1	IN THE SUPREME COURT OF THE STATE OF NEVADA	
2		
3	No. 85441	
4	Electronically Filed Feb 10 2023 08:33	АМ
5	Elizabeth A. Browr)
6	Clerk of Supreme of JEFFREY A. MYERS and ANDREW JAMES,	Court
7		
8	Appellants,	
9		
10	VS.	
11		
12	THI OF NEVADA AT CHEYENNE, LLC; HEALTHCARE REALTY OF	
13	CHEYENNE, LLC; FUNDAMENTAL ADMINISTRATIVE SERVICES,	
14	LLC	
15		
16	Respondents.	
17		
18	APPELLANTS' APPENDIX ON APPEAL	
19	VOLUME 1	
20	Appeal from the Eighth Judicial District Court for Clark County	
21	District Court Case No. A-16-735550-C	
22	(Honorable Mark Gibbons)	
23		
24	DONALD C. KUDLER, ESQ. Nevada Bar No.: 5041	
25	CAP & KUDLER	
26	3202 West Charleston Blvd. Las Vegas, NV 89102	
27	(702) 878-8778 Counsel for Appellants Jeffrey A. Myers and Andrew James	
28	Jeffrey A. Myers and Andrew James	

APPELLANTS' APPENDIX

VOLUME 1

CHRONOLOGICAL ORDER

Document	Index Number	Bates Number
Amended Complaint	1	AA000001 AA000007
[Filed 05/06/2016]		
Plaintiffs' Third Motion to Compel Discovery Responses	1	AA000008 AA000030
[Filed 02/24/2020]		
Notice of Entry of Order re: Plaintiffs' Third	1	AA000031 AA000037
Motion to Compel Discovery Responses		AAUUUU3/
[Filed 08/13/2020]		
Jury Instruction No. 21	1	AA000038
4.2 Elements of Negligence Claim		
[05/31/2022 Jury Trial - Day 1]		
Jury Instruction No. 27	1	AA000039
8.1 Premises Liability: Essential Factual Elements		
[05/31/2022 Jury Trial - Day 1]		
Jury Instruction No. 28	1	AA000040
8.20 Landowner Liability: Owner Duty to Inspect		
[05/31/2022 Jury Trial - Day 1]		
Jury Instruction No. 29 8.4 Landowner Liability: Duty	1	AA000041
[05/31/2022 Jury Trial - Day 1]		

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1 2	Recorder's Transcript of Jury Trial Day 1, Tuesday, 05/31/2022 Pages 1 - 199	2	AA000042 - AA000240
3	[Filed 08/08/2022]		
4 5	Recorder's Transcript of Jury Trial Day 1, Tuesday, 05/31/2022 Pages 200 - 257	3	AA000241 - AA000298
6	[Filed 08/08/2022]		
7 8	Recorder's Partial Transcript of Jury Trial - Day 2, Wednesday, 06/01/2022	4	AA000299 - AA000393
9	[Filed 08/08/2022]		
10 11	Recorder's Partial Transcript of Jury Trial - Day 2, Wednesday, 06/01/2022:	4	AA000394 - AA000463
12	Testimony of Donald Gifford		
13	[Filed 07/07/2022]		
14	Recorder's Partial Transcript of Jury Trial - Day 3, Thursday, 06/02/2022	5	AA000464 - AA000559
15			AA000339
16	[Filed 08/08/2022]		
17 18	Recorder's Partial Transcript of Jury Trial - Day 3, Thursday, 06/02/2022:	6	AA000560 - AA000715
19	Testimony of Jeffrey Myers and Andrew James		
20	[Filed 07/07/2022]		
21	Recorder's Partial Transcript of Jury Trial - Day 4, Friday, 06/03/2022	7	AA000716 - AA000809
22			AA00000
23	[Filed 08/08/2022]		
24	Recorder's Partial Transcript of Jury Trial - Day 4, Friday, 06/03/2022:	7	AA000810 - AA000854
25			
26	Testimony of Leroy Comstock		
27	[Filed 07/07/2022]		
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1 2	Recorder's Partial Transcript of Jury Trial - Day 5, Monday, 06/06/2022	8	AA000855 - AA000935
3	[Filed 08/08/2022]		
4 5	Recorder's Partial Transcript of Jury Trial - Day 5, Monday, 06/06/2022:	8	AA000936 - AA000942
6	Testimony of Andrew James		
7	[Filed 08/08/2022]		
8	Special Verdict Form	8	AA000943 - AA000945
9	[Filed 06/06/2022]		AA000943
11	Motion for New Trial	8	AA000946 - AA000957
12	[Filed 07/18/2022]		AA000937
13	Errata to Motion for New Trial	8	AA000958 - AA000959
14	[Filed: 7/18/2022]		7111000737
15	Amended Errata to Motion for New Trial	8	AA000960 - AA000961
16	[Filed: 7/20/2022]		7111000701
17 18	Opposition to Plaintiffs' Motion for New Trial by Defendants	8	AA000962 - AA000976
19	[Filed 8/1/2022]		111000770
20	Plaintiffs' Reply to Defendants' Opposition to	8	AA000977 -
21	Plaintiffs' Motion for a New Trial	O	AA000984
22	[Filed 8/30/2022]		
23	Order Denying Plaintiffs' Motion for New Trial	8	AA000985 -
24	[Filed: 9/23/2022]		AA000996
25			

