

1 **NOA**
2 **DAVID W. FASSETT, ESQ.**
3 Nevada Bar No. 06968
4 **LAW OFFICE OF DAVID W. FASSETT**
5 3333 E. Serene Ave., #120
6 Henderson, Nevada 89074
7 Telephone: (702) 384-2495
8 Facsimile: (702) 834-7133
9 E-mail: david@davidfassettlaw.com
10 *Attorneys for Plaintiff*

Electronically Filed
Apr 27 2022 03:02 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

11 **DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 MOISES A. LEYVA, an individual,

14 Plaintiffs,

15 vs.

16 SABREANA ANN ROBINSON, an
17 individual; DOES I through X, inclusive; and;
18 ROE CORPORATIONS I through X,
19 inclusive;

20 Defendants.

21 QBE INSURANCE COMPANY,

22 Intervenor.

CASE NO.: A-18-786537-C

DEPT NO.: 29

NOTICE OF APPEAL

NOTICE OF APPEAL

23 NOTICE IS HEREBY GIVEN that Plaintiff, MOISES A. LEYVA, by and through his
24 attorneys of record, DAVID W. FASSETT, ESQ. of the law firm of LAW OFFICE OF DAVID
25 W. FASSETT, and DARREN J. LACH, ESQ. of the law firm of LACH INJURY LAW hereby
26 appeals to the Supreme Court of Nevada, the Notice of Entry of Order Granting Motion for

27 ///

28 ///

1 Reconsideration entered in this action on the 23rd day of March, 2022.

2 DATED this 22nd day of April, 2022.

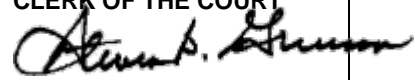
3
4
5 By: /s/ David W. Fassett.
6 **DAVID W. FASSETT, ESQ.**
7 Nevada Bar No. 06968
8 **LAW OFFICE OF DAVID W. FASSETT**
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13 E-mail: david@davidfassettlaw.com
14 *Attorneys for Plaintiff*
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1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCp 5(b) and Administrative Order 14-02 of the Eighth Judicial District
3 Court, I hereby certify that I served the above and foregoing **NOTICE OF APPEAL** on the
4 parties, via this Court's Odyssey e-filing and e-service system, to all parties currently shown on the
5 Odyssey's e-service contacts list.
6

7 DATED this 22nd day of April, 2022.

8 /s/ Ganniny Osorio
9 An Employee of Lach Injury Law
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CAS
DAVID W. FASSETT, ESQ.
Nevada Bar No. 06968
LAW OFFICE OF DAVID W. FASSETT
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E-mail: david@davidfassettlaw.com
Attorneys for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

MOISES A. LEYVA, an individual,

Plaintiffs,

vs.

SABREANA ANN ROBINSON, an
individual; DOES I through X, inclusive; and;
ROE CORPORATIONS I through X,
inclusive;

Defendants.

QBE INSURANCE COMPANY,

Intervenor.

CASE NO.: A-18-786537-C

DEPT NO.: 29

CASE APPEAL STATEMENT

CASE APPEAL STATEMENT

1. Moises A. Leyva, Appellant;
2. Honorable Erika Ballou;
3. Moises A. Leyva:
c/o David W. Fassett, Esq.
Law Office of David W. Fassett
3333 E. Serene Ave., #120
Henderson, Nevada 89074
Telephone: (702) 384-2495
Facsimile: (702) 834-7133

1
2 4. QBE Insurance Company:
3 c/o John C. Boyden, Esq.
4 Lewis Brisbois Bisgaard & Smith LLP
5 5555 Kietzke Lane, Suite 200
6 Reno, Nevada 89511
7 Telephone: (775) 827-6440
8 Facsimile: (775) 827-9256;

9 Eric Blank Injury Attorneys:
10 c/o James R. Christensen, Esq.
11 James R. Christensen PC
12 601 S. 6th Street
13 Las Vegas, Nevada 89101
14 Telephone: (702) 272-0406
15 Facsimile: (702) 272-0415

- 16 5. The above-mentioned counsel is licensed to practice law in the State of Nevada;
17 6. The appellant was represented by retained counsel in the District Court;
18 7. The appellant is represented by retained counsel on appeal;
19 8. The appellant was not granted leave to proceed in forma pauperis;
20 9. The complaint in this matter was filed on December 21, 2018;
21 10. This is an action for personal injuries arising from injuries sustained by Mr. Leyva when
22 he was rear ended in the vehicle he was driving on December 31, 2016.

23 On July 28, 2021, Plaintiff filed a Motion to Adjudicate Eric Blank Injury Attorneys'
24 Notice of Attorney Lien on Order Shortening Time. During the hearing on August 31, 2021, Eric
25 Blank Injury Attorneys requested an Evidentiary Hearing and Plaintiff's counsel opposed the
26 request. The Court ordered an Evidentiary Hearing go forward on October 7, 2021.

27 On October 13, 2021, an Evidentiary Hearing went forward regarding Plaintiff's Motion
28 to Adjudicate Eric Blank Injury Attorneys' Notice of Attorney Lien. All evidence was submitted,
and witnesses were called. The Evidentiary Hearing concluded on October 13, 2021.

On January 6, 2022, the District Court filed its Findings of Fact, Conclusions of Law, and

1 Order regarding Plaintiff's Motion to Adjudicate Eric Blank Injury Attorneys' Notice of Attorney
2 Lien. The Notice of Entry of Order was filed on January 19, 2022.

