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Electronically Filed  
May 27 2022 12:02 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

Attorneys for Petitioners:  
THI OF NEVADA AT CHEYENNE, LLC  
dba COLLEGE PARK REHABILITATION  
CENTER; HEALTHCARE REALTY OF  
CHEYENNE, LLC; FUNDAMENTAL  
ADMINISTRATIVE SERVICES, LLC

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

THI OF NEVADA AT  
CHEYENNE, LLC a foreign  
Corporation d/b/a COLLEGE PARK  
REHABILITATION CENTER;  
HEALTHCARE REALTY OF  
CHEYENNE, LLC, a Delaware  
Corporation; FUNDAMENTAL  
ADMINISTRATIVE SERVICES,  
LLC, a Delaware Corporation;  
DOES 1-XXX; and ROE  
CORPORATIONS 1-XXX,  
inclusive,

Petitioners,

vs.

JEFFREY A. MYERS and  
ANDREW JAMES, individually,

Respondents,

) Case No.: A-16-735550-C

) DEPT: VI

) Complaint filed April 16, 2016

) Trial scheduled May 31, 2022

**PETITION FOR WRIT OF MANDAMUS BY PETITIONERS THI OF**  
**NEVADA AT CHEYENNE, LLC dba COLLEGE PARK**  
**REHABILITATION CENTER; HEALTHCARE REALTY OF**

1                   **CHEYENNE, LLC; AND FUNDAMENTAL ADMINISTRATIVE**  
2   **SERVICES, LLC**  
3

4           COMES NOW, Petitioners THI OF NEVADA AT CHEYENNE, LLC dba  
5 COLLEGE PARK REHABILITATION CENTER (hereinafter referred to as  
6 “College Park”); HEALTHCARE REALTY OF CHEYENNE, LLC; and  
7 FUNDAMENTAL ADMINISTRATIVE SERVICES, LLC (hereinafter  
8 collectively referred to as “Petitioners”), by and through their attorneys of record,  
9 Alexander F. Giovanniello and Christopher J. Giovanniello of GIOVANNIELLO  
10 LAW GROUP, respectfully petition this Honorable Court to issue a Writ of  
11 Mandamus to direct the Honorable Michael P. Villani, District Judge of the Eighth  
12 Judicial District (hereinafter referred to as “Judge Villani”), to grant the Motion in  
13 Limine to Allow Evidence of Plaintiff Andrew James’ Criminal History.  
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18                   **NRAP 26.1 DISCLOSURE BY PETITIONERS**

19           Pursuant to Rule 26.1 of Nevada Rules of Appellate Procedure, Petitioner  
20 College Park identifies:  
21

- 22           1. College Park as the sole member of THI of Nevada at Cheyenne, LLC;
- 23           2. Giovanniello Law Group as its only law firm of record for purposes of the  
24           District Court proceedings and the Petition filed within this Honorable Court;  
25           and  
26           3. Rourke Law Firm as its previous counsel of record prior to retaining  
27  
28

1 Giovanniello Law Group and terminated upon filing of the Substitution of  
2 Attorney on December 6, 2021.

3  
4 Pursuant to Rule 26.1 of Nevada Rules of Appellate Procedure, Petitioner  
5 Healthcare Realty of Cheyenne, LLC identifies:

- 6 1. Cheyenne Healthcare Holdings, LLC as its parent company;
- 7 2. Giovanniello Law Group as its only law firm of record for purposes of the  
8 District Court proceedings and the Petition filed within this Honorable Court;  
9 and  
10 3. Rourke Law Firm as its previous counsel of record prior to retaining  
11 Giovanniello Law Group and terminated upon filing of the Substitution of  
12 Attorney on December 6, 2021.

13  
14 Pursuant to Rule 26.1 of Nevada Rules of Appellate Procedure, Petitioner  
15 Fundamental Administrative Services, LLC identifies:

- 16 1. Hunt Valley Holdings, LLC as its parent company;
- 17 2. Giovanniello Law Group as its only law firm of record for purposes of the  
18 District Court proceedings and the Petition filed within this Honorable Court;  
19 and  
20 3. Rourke Law Firm as its previous counsel of record prior to retaining  
21 Giovanniello Law Group and terminated upon filing of the Substitution of  
22 Attorney on December 6, 2021.

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1 **III. STATEMENT OF FACTS**

2 Plaintiff Andrew James (hereinafter referred to as “Respondent”) has three  
3 prior criminal convictions for presenting a false, fictitious, or fraudulent claim in  
4 violation of 18 U.S.C. §287 (tax fraud), based on suspicious information  
5 surrounding his 2004 tax return. **Exhibit 1.** The District Court ruled that this  
6 conviction was too remote in time to be used for impeachment purposes. Petitioners  
7 are not challenging this part of the order.  
8  
9  
10

11 Petitioners are challenging the part of the order denying use of the 2007  
12 conviction for wire fraud for impeachment purposes given Respondent’s failure to  
13 disclose such in responding to interrogatories on June 19, 2017. While the  
14 conviction may be remote, the failure to disclose said conviction is not.  
15

16 Respondent has a 2007 prior criminal conviction for wire fraud in violation  
17 of 18 U.S.C. §1343. In pleading guilty and as a condition of his plea agreement,  
18 Respondent confirmed that he made up a scheme or plan for obtaining money or  
19 property by making false promises or statements; knew that the promises or  
20 statements were false; the promises or statements were material, that is, they would  
21 reasonable influence a person to part with money or property; that Respondent  
22 acted with the intent to defraud; and that Respondent used, or caused to be used, the  
23 interstate wires to further the scheme or plan. **Exhibit 2.**  
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28 Per the plea agreement, Respondent admitted to executing a scheme to

1 defraud construction materials and other vendors by intentionally misrepresenting  
2 that he was an individual names "Carson Rogan" who was purportedly employed  
3 by "Paramount Public Relations." In reality, Respondent made up the names  
4 "Carson Rogan" and "Paramount Public Relations" and sent hundreds of fraudulent  
5 emails over the wires, including emails to intended victims in the Central District  
6 of California, in order to fraudulently mislead such vendors into believing that their  
7 goods would be used in a Paramount Pictures film production in exchange for  
8 product placement and advertising. **Exhibit 2.** In furtherance of his fraudulent  
9 scheme, Respondent paid for and registered the internet domain name of  
10 "Paramountpublicrelations.com" and the related email address of  
11 "carson@paramountpublicrelations.com." **Exhibit 2.** He additionally applied and  
12 paid for a U.S. post office approved amil box through a UPS store which he used to  
13 receive goods to be procured through his fraudulent scheme. **Exhibit 2.**

14 Further, Respondent sent an email under the fictitious name of "Carson  
15 Rogan" at "carson@paramountpublicrelations.com" to Martin Doors in Salt Lake  
16 City, Utah, where he solicited Martin Doors to donate construction materials for use  
17 in a fake film project which Respondent entitled "The World is My Stage" for the  
18 purpose of fraudulently obtaining martin Doors' products for his own personal use.  
19 **Exhibit 2.** Shortly thereafter, Respondent signed, using the fictitious name "Carson  
20 Rogan, PR Coordinator," a purported agreement, on letterhead of Respondent's

1 fictitious entity, Paramount Public Relations, for the placement of a Martin Doors'  
2 product on the set of the Respondent's fake film project. **Exhibit 2.** In reliance  
3 upon Respondent's fraudulent misrepresentations and inducements, Martin Doors  
4 shipped from Utah to Respondent a garage door and related hardware which  
5 Respondent intended to use for his personal use. **Exhibit 2.** Additionally,  
6 Respondent continued to commit his fraudulent scheme while he was under  
7 indictment and subject to the terms and conditions of pretrial release. **Exhibit 2.**

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11 On June 19, 2017, Respondent served his responses to College Park's first  
12 set of interrogatories. **Exhibit 3.** Interrogatory No. 22 asked: "If you have been  
13 convicted of a felony, please list a) the date of each conviction; b) each offense for  
14 which you were convicted; c) the city and state of the court in which each conviction  
15 occurred; d) the name of each count in which you were convicted; and e) each case  
16 number(s). **Exhibit 3.**

17  
18  
19 In response, Respondent noted the following: "I was convicted of filing a  
20 false document and wire fraud in regards to filing my 2001 – 2003 tax returns. The  
21 case was filed in the Central District of CA I do not recall the exact dates of  
22 conviction or case numbers." **Exhibit 3.**

23  
24  
25 Respondent made no mention of his 2007 conviction, nor that he was  
26 convicted of wire fraud in 2007 while still on probation from the 2003 conviction  
27 for tax fraud.  
28

1           On October 20, 2021, Petitioners filed a Motion in Limine to Permit Evidence  
2 of Plaintiff Andrew James' Prior Convictions for Tax Fraud and Wire Fraud. On  
3 November 2, 2021, Respondent filed an Opposition to Petitioners' Motion in  
4 Limine. On November 9, 2021, Petitioners filed their reply brief. On November  
5 23, 2021, the Motion in Limine came upon for hearing. Judge Villani denied the  
6 Motion as to the 2001-2003 Tax Fraud as that conviction was too remote in time.  
7 Judge Villani also denied Petitioners to produce evidence of Andrew James 2007  
8 wire fraud conviction, holding that it did not appear that Respondent intentionally  
9 misrepresented his prior convictions in responding to interrogatories, and had  
10 Petitioners' prior counsel deposed Andrew James, this issue could have been  
11 rectified at that time.

12           Petitioners posit that Judge Villani erred when he issued the November 23,  
13 2021 order. Though the conviction was remote in time, the point being that  
14 Respondent intentionally sought to cover up this conviction when responding to  
15 interrogatories on June 19, 2017. Accordingly such evidence should be presented  
16 as impeachment at trial. Having no other available remedies, Petitioners request  
17 that this Honorable Court rectify this issue via a Writ of Mandamus.

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1 **IV. THE NEVADA SUPREME COURT POSSESSES THE AUTHORITY**  
2 **TO ISSUE A WRIT CONCERNING A MATTER THAT RAISES AN**  
3 **IMPORTANT ISSUE OF LAW**  
4

5 A Writ of Mandamus is “available to compel the performance of an act which  
6 the law especially enjoins as a duty resulting from an office trust or station.” NRS  
7 34.160. A Writ of Mandamus is “issued in all cases where there is not a plain,  
8 speedy and adequate remedy in the ordinary course of law.” NRS 34.170.  
9  
10

11 It is well recognized that a Writ of Mandamus is an extraordinary remedy and  
12 that the decision to entertain such a petition lies within this Court’s discretion. *See*  
13 *Hickey v. District Court* (1989) 105 Nev. 729. However, this Court has held that in  
14 deciding whether to exercise its discretion in entertaining a petition, this Court can  
15 consider, amongst other things, whether the petition raises an important issue of law  
16 that requires clarification or alternatively will affect other cases similarly situated.  
17  
18 *State v. District Court (Armstrong)* (2011) 127 Nev. 927, 931. The instant petition  
19 currently before this Honorable Court concerns an important issue of law which  
20 requires clarification. As such, this Petition falls within this Honorable Court’s  
21 purview, pursuant to Nevada Rule of Appellate Procedure 17(a)(12).  
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1 **V. LEGAL ANALYSIS**

2 **1. The Court Has Discretionary Authority to Allow Evidence of Prior**  
3  
4 **Bad Acts**

5 NRS 48.045(2) provides:

6 Evidence of other crimes, wrongs or acts is not admissible to prove the  
7 character of a person in order to show that he acted in conformity  
8 therewith. **It may, however, be admissible for other purposes, such**  
9 **as** proof of motive, opportunity, intent, preparation, **plan**, knowledge,  
identity, or absence of mistake or accident (emphasis added).

10 A presumption of inadmissibility attaches to all prior bad act evidence.  
11  
12 *Ledbetter v. State*, 122 Nev. 252, 259, 120 P.3d 671, 677 (2006) (*quoting Rosky v.*  
13 *State*, 121 Nev. 184, 194, 111 P.3d 690, 697 (2005)). However, the presumption of  
14 inadmissibility may be rebutted if the record is sufficient for the court to determine  
15 that the evidence is admissible under the test of admissibility of prior bad act  
16 evidence. *Ledbetter*, Nev. 259, P.3d 677 (*quoting Rhymes v. State*, 121 Nev. 17,  
17 21, 107 P.3d 1278, 1281-82 (2005)). To accomplish this task, it must be  
18 demonstrated that: (1) the incident is relevant to the underlying allegations; (2) the  
19 act is proven by clear and convincing evidence; and (3) the probative value of the  
20 evidence is not substantially outweighed by the danger of unfair prejudice. *Tinch*  
21 *v. State*, 113 Nev. 1170, 1176, 946 P.3d 1061, 1064-65.  
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26 Further, when the previous conviction relates to dishonesty, this conviction  
27 directly challenges the party's credibility. *Warren v. State*, 121 Nev. 886, 897, 124  
28 P.3d 522, 529 (2005). There is no requirement that use of prior felony convictions

1 for impeachment be limited only to those felonies specifically determined relevant  
2 to truthfulness or veracity of witnesses. *Yates v. State*, 95 Nev. 446, 596 P.2d 239  
3 (1979). Evidence that a witness has been convicted of a felony is admissible for the  
4 purpose of attacking credibility. *Owens v. State*, 96 Nev. 880, 620 P.2d 1236  
5 (1980). Evidence of defendant's prior conviction for attempted sexual assault was  
6 admissible for impeachment purposes in forgery prosecution in which defendant  
7 testified. *Kelly v. State*, 108 Nev. 545, 837 P.2d 416 (1992). The statutes permitting  
8 a witness to be impeached by showing his previous conviction for felony did not  
9 preclude inquiry into number and names of prior felony convictions. *Plunkett v.*  
10 *State*, 84 Nev. 145, 437 P.2d 92 (1968).

## 15 **2. Respondent's Prior Conviction for Wire Fraud is Relevant**

16 Relevant evidence means evidence having any tendency to make the  
17 existence of any fact that is of consequence to the determination of the action more  
18 or less probable that it would be without the evidence. NRS 48.015. Clearly, the  
19 prior conviction for wire fraud is relevant to the instant matter. Respondent claims  
20 he is still treating for injuries received in 2014—some of these injuries have nothing  
21 to do with Respondent's initial diagnoses of first- and second-degree burns. Given  
22 Respondent's penchant for defrauding and lying, even after he had already been  
23 indicted and was subject to the terms of a pretrial release, Petitioners should be  
24 permitted to present evidence that Respondent failed to disclose this conviction  
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1 when responding to interrogatories on June 19, 2017.

2       This evidence is clearly relevant to Respondent's veracity as a witness, i.e.,  
3  
4 if Respondent has been found guilty of fraud, and that he continued said fraudulent  
5 acts even after he was indicted and released under the terms of a pretrial release and  
6  
7 his predicated upon his failure to disclose said conviction under the penalty of  
8 perjury when answering interrogatories during the pendency of the instant litigation.  
9  
10 Therefore, the first part of the test regarding relevance is satisfied.

11       **3. Respondent's Prior Conviction for Wire Fraud is Proven by Clear**  
12       **and Convincing Evidence**

13  
14       Next, the act must be proven by clear and convincing evidence. Attached to  
15 this Petition for Writ are various documents filed with the United States District  
16 Court – Central Division of California. **Exhibit 2.** Given that these documents  
17  
18 were retrieved from the United States District Court's filings, there is no argument  
19 that the documents prove Respondent committed wire fraud and received a plea  
20 agreement to plead guilty. **Exhibit 2.** Therefore, the element regarding clear and  
21 convincing evidence is met.  
22

23  
24       **4. Respondent's Prior Conviction for Wire Fraud is Not Substantially**  
25       **Outweighed by the Danger of Unfair Prejudice**

26       Finally, Petitioners must prove the probative value of the criminal conviction  
27  
28 is not substantially outweighed by the danger of unfair prejudice. Evidence of

1 defendant's prior conviction for attempted sexual assault was admissible for  
2 impeachment purposes in forgery prosecution in which defendant testified. *Kelly*  
3  
4 *v. State*, 108 Nev. 545, 837 P.2d 416 (1992). Further, in a defendant's trial for  
5 sexual assault, trial court did not abuse its discretion in permitting impeachment by  
6 prior felony conviction for possession of a stolen vehicle. *Owens v. State*, 96 Nev.  
7 880, 620 P.2d 1236 (1980).  
8

9 While the above-cited case law are no doubt extreme cases of allowing prior  
10 criminal conviction, Petitioners note that even in these extreme circumstances, prior  
11 felony convictions were permitted for purposes of impeachment despite the  
12 underlying crime's lack of common elements with the prior conviction.  
13 Accordingly, it cannot be argued that the probative value of this evidence, i.e., that  
14 Respondent committed fraud in the past and could be doing so again, is outweighed  
15 by said prejudice. Petitioners have a right to present this evidence to the jury as it  
16 goes to Respondent's veracity as a witness. Not only did Respondent commit wire  
17 fraud, but he did so under multiple false identities, formed a false company,  
18 purchased a mailbox to receive products and payments, created documents on a  
19 false letterhead, and then continued his scheme even after the government indicted  
20 him and allowed him to be released based on an agreement to refrain from any  
21 felonious acts. If Respondent had no issue continuing his fraudulent scheme even  
22 after being indicted, there is little stopping him from exaggerating or  
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1 misrepresenting his current injuries. Respondents' counsel can simply present  
2 character witnesses to rebut any of Petitioners evidence regarding Respondent's  
3 veracity to eliminate the issue of unfair prejudice. As such, the probative value of  
4 Respondent's wire fraud conviction is not outweighed by any unfair prejudice that  
5 may result.  
6

#### 7 **5. Respondent's Responses to Interrogatories are Purposefully Vague**

8 Responses to Interrogatories are controlled by NRCP 33 (b)(3), which states:  
9  
10 Each interrogatory must be set out, and, to the extent it is not objected to, be  
11 answered separately and fully in writing under oath.  
12

13  
14 Respondent responded that he was "convicted of filing a false document and  
15 wire fraud **in regards to filing my 2001-2003 tax returns.**" (emphasis added). He  
16 further mentions the case was filed in the Central District of California and that he  
17 did know the case numbers. **Exhibit 3.** Respondent argued that because  
18 Respondent mentions "multiple case numbers" and "multiple dates of conviction"  
19 that Petitioners are supposed to have figured out that Respondent referred to two  
20 separate convictions three years apart from each other. Clearly, Respondent's  
21 response was not "answered separately and fully" as required by NRCP 33.  
22

23  
24 Further, the issue with Respondents' reasoning is that Respondent  
25 specifically notes the convictions were related to his "2001-2003 tax returns." If  
26 there are issues regarding three separate tax return filings, then it follows that  
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28

1 Petitioners would infer from this response that each conviction had to do with tax  
2 returns for three separate years. Further, taxes are generally filed electronically,  
3 and Respondent stated he was convicted for filing a *false document* and wire fraud  
4 “in regards to filing his 2001-2003 tax returns.” Petitioners are unsure as to how  
5 they were to infer that Respondent divulged information regarding a 2007 wire  
6 fraud conviction completely separate from the tax return conviction. The more  
7 likely inference is that Respondent wanted to confuse the issues and hope that  
8 Petitioners simply took his word and did not follow up on these convictions.  
9

10  
11 Further, Respondent was convicted of the 2007 wire fraud conviction **while**  
12 **on probation** for the various tax fraud convictions. It simply does not follow that  
13 Respondent simply forgot to divulge the conviction that was not only more recent  
14 in time, but the conviction that required him to serve time in jail.  
15

16  
17 Finally, Respondents argued that the Court cannot “unring the bell” once the  
18 information of his 2007 conviction is placed in front of the jury, and that it would  
19 be “too late” for the Court to undo the harm. However, Respondent already “rung  
20 the bell” on his own when he failed to disclose a pertinent conviction when asked  
21 directly—under oath and via penalty of perjury—in response to Interrogatories.  
22 Respondent cannot fail to adhere to NRC 33 and then argue that it would be the  
23 Court’s fault for causing any harm. In reality, had Respondent simply disclosed  
24 this information in his Interrogatory responses, this would not be an issue and there  
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1 would be no bell to “unring.” It simply does not follow that Respondent should be  
2 permitted to lie under oath and then use the Court as an excuse to avoid the  
3 ramifications for failing to disclose relevant information under penalty of perjury  
4 especially when his credibility is directly at issue in the underlying case.  
5

6 Again, Respondent, *seven years later*, still claims continuing injury, PTSD,  
7 and that he is unable to work the field as an electrician, all of which is subjective  
8 and all of which depends upon his credibility. Lying under oath certainly casts  
9 doubt on that credibility. While Respondents will continually argue that the  
10 underlying criminal conviction for wire fraud is too remote in time, this is clouding  
11 the issue. Respondent lied in 2017 in his responses to Interrogatories. At the time  
12 of his 2017 lie, the underlying criminal conviction was still within the ten-year  
13 period. Further, since the lie occurred in 2017, and the trial date is currently set for  
14 March 14, 2022, this still fits within the ten-year period. It simply does not follow  
15 that Respondent should be allowed to intentionally mislead Petitioners in responses  
16 to discovery and then use the Court as a convenient avenue to suffer no  
17 consequences as a result.  
18

