



170 South Green Valley Parkway, Suite 300  
Henderson, Nevada 89012

**TYSON & MENDES LLP**  
THOMAS E. MCGRATH  
Nevada Bar No. 7086  
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RUSSELL D. CHRISTIAN  
Nevada Bar No. 11785  
Email: rchristian@tysonmendes.com  
2835 St. Rose Pkwy, Suite #140  
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Tel: (702) 724-2648  
Fax: (702) 410-7684

Electronically Filed  
Aug 22 2022 04:34 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

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

GENARO GOMEZ SANTANA,

Plaintiff,

vs.

WILLY GOMEZ; EREZ BITTON; OASIS  
MOVING & STORAGE, INC. d/b/a U TRUST  
MOVING; DOES I-X, inclusive, and ROE  
CORPORATIONS I-X, inclusive,

Defendants.

Supreme Court Case No.: 83925

District Court Case No.: A821483

**PETITION FOR REHEARING  
PURSUANT TO NRAP 40**

Counsels Thomas E. McGrath, Esq. and Russell D. Christian, Esq. bring this Petition for Rehearing of the Supreme Court's Order Dated August 11, 2022. Counsels petitions this Court Under NRAP 40 for rehearing of the Order dated August 11, 2022 in Case No. 83925. Counsels' Petition seeks rehearing only as to the referral of Russell D. Christian, Thomas E. McGrath, and Cheryl H. Wilson to the State Bar of Nevada.

DATED this 22<sup>nd</sup> day of August, 2022.

TYSON & MENDES LLP

*Russell Christian*

THOMAS E. MCGRATH  
Nevada Bar No. 7086  
Email: tmcgrath@tysonmendes.com  
RUSSELL D. CHRISTIAN  
Nevada Bar No. 11785  
2835 St. Rose Pkwy, Suite #140  
Henderson, NV 89052  
Tel: (702) 724-2648  
Fax: (702) 410-7684

1           **I.       Facts**

2           Counsels' Petition seeks rehearing only as to the referral of Russell D. Christian,  
3 Thomas E. McGrath, and Cheryl H. Wilson to the State Bar of Nevada on the basis that  
4 Pursuant to NRAP 40 there are facts that the Court may have overlooked and/or  
5 misapprehended when it rendered their August 11, 2022 Order.

6           A Notice of Appeal was filed on December 8, 2021 on the issue of an observer at a Rule  
7 35 Neuropsychological Examination. This Court ultimately granted the relief sought via appeal  
8 in a separate case, *Lyft, Inc. v. Eighth Jud. Dist. Ct. in & for Cnty. of Clark*, 137 Nev. Adv. Op.  
9 86, 501 P.3d 994 (2021). Cheryl H. Wilson ceased working with the law firm of Tyson &  
10 Mendes on February 11, 2022. **See, Exhibit "A", Correspondence confirming Cheryl H.**  
11 **Wilson, Esq.'s employment.**

12           Due to a conflict of interest which arose during discovery and motion practice,  
13 Substitutions of Counsel were filed in the District Court on behalf of Defendants. A substitution  
14 of Counsel was filed in the District Court on behalf of Defendant/Appellant Willy Gomez on  
15 February 16, 2022 (**Exhibit "B", Substitution of Counsel for Willy Gomez**) and a  
16 substitution of Counsel was filed in the District Court on behalf of Defendant/Appellant Erez  
17 Bitton on February 18, 2022. (**Exhibit "C", Substitution of Counsel for Erez Bitton**)

18           Shortly after these substitutions were filed, the matter settled. On March 4, 2022  
19 Defendants/Appellants electronically served an "Acceptance of Offer of Judgment" and a  
20 Notice of Entry of Order of Dismissal with Prejudice was served and filed and April 12, 2022  
21 **Exhibit "D", Notice of Entry of Order of Dismissal With Prejudice.**

22           The facts above demonstrate that:

- 23                   1) This appeal was moot as the Supreme Court granted the relief sought in a  
24                   separate case.
- 25                   2) As of February 11, 2022 Cheryl H. Wilson was no longer employed by Tyson  
26                   & Mendes, thus this Petition seeks rehearing as to any sanctions imposed upon  
27                   Mrs. Wilson.