3 On January 20, 2022, Eric Blank Injury Attorneys filed a Motion for Reconsideration,
4 which was granted by the Court on March 22, 2022, and the Notice of Entry of Order Granting
5 Motion for Reconsideration was entered on March 23, 2022. In the Order, Eric Blank Injury
6 Attorneys provided the Court with additional information and documents not provided during the
7 Evidentiary Hearing nor the witness who made the statements. Based on this additional
8 information and documents, the Court reversed its January 6, 2022, Findings of Fact, Conclusions
9 of Law and Order and reduced the amount of attorney's fees awarded to Plaintiff's counsel, Lach
10 Injury Law.
11

12 On April 6, 2022, Plaintiff filed a Motion for Reconsideration to the Notice of Entry of
13 Order Granting Motion for Reconsideration filed on March 23, 2022. On April 20, 2022, Eric
14 Blank Injury Attorneys filed their Opposition and Countermotion to Reduce the Adjudicated Fees
15 and Costs due to Eric Blank Injury Attorneys to Judgment. The Court has set both matters for
16 hearing on May 12, 2022, In Chambers.
17

18 11. This is the first appeal in the above-mentioned matter;
19

20 12. This appeal does not involve child custody or visitation; and

21 13. This appeal does involve the possibility of settlement.
22

23 DATED this 22nd day of April, 2022.

24 By: /s/ David W. Fassett.
25 **DAVID W. FASSETT, ESQ.**
26 Nevada Bar No. 06968
27 **LAW OFFICE OF DAVID W. FASSETT**
28 3333 E. Serene Ave., #120
Henderson, Nevada 89074
Attorneys for Plaintiff

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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b) and Administrative Order 14-02 of the Eighth Judicial District Court, I hereby certify that I served the above and foregoing **CASE APPEAL STATEMENT** on the parties, via this Court’s Odyssey e-filing and e-service system, to all parties currently shown on the Odyssey’s e-service contacts list.

DATED this 22nd day of April, 2022.

/s/ Ganniny Osorio
An Employee of Lach Injury Law

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. A-18-786537-C****Moises Leyva, Plaintiff(s)****vs.****Sabreana Robinson, Defendant(s)**§
§
§
§
§

Location: **Department 24**
 Judicial Officer: **Ballou, Erika**
 Filed on: **12/21/2018**
 Case Number History:
 Cross-Reference Case Number: **A786537**

CASE INFORMATION**Statistical Closures**

09/09/2019 Default Judgment

Case Type: **Negligence - Auto**Case Status: **07/01/2020 Reopened****DATE****CASE ASSIGNMENT****Current Case Assignment**

Case Number A-18-786537-C
 Court Department 24
 Date Assigned 01/04/2021
 Judicial Officer Ballou, Erika

PARTY INFORMATION**Plaintiff****Leyva, Moises A.***Lead Attorneys***Lach, Darren J***Retained*

702-505-4758(W)

Defendant**Robinson, Sabreana Ann****De Luna, Jesselyn Marie****Verdera***Retained*

775-399-6383(W)

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

12/21/2018

Complaint
[1] Complaint

12/21/2018

Initial Appearance Fee Disclosure
[2] Initial Appearance Fee Disclosure

12/21/2018

Summons Electronically Issued - Service Pending
Party: Plaintiff Leyva, Moises A.
[3] Summons -Civil

01/04/2019

Affidavit of Service
[4] Affidavit of Service

04/10/2019

Default
Filed By: Plaintiff Leyva, Moises A.
[5] Default

05/20/2019

Notice of Entry of Default
Party: Plaintiff Leyva, Moises A.

CASE SUMMARY

CASE NO. A-18-786537-C

[6] Notice of Entry of Default

09/09/2019



Order to Statistically Close Case

[7] Civil Order to Statisticlally Close Case

03/27/2020



Complaint in Intervention

Filed By: Intervenor QBE Insurance Company

[8] QBE Insurance Companys Complaint in Intervention

03/27/2020



Initial Appearance Fee Disclosure

Filed By: Intervenor QBE Insurance Company

[9] Initial Appearance Fee Disclosure

03/27/2020



Consent to Service By Electronic Means

Filed By: Intervenor QBE Insurance Company

[10] Consent to Service by Electronic Means

03/27/2020



Demand for Jury Trial

[11] Demand for Jury Trial

03/27/2020



Disclosure Statement

Party: Intervenor QBE Insurance Company

[12] 7.1 Disclosure Statement

04/07/2020



Request for Exemption From Arbitration

Filed by: Plaintiff Leyva, Moises A.

[13] Plaintiff's Request for Exemption from Arbitration

06/08/2020



ADR - Action Required

[14] ADR - Action Required

06/29/2020



Answer to Complaint

Filed by: Plaintiff Leyva, Moises A.

[15] Intervenee Leyva's Answer to Intervenor QBE Insurance Company's Complaint in Intervention

06/29/2020



Request for Exemption From Arbitration

Filed by: Plaintiff Leyva, Moises A.

[16] Plaintiff's Request for Exemption from Arbitration

07/02/2020



Commissioners Decision on Request for Exemption - Granted

[17] Commissioner's Decision on Request for Exemption - GRANTED

07/02/2020



Notice of Department Reassignment

[18] Notice of Department Reassignment

10/19/2020



Notice of Hearing

[19] Notice of Hearing

11/24/2020




Joint Case Conference Report

Filed By: Plaintiff Leyva, Moises A.

[20] Joint Case Conference Report
















CASE SUMMARY

CASE NO. A-18-786537-C

01/04/2021	Case Reassigned to Department 24 <i>Judicial Reassignment to Judge Erika D. Ballou</i>
04/16/2021	 Order <i>[21] Order to Appear For Mandatory Discovery Conference</i>
05/04/2021	 Scheduling and Trial Order <i>[22] Scheduling Order and Order Setting Civil Jury Trial and Calendar Call</i>
05/10/2021	 Stipulation and Order <i>[23] Stipulation and Order Regarding NRCP 35 Medical Examination of Plaintiff</i>
05/10/2021	 Notice of Entry of Stipulation and Order <i>[24] Notice of Entry of Stipulation and Order Regarding NRCP 35 Medical Examination of Plaintiff</i>
07/02/2021	 Notice of Association of Counsel Filed By: Plaintiff Leyva, Moises A. <i>[25] Notice of Association of Counsel</i>
07/14/2021	 Substitution of Attorney Filed by: Plaintiff Leyva, Moises A. <i>[26] Substitution of Attorney</i>
07/28/2021	 Order Shortening Time <i>[27] Motion to Adjudicate Eric Blanc Injury Attorneys' Notice of Attorney Lien on Order Shortening Time</i>
08/02/2021	 Response <i>[28] Response to Motion to Adjudicate Attorney Lien of Eric Blank Injury Attorneys</i>
08/02/2021	 Reply in Support Filed By: Plaintiff Leyva, Moises A. <i>[29] Reply in Support of Motion to Adjudicate Attorney Lien of Eric Blank Injury Attorneys on Order Shortening Time</i>
08/25/2021	 Supplement <i>[30] Supplement to Response to Motion to Adjudicate Lien of Eric Blank Injury Attorneys</i>
10/05/2021	 Brief <i>[31] Evidentiary Hearing Brief of Eric Blank Injury Attorneys</i>
10/05/2021	 Errata <i>[32] Errata to Evidentiary Hearing Brief of Eric Blank Injury Attorneys</i>
10/06/2021	 Notice of Rescheduling <i>[33] Notice of Rescheduling Hearing</i>
10/12/2021	 Supplement <i>[34] Supplement to Evidentiary Hearing Brief of EBIA</i>
10/13/2021	 Miscellaneous Filing <i>[35] Privilege Log for Evidentiary Hearing Exhibits Offered by EBIA</i>

