

Electronically Filed
Aug 09 2021 03:48 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

NOA
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Nevada Bar No. 13379
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Attorneys for Defendant

DISTRICT COURT
CLARK COUNTY, NEVADA

KIMBERLY STILES, individually, as natural
parent and legal guardian of SARAH STILES,
a minor;

Plaintiff,

vs.

ESTATE of DELORIS ANN BATSON;
MICHELLE ORDWAY, personal
representative of the Estate of DELORIS ANN
BATSON; and DOES 1 through 20, inclusive,

Defendants.

Case No. A-16-746738-C
Dept. No. IV

NOTICE OF APPEAL
(for Defendants Estate of Deloris Ann Batson
and Michelle Ordway,
Personal Representative of the Estate of
Deloris Ann Batson)

NOTICE IS HEREBY GIVEN that ESTATE OF DELORIS ANN BATSON and
MICHELLE ORDWAY, personal representative of the ESTATE OF DELORIS ANN BATSON,
Defendants above-named, hereby appeal to the Supreme Court of Nevada from:

1. All judgments and orders entered in this action.

2. *Judgment on Jury Verdict* filed in this matter on July 10, 2021, and entered and noticed
on July 23, 2021.

///

///

1 3. All rulings made appealable by the foregoing.

2 DATED this 4th day of August, 2021.

3
4 **MESSNER REEVES LLP**

5 By: /s/ Lauren D. Calvert

6 M. Caleb Meyer, Esq.

7 Nevada Bar No. 13379

8 Lauren D. Calvert, Esq.

9 Nevada Bar No. 10534

10 8945 West Russell Road, Suite 300

11 Las Vegas, Nevada 89148

12 *Attorneys for Defendants*

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5, NEFCR 9 and EDCR 8.05, I hereby certify that I am an employee of
3 **MESSNER REEVES, LLP**, and on the 4th day of August, 2021, I served the foregoing **NOTICE**
4 **OF APPEAL** as follows:
5

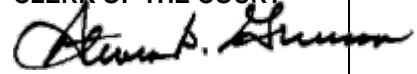
6 ☒ Electronic Service – By serving a copy thereof through the Court’s electronic
7 service system; and/or

8 ☐ U.S. Mail—By depositing a true copy thereof in the U.S. mail, first class
9 postage prepaid and addressed as listed below; and/or

10 ☐ Facsimile—By facsimile transmission pursuant to EDCR 7.26 to the facsimile
11 number(s) shown below and in the confirmation sheet filed herewith. Consent to
12 service under NRCP 5(b)(2)(D) shall be assumed unless an objection to service by
13 facsimile transmission is made in writing and sent to the sender via facsimile within
14 24 hours of receipt of this Certificate of Service.

15 Mark Jackson, Esq.
16 Benjamin Cloward, Esq.
17 RICHARD HARRIS LAW FIRM
18 801 S. Fourth Street
19 Las Vegas, NV 89101
20 *Attorneys for Plaintiffs*

21 /s/ Michelle Ordway
22 An employee of **MESSNER REEVES LLP**
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1 **NOT**

2 M. Caleb Meyer, Esq.

3 Nevada Bar No. 13379

4 Renee M. Finch, Esq.

5 Nevada Bar No. 13118

6 Lauren D. Calvert, Esq.

7 Nevada Bar No. 14223

8 **MESSNER REEVES, LLP**

9 8945 West Russell Road, Suite 300

10 Las Vegas, Nevada 89148

11 Telephone: (702) 363-5100

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16 *Attorneys for Defendants*

11 **DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13
14 KIMBERLY STILES, individually, as
15 natural parent and legal guardian of SARAH
16 STILES, a minor;

17 Plaintiffs,

18 vs.

19 ESTATE of DELORIS ANN BATSON;
20 MICHELLE ORDWAY, personal
21 representative of the Estate of DELORIS
22 ANN BATSON; and DOES 1 through 20,
23 inclusive,

24 Defendants.

Case No. A-16-746738-C

Dept. No. IV

CASE APPEAL STATEMENT

25 Defendants/Appellants, by and through their counsel, MESSNER REEVES LLP, submit the
26 following Case Appeal Statement pursuant to NRAP 3(f).

27 **1. Name of Appellants filing this case appeal statement:**

28 ESTATE of DELORIS ANN BATSON and MICHELLE ORDWAY, personal representative
of the Estate of DELORIS ANN BATSON

1 **2. Presiding judge:**

2 The Hon. Nadia Krall, Clark County District Court, Department 4

3 **3. Name of each appellant and name and address of counsel:**

4 Appellants are represented on this appeal, and were represented in the underlying district
5 court proceedings, by:

6 **MESSNER REEVES LLP**

7 M. Caleb Meyer, Esq.

8 Renee M. Finch, Esq.

9 8945 West Russell Road, Suite 300

 Las Vegas, Nevada 89148

10 **4. Name of each respondent and name and address of counsel:**

11 Respondents have been represented in the district court by:

12 **RICHARD HARRIS LAW FIRM**

13 Mark Jackson, Esq.

14 Benjamin P. Cloward, Esq.

15 801 S. Fourth Street

16 Las Vegas, NV 89101

17 It is unknown if Respondents will have different or additional appellate counsel.

18 **5. Whether any attorney identified above is not licensed to practice law in Nevada:**

19 All identified attorneys are licensed to practice law in Nevada.

20 **6. Whether Appellants were represented by appointed or retained counsel in the
21 district court:**

22 Retained counsel.

23 **7. Whether Appellants are represented by appointed or retained counsel on this
24 appeal:**

25 Retained counsel.

26 **8. Whether Appellants were granted leave to proceed in forma pauperis:**

27 No.

1 **9. Date the proceedings commenced in the district court:**

2 September 16, 2016 (date of filing of Plaintiffs' Complaint).

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

6 This case arises out of a January 25, 2015 accident that occurred at the intersection of Rampart
7 and Alta Drive at approximately 9:52 a.m. in Las Vegas, Clark County, Nevada. At the time, Deloris
8 Batson was driving a 2013 Honda Odyssey Van westbound in the number two travel lane while at the
9 same time, Kimberly Stiles was driving a 2007 Mercedes C230 heading southbound in the number
10 three travel lane. The vehicles collided in the intersection, with the front of Defendant's vehicle
11 striking the driver side of Plaintiffs' vehicle. This caused Defendant's vehicle to rotate approximately
12 180 degrees clockwise on its vertical axis coming to rest facing eastward in the east bound lane.
13 Plaintiffs' vehicle continued in a southwesterly direction, coming to rest facing southwest in the east
14 bound turn lane. Ms. Batson unfortunately passed away prior to the commencement of trial. As such,
15 a paralegal from defense counsel's office, Michelle Ordway, sat at Defendant's table in place of the
16 Estate.

17 Liability was not disputed, and trial proceeded on causation and damages. During the course
18 of trial, Defendants maintain that reversible error was committed regarding, among other bases, the
19 instructions given to the jury and the limitations placed on defense counsel's cross-examination of
20 Plaintiff's experts. After deliberating for approximately two and a half hours, the jury returned a
21 verdict finding for Plaintiff Stills and awarding her a total of \$342,864.51 in damages. The verdict was
22 8-0, in favor of the Plaintiff.

23 **11. Whether the case has previously been the subject of an appeal to or original writ**
24 **proceeding in the Supreme Court:**

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12. Whether this appeal involves child custody or visitation:

No.

13. Whether this appeal involves the possibility of settlement:

Yes.

DATED this 4th day of August, 2021.

MESSNER REEVES LLP

/s/ Lauren D. Calvert

M. Caleb Meyer, Esq.

Nevada Bar No. 13379

Renee M. Finch, Esq.

Nevada Bar No. 13118

Lauren D. Calvert, Esq.

Nevada Bar No. 10534

8945 W. Russell Road Ste 300

Las Vegas, Nevada 89148

Attorneys for Defendants/Appellants

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CASE SUMMARY**CASE NO. A-16-746738-C**

Kimberly Stiles, Plaintiff(s)
vs.
Estate of Deloris Ann Batson, Defendant(s)

§
§
§
§
§

Location: **Department 4**
 Judicial Officer: **Krall, Nadia**
 Filed on: **11/16/2016**
 Case Number History:
 Cross-Reference Case Number: **A746738**

CASE INFORMATION

Statistical Closures
 06/29/2021 Verdict Reached

Case Type: **Negligence - Auto**

Case Status: **06/29/2021 Closed**

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

Case Number A-16-746738-C
 Court Department 4
 Date Assigned 01/04/2021
 Judicial Officer Krall, Nadia

PARTY INFORMATION

Plaintiff	Stiles, Kimberly	<i>Lead Attorneys</i> Cloward, Benjamin P. <i>Retained</i> 702-385-1400(W)
Defendant	Batson, Deloris Removed: 03/26/2021 Inactive	Finch, Renee M. <i>Retained</i> 702-363-5100(W)
	Estate of Deloris Ann Batson	Meyer, Michael C. <i>Retained</i> 702-363-5100(W)
	Ubina, Kim Ian Removed: 06/03/2021 Inactive	
Guardian Ad Litem	Stiles, Kimberly Removed: 06/03/2021 Inactive	Cloward, Benjamin P. <i>Retained</i> 702-385-1400(W)
Personal Representative	Ordway, Michelle	Meyer, Michael C. <i>Retained</i> 702-363-5100(W)
Subject Minor	Stiles, Sarah Removed: 06/03/2021 Inactive	

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

11/16/2016



Complaint

Filed By: Plaintiff Stiles, Kimberly
 [1] Plaintiff's Complaint

02/15/2017

CASE SUMMARY

CASE NO. A-16-746738-C

	 Affidavit of Compliance Filed By: Plaintiff Stiles, Kimberly <i>[2] Affidavit of Compliance</i>
03/08/2017	 Demand for Jury Trial Filed By: Defendant Batson, Deloris <i>[4] Demand for Jury Trial</i>
03/08/2017	 Initial Appearance Fee Disclosure Filed By: Defendant Batson, Deloris <i>[5] Initial Appearance Fee Disclosure</i>
03/08/2017	 Answer to Complaint Filed by: Defendant Batson, Deloris <i>[3] Defendant Deloris Ann Batson's Answer To Plaintiffs' Complaint</i>
03/15/2017	 Notice of Change of Address Filed By: Defendant Batson, Deloris <i>[6] Notice of Change of Address</i>
03/24/2017	 Notice of Early Case Conference Filed By: Plaintiff Stiles, Kimberly <i>[7] Notice of Early Case Conference</i>
04/03/2017	 Commissioners Decision on Request for Exemption - Granted <i>[8] Commissioner's Decision on Request for Exemption - Granted</i>
05/03/2017	 Substitution of Attorney Filed by: Plaintiff Stiles, Kimberly <i>[9] Substitution of Attorney</i>
05/24/2017	 Joint Case Conference Report Filed By: Plaintiff Stiles, Kimberly <i>[10] Joint Case Conference Report</i>
06/07/2017	 Scheduling Order <i>[11] Scheduling Order</i>
06/09/2017	 Order Setting Civil Jury Trial <i>[12] Order Setting Civil Jury Trial</i>
06/19/2018	 Supplement to Early Case Conference List <i>[13] Plaintiffs' Sixth Supplement to Early Case Conference List of Witnesses and Exhibits Pursuant to N.R.C.P. 16.1</i>
06/25/2018	 Pre-Trial Disclosure Party: Defendant Batson, Deloris <i>[14] Defendant's Pre-Trial Disclosure Statement Pursuant to NRCP 16.1(a)(3)</i>
07/09/2018	 Notice of Rescheduling <i>[15] Notice of Rescheduling</i>
09/14/2018	 Amended Order Setting Jury Trial

