

1 IN THE SUPREME COURT OF THE STATE OF NEVADA

2 JEFFREY A. MYERS, INDIVIDUALLY;)
3 AND ANDREW JAMES, INDIVIDUALLY,)

Supreme Court No. 85441

4 Appellants,)

5 vs.)

Electronically Filed
Oct 07 2022 12:58 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

6)
7 THI OF NEVADA AT CHEYENNE, LLC;)
8 HEALTHCARE REALTY OF)
9 CHEYENNE, LLC; FUNDAMENTAL)
ADMINISTRATIVE SERVICES, LLC,)

10 Respondents.)

11 _____)
12 **CERTIFICATE THAT NO TRANSCRIPT IS BEING REQUESTED**

13 Notice is hereby given that Appellants, Jeffrey A. Myers and Andrew James,
14 are not requesting the preparation of transcripts for this appeal. The transcripts
15 relevant to this appeal have been prepared by the court reporters and were filed in the
16 District Court, Clark County, Nevada on July 7, 2022 and August 8, 2022. Therefore,
17 no additional transcripts are requested at this time.
18

19 Dated this 6 th day of October, 2022.

20 CAP & KUDLER

21 By: AKUDLER

22 DONALD C. KUDLER, ESQ.

23 Nevada Bar No. 005041

24 3202 W. Charleston Boulevard

25 Las Vegas, Nevada 89102

26 *Attorney for Appellant*
27
28

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCp 5(b), I certify that I am an employee of CAP & KUDLER,
3
4 and that on this 7th day of October, 2022, I served the **CERTIFICATE THAT**
5 **NO TRANSCRIPT IS BEING REQUESTED**, as follows:

6
7 [X] by placing same to be deposited for mailing in the United States
8 Mail, in a sealed envelope upon which first class postage was
9 prepaid in Las Vegas, Nevada; and/or

10 [X] by electronic means through the Court's e-filing program; and/or

11 [] to be hand-delivered;

12 to the attorneys listed below:

13
14 Alexander F. Giovanniello, Esq.
15 Christopher J. Giovanniello, Esq.
16 Giovanniello Law Group
17 3753 Howard Hughes Pkwy., Ste. 200
18 Las Vegas, NV 89169

19 ***Attorneys for Respondents***

20 
21 _____
22 An employee of **CAP & KUDLER**

Liz Carrion

From: Donald Kudler
Sent: Thursday, July 7, 2022 10:22 AM
To: Liz Carrion
Subject: Fw: Myers v. THI of Nevada at Cheyenne, partial transcripts of jury trial
Attachments: Myers v THI_A_16_735550_C 220601 Jury Trial-Day 2_Gifford Testimony.pdf; Myers v THI_A_16_735550_C 220602 Jury Trial-Day 3_Myers_James Testimony.pdf; Myers v THI_A_16_735550_C 220603 Jury Trial-Day 4_Comstock Testimony.pdf; Myers v THI_A_16_735550_C 220606 Jury Trial-Day 5_James Testimony.pdf; Invoice_Order_13-007824 - Myers v THI of Nevada - Kudler Inv.pdf

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Sent: Wednesday, July 6, 2022 11:39 PM
To: Donald Kudler <donaudkudler@capandkudler.com>
Subject: Myers v. THI of Nevada at Cheyenne, partial transcripts of jury trial

Aloha, Mr. Kudler.

Attached are the partial jury trial transcripts you requested on an expedited basis. June 1, 2022, testimony of Donald Gifford; June 2, 2022, testimony of Jeffrey Myers and Andrew James, June 3, 2022, testimony of LeRoy Comstock, and June 6, 2022, testimony of Andrew James. We will be providing the court recorder with the partial transcripts for filing with the Court.

I have also attached our final invoice. There is a balance due of \$265.53. Payment by credit card can be made by logging in to your account to view the order. Click on the Payments tab to make payment by credit card.

Please reply to confirm receipt of this email and its attachments.

