

Case No. 85850

In the Supreme Court of Nevada

A CAB SERIES LLC, f/k/a A CAB, LLC,

Appellant,

vs.

MICHAEL MURRAY; and MICHAEL
RENO, individually and on behalf of
others similarly situated,

Respondents.

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Elizabeth A. Brown
Clerk of Supreme Court

APPEAL

from the Eighth Judicial District Court, Clark County
The Honorable MARIA GALL, District Judge
District Court Case No. A-12-669926-C

**APPELLANT'S APPENDIX
VOLUME 18
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113	Amended Notice of Appeal	01/15/19	11	2511–2513
203	Appellant’s Case Appeal Statement	12/14/22	23	5512–5516
129	Case Appeal Statement	08/12/20	11	2685–2688
134	Case Appeal Statement	02/23/21	11	2711–2716
163	Case Appeal Statement	06/14/22	17	4196–4201
95	Claim of Exemption from Execution – A Cab Series, LLC, Administration Company	10/04/18	8	1993–1998
94	Claim of Exemption from Execution – A Cab Series, LLC, CCards Company	10/04/18	8	1987–1992
97	Claim of Exemption from Execution – A Cab Series, LLC, Employee Leasing Company Two	10/04/18	9	2005–2010
93	Claim of Exemption from Execution – A Cab Series, LLC, Maintenance Company	10/04/18	8	1981–1986
98	Claim of Exemption from Execution – A Cab Series, LLC, Medallion Company	10/04/18	9	2011–2016
96	Claim of Exemption from Execution – A Cab Series, LLC, Taxi Leasing Company	10/04/18	8 9	1999–2000 2001–2004
79	Clerk’s Certificate Judgment	05/07/18	6	1381–1386
131	Clerk’s Certificate Judgment	12/15/20	11	2694–2702
1	Complaint	10/08/12	1	1–8
5	Defendant A Cab, LLC’s Answer to Complaint	04/22/13	1	48–52
7	Defendant A Cab, LLC’s Answer to First Amended Complaint	05/23/13	1	57–61

17	Defendant A Cab, LLC's Answer to Second Amended Complaint	09/14/15	1	163–169
18	Defendant Creighton J. Nady's Answer to Second Amended Complaint	10/06/15	1	170–176
89	Defendant's Ex-Parte Motion to Quash Writ of Execution and, in the Alternative, Motion for Partial Stay of Execution on Order Shortening	09/21/18	7 8	1745–1750 1751–1769
120	Defendant's Second Amended Case Appeal Statement	03/06/19	11	2554–2558
114	Defendants' Amended Case Appeal Statement	01/15/19	11	2514–2518
51	Defendants' Case Appeal Statement	03/20/17	4	858–862
88	Defendants' Case Appeal Statement	09/21/18	7	1740–1744
135	Defendants' Motion for Costs	01/13/22	11 12	2717–2750 2751–2810
185	Defendants' Motion for Costs	10/24/22	22	5310–5326
140	Defendants' Motion for Declaratory Order	02/11/22	12 13	2854–3000 3001–3064
148	Defendants' Motion to Stay on Order Shortening Time	02/28/22	14 15	3385–3500 3501–3512
182	Defendants' Omnibus Brief Pursuant to Court Order	09/30/22	20 21	4990–5000 5001–5199
139	Defendants' Supplement to Response and Opposition to Plaintiffs' Rogue Supplement	02/10/22	12	2851–2853
146	Errata to Plaintiffs' Motion for Entry of Modified Award of Pre-Judgment Attorney's Fees as Provided for by Remittitur	02/23/22	14	3333–3336
183	Exhibits 6-14 to Defendants' Omnibus Brief Pursuant to Court Order	09/30/22	21 22	5200–5250 5251–5300

3	First Amended Complaint	01/30/13	1	32–38
8	Joint Case Conference Report	05/28/13	1	62–69
21	Joint Case Conference Report	11/25/15	2	378–386
84	Motion to Amend Judgment	08/22/18	7	1647–1655
50	Notice of Appeal	03/20/17	4	856–857
87	Notice of Appeal	09/21/18	7	1738–1739
128	Notice of Appeal	08/12/20	11	2683–2684
133	Notice of Appeal	02/23/21	11	2709–2710
162	Notice of Appeal	06/14/22	17	4194–4195
202	Notice of Appeal	12/14/22	22 23	5430–5500 5501–5511
4	Notice of Entry of Decision and Order	02/13/13	1	39–47
56	Notice of Entry of Decision and Order	06/07/17	5	1033–1050
53	Notice of Entry of Discovery Commissioner’s Report & Recommendations	05/18/17	4	872–880
65	Notice of Entry of Discovery Commissioner’s Report & Recommendations	10/24/17	5	1124–1131
36	Notice of Entry of Discovery Commissioner’s Report and Recommendations	07/13/16	3	547–553
6	Notice of Entry of Order	05/06/13	1	53–56
66	Notice of Entry of Order	12/12/17	5	1132–1135
67	Notice of Entry of Order	12/12/17	5	1136–1139
72	Notice of Entry of Order	01/22/18	6	1270–1275
100	Notice of Entry of Order	10/22/18	9	2042–2045
194	Notice of Entry of Order Continuing Decision on Plaintiffs’ Motion for an Award of Attorney’s Fees on Appeal of	11/17/22	22	5383–5386

	Order Denying Receiver, Opposing Mooted Motion for Attorney's Fees, and for Costs of Appeal			
25	Notice of Entry of Order Denying Defendant's Motion to Dismiss and for Summary Judgment Against Michael Murray	02/18/16	2	431–434
26	Notice of Entry of Order Denying Defendant's Motion to Dismiss and for Summary Judgment Against Michael Reno	02/18/16	2	435–438
196	Notice of Entry of Order Denying Defendants' Motion for Costs	11/17/22	22	5392–5395
34	Notice of Entry of Order Denying Defendants' Motion for Reconsideration of Two Orders Entered March 4, 2016, Pertaining to Discovery Commissioner's Reports & Recommendations	05/27/16	3	525–528
125	Notice of Entry of Order Denying Defendants' Motion for Reconsideration of Judgment and Order Granting Resolution Economics Application for Order of Payment of Special Master's Fees and Order of Contempt	08/08/19	11	2618–2623
110	Notice of Entry of Order Denying Defendants' Motion to Quash Writ of Execution	12/18/18	10	2476–2498
195	Notice of Entry of Order Denying Defendants' Motions for Sanctions	11/17/22	22	5387–5391
117	Notice of Entry of Order Denying in Part and Continuing in Part Plaintiffs' Motion on OST to Lift Stay, Hold Defendants in Contempt, Strike Their Answer, Grant	03/05/19	11	2540–2543

	Partial Summary Judgment, Direct A Prove Up Hearing, and Coordinate Cases			
201	Notice of Entry of Order Denying Plaintiffs Motion to Reconsider Award of Costs and Striking June 3, 2022 Order	11/23/22	22	5422–5429
9	Notice of Entry of Order Denying Plaintiffs’ Counter-Motion for Default Judgment or Sanctions Pursuant to EDCR 7.602(b)	05/29/13	1	70–73
62	Notice of Entry of Order Denying Plaintiffs’ Counter-Motion for Sanctions and Attorneys’ Fees and Order Denying Plaintiffs’ Anti-SLAPP Motion	07/31/17	5	1089–1092
75	Notice of Entry of Order Denying Plaintiffs’ Motion for Bifurcation and/or to Limit Issues for Trial per NRCP 42(B)	02/02/18	6	1333–1337
59	Notice of Entry of Order Denying Plaintiffs’ Motion for Partial Summary Judgment	07/17/17	5	1079–1084
169	Notice of Entry of Order Denying Plaintiffs’ Motion for Turnover of Property Pursuant to NRS 21.230 or Alternative Relief Without Prejudice	07/08/22	19	4671–4676
127	Notice of Entry of Order Denying Plaintiffs’ Motion to Allow Judgment Enforcement; Plaintiffs’ Motion to Distribute Funds Held by Class Counsel; and Plaintiffs’ Motion Requiring the Turnover of Certain Property of the Judgment Debtor Pursuant to NRS 21.320; and Order Granting Defendants’ Countermotion for Stay of Collection Activities	07/17/20	11	2676–2682

30	Notice of Entry of Order Denying Plaintiffs' Motion to Impose Sanctions Against Defendants	04/07/16	2	477–480
45	Notice of Entry of Order Granting Certain Relief on Motion to Enjoin Defendants from Seeking Settlement of Any Unpaid Wage Claims Involving Any Class Members Except as Part of this Lawsuit and for Other Relief	02/16/17	4	827–830
157	Notice of Entry of Order Granting Defendants' Motion for Costs	05/17/22	16	3922–3927
160	Notice of Entry of Order Granting Defendants' Motion for Costs	06/03/22	17	4090–4093
158	Notice of Entry of Order Granting Defendants' Motion for Release of Cost Bonds	05/20/22	16	3928–3933
31	Notice of Entry of Order Granting Defendants' Motion for Stay Pending Court's Reconsideration of Prior Order	04/07/16	2	481–484
156	Notice of Entry of Order Granting Defendants' Motion to Stay	05/03/22	16	3917–3921
22	Notice of Entry of Order Granting in Part and Denying in Part Defendant's Motion for Declaratory Order Regarding Statute of Limitations	12/22/15	2	387–391
40	Notice of Entry of Order Granting in Part and Denying in Part Plaintiffs' Motion to Continue Trial Date and Extend Discovery Schedule and for Other Relief	11/23/16	3	672–677
46	Notice of Entry of Order Granting in Part and Denying in Part Plaintiffs' Motion to Have Case Reassigned to Department I per EDCR Rule 1.60 and	02/21/17	4	831–834

	Designated as Complex Litigation per NRCP 16.1(f)			
111	Notice of Entry of Order Granting in Part and Denying in Part Plaintiffs' Objections to Defendants' Claims of Exemption from Execution	12/18/18	10 11	2499–2500 2501–2502
15	Notice of Entry of Order Granting Motion to Serve and File a Second Amended and Supplemental Complaint	08/17/15	1	141–144
189	Notice of Entry of Order Granting Plaintiff's Motion for Entry of a Modified Judgment as Provided for by Remittitur	11/14/22	22	5338–5344
190	Notice of Entry of Order Granting Plaintiff's Motion for Entry of a Modified Award of Pre-Judgment Attorney's Fees as Provided for by Remittitur	11/14/22	22	5345–5350
112	Notice of Entry of Order Granting Plaintiffs' Counter Motion for Judgment Enforcement Relief	01/02/19	11	2503–2510
116	Notice of Entry of Order Granting Plaintiffs' Motion for an Award of Attorneys' Fees and Costs Pursuant to NRCP 54 and the Nevada Constitution	02/07/19	11	2529–2539
193	Notice of Entry of Order Granting Plaintiffs' Motion for Award of Attorney's Fees on Appeal	11/17/22	22	5377–5382
76	Notice of Entry of Order Granting Plaintiffs' Motion to Appoint a Special Master	02/08/18	6	1338–1345
24	Notice of Entry of Order Granting Plaintiffs' Motion to Certify Class Action Pursuant to NRCP Rule 23 (b)(2) and NRCP Rule 23(b)(3) and Denying Without Prejudice Plaintiffs' Motion to	02/10/16	2	413–430

	Appoint a Special Master Under NRCP Rule 53			
35	Notice of Entry of Order Granting Plaintiffs' Motion to Certify Class Action Pursuant to NRCP Rule 23(b)(2) and NRCP Rule 23(b)(3) and Denying Without Prejudice Plaintiffs' Motion to Appoint a Special Master Under NRCP Rule 53 and Amended by this Court in Response to Defendant's Motion for Reconsideration Heard in Chambers on March 28,2016	06/07/16	3	529–546
83	Notice of Entry of Order Granting Summary Judgment, Severing Claims, and Directing Entry of Final Judgment	08/22/18	7	1581–1646
78	Notice of Entry of Order Modifying Court's Previous Order of February 7, 2018 Appointing a Special Master	02/16/18	6	1377–1380
192	Notice of Entry of Order Modifying Final Judgment Entered on August 21, 2018	11/17/22	22	5356–5376
199	Notice of Entry of Order Modifying Order on February 6, 2019 Granting Plaintiffs an Award of Attorney's Fees and Costs	11/18/22	22	5404–5409
70	Notice of Entry of Order of Appointment of Co-Class Counsel Christian Gabroy	01/04/18	6	1262–1265
27	Notice of Entry of Order of Discovery Commissioner's Report and Recommendation	03/04/16	2	439–446
28	Notice of Entry of Order of Discovery Commissioner's Report and Recommendation	03/04/16	2	447–460
52	Notice of Entry of Order of Discovery Commissioner's Report and Recommendations	03/31/17	4	863–871

48	Notice of Entry of Order of Discovery Commissioners Report and Recommendations	03/13/17	4	839–847
49	Notice of Entry of Order of Discovery Commissioners Report and Recommendations	03/13/17	4	848–855
47	Notice of Entry of Order of Stipulation and Order	03/09/17	4	835–838
33	Notice of Entry of Order on Defendants’ Motion for Reconsideration	04/28/16	3	521–524
118	Notice of Entry of Order on Defendants’ Motion for Reconsideration	03/05/19	11	2544–2549
115	Notice of Entry of Order on Judgment and Order Granting Resolution Economics’ Application for Order of Payment of Special Master’s Fees and Order of Contempt	02/05/19	11	2519–2528
197	Notice of Entry of Order on Motion for Costs	11/17/22	22	5396–5398
200	Notice of Entry of Order on Motion to Distribute Funds Held by Class Counsel on and Order Shortening Time	11/21/22	22	5410–5421
132	Notice of Entry of Order on Plaintiff’s Motion for Appointment of Receiver to Aid Judgment Enforcement of Alternative Relief	02/22/21	11	2703–2708
121	Notice of Entry of Order on Special Master Resolution Economics’ Ex Parte Motion for Order Shortening Time on the Motion to Strike Defendants’ Motion for Reconsideration of Judgment and Order Granting Resolution Economics Application for Order of Payment of	03/15/19	11	2559–2563

	Special Masters Fees and Oder of Contempt			
71	Notice of Entry of Order Stipulation and Order	01/16/18	6	1266–1269
10	Notice of Entry of Stipulation and Order Staying All Proceedings for a Period of Ninety (90) days	01/29/14	1	74–78
11	Notice of Entry of Stipulation and Order Staying All Proceedings for a Period of Ninety (90) days (Second Request)	04/23/14	1	79–83
12	Notice of Entry of Stipulation and Order Staying All Proceedings for a Period of Sixty (60) days (Third Request)	07/28/14	1	84–87
186	Notice of Non-Opposition to Defendants’ Motion for Costs	11/01/22	22	5327–5329
204	Notice of Removal	12/14/22	23	5517–5526
151	Opposition to Plaintiffs’ Motion for an Award of Attorney’s Fees on Appeal	03/03/22	16	3797–3817
153	Opposition to Plaintiffs’ Motion for an Award of Attorney’s Fees on Appeal of Order Denying Receiver, Opposing Mooted Motion for Attorney’s Fees, and for Costs on Appeal	03/08/22	16	3860–3886
103	Opposition to Plaintiffs’ Motion for an Award of Attorneys Fees and Costs Per NRCP Rule 54 and the Nevada Constitution	11/01/18	9 10	2156–2250 2251–2294
149	Opposition to Plaintiffs’ Motion for Entry of a Modified Judgment as Provided for by Remittitur	02/28/22	15 16	3513–3750 3751–3786
150	Opposition to Plaintiffs’ Motion for Entry of Modified Award of Pre-Judgment	03/02/22	16	3787–3796

	Attorney's Fees and as Provided for by Remittitur			
85	Opposition to Plaintiffs' Motion to Amend Judgment	09/10/18	7	1656–1680
105	Opposition to Plaintiffs' Motion to File a Supplement in Support of an Award of Attorneys Fees and Costs Per NRCP Rule 54 and the Nevada Constitution	11/16/18	10	2304–2316
166	Opposition to Plaintiffs' Motion to Reconsider Award of Costs and Countermotion to Strike Duplicative Order	06/30/22	18	4380–4487
161	Opposition to Plaintiffs' Motion to Stay, Offset, or Apportion Award of Costs and/or Reconsider Award of Costs and Countermotion for Attorney's Fees	06/14/22	17	4094–4193
60	Order	07/17/17	5	1085–1086
61	Order	07/17/17	5	1087–1088
191	Order Amending the Class	11/17/22	22	5351–5355
168	Order Denying Motion Without Prejudice and with Leave to Renew	07/08/22	19	4667–4670
181	Order Granting Motion to Lift Stay and Regarding Additional Briefing and Motion Practice	09/19/22	20	4984–4989
198	Order Granting Motion to Stay, Offset, or Apportion Award of Cost	11/17/22	22	5399–5403
144	Plaintiffs' Motion for an Award of Attorney's Fees on Appeal	02/17/22	14	3302–3316
145	Plaintiffs' Motion for an Award of Attorney's Fees on Appeal of Order Denying Receiver, Opposing Mooted Motion for Attorney's Fees, and for Costs on Appeal	02/22/22	14	3317–3332

99	Plaintiffs' Motion for an Award of Attorneys Fees and Costs as per NRCPC Rule 54 and the Nevada Constitution	10/12/18	9	2017–2041
141	Plaintiffs' Motion for Entry of a Modified Judgment as Provided for by Remittitur	02/14/22	13	3065–3221
142	Plaintiffs' Motion for Entry of Modified Award of Pre-Judgment Attorney's Fees as Provided for by Remittitur	02/16/22	13 14	3222–3250 3251–3272
102	Plaintiffs' Motion to File a Supplement in Support of an Award of Attorneys Fees and Costs Per NRCPC Rule 54 and the Nevada Constitution	10/29/18	9	2143–2155
176	Plaintiffs' Motion to Lift Stay and Have Pending Motions Decided	08/12/22	20	4868–4882
164	Plaintiffs' Motion to Reconsider Award of Costs	06/16/22	17 18	4202–4250 4251–4356
159	Plaintiffs' Motion to Stay, Offset, or Apportion Award of Costs and/or Reconsider Award of Costs	05/31/22	16 17	3934–4000 4001–4089
184	Plaintiffs' Omnibus Brief Pursuant to the Court's Order of September 19, 2022	09/30/22	22	5301–5309
187	Plaintiffs' Opposition to Defendants' Motion for Costs	11/04/22	22	5330–5333
180	Plaintiffs' Reply to Defendant's Opposition to Plaintiffs' Motion to Lift Stay and Have Pending Motions Decided	09/13/22	20	4967–4983
86	Plaintiffs' Reply to Defendants' Opposition to Plaintiffs' Motion to Amend Judgment	09/20/18	7	1681–1737
104	Plaintiffs' Reply to Defendants' Opposition to Plaintiffs' Motion for an Award of Attorneys Fees and Costs as	11/08/18	10	2295–2303

	Per NRCP Rule 54 and the Nevada Constitution			
106	Plaintiffs' Reply to Defendants' Opposition to Plaintiffs' Motion to File a Supplement in Support of an Award of Attorneys Fees and Costs Per NRCP Rule 54 and the Nevada Constitution	11/28/18	10	2317–2323
167	Plaintiffs' Reply to Defendants' Opposition to Plaintiffs' Motion to Stay, Offset, or Apportion Award of Costs and/or Reconsider Award of Costs	07/01/22	18 19	4488–4500 4501–4666
170	Plaintiffs' Reply to Defendants' Opposition to Plaintiffs' Motion to Reconsider Award of Costs and Response to Defendants' Counter-Motion	07/21/22	19	4677–4716
172	Plaintiffs' Reply to Defendants' Opposition to Plaintiffs' Motion for Entry of Modified Judgment as Provided for by Remittitur	08/12/22	20	4767–4835
173	Plaintiffs' Reply to Defendants' Opposition to Plaintiffs' Motion for Entry of Modified Award of Pre-Judgment Attorney's Fees and Provided for by Remittitur	08/12/22	20	4836–4840
174	Plaintiffs' Reply to Defendants' Opposition to Plaintiffs' Motion for an Award of Attorney's Fees on Appeal	08/12/22	20	4841–4845
175	Plaintiffs' Reply to Defendants' Opposition to Plaintiffs' Motion for an Award of Attorneys' Fees on Appeal of Order Denying Receiver, Opposing Mooted Motion for Attorney's Fees, and for Costs on Appeal	08/12/22	20	4846–4867

90	Plaintiffs' Response and Counter-motion to Defendants Motion on OST to Quash	09/24/18	8	1770–1845
136	Plaintiffs' Response to Defendants' Motion for Costs & Counter Motion to Offset Costs Against Judgment	02/03/22	12	2811–2825
147	Plaintiffs' Response to Defendants' Motion for Declaratory Order & Counter-Motion for Award of Attorney's Fees	02/25/22	14	3337–3384
152	Plaintiffs' Response to Defendants' Motion for Stay on Order Shortening Time and Counter-Motion for Award of Attorney's Fees	03/04/22	16	3818–3859
107	Recorder's Transcript of Hearing on All Pending Motions	12/04/18	10	2324–2405
205	Recorder's Transcript of Hearing on Argument re Post Judgment Receiver Motion to Distribute Funds Held by Class Counsel on an Order Shortening Time	12/15/22	23	5527–5530
124	Recorder's Transcript of Hearing re All Pending Motions	05/21/19	11	2570–2617
126	Recorder's Transcript of Hearing re All Pending Motions	12/03/19	11	2624–2675
143	Recorder's Transcript of Hearing re All Pending Motions	02/16/22	14	3273–3301
155	Recorder's Transcript of Hearing re Defendant's Motion to Stay on OST	03/09/22	16	3902–3916
63	Recorder's Transcript of Proceeding re Discovery Conference	08/08/17	5	1093–1110
64	Recorder's Transcript of Proceeding re Discovery Conference – Referred by Judge	10/04/17	5	1111–1123

20	Recorder's Transcript of Proceedings for All Pending Motions	11/18/15	2	346–377
23	Recorder's Transcript of Proceedings for Discovery Production/Deferred Ruling – Defendant's Rule 37 Sanctions	01/13/16	2	392–412
32	Recorder's Transcript of Proceedings for Further Proceedings on Discovery Production/Deferred Ruling	04/08/16	2 3	485–500 501–520
13	Recorder's Transcript of Proceedings Notice of Plaintiffs' Motion to Compel the Production of Documents	03/18/15	1	88–107
42	Recorder's Transcript of Proceedings re Plaintiffs' Motion to Compel the Production of Documents	01/25/17	3 4	742–750 751–787
43	Recorder's Transcript of Proceedings re Plaintiffs' Motion to Compel Compliance with Subpoena	02/08/17	4	788–806
39	Recorder's Transcript of Proceedings re Status Check Compliance	11/18/16	3	647–671
188	Reply in Support of Defendants' Motion for Costs	11/07/22	22	5334–5337
137	Reply in Support of Defendants' Motion for Costs and Opposition to Countermotion	02/09/22	12	2826–2846
154	Reply in Support of Defendants' Motion to Stay on Order Shortening Time	03/08/22	16	3887–3901
177	Response to Plaintiffs' Motion to Lift Stay and Have Pending Motions Decided	08/26/22	20	4883–4936
16	Second Amended Complaint and Supplemental Complaint	08/19/15	1	145–162
119	Second Amended Notice of Appeal	03/06/19	11	2550–2553

179	Second Supplement to Defendants' Response to Plaintiffs' Motion to Lift Stay and Have Pending Motions Decided	09/09/22	20	4962–4966
58	Stipulation and Order	07/11/17	5	1073–1078
122	Stipulation and Order to Continue Hearings	05/17/19	11	2564–2566
123	Stipulation and Order to Continue Hearings	05/20/19	11	2567–2569
178	Supplement to Defendants' Response to Plaintiffs' Motion to Lift Stay and Have Pending Motions Decided	08/29/22	20	4937–4961
138	Supplement to Plaintiffs' Response to Defendants' Motion for Costs	02/10/22	12	2847–2850
19	Transcript of Proceedings of All Pending Motions	11/03/15	1 2	177–250 251–345
171	Transcript of Proceedings re Case Management Conference	07/25/22	19 20	4717–4750 4751–4766
41	Transcript of Proceedings re Motion to Compel Interrogatory Responses on Status Check Compliance - Report and Recommendation	12/09/16	3	678–741
38	Transcript of Proceedings re Motions Status Check, Compliance Status Check, and Production Status Check	10/12/16	3	597–646
37	Transcript of Proceedings re Plaintiff's Motion to Compel the Production of Documents and Interrogatory Responses - Status Check on Status of Case	09/07/16	3	554–596
165	Transcript of Proceedings re Plaintiffs' Motion for Turnover of Property Pursuant to NRS 21.320 or Alternative Relief	06/29/22	18	4357–4379

54	Transcript re All Pending Motions	05/18/17	4 5	881–1000 1001–1011
101	Transcript Re All Pending Motions	10/22/18	9	2046–2142
77	Transcript re Appointment of Special Master	02/15/18	6	1346–1376
91	Transcript re Defendant’s Ex-Parte Motion to Quash Writ of Execution and, in the Alternative, Motion for Partial Stay of Execution on Order Shortening	09/26/18	8	1846–1913
92	Transcript re Defendant’s Ex-Parte Motion to Quash Writ of Execution and, in the Alternative, Motion for Partial Stay of Execution on Order Shortening, and Plaintiffs’ Response to Defendant’s Ex-Parte Motion to Quash Writ of Execution on OST and Countermotion for Appropriate Judgment Enforcement Relief	09/28/18	8	1914–1980
69	Transcript re Defendant’s Motion for Summary Judgment	01/02/18	5 6	1199–1250 1251–1261
2	Transcript re Defendant’s Motion to Dismiss Complaint	01/17/13	1	9–31
82	Transcript re Plaintiff’s Motion for Partial Summary Judgment	06/05/18	7	1509–1580
57	Transcript re Plaintiff’s Motion on Order Shortening Time and Extend Damages Class Certification and for Other Relief	06/13/17	5	1051–1072
55	Transcript re Plaintiff’s Re-Notice of Motion for Partial Summary Judgment	05/25/17	5	1012–1032
109	Transcript re Plaintiffs Ex Parte Motion for a Temporary Restraining Order and Motion on an Order Requiring the Turnover of Certain Property of the	12/13/18	10	2424–2475

	Judgment Debtor Pursuant to NRS 21.320			
80	Transcript re Plaintiffs' Motion for Miscellaneous Relief	05/23/18	6	1387–1463
44	Transcript re Plaintiffs' Motion on OST to Expedite Issuance of Order Granting Motion Filed on 10/14/16 to Enjoin Defendants from Seeking Settlement of any Unpaid Wage Claims Involving any Class Members Except as Part of this Lawsuit and for Other Relief and for Sanctions	02/14/17	4	807–826
14	Transcript re Plaintiffs' Motion to Certify This Case as a Class Action Pursuant to NCRP Rule 23 and Appoint a Special Master Pursuant to NRCP Rule 53	08/11/15	1	108–140
81	Transcript re Plaintiffs' Motion to Hold Defendants in Contempt; Strike Their Answer	06/01/18	6 7	1464–1500 1501–1508
73	Transcript re Plaintiffs' Omnibus Motion in Limine 1-25, Defendants' Motion in Limine to Exclude the Testimony of Plaintiffs' Experts	01/25/18	6	1276–1311
108	Transcript Re Resolution Economics' Application for Order of Payment of Special Master's Fees and Motion for Contempt	12/11/18	10	2406–2423
74	Transcript re Status Check on Appointment of Special Master	02/02/18	6	1312–1332
68	Transcript Re: Plaintiff's Motion for Partial Summary Judgment and Motion to Place Evidentiary Burden on Defendants to Establish Lower Tier	12/14/17	5	1140–1198

	Minimum Wage and Declare NAC 608.102(2)(b) Invalid			
29	Transcript Re: Plaintiffs' Motion to Impose Sanctions Against Defendants for Violating this Court's Order of February 10, 2016 and Compelling Compliance with that Order on OST; and Defendant's Opposition to Motion to Impose Sanctions on Order Shortening Time and Countermotion for Sanctions Against Plaintiffs	03/16/16	2	461–476

CERTIFICATE OF SERVICE

I certify that on the 26th day of January, 2024, I submitted the foregoing “Appellant’s Appendix” for e- filing and service via the Court’s eFlex electronic filing system. Electronic service of the forgoing documents shall be made upon all parties listed on the Master Service List.

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Attorneys for Respondents

/s/ Jessie M. Helm
An Employee of Lewis Roca Rothgerber Christie LLP

EXHIBIT "A"

004251

004251

	A	B	C	D	E	F	G
1	Totals for All Class Members			\$900,317.34	\$132,710.47	\$1,033,027.81	\$975,000.00
2	EE Number	Last Name	First Name	Total Lower Tier Minimum Wages Owed 7/1/2007 - 12/31/2015 After Set Off and Over \$10.00	Interest from 1/1 2016 through 6/30/2018	Total with Interest	Total 2016 Shortfall
3	3861	Abarca	Enrique	\$815.12	\$120.15	\$935.27	
4	3638	Abdella	Juhar	\$178.63	\$26.33	\$204.96	
5	3331	Abdulahi	Faud	\$286.07	\$42.17	\$328.23	
6	105408	Abdulle	Abdirashid	\$165.36	\$24.38	\$189.74	
7	3606	Abebe	Tamrat	\$3,010.66	\$443.78	\$3,454.44	\$
8	3302	Abraha	Tesfalem	\$669.17	\$98.64	\$767.81	
9	105813	Abt	Daniel	\$891.35	\$131.39	\$1,022.74	
10	2640	Abuel	Alan	\$148.52	\$21.89	\$170.41	
11	3513	Abuhay	Fasil	\$529.05	\$77.98	\$607.03	
12	100221	Ackman	Charles	\$385.21	\$56.78	\$441.99	
13	3853	Acosta	Lorrie	\$135.08	\$19.91	\$154.99	
14	3257	Adam	Elhadi	\$522.90	\$77.08	\$599.98	
15	3609	Adamian	Robert	\$794.61	\$117.13	\$911.74	
16	3896	Adams	Michael	\$193.46	\$28.52	\$221.98	
17	3641	Adamson	Nicole	\$1,012.32	\$149.22	\$1,161.54	\$
18	3035	Adem	Sued	\$731.28	\$107.79	\$839.07	
19	25411	Adhanom	Tewoldebrhan	\$124.16	\$18.30	\$142.46	
20	3846	Agacevic	Ibnel	\$299.99	\$44.22	\$344.21	
21	100821	Agostino	Nicholas	\$1,436.35	\$211.72	\$1,648.07	\$
22	3684	Ahmed	Ahmed	\$926.12	\$136.51	\$1,062.63	\$
23	3678	Alemayehu	Tewodros	\$42.09	\$6.20	\$48.30	
24	3692	Alessi	Anthony	\$13.62	\$2.01	\$15.63	
25	3712	Alexander	Darvious	\$63.13	\$9.30	\$72.43	
26	3869	Alfaro	Joe	\$300.71	\$44.33	\$345.03	

	A	B	C	D	E	F	G
27	3661	Ali	Abraham	\$2,224.87	\$327.95	\$2,552.82	\$
28	104525	Allegue	Yusnier	\$1,414.77	\$208.54	\$1,623.31	\$
29	2903	Allen	Otis	\$9,556.92	\$1,408.73	\$10,965.65	\$
30	25979	Alnaif	Abdul	\$926.14	\$136.52	\$1,062.65	
31	3787	Altamura	Vincent	\$503.89	\$74.28	\$578.17	
32	103822	Alvarado	Santiago	\$94.08	\$13.87	\$107.95	
33	3106	Alvero	Jose	\$105.62	\$15.57	\$121.18	
34	3769	Alves	Mary	\$988.61	\$145.72	\$1,134.33	
35	2968	Amato	Richard	\$4,000.14	\$589.64	\$4,589.78	\$
36	3645	Ameha	Samuale	\$244.82	\$36.09	\$280.91	
37	24038	Anantagul	Kamol	\$154.39	\$22.76	\$177.15	
38	3564	Anastasio	James	\$111.24	\$16.40	\$127.63	
39	2834	Anders	Matthew	\$417.90	\$61.60	\$479.50	
40	29709	Andersen	Jason	\$1,224.18	\$180.45	\$1,404.63	\$
41	3672	Anderson	Roosevelt	\$2,114.65	\$311.71	\$2,426.36	\$
42	106828	Anderson	Calvin	\$1,353.44	\$199.50	\$1,552.95	\$
43	3943	Anderson	William	\$289.40	\$42.66	\$332.06	
44	3650	Anif	Janeid	\$1,406.55	\$207.33	\$1,613.88	\$
45	2662	Antoine	Albert	\$310.19	\$45.72	\$355.91	
46	2942	Appel	Howard	\$23.47	\$3.46	\$26.93	
47	3614	Applegate	Angela	\$260.97	\$38.47	\$299.44	
48	3730	Arar	Isam	\$1,726.82	\$254.54	\$1,981.36	\$
49	104910	Archer	Bert	\$362.37	\$53.41	\$415.78	
50	3037	Archuleta	Alex	\$2,031.51	\$299.45	\$2,330.96	\$
51	3709	Arell	Roger	\$42.41	\$6.25	\$48.66	
52	3931	Arena	Francis	\$527.13	\$77.70	\$604.83	
53	26553	Arnwine	Howard	\$2,020.90	\$297.89	\$2,318.78	\$
54	2439	Artigue	David	\$315.09	\$46.45	\$361.53	
55	3676	Asad	Tassawar	\$28.49	\$4.20	\$32.69	
56	31622	Asefa	Wossen	\$456.31	\$67.26	\$523.57	
57	3828	Aseffa	Mulubahan	\$1,992.18	\$293.66	\$2,285.84	\$
58	3741	Assena	Zenebech	\$41.86	\$6.17	\$48.02	
59	3873	Atanasov	Nikolay	\$154.17	\$22.73	\$176.90	

	A	B	C	D	E	F	G
60	3406	Atoigue	Marco	\$259.34	\$38.23	\$297.57	
61	3825	Atterbury	Joseph	\$159.92	\$23.57	\$183.49	
62	110476	Auberry Jr.	Glenn	\$309.98	\$45.69	\$355.67	
63	2432	Auckerman	Katherine	\$215.32	\$31.74	\$247.06	
64	3667	Aurich	Juan	\$1,489.26	\$219.52	\$1,708.78	\$
65	2926	Awalom	Alemayehu	\$8,201.42	\$1,208.92	\$9,410.35	\$
66	3707	Azmoudeh	Bobby	\$208.23	\$30.69	\$238.92	
67	3605	Azzouay	El	\$135.48	\$19.97	\$155.45	
68	20210	Ba	Awa	\$1,270.02	\$187.21	\$1,457.22	\$
69	2555	Babinchak	Blaine	\$15.52	\$2.29	\$17.80	
70	108404	Baca	James	\$105.93	\$15.61	\$121.54	
71	27358	Baca-Paez	Sergio	\$2,124.87	\$313.21	\$2,438.08	\$
72	2708	Badillo	Cesar	\$280.24	\$41.31	\$321.55	
73	3130	Bafrdu	Solomon	\$221.55	\$32.66	\$254.21	
74	3838	Baker	Timothy	\$2,135.81	\$314.83	\$2,450.64	\$
75	27315	Bakhtiari	Marco	\$2,118.28	\$312.24	\$2,403.53	\$
76	112015	Bambenek	Matthew	\$337.56	\$49.76	\$387.31	
77	112193	Bandi	Pedram	\$11.21	\$1.65	\$12.86	
78	2523	Banuelos	Ruben	\$150.22	\$22.14	\$172.36	
79	3909	Barbu	Ion	\$2,507.70	\$369.64	\$2,877.34	\$
80	3760	Bardo	Timothy	\$746.65	\$110.06	\$856.71	
81	3369	Barich	Edward	\$1,270.10	\$187.22	\$1,457.31	\$
82	100158	Barnes	Benjamin	\$5,936.88	\$875.12	\$6,812.00	\$
83	2993	Barr	Kenneth	\$574.03	\$84.61	\$658.64	
84	107792	Barrameda	Danilo	\$56.83	\$8.38	\$65.20	
85	3601	Barseghyan	Artur	\$373.48	\$55.05	\$428.54	
86	3887	Barstow	Lance	\$131.44	\$19.37	\$150.81	
87	3829	Bartunek	Johnny	\$19.47	\$2.87	\$22.34	
88	3649	Bataineh	Ali	\$218.35	\$32.18	\$250.53	
89	2454	Batista	Eugenio	\$49.03	\$7.23	\$56.25	
90	3926	Bauer	William	\$217.42	\$32.05	\$249.47	
91	2063	Bean	Ronald	\$214.50	\$31.62	\$246.12	
92	2786	Bekele	Abraham	\$77.01	\$11.35	\$88.36	

	A	B	C	D	E	F	G
93	2856	Bell	Arthur	\$328.15	\$48.37	\$376.52	
94	25454	Bell	Jeffrey	\$26.45	\$3.90	\$30.34	
95	3594	Bellegarde	Josue	\$11.51	\$1.70	\$13.21	
96	3622	Benel	Christian	\$1,457.21	\$214.80	\$1,672.01	\$
97	110687	Berger	James	\$58.09	\$8.56	\$66.65	
98	103219	Berichon	Mike	\$947.14	\$139.61	\$1,086.75	
99	23373	Bey	Ronald	\$3,483.14	\$513.43	\$3,996.57	\$
100	2960	Bialorucki	Richard	\$6,538.58	\$963.81	\$7,502.40	\$
101	2986	Black	Burton	\$1,658.10	\$244.41	\$1,902.51	\$
102	29914	Bliss	Valerie	\$124.09	\$18.29	\$142.38	
103	112455	Blum III	Arthur	\$47.07	\$6.94	\$54.01	
104	3072	Blumenthal	Alan	\$1,925.31	\$283.80	\$2,209.10	\$
105	3101	Bly	Vertito	\$3,955.45	\$583.05	\$4,538.50	\$
106	3180	Bolden	Quincy	\$284.99	\$42.01	\$327.00	
107	2487	Boling	Freddy	\$2,571.76	\$379.09	\$2,950.85	\$
108	2814	Booth	Sean	\$643.34	\$94.83	\$738.17	
109	2802	Borja	Virginia	\$3,665.99	\$540.38	\$4,206.37	\$
110	3003	Borowski	Edwin	\$227.27	\$33.50	\$260.77	
111	3723	Bowen	Christopher	\$674.72	\$99.46	\$774.17	
112	2767	Boyd	Kevin	\$862.73	\$127.17	\$989.90	
113	3508	Bozic	Nebojsa	\$1,242.08	\$183.09	\$1,425.17	\$
114	28324	Bradley	Leroy	\$2,391.80	\$352.56	\$2,744.36	\$
115	2056	Brauchle	Michael	\$6,402.82	\$943.80	\$7,346.62	\$
116	3254	Breault	Ronald	\$208.05	\$30.67	\$238.72	
117	2806	Brennan	Sheila	\$78.89	\$11.63	\$90.52	
118	3697	Briggs	Andrew	\$52.36	\$7.72	\$60.08	
119	3716	Brimhall	Tracy	\$3,804.84	\$560.85	\$4,365.69	\$
120	3621	Brisco	Allen	\$3,226.36	\$475.58	\$3,701.93	\$
121	100299	Briski	Louis	\$704.15	\$103.79	\$807.94	
122	110579	Brooks	Jose	\$46.30	\$6.83	\$53.13	
123	3067	Brown	Maurice	\$1,528.59	\$225.32	\$1,753.91	\$
124	3949	Brown	Daniel	\$730.19	\$107.63	\$837.82	
125	2704	Buergey	Christopher	\$1,051.28	\$154.96	\$1,206.24	\$

	A	B	C	D	E	F	G
126	28249	Bunns	Tommy	\$564.89	\$83.27	\$648.16	
127	3340	Burgema	Kelemework	\$1,408.98	\$207.69	\$1,616.67	\$
128	111670	Burns	Brittany	\$122.95	\$18.12	\$141.08	
129	3327	Butler	Bonnie	\$984.83	\$145.17	\$1,129.99	
130	3160	Butts	Phillip	\$315.09	\$46.45	\$361.54	
131	3537	Cadman	Linda	\$43.84	\$6.46	\$50.31	
132	109309	Caldwell Jr	Paul	\$364.22	\$53.69	\$417.90	
133	3892	Calise	Domenic	\$57.13	\$8.42	\$65.55	
134	3791	Cancio-Bet	Rene	\$282.86	\$41.69	\$324.55	
135	3070	Canelstein	Glen	\$168.33	\$24.81	\$193.14	
136	106463	Capone	Gary	\$1,177.79	\$173.61	\$1,351.40	\$
137	3733	Carr	Jamaal	\$127.11	\$18.74	\$145.84	
138	2660	Carracedo	Sonny	\$380.97	\$56.16	\$437.13	
139	3899	Casiello	Anthony	\$552.19	\$81.39	\$633.58	
140	102334	Castellano	Joaquin	\$419.56	\$61.84	\$481.40	
141	2850	Castillo	Franzes	\$32.11	\$4.73	\$36.84	
142	2740	Cater	Leslie	\$863.76	\$127.32	\$991.09	
143	3463	Catoera	Nestor	\$327.05	\$48.21	\$375.25	
144	2531	Catoggio	Alfred	\$143.11	\$21.10	\$164.21	
145	3843	Caymite	Luc	\$221.02	\$32.58	\$253.60	
146	2907	Cease	Alan	\$367.94	\$54.24	\$422.18	
147	2969	Champigny	Paul	\$133.62	\$19.70	\$153.31	
148	104310	Chana	Chen	\$658.00	\$96.99	\$754.99	
149	3420	Chang	Yun-Yu	\$1,093.43	\$161.18	\$1,254.60	\$
150	3831	Charouat	Malek	\$412.11	\$60.75	\$472.86	
151	24737	Charov	Ivaylo	\$67.83	\$10.00	\$77.83	
152	3663	Chasteen	Jeffery	\$38.80	\$5.72	\$44.52	
153	3714	Chatrizeh	Shahin	\$744.82	\$109.79	\$854.61	
154	2420	Chau	Phi	\$45.97	\$6.78	\$52.74	
155	112394	Chavez	Rosemarie	\$13.29	\$1.96	\$15.25	
156	3249	Chico	David	\$3,982.14	\$586.98	\$4,569.12	\$
157	3258	Child	Gregg	\$232.80	\$34.32	\$267.11	
158	3729	Choudhary	Krishna	\$1,694.88	\$249.83	\$1,944.71	\$

	A	B	C	D	E	F	G
159	3588	Christense	Rosa	\$1,878.35	\$276.88	\$2,155.22	\$
160	3881	Christodou	Panos	\$584.13	\$86.10	\$670.23	
161	26783	Clark	Dennis	\$513.57	\$75.70	\$589.27	
162	31467	Clarke	Michael	\$69.42	\$10.23	\$79.65	
163	2994	Clift	Daniel	\$519.14	\$76.52	\$595.67	
164	2679	Clores	Edgardo	\$363.66	\$53.60	\$417.26	
165	107430	Cobon	Karl	\$1,023.14	\$150.81	\$1,173.95	\$
166	3802	Cobos	Aaron	\$258.72	\$38.14	\$296.85	
167	3885	Cohoon	Thomas	\$2,087.12	\$307.65	\$2,394.77	\$
168	3552	Coizeau	Leonardo	\$3,285.52	\$484.30	\$3,769.81	\$
169	2527	Colello	Robert	\$123.39	\$18.19	\$141.58	
170	3321	Collier	Samuel	\$326.95	\$48.19	\$375.15	
171	102415	Collier	Ella	\$293.00	\$43.19	\$336.19	
172	3862	Collins	Lincoln	\$408.91	\$60.27	\$469.18	
173	2676	Collins	Donald	\$297.17	\$43.80	\$340.97	
174	2481	Colon	James	\$999.75	\$147.37	\$1,147.12	
175	108041	Comeau	Brian	\$70.76	\$10.43	\$81.19	
176	3596	Conde	Carlos	\$103.01	\$15.18	\$118.19	
177	3900	Coney-Cun	Keisha	\$531.04	\$78.28	\$609.32	
178	3738	Conway	James	\$3,480.75	\$513.08	\$3,993.82	\$
179	3546	Cook	Eugene	\$1,466.17	\$216.12	\$1,682.29	\$
180	3284	Cook	Robert	\$1,223.89	\$180.41	\$1,404.29	\$
181	112398	Corona	Fernando	\$775.97	\$114.38	\$890.35	
182	2051	Costello	Brad	\$2,277.69	\$335.74	\$2,613.44	\$
183	3550	Craddock	Charles	\$1,473.65	\$217.22	\$1,690.87	\$
184	3935	Craffey	Richard	\$672.27	\$99.09	\$771.36	
185	23774	Crawford	Darryl	\$395.48	\$58.29	\$453.77	
186	21457	Crawford	Maximillian	\$156.56	\$23.08	\$179.64	
187	30300	Cruz-Decas	Antonio	\$47.37	\$6.98	\$54.35	
188	3301	Csorba	Laszlo	\$512.50	\$75.54	\$588.04	
189	109796	Curtin	Ronald	\$1,891.68	\$278.84	\$2,170.52	\$
190	109130	Dacayanan	Liza	\$515.01	\$75.91	\$590.92	
191	23948	Daffron	Daniel	\$1,242.13	\$183.10	\$1,425.23	\$

	A	B	C	D	E	F	G
192	32238	Daggett Jr.	Rudolph	\$618.68	\$91.20	\$709.87	
193	3231	Dagley	Darryl	\$429.11	\$63.25	\$492.36	
194	3777	Daniels	Donald	\$3,274.58	\$482.69	\$3,757.26	\$
195	3480	Daniels	Katherine	\$645.94	\$95.21	\$741.15	\$
196	110936	Daniels	James	\$57.14	\$8.42	\$65.56	
197	3511	Danielsen	Danny	\$508.57	\$74.97	\$583.54	
198	3428	D'Arcy	Timothy	\$5,450.15	\$803.37	\$6,253.52	\$
199	101103	Davila-Ron	Monica	\$58.85	\$8.67	\$67.52	
200	28065	Davis	Bradley	\$2,249.11	\$331.53	\$2,580.64	\$
201	2590	Davis	Nancy	\$71.07	\$10.48	\$81.54	
202	3419	Degefa	Dejene	\$385.27	\$56.79	\$442.06	
203	3548	Degracia	Bob	\$342.00	\$50.41	\$392.42	
204	3675	Deguzman	Leloi	\$619.41	\$91.30	\$710.71	
205	2573	Deguzman	Fermin	\$294.22	\$43.37	\$337.59	
206	3027	Dein	Fred	\$97.00	\$14.30	\$111.29	
207	111137	Dejacto	Giovanna	\$660.42	\$97.35	\$757.77	
208	25935	Delgado	Carlos	\$105.26	\$15.52	\$120.78	
209	2057	DeMarco	William	\$581.36	\$85.69	\$667.05	
210	3566	Deocampo	Michael	\$198.88	\$29.31	\$228.19	
211	3936	Dial	Donald	\$811.92	\$119.68	\$931.60	
212	111062	Diamond	Jeffrey	\$273.19	\$40.27	\$313.46	
213	3719	Diaz	Aiser	\$22.90	\$3.38	\$26.28	
214	3657	Dibaba	Desta	\$958.68	\$141.31	\$1,099.99	
215	3905	Dillard	Corey	\$904.27	\$133.29	\$1,037.56	
216	2031	Dinok	Ildiko	\$3,031.54	\$446.86	\$3,478.41	\$
217	6832	Dionas	John	\$87.73	\$12.93	\$100.66	
218	3756	Disbrow	Ronald	\$2,475.64	\$364.92	\$2,840.56	\$
219	3395	Dixon	Julius	\$702.55	\$103.56	\$806.11	
220	2812	Djapa-Ivos	Davor	\$1,028.61	\$151.62	\$1,180.23	\$
221	3704	Dobszewic	Gary	\$2,278.69	\$335.89	\$2,614.57	\$
222	3024	Donahoe	Stephen	\$998.20	\$147.14	\$1,145.34	
223	2811	Donleycott	Kevin	\$622.75	\$91.80	\$714.55	
224	3478	Dontchev	Nedeltcho	\$3,455.50	\$509.36	\$3,964.86	\$

