

IN THE SUPREME COURT OF THE STATE OF NEVADA

In Re: D.O.T. Litigation,

WELLNESS CONNECTION OF
NEVADA, LLC,

Appellant,

vs.

CLARK NATURAL MEDICINAL
SOLUTIONS, LLC dba NUVEDA; NYE
NATURAL MEDICINAL SOLUTIONS,
LLC dba NUVEDA; CLARK NMSD, LLC
dba NUVEDA; INYO FINE CANNABIS
DISPENSARY LLC dba INYO FINE
CANNABIS DISPENSARY; DH
FLAMINGO INC.; SURTERRA
HOLDINGS INC.; TGIG, LLC; NEVADA
HOLISTIC MEDICINE, LLC; GBS
NEVADA PARTNERS, LLC; FIDELIS
HOLDINGS, LLC; GRAVITAS
NEVADA, LLC; NEVADA PURE, LLC;
MEDIFARM, LLC; MEDIFARM IV LLC;
RURAL REMEDIES LLC; THC
NEVADA LLC; HERBAL CHOICE INC.;
TRYKE COMPANIES SO NV, LLC;
NULEAF INCLINE DISPENSARY, LLC;
GREEN LEAF FARMS HOLDINGS LLC;
GREEN THERAPEUTICS LLC;
NEVCANN LLC; RED EARTH LLC;
LONE MOUNTAIN PARTNERS, LLC;
INTEGRAL ASSOCIATES, LLC dba
ESSENCE CANNABIS DISPENSARIES,
ESSENCE TROPICANA, LLC, ESSENCE
HENDERSON, LLC; THE STATE OF
NEVADA DEPARTMENT OF

Electronically Filed
Apr 01 2024 11:21 AM
Elizabeth A. Brown
Clerk of Supreme Court

**Supreme Court Case No.:
85314**

District Court Case No.:
A-19-787004-B

CONSOLIDATED WITH:
A-18-785818-W
A-18-786357-W
A-19-786962-B
A-19-787035-C
A-19-787540-W
A-19-787726-C
A-19-801416-B

TAXATION; NEVADA ORGANIC
REMEDIES, LLC; and GREENMART OF
NEVADA NLV LLC,

Respondents.

APPELLANT’S APPENDIX – VOLUME 9 OF 14

HOWARD & HOWARD ATTORNEYS PLLC

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Attorneys for Appellant Wellness Connection of Nevada, LLC

CHRONOLOGICAL INDEX OF APPELLANT'S APPENDIX

Vol.	Date	Document	Pages
1	01/04/2019	Complaint filed by Serenity Wellness Center, LLC; TGIG, LLC; Nuleaf Incline Dispensary, LLC; Nevada Holistic Medicine, LLC; Tryke Companies So. NV, LLC; Tryke Companies Reno, LLC; Paradise Wellness Center, LLC; GBS Nevada Partners, LLC; Fidelis Holdings, LLC; Gravitas Nevada, LLC; Nevada Pure, LLC; Medifarm, LLC	APP00001 – APP00017
1	01/04/2019	Complaint filed by ETW Management Group, LLC; Global Harmony, LLC; Green Leaf Farms Holdings LLC; Green Therapeutics LLC; Herbal Choice, Inc.; Just Quality LLC; Libra Wellness Center LLC; Rombough Real Estate, Inc. dba Mother Herb; Nevcan LLC; Red Earth LLC; THC Nevada LLC; Zion Gardens LLC	APP00018 – APP00166
2	01/04/2019	Complaint filed by ETW Management Group, LLC; Global Harmony, LLC; Green Leaf Farms Holdings LLC; Green Therapeutics LLC; Herbal Choice, Inc.; Just Quality LLC; Libra Wellness Center LLC; Rombough Real Estate, Inc. dba Mother Herb; Nevcan LLC; Red Earth LLC; THC Nevada LLC; Zion Gardens LLC	APP00167 – APP00332
3	2/8/2019	Amended Complaint filed by ETW Management Group, LLC; Global Harmony, LLC; Green Leaf Farms Holdings LLC; Green Therapeutics LLC; Herbal Choice, Inc.; Just Quality LLC; Libra Wellness Center LLC; Rombough Real Estate, Inc.	APP00333 – APP00492

		dba Mother Herb; Nevcan LLC; Red Earth LLC; THC Nevada LLC; Zion Gardens LLC	
4	2/8/2019	Amended Complaint filed by ETW Management Group, LLC; Global Harmony, LLC; Green Leaf Farms Holdings LLC; Green Therapeutics LLC; Herbal Choice, Inc.; Just Quality LLC; Libra Wellness Center LLC; Rombough Real Estate, Inc. dba Mother Herb; Nevcan LLC; Red Earth LLC; THC Nevada LLC; Zion Gardens LLC	APP00493 – APP00652
5	03/19/2019	Motion for Preliminary Injunction filed in case number A-19-786962-B by TGIG Plaintiffs	APP00653 – APP00762
5	07/11/2019	Corrected First Amended Complaint filed by Serenity Wellness Center, LLC; TGIG, LLC; Nuleaf Incline Dispensary, LLC; Nevada Holistic Medicine, LLC; Tryke Companies So. NV, LLC; Tryke Companies Reno, LLC; Paradise Wellness Center, LLC; GBS Nevada Partners, LLC; Fidelis Holdings, LLC; Gravitas Nevada, LLC; Nevada Pure, LLC; Medifarm, LLC	APP00763 – APP00780
5	08/23/2019	Findings of Fact and Conclusions of Law Granting Preliminary Injunction filed in Preliminary Injunction filed in case number A-19-786962-B	APP00781 – APP00804
6	09/06/2019	First Amended Complaint and Petition for Judicial Review and/or Writs of Certiorari, Mandamus and Prohibition filed by D.H. Flamingo, Inc. dba The Apothecary Shoppe; Clark Natural Medicinal Solutions LLC dba NuVeda; Nye Natural Medicinal Solutions LLC dba NuVeda; Clark NMSD LLC dba	APP00805 – APP00910

		NuVeda; Inyo Fine Cannabis Dispensary LLC dba INYO Fine Cannabis Dispensary; Surterra Holdings, Inc.	
6	11/26/2019	Second Amended Complaint filed by Serenity Wellness Center, LLC; TGIG, LLC; Nuleaf Incline Dispensary, LLC; Nevada Holistic Medicine, LLC; Tryke Companies So. NV, LLC; Tryke Companies Reno, LLC; Paradise Wellness Center, LLC; GBS Nevada Partners, LLC; Fidelis Holdings, LLC; Gravitas Nevada, LLC; Nevada Pure, LLC; Medifarm, LLC	APP00911 – APP00933
6	12/31/2019	Order Granting Plaintiffs Leave to File Amended Complaints	APP00934
6	01/28/2020	Defendant Rural Remedies, LLC's Complaint in Intervention, Petition for Judicial Review or Writ of Mandamus	APP00935 – APP00963
7	01/29/2020	Third Amended Complaint filed by ETW Management Group, LLC; Global Harmony, LLC; Green Leaf Farms Holdings LLC; Green Therapeutics LLC; Herbal Choice, Inc.; Just Quality LLC; Libra Wellness Center LLC; Rombough Real Estate, Inc. dba Mother Herb; Nevcan LLC; Red Earth LLC; THC Nevada LLC; Zion Gardens LLC; MMOF Vegas Retail, Inc.	APP00964 – APP01059
7	02/14/2020	Wellness Connection of Nevada LLC's Answer to Serenity Plaintiffs' Second Amended Complaint	APP01060 – APP01068
7	03/13/2020	Trial Protocol Order	APP01069 – APP01085
7	03/26/2020	Defendant Rural Remedies, LLC's Amended Complaint in Intervention,	APP01086 – APP01122

		Petition for Judicial Review or Writ of Mandamus	
7	06/22/2020	Wellness Connection of Nevada, LLC's Answer to ETW Management Group, LLC; Global Harmony, LLC; Green Leaf Farms Holdings LLC; Green Therapeutics LLC; Herbal Choice, Inc.; Just Quality LLC; Libra Wellness Center LLC; Rombough Real Estate, Inc. dba Mother Herb; Nevcan LLC; Red Earth LLC; THC Nevada LLC; Zion Gardens LLC; MMOF Vegas Retail, Inc. Third Amended Complaint	APP01123 – APP01136
7	07/01/2020	Wellness Connection of Nevada, LLC's Answer to Defendant Rural Remedies, LLC's Amended Complaint in Intervention, Petition for Judicial Review or Writ of Mandamus	APP01137 – APP01149
7	07/17/2020	Joint Trial Exhibit 84 - 2018 Retail Marijuana Store Application Scores and Rankings	APP01150 – APP01156
8	07/17/2020	Plaintiffs' Trial Exhibit 1005 – 07/06/2018 Recreational Marijuana Establishment License Application	APP01157 – APP01190
8	07/17/2020	Plaintiffs' Trial Exhibit 1302 - E-Mail dated 8/21/2019 from Nevada Department of Taxation to District Court, Department 11 re NRS 453D.200(6)	APP01191 – APP01193
8	09/03/2020	Findings of Fact, Conclusions of Law and Permanent Injunction – Phase 2	APP01194 – APP01223
8	09/16/2020	Findings of Fact, Conclusions of Law and Permanent Injunction – Phase 1	APP01224 – APP01235
8	09/22/2020	Notice of Entry of Judgment re September 3, 2020 Findings of Fact, Conclusions of Law and Permanent Injunction	APP01236 – APP01268

8	09/22/2020	Notice of Entry of Judgment re September 16, 2020 Findings of Fact, Conclusions of Law and Permanent Injunction	APP01269 – APP01283
9	09/25/2020	Memorandum of Costs of Wellness Connection of Nevada LLC	APP01284 – APP01347
9	10/13/2020	Wellness Connection of Nevada, LLC's Motion for Attorneys' Fees	APP01348 – APP01361
10	10/13/2020	Appendix to Wellness Connection of Nevada, LLC's Motion for Attorneys' Fees, Volume I	APP01362 – APP01555
11	10/13/2020	Appendix to Wellness Connection of Nevada, LLC's Motion for Attorneys' Fees, Volume II	APP01556 – APP01585
11	10/13/2020	Appendix to Wellness Connection of Nevada, LLC's Motion for Attorneys' Fees, Volume III	APP01586 – APP01611
11	10/21/2020	Defendant / Plaintiff-In-Intervention Rural Remedies, LLC's Opposition to Wellness Connection of Nevada, LLC's Motion for Attorneys' Fees	APP01612 – APP01622
11	10/21/2020	Exhibits to Defendant / Plaintiff-In-Intervention Rural Remedies, LLC's Opposition to Wellness Connection of Nevada, LLC's Motion for Attorneys' Fees	APP01623 – APP01717
12	10/23/2020	Notice of Appeal filed by TGIG, LLC, Nevada Holistic Medicine, LLC, GBS Nevada Partners, Fidelis Holdings, LLC; Gravitas Nevada, Nevada Pure, LLC, Medifarm, LLC and Medifarm IV, LLC	APP01718 – APP01767
12	10/23/2020	Case Appeal Statement filed by TGIG, LLC, Nevada Holistic Medicine, LLC, GBS Nevada Partners, Fidelis Holdings, LLC; Gravitas Nevada, Nevada Pure, LLC, Medifarm, LLC and Medifarm IV, LLC	APP01768 – APP01780

12	10/27/2020	Opposition to Wellness Connection of Nevada, LLC's Motion for Attorneys' Fees filed by TGIG LLC, Nevada Holistic Medicine, LLC; GBS Nevada Partners; Fidelis Holdings, LLC; Gravitas Nevada; Nevada Pure, LLC; Medifarm LLC; Medifarm IV, LLC	APP01781 – APP01789
12	10/27/2020	Plaintiffs THC Nevada LLC and Herbal Choice, Inc.'s Joinder to TGIG's Opposition to Wellness Connection of Nevada, LLC's Motion for Attorneys' Fees and Costs	APP01790 – APP01791
12	10/28/2020	Plaintiff Green Leaf Farms Holdings, LLC, Green Therapeutics, LLC, Nevcan, LLC and Red Earth LLC's Joinder to Oppositions to Wellness Connection of Nevada, LLC's Motion for Attorneys' Fees	APP01792 – APP01794
12	11/04/2020	THC Nevada, LLC and Herbal Choice, Inc.'s Joint Notice of Appeal	APP01795 – APP01797
12	11/05/2020	Notice of Appeal filed by Red Earth LLC, Nevcan LLC, Green Therapeutics, LLC and Green Leaf Farm Holdings LLC	APP01798 – APP01800
12	11/13/2020	Omnibus Reply in Support of Wellness Connection of Nevada, LLC's Motion for Attorneys' Fees	APP01801 – APP01821
12	11/20/2020	Minute Order re Wellness Connection of Nevada, LLC's Motion for Attorneys' Fees	APP01822
12	08/27/2021	Order Denying Wellness Connection of Nevada, LLC's Motion for Attorneys' Fees	APP01823 – APP01834
12	08/30/2021	Notice of Entry of Order Denying Wellness Connection of Nevada, LLC's Motion for Attorneys' Fees	APP01835 – APP01849
12	08/30/2021	Order Granting Motions to Retax	APP01850 – APP01861

