

IN THE SUPREME COURT OF THE

STATE OF NEVADA

CLARK NMSD, LLC,
Appellant,

vs

JENNIFER GOLDSTEIN,
Respondent.

Electronically Filed
Nov 21 2022 08:54 PM
Elizabeth A. Brown
Clerk of Supreme Court

Supreme Court Case No. 84623

District Court Case No. A-15-728510-B

APPELLANT'S APPENDIX: Volume 4

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

DATED this 21st day of November, 2022.

LAW OFFICE OF MITCHELL STIPP

/s/ Mitchell Stipp

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Counsel for Appellant

CERTIFICATE OF SERVICE

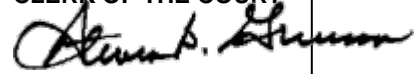
I HEREBY CERTIFY that on the 21st day of November, 2022, I filed the foregoing **Appellant's Appendix**, using the court's electronic filing system.

DICKINSON WRIGHT PLLC
BRIAN R. IRVINE
Nevada Bar No. 7758
BROOKS T. WESTERGARD
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By: /s/ Mitchell Stipp

An employee of Law Office of Mitchell Stipp

Application/Petition	Volume 1	000005-000027		
Opposition	Volume 1	000028-000038		
Reply	Volume 1	000039-000059		
Minutes	Volume 1	000060-000061		
Motion	Volume 1	000062-000077		
Order to Show Cause	Volume 1	000078-000083		
Order	Volume 1	000084-000093		
Opposition	Volume 2	000097-000108		
Reply	Volume 2	000109-000114		
Minutes	Volume 2	000115-000116		
Notice of Entry	Volume 2	000117-000128		
Motion	Volume 2	000129-000148		
Opposition	Volume 3	000152-000219		
Order	Volume 3	000220-000225		
Notice of Appeal	Volume 3	000226-000240		
Reply	Volume 4	000245-000256		
Minutes	Volume 4	000257-000258		
Notice of Entry	Volume 4	000259-000271		



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Applicant/Petitioner, Clark NMSD, LLC

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

**REPLY TO OPPOSITION TO
SECOND RENEWED MOTION FOR
RECONSIDERATION
OF DENIAL OF
APPLICATION/PETITION
PURSUANT TO NRS 31.070(5)**

Applicant/Petitioner, Clark NMSD, LLC, a Nevada limited liability company d/b/a The Sanctuary ("Clark NMSD" or "The Sanctuary"), by and through its counsel of record, Mitchell Stipp, Esq., of the Law Office of Mitchell Stipp, hereby files the above-referenced reply. Counsel for The Sanctuary is also counsel for NuVeda, LLC, a Nevada limited liability company ("NuVeda"). NuVeda filed a chapter 11 bankruptcy petition and intends to resolve the judgment in favor of Jennifer Goldstein in that forum.

This filing is based on the papers and pleadings on file in this action, the memorandum of points and authorities that follows, the exhibits attached hereto (or filed separately in support), and any argument of counsel permitted by the court at any hearing.

1
2 DATED this 3rd day of May, 2022.

3
4 **LAW OFFICE OF MITCHELL STIPP**

5
6 /s/ Mitchell Stipp, Esq.
7 MITCHELL STIPP, ESQ.
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14 *Attorneys for Petitioner/Applicant, Clark NMSD, LLC*
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DECLARATION OF MITCHELL STIPP IN SUPPORT OF MOTION

The undersigned, Mitchell Stipp, certifies to the court as follows:

1. I am counsel for Clark NMSD, LLC, a Nevada limited liability company (“The Sanctuary”). The Sanctuary is a non-party in the above-referenced case.

2. Judge Kishner presided at the hearing on October 5, 2021. Judge Kishner also denied the request by The Sanctuary to reconsider her decision because there was no order entered by the court.

