCP 56(d) and, per *Bakerink*, “postponement of a  
4 ruling on a motion for summary judgment is unjustified.”

5  
6 **C. The Chair’s Finding that Ms. Avila-Sosa has a Legally Defensible  
Interest in Stolen Property is Erroneous and Lacks Legal Authority.**

7 In denying summary judgment as to the stolen items from Ms. Avila-Sosa (an undisputed  
8 fact), the Chair’s Order states, “Taking property as collateral, whether stolen or not, would appear  
9 to be taking a possessory interest adverse to Respondent’s client, triggering the obligations of  
10 RPC 1.8.” Neither the Chair nor the State Bar has cited to any authority for the proposition that a  
11 person in possession of stolen property has a legally cognizable interest in it.

12  
13 It is well-settled that possession of stolen property is a crime. *See*, Nev. Rev. Stat. §  
14 205.275(1) (crime to possession stolen property knowingly or under circumstances that would  
15 cause a reasonable person to so know.). Given that her possession is unlawful, there cannot be a  
16 lawful possessory interest. *Cf. Phillips v. State*, 99 Nev. 693 (Nev. 1983) (defendant could not be  
17 guilty of robbery where State failed to prove victim, a customer present during jewelry store  
18 robbery, had a possessory interest in any of the items stolen from the jewelry store).

19  
20 This is a necessary predicate in order to find that Mr. Leventhal took a possessory interest  
21 “adverse to [his] client.” Without it, a violation of RPC 1.8 (a), which is the only rule cited in the  
22 State Bar’s Complaint, cannot occur. “Where an essential element of a claim for relief is absent,  
23 the facts, disputed or otherwise, as to other elements are rendered immaterial and summary  
24 judgment is proper.” *Barmettler v. Reno Air, Inc.*, 114 Nev. 441, 447, 956 P.2d 1382, 1386 (1998).

25  
26 Based upon the foregoing, the Chair’s Order Denying Summary Judgment is clearly  
27 erroneous and the Chair should grant reconsideration. And, upon such, the Chair should grant  
28 summary judgment.

**D. The Chair's Order Is Manifestly Unjust.**

Mr. Leventhal is facing serious discipline sanction to his law license after: (1) turning in stolen property to law enforcement, and (2) defending against a grievance that the grievant himself wants to withdraw, claiming that he is now whole and wants nothing else from Mr. Leventhal, *See*, Respondent's LEV000127, Email from Zane Mitrov to Louise Watson dated May 12, 2021 (attached hereto).

The purpose of attorney discipline is not punishment, but rather to protect the public and confidence in the integrity of the bar. *See, State Bar of Nevada v. Claiborne*, 104 Nev. 115, 129, 756 P.2d 464, 473 (1988) ("paramount objective of bar disciplinary proceedings is not additional punishment of the attorney, but rather to protect the public from persons unfit to serve as attorneys and to maintain public confidence in the bar as a whole").

In the absence here of public harm, and aggrieved client, and a lawyer doing the right thing by turning over stolen property (without even disclosing the identity of his non-paying client), these proceedings can only be characterized as punitive in purpose. Given the utter lack of evidence that the State Bar has so far brought, and the erroneous rulings above on summary judgment, reconsideration is proper to avoid manifest injustice.

**IV. CONCLUSION.**

For the foregoing reasons, Respondent moves this Chair for reconsideration of his Order denying summary judgment.

Dated this 19<sup>TH</sup> day of May 2020.

LIPSON NEILSON P.C.

/s/ David A. Clark

By:

\_\_\_\_\_  
DAVID A. CLARK (NV Bar No. 4443)  
9900 Covington Cross Drive, Suite 120  
Las Vegas, Nevada 89144  
*Attorneys for Respondent, Todd Leventhal, Esq.*

**CERTIFICATE OF SERVICE**

Pursuant to DRP 18((b)(2) and NRCp 5(b), I certify that on the 19<sup>th</sup> day of May, 2021, I served via email and mail the foregoing **RESPONDENT'S MOTION TO RECONSIDER ON ORDER SHORTENING TIME** to the following:

Gerard Gosioco  
Assistant Bar Counsel  
Kristi A. Faust  
Hearing Paralegal  
3100 W. Charleston Blvd.  
Suite 100  
Las Vegas, Nevada 89102  
[ggosioco@nvbar.org](mailto:ggosioco@nvbar.org)  
[KristiF@nvbar.org](mailto:KristiF@nvbar.org)  
[tedwards@nevadafirm.com](mailto:tedwards@nevadafirm.com)

/s/ Debra Marquez  
LIPSON NEILSON P.C.

**From:** [MTMK LOGISTICS](#)  
**To:** [Louise Watson](#)  
**Subject:** Re: Grievance File No. OBC20-0706/Todd Leventhal, Esq.  
**Date:** Monday, September 14, 2020 10:38:40 AM

---

Good Morning Ms. Watson,

I would like to withdraw the complaint against Mr. Todd Leventhal File No. OBC20-0706.

Should you have any questions do not hesitate to call me at 702-569-0652 or email me at [zan@m2lvnv.com](mailto:zan@m2lvnv.com).

Thank you

On Aug 12, 2020, at 8:37 AM, Louise Watson <[LouiseW@nvbar.org](mailto:LouiseW@nvbar.org)> wrote:

Thank you. I will contact you if I need any additional information.

Sincerely,

Louise Watson  
Sr. Investigator/Program Manager  
Office of Bar Counsel  
Main: 702-382-2200  
Direct: 702-317-1453  
Fax: 702-382-8747  
[www.nvbar.org](http://www.nvbar.org)

***The Office of Bar Counsel (OBC) is committed to fighting the outbreak of coronavirus (COVID-19). All OBC staff will work remotely for the immediate future. We will not receive physical mail on a regular basis. This may delay or adversely affect your matter with the OBC. We ask that you communicate through email to [louisew@nvbar.org](mailto:louisew@nvbar.org). Thank you for your patience and cooperation during this difficult time.***

**Notice of Confidentiality:** The information transmitted is intended only for the person or entity to whom it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking any action in reliance upon, this information by anyone other than the intended recipient is not authorized.

---

**From:** [zan@m2lvnv.com](mailto:zan@m2lvnv.com) <[zan@m2lvnv.com](mailto:zan@m2lvnv.com)>  
**Sent:** Wednesday, August 12, 2020 7:45 AM  
**To:** Louise Watson <[LouiseW@nvbar.org](mailto:LouiseW@nvbar.org)>



Case No: OBC20-0670; OBC20-0706

**STATE BAR OF NEVADA**

**SOUTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA, )  
)  
Complainant, )  
vs. )  
TODD M. LEVENTHAL, ESQ., )  
Nevada Bar No. 8543, )  
Respondent. )

**ORDER**

**PROCEDURAL POSTURE NAD SUMMARY OF RULING**

Respondent, Todd Leventhal, Esq., filed his Motion for Summary Judgment on December 31, 2020. On January 15, 2021, Complainant, the State Bar of Nevada, filed its Opposition to Respondent's Motion. On January 20, 2021, the Respondent filed his Reply in Support of his Motion for Summary Judgment. The Motion was heard, argued, and for reasons stated herein, the Motion is **DENIED**.

**DECISION**

1. Given the lack of discovery in a disciplinary matter, and specifically the inability to compel deposition testimony, it is not clear whether summary judgment is applicable to disciplinary proceedings.
2. Nonetheless, it appears that Respondent's declaration confirms that he knowingly acquired a possessory interest adverse to his Ms. Sosa-Avila when he states: "Mrs. Sosa did not have any money that day but said that she could drop off some collateral so that I could start on her case. I agreed to accept collateral while she came up for the money to pay attorney fees." See Leventhal Dec., paragraph 3.

1 Taking property as collateral, whether stolen or not, would appear to be taking a  
2 possessory interest adverse to Respondent's client, triggering the obligations of  
3 RPC 1.8, such that summary judgment upon Count One (re: Ms . Sosa-Avila) of  
4 the Complaint is not appropriate.

- 5 3. As to Count Two (re: Mr. Mitrov), the State Bar provided a declaration showing  
6 that despite efforts to get Mr. Mitrov to sign a declaration to oppose summary  
7 judgment, they have been unable to obtain said declaration. Therefore, pursuant  
8 to NRCP 56(d)(1), summary judgment upon Count Two (re: Mr. Mitrov) of the  
9 Complaint is not appropriate.

10 For these reasons, Respondent's Motion for Summary Judgment is **DENIED**.

11 Good cause appearing, **IT IS SO ORDERED**.

12 Dated this 19th day of May, 2021.

13 SOUTHERN NEVADA DISCIPLINARY BOARD

14  
15 By: Tom Edwards  
Tom Edwards (May 19, 2021 10:10 PDT)

16 F. Thomas Edwards, Esq.  
17 *Hearing Panel Chair*  
18  
19  
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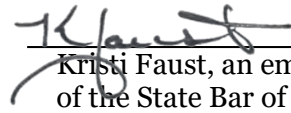
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies a true and correct copy of the foregoing **ORDER**  
was served via email to:

1. F. Thomas Edwards, Esq. (Panel Chair): [tedwards@nevadafirm.com](mailto:tedwards@nevadafirm.com)
2. David Clark, Esq. (Counsel for Respondent): [DClark@lipsonneilson.com](mailto:DClark@lipsonneilson.com)
3. Gerard Gosioco, Esq. (Assistant Bar Counsel): [gerardg@nvbar.org](mailto:gerardg@nvbar.org)

Dated this 19th day of May, 2021.

