

Electronically Filed  
Jan 19 2022 03:14 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA  
OFFICE OF THE CLERK

|                                       |   |                                       |
|---------------------------------------|---|---------------------------------------|
| ORENTHAL JAMES SIMPSON                | ) |                                       |
|                                       | ) |                                       |
| Appellant,                            | ) | <b>Supreme Court No. 83899</b>        |
|                                       | ) | District Court Case No. A-21-828836-F |
| vs.                                   | ) |                                       |
|                                       | ) |                                       |
| FREDRIC GOLDMAN, an Individual,       | ) |                                       |
| and as Personal Representative of the | ) |                                       |
| Estate of RONALD LYLE GOLDMAN,        | ) |                                       |
| Deceased,                             | ) |                                       |
|                                       | ) |                                       |
| Respondent.                           | ) |                                       |

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**DOCKETING STATEMENT CIVIL APPEALS**

1. The Eighth Judicial District Court, Department 5, Clark County, The Honorable Veronica Barisich; Senior Judge The Honorable James Bixler; District Court Case No. A-21-828836-F.

2. **Attorney filing this docketing statement:** Malcolm P. LaVergne, Esq., 702.448.7981, Malcolm P. LaVergne & Associates, 400 South 4th Street, Suite 500, Las Vegas, Nevada 89101.

Client is Appellant Orenthal James Simpson.

3. **Attorney(s) representing respondents(s):** Larson A. Welsh, Esq., Hayes & Welsh, 702.434.3444, 199 North Arroyo Grande Boulevard, Suite 200, Henderson, Nevada 89074.

Clients are Respondents Fredric Goldman; Estate of Ronald Lyle Goldman.

4. **Nature of disposition below:** Debt collection matter involving a foreign domesticated judgment. Denial of a NRCP 60(b) motion for relief from judgment.

5. **Does this appeal raise issues concerning any of the following (Child Custody, Venue, or Termination of parental rights)?** No.

6. **Pending and prior proceedings in this court.**

There are no pending or prior proceedings in this court related to the appeal from this trial court case number. There is a related appeal that may be consolidated later.

7. **Pending and prior proceedings in other courts.** Fredric Goldman et al. v. Orenthal James Simpson, Eighth Judicial District Court, Clark County, Nevada (Honorable Eric Johnson), 09A581066.

8. **Nature of the action:** Debt collection matter from a California foreign judgment. California foreign judgment was domesticated in Nevada in 2009, which by law expired in 2015. In 2021, Respondent domesticated the California judgment again in Nevada. Appellant sought relief from the 2021 foreign judgment. The trial court denied Respondent's motion.

9. **Issues on Appeal:** The principal issue on appeal is:

(1) whether the trial court erred as a matter of law in denying Appellant's relief from judgment on a foreign domesticated judgment that previously had been domesticated in Nevada in 2009, actively litigated in Nevada in 2009, and expired by Nevada law in 2015.

10. **Pending proceedings in this court raising the same or similar issues.**

Appellant is unaware of any pending proceedings raising the same or similar issues other than the ones cited above that have not been docketed at the Supreme Court of Nevada at the time of this filing.

11. **Constitutional issues.** Not applicable.

12. **Other issues. Does this appeal involve any of the following issues?**

Not applicable.

13. **Assignment to the Court of Appeals or Retention in the Supreme Court.**

This case is presumptively assigned to the Court of Appeals pursuant to NRAP 17(b)(7). The Supreme Court of Nevada might consider exercising jurisdiction pursuant to NRAP 17(a)(12) and a case entitled Bianchi v. Bank of Nevada, 186 P.3d 890 (Nev. 2008), the public figure status of both Appellant Orenthal Simpson and Respondent Fredric Goldman, and the amount of the debt.

14. **Trial.**

No trial.

15. **Judicial Disqualification.** Appellant does not intend to file a motion to disqualify any sitting Justices at either the Court of Appeals or Supreme Court of Nevada.

**TIMELINESS OF NOTICE OF APPEAL**

16. **Date of entry of written judgment or order appealed from:**

The Order Denying Defendant's Motion for Relief from Judgment and Granting Plaintiff's Motion for Judicial Assignment of Defendant's Personal Property was filed on June 3, 2021.

**17. Date written notice of entry of judgment or order was served:**

Written notice of entry of the Order Denying Defendant's Motion for Relief from Judgment and Granting Plaintiff's Motion for Judicial Assignment of Defendant's Personal Property was filed and served electronically on June 4, 2021.

**18. If the time for filing the notice of appeal was tolled by a post-judgment motion (NRCP 50(b), 52(b), or 59):**

**(a) Specify the type of motion, the date and method of service of the motion, and the date of filing.**

Defendant filed a Motion to Alter or Amend pursuant to NRCP 59, by electronic service, on July 2, 2021.

**(b) Date of entry of written order resolving tolling motion.**

The Order Denying Orenthal James Simpson's Motion to Alter or Amend Judgment and Order Granting Fredric Goldman's Ex Parte Application for Order Allowing Examination of Judgment Debtor was filed on October 22, 2021.<sup>1</sup>

**(c) Date written notice of entry of order resolving tolling motion was served.**

Notice of Entry of Orders Denying and Granting was filed and served electronically on November 3, 2021.

**19. Date notice of appeal filed:** December 2, 2021.

**20. Specify statute or rule governing the time limit for filing the notice of appeal:** NRAP 4(a)(1). NRAP(a)(1)(4)(C).

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<sup>1</sup> Appellant is not appealing that part of the order granting a judgment debtor examination.