CASE SUMMARY

CASE NO. A-16-746738-C

[16] Amended Order Setting Jury Trial

11/20/2018



Motion in Limine

Filed By: Plaintiff Stiles, Kimberly

[17] Plaintiff's Motion in Limine

11/21/2018



Motion in Limine

Filed By: Defendant Batson, Deloris

[18] Defendant's Motion in Limine Number 1 to Exclude Any Argument that Defendant is "Avoiding Responsibility"

11/26/2018



Notice of Change of Hearing

[19] Notice of Change of Hearing

12/07/2018



Opposition to Motion in Limine

[20] Plaintiff's Opposition to Defs Motion in Limine No. 1 To Exclude Any Argument That Def is Avoiding Responsibility

12/10/2018



Opposition

Filed By: Defendant Batson, Deloris

[21] Defendant's Opposition To Plaintiff's Motion In Limine To Allow Voir Dire Questioning Regarding Verdict Amounts

12/27/2018



Amended Order Setting Jury Trial

[22] Amended Order Setting Jury Trial

01/04/2019



Pre-Trial Disclosure

Party: Defendant Batson, Deloris

[23] Defendant's First Supplemental Pre-Trial Disclosure Statement Pursuant to NRCP 16.1 (a)(3)

01/10/2019



Reply

Filed by: Defendant Batson, Deloris

[24] Reply in Support of Defendant's Motion in Limine Number 1 to Exclude Any Argument that Defendant is Avoiding Responsibility

01/10/2019



Reply in Support

Filed By: Plaintiff Stiles, Kimberly

[25] Plaintiffs Reply In Support Of Plaintiffs Motion In Limine No. 1 To Allow Voir Dire Questioning Regarding Verdict Amounts

02/14/2019



Order

Filed By: Defendant Batson, Deloris

[26] Order Regarding Plaintiffs' and Defendant's Motions in Limine

02/15/2019



Motion

[27] Motion to Reopen Expert Discovery and Compel NRCP 35 Examinations

02/19/2019



Notice of Entry of Order

Filed By: Defendant Batson, Deloris

[28] Notice of Entry of Order

03/20/2019




Amended Order Setting Jury Trial

[29] Amended Order Setting Jury Trial

CASE SUMMARY

CASE NO. A-16-746738-C

03/21/2019	 Stipulation and Order <i>[30] Stipulation and Order to Reopen Discovery & Continue Trial</i>
03/21/2019	 Notice of Entry of Stipulation and Order <i>[31] Notice of Entry of Stipulation and Order to Reopen Discovery & Continue Trial</i>
05/13/2019	 Affidavit of Service <i>[32] Affidavit of Service - Mark J. Rosen, MD</i>
08/30/2019	 Amended Order Setting Jury Trial <i>[33] Amended Order Setting Jury Trial</i>
09/25/2019	 Stipulation and Order Filed by: Plaintiff Stiles, Kimberly <i>[34] Stipulation and Order to Continue Trial</i>
09/25/2019	 Notice of Entry Filed By: Plaintiff Stiles, Kimberly <i>[35] Notice of Entry of Stipulation and Order to Continue Trial</i>
01/09/2020	 Pre-Trial Disclosure Party: Defendant Batson, Deloris <i>[36] Defendant's Second Supplemental Pre-Trial Disclosure Statement Pursuant to NRCP 16.1(a)(3)</i>
01/22/2020	 Amended Order Setting Jury Trial <i>[37] Amended Order Setting Civil Jury Trial, Calendar Call</i>
01/27/2020	 Stipulation and Order Filed by: Plaintiff Stiles, Kimberly <i>[38] Stipulation and Order to Continue Trial</i>
01/27/2020	 Notice of Entry Filed By: Plaintiff Stiles, Kimberly <i>[39] Notice of Entry of Stipulation and Order to Continue Trial</i>
03/19/2020	 Notice Filed By: Defendant Batson, Deloris <i>[40] NOTICE OF TEMPORARY PHYSICAL OFFICE LOCATION CLOSURE DUE TO COVID-19</i>
08/18/2020	 Pre-trial Memorandum Filed by: Plaintiff Stiles, Kimberly; Subject Minor Stiles, Sarah <i>[41] Plaintiffs' Pre-Trial Memorandum</i>
01/04/2021	Administrative Reassignment - Judicial Officer Change <i>Judicial Reassignment to Judge Nadia Krall</i>
02/23/2021	 Suggestion of Death Filed by: Defendant Batson, Deloris <i>[42] SUGGESTION OF DEATH UPON THE RECORD PURSUANT TO NRCP 25(a)(1)</i>
03/11/2021	

CASE SUMMARY




CASE NO. A-16-746738-C

	 Motion for Substitution Filed By: Plaintiff Stiles, Kimberly; Subject Minor Stiles, Sarah <i>[43] Plaintiff's Motion to Substitute Parties Pursuant to NRCP Rule 25</i>
03/12/2021	 Clerk's Notice of Nonconforming Document <i>[44] Clerk's Notice of Nonconforming Document</i>
03/12/2021	 Clerk's Notice of Nonconforming Document and Curative Action <i>[45] Clerk's Notice of Nonconforming Document</i>
03/12/2021	 Clerk's Notice of Hearing <i>[46] Notice of Hearing</i>
03/26/2021	 Stipulation and Order Filed by: Plaintiff Stiles, Kimberly <i>[47] Stipulation and Order to Substitute Parties</i>
04/05/2021	 Notice of Entry Filed By: Plaintiff Stiles, Kimberly; Subject Minor Stiles, Sarah <i>[48] Notice of Entry of Stipulation and Order to Substitute Parties</i>
05/14/2021	 Pre-Trial Disclosure Party: Defendant Estate of Deloris Ann Batson <i>[49] DEFENDANT S THIRD SUPPLEMENTAL PRE-TRIAL DISCLOSURE STATEMENT PURSUANT TO NRCP 16.1 (a)(3)</i>
06/03/2021	 Stipulation and Order Filed by: Plaintiff Stiles, Kimberly <i>[50] Stipulation and Order to Amend Caption</i>
06/03/2021	 Joint Pre-Trial Memorandum Filed By: Plaintiff Stiles, Kimberly <i>[51] Joint Pre-Trial Memorandum</i>
06/10/2021	 Brief Filed By: Plaintiff Stiles, Kimberly <i>[52] Plaintiff's Bench Brief Regarding the Issue of Jury Selection</i>
06/10/2021	 Motion to Amend Filed By: Personal Representative Ordway, Michelle <i>[53] Defendant's Motion to Amend the Pleadings to Confirm to the Evidence on an Order Shortening Time</i>
06/10/2021	 Brief Filed By: Personal Representative Ordway, Michelle <i>[54] Defendant's Bench Brief Regarding Defendant's Abandoned Comparative Negligence Defense</i>
06/11/2021	 Clerk's Notice of Nonconforming Document <i>[55] Clerk's Notice of Nonconforming Document</i>
06/13/2021	 Brief Filed By: Plaintiff Stiles, Kimberly <i>[56] Plaintiff's Trial Brief Regarding Comments and Testimony Suggesting Undisclosed</i>

CASE SUMMARY






CASE NO. A-16-746738-C

Subsequent Accidents

06/13/2021	 Brief Filed By: Defendant Estate of Deloris Ann Batson <i>[57] DEFENDANT S BENCH BRIEF REGARDING PLAINTIFF S INTENT TO SEEK DAMAGES FOR MENTAL ANGUISH RELATED TO FORMER PLAINTIFF SARAH STILES</i>
06/13/2021	 Brief Filed By: Defendant Estate of Deloris Ann Batson <i>[58] DEFENDANT S BENCH BRIEF REGARDING PLAINTIFF S REQUEST TO SUPPLEMENT PLAINTIFF S NRCP 16.1 DISCLOSURES</i>
06/14/2021	 Brief Filed By: Plaintiff Stiles, Kimberly <i>[59] Plaintiff's Bench Brief on Whether Plaintiff Kimberly Stiles May Testify Regarding Emotional Distress</i>
06/15/2021	 Jury List <i>[60] Jury List</i>
06/15/2021	 Jury List <i>[61] Amended Jury List</i>
06/16/2021	 Recorders Transcript of Hearing <i>[62] Recorders Transcript of Hearing Re: Jury Trial Day 2 Excerpts - Opening Statements, June 11, 2021</i>
06/16/2021	 Amended Jury List <i>[64] Second Amended Jury List</i>
06/17/2021	 Instructions to the Jury <i>[63] Instructions to the Jury (Instruction No. 1) Ladies and Gentlemen of the Jury.</i>
06/17/2021	 Verdict <i>[65] Verdict Form</i>
06/17/2021	 Amended Jury List <i>[66] Third Amended Jury List</i>
06/29/2021	 Order to Statistically Close Case <i>[67] Civil Order to Statistically Close Case</i>
07/10/2021	 Judgment on Jury Verdict Filed By: Plaintiff Stiles, Kimberly <i>[68] Judgment upon the Jury Verdict</i>
07/15/2021	 Memorandum of Costs and Disbursements Filed By: Plaintiff Stiles, Kimberly <i>[69] Plaintiff's Memorandum of Costs and Disbursements</i>
07/19/2021	 Motion to Retax Filed By: Personal Representative Ordway, Michelle <i>[70] Defendant's Motion to Retax Costs</i>




CASE SUMMARY

CASE NO. A-16-746738-C

07/20/2021	 Clerk's Notice of Hearing <i>[71] Notice of Hearing</i>
07/23/2021	 Notice of Entry of Judgment Filed By: Plaintiff Stiles, Kimberly <i>[72] Notice of Entry of Judgment Upon the Jury Verdict</i>
08/03/2021	 Opposition to Motion Filed By: Plaintiff Stiles, Kimberly <i>[73] Plaintiff's Opposition to Defendant's Motion to Retax Costs</i>
08/04/2021	 Notice of Appeal Filed By: Defendant Estate of Deloris Ann Batson <i>[74] Notice of Appeal</i>
08/04/2021	 Case Appeal Statement Filed By: Defendant Estate of Deloris Ann Batson <i>[75] Case Appeal Statement</i>
<u>DISPOSITIONS</u>	
06/17/2021	Verdict (Judicial Officer: Krall, Nadia) Debtors: Michelle Ordway (Personal Representative), Estate of Deloris Ann Batson (Defendant) Creditors: Kimberly Stiles (Plaintiff) Judgment: 06/17/2021, Docketed: 06/24/2021 Total Judgment: 342,864.51
07/10/2021	Judgment Upon the Verdict (Judicial Officer: Krall, Nadia) Debtors: Estate of Deloris Ann Batson (Defendant) Creditors: Kimberly Stiles (Plaintiff) Judgment: 07/10/2021, Docketed: 07/12/2021 Total Judgment: 420,931.94
<u>HEARINGS</u>	
07/19/2018	 Pretrial/Calendar Call (11:00 AM) (Judicial Officer: Earley, Kerry) calendar call will be reset in Dept 4 Vacated and Reset; Journal Entry Details: <i>Kristopher Helmick, Esq. present on behalf of Plaintiff. Scott Rogers, Esq. on behalf of Defendant. Counsel expressed there was a scheduling conflict. Colloquy regarding Court's trial schedule. COURT ORDERED, trial date VACATED and RESET. 12/24/18 11:00 AM CALENDAR CALL 1/2/19 9:00 AM JURY TRIAL CLERK'S NOTE: These minutes were completed using the JAVS recording. //ev 7/30/18;</i>
07/30/2018	CANCELED Jury Trial (9:00 AM) (Judicial Officer: Earley, Kerry) <i>Vacated - per Law Clerk</i>
12/19/2018	 Calendar Call (11:00 AM) (Judicial Officer: Earley, Kerry) Vacated and Reset; Journal Entry Details: <i>Christopher Helmick, Esq. present on behalf of Plaintiff; Renee Finch, Esq. present on behalf of Defendant. Mr. Helmick stated his expert was out of the country and requested the trial date be continued to the next stack. COURT ORDERED, trial date VACATED and RESET. 4/25/19 11:00 AM CALENDAR CALL 5/13/19 9:00 AM JURY TRIAL;</i>
01/07/2019	CANCELED Jury Trial (9:00 AM) (Judicial Officer: Earley, Kerry) <i>Vacated - per Attorney or Pro Per</i>