  
\_\_\_\_\_  
Kristi Faust, an employee  
of the State Bar of Nevada

# 2021.05.19- Order re Motion for Summary Judgment

Final Audit Report

2021-05-19

Created:	2021-05-19
By:	Kristi Faust (kfaust@nvbar.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAhfdGPvk6y4GWo1EqcSiB2oL1D5ngYG9

## "2021.05.19- Order re Motion for Summary Judgment" History



Document created by Kristi Faust (kfaust@nvbar.org)

2021-05-19 - 5:09:06 PM GMT- IP address: 148.170.93.30



Document emailed to Tom Edwards (tedwards@nevadafirm.com) for signature

2021-05-19 - 5:09:21 PM GMT



Email viewed by Tom Edwards (tedwards@nevadafirm.com)

2021-05-19 - 5:09:33 PM GMT- IP address: 24.120.204.130



Document e-signed by Tom Edwards (tedwards@nevadafirm.com)

Signature Date: 2021-05-19 - 5:10:03 PM GMT - Time Source: server- IP address: 24.120.204.130



Agreement completed.

2021-05-19 - 5:10:03 PM GMT

Case No. OBC20-0670; OBC20-0706



**STATE BAR OF NEVADA**  
**SOUTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA,

Complainant,

vs.

TODD M. LEVENTHAL,  
STATE BAR NO. 8543

Respondent.

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW, AND RECOMMENDATION  
AFTER FORMAL HEARING**

This matter involving attorney TODD M. LEVENTHAL, Esq. (hereinafter "Respondent"), Bar No. 8543, initially came before a designated Formal Hearing Panel of the Southern Nevada Disciplinary Board (hereinafter "Panel") at 9:00 a.m. on Thursday, May 20, 2021, on the online video conferencing platform Zoom. The Panel consisted of Chair F. Thomas Edwards, Esq., Mike Lee, Esq., and Steve Moore, Laymember. Assistant Bar Counsel Gerard Gosioco, Esq., represented the State Bar of Nevada (hereinafter "State Bar"). David A. Clark, Esq., represented the Respondent who was also present.

1 During the hearing, the State Bar moved and admitted into evidence Exhibits 2,4, 5,  
2 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, and 22. Transcript 9, 133, 135, 149, 239.  
3 Similarly, Respondent moved and admitted into evidence Exhibits A through F. Transcript  
4 9-10.

5 During the hearing, the State Bar called Respondent, Louise Watson, and Zan  
6 Mitrov as witnesses. *See generally* Transcript 20-202. Similarly, Respondent called  
7 himself and Maribel Godinez as witnesses. *Id.* at 204-222.

8 Based upon the evidence presented, the Panel issues the following Findings of Fact,  
9 Conclusions of Law, and Recommendation:

10 **FINDINGS OF FACT**

11 **OBC20-0670**

12 1. On, about, or between February 13, 2020, and June 22, 2020, Respondent  
13 represented Amalia Sosa-Avila (hereinafter “Ms. Sosa-Avila”) in two (2) criminal matters.  
14 Transcript 22-27, 38.

15 2. A retainer agreement for \$6,000.00 was executed between Respondent and  
16 Ms. Sosa-Avila. Transcript 25-26. Ms. Sosa-Avila signed the retainer agreement;  
17 Respondent did not. *Id.*

18 3. Ms. Sosa-Avila did not have money to pay the retainer agreement. Transcript  
19 28.

20 4. In Exhibit 11, Respondent confirmed that he reached an agreement with Ms.  
21 Sosa-Avila to accept collateral as security for the payment of the attorney fees.

22 5. Between February 2020 and June 2020, Ms. Sosa-Avila brought items as  
23 collateral to Respondent which were accepted by his office. *Id.*

24 6. The items Respondent’s office accepted as collateral are as follows: (1) a Louis  
25 Vuitton purse; (2) a diamond ring; and (3) an iPhone. Transcript 29, 103.

7. Respondent's office does not have a policy on accepting collateral nor does the retainer agreement address a policy on accepting collateral. Transcript 122, 217-218.

8. Respondent did not abide by RPC 1.8 (Conflict of Interest: Current Clients: Specific Rules) before receiving possessory interests in the aforementioned items from Ms. Sosa-Avila.

9. Respondent testified that after reviewing the discovery in Ms. Sosa-Avila's case, he believed that the iPhone, Louis Vuitton purse, and diamond ring were stolen. Transcript 31-32, 37.

10. Respondent testified that upon discovering the items were allegedly stolen, he turned those items into Metro anonymously. Transcript 35.

11. On June 17, 2020, Respondent filed a Motion to Withdraw on both of Ms. Sosa-Avila's cases which were granted on June 22, 2020. Transcript 24-25.

OBC20-0706

12. On, about, or between July 17, 2019, and June 22, 2020, Respondent represented Zan Mitrov (hereinafter “Mr. Mitrov”) in two (2) criminal matters that went into warrant. Transcript 64-69.

13. During this time, Mr. Mitrov allowed Respondent to borrow a Dodge Viper.

Transcript 131.

14. On or about July 23, 2019, Mr. Mitrov delivered the Dodge Viper to Respondent's office. Transcript 137.

15. Respondent did not abide by RPC 1.8 (Conflict of Interest: Current Clients: Specific Rules) before receiving a possessory interest in Mr. Mitrov's Viper.

16. Mr. Mitrov asked Respondent to return the Dodge Viper to him multiple times between February 2020 and June 2020. Transcript 138-144.

1           17.     On, about, or between June 5, 2020, and June 30, 2020, Mr. Mitrov rented  
2 a car because he did not have a vehicle with working A/C. Transcript 145-146, 148.

3           18.     On June 24, 2020, Zan Mitrov (hereinafter “Mr. Mitrov”) filed a grievance  
4 against Respondent with the State Bar in an attempt to get his Dodge Viper back.  
5 Transcript 130, 158.<sup>2</sup>

6           19.     The Dodge Viper was returned to Mr. Mitrov after he filed a grievance.  
7 Transcript 147, 179.

8           20.     After Mr. Mitrov received the Dodge Viper, he withdrew his grievance with  
9 the State Bar. Transcript 151.

### 10                                   **CONCLUSIONS OF LAW**

11           Based upon the foregoing Findings of Fact, the Panel hereby issues the following  
12 Conclusions of Law:

13           1.     The Southern Nevada Disciplinary Board has jurisdiction over Respondent  
14 and the subject matter of these proceedings pursuant to Supreme Court Rule (“SCR”) 99.

15           2.     Venue is proper in Clark County.

16           3.     The State Bar must prove by clear and convincing evidence that Respondent  
17 violated any Rules of Professional Conduct. *See* Nev. Sup. Ct. R. 105(2)(f); *In re Stuhff*,  
18 108 Nev. 629, 633-634, 837 P.2d 853, 856; *Gentile v. State Bar*, 106 Nev. 60, 62, 787 P.2d  
19 386, 387 (1990).

20           4.     The Panel unanimously found that the foregoing findings of fact prove by  
21 clear and convincing evidence that Respondent knowingly violated RPC 1.8(a) (Conflict of  
22 Interest: Current Clients: Specific Rules) which caused little or no injury to Ms. Sosa-Avila.  
23 Transcript 237-38, 262.

---

24  
25 <sup>2</sup> On June 17, 2020, Respondent filed a Motion to Withdraw on two of Mr. Mitrov’s cases which were granted  
on or about June 22, 2020. Transcript 68-69.

1           5.       The Panel, by a 2-1 vote, found that the foregoing findings of fact prove by  
2 clear and convincing evidence that Respondent knowingly violated RPC 1.8(a) (Conflict of  
3 Interest: Current Clients: Specific Rules) with regard to the Dodge Viper which caused  
4 injury to Mr. Mitrov. Transcript 238, 262-63.

5           6.       The appropriate level of discipline must be determined considering “all  
6 relevant factors and mitigating circumstances on a case-by-case basis.” *State Bar of*  
7 *Nevada v. Claiborne*, 104 Nev. 11, 219, 756 P.2d 464, 531 (1988). We evaluate The  
8 American Bar Association Standards for Imposing Lawyer Sanctions’ four factors to be  
9 considered in determining the appropriate disciplinary sanction: “the duty violated, the  
10 lawyer’s mental state, the potential or actual injury caused by the lawyer’s misconduct, and  
11 the existence of aggravating or mitigating factors.” *See In re Discipline of Lerner*, 124 Nev.  
12 1232, 1246, 197 P.3d 1067, 1078 (2008).

13           7.       Pursuant to Standard 4.32 of the ABA Standard for Imposing Lawyer  
14 Sanctions, the appropriate baseline sanction for Respondent’s violations of RPC 1.8(a)  
15 (Conflict of Interest: Current Clients: Specific Rules) is suspension. Transcript 263.

