

**In the Supreme Court of Nevada**

UNITED HEALTHCARE INSURANCE  
COMPANY; UNITED HEALTH CARE  
SERVICES, INC.; UMR, INC.; SIERRA  
HEALTH AND LIFE INSURANCE  
COMPANY, INC.; and HEALTH PLAN  
OF NEVADA, INC.,

Appellants,

*vs.*

FREMONT EMERGENCY SERVICES  
(MANDAVIA), LTD.; TEAM PHYSICIANS  
OF NEVADA-MANDAVIA, P.C.; and  
CRUM STEFANKO AND JONES, LTD.,

Respondents.

Electronically Filed  
Sep 06 2022 11:51 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**RESPONSE TO ORDER TO SHOW CAUSE**

Although the district court has entered orders regarding attorney's fees and costs and disposing of appellants' motion under NRCP 59(e) (Exx. A-C), the district court has yet to enter orders regarding appellants' motions under NRCP 50(b) and 59(a).

Respondents have not raised any objection to the timeliness of those motions. Appellants will supplement their notice of appeal after the "written disposition of the last-remaining" post-judgment motion, if this Court does not dismiss the appeal before then. NRAP 4(a)(6).

Dated this 6th day of September, 2022.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/Abraham G. Smith

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## CERTIFICATE OF SERVICE

I certify that on September 6, 2022, I submitted the foregoing “Response to Order to Show Cause” for filing *via* the Court’s eFlex electronic filing system. Electronic notification will be sent to the following:

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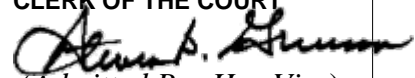
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**EXHIBIT A**

**EXHIBIT A**



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**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

FREMONT EMERGENCY SERVICES  
(MANDAVIA), LTD., a Nevada professional  
corporation; TEAM PHYSICIANS OF  
NEVADA-MANDAVIA, P.C., a Nevada  
professional corporation; CRUM, STEFANKO  
AND JONES, LTD. dba RUBY CREST  
EMERGENCY MEDICINE, a Nevada  
professional corporation,

Plaintiffs,

vs.

UNITED HEALTHCARE INSURANCE

Case No.: A-19-792978-B  
Dept. No.: 27

**NOTICE OF ENTRY OF ORDER  
GRANTING IN PART AND DENYING  
IN PART DEFENDANTS' MOTION TO  
RETAX COSTS**





COMPANY, a Connecticut corporation; UNITED  
HEALTH CARE SERVICES INC., dba  
UNITEDHEALTHCARE, a Minnesota  
corporation; UMR, INC., dba UNITED  
MEDICAL RESOURCES, a Delaware  
corporation; SIERRA HEALTH AND LIFE  
INSURANCE COMPANY, INC., a Nevada  
corporation; HEALTH PLAN OF NEVADA,  
INC., a Nevada corporation,

Defendants.

YOU WILL PLEASE TAKE NOTICE that an Order Granting In Part and Denying In  
Part Defendants' Motion To Retax Costs was filed July 28, 2022, in the above-captioned matter.  
A copy is attached hereto.

Dated this 2nd day of August, 2022.

/s/ Brittany M. Llewellyn

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*Attorneys for Defendants*



## **CERTIFICATE OF SERVICE**

I hereby certify that on the 2nd day of August, 2022, a true and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS' MOTION TO RETAX COSTS** was electronically filed/served on counsel through the Court's electronic service system pursuant to Administrative Order 14-2 and N.E.F.C.R. 9, via the electronic mail addresses noted below, unless service by another method is stated or noted:

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DISTRICT COURT

CLARK COUNTY, NEVADA

FREMONT EMERGENCY SERVICES  
(MANDAVIA), LTD., a Nevada professional  
corporation; TEAM PHYSICIANS OF NEVADA-  
MANDAVIA, P.C., a Nevada professional  
corporation; CRUM, STEFANKO AND JONES,  
LTD. dba RUBY CREST EMERGENCY  
MEDICINE, a Nevada professional corporation,

Plaintiffs,

vs.

Case No.: A-19-792978-B  
Dept. No.: 27

**ORDER GRANTING IN PART AND  
DENYING IN PART DEFENDANTS'  
MOTION TO RETAX COSTS**







1 UNITED HEALTHCARE INSURANCE  
2 COMPANY, a Connecticut corporation; UNITED  
3 HEALTH CARE SERVICES INC., dba  
4 UNITEDHEALTHCARE, a Minnesota  
5 corporation; UMR, INC., dba UNITED MEDICAL  
6 RESOURCES, a Delaware corporation; SIERRA  
7 HEALTH AND LIFE INSURANCE COMPANY,  
8 INC., a Nevada corporation; HEALTH PLAN OF  
9 NEVADA, INC., a Nevada corporation,

Defendants.

Defendants UnitedHealthcare Insurance Company; United HealthCare Services, Inc.; UMR, Inc.; Sierra Health and Life Insurance Company, Inc.; and Health Plan of Nevada, Inc. (collectively "Defendants") Motion to Retax Costs (the "Motion") came before the Court on June 29, 2022. Colby L. Balkenbush of Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC, Jeffrey E. Gordon of O'Melveny & Myers LLP, and Daniel F. Polsenberg of Lewis Roca Rothgerber Christie LLP appeared on behalf of Defendants. Pat K. Lundvall of McDonald Carano LLP and P. Kevin Leyendecker, Jane Robinson, Jason S. McManis, and Joseph Y. Ahmad of Ahmad, Zavitsanos & Mensing appeared on behalf of Plaintiffs Fremont Emergency Services (Mandavia), Ltd.; Team Physicians of Nevada-Mandavia, P.C. ("Team Physicians"); Crum, Stefanko and Jones, Ltd. dba Ruby Crest Emergency Medicine ("Ruby Crest") (collectively the "Plaintiffs").

The Court, having considered Defendants' Motion, the Plaintiffs' Opposition, and the arguments of counsel at the hearing on this matter, and good cause appearing, finds and orders as follows:

**THE COURT FINDS** that Plaintiffs are entitled to costs as the prevailing parties pursuant to NRS 18.110, the Court's March 9, 2022 Judgment and 18.020(3), as they sought recovery of money or damages in excess of \$2,500 in this action.

**THE COURT FURTHER FINDS** that the Health Care Providers Verified Memorandum of Costs was timely submitted pursuant to NRS 18.110(1).