	A	B	C	D	E	F	G
225	3378	Dotson	Eugene	\$590.77	\$87.08	\$677.85	
226	3830	Dotson	Contessa	\$49.54	\$7.30	\$56.84	
227	2067	Doughty	Michael	\$308.33	\$45.45	\$353.78	
228	2919	Downing	Jennifer	\$133.31	\$19.65	\$152.96	
229	2839	Downs	David	\$324.58	\$47.85	\$372.43	
230	106763	Doyle	William	\$304.91	\$44.94	\$349.85	
231	2871	Draper	Ivan	\$5,002.36	\$737.37	\$5,739.72	\$
232	2874	Dreitzer	Gail	\$294.20	\$43.37	\$337.56	
233	3754	Dudek	Anthony	\$1,421.81	\$209.58	\$1,631.39	\$
234	3084	Duff	Tommy	\$215.34	\$31.74	\$247.09	
235	3916	Duna	Lawrence	\$760.98	\$112.17	\$873.15	
236	3617	Durey	Robert	\$795.00	\$117.19	\$912.19	\$
237	2006	Durtschi	Jeffrey	\$496.97	\$73.26	\$570.23	
238	100046	Dymond	Ernest	\$62.96	\$9.28	\$72.24	
239	3220	Dyson	Edward	\$237.76	\$35.05	\$272.81	
240	1095	Eckert	Michael	\$44.98	\$6.63	\$51.61	
241	3907	Eddik	Muhannad	\$31.60	\$4.66	\$36.26	
242	2637	Edwards	Jeffrey	\$2,251.54	\$331.89	\$2,583.42	\$
243	3381	Egan	Joseph	\$3,566.11	\$525.66	\$4,091.77	\$
244	3595	Ekoue	Ayi	\$2,813.75	\$414.76	\$3,228.50	\$
245	3125	Elam	Damon	\$2,368.35	\$349.10	\$2,717.46	\$
246	111822	Elgendy	Mohamed	\$96.88	\$14.28	\$111.17	
247	18678	Eliades	George	\$272.83	\$40.22	\$313.04	
248	3242	Eljawhary	Farid	\$233.11	\$34.36	\$267.47	
249	3771	Ellis	Charles	\$763.81	\$112.59	\$876.40	
250	109641	Emling	Paul	\$146.38	\$21.58	\$167.95	
251	106698	Emter	Christopher	\$124.52	\$18.36	\$142.88	
252	2975	English	David	\$419.94	\$61.90	\$481.84	
253	3567	Ernst	William	\$2,071.00	\$305.27	\$2,376.27	\$
254	3937	Esfarjany	Mahmood	\$61.93	\$9.13	\$71.06	
255	3689	Eshaghi	Mohammad	\$243.90	\$35.95	\$279.85	
256	2865	Esser	David	\$57.32	\$8.45	\$65.77	
257	3889	Estrada	Michael	\$217.71	\$32.09	\$249.80	

	A	B	C	D	E	F	G
258	3628	Evans	Steven	\$23.51	\$3.46	\$26.97	
259	3703	Fadlallah	Michel	\$675.34	\$99.55	\$774.88	
260	29981	Fair	Kirby	\$496.57	\$73.20	\$569.77	
261	3795	Farah	Yohannes	\$391.88	\$57.76	\$449.64	
262	2758	Feakes	Curtis	\$57.53	\$8.48	\$66.01	
263	2682	Fears	Thomas	\$4,474.10	\$659.50	\$5,133.60	\$
264	3591	Feleke	Melak	\$979.78	\$144.42	\$1,124.20	\$
265	3324	Ferrall	Edwin	\$240.80	\$35.49	\$276.29	
266	3549	Fesehazior	Teabe	\$2,143.08	\$315.90	\$2,458.98	\$
267	111068	Filatov	Andrey	\$20.19	\$2.98	\$23.16	
268	3877	Filfel	Kamal	\$3,138.25	\$462.59	\$3,600.84	\$
269	3528	Fitz-Patrick	Michael	\$150.98	\$22.26	\$173.24	
270	109381	Fitzsimmon	Marc	\$327.92	\$48.34	\$376.25	
271	111729	Flanders	Mary	\$208.19	\$30.69	\$238.88	
272	3705	Fleming	Gary	\$3,227.44	\$475.74	\$3,703.17	\$
273	2583	Foley	John	\$324.12	\$47.78	\$371.90	
274	3939	Ford	Todd	\$982.51	\$144.83	\$1,127.33	
275	3927	Fox	Gordon	\$258.33	\$38.08	\$296.41	
276	3860	Frankenbe	Grant	\$625.40	\$92.19	\$717.58	
277	2614	Franklin	David	\$530.60	\$78.21	\$608.81	
278	3196	Fredrickson	Steven	\$221.29	\$32.62	\$253.90	
279	3184	Friedman	Robert	\$384.78	\$56.72	\$441.50	
280	3774	Furst III	James	\$48.51	\$7.15	\$55.66	
281	107590	Galtieri	Frank	\$269.32	\$39.70	\$309.02	
282	2782	Garcia	John	\$10,117.38	\$1,491.34	\$11,608.72	\$1
283	3652	Garcia	Miguel	\$1,119.02	\$164.95	\$1,283.96	\$
284	3522	Gardea	Alfred	\$2,589.33	\$381.68	\$2,971.01	\$
285	3694	Gared	Yaekob	\$76.99	\$11.35	\$88.34	
286	3793	Garras	Bill	\$160.33	\$23.63	\$183.97	
287	26636	Garrett	Kathleen	\$20.07	\$2.96	\$23.03	
288	3642	Gaumond	Gerard	\$197.50	\$29.11	\$226.61	
289	3503	Gebrayes	Henock	\$582.20	\$85.82	\$668.02	
290	2870	Gebregiorg	Tewodros	\$57.35	\$8.45	\$65.81	

	A	B	C	D	E	F	G
291	3300	Gebrehan	Keber	\$1,330.65	\$196.14	\$1,526.79	\$
292	3801	Gebremari	Meley	\$200.99	\$29.63	\$230.61	
293	3580	Gebreyes	Fanuel	\$513.28	\$75.66	\$588.93	
294	3328	Gelane	Samuel	\$4,752.58	\$700.55	\$5,453.13	\$
295	3589	Gessese	Worku	\$81.57	\$12.02	\$93.59	
296	3153	Getnet	Girma	\$151.67	\$22.36	\$174.03	
297	3865	Ghori	Azhar	\$205.23	\$30.25	\$235.48	
298	3759	Gianopoul	Samuel	\$1,133.49	\$167.08	\$1,300.57	\$
299	3016	Giatropoul	John	\$68.57	\$10.11	\$78.68	
300	3696	Gillett	David	\$519.94	\$76.64	\$596.58	\$
301	3600	Gilmore	Paula	\$16.54	\$2.44	\$18.98	
302	3924	Gilo	Hobart	\$645.59	\$95.16	\$740.75	
303	31076	Glaser	Stephen	\$153.87	\$22.68	\$176.55	
304	3121	Gleason	John	\$4,310.08	\$635.32	\$4,945.41	\$
305	3540	Glogovac	Goran	\$1,243.82	\$183.34	\$1,427.16	\$
306	3762	Godsey	Kelly	\$1,233.95	\$181.89	\$1,415.83	\$
307	3739	Godsey	Thomas	\$90.55	\$13.35	\$103.89	
308	106897	Goettsche	Dale	\$31.60	\$4.66	\$36.26	
309	2064	Gohlke	James	\$381.88	\$56.29	\$438.17	
310	31840	Gokcek	Guney	\$99.83	\$14.72	\$114.55	
311	3688	Golden	Theresa	\$686.85	\$101.24	\$788.10	
312	3538	Goldman	Kevin	\$334.92	\$49.37	\$384.28	
313	3646	Golla	Dawit	\$72.45	\$10.68	\$83.12	
314	3848	Gomez-Go	Arlene	\$138.32	\$20.39	\$158.70	
315	3903	Gonzalez	Luis	\$1,355.04	\$199.74	\$1,554.78	\$
316	3586	Gonzalez	Ramon	\$503.17	\$74.17	\$577.33	
317	111390	Gonzalez	Pedro	\$263.79	\$38.88	\$302.67	
318	3929	Gonzalez-F	Jose	\$178.96	\$26.38	\$205.34	
319	3794	Goolsby	Victor	\$933.19	\$137.56	\$1,070.74	
320	3391	Grafton	Natasha	\$2,352.74	\$346.80	\$2,699.54	\$
321	3219	Gramatiko	Petko	\$88.94	\$13.11	\$102.05	
322	24757	Granchelle	Andrew	\$700.68	\$103.28	\$803.96	
323	19253	Gray	Gary	\$3,124.58	\$460.58	\$3,585.16	\$

	A	B	C	D	E	F	G
324	3197	Green	Tony	\$3,009.20	\$443.57	\$3,452.77	\$
325	2755	Greever	Rickey	\$3,835.37	\$565.35	\$4,400.72	\$
326	2843	Gregg	Gary	\$532.59	\$78.51	\$611.10	
327	2971	Gross	Timothy	\$1,831.66	\$269.99	\$2,101.65	\$
328	2868	Gross	Daniel	\$936.11	\$137.99	\$1,074.10	
329	3346	Gross	Mark	\$99.84	\$14.72	\$114.55	
330	2897	Gruttadauro	Martin	\$46.47	\$6.85	\$53.32	
331	18964	Guerrero	Daniel	\$1,211.23	\$178.54	\$1,389.76	\$
332	3655	Guinan	William	\$318.19	\$46.90	\$365.09	
333	2832	Guinto	Philip	\$285.36	\$42.06	\$327.43	
334	3296	Gutierrez	Jose	\$196.73	\$29.00	\$225.73	
335	2841	Gutierrez	Michael	\$69.27	\$10.21	\$79.48	
336	3895	Gyuro	John	\$343.12	\$50.58	\$393.70	
337	103550	Habte	Amanuel	\$1,165.61	\$171.82	\$1,337.43	\$
338	3636	Habtom	Ermias	\$663.42	\$97.79	\$761.21	
339	3799	Hadley	Aaron	\$221.75	\$32.69	\$254.44	
340	3827	Haigh III	Walter	\$202.61	\$29.87	\$232.48	
341	2619	Haley	Thomas	\$157.70	\$23.25	\$180.94	
342	111568	Hammoud	Wissam	\$618.64	\$91.19	\$709.83	
343	21446	Handlon	Michael	\$649.91	\$95.80	\$745.71	
344	2571	Hanley	David	\$188.29	\$27.75	\$216.04	
345	3734	Hanna	Christopher	\$353.39	\$52.09	\$405.48	
346	3402	Hansen	Jordan	\$1,997.58	\$294.45	\$2,292.03	\$
347	2695	Hansen	Diana	\$104.28	\$15.37	\$119.66	
348	29609	Haralambos	Valko	\$260.48	\$38.40	\$298.88	
349	3519	Harms	Michael	\$1,568.25	\$231.17	\$1,799.42	\$
350	3761	Harrell	Mark	\$1,070.06	\$157.73	\$1,227.79	\$
351	3855	Harris	Dennis	\$2,455.84	\$362.00	\$2,817.84	\$
352	2564	Harris	Jay	\$1,894.66	\$279.28	\$2,173.95	\$
353	3811	Harris III	Reggie	\$19.13	\$2.82	\$21.95	
354	3941	Harrison	Andrew	\$297.76	\$43.89	\$341.65	
355	24039	Hart	Brandi	\$162.45	\$23.95	\$186.40	
356	3656	Harun	Idris	\$114.58	\$16.89	\$131.47	

	A	B	C	D	E	F	G
357	3515	Hasen	Akmel	\$483.59	\$71.28	\$554.87	
358	3742	Haskell	William	\$3,803.40	\$560.64	\$4,364.03	\$
359	2206	Hay	Mark	\$3,837.98	\$565.73	\$4,403.72	\$
360	3808	Hays	Larry	\$2,054.93	\$302.91	\$2,357.84	\$
361	109457	Hearne	Stephen	\$188.99	\$27.86	\$216.85	
362	110194	Henderson	Lloyd	\$467.13	\$68.86	\$535.98	
363	3933	Hendricks	Mark	\$352.95	\$52.03	\$404.97	
364	3634	Herbert	Christopher	\$1,177.50	\$173.57	\$1,351.06	\$
365	3763	Herga	Ryan	\$299.22	\$44.11	\$343.32	
366	3283	Hernandez	Luis	\$1,247.20	\$183.84	\$1,431.04	\$
367	3094	Hernandez	Norberto	\$608.82	\$89.74	\$698.56	
368	101555	Hernandez	Rene	\$272.18	\$40.12	\$312.30	
369	107072	Hernandez	Amilcar	\$219.91	\$32.42	\$252.33	
370	3100	Hilbert	Edward	\$1,307.11	\$192.67	\$1,499.78	\$
371	112038	Hill	Douglas	\$294.63	\$43.43	\$338.06	
372	2913	Hill	Fred	\$165.97	\$24.46	\$190.43	
373	109792	Hinds	Monroe	\$304.22	\$44.84	\$349.06	
374	2097	Hinks	Dana	\$970.54	\$143.06	\$1,113.61	\$
375	3765	Hirsi	Kamal	\$533.66	\$78.66	\$612.33	
376	2464	Hodge	Lee	\$1,173.17	\$172.93	\$1,346.10	\$
377	2490	Hoffman	Gery	\$30.38	\$4.48	\$34.86	
378	2017	Holcomb	Dalton	\$1,162.76	\$171.40	\$1,334.16	\$
379	3864	Holler	Alfonso	\$491.70	\$72.48	\$564.18	
380	3809	Hollis	James	\$92.91	\$13.70	\$106.61	
381	3509	Holloway	Maynard	\$94.89	\$13.99	\$108.88	
382	3822	Holt	John	\$2,920.16	\$430.44	\$3,350.60	\$
383	3653	Hooper	Donald	\$528.58	\$77.92	\$606.50	
384	3026	Hoopes	Bryant	\$110.98	\$16.36	\$127.33	
385	2022	Hopkins	Robert	\$191.91	\$28.29	\$220.20	
386	3607	Hoschouer	Christina	\$1,321.54	\$194.80	\$1,516.33	\$
387	109584	Hosley	Tracie	\$185.20	\$27.30	\$212.50	
388	2560	Houlihan	Beth	\$59.77	\$8.81	\$68.57	
389	2191	Howard	Robert	\$658.09	\$97.01	\$755.10	

	A	B	C	D	E	F	G
390	2863	Howard	Thomas	\$325.57	\$47.99	\$373.56	
391	31648	Hu	Karl	\$137.49	\$20.27	\$157.76	
392	3849	Huerena	Samuel	\$51.18	\$7.54	\$58.72	
393	2289	Huffman	Britton	\$1,911.79	\$281.81	\$2,193.60	\$
394	2400	Hughes	Jerry	\$2,720.00	\$400.94	\$3,120.94	\$
395	3780	Hunter	James	\$320.69	\$47.27	\$367.96	
396	3120	Huntington	Walter	\$1,078.23	\$158.94	\$1,237.17	\$
397	27788	Hurd	Donald	\$1,527.27	\$225.13	\$1,752.39	\$
398	3782	Hurley	Robert	\$246.55	\$36.34	\$282.89	
399	2751	Hurtado	Hubert	\$6,197.96	\$913.61	\$7,111.57	\$
400	3835	Hussien	Leykun	\$568.36	\$83.78	\$652.14	
401	3529	Hyman	Irving	\$56.35	\$8.31	\$64.65	
402	17189	Imran	Muhammad	\$104.12	\$15.35	\$119.46	
403	3187	Isaac	Edsel	\$263.62	\$38.86	\$302.48	
404	108273	Isanan	Claro	\$199.02	\$29.34	\$228.35	
405	107191	Ivanov	Yordan	\$74.55	\$10.99	\$85.54	
406	2114	Ivey	Timothy	\$1,046.55	\$154.27	\$1,200.82	\$
407	108839	Jackson	Frederick	\$2,776.86	\$409.32	\$3,186.18	\$
408	3701	Jackson	Willie	\$2,678.80	\$394.87	\$3,073.67	\$
409	3928	Jackson	Anthony	\$495.57	\$73.05	\$568.62	
410	107992	Jacobi	Donald	\$1,157.97	\$170.69	\$1,328.66	\$
411	20466	Jafarian	Moharram	\$13.55	\$2.00	\$15.55	
412	3020	Jarmosco	John	\$54.71	\$8.07	\$62.78	
413	2483	Javelona	Mario	\$3,199.71	\$471.65	\$3,671.36	\$
414	2412	Jelancic	Vladko	\$1,366.25	\$201.39	\$1,567.64	\$
415	3851	Jellison	Charles	\$327.35	\$48.25	\$375.60	
416	2083	Jennings	Stanley	\$331.46	\$48.86	\$380.32	
417	3315	Jimenez	Michael	\$3,308.60	\$487.70	\$3,796.31	\$
418	3109	Jin	Casey	\$2,255.12	\$332.41	\$2,587.54	\$
419	3151	Johnson	Kennard	\$1,657.18	\$244.28	\$1,901.46	\$
420	3602	Johnson	Tony	\$377.73	\$55.68	\$433.41	
421	3844	Johnson	Richard	\$162.40	\$23.94	\$186.34	
422	3898	Johnson	Cary	\$91.90	\$13.55	\$105.44	

	A	B	C	D	E	F	G
423	3539	Johnson	Brian	\$81.93	\$12.08	\$94.00	
424	2127	Johnson	Rodney	\$44.73	\$6.59	\$51.32	
425	2253	Jones	Glenn	\$3,712.11	\$547.18	\$4,259.29	\$
426	2639	Jones	James	\$247.93	\$36.55	\$284.48	
427	1058	Jones	Doug	\$223.09	\$32.88	\$255.98	
428	3784	Joseph	Leroy	\$2,440.47	\$359.74	\$2,800.21	\$
429	3239	Joseph	Loradel	\$172.42	\$25.41	\$197.83	
430	2849	Justice	Jason	\$479.91	\$70.74	\$550.65	
431	3919	Kabbaz	David	\$76.92	\$11.34	\$88.26	
432	111813	Kadir	Tura	\$23.88	\$3.52	\$27.39	
433	106642	Kadri	Abdelkrim	\$10.24	\$1.51	\$11.75	
434	3772	Kaiyooraw	Chaipan	\$3,065.66	\$451.89	\$3,517.55	\$
435	101942	Kalimba	Gaston	\$530.48	\$78.19	\$608.67	
436	29542	Kang	Chong	\$219.01	\$32.28	\$251.30	
437	3631	Karner	Adam	\$873.51	\$128.76	\$1,002.27	\$
438	3819	Keba	Woldmarim	\$569.14	\$83.89	\$653.03	
439	3303	Keber	Yilma	\$116.56	\$17.18	\$133.74	
440	2482	Keith	Marcus	\$190.51	\$28.08	\$218.60	
441	106153	Keller	Roger	\$390.90	\$57.62	\$448.52	
442	3531	Kelley	Jared	\$253.10	\$37.31	\$290.41	
443	2736	Kenary	Brian	\$3,450.45	\$508.61	\$3,959.06	\$
444	3484	Kern	Gary	\$9,231.17	\$1,360.71	\$10,591.89	\$1
445	3637	Key	Roy	\$174.71	\$25.75	\$200.46	
446	3651	Khan	Zaka	\$53.04	\$7.82	\$60.86	
447	105794	Kimler	Ryan	\$198.87	\$29.31	\$228.19	
448	3798	King Jr.	John	\$115.51	\$17.03	\$132.54	
449	2901	Kingsley	David	\$49.73	\$7.33	\$57.06	
450	111283	Kissel	Sean	\$51.23	\$7.55	\$58.78	
451	3893	Klein	Phillip	\$3,633.02	\$535.52	\$4,168.54	\$
452	3837	Knight	Tyree	\$262.37	\$38.67	\$301.04	
453	3215	Koch	Frederick	\$379.05	\$55.87	\$434.93	
454	3630	Kogan	Martin	\$6,773.74	\$998.48	\$7,772.22	\$
455	3273	Kolasienksi	Aemon	\$595.28	\$87.75	\$683.03	

	A	B	C	D	E	F	G
456	2789	Krouse	Stephen	\$906.46	\$133.62	\$1,040.07	\$
457	103826	Kull Jr.	William	\$135.94	\$20.04	\$155.98	
458	3662	Kunik	Robert	\$301.44	\$44.43	\$345.87	
459	3878	Laico	Paul	\$102.52	\$15.11	\$117.63	
460	111231	Lant	Mark	\$694.00	\$102.30	\$796.29	
461	3535	Lantis	Glen	\$1,045.93	\$154.17	\$1,200.10	\$
462	3435	Laspada	Brian	\$746.94	\$110.10	\$857.04	
463	25362	Lathan	Joseph	\$269.57	\$39.73	\$309.30	
464	111290	Lay	Gilbert	\$139.80	\$20.61	\$160.40	
465	3013	Lazarov	Vasilije	\$205.51	\$30.29	\$235.80	
466	1053	Leacock	Brian	\$1,191.71	\$175.66	\$1,367.37	\$
467	3685	Leal	Jill	\$2,181.82	\$321.61	\$2,503.43	\$
468	2635	Ledbetter	Ernest	\$11.17	\$1.65	\$12.81	
469	3702	Lee	Thomas	\$2,952.81	\$435.26	\$3,388.06	\$
470	18960	Lee	Melvin	\$469.33	\$69.18	\$538.51	
471	3159	Lefevre	Stephen	\$405.67	\$59.80	\$465.47	
472	3666	Legesse	Dereje	\$555.76	\$81.92	\$637.68	
473	2160	Leonardo	Vito	\$1,567.29	\$231.02	\$1,798.31	\$
474	3816	Ligus	Thomas	\$219.63	\$32.37	\$252.01	
475	25522	Link	Peter	\$1,068.46	\$157.50	\$1,225.96	\$
476	3681	Linzer	Steven	\$42.56	\$6.27	\$48.83	
477	15804	Little	Dennis	\$742.99	\$109.52	\$852.50	\$
478	3267	Liu	David	\$181.81	\$26.80	\$208.61	
479	3510	Lloyd	Mark	\$30.64	\$4.52	\$35.15	
480	3945	Lombana	Francisco	\$51.80	\$7.63	\$59.43	
481	3858	Lonbani	Khosro	\$607.51	\$89.55	\$697.06	
482	111405	Lopez-Silve	Fidel	\$81.02	\$11.94	\$92.96	
483	3752	Lorenz	Dierdra	\$866.03	\$127.66	\$993.69	
484	3813	Lovelady	Warren	\$11.90	\$1.75	\$13.65	
485	2963	Lovett	Patrick	\$598.72	\$88.25	\$686.98	
486	1065	Lovin	Charles	\$247.32	\$36.46	\$283.77	
487	3295	Lowe	John	\$767.67	\$113.16	\$880.82	
488	3006	Loyd	Gary	\$3,050.25	\$449.62	\$3,499.87	\$

	A	B	C	D	E	F	G
489	3326	Lucero	Arturo	\$1,825.80	\$269.13	\$2,094.93	\$
490	3339	Luo	Yue	\$490.93	\$72.36	\$563.29	
491	3778	Macato	Jaime	\$2,456.61	\$362.11	\$2,818.73	\$
492	20936	Madi	Adam	\$137.47	\$20.26	\$157.74	
493	24918	Magana	Luis	\$565.73	\$83.39	\$649.12	
494	3224	Magazin	Milorad	\$33.12	\$4.88	\$38.00	
495	107940	Maharit	Khamkhung	\$63.98	\$9.43	\$73.41	
496	2912	Mahmud	Omar	\$2,459.87	\$362.59	\$2,822.46	\$
497	2738	Mahoney	Kevin	\$638.30	\$94.09	\$732.39	
498	3096	Mainwarin	David	\$4,352.12	\$641.52	\$4,993.64	\$
499	2757	Majors	John	\$10,258.22	\$1,512.10	\$11,770.32	\$1
500	3312	Mandefro	Nebiyu	\$1,046.39	\$154.24	\$1,200.63	\$
501	22809	Manitien	Ted	\$13.83	\$2.04	\$15.87	
502	3890	Manor	Quincy	\$1,366.55	\$201.44	\$1,567.99	\$
503	3583	Maras	Maria	\$2,195.44	\$323.62	\$2,519.05	\$
504	110053	Martinez	Francisco	\$1,713.26	\$252.54	\$1,965.80	\$
505	106666	Martinez	Arturo	\$63.48	\$9.36	\$72.83	
506	3866	Martinez-F	Eduardo	\$757.35	\$111.64	\$868.98	\$
507	100287	Martins	Julio	\$298.27	\$43.97	\$342.24	
508	1033	Masetta	Ronald	\$593.06	\$87.42	\$680.48	
509	3088	Massey	Michael	\$752.45	\$110.91	\$863.36	
510	3325	Mastilovic	Branislav	\$296.04	\$43.64	\$339.68	
511	3698	Mastrio	Angelo	\$287.39	\$42.36	\$329.75	
512	110618	Mastrio	Pamela	\$234.23	\$34.53	\$268.76	
513	110108	Mathis	George	\$297.42	\$43.84	\$341.26	
514	3669	Maza	Inez	\$349.93	\$51.58	\$401.51	
515	111284	McCall	Melvin	\$169.85	\$25.04	\$194.88	
516	111199	McCarroll-	Claudia	\$17.52	\$2.58	\$20.11	
517	2587	McCarter	Patrick	\$3,774.48	\$556.37	\$4,330.85	\$
518	3690	McCarthy	John	\$3,474.77	\$512.20	\$3,986.97	\$
519	3654	McConnell	Therral	\$873.55	\$128.77	\$1,002.32	
520	3743	McCoubre	Earl	\$1,347.94	\$198.69	\$1,546.63	\$
521	107427	McDougle	Jeffrey	\$124.87	\$18.41	\$143.27	

	A	B	C	D	E	F	G
522	3111	McGarry	James	\$1,615.01	\$238.06	\$1,853.07	\$
523	3745	McGowan	Sean	\$228.69	\$33.71	\$262.40	
524	3547	McGregor	Matthew	\$1,725.05	\$254.28	\$1,979.33	\$
525	2178	McIntyre	Kelly	\$1,180.66	\$174.03	\$1,354.69	\$
526	3722	McNeece	James	\$147.35	\$21.72	\$169.07	
527	25641	McSkimmi	John	\$901.92	\$132.95	\$1,034.87	
528	2054	Mears	John	\$22.75	\$3.35	\$26.11	
529	3098	Medlock	Michael	\$93.32	\$13.76	\$107.08	
530	3345	Mekonen	Solomon	\$557.43	\$82.17	\$639.60	
531	3066	Melesse	Abebe	\$529.55	\$78.06	\$607.60	
532	3665	Melka	Tariku	\$27.31	\$4.03	\$31.34	
533	2596	Meloro	Paul	\$4,927.61	\$726.35	\$5,653.96	\$
534	3262	Mengesha	Alemayehu	\$521.70	\$76.90	\$598.60	
535	3568	Menocal	Pedro	\$1,029.70	\$151.78	\$1,181.48	\$
536	2838	Mersal	Beth	\$2,597.07	\$382.82	\$2,979.89	\$
537	102328	Meyer	Ronald	\$53.72	\$7.92	\$61.64	
538	26609	Mezzenasc	Pedro	\$1,317.06	\$194.14	\$1,511.19	\$
539	3542	Michaels	Terry	\$110.59	\$16.30	\$126.89	
540	110334	Michilena	Luis	\$66.26	\$9.77	\$76.03	
541	2959	Miller	Darryl	\$5,060.89	\$746.00	\$5,806.88	\$
542	30196	Miller	Jason	\$983.37	\$144.95	\$1,128.32	
543	3275	Miller	John	\$472.50	\$69.65	\$542.15	
544	22514	Miller	Michelle	\$88.70	\$13.08	\$101.78	
545	2875	Miller	Florence	\$87.31	\$12.87	\$100.17	
546	17855	Milliron	Darrol	\$2,152.74	\$317.32	\$2,470.06	\$
547	3314	Milton	Shawn	\$959.25	\$141.40	\$1,100.64	
548	3620	Mindyas	James	\$579.57	\$85.43	\$665.00	
549	3904	Mirkulovsk	Danny	\$550.09	\$81.09	\$631.18	
550	2933	Mitchell	Jimmy	\$4,570.58	\$673.72	\$5,244.30	\$
551	31966	Mitrikov	Ilko	\$2,230.42	\$328.77	\$2,559.19	\$
552	104887	Miyazaki	Nisaburo	\$912.41	\$134.49	\$1,046.90	
553	2759	Moffett	Larry	\$1,118.37	\$164.85	\$1,283.23	\$
554	3317	Mogeeth	Ehab	\$323.43	\$47.67	\$371.10	

	A	B	C	D	E	F	G
555	3318	Mohr	Donald	\$135.02	\$19.90	\$154.92	
556	105284	Monforte	Peter	\$5,074.87	\$748.06	\$5,822.92	\$
557	3882	Monteagu	Oscar	\$937.81	\$138.24	\$1,076.04	
558	3735	Montoya V	Francisco	\$551.62	\$81.31	\$632.93	\$
559	30777	Moore	Jimmy	\$1,597.64	\$235.50	\$1,833.13	\$
560	2110	Moore	Jerry	\$1,429.18	\$210.67	\$1,639.85	\$
561	3913	Moore	Aileen-Louise	\$328.57	\$48.43	\$377.01	
562	3664	Moreno	James	\$4,373.10	\$644.61	\$5,017.71	\$
563	3626	Moretti	Bryan	\$1,422.89	\$209.74	\$1,632.63	\$
564	3411	Morley	David	\$1,407.06	\$207.41	\$1,614.46	\$
565	8321	Morris	Thomas	\$4,599.67	\$678.01	\$5,277.68	\$
566	2162	Morris	Robert	\$2,890.99	\$426.14	\$3,317.13	\$
567	106703	Mosely	David	\$1,143.38	\$168.54	\$1,311.92	\$
568	3282	Mosley	Rory	\$177.21	\$26.12	\$203.33	
569	3785	Mostafa	Ahmed	\$500.20	\$73.73	\$573.93	
570	28917	Motazedi	Kamran	\$181.66	\$26.78	\$208.44	
571	27059	Mottaghia	Joseph	\$30.98	\$4.57	\$35.54	
572	107704	Muhtari	Abdulrahman	\$615.74	\$90.76	\$706.50	
573	3518	Muldoon	Thomas	\$345.81	\$50.97	\$396.78	
574	2735	Mumma	Donald	\$388.18	\$57.22	\$445.40	
575	3847	Murawski	Richard	\$1,593.10	\$234.83	\$1,827.93	\$
576	2018	Murray	MichaelP	\$4,393.97	\$647.69	\$5,041.65	\$
577	2642	Murray	MichaelJ	\$2,654.68	\$391.31	\$3,045.99	\$
578	2018	Murray	Michael P.	\$770.33	\$113.55	\$883.88	
579	2717	Murray	Melinda	\$523.81	\$77.21	\$601.02	
580	3856	Murray	Mark	\$23.74	\$3.50	\$27.24	
581	3255	Mutia	Junno	\$173.69	\$25.60	\$199.29	
582	107440	Nantista	Peter	\$212.28	\$31.29	\$243.57	
583	3859	Nazarov	Mikael	\$2,455.84	\$362.00	\$2,817.84	\$
584	3804	Ndichu	Simon	\$366.18	\$53.98	\$420.16	
585	102656	Nedyalkov	Atanas	\$321.59	\$47.40	\$369.00	
586	3530	Negashe	Legesse	\$1,456.47	\$214.69	\$1,671.16	\$
587	3335	Negussie	Berhanu	\$177.66	\$26.19	\$203.85	

	A	B	C	D	E	F	G
588	111494	Nemeth	Zoltan	\$353.54	\$52.11	\$405.65	
589	25190	Ngo	Tuan	\$1,607.52	\$236.95	\$1,844.47	\$
590	3545	Nichols	Keith	\$937.37	\$138.17	\$1,075.54	
591	2990	Nick	Harry	\$1,427.52	\$210.42	\$1,637.94	\$
592	1098	Nicol	Thaddeus	\$2,390.59	\$352.38	\$2,742.98	\$
593	3122	Niculescu	Adrian	\$1,081.63	\$159.44	\$1,241.06	\$
594	3823	Nigussie	Gulilat	\$480.17	\$70.78	\$550.95	
595	3000	Nolan	Jeffrey	\$455.61	\$67.16	\$522.77	
596	28989	Nolan	Eamonn	\$107.87	\$15.90	\$123.77	
597	3639	Norberg	Christopher	\$919.23	\$135.50	\$1,054.73	
598	3876	Norvell	Chris	\$4,691.89	\$691.60	\$5,383.49	\$
599	2713	Novaky	Adam	\$811.29	\$119.59	\$930.88	
600	3841	Ocampo	Leonardo	\$882.56	\$130.09	\$1,012.66	
601	30295	Ogbazghi	Dawit	\$489.50	\$72.15	\$561.65	\$
602	109172	O'Grady	Francis	\$404.46	\$59.62	\$464.08	
603	3836	Ohlson	Ryan	\$752.25	\$110.89	\$863.14	
604	3753	Olen	Virginia	\$2,224.07	\$327.84	\$2,551.91	\$
605	3748	Oliveros	Mario	\$671.02	\$98.91	\$769.93	
606	3868	Olson	Eric	\$514.53	\$75.84	\$590.38	
607	3271	O'Neill	Terry	\$84.85	\$12.51	\$97.35	
608	3644	Ontura	Tesfaalem	\$259.20	\$38.21	\$297.41	
609	3308	Orellana	Byron	\$829.67	\$122.30	\$951.96	
610	3934	Orr	Mark	\$147.62	\$21.76	\$169.38	
611	3863	Ortega	Saul	\$439.49	\$64.78	\$504.27	
612	104938	Ortega	Paul	\$47.24	\$6.96	\$54.20	
613	3894	O'Shea	Kevin	\$163.81	\$24.15	\$187.96	
614	25832	Osterman	Victor	\$209.00	\$30.81	\$239.81	
615	3783	Overson	Michael	\$636.00	\$93.75	\$729.74	
616	3789	Oyebade	Vincent	\$116.31	\$17.14	\$133.45	
617	3717	Ozgulgec	Tunc	\$1,477.21	\$217.75	\$1,694.95	\$
618	3618	Pak	Kon	\$374.87	\$55.26	\$430.13	
619	3099	Pannell	Norbert	\$167.92	\$24.75	\$192.68	
620	106025	Paone	Chris	\$1,093.84	\$161.24	\$1,255.08	\$

	A	B	C	D	E	F	G
621	2810	Paranhos	Eurico	\$1,750.43	\$258.02	\$2,008.45	\$
622	3597	Pariso	David	\$4,792.27	\$706.40	\$5,498.67	\$
623	109637	Park	Danny	\$38.85	\$5.73	\$44.58	
624	16676	Parker	Gary	\$1,387.79	\$204.57	\$1,592.35	\$
625	3750	Parker	Shawnette	\$481.18	\$70.93	\$552.10	
626	3884	Parmenter	William	\$1,713.94	\$252.64	\$1,966.58	\$
627	3659	Paros	Nicholas	\$14.71	\$2.17	\$16.88	
628	19858	Passera	Charles	\$65.93	\$9.72	\$75.64	
629	3624	Patry	Michael	\$2,186.37	\$322.28	\$2,508.64	\$
630	2647	Patterson	Robert	\$489.44	\$72.15	\$561.59	
631	3932	Patton	Dorothy	\$43.03	\$6.34	\$49.37	
632	112811	Peace	Kimberly	\$241.57	\$35.61	\$277.18	
633	29536	Peacock	Paula	\$118.57	\$17.48	\$136.04	
634	3806	Pearson	Jon	\$988.94	\$145.77	\$1,134.71	\$
635	31112	Peer	Yuda	\$1,613.84	\$237.89	\$1,851.73	\$
636	3396	Penera	Eric	\$143.90	\$21.21	\$165.11	
637	2776	Pepitone	Leonard	\$1,687.56	\$248.75	\$1,936.31	\$
638	3834	Perrotti	Dominic	\$343.23	\$50.59	\$393.82	
639	111257	Petculescu	Ciprian	\$28.97	\$4.27	\$33.24	
640	1076	Peterson	Steven	\$3,638.58	\$536.34	\$4,174.92	\$
641	15968	Peterson	Kenneth	\$978.12	\$144.18	\$1,122.30	
642	3736	Petrie	Theodore	\$49.32	\$7.27	\$56.59	
643	3740	Petrossian	Robert	\$678.86	\$100.07	\$778.92	
644	2440	Pettaway	Marvin	\$589.60	\$86.91	\$676.51	
645	2473	Phillips	Gordon	\$3,008.26	\$443.43	\$3,451.69	\$
646	106089	Phillips	Larry	\$881.80	\$129.98	\$1,011.78	
647	3281	Phonesava	Paul	\$1,217.26	\$179.43	\$1,396.68	\$
648	3523	Pilkington	Margaret	\$2,165.08	\$319.14	\$2,484.22	\$
649	107617	Pineda	Carlos	\$2,994.17	\$441.35	\$3,435.52	\$
650	2826	Pitts	Amir	\$967.07	\$142.55	\$1,109.62	\$
651	2407	Platania	John	\$556.69	\$82.06	\$638.75	\$
652	3265	Pletz	David	\$4,184.29	\$616.78	\$4,801.08	\$
653	3647	Pohl	Daniel	\$186.19	\$27.45	\$213.64	

	A	B	C	D	E	F	G
654	26679	Polchinski	Paul	\$111.37	\$16.42	\$127.78	
655	3017	Polk	Craig	\$96.33	\$14.20	\$110.53	
656	31149	Pony	David	\$51.52	\$7.59	\$59.11	
657	3563	Portillo	Mario	\$593.50	\$87.48	\$680.98	
658	3287	Portillo-Sa	Carlos	\$417.87	\$61.60	\$479.46	
659	1030	Poulton	Todd	\$11.77	\$1.73	\$13.50	
660	3129	Povolotsky	Anatoly	\$227.53	\$33.54	\$261.07	
661	3152	Prather	Robert	\$445.01	\$65.60	\$510.60	
662	3201	Presnall	Darryl	\$2,341.64	\$345.17	\$2,686.80	\$
663	2568	Price	James	\$3,555.64	\$524.12	\$4,079.75	\$
664	3800	Price	Allen	\$630.95	\$93.00	\$723.95	
665	3449	Prifti	Ilia	\$418.70	\$61.72	\$480.42	
666	26363	Punzalan	Luciano	\$236.08	\$34.80	\$270.87	
667	3687	Purdue	Robert	\$210.21	\$30.99	\$241.20	
668	2122	Purvis	James	\$58.24	\$8.58	\$66.83	
669	3556	Pyles	Joseph	\$682.49	\$100.60	\$783.09	
670	3307	Qian	Jie	\$376.94	\$55.56	\$432.51	
671	3002	Rabara	Antino	\$698.55	\$102.97	\$801.52	
672	107548	Rainey	James	\$219.28	\$32.32	\$251.60	
673	3883	Ramirez	Erney	\$760.59	\$112.11	\$872.70	
674	2180	Ramos	Lawrence	\$122.19	\$18.01	\$140.20	
675	3085	Ramsey	Gary	\$1,312.85	\$193.52	\$1,506.37	\$
676	3525	Rasheed	Willie	\$4,450.03	\$655.95	\$5,105.98	\$
677	3812	Ray	William	\$12.61	\$1.86	\$14.47	
678	2857	Reevell	Jeffrey	\$15.47	\$2.28	\$17.75	
679	108758	Regans	Mark	\$379.98	\$56.01	\$435.99	
680	2805	Reina	Linda	\$77.46	\$11.42	\$88.88	
681	2237	Relopez	Craig	\$2,166.42	\$319.34	\$2,485.76	\$
682	3544	Reno	Michael	\$4,966.19	\$732.04	\$5,698.22	\$
683	2266	Reynolds	James	\$289.68	\$42.70	\$332.38	
684	14261	Riipi	Karl	\$126.47	\$18.64	\$145.11	
685	109502	Rios-Lopez	Oscar	\$189.76	\$27.97	\$217.73	
686	107701	Risby	Clifford	\$1,060.42	\$156.31	\$1,216.73	\$

	A	B	C	D	E	F	G
687	111756	Risco	Pedro	\$554.56	\$81.74	\$636.30	
688	3191	Rivas	Victor	\$1,763.13	\$259.89	\$2,023.03	\$
689	104109	Rivero-Ver	Raul	\$288.88	\$42.58	\$331.46	
690	101317	Rivers	Willie	\$642.53	\$94.71	\$737.24	
691	3575	Roach	Jayson	\$665.36	\$98.08	\$763.44	
692	3305	Roberson	Ronnie	\$108.61	\$16.01	\$124.61	
693	2842	Roberts	James	\$1,756.75	\$258.95	\$2,015.70	\$
694	104171	Robinson	Mikalani	\$398.94	\$58.81	\$457.75	
695	3526	Robinson	William	\$383.59	\$56.54	\$440.14	
696	3629	Robles	Mark	\$49.78	\$7.34	\$57.11	
697	3744	Rockett Jr.	Roosevelt	\$81.28	\$11.98	\$93.26	
698	31847	Rodriguez	Armando	\$30.79	\$4.54	\$35.33	
699	3814	Rohlas	Polly	\$2,985.34	\$440.05	\$3,425.39	\$
700	2666	Rojas	David	\$68.35	\$10.07	\$78.42	
701	3874	Romano	Anthony	\$1,169.52	\$172.39	\$1,341.91	\$
702	3587	Romero	Ruben	\$687.24	\$101.30	\$788.54	
703	3104	Rosenthal	John	\$2,113.74	\$311.57	\$2,425.31	\$
704	108742	Ross	Lee	\$174.37	\$25.70	\$200.07	
705	3225	Ross	Larry	\$74.22	\$10.94	\$85.15	
706	3850	Rothenber	Edward	\$239.11	\$35.25	\$274.36	
707	3504	Rotich	Emertha	\$2,099.57	\$309.49	\$2,409.06	\$
708	3912	Rousseau	James	\$657.44	\$96.91	\$754.35	
709	3021	Rubino	Joseph	\$103.47	\$15.25	\$118.72	
710	3693	Ruby	Melissa	\$265.99	\$39.21	\$305.20	
711	3477	Ruiz	Travis	\$1,117.07	\$164.66	\$1,281.73	\$
712	2965	Russell	Mark	\$1,239.03	\$182.64	\$1,421.67	\$
713	3875	Russell	Darrell	\$657.42	\$96.91	\$754.33	
714	2260	Sackett	Kathryn	\$203.37	\$29.98	\$233.34	
715	3944	Sadler	James	\$82.91	\$12.22	\$95.13	
716	3323	Saevitz	Neil	\$2,364.73	\$348.57	\$2,713.30	\$
717	3169	Salameh	George	\$2,142.47	\$315.81	\$2,458.27	\$
718	3042	Saleh	Jemal	\$8,393.73	\$1,237.27	\$9,630.99	\$
719	103096	Sam	Phea	\$625.84	\$92.25	\$718.09	

	A	B	C	D	E	F	G
720	21811	Sameli	Sabino	\$921.22	\$135.79	\$1,057.01	
721	100128	Sampson	James	\$644.31	\$94.97	\$739.28	
722	109349	Sanchez-R	Natasha	\$288.44	\$42.52	\$330.96	
723	3570	Sanders	Acy	\$737.61	\$108.73	\$846.33	
724	2859	Sandoval	Yolanda	\$421.83	\$62.18	\$484.01	
725	29769	Sans	Thomas	\$769.01	\$113.35	\$882.36	
726	3011	Santos	Billy	\$86.61	\$12.77	\$99.38	
727	3915	Sapienza	Gino	\$261.74	\$38.58	\$300.32	
728	3648	Saravanos	John	\$5,143.32	\$758.15	\$5,901.46	\$
729	26687	Sargeant	Michael	\$164.64	\$24.27	\$188.91	
730	105273	Sayed	Jamil	\$645.44	\$95.14	\$740.58	
731	1093	Schall	Douglas	\$1,002.07	\$147.71	\$1,149.78	\$
732	106913	Schraeder	Scott	\$569.96	\$84.01	\$653.98	
733	25981	Schroeder	William	\$2,110.35	\$311.07	\$2,421.42	\$
734	3313	Schwartz	Steven	\$4,584.18	\$675.73	\$5,259.91	\$
735	29172	Schwartz	George	\$601.41	\$88.65	\$690.06	
736	109028	Secondo	Muridi	\$391.43	\$57.70	\$449.12	
737	3536	Sedgwick	Anthony	\$226.67	\$33.41	\$260.08	
738	2657	Seller	Paula	\$295.78	\$43.60	\$339.38	
739	3134	Serio	John	\$3,739.93	\$551.28	\$4,291.21	\$
740	3057	Serrano	Hector	\$2,494.64	\$367.72	\$2,862.36	\$
741	3359	Sevillet	Otto	\$453.18	\$66.80	\$519.98	
742	3879	Sexner	Alexis	\$955.88	\$140.90	\$1,096.77	\$
743	19451	Shafiei	Abdolreza	\$552.17	\$81.39	\$633.56	
744	2899	Shallufa	Azmy	\$9,805.00	\$1,445.30	\$11,250.30	\$1
745	2955	Shank	Lyle	\$52.32	\$7.71	\$60.03	
746	3294	Sharp	Omar	\$276.16	\$40.71	\$316.87	
747	3619	Shein	Efraim	\$304.28	\$44.85	\$349.13	
748	3532	Shenkov	Svetlozar	\$275.95	\$40.68	\$316.62	
749	103821	Sherman	Jason	\$214.72	\$31.65	\$246.37	
750	3724	Shinn	Kevin	\$463.14	\$68.27	\$531.41	
751	3790	Shoyombo	Rilwan	\$1,426.49	\$210.27	\$1,636.76	\$
752	3803	Siasat	Manuel	\$32.38	\$4.77	\$37.15	

	A	B	C	D	E	F	G
753	112766	Sibre	Christopher	\$294.20	\$43.37	\$337.56	
754	3758	Siegel	Jeffrey	\$91.32	\$13.46	\$104.78	
755	105863	Siljkovic	Becir	\$1,854.68	\$273.39	\$2,128.06	\$
756	23388	Simmons	John	\$1,545.83	\$227.86	\$1,773.70	\$
757	3264	Sinatra	Anthony	\$296.21	\$43.66	\$339.88	
758	3524	Sinay	Abraham	\$858.58	\$126.56	\$985.14	
759	3677	Singh	Baldev	\$180.81	\$26.65	\$207.47	
760	3683	Sitotaw	Haileab	\$118.59	\$17.48	\$136.06	
761	2972	Smagacz	Stephen	\$185.28	\$27.31	\$212.59	
762	2630	Smale	Charles	\$935.99	\$137.97	\$1,073.96	
763	3041	Smith	Lottie	\$6,722.83	\$990.97	\$7,713.81	\$
764	3521	Smith	Lisa	\$1,094.07	\$161.27	\$1,255.34	\$
765	3870	Smith	Jepthy	\$284.41	\$41.92	\$326.33	
766	3033	Smith	Toby	\$140.20	\$20.67	\$160.86	
767	2923	Smith	Jerry	\$30.69	\$4.52	\$35.21	
768	3610	Smith Jr.	Willie	\$1,287.44	\$189.77	\$1,477.21	\$
769	2667	Solares	John	\$453.45	\$66.84	\$520.29	
770	3643	Solis	Brigido	\$174.25	\$25.69	\$199.94	
771	22804	Solymar	Istvan	\$303.84	\$44.79	\$348.63	
772	3854	Soree	Mladen	\$1,445.54	\$213.08	\$1,658.62	\$
773	105304	Sorkin	Jack	\$336.28	\$49.57	\$385.85	
774	3770	Sorrosa	Juan	\$1,888.94	\$278.44	\$2,167.38	\$
775	3797	Soto	Johnny	\$196.46	\$28.96	\$225.41	
776	2638	Soto	Jacob	\$128.04	\$18.87	\$146.91	
777	2873	Spangler	Peter	\$93.78	\$13.82	\$107.61	
778	3727	Sparks	Cody	\$19.56	\$2.88	\$22.45	
779	3845	Spaulding	Ross	\$244.25	\$36.00	\$280.25	
780	2592	Sphouris	Constantine	\$71.48	\$10.54	\$82.02	
781	3087	Spiegel	Louis	\$113.17	\$16.68	\$129.85	
782	3055	Spilmon	Mark	\$8,254.49	\$1,216.75	\$9,471.24	\$
783	3481	Springer	Marvin	\$1,483.49	\$218.67	\$1,702.17	\$
784	111364	Stanley	John	\$286.26	\$42.20	\$328.46	
785	3366	Starcher	Richard	\$871.76	\$128.50	\$1,000.26	