16           8.       Pursuant to SCR 102.5(1), the Panel unanimously found the following  
17 aggravating factors exist:

- 18                   a.       Prior disciplinary offenses;
- 19                   b.       Dishonest or selfish motive;
- 20                   c.       A pattern of misconduct;
- 21                   d.       Refusal to acknowledge the wrongful nature of conduct; and
- 22                   e.       Substantial experience in the practice of law.

23 Transcript 263-64.

24 ///

1           9. Pursuant to SCR 102.5(2), the Panel unanimously found that Respondent's  
2 full and free disclosure to disciplinary authority or cooperative attitude toward proceeding  
3 exists as a mitigating factor. Transcript 264.

4                                   **RECOMMENDATION**

5           Based upon the foregoing Findings of Fact and Conclusions of Law, the Panel hereby  
6 recommends that Respondent receive a one (1) year stayed suspension from the practice of  
7 law to go into effect only if he receives any letter of reprimand/public reprimand or worse  
8 over the next five (5) years. Transcript 264. In addition, over that five (5) year period,  
9 Respondent shall complete one (1) additional CLE hour for ethics and one (1) additional  
10 CLE hour for law practice management each year. *Id.* at 264-65.

11           Pursuant to SCR 120, Respondent shall pay a \$2,500 fee plus the actual costs of this  
12 proceeding, excluding Bar Counsel and staff salaries no later than the 30th day after the  
13 Supreme Court's Order in this matter or service of a Memorandum of Costs, whichever is  
14 later. Transcript 265.

15  
16                                   DATED this 13th day of July 2021.

17  
18                                   Tom Edwards

Tom Edwards (Jul 13, 2021 15:50 PDT)

19                                   **F. Thomas Edwards, Esq., Chair**  
20                                   Southern Nevada Disciplinary Panel



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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies a true and correct copy of the foregoing  
**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATION**  
**AFTER FORMAL HEARING** was served via email to:

1. F. Thomas Edwards, Esq. (Panel Chair): [tedwards@nevadafirm.com](mailto:tedwards@nevadafirm.com);
2. David Clark, Esq. (Counsel for Respondent): [DClark@lipsonneilson.com](mailto:DClark@lipsonneilson.com)
3. Gerard Gosioco, Esq. (Assistant Bar Counsel): [gerardg@nvbar.org](mailto:gerardg@nvbar.org)

Dated this 14th day of July 2021.

*Sonia Del Rio*  
\_\_\_\_\_  
Sonia Del Rio, an employee  
of the State Bar of Nevada



FILED

JUL 19 2021

STATE BAR OF NEVADA

BY:   
OFFICE OF BAR COUNSEL

Case Nos.: OBC20-0670; oBC20-0706

**STATE BAR OF NEVADA**

**SOUTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA, )  
)  
Complainant, )  
vs. )  
)  
TODD M. LEVENTHAL, ESQ., )  
NV Bar No. 8543 )  
)  
Respondent. )

**STATE BAR OF NEVADA'S**  
**MEMORANDUM OF COSTS**

Description	Amount
Court Reporter Fee & Transcript Fee Hearing Held on May 20, 2021	\$1,935.50
Nation Wide Legal Services	\$80.00
SCR 120	\$2,500.00
Certified Mail Costs (1 x \$6.78) 7019 2280 0001 9440 7062	\$6.78
<b>TOTAL</b>	<b>\$4,522.28</b>

1. I am Assistant Bar Counsel with the State Bar of Nevada. I have personal knowledge of the above-referenced costs and disbursements expended.

2. The costs set forth above are true and correct to the best of my knowledge and belief and were necessary and reasonably incurred and paid in connection with this matter.

True and correct copies of invoices supporting these costs are attached to this Memorandum of Costs.

1           3.     As stated in the Findings of Fact, Conclusions of Law and Recommendation,  
2 Respondent shall be ordered to pay the fees and costs of these proceedings within thirty (30)  
3 days of receipt of the Nevada Supreme Court Order or service of a Memorandum of Costs,  
4 whichever is later in this matter pursuant to Supreme Court Rule 120(1).

5           Dated this 19th day of July 2021.

6                               **STATE BAR OF NEVADA**  
7                               Daniel M. Hooge, Bar Counsel

8                               

9                               By: \_\_\_\_\_  
10                              Gerard Gosioco, Assistant Bar Counsel  
11                              3100 W. Charleston Boulevard, Ste. 100  
12                              Las Vegas, Nevada 89102  
13                              Attorney for State Bar of Nevada

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Integrity Court Reporting  
7835 S. Rainbow Boulevard  
Suite 4-25  
Las Vegas, NV 89139  
(702)509-3121

# Invoice

Number: 1787

Date: 6/8/2021

Bill To:

Belinda Felix  
State Bar of Nevada  
3100 W. Charleston Boulevard  
Suite 100  
Las Vegas, NV, 89102

PAYMENT DUE UPON RECEIPT

Job Date	Witness Name	Case Name	Case No.
5-20-21	Todd Leventhal	State Bar v Leventhal	OBC20-0670 & OBC20-07

Description	Amount
Full Day Appearance Fee	\$200.00
Transcript -267 Pages @ 6.50	\$1,735.50

6-17-21sdr

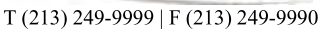
Tax I.D. No. 01-0974768

Total

\$1,935.50

Received On: \_\_\_\_\_

Received By: \_\_\_\_\_



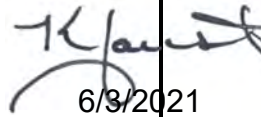
Invoice No.	Customer No.
00000030063	21191
INVOICE DATE:	Total Due
5/31/2021	\$ 260.00

PLEASE MAKE REMITTANCE TO:

Attention: Accounts Payable  
OFFICE OF BAR COUNSEL  
3100 W. Charleston, # 100  
Las Vegas, NV 89102  
T (702) 382-2200

Nationwide Legal, LLC  
1609 James M Wood Blvd.  
Los Angeles, CA 90015  
TAX ID # 20-8284527

Customer No.	Invoice No.	Period Ending	Amount Due	Page
21191	00000030063	5/31/2021	\$ 260.00	1

Date	Order No	Service Detail	Charges	Units	Total
5/14/2021 NV242044 <small>032 - RUSH PROCESS (24 HRS)</small>		STATE BAR OF NEVADA 3100 W. Charleston 100 Las Vegas, NV 89102 Caller: Kristi Faust Case Title: STATE BAR OF NEVADA, vs. TODD Docs: Subpoena;; Attorney Name: Gerard Gosioco, Esq.,	Amalia Sosa-Avila 9457 Las Vegas Blvd S. Las Vegas, NV 89123 Case Number: OBC20-0670/0706 Client/Matter: OBC20-0670 Description: Please attempt service. Once complete, an affidavit of service is needed. Thank you.	Base Charge : Total:        Total Charges for Ref. - OBC20-0670:	\$ 80.00 \$ 80.00        \$ 80.00  <div style="text-align: right;"> 6/3/2021</div>

**INVOICE PAYMENT DUE UPON RECEIPT**

ROA Page 0392



**STATE BAR OF NEVADA**  
**SOUTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA, )  
)  
Complainant, )  
vs. )  
)  
TODD M. LEVENTHAL, ESQ., )  
Nevada Bar No. 8543, )  
)  
Respondent. )

**DECLARATION OF MAILING**

TO: Kristi Faust, under penalty of perjury, being first and duly sworn, deposes and says as follows:

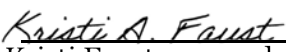
1. That Declarant is employed with the State Bar of Nevada and, in such capacity, Declarant is Custodian of Records for the Discipline Department of the State Bar of Nevada.
2. That Declarant states that the enclosed documents are true and correct copies of the **COMPLAINT, FIRST DESIGNATION OF HEARING PANEL MEMBERS, and STATE BAR OF NEVADA'S PEREMPTORY CHALLENGES** in the matter of the *State Bar of Nevada vs. Todd M. Leventhal, Esq.*, Case Nos. OBC20-0670; OBC20-0706.
3. That pursuant to Supreme Court Rule 109, the Complaint, First Designation of Hearing Panel Members, and State Bar of Nevada's Peremptory Challenges were served on the following by placing copies in an envelope which was then sealed

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and postage fully prepaid for regular and certified mail, and deposited in the  
United States mail at Las Vegas, Nevada on **December 4, 2020**, to:

TODD M. LEVENTHAL, Esq.  
c/o Lipson Neilson  
Attn: David A. Clark, Esq.  
9900 Covington Cross Dr., Ste. 120  
Las Vegas, NV 89144  
**CERTIFIED MAILING NO.:7019 2280 0001 9440 7062**

I declare under penalty of perjury that the foregoing is true and correct.  
Dated this 4<sup>th</sup> day of December, 2020.

