

Matthew Travis Houston, pro se
No. 1210652
H.O.S.P. P.O. Box 650
Indian Springs, NV 89070-0650

NOTARIAL PUBLIC COMMISSION
STATE OF NEVADA
No. 1210652

FILED

DISTRICT COURT
CLARK COUNTY, NEVADA

MAR 17 2022

Electronically Filed
Mar 22 2022 02:04 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

MATTHEW TRAVIS HOUSTON

CASE NO.: A

Plaintiff,

DEPT No.: 17

-vs-

NOTICE OF APPEAL AND

PLAINTIFF'S RESPONSE TO:

MANDALAY BAY CORP, et al
Defendants.

"MOVANT BERNSTEIN & POISSON'S

MOTION TO INTERVENE" ON 3/2/22

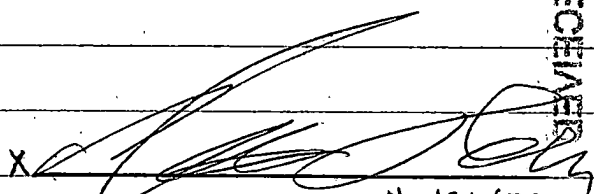
The movant's motion is filled with error not limited to the events of September 30th, 2016 are the following facts: ongoing and were more than any sort of "incident" as not only was the plaintiff clinically dead for just under 1 month, but he was performing work in the convention center ballroom on the premises of MGM Property. This was in no way in the area of the "hotel" portion of Mandalay Bay Resort and Casino. In fact, the entire casino and resort area is adjacent to the "hotel" which is additional grounds for the third party complaint. Plaintiff in no way retained "Movant Bernstein & Poisson" as they failed to prepare any sort of retainer agreement or provide this court with any sort of proof that they did. Furthermore, this case was in no way settled in any sort of way as Gene Porter provided the plaintiff with false information and misinterpreted the law, causing further damages not limited to emotional distress and legal malpractice. The "Movant" did not represent plaintiff "from the outset" nor did they incur substantial costs as this matter in further litigation due to the

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MAR 17 2022
CLERK OF THE COURT

Matthew Travis Houston
No. 1210652 @ H.D. S.P.
P.O. Box 650
Indian Springs, NV 89070-0650

1 unfortunate events sustained by the plaintiff which is
2 not limited to newly discovered evidence and survivors
3 statutes in multiple jurisdictions. Plaintiff's current state of
4 being wrongfully convicted is result of the negligence and
5 legal malpractice of Bernstein & Poisson and all other
6 associates involved in this case.

7 DATED: this 12th day of March, 2022.
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Matthew Travis Houston
No. 1210652

RECEIVED

MAR 17 2022

CLERK OF THE COURT



ASTA

**IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR
THE COUNTY OF CLARK**

MATTHEW HOUSTON,

Plaintiff(s),

vs.

MANDALAY BAY CORP. dba MANDALAY
BAY RESORT & CASINO,

Defendant(s),

Case No: A-17-758861-C

Dept No: XXIX

CASE APPEAL STATEMENT

1. Appellant(s): Matthew Travis Houston

2. Judge: David M. Jones

3. Appellant(s): Matthew Travis Houston

Counsel:

Matthew Travis Houston #1210652
P.O. Box 650
Indian Springs, NV 89070

4. Respondent (s): Mandalay Bay Corp. dba Mandalay Bay Resort & Casino

Counsel:

Brian P. Clark
7371 Prairie Falcon Rd., Suite 120

Las Vegas, NV 89128

5. Appellant(s)'s Attorney Licensed in Nevada: N/A
Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: Yes
Permission Granted: N/A

6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No

7. Appellant Represented by Appointed Counsel On Appeal: N/A

8. Appellant Granted Leave to Proceed in Forma Pauperis**: Yes, October 22, 2019
***Expires 1 year from date filed* (Expired)

Appellant Filed Application to Proceed in Forma Pauperis: No
Date Application(s) filed: N/A

9. Date Commenced in District Court: July 24, 2017

10. Brief Description of the Nature of the Action: NEGLIGENCE - Premises Liability

Type of Judgment or Order Being Appealed: Misc. Order

11. Previous Appeal: Yes

Supreme Court Docket Number(s): 80562

12. Child Custody or Visitation: N/A

13. Possibility of Settlement: Unknown

Dated This 21 day of March 2022.

Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann

Heather Ungermann, Deputy Clerk
200 Lewis Ave
PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512

cc: Matthew Travis Houston

CASE SUMMARY**CASE NO. A-17-758861-C**

Matthew Houston, Plaintiff(s)
vs.
Mandalay Bay Corp, Defendant(s)

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§

Location: **Department 29**
 Judicial Officer: **Jones, David M**
 Filed on: **07/24/2017**
 Case Number History:
 Cross-Reference Case **A758861**
 Number:
 Supreme Court No.: **80562**

CASE INFORMATION**Statistical Closures**

02/06/2020 Stipulated Dismissal

Case Type: **Negligence - Premises Liability**

Case
Status: **02/06/2020 Dismissed**

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

Case Number A-17-758861-C
 Court Department 29
 Date Assigned 12/13/2019
 Judicial Officer Jones, David M

PARTY INFORMATION**Plaintiff****Houston, Matthew***Lead Attorneys*

Poisson, Scott
Retained

702-877-4878(W)

Defendant**Mandalay Bay Corp**

Clark, Brian P
Retained

702-474-0065(W)

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

07/24/2017



Complaint

Filed By: Plaintiff Houston, Matthew

[1]

07/24/2017



Demand for Jury Trial

Filed By: Plaintiff Houston, Matthew

[2]

07/24/2017



Initial Appearance Fee Disclosure

Filed By: Plaintiff Houston, Matthew

[3] Initial Appearance and Fee Disclosure

07/24/2017



Summons Electronically Issued - Service Pending

[4] Summons (Electronically Issued)

07/31/2017

















Proof of Service

Filed by: Plaintiff Houston, Matthew

[5]