CASE SUMMARY

CASE NO. A-16-746738-C

01/17/2019	Motion in Limine (9:00 AM) (Judicial Officer: Earley, Kerry) <i>Plaintiff's Motion in Limine No 1 to Allow Voir Dire Questioning Regarding Verdict Amounts</i> Granted;
01/17/2019	Motion in Limine (9:00 AM) (Judicial Officer: Earley, Kerry) <i>Defendant's Motion in Limine No 1 to Exclude Any Argument that Defendant is Avoiding Responsibility</i> Granted;
01/17/2019	 All Pending Motions (9:00 AM) (Judicial Officer: Earley, Kerry) Matter Heard; Journal Entry Details: <i>DEFENDANT'S MOTION IN LIMINE NO 1 TO EXCLUDE ANY ARGUMENT THAT DEFENDANT IS AVOIDING RESPONSIBILITY... PLAINTIFF'S MOTION IN LIMINE NO 1 TO ALLOW VOIR DIRE QUESTIONING REGARDING VERDICT AMOUNTS</i> Kristopher Helmick, Esq. present on behalf of Plaintiff. Court advised the Motion lacked case law and needed to be updated. <i>COURT ORDERED, Plaintiff's Motion in Limine No 1 to Allow Voir Dire Questioning Regarding Verdict Amounts GRANTED, pursuant to the Khoury case, however not to the point of indoctrination. COURT FURTHER ORDERED, Defendant's Motion in Limine No 1 to Exclude Any Argument that Defendant is Avoiding Responsibility GRANTED.;</i>
03/28/2019	CANCELED Motion (9:00 AM) (Judicial Officer: Bonaventure, Joseph T.) <i>Vacated</i> <i>Motion to Reopen Expert Discovery and Compel nRCP 35 Examination of Both Plaintiff on an Order Shortening Time</i>
08/29/2019	CANCELED Calendar Call (11:00 AM) (Judicial Officer: Earley, Kerry) <i>Vacated</i>
09/16/2019	CANCELED Jury Trial (9:00 AM) (Judicial Officer: Earley, Kerry) <i>Vacated</i>
01/23/2020	CANCELED Calendar Call (11:00 AM) (Judicial Officer: Earley, Kerry) <i>Vacated</i>
02/10/2020	CANCELED Jury Trial (9:00 AM) (Judicial Officer: Earley, Kerry) <i>Vacated</i>
08/03/2020	CANCELED Jury Trial (9:00 AM) (Judicial Officer: Earley, Kerry) <i>Vacated</i>
08/20/2020	CANCELED Calendar Call (11:00 AM) (Judicial Officer: Earley, Kerry) <i>Vacated</i>
01/14/2021	 Calendar Call (11:00 AM) (Judicial Officer: Krall, Nadia) MINUTES Vacated and Reset; Journal Entry Details: <i>Parties advised ready for trial. Colloquy regarding trial schedule. COURT ORDERED, trial date VACATED and RESET. 2/11/21 11:00 AM CALENDAR CALL 3/15/21 9:00 AM JURY TRIAL;</i> SCHEDULED HEARINGS CANCELED Jury Trial (02/08/2021 at 9:00 AM) (Judicial Officer: Krall, Nadia) <i>Vacated - per Judge</i>  Calendar Call (02/18/2021 at 11:00 AM) (Judicial Officer: Krall, Nadia) CANCELED Jury Trial (03/15/2021 at 9:00 AM) (Judicial Officer: Krall, Nadia) <i>Vacated - per Order</i>




CASE SUMMARY

CASE NO. A-16-746738-C

02/08/2021	CANCELED Jury Trial (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Vacated - per Judge</i>
02/18/2021	 Calendar Call (11:00 AM) (Judicial Officer: Krall, Nadia) Trial Date Set; Journal Entry Details: <i>Upon Court's inquiry, the parties announced not ready for trial. Mr. Meyer advised he was recently informed the Defendant is deceased. Further, Mr. Meyer advised he is in the process of obtaining the death certificate and is working to ascertaining the appropriate party or parties to be substituted as it is unknown at this time since the estate matter has not been procedurally opened. Mr. Meyer requested a continuance of 30-45 days to ascertain the death certificate and the appropriate party or parties to be substituted. Mr. Jackson advised the Plaintiff understood the circumstances and would agree to a continuance. Upon Court's further inquiry, the parties advised 10 days would be needed for trial. Colloquy regarding scheduling issues. COURT ORDERED, matter SET for status check regarding trial readiness and trial. 03/16/21 09:00 AM STATUS CHECK: TRIAL READINESS 05/11/21 11:00 AM CALENDAR CALL 05/24/21 09:00 AM JURY TRIAL;</i>
03/15/2021	CANCELED Jury Trial (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Vacated - per Order</i>
03/16/2021	 Status Check: Trial Readiness (9:00 AM) (Judicial Officer: Krall, Nadia) 03/16/2021, 05/27/2021 Matter Continued; Matter Heard; Journal Entry Details: <i>Counsel announced ready for trial and estimated 8 witness. COURT ORDERED, jury selection set for 6/10/21 at 8:00am. COURT INSTRUCTED counsel to meet in Dept 4 prior to take any issues outside the presence.;</i> Matter Continued; Matter Heard; Journal Entry Details: <i>Counsel present via BlueJeans. Upon Court's inquiry as to counsel's readiness for trial, Mr. Meyer advised they need to do a suggestion of death for his client and get the pleadings to have a substitution of the estate on behalf of Defendant. Mr. Meyer added they have a motion pending from Plaintiff regarding a substitution of a party. Mr. Jackson concurred and advised they wanted to get the motion on calendar as soon as the estate was set up. Upon Court's inquiry, Mr. Meyer confirmed he had no objection to the motion. Court directed counsel to submit a stipulation and order regarding the motion by the end of the week. Court noted jury trials are proceeding at the Convention Center. Mr. Jackson estimated 5-7 days for trial and Mr. Meyer concurred. Court inquired if counsel will need more than one day for voir dire. Counsel confirmed they do not. Colloquy regarding the May 24th stack. COURT ORDERED, Jury Trial SET for June 14, 2021 at 9:00 am at the Las Vegas Convention Center with voir dire to be conducted on June 10, 2021 at the Regional Justice Center. COURT FURTHER ORDERED, Status Check regarding trial readiness CONTINUED. 5/27/21 9:00 AM STATUS CHECK: TRIAL READINESS 6/14/21 9:00 AM JURY TRIAL;</i>
03/16/2021	 Minute Order (4:00 PM) (Judicial Officer: Krall, Nadia) <i>Re: Plaintiff's Motion to Substitute Parties Pursuant to NRCP 25</i> Minute Order - No Hearing Held; Journal Entry Details: <i>The Court notes that Plaintiff's Motion to Substitute Parties Pursuant to NRCP 25 was set for hearing on the oral civil motion calendar for April 27, 2021 at 9:00 a.m. The Court also notes that Parties indicated, during the March 16, 2021 Status Check, that a proposed Stipulation and Order granting Plaintiff's Motion if forthcoming. Therefore, the Court hereby VACATES the hearing on April 27, 2021. CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Madalyn Kearney, to all registered parties for Odyssey File & Serve. /mk 3/16/21;</i>
04/27/2021	CANCELED Motion for Substitution (9:00 AM) (Judicial Officer: Cherry, Michael A.) <i>Vacated</i> <i>Plaintiff's Motion to Substitute Parties Pursuant to NRCP Rule 25</i>

CASE SUMMARY

CASE NO. A-16-746738-C

05/11/2021	 Calendar Call (11:00 AM) (Judicial Officer: Krall, Nadia) Matter Heard; Journal Entry Details: <i>Renee Finch, present. Counsel announced ready for trial and estimated 5 days. Trial date STANDS.;</i>
05/24/2021	CANCELED Jury Trial (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Vacated</i>
05/24/2021	CANCELED Jury Trial (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Vacated</i>
06/10/2021	 Jury Trial (8:00 AM) (Judicial Officer: Krall, Nadia) 06/10/2021-06/11/2021 Matter Heard; Trial Continues; Journal Entry Details: <i>INSIDE THE PRESENCE OF THE PROSPECTIVE JURY. Voir Dire CONTINUED. Jury selected and SWORN. Opening arguments. Jury admonished and excused for the weekend recess. OUTSIDE THE PRESENCE OF THE JURY. Mr. Meyer placed his objections of the record. COURT ORDERED, JURY TRIAL, CONTINUED. CONTINUED TO: 6/14/21 8:00 AM;</i> Matter Heard; Trial Continues; Journal Entry Details: <i>PROSPECTIVE JURY PRESENT Voir Dire starts. COURT ORDERED, matter CONTINUED. CONTINUED TO: 6/14/2021 9:00 A.M.;</i>
06/14/2021	 Jury Trial (8:00 AM) (Judicial Officer: Krall, Nadia) 06/14/2021-06/17/2021 Trial Continues; Trial Continues; Trial Continues; Verdict; Verdict 6/17/21 Journal Entry Details: <i>INSIDE THE PRESENCE OF THE JURY Court read the Jury instructions. Closing arguments by counsel. Jury retired to deliberate at 12:22 PM. Jury returned with the following verdict in favor of the Pltf. at 3:20 PM: Past Medical Expenses - \$222,864.51; Past Pain and Suffering - \$120,000.00; Future Pain and Suffering - \$0.00; Total Damages - \$342,864.51. Court thanked and excused the Jury. ;</i> Trial Continues; Trial Continues; Trial Continues; Verdict; Verdict 6/17/21 Journal Entry Details: <i>INSIDE THE PRESENCE OF THE JURY Testimony and exhibits presented. (See worksheets) Jury admonished and excused for the evening recess. OUTSIDE THE PRESENCE OF THE JURY Court finalized Jury instructions with counsel. COURT ORDERED, JURY TRIAL CONTINUED. CONTINUED TO: 6/17/21 8:30 AM;</i> Trial Continues; Trial Continues; Trial Continues; Verdict; Verdict 6/17/21 Journal Entry Details: <i>OUTSIDE THE PRESENCE OF THE JURY Colloquy regarding the Jury instructions. INSIDE THE PRESENCE OF THE JURY Testimony and exhibits presented. (See worksheets) Jury admonished and excused for the evening recess. Mr. Meyer placed objections on the record.</i>

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-16-746738-C

	<i>COURT ORDERED, TRIAL CONTINUED. CONTINUED TO: 6/16/21 9:00 AM;</i>	
	Trial Continues;	
	Trial Continues;	
	Trial Continues;	
	Verdict;	
	Verdict 6/17/21	
09/07/2021	Motion to Retax (9:00 AM) (Judicial Officer: Krall, Nadia)	
	Events: 07/19/2021 Motion to Retax	
	<i>Defendant's Motion to Retax Costs</i>	

DATE	FINANCIAL INFORMATION	
	Defendant Batson, Deloris	
	Total Charges	223.00
	Total Payments and Credits	223.00
	Balance Due as of 8/6/2021	0.00
	Subject Minor Stiles, Sarah	
	Total Charges	30.00
	Total Payments and Credits	30.00
	Balance Due as of 8/6/2021	0.00
	Defendant Estate of Deloris Ann Batson	
	Total Charges	24.00
	Total Payments and Credits	24.00
	Balance Due as of 8/6/2021	0.00
	Plaintiff Stiles, Kimberly	
	Total Charges	270.00
	Total Payments and Credits	270.00
	Balance Due as of 8/6/2021	0.00

DISTRICT COURT CIVIL COVER SHEET

County, Nevada

I V

Case No. _____

(Assigned by Clerk's Office)

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

Plaintiff(s) (name/address/phone):

KIMBERLY STILES, individually, as

natural parent and legal guardian of SARAH

STILES, a minor.