12	08/04/2022	Order Granting Motion to Certify Trial Phases 1 and 2 as Final Under NRCP 54(b)	APP01862 – APP01879
12	08/04/2022	Notice of Entry of Order Granting Motion to Certify Trial Phases 1 and 2 as Final Under NRCP 54(b)	APP01880 – APP01900
13	08/09/2022	Memorandum of Costs and Disbursements of Wellness Connection of Nevada, LLC	APP01901 – APP01964
13	09/02/2022	Wellness Connection of Nevada, LLC's Notice of Appeal	APP01965 – APP02024
13	02/04/2023	Order re: TGIG Plaintiffs' Motion to Retax and Settle Costs and Joinders	APP02025 – APP02042
13	02/07/2023	Notice of Entry of Order re: TGIG Plaintiffs' Motion to Retax and Settle Costs and Joinders	APP02043 – APP02064
14		Register of Actions for Eighth Judicial District Court case In Re: D.O.T. Litigation; Case number: A-19-787004-B	APP02065 – APP02213

ALPHABETICAL INDEX OF APPELLANT'S APPENDIX

Vol.	Date	Document	Pages
3	2/8/2019	Amended Complaint filed by ETW Management Group, LLC; Global Harmony, LLC; Green Leaf Farms Holdings LLC; Green Therapeutics LLC; Herbal Choice, Inc.; Just Quality LLC; Libra Wellness Center LLC; Rombough Real Estate, Inc. dba Mother Herb; Nevcan LLC; Red Earth LLC; THC Nevada LLC; Zion Gardens LLC	APP00333 – APP00492
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		Holdings LLC; Green Therapeutics LLC; Herbal Choice, Inc.; Just Quality LLC; Libra Wellness Center LLC; Rombough Real Estate, Inc. dba Mother Herb; Nevcan LLC; Red Earth LLC; THC Nevada LLC; Zion Gardens LLC	
10	10/13/2020	Appendix to Wellness Connection of Nevada, LLC's Motion for Attorneys' Fees, Volume I	APP01362 – APP01555
11	10/13/2020	Appendix to Wellness Connection of Nevada, LLC's Motion for Attorneys' Fees, Volume II	APP01556 – APP01585
11	10/13/2020	Appendix to Wellness Connection of Nevada, LLC's Motion for Attorneys' Fees, Volume III	APP01586 – APP01611
12	10/23/2020	Case Appeal Statement filed by TGIG, LLC, Nevada Holistic Medicine, LLC, GBS Nevada Partners, Fidelis Holdings, LLC; Gravitas Nevada, Nevada Pure, LLC, Medifarm, LLC and Medifarm IV, LLC	APP01768 – APP01780
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2	01/04/2019	Complaint filed by ETW Management Group, LLC; Global Harmony, LLC; Green Leaf Farms Holdings LLC; Green Therapeutics LLC; Herbal Choice, Inc.; Just Quality LLC; Libra Wellness Center LLC; Rombough Real Estate, Inc. dba	APP00167 – APP00332

		Mother Herb; Nevcan LLC; Red Earth LLC; THC Nevada LLC; Zion Gardens LLC	
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12	11/05/2020	Notice of Appeal filed by Red Earth LLC, Nevcan LLC, Green Therapeutics, LLC and Green Leaf Farm Holdings LLC	APP01798 – APP01800

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8	09/22/2020	Notice of Entry of Judgment re September 3, 2020 Findings of Fact, Conclusions of Law and Permanent Injunction	APP01236 – APP01268
8	09/22/2020	Notice of Entry of Judgment re September 16, 2020 Findings of Fact, Conclusions of Law and Permanent Injunction	APP01269 – APP01283
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14		Register of Actions for Eighth Judicial District Court case In Re: D.O.T. Litigation; Case number: A-19-787004-B	APP02065 – APP02213
6	11/26/2019	Second Amended Complaint filed by Serenity Wellness Center, LLC; TGIG, LLC; Nuleaf Incline Dispensary, LLC; Nevada Holistic Medicine, LLC; Tryke Companies So. NV, LLC; Tryke Companies	APP00911 – APP00933

		Reno, LLC; Paradise Wellness Center, LLC; GBS Nevada Partners, LLC; Fidelis Holdings, LLC; Gravitas Nevada, LLC; Nevada Pure, LLC; Medifarm, LLC	
12	11/04/2020	THC Nevada, LLC and Herbal Choice, Inc.'s Joint Notice of Appeal	APP01795 – APP01797
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7	02/14/2020	Wellness Connection of Nevada LLC's Answer to Serenity Plaintiffs' Second Amended Complaint	APP01060 – APP01068
9	10/13/2020	Wellness Connection of Nevada, LLC's Motion for Attorneys' Fees	APP01348 – APP01361
13	09/02/2022	Wellness Connection of Nevada, LLC's Notice of Appeal	APP01965 – APP02024

Dated this 1st day of April, 2024.

HOWARD & HOWARD ATTORNEYS PLLC

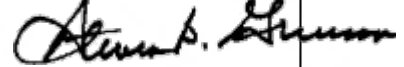
By: /s/ L. Christopher Rose
L. Christopher Rose, Esq., Nevada Bar No. 7500
Connor J. Bodin, Esq., Nevada Bar No. 16205
3800 Howard Hughes Parkway, Suite 1000
Las Vegas, Nevada 89169
Attorneys for Appellant Wellness Connection of Nevada, LLC

CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of April 2024, I caused a true and correct copy of the **APPELLANT'S APPENDIX, VOLUME 9 OF 14** to be electronically filed and served with the Clerk of the Court for the Nevada Supreme Court by using the Nevada Supreme Court's E-Filing system.

/s/ Kelly McGee

An employee of Howard & Howard Attorneys PLLC



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Wellness Connection of Nevada, LLC

DISTRICT COURT

CLARK COUNTY, NEVADA

In Re: D.O.T. Litigation,

CASE NO.: A-19-787004-B

DEPT NO.: XI

CONSOLIDATED WITH:

A-18-785818-W

A-18-786357-W

A-19-786962-B

A-19-787035-C

A-19-787540-W

A-19-787726-C

A-19-801416-B

**MEMORANDUM OF COSTS OF
WELLNESS CONNECTION OF
NEVADA, LLC**

Howard & Howard
3800 Howard Hughes Pkwy., Suite 1000
Las Vegas, NV 89169
(702) 257-1483

1	Filing Fees	\$ 1,490.00
2	02/12/20 Business Court Answer ¹	\$1,483.00
3	11/13/19 Motion/Joinder E-filing	\$ 3.50
4	12/11/19 Motion/Joinder E-filing	\$ 3.50
5	Westlaw Legal Research ²	\$12,856.35
6	03/03/20	\$ 503.50
7	04/01/20	\$ 407.55
8	07/08/20	\$ 135.85
9	07/10/20	\$1,182.75
10	07/13/20	\$ 523.45
11	07/14/20	\$ 251.75
12	07/16/20	\$ 407.55
13	07/18/20	\$2,832.90
14	07/19/20	\$1,162.80
15	07/22/20	\$1,572.25
16	07/28/20	\$ 271.70
17	07/31/20	\$ 135.85
18	08/06/20	\$ 815.10
19	08/16/20	\$ 2,517.50
20	08/17/20	\$ 135.85
21	Photocopies ³	\$ 312.00
22	Deposition and Transcript Fees ⁴	\$31,885.17
23	Video Deposition of Rino Tenorio	\$1,436.25
24	Video and Transcript of Robert Potter	\$ 504.50
25	Transcript of Steve Gilbert (Vol. 1)	\$1,682.35
26	Transcript of Damon Hernandez	\$1,473.90
27	Transcript of Integral (Yemenidjian)	\$1,300.35
28	Transcript of Serenity (Sillitoe)	\$ 801.05
	Transcript of GBS (Viellion)	\$1,670.75
	Transcript of TGIG (Kouretas)	\$2,138.00
	Transcript of THC Nevada (Puliz)	\$1,312.90
	Transcript of Richard Elloyan	\$ 919.00
	Transcript of Duane Lemons	\$ 427.60
	Transcript of Danette Kleuver	\$1,487.07
	Transcript of Steve Gilbert (Vol. 2)	\$ 792.40
	Transcript of William Anderson	\$ 405.20
	Transcript of Natural Medicine (White/Mersha)	\$1,182.95

¹ See Exhibit 1

² See Exhibit 2

³ See Exhibit 3

⁴ See Exhibit 4

1	Transcript of Nevadapure (Thomas)	\$2,578.17	
2	Transcript of Gravitas Nevada (Feldman/Thompson)	\$1,576.25	
3	Transcript of Fidelis (Stewart/Thompson)	\$1,504.60	
4	Transcript of Nevada Holistic (Sibley)	\$ 936.85	
5	Transcript of Inyo Fine (Goldwater)	\$1,873.58	
6	Transcript of Clark Natural (Bady) (Vol. 1)	\$ 676.00	
7	Transcript of Herbal Choice (Madrigal)	\$1,213.10	
8	Transcript of Clark Natural (Bady) (Vol. 2)	\$ 832.95	
9	Transcript of Rural Remedies (Ramos)	\$1,387.85	
10	Transcript of Medifarm (Nahass/Thompson)	\$1,771.55	
11	Messenger Service, Printing and Deliveries ⁵		\$ 1,165.92
12	02/21/20 Pick-Up/Delivery	\$ 65.00	
13	02/25/20 Pick-Up / Delivery	\$ 37.00	
14	02/27/20 Delivery	\$ 25.00	
15	03/06/20 Pick-up	\$ 52.00	
16	07/09/20 Copies, Binders.....	\$ 986.92	
17	Parking – Hearing and Trial Appearances		\$ 120.00
18	05/28/19 Hearing	\$ 6.00	
19	11/12/19 Hearing	\$ 15.00	
20	12/06/19 Hearing	\$ 6.00	
21	12/17/19 Hearing	\$ 9.00	
22	12/20/19 Hearing	\$ 6.00	
23	01/24/20 Hearing	\$ 6.00	
24	01/27/20 Hearing	\$ 12.00	
25	02/07/20 Hearing	\$ 6.00	
26	02/14/20 Hearing	\$ 6.00	
27	02/21/20 Hearing	\$ 6.00	
28	02/28/20 Hearing	\$ 12.00	
29	03/06/20 Hearing	\$ 15.00	
30	03/13/20 Hearing	\$ 15.00	
31	Witness Fees (cost split for Aguero, Holifield, Signeur and Smith) ⁶		\$ 235.00

///

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///

///

⁵ See Exhibit 5

⁶ See Exhibit 6

Howard & Howard
3800 Howard Hughes Pkwy., Suite 1000
Las Vegas, NV 89169
(702) 257-1483

Trial Costs ⁷	\$ 7,237.04
Trial Exhibits	\$ 161.57
Trial Transcript (Day 2)	\$2,000.25
07/28/20 Jury to Verdict Trial Services	\$1,882.14
08/09/20 Jury to Verdict Trial Services	\$1,564.28
08/23/20 Jury to Verdict Trial Services	\$1,628.80
TOTAL	\$55,301.48

DATED this 25th day of September, 2020.

HOWARD & HOWARD ATTORNEYS PLLC



L. CHRISTOPHER ROSE, ESQ.

KIRILL V. MIKHAYLOV, ESQ.

3800 Howard Hughes Parkway, Suite 1000
Las Vegas, NV 89169

Attorneys for Defendant

Wellness Connection of Nevada, LLC

⁷ See Exhibit 7

**DECLARATION OF L. CHRISTOPHER ROSE, ESQ. IN SUPPORT OF
MEMORANDUM OF COSTS OF WELLNESS CONNECTION OF NEVADA, LLC**

L. CHRISTOPHER ROSE, ESQ., being first duly sworn, deposes and says:

1. I am an attorney licensed to practice law in the state of Nevada. I was previously a partner at Jolley, Urga, Woodbury, Holthus & Rose ("JUWHS"), and joined Howard & Howard Attorneys PLLC ("H&H") as a member on January 13, 2020, attorneys of record for Defendant Wellness Connection of Nevada, LLC ("Wellness") in this action. I am and at all times have been the responsible attorney at JUWHS and H&H in charge of this case. I have personal knowledge of the facts stated in this Affidavit, except for those facts stated upon information and belief, and as to those matters, I believe them to be true. If called upon, I am competent to testify to the matters set forth herein.

2. Our office prepared an itemization of the costs necessarily incurred in this case. JUWHS and H&H's records of costs are stored in a computer database. It is JUWHS and H&H's practice to assign a file number to each case, and post costs and legal fees to that file number.