- 1 3) The law firm of Tyson & Mendes had been substituted out as Counsel of  
2 record in the District Court case on behalf of both Defendants by February 18,  
3 2022  
4 4) The underlying District Court case had settled as of March 4, 2022 and was  
5 dismissed with prejudice as of April 12, 2022.

6 Counsels concede that the failure to file a Notice of Withdrawal of Appeal and/or notify  
7 the Supreme Court that the matter had settled was an oversight tantamount to a clerical error  
8 and apologize for any inconvenience to this Court. This Petition does not seek rehearing of the  
9 dismissal of appeal as the matter was moot and the underlying District Court Case had settled  
10 and a Notice of Withdrawal of Appeal should have been filed. This Petition does not seek  
11 rehearing on behalf of payments made on behalf of Mr. McGrath and Mr. Christian. This  
12 Petition seeks rehearing of the payments made on behalf of Mrs. Wilson as she was no longer  
13 employed by Tyson & Mendes as of February 11, 2022. Finally, this Petition seeks rehearing as  
14 to the referral to the State Bar of Mr. Christian, Mr. McGrath, and Mrs. Wilson, on the basis  
15 that no prejudice existed to Defendants/Appellants as a result of the dismissal of appeal as this  
16 matter had already settled and any failure to file a Notice of Withdrawal of Appeal and/or  
17 dismiss the Supreme Court proceedings constitutes an oversight tantamount to a clerical error  
18 which did not impart any prejudice upon any parties to this case.

## 18 **II. Legal Argument**

### 19 *i. This Petition is Timely.*

20 NRAP 40 (a)(1) Time. Unless the time is shortened or enlarged by order, a petition  
21 for rehearing may be filed within 18 days after the filing of the appellate court's  
22 decision under Rule 36. The 3-day mailing period set forth in Rule 26(c) does not apply  
23 to the time limits set by this Rule.

24 In the present matter the 18 days expires on Monday August 22, 2022 as such the  
25 present petition is timely.

### 26 *ii. This Petition Presents Facts This Court May Have Overlooked and/or* 27 *Misapprehended.*

28 NRAP 40 (a) (2) Contents. The petition shall state briefly and with particularity the  
points of law or fact that the petitioner believes the court has overlooked or  
misapprehended and shall contain such argument in support of the petition as the

1 petitioner desires to present. Oral argument in support of the petition will not be  
2 permitted. Any claim that the court has overlooked or misapprehended a material fact  
3 shall be supported by a reference to the page of the transcript, appendix or record where  
4 the matter is to be found; any claim that the court has overlooked or misapprehended a  
5 material question of law or has overlooked, misapplied or failed to consider controlling  
6 authority shall be supported by a reference to the page of the brief where petitioner has  
7 raised the issue.

8 As set forth above, there are numerous mitigating facts and circumstances which provide  
9 a reasonable explanation as to why the subject Appeal was not withdrawn. this Petition seeks  
10 rehearing as to the referral to the State Bar of Mr. Christian, Mr. McGrath, and Mrs. Wilson, on  
11 the basis that no prejudice existed to Defendants/Appellants as a result of the dismissal of appeal  
12 as this matter had already settled and any failure to file a Notice of Withdrawal of Appeal and/or  
13 dismiss the Supreme Court proceedings constitutes an oversight tantamount to a clerical error  
14 which did not impart any prejudice upon any parties to this case. Counsel requests rehearing on  
15 the above points.