**THE COURT FURTHER FINDS** that NRS 18.110(1) provides that a party seeking costs must provide a memorandum of costs setting forth the recoverable costs that have been necessarily incurred. A party seeking costs bears the burden of establishing that the claimed costs are



reasonable as well as demonstrating how the fees were necessary to and incurred in the present action. *The Cadle Company v. Woods & Erickson, LLP*, 131 Nev. 114, 120, 345 P.3d 1049, 1054 (2015). NRS 18.005 sets forth and defines the costs that are recoverable.

**THE COURT FURTHER FINDS** that each requested cost in the Health Care Providers Verified Memorandum of Costs is authorized by NRS 18.005, except as provided herein.

**THE COURT FURTHER FINDS** NRS 18.110(4) provides that an adverse party may move the Court to retax and settle the costs contained in a Memorandum of Costs.

**THE COURT FURTHER FINDS** that it has the discretion to determine the allowable costs under NRS 18.020.

**THE COURT FURTHER FINDS** that, with regard to costs submitted for parking fees and parking tickets, these costs are not recoverable under NRS 18.005.

**THE COURT FURTHER FINDS** that with regard to costs of \$22,938.40 submitted for “business meals” under 18.005(17), the recoverable costs are limited to \$5,734.60.

**THE COURT FURTHER FINDS** that, with regard to travel, costs for first class airline tickets are not reasonable and necessary under NRS 18.005(15). All first class flight costs shall be reduced to what the price of a coach ticket would have been, amounting to a total reduction of \$959.69.

**THE COURT FURTHER FINDS** that, with regard to lodging, hotel costs exceeding a total nightly rate of \$325.00 shall be reduced and billed at the Circa rate of \$325.00/night. Meals billed as “travel” costs are to be reduced by fifty percent (50%). Parking billed as “travel” is to be deducted, as these costs are not recoverable under NRS 18.005. Plaintiffs’ travel and lodging expenses are therefore reduced by \$89,421.83 to \$269,178.54.

**THE COURT FURTHER FINDS** that, with regard to Plaintiffs’ request for expert witness fees under NRS 18.005(5) in the amount of \$264,050.83, good cause exists for reducing the requested amount by twenty percent (20%), for a total reduction of \$52,810.16, to \$211,240.67 in recoverable costs

**THE COURT FURTHER FINDS** that, with regard to E-discovery fees, such fees will be allowed under 18.005(17), due to the circumstances of the case and the necessity to process a large



amount of information in a short amount of time.

**HE COURT FURTHER FINDS** after review that the costs for photocopies, \$10,788.90 for McDonald Carano and \$50,714.32 for Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C., indicated on the record on June 29, 2022, were incorrect, as they reflected an amount exceeding the one requested in the Memorandum of Costs submitted by Pat Lundvall.

**THE COURT FURTHER FINDS** after sua sponte review of the Motion to Retax, that the amount requested by Plaintiff for photocopies, in the amount of \$46,304.27, is hereby DEDUCTED from the total costs requested.

**ORDER**

**IT IS HEREBY ORDERED** that Defendants' Motion to Retax is **GRANTED IN PART** and **DENIED IN PART** for the reasons stated on the record, thereafter in the Court's Order Amending Oral Ruling Granting Defendants' Motion to Retax and in this written Order.

**IT IS FURTHER ORDERED THAT** Plaintiffs costs are retaxed, with total costs allowed as follows:

COST TYPE	ALLOWED
NRS 18.005(1). Clerk's Fees	\$6,742.19
NRS 18.005(2). Reporters' fees for depositions, including a reporter's fee for one copy of each deposition.	\$139,941.94
NRS 18.005(3). Jurors' fees and expenses, together with reasonable compensation of an officer appointed to act in accordance with NRS 16.120.	\$7,035.93
NRS 18.005(4). Fees for witnesses at trial, pretrial hearings and deposing witnesses	\$1,517.00
NRS 18.005(5). Reasonable fees of not more than five expert witnesses in an amount of not more than \$1,500 for each witness, unless the court allows a larger fee after determining that the circumstances surrounding the expert's testimony were of such necessity as to require the larger fee.	\$211,240.67



<b>NRS 18.005(7).</b> The fee of any sheriff or licensed process server for the delivery or service of any summons or subpoena used in the action.	\$12,220.10
<b>NRS 18.005(8).</b> Compensation for the official reporter or reporter pro tempore.	\$35,502.12
<b>NRS 18.005(12).</b> Reasonable costs for photocopies.	\$0
<b>NRS 18.005(13).</b> Reasonable costs for long distance telephone calls.	\$898.58
<b>NRS 18.005(14).</b> Reasonable costs for postage	\$9,381.67
<b>NRS 18.005(15).</b> Reasonable costs for travel and lodging incurred taking depositions and conducting discovery.	\$269,178.54
<b>NRS 18.005(17).</b> Other expenses incurred in connection with the action: <b>E-Discovery Fees:</b> \$78,315.20 <b>Courier Mileage Fees:</b> \$15,388.27 <b>Westlaw:</b> \$49,935.28 <b>Parking:</b> \$0 <b>Recording Fees:</b> \$237.54 <b>Business Meals:</b> \$5,734.60 <b>Special Master:</b> \$15,350.00 <b>NV State Bar Fees (pro hac):</b> \$11,419.88 <b>Out of State Deposition Fees:</b> \$7,272.52 <b>Videotaped Depositions:</b> \$6,183.00 <b>Investigation Fees:</b> \$3,263.49	\$193,099.78
<b>Total Recoverable Costs</b>	<b>\$886,758.52</b>

IT IS SO ORDERED.

Dated this 28th day of July, 2022

*Nancy L Alf*  
Hon. Nancy L. Alf

6FA F87 725E 13D5  
Nancy Alf  
District Court Judge



Submitted by:

Approved as to form/content:

/s/ Colby L. Balkenbush

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**From:** Kevin Leyendecker <kleyendecker@AZALAW.COM>  
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**To:** Balkenbush, Colby  
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**Subject:** RE: Proposed Order on Fees

This Message originated outside your organization.

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thx

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**Subject:** RE: Proposed Order on Fees

I am good with these changes. We will get this submitted. Thanks.

---

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**Subject:** RE: Proposed Order on Fees

This Message originated outside your organization.

---

Couple of minor edits. If you make these, I'm good with your signing my name

thx

---

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**Subject:** RE: Proposed Order on Fees

Following up on this. May I attach your e-signature and submit the order?

