

IN THE SUPREME COURT OF THE STATE OF NEVADA

INDICATE FULL CAPTION:

RAYMOND BROOKS; AND BRADY LINEN
SERVICES, LLC,
Appellants,
vs.
JERRELL TURNER; AND KESHA FRYER,
Respondents.

No. 82881

Electronically Filed
May 28 2021 11:09 a.m.

Elizabeth A. Brown
Clerk of Supreme Court
**DOCKETING STATEMENT
CIVIL APPEALS**

GENERAL INFORMATION

Appellants must complete this docketing statement in compliance with NRAP 14(a). The purpose of the docketing statement is to assist the Supreme Court in screening jurisdiction, identifying issues on appeal, assessing presumptive assignment to the Court of Appeals under NRAP 17, scheduling cases for oral argument and settlement conferences, classifying cases for expedited treatment and assignment to the Court of Appeals, and compiling statistical information.

WARNING

This statement must be completed fully, accurately and on time. NRAP 14(c). The Supreme Court may impose sanctions on counsel or appellant if it appears that the information provided is incomplete or inaccurate. *Id.* Failure to fill out the statement completely or to file it in a timely manner constitutes grounds for the imposition of sanctions, including a fine and/or dismissal of the appeal.

A complete list of the documents that must be attached appears as Question 27 on this docketing statement. Failure to attach all required documents will result in the delay of your appeal and may result in the imposition of sanctions.

This court has noted that when attorneys do not take seriously their obligations under NRAP 14 to complete the docketing statement properly and conscientiously, they waste the valuable judicial resources of this court, making the imposition of sanctions appropriate. See KDI Sylvan Pools v. Workman, 107 Nev. 340, 344, 810 P.2d 1217, 1220 (1991). Please use tab dividers to separate any attached documents.

1. Judicial District Eighth Department 25
County Clark Judge Kathleen E. Delaney
District Ct. Case No. A-18-780839-C

2. Attorney filing this docketing statement:

Attorney Michael R. Hall Telephone 702.316.4111
Firm Hall Jaffe & Clayton, LLP
Address 7425 Peak Drive
Las Vegas, NV 89128

Client(s) Raymond Brooks and Brady Linen Services, LLC

If this is a joint statement by multiple appellants, add the names and addresses of other counsel and the names of their clients on an additional sheet accompanied by a certification that they concur in the filing of this statement.

3. Attorney(s) representing respondents(s):

Attorney Jared B. Anderson Telephone 702.868.8888
Firm Injury Lawyers of Nevada
Address 4001 Meadows Lane
Las Vegas, NV 89107

Client(s) Jerrell Turner and Kesha Fryer

Attorney _____ Telephone _____
Firm _____
Address _____

Client(s) _____

(List additional counsel on separate sheet if necessary)

4. Nature of disposition below (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Judgment after bench trial | <input type="checkbox"/> Dismissal: |
| <input type="checkbox"/> Judgment after jury verdict | <input type="checkbox"/> Lack of jurisdiction |
| <input type="checkbox"/> Summary judgment | <input type="checkbox"/> Failure to state a claim |
| <input checked="" type="checkbox"/> Default judgment | <input type="checkbox"/> Failure to prosecute |
| <input type="checkbox"/> Grant/Denial of NRCP 60(b) relief | <input type="checkbox"/> Other (specify): _____ |
| <input type="checkbox"/> Grant/Denial of injunction | <input type="checkbox"/> Divorce Decree: |
| <input type="checkbox"/> Grant/Denial of declaratory relief | <input type="checkbox"/> Original <input type="checkbox"/> Modification |
| <input type="checkbox"/> Review of agency determination | <input type="checkbox"/> Other disposition (specify): _____ |

5. Does this appeal raise issues concerning any of the following?

- ☐ Child Custody
- ☐ Venue
- ☐ Termination of parental rights

6. Pending and prior proceedings in this court. List the case name and docket number of all appeals or original proceedings presently or previously pending before this court which are related to this appeal:

None.

7. Pending and prior proceedings in other courts. List the case name, number and court of all pending and prior proceedings in other courts which are related to this appeal (e.g., bankruptcy, consolidated or bifurcated proceedings) and their dates of disposition:

None.

8. Nature of the action. Briefly describe the nature of the action and the result below:

This is a case involving an automobile accident. The plaintiffs sought and obtained a default and a default judgment against the defendants in the amount of \$203,571.02. Defendants assert that the default judgment was improper because no notice was given to defendants' insurer, Travelers, even though Travelers had demonstrated an intent to defend the case.