## SUBSTANTIVE APPEALABILITY

21. **Specify statute or other authority granting this court jurisdiction to review the judgment or order appealed from:** That part of the order denying Appellant's motion for relief from judgment under NRCP 60(b), is appealable pursuant to Holiday Inn v. Barnett, 103 Nev. 60, 63, 732 P.2d 1376, 1379 (1987).<sup>2</sup>

22. **List all parties involved in the action or consolidated in the district court:**

(a) **Parties:** Fredric Goldman; Fredric Goldman, as personal representative of the Estate of Ronald Lyle Goldman, Deceased. Orenthal James Simpson.

(b) **If all parties in the district court are not parties to this appeal, explain in detail why those parties are not involved in this appeal:**

Not applicable.<sup>3</sup>

23. **Give a brief description (3 to 5 words) of each party's separate claims, counterclaims, cross-claims, or third-party claims and the date of formal disposition of each claim:**

Debt collection matter regarding a foreign judgment. Appellant sought to vacate a monetary judgment that had not been renewed after six years in accordance with Nevada law through a motion for relief from judgment, which was denied by the trial court on June 3, 2021.

---

<sup>2</sup> Appellant is not appealing that part of the order granting a judicial assignment against Appellant.

<sup>3</sup> Garnishee Nevada Property 1 LLC dba The Cosmopolitan of Las Vegas was involved in proceedings at the trial level but was relieved of any further involvement as the result of a judgment entered against Respondent by the trial court on October 8, 2021.

24. Did the judgment or order appealed from adjudicate ALL claims alleged below and the rights and liabilities of ALL the parties to the action or consolidated actions below?

Yes.<sup>4</sup>

25. If you answered “No” to question 23, complete the following:

Not applicable.

26. If you answered “No” to any part of question 24, explain the basis for seeking appellate review:

Not applicable.

27. Attach file-stamped copies of the following documents:

See attached.

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<sup>4</sup> To be clear, this is a post-judgment enforcement action originating from another state. The order appealed from is challenging the validity of that foreign judgment to be enforced in Nevada.

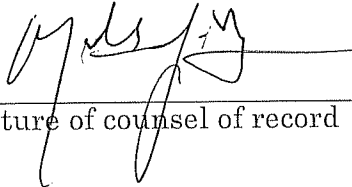
## VERIFICATION

I declare under penalty of perjury that I have read this docketing statement, that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief, and that I have attached all required documents to this docketing statement.

Orenthal James Simpson  
Name of appellant

Malcolm P. LaVergne, Esq.  
Name of counsel of record

January 19, 2022  
Date

  
Signature of counsel of record

Nevada, Clark County  
State and county where signed

## CERTIFICATE OF SERVICE

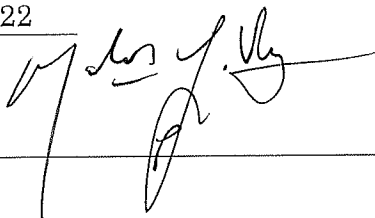
I certify that on the 19th day of January, 2022, I served a copy of this completed docketing statement upon all counsel of record:

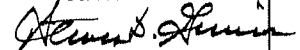
- ☐ By personally serving it upon him/her; or
- ☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es): (NOTE: If all names and addresses cannot fit below, please list names below and attach a separate sheet with the addresses.)

Larson A. Welsh, Esq.  
199 North Arroyo Grande Boulevard, Suite 200  
Henderson, Nevada 89074

Lansford W. Levitt, Settlement Judge  
4230 Christy Way  
Reno, Nevada 89519

Dated this 19th day of January, 2022

  
Signature

  
CLERK OF THE COURT

**ORDR**

LARSON A. WELSH, ESQ.  
Nevada State Bar No. 12517  
LAW OFFICE OF HAYES & WELSH  
199 No. Arroyo Grande Blvd., Suite 200  
Henderson, Nevada 89074  
Phone: 702-434-3444  
Fax #: 702-434-3739  
[lwelsh@lvlaw.com](mailto:lwelsh@lvlaw.com); [k.bratton@hayesandwelsh.onmicrosoft.com](mailto:k.bratton@hayesandwelsh.onmicrosoft.com)

*Attorneys for Plaintiff/Judgment Creditor*

EIGHTH JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA

FREDRIC GOLDMAN, an individual, and  
as personal representative of the Estate of  
Ronald Lyle Goldman, Deceased,

Plaintiff/ Judgment Creditor,

v.

ORENTHAL JAMES SIMPSON,

Defendant/ Judgment Debtor.

CASE NO.: A-21-828836-F  
Dept. No.: V (5)

**ORDER DENYING ORENTHAL JAMES SIMPSON'S MOTION FOR RELIEF  
FROM JUDGMENT**

and

**ORDER GRANTING FREDRIC GOLDMAN'S MOTION FOR JUDICIAL  
ASSIGNMENT OF ORENTHAL JAMES SIMPSON'S PERSONAL PROPERTY**

On March 15, 2021, Orenthal James Simpson ("Simpson"), through his counsel, filed a *Motion for Relief from Judgment* ("Simpson's Motion for Relief"); on March 24, 2021, Fredric Goldman ("Goldman"), through counsel, filed a *Motion for Judicial Assignment of the Proceeds of Orenthal James Simpson's Rights of Action* ("Goldman's Motion for Judicial Assignment"); on April 27, 2021, the Court conducted a hearing on Simpson's Motion for Relief and Goldman's Motion for Judicial Assignment, with Larson A. Welsh, Esq. appearing on behalf of Goldman and Malcolm P. LaVergne, Esq. appearing on behalf of Simpson; and the Court having considered oral arguments and papers and pleadings on file, orders the following:

///

LAW OFFICE OF  
HAYES & WELSH  
A PROFESSIONAL CORPORATION  
199 NORTH ARROYO GRANDE BLVD., SUITE 200  
HENDERSON, NEVADA 89074  
(702) 434-3444 FAX (702) 434-3739



1           **IT IS HEREBY ORDERED** that Simpson's Motion for Relief is DENIED in its entirety  
2 as there was no basis to invalidate the properly domesticated judgment at issue herein.