3. The Sanctuary filed a motion to enter an order from the hearing on October 5, 2021 and to reconsider its decision on March 4, 2022. See Dkt. No. 177. The clerk of the court scheduled a hearing on the motion for April 5, 2022 at 8:30 a.m. See Dkt. No. 178.

4. After the motion was filed, the court issued an order to show cause for failure to comply with EDCR 7.21. See Dkt. No. 184.

5. The parties agreed upon and submitted an order from the hearing on October 5, 2022, which the court entered. See Dkt. No. 186. According to the order, the court denied The Sanctuary’s application for the return of its cash under NRS 31.070. Id. The order was filed on March 11, 2022.

6. At the hearing on April 5, 2022, the court denied The Sanctuary’s motion as premature because notice of entry was not filed with respect to the order (Dkt. No. 186).

7. EDCR 2.24(b) provides as follows:

A party seeking reconsideration of a ruling of the court, other than any order that may be addressed by motion pursuant to [NRCPP 50\(b\)](#), [52\(b\)](#), [59](#) or [60](#), must file a motion for such relief within 14 days after service of written notice of the order or judgment unless the time is shortened or enlarged by order. A motion for rehearing or reconsideration must be served, noticed, filed and heard as is any other motion. A motion for reconsideration does not toll the period for filing a notice of appeal from a final order or judgment.

(emphasis added). Written notice of the order was provided when it was filed and served on March 11, 2022. Notice of entry is not required. The district court at the hearing also stated that it was

1 prohibited from hearing the matter under Rust v. Clark Cty. School District, 103 Nev. 686 (Nev. 1988)
2 due to the absence of notice of entry. However, Rust stands for the following proposition: “The district
3 court's oral pronouncement from the bench, the clerk's minute order, and even an unfiled written order
4 are ineffective for any purpose and cannot be appealed.” 103 Nev. at 689 (citation omitted). The order
5 from the hearing on October 5, 2021 was entered by the court and filed on March 11, 2022. See Dkt.
6 No. 186. Presumably, the order is effective and can be re-considered regardless of separate notice of
7 entry.

8
9 8. Given the court’s position at the hearing on April 5, 2022, notice of entry was provided
10 on April 5, 2022. See Dkt. No. 199.

11 9. The Sanctuary has filed a complaint against the Constable’s Office for writ relief. See
12 Case No. A-22-850747-W in Department 8. The Constable’s Office is not a party to Case No. A-15-
13 728510-B and is not bound by the court’s rulings. The Constable’s Office has an independent
14 obligation to follow the requirements of NRS 31.070. Per the statute, the Constable was required to
15 release the cash illegally seized from The Sanctuary to its owner—The Sanctuary—unless Ms.
16 Goldstein posted the security required by NRS 31.070. Ms. Goldstein claims not to have received the
17 cash and has not posted any security.

18
19 10. The Sanctuary also filed a notice of appeal of the order filed as Doc. No. 186. See Dkt.
20 No. 209. The appeal has been docketed with the Nevada Supreme Court as Case No. 84623.

21 11. I submit the above-titled declaration in support of The Sanctuary’s motion and reply. I
22 have personal knowledge of the facts contained therein (unless otherwise qualified by information and
23 belief or such knowledge is based on the record in this case), I am competent to testify thereto, and such
24 facts are true and accurate to the best of my knowledge and belief.

25
26 12. Any exhibits attached to The Sanctuary’s reply are true and accurate.

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1
2 Dated this 3rd of May, 2022.