CASE SUMMARY

CASE NO. A-17-758861-C

| | |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 08/14/2017 |  Answer to Complaint Filed by: Defendant Mandalay Bay Corp <i>[6] Defendant Mandalay Bay Resort and Casino's Answer to Plaintiff's Complaint</i> |
| 08/14/2017 |  Initial Appearance Fee Disclosure Filed By: Defendant Mandalay Bay Corp <i>[7]</i> |
| 10/20/2017 |  Commissioners Decision on Request for Exemption - Granted <i>[8] Commissioner's Decision on Request for Exemption</i> |
| 10/31/2017 |  Arbitration File <i>[9]</i> |
| 12/28/2017 |  Joint Case Conference Report Filed By: Plaintiff Houston, Matthew <i>[10]</i> |
| 02/13/2018 |  Scheduling Order <i>[11]</i> |
| 02/14/2018 |  Order Setting Civil Jury Trial <i>[12] Order Setting Civil Jury Trial and Calendar Call</i> |
| 06/28/2018 |  Stipulation and Order Filed by: Defendant Mandalay Bay Corp <i>[13] Stipulation and Order re: Handling and Use of Confidential Information</i> |
| 10/09/2018 |  Amended Order Setting Jury Trial <i>[14] Amended Order Setting Civil Jury Trial and Calendar Call</i> |
| 10/11/2018 |  Stipulation and Order to Extend Discovery Deadlines Filed By: Plaintiff Houston, Matthew <i>[15] Stipulation and Order to Continue Discovery Dates (First Request)</i> |
| 10/12/2018 |  Notice of Entry of Order Filed By: Plaintiff Houston, Matthew <i>[16]</i> |
| 01/07/2019 | Case Reassigned to Department 18 <i>Judicial Reassignment - From Judge Villani to Judge Holthus</i> |
| 01/16/2019 |  Notice of Rescheduling <i>[17] Notice of Rescheduling Date and Time for Calendar Call/5-Week Trial Stack</i> |
| 02/15/2019 |  Motion to Extend Discovery Filed By: Plaintiff Houston, Matthew <i>[18] Emergency Motion to Extend Discovery Deadlines and Continue Trial Date on Order Shortening Time (Second Extension Request)</i> |
| 03/07/2019 |  Opposition to Motion Filed By: Defendant Mandalay Bay Corp <i>[19] Opposition to Plaintiff's Emergency Motion to Extend Discovery Deadlines and Continue Trial on Order Shortening Time (Second Request)</i> |

CASE SUMMARY

CASE NO. A-17-758861-C

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|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 07/30/2019 |  Order Scheduling Status Check [20] |
| 08/29/2019 |  Motion to Dismiss Counsel Party: Plaintiff Houston, Matthew [21] <i>Motion to Withdraw Counsel + Bar Complaint</i> |
| 09/18/2019 |  Motion to Compel Filed By: Plaintiff Houston, Matthew [22] <i>Emergency Motion to Compel</i> |
| 09/19/2019 |  Application to Proceed in Forma Pauperis Filed By: Plaintiff Houston, Matthew [23] <i>Application to Proceed Informa Pauperis (Confidential)</i> |
| 09/19/2019 |  Motion to Extend [24] <i>Emergency Motion to Extend Discovery Guidelines and Delay Re-Scheduled Trial Date on Order Extending Time (Amended)</i> |
| 10/10/2019 |  Motion to Compel Filed By: Defendant Mandalay Bay Corp [25] <i>Defendant's Motion to Compel Settlement; Hearing Requested</i> |
| 10/10/2019 |  Clerk's Notice of Hearing [26] <i>Notice of Hearing</i> |
| 10/15/2019 |  Writ of Mandamus Filed by: Plaintiff Houston, Matthew [27] <i>Emergency Writ of Mandamus / Motion to Compel Motion to Resume Case to Public Record</i> |
| 10/15/2019 |  Supplemental Filed by: Plaintiff Houston, Matthew [28] <i>Supplemental Amendment Defendant(s) Writ of Truth Motion for Tolling</i> |
| 10/22/2019 |  Order to Proceed In Forma Pauperis [29] <i>Order to Proceed in Forma Pauperis (Confidential)</i> |
| 11/14/2019 |  Order to Show Cause Filed by: Defendant Mandalay Bay Corp [30] <i>Order Compelling Matthew Houston to Appear Before the Court to Show Cause Why He Should Not be Compelled to Dismiss His Action Following Settlement</i> |
| 11/15/2019 |  Notice Filed By: Plaintiff Houston, Matthew [31] <i>Notice Regarding Plaintiff's Last-Known Contact Information</i> |
| 11/18/2019 |  Certificate of Service Filed by: Defendant Mandalay Bay Corp [32] |
| 12/09/2019 |  Motion Filed By: Plaintiff Houston, Matthew |

CASE SUMMARY

CASE NO. A-17-758861-C

[37] Plaintiff's Motion for Opposition of Def(s) Motion to Compel Settlement

12/10/2019



Notice of Department Reassignment

[33]

12/11/2019



Motion for Sanctions

Filed By: Plaintiff Houston, Matthew

[34] Preliminary Motion for Sanctions to be Imposed Upon Counsel of Defendant(s); Hearing Requested

12/13/2019



Peremptory Challenge

Filed by: Defendant Mandalay Bay Corp

[35] Defendant's Peremptory Challenge of Judge

12/13/2019



Notice of Department Reassignment

[36]

12/20/2019



Clerk's Notice of Hearing

[38] Notice of Hearing

12/30/2019



Opposition to Motion

Filed By: Defendant Mandalay Bay Corp

[39] Defendant's Opposition to Plaintiff's Preliminary Motion for Sanctions to be Imposed Upon Counsel of Defendant(s)

01/13/2020



Motion for Sanctions

Filed By: Defendant Mandalay Bay Corp

[40] Defendant's Motion for Sanctions Based on Nevada Rules of Civil Procedure, Rule 11; Hearing Requested

01/13/2020



Clerk's Notice of Hearing

[41] Notice of Hearing

01/13/2020



Certificate of Service

Filed by: Defendant Mandalay Bay Corp

[42]

01/22/2020



Filing

Filed By: Plaintiff Houston, Matthew

[45] Plaintiff's Amendment to Previously Filed Motion for Tolling Filed October 15th, 2019; Hearing Requested