9. Issues on appeal. State concisely the principal issue(s) in this appeal (attach separate sheets as necessary):

Whether the default in this case should have been set aside based upon the fact that the defendants' insurer, Travelers, was not given notice of the intent to take default even after it had communicated with plaintiffs and plaintiffs' counsel and made it clear that Travelers had made it clear that it had the intent to defend the case.

10. Pending proceedings in this court raising the same or similar issues. If you are aware of any proceedings presently pending before this court which raises the same or similar issues raised in this appeal, list the case name and docket numbers and identify the same or similar issue raised:

None known.

11. Constitutional issues. If this appeal challenges the constitutionality of a statute, and the state, any state agency, or any officer or employee thereof is not a party to this appeal, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

☒ N/A

☐ Yes

☐ No

If not, explain:

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

☐ Reversal of well-settled Nevada precedent (identify the case(s))

☐ An issue arising under the United States and/or Nevada Constitutions

☐ A substantial issue of first impression

☒ An issue of public policy

☐ An issue where en banc consideration is necessary to maintain uniformity of this court's decisions

☐ A ballot question

If so, explain: Nevada courts have repeatedly express a public policy in favor of resolving cases on the merits. This case, which involved a substantial liability dispute, was resolved by default, and not on the merits of the parties' respective liability positions.

13. Assignment to the Court of Appeals or retention in the Supreme Court. Briefly set forth whether the matter is presumptively retained by the Supreme Court or assigned to the Court of Appeals under NRAP 17, and cite the subparagraph(s) of the Rule under which the matter falls. If appellant believes that the Supreme Court should retain the case despite its presumptive assignment to the Court of Appeals, identify the specific issue(s) or circumstance(s) that warrant retaining the case, and include an explanation of their importance or significance:

This matter is presumptively assigned to the Nevada Court of Appeals pursuant to Rule 17 (b)(5) as an appeal of a tort judgment of less than \$250,000. Appellants do not believe there is a unique circumstance requiring that the Supreme Court retain the case.

14. Trial. If this action proceeded to trial, how many days did the trial last? _____

Was it a bench or jury trial? _____

15. Judicial Disqualification. Do you intend to file a motion to disqualify or have a justice recuse him/herself from participation in this appeal? If so, which Justice?
N/A

TIMELINESS OF NOTICE OF APPEAL

16. Date of entry of written judgment or order appealed from April 1, 2021

If no written judgment or order was filed in the district court, explain the basis for seeking appellate review:

17. Date written notice of entry of judgment or order was served April 5, 2021

Was service by:

☐ Delivery

☒ Mail/electronic/fax

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.

☐ NRCP 50(b) Date of filing _____

☐ NRCP 52(b) Date of filing _____

☐ NRCP 59 Date of filing _____

NOTE: Motions made pursuant to NRCP 60 or motions for rehearing or reconsideration may toll the time for filing a notice of appeal. See AA Primo Builders v. Washington, 126 Nev. ___, 245 P.3d 1190 (2010).

(b) Date of entry of written order resolving tolling motion _____

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

Was service by:

☐ Delivery

☐ Mail

19. Date notice of appeal filed May 5, 2021

If more than one party has appealed from the judgment or order, list the date each notice of appeal was filed and identify by name the party filing the notice of appeal:

20. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRAP 4(a) or other

Rule 4(a)(1)

SUBSTANTIVE APPEALABILITY

21. Specify the statute or other authority granting this court jurisdiction to review the judgment or order appealed from:

(a)

- | | |
|---|---------------------------------------|
| <input checked="" type="checkbox"/> NRAP 3A(b)(1) | <input type="checkbox"/> NRS 38.205 |
| <input type="checkbox"/> NRAP 3A(b)(2) | <input type="checkbox"/> NRS 233B.150 |
| <input type="checkbox"/> NRAP 3A(b)(3) | <input type="checkbox"/> NRS 703.376 |
| <input type="checkbox"/> Other (specify) _____ | |

(b) Explain how each authority provides a basis for appeal from the judgment or order:
This is an appeal from a final judgment entered in a district court case.

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

(a) Parties:

Raymond Brooks
Brady Linen Services, LLC
Jerrell Turner
Kesha Fryer

(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, *e.g.*, formally dismissed, not served, or other:

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.

Jerrell Turner: Negligence, personal injury; April 21, 2021

Kesha Fryer: Negligence, personal injury; April 21, 2021

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

☒ Yes

☐ No

25. If you answered "No" to question 24, complete the following:

(a) Specify the claims remaining pending below:

(b) Specify the parties remaining below:

(c) Did the district court certify the judgment or order appealed from as a final judgment pursuant to NRCP 54(b)?

☐ Yes

☐ No

(d) Did the district court make an express determination, pursuant to NRCP 54(b), that there is no just reason for delay and an express direction for the entry of judgment?