3 */s/ Mitchell Stipp*

4 _____
5 Mitchell Stipp, Esq.
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MEMORANDUM OF POINTS AND AUTHORITIES

After the motion for reconsideration was filed, The Sanctuary filed a notice of appeal. After a notice of appeal is filed, the district court retains jurisdiction to decide matters collateral to or independent from the issues on appeal, to enforce orders that are before the court on appeal, and to hold hearings concerning such matters. Foster v. Dingwall, 126 Nev. —, —, 228 P.3d 453, 455 (2010); Mack–Manley v. Manley, 122 Nev. 849, 855, 858, 138 P.3d 525, 531, 532 (2006) (providing that the district court has the authority to resolve matters that are collateral to and independent of the issues on appeal, “i.e., matters that in no way affect the appeal’s merits,” and explaining that a “district court has the power to enforce” its order being challenged on appeal). Therefore, the court lacks the power and authority to reconsider its decision unless it elects to treat the motion for reconsideration as a motion under the procedure outlined in Huneycutt v. Huneycutt, 94 Nev. 79, 575 P.2d 585 (1978). As set forth in Huneycutt, a party can seek to have the district court certify its intent to grant the requested relief, and thereafter the party may move the Nevada Supreme Court to remand the matter to the district court for the entry of an order granting the requested relief. Accordingly, if the court is inclined to grant the relief requested by the motion, the court can certify its intent to grant the motion, and The Sanctuary will file a motion with the Nevada Supreme Court to remand the case to enter an order granting the relief.

1. New Evidence, New Arguments, and New Law are not required for the court to reconsider its decision.

Ms. Goldstein contends in her opposition that The Sanctuary has not “introduced one scintilla of new evidence” to support its motion. This contention borders on the ridiculous. **The facts have not changed**—Agreed. However, Ms. Goldstein continues to misrepresent them. At the hearing on the initial motion for the application to return the cash held on October 5, 2021, NuVeda and The Sanctuary were willing to participate in an evidentiary hearing. Ms. Goldstein’s counsel refused. At minimum, The Sanctuary should have been permitted to participate in such a hearing (so Ms. Goldstein’s false statements and misrepresentations could be exposed). Unfortunately, The Sanctuary was denied this opportunity. **Noteworthy, Ms. Goldstein did not supply an affidavit in support of her opposition of the original application, the motion for reconsideration, or the second motion for reconsideration.** Next, the Sanctuary is not required to make new arguments. **Yes—the arguments are the same.** The

Sanctuary has not argued the law has changed either. *The Sanctuary's motion is based on the court's refusal to consider the actual evidence before it and its misunderstanding/misapplication of the law based on the false and misleading statements made by Ms. Goldstein through her counsel.*

The court denied the application for the return of the cash because The Sanctuary failed to establish any relationship with or interest in NuVeda. *Where is the case or statute which requires The Sanctuary to satisfy this burden?* Neither Ms. Goldstein nor the court has offered any authority to support this evidentiary burden (because none exists). Further, the court denied the application because The Sanctuary did not establish that it had any interest in the cash despite the fact that the application specifically contained the following:

On the issue of ownership of the cash, Nevada law provides guidance. The seizure of property from someone is prima facie evidence of that person's entitlement, particularly when the seized property is money-negotiable instruments difficult to identify and trace. See Ferris v. United States, 501 F. Supp. 98 (D. Nev. 1980). In addition to the declaration of Dr. Bady included as part of Exhibit 2, Exhibit B thereto includes a shift report from the operating manager of The Sanctuary, Armando Mendoza, which confirms the cash shortfall of the business. The court should note that the report clearly identifies "Clark NMSD, LLC" as the business entity associated with the same.

See Dkt. No. 169 (page 5, lines 2-8). The court's decision is clearly inconsistent with Nevada law and proffered evidence before it. On a side note, it makes little sense to deny the application because The Sanctuary has not met its evidentiary burden when the court denied The Sanctuary the opportunity to participate in an evidentiary hearing.

2. The Sanctuary has met its burden for the court to reconsider its decision.

Here are the facts: NuVeda previously owned cannabis licenses, which were awarded by the State of Nevada. However, those licenses were transferred to The Sanctuary, Nye Natural Medicinal Solutions, LLC, and Clark Natural Medicinal Solutions, LLC, and such transfers were approved by the Nevada Department of Taxation (predecessor-in-interest to the Cannabis Compliance Board or "CCB"). As a former member and General Counsel of NuVeda, Ms. Goldstein was aware of the organizational structure of NuVeda and its subsidiaries/affiliates. These matters were also subject to

disclosure and discovery in this case during binding arbitration before the American Arbitration Association.