CASE SUMMARY

CASE NO. A-18-786537-C

10/22/2021	 Supplement <i>[36] Supplement to Evidence Presented by Eric Blank Injury Attorneys at the Evidentiary Hearing</i>
01/06/2022	 Findings of Fact, Conclusions of Law and Judgment <i>[37] EBIA v. LIL FFCL - Final</i>
01/14/2022	 Notice of Appearance Party: Intervenor QBE Insurance Company <i>[38] Notice of Appearance and Change of Service Address</i>
01/18/2022	 Recorders Transcript of Hearing <i>[39] Transcript of Proceedings Evidentiary Hearing 10.13.21</i>
01/19/2022	 Notice of Entry of Order Filed By: Intervenor QBE Insurance Company <i>[40] Notice of Entry of Order</i>
01/20/2022	 Motion to Reconsider <i>[41] Eric Blank Injury Attorneys' Motion to Reconsideration</i>
01/21/2022	 Clerk's Notice of Hearing <i>[42] Notice of Hearing</i>
02/04/2022	 Opposition to Motion Filed By: Plaintiff Leyva, Moises A. <i>[43] Lach Injury Law's Opposition to Eric Blank Injury Attorney's Motion for Reconsideration and Request for Sanctions</i>
02/17/2022	 Response Filed by: Intervenor QBE Insurance Company <i>[44] QBE's Response to Lach Injury Law's Opposition to Eric Plank Injury Attorneys' Motion for Reconsideration and Request for Sanctions</i>
02/17/2022	 Reply in Support <i>[45] Eric Blank Injury Attorneys' Reply to LLach Injury Law's Opposition to Motion for Reconsideration</i>
03/22/2022	 Order Granting Motion <i>[46] Order Granting Motion for Reconsideration</i>
03/23/2022	 Notice of Entry of Order <i>[47] Notice of Entry of Order Granting Motion for Reconsideration</i>
03/29/2022	 Notice of Rescheduling <i>[48] Notice of Rescheduling Hearing</i>
04/06/2022	 Motion Filed By: Plaintiff Leyva, Moises A. <i>[49] Plaintiff's Motion for Reconsideration</i>
04/07/2022	 Clerk's Notice of Hearing

CASE SUMMARY

CASE NO. A-18-786537-C

[50] Notice of Hearing

04/20/2022



Opposition and Countermotion

[51] Opposition of EBIA to Lach Injury Law's Motion for Reconsideration; Countermotion to Reduce the Adjudicated Fees and Costs Due EBIA to Judgment

04/21/2022



Certificate of Service

[52] Certificate of Service

04/22/2022



Notice of Appeal

Filed By: Plaintiff Leyva, Moises A.

[53] Notice of Appeal

04/22/2022



Case Appeal Statement

Filed By: Plaintiff Leyva, Moises A.

[54] Case Appeal Statement

HEARINGS

07/01/2020



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

Minute Order - No Hearing Held;

Journal Entry Details:

As Lewis Brisbois Bisgaard & Smith is on Judge Jones recusal list, please have this case randomly reassigned. CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File & Serve. /mt;

02/16/2021



Status Check (9:00 AM) (Judicial Officer: Ballou, Erika)

STATUS CHECK: RE CASE STATUS

Matter Heard;

Journal Entry Details:

Upon Court's inquiry, Mr. Lach noted the case involved a car accident and QBE Insurance Company was an intervenor on the matter; a Joint Case Conference Report (JCCR) had been submitted on 11/24/20 and they were waiting for a scheduling order. Colloquy regarding why QBE counsel may not have been present. Mr. Lach requested a scheduling order based on the JCCR. COURT STATED a scheduling order would be issued.;

05/04/2021



Mandatory Rule 16 Conference (9:00 AM) (Judicial Officer: Ballou, Erika)

Trial Date Set;

Journal Entry Details:

Darren Lach, Esq. and Jennifer Lanahan, Esq. present via Bluejeans video conference. The Court reviewed the Joint Case Conference Report (JCCR). Counsel anticipated 7 days to try. COURT ORDERED, matter SET for trial. 06.21.2022 9:00 AM CALENDAR CALL 06.27.2022 1:00 PM JURY TRIAL;

08/03/2021



Motion (9:00 AM) (Judicial Officer: Ballou, Erika)

08/03/2021, 08/31/2021

To Adjudicate

Matter Continued;

Matter Heard;

Journal Entry Details:

David Fasset, Esq.; Jesselyn DeLuna, Esq. and James Christensen, Esq. present via Bluejeans video conference. Mr. Christensen requested an evidentiary hearing for liens. Mr. Fasset opposed the evidentiary hearing. Colloquy regarding liens. Following colloquy, COURT ORDERED, matter SET for evidentiary hearing. 10.07.2021 1:30 PM EVIDENTIARY HEARING;

Matter Continued;



Matter Heard;

Journal Entry Details:

David Fasset, Esq. and James Christensen, Esq. present via Bluejeans video conference. Mr.