01/30/2020



Order of Dismissal and Order Closing Case

[43] Order Dismissing Case and Order Closing Case (1/31/20 Per Dept Issued OSCC)

01/30/2020



Notice of Entry of Order

Filed By: Defendant Mandalay Bay Corp

[44] Notice of Entry of Order Dismissing Case and Order Closing Case

02/05/2020



Notice of Appeal

Filed By: Plaintiff Houston, Matthew

[46] Notice of Appeal; Hearing Demanded















02/06/2020



Order to Statistically Close Case





CASE SUMMARY

CASE NO. A-17-758861-C

| | |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <i>[47] Civil Order to Statistically Close Case</i> |
| 02/07/2020 |  Case Appeal Statement Filed By: Plaintiff Houston, Matthew <i>[48]</i> |
| 02/10/2020 |  Order to Statistically Close Case <i>[49] Civil Order to Statistically Close Case</i> |
| 02/10/2020 |  Motion Filed By: Plaintiff Houston, Matthew <i>[50] Letter of Motion to Fix Errors; Motion for New Trial and Attachment to Notice of Appeal; "Hearing Requested"</i> |
| 02/12/2020 |  Clerk's Notice of Hearing <i>[51] Notice of Hearing</i> |
| 02/21/2020 |  Notice of Change of Hearing <i>[52]</i> |
| 03/10/2020 |  Motion <i>[53] Emergency Motion for Judicial Substitution</i> |
| 05/18/2020 |  Order Denying Motion Filed By: Defendant Mandalay Bay Corp <i>[54] Order Denying Motion to Fix Errors; Motion for New Trial and Attachment to Notice of Appeal</i> |
| 05/18/2020 |  Notice of Entry of Order Filed By: Defendant Mandalay Bay Corp <i>[55] Notice of Entry of Order Denying Motion to Fix Errors; Motion for New Trial and Attachment to Notice of Appeal</i> |
| 12/01/2021 |  NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[56] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i> |
| 01/12/2022 |  Motion to Dismiss Counsel Party: Plaintiff Houston, Matthew <i>[59] Amended Complaint's and Motion to Dismiss Counsel and Appoint Standby Counsel</i> |
| 01/12/2022 |  Clerk's Notice of Hearing <i>[60] Notice of Hearing</i> |
| 01/19/2022 |  Motion to Interplead Filed By: Defendant Mandalay Bay Corp <i>[61] Defendant's Motion to Interplead Settlement Proceeds</i> |
| 01/20/2022 |  Clerk's Notice of Hearing <i>[62] Notice of Hearing</i> |
| 01/20/2022 |  Certificate Filed By: Defendant Mandalay Bay Corp <i>[63] Certificate of Service</i> |

CASE SUMMARY

CASE NO. A-17-758861-C

| | |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 02/01/2022 |  Request <i>[64] Requesting Order Setting Hearing Motion to Dismiss Counsel</i> |
| 02/28/2022 |  Order Denying Motion Filed By: Defendant Mandalay Bay Corp <i>[65] Order Denying Motion to Amend Complaint and Motion to Dismiss Counsel and Appoint Stand-By Counsel</i> |
| 02/28/2022 |  Order Filed By: Defendant Mandalay Bay Corp <i>[66] Order Granting Defendant's Motion to Interplead Settlement Proceeds</i> |
| 03/02/2022 |  Notice Filed By: Defendant Mandalay Bay Corp <i>[67] Notice of Entry of Order Denying Motion to Amend Complaint and Motion to Dismiss Counsel and Appoint Stand-By Counsel</i> |
| 03/02/2022 |  Notice Filed By: Defendant Mandalay Bay Corp <i>[68] Notice of Entry of Order Granting Defendant's Motion to Interplead Settlement Proceeds</i> |
| 03/02/2022 |  Motion to Intervene <i>[69] Movant Bernstein & Poisson's Motion to Intervene Pursuant to NRCP 24</i> |
| 03/03/2022 |  Clerk's Notice of Hearing <i>[70] Notice of Hearing</i> |
| 03/08/2022 |  Notice of Mailing Filed By: Plaintiff Houston, Matthew <i>[71] Notice of Mailing</i> |
| 03/17/2022 |  Notice of Appeal Filed By: Plaintiff Houston, Matthew <i>[72] Notice of Appeal</i> |
| 03/17/2022 |  Notice of Appeal <i>[73] Notice of Appeal and Plaintiff's Response to Movant Bernstein & Poisson's Motion to Intervene on 3/2/22</i> |
| 03/17/2022 |  Notice of Appeal <i>[74] Notice of Appeal</i> |
| 03/21/2022 |  Case Appeal Statement <i>Case Appeal Statement</i> |
| 03/21/2022 |  Case Appeal Statement <i>Case Appeal Statement</i> |
| 03/21/2022 |  Case Appeal Statement <i>Case Appeal Statement</i> |
| 01/30/2020 | <u>DISPOSITIONS</u> Order of Dismissal With Prejudice (Judicial Officer: Jones, David M) Debtors: Matthew Houston (Plaintiff) |

CASE SUMMARY


CASE NO. A-17-758861-C

Creditors: Mandalay Bay Corp (Defendant)
Judgment: 01/30/2020, Docketed: 01/30/2020

05/18/2020 **Sanctions** (Judicial Officer: Jones, David M)
Debtors: Matthew Houston (Plaintiff)
Creditors: Brian P Clark, ESQ. (Other)
Judgment: 05/18/2020, Docketed: 05/19/2020
Total Judgment: 200.00

HEARINGS


04/03/2019 **CANCELED Calendar Call** (9:00 AM) (Judicial Officer: Villani, Michael)
Vacated

04/10/2019  **Motion to Extend Discovery** (9:00 AM) (Judicial Officer: Holthus, Mary Kay)
Plaintiff Matthew Houston's Emergency Motion to Extend Discovery Deadlines And Continue Trial Date On Order Shortening Time (Second Extension Request)
Withdrawn;
Journal Entry Details:
Mr. Clark indicated the instant case was set for mediation on May 17, 2019. Further, Mr. Clark indicated parties were working on agreement for discovery. Following colloquy, Court advised parties to get together and decide how they wanted to proceed. Mr. Clark noted if they could come to terms he would submit a stipulation. COURT ORDERED, Plaintiff Matthew Houston's Emergency Motion to Extend Discovery Deadlines and Continue Trial Date On Order Shortening Time (Second Extension Request was hereby WITHDRAWN. ;