Ms. Goldstein's references in her filings to statements purportedly made by NuVeda's attorneys in papers and pleadings in other cases many years ago are in no way binding on NuVeda or The Sanctuary as to their relationship and ownership of cannabis licenses after they were made. **Things change**. It is disappointing that Ms. Goldstein and her counsel misrepresent facts to the court, which the court is apparently willing to accept despite contrary evidence. Why? It would be helpful to The Sanctuary for the court to explain its rationale. NuVeda and The Sanctuary have supplied the court with irrefutable evidence that NuVeda does not own any cannabis licenses and that the cash seized belongs to The Sanctuary. See Dkt. Nos. 169, 177 and 200. To hammer home the point, counsel for The Sanctuary performed a search on CCB's website, which again confirms NuVeda is not a cannabis license holder. See <https://ccb.nv.gov>. A true and accurate screen capture from the CCB's website is set forth below:

License Search

Current as of 4/06/2022

Search by Business Name

nuveda

☒ Any Words ☐ All Words ☐ Exact Phrase



Back



Business Search Results



No Records Found

Similar records were provided to the court in its prior filings. See Dkt. Nos. 169, 177 and 200.

Ms. Goldstein has a judgment only against NuVeda and none of the subsidiaries/affiliates of NuVeda. NuVeda does not operate any marijuana establishments, and Ms. Goldstein has offered no admissible evidence to support her claim (because it is false). Ms. Goldstein also claims that The Sanctuary failed to comply with NRS 31.070. However, neither Ms. Goldstein nor the court offer any basis to support the same. How was the application deficient? No explanation is provided.

A stay imposed by this court on Ms. Goldstein's illegal collection activities is no longer necessary. There is an automatic stay in place because of the chapter 11 bankruptcy petition of NuVeda. Therefore, the request is withdrawn. As to the litigation involving the Constable's Office, The Sanctuary has addressed the matter in Paragraph 9 of Mr. Stipp's Declaration above. The Sanctuary has independent causes of action against the Constable, which it will address in Department 8. The Sanctuary is not required to disclose the nature of the action or brief the court on the same. That matter is before Department 8—not Department 31.

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1 DATED this 3rd day of May of 2022.

2
3 **LAW OFFICE OF MITCHELL STIPP**

4
5 /s/ Mitchell Stipp, Esq.

6 MITCHELL STIPP, ESQ.

7 Nevada Bar No. 7531

8 LAW OFFICE OF MITCHELL STIPP

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13 *Attorneys for Clark NMSD, LLC*

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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the Law Office of Mitchell Stipp and that on the 3rd day of May, 2022, I electronically filed the foregoing with the Clerk of the Court for the Eighth Judicial District Court, which provided e-service to the following:

Briar R. Irvine, Esq.
Brooks T. Westergard, Esq.
DICKINSON WRIGHT PLLC
100 West Liberty Street, Suite 940
Reno, Nevada 89501
Attorneys for Jennifer Goldstein

/s/ Amy Hernandez

Amy Hernandez

A-15-728510-B Nuveda, LLC , Plaintiff(s)
vs.
Pejman Bady, Defendant(s)

May 10, 2022 10:00 AM All Pending Motions

HEARD BY: Kishner, Joanna S. **COURTROOM:** RJC Courtroom 16B

COURT CLERK: Rapel, Stephanie

RECORDER: Corcoran, Lara

REPORTER:

PARTIES PRESENT:

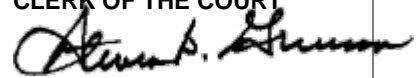
Brian R. Irvine Attorney for Plaintiff

Mitchell D. Stipp Attorney for Claimant, Plaintiff

JOURNAL ENTRIES

Upon Court's inquiry, Mr. Stipp stated he represented Nuveda and NMSD, however, Nuveda was not appearing today for the purposes of this motion. Mr. Irvine stated the bankruptcy was still on-going and he did not believe the receiverships motion could be heard. Furthermore, he anticipated the bankruptcy would be dismissed in the near future and requested to either refile the motion or continue the matter for 60 days. Mr. Irvine stated he preferred not to withdrawal the motion and noted the receivership's motion was fully briefed before the bankruptcy was filed. Colloquy regarding appeal, briefing, second Motion for Reconsideration and Court's jurisdiction. Court takes no position on the Second Motion for Reconsideration considering there was no procedural points and authorities and was an intervening appeal. Court SET the matter for status check within 75 days to check whether the bankruptcy stay was still in effect. COURT DIRECTED Mr. Irvine to prepare the Order with detailed Findings of Fact and Conclusions of Law, circulate to opposing counsel, and submit to the Court pursuant to EDCR 7.21 and the current Administrative Orders.

7/25/22 8:30 A.M. STATUS CHECK: BANKRUPTCY STAY



NEFF
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Email: bwestergard@dickinsonwright.com
Attorneys for Plaintiff Jennifer M. Goldstein

DISTRICT COURT
CLARK COUNTY, NEVADA

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

Case No.: A-15-728510-B

Dept. No.: XI

Plaintiffs,
vs.

PEJMAN BADY; POUYA MOHAJER; DOE
Individuals I-X and ROE Entities I-X, inclusive,

Defendants.

NOTICE OF ENTRY OF ORDER

PLEASE TAKE NOTICE that **FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER DENYING SECOND RENEWED MOTION FOR RECONSIDERATION
OF DENIAL OF APPLICATION/PETITION PURSUANT TO NRS 31.070(5)** was entered

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1 by the Clerk of the Court on May 20, 2022, a copy of which is attached hereto.

2 DATED this 20th day of May, 2022.

3
4 DICKINSON WRIGHT PLLC

5 /s/ Brian R. Irvine

6 BRIAN R. IRVINE

7 Nevada Bar No. 7758

8 BROOKS T. WESTERGARD

9 Nevada Bar No. 14300

10 100 West Liberty Street, Suite 940

11 Reno, Nevada 89501

12 Email: birvine@dickinsonwright.com

13 Email: bwestergard@dickinsonwright.com

14 *Attorneys for Plaintiff Jennifer M. Goldstein*

1 **CERTIFICATE OF SERVICE**

2 I certify that I am an employee of DICKINSON WRIGHT PLLC, and that on this date,
3 pursuant to NRCP 5(b), I am serving a true and correct copy of the **NOTICE OF ENTRY OF**
4 **ORDER** to the following individuals by Odyssey Electronic Service:

5
6 MITCHELL STIPP, ESQ.
7 Nevada Bar No. 7531
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12 mstipp@stipplaw.com

Matthew T. Dushoff
Scott D. Fleming
KOLESAR & LEATHAM
400 South Rampart Boulevard
Suite 400
Las Vegas, NV 89145

13 *Attorneys for NuVeda, LLC*

14 DATED this 20th day of April 2022.

15 /s/ Angela Shoults
16 An Employee of DICKINSON WRIGHT PLLC

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20 4868-5005-3921 v1 [88728-1]
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1 **FFCO**

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14 *Attorneys for Plaintiff Jennifer M. Goldstein*

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

17 NUVEDA, LLC, a Nevada limited liability
18 company, SHANE M. TERRY, a Nevada
19 resident; and JENNIFER M. GOLDSTEIN, a
20 Nevada resident,

21 Plaintiffs,

22 vs.