	A	B	C	D	E	F	G
786	3821	Stauff	John	\$113.93	\$16.79	\$130.72	
787	3737	Stayton	William	\$119.03	\$17.55	\$136.57	
788	109013	Stearns	Thomas	\$528.37	\$77.88	\$606.25	
789	3757	Steck	Gregory	\$5,829.47	\$859.29	\$6,688.75	\$
790	3625	Stephanov	Liuben	\$219.81	\$32.40	\$252.21	
791	3695	Stern	Robert	\$292.29	\$43.08	\$335.37	
792	3165	Stevenson	John	\$2,662.56	\$392.47	\$3,055.03	\$
793	3872	Stockton	Clarence	\$1,336.84	\$197.06	\$1,533.89	\$
794	3713	Stonebreal	Dawn	\$1,992.26	\$293.67	\$2,285.92	\$
795	25450	Tafesh	George	\$976.87	\$143.99	\$1,120.86	
796	102400	Talley	George	\$301.76	\$44.48	\$346.24	
797	112063	Tapia-Verg	Agustin	\$587.64	\$86.62	\$674.26	
798	3338	Tarragano	Stephen	\$1,370.43	\$202.01	\$1,572.43	\$
799	3333	Taurins	Walter	\$407.00	\$59.99	\$466.99	
800	31977	Taylor	Marvin	\$714.56	\$105.33	\$819.89	
801	111807	Taylor	Brent	\$632.29	\$93.20	\$725.49	
802	109745	Taylor	David	\$324.21	\$47.79	\$372.00	
803	3728	Tedros	Biserat	\$405.38	\$59.75	\$465.13	
804	3720	Terry	James	\$937.23	\$138.15	\$1,075.38	
805	3726	Thomas	Scott	\$2,673.14	\$394.03	\$3,067.17	\$
806	3045	Thomas	Anthony	\$1,285.73	\$189.52	\$1,475.25	\$
807	31400	Thomas	Cator	\$427.93	\$63.08	\$491.01	
808	104732	Thomas	Hasan	\$247.81	\$36.53	\$284.34	
809	27963	Thompson	Michael	\$6,744.25	\$994.13	\$7,738.38	\$
810	3867	Thompson	Glen	\$2,921.34	\$430.62	\$3,351.95	\$
811	29040	Timko	Robert	\$224.07	\$33.03	\$257.09	
812	110796	Toka	Tamas	\$445.88	\$65.72	\$511.60	
813	2980	Tracy	Dennis	\$67.90	\$10.01	\$77.91	
814	22120	Travis	Brian	\$1,783.28	\$262.86	\$2,046.14	\$
815	2632	Travis	Patricia	\$1,049.36	\$154.68	\$1,204.04	\$
816	3083	Tripi	Joseph	\$1,325.47	\$195.38	\$1,520.85	\$
817	104747	Trumpf	Robert	\$211.10	\$31.12	\$242.22	
818	3110	Tsegay	Alexander	\$441.20	\$65.04	\$506.24	

	A	B	C	D	E	F	G
819	103413	Tsegaye	Miheret	\$51.23	\$7.55	\$58.78	
820	3207	Tucker	Kenlon	\$2,873.20	\$423.52	\$3,296.72	\$
821	20386	Tucker	Carl	\$768.69	\$113.31	\$882.00	
822	3679	Tullao	Isaac	\$411.83	\$60.71	\$472.54	
823	3880	Turner	Michael	\$39.72	\$5.86	\$45.58	
824	3686	Tyler	Christopher	\$267.85	\$39.48	\$307.33	
825	110836	Uba	Chima	\$201.50	\$29.70	\$231.20	
826	3612	Ullah	Mohammad	\$90.03	\$13.27	\$103.30	
827	3073	Urban	David	\$319.32	\$47.07	\$366.38	
828	3792	Urbanski	Anthony	\$1,411.23	\$208.02	\$1,619.25	\$
829	3668	Valdes	Lazaro	\$162.21	\$23.91	\$186.12	
830	2925	Van Camp	Carl	\$3,552.87	\$523.71	\$4,076.58	\$
831	3640	Vanluven	RJ	\$1,726.16	\$254.44	\$1,980.60	\$
832	2846	Vaughan	William	\$3,886.52	\$572.89	\$4,459.40	\$
833	3710	Vences	Alfredo	\$839.90	\$123.81	\$963.71	
834	3103	Verdine	Craig	\$634.21	\$93.49	\$727.69	
835	3721	Viado	Ramon	\$2,051.73	\$302.43	\$2,354.16	\$
836	3682	VonEngel	Stephen	\$29.89	\$4.41	\$34.30	
837	3796	Vongthep	Christopher	\$2,710.64	\$399.56	\$3,110.20	\$
838	109475	Vonkagele	Mark	\$130.27	\$19.20	\$149.48	
839	3842	Wagg	John	\$221.46	\$32.64	\$254.10	
840	3776	Wakeel	Daud	\$679.94	\$100.23	\$780.16	
841	28448	Walker	Arthur	\$114.57	\$16.89	\$131.46	
842	3820	Wallace	Roy	\$3,681.35	\$542.65	\$4,224.00	\$
843	3766	Warner	Terrance	\$1,694.50	\$249.78	\$1,944.27	\$
844	3496	Weaver	Gerie	\$4,828.49	\$711.74	\$5,540.23	\$
845	3826	Webb	Ricky	\$624.58	\$92.07	\$716.64	
846	109066	Webster	Brock	\$254.41	\$37.50	\$291.91	
847	3578	Weiss	Matthew	\$60.25	\$8.88	\$69.13	
848	2785	Welborn	Paul	\$849.94	\$125.28	\$975.22	
849	2215	Welden	Matthew	\$407.24	\$60.03	\$467.27	
850	3632	Weldu	Berhane	\$266.45	\$39.28	\$305.73	
851	2661	Wells	Fredrick	\$341.45	\$50.33	\$391.78	

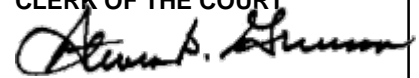
	A	B	C	D	E	F	G
852	3044	Welsh	Sylvia	\$150.95	\$22.25	\$173.20	
853	3616	Welzbache	Daniel	\$2,367.50	\$348.98	\$2,716.47	\$
854	3071	White	Donavan	\$2,061.42	\$303.86	\$2,365.28	\$
855	111878	White II	Prinest	\$153.22	\$22.59	\$175.81	
856	3117	Whitehead	Timothy	\$66.66	\$9.83	\$76.49	
857	2946	Whiteman	Rick	\$1,470.20	\$216.71	\$1,686.92	\$
858	2866	Wiggins	Andrew	\$79.09	\$11.66	\$90.75	
859	2569	Wilcox	Todd	\$19.02	\$2.80	\$21.82	
860	3611	Williams	Danny	\$273.88	\$40.37	\$314.25	
861	2548	Wilson	Richard	\$719.61	\$106.07	\$825.68	
862	2862	Wilson	Constance	\$284.95	\$42.00	\$326.95	
863	3608	Wilson Jr.	Mose	\$3,332.43	\$491.21	\$3,823.64	\$
864	3097	Windsor	Benjamin	\$670.57	\$98.84	\$769.41	
865	3947	Wing	Roland	\$81.95	\$12.08	\$94.04	
866	107624	Witte	Daniel	\$228.39	\$33.67	\$262.05	
867	3623	Wolde	Hailemariam	\$385.93	\$56.89	\$442.81	
868	3603	Woldeghel	Berhane	\$1,037.22	\$152.89	\$1,190.11	\$
869	110866	Wolfe	Thomas	\$726.91	\$107.15	\$834.06	
870	3166	Wollnick	Steven	\$79.10	\$11.66	\$90.76	
871	3840	Wondired	Eshetu	\$423.24	\$62.39	\$485.63	
872	3910	Wong	Jorge	\$2,325.07	\$342.72	\$2,667.79	\$
873	28160	Wong	Wanjin	\$1,115.61	\$164.45	\$1,280.06	\$
874	3706	Woodall	Charles	\$610.19	\$89.94	\$700.13	
875	3582	Workneh	Abent	\$36.29	\$5.35	\$41.63	
876	3573	Worku	Abiye	\$253.73	\$37.40	\$291.13	
877	108239	Wright	Edward	\$744.31	\$109.71	\$854.02	
878	3092	Yabut	Gerry	\$5,428.49	\$800.18	\$6,228.67	\$
879	3533	Yabut	Vincent	\$415.21	\$61.20	\$476.42	
880	108389	Yamaguchi	Alicia	\$3,089.15	\$455.35	\$3,544.50	\$
881	3852	Yepiz-Patro	Ubaldo	\$18.78	\$2.77	\$21.54	
882	3472	Yesayan	Razmik	\$387.19	\$57.07	\$444.26	
883	3691	Yihdego	Abdulkadir	\$642.61	\$94.72	\$737.33	
884	3633	Yimer	Yidersal	\$643.72	\$94.89	\$738.61	

	A	B	C	D	E	F	G
885	2081	Younes	Ahmed	\$228.31	\$33.65	\$261.96	
886	17259	Yurckonis	Hilbert	\$2,395.57	\$353.12	\$2,748.69	\$
887	3824	Zabadneh	Randa	\$167.13	\$24.64	\$191.77	
888	30374	Zafar	John	\$605.99	\$89.33	\$695.32	
889	3062	Zanfino	Michael	\$798.38	\$117.68	\$916.06	
890	2273	Zawoudie	Masfen	\$2,656.70	\$391.61	\$3,048.31	\$
891	17936	Zekichev	Nick	\$324.17	\$47.78	\$371.95	
892	3235	Zelege	Abraham	\$1,593.23	\$234.85	\$1,828.08	\$

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EXHIBIT "C"



MOT

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Attorneys for Plaintiffs

**DISTRICT COURT
CLARK COUNTY, NEVADA**

MICHAEL MURRAY, and MICHAEL
RENO, Individually and on behalf of
others similarly situated,

Plaintiffs,

vs.

A CAB TAXI SERVICE LLC, A CAB
SERIES LLC formerly known as A
CAB, LLC, and CREIGHTON J.
NADY,

Defendants.

Case No.: A-12-669926-C

Dept.: 2

**PLAINTIFFS' MOTION FOR
ENTRY OF A MODIFIED
JUDGMENT AS PROVIDED
FOR BY REMITTITUR**

HEARING REQUESTED

Plaintiffs, through their attorneys, Leon Greenberg Professional Corporation,
hereby submit this motion for the entry of a modified judgment on behalf of the
plaintiff class members as directed by the Nevada Supreme Court's Opinion in this
case.

MEMORANDUM OF POINTS AND AUTHORITIES

On the scope of the modified judgment to be entered.

The only modification of this Court's judgment entered on August 21, 2018, directed by the Supreme Court is for the time period prior to October 8, 2010; each class member's judgment must be reduced by the amount (if any) that was previously determined to be due from that time period.

Except for disallowing the award of damages for the time period prior to October 8, 2010, the Supreme Court affirmed all of the findings made in this Court's Judgment and order entered on August 21, 2018. (Ex. "A" Judgment). The damages this Court awarded in the Judgment were specified for each of 890 class members and set forth in the Ex. "A" schedule to the same, at Column "F" therein. *See*, Judgment, p. 33, ¶ C, directing the Clerk of the Court to enter judgment for each individual class member in such amounts. The Supreme Court's decision only modifies the amount of those damages to the extent they included amounts for the period pre-dating October 8, 2010. To modify the Judgment of August 21, 2018, in accordance with the Supreme Court's decision, requires this Court to enter a "modified judgment list" revising downward the figures set forth in that Ex. "A" schedule to the Judgment to eliminate the award (if any to a particular class member) that was for damages pre-dating October 8, 2010. No other aspect of that Judgment is to be modified and the Judgment has otherwise been fully affirmed by the Supreme Court.

ARGUMENT

- I. Reducing the damage amounts of certain class member as directed by the Supreme Court involves a simple arithmetical calculation using information already in the record without making any new findings; the modified judgment list is now presented with an appropriate proposed order to modify the Judgment.**
- A. The Judgment incorporated a separate calculation already made for the pre-October 8, 2010 damages period and placed in the record; the modified judgment will deduct those already calculated damages from the amounts entered in the Judgment, no additional findings are necessary or proper.**

In modifying the Judgment the only issue is the amount the Judgment must be reduced because it improperly awarded damages accruing prior to October 8, 2010. Yet it is expected that defendants will argue there are other findings that need to be made, such as their entitlement to a further reduction of the judgment owing to United States Department of Labor settlement payments it made (the “USDOL settlement”); to “disallow” damages of \$211.72 that may have previously been awarded for the period from June 24, 2014, to December 31, 2015 as claimed in their motion filed on February 10, 2022; or based upon a judgment entered in, and settlement payments allegedly made in, other litigation (the *Dubric* case). All of that is untrue; such motion and assertions are made to confuse the Court and delay the entry of a modified judgment for what is now, with post-judgment interest, an over \$800,000 unpaid minimum wage liability of A Cab.

The USDOL settlement payments were fully accounted for in the Judgment (at p. 19-22, ¶¶ 27-29) and that portion of the Judgment was affirmed, they cannot be subject to additional findings. Whatever issue A Cab may have wanted to raise regarding the damages originally awarded for the period after June 24, 2014, had to be raised prior to entry of the Judgment or during its appeal. The Supreme Court has fully affirmed the entirety of the judgment entered for the 2013-2015 period and no

1 portion of that can now be reexamined or recalculated. The *Dubric* case (currently on
2 appeal) is irrelevant to the Judgment and cannot modify it.¹

3 All that needs to be performed to enter the modified judgment is a simple
4 “subtraction” of the erroneously included, and already determined, damages amounts
5 pre-dating October 8, 2010, from the August 21, 2018, Judgment’s Ex. “A” schedule
6 amounts. If that results in a class member’s previously awarded damages being
7 reduced (many class members’ damages are not affected because they were never
8 awarded damages pre-dating October 8, 2010), their award of pre-judgment interest
9 also needs to be recalculated. That award of interest will be smaller because, although
10 calculated in the same percentages and for the same time period as in the Judgment, it
11 must be calculated on a smaller damages award (principal). No other modification of
12 the Judgment is needed or permitted under the Supreme Court’s decision.

13 **1. The amount of the Judgment’s reduction has**
14 **already been determined and is in the record.**

15 On June 20, 2018, plaintiffs filed with the Court their counsel’s declaration and
16 Exhibits setting forth complete calculations on the amount due each class member, as
17 broken down for the time period prior to October 8, 2010, and after that date, along
18 with all properly awarded pre-judgment interest. The calculation of the total amounts
19 due each class member, and the itemization of those calculated amounts for the pre and
20 post-October 8, 2010, periods, and the correctness of those calculations², were

21
22 ¹ The unmodified portions of the Judgement stand just as originally entered.
23 See, Ex. “B” Order of the Supreme Court of February 3, 2022, in this case. If A Cab
24 alleges payments it has made since the Judgement’s entry, either in *Dubric* or for any
25 other reason, should act towards its satisfaction it must address that by a separate
26 motion as A Cab cannot obtain any satisfaction of any Judgment amounts without an
Order from the Court in this case. See, Judgement, Ex. “A”, p. 33-34, ¶ D.

27 ² The calculations made by Charles Bass and contained in his June 14, 2018,
28 declaration and its Exhibits are not subject to review or examination. The Supreme
Court affirmed the Judgment’s finding those calculations were properly relied upon.

1 established by the June 14, 2018, declaration of Charles Bass, Ex. "C" to that
2 submission, and at Exhibits "1" to "5" of his declaration (bates numbers 57 through
3 762). For ease of reference, the Charles Bass declaration of June 14, 2018, with only
4 the first page of Exhibits "1" to "5" thereto showing the resulting class member totals
5 (but not the remaining 690 pages of charts/exhibits with the detailed per class
6 member/per pay period amount) is annexed hereto as Ex. "C."

7 **2. Every element comprising the Judgment was properly**
8 **calculated and placed in the record, it must only be**
9 **reduced by the previously properly calculated, but**
 improperly awarded, portion for the time period pre-
 dating October 8, 2010.

10 As discussed in the June 14, 2018, declaration of Charles Bass, Ex. "C" hereto,
11 ¶ 2, the amount of damages owed to A Cab's taxi drivers for the time period prior to
12 October 8, 2010, were calculated and set forth in Ex. "1" and "2" of that declaration.
13 As he further discussed in that declaration, he included those amounts in the
14 "combined per person" table he prepared (at Ex. "5" of that declaration) that set forth
15 the damages over \$10.00 per taxi driver for the entire time period covered by the
16 Judgment, including pre-judgment interest. Ex. "C" hereto, ¶ 4.

17 At no point did A Cab dispute, by presenting evidence of any arithmetical or
18 other errors, the accuracy of the June 14, 2018, calculations prepared by Charles Bass.
19 The Judgment entered by the Court would have conformed completely to those
20 calculations except for one reason: A Cab subsequently produced evidence that it had
21 made payments as part of the USDOL settlement to 191 of the 900 taxi drivers who
22 had been determined by the June 14, 2018, calculations to be owed at least \$10.00 in
23 unpaid minimum wages. Those USDOL settlement payments required a final
24 modification of the June 14, 2018, calculations, which were placed in the record on
25 August 3, 2018, by plaintiffs' supplemental submission. For ease of reference, that
26 submission, through the first page of Ex. "B" thereto, is at Ex. "D" hereto (the
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28

1 remaining omitted 85 pages are the proposed Judgment and the Judgment list
2 ultimately adopted).

3 As discussed in plaintiffs' August 3, 2018, supplement, A Cab's USDOL
4 settlement payments completely eliminated the claims of 10 drivers and reduced the
5 claims of 181 other drivers, as previously calculated on June 14, 2018, leaving 890
6 class member awards totaling, with pre-judgment interest, \$1,033,027.81. The Court
7 adopted those calculations, and that list of judgment amounts presented on August 3,
8 2018 (Ex. "B" thereto), by placing them at Ex. "A" of the Judgment entered on August
9 21, 2018.

10 **B. A properly arrived at modified judgment list has been**
11 **prepared and a modified judgment is ready for entry.**

12 Annexed at Ex. "E" is the February 11, 2022, declaration of Charles Bass. As
13 discussed in that declaration, he has created a modified judgment list that complies
14 with the Supreme Court's modification of the judgment by excluding the damages
15 awarded for the pre-October 8, 2010, time period. That modified judgment list is at
16 Ex. "2" of such declaration. He used the exact same information he used to prepare
17 the June 14, 2018, calculations, to arrive at those damages amounts, which are
18 calculated to include the USDOL settlement payment information for 191 taxi drivers,
19 information that was unavailable to him on June 14, 2018. The amount of those
20 USDOL settlement payments are also in a separate list at Ex. "1" of his declaration.
21 Plaintiffs' counsel, in his annexed declaration at Ex. "F," verifies that such list of
22 USDOL settlement payments at Ex. "1" to the Charles Bass declaration sets forth the
23 same information on those payments used to arrive at the class member damage
24 amounts in the Judgment entered on August 21, 2018.
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1 **C. A proposed Order modifying the judgment is provided.**

2 A proposed Order modifying the judgment is provided at Ex. "G." It includes
3 the above discussed modified judgment list at Ex. "A" thereto that will displace the
4 Ex. "A" schedule annexed to the August 21, 2018, Judgment.

5 **CONCLUSION**

6 For all the foregoing reasons, plaintiffs' motion should be granted.

7
8 Dated: February 14, 2022

9 LEON GREENBERG PROFESSIONAL CORP.

10
11 /s/ Leon Greenberg
12 Leon Greenberg, Esq.
13 Nevada Bar No. 8094
14 2965 S. Jones Boulevard - Ste. E-3
15 Las Vegas, NV 89146
16 Tel (702) 383-6085
17 Attorney for the Class

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PROOF OF SERVICE

The undersigned certifies that on February 14, 2022, she served the within:

**PLAINTIFFS' MOTION FOR ENTRY OF A MODIFIED JUDGMENT
AS PROVIDED FOR BY REMITTITUR**

by court electronic service to:

TO:

Esther C. Rodriguez, Esq.
RODRIGUEZ LAW OFFICES, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

Jay A. Shafer, Esq.
PREMIER LEGAL GROUP
1333 North Buffalo Drive, Suite 210
Las Vegas, NV 89128

/s/ Ruthann Devereaux-Gonzalez

Ruthann Devereaux-Gonzalez

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004289

EXHIBIT "D"

1 LEON GREENBERG, ESQ.
2 Nevada Bar No.: 8094
3 Leon Greenberg Professional Corporation
4 2965 South Jones Boulevard - Suite E-3
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6 (702) 383-6085
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8 leongreenberg@overtimelaw.com
9 Attorneys for Plaintiffs

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DISTRICT COURT
CLARK COUNTY, NEVADA

MICHAEL MURRAY and
MICHAEL RENO, individually and
on behalf of all others similarly
situated,

Plaintiffs,

vs.

A CAB TAXI SERVICE LLC, A
CAB, LLC also known as A CAB
SERIES LLC, and CREIGHTON J.
NADY,

Defendants.

Case No.: A-12-669926-C

DEPT.: II

DECLARATION OF CHARLES BASS

Charles Bass hereby affirms, under penalty of perjury,
that:

1. I am offering this declaration to supplement my declaration of February 11, 2022, and to correct an error in Ex. "2" of that declaration.

2. Ex. "2" of my February 11, 2022, declaration contains a listing at line 427 for "Murray, Michael P." and on line 428 for "Murray, MichaelP." Each of those lines otherwise contains identical information in each column on that person's "EE number" (their employee number in A Cab's records) and the amount (\$883.88) they are owed. This is a duplicate listing for the same person. There is only one Michael P. Murray

1 with this employee number (2018) owed a single amount of \$883.88.

2 3. I have corrected the modified judgment list that was attached as Ex. “2” to
3 my declaration of February 11, 2022, by removing this duplicate entry for Michael P.
4 Murray and creating, at Ex. “1” to this declaration, the modified judgment list in the
5 fashion discussed at paragraph 2 of my declaration of February 11, 2022. That Ex. “1”
6 list indicates in Column “F” \$685,886.60 in unpaid minimum wages and interest is
7 owed to 661 taxi drivers who are each owed at least \$10.00. That list also indicates in
8 Column “D” the amount of minimum wages owed to those 661 taxi drivers (total
9 \$597,772.48); the amount of interest they are owed on their Column “D” amount of
10 unpaid minimum wages in Column “E” (a total of \$88,114.12 in interest); and in
11 Column “H” the amount of the “Set Off from USDOL Settlement” (if any for a taxi
12 driver), a total of \$71,568.24, that reduced the minimum wage shortage (amount
13 otherwise owed) to each taxi driver and set forth in Column “G” (a total of
14 \$669,340.72). The attached Ex. “1” modified judgment list is otherwise identical to the
15 one prepared and produced with my declaration of February 22, 2022.

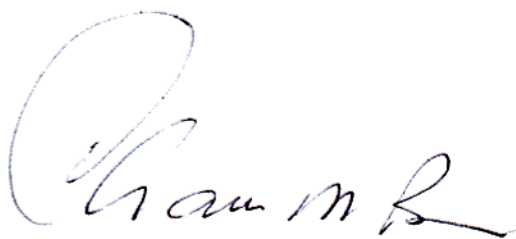
16 4. The duplicate listing error of Michael P. Murray in the modified judgment
17 list provided with my February 22, 2022, declaration arose from a typographical error
18 in A Cab’s records. Those records identified that person using two different spellings:
19 “Murray, MichaelP” and “Murray, Michael P.” Certain records of wages paid and shifts
20 worked were produced by A Cab for this person using each of those spellings and all
21 such records used the same employee identification number (2018). When I processed

1 A Cab's records to create the modified judgment list, as I discussed in my declaration
2 of February 22, 2022, I did so by referencing each employee name, not their employee
3 identification number. This resulted in each differently spelled named being treated as
4 a separate employee and Michael P. Murray being entered on the modified judgment
5 list accompanying my February 22, 2022, declaration (and the original judgment list
6 entered on August 21, 2018) twice, reflecting the two different spellings used for his
7 name. In creating the modified judgment list attached as Ex. "1" to this declaration, I
8 avoided any such error by referencing each A Cab taxi driver's unique employee
9 identification number. There are no such errors in that list as each line on that list is for
10 a unique A Cab taxi driver's employee identification number. Michael P. Murray was
11 also the only A Cab taxi driver who appeared on more than one line (more than once)
12 on the judgment lists I previously produced for this case.

13 I have read the foregoing and affirm under penalty of perjury that the same is true and
14 correct.
15

16 Affirmed this 28th day of March, 2022

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A handwritten signature in blue ink, appearing to read "Charles M. Bass", is written over the line numbers 21 through 25.

Charles M. Bass

EXHIBIT "1"

EXHIBIT "1"

	A	B	C	D	E	F	G	H
1		Totals for All Class Members		\$597,772.48	\$88,114.12	\$685,886.60	\$669,340.72	(\$71,568.24)
2	Employee			Total Lower Tier Minimum Wages Owed 10/8/2010 - 12/31/2015 After Set Off and Over	Interest from 1/1 2016 through	Total with	Total 10/8/2010 - 12/31/2015	Set Off from USDOL
3	Number	Last Name	First Name	10.00	6/30/2018	Interest	Shortage	Settlement
4	3861	Abarca	Enrique	\$815.12	\$120.15	\$935.27	\$815.12	\$0.00
5	3638	Abdella	Juhar	\$178.63	\$26.33	\$204.96	\$319.03	(\$140.40)
6	105408	Abdulle	Abdirashid	\$165.36	\$24.38	\$189.74	\$165.36	\$0.00
7	3606	Abebe	Tamrat	\$3,010.66	\$443.78	\$3,454.44	\$3,010.66	\$0.00
8	3302	Abraha	Tesfalem	\$411.83	\$60.70	\$472.53	\$411.83	\$0.00
9	105813	Abt	Daniel	\$891.35	\$131.39	\$1,022.74	\$891.35	\$0.00
10	2640	Abuel	Alan	\$26.99	\$3.98	\$30.97	\$259.30	(\$232.31)
11	3513	Abuhay	Fasil	\$199.88	\$29.46	\$229.34	\$390.89	(\$191.01)
12	100221	Ackman	Charles	\$385.21	\$56.78	\$441.99	\$385.21	\$0.00
13	3853	Acosta	Lorrie	\$135.08	\$19.91	\$154.99	\$135.08	\$0.00
14	3609	Adamian	Robert	\$794.61	\$117.13	\$911.74	\$995.17	(\$200.56)
15	3896	Adams	Michael	\$193.46	\$28.52	\$221.98	\$283.69	(\$90.23)
16	3641	Adamson	Nicole	\$1,012.32	\$149.22	\$1,161.54	\$1,306.43	(\$294.11)
17	25411	Adhanom	Tewoldebrhan	\$124.16	\$18.30	\$142.46	\$124.16	\$0.00
18	3846	Agacevic	Ibnel	\$299.99	\$44.22	\$344.21	\$299.99	\$0.00
19	100821	Agostino	Nicholas	\$1,436.35	\$211.72	\$1,648.07	\$1,436.35	\$0.00
20	3684	Ahmed	Ahmed	\$926.12	\$136.51	\$1,062.63	\$1,290.23	(\$364.11)
21	3678	Alemayehu	Tewodros	\$42.09	\$6.20	\$48.30	\$42.09	\$0.00
22	3692	Alessi	Anthony	\$13.62	\$2.01	\$15.63	\$13.62	\$0.00
23	3712	Alexander	Darvious	\$63.13	\$9.30	\$72.43	\$63.13	\$0.00
24	3869	Alfaro	Joe	\$300.71	\$44.33	\$345.03	\$300.71	\$0.00
25	3661	Ali	Abraham	\$2,224.87	\$327.95	\$2,552.82	\$2,224.87	\$0.00
26	104525	Allegue	Yusnier	\$1,414.77	\$208.54	\$1,623.31	\$1,414.77	\$0.00
27	2903	Allen	Otis	\$6,359.32	\$937.39	\$7,296.71	\$6,359.32	\$0.00
28	25979	Alnaif	Abdul	\$711.15	\$104.83	\$815.98	\$743.50	(\$32.35)
29	3787	Altamura	Vincent	\$503.89	\$74.28	\$578.17	\$503.89	\$0.00
30	103822	Alvarado	Santiago	\$94.08	\$13.87	\$107.95	\$94.08	\$0.00
31	3769	Alves	Mary	\$988.61	\$145.72	\$1,134.33	\$988.61	\$0.00
32	3645	Ameha	Samuale	\$244.82	\$36.09	\$280.91	\$244.82	\$0.00
33	24038	Anantagul	Kamol	\$154.39	\$22.76	\$177.15	\$154.39	\$0.00
34	3564	Anastasio	James	\$111.24	\$16.40	\$127.63	\$111.24	\$0.00
35	29709	Andersen	Jason	\$1,197.51	\$176.52	\$1,374.03	\$1,968.47	(\$770.96)
36	106828	Anderson	Calvin	\$1,353.44	\$199.50	\$1,552.95	\$1,353.44	\$0.00
37	3672	Anderson	Roosevelt	\$2,114.65	\$311.71	\$2,426.36	\$2,787.37	(\$672.72)
38	3943	Anderson	William	\$289.40	\$42.66	\$332.06	\$289.40	\$0.00
39	3650	Anif	Janeid	\$1,406.55	\$207.33	\$1,613.88	\$1,406.55	\$0.00
40	2942	Appel	Howard	\$23.47	\$3.46	\$26.93	\$23.47	\$0.00
41	3614	Applegate	Angela	\$260.97	\$38.47	\$299.44	\$319.42	(\$58.45)
42	3730	Arar	Isam	\$1,726.82	\$254.54	\$1,981.36	\$2,235.96	(\$509.14)
43	104910	Archer	Bert	\$362.37	\$53.41	\$415.78	\$362.37	\$0.00
44	3709	Arell	Roger	\$42.41	\$6.25	\$48.66	\$92.02	(\$49.61)
45	3931	Arena	Francis	\$527.13	\$77.70	\$604.83	\$527.13	\$0.00

	A	B	C	D	E	F	G	H
46	26553	Arnwine	Howard	\$2,020.90	\$297.89	\$2,318.78	\$2,185.05	(\$164.15)
47	3676	Asad	Tassawar	\$28.49	\$4.20	\$32.69	\$28.49	\$0.00
48	31622	Asefa	Wossen	\$456.31	\$67.26	\$523.57	\$456.31	\$0.00
49	3828	Aseffa	Mulubahan	\$1,992.18	\$293.66	\$2,285.84	\$2,431.45	(\$439.27)
50	3741	Assena	Zenebech	\$41.86	\$6.17	\$48.02	\$41.86	\$0.00
51	3873	Atanasov	Nikolay	\$154.17	\$22.73	\$176.90	\$154.17	\$0.00
52	3825	Atterbury	Joseph	\$159.92	\$23.57	\$183.49	\$159.92	\$0.00
53	110476	Auberry Jr.	Glenn	\$309.98	\$45.69	\$355.67	\$309.98	\$0.00
54	3667	Aurich	Juan	\$1,489.26	\$219.52	\$1,708.78	\$2,508.20	(\$1,018.94)
55	2926	Awalom	Alemayehu	\$6,288.28	\$926.92	\$7,215.20	\$6,288.28	\$0.00
56	3707	Azmoudeh	Bobby	\$208.23	\$30.69	\$238.92	\$208.23	\$0.00
57	3605	Azzouay	El	\$135.48	\$19.97	\$155.45	\$135.48	\$0.00
58	20210	Ba	Awa	\$1,270.02	\$187.21	\$1,457.22	\$1,270.02	\$0.00
59	108404	Baca	James	\$105.93	\$15.61	\$121.54	\$105.93	\$0.00
60	27358	Baca-Paez	Sergio	\$2,124.87	\$313.21	\$2,438.08	\$2,501.92	(\$377.05)
61	3838	Baker	Timothy	\$2,135.81	\$314.83	\$2,450.64	\$2,431.20	(\$295.39)
62	27315	Bakhtiari	Marco	\$2,701.33	\$398.19	\$3,099.52	\$3,284.38	(\$583.05)
63	112015	Bambenek	Matthew	\$337.56	\$49.76	\$387.31	\$337.56	\$0.00
64	112193	Bandi	Pedram	\$11.21	\$1.65	\$12.86	\$11.21	\$0.00
65	2523	Banuelos	Ruben	\$150.22	\$22.14	\$172.36	\$150.22	\$0.00
66	3909	Barbu	Ion	\$2,507.70	\$369.64	\$2,877.34	\$2,562.29	(\$54.59)
67	3760	Bardo	Timothy	\$746.65	\$110.06	\$856.71	\$746.65	\$0.00
68	3369	Barich	Edward	\$189.31	\$27.90	\$217.21	\$189.31	\$0.00
69	100158	Barnes	Benjamin	\$5,936.88	\$875.12	\$6,812.00	\$5,936.88	\$0.00
70	2993	Barr	Kenneth	\$574.03	\$84.61	\$658.64	\$615.48	(\$41.45)
71	107792	Barrameda	Danilo	\$56.83	\$8.38	\$65.20	\$56.83	\$0.00
72	3601	Barseghyan	Artur	\$373.48	\$55.05	\$428.54	\$488.18	(\$114.70)
73	3887	Barstow	Lance	\$131.44	\$19.37	\$150.81	\$131.44	\$0.00
74	3829	Bartunek	Johnny	\$19.47	\$2.87	\$22.34	\$19.47	\$0.00
75	3649	Bataineh	Ali	\$218.35	\$32.18	\$250.53	\$218.35	\$0.00
76	2454	Batista	Eugenio	\$49.03	\$7.23	\$56.25	\$49.03	\$0.00
77	3926	Bauer	William	\$217.42	\$32.05	\$249.47	\$217.42	\$0.00
78	25454	Bell	Jeffrey	\$26.45	\$3.90	\$30.34	\$26.45	\$0.00
79	3594	Bellegarde	Josue	\$11.51	\$1.70	\$13.21	\$11.51	\$0.00
80	3622	Benel	Christian	\$1,457.21	\$214.80	\$1,672.01	\$1,589.84	(\$132.63)
81	110687	Berger	James	\$58.09	\$8.56	\$66.65	\$58.09	\$0.00
82	103219	Berichon	Mike	\$947.14	\$139.61	\$1,086.75	\$947.14	\$0.00
83	23373	Bey	Ronald	\$2,724.05	\$401.54	\$3,125.58	\$2,724.05	\$0.00
84	2960	Bialorucki	Richard	\$833.46	\$122.86	\$956.32	\$1,071.81	(\$238.35)
85	2986	Black	Burton	\$174.69	\$25.75	\$200.43	\$174.69	\$0.00
86	29914	Bliss	Valerie	\$124.09	\$18.29	\$142.38	\$124.09	\$0.00
87	112455	Blum III	Arthur	\$47.07	\$6.94	\$54.01	\$47.07	\$0.00
88	2487	Boling	Freddy	\$528.24	\$77.87	\$606.11	\$528.24	\$0.00
89	2802	Borja	Virginia	\$456.50	\$67.29	\$523.79	\$745.82	(\$289.32)
90	3723	Bowen	Christopher	\$674.72	\$99.46	\$774.17	\$674.72	\$0.00
91	3508	Bozic	Nebojsa	\$263.10	\$38.78	\$301.88	\$263.10	\$0.00
92	28324	Bradley	Leroy	\$2,391.80	\$352.56	\$2,744.36	\$2,810.40	(\$418.60)
93	2056	Brauchle	Michael	\$3,344.49	\$492.99	\$3,837.48	\$4,054.05	(\$709.56)
94	3697	Briggs	Andrew	\$52.36	\$7.72	\$60.08	\$52.36	\$0.00
95	3716	Brimhall	Tracy	\$3,804.84	\$560.85	\$4,365.69	\$3,804.84	\$0.00

	A	B	C	D	E	F	G	H
96	3621	Brisco	Allen	\$3,226.36	\$475.58	\$3,701.93	\$3,226.36	\$0.00
97	100299	Briski	Louis	\$226.23	\$33.35	\$259.58	\$414.70	(\$188.47)
98	110579	Brooks	Jose	\$46.30	\$6.83	\$53.13	\$46.30	\$0.00
99	3949	Brown	Daniel	\$730.19	\$107.63	\$837.82	\$730.19	\$0.00
100	3067	Brown	Maurice	\$774.77	\$114.20	\$888.97	\$774.77	\$0.00
101	2704	Buergey	Christopher	\$1,051.28	\$154.96	\$1,206.24	\$1,051.28	\$0.00
102	28249	Bunns	Tommy	\$564.89	\$83.27	\$648.16	\$564.89	\$0.00
103	111670	Burns	Brittany	\$122.95	\$18.12	\$141.08	\$122.95	\$0.00
104	109309	Caldwell Jr.	Paul	\$364.22	\$53.69	\$417.90	\$364.22	\$0.00
105	3892	Calise	Domenic	\$57.13	\$8.42	\$65.55	\$57.13	\$0.00
106	3791	Cancio-Betancou	Rene	\$282.86	\$41.69	\$324.55	\$282.86	\$0.00
107	106463	Capone	Gary	\$1,177.79	\$173.61	\$1,351.40	\$1,177.79	\$0.00
108	3733	Carr	Jamaal	\$127.11	\$18.74	\$145.84	\$127.11	\$0.00
109	2660	Carracedo	Sonny	\$360.54	\$53.15	\$413.69	\$360.54	\$0.00
110	3899	Casiello	Anthony	\$552.19	\$81.39	\$633.58	\$703.35	(\$151.16)
111	102334	Castellanos	Joaquin	\$419.56	\$61.84	\$481.40	\$419.56	\$0.00
112	2531	Catoggio	Alfred	\$143.11	\$21.10	\$164.21	\$143.11	\$0.00
113	3843	Caymite	Luc	\$221.02	\$32.58	\$253.60	\$221.02	\$0.00
114	104310	Chana	Chen	\$658.00	\$96.99	\$754.99	\$658.00	\$0.00
115	3420	Chang	Yun-Yu	\$697.04	\$102.75	\$799.78	\$697.04	\$0.00
116	3831	Charouat	Malek	\$412.11	\$60.75	\$472.86	\$412.11	\$0.00
117	24737	Charov	Ivaylo	\$67.83	\$10.00	\$77.83	\$67.83	\$0.00
118	3663	Chasteen	Jeffery	\$38.80	\$5.72	\$44.52	\$38.80	\$0.00
119	3714	Chatrizeh	Shahin	\$744.82	\$109.79	\$854.61	\$950.52	(\$205.70)
120	112394	Chavez	Rosemarie	\$13.29	\$1.96	\$15.25	\$13.29	\$0.00
121	3249	Chico	David	\$2,251.13	\$331.83	\$2,582.95	\$2,251.13	\$0.00
122	3729	Choudhary	Krishna	\$1,694.88	\$249.83	\$1,944.71	\$1,694.88	\$0.00
123	3588	Christensen	Rosa	\$1,878.35	\$276.88	\$2,155.22	\$1,878.35	\$0.00
124	3881	Christodoulou	Panos	\$584.13	\$86.10	\$670.23	\$584.13	\$0.00
125	26783	Clark	Dennis	\$513.57	\$75.70	\$589.27	\$513.57	\$0.00
126	31467	Clarke	Michael	\$69.42	\$10.23	\$79.65	\$69.42	\$0.00
127	107430	Cobon	Karl	\$1,023.14	\$150.81	\$1,173.95	\$1,023.14	\$0.00
128	3802	Cobos	Aaron	\$258.72	\$38.14	\$296.85	\$258.72	\$0.00
129	3885	Cohoon	Thomas	\$2,087.12	\$307.65	\$2,394.77	\$2,261.53	(\$174.41)
130	3552	Coizeau	Leonardo	\$3,285.52	\$484.30	\$3,769.81	\$3,433.58	(\$148.06)
131	102415	Collier	Ella	\$293.00	\$43.19	\$336.19	\$447.70	(\$154.70)
132	3862	Collins	Lincoln	\$408.91	\$60.27	\$469.18	\$520.42	(\$111.51)
133	108041	Comeau	Brian	\$70.76	\$10.43	\$81.19	\$70.76	\$0.00
134	3596	Conde	Carlos	\$103.01	\$15.18	\$118.19	\$103.01	\$0.00
135	3900	Coney-Cumming	Keisha	\$531.04	\$78.28	\$609.32	\$531.04	\$0.00
136	3738	Conway	James	\$3,480.75	\$513.08	\$3,993.82	\$3,980.61	(\$499.86)
137	112398	Corona	Fernando	\$775.97	\$114.38	\$890.35	\$775.97	\$0.00
138	2051	Costello	Brad	\$1,305.53	\$192.44	\$1,497.97	\$1,696.23	(\$390.70)
139	3550	Craddock	Charles	\$557.35	\$82.16	\$639.51	\$557.35	\$0.00
140	3935	Craffey	Richard	\$672.27	\$99.09	\$771.36	\$672.27	\$0.00
141	23774	Crawford	Darryl	\$141.24	\$20.82	\$162.05	\$224.46	(\$83.22)
142	21457	Crawford	Maximillian	\$156.56	\$23.08	\$179.64	\$156.56	\$0.00
143	30300	Cruz-Decastro	Antonio	\$47.37	\$6.98	\$54.35	\$47.37	\$0.00
144	109796	Curtin	Ronald	\$1,891.68	\$278.84	\$2,170.52	\$1,891.68	\$0.00
145	109130	Dacayanan	Liza	\$515.01	\$75.91	\$590.92	\$515.01	\$0.00

	A	B	C	D	E	F	G	H
146	23948	Daffron	Daniel	\$1,242.13	\$183.10	\$1,425.23	\$1,242.13	\$0.00
147	32238	Daggett Jr.	Rudolph	\$618.68	\$91.20	\$709.87	\$618.68	\$0.00
148	3777	Daniels	Donald	\$3,274.58	\$482.69	\$3,757.26	\$3,274.58	\$0.00
149	110936	Daniels	James	\$57.14	\$8.42	\$65.56	\$57.14	\$0.00
150	3511	Danielsen	Danny	\$377.99	\$55.72	\$433.71	\$377.99	\$0.00
151	3428	D'Arcy	Timothy	\$4,630.45	\$682.55	\$5,313.00	\$4,630.45	\$0.00
152	101103	Davila-Romero	Monica	\$58.85	\$8.67	\$67.52	\$58.85	\$0.00
153	28065	Davis	Bradley	\$2,167.85	\$319.55	\$2,487.40	\$2,167.85	\$0.00
154	2573	Deguzman	Fermin	\$294.22	\$43.37	\$337.59	\$294.22	\$0.00
155	3675	Deguzman	Leloi	\$619.41	\$91.30	\$710.71	\$619.41	\$0.00
156	111137	Dejacto	Giovanna	\$660.42	\$97.35	\$757.77	\$660.42	\$0.00
157	25935	Delgado	Carlos	\$105.26	\$15.52	\$120.78	\$105.26	\$0.00
158	2057	DeMarco	William	\$581.36	\$85.69	\$667.05	\$581.36	\$0.00
159	3566	Deocampo	Michael	\$198.88	\$29.31	\$228.19	\$222.51	(\$23.63)
160	3936	Dial	Donald	\$811.92	\$119.68	\$931.60	\$811.92	\$0.00
161	111062	Diamond	Jeffrey	\$273.19	\$40.27	\$313.46	\$273.19	\$0.00
162	3719	Diaz	Aiser	\$22.90	\$3.38	\$26.28	\$22.90	\$0.00
163	3657	Dibaba	Desta	\$958.68	\$141.31	\$1,099.99	\$958.68	\$0.00
164	3905	Dillard	Corey	\$904.27	\$133.29	\$1,037.56	\$978.27	(\$74.00)
165	2031	Dinok	Ildiko	\$1,530.38	\$225.58	\$1,755.96	\$1,530.38	\$0.00
166	6832	Dionas	John	\$87.73	\$12.93	\$100.66	\$87.73	\$0.00
167	3756	Disbrow	Ronald	\$2,475.64	\$364.92	\$2,840.56	\$2,858.43	(\$382.79)
168	3395	Dixon	Julius	\$669.09	\$98.63	\$767.72	\$669.09	\$0.00
169	2812	Djapa-Ivosevic	Davor	\$295.33	\$43.53	\$338.87	\$295.33	\$0.00
170	3704	Dobszewicz	Gary	\$2,278.69	\$335.89	\$2,614.57	\$3,064.20	(\$785.51)
171	3024	Donahoe	Stephen	\$473.62	\$69.81	\$543.44	\$473.62	\$0.00
172	3478	Dontchev	Nedeltcho	\$2,456.69	\$362.13	\$2,818.81	\$2,562.54	(\$105.85)
173	3830	Dotson	Contessa	\$49.54	\$7.30	\$56.84	\$49.54	\$0.00
174	3378	Dotson	Eugene	\$232.38	\$34.25	\$266.63	\$298.04	(\$65.66)
175	106763	Doyle	William	\$304.91	\$44.94	\$349.85	\$304.91	\$0.00
176	2871	Draper	Ivan	\$885.79	\$130.57	\$1,016.35	\$1,988.56	(\$1,102.77)
177	3754	Dudek	Anthony	\$1,421.81	\$209.58	\$1,631.39	\$1,421.81	\$0.00
178	3916	Duna	Lawrence	\$760.98	\$112.17	\$873.15	\$760.98	\$0.00
179	3617	Durey	Robert	\$795.00	\$117.19	\$912.19	\$1,086.96	(\$291.96)
180	2006	Durtschi	Jeffrey	\$496.97	\$73.26	\$570.23	\$585.98	(\$89.01)
181	100046	Dymond	Ernest	\$62.96	\$9.28	\$72.24	\$62.96	\$0.00
182	3907	Eddik	Muhannad	\$31.60	\$4.66	\$36.26	\$31.60	\$0.00
183	2637	Edwards	Jeffrey	\$823.78	\$121.43	\$945.21	\$1,307.78	(\$484.00)
184	3381	Egan	Joseph	\$3,088.61	\$455.27	\$3,543.88	\$3,088.61	\$0.00
185	3595	Ekoue	Ayi	\$2,813.75	\$414.76	\$3,228.50	\$2,813.75	\$0.00
186	111822	Elgendy	Mohamed	\$96.88	\$14.28	\$111.17	\$96.88	\$0.00
187	18678	Eliades	George	\$272.83	\$40.22	\$313.04	\$272.83	\$0.00
188	3771	Ellis	Charles	\$763.81	\$112.59	\$876.40	\$763.81	\$0.00
189	109641	Emling	Paul	\$146.38	\$21.58	\$167.95	\$470.16	(\$323.78)
190	106698	Emter	Christopher	\$124.52	\$18.36	\$142.88	\$124.52	\$0.00
191	3567	Ernst	William	\$2,071.00	\$305.27	\$2,376.27	\$3,661.62	(\$1,590.62)
192	3937	Esfarjany	Mahmood	\$61.93	\$9.13	\$71.06	\$61.93	\$0.00
193	3689	Eshaghi	Mohammad	\$243.90	\$35.95	\$279.85	\$347.00	(\$103.10)
194	3889	Estrada	Michael	\$217.71	\$32.09	\$249.80	\$217.71	\$0.00
195	3628	Evans	Steven	\$23.51	\$3.46	\$26.97	\$23.51	\$0.00