04/15/2019 **CANCELED Jury Trial** (9:00 AM) (Judicial Officer: Villani, Michael)
Vacated



08/28/2019 **CANCELED Calendar Call** (9:00 AM) (Judicial Officer: Villani, Michael)
Vacated

09/09/2019 **CANCELED Jury Trial** (10:00 AM) (Judicial Officer: Holthus, Mary Kay)
Vacated

09/18/2019  **Status Check: Settlement Documents** (9:00 AM) (Judicial Officer: Holthus, Mary Kay)
09/18/2019, 10/23/2019, 11/13/2019
Matter Continued;
Matter Continued;
Matter Heard;
Matter Continued;
Matter Continued;
Matter Heard;
Journal Entry Details:
Upon Court's inquiry, Mr. Clark indicated parties were not done settling case and did a release of all claims; however, they just needed a Stipulation and Order for Dismissal signed. Mr. Clark noted they were having difficulties with Plaintiff. Mr. Kerbow informed the Court after Plaintiff signed the release he wanted to back out, re-negotiate settlement and terminate Mr. Kerbow's firm. Court indicated they would need to get Plaintiff there; however, Mr. Clark noted Plaintiff was currently in Ohio and was just released from High Desert Correctional facility. Following colloquy, Mr. Kerbow noted he had served Plaintiff with Motion. Mr. Clark indicated they submitted all settlement documents with the Motion. Court noted it would request Plaintiff's presence in 30 days and if he didn't show, then the Court would order Plaintiff to appear. Mr. Clark noted there was a Motion on calendar for November 13, 2019; therefore, COURT ORDERED, the instant matter CONTINUED to that same date. 11/13/19 9:00 AM CONTINUED: STATUS CHECK: SETTLEMENT DOCUMENTS;
Matter Continued;
Matter Continued;
Matter Heard;
Journal Entry Details:
Defense Counsel indicated they were waiting on settlement documents to come back. Mr. Kerbow indicated Deft. was incarcerated and there was an issue with notarization noting

CASE SUMMARY

CASE NO. A-17-758861-C

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| | documents were coming back unnotarized. Mr. Kerbow advised he would be driving out on Saturday to see if he could resolve it. COURT ORDERED, matter CONTINUED for 30 days. 10/23/19 9:00 AM CONTINUED: STATUS CHECK: SETTLEMENT DOCUMENTS; |
| 11/13/2019 | <p>Motion to Compel (9:00 AM) (Judicial Officer: Jones, David M)</p> <p>11/13/2019, 01/29/2020</p> <p><i>Defendant's Motion to Compel Settlement</i></p> <p>Matter Continued;</p> <p>Minute Order Dated 12-10-19</p> <p>Granted;</p> <p>Matter Continued;</p> <p>Minute Order Dated 12-10-19</p> <p>Granted;</p> |
| 11/13/2019 | <p> All Pending Motions (9:00 AM) (Judicial Officer: Holthus, Mary Kay)</p> <p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>STATUS CHECK: SETTLEMENT DOCUMENTS...DEFENDANT'S MOTION TO COMPEL SETTLEMENT Upon Court's inquiry, Mr. Kerbow indicated technically his office was off the instant case due to client terminating them. Court advised no Motion to Withdraw or Remove was filed. Court explained if Mr. Kerbow was technically attorney of record, then Plaintiff didn't have an opportunity to respond to the Motion to Compel; therefore, Plaintiff could think he still had counsel. Mr. Clark stated at the time he filed the Motion, Mr. Kerbow was still counsel of record. COURT DIRECTED counsel to advise Deft. he had time to file Opposition. Mr. Clark reminded the Court, at the last hearing it ordered Mr. Houston to be present. Court indicated it would issue an Order to show cause and give Mr. Houston 30 days to appear; further, Court noted Mr. Houston may be having medical issues. COURT ORDERED, Defendant's Motion to Compel Settlement be CONTINUED for 30 days; FURTHER ORDERED, Mr. Kerbow was out, and an Order to Show Cause shall issue. Following colloquy, Mr. Clark noted he already issued two settlement checks; however, he would void those two checks and issue a new one to interplead with the Court. COURT FURTHER ORDERED, Status check SET. 12/11/19 9:00 AM CONTINUED: DEFENDANT'S MOTION TO COMPEL SETTLEMENT... STATUS CHECK: ORDER TO SHOW CAUSE ;</i></p> |
| 12/10/2019 | <p> Minute Order (1:45 PM) (Judicial Officer: Holthus, Mary Kay)</p> <p>Minute Order - No Hearing Held;</p> <p>Journal Entry Details:</p> <p><i>Due to statements made by Mr. Houston directed toward Judge Holthus that preclude her from providing a fair and impartial adjudication of this matter pursuant to NRCJC 2.11(1), this case shall be randomly reassigned. The motion that is currently set in DC 18 on Wednesday, December 11, 2019 will be reset in accordance with the reassignment. CLERK'S NOTE: The above minute order has been distributed to: Matthew Houston, 1009 Cardinal Drive, Maquoketa, Iowa 52060; and Brian Clark, Esq. (bpc@clarkmccourt.com) //12-10-19/ dy;</i></p> |
| 01/29/2020 | <p>Status Check (9:00 AM) (Judicial Officer: Jones, David M)</p> <p><i>Status Check: Order to Show Cause</i></p> <p>Minute Order Dated 12-10-19</p> <p>Moot;</p> |
| 01/29/2020 | <p>Motion for Sanctions (9:00 AM) (Judicial Officer: Jones, David M)</p> <p>Events: 12/11/2019 Motion for Sanctions</p> <p><i>Plaintiff's Preliminary Motion for Sanctions to be Imposed Upon Counsel</i></p> <p>Moot;</p> |
| 01/29/2020 | <p>Motion (9:00 AM) (Judicial Officer: Jones, David M)</p> <p><i>Plaintiff's Motion for Opposition of Def(s) Motion to Compel Settlement</i></p> <p>Moot;</p> |
| 01/29/2020 | <p>Motion for Sanctions (9:00 AM) (Judicial Officer: Jones, David M)</p> <p><i>Defendant's Motion for Sanctions Based on Nevada Rules of Civil Procedure, Rule 11</i></p> <p>Moot;</p> |