CASE SUMMARY

CASE NO. A-18-786537-C

	<i>Christensen indicated the response was filed yesterday. COURT ORDERED, matter CONTINUED to review response. CONTINUED TO 08.31.2021 9:00 AM;</i>
10/07/2021	CANCELED Evidentiary Hearing (1:30 PM) (Judicial Officer: Ballou, Erika) <i>Vacated</i>
10/13/2021	 Evidentiary Hearing (1:30 PM) (Judicial Officer: Ballou, Erika) Under Advisement; Journal Entry Details: <i>Opening statements from counsel. Testimony and exhibits presented. (see worksheets). COURT ORDERED, matter TAKEN UNDER ADVISEMENT. ;</i>
02/24/2022	 Motion For Reconsideration (3:00 AM) (Judicial Officer: Ballou, Erika) Events: 01/20/2022 Motion to Reconsider <i>Eric Blank Injury Attorneys' Motion to Reconsideration</i> Minute Order - No Hearing Held; Journal Entry Details: <i>It having come to the attention of the Court that a Motion to Reconsider was filed by Eric Blank Injury Attorneys (EBIA) on January 10, 2022. The matter was placed on Chambers Calendar for February 24, 2022. The Court having considered all papers and pleadings hereby GRANTS the Motion due to evidence of the initial settlement offer by QBE Insurance that was previously unavailable at the Evidentiary Hearing held on October 13, 2021. EDCR 2.24(a) states, No motions once heard and disposed of may be renewed in the same cause, nor may the same matters therein embraced be reheard, unless by leave of the court granted upon motion therefor, after notice of such motion to the adverse parties. A district court may reconsider a previously decided issue if substantially different evidence is subsequently introduced or the decision is clearly erroneous. Masonry & Tile Contractors Ass'n of S. Nevada v. Jolley, Urga & Wirth, Ltd., 113 Nev. 737, 941 P.2d 486 (1997). Only in very rare instances in which new issues of fact or law are raised supporting a ruling contrary to the ruling already reached should a motion for rehearing be granted. Moore v. City of Las Vegas, 92 Nev. 402, 405, 551 P.2d 244, 246 (1976). Points or contentions not raised in the original hearing cannot be maintained or considered on rehearing. Achrem v. Expressway Plaza Ltd., 112 Nev. 737, 742, 917 P.2d 447, 450 (1996). Here, EBIA proffers substantially different evidence from that available at the time this Court decided upon the division of the contingency fee in this matter. That evidence is that Ms. Kimberly Kotson, the adjuster, confirmed that QBE had made no offer in this matter prior to the mediation and that QBE's initial offer at mediation was \$750,000. This new evidence demonstrates Mr. Lach did not contribute more than a marginal increase to QBE's initial offer of \$750,000, therefore, the Court finds that it is not appropriate for Mr. Lach to receive a contingency fee. The district court has wide discretion in the determination of a reasonable fee due an attorney so long as it is rational. See Logan v. Abe, 131 Nev. 260, 266, 350 P.3d 1139, 1143 (2015). Mr. Lach is entitled to an award of attorney's fees based upon the locally customary fees that attorneys charge for similar work [.] Gonzales v. Campbell & Williams, 497 P.3d 624, *4 (Nev. 2021). Mr. Lach previously testified that the rate \$750 and hour was an appropriate rate at the Evidentiary Hearing. The Court finds that Mr. Lach may have reasonably worked on this matter 24 hours on the days of June 26, 27, 28, and 29, entitling him to \$17,760 under a quantum meruit principle. EBIA's counsel is directed to prepare a proposed order and to circulate it to opposing counsel for approval as to form and content before promptly submitting it to chambers at DC24Inbox@clarkcountycourts.us for signature. It is so ordered. CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Ro Shell Hurtado, to all registered parties for Odyssey File & Serve./rh;</i>
05/12/2022	Motion For Reconsideration (3:00 AM) (Judicial Officer: Ballou, Erika) <i>Plaintiff's Motion for Reconsideration</i>
05/12/2022	Opposition and Countermotion (3:00 AM) (Judicial Officer: Ballou, Erika) Events: 04/20/2022 Opposition and Countermotion <i>Opposition of EBIA to Lach Injury Law's Motion for Reconsideration; Countermotion to Reduce the Adjudicated Fees and Costs Due EBIA to Judgment</i>
06/14/2022	Calendar Call (9:00 AM) (Judicial Officer: Ballou, Erika)
06/27/2022	Jury Trial (1:00 PM) (Judicial Officer: Ballou, Erika)

CASE SUMMARY**CASE NO. A-18-786537-C**

DATE

FINANCIAL INFORMATION

Intervenor QBE Insurance Company

Total Charges 223.00

Total Payments and Credits 223.00

Balance Due as of 4/26/2022 0.00**Plaintiff** Leyva, Moises A.

Total Charges 294.00

Total Payments and Credits 294.00

Balance Due as of 4/26/2022 0.00

DISTRICT COURT CIVIL COVER SHEET

Department 29

Clark County, Nevada

Case No. _____

(Assigned by Clerk's Office)

I. Party Information (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone): Moises A. Leyva	Defendant(s) (name/address/phone): Sabreana Ann Robinson
Attorney (name/address/phone): Eric R. Blank, Esq. / Eric Blank Injury Attorneys	Attorney (name/address/phone): unknown
7860 West Sahara Avenue, Suite 110	
Las Vegas, NV 89117	
Telephone: (702) 222-2115; Fax: (702) 227-0615	

II. Nature of Controversy (please select the one most applicable filing type below)**Civil Case Filing Types**

Real Property Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant Title to Property <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property Other Real Property <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	Negligence <input checked="" type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence Malpractice <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	Torts Other Torts <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
Probate Probate (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate Estate Value <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	Construction Defect & Contract Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect Contract Case <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	Judicial Review/Appeal Judicial Review <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency Nevada State Agency Appeal <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency Appeal Other <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
Civil Writ Civil Writ <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ		Other Civil Filing Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

Business Court filings should be filed using the Business Court civil coversheet.

December 21, 2018

Date

/s/ Eric R. Blank

Signature of initiating party or representative

See other side for family-related case filings.

James R. Christensen

CLERK OF THE COURT

James R. Christensen Esq.
Nevada Bar No. 3861
JAMES R. CHRISTENSEN PC
601 S. 6th Street
Las Vegas NV 89101
(702) 272-0406
(702) 272-0415 fax
jim@jchristensenlaw.com
Attorney for EBIA

Eighth Judicial District Court

District of Nevada

MOISES A. LEYVA, individually,

Plaintiffs,

vs.

SABREANA ANN ROBINSON; and
DOES 1 through 10 and ROE entities
1 through 10,

Defendants.