3. It is JUWHS and H&H's practice to code copying, facsimiles, and computerized legal research to a particular file number, and post the same electronically to the respective client's account. Charges for Federal Express, UPS, service of process, large copying jobs performed outside the offices of JUWHS and H&H, deposition transcripts, court reporter fees, and appearance fees are posted by the Accounting Departments to the file number of the case for which the respective invoices are received after the responsible attorney authorizes payment of the invoices. Witness fees and filing fees are posted by the Accounting Departments to the file number of the case on which a check is requested at the direction of the responsible attorney. The responsible attorney of JUWHS and H&H then reviews for accuracy the bills sent to the client on a monthly basis. All of these steps are taken to assure that the costs charged are accurate, i.e.,

1 reasonable and necessary.

2 4. The costs itemized in this Memorandum of Costs are true and correct to
3 the best of my knowledge and belief and were necessarily incurred in this lawsuit. More
4 specifically, each of the costs itemized in this Memorandum of Costs was actually
5 incurred and necessary in this action for the following reasons:

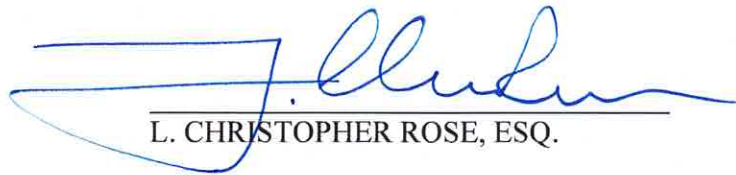
- 6 a. Filing Fees: Filing fees were incurred and necessary when responding to
7 the numerous Complaints, and filing and serving the multiple pleadings
8 and papers that were filed and served throughout this action;
- 9 b. Westlaw Legal Research: Westlaw legal research was necessary and
10 incurred in this action due to the various and unique legal issues presented.
11 That legal research resulted in locating case law and other authorities that
12 Wellness used throughout this case. Among other things, extensive legal
13 research was required to develop strategy in this unprecedented case and for
14 pleadings associated with Wellness' Trial Brief (August 17, 2020);
- 15 c. Photocopies: Charges for photocopies were necessarily incurred due to the
16 need for copies of pleadings, documents produced in discovery, deposition
17 exhibits, trial exhibits, and legal research;
- 18 d. Deposition and Trial Transcripts: Deposition transcripts were necessary
19 for the various depositions taken in this case. Further, hearing and trial
20 transcripts of the proceedings in district court were necessary to review the
21 Court's rulings for assisting in preparation of pleadings;
- 22 e. Messenger: Charges for a messenger service were necessarily incurred in
23 this action for delivering documents to and picking documents up from
24 either opposing counsel or to the courthouse;
- 25 f. Parking – Hearing and Trial Appearances: Costs for parking were
26 necessary and incurred in this action for counsel to attend the various court
27 hearings. Parking around the courthouse requires payment and some of
28 these costs were tracked and charged to the client; and

1 g. Legal CopyCats – Printing and Trial Books: This cost was necessarily
2 incurred in preparing exhibits and trial binders for the trial of this matter,
3 including multiple copies for Wellness’ counsel.

4 5. Based on the above, Wellness requests costs in the amount of **\$55,301.48**.

5 I declare under penalty of perjury under the law of the State of Nevada that the
6 foregoing is true and correct.

7 DATED this 25th day of September, 2020.

8
9 
10 L. CHRISTOPHER ROSE, ESQ.

CERTIFICATE OF SERVICE

I hereby certify that I am employed in the County of Clark, State of Nevada, am over the age of 18 years and not a party to this action. My business address is Howard & Howard Attorneys PLLC, 3800 Howard Hughes Parkway, Suite 1000, Las Vegas, Nevada 89145.

On September 25, 2020, I served the **MEMORANDUM OF COSTS OF WELLNESS CONNECTION OF NEVADA, LLC** in this action or proceeding electronically with the Clerk of the Court via the Odyssey E-File system and e-served the same on all parties listed on the Court's Master Service List.

/s/ Angela R. Westlake

An employee of HOWARD & HOWARD ATTORNEYS PLLC

4811-9557-4476, v. 1

EXHIBIT 1

OFFICIAL RECEIPT

District Court Clerk of the Court 200 Lewis Ave, 3rd Floor Las Vegas, NV 89101

Payor
L. Christopher Rose

Receipt No.
2020-41137-CCCLK

Transaction Date
07/28/2020

Description	Amount Paid
Wellness Connection of Nevada LLC A-19-787004-B In Re: D.O.T. Litigation	
05BC Business Court Answer/Appear \$1,483	1,483.00
SUBTOTAL	1,483.00
Remaining Balance Due: \$0.00	

PAYMENT TOTAL **1,483.00**

Credit / Debit Card (Ref #020524) Tendered	1,483.00
Total Tendered	1,483.00
Change	0.00

07/28/2020
09:16 AM

Cashier
Station RJCC1

Audit
37591658

OFFICIAL RECEIPT

APP01293

EXHIBIT 2

Recap of Cost Detail



All Entries **Matter Number** 118880.00003

☒ Sort by Date ☐ Sort by Timekeeper

First Column

Second Column

☒ **Date Worked** 1/1/2020 to 9/21/2020

☐ **Date Billed** to

Invoice

1 2

Date	Timekeeper	Name / Invoice Number	Code	Rate	Quantity	Amount	Description
7/8/2020	0491	L. Christopher Rose	WEST	135.85	1.00	135.85	Online Research - Westlaw
8/7/2020		Invoice=660601		135.85	1.00	135.85	
7/9/2020	0491	L. Christopher Rose	COP	986.92	1.00	986.92	Copies - Legal Copy Cats & Printing
9/11/2020		Invoice=664292		986.92	1.00	986.92	Copies,
		Voucher=358663					Side Tabs and Binders
		Unpaid					Vendor=Legal Copy Cats & Printing
							Balance= 986.92 Amount=
							986.92
7/10/2020	0491	L. Christopher Rose	WEST	1,182.75	1.00	1,182.75	Online Research - Westlaw 7/10/20
8/7/2020		Invoice=660601		1,182.75	1.00	1,182.75	
7/13/2020	0491	L. Christopher Rose	WEST	523.45	1.00	523.45	Online Research - Westlaw 7/13/20
8/7/2020		Invoice=660601		523.45	1.00	523.45	
7/14/2020	0491	L. Christopher Rose	WEST	251.75	1.00	251.75	Online Research - Westlaw 7/14/20
8/7/2020		Invoice=660601		251.75	1.00	251.75	
7/16/2020	0491	L. Christopher Rose	WEST	407.55	1.00	407.55	Online Research - Westlaw 7/16/20
8/7/2020		Invoice=660601		407.55	1.00	407.55	
7/18/2020	0491	L. Christopher Rose	WEST	2,832.90	1.00	2,832.90	Online Research - Westlaw 7/18/20
8/7/2020		Invoice=660601		2,832.90	1.00	2,832.90	
7/19/2020	0491	L. Christopher Rose	WEST	1,162.80	1.00	1,162.80	Online Research - Westlaw 7/19/20
8/7/2020		Invoice=660601		1,162.80	1.00	1,162.80	
7/22/2020	0491	L. Christopher Rose	WEST	1,572.25	1.00	1,572.25	Online Research - Westlaw 7/22/20
8/7/2020		Invoice=660601		1,572.25	1.00	1,572.25	
7/28/2020	0491	L. Christopher Rose	FF	1,483.00	1.00	1,483.00	Filing fee
9/11/2020		Invoice=664292		1,483.00	1.00	1,483.00	Rose/Business Court Answer Fee
		Voucher=358896					Vendor=PNC Bank Balance= .00
		Paid					Amount= 45261.93
							Check #Visa0820 08/27/2020
7/28/2020	0491	L. Christopher Rose	WEST	271.70	1.00	271.70	Online Research - Westlaw 7/28/20
9/11/2020		Invoice=664292		271.70	1.00	271.70	
7/31/2020	0491	L. Christopher Rose	WEST	135.85	1.00	135.85	Online Research - Westlaw 7/31/20
9/11/2020		Invoice=664292		135.85	1.00	135.85	
8/6/2020	0491	L. Christopher Rose	WEST	815.10	1.00	815.10	Online Research - Westlaw
9/11/2020		Invoice=664292		815.10	1.00	815.10	
8/6/2020	0491	L. Christopher Rose	WEST	815.10	1.00	815.10	Online Research - Westlaw
9/11/2020		Invoice=664292		815.10	1.00	815.10	
8/16/2020	0491	L. Christopher Rose	WEST	2,517.50	1.00	2,517.50	Online Research - Westlaw 8/16/20
9/11/2020		Invoice=664292		2,517.50	1.00	2,517.50	
8/17/2020	0491	L. Christopher Rose	WEST	135.85	1.00	135.85	Online Research - Westlaw 8/17/20
9/11/2020		Invoice=664292		135.85	1.00	135.85	

	BILLED TOTALS:		
	WORK:	16,864.37	34 records
	BILLED TOTALS:		
	BILL:	16,864.37	
	GRAND TOTAL:		
	WORK:	16,864.37	34 records
	GRAND TOTAL: BILL:	16,864.37	

EXHIBIT 3

Jolley Urga Woodbury & Holthus

12098-26001

Trans Desc	Trans Date	Price	Units/Hrs	Value
Soft Cost				
Electronic Print	08/23/2019	0.25	24.00	
Electronic Print	11/12/2019	0.25	6.00	
Electronic Print	11/12/2019	0.25	6.00	
Electronic Print	11/12/2019	0.25	7.00	
Electronic Print	11/12/2019	0.25	6.00	
Electronic Print	11/12/2019	0.25	2.00	
Electronic Print	11/12/2019	0.25	2.00	
Electronic Print	11/12/2019	0.25	6.00	
Electronic Print	11/12/2019	0.25	6.00	
Electronic Print	12/04/2019	0.25	90.00	
Electronic Print	12/04/2019	0.25	110.00	
Electronic Print	12/04/2019	0.25	1.00	
Electronic Print	12/10/2019	0.25	23.00	
Electronic Print	12/12/2019	0.25	2.00	
Electronic Print	12/12/2019	0.25	1.00	
Electronic Print	12/12/2019	0.25	2.00	
Electronic Print	12/16/2019	0.25	6.00	
Electronic Print	12/16/2019	0.25	3.00	
Color Electronic Prints	12/16/2019	0.50	9.00	
Soft Cost			312.00	
Hard Cost				
Parking at Court	05/28/2019	6.00	1.00	6.00
E-Filing / Clark County	11/13/2019	3.50	1.00	3.50
Deposition Fee- Video deposition Rino Tenorio vol 1	12/16/2019	1,436.25	1.00	1,436.25
E-Filing / Clark County	12/11/2019	3.50	1.00	3.50
Parking	11/12/2019	15.00	1.00	15.00
Parking	12/20/2019	6.00	1.00	6.00

EXHIBIT 4



Litigation
SERVICES

Discovery | Depositions | Trial

3770 Howard Hughes Pkwy.
Suite 300
Las Vegas, NV 89169
Phone: 800.330.1112
LitigationServices.com

L. Christopher Rose, Esq.
Jolley, Urga, Woodbury, Holthus & Rose
330 S. Rampart Boulevard, Suite 380
Las Vegas, NV 89145

Client Wellness Connection
Bill to Client Y N
Approved LJR
GL# 12048-26001

INVOICE

Invoice No.	Invoice Date	Job No.
1356020	12/16/2019	587944
Job Date	Case No.	
12/5/2019		
Case Name		
MM Development Company, Inc., et al. vs. State of Nevada, et al.		
Payment Terms		
Net 30		

One Certified Copy of the Video Deposition of:
Rino Tenorio-Volume I

1,436.25
TOTAL DUE >>> \$1,436.25
AFTER 1/15/2020 PAY \$1,579.88

Please note, disputes or refunds will not be honored or issued after 30 days

Tax ID: 27-5114755

Phone: 702-699-7500 Fax: 702-699-7555

Please detach bottom portion and return with payment.

L. Christopher Rose, Esq.
Jolley, Urga, Woodbury, Holthus & Rose
330 S. Rampart Boulevard, Suite 380
Las Vegas, NV 89145

Invoice No. : 1356020
Invoice Date : 12/16/2019
Total Due : \$1,436.25
AFTER 1/15/2020 PAY \$1,579.88

Remit To: **Litigation Services and Technologies of Nevada, LLC**
P.O. Box 98813
Las Vegas, NV 89193-8813

Job No. : 587944
BU ID : LV-CR
Case No. :
Case Name : MM Development Company, Inc., et al. vs. State of Nevada, et al.