CASE SUMMARY

CASE NO. A-17-758861-C

01/29/2020



All Pending Motions (9:00 AM) (Judicial Officer: Jones, David M)

Matter Heard;

Journal Entry Details:

PLAINTIFF'S PRELIMINARY MOTION FOR SANCTIONS TO BE IMPOSED UPON COUNSEL... Following the arguments of counsel, COURT ORDERED Motion to Compel Settlement, GRANTED; all other motions MOOT. ORDER SIGNED IN OPEN COURT. STATUS CHECK: ORDER TO SHOW CAUSE... Following the arguments of counsel, COURT ORDERED Motion to Compel Settlement, GRANTED; all other motions MOOT. ORDER SIGNED IN OPEN COURT. DEFENDANT'S MOTION TO COMPEL SETTLEMENT... Following the arguments of counsel, COURT ORDERED Motion to Compel Settlement, GRANTED; all other motions MOOT. ORDER SIGNED IN OPEN COURT. PLAINTIFF'S MOTION FOR OPPOSITION OF DEF(S) MOTION TO COMPEL SETTLEMENT... Following the arguments of counsel, COURT ORDERED Motion to Compel Settlement, GRANTED; all other motions MOOT. ORDER SIGNED IN OPEN COURT. DEFENDANT'S MOTION FOR SANCTIONS BASED ON NEVADA RULES OF CIVIL PROCEDURE, RULE 11... Following the arguments of counsel, COURT ORDERED Motion to Compel Settlement, GRANTED; all other motions MOOT. ORDER SIGNED IN OPEN COURT.;

03/12/2020



Motion for New Trial (8:30 AM) (Judicial Officer: Jones, David M)

Events: 02/10/2020 Motion

Plaintiff's Letter of Motion to Fix Errors; Motion for New Trial and Attachment to Notice of Appeal

Motion Denied;

Journal Entry Details:

Plaintiff not present. Mr. Clark indicated he had not been served with today's motion. Court noted it did not have jurisdiction over the appeal and indicated the Law Clerk would make a copy of the motion for counsel. Mr. Clark advised he saw the motion in Odyssey and it would have cost him \$450.00 to print it out. Colloquy. At the request of Mr. Clark, COURT ORDERED, request for \$200.00 in attorney's fees GRANTED to Mr. Clark for his appearance. FURTHER, Plaintiff's Motion DENIED. Mr. Clark to prepare both orders.;

04/23/2020



Minute Order (3:00 AM) (Judicial Officer: Jones, David M)

Minute Order - No Hearing Held;

Journal Entry Details:

Pursuant to Administrative orders 20-01 through 20-13, COURT ORDERED, the matter scheduled on April 29, 2020 is rescheduled to Chambers calendar on the same day. Parties need not appear. CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File & Serve. /mt;

04/29/2020



Motion (3:00 AM) (Judicial Officer: Jones, David M)

Events: 03/10/2020 Motion

Plaintiff's Emergency Motion for Judicial Substitution

Motion Denied;

Journal Entry Details:

COURT ORDERED, motion DENIED.;

02/16/2022



Motion to Dismiss (9:00 AM) (Judicial Officer: Jones, David M)

Amended Complaint's and Motion to Dismiss Counsel and Appoint Standby Counsel

Denied;

Journal Entry Details:

Mr. Clark present via BlueJeans. Court noted is seems because Mr. Houston is housed at the Clark County Detention Center he believes he has a right to legal counsel in a civil matter and the Court has to appoint standby counsel for him if he showed a basis on a mental issue. COURT FINDS no basis to appoint standby counsel and no basis to allow him to amend his Complaint. Court noted the Court of Appeals upheld this Court's ruling and on February 23rd there is a Motion to Interplead set for hearing. As such, COURT ORDERED, Amended Complaint's and Motion to Dismiss Counsel and Appoint Standby Counsel DENIED. Mr. Clark to prepare the order. ;

02/23/2022



Motion to Interplead (9:00 AM) (Judicial Officer: Jones, David M)

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-17-758861-C

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| 04/06/2022 | <p><i>Defendant's Motion to Interplead Settlement Proceeds</i> Granted; Journal Entry Details: <i>There being no opposition, COURT ORDERED, Motion GRANTED. Mr. Clark to prepare the Order.;</i></p> <p>Motion to Intervene (3:00 AM) (Judicial Officer: Jones, David M) Events: 03/02/2022 Motion to Intervene <i>Movant Bernstein & Poisson's Motion to Intervene Pursuant to NRCP 24</i></p> | |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

DATE

FINANCIAL INFORMATION

| | |
|---------------------------------------|-------------|
| Defendant Mandalay Bay Corp | |
| Total Charges | 673.00 |
| Total Payments and Credits | 673.00 |
| Balance Due as of 3/21/2022 | 0.00 |
| Plaintiff Houston, Matthew | |
| Total Charges | 313.50 |
| Total Payments and Credits | 313.50 |
| Balance Due as of 3/21/2022 | 0.00 |

DISTRICT COURT CIVIL COVER SHEET

Department 17

Clark County, Nevada

Case No. _____
(Assigned by Clerk's Office)**I. Party Information** (provide both home and mailing addresses if different)

| | |
|------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| Plaintiff(s) (name/address/phone): Matthew Houston | Defendant(s) (name/address/phone): Mandalay bay Corp dba Mandalay Bay Resort & Casino |
| Attorney (name/address/phone): Scott S. Poisson Esq. 702-256-4566 320 S. Jones Blvd Las Vegas, NV 89107 | 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 type="checkbox"/> Auto <input checked="" 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.

07/20/2017

Date

Signature of initiating party or representative

See other side for family-related case filings.

ORD
BRIAN P. CLARK
Nevada Bar No. 4236
CLARK MCCOURT
7371 Prairie Falcon Road, Suite 120
Las Vegas, Nevada 89128
Telephone: (702) 474-0065
Facsimile: (702) 474-0068
bpc@clarkmccourt.com
Attorneys for Defendants

DISTRICT COURT
CLARK COUNTY, NEVADA

MATTHEW HOUSTON,

Plaintiff,

v.