☐ Yes

☐ No

26. If you answered "No" to any part of question 25, explain the basis for seeking appellate review (*e.g.*, order is independently appealable under NRAP 3A(b)):

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

- é The latest-filed complaint, counterclaims, cross-claims, and third-party claims
- é Any tolling motion(s) and order(s) resolving tolling motion(s)
- é Orders of NRCP 41(a) dismissals formally resolving each claim, counterclaims, cross-claims and/or third-party claims asserted in the action or consolidated action below, even if not at issue on appeal
- é Any other order challenged on appeal
- é Notices of entry for each attached order

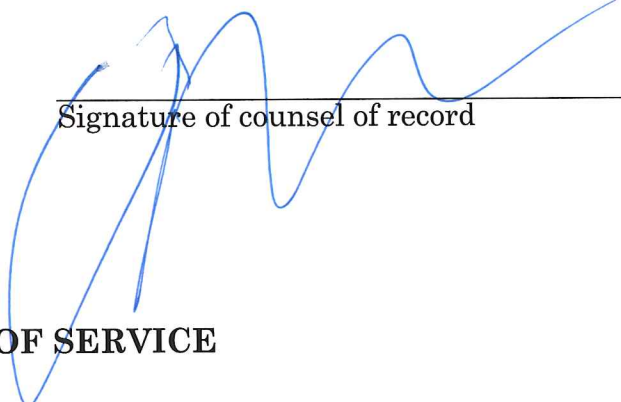
VERIFICATION

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.

Raymond Brooks; Brady Linen Services
Name of appellant

Michael R. Hall
Name of counsel of record

May 28, 2021
Date


Signature of counsel of record

Clark County, Nevada
State and county where signed

CERTIFICATE OF SERVICE

I certify that on the 28 day of May, 2021, 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.)

David J. Churchill, Esq.
Jared B. Anderson, Esq.
TANNER CHURCHILL ANDERSON
4001 Meadows Lane
Las Vegas, NV 89107

Dated this 28th day of May, 2021


Signature

COMPLAINT FILED SEPTEMBER 10, 2018



COMP

DAVID J. CHURCHILL, ESQ. (SBN:7308)
JARED B. ANDERSON, ESQ. (SBN: 9747)
INJURY LAWYERS OF NEVADA
6900 Westcliff Drive, Suite 707
Las Vegas, Nevada 89145
Telephone: (702) 868-8888
Facsimile: (702) 868-8889
david@injurylawyersnv.com
jared@injurylawyersnv.com
Attorneys for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

JERRELL TURNER, KESHA FRYER,

Plaintiffs,

vs.

CASE NO.: A-18-780839-C
DEPT NO.:

Department 25

RAYMOND BROOKS; BRADY LINEN
SERVICES, LLC; ELECTRICAL
ENGINEERING AND EQUIPMENT, CO.;
DOES I-X, and ROE ENTITIES I-X, inclusive,

Defendants.

COMPLAINT

COME NOW, Plaintiffs, JERRELL TURNER, KESHA FRYER, by and through their attorneys,
JARED B. ANDERSON, ESQ., of INJURY LAWYERS OF NEVADA, and for their causes of action
against Defendants, and each of them, complain and allege as follows:

I.

JURISDICTION

1. At all times relevant herein, Plaintiff JERRELL TURNER was and is a resident of Clark
County, Nevada.

2. At all times relevant herein, Plaintiff KESHA FRYER was and is a resident of Clark
County, Nevada.

1 3. Upon information and belief, at all times relevant hereto, Defendant RAYMOND
2 BROOKS was and is a resident of Clark County, Nevada.

3 4. Upon information and belief, at all times relevant hereto, Defendant BRADY LINEN
4 SERVICES, LLC is a corporation licensed to do business in the state of Nevada.

5 5. Upon information and belief, at all times relevant hereto, Defendant ELECTRICAL
6 ENGINEERING AND EQUIPMENT, CO. is a corporation licensed to do business in the state of
7 Nevada

8 6. All the facts and circumstances that give rise to the subject lawsuit occurred in Clark
9 County, Nevada.

10 7. That the names and capacities, whether individual, corporate, associate, or otherwise, of
11 Defendants DOES I-X and ROE ENTITIES I-X, inclusive, are unknown to Plaintiff at the time of the
12 filing of this Complaint, who, therefore, sues said Defendants by such fictitious names. Plaintiff is
13 informed and believes and thereon alleges that each of the Defendants, including those designated
14 herein as DOE and ROE ENTITIES are legally responsible for the injuries and damages to Plaintiff as
15 herein alleged. At such time that Plaintiff determines the true identities of the DOE and ROE
16 ENTITIES, Plaintiff will seek leave of this Court to amend this Complaint to set forth the proper names
17 of those Defendants as well as asserting appropriate charging allegations.