3           **IT IS FURTHER ORDERED** that Goldman's Motion for Judicial Assignment is  
4 hereby GRANTED.

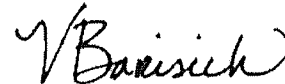
5           **IT IS FURTHER ORDERED** that the proceeds of Simpson's rights of action against  
6 Nevada Property 1 LLC, doing business as the Cosmopolitan of Las Vegas in the Eighth Judicial  
7 District Court (Case No. A-19-805061-C) are hereby assigned to Goldman.

8           **IT IS FURTHER ORDERED** that the proceeds of Simpson's rights of action shall be  
9 immediately turned over to Goldman's counsel, Larson A. Welsh, Esq.

10           **IT IS SO ORDERED.**

11           DATED \_\_\_\_\_

Dated this 3rd day of June, 2021



49B 9C4 4FE6 92BA  
Veronica M. Barisich  
District Court Judge

DISTRICT COURT JUDGE  
Case No.: A-21-828836-F

15 Submitted by:

16           /s/ Larson A. Welsh                      5/26/21  
17 LARSON A. WELSH, ESQ.                      Date  
18 Nevada State Bar No. 12517  
19 LAW OFFICE OF HAYES & WELSH  
20 199 N. Arroyo Grande Blvd., Suite 200  
21 Henderson, Nevada 89074  
22 Tel: (702) 434-3444  
23 Email: [lwelsh@lvlaw.com](mailto:lwelsh@lvlaw.com)  
24 *Attorneys for Plaintiff/Judgment Creditor*  
25 *Fredric Goldman*

22 Approved as to Content and Form:

23 \_\_\_\_\_  
24 Malcolm P. LaVergne, Esq.                      Date  
25 Nevada Bar No. 10121  
26 MALCOLM P. LAVERGNE & ASSOCIATES  
27 400 South 4<sup>th</sup> Street, Suite 500  
28 Las Vegas, Nevada 89101  
Telephone: (702) 448-7981  
Email: [mlavergne@lavernelaw.com](mailto:mlavergne@lavernelaw.com)  
*Attorneys for Defendant/Judgment Debtor*  
*Orenthal James Simpson*

**Subject:** Re: Proposed Order

**Date:** Thursday, May 13, 2021 at 2:59:16 PM Pacific Daylight Time

**From:** Larson Welsh <lwelsh@lvlaw.com>

**To:** mlavergne@lavergnelaw.com <mlavergne@lavergnelaw.com>

**CC:** Kathleen Bratton <k.bratton@hayesandwelsh.onmicrosoft.com>

Mr. LaVergne:

We never received a signed copy of the order sent on April 28<sup>th</sup>, nor did we receive any proposed revisions from you. If we do not hear back from you by tomorrow at 3pm, we will submit the proposed order as drafted to the judge. Thanks.

Sincerely,

Larson A. Welsh, Esq.

---

**From:** Larson Welsh <lwelsh@lvlaw.com>

**Date:** Wednesday, April 28, 2021 at 3:18 PM

**To:** mlavergne@lavergnelaw.com <mlavergne@lavergnelaw.com>

**Cc:** Kathleen Bratton <k.bratton@hayesandwelsh.onmicrosoft.com>

**Subject:** Proposed Order

Mr. LaVergne:

Attached for your review is the proposed order from yesterday's hearing.

Sincerely,

Larson A. Welsh, Esq.

Attorney

Law Office of Hayes & Welsh

199 N. Arroyo Grande Blvd., Ste. 200

Henderson, NV 89074

Ph: 702-434-3444

Direct: 702-960-4056

Fax: 702-434-3739

[Lwelsh@lvlaw.com](mailto:Lwelsh@lvlaw.com)

[www.lvlaw.com](http://www.lvlaw.com)

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

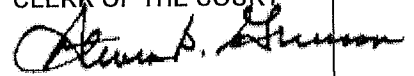
4  
5  
6 Frederic Goldman, Plaintiff(s) | CASE NO: A-21-828836-F  
7 vs. Orenthal Simpson, | DEPT. NO. Department 5  
8 Defendant(s)

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

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

13 Service Date: 6/3/2021

14 Larson Welsh Lwelsh@lvlaw.com  
15 Malcolm LaVergne mlavergne@lavernelaw.com  
16 Kathleen Bratton k.bratton@hayesandwelsh.onmicrosoft.com  
17 Phillip Smith, Jr. psmithjr@wwhgd.com  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



1 **NEOJ**

2 LARSON A. WELSH, ESQ.  
3 Nevada State Bar No. 12517  
4 LAW OFFICE OF HAYES & WELSH  
5 199 N. Arroyo Grande Blvd., Suite 200  
6 Henderson, Nevada 89074  
7 Phone: 702-434-3444  
8 Fax #: 702-434-3739  
9 [lwelsh@lvlaw.com](mailto:lwelsh@lvlaw.com); [k.bratton@hayesandwelsh.onmicrosoft.com](mailto:k.bratton@hayesandwelsh.onmicrosoft.com)

6 *Attorneys for Plaintiff*

7 EIGHTH JUDICIAL DISTRICT COURT  
8 CLARK COUNTY, NEVADA

9 FREDRIC GOLDMAN, an individual, and as  
10 personal representative of the Estate of  
11 Ronald Lyle Goldman, Deceased,

11 Plaintiff,

12 v.

13 ORENTHAL JAMES SIMPSON,

14 Defendant.  
15

CASE NO.: A-21-828836-F  
Dept. No.: V (5)

16  
17 **NOTICE OF ENTRY OF ORDER DENYING AND GRANTING**

18 PLEASE TAKE NOTICE that on June 3, 2021, the Court entered an Order Denying  
19 Orenthal James Simpson's Motion for Relief from Judgment and Granting Fredric Goldman's  
20 Motion for Judicial Assignment of Orenthal James Simpson's Personal Property in the above-  
21 captioned case, a copy of which is attached hereto.

