

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

CLARK NMSD, LLC,
Appellant,

vs

JENNIFER GOLDSTEIN,
Respondent.

Electronically Filed
Apr 27 2022 09:59 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Supreme Court Case No. 84623

Case: A-15-728510-B

NOTICE OF CASE APPEAL STATEMENT

LAW OFFICE OF MITCHELL STIPP
MITCHELL STIPP, ESQ. (Nevada Bar No. 7531)
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Counsel for Appellant

DATED this 27th day of April, 2022.

LAW OFFICE OF MITCHELL STIPP

/s/ Mitchell Stipp

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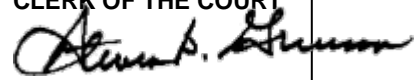
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 27th day of April, 2022, I filed the foregoing **NOTICE OF CASE APPEAL STATEMENT**, using the court's electronic filing system.

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By: /s/ Mitchell Stipp

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Attorneys for Non-Party, Clark NMSD, LLC d/b/a The Sanctuary

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

NUVEDA, LLC, a Nevada limited liability
company; SHANE M. TERRY, an individual;
and JENNIFER M. GOLDSTEIN, an individual;

Plaintiffs,

v.

PEJMAN BADY, an individual; POUYA
MOHAJER, an individual; DOES I to X,
inclusive; and ROES I to X, inclusive,

Defendants.

Case No.: A-15-728510-B

Dept. No.: 31

CASE APPEAL STATEMENT

Clark NMSD, LLC, a Nevada limited liability company d/b/a The Sanctuary, by and through its attorneys-of-record, Mitchell Stipp, of the Law Office of Mitchell Stipp, hereby files its Case Appeal Statement.

1. Name of appellant filing this case appeal statement: Clark NMSD, LLC, a Nevada limited liability company d/b/a The Sanctuary.
2. Identify the judge issuing the decision, judgment, or order appealed from: Judge Joanna Kishner, Department 31, of Eighth Judicial District Court, State of Nevada.
3. Identify each appellant and the name and address of counsel for each appellant: Clark NMSD,

1 LLC, a Nevada limited liability company d/b/a The Sanctuary. Appellant is represented by Mitchell
2 D. Stipp, Esq., of the Law Office of Mitchell Stipp, 1180 N. Town Center Drive, Suite 100, Las Vegas,
3 Nevada 89144.

4 4. Identify each respondent and the name and address of appellate counsel, if known, for each
5 respondent (if the name of a respondent's appellate counsel is unknown, indicate as much and provide
6 the name and address of that respondent's trial counsel): Jennifer Goldstein. Respondent's appellate
7 counsel is unknown; however, Respondent was represented before the District Court by the following:

8
9 DICKINSON WRIGHT PLLC
10 BRIAN R. IRVINE
11 Nevada Bar No. 7758
12 BROOKS T. WESTERGARD
13 Nevada Bar No. 14300
14 100 West Liberty Street Suite 940
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16 Tel.: (775) 343-7500
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18 Email: birvine@dickinsonwright.com
19 Email: bwestergard@dickinsonwright.com

20 5. Identify whether any attorney identified above in response to question 3 or 4 is not licensed to
21 practice law in Nevada and, if so, whether the District Court granted that attorney permission to appear
22 under SCR 42 (attach a copy of any District Court order granting such permission): None.

23 6. Indicate whether appellant was represented by appointed or retained counsel in the District
24 Court: Retained counsel.

25 7. Indicate whether appellant is represented by appointed or retained counsel on appeal: Retained
26 counsel.

27 8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry
28 of the District Court order granting such leave: No.

9. Indicate the date the proceedings commenced in the District Court (e.g., date complaint,
indictment, information, or petition was filed): Application/Petition Pursuant to NRS 31.070(5) filed
on August 12, 2021.

10. Provide a brief description of the nature of the action and result in the District Court, including the type of judgment or order being appealed and the relief granted by the District Court: The action concerns illegal collection activities by Respondent with respect to her judgment against NuVeda, LLC, a Nevada limited liability company. Respondent fraudulently caused the Constable's Office to serve a writ of execution for cash at the marijuana dispensary licensed to Appellant. The Constable's Office seized cash from the dispensary, which cash belongs to Appellant. The district court denied the Application/Petition Pursuant to NRS 31.070(5) because the court determined the Appellant failed to comply with the requirements under NRS 31.070 and failed to establish that it has any relationship with or interest in the judgment debtor or the cash seized. The clear evidence before the court confirmed Appellant's compliance with NRS 31.070 and its interest in the cash seized. Appellant's relationship with the judgment debtor is immaterial.

11. Indicate whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court and, if so, the caption and the Supreme Court docket number of the prior proceedings: Yes. Case Nos. 69648 and 79806.

12. Indicate whether this appeal involves child custody or visitation: No.

13. If this is a civil case, indicate whether this appeal involves the possibility of settlement: Yes.

Dated this 27th day of April, 2021.

LAW OFFICE OF MITCHELL STIPP

/s/ Mitchell Stipp

MITCHELL STIPP, ESQ.

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