	A	B	C	D	E	F	G	H
196	3703	Fadlallah	Michel	\$675.34	\$99.55	\$774.88	\$857.18	(\$181.84)
197	29981	Fair	Kirby	\$496.57	\$73.20	\$569.77	\$496.57	\$0.00
198	3795	Farah	Yohannes	\$391.88	\$57.76	\$449.64	\$391.88	\$0.00
199	2682	Fears	Thomas	\$2,605.88	\$384.12	\$2,990.00	\$3,198.92	(\$593.04)
200	3591	Feleke	Melak	\$989.78	\$145.90	\$1,135.67	\$1,190.60	(\$200.82)
201	3549	Fesehazion	Teabe	\$1,306.55	\$192.59	\$1,499.14	\$1,865.61	(\$559.06)
202	111068	Filatov	Andrey	\$20.19	\$2.98	\$23.16	\$20.19	\$0.00
203	3877	Filfel	Kamal	\$3,138.25	\$462.59	\$3,600.84	\$3,138.25	\$0.00
204	109381	Fitzsimmons	Marc	\$327.92	\$48.34	\$376.25	\$327.92	\$0.00
205	111729	Flanders	Mary	\$208.19	\$30.69	\$238.88	\$208.19	\$0.00
206	3705	Fleming	Gary	\$3,227.44	\$475.74	\$3,703.17	\$4,079.24	(\$851.80)
207	3939	Ford	Todd	\$982.51	\$144.83	\$1,127.33	\$982.51	\$0.00
208	3927	Fox	Gordon	\$258.33	\$38.08	\$296.41	\$258.33	\$0.00
209	3860	Frankenberger	Grant	\$625.40	\$92.19	\$717.58	\$625.40	\$0.00
210	2614	Franklin	David	\$530.60	\$78.21	\$608.81	\$530.60	\$0.00
211	3774	Furst III	James	\$48.51	\$7.15	\$55.66	\$48.51	\$0.00
212	107590	Galtieri	Frank	\$269.32	\$39.70	\$309.02	\$269.32	\$0.00
213	2782	Garcia	John	\$5,827.20	\$858.95	\$6,686.15	\$5,985.76	(\$158.56)
214	3652	Garcia	Miguel	\$1,119.02	\$164.95	\$1,283.96	\$1,119.02	\$0.00
215	3522	Gardea	Alfred	\$1,460.80	\$215.33	\$1,676.12	\$1,460.80	\$0.00
216	3694	Gared	Yaekob	\$76.99	\$11.35	\$88.34	\$76.99	\$0.00
217	3793	Garras	Bill	\$160.33	\$23.63	\$183.97	\$160.33	\$0.00
218	26636	Garrett	Kathleen	\$20.07	\$2.96	\$23.03	\$20.07	\$0.00
219	3642	Gaumond	Gerard	\$197.50	\$29.11	\$226.61	\$197.50	\$0.00
220	3503	Gebrayes	Henock	\$360.01	\$53.07	\$413.08	\$360.01	\$0.00
221	3801	Gebremariam	Meley	\$200.99	\$29.63	\$230.61	\$200.99	\$0.00
222	3580	Gebreyes	Fanuel	\$513.28	\$75.66	\$588.93	\$933.43	(\$420.15)
223	3328	Gelane	Samuel	\$4,423.27	\$652.01	\$5,075.28	\$5,569.67	(\$1,146.40)
224	3589	Gessese	Worku	\$81.57	\$12.02	\$93.59	\$81.57	\$0.00
225	3865	Ghori	Azhar	\$205.23	\$30.25	\$235.48	\$205.23	\$0.00
226	3759	Gianopoulos	Samuel	\$1,133.49	\$167.08	\$1,300.57	\$1,406.99	(\$273.50)
227	3696	Gillett	David	\$519.94	\$76.64	\$596.58	\$1,435.64	(\$915.70)
228	3600	Gilmore	Paula	\$16.54	\$2.44	\$18.98	\$82.81	(\$66.27)
229	3924	Gilo	Hobart	\$645.59	\$95.16	\$740.75	\$645.59	\$0.00
230	31076	Glaser	Stephen	\$153.87	\$22.68	\$176.55	\$153.87	\$0.00
231	3121	Gleason	John	\$2,790.18	\$411.28	\$3,201.46	\$4,140.17	(\$1,349.99)
232	3540	Glogovac	Goran	\$603.36	\$88.94	\$692.30	\$1,152.08	(\$548.72)
233	3762	Godsey	Kelly	\$1,233.95	\$181.89	\$1,415.83	\$1,233.95	\$0.00
234	3739	Godsey	Thomas	\$90.55	\$13.35	\$103.89	\$90.55	\$0.00
235	106897	Goettsche	Dale	\$31.60	\$4.66	\$36.26	\$31.60	\$0.00
236	31840	Gokcek	Guney	\$99.83	\$14.72	\$114.55	\$99.83	\$0.00
237	3688	Golden	Theresa	\$686.85	\$101.24	\$788.10	\$686.85	\$0.00
238	3646	Golla	Dawit	\$72.45	\$10.68	\$83.12	\$72.45	\$0.00
239	3848	Gomez-Gomez	Arlene	\$138.32	\$20.39	\$158.70	\$138.32	\$0.00
240	3903	Gonzalez	Luis	\$1,355.04	\$199.74	\$1,554.78	\$1,355.04	\$0.00
241	111390	Gonzalez	Pedro	\$263.79	\$38.88	\$302.67	\$263.79	\$0.00
242	3586	Gonzalez	Ramon	\$503.17	\$74.17	\$577.33	\$503.17	\$0.00
243	3929	Gonzalez-Ruiz	Jose	\$178.96	\$26.38	\$205.34	\$178.96	\$0.00
244	3794	Goolsby	Victor	\$933.19	\$137.56	\$1,070.74	\$933.19	\$0.00
245	3391	Grafton	Natasha	\$1,771.74	\$261.16	\$2,032.90	\$1,771.74	\$0.00

	A	B	C	D	E	F	G	H
246	24757	Granchelle	Andrew	\$700.68	\$103.28	\$803.96	\$700.68	\$0.00
247	19253	Gray	Gary	\$3,124.58	\$460.58	\$3,585.16	\$3,790.84	(\$666.26)
248	3197	Green	Tony	\$1,256.38	\$185.19	\$1,441.57	\$2,445.41	(\$1,189.03)
249	2971	Gross	Timothy	\$866.18	\$127.68	\$993.85	\$866.18	\$0.00
250	18964	Guerrero	Daniel	\$1,211.23	\$178.54	\$1,389.76	\$1,211.23	\$0.00
251	3655	Guinan	William	\$318.19	\$46.90	\$365.09	\$552.49	(\$234.30)
252	3895	Gyuro	John	\$343.12	\$50.58	\$393.70	\$343.12	\$0.00
253	3636	Habtom	Ermias	\$663.42	\$97.79	\$761.21	\$663.42	\$0.00
254	3799	Hadley	Aaron	\$221.75	\$32.69	\$254.44	\$333.64	(\$111.89)
255	3827	Haigh III	Walter	\$202.61	\$29.87	\$232.48	\$202.61	\$0.00
256	111568	Hammoud	Wissam	\$618.64	\$91.19	\$709.83	\$618.64	\$0.00
257	21446	Handlon	Michael	\$649.91	\$95.80	\$745.71	\$649.91	\$0.00
258	3734	Hanna	Christopher	\$353.39	\$52.09	\$405.48	\$353.39	\$0.00
259	3402	Hansen	Jordan	\$1,238.67	\$182.59	\$1,421.26	\$1,410.40	(\$171.73)
260	29609	Haralambov	Valko	\$260.48	\$38.40	\$298.88	\$260.48	\$0.00
261	3519	Harms	Michael	\$728.33	\$107.36	\$835.69	\$728.33	\$0.00
262	3761	Harrell	Mark	\$1,070.06	\$157.73	\$1,227.79	\$1,484.83	(\$414.77)
263	3855	Harris	Dennis	\$2,455.84	\$362.00	\$2,817.84	\$2,846.89	(\$391.05)
264	2564	Harris	Jay	\$996.17	\$146.84	\$1,143.01	\$1,155.16	(\$158.99)
265	3811	Harris III	Reggie	\$19.13	\$2.82	\$21.95	\$19.13	\$0.00
266	3941	Harrison	Andrew	\$297.76	\$43.89	\$341.65	\$297.76	\$0.00
267	24039	Hart	Brandi	\$162.45	\$23.95	\$186.40	\$162.45	\$0.00
268	3656	Harun	Idris	\$114.58	\$16.89	\$131.47	\$114.58	\$0.00
269	3515	Hasen	Akmel	\$114.78	\$16.92	\$131.69	\$188.59	(\$73.81)
270	3742	Haskell	William	\$3,803.40	\$560.64	\$4,364.03	\$4,896.30	(\$1,092.90)
271	3808	Hays	Larry	\$2,054.93	\$302.91	\$2,357.84	\$2,293.24	(\$238.31)
272	109457	Hearne	Stephen	\$188.99	\$27.86	\$216.85	\$188.99	\$0.00
273	110194	Henderson	Lloyd	\$467.13	\$68.86	\$535.98	\$467.13	\$0.00
274	3933	Hendricks	Mark	\$352.95	\$52.03	\$404.97	\$352.95	\$0.00
275	3634	Herbert	Christopher	\$1,177.50	\$173.57	\$1,351.06	\$1,177.50	\$0.00
276	3763	Herga	Ryan	\$299.22	\$44.11	\$343.32	\$408.57	(\$109.35)
277	101555	Hernandez	Rene	\$272.18	\$40.12	\$312.30	\$272.18	\$0.00
278	107072	Hernandez-Ocan	Amilcar	\$219.91	\$32.42	\$252.33	\$219.91	\$0.00
279	112038	Hill	Douglas	\$294.63	\$43.43	\$338.06	\$294.63	\$0.00
280	109792	Hinds	Monroe	\$304.22	\$44.84	\$349.06	\$304.22	\$0.00
281	2097	Hinks	Dana	\$778.37	\$114.73	\$893.10	\$927.59	(\$149.22)
282	3765	Hirsi	Kamal	\$533.66	\$78.66	\$612.33	\$533.66	\$0.00
283	2464	Hodge	Lee	\$1,173.17	\$172.93	\$1,346.10	\$1,173.17	\$0.00
284	2490	Hoffman	Gery	\$30.38	\$4.48	\$34.86	\$30.38	\$0.00
285	2017	Holcomb	Dalton	\$1,162.76	\$171.40	\$1,334.16	\$1,162.76	\$0.00
286	3864	Holler	Alfonso	\$491.70	\$72.48	\$564.18	\$586.05	(\$94.35)
287	3809	Hollis	James	\$92.91	\$13.70	\$106.61	\$252.73	(\$159.82)
288	3822	Holt	John	\$2,920.16	\$430.44	\$3,350.60	\$2,920.16	\$0.00
289	3653	Hooper	Donald	\$528.58	\$77.92	\$606.50	\$709.80	(\$181.22)
290	3607	Hoschouer	Christina	\$1,321.54	\$194.80	\$1,516.33	\$1,321.54	\$0.00
291	109584	Hosley	Tracie	\$185.20	\$27.30	\$212.50	\$185.20	\$0.00
292	31648	Hu	Karl	\$137.49	\$20.27	\$157.76	\$137.49	\$0.00
293	3849	Huerena	Samuel	\$51.18	\$7.54	\$58.72	\$51.18	\$0.00
294	2400	Hughes	Jerry	\$570.41	\$84.08	\$654.49	\$1,906.43	(\$1,336.02)
295	3780	Hunter	James	\$320.69	\$47.27	\$367.96	\$320.69	\$0.00

	A	B	C	D	E	F	G	H
296	3120	Huntington	Walter	\$311.96	\$45.98	\$357.94	\$311.96	\$0.00
297	27788	Hurd	Donald	\$1,527.27	\$225.13	\$1,752.39	\$1,786.78	(\$259.51)
298	3782	Hurley	Robert	\$246.55	\$36.34	\$282.89	\$246.55	\$0.00
299	2751	Hurtado	Hubert	\$2,544.05	\$375.00	\$2,919.05	\$2,544.05	\$0.00
300	3835	Hussien	Leykun	\$568.36	\$83.78	\$652.14	\$568.36	\$0.00
301	17189	Imran	Muhammad	\$104.12	\$15.35	\$119.46	\$104.12	\$0.00
302	3187	Isaac	Edsel	\$263.62	\$38.86	\$302.48	\$263.62	\$0.00
303	108273	Isanan	Claro	\$199.02	\$29.34	\$228.35	\$199.02	\$0.00
304	107191	Ivanov	Yordan	\$74.55	\$10.99	\$85.54	\$74.55	\$0.00
305	2114	Ivey	Timothy	\$1,046.55	\$154.27	\$1,200.82	\$1,505.32	(\$458.77)
306	3928	Jackson	Anthony	\$495.57	\$73.05	\$568.62	\$495.57	\$0.00
307	108839	Jackson	Frederick	\$2,776.86	\$409.32	\$3,186.18	\$3,154.65	(\$377.79)
308	3701	Jackson	Willie	\$2,678.80	\$394.87	\$3,073.67	\$3,577.43	(\$898.63)
309	107992	Jacobi	Donald	\$1,157.97	\$170.69	\$1,328.66	\$1,157.97	\$0.00
310	20466	Jafarian	Moharram	\$13.55	\$2.00	\$15.55	\$13.55	\$0.00
311	2412	Jelancic	Vladko	\$1,366.25	\$201.39	\$1,567.64	\$1,773.01	(\$406.76)
312	3851	Jellison	Charles	\$327.35	\$48.25	\$375.60	\$513.14	(\$185.79)
313	3315	Jimenez	Michael	\$814.06	\$120.00	\$934.05	\$1,010.10	(\$196.04)
314	3539	Johnson	Brian	\$62.39	\$9.20	\$71.59	\$62.39	\$0.00
315	3898	Johnson	Cary	\$91.90	\$13.55	\$105.44	\$91.90	\$0.00
316	3151	Johnson	Kennard	\$778.01	\$114.68	\$892.69	\$1,770.30	(\$992.29)
317	3844	Johnson	Richard	\$162.40	\$23.94	\$186.34	\$162.40	\$0.00
318	2127	Johnson	Rodney	\$44.73	\$6.59	\$51.32	\$206.39	(\$161.66)
319	3602	Johnson	Tony	\$377.73	\$55.68	\$433.41	\$377.73	\$0.00
320	2253	Jones	Glenn	\$1,337.83	\$197.20	\$1,535.03	\$1,731.80	(\$393.97)
321	3784	Joseph	Leroy	\$2,440.47	\$359.74	\$2,800.21	\$2,570.69	(\$130.22)
322	3919	Kabbaz	David	\$76.92	\$11.34	\$88.26	\$76.92	\$0.00
323	111813	Kadir	Tura	\$23.88	\$3.52	\$27.39	\$23.88	\$0.00
324	106642	Kadri	Abdelkrim	\$10.24	\$1.51	\$11.75	\$10.24	\$0.00
325	3772	Kaiyoorawongs	Chaipan	\$3,065.66	\$451.89	\$3,517.55	\$3,065.66	\$0.00
326	101942	Kalimba	Gaston	\$530.48	\$78.19	\$608.67	\$530.48	\$0.00
327	29542	Kang	Chong	\$101.83	\$15.01	\$116.84	\$101.83	\$0.00
328	3631	Karner	Adam	\$873.51	\$128.76	\$1,002.27	\$1,141.88	(\$268.37)
329	3819	Keba	Woldmarim	\$569.14	\$83.89	\$653.03	\$998.90	(\$429.76)
330	106153	Keller	Roger	\$390.90	\$57.62	\$448.52	\$390.90	\$0.00
331	2736	Kenary	Brian	\$352.09	\$51.90	\$403.99	\$1,706.10	(\$1,354.01)
332	3484	Kern	Gary	\$8,416.88	\$1,240.68	\$9,657.56	\$9,357.54	(\$940.66)
333	3637	Key	Roy	\$174.71	\$25.75	\$200.46	\$174.71	\$0.00
334	3651	Khan	Zaka	\$53.04	\$7.82	\$60.86	\$53.04	\$0.00
335	105794	Kimler	Ryan	\$198.87	\$29.31	\$228.19	\$198.87	\$0.00
336	3798	King Jr.	John	\$115.51	\$17.03	\$132.54	\$179.87	(\$64.36)
337	2901	Kingsley	David	\$49.73	\$7.33	\$57.06	\$49.73	\$0.00
338	111283	Kissel	Sean	\$51.23	\$7.55	\$58.78	\$51.23	\$0.00
339	3893	Klein	Phillip	\$3,633.02	\$535.52	\$4,168.54	\$3,633.02	\$0.00
340	3837	Knight	Tyree	\$262.37	\$38.67	\$301.04	\$262.37	\$0.00
341	3630	Kogan	Martin	\$6,773.74	\$998.48	\$7,772.22	\$7,609.17	(\$835.43)
342	2789	Krouse	Stephen	\$85.40	\$12.59	\$97.99	\$366.44	(\$281.04)
343	103826	Kull Jr.	William	\$135.94	\$20.04	\$155.98	\$135.94	\$0.00
344	3662	Kunik	Robert	\$301.44	\$44.43	\$345.87	\$301.44	\$0.00
345	3878	Laico	Paul	\$102.52	\$15.11	\$117.63	\$102.52	\$0.00

	A	B	C	D	E	F	G	H
346	111231	Lant	Mark	\$694.00	\$102.30	\$796.29	\$694.00	\$0.00
347	3535	Lantis	Glen	\$427.48	\$63.01	\$490.49	\$427.48	\$0.00
348	25362	Lathan	Joseph	\$269.57	\$39.73	\$309.30	\$269.57	\$0.00
349	111290	Lay	Gilbert	\$139.80	\$20.61	\$160.40	\$139.80	\$0.00
350	1053	Leacock	Brian	\$1,191.71	\$175.66	\$1,367.37	\$2,396.09	(\$1,204.38)
351	3685	Leal	Jill	\$2,181.82	\$321.61	\$2,503.43	\$2,592.70	(\$410.88)
352	18960	Lee	Melvin	\$469.33	\$69.18	\$538.51	\$469.33	\$0.00
353	3702	Lee	Thomas	\$2,952.81	\$435.26	\$3,388.06	\$2,952.81	\$0.00
354	3666	Legesse	Dereje	\$555.76	\$81.92	\$637.68	\$776.75	(\$220.99)
355	3816	Ligus	Thomas	\$219.63	\$32.37	\$252.01	\$219.63	\$0.00
356	25522	Link	Peter	\$1,062.97	\$156.69	\$1,219.66	\$1,366.79	(\$303.82)
357	3681	Linzer	Steven	\$42.56	\$6.27	\$48.83	\$42.56	\$0.00
358	15804	Little	Dennis	\$742.99	\$109.52	\$852.50	\$1,016.34	(\$273.35)
359	3945	Lombana	Francisco	\$51.80	\$7.63	\$59.43	\$51.80	\$0.00
360	3858	Lonbani	Khosro	\$607.51	\$89.55	\$697.06	\$829.71	(\$222.20)
361	111405	Lopez-Silvero	Fidel	\$81.02	\$11.94	\$92.96	\$81.02	\$0.00
362	3752	Lorenz	Dierdra	\$866.03	\$127.66	\$993.69	\$866.03	\$0.00
363	3813	Lovelady	Warren	\$11.90	\$1.75	\$13.65	\$11.90	\$0.00
364	1065	Lovin	Charles	\$247.32	\$36.46	\$283.77	\$422.42	(\$175.10)
365	3778	Macato	Jaime	\$2,456.61	\$362.11	\$2,818.73	\$2,859.72	(\$403.11)
366	20936	Madi	Adam	\$137.47	\$20.26	\$157.74	\$137.47	\$0.00
367	24918	Magana	Luis	\$565.73	\$83.39	\$649.12	\$749.60	(\$183.87)
368	107940	Maharit	Khamkhung	\$63.98	\$9.43	\$73.41	\$63.98	\$0.00
369	2738	Mahoney	Kevin	\$431.90	\$63.66	\$495.56	\$431.90	\$0.00
370	3096	Mainwaring	David	\$3,079.08	\$453.87	\$3,532.95	\$3,079.08	\$0.00
371	2757	Majors	John	\$6,888.13	\$1,015.34	\$7,903.46	\$6,888.13	\$0.00
372	22809	Manitien	Ted	\$13.83	\$2.04	\$15.87	\$13.83	\$0.00
373	3890	Manor	Quincy	\$1,366.55	\$201.44	\$1,567.99	\$1,544.98	(\$178.43)
374	3583	Maras	Maria	\$2,195.44	\$323.62	\$2,519.05	\$2,614.23	(\$418.79)
375	106666	Martinez	Arturo	\$63.48	\$9.36	\$72.83	\$63.48	\$0.00
376	110053	Martinez	Francisco	\$1,713.26	\$252.54	\$1,965.80	\$1,713.26	\$0.00
377	3866	Martinez-Ramire	Eduardo	\$757.35	\$111.64	\$868.98	\$1,043.05	(\$285.70)
378	100287	Martins	Julio	\$298.27	\$43.97	\$342.24	\$298.27	\$0.00
379	3698	Mastrio	Angelo	\$287.39	\$42.36	\$329.75	\$287.39	\$0.00
380	110618	Mastrio	Pamela	\$234.23	\$34.53	\$268.76	\$234.23	\$0.00
381	110108	Mathis	George	\$297.42	\$43.84	\$341.26	\$297.42	\$0.00
382	3669	Maza	Inez	\$349.93	\$51.58	\$401.51	\$349.93	\$0.00
383	111284	McCall	Melvin	\$169.85	\$25.04	\$194.88	\$169.85	\$0.00
384	111199	McCarroll-Jones	Claudia	\$17.52	\$2.58	\$20.11	\$17.52	\$0.00
385	2587	McCarter	Patrick	\$2,149.19	\$316.80	\$2,465.99	\$2,268.60	(\$119.41)
386	3690	McCarthy	John	\$3,474.77	\$512.20	\$3,986.97	\$4,182.28	(\$707.51)
387	3654	McConnell	Therral	\$873.55	\$128.77	\$1,002.32	\$873.55	\$0.00
388	3743	McCoubrey	Earl	\$1,347.94	\$198.69	\$1,546.63	\$1,347.94	\$0.00
389	107427	McDougle	Jeffrey	\$124.87	\$18.41	\$143.27	\$124.87	\$0.00
390	3111	McGarry	James	\$178.50	\$26.31	\$204.81	\$178.50	\$0.00
391	3745	McGowan	Sean	\$228.69	\$33.71	\$262.40	\$228.69	\$0.00
392	3547	McGregor	Matthew	\$857.64	\$126.42	\$984.05	\$857.64	\$0.00
393	3722	McNeece	James	\$147.35	\$21.72	\$169.07	\$147.35	\$0.00
394	25641	McSkimming	John	\$901.92	\$132.95	\$1,034.87	\$901.92	\$0.00
395	3345	Mekonen	Solomon	\$383.94	\$56.59	\$440.54	\$383.94	\$0.00

	A	B	C	D	E	F	G	H
396	3066	Melesse	Abebe	\$32.85	\$4.84	\$37.69	\$32.85	\$0.00
397	3665	Melka	Tariku	\$27.31	\$4.03	\$31.34	\$27.31	\$0.00
398	2596	Meloro	Paul	\$3,253.76	\$479.62	\$3,733.38	\$3,503.79	(\$250.03)
399	3262	Mengesha	Alemayehu	\$521.70	\$76.90	\$598.60	\$861.06	(\$339.36)
400	3568	Menocal	Pedro	\$1,029.70	\$151.78	\$1,181.48	\$1,029.70	\$0.00
401	102328	Meyer	Ronald	\$53.72	\$7.92	\$61.64	\$53.72	\$0.00
402	26609	Mezzenasco	Pedro	\$1,317.06	\$194.14	\$1,511.19	\$1,523.84	(\$206.78)
403	110334	Michilena	Luis	\$66.26	\$9.77	\$76.03	\$66.26	\$0.00
404	30196	Miller	Jason	\$983.37	\$144.95	\$1,128.32	\$983.37	\$0.00
405	17855	Milliron	Darrol	\$1,696.99	\$250.14	\$1,947.13	\$3,469.18	(\$1,772.19)
406	3620	Mindyas	James	\$579.57	\$85.43	\$665.00	\$855.65	(\$276.08)
407	3904	Mirkulovski	Danny	\$550.09	\$81.09	\$631.18	\$550.09	\$0.00
408	31966	Mitrikov	Ilko	\$2,230.42	\$328.77	\$2,559.19	\$2,414.03	(\$183.61)
409	104887	Miyazaki	Nisaburo	\$912.41	\$134.49	\$1,046.90	\$912.41	\$0.00
410	3317	Mogeeth	Ehab	\$323.43	\$47.67	\$371.10	\$323.43	\$0.00
411	105284	Monforte II	Peter	\$5,074.87	\$748.06	\$5,822.92	\$5,074.87	\$0.00
412	3882	Monteagudo	Oscar	\$937.81	\$138.24	\$1,076.04	\$937.81	\$0.00
413	3735	Montoya Villa	Francisco	\$551.62	\$81.31	\$632.93	\$1,112.68	(\$561.06)
414	3913	Moore	Aileen-Louise	\$328.57	\$48.43	\$377.01	\$328.57	\$0.00
415	3664	Moreno	James	\$4,373.10	\$644.61	\$5,017.71	\$5,220.56	(\$847.46)
416	3626	Moretti	Bryan	\$1,422.89	\$209.74	\$1,632.63	\$1,422.89	\$0.00
417	3411	Morley	David	\$514.74	\$75.87	\$590.61	\$718.67	(\$203.93)
418	2162	Morris	Robert	\$1,446.92	\$213.28	\$1,660.20	\$1,446.92	\$0.00
419	8321	Morris	Thomas	\$4,599.67	\$678.01	\$5,277.68	\$4,599.67	\$0.00
420	106703	Mosely	David	\$1,143.38	\$168.54	\$1,311.92	\$1,143.38	\$0.00
421	3785	Mostafa	Ahmed	\$500.20	\$73.73	\$573.93	\$500.20	\$0.00
422	28917	Motazedi	Kamran	\$181.66	\$26.78	\$208.44	\$181.66	\$0.00
423	27059	Mottaghian	Joseph	\$30.98	\$4.57	\$35.54	\$30.98	\$0.00
424	107704	Muhtari	Abdulrahman	\$615.74	\$90.76	\$706.50	\$615.74	\$0.00
425	3847	Murawski	Richard	\$1,593.10	\$234.83	\$1,827.93	\$1,593.10	\$0.00
426	3856	Murray	Mark	\$23.74	\$3.50	\$27.24	\$23.74	\$0.00
427	2018	Murray	Michael P.	\$770.33	\$113.55	\$883.88	\$770.33	\$0.00
428	107440	Nantista	Peter	\$212.28	\$31.29	\$243.57	\$212.28	\$0.00
429	3859	Nazarov	Mikael	\$2,455.84	\$362.00	\$2,817.84	\$2,736.49	(\$280.65)
430	3804	Ndichu	Simon	\$366.18	\$53.98	\$420.16	\$366.18	\$0.00
431	102656	Nedyalkov	Atanas	\$321.59	\$47.40	\$369.00	\$321.59	\$0.00
432	3530	Negashe	Legesse	\$502.82	\$74.12	\$576.93	\$838.75	(\$335.93)
433	111494	Nemeth	Zoltan	\$353.54	\$52.11	\$405.65	\$353.54	\$0.00
434	25190	Ngo	Tuan	\$1,607.52	\$236.95	\$1,844.47	\$1,607.52	\$0.00
435	3545	Nichols	Keith	\$336.29	\$49.57	\$385.86	\$336.29	\$0.00
436	3823	Nigussie	Gulilat	\$480.17	\$70.78	\$550.95	\$620.79	(\$140.62)
437	28989	Nolan	Eamonn	\$107.87	\$15.90	\$123.77	\$107.87	\$0.00
438	3639	Norberg	Christopher	\$919.23	\$135.50	\$1,054.73	\$996.85	(\$77.62)
439	3876	Norvell	Chris	\$4,691.89	\$691.60	\$5,383.49	\$4,691.89	\$0.00
440	3841	Ocampo	Leonardo	\$882.56	\$130.09	\$1,012.66	\$967.99	(\$85.43)
441	30295	Ogbazghi	Dawit	\$489.50	\$72.15	\$561.65	\$1,075.06	(\$585.56)
442	109172	O'Grady	Francis	\$404.46	\$59.62	\$464.08	\$404.46	\$0.00
443	3836	Ohlson	Ryan	\$752.25	\$110.89	\$863.14	\$924.94	(\$172.69)
444	3753	Olen	Virginia	\$2,224.07	\$327.84	\$2,551.91	\$2,224.07	\$0.00
445	3748	Oliveros	Mario	\$671.02	\$98.91	\$769.93	\$671.02	\$0.00

	A	B	C	D	E	F	G	H
446	3868	Olson	Eric	\$514.53	\$75.84	\$590.38	\$514.53	\$0.00
447	3644	Ontura	Tesfalem	\$259.20	\$38.21	\$297.41	\$259.20	\$0.00
448	3934	Orr	Mark	\$147.62	\$21.76	\$169.38	\$147.62	\$0.00
449	104938	Ortega	Paul	\$47.24	\$6.96	\$54.20	\$47.24	\$0.00
450	3863	Ortega	Saul	\$439.49	\$64.78	\$504.27	\$439.49	\$0.00
451	3894	O'Shea	Kevin	\$163.81	\$24.15	\$187.96	\$163.81	\$0.00
452	25832	Osterman	Victor	\$209.00	\$30.81	\$239.81	\$683.24	(\$474.24)
453	3783	Overson	Michael	\$636.00	\$93.75	\$729.74	\$636.00	\$0.00
454	3789	Oyebade	Vincent	\$116.31	\$17.14	\$133.45	\$116.31	\$0.00
455	3717	Ozgulgec	Tunc	\$1,477.21	\$217.75	\$1,694.95	\$1,626.46	(\$149.25)
456	3618	Pak	Kon	\$374.87	\$55.26	\$430.13	\$374.87	\$0.00
457	106025	Paone	Chris	\$1,093.84	\$161.24	\$1,255.08	\$1,093.84	\$0.00
458	3597	Pariso	David	\$4,792.27	\$706.40	\$5,498.67	\$5,508.79	(\$716.52)
459	109637	Park	Danny	\$38.85	\$5.73	\$44.58	\$38.85	\$0.00
460	16676	Parker	Gary	\$1,387.79	\$204.57	\$1,592.35	\$1,387.79	\$0.00
461	3750	Parker	Shawnette	\$481.18	\$70.93	\$552.10	\$713.53	(\$232.35)
462	3884	Parmenter	William	\$1,713.94	\$252.64	\$1,966.58	\$1,713.94	\$0.00
463	3659	Paros	Nicholas	\$14.71	\$2.17	\$16.88	\$14.71	\$0.00
464	19858	Passera	Charles	\$65.93	\$9.72	\$75.64	\$65.93	\$0.00
465	3624	Patry	Michael	\$2,186.37	\$322.28	\$2,508.64	\$2,583.67	(\$397.30)
466	3932	Patton	Dorothy	\$43.03	\$6.34	\$49.37	\$43.03	\$0.00
467	112811	Peace	Kimberly	\$241.57	\$35.61	\$277.18	\$241.57	\$0.00
468	29536	Peacock	Paula	\$118.57	\$17.48	\$136.04	\$118.57	\$0.00
469	3806	Pearson	Jon	\$988.94	\$145.77	\$1,134.71	\$1,150.94	(\$162.00)
470	31112	Peer	Yuda	\$82.53	\$12.16	\$94.69	\$82.53	\$0.00
471	3396	Penera	Eric	\$124.81	\$18.40	\$143.21	\$279.36	(\$154.55)
472	3834	Perrotti	Dominic	\$343.23	\$50.59	\$393.82	\$421.61	(\$78.38)
473	111257	Petculescu	Ciprian	\$28.97	\$4.27	\$33.24	\$28.97	\$0.00
474	15968	Peterson	Kenneth	\$732.68	\$108.00	\$840.68	\$732.68	\$0.00
475	1076	Peterson	Steven	\$3,201.15	\$471.86	\$3,673.01	\$3,201.15	\$0.00
476	3736	Petrie	Theodore	\$49.32	\$7.27	\$56.59	\$49.32	\$0.00
477	3740	Petrossian	Robert	\$678.86	\$100.07	\$778.92	\$678.86	\$0.00
478	106089	Phillips	Larry	\$881.80	\$129.98	\$1,011.78	\$881.80	\$0.00
479	3281	Phonesavanh	Paul	\$742.40	\$109.43	\$851.84	\$742.40	\$0.00
480	3523	Pilkington	Margaret	\$1,706.19	\$251.50	\$1,957.69	\$2,529.94	(\$823.75)
481	107617	Pineda	Carlos	\$2,994.17	\$441.35	\$3,435.52	\$2,994.17	\$0.00
482	2826	Pitts	Amir	\$649.35	\$95.72	\$745.07	\$884.48	(\$235.13)
483	2407	Platania	John	\$556.69	\$82.06	\$638.75	\$1,038.00	(\$481.31)
484	3265	Pletz	David	\$2,188.91	\$322.65	\$2,511.56	\$3,207.86	(\$1,018.95)
485	3647	Pohl	Daniel	\$186.19	\$27.45	\$213.64	\$186.19	\$0.00
486	26679	Polchinski	Paul	\$111.37	\$16.42	\$127.78	\$111.37	\$0.00
487	31149	Pony	David	\$51.52	\$7.59	\$59.11	\$51.52	\$0.00
488	3563	Portillo	Mario	\$593.50	\$87.48	\$680.98	\$593.50	\$0.00
489	3201	Presnall	Darryl	\$379.09	\$55.88	\$434.97	\$508.92	(\$129.83)
490	3800	Price	Allen	\$630.95	\$93.00	\$723.95	\$630.95	\$0.00
491	2568	Price	James	\$1,491.52	\$219.86	\$1,711.38	\$2,971.90	(\$1,480.38)
492	3449	Prifti	Ilia	\$418.70	\$61.72	\$480.42	\$418.70	\$0.00
493	26363	Punzalan	Luciano	\$236.08	\$34.80	\$270.87	\$236.08	\$0.00
494	3687	Purdue	Robert	\$210.21	\$30.99	\$241.20	\$312.22	(\$102.01)
495	3556	Pyles	Joseph	\$682.49	\$100.60	\$783.09	\$682.49	\$0.00

	A	B	C	D	E	F	G	H
496	107548	Rainey	James	\$219.28	\$32.32	\$251.60	\$219.28	\$0.00
497	3883	Ramirez	Erney	\$760.59	\$112.11	\$872.70	\$760.59	\$0.00
498	3525	Rasheed	Willie	\$4,016.07	\$591.98	\$4,608.05	\$4,016.07	\$0.00
499	3812	Ray	William	\$12.61	\$1.86	\$14.47	\$12.61	\$0.00
500	108758	Regans	Mark	\$379.98	\$56.01	\$435.99	\$379.98	\$0.00
501	2237	Relopez	Craig	\$1,606.09	\$236.74	\$1,842.84	\$2,373.26	(\$767.17)
502	3544	Reno	Michael	\$3,828.40	\$564.32	\$4,392.72	\$3,828.40	\$0.00
503	14261	Riipi	Karl	\$126.47	\$18.64	\$145.11	\$126.47	\$0.00
504	109502	Rios-Lopez	Oscar	\$189.76	\$27.97	\$217.73	\$189.76	\$0.00
505	107701	Risby	Clifford	\$1,060.42	\$156.31	\$1,216.73	\$1,060.42	\$0.00
506	111756	Risco	Pedro	\$554.56	\$81.74	\$636.30	\$554.56	\$0.00
507	3191	Rivas	Victor	\$1,260.33	\$185.78	\$1,446.11	\$1,260.33	\$0.00
508	104109	Rivero-Vera	Raul	\$288.88	\$42.58	\$331.46	\$288.88	\$0.00
509	101317	Rivers	Willie	\$642.53	\$94.71	\$737.24	\$642.53	\$0.00
510	3575	Roach	Jayson	\$665.36	\$98.08	\$763.44	\$665.36	\$0.00
511	3305	Roberson	Ronnie	\$101.24	\$14.92	\$116.16	\$101.24	\$0.00
512	2842	Roberts	James	\$765.95	\$112.90	\$878.85	\$765.95	\$0.00
513	104171	Robinson	Mikalani	\$398.94	\$58.81	\$457.75	\$398.94	\$0.00
514	3629	Robles	Mark	\$49.78	\$7.34	\$57.11	\$49.78	\$0.00
515	3744	Rockett Jr.	Roosevelt	\$81.28	\$11.98	\$93.26	\$81.28	\$0.00
516	31847	Rodriguez	Armando	\$30.79	\$4.54	\$35.33	\$30.79	\$0.00
517	3814	Rohlas	Polly	\$2,985.34	\$440.05	\$3,425.39	\$3,615.12	(\$629.78)
518	3874	Romano	Anthony	\$1,169.52	\$172.39	\$1,341.91	\$1,306.60	(\$137.08)
519	3587	Romero	Ruben	\$687.24	\$101.30	\$788.54	\$687.24	\$0.00
520	3225	Ross	Larry	\$74.22	\$10.94	\$85.15	\$74.22	\$0.00
521	108742	Ross	Lee	\$174.37	\$25.70	\$200.07	\$174.37	\$0.00
522	3850	Rothenberg	Edward	\$239.11	\$35.25	\$274.36	\$239.11	\$0.00
523	3504	Rotich	Emertha	\$1,336.67	\$197.03	\$1,533.69	\$1,336.67	\$0.00
524	3912	Rousseau	James	\$657.44	\$96.91	\$754.35	\$657.44	\$0.00
525	3693	Ruby	Melissa	\$265.99	\$39.21	\$305.20	\$265.99	\$0.00
526	3477	Ruiz	Travis	\$586.19	\$86.41	\$672.60	\$586.19	\$0.00
527	3875	Russell	Darrell	\$657.42	\$96.91	\$754.33	\$657.42	\$0.00
528	3944	Sadler	James	\$82.91	\$12.22	\$95.13	\$82.91	\$0.00
529	3323	Saevitz	Neil	\$278.09	\$40.99	\$319.08	\$278.09	\$0.00
530	3169	Salameh	George	\$1,081.12	\$159.36	\$1,240.48	\$1,641.37	(\$560.25)
531	3042	Saleh	Jemal	\$4,948.30	\$729.40	\$5,677.69	\$4,948.30	\$0.00
532	103096	Sam	Phea	\$625.84	\$92.25	\$718.09	\$625.84	\$0.00
533	21811	Sameli	Sabino	\$921.22	\$135.79	\$1,057.01	\$921.22	\$0.00
534	100128	Sampson	James	\$644.31	\$94.97	\$739.28	\$644.31	\$0.00
535	109349	Sanchez-Ramos	Natasha	\$288.44	\$42.52	\$330.96	\$288.44	\$0.00
536	3570	Sanders	Acy	\$737.61	\$108.73	\$846.33	\$737.61	\$0.00
537	29769	Sans	Thomas	\$769.01	\$113.35	\$882.36	\$769.01	\$0.00
538	3915	Sapienza	Gino	\$261.74	\$38.58	\$300.32	\$261.74	\$0.00
539	3648	Saravanos	John	\$5,143.32	\$758.15	\$5,901.46	\$5,143.32	\$0.00
540	26687	Sargeant	Michael	\$164.64	\$24.27	\$188.91	\$164.64	\$0.00
541	105273	Sayed	Jamil	\$645.44	\$95.14	\$740.58	\$904.94	(\$259.50)
542	106913	Schraeder	Scott	\$569.96	\$84.01	\$653.98	\$569.96	\$0.00
543	25981	Schroeder	William	\$2,110.35	\$311.07	\$2,421.42	\$2,110.35	\$0.00
544	29172	Schwartz	George	\$601.41	\$88.65	\$690.06	\$601.41	\$0.00
545	3313	Schwartz	Steven	\$2,316.43	\$341.45	\$2,657.88	\$2,316.43	\$0.00

	A	B	C	D	E	F	G	H
546	109028	Secondo	Muridi	\$391.43	\$57.70	\$449.12	\$391.43	\$0.00
547	3536	Sedgwick	Anthony	\$129.38	\$19.07	\$148.45	\$129.38	\$0.00
548	3134	Serio	John	\$766.46	\$112.98	\$879.43	\$1,119.04	(\$352.58)
549	3057	Serrano	Hector	\$1,692.22	\$249.44	\$1,941.65	\$2,188.03	(\$495.81)
550	3359	Sevillet	Otto	\$136.93	\$20.18	\$157.11	\$390.65	(\$253.72)
551	3879	Sexner	Alexis	\$955.88	\$140.90	\$1,096.77	\$1,075.72	(\$119.84)
552	19451	Shafiei	Abdolreza	\$552.17	\$81.39	\$633.56	\$552.17	\$0.00
553	2899	Shallufa	Azmy	\$5,575.23	\$821.81	\$6,397.04	\$6,060.24	(\$485.01)
554	3619	Shein	Efraim	\$304.28	\$44.85	\$349.13	\$304.28	\$0.00
555	103821	Sherman	Jason	\$214.72	\$31.65	\$246.37	\$214.72	\$0.00
556	3724	Shinn	Kevin	\$463.14	\$68.27	\$531.41	\$463.14	\$0.00
557	3790	Shoyombo	Rilwan	\$1,426.49	\$210.27	\$1,636.76	\$1,833.70	(\$407.21)
558	3803	Siasat	Manuel	\$32.38	\$4.77	\$37.15	\$32.38	\$0.00
559	112766	Sibre	Christopher	\$294.20	\$43.37	\$337.56	\$294.20	\$0.00
560	3758	Siegel	Jeffrey	\$91.32	\$13.46	\$104.78	\$91.32	\$0.00
561	105863	Siljkovic	Becir	\$1,854.68	\$273.39	\$2,128.06	\$2,017.09	(\$162.41)
562	23388	Simmons	John	\$202.71	\$29.88	\$232.59	\$1,215.13	(\$1,012.42)
563	3524	Sinay	Abraham	\$234.31	\$34.54	\$268.85	\$234.31	\$0.00
564	3677	Singh	Baldev	\$180.81	\$26.65	\$207.47	\$180.81	\$0.00
565	3683	Sitotaw	Haileab	\$118.59	\$17.48	\$136.06	\$118.59	\$0.00
566	2630	Smale	Charles	\$935.99	\$137.97	\$1,073.96	\$935.99	\$0.00
567	3870	Smith	Jepthy	\$284.41	\$41.92	\$326.33	\$484.69	(\$200.28)
568	3041	Smith	Lottie	\$3,051.10	\$449.74	\$3,500.84	\$3,051.10	\$0.00
569	3610	Smith Jr.	Willie	\$1,287.44	\$189.77	\$1,477.21	\$2,123.86	(\$836.42)
570	2667	Solares	John	\$453.45	\$66.84	\$520.29	\$453.45	\$0.00
571	3643	Solis	Brigido	\$174.25	\$25.69	\$199.94	\$174.25	\$0.00
572	22804	Solymar	Istvan	\$303.84	\$44.79	\$348.63	\$303.84	\$0.00
573	3854	Soree	Mladen	\$1,445.54	\$213.08	\$1,658.62	\$1,445.54	\$0.00
574	105304	Sorkin	Jack	\$336.28	\$49.57	\$385.85	\$336.28	\$0.00
575	3770	Sorrosa	Juan	\$1,888.94	\$278.44	\$2,167.38	\$2,214.82	(\$325.88)
576	2638	Soto	Jacob	\$118.06	\$17.40	\$135.46	\$403.15	(\$285.09)
577	3797	Soto	Johnny	\$196.46	\$28.96	\$225.41	\$352.89	(\$156.43)
578	3727	Sparks	Cody	\$19.56	\$2.88	\$22.45	\$19.56	\$0.00
579	3845	Spaulding	Ross	\$244.25	\$36.00	\$280.25	\$244.25	\$0.00
580	3055	Spilmon	Mark	\$4,644.48	\$684.62	\$5,329.10	\$5,281.80	(\$637.32)
581	3481	Springer	Marvin	\$852.53	\$125.67	\$978.20	\$852.53	\$0.00
582	111364	Stanley	John	\$286.26	\$42.20	\$328.46	\$286.26	\$0.00
583	3821	Stauff	John	\$113.93	\$16.79	\$130.72	\$113.93	\$0.00
584	3737	Stayton	William	\$119.03	\$17.55	\$136.57	\$119.03	\$0.00
585	109013	Stearns	Thomas	\$528.37	\$77.88	\$606.25	\$528.37	\$0.00
586	3757	Steck	Gregory	\$5,829.47	\$859.29	\$6,688.75	\$6,511.90	(\$682.43)
587	3625	Stephanov	Liuben	\$219.81	\$32.40	\$252.21	\$398.92	(\$179.11)
588	3695	Stern	Robert	\$292.29	\$43.08	\$335.37	\$292.29	\$0.00
589	3165	Stevenson	John	\$1,702.39	\$250.94	\$1,953.33	\$1,702.39	\$0.00
590	3872	Stockton	Clarence	\$1,336.84	\$197.06	\$1,533.89	\$1,336.84	\$0.00
591	3713	Stonebreaker	Dawn	\$1,992.26	\$293.67	\$2,285.92	\$2,489.85	(\$497.59)
592	102400	Talley	George	\$301.76	\$44.48	\$346.24	\$301.76	\$0.00
593	112063	Tapia-Vergara	Agustin	\$587.64	\$86.62	\$674.26	\$587.64	\$0.00
594	3338	Tarragano	Stephen	\$675.03	\$99.50	\$774.54	\$675.03	\$0.00
595	111807	Taylor	Brent	\$632.29	\$93.20	\$725.49	\$632.29	\$0.00

	A	B	C	D	E	F	G	H
596	109745	Taylor	David	\$324.21	\$47.79	\$372.00	\$324.21	\$0.00
597	31977	Taylor	Marvin	\$714.56	\$105.33	\$819.89	\$714.56	\$0.00
598	3728	Tedros	Biserat	\$405.38	\$59.75	\$465.13	\$588.25	(\$182.87)
599	3720	Terry	James	\$937.23	\$138.15	\$1,075.38	\$937.23	\$0.00
600	31400	Thomas	Cator	\$427.93	\$63.08	\$491.01	\$427.93	\$0.00
601	104732	Thomas	Hasan	\$247.81	\$36.53	\$284.34	\$247.81	\$0.00
602	3726	Thomas	Scott	\$2,673.14	\$394.03	\$3,067.17	\$2,673.14	\$0.00
603	3867	Thompson	Glen	\$2,921.34	\$430.62	\$3,351.95	\$2,921.34	\$0.00
604	27963	Thompson	Michael	\$6,744.25	\$994.13	\$7,738.38	\$7,044.25	(\$300.00)
605	29040	Timko	Robert	\$224.07	\$33.03	\$257.09	\$224.07	\$0.00
606	110796	Toka	Tamas	\$445.88	\$65.72	\$511.60	\$445.88	\$0.00
607	22120	Travis	Brian	\$753.92	\$111.13	\$865.05	\$1,472.90	(\$718.98)
608	104747	Trumpf	Robert	\$211.10	\$31.12	\$242.22	\$211.10	\$0.00
609	103413	Tsegaye	Miheret	\$51.23	\$7.55	\$58.78	\$51.23	\$0.00
610	3207	Tucker	Kenlon	\$2,786.14	\$410.69	\$3,196.83	\$2,786.14	\$0.00
611	3679	Tullao	Isaac	\$411.83	\$60.71	\$472.54	\$411.83	\$0.00
612	3880	Turner	Michael	\$39.72	\$5.86	\$45.58	\$39.72	\$0.00
613	3686	Tyler	Christopher	\$267.85	\$39.48	\$307.33	\$267.85	\$0.00
614	110836	Uba	Chima	\$201.50	\$29.70	\$231.20	\$201.50	\$0.00
615	3612	Ullah	Mohammad	\$90.03	\$13.27	\$103.30	\$90.03	\$0.00
616	3073	Urban	David	\$102.49	\$15.11	\$117.60	\$102.49	\$0.00
617	3792	Urbanski	Anthony	\$1,411.23	\$208.02	\$1,619.25	\$1,411.23	\$0.00
618	3668	Valdes	Lazaro	\$162.21	\$23.91	\$186.12	\$162.21	\$0.00
619	3640	Vanluven	RJ	\$1,726.16	\$254.44	\$1,980.60	\$1,726.16	\$0.00
620	3710	Vences	Alfredo	\$839.90	\$123.81	\$963.71	\$839.90	\$0.00
621	3721	Viado	Ramon	\$2,051.73	\$302.43	\$2,354.16	\$2,369.87	(\$318.14)
622	3682	VonEngel	Stephen	\$29.89	\$4.41	\$34.30	\$29.89	\$0.00
623	3796	Vongthep	Christopher	\$2,710.64	\$399.56	\$3,110.20	\$2,710.64	\$0.00
624	109475	Vonkageler	Mark	\$130.27	\$19.20	\$149.48	\$130.27	\$0.00
625	3842	Wagg	John	\$221.46	\$32.64	\$254.10	\$221.46	\$0.00
626	3776	Wakeel	Daud	\$679.94	\$100.23	\$780.16	\$679.94	\$0.00
627	28448	Walker	Arthur	\$114.57	\$16.89	\$131.46	\$114.57	\$0.00
628	3820	Wallace	Roy	\$3,681.35	\$542.65	\$4,224.00	\$3,681.35	\$0.00
629	3766	Warner	Terrance	\$1,694.50	\$249.78	\$1,944.27	\$2,356.86	(\$662.36)
630	3496	Weaver	Gerie	\$3,791.56	\$558.89	\$4,350.45	\$5,428.88	(\$1,637.32)
631	3826	Webb	Ricky	\$624.58	\$92.07	\$716.64	\$923.04	(\$298.46)
632	109066	Webster	Brock	\$254.41	\$37.50	\$291.91	\$254.41	\$0.00
633	3578	Weiss	Matthew	\$60.25	\$8.88	\$69.13	\$60.25	\$0.00
634	2785	Welborn	Paul	\$849.94	\$125.28	\$975.22	\$972.84	(\$122.90)
635	3632	Weldu	Berhane	\$266.45	\$39.28	\$305.73	\$266.45	\$0.00
636	3616	Welzbacher	Daniel	\$2,367.50	\$348.98	\$2,716.47	\$2,789.72	(\$422.22)
637	111878	White II	Prinest	\$153.22	\$22.59	\$175.81	\$153.22	\$0.00
638	3611	Williams	Danny	\$273.88	\$40.37	\$314.25	\$273.88	\$0.00
639	3608	Wilson Jr.	Mose	\$3,332.43	\$491.21	\$3,823.64	\$3,332.43	\$0.00
640	3947	Wing	Roland	\$81.95	\$12.08	\$94.04	\$81.95	\$0.00
641	107624	Witte	Daniel	\$228.39	\$33.67	\$262.05	\$228.39	\$0.00
642	3623	Wolde	Hailemariam	\$385.93	\$56.89	\$442.81	\$385.93	\$0.00
643	3603	Woldeghebriel	Berhane	\$1,037.22	\$152.89	\$1,190.11	\$1,037.22	\$0.00
644	110866	Wolfe	Thomas	\$726.91	\$107.15	\$834.06	\$726.91	\$0.00
645	3840	Wondired	Eshetu	\$423.24	\$62.39	\$485.63	\$423.24	\$0.00

	A	B	C	D	E	F	G	H
646	3910	Wong	Jorge	\$2,325.07	\$342.72	\$2,667.79	\$2,325.07	\$0.00
647	28160	Wong	Wanjin	\$1,115.61	\$164.45	\$1,280.06	\$1,115.61	\$0.00
648	3706	Woodall	Charles	\$610.19	\$89.94	\$700.13	\$610.19	\$0.00
649	3582	Workneh	Abent	\$36.29	\$5.35	\$41.63	\$36.29	\$0.00
650	3573	Worku	Abiye	\$253.73	\$37.40	\$291.13	\$253.73	\$0.00
651	108239	Wright	Edward	\$744.31	\$109.71	\$854.02	\$744.31	\$0.00
652	3092	Yabut	Gerry	\$3,163.13	\$466.26	\$3,629.39	\$3,284.17	(\$121.04)
653	108389	Yamaguchi	Alicia	\$3,089.15	\$455.35	\$3,544.50	\$3,089.15	\$0.00
654	3852	Yepiz-Patron	Ubaldo	\$18.78	\$2.77	\$21.54	\$18.78	\$0.00
655	3472	Yesayan	Razmik	\$23.30	\$3.43	\$26.73	\$23.30	\$0.00
656	3691	Yihdego	Abdulkadir	\$642.61	\$94.72	\$737.33	\$642.61	\$0.00
657	3633	Yimer	Yidersal	\$643.72	\$94.89	\$738.61	\$643.72	\$0.00
658	2081	Younes	Ahmed	\$228.31	\$33.65	\$261.96	\$228.31	\$0.00
659	17259	Yurckonis	Hilbert	\$2,395.57	\$353.12	\$2,748.69	\$2,395.57	\$0.00
660	3824	Zabadneh	Randa	\$167.13	\$24.64	\$191.77	\$167.13	\$0.00
661	30374	Zafar	John	\$605.99	\$89.33	\$695.32	\$605.99	\$0.00
662	2273	Zawoudie	Masfen	\$1,254.40	\$184.90	\$1,439.30	\$1,254.40	\$0.00
663	17936	Zekichev	Nick	\$324.17	\$47.78	\$371.95	\$324.17	\$0.00
664	3235	Zelege	Abraham	\$412.94	\$60.87	\$473.81	\$1,003.66	(\$590.72)

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EXHIBIT “E”

ORDR

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Attorneys for Plaintiffs

**DISTRICT COURT
CLARK COUNTY, NEVADA**

MICHAEL MURRAY, and
MICHAEL RENO, Individually and
on behalf of others similarly situated,

Plaintiffs,

vs.