18 8. Plaintiff is informed and believes and thereon alleges that each of the Defendants,
19 including those designated herein as DOE and ROE ENTITIES are agents, employers and/or
20 employees of each other Defendant identified in this action and were acting in the course and scope of
21 said agency or employment at the time of the accident.

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II.

FACTS COMMON TO ALL CAUSES OF ACTION

9. On or about September 10, 2016, Plaintiff JERRELL TURNER was traveling northbound on the I-15 Highway just past the Charleston Exit. Plaintiff KESHA FRYER was a passenger in the vehicle driven by JERRELL TURNER. The Defendant RAYMOND BROOKS negligently crashed his truck into the vehicle occupied by the Plaintiffs.

10. That Defendant RAYMOND BROOKS did fail to pay full attention while driving, and therefore did negligently cause the subject crash.

11. That Defendant RAYMOND BROOKS did fail to yield the right of way, and therefore did negligently cause the subject accident.

12. That Defendant RAYMOND BROOKS was acting in the course and scope of his employment with defendant BRADY LINEN SERVICES, LLC at all times mentioned herein.

13. That Defendant RAYMOND BROOKS was acting in the course and scope of his employment with defendant ELECTRICAL ENGINEERING AND EQUIPMENT, CO. at all times mentioned herein.

III.

FIRST CLAIM FOR RELIEF

(Negligence)

14. Plaintiff hereby repeats, re-alleges and incorporates by reference each and every allegation set forth in the above paragraphs as though each were set forth herein verbatim.

15. That Defendants owed a duty of care to Plaintiff to operate the vehicle in a careful and prudent manner.

16. That Defendants breached their duty of care to Plaintiffs by failing to pay full attention while driving and failing to keep the vehicle under proper control. Additionally, Defendants failed to

1 use due care when causing the subject crash. Further, the Defendants are vicariously liable for the
2 actions of each other Defendant under principles of respondeat superior.

3 17. That as a direct and proximate cause of the negligence, carelessness and/or recklessness
4 of Defendants, Plaintiffs each sustained great emotional distress and bodily trauma, all or some of
5 which may be permanent and disabling in nature, all to their general and compensatory damage in an
6 amount in excess of FIFTEEN THOUSAND DOLLARS (\$15,000.00).

7 18. That in addition, Plaintiffs have been required to incur expenses for medical care,
8 treatment and expenses incidental thereto, all to their damage in an amount presently unknown at this
9 time, and may be required in the future to incur expenses for medical care and treatment, including
10 physicians, nurses, physical therapies, hospitalization, x-rays, medicine and general medical care in an
11 amount not yet ascertained, and in this regard, Plaintiffs pray for leave of the Court to insert all said
12 damages herein when the same have been fully ascertained or proven at the time of trial of this matter.
13

14 19. That as a direct and proximate result of the breach of duty by Defendants, Plaintiffs have
15 been prevented from attending to their usual occupation and, thereby, have a loss of earnings in the past
16 and/or in the future in an amount to be determined and set forth at trial.

17 20. That as a direct and proximate result of the negligence, carelessness and/or recklessness
18 of Defendants, Plaintiffs have endured pain and suffering, worry, anxiety, emotional distress, loss of
19 enjoyment of life and will continue to endure said losses for an indefinite period of time in the future, in
20 an amount in excess of \$15,000.00, and, in this regard, Plaintiffs pray for leave of the Court to insert all
21 said damages herein when the same have been fully ascertained or proven at the time of trial herein.
22

23 21. That as a direct and proximate result of the negligence, carelessness and/or recklessness
24 of Defendants, property belonging to the Plaintiffs was damaged.

25 22. Plaintiffs have been required to engage the services of an attorney in these proceedings
26 and have incurred attorneys fees that are a reasonable and foreseeable consequence and necessary and
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1 proximate result of the conduct alleged above and, therefore, Plaintiffs are entitled to reimbursement
2 from Defendants for those reasonable attorney fees and costs incurred herein as special damages.

3 **SECOND CLAIM FOR RELIEF**

4 **(Negligence Per Se)**

5 23. Plaintiffs hereby repeat, re-allege and incorporate by reference each and every allegation
6 set forth in the above paragraphs as though each were set forth herein verbatim.

7 24. That at the time of the accident, Defendants acted in violation of applicable motor
8 vehicle laws in failing to give full attention to driving and failing to yield the right of way.
9

10 25. That it has been necessary for Plaintiffs to retain the services of an attorney to prosecute
11 this action, and they should be entitled to an award of reasonable attorney's fees and costs.