16 DATED this 22<sup>nd</sup> day of August, 2022.

17 TYSON & MENDES LLP

18 

19 THOMAS E. MCGRATH

20 Nevada Bar No. 7086

21 Email: tmcgrath@tysonmendes.com

22 RUSSELL D. CHRISTIAN

23 Nevada Bar No. 11785

24 2835 St. Rose Pkwy, Suite #140

25 Henderson, NV 89052

26 Tel: (702) 724-2648

27 Fax: (702) 410-7684



EXHIBIT “A”

EXHIBIT “A”



# TYSON & MENDES

5661 LA JOLLA BOULEVARD, SAN DIEGO, CA 92037  
OFFICE: 858.459.4400 FAX: 858.459.3864

**BRYNNE MACEACHERN**  
BMACEACHERN@TYSONMENDES.COM  
DIRECT: 858-263-4133

ARIZONA  
CALIFORNIA  
COLORADO  
FLORIDA  
NEVADA  
NEW YORK  
WASHINGTON

August 12, 2022

VIA EMAIL

To Whom It May Concern,

Please allow this letter to confirm that Cheryl Wilson's last day of employment at Tyson & Mendes, LLP was February 11, 2022. Should you have further questions, please contact me directly at (949) 302-4535.

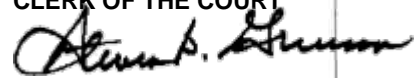
Sincerely,

*/Brynne MacEachern/*

Brynne MacEachern  
HR Director  
Tyson & Mendes

EXHIBIT “B”

EXHIBIT “B”



1 **SUBT**  
2 **ROBERT K. PHILLIPS, ESQ.**  
3 Nevada Bar No. 11441  
4 **TIMOTHY D. KUHLs, ESQ.**  
5 Nevada Bar No. 13362  
6 **PHILLIPS, SPALLAS & ANGSTADT, LLC**  
7 504 South Ninth Street  
8 Las Vegas, Nevada 89101  
9 (702) 938-1510  
10 (702) 938-1511 (Fax)  
11 rphillips@psalaw.net  
12 tkuhls@psalaw.net

13 *Attorneys for Defendant*  
14 *Willy Gomez*

15 **DISTRICT COURT**  
16 **CLARK COUNTY, NEVADA**

17 **GENARO GOMEZ SANTANA**

18 **Plaintiff,**

19 **v.**

20 **WILLY GOMEZ; EREZ BITTON; OASIS**  
21 **MOVING & STORAGE, INC. dba U TRUST**  
22 **MOVING; DOES I-X, inclusive, and ROE**  
23 **CORPORATIONS I-X, inclusive,**

24 **Defendants.**

Case No.: A-20-821483-C  
Dept No.: 2

**SUBSTITUTION OF COUNSEL FOR**  
**WILLY GOMEZ**

25 COMES NOW, Defendant WILLY GOMEZ ("Defendant" or "GOMEZ"), and hereby  
26 substitutes ROBERT K. PHILLIPS, ESQ. and TIMOTHY D. KUHLs, ESQ. of PHILLIPS, SPALLAS  
27 & ANGSTADT LLC, as his attorneys of record in place and stead of RUSSELL CHRISTIAN, ESQ. of  
28 TYSON & MENDES LLP, in the above entitled action. Defendant requests that any electronic service  
be to PHILLIPS, SPALLAS & ANGSTADT LLC for GOMEZ moving forward.

...

...

...

...

...

1 DATED this 16th day of February 2022.

2 TYSON & MENDES LLP

3 /s/ Russell D. Christian

4 RUSSELL D. CHRISTIAN, ESQ.

5 Nevada Bar No.

6 170 S. Green Valley Parkway, Suite 300

7 Henderson, Nevada 89012

8 The undersigned Defendant WILLY GOMEZ hereby consents to the substitution of PHILLIPS,  
9 SPALLAS & ANGSTADT LLC as counsel of record in the place and instead of TYSON & MENDES  
10 LLP as its counsel.

11 DATED this 8th day of February 2022.

12   
13 Willy Gomez

14 The undersigned hereby consents to be substituted in as the counsel of record for Defendant  
15 WILLY GOMEZ.

16 DATED this 8th day of February 2022.

17 DATED this 8th day of February 2022.

18 PHILLIPS, SPALLAS & ANGSTADT LLC

19   
20 ROBERT K. PHILLIPS, ESQ.