  
\_\_\_\_\_  
Kristi Faust, an employee  
of the State Bar of Nevada



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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing **RECORD ON APPEAL** was placed in a sealed envelope and sent by U.S. certified mail in Las Vegas, Nevada, postage fully prepaid thereon for certified mail addressed to:

Todd M. Leventhal, Esq.  
c/o David Clark, Esq.  
9900 Covington Cross Dr., Ste. 120.  
Las Vegas, NV 89144  
**CERTIFIED MAIL RECEIPT NO. 7021 0350 0001 7810 3538**

DATED this 20th day of July 2021.

*Sonia Del Rio*  
\_\_\_\_\_  
Sonia Del Rio, an Employee  
of the State Bar of Nevada

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

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3       IN RE: DISCIPLINE OF                               )  
4       TODD M. LEVENTHAL, ESQ.                       )  
5       NEVADA BAR NO. 8543                            )  
6       \_\_\_\_\_ )

Case No. \_\_\_\_\_

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11                               **VOLUME II**

12  
13                               **RECORD OF DISCIPLINARY PROCEEDINGS,**  
14                               **PLEADINGS AND TRANSCRIPT OF HEARING**

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18  
19       Gerard Gosioco, Esq.  
20       Nevada Bar No. 14371  
21       State Bar of Nevada  
22       3100 W. Charleston Blvd., Ste. 100  
23       Las Vegas, NV 89102  
24       Counsel for the State Bar of Nevada

Todd M. Leventhal, Esq.  
Nevada Bar No. 8543  
David Clark, Esq.  
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Las Vegas, NV 89144  
Counsel for Respondent

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STATE BAR OF NEVADA

SOUTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA

Complainant,

vs.

TODD LEVENTHAL, ESQ.,  
Nevada Bar No. 8543

Respondent.

)  
) Case No.  
) OBC20-0670  
) OBC20-0706

CERTIFIED  
TRANSCRIPT

FORMAL HEARING OF TODD LEVENTHAL, ESQ.

Taken at the State Bar of Nevada Via Zoom Videoconference  
3100 W. Charleston Boulevard, Suite 100  
Las Vegas, Nevada

On Thursday, May 20, 2021

At 9:04 a.m.

Reported by: Deborah Ann Hines, CCR #473, RPR

Appearances (via Zoom videoconference):

Commission Panel:

TOM EDWARDS, ESQ.  
Panel Chairman

MIKE LEE, ESQ.  
Panel Member

STEVE MOORE  
Laymember

For the Complainant:

GERARD GOSIOCO, ESQ.  
Assistant Bar Counsel  
State Bar of Nevada  
3100 W. Charleston Boulevard  
Suite 100  
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(702)382-2200

For the Respondent:

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Lipson Neilson  
9900 Covington Cross Drive  
Suite 120  
Las Vegas, NV 89144  
(702)382-1500  
dclark@lipsonneilson.com

Also Present:

TODD LEVENTHAL, ESQ.  
Respondent

DANIEL HOOGE, ESQ.  
Bar Counsel

KRISTI FAUST  
Hearing Paralegal



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1 CHAIRMAN EDWARDS: Good morning. We are on  
2 the record in State Bar of Nevada v Todd Leventhal,  
3 Case Numbers OBC20-0670 and OBC20-0706. My name is  
4 Tom Edwards, I am the Chair of the panel. Would the  
5 other panel members please introduce themselves,  
6 starting with the laymember.

7 COMMISSIONER MOORE: Hi, my name is Steve  
8 Moore. I'm the layperson for this hearing.

9 COMMISSIONER LEE: Good morning. Michael  
10 Lee.

11 CHAIRMAN EDWARDS: Okay. And for the State  
12 Bar?

13 MR. GOSIOCO: Good morning. Girard Gosioco,  
14 Assistant Bar Counsel for the Complainant, the State  
15 Bar of Nevada.

16 CHAIRMAN EDWARDS: And for the respondent?

17 MR. CLARK: Good morning. David Clark,  
18 Lipson Neilson, and with me is my client and  
19 respondent, Todd Leventhal.

20 RESPONDENT LEVENTHAL: Good morning.

21 CHAIRMAN EDWARDS: Good morning.

22 Mr. Clark, before we went on the record, you  
23 had a witness in the room with you. Is she now  
24 outside the room?

25 MR. CLARK: Yes, she's now outside the door.

1 I can pan the camera, if you'd like.

2 CHAIRMAN EDWARDS: No, I'm fine with that  
3 representation, as long as the State Bar is.

4 MR. GOSIOCO: We are.

5 CHAIRMAN EDWARDS: Okay. All right. Well,  
6 before we get started, any housekeeping you'd like to  
7 take care of?

8 MR. GOSIOCO: Yes, Mr. Chairman, just  
9 briefly. The State Bar moves to admit Exhibits 4, 5,  
10 7, 8, 9, 10, 11, 13, 14, 15, 17, 21, 22, 23, and 23A.  
11 Those are the exhibits that we had discussed during  
12 the prehearing conference that were not, that were  
13 either not objected to or overruled.

14 CHAIRMAN EDWARDS: Mr. Clark?

15 MR. CLARK: I apologize. Could you -- you  
16 went kind of quick on that. Could you run through  
17 those one more time?

18 MR. GOSIOCO: Absolutely. Exhibits 4, 5, 7,  
19 8, 9, 10, 11, 13, 14, 15, 17, 18, 21, 22, 23, and  
20 23A.

21 MR. CLARK: I have no objection, if the  
22 representation is correct, as to all, except 23, I  
23 object to pages two and three. I do not object to  
24 page one. Two and three are statements from  
25 Mr. Mitrov, and I still don't know whether or not

1 he's going to appear and testify to foundation on  
2 those. So I guess I'll object to 23 because it lacks  
3 foundation and it's hearsay.

4 CHAIRMAN EDWARDS: Can we wait to see  
5 whether Exhibit 23 will be admitted? Does that work  
6 for the State Bar?

7 MR. GOSIOCO: Yes, sir, it does.

8 CHAIRMAN EDWARDS: Okay. So we will admit  
9 that list of exhibits, except for Exhibit 23, which  
10 we'll revisit during the hearing. Any other  
11 housekeeping?

12 (Thereupon Complainant's Exhibits  
13 4, 5, 7, 8, 9, 10, 11, 13, 14,  
14 15, 17, 18, 21, & 22 were  
15 admitted into evidence.)

16 MR. CLARK: Yes, Mr. Chairman. David Clark  
17 for the respondent. We had sent around -- previously  
18 we had our disclosure, there was no objection to our  
19 disclosures. I've now fashioned some of those into  
20 exhibits, which everyone should have received by now,  
21 Exhibits A through F.

22 If they haven't had a chance to look at them  
23 yet, or the State Bar hasn't had a chance to look at  
24 them yet, we can look at them later in the  
25 proceedings to see whether they'd be admitted, but I

1 move to admit those as well.

2 CHAIRMAN EDWARDS: State Bar's position?

3 MR. GOSIOCO: One moment, Mr. Chairman.

4 MS. FAUST: Mr. Edward, while we're waiting,  
5 is it okay if I email the exhibits that were admitted  
6 for the State Bar to the panel?

7 CHAIRMAN EDWARDS: Please do.

8 MR. GOSIOCO: I have no objection to  
9 admitting respondent's exhibits.

10 CHAIRMAN EDWARDS: Okay. So respondent's  
11 exhibits will be admitted. Mr. Clark, that's Exhibit  
12 A through what?

13 MR. CLARK: A through F.

14 CHAIRMAN EDWARDS: Okay. Exhibits A through  
15 F are admitted.

16 (Thereupon Respondent's Exhibits  
17 A through F were admitted into  
18 evidence.)

19 CHAIRMAN EDWARDS: Any other housekeeping?

20 MR. GOSIOCO: Nothing further from the State  
21 Bar.

22 MR. CLARK: Nothing further from the  
23 respondent.

24 CHAIRMAN EDWARDS: Okay. Would the State  
25 Bar like to have an opening statement?



1 MR. GOSIOCO: Yes, sir. Thank you,  
2 Mr. Chairman. Good morning. As I stated, my name is  
3 Gerard Gosioco. I'm Assistant Bar Counsel to the  
4 complainant for the State Bar of Nevada. And thank  
5 you so much, members of the panel, for taking time  
6 out of your days to sit here during this formal  
7 hearing.

8 And my opening statement is fairly quick.  
9 Bottom line is lawyers should not take advantage of  
10 their clients. When a client retains a lawyer, they  
11 trust that their lawyer is looking out for their best  
12 interest. Clients are in a vulnerable state when  
13 they retain a lawyer, and the last thing they expect  
14 is to be taken advantage of by their own lawyer.

15 This case is simple. The respondent, Todd  
16 Leventhal, took advantage of his clients, Amalia  
17 Sosa-Avila and Zan Mitrov. RPC 1.8A, sub A, states  
18 that "A lawyer shall not enter into a business  
19 transaction with a client or knowingly acquire an  
20 ownership, possessory, security or other pecuniary  
21 interest adverse to a client unless, number one, the  
22 transaction and terms on which the lawyer acquires  
23 the interest are fair and reasonable to the client  
24 and are fully disclosed and transmitted in writing in  
25 a manner that can be reasonably understood by the

1 client;

2 "Number two, the client is advised in  
3 writing of the desirability of seeking and is given a  
4 reasonable opportunity to seek the advice of  
5 independent legal counsel on the transaction;"

6 And lastly, "three, the client gives  
7 informed consent, in a writing signed by the client,  
8 to the essential terms of the transaction and the  
9 lawyer's role in the transaction, including whether  
10 the lawyer is representing the client in the  
11 transaction."