23 PEJMAN BADY; POUYA MOHAJER; DOE
24 Individuals I-X and ROE Entities I-X, inclusive,

25 Defendants.

Case No.: A-15-728510-B
Dept. No.: 31

**[PROPOSED] FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER
DENYING SECOND RENEWED
MOTION FOR RECONSIDERATION
OF DENIAL OF APPLICATION/
PETITION PURSUANT TO NRS
31.070(5)**

Hearing Date: May 10, 2022

26 This matter having come on for hearing related to third-party Clark NMSD, LLC, a
27 Nevada limited liability company d/b/a The Sanctuary's ("Clark") Second Renewed Motion for
28 Reconsideration of Denial of Application/Petition Pursuant to NRS 31.070(5) (the "Second
Renewed Motion") before the Court on May 10, 2022. Plaintiff Jennifer M. Goldstein
("Goldstein") appeared by and through her counsel of record Brian Irvine of the law firm of
Dickinson Wright PLLC; and Clark appeared by and through Mitchell Stipp of the Law Office of
Mitchell Stipp; the Court having read and considered the pleadings filed by the parties; the Court

1 having considered the oral and written arguments of counsel, and with the intent of deciding the
2 issues before the Court related to the Motion, the Court finds and orders as follows:

3 1. On October 5, 2021, this Court held a hearing on Defendant NuVeda, LLC
4 (“NuVeda”) and Clark’s Application/Petition Pursuant to Prohibit Goldstein From Any Further
5 Collection Activity Without Court Approval (the “Application”). This Court indicated at the
6 hearing that it was denying the Application.

7 2. On March 4, 2022, Clark filed its Motion to Enter Order from Hearing and
8 Motion for Reconsideration of this Court’s denial of the Application (the “Motion for
9 Reconsideration”).

10 3. On March 11, 2022, this Court entered its written Order denying the Application
11 (the “March 11 Order”).

12 4. The Second Renewed Motion was filed on April 5, 2022.

13 5. On April 21, 2022, this Court entered its Order Denying the Motion for
14 Reconsideration of the March 11 Order.

15 6. Goldstein filed her Opposition to the Second Renewed Motion on April 19, 2022.

16 7. On April 21, 2022, Clark filed a Notice of Appeal of the March 11 Order.

17 8. On May 3, 2022, Clark filed its Reply in support of the Second Renewed Motion
18 (the “Reply”). The reply acknowledged that the court lacked jurisdiction to consider the Motion
19 unless the procedures outlined in *Huneycutt v. Huneycutt*, 94 Nev. 79, 575 P.2d 585 (1978) were
20 followed.

21 9. Although Clark has filed a “Second Renewed Motion for Reconsideration,” there
22 is no mechanism under the Nevada Rules of Civil Procedure (“NRCPP”) or the Rules of Practice
23 for the Eighth Judicial District Court of the State of Nevada (“EDCR”) for filing a “renewed”
24 motion for reconsideration of an order after a motion for reconsideration of the same order has
25 already been denied. Clark cites to no authority under the NRCPP, the EDCR or otherwise that
26 would allow Clark to file the Second Renewed Motion. This alone constitutes grounds to deny
27 the Second Renewed Motion.

10. Alternatively the Court denies the Second Renewed Motion because, as a matter of due process, Goldstein was impermissibly precluded from addressing the impact, if any, of the Notice of Appeal, as the Notice of Appeal was filed three days after Goldstein filed her Opposition to the Second Renewed Motion.

ORDER

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Second Renewed Motion is **DENIED**.

IT IS SO ORDERED.

Dated this 20th day of May, 2022



Respectfully submitted by:

DICKINSON WRIGHT PLLC

Approved as to form and content:

LAW OFFICE OF MITCHELL STIPP

F09 E4F E3C7 75AB
Joanna S. Kishner
District Court Judge

/s/ Brian R. Irvine

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/s/ Mitchell Stipp

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Attorneys for NuVeda, LLC

4855-3970-5887 v1 [88728-1]

From: [Mitchell Stipp](#)
To: [Brian R. Irvine](#)
Cc: [Angela M. Shoults](#)
Subject: Re: EXTERNAL: Re: Proposed Order Denying Motion for Reconsideration of Order Denying Second Renewed Motion for Reconsideration 4855-3970-5887 v.1.doc
Date: Wednesday, May 18, 2022 1:53:31 PM

Authorized to include my e-signature.