12 **THIRD CLAIM FOR RELIEF**

13 **(Negligent Hiring, Training and Supervision)**

14 26. Plaintiffs hereby repeat, re-allege and incorporate by reference each and every allegation
15 set forth in the above paragraphs as though each were set forth herein verbatim.
16

17 27. At all times relevant hereto, the Defendants were in control of and responsible for hiring,
18 training and supervising employees/contractors in a way designed to protect persons such as Plaintiffs
19 from harm.

20 28. Defendants breached their duty to the Plaintiffs by failing to follow safe practices in
21 hiring, training and supervising their employees/contractors.

22 29. That the incident and the injuries to Plaintiffs were directly and proximately caused by
23 the Defendants' failure to properly hire, train and supervise their employees/contractors. As a direct
24 and proximate result, Plaintiffs suffered personal injuries to their bodies, some or all of which may be
25 permanent and lasting in nature and which injuries caused pain and suffering to the Plaintiff in an
26 amount in excess of \$15,000.
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PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for judgment against Defendants, and each of them, as follows:

1. For general damages in an amount to be proven at the time of trial;
2. For wages lost in an amount to be proven at the time of trial;
3. For special damages in an amount in excess of \$15,000.00;
4. For attorneys' fees and costs of suit incurred herein; and
5. For such other and further relief as this Court may deem just and proper.

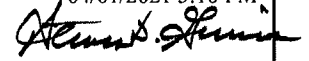
Dated this 10th day of September, 2018.

INJURY LAWYERS OF NEVADA

By: 

DAVID J. CHURCHILL, ESQ. (SBN: 7308)
JARED B. ANDERSON, ESQ. (SBN: 9747)
6900 Westcliff Drive, Suite 707
Las Vegas, Nevada 89145
Attorneys for Plaintiffs

**ORDER ON DEFAULT JUDGMENT
FILED APRIL 1, 2021**


CLERK OF THE COURT

JMT

DAVID J. CHURCHILL (SBN: 7308)
JARED B. ANDERSON (SBN: 9747)
INJURY LAWYERS OF NEVADA
4001 Meadows Lane
Las Vegas, Nevada 89107
Telephone: 702-868-8888
Facsimile: 702-868-8889
david@injurylawyersnv.com
jared@injurylawyersnv.com
Attorneys for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

JERRELL TURNER, KESHA FRYER,

Plaintiffs,

vs.

RAYMOND BROOKS; BRADY LINEN
SERVICES, LLC; DOES I-X, and ROE
ENTITIES I-X, inclusive,
Defendants.

CASE NO.: A-18-780839-C

DEPT NO.: 25

DEFAULT JUDGMENT

The Court having conducted an evidentiary hearing on Plaintiff's Motion for Default Judgment on August 6, 2020, the Court being fully advised in the premises and good cause appearing, the Court hereby makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

After default was entered against defendants Raymond Brooks and Brady Linen Services, LLC the Court conducted an evidentiary hearing on August 6, 2020 during which evidence was submitted in the form of witness testimony, medical records and bills and other documents. Based upon the evidence presented during the evidentiary hearing, the Court makes the following Findings of Fact and Conclusions of Law.

The Court hereby FINDS that on September 10, 2016 defendant Raymond Brooks who was in the course and scope of his employment with defendant Brady Linen Services, LLC negligently

1 operated his oversized truck on the I-15 Highway just past the Charleston exit and collided with the
2 vehicle occupied by plaintiffs Jerrell Turner and Kesha Fryer. Plaintiffs Jerrell Turner and Kesha Fryer
3 sustained injuries in the subject collision which necessitated medical care and treatment.

4 The Court hereby FINDS that plaintiff Jerrell Turner received medical care and treatment from
5 Dr. Richard Cestkowski, Dr. Daniel Burkhead of Innovative Pain Care Center, and Dr. William Muir, he
6 underwent imaging studies at Pueblo Medical Imaging and he obtained prescription medications from
7 Las Vegas Pharmacy and Pay later Pharmacy. The medical treatment that was provided, the imaging
8 studies that were performed and the prescriptions which were given to Jerrell Turner were all reasonable
9 and necessary medical services and care that he required to treat the injuries he sustained in the subject
10 motor vehicle crash.
11

12 The Court hereby FINDS that plaintiff Jerrell Turner has reasonably and necessarily incurred
13 medical bills in the amount of \$59,711.08 for treatment of the injuries he sustained in the September 10,
14 2016 crash, therefore the medical bills that the Defendants Raymond Brooks and Brady Linen Services,
15 LLC are responsible for comes to \$59,711.08. These bills are fair, reasonable and customary for the Las
16 Vegas community for the medical services which were provided.
17