12 The evidence will show that Mr. Leventhal  
13 knowingly acquired a possessory interest adverse to  
14 both Miss Sosa-Avila and Mr. Mitrov. The transaction  
15 and terms acquiring the interest were not fair and  
16 reasonable to the clients, nor were they disclosed  
17 and transmitted in writing in a manner that could be  
18 reasonably understood by the clients.

19 These clients were not advised in writing of  
20 the desirability of seeking counsel, nor were they  
21 given a reasonable opportunity to seek the advice of  
22 independent legal counsel. Lastly, the clients did  
23 not give informed consent in writing signed to the  
24 terms of the transaction and Mr. Leventhal's role in  
25 the transaction.

1           For those reasons the State Bar respectfully  
2 requests that the members of the panel find  
3 Mr. Leventhal guilty of Count 1, RPC 1.8A with  
4 respect to Amalia Sosa-Avila; and Count 2, RPC 1.8A  
5 with respect to Zane Mitrov. Thank you.

6           CHAIRMAN EDWARDS: For the respondent?

7           MR. CLARK: Thank you, Mr. Chair. I'll  
8 also add my thanks to the panel members for  
9 volunteering to help in the self-regulation of our  
10 profession.

11           I've submitted a trial brief which  
12 summarizes our position, but I'll briefly restate it  
13 in response to the State Bar's opening. The State  
14 Bar has a burden of proof, clear and convincing.  
15 It's not civil, it's higher than civil, which is more  
16 probable than not, and lower than criminal, but they  
17 must prove every element of the violation.

18           They can also only -- they can also only --  
19 you can also only find violations of what's pled in  
20 the complaint. And in this complaint, it's a 1.8A  
21 violation on each of the two counts. It states that  
22 an attorney shall not enter into a business  
23 transaction or knowingly take a possessory interest  
24 adverse to the client.

25           And in this case, as we've been saying from

1 day one with Avila Sosa -- Amalia Sosa-Avila, the  
2 items in question were stolen. And if they are  
3 stolen, and it's a crime for her to possess them, she  
4 has no interest in them; therefore, he cannot, by  
5 definition, and as a matter of law, take an interest  
6 adverse to her because she has none.

7 He can't change that relationship by his own  
8 belief. We can't change that relationship by her  
9 belief. If I steal something, thinking it's my  
10 client's but it's actually mine, and I intend to  
11 steal it, I have not engaged in the crime of theft  
12 because it's, in fact, mine. The nature of the  
13 property, in fact, rules adhere she was trafficking  
14 in stolen property. He cannot be adverse, he cannot  
15 have taken adverse interest to her interest because  
16 she has none. It's in fact a crime for her to  
17 possess it.

18 And the evidence will show, his testimony  
19 will show that once he found that out, he turned it  
20 in to the police anonymously, because he still wanted  
21 to protect the rights and identity of his nonpaying  
22 client.

23 The testimony will also show that he took it  
24 as collateral until she could make payments. He did  
25 not take it as payments. He did not take it as his

1 fee, as alleged in the complaint. He took it until  
2 she could pay, which she never did.

3 As to Mr. Mitrov, in December we submitted  
4 his declaration as part of our exhibits, that he  
5 never gave the Dodge Viper to Mr. Leventhal. As a  
6 favor he let him drive it. Mr. Leventhal will  
7 testify how long he actually had it, but he did not  
8 obtain a possessory interest adverse to Mr. Mitrov.  
9 Mr. Mitrov voluntarily gave it to him, and not in  
10 payment for fees, not in payment for restitution. He  
11 didn't pay to get it back. That's his sworn  
12 testimony.

13 We'll also submit that later on, last week  
14 he submitted a statement saying, I don't have  
15 anything to do with this case. I have nothing else I  
16 need from Mr. Leventhal. I have nothing else I want.  
17 I'm whole. And yet the State Bar is going to  
18 continue with this process.

19 So even though Mr. Leventhal turned over  
20 stolen property when he found out it was stolen, and  
21 the grievant, Mr. Mitrov, doesn't want to pursue  
22 this, the State Bar is still pursuing this.

23 We submit this is not for purposes of public  
24 protection or integrity of the Bar, it is simply  
25 punitive. Thank you.

1 CHAIRMAN EDWARDS: Thank you. Mr. Clark,  
2 you mentioned your trial brief, and I have it pulled  
3 up, and I'm looking at the email, and I'm not sure  
4 the rest of the panel members have a copy.

5 Mr. Moore, Mr. Lee, do you have a copy of  
6 respondent's trial brief?

7 COMMISSIONER LEE: Yes. I read it and I  
8 reviewed it. And good job, Mr. Clark, as well.

9 COMMISSIONER MOORE: I'm not sure. Whatever  
10 you guys sent me, that's what I have. I'm not sure  
11 if I had the trial brief.

12 CHAIRMAN EDWARDS: Does the State Bar have a  
13 trial brief as well? I haven't been able to locate  
14 that.

15 MR. GOSIOCO: No, sir, we have not.

16 MR. CLARK: You've not got the trial brief?

17 MR. GOSIOCO: I apologize, I thought you  
18 asked if we had one to submit. No, I did receive  
19 Mr. Leventhal's trial brief.

20 CHAIRMAN EDWARDS: Okay. State Bar, do you  
21 have a witness?

22 MR. GOSIOCO: State Bar would like to call  
23 Mr. Leventhal to the stand.

24 CHAIRMAN EDWARDS: Okay. Can we please  
25 swear in the witness.

1 Thereupon--

2 TODD LEVENTHAL

3 was called as a witness by the complainant, and  
4 having been first duly sworn, testified as follows:

5 MR. GOSIOCO: May I proceed, Mr. Chairman?

6 CHAIRMAN EDWARDS: Please.

7 MR. GOSIOCO: Thank you.

8 DIRECT EXAMINATION

9 BY MR. GOSIOCO:

10 Q. Good morning, Mr. Leventhal. How are you  
11 doing today?

12 A. I'm very good. Thank you, sir. How are  
13 you?

14 Q. I'm doing well. Thank you for asking.  
15 Mr. Leventhal, are you an attorney?

16 A. I am.

17 Q. And are you licensed to practice in the  
18 state of Nevada?

19 A. Yes, sir.

20 Q. And since when have you been licensed to  
21 practice in the state of Nevada?

22 A. I believe I was sworn in in 2000 or 2001. I  
23 was licensed in California prior to that.

24 Q. Okay. And you mentioned that you were  
25 licensed to practice in California. Do you still --

1 are you still an active member of the State Bar of  
2 California?

3 A. I am. Most of my practice over there is 9th  
4 Circuit criminal. I appeared before the 9th Circuit.

5 Q. Okay. However, where do you maintain your,  
6 I guess your main law practice?

7 A. The address?

8 Q. Correct. Yes, sir.

9 A. 626 South Third Street, Las Vegas, Nevada  
10 89101.

11 Q. Okay. And that's here in Clark County,  
12 Nevada?

13 A. That's correct. It's across -- just right  
14 next door to the courthouse, state courthouse.

15 Q. Okay. Thank you. And you're referring to  
16 the Regional Justice Center?

17 A. That's correct.

18 Q. Thank you. And what areas of law do you  
19 practice in, Mr. Leventhal?

20 A. Mostly federal criminal defense, some family  
21 law. I get a lot of clients that ask me about  
22 personal injury, but then I work with other attorneys  
23 on that. And that's about it. I was elected  
24 District Attorney of Esmeralda County. I worked at  
25 the U.S. Attorney's Office many years ago, and I



1 worked -- actually at the D.A.'s office under Kamala  
2 Harris in San Francisco for a little bit as well.

3 Q. Thank you, Mr. Leventhal. Now, in 2019 were  
4 you actively practicing law in the state of Nevada?

5 A. Yes, sir.

6 Q. And how about 2020?

7 A. Yes, sir.

8 Q. And, Mr. Leventhal, are you familiar with  
9 the underlying grievances that brought us here today?

10 A. Yes, sir, I am.

11 Q. And let me start with Case Number  
12 OBC20-0670. That was a grievance submitted by  
13 Miss Amalia Sosa-Avila. Do you know who Miss Amalia  
14 Sosa-Avila is?

15 A. Yes, sir, I do.

16 Q. And what is your relationship with  
17 Miss Sosa-Avila, if any?

18 A. As we sit here today?

19 Q. Yes, sir.

20 A. I don't have a relationship. I don't have  
21 an attorney -- I withdrew from her case.

22 Q. Okay. But at one point you were, in fact,  
23 Miss Sosa-Avila's attorney?

24 A. I was. Miss Sosa came to me, she had been  
25 charged with possession of stolen property from a

1 hotel. She was a maid, and she let her husband go  
2 into the room. She was in active warrant, and she  
3 came to me to quash her warrant. And she was in my  
4 office crying that she was going to lose her kids  
5 because she had been to prison.