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1 2	Notice of Order Denying Plaintiffs' Motion for New Trial	8	AA000997 - AA001010
3	[Filed: 9/27/2022]		
4	Notice of Appeal	8	AA001011 -
5	[Filed: 9/28/2022		AA001012
6	,		
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APPELLANTS' APPENDIX VOLUME

ALPHABETICAL ORDER

Document	Index Number	Bates Number
Amended Complaint	1	AA000001 - AA000007
[Filed: 05/06/2016]		
Amended Errata to Motion for New Trial	8	AA000960 - AA000961
[Filed: 7/20/2022]		
Errata to Motion for New Trial	8	AA000958 - AA000959
[Filed: 7/18/2022]		
Jury Instruction No. 21 4.2 Elements of Negligence Claim	1	AA0000038
[05/31/2022 Jury Trial - Day 1]		
Jury Instruction No. 27 8.1 Premises Liability: Essential Factual Elements	1	AA0000039
[05/31/2022 Jury Trial - Day 1]		
Jury Instruction No. 28 8.20 Landowner Liability: Owner Duty to Inspect	1	AA0000040
[05/31/2022 Jury Trial - Day 1]		
Jury Instruction No. 29	1	AA0000041
8.4 Landowner Liability: Duty		
[05/31/2022 Jury Trial - Day 1]		
Motion for New Trial	8	AA000946 - AA000957
[Filed 07/18/2022]		

1 2	Notice of Appeal	8	AA001011 - AA001012
3	[Filed: 9/28/2022]		111001012
4	Notice of Entry of Order re: Plaintiffs' Third Motion to Compel Discovery Responses	1	AA000031 - AA000037
5	[Filed: 08/13/2020]		
67	Notice of Order Denying Plaintiffs' Motion for New Trial	8	AA000997 - AA001010
8	[Filed: 9/27/2022]		
9	Opposition to Plaintiffs' Motion for New Trial by	8	AA000962 -
0	Defendants		AA000976
1	[Filed 8/1/2022]		
2	Order Denying Plaintiffs' Motion for New Trial	8	AA000985 - AA000996
.3	[Filed: 9/23/2022]		AA000990
5	Plaintiffs' Reply to Defendants' Opposition to Plaintiffs' Motion for a New Trial	8	AA000977 - AA000984
6	[Filed 8/30/2022]		
7	Plaintiffs' Third Motion to Compel Discovery	1	AA000008 -
8	Responses		AA000030
9	[Filed: 02/24/2020]		
20	Recorder's Transcript of Jury Trial	2	AA000042 -
21	Day 1, Tuesday, 05/31/2022		AA000240
22	[Filed 08/08/2022]		
23	Recorder's Transcript of Jury Trial	3	AA000241 - AA000298
24	Day 1, Tuesday, 05/31/2022 Pages 200 - 257		AA000298
25	[Filed 08/08/2022]		
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1 2	Recorder's Partial Transcript of Jury Trial - Day 2, Wednesday, 06/01/2022	4	AA000299 - AA000393
3	[Filed: 08/08/2022]		
4	Recorder's Partial Transcript of Jury Trial - Day 2, Wednesday, 06/01/2022:	4	AA000394 - AA000463
5 6	Testimony of Donald Gifford		111000103
7	[Filed: 07/07/2022]		
8	Recorder's Partial Transcript of Jury Trial - Day 3, Thursday, 06/02/2022	5	AA000464 - AA000559
10	[Filed: 08/08/2022]		
11 12	Recorder's Partial Transcript of Jury Trial - Day 3, Thursday, 06/02/2022:	6	AA000560 - AA000715
13 14	Testimony of Jeffrey Myers and Andrew James		
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16	Recorder's Partial Transcript of Jury Trial - Day 4, Friday, 06/03/2022	7	AA000716 - AA000809
17 18	[Filed: 08/08/2022]		
19	Recorder's Partial Transcript of Jury Trial - Day 4, Friday, 06/03/2022:	7	AA000810 - AA000854
2021	Testimony of Leroy Comstock		
22	[Filed: 07/07/2022]		
23	Recorder's Partial Transcript of Jury Trial - Day 5, Monday, 06/06/2022	8	AA000855 - AA000935
2425	[Filed: 08/08/2022]		
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1 2	Recorder's Partial Transcript of Jury Trial - Day 5, Monday, 06/06/2022:	8	AA000936 - AA000942
3 4	Testimony of Andrew James		
5	[Filed 08/08/2022] Special Verdict Form	8	AA000943 -
6 7	[Filed: 06/06/2022]		AA000945

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