Mitchell Stipp

Law Office of Mitchell Stipp, P.C.

A: 1180 N. Town Center Drive, Suite 100, Las Vegas, Nevada 89144

P: [702-602-1242](tel:702-602-1242) **M:** [702-378-1907](tel:702-378-1907)

E: mstipp@stipplaw.com **W:** www.stipplaw.com

On Wed, May 18, 2022 at 1:46 PM Brian R. Irvine <BIrvine@dickinson-wright.com> wrote:

Mitchell-

Thank you for the email. Please see attached a revised order incorporating your requested revision. Please review and let me know whether I can submit this version to the Court with your electronic signature.

Thanks,

Brian

From: Mitchell Stipp <mstipp@stipplaw.com>

Sent: Wednesday, May 18, 2022 1:42 PM

To: Brian R. Irvine <BIrvine@dickinson-wright.com>

Cc: Angela M. Shoults <AShoults@dickinson-wright.com>

Subject: EXTERNAL: Re: Proposed Order Denying Motion for Reconsideration of Order Denying Second Renewed Motion for Reconsideration 4855-3970-5887 v.1.doc

Please note in paragraph 8: the reply acknowledged that the court lacked jurisdiction to consider the motion unless the procedures outlined in *Huneycutt v. Huneycutt*, 94 Nev. 79, 575 P.2d 585 (1978) were followed.



Mitchell Stipp

Law Office of Mitchell Stipp, P.C.

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E: mstipp@stipplaw.com W: www.stipplaw.com

On Tue, May 17, 2022 at 4:51 PM Brian R. Irvine <Blrvine@dickinson-wright.com> wrote:

Mitchell-

I am following up on my email from last week. Please let me know if I have your authorization to affix your electronic signature to the draft order and submit it to the Court.

Thanks,

Brian

Brian R. Irvine Member

100 West Liberty Street
Suite 940
Reno NV 89501-1991

Phone 775-343-7507

Fax 844-670-6009

Email Blrvine@dickinsonwright.com



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ARIZONA CALIFORNIA FLORIDA ILLINOIS KENTUCKY MICHIGAN NEVADA
OHIO TENNESSEE TEXAS WASHINGTON D.C. TORONTO

From: Brian R. Irvine
Sent: Friday, May 13, 2022 3:15 PM
To: 'Mitchell Stipp' <mstipp@stippaw.com>
Cc: Angela M. Shoults <AShoults@dickinson-wright.com>
Subject: Proposed Order Denying Motion for Reconsideration of Order Denying Second Renewed Motion for Reconsideration 4855-3970-5887 v.1.doc

Mitchell-

Please find attached a draft proposed order denying Clark's Second Renewed Motion. Please let me know if I have your authorization to affix your electronic signature and submit it to the Court.

Thank you,

Brian

The information contained in this e-mail, including any attachments, is confidential, intended only for the named recipient(s), and may be legally privileged. If you are not the intended recipient, please delete the e-mail and any attachments, destroy any printouts that you may have made and notify us immediately by return e-mail.

Neither this transmission nor any attachment shall be deemed for any purpose to be a "signature" or "signed" under any electronic transmission acts, unless otherwise specifically stated herein. Thank you.

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1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

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5
6 Nuveda, LLC , Plaintiff(s)

CASE NO: A-15-728510-B

7 vs.

DEPT. NO. Department 31

8 Pejman Bady, 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 Findings of Fact, Conclusions of Law and Order was served via the
13 court's electronic eFile system to all recipients registered for e-Service on the above entitled
case as listed below:

14 Service Date: 5/20/2022

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16 "Mary Barnes, Legal Assistant" .

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