22 DATED: June 4, 2021

23 LAW OFFICE OF HAYES & WELSH

24 By: /s/ Larson A. Welsh

25 LARSON A. WELSH, ESQ.  
26 NV Bar # 12517  
27 199 N. Arroyo Grande Blvd., Suite 200  
28 Henderson, Nevada 89074  
29 (702) 434-3444  
30 *Attorneys for Plaintiff*  
31 *FREDRIC GOLDMAN, an individual, and*  
32 *as personal representative of the Estate*  
33 *of Ronald Lyle Goldman, Deceased*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the **4th day of June, 2021**, I served a true and correct copy of the foregoing document (with any attachments) entitled: ***NOTICE OF ENTRY OF ORDER DENYING AND GRANTING***, in the above-captioned case, as follows:

X **Via Electronic Service:** by electronically filing/serving a copy of the foregoing document upon the parties/counsel in this action via the Court's e-file/service system, to the following:

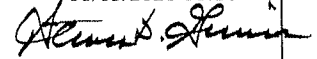
Malcolm P. LaVergne, Esq.  
[mlavergne@lavernelaw.com](mailto:mlavergne@lavernelaw.com)

***SEE COURT'S ELECTRONIC SERVICE LIST***

       **Via U.S. Mail:** by placing a copy of the foregoing document in a sealed envelope, first-class postage fully prepaid thereon, and depositing the envelope(s) in the U.S. mail at Henderson, Nevada, addressed as follows:

MALCOLM P. LAVERGNE, ESQ.  
400 South Fourth Street, Suite 500  
Las Vegas, Nevada 89101  
*Attorney for Defendant*  
*ORENTAL JAMES SIMPSON*

By: /s/ Kathleen Bratton  
An employee of Law Office of Hayes & Welsh

  
CLERK OF THE COURT**ORDR**

LARSON A. WELSH, ESQ.  
Nevada State Bar No. 12517  
LAW OFFICE OF HAYES & WELSH  
199 No. Arroyo Grande Blvd., Suite 200  
Henderson, Nevada 89074  
Phone: 702-434-3444  
Fax #: 702-434-3739  
[lwelsh@lvlaw.com](mailto:lwelsh@lvlaw.com); [k.bratton@hayesandwelsh.onmicrosoft.com](mailto:k.bratton@hayesandwelsh.onmicrosoft.com)

*Attorneys for Plaintiff/Judgment Creditor*

EIGHTH JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA

FREDRIC GOLDMAN, an individual, and  
as personal representative of the Estate of  
Ronald Lyle Goldman, Deceased,

CASE NO.: A-21-828836-F  
Dept. No.: V (5)

Plaintiff/ Judgment Creditor,

v.

ORENTHAL JAMES SIMPSON,

Defendant/ Judgment Debtor.

**ORDER DENYING ORENTHAL JAMES SIMPSON'S MOTION FOR RELIEF  
FROM JUDGMENT**

and

**ORDER GRANTING FREDRIC GOLDMAN'S MOTION FOR JUDICIAL  
ASSIGNMENT OF ORENTHAL JAMES SIMPSON'S PERSONAL PROPERTY**

On March 15, 2021, Orenthal James Simpson ("Simpson"), through his counsel, filed a *Motion for Relief from Judgment* ("Simpson's Motion for Relief"); on March 24, 2021, Fredric Goldman ("Goldman"), through counsel, filed a *Motion for Judicial Assignment of the Proceeds of Orenthal James Simpson's Rights of Action* ("Goldman's Motion for Judicial Assignment"); on April 27, 2021, the Court conducted a hearing on Simpson's Motion for Relief and Goldman's Motion for Judicial Assignment, with Larson A. Welsh, Esq. appearing on behalf of Goldman and Malcolm P. LaVergne, Esq. appearing on behalf of Simpson; and the Court having considered oral arguments and papers and pleadings on file, orders the following:

///

1           **IT IS HEREBY ORDERED** that Simpson's Motion for Relief is DENIED in its entirety  
2 as there was no basis to invalidate the properly domesticated judgment at issue herein.

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4 hereby GRANTED.

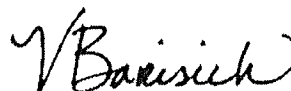
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7 District Court (Case No. A-19-805061-C) are hereby assigned to Goldman.

8           **IT IS FURTHER ORDERED** that the proceeds of Simpson's rights of action shall be  
9 immediately turned over to Goldman's counsel, Larson A. Welsh, Esq.

Dated this 3rd day of June, 2021

10           **IT IS SO ORDERED.**

11           DATED \_\_\_\_\_



49B 9C4 4FE6 92BA  
Veronica M. Barisich  
District Court Judge

DISTRICT COURT JUDGE  
Case No.: A-21-828836-F

15 Submitted by:

16           /s/ Larson A. Welsh                      5/26/21  
17 LARSON A. WELSH, ESQ.                      Date  
18 Nevada State Bar No. 12517  
19 LAW OFFICE OF HAYES & WELSH  
20 199 N. Arroyo Grande Blvd., Suite 200  
21 Henderson, Nevada 89074  
22 Tel: (702) 434-3444  
23 Email: [lwelsh@lvlaw.com](mailto:lwelsh@lvlaw.com)  
24 Attorneys for Plaintiff/Judgment Creditor  
25 Fredric Goldman

22 Approved as to Content and Form:

23 \_\_\_\_\_  
24 Malcolm P. LaVergne, Esq.                      Date  
25 Nevada Bar No. 10121  
26 MALCOLM P. LAVERGNE & ASSOCIATES  
27 400 South 4<sup>th</sup> Street, Suite 500  
28 Las Vegas, Nevada 89101  
Telephone: (702) 448-7981  
Email: [mlavergne@lavernelaw.com](mailto:mlavergne@lavernelaw.com)  
Attorneys for Defendant/Judgment Debtor  
Orenthal James Simpson

**Subject:** Re: Proposed Order  
**Date:** Thursday, May 13, 2021 at 2:59:16 PM Pacific Daylight Time  
**From:** Larson Welsh <lwelsh@lvlaw.com>  
**To:** mlavergne@lavernelaw.com <mlavergne@lavernelaw.com>  
**CC:** Kathleen Bratton <k.bratton@hayesandwelsh.onmicrosoft.com>

Mr. LaVergne:

We never received a signed copy of the order sent on April 28<sup>th</sup>, nor did we receive any proposed revisions from you. If we do not hear back from you by tomorrow at 3pm, we will submit the proposed order as drafted to the judge. Thanks.