---

**From:** Balkenbush, Colby  
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1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 Fremont Emergency Services  
7 (Mandavia) Ltd, Plaintiff(s)

CASE NO: A-19-792978-B

8 vs.

DEPT. NO. Department 27

9 United Healthcare Insurance  
10 Company, Defendant(s)

11 **AUTOMATED CERTIFICATE OF SERVICE**

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

Service Date: 7/28/2022

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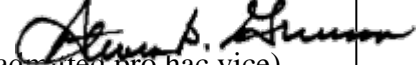
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**EXHIBIT B**

**EXHIBIT B**



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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

FREMONT EMERGENCY SERVICES  
(MANDAVIA), LTD., a Nevada professional  
corporation; TEAM PHYSICIANS OF  
NEVADA-MANDAVIA, P.C., a Nevada  
professional corporation; CRUM, STEFANKO  
AND JONES, LTD. dba RUBY CREST  
EMERGENCY MEDICINE, a Nevada  
professional corporation,

Plaintiffs,

vs.

UNITEDHEALTH GROUP, INC., a Delaware  
corporation; UNITED HEALTHCARE  
INSURANCE COMPANY, a Connecticut  
corporation; UNITED HEALTH CARE  
SERVICES INC., dba  
UNITEDHEALTHCARE, a Minnesota  
corporation; UMR, INC., dba UNITED  
MEDICAL RESOURCES, a Delaware  
corporation; OXFORD HEALTH PLANS, INC.,  
a Delaware corporation; SIERRA HEALTH  
AND LIFE INSURANCE COMPANY, INC., a  
Nevada corporation; SIERRA HEALTH-CARE

Case No.: A-19-792978-B  
Dept. No.: XXVII

**NOTICE OF ENTRY OF ORDER  
APPROVING PLAINTIFFS' MOTION  
FOR ATTORNEYS' FEES**

1 OPTIONS, INC., a Nevada corporation;  
2 HEALTH PLAN OF NEVADA, INC., a Nevada  
3 corporation; DOES 1-10; ROE ENTITIES 11-  
20,

4 Defendants.

5 Please take notice that the Order Approving Plaintiffs' Motion For Attorneys' Fees was  
6 entered on August 1, 2022, a copy of which is attached hereto.

7 Dated this 2<sup>nd</sup> day of August, 2022.

8 McDONALD CARANO LLP

9 By: /s/ Pat Lundvall

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23 *Attorneys for Plaintiffs*

## CERTIFICATE OF SERVICE

I certify that I am an employee of McDonald Carano LLP, and that on this 2nd day of August, 2022, I caused a true and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER APPROVING PLAINTIFFS' MOTION FOR ATTORNEYS' FEES** to be served via this Court's Electronic Filing system in the above-captioned case, upon the following:

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/s/ Beau Nelson

An employee of McDonald Carano LLP

*Heaven S. Linn*

CLERK OF THE COURT

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

FREMONT EMERGENCY SERVICES  
(MANDAVIA), LTD., a Nevada professional  
corporation; TEAM PHYSICIANS OF  
NEVADA-MANDAVIA, P.C., a Nevada  
professional corporation; CRUM, STEFANKO  
AND JONES, LTD. dba RUBY CREST  
EMERGENCY MEDICINE, a Nevada  
professional corporation,

Plaintiffs,

vs.

UNITED HEALTHCARE INSURANCE  
COMPANY, a Connecticut corporation; UNITED  
HEALTH CARE SERVICES INC., dba  
UNITEDHEALTHCARE, a Minnesota  
corporation; UMR, INC., dba UNITED  
MEDICAL RESOURCES, a Delaware  
corporation; SIERRA HEALTH AND LIFE  
INSURANCE COMPANY, INC., a Nevada  
corporation; HEALTH PLAN OF NEVADA,  
INC., a Nevada corporation,

Defendants.

Case No.: A-19-792978-B  
Dept. No.: XXVII

**ORDER APPROVING PLAINTIFFS'  
MOTION FOR ATTORNEYS' FEES**

Hearing Date: June 29, 2022  
Hearing Time: 10:00 a.m.

1 This matter came before the Court on June 29, 2022 on the Motion for Attorneys' Fees (the  
2 "Motion") filed by Plaintiffs Fremont Emergency Services (Mandavia), Ltd.; Team Physicians of  
3 Nevada-Mandavia, P.C.; Crum, Stefanko and Jones, Ltd. dba Ruby Crest Emergency Medicine  
4 (collectively the "Plaintiffs").

5 Pat Lundvall, McDonald Carano LLP; and Joe Ahmad, Jane Robinson, Kevin Leyendecker  
6 and Jason McManis, Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing, P.C., appeared on behalf  
7 the Plaintiffs.

8 Colby Balkenbush, Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC; Jeffrey E. Gordon,  
9 O'Melveny & Myers LLP; and Dan Polsenberg Lewis Roca Rothgerber Christie LLP appeared on  
10 behalf of defendants United Healthcare Insurance Company; United Health Care Services Inc., dba  
11 UnitedHealthcare; UMR, Inc., dba United Medical Resources; Sierra Health And Life Insurance  
12 Company, Inc. and Health Plan Of Nevada, Inc. (collectively "Defendants").

13 The Court, having considered the Motion, the Defendants' Opposition, Plaintiffs' Reply,  
14 the evidence cited in the pleadings, the Court's background and familiarity with this matter, and  
15 the argument of counsel at the hearing on this matter, and good cause appearing, finds and orders  
16 as follows:

- 17 1. The Motion was timely pursuant to NRCP 54(d)(2)(B)(i).
- 18 2. The contents of the Motion met the requirements of NRCP 54(d)(2)(B)(ii-v).
- 19 3. Each law firm retained by Plaintiffs worked on an agreed-upon hourly basis and the  
20 attorneys' fees sought were actually incurred and paid by the Plaintiffs.
- 21 4. Plaintiffs utilized a program known as CounselLink to review all invoices,  
22 including auditing such invoices for duplicative or redundant billing entries.
- 23 5. All invoices were submitted in accord with agreed-upon rates for agreed-upon  
24 timekeepers.
- 25 6. All invoices fell within the scope of the Plaintiffs' outside counsel guidelines.
- 26 7. After CounselLink reviewed each invoice, Plaintiffs' in-house counsel reviewed  
27 each invoice for accuracy and reasonableness as well as any comments generated by CounselLink  
28 before processing, adjusting as necessary and paying the invoice if the total amount invoiced was



less than \$75,000.