APP01300



Litigation
SERVICES

3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Alexandria Von Mohr
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

INVOICE

Invoice No.	Invoice Date	Job No.
1364344	1/31/2020	600016
Job Date	Case No.	
1/30/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

DVD Copy - Videography for:
Robert Potter (Video)

225.00

TOTAL DUE >>> \$225.00

AFTER 3/1/2020 PAY \$247.50

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 225.00

(+) Finance Charges/Debits: 22.50

(=) New Balance: \$0.00

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Alexandria Von Mohr
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1364344
Invoice Date : 1/31/2020
Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 600016
BU ID : LV-VID
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01301

INVOICE



3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Alexandria Von Mohr
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No.	Invoice Date	Job No.
1366410	2/12/2020	600015
Job Date	Case No.	
1/30/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

1 CERTIFIED COPY OF TRANSCRIPT OF:
Robert Potter

279.50

TOTAL DUE >>> **\$279.50**

AFTER 3/13/2020 PAY \$307.45

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 279.50

(+) Finance Charges/Debits: 27.95

(=) New Balance: **\$0.00**

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Alexandria Von Mohr
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1366410
Invoice Date : 2/12/2020
Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 600015
BU ID : LV-CR
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01302

INVOICE



Litigation
SERVICES

3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Alexandria Von Mohr
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No.	Invoice Date	Job No.
1367212	2/14/2020	602728
Job Date	Case No.	
2/4/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

1 CERTIFIED COPY OF TRANSCRIPT OF:
Steve Gilbert

1,682.35

TOTAL DUE >>> \$1,682.35

AFTER 3/15/2020 PAY \$1,850.59

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 1,682.35

(+) Finance Charges/Debits: 168.24

(=) New Balance: \$0.00

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Alexandria Von Mohr
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1367212
Invoice Date : 2/14/2020
Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 602728
BU ID : LV-CR
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01303



3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Kirill Maikhaylov, Esq.
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

INVOICE

Invoice No.	Invoice Date	Job No.
1368000	2/18/2020	600383
Job Date	Case No.	
2/11/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

1 CERTIFIED COPY OF TRANSCRIPT OF:
Damon Hernandez

1,473.90

TOTAL DUE >>> **\$1,473.90**

AFTER 3/19/2020 PAY \$1,621.29

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 1,473.90

(+) Finance Charges/Debits: 147.39

(=) New Balance: **\$0.00**

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Kirill Maikhaylov, Esq.
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1368000
Invoice Date : 2/18/2020
Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 600383
BU ID : LV-CR
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01304



3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Kirill Maikhaylov, Esq.
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

INVOICE

Invoice No.	Invoice Date	Job No.
1370421	2/27/2020	603733
Job Date	Case No.	
2/17/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

1 CERTIFIED COPY OF TRANSCRIPT OF:

Armen Yemenidjian - 30(b)(6) of Integral Associates, LLC

1,300.35

TOTAL DUE >>> \$1,300.35

AFTER 3/28/2020 PAY \$1,430.39

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 1,300.35

(+) Finance Charges/Debits: 130.04

(=) New Balance: \$0.00

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Kirill Maikhaylov, Esq.
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1370421
Invoice Date : 2/27/2020
Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 603733
BU ID : LV-CR
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01305

INVOICE



Litigation
SERVICES

3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Kirill Maikhaylov, Esq.
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No.	Invoice Date	Job No.
1373861	3/16/2020	610825
Job Date	Case No.	
3/5/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

One Certified Copy of the Video Deposition of:

Benjamin Sillitoe

801.05

TOTAL DUE >>>

\$801.05

AFTER 4/15/2020 PAY

\$881.16

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits:

881.16

(+) Finance Charges/Debits:

0.00

(=) New Balance:

\$0.00

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Kirill Maikhaylov, Esq.
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1373861
Invoice Date : 3/16/2020
Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 610825
BU ID : LV-CR
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01306



Litigation
SERVICES

3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Karsen Bright, Esq.
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

INVOICE

Invoice No.	Invoice Date	Job No.
1376708	3/30/2020	610815
Job Date	Case No.	
3/6/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

1 CERTIFIED COPY OF TRANSCRIPT OF:

Michael Viellion - 30(b)(6) of GBS Nevada Partners, LLC

Exhibits - b&w

Exhibits - Color

Digital Litigation Package

406.00	Pages	@	3.50	1,421.00
295.00	Pages	@	0.55	162.25
30.00	Pages	@	1.25	37.50
			50.00	50.00

TOTAL DUE >>> \$1,670.75

AFTER 4/29/2020 PAY \$1,837.83

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 1,670.75

(+) Finance Charges/Debits: 167.08

(=) New Balance: \$0.00

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Karsen Bright, Esq.
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1376708
Invoice Date : 3/30/2020
Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 610815
BU ID : LV-CR
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01307

INVOICE



3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Karsen Bright, Esq.
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No.	Invoice Date	Job No.
1377019	3/30/2020	607211
Job Date	Case No.	
3/12/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

1 CERTIFIED COPY OF TRANSCRIPT OF:
Demetri Kouretas

2,138.00

TOTAL DUE >>> \$2,138.00

AFTER 4/29/2020 PAY \$2,351.80

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 2,138.00

(+) Finance Charges/Debits: 213.80

(=) New Balance: \$0.00

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Karsen Bright, Esq.
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1377019
Invoice Date : 3/30/2020
Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 607211
BU ID : LV-CR
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01308



3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Karsen Bright, Esq.
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

INVOICE

Invoice No.	Invoice Date	Job No.
1377380	3/31/2020	607006
Job Date	Case No.	
3/9/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

1 CERTIFIED COPY OF TRANSCRIPT OF:

Allen J. Puliz - 30(b)(6) THC Nevada, LLC

1,098.40

1 CERTIFIED COPY OF TRANSCRIPT OF:

Allen J. Puliz - 30(b)(6) THC Nevada, LLC - Confidential Portion

214.50

TOTAL DUE >>>

\$1,312.90

AFTER 4/30/2020 PAY

\$1,444.19

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 1,312.90

(+) Finance Charges/Debits: 131.29

(=) New Balance: **\$0.00**

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Karsen Bright, Esq.
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1377380
Invoice Date : 3/31/2020
Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 607006
BU ID : LV-CR
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01309

INVOICE



3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No.	Invoice Date	Job No.
1386982	6/25/2020	600396
Job Date	Case No.	
2/20/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

1 CERTIFIED COPY OF TRANSCRIPT OF:

Richard Elloyan

919.00

TOTAL DUE >>> \$919.00

AFTER 7/25/2020 PAY \$1,010.90

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 919.00

(+) Finance Charges/Debits: 91.90

(=) New Balance: \$0.00

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1386982
Invoice Date : 6/25/2020
Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 600396
BU ID : LV-CRO
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01310



3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigation-services.com

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

INVOICE

Invoice No.	Invoice Date	Job No.
1386981	6/25/2020	605184
Job Date	Case No.	
2/21/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

1 CERTIFIED COPY OF TRANSCRIPT OF:
Duane Lemons

427.60

TOTAL DUE >>> \$427.60

AFTER 7/25/2020 PAY \$470.36

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 427.60

(+) Finance Charges/Debits: 42.76

(=) New Balance: \$0.00

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1386981
Invoice Date : 6/25/2020
Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 605184
BU ID : LV-CRO
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01311

INVOICE



Litigation
SERVICES

3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No.	Invoice Date	Job No.
1387019	6/25/2020	598155
Job Date	Case No.	
1/28/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

1 CERTIFIED COPY OF TRANSCRIPT OF:

Danette Kluever

1,487.07

TOTAL DUE >>> **\$1,487.07**

AFTER 7/25/2020 PAY \$1,635.78

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 1,487.07

(+) Finance Charges/Debits: 148.71

(=) New Balance: **\$0.00**

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1387019
Invoice Date : 6/25/2020
Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 598155
BU ID : LV-CRO
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01312

INVOICE



3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Kirill Maikhaylov, Esq.
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No.	Invoice Date	Job No.
1389417	7/9/2020	632306
Job Date	Case No.	
7/2/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

1 CERTIFIED COPY OF TRANSCRIPT OF: Steve Gilbert Vol II	792.40
1 CERTIFIED COPY OF TRANSCRIPT OF: William Anderson	405.20

TOTAL DUE >>>	\$1,197.60
AFTER 8/8/2020 PAY	\$1,317.36

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits:	1,197.60
(+) Finance Charges/Debits:	119.76
(=) New Balance:	\$0.00

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Kirill Maikhaylov, Esq.
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1389417
Invoice Date : 7/9/2020
Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 632306
BU ID : LV-CRO
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01313

INVOICE



Litigation
SERVICES

3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No.	Invoice Date	Job No.
1391498	7/20/2020	645112
Job Date	Case No.	
7/16/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

^DOT Trial Exhibits

146.88

TOTAL DUE >>>

\$146.88

AFTER 8/19/2020 PAY

\$161.57

Invoice Represents Pro Rata Share for Total cost based on Exhibits Represented

Your Client: Wellness Connection of Nevada, LLC

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 0.00

(+) Finance Charges/Debits: 14.69

(=) New Balance: **\$161.57**

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1391498
Invoice Date : 7/20/2020
Total Due : \$ 161.57

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 645112
BU ID : LV-TRIAL
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01314

INVOICE



Litigation
SERVICES

3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No.	Invoice Date	Job No.
1394891	8/6/2020	609214
Job Date	Case No.	
3/9/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

1 CERTIFIED COPY OF TRANSCRIPT OF:

Tia White & Endalkachew Mersha - 30(b)(6) of Natural Medicine

1,182.95

TOTAL DUE >>> \$1,182.95

AFTER 9/5/2020 PAY \$1,301.25

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 1,182.95

(+) Finance Charges/Debits: 118.30

(=) New Balance: \$0.00

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1394891
Invoice Date : 8/6/2020
Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 609214
BU ID : LV-CR
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01315

INVOICE



Litigation
SERVICES

3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No.	Invoice Date	Job No.
1394879	8/6/2020	607206
Job Date	Case No.	
3/10/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

1 CERTIFIED COPY OF TRANSCRIPT OF:

David Thomas - 30(b)(6) of Nevadapure, LLC

2,578.17

TOTAL DUE >>> \$2,578.17

AFTER 9/5/2020 PAY \$2,835.99

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 2,578.17

(+) Finance Charges/Debits: 257.82

(=) New Balance: \$0.00

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1394879
Invoice Date : 8/6/2020
Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 607206
BU ID : LV-CR
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01316



3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

INVOICE

Invoice No.	Invoice Date	Job No.
1394875	8/6/2020	607106
Job Date	Case No.	
3/4/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

1 CERTIFIED COPY OF TRANSCRIPT OF:

Barry Fieldman - 30(b)(6) for Gravitas Nevada, Ltd, LLC

948.80

1 CERTIFIED COPY OF TRANSCRIPT OF:

Jeremy Thompson, Esq.- 30(b)(6) for Gravitas Nevada, Ltd, LLC

627.45

TOTAL DUE >>>

\$1,576.25

AFTER 9/5/2020 PAY

\$1,733.88

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 1,576.25

(+) Finance Charges/Debits: 157.63

(=) New Balance: **\$0.00**

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1394875

Invoice Date : 8/6/2020

Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 607106

BU ID : LV-CR

Case No. :

Case Name : In Re: D.O.T. Litigation

APP01317

INVOICE



Litigation
SERVICES

3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigation-services.com

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No.	Invoice Date	Job No.
1394884	8/6/2020	607180
Job Date	Case No.	
3/2/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

1 CERTIFIED COPY OF TRANSCRIPT OF:

Daniel Stewart, Esq. - Fidelis

1,172.45

1 CERTIFIED COPY OF TRANSCRIPT OF:

Jeremy Thompson, Esq. - Fidelis

332.15

TOTAL DUE >>> \$1,504.60

AFTER 9/5/2020 PAY \$1,655.06

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 1,504.60

(+) Finance Charges/Debits: 150.46

(=) New Balance: \$0.00

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1394884
Invoice Date : 8/6/2020
Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 607180
BU ID : LV-CR
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01318

INVOICE



3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationsservices.com

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No.	Invoice Date	Job No.
1394880	8/6/2020	634475
Job Date	Case No.	
6/25/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

1 CERTIFIED COPY OF TRANSCRIPT OF:
Scott Sibley-30(b)(6) of Nevada Holistic

936.85

TOTAL DUE >>> \$936.85

AFTER 9/5/2020 PAY \$1,030.54

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 936.85

(+) Finance Charges/Debits: 93.69

(=) New Balance: \$0.00

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1394880
Invoice Date : 8/6/2020
Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 634475
BU ID : LV-CR
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01319



3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

INVOICE

Invoice No.	Invoice Date	Job No.
1394886	8/6/2020	632459
Job Date	Case No.	
6/11/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

Original and One Certified Copy of the Video Deposition of:
David Goldwater - 30(b)(6) of Inyo Fine Cannabis Dispensary, LLC.