Sincerely,

Larson A. Welsh, Esq.

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**From:** Larson Welsh <lwelsh@lvlaw.com>  
**Date:** Wednesday, April 28, 2021 at 3:18 PM  
**To:** mlavergne@lavernelaw.com <mlavergne@lavernelaw.com>  
**Cc:** Kathleen Bratton <k.bratton@hayesandwelsh.onmicrosoft.com>  
**Subject:** Proposed Order

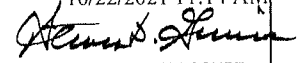
Mr. LaVergne:

Attached for your review is the proposed order from yesterday's hearing.

Sincerely,

Larson A. Welsh, Esq.  
Attorney  
Law Office of Hayes & Welsh  
199 N. Arroyo Grande Blvd., Ste. 200  
Henderson, NV 89074  
Ph: 702-434-3444  
Direct: 702-960-4056  
Fax: 702-434-3739  
[Lwelsh@lvlaw.com](mailto:Lwelsh@lvlaw.com)  
[www.lvlaw.com](http://www.lvlaw.com)



  
CLERK OF THE COURT

**ORDR**

LARSON A. WELSH, ESQ.  
Nevada State Bar No. 12517  
LAW OFFICE OF HAYES & WELSH  
199 North Arroyo Grande Blvd., Suite 200  
Henderson, Nevada 89074  
Phone: 702-434-3444  
Fax: 702-434-3739  
[lwelsh@lvlaw.com](mailto:lwelsh@lvlaw.com); [k.bratton@hayesandwelsh.onmicrosoft.com](mailto:k.bratton@hayesandwelsh.onmicrosoft.com)

*Attorneys for Fredric Goldman*

**EIGHTH JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA**

FREDRIC GOLDMAN, an individual, and as  
personal representative of the Estate of Ronald  
Lyle Goldman, Deceased,

Case No.: A-21-828836-F  
Dept. No.: V (5)

Plaintiff/ Judgment Creditor,

v.

ORENTHAL JAMES SIMPSON,

Defendant/ Judgment Debtor.

**ORDER DENYING ORENTHAL JAMES SIMPSON'S MOTION  
TO ALTER OR AMEND JUDGMENT**

**and**

**ORDER GRANTING FREDRIC GOLDMAN'S EX PARTE APPLICATION FOR  
ORDER ALLOWING EXAMINATION OF JUDGMENT DEBTOR**

On July 2, 2021, Orenthal James Simpson ("Simpson"), through counsel, filed a *Motion to Alter or Amend Judgment* ("Simpson's Motion" or "Motion"); on July 19, 2021, Fredric Goldman ("Goldman"), through counsel, filed an Opposition to Simpson's Motion ("Goldman's Opposition" or "Opposition"). The Motion was set to be decided in chambers and on August 17, 2021, the Court issued a Minute Order setting forth its findings and conclusions.

...

...

...

...

LAW OFFICE OF  
HAYES & WELSH  
A PROFESSIONAL CORPORATION  
199 NORTH ARROYO GRANDE BLVD., SUITE 200  
HENDERSON, NEVADA 89074  
(702) 434-3444 FAX (702) 434-3739

1 On July 28, 2021, Goldman filed an *Ex Parte Application for Examination of Judgment*  
2 *Debtor* (“Goldman’s Application for JDE”). On August 3, 2021, Simpson filed a Response to  
3 Goldman’s Application for JDE (“Simpson’s Response”). The Court having considered the  
4 papers and pleadings on file, finds and orders as follows:

5 **Background**

6 On March 15, 2021, Simpson, through counsel, filed a *Motion for Relief from Judgment*  
7 (“Simpson’s Motion for Relief”). On March 29, 2021, Goldman filed an Opposition to  
8 Simpson’s Motion for Relief.

9 On March 24, 2021, Goldman, through counsel, filed a *Motion for Judicial Assignment*  
10 *of the Proceeds of Orenthal James Simpson’s Rights of Action* (“Goldman’s Motion for Judicial  
11 Assignment”). On April 8, 2021, Simpson filed an Opposition to Goldman’s Motion for Judicial  
12 Assignment.

13 On April 27, 2021, the Court conducted a hearing on Simpson’s Motion for Relief and  
14 Goldman’s Motion for Judicial Assignment, with Larson A. Welsh, Esq. appearing  
15 telephonically on behalf of Goldman and Malcolm P. LaVergne, Esq. appearing via video on  
16 behalf of Simpson.

17 On June 3, 2021, the Court entered an *Order Denying Orenthal James Simpson’s Motion*  
18 *for Relief from Judgment & Granting Fredric Goldman’s Motion for Judicial Assignment of*  
19 *Orenthal James Simpson’s Personal Property* (the “Order”).

20 On July 2, 2021, Simpson filed the Motion which set forth that Simpson’s counsel “video  
21 feed was disrupted” during the April 27, 2021 hearing. As a result, Simpson’s Motion contended,  
22 the Court should either: (1) alter or amend the judgment pursuant to NRCP 59; or (2) set a new  
23 hearing pursuant to EDCR 2.24. On July 19, 2021, Goldman filed his Opposition to the Motion.