Thank you,

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Notification of Service

Case Number: A-16-735550-C
Case Style: Jeffrey Myers, Plaintiff(s)vs.THI of Nevada at Cheyenne, LLC, Defendant(s)
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| Filing Details | |
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| Case Number | A-16-735550-C |
| Case Style | Jeffrey Myers, Plaintiff(s)vs.THI of Nevada at Cheyenne, LLC, Defendant(s) |
| Date/Time Submitted | 7/7/2022 10:01 AM PST |
| Filing Type | Recorders Transcript of Hearing - RTRAN (CIV) |
| Filing Description | Recorder's Partial Transcript of Jury Trial - Day 3 Testimony of Jeffrey Myers and Andrew James; Thursday, June 2, 2022 |
| Filed By | Kristine Santi |
| Service Contacts | Jeffrey A. Myers: Donald Kudler (donaldkudler@capandkudler.com) Liz Carrion (lizcarrion@capandkudler.com) |

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Case Number: A-16-735550-C
Case Style: Jeffrey Myers, Plaintiff(s)vs.THI of Nevada at Cheyenne, LLC, Defendant(s)
Envelope Number: 10150911

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| Case Style | Jeffrey Myers, Plaintiff(s)vs.THI of Nevada at Cheyenne, LLC, Defendant(s) |
| Date/Time Submitted | 7/7/2022 11:36 AM PST |
| Filing Type | Recorders Transcript of Hearing - RTRAN (CIV) |
| Filing Description | Recorder's Partial Transcript of Jury Trial - Day 5 Testimony of Andrew James; Monday, June 6, 2022 |
| Filed By | Kristine Santi |
| Service Contacts | Jeffrey A. Myers: Donald Kudler (donaldkudler@capandkudler.com) Liz Carrion (lizcarrion@capandkudler.com) |

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Attachments: Myers v THI of Nevada_A_16_735550_C 220531 Jury Trial-Day 1.pdf; Myers v THI of Nevada_A_16_735550_C 220601 Jury Trial-Day 2 Partial.pdf; Myers v THI of Nevada_A_16_735550_C 220602 Jury Trial-Day 3 Partial.pdf; Myers v THI of Nevada_A_16_735550_C 220603 Jury Trial-Day 4 Partial .pdf; Myers v THI of Nevada_A_16_735550_C 220606 Jury Trial-Day 5 Partial.pdf; Invoice_Order_13-007826 -Myers v THI - Kudler Inv.pdf

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Sent: Saturday, August 6, 2022 5:21 PM
To: Donald Kudler <donaldkudler@capandkudler.com>
Cc: Valerie Soto <valeriesoto@capandkudler.com>
Subject: Myers v THI, transcripts of jury trial

Aloha, Mr. Kudler.

Attached are the transcripts of the jury trial in the Myers v. THI case. We will be providing the court recorder with the transcripts for filing with the Court.

I have also attached your final invoice. The remaining balance will be credited back to the credit card used for the deposit.

Please reply to confirm receipt of this email and its attachments.

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Jessica B. Cahill
Maukele Transcribers, LLC
467 Maukele Place
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Notification of Service

Case Number: A-16-735550-C
Case Style: Jeffrey Myers, Plaintiff(s)vs.THI of Nevada at Cheyenne, LLC, Defendant(s)
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| Case Number | A-16-735550-C |
| Case Style | Jeffrey Myers, Plaintiff(s)vs.THI of Nevada at Cheyenne, LLC, Defendant(s) |
| Date/Time Submitted | 8/8/2022 12:38 PM PST |
| Filing Type | Recorders Transcript of Hearing - RTRAN (CIV) |
| Filing Description | Recorder's Transcript of Jury Trial: - Day 1; Tuesday, May 31, 2022 |
| Filed By | Kristine Santi |
| Service Contacts | Jeffrey A. Myers: Donald Kudler (donaldkudler@capandkudler.com) Liz Carrion (lizcarrion@capandkudler.com) THI of Nevada at Cheyenne, LLC: Christopher Giovanniello (cjb@giolawgroup.com) Alexander Giovanniello (afg@giolawgroup.com) Carolina Olmos (cio@giolawgroup.com) |