Defendant(s) (name/address/phone):

DELORIS ANN BATSON

Attorney (name/address/phone):

BENJAMIN P. CLOWARD, ESQ.

CLOWARD HICKS & BRASIER, PLLC

4101 Meadows Lane, Suite 260 Las Vegas, NV 89101

(702)628-9888

Attorney (name/address/phone):

Unknown

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

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

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

Date

Signature of initiating party or representative

See other side for family-related case filings.

Heather S. Harris

CLERK OF THE COURT

BENJAMIN P. CLOWARD, ESQ.

Nevada Bar No. 11087

MARK L. JACKSON, ESQ.

Nevada Bar No. 10905

RICHARD HARRIS LAW FIRM

801 South Fourth Street

Las Vegas, Nevada 89101

Telephone: (702) 444-4444

Facsimile: (702) 444-4455

Email: MJackson@RichardHarrisLaw.com

Attorneys for Plaintiffs

DISTRICT COURT

CLARK COUNTY, NEVADA

KIMBERLY STILES, individually, as natural
parent and legal guardian of SARAH STILES,
a minor.

Plaintiffs,

vs.

MICHELLE ORDWAY, personal
representative of the Estate of DELORIS ANN
BATSON; and DOES 1 through 20, inclusive,

Defendants.

CASE NO.: A-16-746738-C

DEPT NO.: 4

JUDGMENT UPON THE JURY
VERDICT

Date of Decision: June 17, 2021

This action came on for trial before the court and the jury, the Honorable, Nadia Krall,
District Judge, presiding, and the issues having been duly tried and the jury having duly
rendered its verdict.¹

IT IS ORDERED AND ADJUDGED that Plaintiff KIMBERLY STILES have and
recover of Defendant MICHELLE ORDWAY, personal representative of the Estate of
DELORIS ANN BATSON as follows:

///

///

¹ Exhibit 1: Jury Verdict

1	Past Medical Expenses:	\$222,864.51
2	Past Pain and Suffering:	\$120,000.00
3	TOTAL DAMAGES:	\$342,864.51

6 IT IS FURTHER ORDERED AND ADJUDGED that Plaintiff's past damages shall bear
7 Pre-Judgment interest in accordance with *Lee v. Ball*, 116 P.3d 64, (2005) at the rate of 3.25%
8 per annum plus 2%² from the date of service of the Summons and Complaint³, on February 15,
9 2017, through June 17, 2021, as follows:

11 **PRE-JUDGMENT INTEREST ON PAST MEDICAL DAMAGES:**

12 02/15/2017 through 6/17/2021 = **\$50,744.42**
13 [(1,583 days) at (prime rate (3.25%) plus 2 percent = 5.25%)]
14 [Interest is approximately \$ 32.06 per day]

15 **PRE-JUDGMENT INTEREST ON PAST PAIN AND SUFFERING:**

16 02/15/2017 through 6/17/2021 = **\$27,323.01**
17 [(1,583 days) at (prime rate (3.25%) plus 2 percent = 5.25%)]
18 [Interest is approximately \$17.26 per day]

19 **TOTAL JUDGMENT:**

21	Past Medical Damages	\$222,864.51
22	Past Pain and Suffering	\$120,000.00
23	Prejudgment Interest	\$78,067.43
24	TOTAL JUDGMENT	\$420,931.94

25 ///

26 ///

² Prime Rate as of July 1, 2021

³ **Exhibit 2:** Answer

1 NOW, THEREFORE, Judgment Upon the Verdict in favor of the Plaintiff is as follows:

2 KIMBERLY STILES is hereby given Two Hundred Twenty-Two Thousand Eight
3 Hundred Sixty-Four and 51/100 dollars (\$222,864.51), in past medical damages and One
4 Hundred Twenty Thousand and 00/100 dollars (\$120,000.00) in past pain and suffering
5 (totaling Three Hundred Forty-Two Thousand Eight Hundred Sixty-Four and 51/100 dollars
6 (\$342,864.51), which shall bear post-judgment interest at the current rate of 5.25% per day,
7 until satisfied.
8

9 IT IS SO ORDERED.
10

11 Dated this 10th day of July, 2021

12 
13

14 DISTRICT COURT JUDGE

15 E8B 15D 9D39 48E8

16 Nadia Krall

17 District Court Judge
18

19 Submitted by:

20 RICHARD HARRIS LAW FIRM

21 /s/ Mark L. Jackson, Esq.

22 BENJAMIN P. CLOWARD, ESQ.

23 Nevada Bar No. 11087

24 MARK L. JACKSON, ESQ.

25 Nevada Bar No. 10905

26 801 South Fourth Street

27 Las Vegas, Nevada 89101

28 Attorneys for Plaintiffs

Exhibit 1

Exhibit 1

3:20 PM
FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

JUN 17 2021

DISTRICT COURT
CLARK COUNTY, NEVADA

KIMBERLY STILES,

Plaintiffs,

vs.

MICHELLE ORDWAY, personal
representative of the Estate of DELORIS ANN
BATSON;

Defendants.

CASE NO.: A-16-746738-C

DEPT NO.: 4

JILL M CHAMBERS, DEPUTY

VERDICT FORM

VERDICT FORM

We, the jury in the above-entitled action, find for the Plaintiff and against the
Defendant and assess the total amount of the Plaintiff's damages as follows:

Past Medical Expenses \$ 222,864.51

Past Pain and Suffering \$ 120,000

Future Pain and Suffering \$ 0

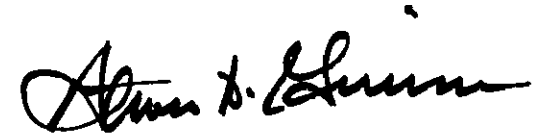
Total Damages \$ 342,864.51

DATED this 17 day of June, 2021.

#7
FOREPERSON

Exhibit 2

Exhibit 2



CLERK OF THE COURT

1 **ANS**
2 M. Caleb Meyer, Esq.
3 Nevada Bar No. 13379
4 Christopher M. Hanley, Esq.
5 Nevada Bar No. 11391
6 MESSNER REEVES LLP
7 5556 S. Fort Apache Road, Suite 100
8 Las Vegas, Nevada 89148
9 Telephone: (702) 363-5100
10 Facsimile: (702) 363-5101
11 E-mail: chanley@messner.com
12 cmeyer@messner.com
13 *Attorneys for Defendant*

9 **DISTRICT COURT**

10 **CLARK COUNTY, NEVADA**

11
12 KIMBERLY STILES, individually, as natural
13 parent and legal guardian of SARAH STILES, a
14 minor;

14 Plaintiffs,

15 vs.

16 DELORIS ANN BATSON; and DOES 1
17 through 20, inclusive,

18 Defendants.

Case No. A-16-746738-C
Dept. No. IV

**DEFENDANT DELORIS ANN
BATSON'S ANSWER TO
PLAINTIFFS' COMPLAINT**

19 COMES NOW, Defendant DELORIS ANN BATSON, by and through her counsel,
20 MESSNER REEVES LLP, and answers Plaintiffs' Complaint and responds and alleges as
21 follows:
22

23 **JURISDICTION**

24 1. Defendant is without knowledge as to the truth or veracity of this allegation
25 contained in ¶ 1 of Plaintiffs' Complaint, and therefore denies the same.

26 2. Defendant is without knowledge as to the truth or veracity of this allegation
27 contained in ¶ 2 of Plaintiffs' Complaint, and therefore denies the same.

1 3. Defendant is without knowledge as to the truth or veracity of this allegation
2 contained in ¶ 3 of Plaintiffs' Complaint, and therefore denies the same.

3 4. Defendant is without knowledge as to the truth or veracity of this allegation
4 contained in ¶ 4 of Plaintiffs' Complaint, and therefore denies the same.

5 5. Defendant is without knowledge as to the truth or veracity of this allegation
6 contained in ¶ 5 of Plaintiffs' Complaint, and therefore denies the same.

7 6. Defendant is without knowledge as to the truth or veracity of this allegation
8 contained in ¶ 6 of Plaintiffs' Complaint, and therefore denies the same.

9 **FACTS COMMON TO ALL CAUSES OF ACTION**

10 7. Defendant is without knowledge as to the truth or veracity of this allegation
11 contained in ¶ 7 of Plaintiffs' Complaint, and therefore denies the same.

12 8. Defendant denies the allegation contained in ¶ 8 of Plaintiffs' Complaint.

13 9. Defendant is without knowledge as to the truth or veracity of this allegation
14 contained in ¶ 9 of Plaintiffs' Complaint, and therefore denies the same.

15 10. Defendant denies the allegation contained in ¶ 10 of Plaintiffs' Complaint.

16 11. Defendant denies the allegation contained in ¶ 11 of Plaintiffs' Complaint.

17 12. Defendant denies the allegation contained in ¶ 12 of Plaintiffs' Complaint.

18 13. Defendant denies the allegation contained in ¶ 13 of Plaintiffs' Complaint.

19 14. Defendant denies the allegation contained in ¶ 14 of Plaintiffs' Complaint.

20 15. Defendant denies the allegation contained in ¶ 15 of Plaintiffs' Complaint.

21 **AFFIRMATIVE DEFENSES**

22 **FIRST AFFIRMATIVE DEFENSE**

23 ***Failure to State a Claim***

24 The Complaint, and each and every cause of action stated therein, fails to state facts
25 sufficient to constitute a cause of action, or any cause of action.

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SECOND AFFIRMATIVE DEFENSE

Action Barred by Statute of Limitations

The Complaint, and each and every cause of action contained therein is barred by the applicable Statutes of Limitations.

THIRD AFFIRMATIVE DEFENSE

Fictitious Defendant

Defendant is not legally responsible for the acts and/or omissions of those who are named as fictitious Defendant.

FOURTH AFFIRMATIVE DEFENSE

Comparative Fault

Plaintiffs’ damages, if any, were proximately caused and contributed to, in whole or in part, by Plaintiffs’ conduct, thereby completely or partially barring the Plaintiffs’ recovery herein.

FIFTH AFFIRMATIVE DEFENSE

Comparative Fault of Third Parties

Plaintiffs’ damages, if any, were proximately caused and contributed to, in whole or in part, by the acts of others; wherefore any recovery obtained by Plaintiffs from Defendant, should be reduced by an amount equal to the percentage of the fault of others who caused or contributed to the damages alleged in the Compliant.

SIXTH AFFIRMATIVE DEFENSE

Apportionment of Fault

Plaintiffs’ damages, if any, were proximately caused and contributed to, in whole or in part, by the acts of others; wherefore any recovery obtained by Plaintiffs must be divided between the Defendants so that each pays only his, her or its fair share in relationship to his, her or its amount of fault.

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SEVENTH AFFIRMATIVE DEFENSE

Assumption of the Risk

Plaintiffs knew of and fully understood the danger and risk incident to the undertaking, and voluntarily undertook the risk that led to the accident or injuries alleged in the Complaint.