A CAB TAXI SERVICE LLC, A
CAB, LLC, and CREIGHTON J.
NADY,

Defendants.

Case No.: A-12-669926-C

Dept.: II

**ORDER GRANTING DEFENDANTS'
MOTION TO STAY**

On March 9, 2022, the Court heard defendants' motion to stay on an order
shortening time, the defendants appearing by their counsel, Esther Rodriguez and Jay

1 A. Shafer, the plaintiffs appearing by their counsel, Leon Greenberg and Ruthann
 2 Devereaux-Gonzalez, and after due deliberation, and considering the briefs of the
 3 parties and other papers on file, the Court hereby finds:

5 Based on the arguments set forth by defendants in their submissions, the
 6 decision in the pending *Dubric* appeal, Nevada Supreme Court Case No. 83492, will
 7 affect the new judgment in this case. The defendants have met the four factors
 8 required by *Dollar Rent a Car of Washington v. The Travelers Indemnity Company*,
 9 774 F.2d 1371 (1985), to secure the stay of this proceeding that they seek.
 10 Specifically, there is a strong showing that the defendants are likely to prevail; and
 11 will sustain irreparable injury without a stay and sustain such an injury in the form of
 12 a double recovery against them, the entry of duplicative judgments, and the wrongful
 13 distribution of settlement funds. The Court also finds other interested parties, and
 14 ultimately the public interest, would be substantially harmed if a stay does not issue
 15 and that the defendants have already posted sufficient security and no additional
 16 security should be required for the securing of the requested stay. Accordingly,
 17 Defendant's motion to stay on an order shortening time is GRANTED.
 18

22 IT IS HEREBY ORDERED that:

23 Defendant's motion to stay is GRANTED.

24 Dated this 3rd day of May, 2022

25 **IT IS SO ORDERED.**

26 

27 Honorable Carli Kierny

28 District Court Judge

28 Carli Kierny

28 District Court Judge

Date

1
2 Submitted by:

3
4 By: /s/ Leon Greenberg
Leon Greenberg, Esq.
5 LEON GREENBERG PROF. CORP.
6 2965 S. Jones Blvd. Ste. E-3
Las Vegas, NV 89146
7 Attorneys for Plaintiffs

8 Not approved as to form and content:

9
10 By: _____
Esther C. Rodriguez, Esq.
11 RODRIGUEZ LAW OFFICES, P.C.
10161 Park Run Drive. Ste. 150
12 Las Vegas, NV 89145
Attorney for Defendants
13

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EXHIBIT “F”

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL MURRAY; AND MICHAEL
RENO, INDIVIDUALLY AND ON
BEHALF OF OTHERS SIMILARLY
SITUATED,

Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
CARLI LYNN KIERNY, DISTRICT
JUDGE,

Respondents,

and

A CAB TAXI SERVICE LLC, A CAB
SERIES LLC, F/K/A A CAB, LLC; AND
CREIGHTON J. NADY,
Real Parties in Interest.

No. 84456

FILED

APR 26 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Youn
DEPUTY CLERK

*ORDER DIRECTING SUPPLEMENTATION OF APPENDIX WITH
WRITTEN ORDER AND DIRECTING ANSWER*

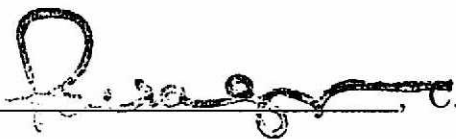
This original petition for a writ of mandamus arises out of an action for unpaid minimum wages and seeks a writ directing the district court to: (1) terminate its order staying the enforcement of judgment; (2) modify the final judgment as directed by this court's December 10, 2021 order; (3) consider on the merits petitioners' request for a receiver, as directed by this court's February 17, 2022 order; and (5) act promptly to enforce the final judgment.

Although petitioners provided this court with transcripts from the March 9, 2022, hearing, they failed to provide a written copy of the challenged district court order. This court normally will not consider a

petition for extraordinary relief in the absence of the written order being challenged. *See Rust v. Clark Cty. Sch. Dist.*, 103 Nev. 686, 689, 747 P.2d 1380, 1382 (1987); *see also* NRAP 21(a)(4) (explaining that it is the petitioner's obligation to provide an appendix that includes all records that may be essential to understand the matters set forth in the petition).

Accordingly, petitioners should file and serve an appendix containing a copy of the district court's written order and all other materials that are essential to understanding the petition, within 14 days from the date of this order. In the event petitioners timely file an appendix in accordance with this order, real parties in interest, on behalf of respondents, shall have 28 days from the date petitioner serves an appendix to file and serve an answer, including authorities, against issuance of the requested writ. Petitioners shall have 14 days from service of the answer to file and serve any reply.

It is so ORDERED.



C.J.

cc: Hon. Carli Lynn Kierny, District Judge
Leon Greenberg Professional Corporation
Rodriguez Law Offices, P.C.
Cory Reade Dows & Shafer
Eighth District Court Clerk

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EXHIBIT "G"

IN THE SUPREME COURT OF THE STATE OF NEVADA

A CAB, LLC; AND A CAB SERIES, LLC,
Appellants,

vs.

MICHAEL MURRAY; AND MICHAEL
RENO, INDIVIDUALLY AND ON
BEHALF OF ALL OTHERS SIMILARLY
SITUATED,

Respondents.

No. 77050

FILE

FEB 03 2022

ELIZABETH A. SPORN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DENYING MOTION

Respondents filed a motion requesting that this court award attorney fees or direct the district court to award attorney fees pursuant to Article 15, Section 16 of Nevada's Constitution, and to include in its mandate upon remand instructions about the allowance of interest, pursuant to NRAP 37(b). Appellants have filed an opposition to the order and respondents have filed a reply.

As an initial matter, this court's opinion already concludes that the district court must reconsider the award of attorney fees in light of this court's decision. Article 15, Section 16, Subsection B of Nevada's Constitution, the Minimum Wage Amendment, states that "[a]n employee who prevails in any action to enforce this section shall be awarded his or her reasonable attorney's fees and costs." However, the determination of a "reasonable" attorney fee involves questions of fact and "should be addressed, in the first instance, by the district court with its greater fact-finding capabilities." *Musso v. Binick*, 104 Nev. 613, 615, 764 P.2d 477, 478 (1988). Accordingly, respondents' motion for an award of attorney's fees on


appeal is denied without prejudice to respondents' right to raise this motion in the district court.

NRAP 37(a) provides that "if a money judgment in a civil case is affirmed, whatever interest is allowed by law is payable from the date when the district court's judgment was entered." NRAP 37(b) provides that if this court "modifies or reverses a judgment with a direction that a money judgment be entered in the district court, the mandate must contain instructions about the allowance of interest."

This court has previously held that an affirmation in part and reversal in part of a money judgment is treated as an affirmation of that judgment for the purposes of NRAP 37 and the calculation of interest. *Schiff v. Winchell*, 126 Nev. 327, 330-31, 237 P.3d 99, 101 (2010). As noted by respondents, this court's opinion issued December 30, 2021, affirmed in part and reversed in part the district court's money judgment but did not include instructions as to any allowance of interest. *Schiff* applies here, and the modification on appeal was, in effect, an affirmation of the original judgment. Therefore, NRAP 37(a) governs the interest on judgments and whatever interest is allowed by law is payable from the date when the district court's judgment was entered. Accordingly, respondent's request for a modification of the mandate to include instructions based on NRAP 37(b) is denied.

The clerk shall issue the remittitur.

It is so ORDERED.

 C.J.

cc: Hon. Kenneth C. Cory, District Judge
Rodriguez Law Offices, P.C.
Cory Reade Dows & Shafer
Hutchison & Steffen, LLC/Las Vegas
Leon Greenberg Professional Corporation
Eighth District Court Clerk

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EXHIBIT "H"

IN THE SUPREME COURT OF THE STATE OF NEVADA

CREIGHTON J NADY,
Appellant,
vs.
MICHAEL MURRAY; AND MICHAEL
RENO, INDIVIDUALLY AND ON
BEHALF OF ALL OTHERS SIMILARLY
SITUATED,
Respondents.

No. 77050

FILED

JUL 12 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court summary judgment and various post-judgment orders. Eighth Judicial District Court, Clark County; Kenneth C. Cory, Judge.

When initial review of the docketing statements and the documents before this court revealed a potential jurisdictional defect, this court ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. Specifically, it appeared that the district court's summary judgment order severed respondents' claims against appellant and stayed those claims. Thus, the district court's severance created two separate actions, and although the challenged order may have been final as to respondents' claims against A Cab, LLC,¹ respondents' claims against appellant appeared to remain pending below such that no final judgment had been entered against appellant. *See Valdez v. Cox Commc'ns Las Vegas, Inc.*, 130 Nev. 905, 336 P.3d 969 (2014) (explaining that severance creates two separate actions for the purposes of appeal); *Lee*

¹A Cab's appeal was previously dismissed pursuant to operation of the automatic bankruptcy stay. *A Cab, LLC v. Murray*, Docket No. 77050 (Order, May 7, 2019).

v. GNLV Corp., 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (defining a final judgment). Additionally, if no final judgment had been entered against appellant, it did not appear that the post-judgment orders would be appealable as special orders after final judgment under NRAP 3A(b)(8).

In response to the order to show cause, appellant concedes “as the record now stands,”² that there is no judgment against appellant and the appeal should be dismissed. As it appears that no final judgment has been entered against appellant, and no other statute or court rule appears to allow an appeal from the order challenged in this appeal, see *Brown v. MHC Stagecoach*, 129 Nev. 343, 345, 301 P.3d 850, 851 (2013) (“We may only consider appeals authorized by statute or court rule.”), this court concludes that it lacks jurisdiction, and

ORDERS this appeal DISMISSED.³

Pickering, J.
Pickering

Parraguirre, J.
Parraguirre

Cadish, J.
Cadish

²Appellant contests whether the district court’s severance was proper.

³This court declines appellant’s request to dismiss this appeal based on appellant’s contention that the district court’s severance was ineffective.

cc: Hon. Kenneth C. Cory, District Judge
Kathleen M. Paustian, Settlement Judge
Rodriguez Law Offices, P.C.
Premier Legal Group
Hutchison & Steffen, LLC/Las Vegas
Leon Greenberg Professional Corporation
Eighth District Court Clerk

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EXHIBIT "I"

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Attorneys for Plaintiffs

**DISTRICT COURT
 CLARK COUNTY, NEVADA**

MICHAEL MURRAY, and MICHAEL
 RENO, Individually and on behalf of
 others similarly situated,

Plaintiffs,

vs.

A CAB TAXI SERVICE LLC, A CAB
 SERIES LLC formerly known as A
 CAB LLC, and CREIGHTON J. NADY,

Defendants.

Case No.: A-12-669926-C

Dept.: II

**DECLARATION OF CLASS
 COUNSEL, LEON
 GREENBERG, ESQ.**

Leon Greenberg, an attorney duly licensed to practice law in the State of Nevada, hereby affirms, under the penalty of perjury, that:

1. I have been appointed by the Court as class counsel in this matter. I offer this declaration in connection with plaintiffs' motion to stay, offset, or apportion award of costs and/or reconsider award of appellant costs for court reporter expenses. Those costs were all sought based on defendants' memorandum of costs of January 13, 2022, copy at Ex. "1" to this declaration with court reporter invoices.

2. My office reviewed the court reporter costs claimed by defendant in their motion and the invoices indicating when those costs were paid. Defendant paid

1 \$2,780.82 in such claimed costs after entry of the final judgment in this case in August
2 of 2018, meaning no more than \$2,708.82 of such claimed costs may have been
3 incurred in connection with this appeal.

4 3. Defendant's present a claim for \$1,730 in court reporter fees set forth in a
5 single invoice for preparation of transcripts of seven hearings held on 1/11/2013,
6 8/11/2015, 3/16/2016, 5/23/2018, 6/1/2018, 9/26/2018, and 9/28/2018. Invoice at Ex.
7 "1" bates 0139-0140. The transcripts for the first five of those hearings were not
8 included in the appendix used by defendant in its appeal. That invoice does not detail
9 the cost for each of those transcripts, meaning the cost for the two transcripts
10 potentially subject to a costs award (for 9/26/2018 and 9/28/2018) is unknown.

11 4. Defendant presents a claim for \$488.60 in court reporter fees for a transcript
12 of the hearing held on October 22, 2018. That hearing concerned requests by
13 defendant to dismiss the plaintiffs' claims, to have a new trial, and its opposition to the
14 plaintiffs' motion to amend the judgment. "1" bates 0141-0142. In its appeal of the
15 judgment defendant did not secure any relief on any of those issues and the district
16 court's rulings made on October 22, 2018, and the subject of such transcript, were
17 fully affirmed by the Supreme Court.

18 5. Defendant presents a claim for \$270 in court reporter costs for the pre-
19 judgment preparation of a transcript from February 14, 2017, in another case (*Dubric*
20 *v. A Cab*). "1" bates 0126. That transcript was not filed in the appendix used by A
21 Cab on its appeal. It is also seeks costs of \$116 for the pre-judgment preparation of a
22 transcript from February 14, 2017, concerning the issuance of an injunction that was
23 not part of this appeal (it was resolved in a prior appeal in 2018). "1" bates 0124-
24 0125.

25 6. Defendant presents a claim for \$1,024.92 (including a \$33.26 credit card fee)
26 in court reporter costs for a transcript from November 3, 2015, on its unsuccessful
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motion to dismiss and addressing none of the other issues raised on appeal. “1” bates
0121-0122.

I have read the foregoing and affirm the same is true and correct.

Affirmed this 31st Day of May, 2022

/s/ Leon Greenberg
Leon Greenberg, Esq.

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EXHIBIT "1"

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EXHIBIT "1"

MEMO

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Attorneys for Defendants

**DISTRICT COURT
 CLARK COUNTY, NEVADA**

MICHAEL MURRAY and MICHAEL RENO,
 Individually and on behalf of others similarly
 situated,

Plaintiffs,

vs.

A CAB TAXI SERVICE LLC and A CAB, LLC,
 and CREIGHTON J. NADY,

Defendants.

Case No.: A-12-669926-C
 Dept. No. II

**DEFENDANTS' VERIFIED
 MEMORANDUM OF COSTS
 AND DISBURSEMENTS**

Description	Cost	
<i>Preparation and transmission of the record</i>	n/a	
Reporter's Transcript, if needed to determine the appeal		\$6,764.87
Transcript of November 3, 2015 Proceeding	\$864.92	
Department Transcriber's fee of November 3, 2015 Proceeding	\$160.00	
Transcript of February 8, 2017 Proceeding	\$135.00	
Transcript of February 14, 2017 Proceeding	\$76.00	
Department Transcriber's fee of February 14, 2017 Proceeding	\$40.00	

Description	Cost	
Transcript of February 14, 2017 Proceeding (Dubric Injunction)	\$270.00	
Transcript of May 18, 2017 Proceeding	\$656.31	
Department Transcriber's fee of May 18, 2017 Proceeding	\$160.00	
Transcript of June 13, 2017 Proceeding	\$110.22	
Department Transcriber's fee of June 13, 2017 Proceeding	\$40.00	
Transcripts of December 14, 2017 and January 2, 2018 Proceedings	\$463.60	
Department Transcriber's fee of 12/14/17 & 01/02/18 Proceedings	\$200.00	
Transcript of 01/25/18 and 02/02/18 Proceedings	\$216.60	
Department Transcriber's fee of 1/25/18 and 02/02/18 Proceedings	\$80.00	
Transcript of February 15, 2018 Proceeding	\$117.80	
Department Transcriber's fee of February 15, 2018 Proceeding	\$40.00	
Transcript of June 5, 2018 Proceeding filed July 12, 2018	\$273.60	
Department Transcriber's fee of 6/05/18 Proceeding filed 7/12/18	\$80.00	
Transcript of 1/17/13, 8/11/15, 3/16/16, 5/23/18, 6/01/18, 9/26/18 and 9/28/18 Proceedings	\$1,250.00	
Department Transcriber's fee of 1/17/13, 8/11/15, 3/16/16, 5/23/18, 6/01/18, 9/26/18 and 9/28/18 Proceedings	\$480.00	
Transcript of October 22, 2018 Proceeding	\$368.00	
Department Transcriber's fee of October 22, 2018 Proceeding	\$122.00	
Transcript of December 4, 2018 Proceeding	\$410.82	
Department Transcriber's fee of December 4, 2018 Proceeding	\$80.00	
Transcript of December 11, 2018 & December 13, 2018 Proceedings	\$70.00	
<i>Preparation of the Appendix</i>	n/a	
Premiums Paid for Supersedeas bond or other bond	\$1,000.00	
03/23/17 District Court Cost Bond (Writ re: SOL)	\$500.00	
10/02/18 District Court Cost Bond (MSJ appeal)	\$500.00	
Fees for Filing the Notices of Appeal	\$822.50	
03/20/17 Notice of Appeal Fee (Minimum Wage Issue)	\$24.00	
03/20/17 Notice of Appeal Filing Fee	\$3.50	
03/20/17 Case Appeal Statement Filing Fee	\$3.50	

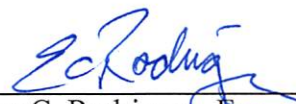
Description	Cost	
03/24/17 Cost Bond Filing Fee	\$3.50	
03/31/17 Nevada Supreme Court Appeal Fee	\$250.00	
06/23/17 Nevada Supreme Court Appeal Fee (Injunction)	\$250.00	
09/21/18 Notice of Appeal Fee (MSJ)	\$24.00	
09/21/18 Notice of Appeal Filing Fee	\$3.50	
09/27/18 Nevada Supreme Court Appeal Fee	\$250.00	
10/02/18 Cost Bond Filing Fee	\$3.50	
01/15/19 Amended Notice of Appeal Filing Fee	\$3.50	
03/06/19 Amended Notice of Appeal Filing Fee	\$3.50	
TOTAL:	\$8,587.37	

1 ESTHER C. RODRIGUEZ, ESQ., being duly sworn, states:

2 That affiant is the attorney for the Defendants in the above matter and has personal
3 knowledge of the above costs and disbursements expended; that the items contained in the above
4 memorandum are true and correct to the best of this affiant's knowledge and belief; and that the said
5 disbursements have been necessarily incurred and paid in this action.

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

8 EXECUTED this 13th day of January, 2022.

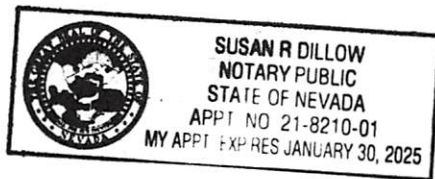
9
10 
11 _____
12 Esther C. Rodriguez, Esq.
13 Nevada Bar No. 6473
14 10161 Park Run Drive, Suite 150
15 Las Vegas, Nevada 89145

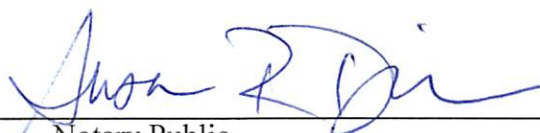
16 STATE OF NEVADA

17 COUNTY OF CLARK

18 Signed and sworn to (or affirmed) before me on January 13, 2022 by ESTHER C.

19 RODRIGUEZ, ESQ.



29 
30 _____
31 Notary Public



Invoice

Date	Invoice #
3/21/2016	1844

Esther C. Rodriguez, Esq.
 Rodriguez Law Office, P.C.
 10161 Park Run Drive, Suite 150
 Las Vegas, NV 89145

Terms	Due Date
Due on receipt	3/21/2016

Description	Qty	Rate	Amount
Transcript of hearing held on 11/3/2015 Motions Hearing	166	5.01	831.66
Credit Card Processing Fee	1	33.26	33.26
In Re Murray, et al. vs. A Cab Taxi Service, LLC, et al. Case No. A-669926, Dept. 1 District Court, Clark County, Nevada			
Phone #	Fax #	E-mail	Total
303-798-0890	303-797-0432	Julie@VerbatimDigitalReporting.Com	\$864.92
			Payments/Credits
			-\$864.92
			Balance Due
			\$0.00

004332

004332

DISTRICT COURT, DEPARTMENT 1, LISA LIZOTTE 671-4327

TRANSCRIBER'S BILLING INFORMATION

CASE #	A669926				
CASE NAME:	Murray v A Cab Taxi Service				
HEARING DATE:	11/3/15				
DEPARTMENT #	1				
ORDERED BY:	Esther C. Rodriguez, Esq.				
FIRM:					
EMAIL:	susan@rodriguezlaw.com				
PAYABLE TO COUNTY:	Make check payable to: Clark County Treasurer County Tax ID#: 88-6000028 Include case number on check Pay by CC by calling (702)671-4507 <u>Mailing Address:</u> Regional Justice Center Fiscal Services Attn: Kim Ockey 200 Lewis Avenue Las Vegas, NV 89155				
BILL AMOUNT:		Criminal CDs @ \$25 each =			\$
		Civil CDs @ \$65 each (per hour)			
	4	hours @ \$40 an hour recording fee =			\$160.00
		pages @		per page of trans.	\$
	Total				\$160.00
PAYABLE TO OUTSIDE TRANSCRIBER:	Make check payable to: n/a				
BILL AMOUNT:		pages @	\$	per page of trans	\$
DATE PAID:					
TRANSCRIPTS WILL NOT BE FILED OR RELEASED UNTIL PAYMENT IS RECEIVED					

004333

004333

TRANSCRIBER'S BILLING INFORMATION

CASE #	A669926				
CASE NAME:	Murray v. A Cab				
HEARING DATE:	February 8, 2017				
DEPARTMENT - RECORDER:	DISCOVERY - FRANCESCA HAAK, EXT. 4642				
ORDERED BY:	Esther C. Rodriguez, Esq. [By: Susan]				
FIRM:	Rodriguez Law				
EMAIL:	susan@rodriguezlaw.com 702-320-8400				
PAYABLE TO:	<p>Make check payable to: Clark County Treasurer County Tax ID#: 88-6000028 Include case number on check Mailing Address: Regional Justice Center Fiscal Services - Attn: Jennifer Garcia 200 Lewis Ave. Las Vegas, NV 89155</p> <p>Or pay by credit card by calling 702-671-4507</p>				
BILL AMOUNT:		CDs @ \$25 each =			\$
	1	hours @ \$40 an hour recording fee			\$ 40.00
	19	pages	\$5.01	per pg transcript	\$ 95.19
	Total				\$135.19
PAYABLE TO OUTSIDE TRANSCRIBER:	Make check payable to:				
BILL AMOUNT:		pages @	\$	per page of trans	\$
DATE PAID:					
TRANSCRIPT/CD WILL NOT BE FILED OR RELEASED UNTIL PAYMENT IS RECEIVED					

IT IS NOT ADVISED TO MAIL YOUR CHECK. IF YOU CHOOSE TO MAIL YOUR CHECK, PLEASE EXPECT DELAYS IN PROCESSING.

004334

004334

DISTRICT COURT, DEPARTMENT 1, LISA LIZOTTE 671-4327

TRANSCRIBER'S BILLING INFORMATION

CASE #	A669926			
CASE NAME:	Murray, et al. v A Cab Taxi Service, et al.			
HEARING DATE:	2/14/17			
DEPARTMENT #	1			
ORDERED BY: FIRM: EMAIL:	Michael K. Wall, Esq. Hutchison & Steffen cpittsenbarger@hutchlegal.com			
PAYABLE TO COUNTY:	Make check payable to: Clark County Treasurer County Tax ID#: 88-6000028 Include case number on check Pay by CC by calling (702)671-4507 <u>Mailing Address:</u> Regional Justice Center Fiscal Services Attn: Kim Ockey 200 Lewis Avenue Las Vegas, NV 89155			
BILL AMOUNT:		Criminal CDs @ \$25 each =		\$
	1	Civil CDs @ \$65 each (per hour)		
		hours @ \$40 an hour recording fee		\$40.00
		pages @	per page of trans.	\$
	Total			\$40.00
PAYABLE TO OUTSIDE TRANSCRIBER:	Make check payable to: n/a			
BILL AMOUNT:		pages @	\$	per page of trans \$
DATE PAID:				
TRANSCRIPTS WILL NOT BE FILED OR RELEASED UNTIL PAYMENT IS RECEIVED				

004335

004335

LGM Transcription Service

License # NV20111327288

Tax I.D. # 26-0738542

Liz Garcia

689 Ladywood Lane

Henderson, NV 89002

(702) 558-3682

lgm-51@embarqmail.com

May 18, 2017

TO: Michael K. Wall, Esq.
Hutchison & Steffen
10080 W. Alta Drive, #200
Las Vegas, NV 89145

INVOICENo. 1371

Transcript: Dept. I Case Name & Number	Date of Hearing	# of Pages	Rate per page	Total
Michael Murray v. A Cab Taxi Service, LLC A669926	2/14/17	20	\$3.80	\$76.00
			TOTAL DUE:	\$76.00

This invoice is due upon receipt

004336

004336

HUTCHISON STEFFEN
10080 W. ALTA #200
LAS VEGAS, NEVADA 89145

DATE: 6/4/2018

HOWARD & HOWARD REPORTING
4732 VINCENT HILL COURT
N. LAS VEGAS, NEVADA 89013
(702) 234-9394
TAX ID #20-1909491

INVOICE

DUBRIC vs. A CAB

DATES

AMOUNT

2/14/2017

Transcript

270.00

TOTAL: \$270.00

* Mail your payment to the address listed
for Howard & Howard Reporting.

004337

004337

LGM Transcription Service

License # NV20111327288

Tax I.D. # 26-0738542

Liz Garcia

689 Ladywood Lane

Henderson, NV 89002

(702) 558-3682

lgm-51@embarqmail.com

May 25, 2017

TO: Esther C. Rodriguez, Esq.
 Rodriguez Law Offices, P.C.
 10161 Park Run Drive, Ste. 150
 Las Vegas, NV 89145

INVOICENo. 1373

Transcript: Dept. I Case Name & Number	Date of Hearing	# of Pages	Rate per page	Total
Michael Murray, et al v. A Cab Taxi Service LLC A669926	5/18/17	131	\$5.01	\$656.31
<i>(4-day expedite)</i>				
			TOTAL DUE:	\$656.31

This invoice is due upon receipt

004338

004338

DISTRICT COURT, DEPARTMENT 1, LISA LIZOTTE 671-4327

TRANSCRIBER'S BILLING INFORMATION

CASE #	A669926				
CASE NAME:	Murray, et al. v A Cab Taxi Service, et al.				
HEARING DATE:	5/18/17				
DEPARTMENT #	1				
ORDERED BY: FIRM: EMAIL:	Esther C. Rodriguez, Esq. Rodriguez Law Offices susan@rodriguezlaw.com				
PAYABLE TO COUNTY:	Make check payable to: Clark County Treasurer County Tax ID#: 88-6000028 Include case number on check Pay by CC by calling (702)671-4507 <u>Mailing Address:</u> Regional Justice Center Fiscal Services Attn: Kim Ockey 200 Lewis Avenue Las Vegas, NV 89155				
BILL AMOUNT:		Criminal CDs @ \$25 each =			\$
	4	Civil CDs @ \$65 each (per hour)			
		hours @ \$40 an hour recording fee			\$160.00
		pages @		per page of trans.	\$
	Total				\$160.00
PAYABLE TO OUTSIDE TRANSCRIBER:	Make check payable to: n/a				
BILL AMOUNT:		pages @	\$	per page of trans	\$
DATE PAID:					
TRANSCRIPTS WILL NOT BE FILED OR RELEASED UNTIL PAYMENT IS RECEIVED					

004339

004339

LGM Transcription Service

License # NV20111327288

Tax I.D. # 26-0738542

Liz Garcia

689 Ladywood Lane

Henderson, NV 89002

(702) 558-3682

lgm-51@embarqmail.com

June 16 2017

TO: Esther C. Rodriguez, Esq.
 Rodriguez Law Offices, P.C.
 10161 Park Run Drive, Ste. 150
 Las Vegas, NV 89145

INVOICENo. 1384

Transcript: Dept. I Case Name & Number	Date of Hearing	# of Pages	Rate per page	Total
Michael Murray, et al v. A Cab Taxi Service LLC A669926	6/13/17	22	\$5.01	\$110.22
<i>(4-day expedite)</i>				
			TOTAL DUE:	\$110.22

This invoice is due upon receipt

004340

004340

DISTRICT COURT, DEPARTMENT 1, LISA LIZOTTE 671-4327

TRANSCRIBER'S BILLING INFORMATION

CASE #	A669926				
CASE NAME:	Murray, et al. v A Cab Taxi Service, et al.				
HEARING DATE:	6/13/17				
DEPARTMENT #	1				
ORDERED BY: FIRM: EMAIL:	Esther C. Rodriguez, Esq. Rodriguez Law Offices susan@rodriguezlaw.com				
PAYABLE TO COUNTY:	Make check payable to: Clark County Treasurer County Tax ID#: 88-6000028 Include case number on check Pay by CC by calling (702)671-4507 <u>Mailing Address:</u> Regional Justice Center Fiscal Services Attn: Jennifer Garcia 200 Lewis Avenue Las Vegas, NV 89155				
BILL AMOUNT:		Criminal CDs @ \$25 each =			\$
	1	Civil CDs @ \$65 each (per hour)			\$40.00
		hours @ \$40 an hour recording fee			
		pages @		per page of trans.	\$
	Total				\$40.00
PAYABLE TO OUTSIDE TRANSCRIBER:	Make check payable to: n/a				
BILL AMOUNT:		pages @	\$	per page of trans	\$
DATE PAID:					
TRANSCRIPTS WILL NOT BE FILED OR RELEASED UNTIL PAYMENT IS RECEIVED					

004341

004341

LGM Transcription Service

License # NV20111327288

Tax I.D. # 26-0738542

Liz Garcia

689 Ladywood Lane

Henderson, NV 89002

(702) 558-3682

lgm-51@embarqmail.com

February 2, 2018

TO: Esther C. Rodriguez, Esq.
 Rodriguez Law Offices
 10161 Park Run Drive, Ste. 150
 Las Vegas, NV 89145

INVOICENo. 1474

Transcript: Dept. I Case Name & Number	Date of Hearing	# of Pages	Rate per page	Total
Michael Murray, et al v. A Cab Taxi Service, LLC A669926	12/14/17 1/02/18	59 63	\$3.80	\$463.60
			TOTAL DUE:	\$463.60

This invoice is due upon receipt

004342

004342

DISTRICT COURT, DEPARTMENT 1, LISA LIZOTTE 671-4327

TRANSCRIBER'S BILLING INFORMATION

CASE #	A669926				
CASE NAME:	Murray, et al. v A Cab Taxi Service, et al.				
HEARING DATE:	12/14/17; 1/2/18				
DEPARTMENT #	1				
ORDERED BY: FIRM: EMAIL:	Esther C. Rodriguez, Esq. Rodriguez Law Offices susan@rodriguezlaw.com				
PAYABLE TO COUNTY:	Make check payable to: Clark County Treasurer County Tax ID#: 88-6000028 Include case number on check Pay by CC by calling (702)671-4507 <u>Mailing Address:</u> Regional Justice Center Fiscal Services Attn: Jennifer Garcia 200 Lewis Avenue Las Vegas, NV 89155				
BILL AMOUNT:		Criminal CDs @ \$25 each =			\$
	5	Civil CDs @ \$65 each (per hour)			\$
		hours @ \$40 an hour recording fee			\$200.00
		pages @		per page of trans.	\$
	Total				\$200.00
PAYABLE TO OUTSIDE TRANSCRIBER:	Make check payable to: n/a				
BILL AMOUNT:		pages @	\$	per page of trans	\$
DATE PAID:					
TRANSCRIPTS WILL NOT BE FILED OR RELEASED UNTIL PAYMENT IS RECEIVED					

004343

004343

LGM Transcription Service

License # NV20111327288

Tax I.D. # 26-0738542

Liz Garcia

689 Ladywood Lane

Henderson, NV 89002

(702) 558-3682

lgm-51@embarqmail.com

February 20, 2018

TO: Esther C. Rodriguez, Esq.
 Rodriguez Law Offices
 10161 Park Run Drive, Ste. 150
 Las Vegas, NV 89145

INVOICENo. 1483

Transcript: Dept. I Case Name & Number	Date of Hearing	# of Pages	Rate per page	Total
Michael Murray, et al v. A Cab Taxi Service, LLC A669926	1/25/18 2/02/18	36 21	\$3.80	\$216.60
			TOTAL DUE:	\$216.60

This invoice is due upon receipt

004344

004344

DISTRICT COURT, DEPARTMENT 1, LISA LIZOTTE 671-4327

TRANSCRIBER'S BILLING INFORMATION

CASE #	A669926				
CASE NAME:	Murray, et al. v A Cab Taxi Service, et al.				
HEARING DATE:	1/25/18; 2/2/18				
DEPARTMENT #	1				
ORDERED BY: FIRM: EMAIL:	Esther C. Rodriguez, Esq. Rodriguez Law Offices susan@rodriguezlaw.com				
PAYABLE TO COUNTY:	Make check payable to: Clark County Treasurer County Tax ID#: 88-6000028 Include case number on check Pay by CC by calling (702)671-4507 <u>Mailing Address:</u> Regional Justice Center Fiscal Services Attn: Jennifer Garcia 200 Lewis Avenue Las Vegas, NV 89155				
BILL AMOUNT:		Criminal CDs @ \$25 each =			\$
	2	Civil CDs @ \$65 each (per hour)			\$80.00
		hours @ \$40 an hour recording fee			
		pages @		per page of trans.	\$
	Total				\$80.00
PAYABLE TO OUTSIDE TRANSCRIBER:	Make check payable to: n/a				
BILL AMOUNT:		pages @	\$	per page of trans	\$
DATE PAID:					
TRANSCRIPTS WILL NOT BE FILED OR RELEASED UNTIL PAYMENT IS RECEIVED					

004345

004345

LGM Transcription Service

License # NV20111327288

Tax I.D. # 26-0738542

Liz Garcia

689 Ladywood Lane

Henderson, NV 89002

(702) 558-3682

lgm-51@embarqmail.com

March 1, 2018

TO: Esther C. Rodriguez, Esq.
 Rodriguez Law Offices
 10161 Park Run Drive, Ste. 150
 Las Vegas, NV 89145

INVOICENo. 1485

Transcript: Dept. I Case Name & Number	Date of Hearing	# of Pages	Rate per page	Total
Michael Murray, et al v. A Cab Taxi Service, LLC A669926	2/15/18	31	\$3.80	\$117.80
			TOTAL DUE:	\$117.80

This invoice is due upon receipt

004346

004346

DISTRICT COURT, DEPARTMENT 1, LISA LIZOTTE 671-4327

TRANSCRIBER'S BILLING INFORMATION

CASE #	A669926				
CASE NAME:	Murray, et al. v A Cab Taxi Service, et al.				
HEARING DATE:	2/15/18				
DEPARTMENT #	1				
ORDERED BY: FIRM: EMAIL:	Esther C. Rodriguez, Esq. Rodriguez Law Offices susan@rodriguezlaw.com				
PAYABLE TO COUNTY:	Make check payable to: Clark County Treasurer County Tax ID#: 88-6000028 Include case number on check Pay by CC by calling (702)671-4507 <u>Mailing Address:</u> Regional Justice Center Fiscal Services Attn: Jennifer Garcia 200 Lewis Avenue Las Vegas, NV 89155				
BILL AMOUNT:		Criminal CDs @ \$25 each =			\$
	1	Civil CDs @ \$65 each (per hour)			\$40.00
		hours @ \$40 an hour recording fee			
		pages @		per page of trans.	\$
	Total				\$40.00
PAYABLE TO OUTSIDE TRANSCRIBER:	Make check payable to: n/a				
BILL AMOUNT:		pages @	\$	per page of trans	\$
DATE PAID:					
TRANSCRIPTS WILL NOT BE FILED OR RELEASED UNTIL PAYMENT IS RECEIVED					

004347

004347

LGM Transcription Service

License # NV20111327288

Tax I.D. # 26-0738542

Liz Garcia

689 Ladywood Lane

Henderson, NV 89002

(702) 558-3682

lgm-51@embarqmail.com

July 2, 2018

TO: Esther C. Rodriguez, Esq.
 Rodriguez Law Offices
 10161 Park Run Drive, Ste. 150
 Las Vegas, NV 89145

INVOICENo. 1515

Transcript: Dept. I Case Name & Number	Date of Hearing	# of Pages	Rate per page	Total
Michael Murray, et al v. A Cab Taxi Service, LLC A669926	6/5/18	72	\$3.80	\$273.60
			TOTAL DUE:	\$273.60

This invoice is due upon receipt

004348

004348

DISTRICT COURT, DEPARTMENT 1, LISA LIZOTTE 671-4327

TRANSCRIBER'S BILLING INFORMATION

CASE #	A669926				
CASE NAME:	Murray, et al. v A Cab Taxi Service, et al.				
HEARING DATE:	6/5/18				
DEPARTMENT #	1				
ORDERED BY: FIRM: EMAIL:	Esther C. Rodriguez, Esq. Rodriguez Law Offices susan@rodriguezlaw.com				
PAYABLE TO COUNTY:	Make check payable to: Clark County Treasurer County Tax ID#: 88-6000028 Include case number on check Pay by CC by calling (702)671-4507 <u>Mailing Address:</u> Regional Justice Center Fiscal Services Attn: Jennifer Garcia 200 Lewis Avenue Las Vegas, NV 89155				
BILL AMOUNT:		Criminal CDs @ \$25 each =			\$
	2	Civil CDs @ \$65 each (per hour)			\$80.00
		hours @ \$40 an hour recording fee			
		pages @		per page of trans.	\$
	Total				\$80.00
PAYABLE TO OUTSIDE TRANSCRIBER:	Make check payable to: n/a				
BILL AMOUNT:		pages @	\$	per page of trans	\$
DATE PAID:					
TRANSCRIPTS WILL NOT BE FILED OR RELEASED UNTIL PAYMENT IS RECEIVED					

004349

004349

LGM Transcription Service

License # NV20111327288

Tax I.D. # 26-0738542

Liz Garcia

689 Ladywood Lane

Henderson, NV 89002

(702) 558-3682

lgm-51@embarqmail.com

April 15, 2019

TO: Esther C. Rodriguez, Esq.
 Rodriguez Law Offices
 10161 Park Run Drive, Ste. 150
 Las Vegas, NV 89145

INVOICENo. 1587

Transcript: Dept. I Case Name & Number	Date of Hearing	# of Pages	Rate per page	Total
Michael Murray, et al v. A Cab Taxi Service, LLC A669926	1/17/13	23	\$3.80	\$1,250.20
	8/11/15	33		
	3/16/16	16		
	5/23/18	77		
	6/01/18	45		
	9/26/18	68		
	9/28/28	67		
		329	TOTAL DUE:	\$1,250.20

This invoice is due upon receipt

DISTRICT COURT, DEPARTMENT 1, LISA LIZOTTE 671-4327

TRANSCRIBER'S BILLING INFORMATION

CASE #	A669926				
CASE NAME:	Murray, et al. v A Cab Taxi Service, et al.				
HEARING DATE:	1/17/13; 8/11/15; 3/16/16; 5/23/18; 6/1/18; 9/26/18; 9/28/18				
DEPARTMENT #	1				
ORDERED BY:	Esther C. Rodriguez, Esq.				
FIRM:					
EMAIL:	susan@rodriguezlaw.com				
PAYABLE TO COUNTY:	Make check payable to: Clark County Treasurer County Tax ID#: 88-6000028 Include case number on check Pay by CC by calling (702)671-4507 <u>Mailing Address:</u> Regional Justice Center Fiscal Services Attn: Jennifer Garcia 200 Lewis Avenue Las Vegas, NV 89155				
BILL AMOUNT:		Criminal CDs @ \$25 each =			\$
	12	Civil CDs @ \$65 each (per hour)			\$480.00
		hours @ \$40 an hour recording fee			
		pages @		per page of trans.	\$
	Total				\$480.00
PAYABLE TO OUTSIDE TRANSCRIBER:	Make check payable to: n/a				
BILL AMOUNT:		pages @	\$	per page of trans	\$
DATE PAID:					
TRANSCRIPTS WILL NOT BE FILED OR RELEASED UNTIL PAYMENT IS RECEIVED					

004351

004351

LGM Transcription Service

License # NV20111327288

Tax I.D. # 26-0738542

Liz Garcia

689 Ladywood Lane

Henderson, NV 89002

(702) 558-3682

lgm-51@embarqmail.com

November 19, 2018

TO: Esther C. Rodriguez, Esq.
 Rodriguez Law Offices
 10161 Park Run Drive, Ste. 150
 Las Vegas, NV 89145

INVOICENo. 1554

Transcript: Dept. I Case Name & Number	Date of Hearing	# of Pages	Rate per page	Total
Michael Murray, et al v. A Cab Taxi Service, LLC A669926	10/22/18	97	\$3.80	\$368.60
			TOTAL DUE:	\$368.60

This invoice is due upon receipt

004352

004352

DISTRICT COURT, DEPARTMENT 1, LISA LIZOTTE 671-4327

TRANSCRIBER'S BILLING INFORMATION

CASE #	A669926				
CASE NAME:	Murray, et al. v A Cab Taxi Service, et al.				
HEARING DATE:	10/22/18				
DEPARTMENT #	1				
ORDERED BY: FIRM: EMAIL:	Esther C. Rodriguez, Esq. Rodriguez Law Offices susan@rodriguezlaw.com				
PAYABLE TO COUNTY:	Make check payable to: Clark County Treasurer County Tax ID#: 88-6000028 Include case number on check Pay by CC by calling (702)671-4507 <u>Mailing Address:</u> Regional Justice Center Fiscal Services Attn: Jennifer Garcia 200 Lewis Avenue Las Vegas, NV 89155				
BILL AMOUNT:		Criminal CDs @ \$25 each =			\$
	3	Civil CDs @ \$65 each (per hour)			
		hours @ \$40 an hour recording fee			\$120.00
		pages @		per page of trans.	\$
	Total				\$120.00
PAYABLE TO OUTSIDE TRANSCRIBER:	Make check payable to: n/a				
BILL AMOUNT:		pages @	\$	per page of trans	\$
DATE PAID:					
TRANSCRIPTS WILL NOT BE FILED OR RELEASED UNTIL PAYMENT IS RECEIVED					

004353

004353



Invoice

Date	Invoice #
12/10/2018	2307

Esther C. Rodriguez, Esq.
 Rodriguez Law Office, P.C.
 10161 Park Run Drive, Suite 150
 Las Vegas, NV 89145

Terms	Due Date
Due on receipt	12/10/2018

Description			Qty	Rate	Amount
Transcript of hearing held on 12/4/2018 Motions Hearing In Re Murray, et al. v. A Cab Taxi Service, LLC, et al. Case No. A-12-669926-C, Dept. 1 District Court, Clark County, Nevada			82	5.01	410.82
Phone #	Fax #	E-mail	Total410.82		
303-915-1677	303-797-0432	Julie@VerbatimDigitalReporting.Com	Payments/Credits\$0.00		

004354

004354

DISTRICT COURT, DEPARTMENT 1, LISA LIZOTTE 671-4327

TRANSCRIBER'S BILLING INFORMATION

CASE #	A669926				
CASE NAME:	Murray, et al. v A Cab Taxi Service, et al.				
HEARING DATE:	12/4/18				
DEPARTMENT #	1				
ORDERED BY: FIRM: EMAIL:	Esther C. Rodriguez, Esq. Rodriguez Law Offices susan@rodriguezlaw.com				
PAYABLE TO COUNTY:	Make check payable to: Clark County Treasurer County Tax ID#: 88-6000028 Include case number on check Pay by CC by calling (702)671-4507 <u>Mailing Address:</u> Regional Justice Center Fiscal Services Attn: Jennifer Garcia 200 Lewis Avenue Las Vegas, NV 89155				
BILL AMOUNT:		Criminal CDs @ \$25 each =			\$
	2	Civil CDs @ \$65 each (per hour)			\$80.00
		hours @ \$40 an hour recording fee			
		pages @		per page of trans.	\$
	Total				\$80.00
PAYABLE TO OUTSIDE TRANSCRIBER:	Make check payable to: n/a				
BILL AMOUNT:		pages @	\$	per page of trans	\$
DATE PAID:					
TRANSCRIPTS WILL NOT BE FILED OR RELEASED UNTIL PAYMENT IS RECEIVED					

004355

004355

LGM Transcription Service

License # NV20111327288

Tax I.D. # 26-0738542

Liz Garcia

689 Ladywood Lane

Henderson, NV 89002

(702) 558-3682

lgm-51@embarqmail.com

December 19, 2018

TO: Esther C. Rodriguez, Esq.
 Rodriguez Law Offices
 10161 Park Run Drive, Ste. 150
 Las Vegas, NV 89145

INVOICENo. 1564

Transcript: Dept. I Case Name & Number	Date of Hearing	# of Pages	Rate per page	Total
Michael Murray, et al v. A Cab Taxi Service, LLC A669926	12/11/18 12/13/18	18 52	\$1.00	\$70.00
<i>(Copies of transcripts)</i>				
			TOTAL DUE:	\$70.00

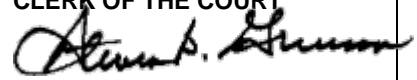
This invoice is due upon receipt

004356

004356

165

165



RTRAN

DISTRICT COURT

CLARK COUNTY, NEVADA

* * * * *

MICHAEL MURRAY, MICHAEL RENO,)
Plaintiffs,) CASE NO. A-12-669926-C
vs.) DEPT. NO. IX
A CAB TAXI SERVICE, LLC, ET)
AL.,) **Transcript of Proceedings**
Defendants.)