6 I told her what my fee was. She said no  
7 problem, she would get the money down the road. And  
8 she suggested that she bring in, just so that --  
9 bring in some stuff as collateral to hold. And so I  
10 did quash her warrant. I was able to keep her out of  
11 jail, even though she had two active cases going in  
12 the system. The D.A.'s office asked to remand her,  
13 and I argued against it and kept her out.

14 I received a copy of the discovery, that  
15 means the police reports. I went back to my office,  
16 and my usual routine is I put them in the file and  
17 then within a week or two weeks, when I've got some  
18 time to review it, I review it.

19 Q. Thank you. And, Mr. Leventhal, do you  
20 recall exactly when your attorney-client relationship  
21 initially started with Miss Sosa-Avila?

22 A. The exact date, no, sir, I do not.

23 MR. GOSIOCO: Okay. One second.

24 And, Mr. Chairman, with your permission I  
25 would like to publish for the members of the panel

1 exhibit, let's see, give me one second. I apologize,  
2 I'm looking through my notes, Exhibit 11, which is  
3 Mr. Leventhal's response to the State Bar's letter of  
4 investigation.

5 CHAIRMAN EDWARDS: 11 has been admitted, so  
6 that's fine.

7 MR. GOSIOCO: Give me one moment. I will  
8 share my screen. Okay, can everyone see my screen?  
9 I'm sorry, can people see my screen okay?

10 CHAIRMAN EDWARDS: Yes.

11 MR. CLARK: Yes.

12 BY MR. GOSIOCO:

13 Q. Thank you. Mr. Leventhal, are you familiar  
14 with the document I'm showing on my screen?

15 A. That's my letterhead, and I agree that I  
16 wrote that. Yes, I am.

17 Q. And is this your signature right here?

18 A. Yes.

19 Q. Okay. It looks like this was dated  
20 August 13, 2020?

21 A. Yes, sir.

22 Q. And just briefly, would you read quitely to  
23 yourself this first paragraph highlighted and let me  
24 know when you're done?

25 A. Yes, sir, I'm done.

1 Q. Thank you, Mr. Leventhal. Now, as I stated  
2 earlier, I asked do you recall exactly when the  
3 attorney-client privilege -- attorney-client  
4 relationship between yourself and Miss Sosa-Avila  
5 first began?

6 A. February 13, 2020.

7 Q. Okay. Thank you, Mr. Leventhal.

8 A. Thank you.

9 Q. And do you recall when that attorney-client  
10 relationship ended between you and Miss Sosa-Avila?

11 A. I do not. Is that in my letter?

12 Q. It is not, but I can show you. I will show  
13 admitted Exhibit Number 8 and 9, which is a motion to  
14 withdraw as attorney. It looks like this was filed  
15 June 17th of 2020. And is this -- do you recognize  
16 this letterhead?

17 A. Yes, sir. That's my motion to withdraw.

18 Q. Okay. And is this I guess your electronic  
19 signature?

20 A. Yes, sir. That's -- yes.

21 Q. And do you recall filing this motion?

22 A. I don't -- I don't actually file my motions,  
23 it's all electronically filed, so I don't personally  
24 do that. I have staff that does that, if that's...

25 Q. Okay.

1           A.     I'm answering -- I want to answer your  
2     question. I don't personally do that. I just say --  
3     I tell me staff we need to withdraw, and we withdraw.

4           Q.     Of course. Let me phrase. Do you recall  
5     telling your staff around June of 2020 to file a  
6     motion to withdraw on Miss Sosa-Avila's case, Case  
7     Number 19F03827B?

8           A.     I don't -- I don't recall it, as I sit here.  
9     And I'm not trying to be argumentative, I don't  
10    recall, but they wouldn't have done it without my  
11    permission. So I would have told them to do it, but  
12    I don't remember when or how many days prior to that,  
13    but they wouldn't have done it without my approval.

14          Q.     Okay. Thank you. And is it fair to assume  
15    that -- well, let me ask you this: Do you recall if  
16    this motion was granted or denied?

17          A.     It was granted.

18          Q.     Okay. And so is it fair to say that you had  
19    an attorney-client relationship with Miss Sosa-Avila  
20    between February 13th, 2020 to about June 17th, 2020?

21          A.     I had -- I had gone and I had represented  
22    her, correct. That would have been during my  
23    representation of her in court.

24          Q.     Thank you. And showing you what's been  
25    previously admitted as Exhibit 9, this is also a

1 motion to withdraw as attorney of record. Does this  
2 letterhead look familiar to you, Mr. Leventhal?

3 A. Yes, sir.

4 Q. And is this your electronic signature?

5 A. Yes, sir.

6 Q. Thank you. And this is with regard to  
7 Miss Sosa-Avila's case in justice court, Case Number  
8 20F00283A. Now, Mr. Leventhal, to the best of your  
9 ability do you recall if this motion was granted or  
10 denied?

11 A. I believe it -- it was granted.

12 Q. Okay. Thank you. Showing you what's been  
13 previously marked as Exhibit 4, Mr. Leventhal, do you  
14 recognize what this document is that I'm showing you?

15 A. It's a Register of Actions from, it looks  
16 like Justice Court.

17 Q. Thank you. And then I'm going to scroll  
18 down just a little bit. And your motion to withdraw  
19 was filed on June 17, 2020. Does this appear like a  
20 correct record on this court docket?

21 A. It does, but without going into it, I don't  
22 know if that -- I mean, yeah, that would link up to  
23 my motion to withdraw, the June 17, so that would be  
24 that. Correct.

25 Q. Okay. It looks like based off this court

1 docket, it looks like the motion to withdraw was  
2 granted on the 22nd of September -- of June 2020; is  
3 that correct?

4 A. That's correct. So I filed the motion on  
5 the 17th and it was heard on the 22nd.

6 Q. Thank you. Now, let me go back to your  
7 initial, the beginning of the attorney-client  
8 relationship with Miss Sosa-Avila. Now, you had  
9 testified that the relationship, attorney-client  
10 relationship began approximately on or about  
11 February 13th of 2020; is that right?

12 A. That's correct.

13 Q. And when Miss Sosa-Avila retained you, was  
14 there a retainer fee agreement executed?

15 A. There always is.

16 Q. Okay. I'm showing you what's --

17 A. I answer that as I say I haven't looked at  
18 it, but I always have a retainer agreement. They sit  
19 down with my staff and myself and we go through it  
20 with them.

21 Q. Okay. Showing you what's been previously  
22 admitted as Exhibit Number 7, Mr. Leventhal, do you  
23 recognize this document?

24 A. Yes, sir. It's my fee agreement.

25 Q. I'm going to scroll down just a little bit.

1 And are those the initials of Miss Avila, Sosa-Avila  
2 at the bottom of this page?

3 A. I believe so, yes.

4 Q. And this was -- did you sign this document?

5 A. My signature is not on this document, no.

6 Q. Okay. And typically do you, when you  
7 execute a retainer agreement, do you typically sign  
8 the signature block for the attorneys?

9 A. Generally I do. I didn't sign this one.

10 Q. Okay.

11 A. But generally I do.

12 Q. And was this retainer agreement provided by  
13 you to the State Bar?

14 MR. CLARK: Object --

15 THE WITNESS: I don't know.

16 MR. CLARK: Object as vague.

17 CHAIRMAN EDWARDS: Overruled.

18 THE WITNESS: I don't know who gave it to  
19 the State Bar, if I did or Mr. Clark did or Miss Sosa  
20 did. I don't know.

21 BY MR. GOSIOCO:

22 Q. Okay. That's not a problem. I'll move on.  
23 Mr. Leventhal, do you recall what the, I guess the  
24 fee agreement was for Miss Sosa-Avila?

25 A. It was for a preliminary hearing on Case



1 Number 19F, as in "felony," 03827B.

2 Q. Okay. And, Mr. Leventhal, do you recall the  
3 amount that was agreed upon between you and  
4 Miss Sosa-Avila for your legal services?

5 A. Independently, no, but I'm looking at my fee  
6 agreement. It says \$6,000.

7 Q. Okay. And that was for Exhibit 7 that I  
8 just previously showed you in the retainer agreement?

9 A. That's correct. Page seven -- page one of  
10 Exhibit 7.

11 Q. Okay. Thank you. Mr. Leventhal, at any  
12 point did Miss Sosa-Avila pay you or attempt to pay  
13 you the \$6,000 that was agreed upon?

14 A. Not that I know of, no.

15 Q. Okay.

16 A. And I say that because I don't take  
17 payments. My staff is at my office all day, I'm  
18 usually in court, and so people come in and make  
19 payments to the staff and get receipts. So as I sit  
20 here today, my staff has indicated that no payments  
21 were made.

22 Q. Okay. Now, earlier you testified that there  
23 was some sort of agreement between you and  
24 Miss Sosa-Avila for her to bring in collateral; is  
25 that correct?