EIGHTH AFFIRMATIVE DEFENSE

Consent

Plaintiffs agreed to, and participated in, those actions claimed to have caused injury or damage. Since such participation and consent were given knowingly and voluntarily, the claims are invalid.

NINTH AFFIRMATIVE DEFENSE

Failure to Mitigate Damages

Plaintiffs failed to take reasonable steps to minimize or prevent the damages alleged in the Complaint.

TENTH AFFIRMATIVE DEFENSE

Equitable Doctrines of Estoppel & Laches

Plaintiffs unreasonably delayed filing the Complaint, which has unduly and severely prejudiced the defense of the action, thereby barring or diminishing recovery herein under the Doctrines of Estoppel & Laches.

ELEVENTH AFFIRMATIVE DEFENSE

Waiver

Plaintiffs, by way of acts and omissions, have waived any entitlement to any recovery herein.

TWELFTH AFFIRMATIVE DEFENSE

Doctrine of Unclean Hands

Plaintiffs' claims are barred, in whole or in part, by the Doctrine of Unclean Hands.

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THIRTEENTH AFFIRMATIVE DEFENSE

Intervening or Supervening Cause

Plaintiffs’ damages, if any, were proximately caused, or made worse, by an event that occurred after the accident described in the complaint, thus Defendant is not responsible.

FOURTEENTH AFFIRMATIVE DEFENSE

Attorneys’ Fees

It has been necessary for Defendant to retain the services of an attorney to defend this action, and Defendant is entitled to a reasonable sum as and for attorneys’ fees.

FIFTEENTH AFFIRMATIVE DEFENSE

Defendant, pursuant to N.R.C.P. 11, reserves the right to amend this Answer to allege additional affirmative defenses, if subsequent investigation so warrants.

WHEREFORE, Defendants pray:

- 1. That Plaintiffs take nothing by way of the Complaint on file;
- 2. For an award of costs to Defendant; and
- 3. For such other and further relief as the Court deems proper.

DATED this 8th day of March, 2017.

MESSNER REEVES LLP

/s/ Christopher M. Hanley, Esq.

M. Caleb Meyer, Esq.
Nevada Bar No. 13379
Christopher M. Hanley, Esq.
Nevada Bar No. 11391
5556 S. Fort Apache Road, Suite 100
Las Vegas, Nevada 89148
Attorneys for Defendant

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1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA
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5		
6	Kimberly Stiles, Plaintiff(s)	CASE NO: A-16-746738-C
7	vs.	DEPT. NO. Department 4
8	Estate of Deloris Ann Batson,	
9	Defendant(s)	

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

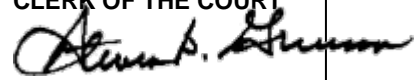
12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Judgment on Jury Verdict was served via the court's electronic eFile
system to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 7/10/2021

15	"Tina Jarchow, paralegal" .	tina@chblawyers.com
16	Benjamin Cloward .	bcloward@CHBLawyers.com
17	Benjamin Cloward .	Benjamin@richardharrislaw.com
18	Caleb Meyer .	cmeyer@messner.com
19	David J. Martin .	dmartin@richardharrislaw.com
20	Kimberly Shonfeld .	kshonfeld@messner.com
21	Olivia Bivens .	olivia@chblawyers.com
22	Olivia Bivens .	olivia@richardharrislaw.com
23	Stacey Crawford .	stacey@richardharrislaw.com
24	Tina Jarchow .	tina@richardharrislaw.com
25	Renee Finch	rfinch@messner.com
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E-file ZDOC	zdocteam@richardharrislaw.com
Nicole Griffin	ngriffin@richardharrislaw.com
Rosanne Means	rmeans@richardharrislaw.com
Mark Jackson	mjackson@richardharrislaw.com
Christina Mundy-Mamer	cmamer@messner.com
Rhonda Onorato	ronorato@messner.com
John Coupe	jcoupe@richardharrislaw.com



BENJAMIN P. CLOWARD, ESQ.

Nevada Bar No. 11087

MARK L. JACKSON, ESQ.

Nevada Bar No. 10905

RICHARD HARRIS LAW FIRM

801 South Fourth Street

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Telephone: (702) 444-4444

Facsimile: (702) 444-4455

Email: MJackson@RichardHarrisLaw.com

Attorneys for Plaintiffs

DISTRICT COURT

CLARK COUNTY, NEVADA

KIMBERLY STILES, individually, as natural
parent and legal guardian of SARAH STILES,
a minor.

Plaintiffs,

vs.

MICHELLE ORDWAY, personal
representative of the Estate of DELORIS ANN
BATSON; and DOES 1 through 20, inclusive,

Defendants.

CASE NO.: A-16-746738-C
DEPT NO.: 4

**NOTICE OF ENTRY OF JUDGMENT
UPON THE JURY VERDICT**

PLEASE TAKE NOTICE that a Judgment Upon the Jury Verdict was entered on July
10, 2021. A true and exact copy is attached hereto as **Exhibit 1**.

DATES: July 23, 2021

RICHARD HARRIS LAW FIRM

/s/ Benjamin P. Cloward, Esq.

BENJAMIN P. CLOWARD, ESQ.

Nevada Bar No. 11087

MARK L. JACKSON, ESQ.

Nevada Bar No.: 10905

801 S. Fourth Street

Las Vegas, NV 89101

CERTIFICATE OF SERVICE

Pursuant to NEFCR 9, NRCP 5(b), LR IC 4-1, and/or FRCP 5(b), I hereby certify that on this date, I caused to be served a true copy of the foregoing **NOTICE OF ENTRY OF JUDGMENT UPON THE JURY VERDICT** as follows:

- ☐ **U.S. Mail:** By depositing a true and correct copy of said document(s) via U.S. mail, with postage pre-paid and addressed as listed below.
- ☐ **Hand Delivery:** I caused said document(s) to be delivered to the address(es) list below;
- ☐ **Electronic Mail:** I caused said document(s) to be delivered by emailing an attached Adobe Acrobat PDF of the document to the email address(es) identified above.
- ☒ **Electronic Service:** I caused said document to be delivered by electronic means upon all eligible electronic recipients via the United States District Court CM/ECF system or Clark County District Court E-Filing system (Odyssey).

M. Caleb Meyer, Esq.
Renee Finch, Esq.
Christina Mundy-Mamer, Esq.
MESSNER REEVES LLP
8945 W. Russell Road, Suite 300
Attorneys for Defendant

Dated: July 23, 2021

/s/ John Coupe
An employee of RICHARD HARRIS LAW FIRM

Exhibit 1

Exhibit 1

Heather S. Harris

CLERK OF THE COURT

BENJAMIN P. CLOWARD, ESQ.

Nevada Bar No. 11087

MARK L. JACKSON, ESQ.

Nevada Bar No. 10905

RICHARD HARRIS LAW FIRM

801 South Fourth Street

Las Vegas, Nevada 89101

Telephone: (702) 444-4444

Facsimile: (702) 444-4455

Email: MJackson@RichardHarrisLaw.com

Attorneys for Plaintiffs

DISTRICT COURT

CLARK COUNTY, NEVADA

KIMBERLY STILES, individually, as natural
parent and legal guardian of SARAH STILES,
a minor.

Plaintiffs,

vs.

MICHELLE ORDWAY, personal
representative of the Estate of DELORIS ANN
BATSON; and DOES 1 through 20, inclusive,

Defendants.

CASE NO.: A-16-746738-C

DEPT NO.: 4

JUDGMENT UPON THE JURY
VERDICT

Date of Decision: June 17, 2021

This action came on for trial before the court and the jury, the Honorable, Nadia Krall,
District Judge, presiding, and the issues having been duly tried and the jury having duly
rendered its verdict.¹

IT IS ORDERED AND ADJUDGED that Plaintiff KIMBERLY STILES have and
recover of Defendant MICHELLE ORDWAY, personal representative of the Estate of
DELORIS ANN BATSON as follows:

///

///

¹ Exhibit 1: Jury Verdict

1	Past Medical Expenses:	\$222,864.51
2	Past Pain and Suffering:	\$120,000.00
3	TOTAL DAMAGES:	\$342,864.51

6 IT IS FURTHER ORDERED AND ADJUDGED that Plaintiff's past damages shall bear
7 Pre-Judgment interest in accordance with *Lee v. Ball*, 116 P.3d 64, (2005) at the rate of 3.25%
8 per annum plus 2%² from the date of service of the Summons and Complaint³, on February 15,
9 2017, through June 17, 2021, as follows:

11 **PRE-JUDGMENT INTEREST ON PAST MEDICAL DAMAGES:**

12 02/15/2017 through 6/17/2021 = **\$50,744.42**
13 [(1,583 days) at (prime rate (3.25%) plus 2 percent = 5.25%)]
14 [Interest is approximately \$ 32.06 per day]

15 **PRE-JUDGMENT INTEREST ON PAST PAIN AND SUFFERING:**

16 02/15/2017 through 6/17/2021 = **\$27,323.01**
17 [(1,583 days) at (prime rate (3.25%) plus 2 percent = 5.25%)]
18 [Interest is approximately \$17.26 per day]

19 **TOTAL JUDGMENT:**

21	Past Medical Damages	\$222,864.51
22	Past Pain and Suffering	\$120,000.00
23	Prejudgment Interest	\$78,067.43
24	TOTAL JUDGMENT	\$420,931.94

25 ///

26 ///

² Prime Rate as of July 1, 2021

³ **Exhibit 2:** Answer

1 NOW, THEREFORE, Judgment Upon the Verdict in favor of the Plaintiff is as follows:

2 KIMBERLY STILES is hereby given Two Hundred Twenty-Two Thousand Eight
3 Hundred Sixty-Four and 51/100 dollars (\$222,864.51), in past medical damages and One
4 Hundred Twenty Thousand and 00/100 dollars (\$120,000.00) in past pain and suffering
5 (totaling Three Hundred Forty-Two Thousand Eight Hundred Sixty-Four and 51/100 dollars
6 (\$342,864.51), which shall bear post-judgment interest at the current rate of 5.25% per day,
7 until satisfied.
8

9 IT IS SO ORDERED.
10

11 Dated this 10th day of July, 2021

12 
13

14 DISTRICT COURT JUDGE

15 E8B 15D 9D39 48E8

16 Nadia Krall

17 District Court Judge
18

19 Submitted by:

20 RICHARD HARRIS LAW FIRM

21 /s/ Mark L. Jackson, Esq.

22 BENJAMIN P. CLOWARD, ESQ.

23 Nevada Bar No. 11087

24 MARK L. JACKSON, ESQ.

25 Nevada Bar No. 10905

26 801 South Fourth Street

27 Las Vegas, Nevada 89101

28 Attorneys for Plaintiffs

Exhibit 1

Exhibit 1

3:20 PM
FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

JUN 17 2021

DISTRICT COURT
CLARK COUNTY, NEVADA

KIMBERLY STILES,

Plaintiffs,

vs.

MICHELLE ORDWAY, personal
representative of the Estate of DELORIS ANN
BATSON;

Defendants.

CASE NO.: A-16-746738-C

DEPT NO.: 4

JILL M CHAMBERS, DEPUTY

VERDICT FORM

VERDICT FORM

We, the jury in the above-entitled action, find for the Plaintiff and against the
Defendant and assess the total amount of the Plaintiff's damages as follows:

Past Medical Expenses \$ 222,864.51

Past Pain and Suffering \$ 120,000

Future Pain and Suffering \$ 0

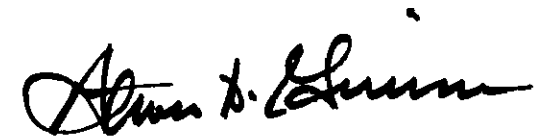
Total Damages \$ 342,864.51

DATED this 17 day of June, 2021.