18 The Court hereby FINDS that plaintiff Jerrell Turner sustained physical trauma as a result of the
19 subject crash which has caused him to suffer serious bodily injuries and endure prolonged pain. In
20 particular plaintiff Jerrell Turner has sustained injury to his lumbar spine. These injuries have limited
21 plaintiff Jerrell Turner's ability to engage in activities the same way that he could before the subject
22 crash occurred. Therefore, the value of his pain and suffering is determined by the Court to be the sum
23 of \$ \$90,000.00.
24

25 The Court hereby FINDS that plaintiff Kesha Fryer received medical care and treatment from
26 Dr. Richard Cestkowski and Dr. Daniel Burkhead of Innovative Pain Care Center, she underwent
27 imaging studies at Pueblo Medical Imaging and she obtained prescription medications from Las Vegas
28

1 Pharmacy. The medical treatment that was provided, the imaging studies that were performed and the
2 prescriptions which were given to Kesha Fryer were all reasonable and necessary medical services and
3 care that she required to treat the injuries she sustained in the subject motor vehicle crash.

4 The Court hereby FINDS that plaintiff Kesha Fryer has reasonably and necessarily incurred
5 medical bills in the amount of \$20,841.34 for treatment of the injuries she sustained in the September
6 10, 2016 crash, therefore the medical bills that the Defendants Raymond Brooks and Brady Linen
7 Services, LLC are responsible for comes to \$20,841.34. These bills are fair, reasonable and customary
8 for the Las Vegas community for the medical services which were provided.
9

10 The Court hereby FINDS that plaintiff Kesha Fryer sustained physical trauma as a result of the
11 subject crash which has caused her to suffer serious bodily injuries and endure prolonged pain. In
12 particular plaintiff Kesha Fryer has sustained injury to her cervical spine and lumbar spine. These
13 injuries have limited plaintiff Kesha Fryer's ability to engage in activities the same way that she could
14 before the subject crash occurred. Therefore, the value of her pain and suffering is determined by the
15 Court to be the sum of \$ \$32,000.00.
16

17 Therefore, for all of the reasons set forth above, it is hereby

18 ORDERED, ADJUDGED AND DECREED that Judgement is entered against Defendants
19 Raymond Brooks and Brady Linen Services, LLC jointly and severally in favor of plaintiff Jerrell
20 Turner in the amount of \$ \$150,197.38. ~~It is further~~, which amount represents

21 /// the total of \$149,711.08 in compensatory damages and \$486.30 in .

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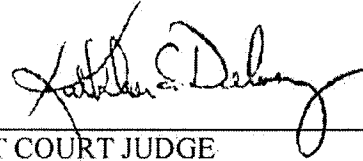
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IT IS FURTHER

ORDERED, ADJUDGED AND DECREED that Judgement is entered against Defendants
Raymond Brooks and Brady Linen Services, LLC jointly and severally in favor of plaintiff Kesha Fryer
in the amount of \$ \$53,373.64 , which amount represents the total of \$52,841.34
in compensatory damages and \$532.30 in costs.
DATED this _____ day of _____, 2020.

Dated this 1st day of April, 2021



DISTRICT COURT JUDGE

Submitted by:

INJURY LAWYERS OF NEVADA



DAVID J. CHURCHILL (SBN: 7308)
JARED B. ANDERSON (SBN: 9747)
4001 Meadows Lane
Las Vegas, Nevada 89145
Attorneys for Plaintiff

16A 0B1 D0FF 8722
Kathleen E. Delaney
Approved as to Form and Content:
District Court Judge
HALL JAFFE & CLAYTON, LLP

- Did not Sign -
MICHAEL R. HALL, ESQ.
7425 Peak Drive
Las Vegas, Nevada 89128
Attorneys for Defendants

Turner vs. Brooks, et al
Case No. A-18-780839-C
Default Judgment

1 CSERV

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA

4
5
6 Jerrell Turner, Plaintiff(s)

CASE NO: A-18-780839-C

7 vs.

DEPT. NO. Department 25

8 Raymond Brooks, 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 Default Judgment was served via the court's electronic eFile system to
13 all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 4/1/2021

15 Lisa Rico

lrico@lawhjc.com

16 Julie Richards

jrichards@lawhjc.com

17 Caryn Schiffman

cschiffman@lawhjc.com

18 Gregory Scott

gscott@lawhjc.com

19 Lili Salonga

LSalonga@tcafirm.com

20 Jared Anderson

JAnderson@tcafirm.com

21 Caitlin Pascal

cpascal@tcafirm.com

22
23 If indicated below, a copy of the above mentioned filings were also served by mail
24 via United States Postal Service, postage prepaid, to the parties listed below at their last
25 known addresses on 4/2/2021
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NOTICE OF ENTRY OF JUDGMENT
FILED APRIL 5, 2021



NEOJ

JARED B. ANDERSON, ESQ. (SBN: 9747)

DAVID A. TANNER, ESQ. (SBN : 8282)

DAVID J. CHURCHILL, ESQ.(SBN: 7308)

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Attorneys for Plaintiffs

DISTRICT COURT

CLARK COUNTY, NEVADA

JERRELL TURNER, KESHA FRYER,

Plaintiffs,

vs.