MANDALAY BAY CORP dba MANDALAY
BAY RESORT AND CASINO, and DOES I
through 100; and ROE CORPORATIONS 101
through 200.

Defendants.

Case No. A-17-758861-C
Dept. No. XVIII

**ORDER DENYING MOTION TO AMEND COMPLAINT AND MOTION TO DISMISS
COUNSEL AND APPOINT STAND-BY COUNSEL**

Plaintiff's motion to amend complaint and motion to dismiss counsel and appoint stand-by counsel, filed January 12, 2022, came on for hearing before the District Court on February 16, 2022. Appearing on behalf of Defendant Mandalay Bay Corp (via BlueJeans) was Brian P. Clark of the law firm Clark McCourt. No appearance, in person or via BlueJeans, was made by Plaintiff Matthew Houston.

Having received, reviewed and considered Plaintiff's motions, and having reviewed the history and prior orders of this case,

THE COURT FINDS that Plaintiff Matthew Houston is currently incarcerated.

THE COURT FURTHER FINDS pursuant to the Order Dismissing Case And Closing Case entered January 30, 2020, that this case has been dismissed.

///

///

THE COURT FURTHER FINDS that Plaintiff Matthew Houston’s appeal of the January 30, 2020 order dismissing this action was denied by the Nevada Court of Appeals’ Order Of Affirmance issued October 26, 2021.

THE COURT FURTHER FINDS that there is no constitutional right to counsel in a civil case; this being a civil case, there is no basis in the law for the appointment of stand-by counsel (especially in a civil case that has been dismissed) and the court would have no authority to grant the requested relief.

THEREFORE,

IT IS HEREBY ORDERED that Plaintiff Matthew Houston's Motion To Amend Complaint And Motion To Dismiss Counsel And Appoint Stand-By Counsel, is **DENIED**.


Dated this 28th day of February, 2022



Submitted by:

CLARK MCCOURT

489 888 0A38 56F6
David M Jones
District Court Judge


 Brian P. Clark
 7371 Prairie Falcon Road, Suite 120
 Las Vegas, NV 89128
 Attorney for Defendant

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Matthew Houston, Plaintiff(s) CASE NO: A-17-758861-C
7 vs. DEPT. NO. Department 29
8 Mandalay Bay Corp,
9 Defendant(s)

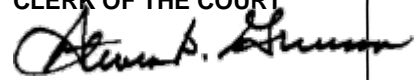
10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Order Denying Motion 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: 2/28/2022

| | |
|-------------------|---------------------------|
| 15 Lukas McCourt | lmccourt@clarkmccourt.com |
| 16 Brian Clark | bpc@clarkmccourt.com |
| 17 Jack Bernstein | jack@vegashurt.com |
| 18 Scott Poisson | scott@vegashurt.com |
| 19 Nicole Garcia | ngarcia@murchisonlaw.com |
| 20 Tyler Ure | ture@murchisonlaw.com |
| 21 Rody Scott | rscott@clarkmccourt.com |
| 22 Ryan Kerbow | ryan@vegashurt.com |
| 23 Jessica Flores | jessicaf@vegashurt.com |

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28



1 NOTC
2 BRIAN P. CLARK
3 Nevada Bar No. 4236
4 CLARK MCCOURT
5 7371 Prairie Falcon Road, Suite 120
6 Las Vegas, Nevada 89128
7 Telephone: (702) 474-0065
8 Facsimile: (702) 474-0068
9 bpc@clarkmccourt.com
10 Attorneys for Defendants

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DISTRICT COURT
CLARK COUNTY, NEVADA

MATTHEW HOUSTON,
Plaintiff,

Case No. A-17-758861-C
Dept. No. XVIII

v.

MANDALAY BAY CORP dba MANDALAY
BAY RESORT AND CASINO, and DOES I
through 100; and ROE CORPORATIONS 101
through 200.

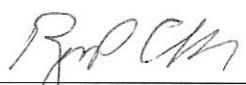
Defendants.

**NOTICE OF ENTRY OF ORDER
DENYING MOTION TO AMEND
COMPLAINT AND MOTION TO
DISMISS COUNSEL AND APPOINT
STAND-BY COUNSEL**

PLEASE TAKE NOTICE that an ORDER DENYING MOTION TO AMEND
COMPLAINT AND MOTION TO DISMISS COUNSEL AND APPOINT STAND-BY COUNSEL
was filed on February 28, 2022. A copy of that Order is attached hereto.

DATED this 28th day of February, 2022.

CLARK MCCOURT




Brian P. Clark
Nevada Bar No. 4236
7371 Prairie Falcon Road, Suite 120
Las Vegas, NV 89128
Attorneys for Mandalay Bay

CERTIFICATE OF SERVICE

I certify that on the 2nd day of March, 2022, I served a true and correct copy of
**NOTICE OF ENTRY OF ORDER DENYING MOTION TO AMEND COMPLAINT AND
MOTION TO DISMISS COUNSEL AND APPOINT STAND-BY COUNSEL**, on the following
parties/individuals via the court's electronic filing and service provider, Odyssey.

Matthew Houston
Inmate No.# 1210652
High Desert State Prison
P. O. Box 650
Indian Springs, Nevada 89070-0650
Plaintiff


An employee of Clark McCourt

1 **ORD**
2 BRIAN P. CLARK
3 Nevada Bar No. 4236
4 CLARK MCCOURT
5 7371 Prairie Falcon Road, Suite 120
6 Las Vegas, Nevada 89128
7 Telephone: (702) 474-0065
8 Facsimile: (702) 474-0068
9 bpc@clarkmccourt.com
10 Attorneys for Defendants

7 **DISTRICT COURT**
8 **CLARK COUNTY, NEVADA**

9 MATTHEW HOUSTON,

10 Plaintiff,

Case No. A-17-758861-C
Dept. No. XVIII

11 v.

12 MANDALAY BAY CORP dba MANDALAY
13 BAY RESORT AND CASINO, and DOES I
14 through 100; and ROE CORPORATIONS 101
15 through 200.