#7
FOREPERSON

Exhibit 2

Exhibit 2



CLERK OF THE COURT

1 **ANS**
2 M. Caleb Meyer, Esq.
3 Nevada Bar No. 13379
4 Christopher M. Hanley, Esq.
5 Nevada Bar No. 11391
6 MESSNER REEVES LLP
7 5556 S. Fort Apache Road, Suite 100
8 Las Vegas, Nevada 89148
9 Telephone: (702) 363-5100
10 Facsimile: (702) 363-5101
11 E-mail: chanley@messner.com
12 cmeyer@messner.com
13 *Attorneys for Defendant*

9 **DISTRICT COURT**

10 **CLARK COUNTY, NEVADA**

11
12 KIMBERLY STILES, individually, as natural
13 parent and legal guardian of SARAH STILES, a
14 minor;

14 Plaintiffs,

15 vs.

16 DELORIS ANN BATSON; and DOES 1
17 through 20, inclusive,

18 Defendants.

Case No. A-16-746738-C
Dept. No. IV

**DEFENDANT DELORIS ANN
BATSON'S ANSWER TO
PLAINTIFFS' COMPLAINT**

19 COMES NOW, Defendant DELORIS ANN BATSON, by and through her counsel,
20 MESSNER REEVES LLP, and answers Plaintiffs' Complaint and responds and alleges as
21 follows:
22

23 **JURISDICTION**

24 1. Defendant is without knowledge as to the truth or veracity of this allegation
25 contained in ¶ 1 of Plaintiffs' Complaint, and therefore denies the same.

26 2. Defendant is without knowledge as to the truth or veracity of this allegation
27 contained in ¶ 2 of Plaintiffs' Complaint, and therefore denies the same.

1 3. Defendant is without knowledge as to the truth or veracity of this allegation
2 contained in ¶ 3 of Plaintiffs' Complaint, and therefore denies the same.

3 4. Defendant is without knowledge as to the truth or veracity of this allegation
4 contained in ¶ 4 of Plaintiffs' Complaint, and therefore denies the same.

5 5. Defendant is without knowledge as to the truth or veracity of this allegation
6 contained in ¶ 5 of Plaintiffs' Complaint, and therefore denies the same.

7 6. Defendant is without knowledge as to the truth or veracity of this allegation
8 contained in ¶ 6 of Plaintiffs' Complaint, and therefore denies the same.

9 **FACTS COMMON TO ALL CAUSES OF ACTION**

10 7. Defendant is without knowledge as to the truth or veracity of this allegation
11 contained in ¶ 7 of Plaintiffs' Complaint, and therefore denies the same.

12 8. Defendant denies the allegation contained in ¶ 8 of Plaintiffs' Complaint.

13 9. Defendant is without knowledge as to the truth or veracity of this allegation
14 contained in ¶ 9 of Plaintiffs' Complaint, and therefore denies the same.

15 10. Defendant denies the allegation contained in ¶ 10 of Plaintiffs' Complaint.

16 11. Defendant denies the allegation contained in ¶ 11 of Plaintiffs' Complaint.

17 12. Defendant denies the allegation contained in ¶ 12 of Plaintiffs' Complaint.

18 13. Defendant denies the allegation contained in ¶ 13 of Plaintiffs' Complaint.

19 14. Defendant denies the allegation contained in ¶ 14 of Plaintiffs' Complaint.

20 15. Defendant denies the allegation contained in ¶ 15 of Plaintiffs' Complaint.

21 **AFFIRMATIVE DEFENSES**

22 **FIRST AFFIRMATIVE DEFENSE**

23 ***Failure to State a Claim***

24 The Complaint, and each and every cause of action stated therein, fails to state facts
25 sufficient to constitute a cause of action, or any cause of action.

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SECOND AFFIRMATIVE DEFENSE

Action Barred by Statute of Limitations

The Complaint, and each and every cause of action contained therein is barred by the applicable Statutes of Limitations.

THIRD AFFIRMATIVE DEFENSE

Fictitious Defendant

Defendant is not legally responsible for the acts and/or omissions of those who are named as fictitious Defendant.

FOURTH AFFIRMATIVE DEFENSE

Comparative Fault

Plaintiffs' damages, if any, were proximately caused and contributed to, in whole or in part, by Plaintiffs' conduct, thereby completely or partially barring the Plaintiffs' recovery herein.

FIFTH AFFIRMATIVE DEFENSE

Comparative Fault of Third Parties

Plaintiffs' damages, if any, were proximately caused and contributed to, in whole or in part, by the acts of others; wherefore any recovery obtained by Plaintiffs from Defendant, should be reduced by an amount equal to the percentage of the fault of others who caused or contributed to the damages alleged in the Complaint.

SIXTH AFFIRMATIVE DEFENSE

Apportionment of Fault

Plaintiffs' damages, if any, were proximately caused and contributed to, in whole or in part, by the acts of others; wherefore any recovery obtained by Plaintiffs must be divided between the Defendants so that each pays only his, her or its fair share in relationship to his, her or its amount of fault.

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SEVENTH AFFIRMATIVE DEFENSE

Assumption of the Risk

Plaintiffs knew of and fully understood the danger and risk incident to the undertaking, and voluntarily undertook the risk that led to the accident or injuries alleged in the Complaint.

EIGHTH AFFIRMATIVE DEFENSE

Consent

Plaintiffs agreed to, and participated in, those actions claimed to have caused injury or damage. Since such participation and consent were given knowingly and voluntarily, the claims are invalid.

NINTH AFFIRMATIVE DEFENSE

Failure to Mitigate Damages

Plaintiffs failed to take reasonable steps to minimize or prevent the damages alleged in the Complaint.

TENTH AFFIRMATIVE DEFENSE

Equitable Doctrines of Estoppel & Laches

Plaintiffs unreasonably delayed filing the Complaint, which has unduly and severely prejudiced the defense of the action, thereby barring or diminishing recovery herein under the Doctrines of Estoppel & Laches.

ELEVENTH AFFIRMATIVE DEFENSE

Waiver

Plaintiffs, by way of acts and omissions, have waived any entitlement to any recovery herein.

TWELFTH AFFIRMATIVE DEFENSE

Doctrine of Unclean Hands

Plaintiffs' claims are barred, in whole or in part, by the Doctrine of Unclean Hands.

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THIRTEENTH AFFIRMATIVE DEFENSE

Intervening or Supervening Cause

Plaintiffs’ damages, if any, were proximately caused, or made worse, by an event that occurred after the accident described in the complaint, thus Defendant is not responsible.

FOURTEENTH AFFIRMATIVE DEFENSE

Attorneys’ Fees

It has been necessary for Defendant to retain the services of an attorney to defend this action, and Defendant is entitled to a reasonable sum as and for attorneys’ fees.

FIFTEENTH AFFIRMATIVE DEFENSE

Defendant, pursuant to N.R.C.P. 11, reserves the right to amend this Answer to allege additional affirmative defenses, if subsequent investigation so warrants.

WHEREFORE, Defendants pray:

- 1. That Plaintiffs take nothing by way of the Complaint on file;
- 2. For an award of costs to Defendant; and
- 3. For such other and further relief as the Court deems proper.

DATED this 8th day of March, 2017.

MESSNER REEVES LLP

/s/ Christopher M. Hanley, Esq.

M. Caleb Meyer, Esq.
Nevada Bar No. 13379
Christopher M. Hanley, Esq.
Nevada Bar No. 11391
5556 S. Fort Apache Road, Suite 100
Las Vegas, Nevada 89148
Attorneys for Defendant

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1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA
4

5		
6	Kimberly Stiles, Plaintiff(s)	CASE NO: A-16-746738-C
7	vs.	DEPT. NO. Department 4
8	Estate of Deloris Ann Batson,	
9	Defendant(s)	

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 7/10/2021

15 "Tina Jarchow, paralegal" .	tina@chblawyers.com
16 Benjamin Cloward .	bcloward@CHBLawyers.com
17 Benjamin Cloward .	Benjamin@richardharrislaw.com
18 Caleb Meyer .	cmeyer@messner.com
19 David J. Martin .	dmartin@richardharrislaw.com
20 Kimberly Shonfeld .	kshonfeld@messner.com
21 Olivia Bivens .	olivia@chblawyers.com
22 Olivia Bivens .	olivia@richardharrislaw.com
23 Stacey Crawford .	stacey@richardharrislaw.com
24 Tina Jarchow .	tina@richardharrislaw.com
25 Renee Finch	rfinch@messner.com
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E-file ZDOC	zdocteam@richardharrislaw.com
Nicole Griffin	ngriffin@richardharrislaw.com
Rosanne Means	rmeans@richardharrislaw.com
Mark Jackson	mjackson@richardharrislaw.com
Christina Mundy-Mamer	cmamer@messner.com
Rhonda Onorato	ronorato@messner.com
John Coupe	jcoupe@richardharrislaw.com

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

July 19, 2018

A-16-746738-C Kimberly Stiles, Plaintiff(s)
vs.
Estate of Deloris Ann Batson, Defendant(s)

July 19, 2018 11:00 AM Pretrial/Calendar Call

HEARD BY: Earley, Kerry **COURTROOM:** RJC Courtroom 12D

COURT CLERK: Phyllis Irby
Elizabeth Vargas

RECORDER: Sharon Nichols

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Kristopher Helmick, Esq. present on behalf of Plaintiff. Scott Rogers, Esq. on behalf of Defendant. Counsel expressed there was a scheduling conflict. Colloquy regarding Court's trial schedule. COURT ORDERED, trial date VACATED and RESET.

12/24/18 11:00 AM CALENDAR CALL

1/2/19 9:00 AM JURY TRIAL

CLERK'S NOTE: These minutes were completed using the JAVS recording. //ev 7/30/18

DISTRICT COURT
CLARK COUNTY, NEVADA

Negligence - Auto

COURT MINUTES

December 19, 2018

A-16-746738-C Kimberly Stiles, Plaintiff(s)
vs.
Estate of Deloris Ann Batson, Defendant(s)

December 19, 2018 11:00 AM Calendar Call

HEARD BY: Earley, Kerry

COURTROOM: RJC Courtroom 12D

COURT CLERK:

Elizabeth Vargas

RECORDER: Sharon Nichols

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Christopher Helmick, Esq. present on behalf of Plaintiff; Renee Finch, Esq. present on behalf of Defendant. Mr. Helmick stated his expert was out of the country and requested the trial date be continued to the next stack. COURT ORDERED, trial date VACATED and RESET.

4/25/19 11:00 AM CALENDAR CALL

5/13/19 9:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

January 17, 2019

A-16-746738-C	Kimberly Stiles, Plaintiff(s) vs. Estate of Deloris Ann Batson, Defendant(s)
---------------	--

January 17, 2019 9:00 AM All Pending Motions

HEARD BY: Earley, Kerry **COURTROOM:** RJC Courtroom 12D

COURT CLERK: Elizabeth Vargas

RECORDER: Sharon Nichols

REPORTER:

PARTIES

PRESENT: Knauss, Steven Gregory Attorney

JOURNAL ENTRIES

- DEFENDANT'S MOTION IN LIMINE NO 1 TO EXCLUDE ANY ARGUMENT THAT DEFENDANT IS AVOIDING RESPONSIBILITY... PLAINTIFF'S MOTION IN LIMINE NO 1 TO ALLOW VOIR DIRE QUESTIONING REGARDING VERDICT AMOUNTS

Kristopher Helmick, Esq. present on behalf of Plaintiff. Court advised the Motion lacked case law and needed to be updated. COURT ORDERED, Plaintiff's Motion in Limine No 1 to Allow Voir Dire Questioning Regarding Verdict Amounts GRANTED, pursuant to the Khoury case, however not to the point of indoctrination. COURT FURTHER ORDERED, Defendant's Motion in Limine No 1 to Exclude Any Argument that Defendant is Avoiding Responsibility GRANTED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

January 14, 2021

A-16-746738-C	Kimberly Stiles, Plaintiff(s)
	vs.
	Estate of Deloris Ann Batson, Defendant(s)

January 14, 2021 11:00 AM Calendar Call

HEARD BY: Krall, Nadia **COURTROOM:** RJC Courtroom 03E

COURT CLERK: Michaela Tapia

RECORDER: Stacey Ray

REPORTER:

PARTIES

PRESENT:	Jackson, Mark L	Attorney
	Meyer, Michael C.	Attorney

JOURNAL ENTRIES

- Parties advised ready for trial. Colloquy regarding trial schedule. COURT ORDERED, trial date VACATED and RESET.