24 **Discussion – Simpson’s Motion**

25 NRCP 50(b) provides for either a new trial or a directed judgment as a matter of law:

26 (b) Renewing Motion for Judgment After Trial; Alternative Motion for New  
27 Trial. If, for any reason, the court does not grant a motion for judgment as a matter  
28 of law made at the close of all the evidence, the court is considered to have  
submitted the action to the jury subject to the court's later deciding the legal  
questions raised by the motion. The movant may renew its request for judgment  
as a matter of law by filing a motion no later than 10 days after service of written

notice of entry of judgment and may alternatively request a new trial or join a motion for new trial under Rule 59.

"A motion for judgment notwithstanding the verdict presents solely a question of law to be determined by the court, and the power to grant such motions should be cautiously exercised." *Dudley v. Prima*, 84 Nev. 549, 551, 445 P.2d 31, 32 (1968). "In determining whether a directed verdict should be granted, the trial court must view the evidence and all inferences most favorably to the party against whom the motion is made." *Broussard v. Hill*, 100 Nev. 325, 327, 682 P.2d 1376, 1377 (1984). "Neither the credibility of the witnesses nor the weight of the evidence is to be considered by the court. If there is conflicting evidence on a material issue, or if reasonable persons could draw different inferences from the facts, the question is one of fact for the jury and not one of law for the court." *Id.*

NRCP 59(a) provides:

(a) Grounds. A new trial may be granted to all or any of the parties and on all or part of the issues for any of the following causes or grounds materially affecting the substantial rights of an aggrieved party: (1) Irregularity in the proceedings of the court, jury, master, or adverse party, or any order of the court, or master, or abuse of discretion by which either party was prevented from having a fair trial; (2) Misconduct of the jury or prevailing party; (3) Accident or surprise which ordinary prudence could not have guarded against; (4) Newly discovered evidence material for the party making the motion which the party could not, with reasonable diligence, have discovered and produced at the trial; (5) Manifest disregard by the jury of the instructions of the court; (6) Excessive damages appearing to have been given under the influence of passion or prejudice; or, (7) Error in law occurring at the trial and objected to by the party making the motion. On a motion for a new trial in an action tried without a jury, the court may open the judgment if one has been entered, take additional testimony, amend findings of fact and conclusions of law or make new findings and conclusions, and direct the entry of a new judgment.

"A district court's decision to grant or deny a motion for a new trial is reviewed for an abuse of discretion." *Michaels v. Pentair Water Pool & Spa*, 131 Nev. 804, 814, 357 P.3d 387, 395 (Ct. App. 2015). "In determining whether such an abuse of discretion occurred, this court must view the evidence and all inferences most favorably to the party against whom the motion is made." *Id.* "A new trial based upon the prevailing party's misconduct does not require proof that the result would have been different in the first trial without such misconduct." *Barrett v. Baird*, 111 Nev. 1496, 908 P.2d 689 (1995).

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1 "In determining the propriety of the granting of a new trial under NRCP 59(a)(5), the  
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4 *Weaver Brothers, Ltd. v. Misskelley*, 98 Nev. 232, 234, 645 P.2d 438, 439 (1982). "Therefore, if  
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1 The Court FINDS and CONCLUDES that the basis of Simpson's Motion to amend or  
2 alter the June 3, 2021 Order is that at some time during the April 27, 2021 hearing, after he had  
3 made his arguments, Simpson's counsel was logged off from the hearing and could not log back  
4 on until the hearing was concluded. However, as Goldman correctly points out, NRCP 59 relief  
5 to alter or amend is inapplicable because the Court never conducted a trial in this matter; rather,  
6 the hearing on April 27, 2021, was to determine whether Goldman has the right to collect  
7 proceeds for a judgment that was entered years ago in California and domesticated in Nevada,  
8 most recently on February 10, 2021. Even if the Court is to construe Simpson's Motion as that  
9 one of a motion for reconsideration, rehearing is unwarranted because Simpson does not cite to  
10 any substantially different evidence and the order cannot be deemed to be clearly erroneous.  
11 Furthermore, the Motion for reconsideration was untimely. The notice of entry of the order was  
12 filed on June 4, 2021, but the instant motion was not filed until July 2, 2021, over 14 days  
13 deadline set under EDCR 2.24(b). Although the Motion argues that counsel not being available  
14 for the entirety of the hearing violate Simpson's constitutional right to counsel, this proceeding  
15 is a purely civil proceeding and the Sixth Amendment right to counsel does not apply. *See*  
16 *Rodriguez v. Eighth Jud. Dist. Ct. ex rel. Cty. of Clark*, 120 Nev. 798, 804, 102 P.3d 41, 45  
17 (2004) (citing *Argersinger v. Hamlin*, 407 U.S. 25, 92 S.Ct. 2006, 32 L.Ed.2d 530 (1972)).  
18 Thus, Simpson's Motion cannot be granted.

19 **Discussion – Goldman's Application for JDE**

20 The Court FINDS and CONCLUDES that Simpson's Response to Goldman's  
21 Application for JDE are unpersuasive. As noted above, Simpson's Motion to Alter or Amend  
22 Judgment cannot be granted. Although Simpson argues that Goldman is seeking discovery from  
23 a third party, the Court disagrees. Simpson's "authorized and knowledgeable representative"  
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25 judgment filed in this case, at a minimum, the Notice of Filing [of the] Application of Foreign  
26 Judgment and Declaration of Judgment Creditor's Counsel on February 10, 2021, met this  
27 requirement. Thus, Goldman's Application for JDE should be granted.

28 ...