21 Nevada Bar No. 11441

22 TIMOTHY D. KUHL, ESQ.

23 Nevada Bar No. 13362

24 INDIA C. BURTON

25 Nevada Bar No. 15022

26 504 South Ninth Street

27 Las Vegas, Nevada 89101

28 Attorneys for Defendants

Willy Gomez

**CERTIFICATE OF SERVICE**

I hereby certify that on the 16<sup>th</sup> day of February, 2022, I served a true and correct copy of the foregoing, **WILLY GOMEZ'S SUBSTITUTION OF COUNSEL**, as follows:

☐ By facsimile addressed to the following counsel of record, at the address listed below:

☐ By placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;

☐ By Hand Delivery (ROC); and/or

☒ By Electronic Filing/Service Notification through Odyssey File & Serve to:

ATTORNEY OF RECORD	TELEPHONE/FAX	PARTY
Alex J. De Castroverde, Esq. Nevada Bar No. 6950 Orlando De Castroverde, Esq. Nevada Bar No. 7320 <b>DE CASTROVERDE LAW GROUP</b> 1149 South Maryland Parkway Las Vegas, NV 89104	Tel: (702) 222-9999 Fax: (702) 383-8741	Plaintiff
Kelly M. Smith Nevada Bar No. 9192 Lewis Brisbois Bisgaard & Smith LLP 6385 S. Rainbow Blvd., Suite 600 Las Vegas, NV 89118	Tel: (702) 830-3383 Fax: (702) 3669563	Defendant

  
An Employee of PHILLIPS, SPALLAS & ANGSTADT, LLC

# EXHIBIT A

## Ace Ayres

---

**From:** Russell Christian <RChristian@TysonMendes.com>  
**Sent:** Tuesday, February 15, 2022 4:47 PM  
**To:** Timothy Kuhls; Robert Joyce  
**Cc:** Rob Phillips; Stefania Ross; Scarlett Fisher; Tom McGrath; Ace Ayres; Joshua J. Kephart  
**Subject:** RE: 20-2237 Santana v. Gomez

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Red Category

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Tim-

My apologies for the delayed response, yes you have my permission to affix electronic signature. Please let me know if you have any other questions or need anything else.

-Russell



Russell D. Christian, Esq.  
**Senior Counsel**  
170 S. Green Valley Parkway, Suite 300  
Henderson, NV 89012  
**Main:** (725) 605-4191  
**Cell:** (702) 534-8146  
**Fax:** (702) 410-7684  
[rchristian@tysonmendes.com](mailto:rchristian@tysonmendes.com)  
[www.tysonmendes.com](http://www.tysonmendes.com)

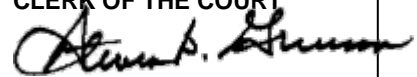
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---

**From:** Timothy Kuhls <tkuhls@psalaw.net>  
**Sent:** Tuesday, February 8, 2022 12:38 PM  
**To:** Russell Christian <RChristian@TysonMendes.com>; Robert Joyce <Robert.Joyce@iatinsurance.com>

EXHIBIT “C”

EXHIBIT “C”



DARRELL D. DENNIS  
Nevada Bar No. 6618  
KELLY M. SMITH  
Nevada Bar No. 9192  
Darrell.Dennis@lewisbrisbois.com  
Kelly.Smith@lewisbrisbois.com  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118  
Telephone: 702.893.3383  
Facsimile: 702.893.3789  
*Attorneys for Erez Bitton and Oasis Moving & Storage*

DISTRICT COURT  
CLARK COUNTY, NEVADA

GENARO GOMEZ SANTANA,

Plaintiff,

vs.

WILLY GOMEZ; EREZ BITTON; OASIS  
MOVING & STORAGE, INC. d/b/a U  
TRUST MOVING; DOES I-X, inclusive, and  
ROE CORPORATIONS I-X, inclusive,,

Defendants.