8. In instances where an invoice exceeded \$75,000, Plaintiffs employed a third-level of review by another in-house counsel before the invoice was ultimately submitted, adjusted as necessary and paid.

9. The Plaintiffs' chosen law firms, attorneys and paralegals possessed the requisite qualities, including ability, training, education, experience, professional standing and skill, necessary for this case.

10. The character of the work required by this case was extensive and complex in its difficulty, intricacy and importance.

11. The work performed by the attorneys and paralegals was required by this case.

12. The results achieved were successful and represent an exceptional result for the Plaintiffs.

13. Rule 54 of the Nevada Rules of Civil Procedure establishes the procedure for recovering attorneys' fees. *Thomas v. City of N. Las Vegas*, 122 Nev. 82, 94, 127 P.3d 1057, 1065 (2006) (stating that attorney fees may be provided for by statute, rule, or contract). These procedures require the Court to find that the party requesting attorneys' fees was the prevailing party.

14. A party can prevail under NRS 18.010(1) if it succeeds on any significant issue in litigation which achieves some of the benefit it sought in bringing the suit, counterclaim, or motion. *Blom v. Floodsuckers, LLC*, 3:12-cv-570-RCJ-WGC, 2013 WL 3463260 (D. Nev. July 9, 2013) (citing *Valley Elec. Ass'n v. Overfield*, 121 Nev. 7, 10, 106 P.3d 1198, 1200 (2005)). The Supreme Court of Nevada has held that "[a] plaintiff may be considered the prevailing party for attorney's fee purposes if it succeeds on any significant issue in litigation which achieves some of the benefit is sought in bringing the suit." *Hornwood v. Smith's Food King*, 105 Nev. 188, 192, 772 P.2d 1284 (1989). Courts have stated that the term "prevailing party" is a legal term of art which Black's Law Dictionary 1145 (7th ed. 1999) defines as "[a] party in whose favor a judgment is rendered, regardless of the amount of damages awarded ..." *Cleverley v. Ballantyne*, 2:12-CV-00444-GMN-GWF, 2014 WL 317775, at \*3 (D. Nev. Jan. 28, 2014) (citing *Buckhannon Bd. v.*

1 *West Virginia D.H.H.R.*, 532 U.S. 598, 603, 121 S. Ct. 1835, 1839 (2001)).

2 15. Plaintiffs were the prevailing parties in this matter. The Court has entered judgment  
3 in their favor, including as a result of the jury's unanimous Special Verdict finding in favor of  
4 Plaintiffs on all claims tried, including their Prompt Pay Act cause of action (specifically NRS  
5 683A.0879(5)). The Prompt Pay Act specifically provides: "A court shall award costs and  
6 reasonable attorneys fees to the prevailing party in an action brought pursuant to this section."  
7 Plaintiffs were the prevailing party under their Prompt Pay Act claims.

8 16. For the reasons discussed herein, generally the fees requested by Plaintiffs satisfy  
9 the reasonable factors or standards set forth in *Brunzell v. Golden Gate Nat. Bank*, 85 Nev. 345,  
10 455 P.2d 31 (1969). Those standards for the Court's review for reasonableness include:

- 11 • the qualities of the advocate: his/[her] ability, his/[her]  
12 training, education, experience, professional standing, and  
13 skill;
- 14 • the character of the work to be done: its difficulty, its  
15 intricacy, its importance, time and skill required, the  
16 responsibility imposed and the prominence and character  
17 of the parties where they affect the importance of the  
18 litigation;
- 19 • the work actually performed by the lawyer: the skill, time,  
and attention given to the work; and
- the result: whether the attorney was successful and what  
benefits were derived.

20 *Brunzell* at 349, 455 P.2d at 33. The Nevada Supreme Court notes that while a district court may  
21 choose "any method rationally designed to calculate a reasonable amount" for an attorney fee  
22 award, the district court "must continue its analysis by considering" the *Brunzell* factors. *Shuette*  
23 *v. Beazer Homes Holdings Corp.*, 121 Nev. 837, 864-65, 124 P.3d 530, 549 (2005).

24 17. No one *Brunzell* factor should predominate or be given undue weight as the Court  
25 evaluates the reasonableness of Plaintiffs' request for an award of attorneys' fees.

26 18. The Court studied every page of the invoices submitted by Plaintiffs and looked at  
27 number of issues, including hourly rates, who was doing the work, incremental billing times,  
28

duplication of effort, block billing and redactions. The Court did look specifically to see if Plaintiffs' counsel was pyramiding services such that the lower rate services reflected the bulk of the time spent and the higher rate services reflected a minority of the time spent. As a result of such review, the Court found that 70 to 80 percent of the work was done at the lower level rates, leaving about 20 to 30 percent of the work done at the higher rates. Such evidence demonstrates Plaintiffs' counsel staffed and worked the case and issues in a reasonable and necessary fashion.

19. In reviewing the Plaintiffs' invoices, the Court considered its view of the defense proffered by the Defendants. In particular, Defendants put up the most impressive defense the Court has seen, including creating a record and raising every potential issue that had a possibility for appeal, and in some instances multiple times. The effect of that impressive defense, however, necessarily caused Plaintiffs to spend additional time and effort than would have otherwise been spent pursuing the Plaintiffs' claims.

20. The Court notes that Defendants objected to the rates request by Plaintiffs on the basis that such rates do not reflect the prevailing rates in southern Nevada. The Court disagrees.

21. The rates requested by Plaintiffs reflect the prevailing rates in Las Vegas for a number of reasons. First, the rates requested compare favorably to the rates charged by Nevada attorneys of comparable skill, experience, reputation and work on similarly complex cases. A review of available other attorneys' applications or orders thereon for reimbursement of attorneys' fees in other sophisticated and complex cases also reveals that the rates at issue herein are more than reasonable. Comparable lead attorneys, practicing in cases of comparable sophistication and complexity, are known to have charged the following rates:

- Jim Pisanelli \$650 (2015 rates) - \$1,000<sup>1</sup>
- Todd Bice \$650 (2015 rates) - \$1,000<sup>2</sup>

---

<sup>1</sup> See *Wynn Resorts Ltd. v. Okada et. al.*, Case No. A-12-656710-B, Declaration of James J. Pisanelli Esq. In Support of the Award of Attorneys Fees Related to the Wynn Parties' Motion for Sanctions for Violations of the Protective Order (Jan. 7, 2016).