RAYMOND BROOKS; BRADY LINEN
SERVICES, LLC; DOES I-X, and ROE
ENTITIES I-X, inclusive,

Defendants.

CASE NO.: A-18-780839-C

DEPT NO.: 25

NOTICE OF ENTRY OF JUDGMENT

PLEASE TAKE NOTICE that a Default Judgment has been entered in the above captioned
matter on April 1, 2021, a copy of which is attached hereto.

DATED this 5th day of April 2021.

TANNER CHURCHILL ANDERSON

/s/ Jared B. Anderson

JARED B. ANDERSON, ESQ. (SBN: 9747)

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Attorneys for Plaintiffs

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2 **CERTIFICATE OF E-SERVICE**

3 Pursuant to Rule 9 of the Nevada Electronic Filing and Conversion Rules (N.E.F.C.R.), I certify
4 that on the 5th day of April, 2021, I served the foregoing **NOTICE OF ENTRY OF JUDGMENT** on
5 the following parties via Electronic Service, as follows:
6

7 Michael R. Hall, Esq.
8 Caryn R. Schiffman, Esq.
9 HALL JAFFE & CLAYTON, LLP
10 7425 Peak Drive
11 Las Vegas, Nevada 89128
12 Phn. 702-316-4111
13 Fax. 702-316-4114
14 Attorneys for Defendants
15 Raymond Brooks and Brady Linen Services, LLC
16

17 Via US Mail by placing said document in a sealed envelope, with postage prepaid
18 (N.R.C.P. 5(b))

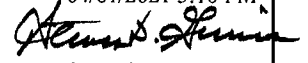
19 ☒ Via Electronic Filing (N.E.F.R. 9(b))

20 ☒ Via Electronic Service (N.E.F.R. 9)

21 ☐ Via Facsimile (E.D.C.R. 7.26(a))
22
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29 */s/Lili Salonga*

30 _____
An employee of Tanner Churchill Anderson


CLERK OF THE COURT

JMT

DAVID J. CHURCHILL (SBN: 7308)
JARED B. ANDERSON (SBN: 9747)
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jared@injurylawyersnv.com
Attorneys for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

JERRELL TURNER, KESHA FRYER,

Plaintiffs,

vs.

CASE NO.: A-18-780839-C

DEPT NO.: 25

RAYMOND BROOKS; BRADY LINEN
SERVICES, LLC; DOES I-X, and ROE
ENTITIES I-X, inclusive,
Defendants.

DEFAULT JUDGMENT

The Court having conducted an evidentiary hearing on Plaintiff's Motion for Default Judgment on August 6, 2020, the Court being fully advised in the premises and good cause appearing, the Court hereby makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

After default was entered against defendants Raymond Brooks and Brady Linen Services, LLC the Court conducted an evidentiary hearing on August 6, 2020 during which evidence was submitted in the form of witness testimony, medical records and bills and other documents. Based upon the evidence presented during the evidentiary hearing, the Court makes the following Findings of Fact and Conclusions of Law.

The Court hereby FINDS that on September 10, 2016 defendant Raymond Brooks who was in the course and scope of his employment with defendant Brady Linen Services, LLC negligently

1 operated his oversized truck on the I-15 Highway just past the Charleston exit and collided with the
2 vehicle occupied by plaintiffs Jerrell Turner and Kesha Fryer. Plaintiffs Jerrell Turner and Kesha Fryer
3 sustained injuries in the subject collision which necessitated medical care and treatment.

4 The Court hereby FINDS that plaintiff Jerrell Turner received medical care and treatment from
5 Dr. Richard Cestkowski, Dr. Daniel Burkhead of Innovative Pain Care Center, and Dr. William Muir, he
6 underwent imaging studies at Pueblo Medical Imaging and he obtained prescription medications from
7 Las Vegas Pharmacy and Pay later Pharmacy. The medical treatment that was provided, the imaging
8 studies that were performed and the prescriptions which were given to Jerrell Turner were all reasonable
9 and necessary medical services and care that he required to treat the injuries he sustained in the subject
10 motor vehicle crash.
11

12 The Court hereby FINDS that plaintiff Jerrell Turner has reasonably and necessarily incurred
13 medical bills in the amount of \$59,711.08 for treatment of the injuries he sustained in the September 10,
14 2016 crash, therefore the medical bills that the Defendants Raymond Brooks and Brady Linen Services,
15 LLC are responsible for comes to \$59,711.08. These bills are fair, reasonable and customary for the Las
16 Vegas community for the medical services which were provided.
17