BEFORE THE HONORABLE MARK GIBBONS, SENIOR JUDGE
**PLAINTIFFS' MOTION FOR TURNOVER OF PROPERTY PURSUANT TO NRS
21.320 OR ALTERNATIVE RELIEF**

WEDNESDAY, JUNE 29, 2022

APPEARANCES:

For the Plaintiffs: LEON GREENBERG, ESQ.
RUTHANN DEVEREAUX-GONZALEZ, ESQ.

For the Defendants: ESTHER C. RODRIGUEZ, ESQ.
JAY SHAFER, ESQ.
(Via BlueJeans)

RECORDED BY: GINA VILLANI, DISTRICT COURT
TRANSCRIBED BY: KRISTEN LUNKWITZ

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1 WEDNESDAY, JUNE 29, 2022, AT 9:18 A.M.

2
3 THE COURT: Okay. Let's go to page 1, case number
4 A-12-669926, *Michael Murray versus A Cab Taxi Service*.
5 I'll have everybody check in and then I'll have to have a
6 preliminary matter I have to deal with before we get into
7 the Motion, but Mr. Greenberg, do you want to go ahead and
8 start?

9 MR. GREENBERG: Yes. Good morning, Your Honor.
10 Leon Greenberg with Ruthann Gonzalez for plaintiffs today.

11 THE COURT: And your co-counsel?

12 MS. GONZALEZ: Ruthann Gonzalez.

13 THE COURT: Thank you very much.

14 MS. RODRIGUEZ: Good morning, Your Honor. Esther
15 Rodriguez for the defendants and my co-counsel, Mr. Shafer,
16 is on the BlueJeans.

17 THE COURT: Okay. Mr. Shafer, you're on here?

18 MR. SHAFER: Yes. I am, Your Honor. Thank you.

19 THE COURT: Thank you.

20 Okay. Before we get into it, and I did read
21 everything. It's a quite interesting case with the
22 background. Okay. On February 17, 2022, the Nevada
23 Supreme Court entered an Order of Reversal of Remand on
24 Judge Kierny's decision here on one of the issues that's at
25 issue here. Now, the Justice assigned was Chief Justice

1 Parraguirre, Justice Hardesty, and myself. I was appointed
2 as a Senior Justice to hear this case with them.

3 So, because I've ruled as a Justice of the Supreme
4 Court, now I'm sitting as a District Judge, any side, if
5 they want me to recuse on it, because I have participated
6 and made a decision on it; if not, if both sides waive it,
7 I've read it and I'm ready to go ahead today.

8 So, Mr. Greenberg, what's your position?

9 MR. GREENBERG: Plaintiffs have no issues with
10 that, Your Honor. We think you're well qualified to
11 resolve the dispute.

12 THE COURT: Ms. Rodriguez?

13 MS. RODRIGUEZ: Your Honor, we have no objection
14 to you --

15 THE COURT: Okay. Great.

16 MS. RODRIGUEZ: -- hearing this.

17 THE COURT: Okay. Well, let's get into the
18 Motion.

19 Just some thoughts, Mr. Greenberg, before we get
20 into it --

21 MR. GREENBERG: Yes, Judge.

22 THE COURT: I -- let me give you my overall
23 thoughts on it because there's a lot of some -- it got kind
24 of heated here back and forth, I guess, with the history of
25 this case. So, I'm trying to manage it and reread the

1 Supreme Court Order and all of that.

2 When I read Judge Kierny's Order, the stay Order
3 there, it -- there was a Motion filed by -- I guess, by Ms.
4 Rodriguez's clients. She granted it and issued the stay.
5 And I was looking for limitations because, Mr. Greenberg,
6 you were saying: Well, it doesn't cover X, Y, and Z, and
7 these other points here.

8 The problem is that, you know, the Order is kind
9 of a blanket Order on it. So, not that I agree that it's a
10 right Order or a wrong Order, I don't know. It's just the
11 Order on the case.

12 So, my question to you, Mr. Greenberg, is it
13 appears to me it's just a blanket stay on the case until
14 this Nevada Supreme Court rules on this other case. And,
15 then, that happens.

16 The second thought that I had -- Mr. Greenberg, I
17 know you're concerned about this money being distributed
18 and here -- that's the purpose of the Motion here.

19 MR. GREENBERG: Yes.

20 THE COURT: On getting it done.

21 I mean, I just wanted to find out, from a
22 practical standpoint, could -- Ms. Rodriguez would you be
23 in a position to agree that once the Nevada Supreme Court
24 decision comes down -- by the way, I'll let you argue this,
25 but I'm just --

1 MR. GREENBERG: Yes.

2 THE COURT: -- giving you my preliminary thoughts.

3 If -- when the decision comes down, to hold off
4 distributing anything until, you know, you can at least
5 come into court and let the parties argue. Because it
6 looks like there's a priority issue on who gets the money
7 between these different cases. And I don't know who is --
8 I have no idea who is entitled to it. So, that's a
9 different issue then.

10 So, what's your thoughts on that?

11 MS. RODRIGUEZ: Well, I can respond to that. Your
12 Honor, is that that money is not in A Cab's possession.
13 Three hundred thousand of it is sitting in Mr. Greenberg's
14 trust account. The remainder of the money has already been
15 paid to the Bourassa Law Firm. And I believe the last
16 thing they filed in the other matter was a status check to
17 Judge Delaney to indicate that all of the checks have been
18 mailed out to the individual drivers already.

19 So, that money has been disbursed already and
20 that's, obviously, one of the things that we're going to
21 argue, is -- over 225,000 is in the hands of the drivers in
22 small checks, \$10, \$5, things like that. So, it's going to
23 be virtually impossible to get that money back.

24 THE COURT: Okay. I got it.

25 MS. RODRIGUEZ: It's gone.

1 THE COURT: Okay. Let me -- Mr. Greenberg, you
2 may proceed.

3 Counsel, do you want to have a seat? Or you can
4 stand.

5 Go ahead.

6 MR. GREENBERG: Your Honor, I don't want to say
7 that what Ms. Rodriguez was saying isn't correct, but it's
8 not to the point that Your Honor was raising and the point
9 of this Motion. In the event the Dubric Final Judgment is
10 vacated on the pending appeal, A Cab has a right, a
11 contract right, to a return of all monies paid, but it must
12 exercise that right within 20 days of receiving notice of
13 the Judgment. That's a pretty short period of time, Your
14 Honor.

15 THE COURT: Right.

16 MR. GREENBERG: If they don't, that right is lost.

17 THE COURT: Right.

18 MR. GREENBERG: We are interested in preserving
19 that right, so those funds can be applied to pay my
20 clients, --

21 THE COURT: Okay.

22 MR. GREENBERG: -- in the event that there is a
23 reversal.

24 Now, if the Court was to issue an order directing
25 A Cab, in the event of a reversal of the Dubric decision,

1 to simply timely exercise that right under the contract so
2 it is preserved, and once they exercise that right the
3 contract doesn't contain an expiration or a sunset term
4 that they have to do anything further beyond exercise that
5 right within 20 days to the return of that money. Okay?
6 If that money is actually not to be paid to A Cab, but the
7 right is simply to be exercised and subject to a future
8 transfer and assignment to my clients, then it's preserved
9 because the Bourassa Firm -- we're not asking, by the way,
10 Your Honor, for the return of this \$200,000 paid to 700
11 people. It's not practical and we have no interest in
12 that.

13 There -- really, the money at issue here is
14 \$57,000 paid to the Bourassa Firm and 5,000 paid to Ms.
15 Dubric, who probably won't be able to return that money
16 either. But the money paid to the Bourassa Firm I think
17 would have to be returned, Your Honor. They would have to
18 honor an execution that was issued, if it came to that,
19 pursuant to A Cab's right.

20 So, there is a way to address our concerns here,
21 short of putting the money on deposit in the Court or
22 turning it over to me to hold. I don't -- you know, we
23 don't need to sort of nail down all of the particular
24 details of preservation here. It's really just a question
25 of preserving this asset, in the event that the Dubric

1 Judgment is vacated. To preserve it, it must be exercised
2 within 20 days of the --

3 THE COURT: Okay.

4 MR. GREENBERG: -- reversal of that Judgment.

5 So, Your Honor, can fashion a process here. And
6 if defendants would be agreeable to that process, then we
7 can --

8 THE COURT: Well, that's what I'm trying to do
9 here.

10 MR. GREENBERG: I understand, Your Honor. And I -
11 - that's fine with us. I mean, as long as the right is
12 preserved. Okay?

13 I would be comfortable actually with just having A
14 Cab exercise the right, but the Bourassa Firm will actually
15 not pay the money to A Cab without a further award. So
16 they will be under an obligation to pay, but the
17 disposition of the funds, we'll await further proceedings
18 in the court. If necessary, that's fine. I'm just
19 interested in preserving the right.

20 What I don't want to see happen, of course, is the
21 right simply vanish because A Cab elects not to exercise it
22 within the 20 days or that A Cab gets the money back and
23 then dissipates it and puts it beyond reach of my client.

24 So, if the --

25 THE COURT: I get it.

1 MR. GREENBERG: So, if the obligation was to stay
2 with Bourassa or the money was to be deposited here or in a
3 trust account, that would address those issues. You
4 understand, Your Honor.

5 THE COURT: How about Ms. Rodriguez's trust
6 account?

7 MR. GREENBERG: That would be fine. I think she's
8 -- obviously, as an Officer of the Court, she's obviously
9 trustworthy to maintain --

10 THE COURT: Okay.

11 MR. GREENBERG: -- funds safely, Your Honor.

12 THE COURT: Okay. Ms. Rodriguez?

13 MS. RODRIGUEZ: Your Honor, first, I would like to
14 address the stay issue, because I think that's a very
15 critical issue to this. And, on that basis, the Court
16 should deny their Motion altogether.

17 There is a stay in place and plaintiffs -- we were
18 just here last month, Your Honor, discussing a status with
19 Your Honor and Your Honor set another status check in
20 August because there is -- there's never been any
21 discussion whatsoever that there was any limitation on this
22 stay.

23 At the time that the stay was implemented, I had
24 already filed a Motion on behalf of the defendants for
25 declaratory order that had nothing to do with the issues

1 that are up on appeal in the Dubric matter. And, at that
2 time, Judge Kierny vacated that hearing, stayed everything
3 until there's a decision in the Dubric matter.

4 Now, as a part of the Opposition that I filed in
5 this Motion, I attached for Your Honor to view that they
6 already have a Writ for Petition of Mandamus up to the
7 Supreme Court to reverse the stay. So, we're here
8 discussing there's a stay, they filed a Writ, and then they
9 go ahead and are in open contempt of that Order anyway by
10 filing a series of Motion. And this is the first one
11 that's on the calendar.

12 But the --

13 THE COURT: I'm not sure filing a Writ challenging
14 the stay is a violation because they have a right to do
15 that.

16 MS. RODRIGUEZ: Absolutely.

17 THE COURT: I mean, if they were -- if they
18 disagree with the stay, I mean, what other remedy would
19 they have then?

20 MS. RODRIGUEZ: Absolutely. I agree.

21 THE COURT: So I don't think they're in contempt
22 by filing that with the Supreme Court, so --

23 MS. RODRIGUEZ: No, I'm not contesting that, Your
24 Honor. What I'm saying is they're acknowledging there's a
25 stay. They're arguing to the Supreme Court: We need this

1 say reversed. But, then, they these Motions anyway and
2 disregard it.

3 THE COURT: Well, you know, I -- they're kind of
4 between a rock and a hard place. I get it. I get your
5 point. Technically, you're right.

6 My question to you is this. I'm trying to get a
7 practical solution on it. If and when -- first of all,
8 you're right. We don't know what the Supreme Court is
9 going to do with the case and I have no inside knowledge.
10 I have no idea what's going on with that other case. I'm
11 not involved with it. So, when they rule on it, they rule
12 on it. And whatever they do, they do.

13 My question is: Would you have a problem with
14 stipulating here in court that we keep the status quo once
15 they rule so at least you both can get into court and then
16 we can argue about this?

17 MS. RODRIGUEZ: Well, absolutely, Your Honor. And
18 I just want to make one other point on the stay because --

19 THE COURT: Yeah.

20 MS. RODRIGUEZ: -- Your Honor mentioned that it's
21 a blanket Order. I submitted a very detailed Order and the
22 transcript reflects all of the factors as to why Judge
23 Kierny implemented the stay.

24 THE COURT: Right. I saw --

25 MS. RODRIGUEZ: She could have --

1 THE COURT: -- that.

2 MS. RODRIGUEZ: She chose not to sign my Order.
3 She signed the Order that he drafted.

4 THE COURT: Right.

5 MS. RODRIGUEZ: Which is a very -- just a generic,
6 blanket Order, and that's what he's used to now file the
7 Writ saying she didn't detail --

8 THE COURT: Well, --

9 MS. RODRIGUEZ: -- all of the issues for --

10 THE COURT: That's up to the Supreme Court and I'm
11 not on that case up there, --

12 MS. RODRIGUEZ: Okay.

13 THE COURT: -- the Writ case. I don't know what
14 they're going to do with it.

15 MS. RODRIGUEZ: Then --

16 THE COURT: My question is: Can we just keep the
17 status quo on this issue on the entitlements of the money,
18 once it rules, so each of you can get into court immediate
19 -- as soon as the Supreme Court -- as soon as they enter a
20 decision, even though there can be rehearing, petition on
21 it, as soon as they entered a decision, then you both can
22 come into court and then make your arguments on this money.
23 Is that --

24 MS. RODRIGUEZ: Well, yes. Absolutely, Your
25 Honor. We object to it. We absolutely object to it

1 because, --

2 THE COURT: Why?

3 MS. RODRIGUEZ: -- first of all, we are talking
4 about something that is completely speculative. This has
5 not happened. His Motion is indicating if this, this, and
6 this were to happen, then I want to assert a property
7 right. Okay? There's no indication that there's a
8 property right whatsoever in this.

9 What he's talking about is the complete reversal
10 of a Final Judgment, a settlement that has been in place
11 since 2016 -- what is that? Six years now. The monies
12 have all been paid. They money -- including the attorneys'
13 fees that he won, that have been paid out to the Bourassa
14 Law Firm. I don't know what they've done for that -- with
15 that, that \$57,000 that has been paid to them for
16 attorneys' fees. And I think they're going to have to go
17 back to Judge Delaney to argue why Bourassa has not earned
18 that \$57,000 --

19 THE COURT: Well, --

20 MS. RODRIGUEZ: -- because Bourassa has already
21 filed Motions saying: Because of his actions and his
22 interventions, we've spent \$200,000 on attorneys' fees.

23 So, there are a lot of issues, but those need to
24 be heard before Judge Delaney and that was one of my
25 points, is he's filing in the wrong court. If he is

1 asserting an action against settlement funds that are under
2 the jurisdiction of Judge Delaney, he needs to go file a
3 Motion in front of Judge Delaney.

4 If and when the Supreme Court reverses a Final
5 Judgment, and if they reverse it entirely and remand it,
6 then we'd have to go back and look at the Settlement
7 Agreement itself to look at the provisions, because what
8 he's asserting is not a given. We cannot automatically --
9 A Cab cannot automatically go in and say: In 20 days, oh,
10 we want our money back because it's been reversed by the
11 Supreme Court.

12 The settlement provision that he's referring to
13 has particular items that we have to prove. We have to
14 prove that the Settlement Agreement altogether has to be
15 undone. So, it's not just the Final Judgment. It's the --

16 THE COURT: My -- I get all that.

17 MS. RODRIGUEZ: -- settlement. Okay.

18 THE COURT: My question is: I'm not ruling on the
19 merits. I'm just saying I want to give each of you --
20 once the Supreme Court decides -- we don't know what
21 they're going to decide.

22 MS. RODRIGUEZ: Correct.

23 THE COURT: I mean, it -- like you pointed out,
24 you're right. I mean, you can't presume they're going to
25 do anything, you know, like that, because I've been there a

1 lot of times where they -- I voted to do one thing, and
2 then we --

3 MS. RODRIGUEZ: Right.

4 THE COURT: Something comes up and we change our
5 mind completely on the case. It happens. You know, like
6 that. So, I have no clue what's going to happen on this
7 case.

8 My request is that we keep the status quo here
9 with this until they rule and then we can argue -- you can
10 have this argument, whether it's Judge Delaney decides it,
11 Department 9 decides it, whatever, I don't care. And then
12 at least we have a decision on the Dubric case and what's
13 going to happen then.

14 MS. RODRIGUEZ: But the status quo, Your Honor --
15 perhaps I haven't been clear and I apologize. The status
16 quo is that A Cab has already paid all the money to
17 Bourassa. They have no control over that money.

18 THE COURT: Okay. Thank you.

19 Mr. Greenberg?

20 MR. GREENBERG: Your Honor, I don't know if
21 there's some confusion going on here. The right that's at
22 issue is a contingent right. We understand this. The --

23 THE COURT: Well, if the money has already gone to
24 Bourassa, would -- what -- was -- what remedy do you think
25 you're entitled to at this stage then?

1 MR. GREENBERG: Well, Your Honor, it's a right
2 under contract that specifies in the event of a Final
3 Judgment in Dubric is vacated, A Cab has 20 days to get the
4 money back. It's a contingent right. It's a contingent
5 right that may never come to fruition. It may never
6 ultimately have any value because, if the Dubric Judgment
7 is affirmed, then there's not going to be any money to be
8 returned.

9 Our concern is that if the opposite happens,
10 Dubric is reversed, if A Cab doesn't exercise that right
11 within 20 days, it becomes valueless because it can no
12 longer be exercised. That's why, again, we are seeking
13 some process to ensure that that right, that contingent
14 right, is exercised in the event that circumstances come to
15 pass giving it value. And, at that point, we can determine
16 what happens to the money as long as it is preserved
17 safely.

18 That is the totality of our concern, to preserve
19 the status quo, as Your Honor was saying. We say status
20 quo, it can be a little confusing here because, currently,
21 it's a contingent right. And the reason --

22 THE COURT: Yeah.

23 MR. GREENBERG: -- that it's status quo is that
24 there's no present value to this, but there is a contingent
25 value --

1 THE COURT: Well, there is --

2 MR. GREENBERG: -- that we're trying to preserve -
3 -

4 THE COURT: -- such a thing as a chosen action on
5 a contingency claim. So, you're right. There is -- that
6 does exist under the law.

7 So, I am also concerned about the thing with Judge
8 Delaney as part of the case. Why -- did you want to move
9 to consolidate these two cases so that we can get them --
10 since they're interrelated here on these issues? I mean,
11 how -- I mean, this is 2012. So, I'm sure this case is the
12 oldest one, then --

13 MR. GREENBERG: Your Honor, in 2018, there was a
14 Writ Petition that was brought before the Supreme Court to
15 enjoin Judge Delaney from proceeding at that time with the
16 settlement that was proposed, the class settlement that was
17 proposed. Respondents were directed to answer that. It
18 was fully briefed. While it was before the Supreme Court,
19 the Final Judgment was issued in this case. The Supreme
20 Court, being advised of that, discharged the Writ Petition
21 without a resolution, stating that, because these claims
22 have been resolved by Final Judgment, our intervention is
23 not necessary further.

24 So, Judge Delaney has acted completely ultra vires
25 here. She has no jurisdiction over these claims. To the

1 extent that they purport to affect this Judgment, it is
2 simply impossible as a matter of law. This Judgment was
3 affirmed by the Supreme Court in a reduced amount, but it
4 remains a Final Judgment. And my clients have rights to
5 enforce, obviously.

6 We're not getting into this issue with the stay,
7 Your Honor. I understand. I'm not asking the Court to
8 address the stay broadly. These circumstances involving
9 this particular issue, the disbursement of these funds and
10 their potential recapture, came into being after Judge
11 Kierny issued that stay Order, which is why this Motion was
12 filed. I had no other way to address it, Your Honor.

13 So, in terms of Judge Delaney's involvement with
14 this and her potential jurisdiction over this issue, she
15 has no jurisdiction over this issue because the contract
16 that was -- the Settlement Agreement doesn't make A Cab's
17 right to the return of the funds conditioned upon any
18 approval by Judge Delaney. Judge Delaney's Order in that
19 case does not provide any conditions regarding its
20 potential reversal or the handling of settlement funds upon
21 reversal.

22 Most typically in class cases, Your Honor,
23 settlement funds are not disbursed. I have never seen a
24 class action case where settlement funds are disbursed
25 while an appeal is pending. It's never done that way, Your

1 Honor, for obvious reasons, because the parties to the
2 bargain --

3 THE COURT: Well, doesn't it require Court
4 approval to do the disbursements --

5 MR. GREENBERG: Well, yes. Judge Delaney
6 authorized the settlement to --

7 THE COURT: Yeah.

8 MR. GREENBERG: -- proceed, as the parties agreed.
9 And the parties --

10 THE COURT: Right.

11 MR. GREENBERG: The parties' agreement did not
12 provide a provision to stay disbursement pending an appeals
13 resolution.

14 Every settlement agreement that I have ever
15 participated in as class counsel, and I have done dozens,
16 Your Honor, always has a provision saying that final
17 disbursement of funds will be stayed until the resolution
18 of any appeals, if an appeal is filed, for obvious reasons.
19 The person paying the settlement, hundreds of thousands of
20 dollars, doesn't want to face the risk of a reversal on
21 appeal and that they paid for nothing.

22 THE COURT: I get it. Okay.

23 MR. GREENBERG: Yes, Your Honor.

24 THE COURT: Here's what I'm going to do. Here's
25 what I'm going to do. I'm going to take it under

1 submission right now. I think I got it. Both your
2 arguments helped me. I mean, I -- there's a lot of stuff
3 here, a lot of background to read, and I'm going to read
4 some more. I'll have a ruling out on it soon. All right?

5 MS. RODRIGUEZ: Your Honor, I would just ask if
6 you're going to -- if the Court is going to review some of
7 this, that the correct provision in the Settlement
8 Agreement --

9 THE COURT: Yeah.

10 MS. RODRIGUEZ: -- is Section 9.3, because what
11 counsel just represented to the Court is incorrect. If
12 there is going to do any undoing of the Settlement
13 Agreement, it has to be approved through the trial court,
14 which is Judge Delaney. It says:

15 Prior to giving such notice, the party seeking to
16 terminate this Agreement shall consult with the trial
17 court on the issue of whether there's any reasonable
18 way to avoid exercising its right to declare this
19 Agreement null and void under this section.

20 And that's -- this is why this needs to go back to
21 Judge Delaney.

22 If there's a reversal and remand, he can file at
23 that time. His rights will be protected at that time, Your
24 Honor.

25 THE COURT: Okay.

1 MR. GREENBERG: Your Honor, what I want to point
2 is the duty to consult is not a duty to have approval. It
3 simply is a duty to consult. There is no -- there's no
4 imposition of getting authority or approval from anyone to
5 exercise this right under the contract. They do have to
6 consult.

7 THE COURT: Okay.

8 MR. GREENBERG: But they don't have to do anything
9 beyond that, Your Honor.

10 In respect to Ms. Rodriguez's final point, that we
11 can await the Judgment in Dubric and then come back to this
12 Court, because of the 20-day window for relief, it would be
13 very constrained to have to come back here on an order
14 shortening time and bring this all before the Court in a
15 very hurried fashion to preserve the right, which is why it
16 was done in this fashion, Your Honor.

17 THE COURT: Okay. I got it.

18 MS. RODRIGUEZ: Your Honor, I'm sorry. One more
19 thing. Your Honor mentioned about coordinating the cases.
20 Mr. Greenberg has already moved to coordinate the cases
21 before Judge Cory and that was denied. No appeal to that.

22 THE COURT: Okay.

23 MS. RODRIGUEZ: Thank you.

24 THE COURT: I will do my best on it.

25 MR. GREENBERG: Thank you, Your Honor.

1 THE COURT: Thank you, both, and I'll get these
2 other cases here then like that.

3 MS. RODRIGUEZ: Thank you.

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5 PROCEEDING CONCLUDED AT 9:39 A.M.

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CERTIFICATION

I certify that the foregoing is a correct transcript from the audio-visual recording of the proceedings in the above-entitled matter.

AFFIRMATION

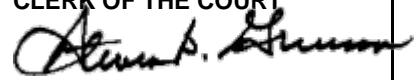
I affirm that this transcript does not contain the social security or tax identification number of any person or entity.



KRISTEN LUNKWITZ
INDEPENDENT TRANSCRIBER

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OPPM

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

MICHAEL MURRAY and MICHAEL RENO,
Individually and on behalf of others similarly
situated,

Plaintiffs,

vs.

A CAB TAXI SERVICE LLC and A CAB, LLC,
and CREIGHTON J. NADY,

Defendants.

Case No.: A-12-669926-C
Dept. No. IX

Hearing: July 27, 2022
9:00 am

**OPPOSITION TO PLAINTIFFS' MOTION TO RECONSIDER AWARD OF COSTS
AND COUNTERMOTION TO STRIKE DUPLICATIVE ORDER**

Defendants, by and through their attorneys of record, ESTHER C. RODRIGUEZ, ESQ., of RODRIGUEZ LAW OFFICES, P.C., and JAY A. SHAFER, ESQ., of CORY READE DOWS AND SHAFER, hereby submit this Opposition to *Plaintiffs' Motion to Reconsider Award of Costs* (herein "Motion"); and submits its Counter-motion to strike the underlying order as it is duplicative and improper. Defendants further request their attorneys fees and costs for having to respond to an improper, duplicative, and frivolous filing.

I. POINTS AND AUTHORITIES

A. Plaintiffs' Motion Should Not Be Heard, as Plaintiffs are Knowingly and Intentionally in Contempt of this Court's Order of Stay of Proceedings entered May 3, 2022; and Continue to Disregard this Court's Order Despite Being Advised Otherwise.

Plaintiffs' Motion is entirely improper as a Stay is currently in place in this matter. **Exhibit 1, Notice of Entry of Order Granting Defendants' Motion to Stay.** This Stay has not been lifted nor have Plaintiffs sought leave of Court to file this present motion. Plaintiffs are simply ignoring the Court's Order and openly disregarding and disobeying the Court's Order.

Pursuant to the Nevada Revised Statutes, "**The following acts shall be deemed contempts: Disobedience or resistance to any lawful writ, order, rule or process issued by the court or judge at chambers.**" NRS 22.010(3).

Despite Plaintiffs being advised by the Court at the hearing of June 29, 2022, on this case, that Justice Gibbons' review of the stay order demonstrated that it was a "blanket" stay and not a limited stay Plaintiffs continue to file and maintain this motion in violation of the stay.¹

Plaintiffs' motion offers no explanation as to why Plaintiffs are in open contempt and defiance of the District Court's Order, other than the simple fact that they don't like the Stay Order and therefore are choosing to disobey it.

It is further irrefutable that Plaintiffs are aware and acknowledge that there is a stay of proceedings, as they in fact filed a *Petition for Writ of Mandamus* to the Nevada Supreme Court seeking a reversal of the district court's stay. (Nevada Supreme Court Case No. 84456). **Exhibit 2, Petition for Writ of Mandamus.** See Page 2 of Plaintiffs' Writ outlining the "Relief Sought":

"Petitioners Michael Murray and Michael Reno, on behalf of a class of others similarly situated (the "Taxi Drivers"), petition this Court to issue a Writ directing District Court Judge Carli Kierny, or such other District Judge of the Eighth Judicial District Court to whom this case may be assigned, to (1) **Terminate the stay of district court proceedings** ordered on March, 9, 2022, in *Murray v. A Cab*, Eighth Judicial District Court, A-12- 669926-C ('Murray')."²

¹ The transcript of this hearing will be ordered and supplemented upon receipt.

² The date March 9, 2022 is referenced by Plaintiffs, as they filed a writ of mandamus seeking to reverse the Order to Stay proceedings before the Order was entered.

1 While acknowledging the stay in the Nevada Supreme Court, Plaintiffs are simultaneously
 2 moving forward in filing this Motion in complete disregard of the Order to Stay, and needlessly
 3 escalating the cost of litigation and for purposes of harassing Defendants.

4 The Nevada Supreme Court has not ordered a lifting of the stay. Therefore, there is no
 5 proper basis for Plaintiffs to completely disregard and to defy the Order of the District Court, and to
 6 proceed as if it is nonexistent.

7 **Plaintiffs' counsel has a duty of candor, honesty, and to be forthright with the Court,**
 8 **which is being violated here by pretending there is not an Order of Stay, and hoping the Court**
 9 **will miss that fact.**

10 Monetary sanctions are warranted. Defendants should be awarded reasonable attorneys' fees
 11 and costs associated in defending against this patently frivolous and defective motion. Defendants
 12 request that Plaintiffs' Motion be denied and the hearing be vacated for such a willful violation of
 13 this Court's Order to stay.

14 **B. Plaintiffs' Motion Is Frivolous, Duplicative, and Openly Violates the Rules of this**
 15 **Court.**

16 Plaintiffs' motion is frivolous, baseless, and altogether meritless and is filed for the sole
 17 purpose of harassing Defendants, needlessly escalating the costs of litigation, and the improper
 18 motive of muddying the record

19 First and foremost, the underlying Order of which Plaintiffs complain is itself is completely
 20 improper and should be stricken altogether from the record. There was already an order awarding
 21 costs to Defendants which was signed by the presiding judge, Hon. Gloria Sturman, and entered on
 22 May 17, 2022. See **Exhibit 3, Order Granting Defendants' Costs**. Plaintiffs have improperly
 23 pursued the entry of a second order on the same motion, but adding in extra words not decided by
 24 the Court and to trigger multiple dates for reconsideration and for appeal.

25 ...

26 ...

27 ...

28 ...

The sequence of events in the granting of costs to Defendants is as follows:

- May 17, 2022: Notice of Entry of Order Granting Defendants' Motion for Costs signed by Judge Gloria Sturman is entered. (**Exhibit 3**)
- May 31, 2022: Plaintiffs' Motion to Reconsider Judge Sturman's Order ("Plaintiffs' Motion to Stay, Offset, Or Apportion Award of Costs and/or Reconsider Award of Costs") is filed. (**Exhibit 4**)
- June 3, 2022: Notice of Entry of Order Granting Defendants' Motion for Costs submitted by Plaintiffs and signed by Retired Justice Michael Cherry. (**Exhibit 5**)
- June 14, 2022: Plaintiffs file a Notice of Appeal on both Orders, May 17, 2022, and June 3, 2022. (**Exhibit 6**)
- June 16, 2022: Plaintiffs file the instant motion for reconsideration on the duplicate order drafted by them and signed by Justice Cherry in error.

In submitting the original order, Defendants were instructed by the Chambers of Department 2 that any hearings decided when the case was assigned to Department 2 should be submitted to Department 2; as the case was later transferred to Department 9. **Exhibit 7, Declaration of Esther Rodriguez.** The hearing on Defendants' motion for costs was heard on February 16, 2022, while still assigned to Department 2; the case was not transferred to Department 9 until March 25, 2022, by Administrative Order 22-05. *Id.*

Plaintiffs contrarily proceeded to submit a second version of a proposed Order to Department 9 (a department which was vacant), and to have a duplicative Order entered on Defendants' Motion for Costs and Plaintiffs' Countermotion. Plaintiffs also took great liberties in adding in new wording to the Court's Order which was *never* discussed at the hearing *nor* decided by the Court – that "A Cab is stayed from seeking collection of its award of \$7,052.87 in costs until a further Order is issued by this Court." **Exhibit 5, Duplicative Order on Defendants' Costs.** Plaintiffs' counsel simply made this up and unilaterally added it in.

A request was sent to Plaintiffs' counsel to correct this duplication and **to be forthright** with the Court by informing Department 9 that an Order has already been entered. **Exhibit 8,** Correspondence between counsels. Plaintiffs' counsel refused to correct the duplicative order he

created with his submission to a second department; and indicated it was not his fault but that of defense counsel and the Court's staff " *that it appears did not properly communicate between the two departments*". **Exhibit 8**, Correspondence on duplicative orders.

Plaintiffs' counsel intentionally created this record with errors so that there is now conflicting dates for reconsideration, for appeal, and inconsistencies between the departments. But adding to the chaos he has already created, Plaintiffs then proceeded to file a duplicative motion of their previous countermotion seeking the exact same relief, which has already been denied, **back to Department 2! Plaintiffs' Motion to Stay, Offset, Or Apportion Award of Costs and/or Reconsider Award of Costs**, Exhibit 4.

Not only was the motion directed to the wrong department, Plaintiffs made absolutely no new arguments nor presented any new evidence other than what was already before Judge Sturman and decided in favor of Defendants. With their first motion for reconsideration, Plaintiffs improperly moved for reconsideration. They did not even cite to a rule under which they were moving for reconsideration or any basis for the requested "do-over."

Now, based upon the second order (which needs to be stricken as duplicative), Plaintiffs file for a third bite at the apple for reconsideration yet again. This is clearly conduct that falls within the parameter of NRCP 11 wherein Plaintiffs' counsel has not been forthright with the Court and its individual departments about the facts that: 1) there is already an order in place; 2) that he has manufactured and added in wording into the second order that was never indicated by the Court; and 3) that he is refile for reconsideration multiple times.

C. Plaintiffs' multiple motions for reconsideration are groundless and merely copy and paste their arguments which have been ruled upon by the district court.

In the first motion for reconsideration (Exhibit 4), Plaintiffs are simply rearguing the same points already ruled upon by the Hon. Judge Gloria Sturman. Plaintiffs now file a second motion for reconsideration and again simply copy and paste their prior arguments into a newly entitled caption.

A party cannot simply continue to reargue the same arguments because they don't like the ruling and hope for a different outcome with different judges; that is called "forum shopping" and is specifically prohibited by multiple rules in the Eighth Judicial District Court: **EDCR Rule 7.12**

(Multiple applications for the same relief prohibited); **EDCR Rule 2.24(a)** (No motion once heard and disposed of may be renewed unless by leave of court); as well as failing to show any basis under **Nevada Rule of Civil Procedure 60** (basis for relief from a Judgment or Order must be brought timely and for limited enumerated reasons).

Courts across the nation - including the 9th Circuit³ - regularly impose sanctions for filing nearly identical motions because it wastes the court's time, harasses the opposing party, causes unnecessary delay and increases the cost of litigation. A party's "responsibility under Rule 11" includes refraining from filing "repetitive motions." *Redding v. Georgia*, No.

5:12-CV-0174-CAR-CHW, 2012 WL 5287897, at *3 (M.D. Ga. Sept. 7, 2012), *report and recommendation adopted*, No. 5:12-CV-174 CAR, 2012 WL 5287915 (M.D. Ga. Oct. 23, 2012).

Thus, repetitive motion practice is sanctionable conduct. *Sweeney v. Resolution Tr. Corp.*, 16 F.3d 1, 7 (1st Cir. 1994) *cert. denied*, 513 U.S. 914 (1994) (upholding sanctions for Plaintiff's for bringing a third "almost identical motion" after the district court previously denied two others and "made detailed findings of fact as to both.") Sanctions are necessary when a party files two motions which "consist[] of virtually identical verbatim argumentation." *Mariani v. Doctors Assoc., Inc.*, 983 F.2d 5, 7-8 (1st Cir.1993).

Such motions are "improper" because "they serve no purpose other than to increase the cost of this litigation." *United States v. Hobbs*, No. CIV. A. 89-327-N, 1990 WL 302174, at *15 (E.D. Va. Aug. 22, 1990), *aff'd*, 947 F.2d 941 (4th Cir. 1991). Courts should sanction largely duplicative motion practice because it is "patently unreasonable," "wasteful motion practice," and "invite[s] responsive cross-motions for sanctions." *Time Aviation, Inc. v. Bombardier Capital Inc.*, 570 F. Supp. 2d 328, 332 (D. Conn. 2008), *aff'd*, 354 F. App'x 448 (2d Cir. 2009) (upholding sanctions against a party for filing a motion for sanctions that was largely duplicative of a motion for summary

³ *Nugget Hydroelectric, L.P. v. Pac. Gas & Elec. Co.*, 981 F.2d 429, 439 (9th Cir. 1992) (affirming sanctions for filing two "largely duplicative" motions to compel); *Smith v. Ricks*, 31 F.3d 1478 (9th Cir. 1994), *cert. denied*, 514 U.S. 1035 (1995); *Ramirez v. Fox Television Station, Inc.*, 998 F.2d 743 (9th Cir. 1993).

judgment opposition filed two months prior.)⁴

Here, Plaintiffs are rearguing the same points, and seeking the same relief which has already been denied without any new evidence or basis for a reconsideration - simply filing a duplicative

⁴ *Limerick v. Greenwald*, 749 F.2d 97, 101-02 (1st Cir. 1984) (attorney sanctioned for bringing repetitive motions which sought to relitigate matters already adjudicated); *Knorr Brake Corp. v. Harbil, Inc.*, 738 F.2d 223, 228 (7th Cir. 1984) (counsel may be sanctioned for repeating arguments previously rejected); *United States v. Nesglo, Inc.*, 744 F.2d 887, 891 (1st Cir. 1984) (attorney sanctioned for seeking to relitigate issues already adjudicated); *Mekuria v. Wash. Metro. Area Transit Auth.*, 45 F.Supp.2d 19, 31 n. 10 (D.D.C. 1999) ("The Court will consider Rule 11 sanctions for frivolous motions which merely waste everyone's time by repeating arguments which have already been rejected."); *Miller v. Norfolk Southern Rwy. Co.*, 208 F. Supp.2d 851, 854 (N.D. Ohio 2002) (Rule 11 sanction appropriate where party files "unfounded, unmerited, and unsuccessful motions for reconsideration simply because they disagree with a ruling"); *Hannah v. Metro-North Commuter Railroad Co.*, 753 F. Supp. 1169, 1181 n.5 (S.D.N.Y. 1990) ("the filing of a supplementary motion to dismiss portions of an amended complaint previously specifically upheld by the Court can be considered a Rule 11 violation"); *Owens v. Fleet Car Lease, Inc.*, No. 09-CV-0967-MJR, 2010 WL 2542028, at *4 (S.D. Ill. June 18, 2010) (ordering "counsel to pay all of the reasonable attorneys' fees" resulting from his verbatim pleadings); *Smith v. Owens*, No. 5:12-CV-26 WLS, 2013 WL 633750, at *2 (M.D. Ga. Jan. 15, 2013), report and recommendation adopted, No. 5:12-CV-26 WLS, 2013 WL 633710 (M.D. Ga. Feb. 20, 2013) (a party's "responsibility under the Rule 11 of the Federal Rules of Civil Procedure to refrain from filing frivolous, procedurally improper, or repetitive motions."); *Virgin Atl. Airways, Ltd. v. Nat'l Mediation Bd.*, 956 F.2d 1245, 1249 (2d Cir. 1992) (upholding Rule 11 sanctions for "filing what was essentially the same motion that the court had denied over a year earlier."); *Auerbach v. Rival Mfg. Co.*, 737 F. Supp. 330, 333-34 (E.D.Pa. 1990) (relying on Section 1927, Rule 11 and the court's inherent authority in requiring plaintiff to pay defendant's attorney's fees and costs incurred in responding to repetitive motions for reconsideration); *JouJou Designs, Inc. v. JoJo Ligne Internationale, Inc.*, 821 F. Supp. 1347 (N.D. Cal. 1992); *United Pacific Insurance Co. v. Durbano Construction Co.*, 144 F.R.D. 402, 408-09 (D. Utah 1992); *Williams v. Baldwin Co. Comm'n*, 203 F.R.D. 512, 515 (S.D. Ala. 2001) (striking repetitive motion pursuant to Rule 11); *Samuels v. Wilder*, 906 F.2d 272, 276 (7th Cir. 1990) (Rule 11 sanctions imposed where motion for reconsideration failed to raise new arguments not considered by court and counsel misrepresented prior judge's statements); *Siderpali, S.P.A. v. Judal Indus., Inc.*, 833 F. Supp. 1023 (S.D.N.Y. 1993) (imposing sanctions under 28 U.S.C. § 1927 and Rule 11 against counsel who sought to readdress issues argued in previous motions); *Fonar Corp. v. Magnetic Resonance Plus, Inc.*, 935 F. Supp. 443, 450 (S.D.N.Y. 1996) (imposing sanctions for filing baseless and repetitive motion for reargument in order to delay proceedings); *Shields v. Shetler*, 120 F.R.D. 123, 126 (D. Colo. 1988) (sanctions imposed under Rule 11 and § 1927 where plaintiff simply reargued contentions already considered by court); *Sanders v. Ft. Wayne*, 616 F. Supp. 467, 470 (N.D. Ind. 1985) (sanctioning pro se party filing 12 motions in 2 months, 2 of which were granted and 10 of which were denied, many of which were duplicative of each other); *In re Martin*, 287 B.R. 423, 436 (Bankr. E.D. Ark. 2003) (sanctioning pro se litigant for filing three motions seeking the same relief in the span of approximately one month).

1 motion, which is sanctionable conduct.

2 **D. Plaintiffs' Misrepresentations to the Court Contained In Their Motion.**

3 The matter before this Court is a minimum wage action filed by two former taxicab drivers,
4 Plaintiffs Michael Murray and Michael Reno, against A Cab Taxi Service LLC and A Cab, LLC.
5 This matter previously proceeded with motion practice, never going to trial, under retired Judge
6 Kenneth Cory, followed by Judge Rob Bare, followed by Judge Carli Kierny. Judge Cory entered
7 summary judgment against the Defendants, which has now been reversed and remanded by the
8 Nevada Supreme Court on a number of issues and reversible errors. *A Cab, LLC v. Murray*, 137
9 Nev. Adv. Op. 84 (December 30, 2021).

10 As the prevailing parties, Defendants were awarded their costs on appeal pursuant to NRAP
11 39 and NRS 18.060. Plaintiffs already moved for reconsideration of Judge Sturman's Order
12 granting Defendants' motion, and denying Plaintiffs' counter-motion. And further, Plaintiffs have
13 already filed an appeal on Judge Sturman's Order and on Justice Cherry's Order. Exhibit 6.

14 In support of their now third duplicative motion on costs which was decided by Judge
15 Sturman, Plaintiffs argue that several issues, currently pending before the Nevada Supreme Court or
16 this Court, have already been decided. They have not.

17 Plaintiffs represent to this Court:

18 "On December 30, 2021, the Nevada Supreme Court, in an en banc Opinion, affirmed
19 that judgment and modified it by directing it be reduced by the amount awarded for
20 the time period preceding October 8, 2010, the two-year statute of limitations. *A Cab*
21 *LLC v. Murray*, 501 P.3d 961, 971 (Nev. Sup. Ct. 2021). ***The application of that***
22 ***shorter statute of limitations period reduces that judgment by about 34% to***
23 ***\$685,886 on behalf of 661 class member taxi drivers.*** The amount of that modified
24 judgment is established by the record of these proceedings but has not been
25 confirmed by the Court owing to a stay of these proceedings, requested by defendants
26 and directed by Judge Kierny who is no longer hearing this case." Motion, page 2:6-
27 15.

28 The Nevada Supreme Court Opinion does not make this finding, but instead remands the
matter back to the District Court based upon several reversible errors that must be addressed. The
summary judgment decision has been sent back to the District Court for these new determinations.
The judgment has not been finalized, as Plaintiffs continually state in this motion and in other
pleadings before the Court. Plaintiffs have unilaterally decided that this is their figure ("about 34%

reduction” or \$685,886) that the prior judgment should be modified to without any basis or confirmation from the District Court.

Plaintiffs next state as a matter of fact: “Plaintiff class members are currently owed in excess of \$800,000.” Motion, p. 3:2. There has been no order from this Court indicating such a figure; this figure is only in the mind of Plaintiffs’ counsel. As stated above, prior to the stay of proceedings, Defendants had already filed with this Court seeking declaratory relief in compliance with the Nevada Supreme Court remand to exclude all of the class members that were erroneously included, as well as all claims for all claimants prior to October 8, 2010 and that no damages exist after June 26, 2014.⁵

E. Plaintiffs’ Motion Is Not Well-Founded in Fact or Supported by Existing Law.

Plaintiffs have cited to no law, rule, or case allowing them to disregard a District Court’s Order which has stayed the proceedings. In fact, Plaintiffs acknowledge the stay with their appeal of the stay to the Nevada Supreme Court seeking a reversal of the stay. Exhibit 2. And yet, they proceed to file and to maintain this present motion in direct defiance of this Court’s Order.

The Motion itself does not cite to any authority allowing or permitting a “work around” this Court’s outstanding Order.

