Case Number: A-16-735550-C

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4.	Identify each respondent and the name and address of appellate counsel, if known, for
	each respondent (if the name of a respondent's appellate counsel is unknown, indicate
	as much and provide the name and address of that respondent's trial counsel);

Respondent: THI OF NEVADA AT CHEYENNE, LLC

Counsel for Respondent:

Alexander F. Giovanniello, Esq. Christopher J. Giovanniello, Esq. Giovanniello Law Group 3753 Howard Hughes Pkwy., Ste. 200 Las Vegas, NV 89169 (702) 784-7638

5. Indicate whether any attorney identified above in response to question 3 or 4 is not licensed to practice law in Nevada and, if so, whether the District Court granted that attorney permission to appear under SCR 42 (attach a copy of any District Court order granting such permission):

All counsel are licensed to practice in Nevada.

6. Indicate whether appellant was represented by appointed or retained counsel in the district court:

The Appellants in this matter represented themselves in the District Court Case and were represented by retained counsel in the District Court, Donald C. Kudler, Esq.

7. Indicate whether appellant is represented by appointed or retained counsel on appeal: The Appellants in this matter represented themselves in the District Court and were represented by retained counsel Donald C. Kudler, Esq.

8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave:

Appellants have not requested leave to proceed in form pauperis in this matter.

9. Indicate the date the proceedings commenced in the district court (date of filing complaint):

The matter by and between the parties on appeal was commenced with the filing of complaint by Appellants on April 25, 2016 and an amended complaint on May 6, 2016.

Provide a brief description of the nature of the action and result in the district court, 10. including the type of judgement or order being appealed and the relief granted by the district court:

Jeffrey A. Myers and Andrew James filed this lawsuit against Defendants, THI of Nevada at Cheyenne, LLC; Healthcare Realty of Cheyenne, LLC and Fundamental Administrative Services,

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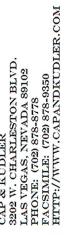
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LLC for Negligence arising out of an arc flash event that occurred on the Defendants' property or
June 6, 2014 causing injuries to the Plaintiffs.
Trial began on May 31, 2022 and ended June 6, 2022.

On June 6, 2022 the Court granted Defendants' Motion pursuant to NRCP 50(A) dismissing Defendants Fundamental Administrative Services LLC and Healthcare Realty of Cheyenne LLC.

On June 6, 2022 the Jury returned a verdict for Defendant THI of Nevada at Cheyenne, LLC. On August 16, 2022 Plaintiffs' Motion for New Trial was heard and denied.

11. Order appealed from:

Order Denying Plaintiffs' Motion for New Trial entered September 23, 2022.

12. Indicate whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior proceeding:

This case has not been the subject of an appeal.

13. Indicate whether this appeal involves child custody or visitation:

Not applicable.

14. If this is a civil case, indicate whether this appeal involves the possibility of settlement:

There is a possibility of settlement, and Appellant requests referral to the Supreme Court settlement conference program.

DATED this day of September, 2022.

CAP & KUDLER

By:

Nevada Bar No. 5041 3202 W. Charleston Blvd. Las Vegas, Nevada 89102 (702) 878-8778

Attorney for Plaintiff

CERTIFICATE OF SERVICE

	I hereby certify	that on the	30th	day	of Septer	mber, 2	2022, p	oursuant to A	dministra	ative Ordei	
14-2,	I electronically	served a	true	and	correct	сору	of th	e foregoing	CASE	APPEAL	
STATEMENT, addressed as follows:											

Alexander F. Giovanniello, Esq. Christopher J. Giovanniello, Esq. cjg@giolawgroup.com

service@giolawgroup.com Giovanniello Law Group

3753 Howard Hughes Pkwy., Ste. 200 Las Vegas, NV 89169

Tel No. (702) 784-7638 Attorney for Defendants THI of Nevada at Cheyenne, LLC;

Healthcare Realty of Cheyenne, LLC; and Fundamental Administrative Services, LLC

An Employee of CAP & KUDLER