18 The Court hereby FINDS that plaintiff Jerrell Turner sustained physical trauma as a result of the
19 subject crash which has caused him to suffer serious bodily injuries and endure prolonged pain. In
20 particular plaintiff Jerrell Turner has sustained injury to his lumbar spine. These injuries have limited
21 plaintiff Jerrell Turner's ability to engage in activities the same way that he could before the subject
22 crash occurred. Therefore, the value of his pain and suffering is determined by the Court to be the sum
23 of \$ \$90,000.00.
24

25 The Court hereby FINDS that plaintiff Kesha Fryer received medical care and treatment from
26 Dr. Richard Cestkowski and Dr. Daniel Burkhead of Innovative Pain Care Center, she underwent
27 imaging studies at Pueblo Medical Imaging and she obtained prescription medications from Las Vegas
28

1 Pharmacy. The medical treatment that was provided, the imaging studies that were performed and the
2 prescriptions which were given to Kesha Fryer were all reasonable and necessary medical services and
3 care that she required to treat the injuries she sustained in the subject motor vehicle crash.

4 The Court hereby FINDS that plaintiff Kesha Fryer has reasonably and necessarily incurred
5 medical bills in the amount of \$20,841.34 for treatment of the injuries she sustained in the September
6 10, 2016 crash, therefore the medical bills that the Defendants Raymond Brooks and Brady Linen
7 Services, LLC are responsible for comes to \$20,841.34. These bills are fair, reasonable and customary
8 for the Las Vegas community for the medical services which were provided.
9

10 The Court hereby FINDS that plaintiff Kesha Fryer sustained physical trauma as a result of the
11 subject crash which has caused her to suffer serious bodily injuries and endure prolonged pain. In
12 particular plaintiff Kesha Fryer has sustained injury to her cervical spine and lumbar spine. These
13 injuries have limited plaintiff Kesha Fryer's ability to engage in activities the same way that she could
14 before the subject crash occurred. Therefore, the value of her pain and suffering is determined by the
15 Court to be the sum of \$ \$32,000.00.
16

17 Therefore, for all of the reasons set forth above, it is hereby

18 ORDERED, ADJUDGED AND DECREED that Judgement is entered against Defendants
19 Raymond Brooks and Brady Linen Services, LLC jointly and severally in favor of plaintiff Jerrell
20 Turner in the amount of \$ \$150,197.38. ~~It is further~~, which amount represents

21 /// the total of \$149,711.08 in compensatory damages and \$486.30 in .

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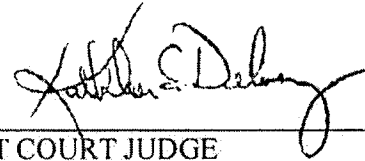
IT IS FURTHER

ORDERED, ADJUDGED AND DECREED that Judgement is entered against Defendants

Raymond Brooks and Brady Linen Services, LLC jointly and severally in favor of plaintiff Kesha Fryer
in the amount of \$ \$53,373.64 , which amount represents the total of \$52,841.34
in compensatory damages and \$532.30 in costs.

Dated this 1st day of April, 2021

DATED this _____ day of _____, 2020.



DISTRICT COURT JUDGE

Submitted by:

INJURY LAWYERS OF NEVADA




DAVID J. CHURCHILL (SBN: 7308)
JARED B. ANDERSON (SBN: 9747)
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Attorneys for Plaintiff

16A 0B1 D0FF 8722
Kathleen E. Delaney
Approved as to Form and Content:
District Court Judge

HALL JAFFE & CLAYTON, LLP

- Did not Sign -



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7425 Peak Drive
Las Vegas, Nevada 89128
Attorneys for Defendants

Turner vs. Brooks, et al
Case No. A-18-780839-C
Default Judgment

1 CSERV

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA

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6 Jerrell Turner, Plaintiff(s)

CASE NO: A-18-780839-C

7 vs.

DEPT. NO. Department 25

8 Raymond Brooks, 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 Default Judgment was served via the court's electronic eFile system to
13 all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 4/1/2021

15 Lisa Rico

lrico@lawhjc.com

16 Julie Richards

jrichards@lawhjc.com

17 Caryn Schiffman

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18 Gregory Scott

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19 Lili Salonga

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20 Jared Anderson

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21 Caitlin Pascal

cpascal@tcafirm.com

22
23 If indicated below, a copy of the above mentioned filings were also served by mail
24 via United States Postal Service, postage prepaid, to the parties listed below at their last
25 known addresses on 4/2/2021
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