2/11/21 11:00 AM CALENDAR CALL

3/15/21 9:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

February 18, 2021

A-16-746738-C	Kimberly Stiles, Plaintiff(s)
	vs.
	Estate of Deloris Ann Batson, Defendant(s)

February 18, 2021 11:00 AM Calendar Call

HEARD BY: Krall, Nadia **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Carolyn Jackson

RECORDER: Stacey Ray

REPORTER:

PARTIES

PRESENT:	Jackson, Mark L	Attorney
	Meyer, Michael C.	Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, the parties announced not ready for trial. Mr. Meyer advised he was recently informed the Defendant is deceased. Further, Mr. Meyer advised he is in the process of obtaining the death certificate and is working to ascertaining the appropriate party or parties to be substituted as it is unknown at this time since the estate matter has not been procedurally opened. Mr. Meyer requested a continuance of 30-45 days to ascertain the death certificate and the appropriate party or parties to be substituted. Mr. Jackson advised the Plaintiff understood the circumstances and would agree to a continuance. Upon Court's further inquiry, the parties advised 10 days would be needed for trial. Colloquy regarding scheduling issues. COURT ORDERED, matter SET for status check regarding trial readiness and trial.

03/16/21 09:00 AM STATUS CHECK: TRIAL READINESS

05/11/21 11:00 AM CALENDAR CALL

05/24/21 09:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto**COURT MINUTES****March 16, 2021**

A-16-746738-C Kimberly Stiles, Plaintiff(s)
vs.
Estate of Deloris Ann Batson, Defendant(s)

**March 16, 2021 9:00 AM Status Check: Trial
Readiness**

HEARD BY: Krall, Nadia**COURTROOM:** RJC Courtroom 03C**COURT CLERK:** Madalyn Kearney**RECORDER:** Stacey Ray**REPORTER:****PARTIES**

PRESENT: Jackson, Mark L Attorney
Meyer, Michael C. Attorney

JOURNAL ENTRIES

- Counsel present via BlueJeans.

Upon Court's inquiry as to counsel's readiness for trial, Mr. Meyer advised they need to do a suggestion of death for his client and get the pleadings to have a substitution of the estate on behalf of Defendant. Mr. Meyer added they have a motion pending from Plaintiff regarding a substitution of a party. Mr. Jackson concurred and advised they wanted to get the motion on calendar as soon as the estate was set up. Upon Court's inquiry, Mr. Meyer confirmed he had no objection to the motion. Court directed counsel to submit a stipulation and order regarding the motion by the end of the week. Court noted jury trials are proceeding at the Convention Center. Mr. Jackson estimated 5-7 days for trial and Mr. Meyer concurred. Court inquired if counsel will need more than one day for voir dire. Counsel confirmed they do not. Colloquy regarding the May 24th stack. COURT ORDERED, Jury Trial SET for June 14, 2021 at 9:00 am at the Las Vegas Convention Center with voir dire to be conducted on June 10, 2021 at the Regional Justice Center. COURT FURTHER ORDERED, Status Check regarding trial readiness CONTINUED.

5/27/21 9:00 AM STATUS CHECK: TRIAL READINESS

6/14/21 9:00 AM JURY TRIAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Negligence - Auto

COURT MINUTES

March 16, 2021

A-16-746738-C Kimberly Stiles, Plaintiff(s)
vs.
Estate of Deloris Ann Batson, Defendant(s)

March 16, 2021 4:00 PM Minute Order

HEARD BY: Krall, Nadia **COURTROOM:** Chambers

COURT CLERK: Madalyn Kearney

RECORDED:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- The Court notes that Plaintiff's Motion to Substitute Parties Pursuant to NRCP 25 was set for hearing on the oral civil motion calendar for April 27, 2021 at 9:00 a.m.

The Court also notes that Parties indicated, during the March 16, 2021 Status Check, that a proposed Stipulation and Order granting Plaintiff s Motion if forthcoming.

Therefore, the Court hereby VACATES the hearing on April 27, 2021.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Madalyn Kearney, to all registered parties for Odyssey File & Serve. /mk 3/16/21

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

May 11, 2021

A-16-746738-C	Kimberly Stiles, Plaintiff(s)
	vs.
	Estate of Deloris Ann Batson, Defendant(s)

May 11, 2021 11:00 AM Calendar Call

HEARD BY: Krall, Nadia **COURTROOM:** RJC Courtroom 03C

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Jackson, Mark L Attorney

JOURNAL ENTRIES

- Renee Finch, present.

Counsel announced ready for trial and estimated 5 days. Trial date STANDS.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

May 27, 2021

A-16-746738-C	Kimberly Stiles, Plaintiff(s) vs. Estate of Deloris Ann Batson, Defendant(s)
---------------	--

May 27, 2021	9:00 AM	Status Check: Trial Readiness
---------------------	----------------	--

HEARD BY: Krall, Nadia **COURTROOM:** RJC Courtroom 03C

COURT CLERK: Alice Jacobson

RECORDER: Angelica Michaux

REPORTER:

PARTIES

PRESENT:	Cloward, Benjamin P.	Attorney
	Jackson, Mark L	Attorney

JOURNAL ENTRIES

- Counsel announced ready for trial and estimated 8 witness. COURT ORDERED, jury selection set for 6/10/21 at 8:00am. COURT INSTRUCTED counsel to meet in Dept 4 prior to take any issues outside the presence.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

June 10, 2021

A-16-746738-C	Kimberly Stiles, Plaintiff(s)
	vs.
	Estate of Deloris Ann Batson, Defendant(s)

June 10, 2021 8:00 AM Jury Trial

HEARD BY: Krall, Nadia **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Kory Schlitz

RECORDER: Trisha Garcia

REPORTER:

PARTIES

PRESENT:	Cloward, Benjamin P.	Attorney
	Finch, Renee M.	Attorney
	Jackson, Mark L	Attorney
	Meyer, Michael C.	Attorney

JOURNAL ENTRIES

- PROSPECTIVE JURY PRESENT
Voir Dire starts.

COURT ORDERED, matter CONTINUED.

CONTINUED TO: 6/14/2021 9:00 A.M.

DISTRICT COURT
CLARK COUNTY, NEVADA

Negligence - Auto

COURT MINUTES

June 11, 2021

A-16-746738-C Kimberly Stiles, Plaintiff(s)
vs.
Estate of Deloris Ann Batson, Defendant(s)

June 11, 2021 8:00 AM Jury Trial

HEARD BY: Krall, Nadia **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Jill Chambers

RECORDER: Matt Yarbrough

REPORTER:

PARTIES

PRESENT:	Cloward, Benjamin P.	Attorney
	Finch, Renee M.	Attorney
	Jackson, Mark L	Attorney
	Meyer, Michael C.	Attorney
	Stiles, Kimberly	Plaintiff

JOURNAL ENTRIES

- INSIDE THE PRESENCE OF THE PROSPECTIVE JURY.

Voir Dire CONTINUED.

Jury selected and SWORN. Opening arguments. Jury admonished and excused for the weekend recess.

OUTSIDE THE PRESENCE OF THE JURY.

Mr. Meyer placed his objections of the record.

COURT ORDERED, JURY TRIAL, CONTINUED.

CONTINUED TO: 6/14/21 8:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

June 15, 2021

A-16-746738-C	Kimberly Stiles, Plaintiff(s)
	vs.
	Estate of Deloris Ann Batson, Defendant(s)

June 15, 2021 9:00 AM Jury Trial

HEARD BY: Krall, Nadia **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Jill Chambers

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Cloward, Benjamin P.	Attorney
	Finch, Renee M.	Attorney
	Jackson, Mark L	Attorney
	Meyer, Michael C.	Attorney
	Stiles, Kimberly	Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY

Colloquy regarding the Jury instructions.

INSIDE THE PRESENCE OF THE JURY

Testimony and exhibits presented. (See worksheets)

Jury admonished and excused for the evening recess.

Mr. Meyer placed objections on the record. COURT ORDERED, TRIAL CONTINUED.

CONTINUED TO: 6/16/21 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

June 16, 2021

A-16-746738-C	Kimberly Stiles, Plaintiff(s) vs. Estate of Deloris Ann Batson, Defendant(s)
---------------	--

June 16, 2021 9:00 AM Jury Trial

HEARD BY: Krall, Nadia **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Jill Chambers

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Cloward, Benjamin P.	Attorney
	Finch, Renee M.	Attorney
	Jackson, Mark L	Attorney
	Meyer, Michael C.	Attorney
	Stiles, Kimberly	Plaintiff

JOURNAL ENTRIES

- INSIDE THE PRESENCE OF THE JURY

Testimony and exhibits presented. (See worksheets)

Jury admonished and excused for the evening recess.

OUTSIDE THE PRESENCE OF THE JURY

Court finalized Jury instructions with counsel.

COURT ORDERED, JURY TRIAL CONTINUED.

CONTINUED TO: 6/17/21 8:30 AM

DISTRICT COURT
CLARK COUNTY, NEVADA

Negligence - Auto

COURT MINUTES

June 17, 2021

A-16-746738-C Kimberly Stiles, Plaintiff(s)
vs.
Estate of Deloris Ann Batson, Defendant(s)

June 17, 2021 8:30 AM Jury Trial

HEARD BY: Krall, Nadia **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Jill Chambers

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Cloward, Benjamin P.	Attorney
	Finch, Renee M.	Attorney
	Jackson, Mark L	Attorney
	Meyer, Michael C.	Attorney
	Stiles, Kimberly	Plaintiff

JOURNAL ENTRIES

- INSIDE THE PRESENCE OF THE JURY

Court read the Jury instructions.

Closing arguments by counsel.

Jury retired to deliberate at 12:22 PM.

Jury returned with the following verdict in favor of the Pltf. at 3:20 PM:

Past Medical Expenses - \$222,864.51;
Past Pain and Suffering - \$120,000.00;

Future Pain and Suffering - \$0.00;
Total Damages - \$342,864.51.

Court thanked and excused the Jury.

JOINT TRIAL EXHIBIT LIST TRIAL DATE: 6/10/2021

Case No. A-16-746738-C	Clerk: [INSERT]
Dept: 4	Recorder: Stacey Ray
Plaintiffs: KIMBERLY STILES Defendants: MICHELLE ORDWAY, personal representative of the Estate of DELORIS ANN BATSON	Plaintiffs' Counsel: BENJAMIN P. CLOWARD, ESQ. MARK L. JACKSON, ESQ. Defendant's Counsel: RENEE M. FINCH, ESQ. M. CALEBY MEYER, ESQ.