Case No. A-20-821483-C

Dept. No.: 32

**SUBSTITUTION OF COUNSEL**

Defendants EREZ BITTON and OASIS MOVING & STORAGE d/b/a U TRUST  
MOVING hereby substitutes the law firm of LEWIS BRISBOIS BISGAARD & SMITH, LLP as  
attorneys of record in the place and stead of TYSON MENDES, LLP, in the above entitled action.

DATED this 18<sup>th</sup> day of February, 2022.



EREZ BITTON on behalf of himself and OASIS  
MOVING & STORAGE d/b/a U TRUST MOVING

///

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1 The law firm of TYSON MENDES, LLP , hereby withdraws as counsel of record in the  
2 above-entitled action on behalf of EREZ BITTON and OASIS MOVING & STORAGE d/b/a U  
3 TRUST MOVING and consents to the substitution of the law firm of LEWIS BRISBOIS  
4 BISGAARD & SMITH, LLP in its place.

5 DATED this 18<sup>th</sup> day of February, 2022.

6  
7 /s/ Russel D. Christian

8 Thomas E. McGrath, Esq.  
9 Russell D. Christian, Esq.  
10 TYSON & MENDES LLP  
11 170 S. Green Valley Parkway, Suite 300  
12 Las Vegas, Nevada 89012

13 LEWIS BRISBOIS BISGAARD & SMITH, LLP hereby accepts substitution as counsel of  
14 record in the above-entitled action for Tyson Mendes, LLP. on behalf of EREZ BITTON and OASIS  
15 MOVING & STORAGE d/b/a U TRUST MOVING.

16 DATED this 18<sup>th</sup> day of February, 2022.

17 /s/ Kelly M. Smith

18 DARRELL D. DENNIS, ESQ.  
19 KELLY M. SMITH, ESQ.  
20 LEWIS BRISBOIS BISGAARD & SMITH, LLP  
21 6385 S. Rainbow Blvd., Suite 600  
22 Las Vegas, NV 89118  
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24  
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28

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I hereby certify that on this 18<sup>th</sup> day of February, 2022 I did cause a  
3 true copy of the foregoing **SUBSTITUTION OF COUNSEL** to be served via the Court's electronic  
4 filing and service system to all parties on the current service list.

5 Alex L. De Castroverde, Esq.  
6 Orlando De Castroverde, Esq.  
7 **DE CASTROVERDE LAW GROUP**  
8 1149 South Maryland Pkwy  
9 Las Vegas, NV 89104  
10 *Attorney for Plaintiff*

11 Thomas E. McGrath, Esq.  
12 Russell D. Christian, Esq.  
13 **TYSON & MENDES LLP**  
14 170 S. Green Valley Parkway, Suite 300  
15 Las Vegas, Nevada 89012  
16 *Attorneys for Willy Gomez, Erez Bitton and*  
17 *Oasis Moving & Storage*

18 By */s/ Martina Jacobo*  
19 Martina Jacobo, An Employee of  
20 LEWIS BRISBOIS BISGAARD & SMITH LLP  
21  
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## Jacobo, Martina

---

**From:** Russell Christian <RChristian@TysonMendes.com>  
**Sent:** Friday, February 18, 2022 10:19 AM  
**To:** Smith, Kelly  
**Cc:** Jacobo, Martina  
**Subject:** RE: [EXT] RE: Lawsuit brought by Genaro Santana Case No. A-20-821483-C

Yes, thank you Kelly!

-Russell



Russell D. Christian, Esq.

**Senior Counsel**

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**Fax:** (702) 410-7684

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---

**From:** Smith, Kelly <Kelly.Smith@lewisbrisbois.com>  
**Sent:** Friday, February 18, 2022 10:18 AM  
**To:** Russell Christian <RChristian@TysonMendes.com>  
**Cc:** Jacobo, Martina <Martina.Jacobo@lewisbrisbois.com>  
**Subject:** FW: [EXT] RE: Lawsuit brought by Genaro Santana Case No. A-20-821483-C

Hi Russell,

Can we use an e-signature for you on this Substitution of Counsel?