1,873.58

TOTAL DUE >>> **\$1,873.58**
AFTER 9/5/2020 PAY \$2,060.94

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 1,387.85
(+) Finance Charges/Debits: 187.36
(=) New Balance: \$673.09

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1394886
Invoice Date : 8/6/2020
Total Due : \$ 673.09

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 632459
BU ID : LV-CR
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01320



Litigation
SERVICES

3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

INVOICE

Invoice No.	Invoice Date	Job No.
1394889	8/6/2020	608169
Job Date	Case No.	
3/9/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

1 CERTIFIED COPY OF TRANSCRIPT OF:

Dr. Pejman Bady - 30(b)(6) for Clark Natural Medicinal Solutions -
Volume I

676.00

TOTAL DUE >>> \$676.00

AFTER 9/5/2020 PAY \$743.60

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 676.00

(+) Finance Charges/Debits: 67.60

(=) New Balance: \$0.00

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1394889
Invoice Date : 8/6/2020
Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 608169
BU ID : LV-CR
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01321

INVOICE



Litigation
SERVICES

3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No.	Invoice Date	Job No.
1394893	8/6/2020	611462
Job Date	Case No.	
3/3/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

1 CERTIFIED COPY OF TRANSCRIPT OF:

Norberto Madrigal - 30(b)(6) Herbal Choice Inc.

1,213.10

TOTAL DUE >>> **\$1,213.10**

AFTER 9/5/2020 PAY \$1,334.41

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 1,213.10

(+) Finance Charges/Debits: 121.31

(=) New Balance: **\$0.00**

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1394893
Invoice Date : 8/6/2020
Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 611462
BU ID : LV-CR
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01322



Litigation
SERVICES

3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

INVOICE

Invoice No.	Invoice Date	Job No.
1394890	8/6/2020	613337
Job Date	Case No.	
3/10/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

1 CERTIFIED COPY OF TRANSCRIPT OF:

Dr. Pejman Bady - 30(b)(6) for Clark Natural Medicinal Solutions -
Volume II

832.95

TOTAL DUE >>> \$832.95

AFTER 9/5/2020 PAY \$916.25

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 832.95

(+) Finance Charges/Debits: 83.30

(=) New Balance: \$0.00

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1394890
Invoice Date : 8/6/2020
Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 613337
BU ID : LV-CR
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01323

INVOICE



3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No.	Invoice Date	Job No.
1394896	8/6/2020	609211
Job Date	Case No.	
3/10/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

1 CERTIFIED COPY OF TRANSCRIPT OF:

Joseph Ramos, M.D. - 30(b)(6) of Rural Remedies, LLC

1,387.85

TOTAL DUE >>> \$1,387.85

AFTER 9/5/2020 PAY \$1,526.64

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 1,387.85

(+) Finance Charges/Debits: 138.79

(=) New Balance: \$0.00

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1394896
Invoice Date : 8/6/2020
Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 609211
BU ID : LV-CR
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01324

INVOICE



3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No.	Invoice Date	Job No.
1394903	8/6/2020	607194
Job Date	Case No.	
3/5/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

1 CERTIFIED COPY OF TRANSCRIPT OF:

30(b)(6) Medifarm LLC- Michael

1,382.85

1 CERTIFIED COPY OF TRANSCRIPT OF:

30(b)(6) Medifarm LLC- Jeremy

388.70

TOTAL DUE >>> \$1,771.55

AFTER 9/5/2020 PAY \$1,948.71

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 1,771.55

(+) Finance Charges/Debits: 177.16

(=) New Balance: \$0.00

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1394903
Invoice Date : 8/6/2020
Total Due : \$ 0.00

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 607194
BU ID : LV-CR
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01325

INVOICE



3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigation-services.com

Kirill Maikhaylov, Esq.
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No.	Invoice Date	Job No.
1396715	8/17/2020	645834
Job Date	Case No.	
7/20/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

Transcript of Proceedings:

Trial, Day 2 - Unofficial Copy

2,000.25

TOTAL DUE >>> \$2,000.25

AFTER 9/16/2020 PAY \$2,200.28

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 0.00

(+) Finance Charges/Debits: 200.03

(=) New Balance: \$2,200.28

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Kirill Maikhaylov, Esq.
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1396715
Invoice Date : 8/17/2020
Total Due : \$ 2,200.28

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 645834
BU ID : LV-TRIAL
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01326

EXHIBIT 5



Molasky Corporate Center
100 City Parkway, Suite 150
Las Vegas, NV 89106

Invoice

Office) 702.598.4455 • Fax) 702.998.0346
www.legalcopycats.com

Bill To

Howard & Howard Attorneys, LLP
Attn: Barbara Dunn
3800 H. Hughes Pkwy., Ste. 1000
Las Vegas, NV 89169

Date

2/21/2020

Invoice #

65240

Client Name

Anya

Terms

10 Days/EOM

Case or Matter No.

File 118880-3

Quantity**Description****Amount**

1 Pick up Signature Page - Area B

25.00

Total

\$25.00

QC'd By

MD

APP01328



Molasky Corporate Center
100 City Parkway, Suite 150
Las Vegas, NV 89106

Invoice

Office) 702.598.4455 • Fax) 702.998.0346
www.legalcopycats.com

Bill To

Howard & Howard Attorneys, LLP
Attn: Barbara Dunn
3800 H. Hughes Pkwy., Ste. 1000
Las Vegas, NV 89169

Date

2/21/2020

Invoice #

65241

Client Name

Anya Ruiz

Terms

10 Days/EOM

Case or Matter No.

File 118880-3

Quantity**Description****Amount**

1 Pick up SAO - Sig Page - Area D

40.00

Total

\$40.00

QC'd By

MD

APP01329



Molasky Corporate Center
100 City Parkway, Suite 150
Las Vegas, NV 89106

Invoice

Office) 702.598.4455 • Fax) 702.998.0346
www.legalcopycats.com

Bill To

Howard & Howard Attorneys, LLP
Attn: Barbara Dunn
3800 H. Hughes Pkwy., Ste. 1000
Las Vegas, NV 89169

Date

2/25/2020

Invoice #

65245

Client Name

Anya

Terms

10 Days/EOM

Case or Matter No.

File 118880-3

Quantity**Description****Amount**

1 Deliver SAO to Extend Exp Disclosure - Area B
1 Rush

25.00
12.00

Total

\$37.00

QC'd By

MD

APP01330



Molasky Corporate Center
100 City Parkway, Suite 150
Las Vegas, NV 89106

Invoice

Office) 702.598.4455 • Fax) 702.998.0346
www.legalcopycats.com

Bill To

Howard & Howard Attorneys, LLP
Attn: Barbara Dunn
3800 H. Hughes Pkwy., Ste. 1000
Las Vegas, NV 89169

Date

2/27/2020

Invoice #

65129

Client Name

Julia

Terms

10 Days/EOM

Case or Matter No.

In re DOT

Quantity**Description****Amount**

1 Deliver Joinder to Opp to Mtn to Dismiss - Area B

25.00

Total

\$25.00

QC'd By

MD

APP01331



Molasky Corporate Center
100 City Parkway, Suite 150
Las Vegas, NV 89106

Invoice

Office) 702.598.4455 • Fax) 702.998.0346
www.legalcopycats.com

Bill To
Howard & Howard Attorneys, LLP Attn: Barbara Dunn 3800 H. Hughes Pkwy., Ste. 1000 Las Vegas, NV 89169

Date	Invoice #
3/6/2020	65130

Client Name		Terms	Case or Matter No.
Julia		10 Days/EOM	File 118880.3
Quantity	Description	Amount	
1	Pick up Disc - Area C	35.00	
1	Unscheduled pick up	17.00	
Total			\$52.00

QC'd By
MD



Molasky Corporate Center
100 City Parkway, Suite 150
Las Vegas, NV 89106

Invoice

Office) 702.598.4455 • Fax) 702.998.0346
www.legalcopycats.com

Bill To
Howard & Howard Attorneys, LLP 3800 H. Hughes Pkwy. Ste. 1000 Las Vegas, NV 89169

Date	Invoice #
7/9/2020	90400

Client Name		Terms	Case or Matter No.
Julia		10 Days/EOM	118880.3
Quantity	Description	Amount	
2,818	B/W COPIES LEVEL 2	450.88T	
446	COLOR LASER COPIES, LETTER OR LEGAL	441.54T	
50	SIDE TABS	22.50T	
4	BINDERS	72.00T	
	Out-of-state sale, exempt from sales tax	0.00	
Total			\$986.92

QC'd By

JP

APP01333

EXHIBIT 6

H1 LAW GROUP
701 N GREEN VALLEY PKWY, STE 200
HENDERSON, NV 89074
(702) 608-3720 P.
H1 LAW GROUP.COM
JOEL SCHWARZ
JOEL@H1LAWGROUP.COM

May 11, 2020

Via Email

Todd Bice (tlb@pisanellibice.com)	Jared Kahn (jkahn@jk-legalconsulting.com)
Jordan Smith (jts@pisanellibice.com)	David Koch (dkoch@kochscow.com)
Dennis Prince (dprince@thedplg.com)	Brody Wight (bwight@kochscow.com)
Joseph Gutierrez (jag@mgalaw.com)	Rusty Graf (rgraf@blacklobello.law)
Maggie McCletchie (maggie@nvlitigation.com)	Brigid Higgins (bhiggins@blacklobello.law)
Alina Shell (alina@nvlitigation.com)	Jennifer Braster (jbraster@nblawnv.com)
Christopher Rose (lcr@h2law.com)	Andrew Sharples (asharples@nblawnv.com)
Kirill Mikhaylov (kvm@h2law.com)	

RE: *In Re: D.O.T. Litigation, Case No. A-19-787004-B*
Expert Witness Cost Splitting

Counsel:

This letter follows my communication to each of you dated April 29, 2020 as it relates to the cost splitting of expert depositions. As of today, we have only heard back from the State of Nevada. Therefore, we have taken the liberty of breaking down the expert invoices among the remaining ten (10) defense firms (excluding the State of Nevada) and have included herewith copies of the invoices and W-9's for each of the four experts. As you will see, the amounts due and owing by each firm is noted in a red box on the invoices.

<u>Name of Expert</u>	<u>Invoice Total</u>	<u>Cost Split</u>
Jeremy Aguero	\$900.00	\$90.00 Per Firm
Larry Holifield	\$500.00	\$50.00 Per Firm
Ron Seigneur	\$820.00	\$82.00 Per Firm
Greg Smith	\$130.00	\$13.00 Per Firm
TOTAL:	\$2,350.00	\$235 Per Firm

APP01335

Our office is currently submitting our prorated share of these expert costs to Clark Hill and we are asking that your offices place them in line for payment at your earliest convenience. Thank you in advance for your prompt attention and cooperation in this regard.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joel Schwarz", with a large, sweeping flourish extending to the right.

Joel Schwarz
H1 LAW GROUP

Invoice

BILL TO
Mr. Dominic Gentile, Member Clark Hill, PLC 3800 Howard Hughes Pkwy., Suite 500 Las Vegas, NV 89169

DATE	INVOICE #
4/26/2020	CHA042620

DESCRIPTION	AMOUNT
Professional Consulting Services: Nevada Marijuana Licensing Matter - Two-Hour Deposition Fees for Jeremy Aguero, Principal	900.00
Split by 10 firms = \$90.00 Each DUE UPON RECEIPT	
Invoice Total	\$900.00

INVOICE

Corporate Integrity Services LLC

5846 S. Flamingo Rd. #3170

Cooper City, FL 33330-3206

INVOICE #1969

DATE: 4/30/2020

TO: TANYA BAIN
TBAIN@CLARKHILL.COM

RE: DOT LITIGATION

DESCRIPTION	HOURS	RATE	AMOUNT
May 12, 2020: Deposition of Larry Holifield.	2	\$250	\$500
Split by 10 firms = \$50.00 Each - DUE UPON RECEIPT			
Please make payment to Corporate Integrity Services at the address listed above.			
TOTAL			\$500.00



940 Wadsworth Boulevard, Suite 200
Lakewood, CO 80214
303-980-1111

Clark Hill
c/o Dominic Gentile, Esq.
3800 Howard Hughes Parkway, Suite 500
Las Vegas, NV 89169

Invoice No. 516995

Date 04/27/2020
Client# 69999-94.01

PROFESSIONAL SERVICES:

SERVICE	AMOUNT
Two hours of deposition time (\$410/hr.) for Ronald Seigneur on May 8th, 2020.	\$ 820.00
Previously Due	<u>0.00</u>
Total Amount Due (This Invoice)	\$ <u>820.00</u>

Split by 10 firms - \$82.00 Each - DUE UPON RECEIPT

**Pursuant to the disclosures in our retention contract and and on Mr. Seigneur's Rule 26 CV, depositions require a 4 hour minimum deposit in advance of the deposition. It is understood that this advance deposit will only allow for 2 hours of deposition time unless an additional retainer is funded in advance.*

**We accept Visa, MasterCard, Discover and American Express for your convenience.
We appreciate your business.**

Greg Smith

INVOICE

3919 Timberline Drive
Carson City, Nevada 89703
Phone: (775) 720-2390
Email: gm_smith1@outlook.com

INVOICE # 0002

DATE 4/24/2020

TO

Ross Miller

CLARK HILL PLLC

3800 Howard Hughes Parkway, Suite 500 | Las Vegas, Nevada
89169

(702) 697-7513 (direct) | (702) 862-8400 (fax)

rmiller@ClarkHill.com | www.clarkhill.com

FOR Hourly Services

Description	Amount
5-14-20 Deposition (2 hrs @ \$65)	\$130.00
TOTAL DUE	\$130.00

Notes:

Split by 10 firms = \$13.00 Each - DUE UPON RECEIPT

Please Make All Checks Payable To: **Greg Smith**

Payment is due within 30 days.