<sup>2</sup> See *Wynn Resorts Ltd. v. Okada et. al.*, Case No. A-12-656710-B, Declaration of James J. Pisanelli Esq. In Support of the Award of Attorneys Fees Related to the Wynn Parties' Motion for Sanctions for Violations of the Protective Order (Jan. 7, 2016).

- Dennis Kennedy \$1,000<sup>3</sup>
- Dan Polsenberg \$785<sup>4</sup>
- Debra Spinelli \$550 (2015 rates) - \$750<sup>5</sup>
- Colby Williams \$750<sup>6</sup>
- Donald Campbell \$750<sup>7</sup>

22. Moreover, district court judges both in state court and federal court, evaluating the Plaintiffs' law firm's attorneys fee applications have found rates comparable to the partners, associates and paralegal rates at issue in this case to be reasonable on other of their cases. *See for example, Pardee Homes of Nev. Corp. v. AGRW-Canyons, LLC*, No. 2:16-cv-01952-JAD-PAL, 2018 WL 10455160, at \*4 (D. Nev. Mar. 27, 2018)(“Lundvall declares that her hourly rate during this case was \$625 . . . I find that Pardee has demonstrated that the billing rates for the one partner (\$625) and three associate attorneys (\$300, \$275 and \$235) who worked on this case are reasonable.”); *Winecup Gamble Inc. v. Gordon Ranch LP*, No. 3:17-CV-00163-RJC-WCG, 2020 U.S. Dist. LEXIS 23380, at \*13 (D. Nev. Feb. 8, 2021)(“The Court finds that the hourly rates charged by Defendant’s counsel [Lundvall \$625 - \$675, Rory Kay \$300 - \$350, Diane Welch \$350] were largely customary. Plaintiff contends that Ms. Lundvall’s hourly rate which averaged

<sup>3</sup> Personal knowledge.

<sup>4</sup> *See Boca Park Marketplace Syndications Grp., LLC v. Ross Dress for Less, Inc.*, No. 02:16-CV-1197-RFB-PAL, 2020 WL 2892586, at \*3 (D. Nev. May 31, 2020) (granting a motion for attorney fees at the rate of \$750 per hour for attorney Dan Polsenberg); *see also*, Affidavit of John E. Bragonje In Support of Lewis and Roca Motion for Attorney Fees and Cost, at 4-5, *Boca Park*, 2020 WL 2892586, ECF No. 157-9 (listing the following rates for its supporting attorneys and paralegals: Partner Dan Polsenberg - \$785, Partner Schaffer - \$550, Partner Bragonje - \$445, Partner Henriod - \$485, Partner Fountain - \$470, Associate Thorpe - \$295, Associate Brantley – Lomeli - \$295, Associate Foley - \$295, Paralegal Helm - \$140).

<sup>5</sup> *See Wynn Resorts Ltd. v. Okada et. al.*, Case No. A-12-656710-B, Declaration of James J. Pisanelli Esq. In Support of the Award of Attorneys Fees Related to the Wynn Parties’ Motion for Sanctions for Violations of the Protective Order (Jan. 7, 2016).

<sup>6</sup> *See Mark Hunt v. Zuffa, LLC*, 528 F. Supp. 3d 1180, 1188 (D. Nev. 2021) (granting a motion for attorney fees at the rate of \$750 per hour for attorney Colby Williams); *see also*, Declaration of J. Colby Williams, at \*4, *Hunt*, 528 F. Supp. 3d 1188, ECF No. 193-1.

<sup>7</sup> *See Mark Hunt v. Zuffa, LLC*, 528 F. Supp. 3d 1180, 1188 (D. Nev. 2021) (granting a motion for attorney fees at the rate of \$750 per hour for attorney Colby Williams); *see also*, Declaration of J. Colby Williams, at \*4, *Hunt*, 528 F. Supp. 3d 1188, ECF No. 193-1.

\$641 was unreasonable but the Court disagrees ... this rate is reasonable based on the fact Ms. Lundvall has more than thirty years litigation experience in Nevada.”); *Pool v. Gail Wiley Landscaping, Inc.*, No. 3:16-CV-0019-HDM-VPC, 2017 WL 343640, at \*1 (D. Nev. Jan. 23, 2017) (“It is customary for attorneys to bill an hourly rate for legal services provided . . . The Court finds both of these hourly rates [charged by a McDonald Carano LLP partner and associate] to be reasonable and comparable to hourly rates attorneys practicing before this court routinely charge.”); *Maiss v. Fitz*, No. CV18-02309, 2020 Nev. Dist. LEXIS 139, at \*6 (J. Egan Walker presiding) (McDonald Carano LLP’s rates for partners, associates and paralegal found to be reasonable under Nevada standards and substantiated and therefore recoverable); *WLNS Investments, LLC v. Fayad.*, No. A-20-813011-B, at \*\*3 (Nev. Dist. Ct. Feb. 15, 2022, April 6, 2022 (J. Allf presiding) (twice, the Court awarded attorneys fees after specifically finding “[McDonald Carano LLP attorneys and paralegals] were charging below market rates [.]”); *Aevoe Corp. v. Shenzhen Membrane Precise Electron Ltd.*, No. 2:12-CV-00054-GMN-PAL, 2012 WL 2244262, at \*5 (D. Nev. June 15, 2012) (“The fees and costs charged by the McDonald Carano Wilson law firm are the rates that reflect the customary rate charged to the firm’s clients for similar litigation, and are comparable to the rates charged by attorneys at similarly situated Nevada based firms. McDonald Carano Wilson has received national recognition as one of the top law firms in the country.”); *Saticoy Bay v. Tapestry at Town Center Homeowners Ass’n*, No. A-19-789111-C, 2020 (J. Allf presiding) Nev. Dist. LEXIS 600, at \*\*5-6 (Court found the rates charged by McDonald Carano LLP’s attorneys and paralegals Ogilvie \$550, Sifers \$275 to be reasonable, awarding all requested fees and costs); *Signature Fin. LLC v. Nisley*, No. A-18-785296-C ( Nev. Dist. Ct. Oct. 17, 2019 (J. Bare, presiding) (order granting attorney fees based on rates charged by McDonald Carano LLP’s attorneys Ryan Works (\$550) and Amanda Perach (\$400) and paralegal Brian Grubb (\$185) found to be reasonable and awarded); *ACS Primary Care Physicians Sw. PA v. Molina Healthcare of Texas Inc.*, No. 2017-77084, (Tex. Dist. Ct. December 11, 2021) (J. Rabeea S. Collier presiding) (judgment awarded reasonable attorneys and paralegal fees sought by the law firm of Ahmad Zavitsanos Anaipakos Alavi & Mensing P.C. (“AZA”) at the following rates: Zavitsanos \$750, Robinson \$595, Leyendecker \$595, Killingsworth \$320, Liao \$320, Peter \$250,

Flores \$250, Rivers \$250).