1           A.     Miss Sosa said that she didn't have money  
2     that day, she needed her warrant quashed. It's not  
3     as if she can go to a public defender's office if she  
4     needed it quashed that day, and she said she would  
5     bring me in collateral until she can pay me, which  
6     was going to be very soon.

7           I don't remember how. Oftentimes around tax  
8     season people say, Oh, my taxes are coming in, I can  
9     pay you then. I can pay. And so she was somehow  
10    going to get the money, and she brought in the  
11    collateral that she suggested.

12          Q.     Okay. And did Miss Sosa-Avila, in fact,  
13    bring you or your office any items for collateral, as  
14    you just mentioned?

15          A.     She did.

16          Q.     And did you accept those items as  
17    collateral?

18          A.     We did.

19          Q.     Okay. Showing you what's been previously --  
20    give me one second, let me share my screen one more  
21    time. Showing you what's been previously marked as  
22    Exhibit 11, would you read to yourself quietly again  
23    this first paragraph in your response to the State  
24    Bar's letter of investigation dated August 13th,  
25    2020. Let me know when you're done.

1 A. Just that one paragraph, sir?

2 Q. Just for now, yes, sir.

3 A. That's the "I am" -- that's the one I just  
4 read, right?

5 Q. Yes, sir.

6 A. Okay. I've read it.

7 Q. Okay. Thank you. And do you recall if  
8 Miss Sosa-Avila brought you or your office any  
9 collateral in the month of February of 2020?

10 A. That's what I wrote, yes. I wasn't in my  
11 office when she dropped off the collateral, so I --  
12 this is what I wrote.

13 Q. Okay. But it does state that  
14 Miss Sosa-Avila did drop off an iPhone as collateral;  
15 is that correct?

16 A. She dropped off in a box a Louis Vuitton  
17 purse, a diamond ring, and an iPhone, and it was  
18 given to my staff and put -- it was safeguarded  
19 where -- behind where our -- in the office.

20 Q. Okay. But you did write on February 27  
21 Miss Sosa finally dropped off a drone and an iPhone  
22 as collateral?

23 A. I see that. And, again, I don't  
24 specifically know dates and times because I wasn't  
25 there, so I know that I wrote that. But the iPhone

1 was collateral. It came in on a different day. It  
2 was not in a -- it was not in its own box, it was in  
3 a brown box.

4 And there were three items in the brown --  
5 two items in the brown box, and then the iPhone came  
6 after that. And the drone was actually given to me  
7 by her husband. He brought that in and he said to  
8 give it to my son. So the drone was not actually  
9 collateral, that's a mistake. The drone was a gift  
10 from her husband.

11 Q. Okay. But would you agree with me that  
12 Miss Sosa-Avila dropping off the drone and the iPhone  
13 happened around February of 2020?

14 MR. CLARK: Object. That misstates his  
15 prior testimony.

16 CHAIRMAN EDWARDS: Overruled.

17 THE WITNESS: Can you repeat the question?  
18 What?

19 BY MR. GOSIOCO:

20 Q. Yes. No problem. Would you agree that --  
21 does February 20 -- February of 2020, does that sound  
22 about the right time or the correct time that  
23 Miss Sosa-Avila dropped off a drone and an iPhone to  
24 your office?

25 A. I wouldn't argue with you on that. I don't

1 know, as I sit here, but that's what's in the letter.

2 Q. Okay. And with regard to the Louis Vuitton  
3 wallet and the diamond ring that you had just  
4 testified to, does it sound like -- does it sound --  
5 is it an accurate statement that around April of 2020  
6 that Miss Sosa-Avila dropped off the wallet and the  
7 ring as collateral?

8 A. I don't know what came first or second. If  
9 that's what's in my letter, then that would be what's  
10 in my letter, but again, I wasn't at my office when  
11 she brought this stuff in.

12 Q. Okay. Thank you. Now, turning your  
13 attention to -- actually, let me ask you this: What  
14 ended up happening with the drone, the iPhone, the  
15 wallet, and the ring?

16 A. So when I was speaking to -- let's take each  
17 one of them. When I was speaking to her husband, it  
18 was around the time of my son's birthday, and he  
19 brought me in and said give it to my son. It's a  
20 kid's drone. It's not a big -- it wasn't a big deal.

21 As far as the Louis Vuitton, the purse, the  
22 diamond ring, and the iPhone, what happens is, like I  
23 indicated, I go to court, I file a motion to quash  
24 her bench warrant so she's no longer in warrant  
25 status. I then picked up a copy of the discovery,

1     that being the police reports.

2             I went back to my office, I then read  
3     through -- I don't even know she, you know, how -- it  
4     says February. It didn't occur to me until I read  
5     through the police reports that, especially was  
6     glaring the Louis Vuitton purse was something that  
7     she was trying to sell to an undercover Metro  
8     officer, and it was in the reports, and she admitted  
9     to it in the reports.

10            And so when I went back, I looked in the box  
11    and I saw there was the iPhone. And I double-checked  
12    the discovery again, and again there was a stolen  
13    iPhone that she was being charged with that I didn't  
14    know when I went down to first represent her. I  
15    found out through the discovery.

16            I then called -- contacted her. I told her  
17    to come back, and she came in. And I said, Listen,  
18    you can't -- I can't take stolen stuff. And she  
19    agreed that it was stolen, and she agreed at that  
20    time that it was going to be turned over to Metro  
21    anonymously. And that's what I did, I turned it  
22    over. I called a detective friend of mine, they came  
23    over.

24            And this isn't the first time. I  
25    received -- I was reminded of this -- about two,

1 three years ago somebody give me as a gift a painting  
2 for my office. I looked up the painting. In fact,  
3 the painting was stolen, so I turned it in to Metro  
4 and it got back to the owner. And the owner was very  
5 thankful. He called me up. He said, I appreciate  
6 you turning that in. It was my father's. It got  
7 stolen at McCarran International Airport, and he sent  
8 me a thank you with a lithogram of the painting.

9 So, I mean, I deal in a world I guess that  
10 people, you know, think they can give me stolen stuff  
11 sometimes. And so my rule, what I'm known to do is  
12 to, one, protect my client's confidentiality by  
13 anonymously turning it in to Metro so it can get back  
14 to its rightful owner.

15 When I told her that that's what I was going  
16 to do, she didn't have an issue. She admitted that  
17 it was stolen and understood. And then, I don't  
18 know, and she filed a Bar complaint.

19 Q. Thank you, Mr. Leventhal. Now, you had just  
20 previously -- you had just testified that  
21 Miss Sosa-Avila or her husband had dropped off a  
22 Louis Vuitton purse and a ring; is that correct?

23 A. Yes. The purse and a ring were in a box.  
24 They're weren't in their own box, they were in a  
25 cardboard box, a little brown box.

1 Q. Okay. And to the best of your ability,  
2 could you describe how the purse looked?

3 A. So it's not really a purse, it's more like a  
4 wallet. It's a Louis Vuitton. It's about -- well,  
5 there's a picture in the discovery, but it's about I  
6 believe like a women's Louis Vuitton wallet. It's  
7 about like, I don't know, a few inches wide and it  
8 goes into a purse, I believe.

9 Q. Okay.

10 A. Does that answer your question?

11 Q. Yeah. Yes, it does. Thank you. Now, you  
12 had stated that you had, you know, after reviewing  
13 the discovery provided by the D.A.'s office, Clark  
14 County D.A.'s office, that you had realized that the  
15 items given to you by Miss Sosa-Avila or her husband  
16 were allegedly stolen; is that right?

17 A. Well, yeah, allegedly. You can use  
18 allegedly, but I believe that she admitted to the  
19 undercover Metro officer who was investigating her  
20 that it was stolen, so, but, yeah, she hadn't been  
21 convicted of it yet. But, yes, they were stolen.

22 Q. Okay. And approximately when did you  
23 realize, I guess when did you, approximately when did  
24 you realize that the items were stolen or allegedly  
25 stolen?



1           A.     You know, I can't give you a date exactly.  
2     It occurred to me, like I said, after I read through  
3     the discovery. I don't read the discovery right away  
4     when I pick up a case because usually we set out  
5     preliminary hearings three, four months out, and so I  
6     don't get back to my office, review it.

7           I usually tell the clients to come back  
8     within 30 to 45 days and I'll review the discovery.  
9     So it was after I reviewed the discovery that I came  
10    to find out that the stuff that she had given as  
11    collateral was stolen. I don't know when, though.

12          Q.     Okay. Thank you. Do you recall -- you  
13    stated -- you testified that you had, once you had  
14    realized that the items were stolen or allegedly  
15    stolen, that you anonymously turned them in to Metro?

16          A.     That's correct.

17          Q.     Do you recall approximately when that was?

18          A.     It was around the same time, within 30,  
19    60 days, 90 days, I don't know. I don't exactly  
20    know. But I do know that I called 311 to have an  
21    officer come pick it up, but then they didn't come  
22    over so I contacted Detective Aaron Perez with Metro.  
23    He came over, he picked them up, and he put them in  
24    anonymously to -- I don't know what department he  
25    puts them in.