16 Defendants.

17 **ORDER DENYING MOTION TO AMEND COMPLAINT AND MOTION TO DISMISS**
18 **COUNSEL AND APPOINT STAND-BY COUNSEL**

19 Plaintiff's motion to amend complaint and motion to dismiss counsel and appoint stand-by
20 counsel, filed January 12, 2022, came on for hearing before the District Court on February 16, 2022.
21 Appearing on behalf of Defendant Mandalay Bay Corp (via BlueJeans) was Brian P. Clark of the
22 law firm Clark McCourt. No appearance, in person or via BlueJeans, was made by Plaintiff
23 Matthew Houston.

24 Having received, reviewed and considered Plaintiff's motions, and having reviewed the
25 history and prior orders of this case,

26 **THE COURT FINDS** that Plaintiff Matthew Houston is currently incarcerated.

27 **THE COURT FURTHER FINDS** pursuant to the Order Dismissing Case And Closing
28 Case entered January 30, 2020, that this case has been dismissed.

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THE COURT FURTHER FINDS that Plaintiff Matthew Houston’s appeal of the January 30, 2020 order dismissing this action was denied by the Nevada Court of Appeals’ Order Of Affirmance issued October 26, 2021.

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THEREFORE,

IT IS HEREBY ORDERED that Plaintiff Matthew Houston's Motion To Amend Complaint And Motion To Dismiss Counsel And Appoint Stand-By Counsel, is **DENIED**.

Dated this 28th day of February, 2022



Submitted by:

CLARK MCCOURT

489 888 0A38 56F6
David M Jones
District Court Judge

Brian P. Clark
7571 Prairie Falcon Road, Suite 120
Las Vegas, NV 89128
Attorney for Defendant

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Matthew Houston, Plaintiff(s) | CASE NO: A-17-758861-C
7 vs. | DEPT. NO. Department 29
8 Mandalay Bay Corp,
9 Defendant(s)

10
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| 21 Rody Scott | rscott@clarkmccourt.com |
| 22 Ryan Kerbow | ryan@vegashurt.com |
| 23 Jessica Flores | jessicaf@vegashurt.com |

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability

COURT MINUTES

April 10, 2019

A-17-758861-C Matthew Houston, Plaintiff(s)
vs.
Mandalay Bay Corp, Defendant(s)

**April 10, 2019 9:00 AM Motion to Extend
Discovery**

HEARD BY: Holthus, Mary Kay **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT: Clark, Brian P Attorney

JOURNAL ENTRIES

- Mr. Clark indicated the instant case was set for mediation on May 17, 2019. Further, Mr. Clark indicated parties were working on agreement for discovery. Following colloquy, Court advised parties to get together and decide how they wanted to proceed. Mr. Clark noted if they could come to terms he would submit a stipulation. COURT ORDERED, Plaintiff Matthew Houston's Emergency Motion to Extend Discovery Deadlines and Continue Trial Date On Order Shortening Time (Second Extension Request was hereby WITHDRAWN).

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability

COURT MINUTES

September 18, 2019

A-17-758861-C Matthew Houston, Plaintiff(s)
vs.
Mandalay Bay Corp, Defendant(s)

September 18, 2019 9:00 AM

**Status Check: Settlement
Documents**

HEARD BY: Holthus, Mary Kay

COURTROOM: RJC Courtroom 03F

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT: Kerbow, Ryan M Attorney

JOURNAL ENTRIES

- Defense Counsel indicated they were waiting on settlement documents to come back. Mr. Kerbow indicated Deft. was incarcerated and there was an issue with notarization noting documents were coming back unnotarized. Mr. Kerbow advised he would be driving out on Saturday to see if he could resolve it. COURT ORDERED, matter CONTINUED for 30 days.

10/23/19 9:00 AM CONTINUED: STATUS CHECK: SETTLEMENT DOCUMENTS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability

COURT MINUTES

October 23, 2019

A-17-758861-C Matthew Houston, Plaintiff(s)
vs.
Mandalay Bay Corp, Defendant(s)

October 23, 2019 9:00 AM Status Check: Settlement Documents

HEARD BY: Holthus, Mary Kay

COURTROOM: RJC Courtroom 03F

COURT CLERK: Dara Yorke

RECORDER: Patti Slattery

REPORTER:

PARTIES

PRESENT: Clark, Brian P Attorney
Kerbow, Ryan M Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Clark indicated parties were not done settling case and did a release of all claims; however, they just needed a Stipulation and Order for Dismissal signed. Mr. Clark noted they were having difficulties with Plaintiff. Mr. Kerbow informed the Court after Plaintiff signed the release he wanted to back out, re-negotiate settlement and terminate Mr. Kerbow's firm. Court indicated they would need to get Plaintiff there; however, Mr. Clark noted Plaintiff was currently in Ohio and was just released from High Desert Correctional facility. Following colloquy, Mr. Kerbow noted he had served Plaintiff with Motion. Mr. Clark indicated they submitted all settlement documents with the Motion. Court noted it would request Plaintiff's presence in 30 days and if he didn't show, then the Court would order Plaintiff to appear. Mr. Clark noted there was a Motion on calendar for November 13, 2019; therefore, COURT ORDERED, the instant matter CONTINUED to that same date.

11/13/19 9:00 AM CONTINUED: STATUS CHECK: SETTLEMENT DOCUMENTS

12/11/19 9:00 AM CONTINUED: DEFENDANT'S MOTION TO COMPEL SETTLEMENT... STATUS
CHECK: ORDER TO SHOW CAUSE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability

COURT MINUTES

December 10, 2019

| | |
|---------------|---------------------------------|
| A-17-758861-C | Matthew Houston, Plaintiff(s) |
| | vs. |
| | Mandalay Bay Corp, Defendant(s) |

December 10, 2019 1:45 PM Minute Order

HEARD BY: Holthus, Mary Kay **COURTROOM:** Chambers

COURT CLERK: Dara Yorke

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Due to statements made by Mr. Houston directed toward Judge Holthus that preclude her from providing a fair and impartial adjudication of this matter pursuant to NRCJC 2.11(1), this case shall be randomly reassigned. The motion that is currently set in DC 18 on Wednesday, December 11, 2019 will be reset in accordance with the reassignment.