**ORDER**

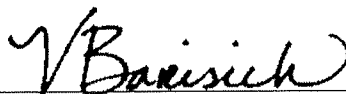
**IT IS HEREBY ORDERED** that Simpson's *Motion to Alter or Amend Judgment* is DENIED in its entirety.

**IT IS FURTHER ORDERED** that Goldman's *Ex Parte Application for Order Allowing Examination of Judgment Debtor* is Granted.<sup>1</sup>

**IT IS SO ORDERED.**

DATED \_\_\_\_\_

Dated this 22nd day of October, 2021



DISTRICT COURT JUDGE

789 607 8E7B 3D05  
Veronica M. Barisich  
District Court Judge

Respectfully submitted by:

/s/ Larson A. Welsh 8/31/21

LARSON A. WELSH, ESQ.  
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[lwelsh@lvlaw.com](mailto:lwelsh@lvlaw.com)  
*Attorneys for Fredric Goldman*

Approved as to Content and Form:

/s/  
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*Attorneys for Orenthal James Simpson*

Case No.: A-21-828836-F

<sup>1</sup> A separate Order was issued on August 19, 2021, which granted Goldman's Ex Parte Application for Order Allowing Examination of Judgment Debtor and set forth the pertinent details of said examination.

1 CSERV

2 DISTRICT COURT  
3 CLARK COUNTY, NEVADA

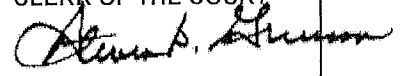
4  
5  
6 Frederic Goldman, Plaintiff(s) | CASE NO: A-21-828836-F  
7 vs. Orenthal Simpson, | DEPT. NO. Department 5  
8 Defendant(s)

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

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

13 Service Date: 10/22/2021

|                          |   |
|--------------------------|---|
| 14 Audra Bonney          | abonney@wwhgd.com                       |
| 15 Larson Welsh          | Lwelsh@lvlaw.com                        |
| 16 Malcolm LaVergne      | mlavergne@lavernelaw.com                |
| 17 Kathleen Bratton      | k.bratton@hayesandwelsh.onmicrosoft.com |
| 18 Kacie Cruz            | kcruz@wwhgd.com                         |
| 19 Phillip Smith, Jr.    | psmithjr@wwhgd.com                      |
| 20 Flor Gonzalez-Pacheco | FGonzalez-Pacheco@wwhgd.com             |
| 21 Kelly Gaez            | kgaez@wwhgd.com                         |
| 22 Maxine Rosenberg      | Mrosenberg@wwhgd.com                    |
| 23                       |   |
| 24                       |   |
| 25                       |   |
| 26                       |   |
| 27                       |   |
| 28                       |   |



1 **NEOJ**  
2 LARSON A. WELSH, ESQ.  
3 Nevada State Bar No. 12517  
4 LAW OFFICE OF HAYES & WELSH  
5 199 North Arroyo Grande Blvd., Suite 200  
6 Henderson, Nevada 89074  
7 Phone: 702-434-3444  
8 Fax #: 702-434-3739  
9 [lwelsh@lvlaw.com](mailto:lwelsh@lvlaw.com); [k.bratton@hayesandwelsh.onmicrosoft.com](mailto:k.bratton@hayesandwelsh.onmicrosoft.com)

10 *Attorneys for Plaintiff/Judgment Creditor*

11 EIGHTH JUDICIAL DISTRICT COURT  
12 CLARK COUNTY, NEVADA

13 FREDRIC GOLDMAN, an individual, and as  
14 personal representative of the Estate of Ronald  
15 Lyle Goldman, Deceased,

16 Plaintiff/ Judgment Creditor,

17 v.

18 ORENTHAL JAMES SIMPSON,

19 Defendant/ Judgment Debtor.

CASE NO.: A-21-828836-F  
Dept. No.: V (5)

20 **NOTICE OF ENTRY OF ORDERS DENYING AND GRANTING**

21 PLEASE TAKE NOTICE that on October 22, 2021, the above-noted Court entered an  
22 *Order Denying Orenthal James Simpson's Motion to Alter or Amend Judgment and Order*  
23 *Granting Fredric Goldman's Ex Parte Application for Order Allowing Examination of Judgment*  
24 *Debtor*, in the above-captioned case, a copy of which is attached hereto as **Exhibit 1**.

25 DATED: November 3, 2021

LAW OFFICE OF HAYES & WELSH

26 By: /s/ Larson A. Welsh

27 LARSON A. WELSH, ESQ.  
28 Nevada State Bar No. 12517  
199 North Arroyo Grande Blvd., Suite 200  
Henderson, Nevada 89074  
(702) 434-3444  
*Attorneys for Plaintiff/Judgment Creditor*  
*FREDRIC GOLDMAN, an individual, and*  
*as personal representative of the Estate*  
*of Ronald Lyle Goldman, Deceased*



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the **21st day of August, 2021**, I served a true and correct copy of the foregoing document (with any attachments) entitled: ***NOTICE OF ENTRY OF ORDERS DENYING AND GRANTING***, in the above-captioned case, as follows:

X **Via Electronic Service:** by electronically serving a copy of the foregoing document upon the parties/counsel in this action via the Court's e-file/service system, as follows:

MALCOLM P. LaVERGNE, ESQ.  
[mlavergne@lavernelaw.com](mailto:mlavergne@lavernelaw.com)

***ALSO SEE COURT'S ELECTRONIC SERVICE LIST***

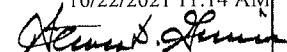
— **Via U.S. Mail:** by placing a copy of the foregoing document in a sealed envelope, first-class postage fully prepaid thereon, and depositing the envelope(s) in a U.S. mailbox at Henderson, Nevada, addressed as follows:

MALCOLM P. LaVERGNE, ESQ.  
400 South Fourth Street, Suite 500  
Las Vegas, Nevada 89101  
*Attorney for Defendant/Judgment Debtor*  
***ORENTAL JAMES SIMPSON***

I hereby declare under penalty of perjury of the laws of the State of Nevada that the foregoing is true and correct. Executed on: November 3, 2021.