1 Q. Okay. Now, do you recall if, I guess I'm  
2 just trying to get a timeline. Do you recall if  
3 this -- you turned in those items anonymously before  
4 or after your motion to withdraw?

5 A. As I sit here today, sir, I'm sorry, I  
6 don't -- I don't know offhand what came first. I  
7 don't. I apologize.

8 Q. Not a problem. And I'm showing you what's  
9 been previously marked as Exhibit 11. This is the  
10 letter, your response to our letter of investigation  
11 dated August 13th, 2020. I'm going to scroll down to  
12 the second page towards the signature. If can you  
13 read this highlighted portion quietly to yourself and  
14 let me know when you're done.

15 A. I'm done.

16 Q. Okay. Thank you, Mr. Leventhal. Let me ask  
17 you the question again. Do you recall if you turned  
18 in those items anonymously to Metro prior to your  
19 withdrawal date or before your withdrawal date?

20 A. I don't know. I don't know specifically  
21 when, the date that I turned them in. I don't know.  
22 I know what I wrote here says since the withdrawal,  
23 but I don't know if I did it before or after. I  
24 believe I did it after at some point. I don't know.

25 Q. Okay. Thank you, Mr. Leventhal. Now, you

1 had stated that Ms. Sosa-Avila admit to an undercover  
2 Metro officer for trying to sell stolen good; is that  
3 correct?

4 A. That's correct.

5 Q. And those stolen -- the alleged items that  
6 were stolen that she did dropped off at your office,  
7 namely the drone, the iPhone, the Louis Vuitton purse  
8 or wallet, and the ring, was that -- were those the  
9 items that were alleged to have stolen in  
10 Miss Sosa-Avila's criminal complaint that you  
11 provided to us?

12 MR. CLARK: Objection, misstates his  
13 testimony. He never said the drone was stolen.

14 BY MR. GOSIOCO:

15 Q. Okay. Let me rephrase. As to the iPhone,  
16 the Louis Vuitton wallet or purse, and the diamond  
17 ring, were those alleged to have been stolen?

18 A. In the discovery?

19 Q. Yes, sir.

20 A. Yes, sir.

21 Q. And the --

22 A. I believe -- I'm sorry, I don't mean to cut  
23 you off, Mr. Gosioco.

24 Q. Not a problem.

25 A. I know that the Louis Vuitton for certain,

1 and I know that the iPhone for certain. The ring  
2 was -- that was when I confronted her on it, because  
3 she had given me stolen merchandise, she admitted to  
4 it. So I believe the discovery only talks -- well,  
5 there's miscellaneous items in there, but speaks to  
6 specifically the Louis Vuitton purse, and there's  
7 specifically to the iPhone that did not come in any  
8 box, except for the cardboard box, and the gold ring,  
9 she admitted that it was stolen, and then she knew I  
10 was going to be turning it in to Metro. Does that  
11 clarify?

12 Q. Yes, sir, it does.

13 A. I apologize.

14 Q. No, not a problem at all, sir. Now, you had  
15 mentioned briefly that these items were in the  
16 discovery. And were those items in the discovery of  
17 the cases you represented Miss Sosa-Avila in?

18 A. That's correct. That's why I received a  
19 copy of the discovery, because I was attorney of  
20 record.

21 Q. Okay. And it looks like you only  
22 represented Miss Sosa-Avila in two criminal cases; is  
23 that correct?

24 A. I believe so, yes, sir.

25 Q. Okay. Now --

1           A.     What I believe is she had one, and then  
2     while we were in the one, she picked up another case  
3     at -- the hotel case. There's one where she let her  
4     husband go in, she was a maid at the hotel, and she  
5     let her husband go into the room, it's on a video,  
6     and then walk out with the people's suitcases.

7           The other one she went into a vehicle that  
8     was a vehicle, Detective Haynes, he was the  
9     detective, he -- she went in and she ripped off, or  
10    she stole credit cards for, I believe it was Home  
11    Depot or Lowe's, and she went in there and bought a  
12    bunch of stuff. That's -- and, again, I haven't  
13    looked in a long time at her discovery, but I believe  
14    those were two separate cases.

15          Q.     Thank you. Now, showing you what's been  
16    previously admitted as Exhibit Number 9, which is the  
17    motion to withdraw, this case is, would you agree  
18    with me that this case that you represented her on  
19    was Case Number 20F00283A?

20          A.     Yes.

21          Q.     Thank you. And showing you what's been  
22    previously marked and admitted as Exhibit 9 -- give  
23    me one second. I apologize, Exhibit 5. Now, is this  
24    the court docket for that case you withdrew from,  
25    20F00283A?

1           A.     It looks to be, yes. That's the case  
2     number. Yeah, I see it underneath Register of  
3     Actions.

4           Q.     Okay. And showing you what's been marked as  
5     your Exhibit A, give me one second, let me -- is this  
6     the criminal complaint that was filed pertaining to  
7     that case you were representing Miss Sosa-Avila in?

8           A.     Is that -- yeah, 20F283A, that's the  
9     criminal complaint. That's one of them.

10          Q.     Okay. And I'd like to just briefly discuss  
11     this criminal complaint, if you don't mind. I'd like  
12     to look at each count. So as to Count 1, it looks  
13     like Miss Sosa-Avila was charged with conspiracy to  
14     commit burglary; is that correct?

15          A.     Correct.

16                 I can't hear you. Did you...

17          Q.     I'm sorry. On this complaint for Case  
18     Number 20F00283A, looking at Count 1 in the criminal  
19     complaint, was Miss Sosa-Avila charged with  
20     conspiracy to commit burglary?

21          A.     Correct.

22          Q.     And the highlighted portion on your screen,  
23     could you read that yourself quietly and let me know  
24     when you're done?

25          A.     Okay.

1           Q.     Mr. Leventhal, is there any mention of an  
2     iPhone, a Louis Vuitton purse or wallet, or a diamond  
3     ring in Count 1?

4           A.     No, but when you file a complaint, you  
5     don't -- they don't need to allege everything in  
6     there that's in the discovery.

7           Q.     Okay.

8           A.     No. I mean, to answer your question, no.

9           Q.     Thank you. As to Count 2, a charge of  
10    burglary for Miss Sosa-Avila, could you read this  
11    highlighted portion to yourself quietly and let me  
12    know when you're done?

13          A.     Yes, I'm done.

14          Q.     And in Count 2 is it alleged is -- does an  
15    iPhone, Louis Vuitton purse or wallet, or diamond  
16    ring appear anywhere in Count 2?

17          A.     No, they -- when the State files a criminal  
18    complaint, they don't allege every specific act in  
19    the counts, so that's why it's just a broad forgery  
20    or fraudulent use of a credit card, but they don't  
21    talk about what she bought with the credit card.  
22    It's, again, it's behind in the discovery. But, no,  
23    it's not in there.

24          Q.     Okay. And as to Count 3, possession of  
25    credit card or debit card without cardholder's

1 consent, could you read quietly to yourself the  
2 highlighted portion on the top of this page, as well  
3 as the first two lines of the following page, and let  
4 me know when you're done?

5 A. I'm done. I finished.

6 Q. Thank you. And is an iPhone, Louis Vuitton  
7 purse or wallet, or diamond ring mentioned in Count  
8 3?

9 A. No.

10 Q. Thank you. And lastly as to Count 4, could  
11 you read this quietly to yourself, and let me know  
12 when you're finished?

13 A. Yes, I'm done.

14 Q. And as to Count 4, is there any mention of  
15 an iPhone, Louis Vuitton purse or wallet, or diamond  
16 ring in Count 4?

17 A. No, it just says "goods, property, services,  
18 or anything of value."

19 Q. Okay. And could you read the "to wit"  
20 language?

21 A. To wit. Let's see, "To wit: By defendant  
22 using said credit card to make a purchase at Home  
23 Depot, the defendant not being the cardholder, nor  
24 being authorized by the cardholder to use said card  
25 or card number."



1 Q. Okay. Thank you, Mr. Leventhal. Turning  
2 your attention to the other case you represented  
3 Miss Sosa-Avila in, it is 19F03827B, now did you  
4 represent Miss Sosa-Avila in that case?

5 A. I'm trying to find the complaint on that.  
6 Where is it?

7 Q. I can show you briefly what's been  
8 previously admitted as Exhibit 8. Is this your  
9 motion to withdraw as attorney of record for  
10 Miss Sosa-Avila?

11 A. Yes, sir. So, yes. 19F03827B. That's  
12 correct, I did represent her on that case as well.

13 Q. Okay. Thank you.

14 A. And that was the first case I represented  
15 her, I believe, because the 19 would have been the  
16 year, 2019, whereas the other case starts out 20, so  
17 it would have been a 2020 case.

18 Q. Okay. And give me one moment to go to the  
19 criminal complaint. Actually -- give me one second.  
20 So turning to Exhibit A of your exhibits, I'm going  
21 to go to page 18 in the discovery.

22 MR. CLARK: Counsel, is that Bates stamped 18?

23 MR. GOSIOCO: No. Let me -- it is Bates  
24 stamped 55.

25 THE WITNESS: Is that A?