Case No.: A-18-786537-C

Dept. No.: 24

**ORDER GRANTING MOTION FOR
RECONSIDERATION**

Date of Hearing: 2.24.22

Time of Hearing: chambers

Eric Blank Injury Attorneys (EBIA) filed a motion for reconsideration on January 10, 2022. The motion came before the Court on February 24, 2022, on the chambers calendar without oral argument. The Court, having reviewed the papers and pleadings on file, and for good cause in the premises, finds as follows:

1 IT IS HEREBY ORDERED the motion for reconsideration is
2 GRANTED due to evidence of the initial settlement offer by QBE Insurance
3 that was previously unavailable at the Evidentiary Hearing held on October
4 13, 2021.

5
6 FURTHER FINDS EDCR 2.24(a) states, “[N]o motions once heard
7 and disposed of may be renewed in the same cause, nor may the same
8 matters therein embraced be reheard, unless by leave of the court granted
9 upon motion therefor, after notice of such motion to the adverse parties.” A
10 district court may reconsider a previously decided issue if substantially
11 different evidence is subsequently introduced or the decision is clearly
12 erroneous. *Masonry & Tile Contractors Ass'n of S. Nevada v. Jolley, Urga*
13 *& Wirth, Ltd.*, 113 Nev. 737, 941 P.2d 486 (1997). Only in very rare
14 instances in which new issues of fact or law are raised supporting a ruling
15 contrary to the ruling already reached should a motion for rehearing be
16 granted. *Moore v. City of Las Vegas*, 92 Nev. 402, 405, 551 P.2d 244, 246
17 (1976). Points or contentions not raised in the original hearing cannot be
18 maintained or considered on rehearing. *Achrem v. Expressway Plaza Ltd.*,
19 112 Nev. 737, 742, 917 P.2d 447, 450 (1996).
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1 In requesting reconsideration, EBIA proffers substantially different
2 evidence from that which was previously presented to the Court. EBIA
3 presented evidence that the QBE insurance adjuster Ms. Kimberly Kotson,
4 confirmed that QBE had not made an offer prior to mediation, but made an
5 initial offer at mediation of \$750,000.00. The new evidence demonstrates
6 that Mr. Lach did not contribute more than a marginal increase to QBE's
7 initial offer of \$750,000.00, therefore, the Court finds that it is not
8 appropriate for Mr. Lach to receive a contingency fee.
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11 The district court has wide discretion in the determination of a
12 reasonable fee due an attorney so long as it is rational. See, *Logan v. Abe*,
13 131 Nev. 260, 266, 350 P.3d 1139, 1143 (2015). Mr. Lach is entitled to an
14 award of attorney's fees based upon the locally customary fees that
15 attorney charge for similar work. *Gonzales v. Campbell & Williams*, 2021
16 WL 4988154,497 P.3d 624 *4 (Nev. 2021)(unpublished). Mr. Lach testified
17 at the Evidentiary Hearing that \$750.00 an hour was an appropriate rate.
18 The Court finds that Mr. Lach may have reasonably worked on this matter
19
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24 hours on the days of June 26, 27, 28, and 29, entitling him to a
reasonable attorney fee of \$17,760.00 under quantum meruit principles.

DATED this _____ day of _____ 2022.

Dated this 22nd day of March, 2022



DISTRICT COURT JUDGE

9AA 183 AB58 65AF

Erika Ballou

District Court Judge

Submitted by:

/s/ James R. Christensen

James R. Christensen Esq.

Nevada Bar No. 3861

James R. Christensen PC

601 S. Sixth Street

Las Vegas NV 89101

(702) 272-0406

(702) 272-0415 fax

jim@jchristensenlaw.com

Attorney for EBIA

Approved as to form ~~and content~~:

/s/ David W. Fassett

DAVID W. FASSETT, ESQ.

Nevada Bar No. 06968

LAW OFFICE OF DAVID W. FASSETT

3333 E. Serene Ave., #120

Henderson, NV 89074

Telephone: (702) 384-2495

Facsimile: (702) 834-7133

E-mail: david@davidfassettlaw.com

Attorney for LIL, LLC

Re: Leyva proposed order

David Fassett <david@davidfassettlaw.com>

Tue 3/22/2022 1:33 PM

To: James R. Christensen <jim@jchristensenlaw.com>

Mr. Christensen,

You have my authorization to sign the order on by behalf as TO FORM ONLY, not as to content.

Thank you.

On Mon, Mar 21, 2022 at 9:44 AM James R. Christensen <jim@jchristensenlaw.com> wrote:

Mr. Fassett,

A proposed order is attached. If acceptable to form and content, please reply to this email with approval to use your electronic signature.

If you have proposed edits, please provide the edits.

Please respond by this Wednesday, my office will submit the order to the Court this Thursday.

James R. Christensen
Law Office of James R. Christensen PC
601 S. 6th St.
Las Vegas NV 89101
(702) 272-0406

--

David W. Fassett, Esq.
3333 E. Serene Ave., Suite 120
Henderson, Nevada 89074
T: 702-384-2495
F: 702-834-7133

NOTICE: The above information is for the sole use of the intended recipient and contains information belonging to David W. Fassett, J.D., PLLC., which is confidential and may be legally privileged. If you are not the intended recipient, or believe that you have received this communication in error, you are hereby notified that any printing, copying, distribution, use or taking of any action in reliance on the contents of this e-mail information is strictly prohibited. If you have received this e-mail in error, please immediately (1) notify the sender by reply e-mail; (2) call our office at (702) 384-2495 to inform the sender of the error; and (3) destroy all copies of the original message, including ones on your computer system and all drives.

In accordance with Internal Revenue Service Circular 230, we advise you that if this e-mail contains any tax advice, such tax advice was not intended or written to be used, and it cannot be used by any taxpayer for the purpose of avoiding penalties that may be imposed on the taxpayer.

1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 Moises Leyva, Plaintiff(s)

CASE NO: A-18-786537-C

7 vs.