⁵ Defendants assert that there is no liability for any underpayment after June 26, 2014, and that the class must be decertified for these portions, as well as the remanded time periods from the Nevada Supreme Court. Any underpayment with the exception of 2 employees would have arisen from clerical error and would be de minimus. Plaintiffs previously agreed to this stance, but did not include it in the Order submitted to and signed by Judge Cory.

This assessment is supported by Plaintiffs’ own spreadsheets provided in the underlying litigation. By sorting Plaintiffs’ spreadsheets by payroll date, one can easily see that the majority of entries after June 26, 2014 result in **zero (0) underpayments**. Exhibit 6 to Defendants’ pending Motion for Declaratory Order filed with this Court. The total in fact after that date is \$211.72 for all drivers, which includes two (2) individuals Chris Norvell and Kimberly Peace, who worked during that pay period but were terminated and received their paycheck prior to the *Thomas* decision. Their names are highlighted with Check 12377 Norvell for \$18.88; and Check 12357 Peace for \$30.55. If those two persons are eliminated, the total underpayment is \$162.29 for all employees which arises from rounding up and rounding down for cents. There is one other individual, Zoltan Horvath, who is owed \$7.02 which is believed to be clerical error. All the rest of the entries are zero or less than \$1.00. Exhibit 6 to Defendants’ Motion for Declaratory Order.

1 Plaintiffs' motion is improper in that EDCR Rule 2.24(a) states clearly, "No motion once
2 heard and disposed of may be renewed in the same cause, nor may the same matters therein
3 embraced be reheard, unless by leave of the court granted upon motion therefor, after notice of such
4 motion to the adverse parties." Plaintiffs have not sought leave of court to hear their arguments
5 again. And Plaintiffs are in open violation of the Court's stay of proceedings.

6 NRCP 60 outlines the requirements for relief from judgment or order; and Plaintiffs' motion
7 does not address any of them.

8 (a) Corrections Based on Clerical Mistakes; Oversights and Omissions.

9 (b) Grounds for Relief From a Final Judgment, Order, or Proceeding.

10 (1) mistake, inadvertence, surprise, or excusable neglect;

11 (2) newly discovered evidence that, with reasonable diligence, could not have been
12 discovered in time to move for a new trial under Rule 59(b);

13 (3) fraud (whether previously called intrinsic or extrinsic), misrepresentation, or
14 misconduct by an opposing party;

15 (4) the judgment is void;

16 (5) the judgment has been satisfied, released, or discharged; it is based on an earlier
17 judgment that has been reversed or vacated; or applying it prospectively is no longer equitable; or

18 (6) any other reason that justifies relief.

19 Plaintiffs' motion argues that the Order is erroneous in granting costs to "defendants"
20 collectively including to Defendant Nady who was not part of the appeal. However, a plain reading
21 of the Order, indicates that A Cab, LLC and A Cab Series, LLC were the moving parties and they
22 are awarded the costs. Plaintiffs in fact drafted this Order they complain of; and never raised any
23 issue of the naming of the prevailing Defendant nor proposed any different wording.

24 Finally, Plaintiffs are needlessly escalating the costs of litigation with this motion addressing
25 an improper order which they can easily retract with the department. Instead, Plaintiffs want to keep
26 the mess they have created, blaming the Court staff for the duplicative orders, instead of picking up
27 the phone and explaining a second order was entered in error.

28 Plaintiffs' motion falls squarely within Rule 11, wherein Plaintiffs are needlessly escalating

the costs of litigation with this motion improperly seeking reconsideration without adequate grounds - simply wanting a “do-over.” These facts are vital to the Court’s analysis of the viability of Plaintiffs’ motion. Plaintiffs’ counsel’s omission of these facts further justifies sanctions.

F. Plaintiffs’ Motion constitutes duplicative motion practice which is patently unreasonable.

Nothing is more telling than Plaintiffs’ own three (3) pleadings held up side by side for comparison. They are virtually identical and basically copied and pasted into this request for reconsideration. The headings are the same; the argument is the same; and nothing new is added but a few sporadic word changes. Below are just four examples where Plaintiffs’ first Motion for Reconsideration and Plaintiffs’ original pleading opposing costs are exactly the same; as well as the same as the present second motion for reconsideration:

Excerpts from Plaintiffs’ Prior Pleading Opposing Costs, February 3, 2022 (Response to Defendants’ Motion for Costs & Countermotion) Before Judge Sturman (Exhibit 9):

- “Defendant, as the party seeking costs, must establish “why each cost was necessary” to be awarded such cost.” Response, 5:22
- Defendant is entitled to a maximum of \$1,050.82 in court reporter costs, or more properly \$562.22 of such costs. Response, 4:10-11
- “No more than \$2,780 of the claimed \$6,764.87 in court reporter fees could have been “needed” for the post-judgment appeal; \$3,984.05 in claimed court reporter fees were paid prior to judgment and for use during the district court proceedings not for the appeal.” Response, 4: 20-22
- “The vast majority of the costs sought are improper; upon a proper motion only \$852.32 or possibly \$1342.32 of costs is awardable.” Response, 5:15

Excerpts from Plaintiffs’ Motion to Reconsider of May 31, 2022 (Exhibit 4):

- “A Cab, as the party seeking costs, must establish “why each cost was necessary” to be awarded such cost.” Motion, 5:18
- Defendant is entitled to a maximum of \$1,050.82 in court reporter costs, or more properly \$562.22 of such costs. Motion, 7:13-14
- “No more than \$2,780 of the claimed \$6,764.87 in court reporter fees could have been “needed” for the post-judgment appeal; \$3,984.05 in claimed court reporter fees were paid prior to judgment and for use during the district court proceedings not for the appeal.” Motion, 6: 10-12
- “It was clearly erroneous to award costs in excess of \$1342.32.” Motion, 5:16

Excerpts from Plaintiffs' Present Motion to Reconsider of June 16, 2022:

- "A Cab, as the party seeking costs, must establish "why each cost was necessary" to be awarded such cost." Motion, 44:15
- Defendant is entitled to a maximum of \$1,050.82 in court reporter costs, or more properly \$562.22 of such costs. Motion, 6:6-7
- "No more than \$2,780 of the claimed \$6,764.87 in court reporter fees could have been "needed" for the post-judgment appeal; \$3,984.05 in claimed court reporter fees were paid prior to judgment and for use during the district court proceedings not for the appeal." Motion, 5: 3-5
- "It was clearly erroneous to award costs in excess of \$1342.32." Motion, 4:12

Here, there is no indication that this is anything but **duplicative motion practice**. Plaintiffs have simply copied and pasted the same arguments and entitled it "reconsideration."

In *In re Prudential Ins. Co. Am. Sales Practice Litig. Agent Actions*, the Third Circuit upheld the district court's imposition of sanctions upon defense counsel after it determined he acted in bad faith by filing two virtually identical motions for sanctions, although both motions were filed under different provisions with different standards of proof. 278 F.3d 175, 200 (3d Cir. 2002). Other courts have similarly held Rule 11 sanctions are available even when the motions apply different standards of review. *Mekuria*, 45 F.Supp.2d 19 (initial motion and motion for reconsideration); *Miller*, 208 F. Supp.2d 851 (motion to dismiss and motion for reconsideration); *Owens*, 2010 WL 2542028 at *1 (opposition to motion to dismiss and motion to amend); *Virgin Atl. Airways, Ltd.*, 956 F.2d 1245 at 1249 (motion to dismiss and resubmitted motion to dismiss, or in the alternative, motion for summary judgment); *Williams*, 203 F.R.D. at 519 (motion for preliminary injunction and motion to extend discovery); *Shields*, 120 F.R.D. at 126 (motion to dismiss and motion for reconsideration).

G. Defendants' Countermotion to Strike Duplicative Order is Warranted.

There are two orders presently pertaining to Judge Sturman's decision to grant Defendants' motion for costs and to deny Plaintiffs' countermotion. There is one signed by Judge Sturman herself, and another signed later by Justice Cherry who was filling in for the vacant Department 9.

...

...

Correspondence is attached hereto demonstrating that Plaintiffs' counsel was asked to immediately remedy this error by contacting the Court, which he refused to do. Instead, he is simply blaming the Court staff for their failed communications; and refusing to correct a problem which is easily remedied. It is not defense counsel's place or within the authority of defense counsel to notify Court personnel that the adverse party has made an error and that they should disregard his order - only he can do that.

Accordingly, this motion to strike the duplicate order has been necessitated. Further, as there is a stay in place, defense counsel could not file an independent motion to strike the improper second order; and can only address this issue in a response to Plaintiffs' present motion which violates the stay but requires a responsive pleading.

CONCLUSION

The law is clear: Plaintiffs' motion is not legally tenable as there is presently an order of stay. Even if Plaintiffs' counsel was unaware of the clear authority on this point, NRCP 11 obligated him to conduct a reasonable inquiry into the law prior to the filing of Plaintiffs' Motion.

Secondly, Plaintiffs' motion is also improper in that it is duplicative of their prior motions, one of which has already been heard and denied.

Plaintiffs' Counsel did not make a reasonable or competent inquiry before filing and maintaining this pleading, as he is required to do pursuant to NRCP 11.

The Motion cannot be filed, maintained, pursued, nor heard without violating this Court's present order to stay proceedings. Plaintiffs' motion consists of wholly frivolous claims that are not supported by existing law. Following a brief inquiry into what a stay of proceedings means, no reasonable counsel could maintain a good faith belief that the motion is meritorious or should be maintained. Accordingly, Defendants request an award of sanctions and attorneys' fees and costs incurred in responding to this motion as well as the necessary hearing appearance. Defendants request leave to submit a detail of attorney fees and memorandum of costs incurred.

Based upon the foregoing, Plaintiffs' motion should be denied in its entirety as violating this Court's present order staying proceedings, as well as being duplicative motion practice. Defendants request that the duplicative second order granting Defendants' motion for costs also be stricken, as it

contains unauthorized language and another order has already been entered.

DATED this 30th day of June, 2022.

RODRIGUEZ LAW OFFICES, P. C.

/s/ Esther C. Rodriguez, Esq.
 Esther C. Rodriguez, Esq.
 Nevada State Bar No. 006473
 10161 Park Run Drive, Suite 150
 Las Vegas, Nevada 89145
Attorneys for Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY on this 30th day of June, 2022, I electronically filed the foregoing with the Eighth Judicial District Court Clerk of Court using the E-file and Serve System which will send a notice of electronic service to the following:

Leon Greenberg, Esq.
 Leon Greenberg Professional Corporation
 2965 South Jones Boulevard, Suite E4
 Las Vegas, Nevada 89146
Co-Counsel for Plaintiffs

Christian Gabroy, Esq.
 Gabroy Law Offices
 170 South Green Valley Parkway # 280
 Henderson, Nevada 89012
Co-Counsel for Plaintiffs

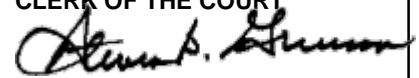
/s/ Susan Dillow
 An Employee of Rodriguez Law Offices, P.C.

EXHIBIT 1

004394

004394

EXHIBIT 1



1 **NEOJ**

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3 RUTHANN DEVEREAUX-GONZALEZ, ESQ., SBN 15904
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17 Fax (702) 259-7704
18 christian@gabroy.com
19 Attorneys for Plaintiffs

11 **DISTRICT COURT**
12 **CLARK COUNTY, NEVADA**

13 MICHAEL MURRAY, and MICHAEL
14 RENO, Individually and on behalf of
15 others similarly situated,

16 Plaintiffs,

17 vs.

18 A CAB TAXI SERVICE LLC, and A
19 CAB, LLC,

20 Defendants.

Case No.: A-12-669926-C

Dept.: IX

NOTICE OF ENTRY OF
ORDER

21
22 PLEASE TAKE NOTICE that the Court entered the attached Order on May 3,
23 2022.

24 Dated: May 3, 2022

25 LEON GREENBERG PROFESSIONAL CORP.

26 */s/ Leon Greenberg*

27 Leon Greenberg, Esq.
28 Nevada Bar No. 8094
2965 S. Jones Boulevard - Ste. E-3
Las Vegas, NV 89146
Tel (702) 383-6085
Attorney for the Plaintiffs

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CERTIFICATE OF SERVICE

The undersigned certifies that on May 3, 2022, she served the within:

NOTICE OF ENTRY OF ORDER

by court electronic service to:

TO:

Esther C. Rodriguez, Esq.
RODRIGUEZ LAW OFFICES, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

JAY A. SHAFER, ESQ.
CORY READE DOWS AND SHAFER
1333 North Buffalo Drive, Suite 210
Las Vegas, NV 89128

/s/ *Ruthann Devereaux-Gonzalez*

Ruthann Devereaux-Gonzalez

ORDR

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

MICHAEL MURRAY, and
MICHAEL RENO, Individually and
on behalf of others similarly situated,

Plaintiffs,

vs.

A CAB TAXI SERVICE LLC, A
CAB, LLC, and CREIGHTON J.
NADY,

Defendants.

Case No.: A-12-669926-C

Dept.: II

**ORDER GRANTING DEFENDANTS'
MOTION TO STAY**

On March 9, 2022, the Court heard defendants' motion to stay on an order
shortening time, the defendants appearing by their counsel, Esther Rodriguez and Jay

1 A. Shafer, the plaintiffs appearing by their counsel, Leon Greenberg and Ruthann
 2 Devereaux-Gonzalez, and after due deliberation, and considering the briefs of the
 3 parties and other papers on file, the Court hereby finds:

4
 5 Based on the arguments set forth by defendants in their submissions, the
 6 decision in the pending *Dubric* appeal, Nevada Supreme Court Case No. 83492, will
 7 affect the new judgment in this case. The defendants have met the four factors
 8 required by *Dollar Rent a Car of Washington v. The Travelers Indemnity Company*,
 9 774 F.2d 1371 (1985), to secure the stay of this proceeding that they seek.
 10 Specifically, there is a strong showing that the defendants are likely to prevail; and
 11 will sustain irreparable injury without a stay and sustain such an injury in the form of
 12 a double recovery against them, the entry of duplicative judgments, and the wrongful
 13 distribution of settlement funds. The Court also finds other interested parties, and
 14 ultimately the public interest, would be substantially harmed if a stay does not issue
 15 and that the defendants have already posted sufficient security and no additional
 16 security should be required for the securing of the requested stay. Accordingly,
 17 Defendant's motion to stay on an order shortening time is GRANTED.
 18
 19
 20
 21

22 IT IS HEREBY ORDERED that:

23 Defendant's motion to stay is GRANTED.

24 Dated this 3rd day of May, 2022

25 **IT IS SO ORDERED.**

26 

27 Honorable Carli Kierny

28 District Court Judge

Date

1
2 Submitted by:

3
4 By: /s/ Leon Greenberg
Leon Greenberg, Esq.
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EXHIBIT 2

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EXHIBIT 2

IN THE SUPREME COURT OF NEVADA

-----X
 MICHAEL MURRAY, and MICHAEL
 RENO, Individually and on behalf of
 others similarly situated,

Petitioners,

vs.

The Eighth Judicial District Court of
 the State of Nevada, in and for the
 County of Clark, and The Honorable,
 District Judge Carli Kierny

Respondents,

and

A CAB TAXI SERVICE LLC, A CAB
 SERIES LLC formerly known as A
 CAB, LLC, and CREIGHTON J.
 NADY,

Real Parties in Interest

Sup. Ct. No.

Dist. Ct No.: A-12-069926-C

Dept.: 2

Electronically Filed
 Mar 30 2022 11:20 a.m.
 Elizabeth A. Brown
 Clerk of Supreme Court

PETITION FOR WRIT OF MANDAMUS

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2.	The Taxi Drivers have no other speedy or appropriate remedy; unless mandamus is granted they will not collect in any timely fashion their final judgment that is fully resolved upon appeal.	17
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NRAP RULE 26.1 DISCLOSURE STATEMENT

The undersigned counsel of record certifies that all Petitioners are individuals and not entities as described in NRAP 26.1(a), and do not need to be disclosed. These representations are made in order that the judges of this court may evaluate possible disqualification or recusal.

Date: March 29, 2022

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ROUTING STATEMENT PER NRAP RULES 17 AND 21(a)(3)(A)

Unless the Court determines NRAP Rule 17(a)10 or (a)11 applies this Petition is not a matter the Nevada Supreme Court shall hear and decide under NRAP Rule 17(a). It is not one of the NRAP Rule 17(b) matters that the Nevada Court of Appeals is presumptively assigned to hear and determine.

RELIEF REQUESTED BY PETITIONERS

Petitioners Michael Murray and Michael Reno, on behalf of a class of others similarly situated (the “Taxi Drivers”), petition this Court to issue a Writ directing District Court Judge Carli Kierny, or such other District Judge of the Eighth Judicial District Court to whom this case may be assigned, to (1) Terminate the stay of district court proceedings ordered on March, 9, 2022, in *Murray v. A Cab*, Eighth Judicial District Court, A-12- 669926-C (“*Murray*”); (2) Modify the final judgment of the district court entered on August 21, 2018, as directed by this Court’s Order of December 30, 2021; (3) Consider, on the merits, the Taxi Drivers’ request for the appointment of a post-judgment receiver, as directed by this Court’s Order of February 17, 2022; and (4) Promptly act to appropriately enforce the district court’s final judgment.

The Taxi Drivers also request, particularly if District Judge Kierny is to continue to preside over the *Murray* case, that this Court include in its Writ

detailed instructions, proposed *infra*, to effectuate the foregoing purposes.

Dated: March 29, 2022

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 Attorney for Petitioners

INTRODUCTION

Petitioners seek to enforce the final judgment of the district court in *Murray v. A Cab*, Eighth Judicial District Court, A-12- 669926-C (“*Murray*”), entered on August 21, 2018, as affirmed by this Court on December 30, 2021, and remanded on February 4, 2022. That judgment is in excess of \$832,000 with post-judgment interest for unpaid minimum wages dating to 2010 owed to 631 taxicab drivers by judgment-debtor (real party in interest) A Cab Series LLC (“A Cab”). PA 688-92, 1245, 1281-97.¹ District Court Judge Carli Kierny has twice abused her discretion by prohibiting enforcement of that judgment, by ignoring this Court’s remittitur, and by refusing to consider the Taxi Drivers’ request for judgment enforcement. Judge Kierny’s history of abusing her discretion in *Murray* and failing to comply with this Court’s orders requires writ relief from this Court. That relief, if Judge Kierny is to continue to preside over *Murray*, should include detailed instructions.

The abuse of discretion, necessitating the filing of this petition, occurred on

¹ PA refers to the pages of Petitioners’ Appendix.

March 9, 2022, when Judge Kierny granted A Cab's request for a stay of proceedings in the district court. PA 1080-1207, 1276-77. A Cab asserted another appeal to this Court, *Dubric v. A Cab*, Case No. 83492, concerning a 2021 district court final judgment in a different case against A Cab for unpaid minimum wages, could alter the 2018 *Murray* final judgment. PA 1082. *Dubric* indisputably lacks subject matter jurisdiction to alter the earlier entered *Murray* final judgment. PA 1- 66, 1221-1230. The *Murray* final judgment can only be modified by an appeal to this Court, that appeal was heard, and this Court affirmed such final judgment, as modified, remanding *Murray* to the district court on February 4, 2022, for further proceedings. PA 332-365. Judge Kierny, ignoring that it was impossible for *Dubric* to alter the *Murray* final judgment, and in violation of this Court's remand instructions, stayed all proceedings until the *Dubric* appeal is concluded. PA 1276-77. Judge Kierny also refused to require A Cab to post any bond while that stay was in effect. PA 1277.

Judge Kierny had previously abused her discretion by refusing, in her order of February 22, 2021, to rule on the merits of the Taxi Drivers' request for the appointment of a receiver to enforce the *Murray* judgment, finding that request was previously denied. PA 326-331. This Court, in its Order of February 17, 2022, Case No. 82539, found Judge Kierny abused her discretion by not addressing that request on the merits and ordered her to do so. PA 802-805. It also found Judge

Kierny's findings were contrary to its prior ruling:

Notably, the district court's finding that appellants' prior request for a receiver had been denied squarely conflicts with this court's prior order concluding that the district court had *not* denied appellants' request. *See, Murray v. A Cab Taxi Serv., LLC*, No. 81641, 2020 WL 6585946 at *2 (Nev. Nov. 9, 2020)(Order Dismissing Appeal). (emphasis in original). Case No. 82539, Order of February 17, 2022, fn 3. PA 803.

Judge Kierny was advised prior to issuing the February 22, 2021, order, of this Court's November 9, 2020, Order, finding that a request for a receiver had not been previously denied. PA 81-82, 185-189. Ignoring this Court's order, Judge Kierny proceeded to find, as urged by A Cab, that such a receiver request had been denied and on that basis refused to consider the request for a receiver on the merits. PA 201-212, 326-331.

This is the second time this Court must intervene to correct Judge Kierny's failure to comply with its rulings in this case. In each instance Judge Kierny, without explanation, contrary to the facts and law, and in an abuse of discretion, granted A Cab's requests, ignored this Court's orders, and prevented collection of the Taxi Drivers' judgment. Given that history, the Court should do more than just reverse Judge Kierny's March 9, 2022, stay order.

To spare itself from having to correct Judge Kierny's abuse of discretion in the future, this Court, if it does not direct a transfer of this case in the district court, should issue detailed instructions to Judge Kierny on complying with its prior

orders. Otherwise Judge Kierny is likely to adopt further baseless arguments from A Cab (it has already made several) and, again, obstruct collection of the Taxi Drivers' judgment until this Court, again, intervenes.

STATEMENT OF FACTS

Synopsis - Circumstance Causing the Filing of this Petition

On August 21, 2018, the *Murray* final judgment was entered in favor of the Taxi Drivers and against A Cab LLC (later amended to reflect its changed name, A Cab Series LLC) for over \$1,000,000. PA 1-66. On December 30, 2021, this Court resolved A Cab's appeal of the final judgment. PA 332-365. It set aside the judgement's award of unpaid minimum wages for the period prior to October 8, 2010, and otherwise affirmed it. PA 343-45, 363-64. That resulted in A Cab, with post-judgment interest, owing over \$832,000 in unpaid minimum wages to 631 Taxi Drivers. PA 688-92, 1245, 1281-97. This Court also directed reconsideration of a post-judgment award of the Taxi Drivers' attorney's fees in light of that disallowance. PA 355, 363. This Court's remittitur was issued on February 4, 2022, with instructions to conduct further proceedings. PA 366-67.

On March 9, 2022, District Judge Carli L. Kierny ordered a stay of all proceedings at the request of A Cab. PA 1080-1207, 1276-77.² Judge Kierny

² This Order is in the hearing transcript. PA 1265-79. While Judge Kierny directed A Cab to prepare and present an Order for her signature it has yet to do so in violation of EDCR Rule 7.21.

found, as urged by A Cab, that a pending appeal of a later entered final judgment in another lawsuit against A Cab, *Dubric v. A Cab*, Eighth Judicial District Court A-15-721063-C, Final Judgment of August 31, 2021, Supreme Court No. 83492, would impact the final judgment in *Murray*.³ PA 1276-77. Judge Kierny found such a stay was in the public interest and A Cab need not post any bond beyond the \$100,000 it posted during the pendency of its prior appeal of the final judgment.

Id.

Detailed Statement of Facts - All Proceedings Germane to the Petition

Judge Kierny's Abuse of Discretion in Denying a Receiver

On December 30, 2020, the Taxi Drivers moved to appoint a receiver to aid in judgment collection since A Cab had not posted a *supersedeas* bond under NRCP Rule 62 (d)(1).⁴ PA 74-200. Alternatively, they requested an order transferring A Cab's property to the Sheriff for a judgment execution sale. PA 83-84. A Cab opposed that motion, claiming a district court judge had previously denied the appointment of a receiver and no basis existed to re-hear such denial. PA 201-212.

³ Briefing in the *Dubric* appeal is underway with the answering brief by A Cab due on April 4, 2022, pursuant to an NRAP 31(a)(1) 30 day extension of time.

⁴ Pursuant to the prior district court judge's order of July 17, 2020, A Cab deposited \$100,000 in security. PA 67-73. That order appointed a special master to report on using A Cab's future profits as additional security. PA 72. That special master died in 2020, that report was never furnished, and A Cab has not provided any additional security. PA 76-77, 167-68.

Judge Kierny was advised A Cab's argument a prior decision had denied a receiver was incorrect. PA 81-82. That prior decision was the subject of a previous appeal and the November 9, 2020, order of this Court finding such decision *did not* deny the appointment of a receiver. PA 185-89. Judge Kierny, ignoring that advisement and this Court's order, adopted A Cab's argument, and issued an order on February 22, 2021, denying the receiver request because it had been previously denied and no basis existed to rehear it. PA 326-331. Judge Kierny also denied the Taxi Drivers' alternative request to enforce the judgment through a seizure and sale of A Cab's property. *Id.* The Taxi Drivers appealed. This Court, in its Order of February 17, 2022, Case No. 82539, reversed Judge Kierny, found she had abused her discretion, and ordered the receiver request be considered on the merits. PA 802-805. It also found Judge Kierny's holding that the receiver request had previously been denied "...squarely conflicts with this court's prior order concluding that the district court had *not* denied appellants' request [for a receiver]." PA 803.

**Judge Kierny's Abuse of Discretion in Staying Judgment
Enforcement and Refusing to Comply with this Court's Remittitur.**

On December 30, 2021, this Court resolved the *Murray* final judgment appeal. PA 332-365. It modified that final judgment by disallowing the award of unpaid minimum wages for the period prior to October 8, 2010, affirmed it in all other respects, and remanded for further consistent proceedings. PA 343-45, 363-64. It

also directed reconsideration of the Taxi Drivers's separate post-judgment award of attorney's fees in light of that disallowance. PA 355, 363. The *Murray* judgment, as so modified, imposed a liability upon A Cab, with post-judgment interest, for over \$832,000 in unpaid minimum wages owed to 631 Taxi Drivers. PA 688-92, 1245, 1281-97.

After this Court's remittitur of February 4, 2022, the Taxi Drivers sought to conduct the further proceedings directed by this Court. They filed motions to conform the final judgment to this Court's modification and to award the Taxi Drivers their pre-judgment attorney's fees and appellate attorney's fees. PA 579-801. A Cab filed a motion seeking a declaration it did not owe any previously awarded unpaid minimum wages for the period after June 26, 2014, a total of \$211.72, that had been incorporated into the *Murray* final judgment of August 21, 2018. PA 368-372. It made that request despite this Court fully affirming the final judgment's award for the entire 2013 through 2015 time period. PA 346.

On February 28, 2022, A Cab filed its opposition to the Taxi Drivers' motion to have the *Murray* final judgment conform to this Court's modification. PA 806-1079. It claimed the district court could not order the final judgment, as directed by this Court, conform to the amounts already calculated to be due prior to its entry on August 21, 2018, minus the amounts included at that time for the period prior to October 8, 2010. *Id.* It insisted many other things had to be done before the

district court could enter a “new judgment.” It asserted (1) A class action “decertification” order was needed, along with a notice distributed to all class members advising them of the “decertification” of all class claims prior to October 8, 2010 and after June 26, 2014, PA 811-13; (2) An appeal of a later final judgment entered in another lawsuit against A Cab, *Dubric v. A Cab*, Eighth Judicial District Court A-15-721063-C, Final Judgment of August 31, 2021, Supreme Court No. 83492, first needed to be resolved since it would impact the *Murray* final judgment, PA 809-11; (3) A United States Department of Labor settlement of unpaid minimum wages needed to be accounted for, as it entitled A Cab to an offset that the Taxi Drivers “do not account for.” PA 813-14. It made that assertion despite the *Murray* final judgment of August 21, 2018, having already fully provided for that offset in its calculations. PA 29-30; (4) The United States Department of Labor had demonstrated there are 243 claimants that it was “unable to locate” who are “ghost claimants” that the Taxi Drivers are improperly claiming are entitled to unpaid minimum wages under the judgment, *Id.*; and (5) This Court’s “remand for a determination as to the appropriate defendant must first be complied with before any entry of a judgment.” PA 814. A Cab insisted, citing to nothing in this Court’s Opinion, that “the reversal and remand” this Court issued “specifically stated that a determination had to be made as to which entity existed at the time and bears liability for any damages that are determined.” *Id.* A Cab

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also presented unexplained (except for one class member with a duplicate listing) tables referencing 12 class members it claimed had calculation errors in the judgment as entered on August 21, 2018. PA 1071-73.⁵

On February 28, 2022, Judge Kierny signed an OST to hear on March 9, 2022, A Cab's motion to stay all proceedings. PA 1081. That motion asserted A Cab would suffer "irreparable harm" if the *Murray* judgment was enforced during the pendency of the *Dubric* appeal. PA 1086-87.

The Taxi Drivers, opposing A Cab's stay request, advised Judge Kierny the *Dubric* final judgment, being entered after the *Murray* final judgment, lacked subject matter jurisdiction and could not modify the *Murray* final judgment as affirmed by this Court. PA 1208-1249. They advised Judge Kierny this Court, when resolving writ proceedings in *Dubric* in 2018, found the *Murray* judgment was a final resolution of claims that could not be affected by future proceedings in *Dubric*. PA 1232-33. They also advised Judge Kierny this Court, in its February 3, 2022, Order in the *Murray* final judgment appeal, confirmed, contrary to A

⁵ A Cab did not identify any errors in the Taxi Drivers' calculations of how the *Murray* final judgment was modified by this Court. PA 688-713. There is a single error in those calculations: an award of \$883.88 to Murray Michael P. and Murray MichaelP, the same person, is listed twice owing to a typographical error in A Cab's records. PA 1280-82. The Taxi Drivers were going to correct that error (it was in the judgment as entered on August 21, 2018, and never raised in A Cab's appeal) but the district court stayed proceedings before that could be done. That correction is placed in the record of this Petition at PA 1280-97.

Cab's insistence, that there was no "new judgment" to be entered. PA 1236-37.

There was only a judgment, as modified by this Court, that has continuously existed since its original entry on August 21, 2018. PA 1237. Such circumstances, and rulings by this Court, indisputably established to Judge Kierny (if she needed further proof) that *Dubric* lacked subject matter jurisdiction over the claims adjudicated into the *Murray* final judgment and nothing transpiring in *Dubric* could impact that judgment.

A Cab offered no explanation to Judge Kierny of how the *Dubric* final judgment, and appeal, could impact the *Murray* final judgment. It argued the Taxi Drivers, by intervening in *Dubric* and appealing that final judgment, conceded the *Dubric* final judgment could impact the *Murray* final judgment. PA 1083-84. As the Taxi Drivers explained to Judge Kierny, that was untrue. PA 1211-12. Their intervention and appeal in *Dubric* was necessary because *Dubric* was purporting to release the Taxi Drivers' claims that were *not* against A Cab and thus arguably *not* resolved by the *Murray* final judgment. *Id.*

Judge Kierny, without explaining how the *Dubric* final judgment and appeal could impact the *Murray* final judgment, granted A Cab's motion to stay all proceedings. PA 1080-1207, 1276-77. She also denied the Taxi Drivers' request that A Cab post a bond for the full amount of the *Murray* final judgment during that stay. PA 1277.

STATEMENT OF REASONING FOR THE ISSUANCE OF A WRIT

I. The petitioners hold a final judgment against A Cab not subject to further appeal or modification; denying them writ relief would violate their rights and cause irreparable harm.

A. No appeal of Judge Kierny’s order staying post-judgment proceedings is authorized by NRAP 3(b) or this Court’s jurisprudence.

Petitioners do not believe the March 9, 2022, stay order is an NRAP 3(b) appealable determination. This Court indicated in a prior decision in this case, and in another recent decision, that an order denying, granting, or staying, judgment enforcement does not qualify as an NRAP 3(b)(8) “special order entered after final judgment” from which an appeal lies. *See, Zandian v. Margolin*, No. 82559, Feb. 16, 2022, 2022 WL 483195 (Nev. Sup. Ct. 2022) (Order enforcing judgment does not affect right “growing out of the judgment previously entered” and is not appealable), quoting and citing *Gumm v. Mainor*, 59 P.3d 1220, 1221 (Nev. Sup. Ct. 2002) and citing *Murray v. A Cab Taxi Serv. LLC*, No. 81641, Nov. 9, 2020, 2020 WL 6585946 (Nev. Sup. Ct. 2020).

B. A writ of mandamus is needed to correct Judge Kierny’s manifest abuse of discretion as petitioners have no plain, adequate or speedy remedy in the ordinary course.

This Court will issue a writ of mandamus to compel a required duty of a public official or “to control a manifest abuse or an arbitrary or capricious exercise of discretion.” *PetSmart Inc. v. Eighth Jud. Dist. Ct.*, 499 P.3d 1182, 1186 (Nev.

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Sup. Ct. 2021), citing and quoting *Cole H. v. Eighth Jud. Dist. Ct.*, 175 P.3d 906, 907-08 (Nev. Sup. Ct. 2008). Mandamus relief is only appropriate when there is “no plain, speedy and adequate remedy in the ordinary course of law.” *Id.*, citing *Cole H.*, 175 P.3d at 908, and NRS 34.170.

1. The Taxi Drivers’ judgment against A Cab is not subject to further modification based on the *Dubric* proceedings or for any other reason; Judge Kierny manifestly abused her discretion by issuing the stay.

Judge Kierny, in granting A Cab’s motion to stay all proceedings in *Murray* pending the resolution of the *Dubric* appeal, stated “I do find that based on the arguments today the *Dubric* decision will affect the new judgment in this case.” PA 1276. Judge Kierny offered no reason for that finding and it is contrary to law.

A final judgment in a case from a court with subject matter jurisdiction over the parties and their dispute fully and forever resolves that dispute. No argument was raised to Judge Kierny that the *Murray* final judgment against A Cab was void for lack of subject matter jurisdiction. That judgment was affirmed on appeal, as modified, by this Court. This Court has twice confirmed that such judgment, as of its original entry on August 21, 2018, was a final resolution of the Taxi Drivers’ minimum wage claims against A Cab. PA 1232-33, 1236-37. This Court, in discharging a prior writ proceeding in *Dubric*, held proceedings in *Dubric* after

August 21, 2018, would not impact the Taxi Drivers' rights against A Cab under the *Murray* final judgment. PA 1232-33. The only things that could modify that judgment was its satisfaction by a payment approved in *Murray*,⁶ its discharge in bankruptcy, its expiration from the passage of time, or an appeal to this Court. That appeal was resolved on December 30, 2021, and the *Murray* final judgment was affirmed, as modified, by this Court.

Subject matter jurisdiction was exercised by *Murray* over the Taxi Drivers' minimum wage claims against A Cab and *Murray* entered a final judgment fully resolving those claims on August 21, 2018. PA 1-66. After that date *Dubric* could not adjudicate those claims or alter that final judgment. *See, Lemkuil v. Lemkuil*, 551 P.2d 427, 429 (Nev. Sup. Ct. 1976) *citing, Metcalfe v. District Court*, 51 Nev. 253, 274 P. 5 (1929); *Greene v. Eighth Jud. Dist. Ct.*, 900 P.2d 184, 186 (Nev. Sup. Ct. 1999); *SFPP L.P. v. Second Jud. Dist. Ct.*, 173 P.3d 715, 717 (Nev. Sup. Ct. 2007) and other Nevada cases. Those cases all confirm it was impossible, as a matter of law, for *Dubric*, after August 21, 2018, to obtain subject matter jurisdiction over the Taxi Drivers' minimum wage claims against A Cab or alter the liability imposed on A Cab by the *Murray* final judgment. The *Dubric*

⁶ The *Murray* final judgment was for hundreds of class member judgment-creditor taxi drivers. To prevent overreaching by A Cab, and any potential unfairness to the class members, it bars A Cab from securing satisfactions of its judgment obligations to those class members without approval from the district court in *Murray*. PA 35-36.

final judgment, entered on August 31, 2021, PA 1221-1330, was *void ab initio*, in respect to the same. *See, State Indus. Ins. System v. Sleeper*, 679 P.2d 1273, 1274 (Nev. Sup. Ct. 1984) (“There can be no dispute that lack of subject matter jurisdiction renders a judgment void.”).

Judge Kierny’s abuse of discretion in determining “the *Dubric* decision will affect the new judgment in this case” did not arise from a lack of information. She was advised *Dubric* lacked subject matter jurisdiction over the Taxi Drivers’ claims against A Cab resolved by the *Murray* final judgment. PA 1208-1249. This Court’s Orders confirming the *Dubric* proceedings could not impact the *Murray* final judgment, and such judgment must be treated as if it was continuously in place since August 21, 2018, as modified by this Court (there being no “new” judgment to enter), were provided to Judge Kierny. PA 1232-33, 1236-37. Those controlling rulings by this Court were pointed out to Judge Kierny at oral argument. PA 1269. A Cab offered no explanation to Judge Kierny of how *Dubric* possessed subject matter jurisdiction to “affect” the *Murray* judgment, as it insisted and Judge Kierny found. Judge Kierny’s abuse of discretion in ordering the stay requested by A Cab did not arise from an explainable misunderstanding or misapprehension of the facts and the law. It was manifest, arbitrary and capricious.

Judge Kierny’s manifest, arbitrary and capricious abuse of discretion is

demonstrated not just by her stay order of March 9, 2022, but also by her prior order of February 22, 2021. PA 326-331. In that earlier order Judge Kierny denied the Taxi Drivers' motion to appoint a receiver on the basis it had previously been denied. *Id.* Judge Kierny's finding that a receiver had previously been denied was found by this Court in its Order of Reversal and Remand of February 17, 2022, to "squarely conflict" with this Court's prior order of November 9, 2020,⁷ finding a receiver request had *not* been previously denied. PA 803. Judge Kierny was also advised, prior to her issuance of that February 22, 2021, Order, of this Court's November 9, 2020, Order, finding a receiver appointment had *not* been previously denied. PA 185-89. Yet Judge Kierny proceeded in the February 22, 2021, Order in the exact same fashion as on March 9, 2022. Both times Judge Kierny ignored this Court's unambiguous rulings and granted A Cab relief that did not comply with those rulings and that was contrary to the facts and the law.

2. The Taxi Drivers have no other speedy or appropriate remedy; unless mandamus is granted they will not collect in any timely fashion their final judgment that is fully resolved upon appeal.

Even though the *Murray* final judgment appeal has been resolved A Cab refuses to satisfy that judgment. The Taxi Drivers will never receive any payment

⁷ *Murray v. A Cab Taxi Serv. LLC*, No. 81641, 2020 WL 6585946 p. 2.

on that judgment without assistance from the district court, assistance Judge Kierny has improperly refused to them.

While A Cab's appeal of the *Murray* final judgment was pending the district court may have properly exercised its discretion in denying judgment enforcement, even without a *supercedes* bond. After remittitur the district court lost that discretion. The Taxi Drivers, as holders of a final judgment not subject to modification on appeal, are entitled to enforce that judgment. And while the district court has discretion to determine what judgment enforcement methods are appropriate, it cannot deny all judgment enforcement remedies to the Taxi Drivers.

Judge Kierny's March 9, 2022, stay order, while not denying the Taxi Drivers in perpetuity their judgement enforcement rights, subordinates those rights to the unlimited future discretion, whim, of Judge Kierny when the *Dubric* appeal is concluded. No reason exists to delay enforcement of the Taxi Drivers' now over three and one half-years old judgment until the *Dubric* appeal is resolved. There is also good reason to believe Judge Kierny will not fulfill her obligation to enforce that judgment when such appeal is concluded.

Judge Kierny has twice manifestly, arbitrarily, and capriciously, and without explanation, abused her discretion, doing so both times based on assertions by A Cab that have no basis in law and in contravention of five of this Court's Orders and the undisputed facts. A Cab has already baselessly asserted, among other

things,⁸ that this Court’s remand of the *Murray* final judgment directed “that a determination had to be made as to which entity existed at the time and bears liability for any damages that are determined.” PA 814. If what is past is prologue, Judge Kierny will adopt this baseless argument of A Cab when the *Dubric* appeal is resolved. Judge Kierny would then vacate the *Murray* final judgment against A Cab Series LLC, the adjudicated judgment debtor, finding it is not the “entity” that “bears liability” under the *Murray* final judgment.

The Taxi Drivers may be unable to seek this Court’s assistance through an appeal if Judge Kierny lifts the stay after the *Dubric* appeal and then vacates, as requested by A Cab, the judgment against A Cab Series LLC. *See, TRP International, Inc. v. Proimtu MMI LLC*, 391 P.3d 763, 765 (Nev. Sup. Ct. 2017)

⁸ A Cab has argued to Judge Kierny the Taxi Drivers cannot enforce their judgment until a class “decertification” order is issued (and notice sent to the class members) regarding the class damages claims pre-dating October 8, 2010, reversed by this Court and the class damages claims after June 24, 2014, affirmed by this Court (the latter being \$211.72). PA 811-13. Those claims were resolved, for some class members without any recovery, as part of the final judgment and there remains nothing of a class nature to “decertify.” It asserts a need to exclude from the final judgment 243 persons the United States Department of Labor was unable to locate, ignoring A Cab’s liability to those class members irrespective an ability to locate them (those amounts may have to be deposited with the Nevada Treasurer as abandoned property). PA 813-14. It asserts a need to account for the set off A Cab may claim for payments made to the United States Department of Labor, even though that was already done in the August 21, 2018, judgment. *Id.* The Taxi Drivers will never properly enforce their judgment if Judge Kierny continues to adopt A Cab’s baseless arguments.

(There is no appeal of an order vacating a final judgment “unless and until a new final judgment is entered.”) In such an event A Cab’s interests would be best served by keeping this dispute in limbo indefinitely and not having a new final judgement entered, as that would grant the Taxi Drivers a right to appeal to this Court. If Judge Kierny were to so proceed, based on whatever specious arguments A Cab will make, the Taxi Drivers, unable to secure a final judgment from the district court, would never secure a right of appeal to this Court. Given the manifest injustice occurring in the district court, and the uncertainty as to when or whether the Taxi Drivers will be able to secure assistance from this Court through a future appeal, writ relief is warranted.

II. The circumstances and history of this case warrant the Court granting writ relief with detailed corrective instructions.

A Cab refuses to pay the *Murray* final judgment as affirmed by this Court, even though it has earned enough profits, post-judgment, to do so. PA 1245-46. Judge Kierny’s baseless stay order of March 9, 2022, deprives the Taxi Drivers of the rights granted to them by this Court in its December 30, 2021, Order and remittitur. Judge Kierny’s manifest abuse of discretion in failing to consider the appointment of a receiver, reversed one year later by this Court, has denied the Taxi Drivers the sequestration of A Cab’s profits that would have substantially satisfied their judgment.

Unless this Court imposes other measures, a writ reversing Judge Kierny's stay order of March 9, 2022, with an instruction to proceed appropriately, will very likely not provide an adequate remedy to the Taxi Drivers. This Court instructed Judge Kierny to appropriately proceed in its December 30, 2021, Order remanding A Cab's final judgment appeal, and its February 17, 2022, Order reversing Judge Kierny's refusal to consider the appointment of a receiver. Judge Kierny has failed to comply with those two orders by staying the district court proceedings and ignoring this Court's finding in a third order (the Order of November 9, 2020) that no motion for a receiver had previously been denied. Judge Kierny, when ordering that stay, also ignored a fourth order of this Court, its 2018 Order finding future *Dubric* proceedings could not impair the *Murray* final judgment. PA 1232-33. That stay order also ignored a fifth order of this Court by holding a "new judgment" would have to be entered in *Murray*, contrary to this Court's February 4, 2022, Order finding the *Murray* final judgment should be deemed affirmed, as modified, from its original entry on August 21, 2022. PA 1236-37. Issuing a writ containing only a general instruction, when Judge Kierny has repeatedly declined to follow this Court's instructions and findings, is not an adequate remedy.

In light of the Judge Kierny's disregard of five different orders of this Court, and her repeated manifest, arbitrary, and capricious, abuses of discretion,

the Court may find it appropriate to direct reassignment of this case. It has done so in similar cases. *See, Zollo v. Terrible Herbst*, 2015 WL 3766856 (Nev. Sup. Ct. 2015) (district judge failed to make required determinations on same issue after two appeals, directing transfer to different district judge on remand of second appeal); *Wolzinger v. Eighth Jud. Dist. Ct.* 773 P.2d 335, 340 (Nev. Sup. Ct. 1969) (considering two writ petitions and three appeals in estate matters, reassignment directed to avoid threat of future delays or appearance of impropriety by district judge who was not found to possess bias and made errors of law); *Leven v. Wheatherstone Condo Corp.*, 791 P.2d 450, 451 (Nev. Sup. Ct. 1990) (directing trial by different district judge as original district judge had erroneously granted summary judgment and “expressed herself in the premises”); *Ross v. State*, 2015 WL 5664891 (Nev. Sup. Ct. 2015) (district judge committed multiple errors and abused discretion in handling of criminal trial; new trial ordered before different judge); *Coulter v. State*, 2015 WL 5554588 (Nev. Sup. Ct. 2015) (same); *Falkenburg v. Falkenburg*, 2018 WL 1135258 (Nev. Sup. Ct. 2018) (reassignment directed when judge erred on the law by not properly applying presumption directed by statute in joint custody dispute and failed to consider changed circumstances, citing *Leven*); and *Matter of Huddle*, 2017 WL 2813955 (Nev. Sup. Ct. 2017) (reassignment directed when judge denied petition for gender marker change and failed to make proper findings, citing *Leven* and *Wolzinger*).

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If this Court does not direct reassignment of this case it should issue specific instructions to Judge Kierny on how to proceed (it would also be beneficial for it to do so even if it directs reassignment). Such instructions could include directing that:

- (1) A Cab Series LLC can only be relieved of its liability under the *Murray* final judgment through a payment and satisfaction of the same, the district court may not, as A Cab proposes, conduct further proceedings to determine if it is an entity that is liable under the judgment; it shall not grant A Cab's request for any class action "decertification" order; and it shall not relieve A Cab of any liability to any class member who cannot be located but shall direct any funds recovered for such class member to the Nevada State Treasurer's abandoned property fund; and

- (2) An Order shall be promptly entered modifying the final judgment against A Cab, LLC (now known as A Cab Series LLC) rendered by the district court on August 21, 2018, as affirmed by this Court's Opinion of December 30, 2021, 501 P.3d 961, 137 Nev. Adv. Op. 84., to record that such judgment

totals \$685,866.60 in favor of 661 plaintiffs plus post-judgment interest from August 21, 2018, as specified at PA 1284-97, and is otherwise unchanged; and

- (3) The stay of judgment enforcement in this case is terminated and the district court shall promptly consider on the merits the Taxi Drivers' request for the appointment of a receiver, the latter as directed by this Court's Order of February 17, 2022, in Case No. 92539; and

- (4) The district court shall promptly rule upon the Taxi Drivers' previously filed motion and enter an order awarding the Taxi Drivers attorney's fees for securing the August 21, 2018, final judgment; and only to the extent it is justified by the portion of this Court's opinion, 501 P.3d 961, 137 Nev. Adv. Op. 84., finding damages were erroneously awarded to the Taxi Drivers for the period prior to October 8, 2010, may such award be reduced from the district court's prior such award of \$568,071; and

- (5) The district court shall promptly enter an order or orders awarding the Taxi Drivers' attorney's fees and costs, upon their already filed or to be filed motions, for:
- (i) Successfully securing an affirmation of the final judgment on appeal to this Court, 501 P.3d 961;
 - (ii) Successfully securing this Court's reversal of the district court's decision refusing to consider, on the merits, the Taxi Drivers' request for the appointment of a receiver, Order of February 17, 2022, Case No. 92539;
 - (iii) Successfully securing relief through this Petition;
 - (iv) Their attorneys' work in all other post-judgment proceedings in this case and the *Dubric* proceedings; and
- (6) The district court shall promptly enter an order on the Taxi Drivers to be filed motion for costs for securing the final judgment in this case, as directed by this Court, 501 P.3d 961.

CONCLUSION

The Court should grant writ relief as requested or in such other form that will advance the interests of justice and provide an effective remedy to the

petitioners.