23. Defendants concede, as they must, that the “Court may also rely on its own familiarity with the rates in the community to analyze those sought in the pending case.” Opposition 5:23-25, citing *United Steelworkers of Am. v. Phelps Dodge Corp.*, 896 F.2d 403, 407 (9th Cir. 1990). In that regard the Court has previously found the following rates to be reasonable for the Plaintiffs’ Nevada law firm: *Saticoy Bay v. Tapestry at Town Center Homeowners Ass’n*, No. A-19-789111-C, 2020 (J. Allf presiding) Nev. Dist. LEXIS 600, at \*\*5-6 (court found the rates charged by McDonald Carano LLP’s attorneys and paralegals (Ogilvie \$550, Sifers \$275) to be reasonable, awarding all requested fees and costs); *WLNS Investments, LLC v. Fayad.*, No. A-20-813011-B, at \*\*3 Nev. Dist. Ct. Feb. 15, 2022, April 6, 2022 (J. Allf presiding) ) (twice this Court awarded attorneys fees after specifically finding “[McDonald Carano LLP attorneys and paralegals] were charging below market rates[.]”). The Court specifically finds the rates charged by Plaintiffs’ attorneys and paralegals to be both prevailing and reasonable.

24. Defendants object to counsel’s intermittent use of block billing and contend that Nevada prohibits block billing. The Court disagrees.

25. Nevada’s seminal case for evaluating requests for attorneys’ fees is *Brunzell*. Under *Brunzell*, the guiding principle is always the reasonableness of the attorney’s fees requested rather than any specific method or approach in reaching that result. *See Haley v. Dist. Ct.*, 128 Nev. Advance. Op. 16, 273 P.3d 855, 860 (2012) (noting the Court’s analysis may include “any method rationally designed to calculate a reasonable amount, so long as the requested amount is reviewed in light of the factors set forth in *Brunzell*.”).

26. Instead of analyzing *Brunzell*, Defendants suggest the Court should reduce the requested attorneys fees by 70% because the Ninth Circuit disapproves of block billing, which Plaintiffs’ counsel used on a portion of the invoices in this case. Opposition 14:14-22:8. In arguing this, Defendants exclusively rely on Ninth Circuit cases, particularly *Welch v. Metro Life, Ins. Co.* and *Lahiri v. Universal Music & Video Distribution Corp.* *See* 480 F.3d 942 (9th Cir. 2007) and 606 F.3d 1216 (9th Cir. 2010), respectively.

27. But *Welch* and *Lahiri* are not Nevada cases and thus have no application to the



1 Court's analysis under *Brunzell* or other cases from the Nevada Supreme Court. In both *Welch*  
2 *and Lahiri*, the Ninth Circuit noted that the trial courts in those cases relied on a report from the  
3 California State Bar's Committee on Mandatory Fee Arbitration in concluding block billing was  
4 inappropriate for those cases. *See* 480 F.3d at 948; 606 F.3d at 1222-23. Although the California  
5 State Bar's reports may be given deference in California actions, they are not due such deference  
6 in Nevada actions. Of note, Defendants did not present the Court with the California State Bar's  
7 report, and thus neither the parties nor the Court can test the report's conclusions or methodology.  
8 Simply put, *Welch* and *Lahiri*'s reliance on the California State Bar report has no application to  
9 this case.

10 28. Instead, what does have application to this case is the Nevada Supreme Court's  
11 holding that "block-billed time entries are generally amenable to consideration under the *Brunzell*  
12 factors, and a district court must consider block-billed time entries when awarding attorney's fees."  
13 *In re Margaret Mary Adams 2006 Trust*, No. 6710, 2015 WL 1423378 at \*2 (Mar. 26, 2015)  
14 (internal citations omitted); *see also Branch Banking*, 2016 WL 4644477 at \*5 (quoting *In re*  
15 *Margaret* in allowing recovery for block billed attorney's fees). Thus, only "where a district court  
16 determines that none of the task entries comprising the block billing were necessary or reasonable  
17 may a district court categorically exclude all of the block-billed time entries." *In re Margaret*, No.  
18 6710, 2015 WL 1423378 at \*2 (emphasis added).

19 29. Here, counsel's time entries are all capable of analysis under *Brunzell*, and the  
20 billing descriptions are more than sufficient to justify an award of reasonable attorney's fees.  
21 Nevada caselaw required Defendants to identify any block-billed entry in which *none* of the task  
22 entries were allegedly unnecessary or unreasonable. In this regard, Defendants did not bring a  
23 single one to the Court's attention. Therefore, the Court may not categorically exclude any of the  
24 block-billed entries either in whole or in part.

25 30. Put simply, although some jurisdictions may criticize block billing, the Court's  
26 review of the invoices in question, and the periodic use of block billing, did not preclude an  
27 analysis of the reasonableness or necessity of the tasks performed. Consequently, under *Brunzell*,  
28 there is no basis to reduce the Plaintiffs' fee request due to the use of block billing.

1           31. Nevada law is clear that apportionment is not required or mandatory and the Court  
2 does not abuse its discretion to award all fees or costs requested when the facts and claims founded  
3 upon those facts are too intertwined to separate and assign to separate claims. *Mayfield v.*  
4 *Koroghli*, 124 Nev. 343, 353, 184 P.3d 362, 369 (2008) (citing *Abdallah v. United Savings Bank*,  
5 43 Ca. App. 4<sup>th</sup> 1101, 51 Cal Rptr. 286, 293 (1996), and concluding apportionment is not  
6 mandatory if the claims are too intertwined to separate).