DEPT. NO. Department 24

8 Sabreana Robinson, Defendant(s)

9
10 **AUTOMATED CERTIFICATE OF SERVICE**

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14 Service Date: 3/22/2022

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jim@jchristensenlaw.com

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21 Josh Aicklen

josh.aicklen@lewisbrisbois.com

22 Pamela Klausky

Pamela.Klausky@lewisbrisbois.com

23 Darren Lach

service@lachinjurylaw.com

24 David Fassett

david@davidfassettlaw.com

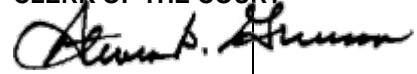
25 Brianna Fletcher

brianna@davidfassettlaw.com

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John Boyden	John.Boyden@lewisbrisbois.com
Louise Ligouri	Louise.Ligouri@lewisbrisbois.com
Sherie Morrill	Sherie.Morrill@lewisbrisbois.com
Tracy Girdwood	Tracy.Girdwood@lewisbrisobis.com
Maureen Dwelley	Maureen.Dwelley@lewisbrisobis.com



NEOJ
James R. Christensen Esq.
Nevada Bar No. 3861
JAMES R. CHRISTENSEN PC
601 S. 6th Street
Las Vegas NV 89101
(702) 272-0406
(702) 272-0415 fax
jim@jchristensenlaw.com
Attorney for EBIA

Eighth Judicial District Court

District of Nevada

MOISES A. LEYVA, individually,

Plaintiffs,

vs.

SABREANA ANN ROBINSON; and
DOES 1 through 10 and ROE entities
1 through 10,

Defendants.

Case No.: A-18-786537-C
Dept. No.: 24

**NOTICE OF ENTRY OF ORDER
GRANTING MOTION FOR
RECONSIDERATION**

Date of Hearing: N/A
Time of Hearing: N/A

1 PLEASE TAKE NOTICE an order granting EBIA's motion for
2 reconsideration was entered on the docket on the 22nd day of March 2022.

3 A true and correct copy of the file-stamped order is attached hereto.

4 DATED this 23rd day of March 2022.

6 /s/ James R. Christensen

7 James R. Christensen Esq.
8 Nevada Bar No. 3861
9 James R. Christensen PC
601 S. Sixth Street
Las Vegas NV 89101
10 (702) 272-0406
(702) 272-0415 fax
jim@jchristensenlaw.com
11 Attorney for EBIA

12 **CERTIFICATE OF SERVICE**

13 I CERTIFY SERVICE of the foregoing NOTICE OF ENTRY OF
14 ORDER was made by electronic service (via Odyssey) this 23rd day of
15 March, 2022, to all parties currently shown on the Court's E-Service List.

17 /s/ Dawn Christensen

18 an employee of
JAMES R. CHRISTENSEN, ESQ.
19 -

James R. Christensen Esq.
Nevada Bar No. 3861
JAMES R. CHRISTENSEN PC
601 S. 6th Street
Las Vegas NV 89101
(702) 272-0406
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Attorney for EBIA

Eighth Judicial District Court

District of Nevada

MOISES A. LEYVA, individually,

Plaintiffs,

vs.

SABREANA ANN ROBINSON; and
DOES 1 through 10 and ROE entities
1 through 10,

Defendants.

Case No.: A-18-786537-C
Dept. No.: 24

**ORDER GRANTING MOTION FOR
RECONSIDERATION**

Date of Hearing: 2.24.22
Time of Hearing: chambers

Eric Blank Injury Attorneys (EBIA) filed a motion for reconsideration on January 10, 2022. The motion came before the Court on February 24, 2022, on the chambers calendar without oral argument. The Court, having reviewed the papers and pleadings on file, and for good cause in the premises, finds as follows:

1 IT IS HEREBY ORDERED the motion for reconsideration is
2 GRANTED due to evidence of the initial settlement offer by QBE Insurance
3 that was previously unavailable at the Evidentiary Hearing held on October
4 13, 2021.

5
6 FURTHER FINDS EDCR 2.24(a) states, “[N]o motions once heard
7 and disposed of may be renewed in the same cause, nor may the same
8 matters therein embraced be reheard, unless by leave of the court granted
9 upon motion therefor, after notice of such motion to the adverse parties.” A
10 district court may reconsider a previously decided issue if substantially
11 different evidence is subsequently introduced or the decision is clearly
12 erroneous. *Masonry & Tile Contractors Ass'n of S. Nevada v. Jolley, Urga*
13 *& Wirth, Ltd.*, 113 Nev. 737, 941 P.2d 486 (1997). Only in very rare
14 instances in which new issues of fact or law are raised supporting a ruling
15 contrary to the ruling already reached should a motion for rehearing be
16 granted. *Moore v. City of Las Vegas*, 92 Nev. 402, 405, 551 P.2d 244, 246
17 (1976). Points or contentions not raised in the original hearing cannot be
18 maintained or considered on rehearing. *Achrem v. Expressway Plaza Ltd.*,
19 112 Nev. 737, 742, 917 P.2d 447, 450 (1996).
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1 In requesting reconsideration, EBIA proffers substantially different
2 evidence from that which was previously presented to the Court. EBIA
3 presented evidence that the QBE insurance adjuster Ms. Kimberly Kotson,
4 confirmed that QBE had not made an offer prior to mediation, but made an
5 initial offer at mediation of \$750,000.00. The new evidence demonstrates
6 that Mr. Lach did not contribute more than a marginal increase to QBE's
7 initial offer of \$750,000.00, therefore, the Court finds that it is not
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24 hours on the days of June 26, 27, 28, and 29, entitling him to a
reasonable attorney fee of \$17,760.00 under quantum meruit principles.

DATED this _____ day of _____ 2022.

Dated this 22nd day of March, 2022



DISTRICT COURT JUDGE

9AA 183 AB58 65AF

Erika Ballou

District Court Judge

Submitted by:

/s/ James R. Christensen

James R. Christensen Esq.

Nevada Bar No. 3861

James R. Christensen PC

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Las Vegas NV 89101

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(702) 272-0415 fax

jim@jchristensenlaw.com

Attorney for EBIA

Approved as to form ~~and content~~:

/s/ David W. Fassett

DAVID W. FASSETT, ESQ.

Nevada Bar No. 06968

LAW OFFICE OF DAVID W. FASSETT

3333 E. Serene Ave., #120

Henderson, NV 89074

Telephone: (702) 384-2495

Facsimile: (702) 834-7133

E-mail: david@davidfassettlaw.com

Attorney for LIL, LLC

Re: Leyva proposed order

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3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

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6 Moises Leyva, Plaintiff(s)

CASE NO: A-18-786537-C

7 vs.