## 19 **VI. CONCLUSION**

20 Petitioners respectfully request that this Honorable Court issue a Writ of  
21 Mandamus directing the Honorable Michael P. Villani, District Judge of the Eighth  
22 Judicial Circuit, to reverse his denial and grant Petitioners’ Motion in Limine to  
23



1 allow evidence of Respondent's 2007 criminal history for wire fraud for  
2 impeachment purposes.  
3

4  
5 Dated: May 27, 2022

**GIOVANNIELLO LAW GROUP**

6  
7 By: 

8 Alexander F. Giovanniello  
9 Nevada Bar No.: 11141  
10 Christopher J. Giovanniello  
11 Nevada Bar No.: 15048  
12 3753 Howard Hughes Parkway, Suite 200  
13 Las Vegas, Nevada 89169  
14 Attorneys for Petitioners  
15 THI OF NEVADA AT CHEYENNE, LLC  
16 dba COLLEGE PARK REHABILITATION  
17 CENTER; HEALTHCARE REALTY OF  
18 CHEYENNE, LLC; FUNDAMENTAL  
19 ADMINISTRATIVE SERVICES, LLC  
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## VERIFICATION OF ALEXANDER F. GIOVANNIELLO

STATE OF NEVADA )

) ss.

COUNTY OF CLARK )

I, Alexander F. Giovanniello, being first duly sworn under penalty of perjury,

deposes and says:

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1 As counsel of record for Petitioners THI OF NEVADA AT CHEYENNE,  
2 LLC dba COLLEGE PARK REHABILITATION CENTER (hereinafter referred to  
3 as "College Park"); HEALTHCARE REALTY OF CHEYENNE, LLC; and  
4  
5 FUNDAMENTAL ADMINISTRATIVE SERVICES, LLC, I have read the  
6  
7 foregoing PETITION FOR WRIT OF MANDAMUS BY PETITIONERS THI OF  
8  
9 NEVADA AT CHEYENNE, LLC dba COLLEGE PARK REHABILITATION  
10  
11 CENTER (hereinafter referred to as "College Park"); HEALTHCARE REALTY  
12  
13 OF CHEYENNE, LLC; and FUNDAMENTAL ADMINISTRATIVE SERVICES,  
14  
15 LLC and know the contents thereof; that the same is true of my own knowledge,  
16  
17 except as to those matters therein contained stated upon information and belief, and  
18  
19 as to those matters, I believe them to be true.  
20

21 Dated: May 27, 2022

**GIOVANNIELLO LAW GROUP**

22 By: 

Alexander F. Giovanniello

Nevada Bar No.: 11141

Christopher J. Giovanniello

Nevada Bar No.: 15048

3753 Howard Hughes Parkway, Suite 200

Las Vegas, Nevada 89169

Attorneys for Petitioners

THI OF NEVADA AT CHEYENNE, LLC  
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**CERTIFICATE OF MAILING**

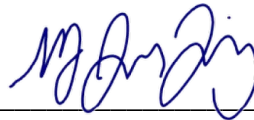
The undersigned, designee of Alexander F. Giovannello, Esq., hereby certifies that on this 27<sup>th</sup> day of May 2022, a true and correct copy of **PETITION FOR WRIT OF MANDAMUS BY PETITIONERS THI OF NEVADA AT CHEYENNE, LLC dba COLLEGE PARK REHABILITATION CENTER; HEALTHCARE REALTY OF CHEYENNE, LLC; AND FUNDAMENTAL ADMINISTRATIVE SERVICES, LLC** was served to the following person(s) as indicated below:

xx Via E-Service through email or the Court's Electronic Service system pursuant to NEFCR 4(b) on the following

by placing a true and correct copy of the above-mentioned document(s) in a sealed envelope, first class postage fully pre-paid, in the United States mail.

Donald C. Kudler CAP & KUDLER 3202 W. Charleston Boulevard Las Vegas, NV 89102 Tel: (702) 878-8778 Fax: (702) 878-9350 Email: <a href="mailto:donaldkudler@capandkudler.com">donaldkudler@capandkudler.com</a> Email: <a href="mailto:lizcarrion@capandkudler.com">lizcarrion@capandkudler.com</a>	Attorneys for Plaintiffs
---	--------------------------

By:



Mary-Jae Furing, an employee of  
Giovannello Law Group