7           32. Here, Plaintiffs sought discovery on and tried their case on a single set of facts.  
8 Those facts supported multiple legal theories - including the imposition of punitive damages. But  
9 no one fact was solely applicable to one claim versus another. All were inextricably intertwined.  
10 Defendants made no effort to apportion any of the requested fees.

11           33. The factual predicate to all claims for which discovery was sought and for all  
12 claims tried was so inextricably intertwined that it would be impossible to separate and assign  
13 some attorneys' fees to some claims but not to others

14           34. In light of the extensive review conducted by the Court of the Plaintiffs' invoices,  
15 the prevailing rates discussed herein, the defense put forth both before and during and after the  
16 trial, the complexity and uniqueness of the case, the quality of the lawyering, the rigorous nature of  
17 the trial and the results obtained, the *full* \$12,683,044.41 in attorneys' fees requested by Plaintiffs,  
18 including the rates requested for each of the timekeepers involved, is reasonable under the  
19 circumstances.

20           35. However, in light of the number of timekeepers involved and the few instances  
21 where the Court found the time invoiced was a little too sparsely described, a reduction of 10% in  
22 the amount of requested attorneys' fees is appropriate.

23           36. Consequently, the sum of \$11,414,739.97 reflects the reasonable and necessary fees  
24 incurred by Plaintiffs and the Court awards and orders Defendants pay such amount in addition to  
25 the amounts awarded Plaintiffs in the previously entered Final Judgment.

26           37. Finally, the Court notes that after filing the Motion, Plaintiffs filed a Notice of  
27 Supplemental Fees together with a supporting Affidavit. The Court intends to take up that Notice  
28 and the supplemental request for fees in due course after Defendants have had an opportunity to



file a response thereto.

**ORDER**

IT IS SO ORDERED.

Dated this 1st day of August, 2022

*Nancy L. Allf*

TW

**F4B F1C C161 CD09  
Nancy Allf  
District Court Judge**

Submitted by:

Approved/Disapproved as to form and content:

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3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 Fremont Emergency Services  
7 (Mandavia) Ltd, Plaintiff(s)

CASE NO: A-19-792978-B

8 vs.

DEPT. NO. Department 27

9 United Healthcare Insurance  
10 Company, Defendant(s)

11 **AUTOMATED CERTIFICATE OF SERVICE**

12  
13 This automated certificate of service was generated by the Eighth Judicial District  
14 Court. The foregoing Order Granting 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:

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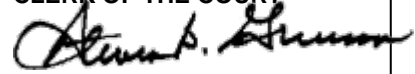
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**EXHIBIT C**

**EXHIBIT C**



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**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

FREMONT EMERGENCY SERVICES  
(MANDAVIA), LTD., a Nevada professional  
corporation; TEAM PHYSICIANS OF NEVADA-  
MANDAVIA, P.C., a Nevada professional  
corporation; CRUM, STEFANKO AND JONES,  
LTD. dba RUBY CREST EMERGENCY  
MEDICINE, a Nevada professional corporation,

Plaintiffs,

vs.

UNITED HEALTHCARE INSURANCE  
COMPANY, a Connecticut corporation; UNITED  
HEALTH CARE SERVICES INC., dba  
UNITEDHEALTHCARE, a Minnesota  
corporation; UMR, INC., dba UNITED  
MEDICAL RESOURCES, a Delaware

Case No.: A-19-792978-B  
Dept. No.: XXVII

**NOTICE OF ENTRY OF ORDER  
DENYING DEFENDANTS'  
MOTION FOR REMITTITUR AND  
TO ALTER OR AMEND THE  
JUDGMENT**



corporation; SIERRA HEALTH AND LIFE  
INSURANCE COMPANY, INC., a Nevada  
corporation; HEALTH PLAN OF NEVADA, INC.,  
a Nevada corporation,

Defendants.

Please take notice that an Order Denying Defendants' Motion for Remittitur and to  
Alter or Amend the Judgment was entered on July 18, 2022, in the above-captioned matter.  
A copy is attached hereto.

Dated this 19<sup>th</sup> day of July, 2022.

McDONALD CARANO LLP

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## CERTIFICATE OF SERVICE

I CERTIFY that I am an employee of McDonald Carano LLP, and on this 19<sup>th</sup> day of July, 2022, I caused a true and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER DENYING DEFENDANTS' MOTION FOR REMITTITUR AND TO ALTER OR AMEND THE JUDGMENT** to be filed and served via this Court's Electronic Filing system in the above-captioned case, upon the following:

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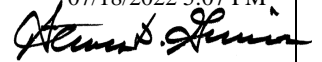
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*Attorneys for Defendants*

/s/ Marianne Carter  
An employee of McDonald Carano LLP

  
CLERK OF THE COURT

ODM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

\* \* \* \*

FREMONT EMERGENCY SERVICES  
(MANDAVIA), LTD., a Nevada professional  
corporation; TEAM PHYSICIANS OF  
NEVADA-MANDAVIA, P.C., a Nevada  
professional corporation; CRUM,  
STEFANKO AND JONES, LTD. dba RUBY  
CREST EMERGENCY MEDICINE, a  
Nevada professional corporation,

CASE NO.: A-19-792978-B

DEPARTMENT 27

Plaintiff(s)

vs.

UNITEDHEALTH GROUP, INC., a  
Delaware corporation; UNITED  
HEALTHCARE INSURANCE COMPANY,  
a Connecticut corporation; UNITED  
HEALTH CARE SERVICES INC., dba  
UNITEDHEALTHCARE, a Minnesota  
corporation; UMR, INC., dba UNITED  
MEDICAL RESOURCES, a Delaware  
corporation; OXFORD HEALTH PLANS,  
INC., a Delaware corporation; SIERRA  
HEALTH AND LIFE INSURANCE  
COMPANY, INC., a Nevada corporation;  
SIERRA HEALTH-CARE OPTIONS, INC.,  
a Nevada corporation; HEALTH PLAN OF  
NEVADA, INC., a Nevada corporation;  
DOES 1-10; ROE ENTITIES 11-20,

Defendant(s).