DEPT. NO. Department 24

8 Sabreana Robinson, Defendant(s)

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23 Darren Lach

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24 David Fassett

david@davidfassettlaw.com

25 Brianna Fletcher

brianna@davidfassettlaw.com

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John Boyden	John.Boyden@lewisbrisbois.com
Louise Ligouri	Louise.Ligouri@lewisbrisbois.com
Sherie Morrill	Sherie.Morrill@lewisbrisbois.com
Tracy Girdwood	Tracy.Girdwood@lewisbrisobis.com
Maureen Dwelley	Maureen.Dwelley@lewisbrisobis.com

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

July 01, 2020

A-18-786537-C Moises Leyva, Plaintiff(s)
vs.
Sabreana Robinson, Defendant(s)

July 01, 2020 3:00 AM Minute Order

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

COURT CLERK: Michaela Tapia

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- As Lewis Brisbois Bisgaard & Smith is on Judge Jones recusal list, please have this case randomly reassigned.

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

February 16, 2021

A-18-786537-C Moises Leyva, Plaintiff(s)
vs.
Sabreana Robinson, Defendant(s)

February 16, 2021 9:00 AM Status Check

HEARD BY: Ballou, Erika **COURTROOM:** RJC Courtroom 12C

COURT CLERK: Kathryn Hansen-McDowell

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT: Lach, Darren J Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Lach noted the case involved a car accident and QBE Insurance Company was an intervenor on the matter; a Joint Case Conference Report (JCCR) had been submitted on 11/24/20 and they were waiting for a scheduling order. Colloquy regarding why QBE counsel may not have been present. Mr. Lach requested a scheduling order based on the JCCR. COURT STATED a scheduling order would be issued.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

May 04, 2021

A-18-786537-C Moises Leyva, Plaintiff(s)
vs.
Sabreana Robinson, Defendant(s)

**May 04, 2021 9:00 AM Mandatory Rule 16
Conference**

HEARD BY: Ballou, Erika **COURTROOM:** RJC Courtroom 12C

COURT CLERK: Ro'Shell Hurtado

RECORDER: Patti Slattery

REPORTER:

PARTIES

PRESENT: Lach, Darren J Attorney
 Lanahan, Jennifer R Attorney

JOURNAL ENTRIES

- Darren Lach, Esq. and Jennifer Lanahan, Esq. present via Bluejeans video conference.

The Court reviewed the Joint Case Conference Report (JCCR). Counsel anticipated 7 days to try.
COURT ORDERED, matter SET for trial.

06.21.2022 9:00 AM CALENDAR CALL

06.27.2022 1:00 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

August 03, 2021

A-18-786537-C Moises Leyva, Plaintiff(s)
vs.
Sabreana Robinson, Defendant(s)

August 03, 2021 9:00 AM Motion

HEARD BY: Ballou, Erika **COURTROOM:** RJC Courtroom 12C

COURT CLERK:
Ro'Shell Hurtado

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT: Christensen, James G. Attorney
Fassett, David Attorney

JOURNAL ENTRIES

- David Fassett, Esq. and James Christensen, Esq. present via Bluejeans video conference.

Mr. Christensen indicated the response was filed yesterday. COURT ORDERED, matter CONTINUED to review response.

CONTINUED TO 08.31.2021 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

August 31, 2021

A-18-786537-C Moises Leyva, Plaintiff(s)
vs.
Sabreana Robinson, Defendant(s)

August 31, 2021 9:00 AM Motion

HEARD BY: Ballou, Erika **COURTROOM:** RJC Courtroom 12C

COURT CLERK:
Ro'Shell Hurtado

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT: Christensen, James G. Attorney
De Luna, Jesselyn Marie Verdera Attorney
Fassett, David Attorney

JOURNAL ENTRIES

- David Fasset, Esq.; Jesselyn DeLuna, Esq. and James Christensen, Esq. present via Bluejeans video conference.

Mr. Christensen requested an evidentiary hearing for liens. Mr. Fasset opposed the evidentiary hearing. Colloquy regarding liens. Following colloquy, COURT ORDERED, matter SET for evidentiary hearing.

10.07.2021 1:30 PM EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

October 13, 2021

A-18-786537-C Moises Leyva, Plaintiff(s)
vs.
Sabreana Robinson, Defendant(s)

October 13, 2021 1:30 PM Evidentiary Hearing

HEARD BY: Ballou, Erika

COURTROOM: RJC Courtroom 12C

COURT CLERK: Ro'Shell Hurtado

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT: Christensen, James G. Attorney
Fassett, David Attorney
Lach, Darren J Attorney

JOURNAL ENTRIES

- Opening statements from counsel. Testimony and exhibits presented. (see worksheets). COURT ORDERED, matter TAKEN UNDER ADVISEMENT.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto**COURT MINUTES****February 24, 2022**

A-18-786537-C Moises Leyva, Plaintiff(s)
vs.
Sabreana Robinson, Defendant(s)

**February 24, 2022 3:00 AM Motion For
Reconsideration**

HEARD BY: Ballou, Erika **COURTROOM:** Chambers

COURT CLERK:
Ro'Shell Hurtado

RECORDER:**REPORTER:**

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- It having come to the attention of the Court that a Motion to Reconsider was filed by Eric Blank Injury Attorneys (EBIA) on January 10, 2022. The matter was placed on Chambers Calendar for February 24, 2022. The Court having considered all papers and pleadings hereby GRANTS the Motion due to evidence of the initial settlement offer by QBE Insurance that was previously unavailable at the Evidentiary Hearing held on October 13, 2021.

EDCR 2.24(a) states, No motions once heard and disposed of may be renewed in the same cause, nor may the same matters therein embraced be reheard, unless by leave of the court granted upon motion therefor, after notice of such motion to the adverse parties. A district court may reconsider a previously decided issue if substantially different evidence is subsequently introduced or the decision is clearly erroneous. *Masonry & Tile Contractors Ass'n of S. Nevada v. Jolley, Urga & Wirth, Ltd.*, 113 Nev. 737, 941 P.2d 486 (1997). Only in very rare instances in which new issues of fact or law are raised supporting a ruling contrary to the ruling already reached should a motion for rehearing be granted. *Moore v. City of Las Vegas*, 92 Nev. 402, 405, 551 P.2d 244, 246 (1976). Points or contentions not raised in the original hearing cannot be maintained or considered on rehearing. *Achrem v. Expressway Plaza Ltd.*, 112 Nev. 737, 742, 917 P.2d 447, 450 (1996).