**Kelly M. Smith**

**Partner**

[Kelly.Smith@lewisbrisbois.com](mailto:Kelly.Smith@lewisbrisbois.com)

**T: 702.693.4362 F: 702.366.9563**

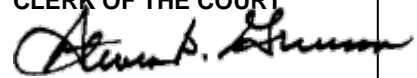
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EXHIBIT “D”

EXHIBIT “D”



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LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118  
Telephone: 702.893.3383  
Facsimile: 702.893.3789  
*Attorneys for Erez Bitton and Oasis Moving & Storage*

DISTRICT COURT  
CLARK COUNTY, NEVADA

GENARO GOMEZ SANTANA,

Plaintiff,

vs.

WILLY GOMEZ; EREZ BITTON; OASIS  
MOVING & STORAGE, INC. d/b/a U  
TRUST MOVING; DOES I-X, inclusive, and  
ROE CORPORATIONS I-X, inclusive,

Defendants.

Case No. A-20-821483-C

Dept. No.: 9

**NOTICE OF ENTRY OF STIPULATION  
AND ORDER TO DISMISS WITH  
PREJUDICE**

PLEASE TAKE NOTICE that a STIPULATION AND ORDER TO DISMISS WITH  
PREJUDICE was entered into this matter on the 12<sup>th</sup> day of April 2022. A true and correct copy of  
which is attached.

DATED this 12<sup>th</sup> day of April, 2022.

LEWIS BRISBOIS BISGAARD & SMITH LLP

By

*/s/ Kelly M. Smith*

DARRELL D. DENNIS

Nevada Bar No. 6618

KELLY M. SMITH

Nevada Bar No. 9192

6385 S. Rainbow Boulevard, Suite 600

Las Vegas, Nevada 89118

*Attorneys for Erez Bitton and Oasis Moving & Storage*

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I hereby certify that on this 12<sup>th</sup> day of April, 2022 I did cause a true  
3 copy of the foregoing **NOTICE OF ENTRY OF STIPULATION AND ORDER TO DISMISS**  
4 **WITH PREJUDICE** to be served via the Court's electronic filing and service system to all parties  
5 on the current service list.

6 Alex L. De Castroverde, Esq.  
7 Orlando De Castroverde, Esq.  
8 **DE CASTROVERDE LAW GROUP**  
9 1149 South Maryland Pkwy  
10 Las Vegas, NV 89104  
11 *Attorney for Plaintiff*

ROBERT K. PHILLIPS, ESQ.  
TIMOTHY D. KUHLs, ESQ.  
**PHILLIPS, SPALLAS & ANGSTADT, LLC**  
504 South Ninth Street  
Las Vegas, Nevada 89101  
rphillips@psalaw.net  
tkuhls@psalaw.net  
*Attorneys for Defendants*  
*Willy Gomez*

10 Thomas E. McGrath, Esq.  
11 Russell D. Christian, Esq.  
12 **TYSON & MENDES LLP**  
13 170 S. Green Valley Parkway, Suite 300  
14 Las Vegas, Nevada 89012  
15 *Attorneys for Erez Bitton and Oasis Moving*  
16 *& Storage*

15 By /s/ Martina Jacobo  
16 Martina Jacobo, An Employee of  
17 LEWIS BRISBOIS BISGAARD & SMITH LLP  
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27  
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1 DARRELL D. DENNIS  
Nevada Bar No. 6618  
2 KELLY M. SMITH  
Nevada Bar No. 9192  
3 Darrell.Dennis@lewisbrisbois.com  
Kelly.Smith@lewisbrisbois.com  
4 LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
5 Las Vegas, Nevada 89118  
Telephone: 702.893.3383  
6 Facsimile: 702.893.3789  
*Attorneys for Erez Bitton and Oasis Moving &*  
7 *Storage*

8  
9 DISTRICT COURT  
10 CLARK COUNTY, NEVADA

11 GENARO GOMEZ SANTANA,

12 Plaintiff,

13 vs.