CLERK'S NOTE: The above minute order has been distributed to: Matthew Houston, 1009 Cardinal Drive, Maquoketa, Iowa 52060; and Brian Clark, Esq. (bpc@clarkmccourt.com) //12-10-19/ dy

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability

COURT MINUTES

January 29, 2020

A-17-758861-C Matthew Houston, Plaintiff(s)
vs.
Mandalay Bay Corp, Defendant(s)

January 29, 2020 9:00 AM All Pending Motions

HEARD BY: Jones, David M **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Nancy Maldonado

RECORDER: Melissa Delgado-Murphy

REPORTER:

PARTIES

PRESENT: Clark, Brian P Attorney
Houston, Matthew Plaintiff

JOURNAL ENTRIES

- PLAINTIFF'S PRELIMINARY MOTION FOR SANCTIONS TO BE IMPOSED UPON COUNSEL...
Following the arguments of counsel, COURT ORDERED Motion to Compel Settlement, GRANTED;
all other motions MOOT. ORDER SIGNED IN OPEN COURT.

STATUS CHECK: ORDER TO SHOW CAUSE...

Following the arguments of counsel, COURT ORDERED Motion to Compel Settlement, GRANTED;
all other motions MOOT. ORDER SIGNED IN OPEN COURT.

DEFENDANT'S MOTION TO COMPEL SETTLEMENT...

Following the arguments of counsel, COURT ORDERED Motion to Compel Settlement, GRANTED;
all other motions MOOT. ORDER SIGNED IN OPEN COURT.

PLAINTIFF'S MOTION FOR OPPOSITION OF DEF(S) MOTION TO COMPEL SETTLEMENT...

Following the arguments of counsel, COURT ORDERED Motion to Compel Settlement, GRANTED;
all other motions MOOT. ORDER SIGNED IN OPEN COURT.

DEFENDANT'S MOTION FOR SANCTIONS BASED ON NEVADA RULES OF CIVIL PROCEDURE,

RULE 11...

Following the arguments of counsel, COURT ORDERED Motion to Compel Settlement, GRANTED; all other motions MOOT. ORDER SIGNED IN OPEN COURT.

March 11, 2020

Minutes Date: April 10, 2019

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability

COURT MINUTES

April 23, 2020

A-17-758861-C Matthew Houston, Plaintiff(s)
vs.
Mandalay Bay Corp, Defendant(s)

April 23, 2020 3:00 AM Minute Order

HEARD BY: Jones, David M **COURTROOM:** Chambers

COURT CLERK: Michaela Tapia

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Pursuant to Administrative orders 20-01 through 20-13, COURT ORDERED, the matter scheduled on April 29, 2020 is rescheduled to Chambers calendar on the same day. Parties need not appear.

CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File & Serve. /mt

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability

COURT MINUTES

April 29, 2020

A-17-758861-C Matthew Houston, Plaintiff(s)
vs.
Mandalay Bay Corp, Defendant(s)

April 29, 2020

3:00 AM

Motion

HEARD BY: Jones, David M

COURTROOM: Chambers

COURT CLERK: Michaela Tapia

RECORDER: Melissa Delgado-Murphy

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- COURT ORDERED, motion DENIED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability

COURT MINUTES

February 16, 2022

A-17-758861-C Matthew Houston, Plaintiff(s)
vs.
Mandalay Bay Corp, Defendant(s)

February 16, 2022 9:00 AM Motion to Dismiss

HEARD BY: Jones, David M **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Madalyn Kearney

RECORDER: Angelica Michaux

REPORTER:

PARTIES

PRESENT: Clark, Brian P Attorney

JOURNAL ENTRIES

- Mr. Clark present via BlueJeans.

Court noted is seems because Mr. Houston is housed at the Clark County Detention Center he believes he has a right to legal counsel in a civil matter and the Court has to appoint standby counsel for him if he showed a basis on a mental issue. COURT FINDS no basis to appoint standby counsel and no basis to allow him to amend his Complaint. Court noted the Court of Appeals upheld this Court's ruling and on February 23rd there is a Motion to Interplead set for hearing. As such, COURT ORDERED, Amended Complaint's and Motion to Dismiss Counsel and Appoint Standby Counsel DENIED. Mr. Clark to prepare the order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability

COURT MINUTES

February 23, 2022

A-17-758861-C Matthew Houston, Plaintiff(s)
vs.
Mandalay Bay Corp, Defendant(s)

February 23, 2022 9:00 AM Motion to Interplead

HEARD BY: Jones, David M **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Louisa Garcia

RECORDER: Angelica Michaux

REPORTER:

PARTIES

PRESENT: Clark, Brian P Attorney

JOURNAL ENTRIES

- There being no opposition, COURT ORDERED, Motion GRANTED. Mr. Clark to prepare the Order.



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

MATTHEW TRAVIS HOUSTON #1210652
P.O. BOX 650
INDIAN SPRINGS, NV 89070

DATE: March 21, 2022
CASE: A-17-758861-C

RE CASE: MATTHEW HOUSTON vs. MANDALAY BAY CORP. dba MANDALAY BAY RESORT & CASINO

NOTICE OF APPEAL FILED: March 17, 2022 (2)

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 AND PLAINTIFF'S RESPONSE TO: "MOVANT BERNSTEIN & POISSON'S MOTION TO INTERVENE" ON 3/2/22; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER DENYING MOTION TO AMEND COMPLAINT AND MOTION TO DISMISS COUNSEL AND APPOINT STAND-BY COUNSEL; NOTICE OF ENTRY OF ORDER DENYING MOTION TO AMEND COMPLAINT AND MOTION TO DISMISS COUNSEL AND APPOINT STAND-BY COUNSEL; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

MATTHEW HOUSTON,

Plaintiff(s),

vs.

MANDALAY BAY CORP. dba MANDALAY
BAY RESORT & CASINO,

Defendant(s),

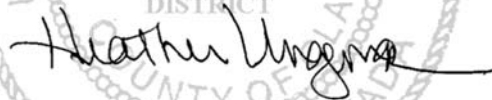
Case No: A-17-758861-C

Dept No: XXIX

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 21 day of March 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk