

IN THE SUPREME COURT OF THE STATE OF NEVADA

In the matter of:

JAY KVAM,

Appellant,

vs.

BRIAN MINEAU; and LEGION
INVESTMENTS, LLC,

Respondents.

Electronically Filed
Aug 30 2022 11:51 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Supreme Court Case No. 85128

District Court Case No. CV18-00764

NOTICE OF WITHDRAWAL OF APPEAL

JAY KVAM, appellant named above, hereby moves to voluntarily withdraw the appeal mentioned above that is based on the Notice of Appeal that was filed in the District Court on August 3, 2022, a copy of which is attached hereto as Exhibit "1".

I, MICHAEL L. MATUSKA, as counsel for the appellant, explained and informed JAY KVAM of the legal effects and consequences of this voluntary withdrawal of this appeal, including that JAY KVAM cannot hereafter seek to reinstate this appeal and that any issues that were or could have been brought in this

appeal are forever waived. Having been so informed, JAY KVAM hereby consents to a voluntary dismissal of the above-mentioned appeal.

VERIFICATION

I recognize that pursuant to NRAP 3C I am responsible for filing a notice of withdrawal of appeal and that the Supreme Court of Nevada may sanction an attorney for failing to file such a notice. I therefore certify that the information provided in this notice of withdrawal of appeal is true and complete to the best of my knowledge, information and belief.

Dated this 30th day of August, 2022.

A handwritten signature in dark ink, appearing to read 'M. L. Matuska', is written over a horizontal line.

MICHAEL L. MATUSKA
SBN 5711
Matuska Law Offices, Ltd.
2310 S. Carson Street #6
Carson City, NV 89701
775-350-7220

Exhibit Index

EXHIBIT	DOCUMENT	NO. OF PAGES
1	Notice of Appeal	2

EXHIBIT 1

EXHIBIT 1

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.

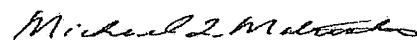
22 **AFFIRMATION**

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