By: /s/ Kathleen Bratton  
An employee of Law Office of Hayes & Welsh

# **EXHIBIT 1**

  
CLERK OF THE COURT

**ORDER**

LARSON A. WELSH, ESQ.  
Nevada State Bar No. 12517  
LAW OFFICE OF HAYES & WELSH  
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*Attorneys for Fredric Goldman*

EIGHTH JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA

FREDRIC GOLDMAN, an individual, and as  
personal representative of the Estate of Ronald  
Lyle Goldman, Deceased,

Case No.: A-21-828836-F  
Dept. No.: V (5)

Plaintiff/ Judgment Creditor,

v.

ORENTHAL JAMES SIMPSON,

Defendant/ Judgment Debtor.

**ORDER DENYING ORENTHAL JAMES SIMPSON'S MOTION  
TO ALTER OR AMEND JUDGMENT**

**and**

**ORDER GRANTING FREDRIC GOLDMAN'S EX PARTE APPLICATION FOR  
ORDER ALLOWING EXAMINATION OF JUDGMENT DEBTOR**

On July 2, 2021, Orenthal James Simpson ("Simpson"), through counsel, filed a *Motion to Alter or Amend Judgment* ("Simpson's Motion" or "Motion"); on July 19, 2021, Fredric Goldman ("Goldman"), through counsel, filed an Opposition to Simpson's Motion ("Goldman's Opposition" or "Opposition"). The Motion was set to be decided in chambers and on August 17, 2021, the Court issued a Minute Order setting forth its findings and conclusions.

...

...

...

...

On July 28, 2021, Goldman filed an *Ex Parte Application for Examination of Judgment Debtor* (“Goldman’s Application for JDE”). On August 3, 2021, Simpson filed a Response to Goldman’s Application for JDE (“Simpson’s Response”). The Court having considered the papers and pleadings on file, finds and orders as follows:

### **Background**

On March 15, 2021, Simpson, through counsel, filed a *Motion for Relief from Judgment* (“Simpson’s Motion for Relief”). On March 29, 2021, Goldman filed an Opposition to Simpson’s Motion for Relief.

On March 24, 2021, Goldman, through counsel, filed a *Motion for Judicial Assignment of the Proceeds of Orenthal James Simpson’s Rights of Action* (“Goldman’s Motion for Judicial Assignment”). On April 8, 2021, Simpson filed an Opposition to Goldman’s Motion for Judicial Assignment.

On April 27, 2021, the Court conducted a hearing on Simpson’s Motion for Relief and Goldman’s Motion for Judicial Assignment, with Larson A. Welsh, Esq. appearing telephonically on behalf of Goldman and Malcolm P. LaVergne, Esq. appearing via video on behalf of Simpson.

On June 3, 2021, the Court entered an *Order Denying Orenthal James Simpson’s Motion for Relief from Judgment & Granting Fredric Goldman’s Motion for Judicial Assignment of Orenthal James Simpson’s Personal Property* (the “Order”).

On July 2, 2021, Simpson filed the Motion which set forth that Simpson’s counsel “video feed was disrupted” during the April 27, 2021 hearing. As a result, Simpson’s Motion contended, the Court should either: (1) alter or amend the judgment pursuant to NRCP 59; or (2) set a new hearing pursuant to EDCR 2.24. On July 19, 2021, Goldman filed his Opposition to the Motion.

### **Discussion – Simpson’s Motion**

NRCP 50(b) provides for either a new trial or a directed judgment as a matter of law:

(b) Renewing Motion for Judgment After Trial; Alternative Motion for New Trial. If, for any reason, the court does not grant a motion for judgment as a matter of law made at the close of all the evidence, the court is considered to have submitted the action to the jury subject to the court's later deciding the legal questions raised by the motion. The movant may renew its request for judgment as a matter of law by filing a motion no later than 10 days after service of written

1 notice of entry of judgment and may alternatively request a new trial or join a  
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8 most recently on February 10, 2021. Even if the Court is to construe Simpson's Motion as that  
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11 Furthermore, the Motion for reconsideration was untimely. The notice of entry of the order was  
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18 Thus, Simpson's Motion cannot be granted.

19 **Discussion – Goldman's Application for JDE**

20 The Court FINDS and CONCLUDES that Simpson's Response to Goldman's  
21 Application for JDE are unpersuasive. As noted above, Simpson's Motion to Alter or Amend  
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1 **ORDER**

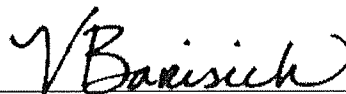
2 **IT IS HEREBY ORDERED** that Simpson's *Motion to Alter or Amend Judgment* is  
3 DENIED in its entirety.

4 **IT IS FURTHER ORDERED** that Goldman's *Ex Parte Application for Order Allowing*  
5 *Examination of Judgment Debtor* is Granted.<sup>1</sup>

6 **IT IS SO ORDERED.**

7 DATED \_\_\_\_\_

Dated this 22nd day of October, 2021

8 

9 DISTRICT COURT JUDGE

10 789 607 8E7B 3D05  
Veronica M. Barisich  
District Court Judge

11 Respectfully submitted by:

12 /s/ Larson A. Welsh 8/31/21

13 LARSON A. WELSH, ESQ.  
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16 [lwelsh@lvlaw.com](mailto:lwelsh@lvlaw.com)  
17 Attorneys for Fredric Goldman

18 Approved as to Content and Form:

19 /s/

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25 Case No.: A-21-828836-F  
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28 <sup>1</sup> A separate Order was issued on August 19, 2021, which granted Goldman's Ex Parte Application for Order Allowing Examination of Judgment Debtor and set forth the pertinent details of said examination.