**ORDER DENYING DEFENDANTS' MOTION FOR REMITTITUR AND TO  
ALTER OR AMEND THE JUDGMENT**

On June 29, 2022, a hearing was held before the Court on Defendants' Motion for Remittitur and to Alter or Amend the Judgment. This matter was taken under advisement. The Court, having considered the Motion, the Opposition, and the Reply, as well as the exhibits thereto, and argument of counsel, orders as follows:

**ORDER.**

**COURT FINDS** after review that if an award of damages is excessive, the Court may order remittitur damnum to reduce the damages or, alternatively, a new trial. *Canterino v. The Mirage Casino-Hotel*, 117 Nev. 19, 22 (Nev. 2001). An award of compensatory damages must be overturned if the “award is so excessive that it appears to have been given under the influence of passion or prejudice.” *Bahena v. Goodyear Tire & Rubber Co.*, 235 P.3d 592, 601 (Nev. 2010). Although the size of the award alone is not conclusive of passion or prejudice, the Court should reduce or disallow the award if “its judicial conscience is shocked.” *Guaranty Nat’l Ins. Co., v. Potter*, 112 Nev. 199, 207 (Nev. 1996).

**COURT FURTHER FINDS** after review that with regard to special damages, while the amount of damages does not need to be mathematically exact, there must be “an evidentiary basis for determining an amount that is reasonably accurate.” *Bahena*, 235 P.3d at 601; *see also Canterino*, 117 Nev. at 24. The District Court has significant discretion in ruling upon a motion for remittitur. *Canterino*, 117 Nev. at 22. Indeed, on appeal, the Nevada Supreme Court will “accord deference to the trial judge’s decision and reject a challenge to the judge’s discretion if there is a material conflict of evidence regarding the extent of the damages.” *Id.*

**COURT FURTHER FINDS** after review that to determine whether a punitive damage award violates a party’s due process rights a court must consider (1) “the degree of reprehensibility of the defendant’s conduct,” (2) the ratio of the punitive damage award to the “actual harm inflicted on the plaintiff,” and (3) how the punitive damages award compares to other civil or criminal penalties “that could be imposed for comparable misconduct.” *Bongiovi v. Sullivan*, 122 Nev. 556, 582, 138 P.3d 433, 452 (2006).

**COURT FURTHER FINDS** after review that “[t]he most important indicium of reasonableness of a punitive damages award is the degree of reprehensibility of the defendant’s conduct.” *State Farm Mut. Auto. Ins. Co. v. Campbell*, 123 S.Ct. 1513, 538 US 408, 419 (2003).

1 The reprehensibility factors considered are: 1) the type of the harm caused; 2) the indifference to  
2 or a reckless disregard of the health or safety of others; 3) whether the target of the conduct is  
3 financially vulnerability; 4) if the conduct involved repeated actions or was an isolated incident;  
4 and 5) the harm was the result of intentional malice, trickery, or deceit, or mere accident. *Id.* at  
5 1521, 538 US at 419. The existence of any one of these factors weighing in favor of a plaintiff  
6 may not be sufficient to sustain a punitive damages award; and the absence of all of them renders  
7 any award suspect. *Id.*

9 **COURT FURTHER FINDS** after review when defendants' actions were intentional and  
10 repetitive, resulting in economic harm to plaintiffs, this can warrant an award of punitive damages.  
11 *In Re USA Commercial Mortg. Co.*, 2013 WL 3944184 (D. Nevada 2013). When assessing  
12 reprehensibility, the court can consider the risk of harm to others when the conduct at issue was  
13 putting them at risk too. *Merrick v. Paul Revere Life Ins. Co.*, 594 F.Supp.2d 1168, 1186 (D. Nev.  
14 2008). During the trial, evidence was presented that supported the jury's finding of repeated  
15 wrongdoing, which harm was caused by oppression, intentional malice, and/or fraud.

17 **COURT FURTHER FINDS** after review and consideration of the entire record, that with  
18 respect to the reprehensibility factors, the evidence supports the jury's decision on punitive  
19 damages.

20 **COURT FURTHER FINDS** after review that "because there are no rigid benchmarks that  
21 a punitive damages award may not surpass, ratios greater than those we have previously upheld  
22 may comport with due process where a particularly egregious act has resulted in only a small  
23 amount of economic damages .... The converse is also true, however. When compensatory  
24 damages are substantial, then a lesser ratio, perhaps only equal to compensatory damages, can  
25 reach the outermost limit of the due process guarantee." *Campbell*, 123 S.Ct. at 1524, 538 US at  
26 424-25.  
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1           **COURT FURTHER FINDS** after review that “[t]he precise award in any case, of course,  
2 must be based upon the facts and circumstances of the defendant's conduct and the harm to the  
3 plaintiff.” *Campbell*, 123 S.Ct. at 1524, 538 U.S. at 425. Therefore, constitutionality of the punitive  
4 damages is a factually charged analysis and is not a bright line rule.

5           **COURT FURTHER FINDS** after review that given the degree of reprehensibility of the  
6 Defendants’ conduct, as found by the jury, the evidence supported a finding that the ratio of  
7 punitive damages to the economic ones is appropriate.

8           **COURT FURTHER FINDS** after review that this jury verdict was based on careful  
9 deliberation and examination of testimony, supported by substantial evidence, and the jury’s  
10 determination should be ultimately deemed appropriate.

11           **THEREFORE, COURT ORDERS** for good cause appearing and after review that  
12 Defendants’ Motion for Remittitur and to Alter or Amend the Judgment is hereby **DENIED**.  
13

14 Dated: July 18, 2022

Dated this 18th day of July, 2022

*Nancy L Allf*

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FB8 341 7820 8293  
Nancy Allf  
District Court Judge

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20           **CERTIFICATE OF SERVICE**

21           I hereby certify that on or about the date efiled, a copy of the ORDER  
22 DENYING DEFENDANTS’ MOTION FOR REMITTITUR AND TO ALTER OR  
23 AMEND THE JUDGMENT to be electronically served pursuant to EDCR 8.05(a) and  
24 8.05(f) through the Eighth Judicial District Court's Electronic Filing Program.

*If indicated below, a copy of the foregoing was also:*

25           \_\_\_ Mailed by United States Postal Service, Postage prepaid, to the proper parties listed  
26 below at their last known address(es) :

27           \_\_\_\_\_/s/\_\_\_\_\_  
28 Karen Lawrence  
Judicial Executive Assistant

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

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6 Fremont Emergency Services  
7 (Mandavia) Ltd, Plaintiff(s)

CASE NO: A-19-792978-B

8 vs.

DEPT. NO. Department 27

9 United Healthcare Insurance  
10 Company, Defendant(s)

11 **AUTOMATED CERTIFICATE OF SERVICE**

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13 This automated certificate of service was generated by the Eighth Judicial District  
14 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:

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