If you have any questions concerning this invoice, contact

Greg Smith | (775) 720-2390 | gm_smith1@outlook.com

THANK YOU FOR YOUR BUSINESS!

EXHIBIT 7

INVOICE



Discovery | Depositions | Trial

Litigation
SERVICES

3770 Howard Hughes Prkwy.
Suite 300
Las Vegas, NV 89169
Phone: 800.330.1112
LitigationServices.com

Invoice No.	Invoice Date	Job No.
1391498	7/20/2020	645112
Job Date	Case No.	
7/16/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

^DOT Trial Exhibits

146.88

TOTAL DUE >>> \$146.88

AFTER 8/19/2020 PAY \$161.57

Invoice Represents Pro Rata Share for Total cost based on Exhibits Represented

Your Client: Wellness Connection of Nevada, LLC

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 0.00

(+) Finance Charges/Debits: 0.00

(=) New Balance: **\$146.88**

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1391498
Invoice Date : 7/20/2020
Total Due : \$ 146.88

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 645112
BU ID : LV-TRIAL
Case No. :
Case Name : In Re: D.O.T. Litigation

Ingestion Date: 29 Jul 2020

APP01342

INVOICE



Litigation
SERVICES

3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigationservices.com

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No.	Invoice Date	Job No.
1391498	7/20/2020	645112
Job Date	Case No.	
7/16/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

^DOT Trial Exhibits

146.88

TOTAL DUE >>>

\$146.88

AFTER 8/19/2020 PAY

\$161.57

Invoice Represents Pro Rata Share for Total cost based on Exhibits Represented

Your Client: Wellness Connection of Nevada, LLC

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 0.00

(+) Finance Charges/Debits: 14.69

(=) New Balance: **\$161.57**

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Julia M. Diaz
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1391498
Invoice Date : 7/20/2020
Total Due : \$ 161.57

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 645112
BU ID : LV-TRIAL
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01343

INVOICE



Litigation
SERVICES

3960 Howard Hughes Pkwy
Suite 700
Las Vegas, NV 89169
Phone: 800.330.1112
litigation-services.com

Kirill Maikhaylov, Esq.
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No.	Invoice Date	Job No.
1396715	8/17/2020	645834
Job Date	Case No.	
7/20/2020		
Case Name		
In Re: D.O.T. Litigation		
Payment Terms		
Net 30		

Transcript of Proceedings:

Trial, Day 2 - Unofficial Copy

2,000.25

TOTAL DUE >>> \$2,000.25

AFTER 9/16/2020 PAY \$2,200.28

Please note, disputes or refunds will not be honored or issued after 30 days

(-) Payments/Credits: 0.00

(+) Finance Charges/Debits: 200.03

(=) New Balance: \$2,200.28

Tax ID: 27-5114755

Phone: 702-257-1483 Fax: 702-567-1568

Please detach bottom portion and return with payment.

Kirill Maikhaylov, Esq.
Howard & Howard
3800 Howard Hughes Parkway
Suite 1000
Las Vegas, NV 89169

Invoice No. : 1396715
Invoice Date : 8/17/2020
Total Due : \$ 2,200.28

Remit To: **Litigation Services and Technologies of
Nevada, LLC
P.O. Box 98813
Las Vegas, NV 89193-8813**

Job No. : 645834
BU ID : LV-TRIAL
Case No. :
Case Name : In Re: D.O.T. Litigation

APP01344



Jury to Verdict Trial Services

10620 Southern Highlands Pkwy.
Suite 110-208
Las Vegas, NV 89141
702-375-2538

Invoice

Date	Invoice #
7/28/2020	2019-2087

Howard & Howard
L. Christopher Rose, Esq.
3800 Howard Hughes Pkwy.
Wells Fargo Tower, Ste. 1000
Las Vegas, NV 89169-5980

Case	Terms
Dept. of Taxation	Due on receipt

Quantity	Description	Rate	Amount
5	7/10/20-Set up courtroom at Covention Center	100.00	500.00
9.5	7/13/20-Trial-David Pope	150.00	1,425.00
2	7/14/20-Hearing prep/setup and hearing	150.00	300.00
7	7/14/20-Fixing exhibits and videos	100.00	700.00
1.5	7/14/20-Prep videos for opening	100.00	150.00
5	7/15/20-Opening prep	100.00	500.00
1.5	7/16/20-Opening (suspended)	150.00	225.00
3.5	7/16/20-Video clips for opening	100.00	350.00
9.5	7/17/20-Opening/Video of Arbelaez	150.00	1,425.00
2	7/18/20-Prep exhibits	100.00	200.00
9	7/20/20-Hooks/Borhani (read)/Kellee Jesse (read)/Lucy Flores (video)	150.00	1,350.00
3	7/20/20-Prep exhibits	100.00	300.00
9	7/21/20-Amanda Connor	150.00	1,350.00
2	7/21/20-Prep exhibits	100.00	200.00
9	7/22/20-Connor/Steven Gilbert	150.00	1,350.00
1.5	7/22/20-Prep exhibits	100.00	150.00
9	7/23/20-Gilbert/Randy Black/Damon Hernandez	150.00	1,350.00
9	7/24/20-Hernandez/Kara Cronkhite	150.00	1,350.00
1	Less balance owed by 6 other parties	-11,292.86	-11,292.86

Thank you for your business.
brian@jurytoverdict.com

Balance Due \$1,882.14



Jury to Verdict Trial Services

10620 Southern Highlands Pkwy.

Suite 110-208

Las Vegas, NV 89141

702-375-2538

Invoice

Date	Invoice #
8/9/2020	2020-2095

Howard & Howard
L. Christopher Rose, Esq.
3800 Howard Hughes Pkwy.
Wells Fargo Tower, Ste. 1000
Las Vegas, NV 89169-5980

Case	Terms
Dept. of Taxation	Due on receipt

Quantity	Description	Rate	Amount
9	7/27/20-Plaskon	150.00	1,350.00
9	7/28/20-Video of Elloyan/Video of Kluever	150.00	1,350.00
9	7/29/20-Video of Kluever/Video of Lemons	150.00	1,350.00
7	7/30/20-Video of Lemons/Video of Contine/Read/Armen/Yemenidjian	150.00	1,050.00
4.5	7/31/20-Hearing/Holifield	150.00	675.00
7.5	8/3/20-Keith Capurra/Jorge Pupo	150.00	1,125.00
9	8/4/20-Ron Seigneur/Jorge Pupo	150.00	1,350.00
9	8/5/20-Jorge Pupo/Greg Smith/Allan Puliz	150.00	1,350.00
9	8/6/20-Allan Puliz/Cronkhite/Video of William Anderson	150.00	1,350.00
1	Less amounts charged to other parties	-9,385.72	-9,385.72

Thank you for your business.
brian@jurytoverdict.com

Balance Due \$1,564.28



Jury to Verdict Trial Services

10620 Southern Highlands Pkwy.
Suite 110-208
Las Vegas, NV 89141
702-375-2538

Invoice

Date	Invoice #
8/23/2020	2020-2103

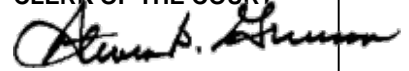
Howard & Howard
L. Christopher Rose, Esq.
3800 Howard Hughes Pkwy.
Wells Fargo Tower, Ste. 1000
Las Vegas, NV 89169-5980

Case	Terms
DOT	Due on receipt

Quantity	Description	Rate	Amount
7	8/10/20-Mitchell Britten/Jeremy Aguero	150.00	1,050.00
4	8/10/20-Video Clips Nahass/Stewart/Thompson (Gravitas)/Thomas/Fieldman/Thompson (Fidelis)	100.00	400.00
5	8/10/20-Sillitoe/Viellion/Sibley Videos	100.00	500.00
1.5	8/11/20-Videos Nahass/Madriral	100.00	150.00
9	8/11/20-Hearing/Kouretas/Video Nahass, Stewart, Sillitoe, Sibley	150.00	1,350.00
7	8/11/20-Fix videos Dave Thomas/White clips/Mersha clips	100.00	700.00
4.5	8/12/20-Video Dave Thomas/Madriral video/Thompson (Fidelis) video/Kara Cronkhite/Read Ritter	150.00	675.00
5	8/15/20-Closing prep	100.00	500.00
5	8/16/20-Closing prep	100.00	500.00
9	8/17/20-Closing	150.00	1,350.00
4.5	8/18/20-Closing	150.00	675.00
4	8/19/20-Break down court room	100.00	400.00
1	Exhibit Coverations	300.00	300.00
1	Equipment	2,851.58	2,851.58
1	Amounts paid by other parties	-9,772.78	-9,772.78

Thank you for your business.
brian@jurytoverdict.com

Balance Due \$1,628.80



1 **HOWARD & HOWARD ATTORNEYS PLLC**
2 L. CHRISTOPHER ROSE, ESQ.
3 Nevada Bar No. 7500
4 KIRILL V. MIKHAYLOV, ESQ.
5 Nevada Bar No. 13538
6 3800 Howard Hughes Parkway, Suite 1000
7 Las Vegas, Nevada 89169
8 Telephone: 702.257.1483
9 Fax: 702.567.1568
10 lcr@h2law.com
11 kvm@h2law.com
12 *Attorneys for Defendant*
13 *Wellness Connection of Nevada, LLC*

14 **DISTRICT COURT**

15 **CLARK COUNTY, NEVADA**

16 In Re: D.O.T. Litigation,

CASE NO.: A-19-787004-B
DEPT NO.: XI

CONSOLIDATED WITH:

A-18-785818-W
A-18-786357-W
A-19-786962-B
A-19-787035-C
A-19-787540-W
A-19-787726-C
A-19-801416-B

(HEARING REQUESTED)

**WELLNESS CONNECTION OF
NEVADA, LLC'S MOTION FOR
ATTORNEYS' FEES**

23
24 Defendant Wellness Connection of Nevada, LLC ("Wellness"), by and through its counsel
25 of record, Howard & Howard Attorneys PLLC, hereby moves for an award of attorney's fees
26 against every Plaintiff in these consolidated cases, including the "Settling-Plaintiffs" as described
27 in the July 28, 2020 Settlement Agreement, and all parties that asserted claims against Wellness
28 and were voluntarily dismissed (collectively "Plaintiffs"). This Motion is based on the pleadings

1 and papers on file herein, the points and authorities below, Declarations of L. Christopher Rose,
2 Esq. and Kirill V. Mikhaylov, Esq., the attached exhibits, the Appendix filed concurrently
3 herewith, and any oral argument the Court may allow during the hearing on this matter.

4 **I. INTRODUCTION**

5 As Wellness explained to this Court during its opening and closing statements, Plaintiffs’
6 claims against Wellness were groundless. Plaintiffs’ claims were unsupported by either law or
7 evidence. In fact, Plaintiffs knew that they did not have any basis to sue Wellness, and each
8 Plaintiff confirmed this during its 30(b)(6) witness deposition. Specifically, Plaintiffs testified
9 that they did not have any evidence that the Department of Taxation (the “Department”) showed
10 any preferential treatment to Wellness, that Wellness’ applications were improper or incomplete,
11 or that Wellness engaged in any wrongdoing. Plaintiffs simply wanted to obtain Wellness’
12 license, and failed.

13 Despite extensive discovery proceedings (both before and after the close of discovery),
14 extensive motion practice, and a month-long trial, one thing remained constant: none of the parties
15 produced **any** evidence against Wellness. Wellness echoed this during its closing argument to
16 remind the Court of the groundless nature of Plaintiffs’ claims against it. In response, certain
17 Plaintiffs confirmed the lack of any basis for their claims against Wellness during their closing
18 statements by labeling Wellness and other similarly situated defendants as “collateral damage.”

19 The Court ultimately rejected Plaintiffs’ efforts to strip Wellness of its license. Wellness
20 now requests this Court to award it attorneys’ fees for having to defend against Plaintiffs’ baseless
21 claims.¹ These types of groundless claims are precisely why the Nevada legislature adopted the
22 attorneys’ fee shifting provisions of NRS 18.010(2)(b).

23 **II. RELEVANT FACTUAL BACKGROUND**

24 **A. The Department Awards Recreational Marijuana Licenses and the**
25 **Unsuccessful Applicants File Lawsuits.**

26 During the 2016 election, Nevada voters passed the Regulation and Taxation of Marijuana
27 Act (the “Act”), which legalized the purchase, possession and consumption of recreational
28

¹ The Third Phase of trial does not involve any claims against Wellness.