Here, EBIA proffers substantially different evidence from that available at the time this Court decided upon the division of the contingency fee in this matter. That evidence is that Ms. Kimberly Kotson, the adjuster, confirmed that QBE had made no offer in this matter prior to the mediation and that QBE's initial offer at mediation was \$750,000. This new evidence demonstrates Mr. Lach did not contribute more than a marginal increase to QBE's initial offer of \$750,000, therefore, the Court finds that it is not appropriate for Mr. Lach to receive a contingency fee.

The district court has wide discretion in the determination of a reasonable fee due an attorney so long as it is rational. See *Logan v. Abe*, 131 Nev. 260, 266, 350 P.3d 1139, 1143 (2015). Mr. Lach is entitled to an award of attorney's fees based upon the locally customary fees that attorneys charge for similar work [.] *Gonzales v. Campbell & Williams*, 497 P.3d 624, *4 (Nev. 2021). Mr. Lach previously testified that the rate \$750 an hour was an appropriate rate at the Evidentiary Hearing. The Court finds that Mr. Lach may have reasonably worked on this matter 24 hours on the days of June 26, 27, 28, and 29, entitling him to \$17,760 under a quantum meruit principle.

EBIA's counsel is directed to prepare a proposed order and to circulate it to opposing counsel for approval as to form and content before promptly submitting it to chambers at DC24Inbox@clarkcountycourts.us for signature. It is so ordered.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Ro Shell Hurtado, to all registered parties for Odyssey File & Serve.//rh

Levy v. Robinson
A-18-786537-C
Department 24
Evidentiary Hearing/Lien Adjudication
10.7.21 @ 1:30 p.m.
Exhibits Offered by Eric Blank Injury Attorneys

	Offered	Objection	Admitted	
1. Motion to Adjudicate Eric Blank Injury Attorneys' Notice of Attorney Lien on Order Shortening Time (EBIA (Leyva) 1 – 29)				✓
2. Reply in Support of Motion to Adjudicate Eric Blank Injury Attorneys' Notice of Attorney Lien on Order Shortening Time (EBIA (Leyva) 30 – 111)				✓
3. Declaration of Eric R. Blank (EBIA (Leyva) 112 – 117)	10-13-21	Stip	10-13-21	✓
4. Resignation email of Darren Lach (EBIA (Leyva) 118)				✓
5. LIL LLC Entity Information posted by the Nevada Secretary of State (EBIA (Leyva) 119 – 121)				✓
6. Resignation email of Ganniny Osorio (EBIA (Leyva) 122)				✓
7. Payment by EBIA to Advanced Resolution Management (EBIA (Leyva) 123)				✓
8. Correspondence between EBIA and 1 st party insurance carrier(s) (EBIA (Leyva) 124 – 148)				✓
9. Correspondence between EBIA and 3 rd party insurance carrier(s) (EBIA (Leyva) 149 – 165)				✓
10. Certified mail receipt to ARM (EBIA (Leyva) 166 – 167)				✓
11. Correspondence between EBIA and Equian/Silver Summit (EBIA (Leyva) 168 – 171)				✓
12. Correspondence and HIPAA authorizations (EBIA (Leyva) 172 – 222)				✓
13. Correspondence between EBIA and HMS/NV Medicaid (EBIA (Leyva) 223 – 229)				✓
14. Correspondence between EBIA and lien holders (EBIA (Leyva) 230 – 236)				✓
15. Correspondence between EBIA and opposing counsel (EBIA (Leyva) 237 – 265)				✓
16. Correspondence of prior counsel (EBIA (Leyva) 266 – 280)	10-13-21	Stip	10-13-21	✓

Levy v. Robinson
A-18-786537-C
Department 24
Evidentiary Hearing/Lien Adjudication
10.7.21 @ 1:30 p.m.
Exhibits Offered by Eric Blank Injury Attorneys

17.	Costs paid by EBIA (EBIA (Leyva) 281 – 393)	10.13.21	Stip	10.13.21	us
18.	Demand and offers (EBIA (Leyva) 394 – 1093)				us
19.	Evidence obtained (EBIA (Leyva) 1094 – 1109)				us
20.	EBIA client intake documents (EBIA (Leyva) 1117 – 1152)				us
21.	16.1 Productions – all parties (EBIA (Leyva) 1153 – 3223)				us
22.	EBIA Attorney liens and service documents (EBIA (Leyva) 3224 – 3258)				us
23.	Written discovery between the parties (EBIA (Leyva) 3260 – 3524)				us
24.	DME Stipulation and Order drafts and final (EBIA (Leyva) 3525 – 3550)				us
25.	Complaint and initial filings (EBIA (Leyva) 3551 – 3560)				us
26.	Complaint in Intervention and Answer (EBIA (Leyva) 3561 – 3573)				us
27.	Miscellaneous pleadings (EBIA (Leyva) 3574 – 3691)				us
28.	Loans taken out by Leyva (EBIA (Leyva) 3692 – 3735)				us
29.	Mediation – Advanced Resolution Management (EBIA (Leyva) 3736 – 3765)				us
30.	Settlement documents (EBIA (Leyva) 3766 – 3783)				us
31.	Medical debt confirmation letters sent (EBIA (Leyva) 3784 – 3889)				us
32.	Medical debt confirmation information received (EBIA (Leyva) 3890 – 4096)				us
33.	LIL Settlement Disbursement	10.13.21	Stip	10.13.21	us



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

DAVID W. FASSETT, ESQ.
3333 E. SERENE AVE. #120
HENDERSON, NV 89074

DATE: April 26, 2022
CASE: A-18-786537-C

RE CASE: MOISES A. LEYVA vs. SABREANA ANN ROBINSON

NOTICE OF APPEAL FILED: April 22, 2022

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)**
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)**
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
 - *Previously paid Bonds are not transferable between appeals without an order of the District Court.*
- ☐ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. The district court clerk shall apprise appellant of the deficiencies in writing, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (g) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

***Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.*

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER GRANTING MOTION FOR RECONSIDERATION; NOTICE OF ENTRY OF ORDER GRANTING MOTION FOR RECONSIDERATION; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

MOISES A. LEYVA,

Plaintiff(s),

vs.

SABREANA ANN ROBINSON,

Defendant(s),

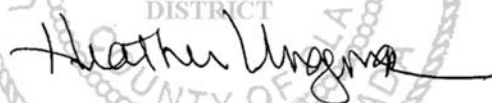
Case No: A-18-786537-C

Dept No: XXIX

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 26 day of April 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