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| | <p>Fundamental Administrative Services LLC:</p> <p>Carolina Olmos (cio@giolawgroup.com)</p> <p>Andrew James:</p> <p>Donald Kudler (donaldkudler@capandkudler.com)</p> <p>Liz Carrion (lizcarrion@capandkudler.com)</p> |
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| Date/Time Submitted | 8/8/2022 12:38 PM PST |
| Filing Type | Recorders Transcript of Hearing - RTRAN (CIV) |
| Filing Description | Recorder's Transcript of Jury Trial: - Day 2; Wednesday, June 1, 2022 |
| Filed By | Kristine Santi |
| Service Contacts | THI of Nevada at Cheyenne, LLC: Christopher Giovanniello (cjb@giolawgroup.com) Carolina Olmos (cio@giolawgroup.com) Alexander Giovanniello (afg@giolawgroup.com) Fundamental Administrative Services LLC: Carolina Olmos (cio@giolawgroup.com) Jeffrey A. Myers: |

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| | <p>Donald Kudler (donaldkudler@capandkudler.com)</p> <p>Liz Carrion (lizcarrion@capandkudler.com)</p> <p>Andrew James:</p> <p>Donald Kudler (donaldkudler@capandkudler.com)</p> <p>Liz Carrion (lizcarrion@capandkudler.com)</p> |
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| Date/Time Submitted | 8/8/2022 12:38 PM PST |
| Filing Type | Recorders Transcript of Hearing - RTRAN (CIV) |
| Filing Description | Recorder's Transcript of Jury Trial: - Day 3; Thursday, June 2, 2022 |
| Filed By | Kristine Santi |
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|--|---|
| | <p>Alexander Giovanniello (afg@giolawgroup.com)</p> <p>Carolina Olmos (cio@giolawgroup.com)</p> <p>Christopher Giovanniello (cjb@giolawgroup.com)</p> <p>Fundamental Administrative Services LLC:</p> <p>Carolina Olmos (cio@giolawgroup.com)</p> |
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| Date/Time Submitted | 8/8/2022 12:38 PM PST |
| Filing Type | Recorders Transcript of Hearing - RTRAN (CIV) |
| Filing Description | Recorder's Transcript of Jury Trial: - Day 4; Friday, June 3, 2022 |
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| Service Contacts | Jeffrey A. Myers: Liz Carrion (lizcarrion@capandkudler.com) Donald Kudler (donaldkudler@capandkudler.com) Andrew James: Liz Carrion (lizcarrion@capandkudler.com) Donald Kudler (donaldkudler@capandkudler.com) THI of Nevada at Cheyenne, LLC: |

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| | Alexander Giovanniello (afg@giolawgroup.com) Carolina Olmos (cio@giolawgroup.com) Christopher Giovanniello (cjb@giolawgroup.com) Fundamental Administrative Services LLC: Carolina Olmos (cio@giolawgroup.com) |
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| Date/Time Submitted | 8/8/2022 12:38 PM PST |
| Filing Type | Recorders Transcript of Hearing - RTRAN (CIV) |
| Filing Description | Recorder's Transcript of Jury Trial: - Day 5; Monday, June 6, 2022 |
| Filed By | Kristine Santi |
| Service Contacts | Jeffrey A. Myers: Liz Carrion (lizcarrion@capandkudler.com) Donald Kudler (donaldkudler@capandkudler.com) Andrew James: Liz Carrion (lizcarrion@capandkudler.com) Donald Kudler (donaldkudler@capandkudler.com) THI of Nevada at Cheyenne, LLC: |

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| | Alexander Giovanniello (afg@giolawgroup.com) Carolina Olmos (cio@giolawgroup.com) Christopher Giovanniello (cjb@giolawgroup.com) Fundamental Administrative Services LLC: Carolina Olmos (cio@giolawgroup.com) |
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