1 marijuana for adults 21 and older. As provided in the statutory scheme, the Department was to
2 adopt “all regulations necessary or convenient to carry out the provisions” of the Act, including
3 “[p]rocedures for the issuance, renewal, suspension, and revocation of a license to operate a
4 marijuana establishment” and “[q]ualifications for licensure that are directly and demonstrably
5 related to the operation of a marijuana establishment.” NRS 453D.200(1). Additionally, NRS
6 453D.210(6) required the Department to use a fair and impartial application grading process.
7 NRS 453D.210(6) specifically stated that “[w]hen competing applications are submitted for a
8 proposed retail marijuana store within a single county, the Department shall use an impartial and
9 numerically scored competitive bidding process to determine which application or applications
10 among those competing will be approved.”

11 In July 2018, the Department issued a Notice of Intent to Accept applications for 64
12 recreational marijuana retail store licenses in various jurisdiction across Nevada. The application
13 process was highly competitive and the Department received 462 applications in total. Wellness
14 submitted three applications in three different jurisdictions. The Department announced the
15 award of conditional licenses in December 2018. Wellness was awarded only one license in the
16 City of Las Vegas, and its applications in unincorporated Clark County and City of Reno were
17 denied.

18 Shortly thereafter, numerous unsuccessful applicants filed lawsuits alleging that the denial
19 of their applications was unlawful through various legal theories including that the Department
20 engaged in favoritism and corruption with some of the successful applicants. Initially, none of
21 the Plaintiffs except for the D.H. Flamingo Plaintiffs² sued Wellness. Although the D.H.
22 Flamingo Plaintiffs named Wellness as a Defendant in their Complaint on January 4, 2019, they
23 took no action to proceed with or serve its Complaint while the coordinated injunction proceeding
24 took place. Instead, in September 2019, after the injunction proceedings concluded, the D.H.
25 Flamingo Plaintiffs finally served their Complaint on Wellness and multiple other defendants.

26
27 ² D.H. Flamingo, Inc., d/b/a The Apothecary Shoppe; Clark Natural Medicinal Solutions, LLC, d/b/a
28 NuVeda; Nye Natural Medicinal Solutions, LLC, d/b/a NuVeda; Clark NMSD, LLC, d/b/a NuVeda; and
Inyo Fine Cannabis Dispensary, LLC, d/b/a Inyo Fine Cannabis Dispensary; and Surterra Holdings, Inc.
(collectively the “D.H. Flamingo Plaintiffs”).

1 Later in 2019 and in early 2020, other Plaintiffs amended their Complaints to add
2 Wellness as a Defendant to their claims. They did so with no regard to whether any legal
3 authorities would support any relief against Wellness. Further, Plaintiffs proceeded with their
4 claims against Wellness despite the Department have already confirmed that Wellness'
5 applications complied with NRS 453D.200(6) at the conclusion of the preliminary injunction
6 proceeding and the absence of any evidence of any wrongdoing on behalf of Wellness. (*See* Trial
7 Exhibit 1302.)

8 When consolidated, the various claims for relief asserted by Plaintiffs against the
9 Department, Wellness, and other successful applicants include: (1) Violation of Procedural Due
10 Process; (2) Violation of Substantive Due Process; (3) Violation of Equal Protection; (4) Petition
11 for Judicial Review; (5) Petition for Writ of Certiorari; (6) Petition for Writ of Prohibition; (7)
12 Petition for Writ of Mandamus; (8) Declaratory Relief; (9) Injunctive Relief; (10) Unjust
13 Enrichment; (11) Intentional Interference with Prospective Economic Advantage; and (12)
14 Intentional Interference with Contractual Relations.³ Nevada Wellness Center, LLC and Rural

16 ³ The claims pled by D.H. Flamingo Plaintiffs in their First Amended Complaint filed on
17 September 6, 2019 are: (1) Petition for Judicial Review; (2) Petition for Writ of Certiorari; (3) Petition for
18 Writ of Mandamus; and (4) Petition for Writ of Prohibition.

19 The claims pled by the TGIG Plaintiffs' in their Second Amended Complaint filed on November
20 26, 2019 are: (1) Violation of Civil Rights (Due Process: Deprivation of Property); (2) Violation of Civil
21 Rights (Due Process: Deprivation of Liberty); (3) Violation of Civil Rights Equal Protection; (4) Petition
22 for Judicial Review; (5) Petition for Writ of Mandamus; and (6) Declaratory Relief.

23 The claims pled by Nevada Wellness Center, LLC in its Second Amended Complaint filed on
24 March 26, 2020 are: (1) Declaratory Relief; (2) Injunctive Relief; (3) Violation of Procedural Due
25 Process;
26 (4) Violation of Substantive Due Process; (5) Equal Protection Violation; (6) Petition for Judicial Review;
27 (7) Petition for Writ of Mandamus; (8) Violation of 42 U.S.C. § 1983 by Jorge Pupo and the Department;
28 and (9) Unjust Enrichment.

The claims pled by ETW Management Group et al. in their Third Amended Complaint filed on
January 29, 2020 are: (1) Violation of Substantive Due Process - THE DOT; (2) Violation of Procedural
Due Process - THE DOT; (3) Violation of Equal Protection - THE DOT; (4) Declaratory Judgment - All
Defendants; (5) Petition for Judicial Review - All Defendants; and (6) Petition for Writ Mandamus – the
DOT.

The claims pled by MM Development Company, Inc. & LivFree Wellness, LLC in their Second
Amended Complaint filed on January 29, 2020 are: (1) Declaratory Relief; (2) Injunctive Relief; (3)
Violation of Procedural Due Process; (4) Violation of Substantive Due Process; (5) Equal Protection
Violation; (6) Petition for Judicial Review; and (7) Petition for Writ of Mandamus.

The claims pled by Natural Medicine, LLC in its Complaint in Intervention filed on February 7,
2020 are: (1) Declaratory Relief; (2) Petition for Judicial Review; (3) Petition for Writ of Certiorari; (4)
Petition for Writ of Mandamus; and (5) Petition for Writ of Prohibition.

1 Remedies, LLC's claim for violation of 42 U.S.C. § 1983 is not the subject of this Motion because
2 it will be tried in the Third Phase of trial against Jorge Pupo only.

3 **B. During Discovery Plaintiffs Confirm That They Do Not Have Any Evidence**
4 **to Support Their Claims Against Wellness.**

5 During discovery, Wellness attended every deposition of Plaintiffs' 30(b)(6) designees
6 and confirmed that Plaintiffs had no evidence that Wellness received its license due to any
7 preferential treatment by the Department, no evidence that Wellness' applications were improper
8 or incomplete, and no evidence that Wellness engaged in any wrongdoing, collusion, or improper
9 interference during the 2018 Recreational Marijuana licensing process. (*See* Declarations of L.
10 Christopher Rose, Esq. and Kirill V. Mikhaylov, Esq., attached hereto as Exhibits A and B.)

11 For example, TGIG, LLC's 30(b)(6) designee, Demetri Kouretas, testified,

12 Q. Aside from the preliminary injunction hearing, you don't have
13 any facts to support -- to support the kind of -- that the Department
showed Wellness Connection any favoritism; is that correct?

14 A. No. I've not reviewed their applications, so I wouldn't make that
statement.

15 Q. And as you sit here today, do you have any evidence that the
16 Department showed any favoritism towards Wellness Connection?

17 A. No, I do not.

18 Q. In your second amended complaint, you also allege that there
19 was corruption and/or wrongdoing during the application process
20 specifically with regard to the reviewing, the scoring, and the
approval of the applications.

21 As you sit here today, what facts do you have to show that Wellness
22 Connection was in any way -- was in any way involved with this
alleged corruption?

23 A. I don't have any facts. I've not reviewed their application.

24 Q. And do you have any evidence to support that Wellness
25 Connection was involved with this alleged corruption?

26 The claims pled by Strive Wellness of Nevada, LLC in its Complaint in Intervention filed on
27 February 7, 2020 are: (1) Declaratory Relief; (2) Petition for Judicial Review; (3) Petition for Writ of
Certiorari; (4) Petition for Writ of Mandamus; and (5) Petition for Writ of Prohibition.

28 The claims pled by Qualcan, LLC in its Second Amended Complaint filed on February 11, 2020
are: (1) Declaratory Relief; (2) Request for Injunctive Relief; (3) Intentional Interference with
Prospective Economic Advantage; (4) Intentional Interference with Contractual Relations; (5) Petition
for Judicial Review; (6) Petition for Writ of Mandamus; (7) Violation of Procedural Due Process; (8)
Violation of Substantive Due Process; and (9) Equal Protection Violation.

The claims for relief pled by Rural Remedies, LLC in its Amended Complaint-in-Intervention
are: (1) Declaratory Relief; (2) Permanent Injunction; (3) Violation of 42 U.S.C. § 1983; (4) Petition for
Judicial Review; (5) Petition for Writ of Mandamus; and (6) Unjust Enrichment.

1 A. No, I do not.

2 Q. Okay. Do you have any facts or evidence to show that Wellness
3 Connection did anything improper or wrongful to taint the
4 influence of the application process?

5 A. No, I do not.

6 (Dep. Tr. of TGIG, LLC's 30(b)(6) Demetri Kouretas, 386:8-387:17, attached hereto as Exhibit
7 E.)

8 The TGIG Plaintiffs, as well as every other Plaintiff that was deposed, similarly failed to
9 offer any evidence or facts to support any basis for relief against Wellness. (Dep. Tr. of THC
10 Nevada, LLC's 30(b)(6) Allen Puliz, 159:160:6, attached hereto as Exhibit F; Dep. Tr. of GBS
11 Nevada Partners, LLC's 30(b)(6) Michael Viellion, 260:21-263:17, attached hereto as Exhibit G;
12 Dep. Tr. of Serenity Wellness Center, LLC's 30(b)(6) Benjamin Sillitoe, 148:19-149:19, attached
13 hereto as Exhibit H; Dep. Tr. Fidelis Holdings, LLC's 30(b)(6) Jeremy Thompson, 54:11-56:2,
14 attached hereto as Exhibit I; Dep. Tr. of Gravitas Nevada, Ltd.'s 30(b)(6) Jeremy Thompson,
15 120:1-121:3, 124:3-25, attached hereto as Exhibit J; Dep. Tr. of Herbal Choice, LLC's 30(b)(6)
16 Norberto Madrigal, 246:21-248:2, 248:10-14, attached hereto as Exhibit K; Dep. Tr. of Inyo Fine
17 Cannabis Dispensary, LLC's 30(b)(6) David Goldwater, 221:24-223:1, attached hereto as Exhibit
18 L; Dep. Tr. of Medifarm, LLC and Medifarm IV, LLC's 30(b)(6) Jeremy Thompson, 58:2-15,
19 59:20-60:9, attached hereto as Exhibit M; Dep. Tr. of Natural Medicine, LLC's 30(b)(6)
20 Endalkachew Mersha, 255:24-257:21, attached hereto as Exhibit N; Dep. Tr. of Nevada Holistic
21 Medicine, LLC's 30(b)(6) Scott Sibley, 162:22-163:20, attached hereto as Exhibit O; Dep. Tr. of
22 Nevadapure, LLC's 30(b)(6) David Thomas, 307:25-308:8, 309:21-25, 317:3-7, attached hereto
23 as Exhibit P; Dep. Tr. of Clark Natural Medicinal Solutions, LLC, Clark NMSD, LLC and Nye
24 Natural Medicinal Solutions, LLC's 30(b)(6) Pejman Bady, M.D., 151:11-152:11, attached hereto
25 as Exhibit Q; Dep. Tr. of Rural Remedies, LLC's 30(b)(6) Joseph Ramos, M.D., 194:3-21,
26 attached hereto as Exhibit R.)

27 Simply put, none of the Plaintiffs had any basis to sue Wellness in the first place. It is
28 important to note that Wellness is not an intervenor-Defendant, it is a Defendant. Wellness did

1 not choose to participate in these proceedings but was forced to defend itself against Plaintiffs'
2 baseless claims and incur significant attorney's fees.

3 **C. Plaintiffs Fail to Produce Any Evidence Regarding Wellness During the Trial**
4 **and Wellness Prevails.**

5 During its opening statements, Wellness explained that the Court would not hear any
6 negative evidence regarding Wellness because there was no such evidence. Despite Plaintiffs
7 attempts to smear some of the other Defendants, Plaintiffs' late disclosures, and allegedly new
8 evidence that was disclosed at the conclusion of trial, Plaintiffs failed to produce anything against
9 Wellness. To the contrary, Plaintiffs admitted evidence wherein the Department confirmed that
10 Wellness' application was complete and compliant with NRS 453D.200(6). Wellness reminded
11 the Court of Plaintiffs' failure during its closing argument.

12 The Court weighed the evidence and ultimately found that Plaintiffs were entitled to no
13 relief against Wellness. Although the Court found that the Department improperly replaced the
14 mandatory requirement for a background check of each prospective owner, officer and board
15 member with five percent or greater standard, Plaintiffs did not convince the Court to overturn
16 the process and take away Wellness' license. Therefore, Wellness prevailed.