NO.	EXHIBIT	BATES	Date Offered	Obj.	Date Admitted	
1.	Traffic Accident Report [Plaintiff's Proposed]	Ex. 1-001 – Ex. 1-007	6-17-21	X	6-17-21	ux
2.	Affidavit of Chris T. Beynon [Plaintiff's Proposed]	Ex. 2-001	6-14-21	X	6-14-21	ux
3.	Las Vegas Fire & Rescue					
3A.	Medical Records	Ex. 3A-001 – Ex. 3A-011	6-14-21	NO OBJ	6-14-21	ux
3B.	Billing Records	Ex. 3B-001				
4.	University Medical Center					
4A.	Medical Records	Ex. 4A-001 – Ex. 4A-044	6-14-21	NO OBJ	6-14-21	ux
4B.	Billing Records	Ex. 4B-001 – Ex. 4B-002				
5.	EMP of Clark billing records	Ex. 5-001 – Ex. 5-002				
6.	Desert Radiology					
6A.	Medical Records	Ex 6A-001 – Ex 6A-002				

JOINT TRIAL EXHIBIT LIST

Case No. A-16-746738-C,
Kimberly Stiles v. Michelle Ordway, personal representative of the Estate of Deloris Ann Batson

6B.	Billing Records	Ex. 6B-001 – Ex. 6B-003				
7.	S.P.O.R.T.S., LLC					
7A.	Medical Records	Ex. 7A-001 – Ex. 7A-142	6-14-21	NO OBJ	6-14-21	WR
7B.	Billing Records	Ex. 7B-001 – Ex. 7B-005				
8.	Steinberg Diagnostics Medical Imaging					
8A.	Medical Records	Ex. 8A-001 – Ex. 8A-025	6-14-21	NO OBJ	6-14-21	WR
8B.	Billing Records	Ex. 8B-001 – Ex. 8B-005				
9.	Nevada Orthopedic and Spine Center medical					
9A.	Medical Records	Ex. 9A-001 – Ex. 9A-026	6-14-21	NO OBJ	6-14-21	WR
9B.	Billing Records	Ex. 9B-001 – Ex. 9B-005				
10.	Western Regional Center for Brain and Spine/Las Vegas Neurosurgical Institute					
10A.	Medical Records	Ex. 10A-001 – Ex. 10A-138	6-14-21	NO OBJ	6-14-21	WR
10B.	Billing Records	Ex. 10B-001 – Ex. 10B-011				
11.	Interventional Pain and Spine Institute					
11A.	Medical Records	Ex. 11A-001 – Ex. 11A-062	6-14-21	NO OBJ	6-14-21	WR
11B.	Billing Records	Ex. 11B-001 – Ex. 11B-002				
12.	Surgical Arts Center					

JOINT TRIAL EXHIBIT LIST

Case No. A-16-746738-C,
Kimberly Stiles v. Michelle Ordway, personal representative of the Estate of Deloris Ann Batson

12A.	Medical Records	Ex. 12A-001 – Ex. 12A-067	6-14-21	No OBJ	6-14-21	WA
12B.	Billing Records	Ex. 12B-001- Ex. 12B-004				
13.	Open-Sided MRI					
13A.	Medical Records	Ex. 13A-001 – Ex. 13A-003				
13B.	Billing Records	Ex. 13B-001- Ex. 13B-003				
14.	Las Vegas Radiology					
14A.	Medical Records	Ex. 14A-001 – Ex. 14A-010				
14B.	Billing Records	Ex. 14B-001 – Ex. 14B-004				
15.	Precision Diagnostic Imaging	Ex. 15-001 – Ex. 15-002				
16.	Mountain View Hospital					
16A.	Medical Records	Ex. 16A-001 – Ex. 16A-232	6-14-21	No OBJ	6-14-21	WA
16B.	Billing Records	Ex. 16B-001- Ex. 16B-007				
17.	CVS Pharmacy	Ex. 17-001 – Ex. 17-007				
18.	Forte Family Practice	Ex. 18-001 – Ex. 18-052	6-14-21	No OBJ	6-14-21	WA
19.	Photographs of property damage	Ex. 19-001 – Ex. 19-028				
20.	Property Damage Estimate – Plaintiff's vehicle	Ex. 20-001 – Ex. 20-009				
21.	Kimberly Stiles recorded statement	Ex. 21-001 – Ex. 21-008				
22.	Jason Garber, M.D. – Curriculum Vitae, Fee Schedule, and Testimony History [Plaintiff Expert]	Ex. 21-001 – Ex. 21-008				

JOINT TRIAL EXHIBIT LIST

Case No. A-16-746738-C,
Kimberly Stiles v. Michelle Ordway, personal representative of the Estate of Deloris Ann Batson

23.	Hans Jorg Rosler – Curriculum Vitae, Fee Schedule, and Testimony History [Plaintiff Expert]	Ex. 22-001 – Ex. 22-013			
24.	Defendant's Responses to Plaintiff's Interrogatories	Ex. 23-001 – Ex. 23-012			
25.	<i>Intentionally Left Blank</i>				
26.	Initial Expert Report by Dr. Mark Rosen, dated October 2, 2018. [Defendant's Proposed]	Ex. 26-001- Ex. 26-011		X	
27.	Curriculum Vitae of Dr. Mark Rosen. [Defendant's Proposed]	Ex. 27-001- Ex. 27-003		X	
28.	Fee Schedule of Dr. Mark Rosen. [Defendant's Proposed]	Ex. 28-001		X	
29.	Testimony History of Dr. Mark Rosen. [Defendant's Proposed]	Ex. 29-001- Ex. 29-006		X	
30.	Property Damages Estimate – Defendant's Van [Defendant's Proposed]	Ex. 30-001 – Ex. 30-004		X	
31.	Daniel Lee, M.D. Curriculum Vitae [Defendant's Expert]	Ex. 31-001 – Ex. 31-006			
32.	Daniel Lee, M.D. Fee Schedule [Defendant's Expert]	Ex. 32-001			
33.	Daniel Lee, M.D. Testimony List [Defendant's Expert]	Ex. 33-001 – Ex. 33-002			
34.	Daniel Lee, M.D.'s June 6, 2019 Expert Report [Defendant's Expert][Defendant's Proposed]	Ex. 34-001 – Ex. 34-040		X	
35.	Daniel Lee, M.D.'s July 7, 2019 Supplemental Expert Report [Defendant's Expert][Defendant's Proposed]	Ex. 35-001 – Ex. 35-005		X	
36.	Daniel Lee, M.D.'s January 7, 2020 Supplemental Expert Report [Defendant's Expert][Defendant's Proposed]	Ex. 36-001 – Ex. 36-013		X	

JOINT TRIAL EXHIBIT LIST

Case No. A-16-746738-C,
Kimberly Stiles v. Michelle Ordway, personal representative of the Estate of Deloris Ann Batson

37.	Daniel Lee, M.D.'s August 8, 2020 Supplemental Expert Report [Defendant's Expert][Defendant's Proposed]	Ex. 37-001 – Ex. 37-019		X	
38.	Zoran Maric, M.D. Curriculum Vita [Defendant's Expert]	Ex. 38-001 – Ex. 38-004			
39.	Zoran Maric, M.D. Fee Schedule [Defendant's Expert]	Ex. 39-001			
40.	Zoran Maric, M.D. Testimony List [Defendant's Expert]	Ex. 40-001 – Ex. 40-012			
41.	Zoran Maric, M.D.'s January 20, 2018 Record Review [Defendant's Expert][Defendant's Proposed]	Ex. 41-001 – Ex. 41-011		X	
42.	Zoran Maric, M.D.'s March 10, 2018 Addendum Report [Defendant's Expert][Defendant's Proposed]	Ex. 42-001 – Ex. 42-004		X	
43.	Zoran Maric, M.D.'s July 17, 2018 Addendum Report [Defendant's Expert][Defendant's Proposed]	Ex. 43-001 – Ex. 43-002		X	
44.	Zoran Maric, M.D.'s December 4, 2018 Addendum Report [Defendant's Expert][Defendant's Proposed]	Ex. 44-001 – Ex. 44-004		X	
45.	Zoran Maric, M.D.'s August 13, 2020 Addendum Report [Defendant's Expert][Defendant's Proposed]	Ex. 45-001 – Ex. 45-009		X	
46.	Plaintiff Kimberly Stiles' Answers to Defendant's Interrogatories	Ex. 46-001 – Ex. 46-019	BY DEFT. 6-14-21	NO OBJ	Subject to MODIFICATION W2
47.	Plaintiff Kimberly Stiles' Responses to Defendant's Request for Admissions	Ex. 47-001 – Ex. 47-006			
48.	Plaintiff Kimberly Stiles' Responses to Defendant's Request for Production of Documents	Ex. 48-001 – Ex. 48-010			

COURT'S EXHIBITS

CASE NO. A746738

		Date Offered	Objection	Date Admitted	
1	Juror question #2	6.11.21		6.11.21	vn
2	" " "	6.15.21		6.15.21	vn
3	" " "	"		"	vx
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EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

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

DATE: August 6, 2021
CASE: A-16-746738-C

RE CASE: KIMBERLY STILES vs. ESTATE OF DELORIS ANN BATSON

NOTICE OF APPEAL FILED: August 4, 2021

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)**
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)**
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
 - *Previously paid Bonds are not transferable between appeals without an order of the District Court.*
- ☐ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

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

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

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

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL (FOR DEFENDANTS ESTATE OF DELORIS ANN BATSON AND MICHELLE ORDWAY, PERSONAL REPRESENTATIVE OF THE ESTATE OF DELORIS AN BATSON); CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; JUDGMENT UPON THE JURY VERDICT; NOTICE OF ENTRY OF JUDGMENT UPON THE JURY VERDICT; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

KIMBERLY STILES,

Plaintiff(s),

vs.

ESTATE OF DELORIS ANN BATSON,

Defendant(s),

Case No: A-16-746738-C

Dept No: IV

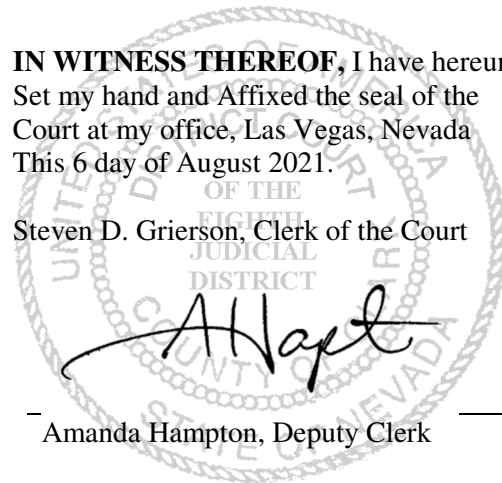
now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 6 day of August 2021.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk





**EIGHTH JUDICIAL DISTRICT COURT
CLERK OF THE COURT**

REGIONAL JUSTICE CENTER
200 LEWIS AVENUE, 3rd FL.
LAS VEGAS, NEVADA 89155-1160
(702) 671-4554

Steven D. Grierson
Clerk of the Court

Anntoinette Naumec-Miller
Court Division Administrator

August 6, 2021

Elizabeth A. Brown
Clerk of the Court
201 South Carson Street, Suite 201
Carson City, Nevada 89701-4702

RE: KIMBERLY STILES vs. ESTATE OF DELORIS ANN BATSON
D.C. CASE: A-16-746738C

Dear Ms. Brown:

Please find enclosed a Notice of Appeal packet, filed August 4, 2021. Due to extenuating circumstances minutes from the date(s) listed below have not been included:

June 14, 2021

We do not currently have a time frame for when these minutes will be available.

If you have any questions regarding this matter, please contact me at (702) 671-0512.

Sincerely,
STEVEN D. GRIERSON, CLERK OF THE COURT

A handwritten signature in black ink, appearing to read "A Hampton", is written over a horizontal line.

Amanda Hampton, Deputy Clerk