

1 **CODE: \$2515**

2 Michael L. Matuska, Esq. SBN 5711
3 MATUSKA LAW OFFICES, LTD.
4 2310 South Carson Street, Suite 6
5 Carson City, NV 89701
6 Attorneys for Plaintiff

Electronically Filed
Aug 05 2022 03:39 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

7
8 **THE SECOND JUDICIAL DISTRICT COURT OF NEVADA**
9 **IN AND FOR THE COUNTY OF WASHOE**

10 JAY KVAM,

11 Plaintiff,

12 v.

13 BRIAN MINEAU; LEGION INVESTMENTS,
14 LLC; 7747 S. May Street, an Unincorporated
15 Joint Venture; and DOES I-X, inclusive,

16 Defendants.

Case No. CV18-00764

Dept. No. 6

17 **NOTICE OF APPEAL**

18 Notice is hereby given that Plaintiff, JAY KVAM, hereby appeals to the Supreme Court of
19 Nevada from the *Order Granting, in Part, and Denying, in Part, Defendants Brian Mineau and*
20 *Legion Investments, LLC's Verified Memorandum of Costs and Disbursements* entered in this
21 action on May 17, 2022.

22 **AFFIRMATION**

23 The undersigned does hereby affirm that the preceding document does not contain the
24 social security number of any person.

25 Dated this 3rd day of August, 2022.

26 MATUSKA LAW OFFICES, LTD.

27 By:



28 MICHAEL L. MATUSKA, SBN 5711
Attorney for Plaintiff, JAY KVAM

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of Matuska Law Offices, Ltd. and that on the 3rd day of August, 2022, I served a true and correct copy of the preceding document entitled **NOTICE OF APPEAL** as follows:

Austin K. Sweet, Esq.
GUNDERSON LAW FIRM
3895 Warren Way
Reno, NV 89509
asweet@gundersonlaw.com

☐ **BY U.S. MAIL:** I deposited for mailing in the United States mail, with postage fully prepaid, an envelope containing the above-identified document(s) at Carson City, Nevada, in the ordinary course of business.

☒ **BY E-MAIL OR ELECTRONIC TRANSMISSION:** I electronically filed a true and correct copy of the above-identified document with the Clerk of the Court by using the electronic filing system which will send a notice of electronic filing to the person named above.

☐ **BY PERSONAL SERVICE:** I personally delivered the above-identified document(s) by hand delivery to the office(s) of the person(s) named above.

☐ **BY FACSIMILE:**

☐ **BY FEDERAL EXPRESS ONE-DAY DELIVERY.**

☐ **BY MESSENGER SERVICE:** I delivered the above-identified document(s) to Reno-Carson Messenger Service for delivery.

/S/ SUZETTE TURLEY
SUZETTE TURLEY

CODE: 1310

Michael L. Matuska, Esq. SBN 5711
MATUSKA LAW OFFICES, LTD.
2310 South Carson Street, Suite 6
Carson City, NV 89701
Attorneys for Plaintiff

**THE SECOND JUDICIAL DISTRICT COURT OF NEVADA
IN AND FOR THE COUNTY OF WASHOE**

JAY KVAM,

Plaintiff,

v.

BRIAN MINEAU; LEGION INVESTMENTS,
LLC; 7747 S. May Street, an Unincorporated
Joint Venture; and DOES I-X, inclusive,

Defendants.

Case No. CV18-00764

Dept. No. 6

CASE APPEAL STATEMENT

COMES NOW Plaintiff, JAY KVAM, by and through his counsel of record, Matuska Law
Offices, Ltd., Michael L. Matuska, Esq., and hereby files this Case Appeal Statement as follows:

1. Name of Appellant filing this Case Appeal Statement:

Plaintiff, JAY KVAM

2. Name of the judge issuing the decision, judgment, or order appealed from:

Hon. Lynne K. Simons

3. Name of each Appellant and counsel for each Appellant:

JAY KVAM

Counsel: Matuska Law Offices, Ltd., Michael L. Matuska, Esq., 2310 S. Carson Street,
Suite 6, Carson City, Nevada 89701

4. Name of each Respondent and counsel for each Respondent:

BRIAN MINEAU; LEGION INVESTMENTS, LLC

Counsel: Gunderson Law Firm, Austin Sweet, 3895 Warren Way, Reno, NV 89509

5. Name of Any Attorney Not Licensed to Practice Law in Nevada and Whether the Attorney has Been Granted Permission to Appear under SCR 42:

None.

6. Whether Appellant's Counsel in the District Court was Appointed or Retained:
Retained.

7. Whether Appellant's Counsel on Appeal was Appointed or Retained:
Retained.

8. In Forma Pauperis:

None of the parties requested or were granted leave to proceed *in forma pauperis*.

9. The Date the Proceedings Commenced in the District Court:

Complaint – April 11, 2018

10. Brief Description of the Nature of the Action and Result in District Court:

In 2017 Kvam invested \$93,781.31 to purchase and renovate a house located at 7747 S. May Street in Chicago, Illinois. Kvam did so after meeting with Brian Mineau ("Mineau") and upon the representations that Mineau had success and experience flipping houses in Chicago and that Mineau would put up one-third of the project financing and manage the project. Mineau acquired the property in the name of his limited liability company, Legion Investments, LLC on February 13, 2017.

The parties did not have a detailed written agreement, but rather, their understanding is reflected in notes taken at the initial meeting, a subsequent Terms of Agreement and various oral communications. Pursuant to the Terms of Agreement, Kvam was to receive "7% annual return on any funds provided" together with "33.33% of net profit." Kvam has therefore described the agreement as a hybrid loan agreement and joint venture/profit sharing agreement.

The project was never completed and Kvam eventually filed suit in the court below on April 11, 2018. The Complaint included causes of action as follows: 1. Declaration of Joint Venture; 2. Rescission or Reformation of Agreement; 3. Breach of Contract – Loan; 4. Breach of Contract and Tortious Breach of the Implied Covenant of Good Faith and Fair Dealing – Joint Venture Agreement; 4. Accounting; 5. Court Supervision of Dissolution and Winding Up, and

1 Appointment of Receiver; 6. Temporary and Permanent Injunction; 7. Derivative Claim (on behalf
2 of the unincorporated joint venture referred to as 7747 S. May Street).

3 Mineau/Legion filed various counterclaims all of which were dismissed by Hon. Jerome
4 Polaha, who was originally assigned the case, except for Mineau/Legion's third counterclaim for
5 declaratory relief which was largely (but not entirely) repetitive of Kvam's first cause of action.
6 During these early proceedings, Kvam discovered that Mineau did not provide funding for the
7 project and that he had sold the house for a loss. Kvam therefore requested and was granted relief
8 to file a First Amended Complaint ("FAC") which included an additional cause of action for
9 Fraud, Fraudulent Inducement and Fraudulent Concealment. The FAC was filed on January 31,
10 2019. Mineau/Legion did not file any counterclaims in response to the FAC.

11 Kvam later discovered that Mineau/Legion had various other projects underway in
12 Chicago at the same time, that the same contractor was working on these other projects and that
13 Kvam's project funds were co-mingled with funds for these other projects and possibly used on
14 the other projects. Kvam therefore requested and was granted relief to file a Second Amended
15 Complaint ("SAC") that added claims for conversion and RICO claims. The SAC was filed on
16 September 11, 2019. Mineau/Legion did not file any counterclaims in response to the SAC.

17 Discovery closed on December 6, 2019, trial was scheduled to commence March 2, 2020
18 and Mineau/Legion filed a *Motion for Summary Judgment* on January 6, 2020 in which they
19 sought summary judgment on all Kvam's causes of action. In their motion, Mineau/Legion
20 conceded that the investment at 7747 S. May Street should be considered a joint venture and
21 admitted to Mineau's corresponding fiduciary duties. Mineau/Legion included a declaration in
22 which Mineau disavowed his previous discovery responses and declarations wherein he testified
23 that his funding share was paid through Criterion NV, LLC and now claimed that he borrowed
24 \$20,000 from Bradley Tammen.

25 25. On or about May 26, 2017, Mr. Cole called me and requested the next
26 \$20,000.00 progress payment for the project. I was travelling at the time and was
27 unable to promptly make direct payment; however, at my request, Spinola agreed
28 to arrange to have the funds wired to TNT on my behalf. I have previously testified
in this action that Spinola retrieved these funds from my personal safe. However,
upon further reflection and consideration in preparing this Declaration and
preparing for trial, I believe my previous testimony was mistaken. I now recall that

1 I borrowed the \$20,000 from Bradley Tammen In exchange for the short-term
2 loan of \$20,000, I agreed to repay Mr. Tammen a flat amount of \$28,000 (which
3 has since been repaid in full).

4 (See January 6, 2020 Declaration in support of *Motion for Summary Judgment*)
5 (emphasis added).

6 This was a sham declaration that was submitted after the close of discovery and was not supported
7 by any evidence of a loan or repayment thereof.

8 Kvam’s opposition was supported by lengthy points and authorities, a detailed declaration
9 from Jay Kvam and forty-eight (48) exhibits. Kvam also requested that the court defer ruling on
10 the motion until after it ruled on the Discovery Commissioner’s January 10, 2020
11 *Recommendation for Order* and he had the benefit of the discovery anticipated thereunder. He
12 also objected to the admission of Mineau’s sham declaration and filed a corresponding *Motion for*
13 *Reconsideration of Order Affirming Discovery Commissioner’s Recommendation, Entered May*
14 *16, 2019; for Discovery Sanctions; and for Other Relief* (“Motion for Reconsideration”). In the
15 *Motion for Reconsideration*, he renewed the request for tax information in order to determine if
16 Mineau ever reported a loan or the repayment thereof, for an order to show cause why Mineau
17 should not be held in contempt for perjury, and for related sanctions. Judge Simons never ruled on
18 Kvam’s *Motion for Reconsideration*.

19 Judge Simons entered the *Order Granting, In Part, and Denying, In Part Defendants’*
20 *Motion for Summary Judgment; Order Granting Summary Judgment on Claim Pursuant to*
21 *Court’s NRCP 56 Notice* on June 5, 2020. Essentially, Judge Simons granted Mineau/Legion’s
22 *Motion for Summary Judgment* in large part, despite the fact that she never ruled on the Discovery
23 Commissioner’s *Report and Recommendation* or Kvam’s *Motion for Reconsideration* and Kvam
24 never received the discovery to which he is entitled. To make matters worse, she largely, if not
25 completely, ignored Kvam’s declaration and extensive evidentiary record in favor of Mineau’s
26 sham declaration and sua sponte granted summary judgment on Mineau/Legion’s superseded
27 counterclaim for declaratory relief. Mineau/Legion’s counterclaims were almost completely
28 dismissed and were not restated in response to Kvam’s FAC or SAC. Despite this obvious point,
most of the findings in Judge Simons’ order are supported by a citation to “DA” which, according

1 to her, means “Deemed Admitted” by not filing an answer to the non-existent counterclaim. Judge
2 Simons basically granted summary judgment by default against a plaintiff who had prosecuted the
3 case to the eve of trial, based on her sua sponte ruling that he failed to respond to an earlier
4 pleading that had long since been superseded.

5 As for Kvam’s Sixth Cause of Action for Temporary and Permanent Injunction, Judge
6 Simons ruled that cause of action to be “legally ineffectual.”

7 Kvam filed a *Motion for Partial Summary Judgment* on the remaining causes of action on
8 June 25, 2021. Judge Simons entered the *Order Granting Plaintiff’s Motion for Partial Summary*
9 *Judgment* on March 10, 2022. Although Judge Simons proceeded to grant Kvam’s motion, in fact,
10 the relief afforded to Kvam was limited and constrained by the prior order in favor of
11 Mineau/Legion.

12 Judge Simons entered the *Order Granting, in Part, and Denying, in Part, Defendants*
13 *Brian Mineau and Legion Investments, LLC’s Verified Memorandum of Costs and Disbursements*
14 on May 17, 2022 in which she awarded costs to Mineau/Legion in the amount of \$5,445.55.

15 Judge Simons entered the *Order Granting, In Part, and Denying in Part, Motion for*
16 *Attorneys’ Fees and Costs*, on July 11, 2022, in which she awarded Mineau/Legion \$137,501.50 in
17 attorney’s fees based on an NRCP 68 offer of judgment.

18 11. Prior or Related Proceedings in the Supreme Court:

19 Prior Proceedings: See Case No. 81422

20 Related Proceedings: See Case No. 84443

21 12. Whether the Appeal Involves Child Custody or Visitation

22 None.

23 13. Possibility of a Settlement:

24 Judge Simons already ordered the parties to attend two settlement conferences and
25 settlement seems unlikely unless/until the posture of the case changes.

26 **AFFIRMATION**

27 The undersigned does hereby affirm that the preceding document does not contain the
28 social security number of any person.

1 Respectfully submitted,
2 Dated this 3rd day of August, 2022.

3 MATUSKA LAW OFFICES, LTD.

4 

5 By:

6 MICHAEL L. MATUSKA, SBN 5711
7 Attorneys for Plaintiff, JAY KVAM,
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of Matuska Law Offices, Ltd. and that on the 3rd day of August, 2022, I served a true and correct copy of the preceding document entitled **CASE APPEAL STATEMENT** as follows:

Austin K. Sweet, Esq.
GUNDERSON LAW FIRM
3895 Warren Way
Reno, NV 89509
asweet@gundersonlaw.com

☐ **BY U.S. MAIL:** I deposited for mailing in the United States mail, with postage fully prepaid, an envelope containing the above-identified document(s) at Carson City, Nevada, in the ordinary course of business.

☒ **BY E-MAIL OR ELECTRONIC TRANSMISSION:** I electronically filed a true and correct copy of the above-identified document with the Clerk of the Court by using the electronic filing system which will send a notice of electronic filing to the person named above.

☐ **BY PERSONAL SERVICE:** I personally delivered the above-identified document(s) by hand delivery to the office(s) of the person(s) named above.

☐ **BY FACSIMILE:**

☐ **BY FEDERAL EXPRESS ONE-DAY DELIVERY.**

☐ **BY MESSENGER SERVICE:** I delivered the above-identified document(s) to Reno-Carson Messenger Service for delivery.

/S/ SUZETTE TURLEY
SUZETTE TURLEY

SECOND JUDICIAL DISTRICT COURT**STATE OF NEVADA****COUNTY OF WASHOE****Case History - CV18-00764****Case Description: JAY KVAM VS BRIAN MINEAU, ET AL (D6)****Case Number: CV18-00764 Case Type: OTHER CIVIL MATTERS - Initially Filed On: 4/11/2018****Parties**

<u>Party Type & Name</u>	<u>Party Status</u>
JUDG - LYNNE K. SIMONS - D6	Active
JUDG - TAMMY RIGGS - D3	Party ended on: 6/6/2019 3:14:50PM
PLTF - JAY KVAM - @1322514	Active
DEFT - LEGION INVESTMENTS, LLC - @1322512	Active
DEFT - 7747 S. MAY STREET - @1322513	Active
DEFT - BRIAN MINEAU - @1322511	Active
ATTY - Michael L. Matuska, Esq. - 5711	Active
ATTY - Austin K. Sweet, Esq. - 11725	Active
ATTY - Mark Harlan Gunderson, Esq. - 2134	Active

Disposed Hearings

- 1 Department: D3 -- Event: Request for Submission -- Scheduled Date & Time: 8/1/2018 at 16:40:00
Extra Event Text: PLAINTIFF'S MOTION FOR DISSOLUTION
Event Disposition: S200 - 9/4/2018
- 2 Department: D3 -- Event: Request for Submission -- Scheduled Date & Time: 8/1/2018 at 16:41:00
Extra Event Text: PLAINTIFF'S MOTION TO DISMISS COUNTERCLAIMS
Event Disposition: S200 - 9/5/2018
- 3 Department: D3 -- Event: Request for Submission -- Scheduled Date & Time: 11/19/2018 at 15:55:00
Extra Event Text: MOTION TO DISMISS COUNTERCLAIM AND FOR SUMMARY JUDGMENT FILED 10/25/18
Event Disposition: D845 - 12/6/2018
- 4 Department: D3 -- Event: Request for Submission -- Scheduled Date & Time: 11/30/2018 at 13:11:00
Extra Event Text: PLAINTIFF'S TEMPORARY RESTRAINING ORDER
Event Disposition: S200 - 12/6/2018
- 5 Department: D3 -- Event: MOTION ... -- Scheduled Date & Time: 12/17/2018 at 13:30:00
Extra Event Text: ON MSJ AND MOTION TO DISMISS
Event Disposition: D840 - 12/17/2018
- 6 Department: D3 -- Event: PRELIMINARY INJUNCTION -- Scheduled Date & Time: 12/17/2018 at 13:30:00

Event Disposition: D870 - 12/12/2018
- 7 Department: D3 -- Event: Request for Submission -- Scheduled Date & Time: 1/22/2019 at 09:36:00
Extra Event Text: MOTION FOR LEAVE TO FILE AMENDED COMPLAINT
Event Disposition: S200 - 1/29/2019
- 8 Department: D3 -- Event: Request for Submission -- Scheduled Date & Time: 1/22/2019 at 10:20:00
Extra Event Text: PLAINTIFF'S MOTION FOR LEAVE TO FILE AMENDED COMPLAINT FILED 12-24-18
Event Disposition: S200 - 1/29/2019

Report Does Not Contain Sealed Cases or Confidential Information

- 9 Department: D3 -- Event: Request for Submission -- Scheduled Date & Time: 2/26/2019 at 10:41:00
Extra Event Text: MOTION FOR PROTECTIVE ORDER FILED 1/29/19
Event Disposition: S200 - 3/5/2019
- 10 Department: DISC -- Event: Request for Submission -- Scheduled Date & Time: 3/27/2019 at 14:37:00
Extra Event Text: FIRST MOTION TO COMPEL FILED 3/15/19 (PAPER PROVIDED)
Event Disposition: S200 - 4/10/2019
- 11 Department: D3 -- Event: Request for Submission -- Scheduled Date & Time: 4/30/2019 at 16:03:00
Extra Event Text: PLAINTIFFS OBJECTIONS TO REPORT OF COMMISSIONER FILED 4/16/19
Event Disposition: S200 - 5/16/2019
- 12 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 7/8/2019 at 10:31:00
Extra Event Text: PLAINTIFF'S MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT FILED 6-19-19
Event Disposition: S200 - 9/9/2019
- 13 Department: DISC -- Event: Request for Submission -- Scheduled Date & Time: 7/29/2019 at 15:38:00
Extra Event Text: DEFENDANTS/ COUNTERCLAIMANTS BRIAN MINEAU AND LEGION INVESTMENTS LLC'S MOTION TO COMPEL FILED 7-11-19
Event Disposition: S200 - 10/2/2019
- 14 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 8/2/2019 at 08:57:00
Extra Event Text: STIPULATION TO MODIFY SCHEDULING ORDER (ORDER PROVIDED)
Event Disposition: S200 - 8/5/2019
- 15 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 12/2/2019 at 16:57:00
Extra Event Text: BRIAN MINEAU & LEGION INVESTMENTS LLC EX PARTE APPLICATION FOR ORDER SHORTENING TIME CONCERNING MOTION TO EXT
Event Disposition: S200 - 12/5/2019
- 16 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 12/11/2019 at 15:56:00
Extra Event Text: BRIAN MINEAU AND LEGION INVESTMENTS LLC MOTION TO EXTEND DISCOVERY DEADLINE FOR LIMITED PURPOSE OF DEPOSING JA
Event Disposition: S200 - 12/30/2019
- 17 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 12/18/2019 at 12:59:00
Extra Event Text: CROSS-MOTION FOR PROTECTIVE ORDER FILED 12-6-19 AND OPPOSITION AND REPLY - PTC 1/14; TRIAL - 3/2/19
Event Disposition: S200 - 1/24/2020
- 18 Department: DISC -- Event: Request for Submission -- Scheduled Date & Time: 12/30/2019 at 12:25:00
Extra Event Text: SECOND MOTION TO COMPEL FILED 11/26/19
Event Disposition: S200 - 1/10/2020
- 19 Department: D6 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 1/14/2020 at 09:30:00
Extra Event Text: TRIAL - 3/2/20; NO 2, JURY, 5 DAYS
Event Disposition: D435 - 1/14/2020
- 20 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 1/14/2020 at 07:00:00
Extra Event Text: DEFENDANTS' OBJECTION TO DISCOVERY COMMISSIONER'S RECOMMENDATION FOR ORDER
Event Disposition: S200 - 2/6/2020
- 21 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 1/23/2020 at 16:15:00
Extra Event Text: MOTION FOR SUMMARY JUDGMENT FILED 1/06/2020
Event Disposition: S200 - 4/9/2020
- 22 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 1/30/2020 at 16:37:00
Extra Event Text: OBJECTION TO RECOMMENDATION FOR ORDER FILED 1/13/2020
Event Disposition: S200 - 4/9/2020

- 23 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 1/30/2020 at 16:41:00
Extra Event Text: MOTION IN LIMINE TO EXCLUDE EXPERT OPINION (DEFENDANTS MOTION IN LIMINE #1) FILED 1/10/2020
Event Disposition: S200 - 4/9/2020
- 24 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 1/31/2020 at 14:51:00
Extra Event Text: MOTION FOR LEAVE TO EXCEED PAGE LIMIT FILED 1/16/2020
Event Disposition: S200 - 4/9/2020
- 25 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 2/10/2020 at 12:04:00
Extra Event Text: REQUEST FOR SUBMISSION OF MOTION FOR RECONSIDERATION OF ORDER AFFIRMING DISCOVERY COMMISSIONER'S RECOMMENDATION
Event Disposition: S200 - 4/9/2020
- 26 Department: D6 -- Event: ORAL ARGUMENTS -- Scheduled Date & Time: 2/11/2020 at 09:30:00
Extra Event Text: (MOTION FOR SUMMARY JUDGMENT)
Event Disposition: D840 - 2/11/2020
- 27 Department: D6 -- Event: PRE-TRIAL MOTIONS -- Scheduled Date & Time: 2/21/2020 at 09:30:00
Extra Event Text: (/PRE-TRIAL CONFERENCE)
Event Disposition: D270 - 2/20/2020
- 28 Department: D10 -- Event: SETTLEMENT CONFERENCE -- Scheduled Date & Time: 2/24/2020 at 09:00:00
Extra Event Text: SETTLEMENT CONFERENCE FOR DEPT. 6 (9:00-5:00, IF NEEDED)(BRIEFS DUE BY FEBRUARY 18, 2020, AT NOON)
Event Disposition: D480 - 2/24/2020
- 29 Department: D6 -- Event: EXHIBITS TO BE MARKED W/CLERK -- Scheduled Date & Time: 2/27/2020 at 15:30:00

Event Disposition: D845 - 2/27/2020
- 30 Department: D6 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 2/27/2020 at 09:30:00
Extra Event Text: AND PRETRIAL MOTIONS
Event Disposition: D430 - 2/27/2020
- 31 Department: D10 -- Event: SETTLEMENT CONFERENCE -- Scheduled Date & Time: 3/2/2020 at 09:00:00
Extra Event Text: CONTINUATION OF SETTLEMENT CONFERENCE
Event Disposition: D480 - 3/2/2020
- 32 Department: D6 -- Event: TRIAL - NON JURY -- Scheduled Date & Time: 3/2/2020 at 09:00:00
Extra Event Text: 5 DAYS
Event Disposition: D870 - 2/28/2020
- 33 Department: D6 -- Event: TRIAL - JURY -- Scheduled Date & Time: 3/2/2020 at 09:00:00
Extra Event Text: NO 2, JURY, 5 DAYS
Event Disposition: D844 - 2/5/2020
- 34 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 3/5/2020 at 11:44:00
Extra Event Text: PLAINTIFF'S FIRST MOTION IN LIMINE FILED 2-14-2020
Event Disposition: S200 - 4/9/2020
- 35 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 4/22/2020 at 14:03:00
Extra Event Text: MOTION TO DISQUALIFY JUDGE (NO ORDER ATTACHED)
Event Disposition: S200 - 4/23/2020
- 36 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 11/19/2020 at 14:49:00
Extra Event Text: DEFENDANT'S MOTION FOR STATUS CONFERENCE - BINDER BUILT
Event Disposition: S200 - 2/9/2021

- 37 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 7/2/2021 at 14:06:00
Extra Event Text: re Defendants' Renewed Motion for Status Conference - BINDER BUILT
Event Disposition: S200 - 8/11/2021
- 38 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 7/7/2021 at 13:16:00
Extra Event Text: PLAINTIFFS MOTION FOR PARTIAL SUMMARY JUDGMENT FILED 6/25/2021
Event Disposition: S200 - 8/11/2021
- 39 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 7/7/2021 at 13:25:00
Extra Event Text: PLAINTIFFS MOTION FOR PARTIAL SUMMARY JUDGMENT FILED 6/25/2021 (ORDER PROVIDED)
Event Disposition: S200 - 8/11/2021
- 40 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 7/8/2021 at 12:06:00
Extra Event Text: EX PARTE MOTION TO SHORTEN TIME FILED 7/08/2021 (ORDER PROVIDED)
Event Disposition: S200 - 7/14/2021
- 41 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 8/9/2021 at 15:17:00
Extra Event Text: MOTION FOR SUMMARY JUDGMENT FILED 7/02/2021
Event Disposition: S200 - 8/11/2021
- 42 Department: D6 -- Event: HEARING... -- Scheduled Date & Time: 11/2/2021 at 09:30:00
Extra Event Text: ZOOM Defendants' Motion for Summary Judgment and Plaintiff's Motion for Partial Summary Judgment
Event Disposition: D875 - 11/1/2021
- 43 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 1/4/2022 at 11:00:00
Extra Event Text: Defendants' Motion for Summary Judgment - hearing held Jan 4, 2022 - taken under advisement
Event Disposition: S200 - 3/10/2022
- 44 Department: D6 -- Event: HEARING... -- Scheduled Date & Time: 1/4/2022 at 09:30:00
Extra Event Text: ZOOM Defendants' Motion for Summary Judgment and Plaintiff's Motion for Partial Summary Judgment
Event Disposition: D430 - 1/4/2022
- 45 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 1/4/2022 at 11:00:00
Extra Event Text: Plaintiff's Motion for Partial Summary Judgment - hearing held Jan 4, 2022 - taken under advisement
Event Disposition: S200 - 3/10/2022
- 46 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 3/21/2022 at 10:48:00
Extra Event Text: DEFENDANTS VERIFIED MEMORANDUM OF COSTS AND DISBURSEMENTS FILED MARCH 15, 2022 - BINDER BUILT
Event Disposition: S200 - 5/17/2022
- 47 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 4/22/2022 at 10:32:00
Extra Event Text: MOTION FOR ATTORNEY FEES AND COSTS FILED 3/31/2022 - BINDER BUILT
Event Disposition: S200 - 7/11/2022

Actions

- | | <u>Filing Date</u> | <u>-</u> | <u>Docket Code & Description</u> |
|---|--------------------|----------|--|
| 1 | 4/11/2018 | - | \$1425 - \$Complaint - Civil
Additional Text: Transaction 6624468 - Approved By: CSULEZIC : 04-11-2018:16:08:39 |
| 2 | 4/11/2018 | - | PAYRC - **Payment Receipted
Additional Text: A Payment of \$260.00 was made on receipt DCDC606090. |

- 3 4/16/2018 - 4090 - ** Summons Issued
No additional text exists for this entry.
- 4 5/31/2018 - 1067 - Affidavit of Service
Additional Text: LEGION INVESTMENTS - 5/10/2018 - Transaction 6706908 - Approved By: KTOMBOW : 05-31-2018:15:36:44
- 5 5/31/2018 - 1067 - Affidavit of Service
Additional Text: BRIAN MINEAU - 5/10/2018 - Transaction 6706908 - Approved By: KTOMBOW : 05-31-2018:15:36:44
- 6 5/31/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6706982 - Approved By: NOREVIEW : 05-31-2018:15:37:49
- 7 6/5/2018 - 1137 - Answer and Counterclaim
Additional Text: Transaction 6713233 - Approved By: CSULEZIC : 06-05-2018:16:09:46
- 8 6/5/2018 - \$1560 - \$Def 1st Appearance - CV
Additional Text: BRIAN MINEAU - Transaction 6713233 - Approved By: CSULEZIC : 06-05-2018:16:09:46
- 9 6/5/2018 - \$DEFT - \$Addl Def/Answer - Prty/Appear
Additional Text: LEGION INVESTMENTS LLC - Transaction 6713233 - Approved By: CSULEZIC : 06-05-2018:16:09:46
- 10 6/5/2018 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$243.00 was made on receipt DCDC611106.
- 11 6/5/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6713731 - Approved By: NOREVIEW : 06-05-2018:16:10:56
- 12 6/25/2018 - 2315 - Mtn to Dismiss ...
Additional Text: MOTION TO DISMISS COUNTERCLAIM, OR ALTERNATIVELY, FOR A MORE DEFINITE STATEMENT - Transaction 6746240
- Approved By: PMSEWELL : 06-26-2018:08:36:00
- 13 6/26/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6746478 - Approved By: NOREVIEW : 06-26-2018:08:37:44
- 14 7/3/2018 - A190 - Exempt from Arb (over \$50,000)
Additional Text: Transaction 6758903 - Approved By: NOREVIEW : 07-03-2018:10:56:02
- 15 7/3/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6758922 - Approved By: NOREVIEW : 07-03-2018:10:57:45
- 16 7/11/2018 - 2490 - Motion ...
Additional Text: Motion for Dissolution - Transaction 6771073 - Approved By: CSULEZIC : 07-11-2018:14:02:31
- 17 7/11/2018 - 1030 - Affidavit in Support...
Additional Text: Affidavit in Support of Motion for Dissolution - Transaction 6771116 - Approved By: CSULEZIC : 07-11-2018:14:05:29
- 18 7/11/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6771123 - Approved By: NOREVIEW : 07-11-2018:14:05:53
- 19 7/11/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6771146 - Approved By: NOREVIEW : 07-11-2018:14:07:51
- 20 7/12/2018 - 2645 - Opposition to Mtn ...
Additional Text: Opposition to Motion to Dismiss Counterclaim, or Alternatively, for a More Definite Statement - Transaction 6773855 -
Approved By: CSULEZIC : 07-13-2018:08:58:50

- 21 7/13/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6774660 - Approved By: NOREVIEW : 07-13-2018:08:59:54
- 22 7/17/2018 - 3790 - Reply to/in Opposition
Additional Text: REPLY TO OPPOSITION TO MOTION TO DISMISS COUNTERCLAIM, OR ALTERNATIVELY, FOR A MORE DEFINITE STATEMENT - Transaction 6780140 - Approved By: YVILORIA : 07-17-2018:13:15:21
- 23 7/17/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6780435 - Approved By: NOREVIEW : 07-17-2018:13:16:24
- 24 7/26/2018 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MOTION FOR DISSOLUTION - Transaction 6798200 - Approved By: YVILORIA : 07-26-2018:16:32:02
- 25 7/26/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6798576 - Approved By: NOREVIEW : 07-26-2018:16:33:13
- 26 8/1/2018 - 3795 - Reply...
Additional Text: REPLY TO OPPOSITION TO MOTION FOR DISSOLUTION - Transaction 6807229 - Approved By: YVILORIA : 08-01-2018:14:49:39
- 27 8/1/2018 - 1030 - Affidavit in Support...
Additional Text: DFX: NO EXHIBIT COVER PAGES - AFFIDAVIT IN SUPPORT OF REPLY TO OPPOSITION TO MOTION FOR DISSOLUTION - Transaction 6807270 - Approved By: YVILORIA : 08-01-2018:14:55:46
- 28 8/1/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6807351 - Approved By: NOREVIEW : 08-01-2018:14:50:35
- 29 8/1/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6807386 - Approved By: NOREVIEW : 08-01-2018:14:59:25
- 30 8/1/2018 - 3860 - Request for Submission
Additional Text: Transaction 6807623 - Approved By: CVERA : 08-01-2018:16:36:25
DOCUMENT TITLE: PLAINTIFF'S MOTION TO DISMISS COUNTERCLAIMS
PARTY SUBMITTING: MICHAEL MATUSKA, ESQ.
DATE SUBMITTED: 08/01/18
SUBMITTED BY: CVERA
DATE RECEIVED JUDGE OFFICE:
- 31 8/1/2018 - 3860 - Request for Submission
Additional Text: Transaction 6807628 - Approved By: CVERA : 08-01-2018:16:36:58
DOCUMENT TITLE: PLAINTIFF'S MOTION FOR DISSOLUTION
PARTY SUBMITTING: MICHAEL L. MATUSKA, ESQ.
DATE SUBMITTED: 08/01/18
SUBMITTED BY: CVERA
DATE RECEIVED JUDGE OFFICE:
- 32 8/1/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6808008 - Approved By: NOREVIEW : 08-01-2018:16:38:23
- 33 8/1/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6808010 - Approved By: NOREVIEW : 08-01-2018:16:38:24
- 34 8/6/2018 - 1835 - Joint Case Conference Report
Additional Text: Transaction 6813392 - Approved By: CVERA : 08-06-2018:10:11:31
- 35 8/6/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6813448 - Approved By: NOREVIEW : 08-06-2018:10:12:25

- 36 9/4/2018 - 2842 - Ord Denying Motion
Additional Text: ORDER DENYING MOTION FOR DISSOLUTION - Transaction 6862110 - Approved By: NOREVIEW : 09-04-2018:14:41:33
- 37 9/4/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6862116 - Approved By: NOREVIEW : 09-04-2018:14:42:33
- 38 9/4/2018 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 39 9/5/2018 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 6864685 - Approved By: NOREVIEW : 09-05-2018:14:50:01
- 40 9/5/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6864690 - Approved By: NOREVIEW : 09-05-2018:14:51:27
- 41 9/5/2018 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 42 9/5/2018 - 3370 - Order ...
Additional Text: ORDER RE: MOTION TO DISMISS.... - Transaction 6864914 - Approved By: NOREVIEW : 09-05-2018:15:47:10
- 43 9/5/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6864926 - Approved By: NOREVIEW : 09-05-2018:15:48:16
- 44 9/6/2018 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 6866198 - Approved By: NOREVIEW : 09-06-2018:11:48:07
- 45 9/6/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6866207 - Approved By: NOREVIEW : 09-06-2018:11:49:09
- 46 10/5/2018 - 1120 - Amended ...
Additional Text: First Amended Counterclaim - Transaction 6914700 - Approved By: CSULEZIC : 10-05-2018:16:25:43
- 47 10/5/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6914812 - Approved By: NOREVIEW : 10-05-2018:16:29:29
- 48 10/25/2018 - \$2200 - \$Mtn for Summary Judgment
Additional Text: MOTION TO DISMISS COUNTERCLAIM AND FOR SUMMARY JUDGMENT - Transaction 6948019 - Approved By: YVILORIA : 10-25-2018:15:42:21
- 49 10/25/2018 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$200.00 was made on receipt DCDC623469.
- 50 10/25/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6948179 - Approved By: NOREVIEW : 10-25-2018:15:43:39
- 51 11/13/2018 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MOTION TO DISMISS COUNTERCLAIM, AND FOR SUMMARY JUDGMENT - Transaction 6974711 - Approved By: YVILORIA : 11-14-2018:08:21:53
- 52 11/14/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6975165 - Approved By: NOREVIEW : 11-14-2018:08:22:47
- 53 11/19/2018 - 3790 - Reply to/in Opposition
Additional Text: REPLY TO OPPOSITION TO MOTION TO DISMISS COUNTERCLAIM, AND FOR SUMMARY JUDGMENT - Transaction 6983489 - Approved By: CSULEZIC : 11-19-2018:15:33:54

- 54 11/19/2018 - 1030 - Affidavit in Support...
Additional Text: AFFIDAVIT OF JAY KV AM IN SUPPORT OF REPLY TO OPPOSITION TO MOTION TO DISMISS AND FOR SUMMARY JUDGMENT - Transaction 6983487 - Approved By: CSULEZIC : 11-19-2018:15:35:01
- 55 11/19/2018 - 3860 - Request for Submission
Additional Text: MOTION TO DISMISS COUNTERCLAIM AND FOR SUMMARY JUDGMENT FILED 10/25/18 - Transaction 6983490 - Approved By: CSULEZIC : 11-19-2018:15:36:15
PARTY SUBMITTING: MICHAEL MATUSKA, ESQ
DATE SUBMITTED: 11/19/18
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 56 11/19/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6983888 - Approved By: NOREVIEW : 11-19-2018:15:34:55
- 57 11/19/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6983892 - Approved By: NOREVIEW : 11-19-2018:15:35:57
- 58 11/19/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6983898 - Approved By: NOREVIEW : 11-19-2018:15:37:19
- 59 11/30/2018 - 2222 - Mtn for TRO
Additional Text: MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION - Transaction 7000744 - Approved By: CSULEZIC : 11-30-2018:13:01:06
- 60 11/30/2018 - 3860 - Request for Submission
Additional Text: Transaction 7000753 - Approved By: YVILORIA : 11-30-2018:13:03:55
DOCUMENT TITLE: PLAINTIFF'S TEMPORARY RESTRAINING ORDER
PARTY SUBMITTING: MICHAEL MATUSKA ESQ
DATE SUBMITTED: 11-30-18
SUBMITTED BY: YV
DATE RECEIVED JUDGE OFFICE:
- 61 11/30/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 7000768 - Approved By: NOREVIEW : 11-30-2018:13:02:12
- 62 11/30/2018 - BOND - **Cash Bond Posted -Civil/Prob
Additional Text: Transaction 7000777 - Approved By: YVILORIA : 11-30-2018:13:09:16
- 63 11/30/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 7000779 - Approved By: NOREVIEW : 11-30-2018:13:04:53
- 64 11/30/2018 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$100.00 was made on receipt DCDC625935.
- 65 11/30/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 7000808 - Approved By: NOREVIEW : 11-30-2018:13:10:32
- 66 12/3/2018 - 3060 - Ord Granting Mtn ...
Additional Text: MOTION FOR TRO GRANTED - Transaction 7002881 - Approved By: NOREVIEW : 12-03-2018:12:09:05
- 67 12/3/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 7002883 - Approved By: NOREVIEW : 12-03-2018:12:10:06
- 68 12/3/2018 - BOND - **Cash Bond Posted -Civil/Prob
Additional Text: JAY KHAM - Transaction 7003283 - Approved By: SWILLIAM : 12-03-2018:15:10:05

- 69 12/3/2018 - 2610 - Notice ...
Additional Text: OF POSTING OF ADDITIONAL CASH BOND - Transaction 7003283 - Approved By: SWILLIAM : 12-03-2018:15:10:05
- 70 12/3/2018 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$400.00 was made on receipt DCDC626050.
- 71 12/3/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 7003718 - Approved By: NOREVIEW : 12-03-2018:15:12:34
- 72 12/6/2018 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 73 12/6/2018 - 3370 - Order ...
Additional Text: ORDER FOR HEARING - Transaction 7011365 - Approved By: NOREVIEW : 12-06-2018:14:14:34
- 74 12/6/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 7011373 - Approved By: NOREVIEW : 12-06-2018:14:15:59
- 75 12/11/2018 - 3975 - Statement ...
Additional Text: Plaintiff's Statement Regarding Pending Motions - Transaction 7017630 - Approved By: PMSEWELL : 12-11-2018:12:40:44
- 76 12/11/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 7018080 - Approved By: NOREVIEW : 12-11-2018:12:41:41
- 77 12/12/2018 - 3980 - Stip and Order...
Additional Text: TO DEPOSIT FUNDS - Transaction 7021308 - Approved By: NOREVIEW : 12-12-2018:16:03:45
- 78 12/12/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 7021309 - Approved By: NOREVIEW : 12-12-2018:16:04:37
- 79 12/12/2018 - 2540 - Notice of Entry of Ord
Additional Text: re Stipulation to Deposit Funds; Order - Transaction 7021429 - Approved By: NOREVIEW : 12-12-2018:16:41:47
- 80 12/12/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 7021439 - Approved By: NOREVIEW : 12-12-2018:16:43:12
- 81 12/13/2018 - TRO - **TRO Cash Bond
Additional Text: Bond ID: TRO-18-00011; Total Bond Amount: \$24,473.77.

Bond Code, TRO, Receipted for: SITE DEFINED TRUST DEPOSIT, on 13-DEC-2018 in the amount of \$24,473.77 on case ID CV18-00764.
- 82 12/13/2018 - 2610 - Notice ...
Additional Text: NOTICE OF DEPOSIT OF PROPERTY PROCEEDS BY BRIAN MINEAU AND LEGION INVESTMENTS LLC - Transaction 7022929 - Approved By: YVILORIA : 12-13-2018:13:41:23
- 83 12/13/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 7022943 - Approved By: NOREVIEW : 12-13-2018:13:42:27
- 84 12/20/2018 - CHECK - **Trust Disbursement
Additional Text: A Disbursement of \$500.00 on Check Number 34666
- 85 12/24/2018 - 2490 - Motion ...
Additional Text: Motion for Leave to File Amended Complaint - Transaction 7037918 - Approved By: KTOMBOW : 12-24-2018:11:53:11

- 86 12/24/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 7038210 - Approved By: NOREVIEW : 12-24-2018:11:54:07
- 87 1/9/2019 - 3370 - Order ...
Additional Text: ORDER RE: MOTION TO DISMISS COUNTERCLAIM AND FOR SUMMARY JUDGMENT - Transaction 7059540 - Approved By: NOREVIEW : 01-09-2019:15:15:29
- 88 1/9/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7059543 - Approved By: NOREVIEW : 01-09-2019:15:16:31
- 89 1/10/2019 - 2545 - Notice of Entry ...
Additional Text: Transaction 7061883 - Approved By: NOREVIEW : 01-10-2019:14:21:48
- 90 1/10/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7061897 - Approved By: NOREVIEW : 01-10-2019:14:22:57
- 91 1/14/2019 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MOTION FOR LEAVE TO FILE AMENDED COMPLAINT - Transaction 7067328 - Approved By: YVILORIA : 01-15-2019:08:44:33
- 92 1/15/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7067606 - Approved By: NOREVIEW : 01-15-2019:08:45:35
- 93 1/21/2019 - 3790 - Reply to/in Opposition
Additional Text: DFX: EXHIBITS LABELED INCORRECTLY
REPLY TO OPPOSITION TO MOTION FOR LEAVE TO FILE AMENDED COMPLAINT - Transaction 7077237 - Approved By: KTOMBOW : 01-22-2019:09:01:02
- 94 1/21/2019 - 3860 - Request for Submission
Additional Text: Transaction 7077236 - Approved By: KTOMBOW : 01-22-2019:09:35:55
DOCUMENT TITLE: MOTION FOR LEAVE TO FILE AMENDED COMPLAINT
PARTY SUBMITTING: MICHAEL MATUSKA
DATE SUBMITTED: 1/22/19
SUBMITTED BY: KTOMBOW
DATE RECEIVED JUDGE OFFICE:
- 95 1/22/2019 - 3790 - Reply to/in Opposition
Additional Text: REPLY TO OPPOSITION TO MOTION FOR LEAVE TO FILE AMENDED COMPLAINT - Transaction 7077447 - Approved By: YVILORIA : 01-22-2019:10:16:29
- 96 1/22/2019 - 3860 - Request for Submission
Additional Text: REQUEST FOR SUBMISSION - Transaction 7077495 - Approved By: YVILORIA : 01-22-2019:10:18:11
DOCUMENT TITLE: PLAINTIFF'S MOTION FOR LEAVE TO FILE AMENDED COMPLAINT FILED 12-24-18
PARTY SUBMITTING: MICHAEL MATUSKA ESQ
DATE SUBMITTED: 1-22-19
SUBMITTED BY: YV
DATE RECEIVED JUDGE OFFICE:
- 97 1/22/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7077516 - Approved By: NOREVIEW : 01-22-2019:09:02:19
- 98 1/22/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7077683 - Approved By: NOREVIEW : 01-22-2019:09:36:53
- 99 1/22/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7077801 - Approved By: NOREVIEW : 01-22-2019:10:17:15
- 100 1/22/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7077806 - Approved By: NOREVIEW : 01-22-2019:10:19:00

- 101 1/29/2019 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 102 1/29/2019 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 103 1/29/2019 - 2165 - Mtn for Protective Ord
Additional Text: MOTION FOR PROTECTIVE ORDER - Transaction 7090699 - Approved By: YVILORIA : 01-29-2019:13:26:32
- 104 1/29/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7090971 - Approved By: NOREVIEW : 01-29-2019:13:28:18
- 105 1/29/2019 - 1665 - Ex-Parte Application...
Additional Text: EX PARTE APPLICATION FOR ORDER SHORTENING TIME AND STAYING DISCOVERY PENDING RESOLUTION OF MOTION FOR PROTECTIVE ORDER - Transaction 7091039 - Approved By: CSULEZIC : 01-29-2019:14:36:27
- 106 1/29/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7091341 - Approved By: NOREVIEW : 01-29-2019:14:37:27
- 107 1/29/2019 - 3060 - Ord Granting Mtn ...
Additional Text: PLAINTIFF'S MOTION FOR LEAVE TO FILE AMENDED COMPLAINT IS GRANTED - Transaction 7091712 - Approved By: NOREVIEW : 01-29-2019:15:56:30
- 108 1/29/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7091726 - Approved By: NOREVIEW : 01-29-2019:15:58:17
- 109 1/30/2019 - 3370 - Order ...
Additional Text: ORDER STAYING DISCOVERY - Transaction 7092991 - Approved By: NOREVIEW : 01-30-2019:11:24:45
- 110 1/30/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7093007 - Approved By: NOREVIEW : 01-30-2019:11:26:22
- 111 1/30/2019 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 7093305 - Approved By: NOREVIEW : 01-30-2019:13:13:00
- 112 1/30/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7093307 - Approved By: NOREVIEW : 01-30-2019:13:13:57
- 113 1/31/2019 - 1090 - Amended Complaint
Additional Text: FIRST AMENDED VERIFIED COMPLAINT - Transaction 7095466 - Approved By: CSULEZIC : 01-31-2019:12:12:27
- 114 1/31/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7095699 - Approved By: NOREVIEW : 01-31-2019:12:13:23
- 115 2/1/2019 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 7099149 - Approved By: NOREVIEW : 02-01-2019:16:24:34
- 116 2/1/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7099153 - Approved By: NOREVIEW : 02-01-2019:16:25:31
- 117 2/12/2019 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO DEFENDANTS' MOTION FOR PROTECTIVE ORDER - Transaction 7115603 - Approved By: YVILORIA : 02-13-2019:08:27:12
- 118 2/13/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7115906 - Approved By: NOREVIEW : 02-13-2019:08:28:17

- 119 2/19/2019 - 1140 - Answer to Amended Complaint
Additional Text: Transaction 7124345 - Approved By: CSULEZIC : 02-19-2019:14:59:13
- 120 2/19/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7124626 - Approved By: NOREVIEW : 02-19-2019:15:00:34
- 121 2/22/2019 - 4105 - Supplemental ...
Additional Text: SUPPLEMENT TO OPPOSITION TO DEFENDANTS' MOTION FOR PROTECTIVE ORDER - Transaction 7131413 - Approved By: YVILORIA : 02-22-2019:14:37:14
- 122 2/22/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7131444 - Approved By: NOREVIEW : 02-22-2019:14:38:21
- 123 2/25/2019 - 3795 - Reply...
Additional Text: Reply in Support of Motion for Protective Order - Transaction 7134280 - Approved By: JAPARICI : 02-26-2019:09:00:32
- 124 2/25/2019 - 3860 - Request for Submission
Additional Text: MOTION FOR PROTECTIVE ORDER FILED 1/29/19 - Transaction 7134781 - Approved By: CSULEZIC : 02-26-2019:09:01:33
PARTY SUBMITTING: AUSTIN SWEET ESQ
DATE SUBMITTED: 2/26/19
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 125 2/26/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7135570 - Approved By: NOREVIEW : 02-26-2019:09:05:17
- 126 2/26/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7135580 - Approved By: NOREVIEW : 02-26-2019:09:06:35
- 127 3/5/2019 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 128 3/6/2019 - 3370 - Order ...
Additional Text: DEFENDANTS' MOTION FOR PROTECTIVE ORDER IS DENIED; SANCTIONS SHALL BE AWARDED IN FAVOR OF PLAINTIFF IN THE AMOUNT OF \$5,616.50 - Transaction 7151158 - Approved By: NOREVIEW : 03-06-2019:11:43:01
- 129 3/6/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7151175 - Approved By: NOREVIEW : 03-06-2019:11:44:29
- 130 3/15/2019 - 2490 - Motion ...
Additional Text: PLAINTIFFS FIRST MOTION TO COMPEL - Transaction 7168868 - Approved By: CSULEZIC : 03-15-2019:14:00:12
- 131 3/15/2019 - 1520 - Declaration
Additional Text: DECLARATION OF MICHAEL L. MATUSKA, ESQ. IN SUPPORT OF PLAINTIFF'S FIRST MOTION TO COMPEL - Transaction 7168868 - Approved By: CSULEZIC : 03-15-2019:14:00:12
- 132 3/15/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7169043 - Approved By: NOREVIEW : 03-15-2019:14:03:37
- 133 3/25/2019 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO PLAINTIFF'S FIRST MOTION TO COMPEL - Transaction 7183966 - Approved By: YVILORIA : 03-26-2019:08:18:46
- 134 3/26/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7184374 - Approved By: NOREVIEW : 03-26-2019:08:19:49

- 135 3/27/2019 - 3790 - Reply to/in Opposition
Additional Text: PLAINTIFF'S REPLY TO OPPOSITON TO FIRST MOTION TO COMPEL - Transaction 7188141 - Approved By: CSULEZIC : 03-27-2019:13:43:46
- 136 3/27/2019 - 1520 - Declaration
Additional Text: DECLARATION OF MICHAEL L. MATUSKA, ESQ. IN SUPPORT OF PLAINTIFF'S FIRST MOTION TO COMPEL - Transaction 7188153 - Approved By: CSULEZIC : 03-27-2019:13:55:57
- 137 3/27/2019 - 3860 - Request for Submission
Additional Text: FIRST MOTION TO COMPEL FILED 3/15/19 (PAPER PROVIDED) - Transaction 7188179 - Approved By: CSULEZIC : 03-27-2019:14:01:13
PARTY SUBMITTING: MICHAEL MATUSKA ESQ
DATE SUBMITTED: 3/27/19
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 138 3/27/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7188228 - Approved By: NOREVIEW : 03-27-2019:13:47:10
- 139 3/27/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7188320 - Approved By: NOREVIEW : 03-27-2019:13:57:18
- 140 3/27/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7188342 - Approved By: NOREVIEW : 03-27-2019:14:02:13
- 141 4/9/2019 - 1945 - Master's Recommendation/Ord
Additional Text: RECOMMENDATION FOR ORDER - Transaction 7210304 - Approved By: NOREVIEW : 04-09-2019:16:56:07
- 142 4/9/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7210307 - Approved By: NOREVIEW : 04-09-2019:16:59:06
- 143 4/10/2019 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 144 4/16/2019 - 2630 - Objection to ...
Additional Text: PLAINTIFF'S OBJECTIONS TO REPORT OF COMMISSIONER - Transaction 7221281 - Approved By: YVILORIA : 04-16-2019:13:05:27
- 145 4/16/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7221347 - Approved By: NOREVIEW : 04-16-2019:13:07:15
- 146 4/18/2019 - JF - **First Day Jury Fees Deposit
Additional Text: Transaction 7225918 - Approved By: YVILORIA : 04-18-2019:11:49:27
- 147 4/18/2019 - 1580 - Demand for Jury
Additional Text: DEMAND FOR JURY: BRIAN MINEAU AND LEGION INVESTMENTS LLC - Transaction 7225918 - Approved By: YVILORIA : 04-18-2019:11:49:27
- 148 4/18/2019 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$320.00 was made on receipt DCDC635908.
- 149 4/18/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7225998 - Approved By: NOREVIEW : 04-18-2019:11:52:10
- 150 4/25/2019 - 3880 - Response...
Additional Text: RESPONSE TO PLAINTIFFS OBJECTION TO REPORT OF COMMISSIONER - Transaction 7239238 - Approved By: CSULEZIC : 04-26-2019:08:30:28

- 151 4/25/2019 - 2075 - Mtn for Extension of Time
Additional Text: MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO PLAINTIFF'S OBJECTION TO REPORT OF COMMISSIONER OR, ALTERNATIVELY, LEAVE TO FILE RESPONSE AFTER DEADLINE - Transaction 7239238 - Approved By: CSULEZIC : 04-26-2019:08:30:28
- 152 4/26/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7239585 - Approved By: NOREVIEW : 04-26-2019:08:31:34
- 153 4/30/2019 - 3790 - Reply to/in Opposition
Additional Text: PLAINTIFF'S REPLY TO DEFENDANTS' RESPONSE TO OBJECTION TO REPORT OF COMMISSIONER - Transaction 7245659 - Approved By: CSULEZIC : 04-30-2019:15:50:02
- 154 4/30/2019 - 3860 - Request for Submission
Additional Text: PLAINTIFFS OBJECTIONS TO REPORT OF COMMISSIONER FILED 4/16/19 - Transaction 7245663 - Approved By: CSULEZIC : 04-30-2019:15:50:43
PARTY SUBMITTING: MICHAEL MATUSKA ESQ
DATE SUBMITTED: 4/30/19
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 155 4/30/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7245904 - Approved By: NOREVIEW : 04-30-2019:15:53:15
- 156 4/30/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7245903 - Approved By: NOREVIEW : 04-30-2019:15:53:16
- 157 5/16/2019 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 158 5/16/2019 - 2690 - Ord Affirming Master Recommend
Additional Text: Transaction 7273388 - Approved By: NOREVIEW : 05-16-2019:11:31:04
- 159 5/16/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7273403 - Approved By: NOREVIEW : 05-16-2019:11:32:49
- 160 6/3/2019 - 3696 - Pre-Trial Order
Additional Text: Transaction 7301399 - Approved By: NOREVIEW : 06-03-2019:16:31:21
- 161 6/3/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7301401 - Approved By: NOREVIEW : 06-03-2019:16:32:18
- 162 6/6/2019 - 2610 - Notice ...
Additional Text: NOTICE OF TRIAL SETTING: JUNE 11, 2019, 10 AM - Transaction 7307092 - Approved By: YVILORIA : 06-06-2019:10:35:54
- 163 6/6/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7307166 - Approved By: NOREVIEW : 06-06-2019:10:37:01
- 164 6/6/2019 - 2665 - Ord Accepting Reassignment
Additional Text: Transaction 7308883 - Approved By: NOREVIEW : 06-06-2019:17:32:45
- 165 6/6/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7308884 - Approved By: NOREVIEW : 06-06-2019:17:33:45
- 166 6/11/2019 - 1250E - Application for Setting eFile
Additional Text: Transaction 7314833 - Approved By: NOREVIEW : 06-11-2019:13:24:38

- 167 6/11/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7314835 - Approved By: NOREVIEW : 06-11-2019:13:27:33
- 168 6/12/2019 - 2610 - Notice ...
Additional Text: NOTICE OF TRIAL AND PRETRIAL CONFERENCE - Transaction 7317646 - Approved By: YVILORIA : 06-12-2019:15:07:15
- 169 6/12/2019 - 3696 - Pre-Trial Order
Additional Text: Transaction 7317747 - Approved By: NOREVIEW : 06-12-2019:14:48:16
- 170 6/12/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7317756 - Approved By: NOREVIEW : 06-12-2019:14:49:41
- 171 6/12/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7317908 - Approved By: NOREVIEW : 06-12-2019:15:08:23
- 172 6/19/2019 - 2490 - Motion ...
Additional Text: Motion for Leave to File Second Amended Complaint - Transaction 7330147 - Approved By: CSULEZIC : 06-19-2019:16:09:12
- 173 6/19/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7330482 - Approved By: NOREVIEW : 06-19-2019:16:10:20
- 174 7/1/2019 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT - Transaction 7350241 - Approved By: MPURDY : 07-01-2019:15:36:27
- 175 7/1/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7350340 - Approved By: NOREVIEW : 07-01-2019:15:37:23
- 176 7/3/2019 - 3790 - Reply to/in Opposition
Additional Text: REPLY TO OPPOSITION TO SECOND MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT - Transaction 7354819 - Approved By: CSULEZIC : 07-03-2019:12:08:31
- 177 7/3/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7354872 - Approved By: NOREVIEW : 07-03-2019:12:11:04
- 178 7/8/2019 - 3860 - Request for Submission
Additional Text: REQUEST FOR SUBMISSION - Transaction 7359030 - Approved By: NOREVIEW : 07-08-2019:10:12:55
DOCUMENT TITLE: PLAINTIFF'S MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT FILED 6-19-19
PARTY SUBMITTING: MICHAEL MATUSKA ESQ
DATE SUBMITTED: 7-8-19
SUBMITTED BY: YVE
DATE RECEIVED JUDGE OFFICE:
- 179 7/8/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7359034 - Approved By: NOREVIEW : 07-08-2019:10:13:55
- 180 7/11/2019 - 2270 - Mtn to Compel...
Additional Text: Transaction 7367937 - Approved By: CSULEZIC : 07-11-2019:13:38:54
- 181 7/11/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7368010 - Approved By: NOREVIEW : 07-11-2019:13:39:53
- 182 7/22/2019 - 2645 - Opposition to Mtn ...
Additional Text: PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION TO COMPEL - Transaction 7386903 - Approved By: YVILORIA : 07-22-2019:16:55:54

- 183 7/22/2019 - 1523 - Declaration in Supp/Fee Waiver
Additional Text: Transaction 7386912 - Approved By: NOREVIEW : 07-22-2019:16:42:38
- 184 7/22/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7386921 - Approved By: NOREVIEW : 07-22-2019:16:43:54
- 185 7/22/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7387003 - Approved By: NOREVIEW : 07-22-2019:16:57:47
- 186 7/29/2019 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION TO COMPEL - Transaction 7399733 - Approved By: YVILORIA : 07-29-2019:15:36:47
- 187 7/29/2019 - 3860 - Request for Submission
Additional Text: REQUEST FOR SUBMISSION - Transaction 7399733 - Approved By: YVILORIA : 07-29-2019:15:36:47
DOCUMENT TITLE: DEFENDANTS/ COUNTERCLAIMANTS BRIAN MINEAU AND LEGION INVESTMENTS LLC'S MOTION TO COMPEL
FILED 7-11-19
PARTY SUBMITTING: AUSTIN SWEET ESQ
DATE SUBMITTED: 7-29-19
SUBMITTED BY: YV
DATE RECEIVED JUDGE OFFICE:
- 188 7/29/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7399859 - Approved By: NOREVIEW : 07-29-2019:15:38:51
- 189 7/30/2019 - 3370 - Order ...
Additional Text: REFERRING DISCOVERY MOTION TO COMMISSIONER FOR RECOMMENDATION - Transaction 7401496 - Approved By:
NOREVIEW : 07-30-2019:11:41:53
- 190 7/30/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7401504 - Approved By: NOREVIEW : 07-30-2019:11:43:15
- 191 8/1/2019 - 4050 - Stipulation ...
Additional Text: Transaction 7407201 - Approved By: NOREVIEW : 08-01-2019:14:48:28
- 192 8/1/2019 - 3860 - Request for Submission
Additional Text: Transaction 7407202 - Approved By: NOREVIEW : 08-01-2019:14:49:00
DOCUMENT TITLE: STIPULATION TO MODIFY SCHEDULING ORDER (ORDER PROVIDED)
PARTY SUBMITTING: MICHAEL MATUSKA, ESQ
DATE SUBMITTED: AUGUST 1, 2019
SUBMITTED BY: BBLOUGH
DATE RECEIVED JUDGE OFFICE:
- 193 8/1/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7407204 - Approved By: NOREVIEW : 08-01-2019:14:49:30
- 194 8/1/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7407206 - Approved By: NOREVIEW : 08-01-2019:14:50:00
- 195 8/5/2019 - 2777 - Ord Approving ...
Additional Text: STIPULATION MODIFYING SCHEDULING ORDER - Transaction 7411389 - Approved By: NOREVIEW :
08-05-2019:12:09:31
- 196 8/5/2019 - S200 - Request for Submission Complet
Additional Text: ORDER
- 197 8/5/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7411393 - Approved By: NOREVIEW : 08-05-2019:12:10:31

- 198 8/5/2019 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 7411773 - Approved By: NOREVIEW : 08-05-2019:13:55:29
- 199 8/5/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7411776 - Approved By: NOREVIEW : 08-05-2019:13:56:41
- 200 9/9/2019 - 3060 - Ord Granting Mtn ...
Additional Text: FOR LEAVE TO FILE A SECOND AMENDED COMPLAINT - Transaction 7474629 - Approved By: NOREVIEW : 09-09-2019:15:57:52
- 201 9/9/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7474656 - Approved By: NOREVIEW : 09-09-2019:16:00:55
- 202 9/9/2019 - S200 - Request for Submission Complet
Additional Text: ORDER
- 203 9/11/2019 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 7478565 - Approved By: NOREVIEW : 09-11-2019:11:59:19
- 204 9/11/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7478571 - Approved By: NOREVIEW : 09-11-2019:12:00:26
- 205 9/11/2019 - 1090 - Amended Complaint
Additional Text: SECOND AMENDED VERIFIED COMPLAINT - Transaction 7478580 - Approved By: CSULEZIC : 09-11-2019:12:12:36
- 206 9/11/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7478609 - Approved By: NOREVIEW : 09-11-2019:12:13:36
- 207 9/25/2019 - 1140 - Answer to Amended Complaint
Additional Text: ANSWER TO SECOND AMENDED VERIFIED COMPLAINT - Transaction 7504329 - Approved By: CSULEZIC : 09-25-2019:15:22:21
- 208 9/25/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7504406 - Approved By: NOREVIEW : 09-25-2019:15:23:52
- 209 10/2/2019 - 1945 - Master's Recommendation/Ord
Additional Text: RECOMMENDATION FOR ORDER - Transaction 7516657 - Approved By: NOREVIEW : 10-02-2019:14:33:45
- 210 10/2/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7516663 - Approved By: NOREVIEW : 10-02-2019:14:34:49
- 211 10/2/2019 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 212 10/21/2019 - 2777 - Ord Approving ...
Additional Text: CONFIRMING DISCOVERY COMMISSIONER'S RECOMMENDATION SERVED 10/2/19 - Transaction 7549275 - Approved By: NOREVIEW : 10-21-2019:15:25:51
- 213 10/21/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7549278 - Approved By: NOREVIEW : 10-21-2019:15:26:48
- 214 10/22/2019 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 7552467 - Approved By: NOREVIEW : 10-22-2019:17:04:31
- 215 10/22/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7552469 - Approved By: NOREVIEW : 10-22-2019:17:05:31

- 216 11/26/2019 - 2270 - Mtn to Compel...
Additional Text: PLAINTIFF'S SECOND MOTION TO COMPEL - Transaction 7610271 - Approved By: CSULEZIC : 11-26-2019:15:44:24
- 217 11/26/2019 - 1520 - Declaration
Additional Text: "NOTICE ATTACHED - NOTICE OF STRICKEN DOCUMENT FILED NOVEMBER 26, 2019 STRIKING THE DECLARATION OF MICHAEL L. MATUSKA, ESQ. IN SUPPORT OF PLAINTIFF'S SECOND MOTION TO COMPEL FOR THE FOLLOWING REASON: DOCUMENT DOES NOT HAVE AN AFFIRMATION – WDCR10(c)(1) Transaction 7610279 - Approved By: NOREVIEW : 11-26-2019:15:39:43
- 218 11/26/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7610284 - Approved By: NOREVIEW : 11-26-2019:15:40:43
- 219 11/26/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7610295 - Approved By: NOREVIEW : 11-26-2019:15:46:04
- 220 11/26/2019 - 1520 - Declaration
Additional Text: DECLARATION OF MICHAEL L. MATUSKA, ESQ. IN SUPPORT OF PLAINTIFF'S SECOND MOTION TO COMPEL - Transaction 7610336 - Approved By: NOREVIEW : 11-26-2019:15:52:30
- 221 11/26/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7610346 - Approved By: NOREVIEW : 11-26-2019:15:54:10
- 222 12/2/2019 - 2075 - Mtn for Extension of Time
Additional Text: MOTION TO EXTEND DISCOVERY DEADLINE FOR LIMITED PURPOSE OF DEPOSING JAY KV AM - Transaction 7614727 - Approved By: CSULEZIC : 12-02-2019:16:54:53
- 223 12/2/2019 - 2140 - Mtn Ord Shortening Time
Additional Text: Ex Parte Application for Order Shortening Time Concerning Motion to Extend Discovery Deadline for Limited Purposes of Deposing Jay Kvam - Transaction 7614795 - Approved By: NOREVIEW : 12-02-2019:15:25:58
- 224 12/2/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7614809 - Approved By: NOREVIEW : 12-02-2019:15:27:39
- 225 12/2/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7615276 - Approved By: NOREVIEW : 12-02-2019:16:56:22
- 226 12/2/2019 - 3860 - Request for Submission
Additional Text: Transaction 7615291 - Approved By: NOREVIEW : 12-02-2019:16:58:22
DOCUMENT TITLE: BRIAN MINEAU & LEGION INVESTMENTS LLC EX PARTE APPLICATION FOR ORDER SHORTENING TIME CONCERNING MOTION TO EXTEND DISCOVERY DEADLINE FOR LIMITED PURPOSE OF DEPOSING JAY KVAM
PARTY SUBMITTING: AUSTIN SWEET ESQ
DATE SUBMITTED: 12-2-19
SUBMITTED BY: YV
DATE RECEIVED JUDGE OFFICE:
- 227 12/2/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7615307 - Approved By: NOREVIEW : 12-02-2019:17:00:13
- 228 12/5/2019 - 3245 - Ord Shortening Time
Additional Text: AND STAYING DISCOVERY PENDING RESOLUTION OF MOTION FOR PROTECTIVE ORDER - Transaction 7622052 - Approved By: NOREVIEW : 12-05-2019:13:08:10
- 229 12/5/2019 - S200 - Request for Submission Complet
Additional Text: OST
- 230 12/5/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7622053 - Approved By: NOREVIEW : 12-05-2019:13:09:20
- 231 12/5/2019 - 2540 - Notice of Entry of Ord
Additional Text: Shortening Time and Staying Discovery Pending Resolution of Motion for Protective Order - Transaction 7622336 - Approved By: NOREVIEW : 12-05-2019:14:07:58

- 232 12/5/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7622339 - Approved By: NOREVIEW : 12-05-2019:14:08:58
- 233 12/6/2019 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO DEFENDANTS' MOTION TO EXTEND DISCOVERY DEADLINE; AND (IN THE ALTERNATIVE) CROSS-MOTION FOR PROTECTIVE ORDER; MOTION FOR ATTORNEY'S FEES - Transaction 7625230 - Approved By: YVILORIA : 12-06-2019:15:57:34
- 234 12/6/2019 - 1520 - Declaration
Additional Text: DECLARATION OF MICHAEL L. MATUSKA, ESQ. IN SUPPORT OF PLAINTIFF'S OPPOSITION TO MOTION TO EXTEND DISCOVERY DEADLINE - Transaction 7625277 - Approved By: NOREVIEW : 12-06-2019:15:46:22
- 235 12/6/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7625332 - Approved By: NOREVIEW : 12-06-2019:15:51:16
- 236 12/6/2019 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO PLAINTIFF'S SECOND MOTION TO COMPEL - Transaction 7625341 - Approved By: YVILORIA : 12-06-2019:15:58:10
- 237 12/6/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7625417 - Approved By: NOREVIEW : 12-06-2019:16:02:02
- 238 12/6/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7625420 - Approved By: NOREVIEW : 12-06-2019:16:02:40
- 239 12/11/2019 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION TO EXTEND DISCOVERY DEADLINE FOR LIMITED PURPOSE OF DEPOSING JAY KVAM - Transaction 7632959 - Approved By: CSULEZIC : 12-11-2019:15:06:30
- 240 12/11/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7632990 - Approved By: NOREVIEW : 12-11-2019:15:07:49
- 241 12/11/2019 - 3790 - Reply to/in Opposition
Additional Text: PLAINTIFF'S REPLY TO OPPOSITION TO PLAINTIFF'S SECOND MOTION TO COMPEL - Transaction 7633267 - Approved By: CSULEZIC : 12-11-2019:16:10:01
- 242 12/11/2019 - 3860 - Request for Submission
Additional Text: Transaction 7633330 - Approved By: NOREVIEW : 12-11-2019:15:57:20
DOCUMENT TITLE: BRIAN MINEAU AND LEGION INVESTMENTS LLC MOTION TO EXTEND DISCOVERY DEADLINE FOR LIMITED PURPOSE OF DEPOSING JAY KVAN FILED 12-2-19
PARTY SUBMITTING: AUSTIN SWEET ESQ
DATE SUBMITTED: 12-11-19
SUBMITTED BY: YV
DATE RECEIVED JUDGE OFFICE:
- 243 12/11/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7633338 - Approved By: NOREVIEW : 12-11-2019:15:58:40
- 244 12/11/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7633416 - Approved By: NOREVIEW : 12-11-2019:16:11:28
- 245 12/12/2019 - 3860 - Request for Submission
Additional Text: SECOND MOTION TO COMPEL FILED 11/26/19 - Transaction 7634645 - Approved By: NOREVIEW : 12-12-2019:10:36:42
PARTY SUBMITTING: MICHAEL MATUSKA ESQ
DATE SUBMITTED: 12/12/19
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:

- 246 12/12/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7634650 - Approved By: NOREVIEW : 12-12-2019:10:37:42
- 247 12/12/2019 - 3790 - Reply to/in Opposition
Additional Text: REPLY TO OPPOSITION TO CROSS-MOTION FOR PROTECTIVE ORDER - Transaction 7634784 - Approved By: CSULEZIC : 12-12-2019:11:30:51
- 248 12/12/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7634917 - Approved By: NOREVIEW : 12-12-2019:11:31:56
- 249 12/18/2019 - 3860 - Request for Submission
Additional Text: Transaction 7645063 - Approved By: NOREVIEW : 12-18-2019:13:00:07
DOCUMENT TITLE: CROSS-MOTION FOR PROTECTIVE ORDER FILED 12-6-19 AND OPPOSITION AND REPLY
PARTY SUBMITTING: MICHAEL MATUSKA ESQ
DATE SUBMITTED: 12-18-19
SUBMITTED BY: YV
DATE RECEIVED JUDGE OFFICE:
- 250 12/18/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7645068 - Approved By: NOREVIEW : 12-18-2019:13:01:07
- 251 12/18/2019 - 3370 - Order ...
Additional Text: REFERRING DISCOVERY MOTION TO COMMISSIONER FOR RECOMMENDATION - Transaction 7645926 - Approved By: NOREVIEW : 12-18-2019:15:16:29
- 252 12/18/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7645933 - Approved By: NOREVIEW : 12-18-2019:15:17:59
- 253 12/30/2019 - 3060 - Ord Granting Mtn ...
Additional Text: TO EXTEND DISCOVERY DEADLINE FOR LIMITED PURPOSE OF DEPOSING JAY KVAM - Transaction 7659276 - Approved By: NOREVIEW : 12-30-2019:13:48:23
- 254 12/30/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7659305 - Approved By: NOREVIEW : 12-30-2019:13:51:19
- 255 12/30/2019 - S200 - Request for Submission Complet
Additional Text: ORDER
- 256 1/2/2020 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 7663191 - Approved By: NOREVIEW : 01-02-2020:09:49:26
- 257 1/2/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7663207 - Approved By: NOREVIEW : 01-02-2020:09:51:32
- 258 1/6/2020 - \$2200 - \$Mtn for Summary Judgment
Additional Text: Transaction 7669936 - Approved By: CSULEZIC : 01-06-2020:16:11:08
- 259 1/6/2020 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$200.00 was made on receipt DCDC652543.
- 260 1/6/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7670237 - Approved By: NOREVIEW : 01-06-2020:16:17:34
- 261 1/10/2020 - S200 - Request for Submission Complet
Additional Text: PLAINTIFF SECOND MOTION TO COMPEL submitted 12/30/19
D. SPINELLA

- 262 1/10/2020 - 1945 - Master's Recommendation/Ord
Additional Text: RECOMMENDATION FOR ORDER - Transaction 7679790 - Approved By: NOREVIEW : 01-10-2020:13:01:41
- 263 1/10/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7679791 - Approved By: NOREVIEW : 01-10-2020:13:02:40
- 264 1/10/2020 - 2245 - Mtn in Limine
Additional Text: MOTION IN LIMINE TO EXCLUDE EXPERT OPINION - Transaction 7680310 - Approved By: NOREVIEW : 01-10-2020:15:08:00
- 265 1/10/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7680330 - Approved By: NOREVIEW : 01-10-2020:15:10:20
- 266 1/13/2020 - 2630 - Objection to ...
Additional Text: OBJECTION TO RECOMMENDATION FOR ORDER - Transaction 7683168 - Approved By: CSULEZIC : 01-13-2020:16:46:48
- 267 1/13/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7683274 - Approved By: NOREVIEW : 01-13-2020:16:48:16
- 268 1/14/2020 - MIN - ***Minutes
Additional Text: 1-14-20 PRE-TRIAL CONFERENCE - Transaction 7684278 - Approved By: NOREVIEW : 01-14-2020:11:04:22
- 269 1/14/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7684288 - Approved By: NOREVIEW : 01-14-2020:11:05:53
- 270 1/15/2020 - 2700 - Ord After Hearing...
Additional Text: PRETRIAL CONFERENCE - Transaction 7686456 - Approved By: NOREVIEW : 01-15-2020:09:23:16
- 271 1/15/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7686460 - Approved By: NOREVIEW : 01-15-2020:09:24:19
- 272 1/16/2020 - 2490 - Motion ...
Additional Text: MOTION FOR LEAVE TO EXCEED PAGE LIMIT - Transaction 7691094 - Approved By: CSULEZIC : 01-16-2020:15:51:38
- 273 1/16/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7691200 - Approved By: NOREVIEW : 01-16-2020:15:52:58
- 274 1/16/2020 - \$2160 - \$Mtn Partial Sum Judgment
Additional Text: Opposition to Defendant's Motion for Summary Judgment; and Cross Motion for Partial Summary Judgment - Transaction 7691235 - Approved By: CSULEZIC : 01-16-2020:16:09:00
- 275 1/16/2020 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$200.00 was made on receipt DCDC653329.
- 276 1/16/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7691259 - Approved By: NOREVIEW : 01-16-2020:16:12:07
- 277 1/21/2020 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO DEFENDANTS MOTION IN LIMINE - Transaction 7695504 - Approved By: CSULEZIC : 01-21-2020:14:17:24
- 278 1/21/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7695802 - Approved By: NOREVIEW : 01-21-2020:14:18:47
- 279 1/21/2020 - 3880 - Response...
Additional Text: RESPONSE TO OBJECTION TO RECOMMENDATION FOR ORDER - Transaction 7696576 - Approved By: CSULEZIC : 01-22-2020:08:50:02

- 280 1/22/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7696954 - Approved By: NOREVIEW : 01-22-2020:08:51:14
- 281 1/22/2020 - 4105 - Supplemental ...
Additional Text: SUPPLEMENT TO OPPOSITION TO DEFENDANTS MOTION IN LIMINE - Transaction 7698085 - Approved By: NOREVIEW : 01-22-2020:13:20:44
- 282 1/22/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7698098 - Approved By: NOREVIEW : 01-22-2020:13:22:45
- 283 1/23/2020 - 3795 - Reply...
Additional Text: Reply in Support of Motion for Summary Judgment - Transaction 7701404 - Approved By: CSULEZIC : 01-23-2020:15:50:36
- 284 1/23/2020 - 3860 - Request for Submission
Additional Text: MOTION FOR SUMMARY JUDGMENT FILED 1/06/2020 - Transaction 7701404 - Approved By: CSULEZIC : 01-23-2020:15:50:36
PARTY SUBMITTING: AUSTIN SWEET ESQ
DATE SUBMITTED: 1/23/2020
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 285 1/23/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7701675 - Approved By: NOREVIEW : 01-23-2020:15:51:36
- 286 1/24/2020 - 4302 - Withdrawal ...
Additional Text: Withdrawal of Jury Demand - Transaction 7703268 - Approved By: NOREVIEW : 01-24-2020:13:01:12
- 287 1/24/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7703271 - Approved By: NOREVIEW : 01-24-2020:13:02:10
- 288 1/24/2020 - S200 - Request for Submission Complet
Additional Text: MOTION DENIED FROM THE BENCH AT PRETRIAL CONFERENCE SET ON 1/14/20
- 289 1/24/2020 - 2175 - Mtn for Reconsideration
Additional Text: PLAINTIFF'S MOTION FOR RECONSIDERATION OF ORDER AFFIRMING DISCOVERY COMMISSIONER'S RECOMMENDATION, ENTERED MAY 16, 2019; FOR DISCOVERY SANCTIONS; AND FOR OTHER RELIEF - Transaction 7704237 - Approved By: CSULEZIC : 01-24-2020:16:47:49
- 290 1/24/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7704337 - Approved By: NOREVIEW : 01-24-2020:16:48:54
- 291 1/28/2020 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION IN LIMINE TO EXCLUDE EXPERT OPINION - Transaction 7708107 - Approved By: YVILORIA : 01-28-2020:11:34:12
- 292 1/28/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7708208 - Approved By: NOREVIEW : 01-28-2020:11:35:14
- 293 1/30/2020 - 3370 - Order ...
Additional Text: ORDER SCHEDULING SETTLEMENT CONFERENCE FOR FEBRUARY 24, 2020, AT 9:00 A.M. - Transaction 7712813 - Approved By: NOREVIEW : 01-30-2020:11:25:36
- 294 1/30/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7712816 - Approved By: NOREVIEW : 01-30-2020:11:26:47
- 295 1/30/2020 - 3860 - Request for Submission

Additional Text: MOTION IN LIMINE TO EXCLUDE EXPERT OPINION (DEFENDANTS MOTION IN LIMINE #1) FILED 1/10/2020 - Transaction 7713988 - Approved By: NOREVIEW : 01-30-2020:15:51:41
PARTY SUBMITTING: AUSTIN SWEET ESQ
DATE SUBMITTED: 1/30/2020
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:

296 1/30/2020 - NEF - Proof of Electronic Service

Additional Text: Transaction 7714004 - Approved By: NOREVIEW : 01-30-2020:15:54:00

297 1/30/2020 - 3860 - Request for Submission

Additional Text: OBJECTION TO RECOMMENDATION FOR ORDER FILED 1/13/2020 - Transaction 7714013 - Approved By: NOREVIEW : 01-30-2020:15:55:16
PARTY SUBMITTING: AUSTIN SWEET ESQ
DATE SUBMITTED: 1/30/2020
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:

298 1/30/2020 - NEF - Proof of Electronic Service

Additional Text: Transaction 7714019 - Approved By: NOREVIEW : 01-30-2020:15:56:26

299 1/31/2020 - 3695 - Pre-Trial Memorandum

Additional Text: Legion and Mineau's NRCP 16.1 Pretrial Disclosures - Transaction 7715749 - Approved By: NOREVIEW : 01-31-2020:14:15:57

300 1/31/2020 - NEF - Proof of Electronic Service

Additional Text: Transaction 7715755 - Approved By: NOREVIEW : 01-31-2020:14:17:08

301 1/31/2020 - 3860 - Request for Submission

Additional Text: MOTION FOR LEAVE TO EXCEED PAGE LIMIT FILED 1/16/2020- Transaction 7715811 - Approved By: NOREVIEW : 01-31-2020:14:28:01
PARTY SUBMITTING: MICHAEL MATUSKA ESQ
DATE SUBMITTED: 1/31/2020
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:

302 1/31/2020 - NEF - Proof of Electronic Service

Additional Text: Transaction 7715816 - Approved By: NOREVIEW : 01-31-2020:14:29:03

303 1/31/2020 - 3695 - Pre-Trial Memorandum

Additional Text: PLAINTIFF'S PRETRIAL DISCLOSURES PURSUANT TO NRCP 16.1(a)(3) Transaction 7716299 - Approved By: NOREVIEW : 01-31-2020:16:04:32

304 1/31/2020 - NEF - Proof of Electronic Service

Additional Text: Transaction 7716304 - Approved By: NOREVIEW : 01-31-2020:16:05:41

305 2/3/2020 - 3695 - Pre-Trial Memorandum

Additional Text: PLAINTIFF'S AMENDED PRETRIAL DISCLOSURES PURSUANT TO NRCP 16.1(a)(3) - Transaction 7717684 - Approved By: NOREVIEW : 02-03-2020:12:14:23

306 2/3/2020 - NEF - Proof of Electronic Service

Additional Text: Transaction 7717686 - Approved By: NOREVIEW : 02-03-2020:12:15:24

307 2/6/2020 - S200 - Request for Submission Complet

Additional Text: RFS FILED AFTER ALL OBJECTIONS/RESPONSES FILED.

308 2/7/2020 - 2645 - Opposition to Mtn ...

Additional Text: OPPOSITION TO MOTION FOR RECONSIDERATION OF ORDER AFFIRMING DISCOVERY COMMISSIONER'S RECOMMENDATION, ENTERED MAY 16, 2019; FOR DISCOVERY SANCTIONS; AND FOR OTHER RELIEF - Transaction 7729098 - Approved By: CSULEZIC : 02-07-2020:14:33:39

- 309 2/7/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7729194 - Approved By: NOREVIEW : 02-07-2020:14:34:37
- 310 2/9/2020 - 3795 - Reply...
Additional Text: PLAINTIFF'S REPLY IN SUPPORT OF MOTION FOR RECONSIDERATION OF ORDER AFFIRMING DISCOVERY COMMISSIONER'S RECOMMENDATION, ENTERED MAY 16, 2019; FOR DISCOVERY SANCTIONS; AND FOR OTHER RELIEF - Transaction 7730082 - Approved By: CSULEZIC : 02-10-2020:09:06:30
- 311 2/10/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7730379 - Approved By: NOREVIEW : 02-10-2020:09:09:43
- 312 2/10/2020 - 3860 - Request for Submission
Additional Text: REQUEST FOR SUBMISSION OF MOTION FOR RECONSIDERATION OF ORDER AFFIRMING DISCOVERY COMMISSIONER'S RECOMMENDATION ENTERED MAY 16, 2019 - Transaction 7731076 - Approved By: NOREVIEW : 02-10-2020:11:42:28
PARTY SUBMITTING: MICHAEL MATUSKA ESQ
DATE SUBMITTED: 2/10/2020
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 313 2/10/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7731084 - Approved By: NOREVIEW : 02-10-2020:11:43:37
- 314 2/14/2020 - 2245 - Mtn in Limine
Additional Text: Plaintiff's First Motion in Limine - Transaction 7742278 - Approved By: NOREVIEW : 02-14-2020:13:44:08
- 315 2/14/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7742287 - Approved By: NOREVIEW : 02-14-2020:13:45:27
- 316 2/14/2020 - 2630 - Objection to ...
Additional Text: PLAINTIFF'S OBJECTIONS TO "LEGION AND MINEAUS' 16.1 PRETRIAL DISCLOSURES" - Transaction 7742977 - Approved By: CSULEZIC : 02-14-2020:16:53:38
- 317 2/14/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7743106 - Approved By: NOREVIEW : 02-14-2020:16:54:42
- 318 2/17/2020 - 2630 - Objection to ...
Additional Text: DEFENDANTS' OBJECTIONS TO PLAINTIFF'S AMENDED PRETRIAL DISCLOSURES PURSUANT TO NRCP 16.1 - Transaction 7743364 - Approved By: CSULEZIC : 02-18-2020:11:13:12
- 319 2/18/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7744226 - Approved By: NOREVIEW : 02-18-2020:11:14:23
- 320 2/24/2020 - 4205 - Trial Statement...
Additional Text: DEFENDANTS' TRIAL STATEMENT - Transaction 7756484 - Approved By: NOREVIEW : 02-24-2020:15:43:00
- 321 2/24/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7756491 - Approved By: NOREVIEW : 02-24-2020:15:44:12
- 322 2/24/2020 - MIN - ***Minutes
Additional Text: 2/24/2020 - SETTLEMENT CONFERENCE - Transaction 7756799 - Approved By: NOREVIEW : 02-24-2020:16:34:28
- 323 2/24/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7756809 - Approved By: NOREVIEW : 02-24-2020:16:36:13
- 324 2/26/2020 - 4220 - Trial Statement - Plaintiff
Additional Text: PLAINTIFF JAY KVAM'S TRIAL STATEMENT 3/02/2020 @9:00 Transaction 7760675 - Approved By: NOREVIEW : 02-26-2020:11:07:52

- 325 2/26/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7760682 - Approved By: NOREVIEW : 02-26-2020:11:08:52
- 326 2/27/2020 - 4050 - Stipulation ...
Additional Text: STIPULATION TO VACATE TRIAL - Transaction 7764148 - Approved By: NOREVIEW : 02-27-2020:14:06:39
- 327 2/27/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7764155 - Approved By: NOREVIEW : 02-27-2020:14:08:26
- 328 2/27/2020 - 4185 - Transcript
Additional Text: Transaction 7764792 - Approved By: NOREVIEW : 02-27-2020:15:48:54
- 329 2/27/2020 - 4105 - Supplemental ...
Additional Text: SUPPLEMENT TO PLAINTIFF'S MOTION FOR RECONSIDERATION OF ORDER AFFIRMING DISCOVERY COMMISSIONER'S RECOMMENDATION, ENTERED MAY 16, 2019; FOR DISCOVERY SANCTIONS; AND FOR OTHER RELIEF - Transaction 7764825 - Approved By: NOREVIEW : 02-27-2020:15:53:46
- 330 2/27/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7764830 - Approved By: NOREVIEW : 02-27-2020:15:53:06
- 331 2/27/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7764873 - Approved By: NOREVIEW : 02-27-2020:15:59:12
- 332 2/28/2020 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO PLAINTIFF'S FIRST MOTION IN LIMINE - Transaction 7767206 - Approved By: YVILORIA : 02-28-2020:16:24:23
- 333 2/28/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7767425 - Approved By: NOREVIEW : 02-28-2020:16:25:23
- 334 3/4/2020 - 3790 - Reply to/in Opposition
Additional Text: PLAINTIFF'S REPLY TO OPPOSITION TO FIRST MOTION IN LIMINE - Transaction 7774210 - Approved By: CSULEZIC : 03-04-2020:14:14:45
- 335 3/4/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7774364 - Approved By: NOREVIEW : 03-04-2020:14:16:59
- 336 3/5/2020 - 3860 - Request for Submission
Additional Text: Transaction 7776680 - Approved By: NOREVIEW : 03-05-2020:11:45:06
DOCUMENT TITLE: PLAINTIFF'S FIRST MOTION IN LIMINE FILED 2-14-2020
PARTY SUBMITTING: MICHAEL MATUSKA ESQ
DATE SUBMITTED: 3-5-2020
SUBMITTED BY: YV
DATE RECEIVED JUDGE OFFICE:
- 337 3/5/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7776684 - Approved By: NOREVIEW : 03-05-2020:11:46:08
- 338 3/8/2020 - 4185 - Transcript
Additional Text: oral arguments - Transaction 7780650 - Approved By: NOREVIEW : 03-08-2020:19:26:34
- 339 3/8/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7780651 - Approved By: NOREVIEW : 03-08-2020:19:27:24
- 340 3/21/2020 - 4185 - Transcript
Additional Text: pretrialconference - Transaction 7803128 - Approved By: NOREVIEW : 03-21-2020:11:26:52

- 341 3/21/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7803130 - Approved By: NOREVIEW : 03-21-2020:11:27:49
- 342 4/7/2020 - 2490 - Motion ...
Additional Text: Motion to Disqualify Judge - Transaction 7824985 - Approved By: NMASON : 04-07-2020:12:04:04
- 343 4/7/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7824996 - Approved By: NOREVIEW : 04-07-2020:12:06:11
- 344 4/9/2020 - S200 - Request for Submission Complet
Additional Text: PRECLUDED FROM ENTERING ORDER DUE TO DISQUALIFICATION MOTION
- 345 4/9/2020 - S200 - Request for Submission Complet
Additional Text: PRECLUDED FROM ENTERING ORDER DUE TO DISQUALIFICATION MOTION
- 346 4/9/2020 - S200 - Request for Submission Complet
Additional Text: PRECLUDED FROM ENTERING ORDER DUE TO DISQUALIFICATION MOTION
- 347 4/9/2020 - S200 - Request for Submission Complet
Additional Text: PRECLUDED FROM ENTERING ORDER DUE TO DISQUALIFICATION MOTION
- 348 4/9/2020 - S200 - Request for Submission Complet
Additional Text: PRECLUDED FROM ENTERING ORDER DUE TO DISQUALIFICATION MOTION
- 349 4/9/2020 - S200 - Request for Submission Complet
Additional Text: PRECLUDED FROM ENTERING ORDER DUE TO DISQUALIFICATION MOTION
- 350 4/14/2020 - 3880 - Response...
Additional Text: ANSWER TO PLAINTIFF'S MOTION TO DISQUALIFY JUDGE - Transaction 7835218 - Approved By: MPURDY : 04-15-2020:07:48:58
- 351 4/15/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7835395 - Approved By: NOREVIEW : 04-15-2020:07:51:48
- 352 4/22/2020 - 3795 - Reply...
Additional Text: REPLY TO ANSWER TO MOTION TO DISQUALIFY JUDGE - Transaction 7845023 - Approved By: CSULEZIC : 04-22-2020:09:57:43
- 353 4/22/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7845284 - Approved By: NOREVIEW : 04-22-2020:10:00:40
- 354 4/22/2020 - 3860 - Request for Submission
Additional Text: Request for Submission - Transaction 7845889 - Approved By: NOREVIEW : 04-22-2020:12:56:01
DOCUMENT TITLE: MOTION TO DISQUALIFY JUDGE (NO ORDER ATTACHED)
PARTY SUBMITTING: MICHAEL L MATUSKA ESQ
DATE SUBMITTED: 4/7/20
SUBMITTED BY: JBYE
DATE RECEIVED JUDGE OFFICE:
- 355 4/22/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7845891 - Approved By: NOREVIEW : 04-22-2020:12:57:03
- 356 4/23/2020 - 2840 - Ord Denying ...
Additional Text: ORDER DENYING MOTION TO DISQUALIFY THE PRESIDING JUDGE - Transaction 7847417 - Approved By: NOREVIEW : 04-23-2020:11:26:04

- 357 4/23/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7847424 - Approved By: NOREVIEW : 04-23-2020:11:27:25
- 358 4/23/2020 - S200 - Request for Submission Complet
Additional Text: order
- 359 4/27/2020 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 7851883 - Approved By: NOREVIEW : 04-27-2020:16:02:23
- 360 4/27/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7851886 - Approved By: NOREVIEW : 04-27-2020:16:03:23
- 361 6/5/2020 - 3025 - Ord Granting/Denying in Part
Additional Text: DEFENDANTS' MOTION FOR SUMMARY JUDGMENT; ORDER GRANTING SUMMARY JUDGMENT ON CLAIM PURSUANT TO COURT'S NRCP 56 NOTICE - Transaction 7910613 - Approved By: NOREVIEW : 06-05-2020:09:22:49
- 362 6/5/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7910620 - Approved By: NOREVIEW : 06-05-2020:09:24:04
- 363 6/5/2020 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 7911496 - Approved By: NOREVIEW : 06-05-2020:14:00:36
- 364 6/5/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7911499 - Approved By: NOREVIEW : 06-05-2020:14:01:36
- 365 6/29/2020 - \$2515 - \$Notice/Appeal Supreme Court
Additional Text: NOTICE OF APPEAL - Transaction 7946779 - Approved By: YVILORIA : 06-29-2020:11:27:35
- 366 6/29/2020 - 1310 - Case Appeal Statement
Additional Text: Transaction 7946795 - Approved By: NOREVIEW : 06-29-2020:11:19:19
- 367 6/29/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7946798 - Approved By: NOREVIEW : 06-29-2020:11:20:21
- 368 6/29/2020 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$24.00 was made on receipt DCDC660365.
- 369 6/29/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7946831 - Approved By: NOREVIEW : 06-29-2020:11:28:50
- 370 6/29/2020 - SAB - **Supreme Court Appeal Bond
Additional Text: JAY KIAM - Transaction 7946904 - Approved By: YVILORIA : 06-29-2020:11:45:58
- 371 6/29/2020 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$500.00 was made on receipt DCDC660366.
- 372 6/29/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7946911 - Approved By: NOREVIEW : 06-29-2020:11:46:58
- 373 6/30/2020 - 1350 - Certificate of Clerk
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 7948939 - Approved By: NOREVIEW : 06-30-2020:10:43:03
- 374 6/30/2020 - 4113 - District Ct Deficiency Notice
Additional Text: NOTICE OF APPEAL DEFICIENCY - SUPREME COURT FILING FEES (DEFICIENCY REQUIRED TO BE FILED PER SUPREME COURT) - Transaction 7948939 - Approved By: NOREVIEW : 06-30-2020:10:43:03

375 6/30/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7948951 - Approved By: NOREVIEW : 06-30-2020:10:44:21

376 7/6/2020 - 1187 - **Supreme Court Case No. ...
Additional Text: SUPREME COURT NO. 81422 - KVAM

377 7/8/2020 - 1188 - Supreme Court Receipt for Doc
Additional Text: SUPREME COURT NO. 81422 / RECEIPT FOR DOCUMENTS - Transaction 7961587 - Approved By: NOREVIEW : 07-08-2020:16:30:22

378 7/8/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7961598 - Approved By: NOREVIEW : 07-08-2020:16:31:31

379 7/15/2020 - 1188 - Supreme Court Receipt for Doc
Additional Text: SUPREME COURT NO. 81422 / RECEIPT FOR DOCUMENTS - Transaction 7971096 - Approved By: NOREVIEW : 07-15-2020:08:25:23

380 7/15/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7971098 - Approved By: NOREVIEW : 07-15-2020:08:26:24

381 7/15/2020 - 3835 - Report...
Additional Text: Defendants' Status Report - Transaction 7971419 - Approved By: NOREVIEW : 07-15-2020:10:20:54

382 7/15/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7971421 - Approved By: NOREVIEW : 07-15-2020:10:21:54

383 7/23/2020 - 1187 - **Supreme Court Case No. ...
Additional Text: SUPREME COURT NO. 81480 - KVAM - PETITION FOR WRIT

384 7/23/2020 - 1188 - Supreme Court Receipt for Doc
Additional Text: SUPREME COURT NO. 81480 / RECEIPT FOR DOCUMENTS - Transaction 7985628 - Approved By: NOREVIEW : 07-23-2020:14:45:26

385 7/23/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7985632 - Approved By: NOREVIEW : 07-23-2020:14:46:39

386 7/23/2020 - 2586 - Notice of Writ
Additional Text: NOTICE OF PETITION FOR WRIT OF PROHIBITION OR ALTERNATIIVELY, MANDAMUS - Transaction 7985673 - Approved By: NOREVIEW : 07-23-2020:14:55:07

387 7/23/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7985677 - Approved By: NOREVIEW : 07-23-2020:14:56:05

388 8/12/2020 - 4128 - Supreme Court Order Denying
Additional Text: SUPREME COURT NO. 81480 / ORDER DENYING PETITION FOR A WRIT OF PROHIBITION OR ALTERNATIVELY, MANDAMUS - Transaction 8015894 - Approved By: NOREVIEW : 08-12-2020:14:34:30

389 8/12/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 8015900 - Approved By: NOREVIEW : 08-12-2020:14:35:27

390 10/8/2020 - 4128 - Supreme Court Order Denying
Additional Text: SUPREME COURT NO. 81480 / ORDER DENYING REHEARING - Transaction 8106981 - Approved By: NOREVIEW : 10-08-2020:14:09:24

391 10/8/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 8106985 - Approved By: NOREVIEW : 10-08-2020:14:10:19

- 392 10/28/2020 - 2490 - Motion ...
Additional Text: DEFENDANTS' MOTION FOR STATUS CONFERENCE - Transaction 8136956 - Approved By: YVILORIA :
10-28-2020:09:36:57
- 393 10/28/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 8136975 - Approved By: NOREVIEW : 10-28-2020:09:37:59
- 394 11/2/2020 - 4131 - Supreme Ct Not/Lieu/Remittitur
Additional Text: SUPREME COURT NO. 81480 / NOTICE IN LIEU OF REMITTITUR - Transaction 8142782 - Approved By: NOREVIEW :
11-02-2020:14:35:40
- 395 11/2/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 8142790 - Approved By: NOREVIEW : 11-02-2020:14:36:35
- 396 11/12/2020 - 2645 - Opposition to Mtn ...
Additional Text: PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION FOR STATUS CONFERENCE - Transaction 8159413 - Approved
By: YVILORIA : 11-12-2020:16:13:34
- 397 11/12/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 8159431 - Approved By: NOREVIEW : 11-12-2020:16:14:30
- 398 11/19/2020 - 3795 - Reply...
Additional Text: Defendants' Reply in Support of Motion for Status Conference - Transaction 8170345 - Approved By: NMASON :
11-19-2020:15:18:34
- 399 11/19/2020 - 3860 - Request for Submission
Additional Text: DEFENDANT'S MOTION FOR STATUS CONFERENCE - Transaction 8170345 - Approved By: NMASON :
11-19-2020:15:18:34
DOCUMENT TITLE: DEFENDANT'S MOTION FOR STATUS CONFERENCE
PARTY SUBMITTING: AUSTIN SWEET, ESQ.
DATE SUBMITTED: 11/19/20
SUBMITTED BY: NM
DATE RECEIVED JUDGE OFFICE:
- 400 11/19/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 8170474 - Approved By: NOREVIEW : 11-19-2020:15:19:28
- 401 2/9/2021 - 2842 - Ord Denying Motion
Additional Text: FOR STATUS CONFERENCE; ORDER STAYING PROCEEDINGS - Transaction 8287738 - Approved By: NOREVIEW :
02-09-2021:16:35:54
- 402 2/9/2021 - S200 - Request for Submission Complet
Additional Text: ORDER
- 403 2/9/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8287756 - Approved By: NOREVIEW : 02-09-2021:16:37:33
- 404 4/8/2021 - 4133 - Supreme Court Notice
Additional Text: SUPREME COURT NO. 81422 / NOTICE OF TRANSFER TO COURT OF APPEALS - Transaction 8385903 - Approved By:
NOREVIEW : 04-08-2021:15:02:31
- 405 4/8/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8385911 - Approved By: NOREVIEW : 04-08-2021:15:03:29
- 406 6/21/2021 - 4134 - Supreme Court Order Affirming
Additional Text: SUPREME COURT NO. 81422 / ORDER OF AFFIRMANCE - Transaction 8504801 - Approved By: NOREVIEW :
06-21-2021:14:50:52
- 407 6/21/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8504812 - Approved By: NOREVIEW : 06-21-2021:14:52:07

- 408 6/22/2021 - 2490 - Motion ...
Additional Text: Defendants' Renewed Motion for Status Conference - Transaction 8507114 - Approved By: YVILORIA : 06-22-2021:13:55:20
- 409 6/22/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8507231 - Approved By: NOREVIEW : 06-22-2021:13:56:13
- 410 6/25/2021 - \$2200 - \$Mtn for Summary Judgment
Additional Text: Plaintiff's Motion for Partial Summary Judgment - Transaction 8514665 - Approved By: YVILORIA : 06-28-2021:08:24:02
- 411 6/28/2021 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$200.00 was made on receipt DCDC676194.
- 412 6/28/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8514901 - Approved By: NOREVIEW : 06-28-2021:08:25:12
- 413 6/29/2021 - 2645 - Opposition to Mtn ...
Additional Text: PLAINTIFF'S OPPOSITION TO DEFENDANTS' RENEWED MOTION FOR STATUS CONFERENCE - Transaction 8518117 - Approved By: CSULEZIC : 06-29-2021:13:33:57
- 414 6/29/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8518138 - Approved By: NOREVIEW : 06-29-2021:13:34:51
- 415 7/2/2021 - 3795 - Reply...
Additional Text: in Support of Defendants' Renewed Motion for Status Conference - Transaction 8525727 - Approved By: NMASON : 07-02-2021:14:33:04
- 416 7/2/2021 - 3860 - Request for Submission
Additional Text: re Defendants' Renewed Motion for Status Conference - Transaction 8525727 - Approved By: NMASON : 07-02-2021:14:33:04
DOCUMENT TITLE: re Defendants' Renewed Motion for Status Conference
PARTY SUBMITTING: AUSTIN SWEET, ESQ.
DATE SUBMITTED: 7/2/21
SUBMITTED BY: NM
DATE RECEIVED JUDGE OFFICE:
- 417 7/2/2021 - 2650 - Opposition to ...
Additional Text: Motion for Partial Summary Judgment - Transaction 8525736 - Approved By: NMASON : 07-02-2021:14:35:10
- 418 7/2/2021 - \$2200 - \$Mtn for Summary Judgment
Additional Text: Transaction 8525746 - Approved By: YVILORIA : 07-02-2021:14:53:59
- 419 7/2/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8525872 - Approved By: NOREVIEW : 07-02-2021:14:33:59
- 420 7/2/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8525880 - Approved By: NOREVIEW : 07-02-2021:14:35:58
- 421 7/2/2021 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$200.00 was made on receipt DCDC676517.
- 422 7/2/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8525965 - Approved By: NOREVIEW : 07-02-2021:14:55:01
- 423 7/7/2021 - 3790 - Reply to/in Opposition
Additional Text: REPLY TO OPPOSITION TO PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT - Transaction 8530948 - Approved By: CSULEZIC : 07-07-2021:13:53:38

- 424 7/7/2021 - 3860 - Request for Submission
Additional Text: Transaction 8530957 - Approved By: NOREVIEW : 07-07-2021:13:23:19
DOCUMENT TITLE: PLAINTIFFS MOTION FOR PARTIAL SUMMARY JUDGMENT FILED 6/25/2021
PARTY SUBMITTING: MICHAEL MATUSKA ESQ
DATE SUBMITTED: 7/07/2021
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 425 7/7/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8530971 - Approved By: NOREVIEW : 07-07-2021:13:24:44
- 426 7/7/2021 - 3860 - Request for Submission
Additional Text: Transaction 8530990 - Approved By: NOREVIEW : 07-07-2021:13:29:43
DOCUMENT TITLE: PLAINTIFFS MOTION FOR PARTIAL SUMMARY JUDGMENT FILED 6/25/2021 (ORDER PROVIDED)
PARTY SUBMITTING: MICHAEL MATUSKA ESQ
DATE SUBMITTED: 7/07/2021
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 427 7/7/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8530993 - Approved By: NOREVIEW : 07-07-2021:13:32:27
- 428 7/7/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8531192 - Approved By: NOREVIEW : 07-07-2021:13:54:39
- 429 7/7/2021 - 2075 - Mtn for Extension of Time
Additional Text: Transaction 8531766 - Approved By: CSULEZIC : 07-07-2021:15:56:45
- 430 7/7/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8531809 - Approved By: NOREVIEW : 07-07-2021:15:58:05
- 431 7/8/2021 - 2650 - Opposition to ...
Additional Text: OPPOSITION TO MOTION FOR EXTENSION OF TIME - Transaction 8533085 - Approved By: CSULEZIC : 07-08-2021:11:58:17
- 432 7/8/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8533094 - Approved By: NOREVIEW : 07-08-2021:11:59:12
- 433 7/8/2021 - 1670 - Ex-Parte Mtn...
Additional Text: PLAINTIFF'S EX PARTE MOTION TO SHORTEN TIME - Transaction 8533120 - Approved By: CSULEZIC : 07-08-2021:12:14:23
- 434 7/8/2021 - 3860 - Request for Submission
Additional Text: Transaction 8533129 - Approved By: NOREVIEW : 07-08-2021:12:10:32
DOCUMENT TITLE: EX PARTE MOTION TO SHORTEN TIME FILED 7/08/2021 (ORDER PROVIDED)
PARTY SUBMITTING: MICHAEL MATUSKA ESQ
DATE SUBMITTED: 7/08/2021
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 435 7/8/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8533132 - Approved By: NOREVIEW : 07-08-2021:12:11:31
- 436 7/8/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8533145 - Approved By: NOREVIEW : 07-08-2021:12:15:43
- 437 7/14/2021 - 2840 - Ord Denying ...
Additional Text: Ex Parte Motion to Shorten Time - Transaction 8542658 - Approved By: NOREVIEW : 07-14-2021:11:23:34

- 438 7/14/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8542671 - Approved By: NOREVIEW : 07-14-2021:11:24:37
- 439 7/14/2021 - 3060 - Ord Granting Mtn ...
Additional Text: for Extension of Time - Transaction 8542683 - Approved By: NOREVIEW : 07-14-2021:11:28:10
- 440 7/14/2021 - S200 - Request for Submission Complet
Additional Text: ORDER 14 JUL 2021
- 441 7/14/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8542691 - Approved By: NOREVIEW : 07-14-2021:11:29:37
- 442 7/19/2021 - 4145 - Supreme Court Remittitur
Additional Text: SUPREME COURT NO. 81422 / REMITTITUR - Transaction 8549500 - Approved By: NOREVIEW : 07-19-2021:10:18:45
- 443 7/19/2021 - 4111 - Supreme Ct Clk's Cert & Judg
Additional Text: SUPREME COURT NO. 81422 / CLERK'S CERTIFICATE & JUDGMENT - Transaction 8549500 - Approved By: NOREVIEW : 07-19-2021:10:18:45
- 444 7/19/2021 - 4134 - Supreme Court Order Affirming
Additional Text: SUPREME COURT NO. 81422 / ORDER OF AFFIRMANCE - Transaction 8549500 - Approved By: NOREVIEW : 07-19-2021:10:18:45
- 445 7/19/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8549508 - Approved By: NOREVIEW : 07-19-2021:10:19:43
- 446 7/30/2021 - 2645 - Opposition to Mtn ...
Additional Text: PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT - Transaction 8571650 - Approved By: CSULEZIC : 07-30-2021:16:38:42
- 447 7/30/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8571706 - Approved By: NOREVIEW : 07-30-2021:16:39:43
- 448 8/5/2021 - 2980 - Ord Return of Appeal Bond
Additional Text: Transaction 8581668 - Approved By: NOREVIEW : 08-05-2021:16:38:33
- 449 8/5/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8581670 - Approved By: NOREVIEW : 08-05-2021:16:39:35
- 450 8/9/2021 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT - Transaction 8585420 - Approved By: CSULEZIC : 08-09-2021:14:00:38
- 451 8/9/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8585469 - Approved By: NOREVIEW : 08-09-2021:14:01:37
- 452 8/9/2021 - 3860 - Request for Submission
Additional Text: in Support of Motion for Summary Judgment - Transaction 8586013 - Approved By: NOREVIEW : 08-09-2021:15:22:02
DOCUMENT TITLE: MOTION FOR SUMMARY JUDGMENT FILED 7/02/2021
PARTY SUBMITTING: AUSTIN SWEET ESQ
DATE SUBMITTED: 8/09/2021
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 453 8/9/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8586017 - Approved By: NOREVIEW : 08-09-2021:15:22:51

454 8/11/2021 - S200 - Request for Submission Complet
Additional Text: Order to Set filed 8/11/21

455 8/11/2021 - 3347 - Ord to Set
Additional Text: Hearing on Motions for Summary Judgment - Transaction 8591025 - Approved By: NOREVIEW : 08-11-2021:15:59:19

456 8/11/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8591030 - Approved By: NOREVIEW : 08-11-2021:16:00:18

457 8/11/2021 - S200 - Request for Submission Complet
Additional Text: Order to Set Hearing and counsel to provide proposed orders

458 8/11/2021 - S200 - Request for Submission Complet
Additional Text: Order to Set Hearing and counsel to provide proposed orders

459 8/11/2021 - S200 - Request for Submission Complet
Additional Text: Duplicative request for submission - Order to Set Hearing and counsel to provide proposed orders

460 8/25/2021 - 1250E - Application for Setting eFile
Additional Text: Transaction 8613459 - Approved By: NOREVIEW : 08-25-2021:11:34:41

461 8/25/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8613467 - Approved By: NOREVIEW : 08-25-2021:11:35:40

462 8/25/2021 - CHECK - **Trust Disbursement
Additional Text: A Disbursement of \$500.00 on Check Number 12847

463 10/29/2021 - 3370 - Order ...
Additional Text: and Notice of AV Hearing - Transaction 8723132 - Approved By: NOREVIEW : 10-29-2021:08:10:28

464 10/29/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8723133 - Approved By: NOREVIEW : 10-29-2021:08:11:28

465 12/28/2021 - 2550 - Notice of Hearing
Additional Text: Transaction 8815576 - Approved By: NOREVIEW : 12-28-2021:11:28:55

466 12/28/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8815580 - Approved By: NOREVIEW : 12-28-2021:11:29:52

467 1/2/2022 - 3370 - Order ...
Additional Text: and Notice of Audio-Visual Hearing - Transaction 8821297 - Approved By: NOREVIEW : 01-02-2022:16:22:24

468 1/2/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 8821298 - Approved By: NOREVIEW : 01-02-2022:16:23:24

469 1/12/2022 - MIN - ***Minutes
Additional Text: ORAL ARGUMENTS - MINUTE ORDER - 1/04/22 - Transaction 8839224 - Approved By: NOREVIEW : 01-12-2022:09:39:47

470 1/12/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 8839225 - Approved By: NOREVIEW : 01-12-2022:09:40:42

471 3/10/2022 - S200 - Request for Submission Complet
Additional Text: Order Granting Plaintiff's Motion for Partial Summary Judgment filed 10 MAR 2022

- 472 3/10/2022 - S200 - Request for Submission Complet
Additional Text: Order Granting Plaintiff's Motion for Partial Summary Judgment filed 10 MAR 2022
- 473 3/10/2022 - 3095 - Ord Grant Summary Judgment
Additional Text: Order Granting Plaintiff's Motion for Partial Summary Judgment - Transaction 8940034 - Approved By: NOREVIEW : 03-10-2022:15:47:31
- 474 3/10/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 8940040 - Approved By: NOREVIEW : 03-10-2022:15:48:10
- 475 3/11/2022 - F140 - Adj Summary Judgment
No additional text exists for this entry.
- 476 3/11/2022 - 2540 - Notice of Entry of Ord
Additional Text: Order Granting Plaintiff's Motion for Partial Summary Judgment - Transaction 8940793 - Approved By: NOREVIEW : 03-11-2022:10:13:29
- 477 3/11/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 8940802 - Approved By: NOREVIEW : 03-11-2022:10:14:31
- 478 3/15/2022 - 1953 - Memo of Costs & Disbursements
Additional Text: Transaction 8947808 - Approved By: NOREVIEW : 03-15-2022:16:05:57
- 479 3/15/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 8947811 - Approved By: NOREVIEW : 03-15-2022:16:06:46
- 480 3/21/2022 - 3860 - Request for Submission
Additional Text: Transaction 8955788 - Approved By: NOREVIEW : 03-21-2022:10:48:30
DOCUMENT TITLE: DEFENDANTS VERIFIED MEMORANDUM OF COSTS AND DISBURSEMENTS FILED MARCH 15, 2022
PARTY SUBMITTING: MARK GUNDERSON ESQ
DATE SUBMITTED: 3-21-22
SUBMITTED BY: YV
DATE RECEIVED JUDGE OFFICE:
- 481 3/21/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 8955797 - Approved By: NOREVIEW : 03-21-2022:10:50:52
- 482 3/23/2022 - CHECK - **Trust Disbursement
Additional Text: A Disbursement of \$24,473.77 on Check Number 13547
- 483 3/25/2022 - \$2515 - \$Notice/Appeal Supreme Court
Additional Text: Transaction 8965542 - Approved By: YVILORIA : 03-25-2022:12:02:42
- 484 3/25/2022 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$24.00 was made on receipt DCDC689154.
- 485 3/25/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 8965573 - Approved By: NOREVIEW : 03-25-2022:12:03:20
- 486 3/25/2022 - SAB - **Supreme Court Appeal Bond
Additional Text: Transaction 8965605 - Approved By: YVILORIA : 03-25-2022:13:01:22
- 487 3/25/2022 - 1310 - Case Appeal Statement
Additional Text: Transaction 8965605 - Approved By: YVILORIA : 03-25-2022:13:01:22
- 488 3/25/2022 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$500.00 was made on receipt DCDC689183.

489 3/25/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 8965749 - Approved By: NOREVIEW : 03-25-2022:13:03:55

490 3/25/2022 - 1350 - Certificate of Clerk
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 8966566 - Approved By: NOREVIEW : 03-25-2022:16:14:23

491 3/25/2022 - 4113 - District Ct Deficiency Notice
Additional Text: NOTICE OF APPEAL DEFICIENCY - SUPREME COURT FILING FEE - Transaction 8966566 - Approved By: NOREVIEW : 03-25-2022:16:14:23

492 3/25/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 8966569 - Approved By: NOREVIEW : 03-25-2022:16:14:51

493 3/28/2022 - 1187 - **Supreme Court Case No. ...
Additional Text: SUPREME COURT NO. 84443 - KVAM

494 3/28/2022 - 4185 - Transcript
Additional Text: Transaction 8969001 - Approved By: NOREVIEW : 03-28-2022:17:23:36

495 3/28/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 8969003 - Approved By: NOREVIEW : 03-28-2022:17:24:16

496 3/30/2022 - 1188 - Supreme Court Receipt for Doc
Additional Text: SUPREME COURT NO. 84443 - RECEIPT FOR DOCUMENTS (NOTE FEE MAILED 3-29-22 TO SUPREME COURT) - Transaction 8972724 - Approved By: NOREVIEW : 03-30-2022:13:56:55

497 3/30/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 8972726 - Approved By: NOREVIEW : 03-30-2022:13:57:36

498 3/31/2022 - 2010 - Mtn for Attorney's Fee
Additional Text: and Costs - Transaction 8974327 - Approved By: NOREVIEW : 03-31-2022:10:49:54

499 3/31/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 8974329 - Approved By: NOREVIEW : 03-31-2022:10:50:32

500 4/14/2022 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MOTION FOR ATTORNEY'S FEES AND COSTS - Transaction 8999425 - Approved By: CSULEZIC : 04-14-2022:14:42:50

501 4/14/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 8999460 - Approved By: NOREVIEW : 04-14-2022:14:43:33

502 4/21/2022 - 3795 - Reply...
Additional Text: Reply in Support of Motion for Attorneys' Fees and Costs - Transaction 9011309 - Approved By: NOREVIEW : 04-21-2022:16:48:38

503 4/21/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 9011311 - Approved By: NOREVIEW : 04-21-2022:16:49:09

504 4/22/2022 - 3860 - Request for Submission
Additional Text: Transaction 9012114 - Approved By: NOREVIEW : 04-22-2022:10:33:03
DOCUMENT TITLE: MOTION FOR ATTORNEY FEES AND COSTS FILED 3/31/2022
PARTY SUBMITTING: AUSTIN SWEET ESQ
DATE SUBMITTED: 4/22/2022
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:

- 505 4/22/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 9012120 - Approved By: NOREVIEW : 04-22-2022:10:33:56
- 506 5/17/2022 - 3025 - Ord Granting/Denying in Part
Additional Text: Order Granting, in Part, and Denying, in Part, Defendants Brian Mineau and Legion Investments, LLC' s Verified Memorandum of Costs and Disbursements - Transaction 9051859 - Approved By: NOREVIEW : 05-17-2022:11:11:47
- 507 5/17/2022 - S200 - Request for Submission Complet
Additional Text: Order Granting, in Part, and Denying, in Part, Defendants Brian Mineau and Legion Investments, LLC' s Verified Memorandum of Costs and Disbursements filed 17 MAY 2022
- 508 5/17/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 9051861 - Approved By: NOREVIEW : 05-17-2022:11:12:39
- 509 5/18/2022 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 9055239 - Approved By: NOREVIEW : 05-18-2022:15:22:07
- 510 5/18/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 9055241 - Approved By: NOREVIEW : 05-18-2022:15:22:45
- 511 7/11/2022 - 3025 - Ord Granting/Denying in Part
Additional Text: Order Granting, in Part, and Denying, in Part, Motion for Attorneys' Fees and Costs - Transaction 9141898 - Approved By: NOREVIEW : 07-11-2022:14:59:13
- 512 7/11/2022 - S200 - Request for Submission Complet
Additional Text: Order Granting, in Part, and Denying, in Part, Motion for Attorneys' Fees and Costs filed 11 JUL 2022
- 513 7/11/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 9141903 - Approved By: NOREVIEW : 07-11-2022:14:59:58
- 514 7/11/2022 - 2540 - Notice of Entry of Ord
Additional Text: Order Granting, In Part, and Denying, In part, Motion for Attorneys' Fees and Costs - Transaction 9142485 - Approved By: NOREVIEW : 07-11-2022:16:53:07
- 515 7/11/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 9142487 - Approved By: NOREVIEW : 07-11-2022:16:53:48
- 516 7/12/2022 - 2610 - Notice ...
Additional Text: Partial Satisfaction of Judgment - Transaction 9144552 - Approved By: NOREVIEW : 07-12-2022:15:49:27
- 517 7/12/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 9144557 - Approved By: NOREVIEW : 07-12-2022:15:50:11
- 518 8/3/2022 - \$2515 - \$Notice/Appeal Supreme Court
Additional Text: Transaction 9186180 - Approved By: YVILORIA : 08-03-2022:14:32:13
- 519 8/3/2022 - 1310 - Case Appeal Statement
Additional Text: Transaction 9186203 - Approved By: NOREVIEW : 08-03-2022:14:31:06
- 520 8/3/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 9186212 - Approved By: NOREVIEW : 08-03-2022:14:31:59
- 521 8/3/2022 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$24.00 was made on receipt DCDC696132.
- 522 8/3/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 9186222 - Approved By: NOREVIEW : 08-03-2022:14:32:59

- 523 8/3/2022 - SAB - **Supreme Court Appeal Bond
Additional Text: MICHAEL MATUSKA ESQ FOR JAY KVAM - Transaction 9186408 - Approved By: YVILORIA : 08-03-2022:15:17:01
- 524 8/3/2022 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$500.00 was made on receipt DCDC696135.
- 525 8/3/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 9186471 - Approved By: NOREVIEW : 08-03-2022:15:17:35
- 526 8/5/2022 - 1350 - Certificate of Clerk
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 9189918 - Approved By: NOREVIEW : 08-05-2022:09:58:55
- 527 8/5/2022 - 4113 - District Ct Deficiency Notice
Additional Text: NEVADA SUPREME COURT FILING FEE - Transaction 9189918 - Approved By: NOREVIEW : 08-05-2022:09:58:55
- 528 8/5/2022 - NEF - Proof of Electronic Service
Additional Text: Transaction 9189930 - Approved By: NOREVIEW : 08-05-2022:10:00:06

CODE NO. 3025

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

JAY KVAM,

Case No. CV18-00764

Plaintiff,

Dept. No. 6

vs.

BRIAN MINEAU; LEGION INVESTMENTS,
LLC; 7747 S. May Street, an Unincorporated
Joint Venture; and DOES I-X, inclusive,

Defendants.

**ORDER GRANTING, IN PART, AND DENYING, IN PART,
DEFENDANTS BRIAN MINEAU AND LEGION INVESTMENTS, LLC'S
VERIFIED MEMORANDUM OF COSTS AND DISBURSEMENTS**

Before this Court is *Defendants Brian Mineau and Legion Investments, LLC's Verified Memorandum of Costs and Disbursements ("Motion")* filed by Defendants BRIAN MINEAU and LEGION INVESTMENTS, LLC (collectively "Defendants" unless individually referenced), by and through their counsel of record, the Gunderson Law firm.

Plaintiff JAY KVAM ("Mr. Kvam") did not file an opposition or response and the time to file an opposition has expired.¹

The matter was submitted for the Court's consideration.

¹ Mr. Kvam's failure to file an opposition is construed "as an admission that the motion is meritorious and a consent granting the same." DCR 13(3).

1 In their *Motion*, Defendants request the following fees and costs:

2

3

DESCRIPTION	AMOUNT REQUESTED
Clerk Fees	\$763.00
Reporter's Fees	\$2,082.25
Witness Fees	\$73.35
Expert Witness Fees	\$1,687.50
Photocopies	\$300.30
Postage Fees	\$48.51
Any Other Reasonable and Necessary Expense	\$678.14
TOTAL	\$5,633.05

14

15 Chapter 18 of the Nevada Revised Statutes governs the awarding of costs incurred in

16 a case. It is within the sound discretion of the district court to determine allowable costs and

17 a district court's decision awarding costs will not be overturned absent an abuse of

18 discretion. Sheehan & Sheehan v. Nelson Malley and Co., 121 Nev. 481, 493, 117 P.3d

19 219, 227 (2005); Village Builders 96, L.P. v. U.S. Labs., Inc., 121 Nev. 261, 276, 112 P.3d

20 1082, 1092 (2005). Before awarding any costs under NRS Chapter 18, "the district court

21 must have evidence before it demonstrating that the costs were reasonable, necessary, and

22 actually incurred that goes beyond a mere memorandum of costs." Frazier v. Drake, 131

23 Nev. 632, 651, 357 P.3d 365, 378 (2015); see also Cadle Co. v. Woods & Erickson, LLP,

24 131 Nev. 114, 120, 345 P.3d 1049, 1054 (2015).

25

26

27

28

//

1 Clerks' fees are included in the definition of costs within NRS Chapter 18. NRS
2 18.005(1). Here, the Court finds and awards Defendants clerk fees in the amount of Seven
3 Hundred Sixty-Three Dollars (\$763.00) based on Defendants' representations and
4 documentation such fees were reasonable, necessary, and actually incurred in this case.
5
6 See generally *Motion* Ex. 2 (receipts for Court Filing Fees in the amounts of \$243.00;
7 \$320.00; and \$200.00).

8 NRS 18.005(2) provides costs to include "[r]eporters' fees for deposition, including a
9 reporter's fee for one copy of each declaration." Here, the Court finds and awards
10 Defendants reporters' fees in the amount of Two Thousand Eighty-Two and 25/100 Dollars
11 (\$2,082.25) based on Defendants' representations and documents such fees were
12 reasonable, necessary, and actually incurred in this case. See generally *Motion* Ex. 2
13 (receipts from E-Depositions LLC in the amount of \$1,435.90 and receipts from Sunshine
14 Reporting and Litigation Services in the amounts of \$70.00; \$60.00; \$91.00; and \$425.35).
15
16

17 The Court can award costs for "[f]ees for witnesses at trial, pretrial hearings and
18 deposing witnesses, unless the court finds that the witness was called at the instance of the
19 prevailing party without reason or necessity." NRS 18.005(4). In this case, the Court finds
20 and awards Defendants witness fees in the amount of Seventy-Three and 35/100 Dollars
21 (\$73.35) based on Defendants' representations and documents reflecting such fees were
22 reasonable, necessary, and actually incurred in this case. See generally *Motion* Ex. 2
23 (containing receipts for witness fees in the amount of \$34.65 and \$38.70).
24

25 NRS 18.005(5) imposes a statutory cap of not more than \$1,500 for each expert
26 witness, "unless the court allows a larger fee after determining that the circumstances
27 surrounding the expert's testimony were such of necessity as to require the larger fee." A
28

1 district court may award expert fees above \$1,500 and “must state the basis for its
2 decision.” Public Employees’ Retirement System of Nevada v. Gitter, 133 Nev. 126, 134,
3 393 P.3d 673, 681 (2017); citing Khoury v. Seastrand, 132 Nev. 520, 540-41, 377 P.3d 81,
4 95 (2016).²

5
6 In Frazier v. Drake, the Nevada Court of Appeals provided a non-exhaustive list of
7 considerations to determine whether circumstances surrounding an expert’s testimony are
8 of such necessity as to require a larger fee. 131 Nev. at 646, 649, 357 P.3d at 375, 377 (Ct.
9 App. 2015).³ Such considerations include the following:

10
11 [1] district courts should consider the importance of the expert's
12 testimony to the party's case; [2] the degree to which the expert's opinion
13 aided the trier of fact in deciding the case; [3] whether the expert's
14 reports or testimony were repetitive of other expert witnesses; [4] the
15 extent and nature of the work performed by the expert; [5] whether the
16 expert had to conduct independent investigations or testing; [6] the
17 amount of time the expert spent in court, preparing a report, and
18 preparing for trial; [7] the expert's area of expertise; [8] the expert's
19 education and training; [9] the fee actually charged to the party who
retained the expert; [10] the fees traditionally charged by the expert on
related matters; [11] comparable experts' fees charged in similar cases;
and, [12] if an expert is retained from outside the area where the trial is
held, the fees and costs that would have been incurred to hire a
comparable expert where the trial was held.

20 Id. at 650-51, 357 P.3d at 377-78. A request for expert fees above \$1,500 will “necessarily
21 require a case-by-case examination of appropriate factors” depending on the circumstances

22
23 ² In Gitter, the Nevada Supreme Court reaffirmed a district court may award expert fees in excess of
\$1,500 provided the district court state the basis for its decision. Gitter, 133 Nev. at 134, 393 P.3d at
681 (citing Khoury, 132 Nev. at 541, 377 P.3d at 95). Further, the Nevada Supreme Court also
24 wrote “[w]ith respect to cases in which the **expert acts only as a consultant and does not testify**,
however, district courts may award \$1,500 or less, so long as the district court finds such costs
25 constitute ‘[r]easonable fees.’” Gitter, 133 Nev. at 134, 393 P.3d at 681 (citing NRS 18.005(5))
26 (emphasis added).

27
28 ³ Following Frazier, the Nevada Supreme Court has cited approvingly to Frazier. See Gitter, 133
Nev. at 134, 393 P.3d at 681 (citing Frazier’s collection of case law demonstrating the inconsistent
decisions under NRS 18.005(5)); see also Cotter on behalf of Reading International, Inc. v. Kane,
136 Nev. 559, 566, 473 P.3d 451, 457 (2020) (“The Court of Appeals adopted factors the district
court must consider when determining if an expert witness’s testimony warrants a larger fee.”).

1 of the case. Id. at 651, 357 P.3d at 378. In Frazier, the Court of Appeals reversed the
2 district court's decision to award expert fees in excess of \$1,500 after a jury verdict because
3 the district court abused its discretion by failing to adequately set forth the basis for its
4 decision or address why the circumstances surrounding the expert's testimony necessitated
5 a larger fee. Id. at 652, 357 P.3d at 378.

7 In Cotter on behalf of Reading International, Inc. v. Kane, the district court awarded
8 expert fees in excess of \$1,500 when the experts did not testify because the dispute was
9 resolved by summary judgment. 136 Nev. 559, 561-62, 473 P.3d 451, 454 (2020). On
10 appeal, the prevailing party argued the circumstances surrounding why their experts did not
11 testify were sufficient to overcome the testifying requirements for a party to receive more
12 than \$1,500 in expert fees. Id. at 566, 473 P.3d at 457. The Nevada Supreme Court wrote
13 "[w]hile there may be some extraordinary circumstances where an award of expert witness
14 fees in excess of \$1,500 for an expert who did not testify may be warranted, those
15 circumstances are not present here." Id. at 567, 473 P.3d at 457. The Nevada Supreme
16 Court noted the case in Kane never went to trial, the non-prevailing party did nothing to
17 prevent the expert from testifying, and the court did not rely on the experts' reports when
18 resolving the case at the summary judgment stage; thus, the experts' testimony was not of
19 such necessity as to warrant a larger fee. Id. at 567, 473 P.3d at 457-58.

23 Here, this case never went to jury trial and was resolved by way of summary
24 judgment. See *Order Granting, in Part, and Denying, in Part Defendants' Motion for*
25 *Summary Judgment; Order Granting Summary Judgment on Claim Pursuant to Court's*
26 *NRCP 56 Notice* (filed June 5, 2022) and *Order Granting Plaintiff's Motion for Partial*
27 *Summary Judgment* (filed Mar. 10, 2022). Neither of the Court's orders addressing
28

1 summary judgment relied on Defendants' expert witness. In their *Motion*, Defendants do not
2 present any argument under Frazier, 131 Nev. at 650-51, 357 P.3d at 377-78, to necessitate
3 the award of a fee above and beyond the statutory cap of \$1,500.00 for non-testifying expert
4 witness. Accordingly, the Court finds the statutory cap for a non-testifying expert witness
5 applies in this case and awards Defendants One Thousand Five Hundred Dollars
6 (\$1,500.00) in expert witness fees.
7

8 District courts may award reasonable costs for photocopies. NRS 18.005(11). Here,
9 the Court finds and awards Defendants photocopy fees in the amount of Three Hundred
10 and 30/100 Dollars (\$300.30) based on Defendants' representations to the Court and
11 evidence detailing the costs for such fees. See generally *Motion* Ex. 1.
12

13 NRS 18.005(14) permits the award of reasonable costs for postage. In this case, the
14 Court finds and awards Defendants postage fees in the amount of Forty-Eight and 51/100
15 Dollars (\$48.51) based on Defendants' representations and itemized documentation of such
16 fees. See generally *Motion* Ex. 1.
17

18 NRS 18.005(17) permits district courts to award "[a]ny other reasonable and
19 necessary expense incurred in connection with the action, including reasonable and
20 necessary expenses for computerized services for legal research." Here, the Court finds
21 and awards Defendants' other reasonable and necessary expenses, which include
22 expenses incurred from Westlaw Research and courier service fees, in the amount of Six
23 Hundred Seventy-Eight and 14/100 Dollars (\$678.14) based on Defendants' representations
24 in their *Motion* and itemized documentation of such fees. See generally *Motion* Ex. 1.
25

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Accordingly, and good cause appearing therefor,

IT IS HEREBY ORDERED *Defendants Brian Mineau and Legion Investments, LLC's*
Verified Memorandum of Costs and Disbursements is GRANTED, in part, and DENIED, in
part. The Court awards Defendants a total cost of Five Thousand Four Hundred Forty-Five
and 55/100 Dollars (\$5,445.55), with the following breakdown:

DESCRIPTION	AMOUNT REQUESTED	COURT'S RULING
Clerk Fees	\$763.00	\$763.00
Reporter's Fees	\$2,082.25	\$2,082.25
Witness Fees	\$73.35	\$73.35
Expert Witness Fees	\$1,687.50	\$1,500.00
Photocopies	\$300.30	\$300.30
Postage Fees	\$48.51	\$48.51
Any Other Reasonable and Necessary Expense	\$678.14	\$678.14
TOTAL	\$5,633.05	\$5,445.55

DATED this 17th day of May, 2022.


DISTRICT JUDGE

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MICHAEL MATUSKA, ESQ.
MARK GUNDERSON, ESQ.
AUSTIN SWEET, ESQ.

Holly W. Lange

1 **CODE 2540**

2 GUNDERSON LAW FIRM

3 Austin K. Sweet, Esq.

4 Nevada State Bar No. 11725

5 asweet@gundersonlaw.com

6 Mark H. Gunderson, Esq.

7 Nevada State Bar No. 2134

8 mgunderson@gundersonlaw.com

9 3895 Warren Way

10 Reno, Nevada 89509

11 Telephone: 775.829.1222

12 *Attorneys for Brian Mineau and Legion Investments*

13
14 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
15 **IN AND FOR THE COUNTY OF WASHOE**

16 JAY KVAM,

Case No. CV18-00764

17 Plaintiff / Counterdefendant,

Dept. No. 6

18 vs.

19 BRIAN MINEAU; LEGION INVESTMENTS,
20 LLC; 7747 S. May Street, an Unincorporated
21 Joint Venture; and DOES I-X, inclusive,

22 Defendants / Counterclaimants.
23 _____/

24 **NOTICE OF ENTRY OF ORDER**

25 PLEASE TAKE NOTICE that an *Order Granting, in Part, and Denying, in Part, Defendants*
26 *Brian Mineau and Legion Investments, LLC's Verified Memorandum of Costs and Disbursements*
27 was entered on May 17, 2022, a copy of which is attached as Exhibit "1."

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DATED this 18 day of May, 2022.

By: 
Austin K. Sweet, Esq.
Nevada State Bar No. 11725
Mark H. Gunderson, Esq.
Nevada State Bar No. 2134
3895 Warren Way
Reno, Nevada 89509
Telephone: 775.829.1222
Attorneys for Brian Mineau and Legion Investments

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of the law office of Gunderson Law
3 Firm, and that on the 18 day of May, 2022, I electronically filed a true and correct copy of the
4 **NOTICE OF ENTRY OF ORDER**, with the Clerk of the Court by using the electronic filing system
5 which will send a notice of electronic filing to the following:

6
7 Michael Matuska, Esq.
8 Matuska Law Offices, Ltd.
9 2310 South Carson Street, Suite 6
10 Carson City, Nevada 89701
11 *Attorney for Jay Kvam*


12 
13 Kelly Gunderson

EXHIBIT LIST

Exhibit #	Description	Pages
Exhibit "1"	Order Granting, in Part, and Denying, in Part, Defendants Brian Mineau and Legion Investments, LLC's Verified Memorandum of Costs and Disbursements	8

FILED
Electronically
CV18-00764
2022-05-18 03:21:49 PM
Alicia L. Lerud
Clerk of the Court
Transaction # 9055239

Exhibit “1”

Exhibit “1”

1 CODE NO. 3025
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6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR THE COUNTY OF WASHOE
8

9 JAY KVAM,

Case No. CV18-00764

10 Plaintiff,

Dept. No. 6

11 vs.
12

13 BRIAN MINEAU; LEGION INVESTMENTS,
14 LLC; 7747 S. May Street, an Unincorporated
Joint Venture; and DOES I-X, inclusive,

15 Defendants.
16 _____/

17 **ORDER GRANTING, IN PART, AND DENYING, IN PART,**
18 **DEFENDANTS BRIAN MINEAU AND LEGION INVESTMENTS, LLC'S**
19 **VERIFIED MEMORANDUM OF COSTS AND DISBURSEMENTS**

20 Before this Court is *Defendants Brian Mineau and Legion Investments, LLC's Verified*
21 *Memorandum of Costs and Disbursements ("Motion")* filed by Defendants BRIAN MINEAU
22 and LEGION INVESTMENTS, LLC (collectively "Defendants" unless individually
23 referenced), by and through their counsel of record, the Gunderson Law firm.

24 Plaintiff JAY KVAM ("Mr. Kvam") did not file an opposition or response and the time
25 to file an opposition has expired.¹
26

27 The matter was submitted for the Court's consideration.
28

¹ Mr. Kvam's failure to file an opposition is construed "as an admission that the motion is meritorious and a consent granting the same." DCR 13(3).

1 In their *Motion*, Defendants request the following fees and costs:

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DESCRIPTION	AMOUNT REQUESTED
Clerk Fees	\$763.00
Reporter's Fees	\$2,082.25
Witness Fees	\$73.35
Expert Witness Fees	\$1,687.50
Photocopies	\$300.30
Postage Fees	\$48.51
Any Other Reasonable and Necessary Expense	\$678.14
TOTAL	\$5,633.05

14

15 Chapter 18 of the Nevada Revised Statutes governs the awarding of costs incurred in

16 a case. It is within the sound discretion of the district court to determine allowable costs and

17 a district court's decision awarding costs will not be overturned absent an abuse of

18 discretion. Sheehan & Sheehan v. Nelson Malley and Co., 121 Nev. 481, 493, 117 P.3d

19 219, 227 (2005); Village Builders 96, L.P. v. U.S. Labs., Inc., 121 Nev. 261, 276, 112 P.3d

20 1082, 1092 (2005). Before awarding any costs under NRS Chapter 18, "the district court

21 must have evidence before it demonstrating that the costs were reasonable, necessary, and

22 actually incurred that goes beyond a mere memorandum of costs." Frazier v. Drake, 131

23 Nev. 632, 651, 357 P.3d 365, 378 (2015); see also Cadle Co. v. Woods & Erickson, LLP,

24 131 Nev. 114, 120, 345 P.3d 1049, 1054 (2015).

25

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1 Clerks' fees are included in the definition of costs within NRS Chapter 18. NRS
2 18.005(1). Here, the Court finds and awards Defendants clerk fees in the amount of Seven
3 Hundred Sixty-Three Dollars (\$763.00) based on Defendants' representations and
4 documentation such fees were reasonable, necessary, and actually incurred in this case.
5
6 See generally *Motion* Ex. 2 (receipts for Court Filing Fees in the amounts of \$243.00;
7 \$320.00; and \$200.00).

8 NRS 18.005(2) provides costs to include "[r]eporters' fees for deposition, including a
9 reporter's fee for one copy of each declaration." Here, the Court finds and awards
10 Defendants reporters' fees in the amount of Two Thousand Eighty-Two and 25/100 Dollars
11 (\$2,082.25) based on Defendants' representations and documents such fees were
12 reasonable, necessary, and actually incurred in this case. See generally *Motion* Ex. 2
13 (receipts from E-Depositions LLC in the amount of \$1,435.90 and receipts from Sunshine
14 Reporting and Litigation Services in the amounts of \$70.00; \$60.00; \$91.00; and \$425.35).
15
16

17 The Court can award costs for "[f]ees for witnesses at trial, pretrial hearings and
18 deposing witnesses, unless the court finds that the witness was called at the instance of the
19 prevailing party without reason or necessity." NRS 18.005(4). In this case, the Court finds
20 and awards Defendants witness fees in the amount of Seventy-Three and 35/100 Dollars
21 (\$73.35) based on Defendants' representations and documents reflecting such fees were
22 reasonable, necessary, and actually incurred in this case. See generally *Motion* Ex. 2
23 (containing receipts for witness fees in the amount of \$34.65 and \$38.70).
24

25 NRS 18.005(5) imposes a statutory cap of not more than \$1,500 for each expert
26 witness, "unless the court allows a larger fee after determining that the circumstances
27 surrounding the expert's testimony were such of necessity as to require the larger fee." A
28

1 district court may award expert fees above \$1,500 and “must state the basis for its
2 decision.” Public Employees’ Retirement System of Nevada v. Gitter, 133 Nev. 126, 134,
3 393 P.3d 673, 681 (2017); citing Khoury v. Seastrand, 132 Nev. 520, 540-41, 377 P.3d 81,
4 95 (2016).²

5
6 In Frazier v. Drake, the Nevada Court of Appeals provided a non-exhaustive list of
7 considerations to determine whether circumstances surrounding an expert’s testimony are
8 of such necessity as to require a larger fee. 131 Nev. at 646, 649, 357 P.3d at 375, 377 (Ct.
9 App. 2015).³ Such considerations include the following:

10
11 [1] district courts should consider the importance of the expert's
12 testimony to the party's case; [2] the degree to which the expert's opinion
13 aided the trier of fact in deciding the case; [3] whether the expert's
14 reports or testimony were repetitive of other expert witnesses; [4] the
15 extent and nature of the work performed by the expert; [5] whether the
16 expert had to conduct independent investigations or testing; [6] the
17 amount of time the expert spent in court, preparing a report, and
18 preparing for trial; [7] the expert's area of expertise; [8] the expert's
19 education and training; [9] the fee actually charged to the party who
retained the expert; [10] the fees traditionally charged by the expert on
related matters; [11] comparable experts' fees charged in similar cases;
and, [12] if an expert is retained from outside the area where the trial is
held, the fees and costs that would have been incurred to hire a
comparable expert where the trial was held.

20 Id. at 650-51, 357 P.3d at 377-78. A request for expert fees above \$1,500 will “necessarily
21 require a case-by-case examination of appropriate factors” depending on the circumstances

22
23 ² In Gitter, the Nevada Supreme Court reaffirmed a district court may award expert fees in excess of
\$1,500 provided the district court state the basis for its decision. Gitter, 133 Nev. at 134, 393 P.3d at
681 (citing Khoury, 132 Nev. at 541, 377 P.3d at 95). Further, the Nevada Supreme Court also
24 wrote “[w]ith respect to cases in which the **expert acts only as a consultant and does not testify**,
however, district courts may award \$1,500 or less, so long as the district court finds such costs
25 constitute ‘[r]easonable fees.’” Gitter, 133 Nev. at 134, 393 P.3d at 681 (citing NRS 18.005(5))
26 (emphasis added).

27 ³ Following Frazier, the Nevada Supreme Court has cited approvingly to Frazier. See Gitter, 133
28 Nev. at 134, 393 P.3d at 681 (citing Frazier’s collection of case law demonstrating the inconsistent
decisions under NRS 18.005(5)); see also Cotter on behalf of Reading International, Inc. v. Kane,
136 Nev. 559, 566, 473 P.3d 451, 457 (2020) (“The Court of Appeals adopted factors the district
court must consider when determining if an expert witness’s testimony warrants a larger fee.”).

1 of the case. Id. at 651, 357 P.3d at 378. In Frazier, the Court of Appeals reversed the
2 district court's decision to award expert fees in excess of \$1,500 after a jury verdict because
3 the district court abused its discretion by failing to adequately set forth the basis for its
4 decision or address why the circumstances surrounding the expert's testimony necessitated
5 a larger fee. Id. at 652, 357 P.3d at 378.

7 In Cotter on behalf of Reading International, Inc. v. Kane, the district court awarded
8 expert fees in excess of \$1,500 when the experts did not testify because the dispute was
9 resolved by summary judgment. 136 Nev. 559, 561-62, 473 P.3d 451, 454 (2020). On
10 appeal, the prevailing party argued the circumstances surrounding why their experts did not
11 testify were sufficient to overcome the testifying requirements for a party to receive more
12 than \$1,500 in expert fees. Id. at 566, 473 P.3d at 457. The Nevada Supreme Court wrote
13 "[w]hile there may be some extraordinary circumstances where an award of expert witness
14 fees in excess of \$1,500 for an expert who did not testify may be warranted, those
15 circumstances are not present here." Id. at 567, 473 P.3d at 457. The Nevada Supreme
16 Court noted the case in Kane never went to trial, the non-prevailing party did nothing to
17 prevent the expert from testifying, and the court did not rely on the experts' reports when
18 resolving the case at the summary judgment stage; thus, the experts' testimony was not of
19 such necessity as to warrant a larger fee. Id. at 567, 473 P.3d at 457-58.

23 Here, this case never went to jury trial and was resolved by way of summary
24 judgment. See Order Granting, in Part, and Denying, in Part Defendants' Motion for
25 Summary Judgment; Order Granting Summary Judgment on Claim Pursuant to Court's
26 NRCP 56 Notice (filed June 5, 2022) and Order Granting Plaintiff's Motion for Partial
27 Summary Judgment (filed Mar. 10, 2022). Neither of the Court's orders addressing
28

1 summary judgment relied on Defendants' expert witness. In their *Motion*, Defendants do not
2 present any argument under Frazier, 131 Nev. at 650-51, 357 P.3d at 377-78, to necessitate
3 the award of a fee above and beyond the statutory cap of \$1,500.00 for non-testifying expert
4 witness. Accordingly, the Court finds the statutory cap for a non-testifying expert witness
5 applies in this case and awards Defendants One Thousand Five Hundred Dollars
6 (\$1,500.00) in expert witness fees.
7

8 District courts may award reasonable costs for photocopies. NRS 18.005(11). Here,
9 the Court finds and awards Defendants photocopy fees in the amount of Three Hundred
10 and 30/100 Dollars (\$300.30) based on Defendants' representations to the Court and
11 evidence detailing the costs for such fees. See generally *Motion* Ex. 1.
12

13 NRS 18.005(14) permits the award of reasonable costs for postage. In this case, the
14 Court finds and awards Defendants postage fees in the amount of Forty-Eight and 51/100
15 Dollars (\$48.51) based on Defendants' representations and itemized documentation of such
16 fees. See generally *Motion* Ex. 1.
17

18 NRS 18.005(17) permits district courts to award "[a]ny other reasonable and
19 necessary expense incurred in connection with the action, including reasonable and
20 necessary expenses for computerized services for legal research." Here, the Court finds
21 and awards Defendants' other reasonable and necessary expenses, which include
22 expenses incurred from Westlaw Research and courier service fees, in the amount of Six
23 Hundred Seventy-Eight and 14/100 Dollars (\$678.14) based on Defendants' representations
24 in their *Motion* and itemized documentation of such fees. See generally *Motion* Ex. 1.
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Accordingly, and good cause appearing therefor,

IT IS HEREBY ORDERED *Defendants Brian Mineau and Legion Investments, LLC's*
Verified Memorandum of Costs and Disbursements is GRANTED, in part, and DENIED, in
part. The Court awards Defendants a total cost of Five Thousand Four Hundred Forty-Five
and 55/100 Dollars (\$5,445.55), with the following breakdown:

DESCRIPTION	AMOUNT REQUESTED	COURT'S RULING
Clerk Fees	\$763.00	\$763.00
Reporter's Fees	\$2,082.25	\$2,082.25
Witness Fees	\$73.35	\$73.35
Expert Witness Fees	\$1,687.50	\$1,500.00
Photocopies	\$300.30	\$300.30
Postage Fees	\$48.51	\$48.51
Any Other Reasonable and Necessary Expense	\$678.14	\$678.14
TOTAL	\$5,633.05	\$5,445.55

DATED this 17th day of May, 2022.


DISTRICT JUDGE

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MICHAEL MATUSKA, ESQ.
MARK GUNDERSON, ESQ.
AUSTIN SWEET, ESQ.

Holly W. Lange

**DATE, JUDGE
OFFICERS OF
COURT PRESENT****APPEARANCES-HEARING****CONT'D TO**

1/14/2020
HONORABLE
LYNNE K. SIMONS
DEPT. NO. 6
J. Martin
(Clerk)
C. Hummel
(Reporter)

PRE-TRIAL CONFERENCE

Plaintiff Jay Kvam was present with counsel Michael Matuska, Esq. Defendant Brian Mineau was present with counsel Austin Sweet, Esq.

COURT reviewed the procedural history of the matter and indicated it would like to set a hearing on Pre-Trial Motions.

Counsel Sweet stated the only remaining claim included in the Counterclaim is declaratory relief.

Counsel Matuska stated the Defendants have conceded the first cause of action, declaration of joint venture, in the Motion for Summary Judgment. Counsel Matuska further stated that the joint venture property has been sold and the winding up would be limited to the cash assets and would possibly be resolved prior to Trial. Counsel Matuska stated the cash assets have been deposited with the Clerk of the Court.

COURT directed the parties to be prepared to identify which defenses would not be proceeding at the subsequent Pre-Trial Conference.

Counsel Sweet requested the defenses be discussed after the Court renders its decision on the Motion for Summary Judgment.

Counsel Matuska argued the declaratory relief sought in the counterclaim is a mirror of the Plaintiffs relief and therefore does not add or distract from what is at issue in the matter.

Discussion ensued regarding discovery.

Counsel Sweet stated the deposition of Mr. Kvam is scheduled for January 21, 2020, and that is the only remaining discovery. Counsel Sweet indicated he has filed an objection to the Discovery Commissioner's recommendation and argued the documents subject to that recommendation are not relevant.

Respective counsel indicated they have disclosed their expert witnesses and rebuttal expert witnesses.

COURT indicated the pre-trial discovery cut off would be February 1, 2020, all objections cut off is February 17, 2020, submissions deadline is February 1, 2020, and the deadline for submissions of Motions in Limine is February 16, 2020; Trial Statements due no later than seven (7) days prior to Trial.

Counsel Matuska stated he anticipates using a video deposition of an out of state witness.

COURT directed the parties to meet and confer regarding video depositions no later than February 1, 2020; any objections remaining to the video depositions should be presented to the Court no later than February 16, 2020; Counsel shall provide transcripts of video depositions and clearing notate the objections to the Court; Respective counsel will review any edited videos no later than February 26, 2020.

Discussion ensued regarding Jury selection.

COURT directed Respective counsel to meet and confer regarding Jury Instruction no later than five (5) days prior to Trial; Jury Instructions should include any deviation in authority and be presented to the Court in Word format and Arial 12 point font.

Discussion ensued regarding the use of technology during Trial.

DATE, JUDGE OFFICERS OF COURT PRESENT	APPEARANCES-HEARING	CONT'D TO
1/14/2020 HONORABLE LYNNE K. SIMONS DEPT. NO. 6 J. Martin (Clerk) C. Hummel (Reporter)	<p>Counsel Sweet stated the parties had retained a mediator however, after review of the matter the mediator determined the matter would not benefit from mediation and canceled the scheduled mediation.</p> <p>Counsel Matuska stated he intends to play the majority of the video deposition. Further discussion ensued regarding technology and Jury Instructions.</p> <p>COURT directed Respective counsel to avoid filing countermotions and requested separate motion work for issues arising; Court admonished Respective counsel regarding the tone of their communications with each other.</p> <p>COURT ORDERED Motion for Summary Judgment set for hearing on February 11, 2020, at 9:30 a.m.; final Pre-Trial Conference and Pre-Trial Motions to be heard February 21, 2020, at 9:30 a.m.; Parties shall participate in a Settlement Conference with a mediator or a Judicial Officer prior to Trial and all parties are ordered to be present and participate in the Settlement Conference.</p>	

CASE NO. CV18-00764 **JAY KVAM VS. BRIAN MINEAU, ETAL**

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

2/24/2020
HONORABLE
ELLIOTT A.
SATTLER
DEPT. NO. 10
M. Merkouris
(Clerk)
Not reported

SETTLEMENT CONFERENCE

9:00 a.m. – Court convened in chambers.

Michael Matuska, Esq., was present on behalf of the Plaintiff, Jay Kvam. *(Mr. Kvam was present for the settlement conference, however he was not present in chambers during the Court's initial conversation with respective counsel.)*

Austin Sweet, Esq., was present on behalf of the Defendants. *(Defendant Brian Mineau was present for the settlement conference, however he was not present in chambers during the Court's initial conversation with respective counsel.)*

COURT reviewed the procedural history of the case, noting that a bench trial is set to begin in Dept. 6 next Monday, March 2, 2020, and there is also a pending Motion for Summary Judgment, which should be decided in the next two (2) business days.

COURT further advised respective counsel that he has reviewed the settlement briefs, noting that the parties' first settlement conference in November 2019 with Mr.

Enzenberger was unsuccessful, and the parties have been ordered by Judge Simons to participate in another settlement conference today.

Upon questioning by the Court, counsel Sweet stated none of the circumstances present during the last settlement conference have changed.

Discussion ensued between the Court and respective counsel regarding the case, the settlement conference, and the pending Motion for Summary Judgment.

COURT noted that a decision on the Motion for Summary Judgment is imminent, and spending today working on settling this case, knowing that an order will be filed in the very near future that could drastically change things, would not be an efficient use of everyone's time. **COURT** recommended that the attorneys vacate the upcoming trial, and continue this settlement conference to next Monday, March 2, 2020, if necessary. Counsel Sweet concurred with the Court's recommendation.

Counsel Matuska indicated that he still had some issues he wanted to discuss privately with the Court.

9:21 a.m. – Court adjourned.

At this point, counsel Sweet and the Clerk left chambers, and the Court spoke with counsel Matuska. Court then conducted a settlement conference with respective counsel and the parties until approximately noon.

COURT directed the Clerk to continue the settlement conference to next Monday, March 2, 2020.

CASE NO. CV18-00764 JAY KVAM VS. BRIAN MINEAU, ET AL

MINUTE ORDER

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

01/04/22
HONORABLE
LYNNE K. SIMONS
DEPT. NO. 6
M. Schuck
(Clerk)
Nicole Hansen
(Reporter)
None Present
(Bailiff)

**ORAL ARGUMENTS ON MOTIONS FOR SUMMARY
JUDGMENT....**

Plaintiff, Jay Kvam, observing via Zoom and represented by Michael Matuska, Esq.
Defendant, Legion Investments, LLC, with Brian Mineau as a representative observing via Zoom and represented by Austin Sweet, Esq.
Defendant, Brian Mineau, observing via Zoom and represented by Austin Sweet, Esq.
Matter convened at 9:44 a.m. and concluded at 10:25 a.m.

This hearing was held remotely because of the closure of the courthouse at 75 Court Street, Reno, Washoe County, Nevada, due to the national and local emergency caused by COVID-19. The Court and all participants appeared via simultaneous audiovisual transmission. The Court was physically located in Washoe County, Nevada which was the site of the court session. At the direction of the Court, all participants stated their appearances and location. Respective counsel acknowledged receipt of notice that the hearing was taking place pursuant to the Second Judicial District Court's Administrative Orders entered in 2020, and the Nevada Supreme Court Rules - Part IX governing appearances by simultaneous audiovisual transmissions, and counsel stated they had no objection to proceeding in this manner.

The Court further made a record of the fact that these proceedings are open to the public for viewing and listening through the webinar/meeting invitation located on the Court's website and directed that if at any time anyone who is participating in this matter cannot see or hear the other participants in this case, they are to inform the Court.

Counsel Matuska noted he received notice of audiovisual hearing and had no objection to continue in said manner.
Counsel Sweet noted he also received notice of audiovisual hearing and had no objection to continue in said manner.
Court noted review of the file in addition to the motions for summary judgment. She further noted it was her decision to set the instant oral arguments. She had a few questions and wanted it on the record.
Counsel Matuska addressed the motion for summary judgment and the prior motion for summary judgment.
Counsel Sweet addressed his position and his concern regarding the accounting.

Counsel Matuska place his position on the record and again addressed the prior motion for summary judgment along with the last Court Order. He presented his argument. Counsel Sweet presented his argument and believed no claims remained to be resolved. They were all related and covered by the last Court Order or were dismissed. Counsel Matuska continued with his argument and addressed the last motion for summary judgment. Court referenced the recommendation of the Discovery Commissioner filed on January 10, 2021. She also noted review of the response.

COURT granted the objection, the recommendation will be amended in accordance with the objection's requested relief. Plaintiff's Motion for Reconsideration is denied, there are no factual and legal grounds to support reconsideration.

**Good cause appearing,
IT IS SO ORDERED**

DATED this 10th day of January, 2022.

NUNC PRO TUNC to the 4th day of January, 2022.



DISTRICT JUDGE

Code 1350

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

JAY KVAM,

Plaintiff,

Case No. CV18-00764

vs.

Dept. No. 6

**BRIAN MINEAU; LEGION INVESTMENTS,
LLC; 7747 S. May Street, an Unincorporated
Joint Venture; and DOES I-X, inclusive,**

Defendants.

CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL

I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on the 5th day of August, 2022, I electronically filed the Notice of Appeal in the above entitled matter to the Nevada Supreme Court.

I further certify that the transmitted record is a true and correct copy of the original pleadings on file with the Second Judicial District Court.

Dated this 5th day of August, 2022.

Alicia L. Lerud
Clerk of the Court
By /s/Y.Viloria
Y.Viloria
Deputy Clerk

Code 4132

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

JAY KVAM,

Case No. CV18-00764

Plaintiff,

Dept. No. 6

vs.

**BRIAN MINEAU; LEGION INVESTMENTS,
LLC; 7747 S. May Street, an Unincorporated
Joint Venture; and DOES I-X, inclusive,**

Defendants.

NOTICE OF APPEAL DEFICIENCY

TO: Clerk of the Court, Nevada Supreme Court,
and All Parties or their Respective Counsel Of Record:

On August 3rd, 2022, Attorney Michael Matuska, Esq. for Plaintiff, Jay Kvam, filed a Notice of Appeal with the Court. Attorney Matuska failed to include the Two Hundred Fifty Dollar (\$250.00) Supreme Court filing fee.

Pursuant to NRAP 3(a)(3), on August 5th, 2022, the Notice of Appeal was filed with the Nevada Supreme Court. By copy of this notice Attorney Matuska, was apprised of the deficiency by electronic mail.

Dated this 5th day of August, 2022.

Alicia L. Lerud
Clerk of the Court
By: /s/Y.Viloria
Y.Viloria
Deputy Clerk

CERTIFICATE OF SERVICE

CASE NO. CV18-00764

I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County Of Washoe; that on the 5th day of August, 2022, I electronically filed the Notice of Appeal Deficiency with the Clerk of the Court by using the ECF system.

I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

Electronically filed with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:

AUSTIN SWEET, ESQ. for BRIAN MINEAU, LEGION INVESTMENTS, LLC

MARK GUNDERSON, ESQ. for BRIAN MINEAU, LEGION INVESTMENTS, LLC

MICHAEL MATUSKA, ESQ. for JAY KVAM

Deposited in the Washoe County mailing system for postage and mailing with the United States Postal Service in Reno, Nevada:

By:/s/Y.Viloria

Y.Viloria

Deputy Clerk