14 WILLY GOMEZ; EREZ BITTON; OASIS  
15 MOVING & STORAGE, INC. d/b/a U  
16 TRUST MOVING; DOES I-X, inclusive, and  
ROE CORPORATIONS I-X, inclusive,

17 Defendants.  
18

Case No. A-20-821483-C

Dept. No.: 9

**STIPULATION AND ORDER TO  
DISMISS WITH PREJUDICE**

19 IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff GENARO  
20 GOMEZ SANTANA, Defendant EREZ BITTON, Defendant OASIS MOVING & STORAGE, and  
21 Defendant WILLY GOMEZ, by and through their respective counsel of record, that Plaintiff's  
22 Complaint, and all claims made therein or which could have been made therein as and against  
23 Defendants EREZ BITTON, OASIS MOVING & STORAGE, and WILLY GOMEZ, in the above-  
24 entitled action, shall be dismissed with prejudice;

25 IT IS FURTHER STIPULATED that each party is to bear their own fees and costs;

26 IT IS FURTHER STIPULATED AND AGREED, that the parties may obtain the return of  
27 their jury demand fees previously submitted to the Court, if applicable; and,

28 ///

IT IS FURTHER STIPULATED AND AGREED that the trial can be VACATED.

DATED this 4<sup>th</sup> day of April, 2022.

DATED this 4<sup>th</sup> day of April, 2022.

DE CASTROVERDE LAW GROUP

LEWIS BRISBOIS BISGAARD & SMITH LLP

/s/ Michael Matzke

/s/ Kelly M. Smith

Alex J. De Castroverde, Esq.  
Nevada Bar No. 6950  
Orlando Dr Castroverde, Esq.  
Nevada Bar No. 7320  
Kimberly Valentin, Esq.  
Nevada Bar No. 12509  
Michael Matzke, Esq.  
Nevada Bar No. 14583  
1149 South Maryland Pkwy  
Las Vegas, NV 89104  
*Attorneys for Plaintiff*

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Nevada Bar No. 9192  
6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118  
*Attorneys for Defendants Erez Bitton & Oasis  
Moving & Storage*

DATED this 5<sup>th</sup> day of April, 2022.

PHILLIPS, SPALLAS & ANGSTADT, LLC

/s/ Timothy D. Kuhls

Robert K. Phillips, Esq.  
Nevada Bar No. 11441  
Timothy D. Kuhls, Esq.  
Nevada Bar No. 13362  
504 South Ninth Street  
Las Vegas, Nevada 89101  
*Attorneys for Defendant Willy Gomez*

Good afternoon Martina,

My apologies for the delay on this. Your office has our attorney's approval to add the e-signature to the SAO for dismissal.

Thank you!

**DE CASTROVERDE** | LAS VEGAS • HENDERSON  
— LAW GROUP — RENO • BAY AREA

Solange Cardenas Case Manager  
solange@decastroverdelaw.com | dlgtteam.com  
P 702.222.9999 F 702.383.8741

Good morning Martina,

Yes, please affix my e-signature and file. Please also forward my office a copy of the executed Settlement Agreement and Release so I can retain for my file.

Kindest regards,

Timothy Kuhls  
Partner

**PHILLIPS SPALLAS & ANGSTADT** LLP  
ATTORNEYS AT LAW  
San Francisco | Las Vegas | Los Angeles | Napa Valley

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DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.



1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 Genaro Gomez Santana,  
Plaintiff(s)

CASE NO: A-20-821483-C

7 vs.

DEPT. NO. Department 9

8  
9 Willy Gomez, Defendant(s)

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11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District  
13 Court. The foregoing Stipulation and 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:

14 Service Date: 4/12/2022

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