17 Plaintiffs' failure to produce any evidence that supported any of their claims against
18 Wellness establishes that their claims were groundless. There was no mention of any wrongdoing
19 on behalf of Wellness during trial and the Court's Findings of Fact and Conclusions of Law and
20 Permanent Injunction do not mention Wellness. Therefore, Wellness is entitled to an award of
21 attorney's fees pursuant to NRS 18.010(2)(b).

22 **III. WELLNESS IS ENTITLED TO AN AWARD OF ATTORNEYS' FEES.**

23 **A. Wellness is Entitled to Attorneys' Fees Under NRS 18.010(2)(b) Because**
24 **Plaintiffs Sued Wellness Without Reasonable Grounds and Failed to Produce**
25 **Any Evidence Against Wellness.**

26 NRS 18.010(2)(b) provides for an award of attorneys' fees if a claim "was brought or
27 maintained without reasonable ground or to harass the prevailing party." The statute further
28 states,

The court shall liberally construe the provisions of this paragraph in favor of awarding attorney's fees in all appropriate situations. It is the intent of the Legislature that the court award attorney's fees pursuant to this paragraph and impose sanctions pursuant to Rule 11 of the Nevada Rules of Civil Procedure in all appropriate situations to punish for and deter frivolous or vexatious claims and defenses because such claims and defenses overburden limited judicial resources, hinder the timely resolution of meritorious claims and increase the costs of engaging in business and providing professional services to the public.

NRS 18.010(2)(b) (Emphasis supplied).

“In assessing a motion for attorney's fees under NRS 18.010(2)(b), the trial court must determine whether the plaintiff had reasonable grounds for its claims.” *Bergmann v. Boyce*, 109 Nev. 670, 675, 856 P.2d 560, 563 (1993) (reversing denial of attorneys' fees under NRS 18.010(2)(b) where evidence showed claims were groundless) (superseded by statute on other grounds). “Such an analysis depends upon the actual circumstances of the case rather than a hypothetical set of facts favoring plaintiff's averments,” such as surviving a motion to dismiss. *Id.* (citing *Fountain v. Mojo*, 687 P.2d 496, 501 (Colo. Ct. App. 1984) (stating that claims are groundless if the “complaint contains allegations sufficient to survive a motion to dismiss for failure to state a claim, but which are not supported by any credible evidence at trial”).

The Nevada Supreme Court has long required that fees be awarded under NRS 18.010(2)(b) when a claim is groundless, brought to harass, asserted in bad faith, or based on false premises. *See Allianz Ins. Co. v. Gagnon*, 109 Nev. 990, 995, 860 P.2d 720, 724 (1993) (reversing denial of fees under NRS 18.010(2)(b) where claims were groundless); *Capanna v. Orth*, 134 Nev. 888, 895, 432 P.3d 726, 734 (2018) (affirming attorneys' fees where no credible evidence supported liability defense and defendant's own evidence showed the defense was groundless); *Foster v. Dingwall*, 126 Nev. 56, 72, 227 P.3d 1042, 1053 (2010) (affirming fees due to “claims and defenses [that] were not based in law or fact and as such were frivolous and asserted in bad faith”); *Cain v. Price*, 134 Nev. 193, 199, 415 P.3d 25, 31 (2018) (affirming attorneys' fees where actions had no reasonable grounds); *Edwards v. Emperor's Garden Rest.*, 122 Nev. 317, 330, 130

1 P.3d 1280, 1288 (2006) (affirming nominal award of attorneys’ fees against party that pursued a
2 groundless claim).

3 All of these principles apply here because Plaintiffs’ conduct fits squarely within the
4 provisions of NRS 18.010(2)(b). That Plaintiffs’ claims against Wellness had no reasonable
5 ground is not mere argument by Wellness. Plaintiffs admitted this during their depositions and
6 failed to provide any piece of evidence against Wellness at trial.

7 Aside from failing to produce evidence of any wrongdoing by Wellness, the Department
8 confirmed that Wellness disclosed all of its owners, officers, and board members in its
9 applications. Following the preliminary injunction proceedings, the Department affirmed that
10 Wellness did not violate NRS 453D.200(6). (*See* Trial Exhibit 1302.) Therefore, Plaintiffs knew
11 Wellness was not in violation, yet they still sued Wellness, which resulted in great harm to
12 Wellness in terms of unnecessarily incurring attorneys’ fees and costs, increasing Wellness’ costs
13 of doing business, as well as harm to the legal system by overburdening it with unnecessary claims
14 that should not have been filed. This is the precise harm that NRS 18.010(2)(b) was designed to
15 prevent and deter.

16 Indeed, as the Nevada legislature made clear, it has directed that attorneys’ fees be
17 awarded “in all appropriate situations to punish for and deter frivolous or vexatious claims and
18 defenses because such claims and defenses overburden limited judicial resources, hinder the
19 timely resolution of meritorious claims and increase the costs of engaging in business and
20 providing professional services to the public.” NRS 18.010(2)(b). Such was the case here. There
21 was no ground for Plaintiffs’ claims against Wellness – reasonable or otherwise. Contrary to
22 Plaintiffs’ arguments, the judicial system does not permit Wellness to become “collateral
23 damage” in Plaintiffs’ expensive and failed attempts to strip Wellness of its license and overturn
24 the entire 2018 recreational marijuana licensing process.

25 The circumstances of this case make clear that this action was brought and maintained
26 without reasonable ground to the significant detriment of Wellness. Therefore, Wellness should
27 receive a fully compensatory award of attorneys’ fees in the amount of \$426,393.20.
28

1 **C. Wellness' Attorney's Fees are Reasonable Under the *Brunzell* Factors.**

2 Wellness' attorney's fees request is considered under the factors set forth in *Brunzell v.*
3 *Golden Gate Nat'l Bank*, 85 Nev. 345, 455 P.2d 31 (1969) (affirming award of attorney's fees,
4 stating that the value placed on services by counsel is within the sound discretion of the trier of
5 fact). Court's normally make findings in support of the ultimate determination as to the
6 reasonableness of attorney's fees. *See Shuette v. Beazer Homes Holdings Corp.*, 121 Nev. 837,
7 865, 124 P.3d 530, 549 (2005).

8 The Nevada Supreme Court has held,

9 When determining the amount of fees to award, the district court
10 has great discretion, to be "tempered only by reason and fairness."
11 The district court is not limited in its approach for determining the
12 amount of attorney fees to award, but it must conduct its analysis
13 in light of the *Brunzell v. Golden Gate National Bank* factors,
14 "namely, the advocate's professional qualities, the nature of the
15 litigation, the work performed, and the result."

16 *Albios v. Horizon Communities, Inc.*, 122 Nev. 409, 427, 132 P.3d 1022, 1034 (2006) (reversing
17 district court's award of \$50,000 in attorney's fees when actual fees incurred were \$232,000).
18 (citing *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, 349-50, 455 P.2d 31, 33 (1969))
19 (other internal citations omitted). *Brunzell* provides further detail of each of the four factors to
20 be considered. While each of the factors must be given consideration, no one factor predominates
21 or is given undue weight. *Brunzell*, 85 Nev. at 349-50, 455 P.2d at 33.

22 Wellness incurred \$426,393.20 in attorneys' fees. (See Declaration of L. Christopher
23 Rose, Esq., ¶4, attached as Exhibit A). The *Brunzell* factors set forth below establish that
24 Wellness is entitled to the attorney's fees requested.

25 **1) Qualities of the advocate: ability, training, education, experience,**
26 **professional standing and skill.**

27 Wellness respectfully submits that the qualities of its attorneys in this matter merit a fully
28 compensatory award of attorneys' fees. Information regarding the ability, training, education,
experience, professional standing and skill of Wellness' attorneys is included in the Declaration

1 of L. Christopher Rose, Esq., Exhibit A, and the Declaration of Kirill V. Mikhaylov, Esq., Exhibit
2 B.

3 **2) The character of the work to be done: its difficulty, intricacy,**
4 **importance, time and skill required, responsibility imposed and**
5 **prominence and character of the parties where they affect the**
6 **importance of the litigation.**

7 Dubbed as “World War Weed,” this case was unprecedented, complex and historic to say
8 the least. Given the fact that the marijuana industry is the second largest tax revenue generator
9 for the State of Nevada, Plaintiffs’ attempt to overturn the entire 2018 recreational marijuana
10 licensing process was of great importance to the successful applicants like Wellness and the
11 people of Nevada.

12 Plaintiffs’ ever-evolving legal theories, extensive discovery efforts, and repeated motion
13 practice required significant attention and time. Wellness had to defend the creation and
14 application of the recreational marijuana statutes and regulations and defend against
15 unsubstantiated favoritism and corruption that allegedly plagued the licensing process. The case
16 involved hundreds of motions and an extensive number of other filings. The constant
17 notifications of services required particular attention and intricacy to remain informed and to
18 adequately defend Wellness. The case required a particular understanding of the interplay
19 between NAC 453D and NRS 453D, the prior medical marijuana licensing process, and the new
20 statutory change to NRS 678B. The Court more than understands the significance, difficulty, and
21 prominence of this case as it has had to review and rule on numerous issues during the last two
22 years.

23 Among other countless difficult and time-consuming tasks, the parties conducted over 55
24 depositions, disclosed an enormous number of documents, litigated novel legal matters, navigated
25 preservation and spoliation issues, and most importantly tried this case during a public health
26 emergency. The trial lasted over a month and there were dozens of witnesses, including four
27 expert witness, and thousands of proposed trial exhibits.

1 This matter was of the utmost importance for Wellness because it was at risk of losing its
2 only awarded license in 2018, which it obtained in a highly competitive application process. As
3 this Court is aware, Wellness applied for three licenses and was only awarded one license in the
4 City of Las Vegas. The license is valuable and ensures the Wellness' continued business growth.
5 The Court recognized the significance of each license by noting that "[t]here is an extremely
6 limited number of licenses available for the sale of recreational marijuana." (FFCL, ¶70, Sep. 3,
7 2020, on file.) Therefore, it was important for Wellness to retain this license.

8 There is no doubt that the character of work in this matter and the importance of the issues
9 presented to Wellness to defend itself required substantial time and skill and justify the attorneys'
10 fees requested.

11 **3) The work actually performed by the lawyer: the skill, time and**
12 **attention given to the work.**

13 The work performed was substantial and necessary, as shown above and as shown in the
14 billing records attached as Exhibit C and D. Wellness firmly believes that the work actually
15 performed, and the skill, time and attention necessary to perform that work, justifies the attorney's
16 fees incurred and requested here. Moreover, the work performed was necessary to obtain the
17 excellent results Wellness achieved.

18 **4) The result: whether the attorney was successful and what benefits**
19 **were derived.**

20 Wellness achieved outstanding results and tremendous benefit. In fact, Wellness
21 prevailed on every issue pertaining to Wellness. Plaintiffs sought to overturn the entire 2018
22 recreational marijuana application process and to strip Wellness of its license. Plaintiffs did not
23 obtain such relief, nor did they obtain any relief whatsoever against Wellness. Although the Court
24 found that the Department improperly replaced the mandatory requirement for a background
25 check of each prospective owner, officer and board member with five percent or greater standard,
26 Plaintiffs did not convince the Court to overturn the process and take away Wellness' license.

27 In short, Plaintiffs did not obtain what they sought in their operative pleadings against
28 Wellness and this Court's ruling does not afford them any benefit. Therefore, based on the

1 *Brunzell* factors, Wellness is entitled to a fully compensatory award of attorneys' fees in the
2 amount of \$426,393.20.

3 **IV. CONCLUSION**

4 Attorneys' fees are warranted under NRS 18.010(2)(b) because Plaintiffs sued Wellness
5 without any reasonable grounds, either legally or factually, and failed to produce any evidence
6 against Wellness. Based on the foregoing, Wellness respectfully requests an award of
7 \$426,393.20 in attorneys' fees.

8 DATED this 13th day of October, 2020.

9
10 **HOWARD & HOWARD ATTORNEYS PLLC**

11 /s/ L. Christopher Rose

12 L. CHRISTOPHER ROSE, ESQ.

13 KIRILL V. MIKHAYLOV, ESQ.

14 3800 Howard Hughes Parkway, Suite 1000

15 Las Vegas, NV 89169

16 *Attorneys for Defendant*

17 *Wellness Connection of Nevada, LLC*
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CERTIFICATE OF SERVICE

I hereby certify that I am employed in the County of Clark, State of Nevada, am over the age of 18 years and not a party to this action. My business address is Howard & Howard Attorneys PLLC, 3800 Howard Hughes Parkway, Suite 1000, Las Vegas, Nevada 89145.

On October 13, 2020, I served the **WELLNESS CONNECTION OF NEVADA, LLC'S MOTION FOR ATTORNEYS' FEES** in this action or proceeding electronically with the Clerk of the Court via the Odyssey E-File system and e-served the same on all parties listed on the Court's Master Service List.

/s/ Julia M. Diaz

An employee of HOWARD & HOWARD ATTORNEYS PLLC

4842-2825-9534, v. 1