Dated: March 29, 2022

Respectfully submitted,

/s/ Leon Greenberg

Nevada Bar No.: 8094

2965 South Jones Boulevard #E-3

Las Vegas, Nevada 89146

(702) 383-6085

Attorney for Petitioners

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Certificate of Compliance With N.R.A.P Rule 28.2

I hereby certify that this brief complies with the formatting requirements of NRAP 32(a)(4), the typeface requirements of NRAP 32(a)(5) and the type style requirements of NRAP 32(a)(6) because this brief has been prepared in a proportionally spaced typeface using 14 point Times New Roman typeface in wordperfect.

I further certify that this brief complies with the page- or type-volume limitations of NRAP 32(a)(7) because, excluding the parts of the brief exempted by NRAP 32(a)(7)(C), it is proportionately spaced, has a typeface of 14 points or more and contains 6,038 words.

Finally, I hereby certify that I have read this brief, and to the best of my knowledge, information, and belief, it is not frivolous or interposed for any improper purpose. I further certify that this brief complies with all applicable Nevada Rules of Appellate Procedure, in particular NRAP 28(e)(1), which requires every assertion in the brief regarding matters in the record to be supported by a reference to the page and volume number, if any, of the transcript or appendix where the matter relied on is to be found. I understand that I may be subject to sanctions in the event that the accompanying brief is not in conformity with the

requirements of the Nevada Rules of Appellate Procedure.

Dated this 29th day of March, 2022.

/s/ Leon Greenberg
Leon Greenberg, Esq. (Bar # 8094)
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Vegas, Nevada 89146
(702) 383-6085
Attorney for Petitioner

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AFFIDAVIT OF VERIFICATION

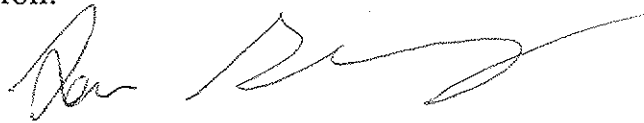
Leon Greenberg, being first duly sworn, deposes and states that:

1. I am a member of the law firm of Leon Greenberg Professional Corporation, counsel of record for petitioners Michael Murray and Michael Reno.

2. This affidavit is made by me pursuant to N.R.A.P. Rule 21 (a)(5) in that I am fully and personally familiar with the fact presented by this petition based upon my handling of this litigation on behalf of my clients, the petitioners.

3. I know the contents of the foregoing petition and the facts stated therein are true of my own knowledge, or I believe them to be true based on the proceedings, documents, and papers filed in this case either in the proceedings taken before the Eighth Judicial District Court of the State of Nevada,

4. True and correct copies of orders, opinions, proceedings and papers served and filed by the parties in this case prior to the date of this petition and that may be essential to an understanding of the matters set forth in this petition are contained in the Appendix to this petition.



Leon Greenberg, Attorney for Petitioner
Nevada Bar No.: 8094

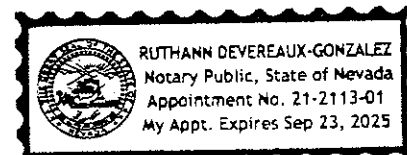
SUBSCRIBED AND SWORN to before me, March 29, 2022

County of Clark
State of Nevada

This instrument was acknowledged before me on this 29th day of March, 2022 by Leon Greenberg.



Ruthann Devereaux-Gonzalez



PROOF OF SERVICE

The undersigned certifies that on May 29, 2022, she served the attached

WRIT OF MANDAMUS AND PETITIONERS' APPENDIX

by court electronic service to

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Creighton J.Nady

JAY A. SHAFER, ESQ.
CORY READE DOWS AND SHAFER
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Attorney for Real Party in Interest A Cab LLC *et al.* and
Creighton J.Nady

Honorable Carli Kierny
Eighth Judicial District Court - Department II
Regional Justice Center, Courtroom 12B
200 Lewis Avenue
Las Vegas, NV 89155

Respondent

/s/ Ruthann Devereaux-Gonzalez

Ruthann Devereaux-Gonzalez

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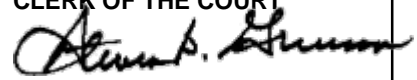
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EXHIBIT 3

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EXHIBIT 3



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Attorneys for Defendants

DISTRICT COURT
CLARK COUNTY, NEVADA

MICHAEL MURRAY and MICHAEL RENO,
Individually and on behalf of others similarly
situated,

Case No.: A-12-669926-C
Dept. No. II

Plaintiffs,

vs.

A CAB TAXI SERVICE LLC and A CAB, LLC,
and CREIGHTON J. NADY,

Defendants.

NOTICE OF ENTRY OF ORDER

GRANTING DEFENDANTS' MOTION FOR COSTS

PLEASE TAKE NOTICE that an Order Granting Defendants' Motion for Costs was entered

...

...

...

...

...

by the Court on May 17, 2022. A copy of the Order is attached hereto.

DATED this 17th day of May, 2022.

RODRIGUEZ LAW OFFICES, P. C.

/s/ Esther C. Rodriguez, Esq.
 Esther C. Rodriguez, Esq.
 Nevada State Bar No. 006473
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 Las Vegas, Nevada 89145
Attorneys for Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY on this 17th day of May, 2022, I electronically filed the foregoing with the Eighth Judicial District Court Clerk of Court using the E-file and Serve System which will send a notice of electronic service to the following:

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Co-Counsel for Plaintiffs

/s/ Susan Dillow
 An Employee of Rodriguez Law Offices, P.C.

ORDR

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Attorneys for Defendants

**DISTRICT COURT
CLARK COUNTY, NEVADA**

MICHAEL MURRAY and MICHAEL RENO,
Individually and on behalf of others similarly
situated,

Plaintiffs,

vs.

A CAB TAXI SERVICE LLC and A CAB, LLC,
and CREIGHTON J. NADY,

Defendants.

Case No.: A-12-669926-C
Dept. No. II

**ORDER GRANTING DEFENDANTS'
MOTION FOR COSTS**

Hearing Date: February 16, 2022

This matter having come before the Court for hearing on February 16, 2022, before the Honorable Gloria Sturman, and counsel for Plaintiffs and Defendants having appeared, and having considered the Defendants A Cab, LLC and A Cab Series, LLC's *Motion for Costs*, including the response and countermotion, reply and supplements filed by the parties and the arguments of all such counsel, and after due deliberation, the Court **GRANTS** Defendants' motion and **DENIES** Plaintiffs' countermotion as follows:

THE COURT FINDS that pursuant to NRAP 39 and NRS 18.060 costs are properly awarded from the District Court to Appellants/Defendants resulting from the appeal of the summary

judgment entered in this matter on August 22, 2018, with associated orders. Appellants have incurred these said costs in having to appeal the judgment entered in error in this matter, as reflected by the decision rendered by the Nevada Supreme Court at 137 Nev. Adv. Op. 84 on December 30, 2021. Defendants have properly supported their request with a verified Memorandum of Costs and accompanying receipts.

Specifically, Defendants are awarded \$7,587.37 as costs incurred in the appeal minus \$500 for prior appeals and related costs of \$34.50.

Accordingly, Defendants are awarded a total of \$7,052.87 as costs, and against Plaintiffs.

THE COURT FURTHER FINDS that the cost bonds posted by Defendants in the amount of \$500.00 on March 23, 2017; and \$500.00 on October 2, 2018, are properly released to Defendants and are addressed by separate order of this Court.

IT IS SO ORDERED.

Dated this ____ day of _____, 2022. Heard For JUDGE CARLI KIERNY

Dated this 17th day of May, 2022



DISTRICT COURT JUDGE

Submitted by:

RODRIGUEZ LAW OFFICES, P.C.

/s/ Esther C. Rodriguez, Esq.

 Esther C. Rodriguez, Esq.
 Nevada Bar No. 6473
 10161 Park Run Drive, Suite 150
 Las Vegas, Nevada 89145
Attorneys for Defendants

428 B0F 8CD7 E234

Gloria Sturman Approved as to Form:
District Court Judge

**LEON GREENBERG PROFESSIONAL
 CORPORATION**

not approved

 Leon Greenberg, Esq.
 Nevada Bar No. 8094
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 Las Vegas, Nevada 89146
Attorney for Plaintiffs

1 **CSERV**

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA

4
5
6 Michael Murray, Plaintiff(s)

CASE NO: A-12-669926-C

7 vs.

DEPT. NO. Department 9

8 A Cab Taxi Service LLC,
9 Defendant(s)

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Order Granting was served via the court's electronic eFile system to all
14 recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 5/17/2022

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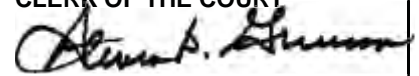
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EXHIBIT 4

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EXHIBIT 4



MOT

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Attorneys for Plaintiffs

**DISTRICT COURT
CLARK COUNTY, NEVADA**

MICHAEL MURRAY, and MICHAEL
RENO, Individually and on behalf of
others similarly situated,

Plaintiffs,

vs.

A CAB TAXI SERVICE LLC, A CAB
SERIES LLC formerly known as A
CAB LLC, and CREIGHTON J. NADY,

Defendants.

Case No.: A-12-669926-C

Dept.: II

**PLAINTIFFS' MOTION TO
STAY, OFFSET, OR
APPORTION AWARD OF
COSTS AND/OR
RECONSIDER AWARD OF
COSTS**

Hearing Requested

Plaintiffs, through their attorneys, Leon Greenberg Professional Corporation,
hereby submit this motion to stay, offset, or apportion the Court's award of certain
appellate costs to defendants and/or reconsider that award.

SUMMARY OF MOTION

**The appeal costs awarded must be apportioned among
hundreds of class members, or applied as an offset against the
entire class judgment, or its enforcement stayed until the much
larger class action judgment in this case is confirmed post-remittitur.**

On May 17, 2022, the Court entered an Order awarding defendants appellate
costs of \$7,587.37 against plaintiffs. Ex. "A." Yet as discussed, *infra*, the appeal at
issue affirmed, as reduced by 34%, a class action judgment that remains in favor of

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1 661 class member plaintiffs for \$685,886 — or an amount of \$1,038 on average per
2 class member. The defendants cannot be properly allowed to seek payment of the
3 entirety of that \$7,587.37 against just a single class member plaintiff, such as the
4 named plaintiffs Reno and/or Murray. Such a result, where the defendants would
5 collect far more from Reno or Murray than they were, individually, awarded by the
6 judgment, would be grossly unfair and unjust. The defendant's \$7,587.37 costs award
7 should constitute an offset against the entire class judgment and reduce each plaintiff
8 class member's individual judgment proportionally. Or it should be awarded against
9 each class member individually in an equal amount of \$11.48 ($\$7,587/661 = \11.48).
10 Alternatively, the Court can stay all enforcement of that costs award and resolve this
11 issue when the amount of the judgment, as directed by the Supreme Court's remittitur,
12 is confirmed by the Court.

13 **Reconsideration of the Court's costs award Order should be**
14 **be granted as that Order was, in part, clearly erroneous.**

15 The Court's cost award Order was clearly erroneous in the following respects:

- 16 (1) Defendants have not established their entitlement to more than \$1,342.32
17 in "reasonable and necessary" appeal costs as required by controlling
18 Nevada Supreme Court precedents;
- 19 (2) The award of appeal costs must be to defendant "A Cab Series LLC"
20 only, as the other defendant (Nady) was not a party to the appeal;
- 21 (3) Plaintiffs' counter-motion to apportion any award of costs as a set-off
22 against the class judgment, as to be confirmed upon remittitur, was denied
23 without explanation and in error.

24 **CURRENT STATUS OF THIS CASE**

25 On August 21, 2018, the plaintiffs secured a class action judgment for 889 taxi
26 driver employees of defendant A Cab Series LLC ("A Cab") for over \$1,000,000 for
27 unpaid minimum wages. Ex. "B" judgment. On December 30, 2021, the Nevada
28 Supreme Court, in an *en banc* Opinion, affirmed that judgment and modified it by

1 directing it be reduced by the amount awarded for the time period preceding October
2 8, 2010, the two-year statute of limitations. *A Cab LLC v. Murray*, 501 P.3d 961, 971
3 (Nev. Sup. Ct. 2021). The application of that shorter statute of limitations period
4 reduces that judgment by about 34% to \$685,886 on behalf of 661 class member taxi
5 drivers. The amount of that modified judgment is established by the record of these
6 proceedings but has not been confirmed by the Court owing to a stay of these
7 proceedings, requested by defendants and directed by Judge Kierny who is no longer
8 hearing this case. *See*, Ex. “C” motion filed February 14, 2022, seeking entry of
9 modified judgment as directed by Remittitur (without 149 pages of exhibits thereto);
10 Ex. “D” declaration of Charles Bass of March 28, 2022, at ¶¶ 1- 2 explaining prior
11 error of \$883.88 in declaration submitted in support of that motion and detailing the
12 \$685,886.60 owed to 661 taxi driver class members under the modified judgment; and
13 Ex. “E” Order of May 3, 2022, staying this case pending the resolution of the *Dubric*
14 appeal, Nevada Supreme Court Case No. 83492. Judge Kierny’s Order staying this
15 case is the subject of a writ petition that defendants have been Ordered to answer, their
16 answer currently being due June 30, 2022. Ex. “F” Order of the Nevada Supreme
17 Court.

18 The Nevada Supreme Court has also confirmed that the plaintiffs’ judgment, as
19 modified by its Opinion, is to be considered to have existed, and to continue to exist
20 and accrue post judgment interest, since the date of its initial entry on August 21,
21 2018. Ex. “G” Order. This means over \$125,000 of post-judgment interest has
22 accrued and the plaintiff class members are currently owed in excess of \$800,000.

23 ARGUMENT

24 **I. In a class action a judgment in favor of the class is a collective**
25 **victory; in such circumstances the class as a whole, not the individual**
26 **class representatives, must assume responsibility for any costs.**

27 Successful class actions result in a “common fund” or “common benefit” being
28 secured for the numerous class member plaintiffs. Even before the development of

1 modern class action practice, courts have recognized that in such cases all class
2 members receiving a benefit must also shoulder their share of the costs of such
3 litigation, as a matter of equity and *quantum meruit*. See, *Central Railroad & Banking*
4 *Co. v. Pettus*, 113 U.S. 116, 124 (1885) and *Trustees v. Greenough*, 105 U.S. 527, 532
5 (1881) (both finding costs and attorneys fees incurred to recover funds for the benefit
6 of numerous persons were properly paid from those funds). See, also, Newberg on
7 Class Actions, 5th Ed., § 15:53, discussing the “common fund doctrine.”

8 The class members, collectively, have recovered in this case and it is they,
9 collectively, that must bear the costs (in a much smaller amount) owed to the
10 defendant A Cab that were attendant to that recovery. It would be unjust to allow A
11 Cab to persecute the named plaintiffs, Murray and Reno, and seek to collect those
12 costs solely from them when those two plaintiffs have benefitted over 600 other class
13 members. As a result, the costs awarded to A Cab must be offset against the
14 collective class judgment or equally (for \$11.48) against each class member. The
15 Court can, and should, resolve that issue when it confirms the amount of the post-
16 remittitur judgment.

17 **II. The Court’s May 17, 2022, Order was, in part, clearly**
18 **erroneous; it should be reconsidered and suitably amended.**

19 This motion is made within the requisite time period for reconsideration of the
20 May 17, 2022, Order and the district court may reconsider a previously decided issue
21 if “...the decision is clearly erroneous.” *Masonry and Tile Contractors Ass’n of S.*
22 *Nev. v. Jolley, Urga & Wirth, Ltd.*, 941 P.2d 486, 489 (Nev. Sup. Ct. 1997) (district
23 judge’s reconsideration and reversal of order entered by different district judge was
24 proper as order was “clearly erroneous”). See, also, *Jones v. Gugino*, 2015 WL
25 6830932 (Nev. Ct. App. 2015) (district judge properly found prior decision by senior
26 judge was “clearly erroneous” and granted reconsideration, citing *Masonry and Tile*
27 *Contractors*).

1 **A. It was clearly erroneous to deny plaintiffs’**
 2 **counter-motion to apportion any award of costs.**

3 No reason was given in the Court’s Order or by the Court from the bench at the
 4 hearing held on February 16, 2022, for denying plaintiffs’ counter-motion to apportion
 5 or offset the award of costs. Having never examined the issue, it was clearly erroneous
 6 for the Court to deny (with prejudice¹) that relief. And as discussed, *supra*, equity,
 7 fairness, and common sense, requires such a set-off or apportionment be performed.

8 **B. It was clearly erroneous to grant the costs award in favor**
 9 **of all defendants, it can only be for the appellant, A Cab.**

10 There are two defendants in this case — A Cab² and Creighton J. Nady. The
 11 only appellant was A Cab, the Nevada Supreme Court dismissing Nady’s effort to
 12 appeal for lack of standing and denying him appellant status. Ex. “H” order. The
 13 award of appeal costs must only be in favor of A Cab, the only appellant, not A Cab
 14 and Nady jointly. It was clearly erroneous for the Order to grant costs to “defendants”
 15 collectively.³

16 **C. It was clearly erroneous to award costs in excess of \$1,342.32;**
 17 **\$6,764.87 in court report costs were awarded but A Cab**
 18 **was entitled to, at most, \$1,050.82 of those costs.**

19 **1. A Cab, as the party seeking costs, must establish**
 20 **“why each cost was necessary” to be awarded such cost.**

21 As the Nevada Supreme Court observed in the appeal of this very case, 137
 22 Nev. Adv. Op. 84, p. 24-25, “trial courts are urged to exercise restraint and strictly

23 ¹ Plaintiffs asked defendants to revise the Order to deny the counter-motion
 24 without prejudice. Defendants refused and submitted the proposed Order at 5:34 p.m.
 25 on 5/16/22, the Court entered it at 2:59 p.m. on 5/17/22 before plaintiffs could submit
 26 their own draft for the Court’s consideration.

27 ² A Cab, as discussed in the Supreme Court’s Opinion, is but a single entity,
 28 although it goes or has gone by more than one name as set forth in the caption.

³ Plaintiffs tried to secure defendants’ agreement to a revision of the Order to
 make it costs award solely in favor of A Cab but defendants refused to do so.

1 construe statutes permitting recovery of costs” and a party seeking costs must provide
 2 “justifying documentation” demonstrating “how such [claimed costs] were necessary
 3 to and incurred in the present action.” citing *In re DISH Network Derivative Litig.*, 133
 4 Nev. 401 P.3d at 1093 (2017); *Cadle Co. v. Woods & Erickson, LLP*, 345 P.3d 1049,
 5 1054 (Nev. Sup. Ct. 2015); *Village Builders 96, L.P. v. U.S. Labs, Inc.*, 112 P.3d 1082,
 6 1092-93 (Nev. Sup. Ct. 2009) and *Bobby Berosini, Ltd., v. PETA*, 971 P.2d 383, 386
 7 (Nev. Sup. Ct. 1998). Defendant provides no justification for the vast majority of the
 8 \$6,864.87 for reporter’s transcript costs awarded. An examination of the record
 9 indicates no more than \$562.22, or possibly \$1,050.82, of those costs can be justified.

10 **2. No more than \$2,780.82 of the claimed \$6,764.87 in court**
 11 **reporter fees could have been “needed” for the post-**
 12 **judgment appeal; \$3,984.05 in claimed court reporter**
 13 **fees were paid prior to judgment and for use during**
 14 **the district court proceedings not for the appeal.**

15 Defendant claims court reporter costs totaling \$6,764.87 for transcripts of
 16 hearings on 24 different dates, all allegedly incurred because they were “needed to
 17 determine the appeal.” The amount actually paid for transcripts that were “needed for
 18 the appeal” cannot exceed \$2,780.82, the amount of court reporter costs paid after
 19 entry of judgment. Ex, “I” ¶ 2. Transcripts defendant paid for prior to judgment were
 20 not paid for because they were “needed for the appeal” of the judgment but for use in
 21 the district court proceedings.⁴ The court reporter costs recoverable by defendant
 22 under NRS 18.060 and NRAP 39(e) are limited to transcripts paid for because they
 23 were “needed to determine the appeal.” *i.e.*, they were not already paid for and in
 24 defendant’s possession prior to the appeal.

25 ⁴ Those district court proceeding transcript costs would have been recoverable
 26 by defendant at the time of final judgment if it had prevailed in the district court, but it
 27 did not. *See*, NRS 18.005(8). Defendant does not become eligible to receive those
 28 costs because it appealed, secured a modification of the adverse judgment (which still
 remains adverse to it) and placed in the record of the appeal numerous transcripts. It
 remains the loser in the district court proceedings and is not entitled to any district
 court transcript costs except those specifically incurred for the appeal.

1 **3. Of the potential \$2,780.82 in post-judgment court**
2 **reporter expenses that might constitute costs, defendant**
3 **has only justified a maximum of \$1,050.82 of such costs.**

4 Of the \$2,780.82 in court reporter costs that *might* have been paid by defendant
5 because they were “needed for the appeal,” \$1,730 cannot be awarded as costs because
6 defendant has failed to properly substantiate the same. That \$1,730, though paid after
7 judgment, was in an unitemized invoice for seven different transcripts, including five
8 that were *not used* in the appeal (they were not in the appeal appendix). Ex. “I” ¶ 3. It
9 is impossible to determine what portion of that \$1,730 is a potentially properly claimed
10 appeal cost (for two out of seven transcripts) and that entire \$1,730 must be denied.
11 *See, Cadle Co.*, 345 P.3d at 1054, and the other authorities discussed, *supra*, requiring
12 itemization of each proper cost. This leaves a total of no more that \$1,052.82 of such
costs.

13 **4. Defendant is entitled to a maximum of \$1,050.82 in court**
14 **reporter costs, or more properly \$562.22 of such costs.**

15 As discussed, *supra*, and corroborated in Ex. “I,” no more than \$1,050.82 of
16 court reporter fees are potentially properly taxed as costs for defendant. Of that
17 amount, \$488.60 was paid for the transcript of the hearing held post-judgment on
18 October 22, 2018, on defendant’s motion to dismiss the claims, for a new trial, and its
19 opposition to plaintiffs’ motion to amend the judgment. Ex, “I” ¶ 4. It did not secure
20 relief on any of those issues on appeal. *Id.* NRS 18.060 provides “...a party obtaining
21 any relief shall have his or her costs.” Defendant was not a party obtaining “relief” as
22 to those issues and should not be awarded that \$488.60 in claimed costs. While
23 defendant will presumably argue they are entitled to all costs since they obtained *some*
24 relief from the appeal that is neither logical nor reasonable. It is also unreasonable to
25 reward a party with costs that can be in the thousands of dollars for raising
26 unsuccessful claims on appeal. It is also contrary to the Supreme Court’s holding in
27 this very case, discussed *supra*. The language of NRS 18.060 ties the award of costs
28 to the relief itself: “the party” who secures “any relief shall have his or her costs”

1 meaning *the costs associated with that relief*. That \$488.60 should be excluded from
2 such a costs award. This results in a total cost award of \$562.22 to defendant for court
3 reporter appeal transcripts.

4 **5. Even if the Court were to find court reporter fees paid**
5 **prior to judgment could be “costs” under NRAP 39(e)**
6 **defendant has still failed to establish its entitlement to**
7 **court reporter costs exceeding \$1,050.82.**

8 Defendant will likely insist that the “cost” of a court reporter transcript it “used”
9 for the post-judgment appeal is recoverable even though it paid that cost for its benefit
10 in the district court proceedings and prior to judgment or the existence of any appeal.
11 That interpretation of NRAP 39(e) would be incorrect, as it only allows such costs
12 when the transcript expense was incurred because it was “needed to determine the
13 appeal.” But even if the Court were to adopt defendant’s interpretation of such rule,
14 defendant has not shown under such an approach that more than \$1,050.82 in court
15 reporter costs were properly incurred for use in the appeal.

16 Defendant seeks costs for six transcripts not even arguably “used” in the appeal
17 — they were not in its appeal appendix and one of those six was not even from this
18 case. Those transcripts cost \$2,000. Ex. “I” ¶¶ 3, 5. It seeks costs for a court
19 reporter transcript from 2017 concerning the injunction issued in this case that was
20 subject to the 2017 appeal and not part of this appeal. That claimed cost is \$116. *Id.* It
21 seeks costs of \$1,024.92 (including a \$33.26 credit card fee) for a transcript from
22 November 3, 2015, on its unsuccessful motion to dismiss and addressing none of the
23 other issues raised on appeal, it was not necessary to the appeal. Ex. “I” ¶ 6.
24 Defendant’s election to place in the appeal record \$1,000 or several thousand dollars
25 worth of useless transcripts does not create a right for it to recover those amounts as
26 “costs” — they were not “needed” for the appeal and defendant does not explain how
27 they were needed.

28 The only two transcripts defendant has identified that were arguably “used” and
“needed” for the purposes of the appeal were for the two issues it secured relief upon

1 on the appeal: the tolling of the statute of limitations and the post-judgment quashing
2 of the judgment execution. In respect to the former, prepared prior to judgment, it had
3 court reporter costs of \$816.32. In respect to the latter it did not justify its costs for
4 that transcript since it presented it as part of a \$1,730 invoice covering seven different
5 (and five not used) transcripts.

6
7 **CONCLUSION**

8 For all the foregoing reasons, plaintiffs' motion should be granted.

9 Dated: May 31, 2022

10 LEON GREENBERG PROFESSIONAL CORP.

11 /s/ Leon Greenberg
12 Leon Greenberg, Esq.
13 Nevada Bar No. 8094
14 2965 S. Jones Boulevard - Ste. E-3
15 Las Vegas, NV 89146
16 Tel (702) 383-6085
17 Attorney for the Class
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PROOF OF SERVICE

The undersigned certifies that on May 31, 2022 she served the within:

**PLAINTIFFS' MOTION TO STAY, OFFSET, OR APPORTION AWARD OF
COSTS AND/OR RECONSIDER AWARD OF COSTS**

by court electronic service to:

TO:

Esther C. Rodriguez, Esq.
RODRIGUEZ LAW OFFICES, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

/s/ Ruthann Devereaux-Gonzalez

Ruthann Devereaux-Gonzalez

APPENDIX OF EXHIBITS - *Murray v. A Cab LLC*, A-12-669926-C
Table of Contents

Exhibit	Description	Bates Nos.
A	Order Granting Defendants' Motion for Costs file May 17, 2022	0001–0003
B	Order Granting Summary Judgment, Severing Claims. And Directing Entry of Final Judgment filed August 21, 2018	0004–0068
C	Plaintiffs' Motion for Entry of a Modified Judgment as Provided for by Remittitur filed February 14, 2022	0069–0077
D	Declaration of Chrles Bass March 28, 2022	0078–0096
E	Order Granting Defendants' Motion to Stay filed May 3, 2022	0097–0100
F	Order Directing Supplementation of Appendix With Written Order and Directing Answer in Supreme Court Case No. 84456	0101–0103
G	Order Denying Motion A Cab LLC v. Murray in Supreme Court Case No. 77050 filed February 3, 2022	0104–0107
H	Order Dismissing Appeal in Supreme Court Case No. 77050 filed July 12, 2019	0108–0111
I	Declaration of Class Counsel Leon Greenberg, May 31, 2022	0112–0145

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EXHIBIT 5

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EXHIBIT 5

ORDR

LEON GREENBERG, ESQ., SBN 8094
RUTHANN DEVEREAUX-GONZALEZ, ESQ., SBN 15904
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christian@gabroy.com
Attorneys for Plaintiffs

DISTRICT COURT

CLARK COUNTY, NEVADA

MICHAEL MURRAY and MICHAEL RENO,
Individually and on behalf of others similarly
situated,

Plaintiffs,

vs.

A CAB TAXI SERVICE LLC, A CAB SERIES
LLC formerly known as A CAB, LLC, and
CREIGHTON J. NADY,

Defendants.

Case No.: A-12-669926-C
Dept. No. IX

**ORDER GRANTING DEFENDANTS'
MOTION FOR COSTS**

Hearing Date: February 16, 2022

This matter having come before the Court for hearing on February 16, 2022, before the Honorable Gloria Sturman, and counsel for Plaintiffs and Defendants having appeared, and having considered the Defendant A Cab Series, LLC formerly known as A Cab LLC's *Motion for Costs*, including the response and counter-motion, reply and supplements filed by the parties and the arguments of all such counsel, and after due deliberation, the Court **GRANTS** Defendants' motion and **DENIES** without prejudice Plaintiffs' counter-motion as follows:

THE COURT FINDS that pursuant to NRAP 39 and NRS 18.060 costs are properly

1 awarded from the District Court to Appellant/Defendant A Cab Series LLC ("A Cab") resulting from
 2 the appeal of the summary judgment entered in this matter on August 22, 2018, with associated
 3 orders. A Cab incurred these said costs in having to appeal the judgment entered in error in this
 4 matter, as reflected by the decision rendered by the Nevada Supreme Court at 137 Nev. Adv. Op. 84
 5 on December 30, 2021. A Cab has properly supported its request with a verified Memorandum of
 6 Costs and accompanying receipts.

7 Specifically, A Cab is awarded \$7,587.37 as costs incurred in the appeal minus \$500 for prior
 8 appeals and related costs of \$34.50.

9 Accordingly, Defendant A Cab is awarded a total of \$7,052.87 as costs against Plaintiffs with
 10 Plaintiffs' counter-motion seeking to have that award of costs applied as a set off *pro-rata* against
 11 each of the Plaintiff class-member judgment creditors' individual judgment amounts is denied
 12 without prejudice. A Cab is stayed from seeking collection of its award of \$7,052.87 in costs until a
 13 further Order is issued by this Court.

14 **THE COURT FURTHER FINDS** that the cost bonds posted by Defendants in the amount
 15 of \$500.00 on March 23, 2017; and \$500.00 on October 2, 2018, are properly released to Defendants
 16 and are addressed by separate order of this Court.

17 **IT IS SO ORDERED.**

18 Dated this ____ day of _____ ~~Dated this 3rd day of June, 2022~~ ²⁰²²

19 
 20 _____

DISTRICT COURT JUDGE

21 Approved as to Form:

22 **RODRIGUEZ LAW OFFICES, P.C.**

23 NOT APPROVED

24 _____
 25 Esther C. Rodriguez, Esq.
 Nevada Bar No. 6473
 10161 Park Run Drive, Suite 150
 26 Las Vegas, Nevada 89145
 Attorneys for Defendants

Submitted by:
 27 **478 EC8 5624 8C5B**
Michael Cherry
Leon Greenberg PROFESSIONAL
District Court Judge
CORPORATION

/s/ Leon Greenberg

 Leon Greenberg, Esq.
 Nevada Bar No. 8094
 2965 South Jones Boulevard, Suite E4
 Las Vegas, Nevada 89146
 Attorney for Plaintiffs

1 **CSERV**

2 **DISTRICT COURT**
3 **CLARK COUNTY, NEVADA**

4
5
6 Michael Murray, Plaintiff(s)

CASE NO: A-12-669926-C

7 vs.

DEPT. NO. Department 9

8 A Cab Taxi Service LLC,
9 Defendant(s)

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Order was served via the court's electronic eFile system to all
14 recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 6/3/2022

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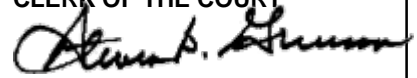
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EXHIBIT 6

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EXHIBIT 6



1 **NOAS**

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3 RUTHANN DEVEREAUX-GONZALEZ, ESQ., SBN 15904
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Fax (702) 259-7704
christian@gabroy.com

11 Attorneys for Plaintiffs

12
13 **DISTRICT COURT**
14 **CLARK COUNTY, NEVADA**

15 MICHAEL MURRAY, and MICHAEL)
16 RENO, Individually and on behalf of)
17 others similarly situated,)

18 Plaintiffs,)

19 vs.)

20 A CAB TAXI SERVICE LLC, A CAB)
21 SERIES LLC formerly known as A)
22 CAB LLC, and CREIGHTON J. NADY,)

23 Defendants.

Case No.: A-12-669926-C

Dept.: IX

NOTICE OF APPEAL

24
25 Michael Murray and Michael Reno individually and behalf of others similarly
26 situated, by and through their counsel of record Leon Greenberg, Esq., hereby appeal
27 to the Supreme Court of Nevada from the District Court's orders granting defendants'
28

1 motion for appellate costs in this case entered on May 17, 2022 and on June 3, 2022.

2 Submitted by:

3 Leon Greenberg Professional Corporation

4 /s/ Leon Greenberg

5 Leon Greenberg, Esq.

6 Attorney for the Proposed Intervenor/Objectors

7 2965 South Jones Boulevard - Suite E3

8 Las Vegas, Nevada 89146

9 (702) 383-6085

10 leongreenberg@overtimelaw.com

11 PROOF OF SERVICE

12 The undersigned certifies that on June 14, 2022, he served the within:

13 NOTICE OF APPEAL

14 by court electronic service to:

15 TO:

16 Esther C. Rodriguez, Esq.

17 RODRIGUEZ LAW OFFICES, P.C.

18 10161 Park Run Drive, Suite 150

19 Las Vegas, NV 89145

20 /s/ Leon Greenberg

21 Leon Greenberg

EXHIBIT 7

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EXHIBIT 7

DECLARATION OF ESTHER RODRIGUEZ

ESTHER C. RODRIGUEZ, ESQ., an attorney duly licensed to practice law in the State of Nevada hereby affirms under penalty of perjury that:

1. I am attorney for the Defendants in the above matter.

2. I am making this declaration upon my personal knowledge, except as to those matters where I state they are based upon information and belief.

3. If called as a witness to testify in a court of law as to the contents of this declaration, or any of the facts stated herein, I could and would testify to those matters accordingly.

4. On February 16, 2022, the Hon. Gloria Sturman heard Defendants' motion for costs and Plaintiffs' countermotion, indicating that she was hearing Judge Kierny's calendar that morning as Judge Kierny was in a murder trial. Following a review of the briefs and entertaining oral argument, Judge Sturman granted Defendants' motion and denied Plaintiffs' countermotion. Judge Sturman entered her Order on May 17, 2022. (**Exhibit 3**) On or about March 25, 2022, Administrative Order 22-05 was issued transferring this case to Department 9. Due to this transfer of the case, on or about May 2, 2022, I contacted Department 2's judicial executive assistant pertaining to the Court's preference for the submission of a number of outstanding orders including this one. I was instructed that any proposed Orders pertaining to hearings that had proceeded while the case was assigned to Department 2 should be submitted to Department 2's inbox. As this case was assigned to Judge Kierny when the decision was made by Judge Sturman, I submitted the proposed order to Department 2's inbox and copied Plaintiffs' counsel on the email correspondence.

5. On or about June 3, 2022, Plaintiffs' counsel entered a notice of entry of order of a duplicative order addressing the same motions (Defendants' motion for costs and Plaintiffs' countermotion) which he had submitted to Department 9. **Exhibit 5.** I proceeded to ask Plaintiffs' counsel to correct the error by notifying Department 9 that an order had already been entered, but he has refused. Attached as Exhibit 8 is a true and correct copy of the communications between the parties on this issue. He has indicated in his correspondence of June 6, 2022, the irregularities and errors are not his fault, but rather mine in submitting an order to Department 2 as well as the Court's staff in not properly communicating between the two departments. Exhibit 8.

1 I have read the foregoing and affirm the same is true and correct.

2 DATED this 30th day of June, 2022.

3
4
5 /s/ Esther C. Rodriguez, Esq.
6 ESTHER C. RODRIGUEZ, ESQ.
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EXHIBIT 8

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EXHIBIT 8

ELECTRONICALLY SERVED

6/6/2022 1:21 PM

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Professional Corporation

Attorneys at Law

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Las Vegas, Nevada 89146

(702) 383-6085

Leon Greenberg
Member Nevada, California
New York, Pennsylvania and New Jersey Bars

Joseph Adamiak
Law Clerk

Fax: (702) 385-1827

June 6, 2022

Esther C. Rodriguez, Esq.
10161 Park Run Drive, Suite 150
Las Vegas, Nevada 89145

VIA WIZNET SYSTEM SERVICE

Re: Murray v. A Cab
Our email exchanges of 6/3/22 (attached)

Dear Ms. Rodriguez:

I write in connection with our attached exchange of emails. I do so in the hope we can avoid burdening the Court with pointless further complications or motion practice over this confusing situation. It is also apparent you misconstrue both the current situation and my position in regards to the same.

1. You warn me to "retract your order" and refer to my securing of a "completely improper order" in your emails and then threaten to file "a motion to strike" for which you "will be seeking associated fees and costs" if I fail to do so. I did not issue any order or secure any order in an improper fashion. The order you refer to does not belong to me and is not something I can "retract" by fiat. The Order entered 6/3/22 belongs to the Court and I fully agree this is a confusing, and unexpected, situation. The irregularities and/or errors involved in the entry of that Order were not mine. They were yours (you submitted a proposed order to the wrong department) and the Court's staff (that it appears did not properly communicate between the two departments). I do *not* assert the 6/3/22 Order should be controlling. It is for the Court to decide that issue if we cannot suggest a cooperative

Page 1 of 2

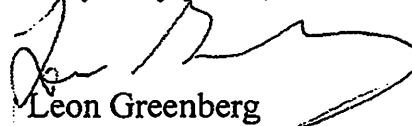


resolution of that issue acceptable to the Court.

2. I believe *both orders* are clearly erroneous and will be overturned on appeal as A Cab was not entitled to an award of more than \$1,342.32 in costs. I intend to file a single notice of appeal of both Orders and, if we cannot resolve the discrepancy between the Orders, seek reconsideration of the 6/3/22 Order. My service of the 6/3/22 Order with notice of entry was necessary to secure appellate review of that Order as well, in the event the district court finds that Order is controlling. That act on my part is neither improper nor otherwise relevant to this situation. The 6/3/22 Order is an Order of the Court and, if the Court so deems it, the controlling Order as to the issues it addressed. My service of that Order with notice of entry in no way changes that circumstance.

I asked you in my last email of 6/3/22 to provide your position on certain issues but you have not done so. I posed those inquiries to you in an attempt to engage in a dialogue with you about resolving this situation and your failure to answer my questions is inappropriate. You should also propose some means of resolving this situation. Demanding I "retract" an Order I have no power to "retract" (and that I never submitted improperly) is not a solution to this situation. The original motion at issue was your motion for costs, which was granted, and it should be your burden to take the initiative to work cooperatively to draft a stipulation to correct any issues with these Orders. One possibility is to stipulate to submit the issue of the correctness of the 6/3/22 Order for resolution as part of the pending motion for reconsideration of the 5/17/22 Order (hearing scheduled for 7/11/22 Chambers). ~~Filing a motion, as you threaten, to strike the 6/3/22 Order~~ and for "costs and fees" is not necessary or proper when you fail to propose any feasible means of resolving this situation cooperatively and do not answer my inquiries.

Very truly yours,


Leon Greenberg

Esther Rodriguez

From: Esther Rodriguez <esther@rodriguezlaw.com>
Sent: Friday, June 03, 2022 2:25 PM
To: 'Leon Greenberg'; 'christian@gabroy.com'; 'Ranni Gonzalez'
Cc: 'Jay Shafer'; 'susan@rodriguezlaw.com'
Subject: RE: Murray v. A Cab - Duplicative Order on Defs' Costs Award

We were instructed to submit the Order to the department making the ruling. You were well aware of the entry of the Order and are taking advantage of the fact that there is not a permanent officer in Dept 9 presently. You have a duty to be honest in your representations to the Court, which you are presently not doing with proceeding to do a Notice of Entry of Order in a duplicative fashion. I urge you to contact the Court, Department 9, and to immediately to retract your Order or I will be forced to file a motion to strike and will be seeking associated fees and costs.

Esther C. Rodriguez, Esq.
 Rodriguez Law Offices, P.C.
 10161 Park Run Drive, Suite 150
 Las Vegas, Nevada 89145
 (P) 702-320-8400
 (F) 702-320-8401
esther@rodriguezlaw.com

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From: Leon Greenberg <wagelaw@hotmail.com>
Sent: Friday, June 03, 2022 1:27 PM
To: Esther Rodriguez <esther@rodriguezlaw.com>; christian@gabroy.com; 'Ranni Gonzalez' <ranni@overtimelaw.com>
Cc: 'Jay Shafer' <jshafer@crdslaw.com>; susan@rodriguezlaw.com
Subject: RE: Murray v. A Cab - Duplicative Order on Defs' Costs Award

Esther:

You submitted an order on 5/16/22 at 5:16 to Department 2 – The wrong department. I submitted a varying order on 5/17/22 at 2:18 to Department 9 – The right department. The wrong department subsequently entered the Order you submitted. So which Order should be controlling? I don't want to argue about it. Nor should you. The only variance between these Orders is (1) The issue of apportionment of the costs is reserved for future decision; and (2) Enforcement of the costs award is stayed until a further order issues addressing that issue. I suggested we just agree to that via a stipulation, which will make the "which Order" issue irrelevant. Each Order grants your client the same right to the same amount of costs. You don't have to agree to any apportionment of the costs. And you previously told me there was no enforcement of the costs award at this time since you secured a stay of the entire case. So it seems you want me to agree that the Order entered today has no force so you can maintain the position that (1) There can be no future consideration of apportionment of costs among the plaintiffs and (2) Enforcement can proceed however you elect to enforce the costs award (and as otherwise proper under the Court's processes). If that is

your position (upon such an agreement by me) please confirm that (you don't have explain the point of that position, just advise if that is your position). I will then consider this further. Thank you.

Leon Greenberg
 Attorney at Law
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 Las Vegas, NV 89146
 (702) 383-6085
 Member Nevada, California
 New York, New Jersey and Pennsylvania Bars
 Website: Overtimelaw.com
Leongreenberg@overtimelaw.com

From: Esther Rodriguez <esther@rodriguezlaw.com>
Sent: Friday, June 3, 2022 1:03 PM
To: 'Leon Greenberg' <wagelaw@hotmail.com>; christian@gabroy.com; 'Ranni Gonzalez' <ranni@overtimelaw.com>
Cc: 'Jay Shafer' <jshafer@crdslaw.com>; susan@rodriguezlaw.com
Subject: RE: Murray v. A Cab - Duplicative Order on Defs' Costs Award

Leon – your order is completely improper; and you had a duty (and continuing obligation) to advise the Court that an Order and notice of entry of order has already been entered in this matter by the deciding Judge, Judge Sturman. Please advise the Court immediately, with a cc to me, as you are required to retract this duplicative Order. I expect this is a relatively simple letter that you can send by end of day.

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From: Leon Greenberg <wagelaw@hotmail.com>
Sent: Friday, June 03, 2022 11:57 AM
To: Esther Rodriguez <esther@rodriguezlaw.com>; 'christian@gabroy.com' <christian@gabroy.com>; Ranni Gonzalez (ranni@overtimelaw.com) <ranni@overtimelaw.com>
Subject: Murray v. A Cab - Stipulation to Resolve Some Issues on Costs Award

Esther: The attached was entered today. And I have a pending motion to reconsider on this too. I would suggest the following partial resolution to the issues posed by this situation:

We stipulate that the issue of apportionment of responsibility for the costs award is properly considered at a later date and until the issue is resolved there shall be a stay of enforcement of the costs award. Such a stipulation would resolve a significant portion of the issues connected with this and I would be hopeful agreeable to you (it would be hard for me to understand how such a stipulation and order would materially impact any of your clients' concerns). Do be kind enough to let me know your willingness (or unwillingness) to enter into such a stipulation and order. Thank you.

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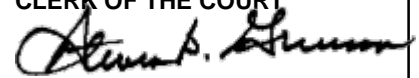
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EXHIBIT 9

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EXHIBIT 9



1 **RESP**

2 LEON GREENBERG, ESQ., SBN 8094
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11 Fax (702) 259-7704
12 christian@gabroy.com

10 Attorneys for Plaintiffs

11 **DISTRICT COURT**
12 **CLARK COUNTY, NEVADA**

12 MICHAEL MURRAY, and MICHAEL)
13 RENO, Individually and on behalf of)
14 others similarly situated,)

15 Plaintiffs,)

16 vs.)

17 A CAB TAXI SERVICE LLC, A CAB)
18 SERIES LLC formerly known as A)
19 CAB LLC, and CREIGHTON J. NADY,)

20 Defendants.)

Case No.: A-12-669926-C

Dept.: II

**PLAINTIFFS' RESPONSE TO
DEFENDANTS' MOTION
FOR COSTS**

**COUNTER MOTION TO
OFFSET COSTS AGAINST
JUDGMENT**

Hearing Date: February 16, 2022
Hearing Time: 9:30 a.m.

21 Plaintiffs, through their attorneys, Leon Greenberg Professional Corporation,
22 hereby submit this response to defendants' motion for costs on appeal per NRS
23 18.060.

24 **MEMORANDUM OF POINTS AND AUTHORITIES**

25 **There is no jurisdiction to consider the motion as remittitur has not**
26 **yet issued; defendants also seek costs that are not even arguably proper.**

27 Defendant cannot seek costs under NRS 18.060 in connection with its appeal of
28 the final judgment until the Supreme Court's remittitur issues. *See. Buffington v. State*,
868 P.2d 643, 644 (Nev. Sup. Ct. 1994) (district court lacks jurisdiction to consider

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1 matters connected with resolved appeal until remittitur issues). Defendant also seeks
 2 costs that are not even arguably proper and as detailed, *infra*, the costs properly
 3 awarded to defendant are \$852.32 or alternatively no more than \$1,342.32.

4 ARGUMENT

5 **I. The Court did not possess jurisdiction over any appeal costs award**
 6 **when the motion was filed; the motion must be denied as it cannot**
 7 **be properly filed until after remittitur issues.**

8 This Court lacks subject matter jurisdiction to grant relief on an appealed case
 9 until it receives the remittitur. *See, Buffington*, 868 P.2d at 644 (re-sentencing of
 10 criminal defendant, in compliance with appeal decision but prior to receipt of the
 11 remittitur, vacated, as "...the [district] court lacked jurisdiction over the subject matter
 12 of the case before it received the remittitur..."). This motion must be denied for lack
 13 of jurisdiction and defendant was advised to await the Court's receipt of the remittitur
 14 to present its motion but refused to do so. Ex. "A" ¶ 2.

15 **II. The vast majority of the costs sought are improper; upon a proper**
 16 **motion only \$852.32 or possibly \$1,342.32 of costs is awardable.**

17 Defendant seeks a total of \$8,587.37 in costs. Of that amount \$822.50 is
 18 claimed as court filing fees, but only \$291.50 of that amount is proper; \$1,000 is
 19 claimed as "Premiums Paid for Supersedeas Bonds" but no such premiums were paid
 20 and none of that amount is proper; and \$6,764.87 is claimed as fees for "Reporter's
 21 Transcripts needed to determine appeal" but only \$560.82, or possibly \$1,050.82, of
 22 that is proper.

23 **A. Defendant, as the party seeking costs, must establish**
 24 **"why each cost was necessary" to be awarded such cost.**

25 As the Nevada Supreme Court observed in the appeal of this very case, 137
 26 Nev. Adv. Op. 84, p. 24-25, "trial courts are urged to exercise restraint and strictly
 27 construe statutes permitting recovery of costs" and a party seeking costs must provide
 28 "justifying documentation" demonstrating "how such [claimed costs] were necessary
 to and incurred in the present action." citing *In re DISH Network Derivative Litig.*, 133

1 Nev. 401 P.3d at 1093 (2017); *Cadle Co. v. Woods & Erickson, LLP*, 345 P.3d 1049,
 2 1054 (Nev. Sup. Ct. 2015); *Village Builders 96, L.P. v. U.S. Labs, Inc.*, 112 P.3d 1082,
 3 1092-93 (Nev. Sup. Ct. 2009) and *Bobby Berosini, Ltd., v. PETA*, 971 P.2d 383, 386
 4 (Nev. Sup. Ct. 1998). Defendant provides no justification for the vast majority of the
 5 costs alleged, \$6,864.87 for reporter's transcript costs. An examination of the record
 6 indicates no more than \$560.82, or possibly \$1,050.82, of those costs can be justified.
 7 Only \$291.50 of the claimed appeal filing fees, a self-authenticating cost, concern the
 8 appeal and are justified. Defendant also admits that it is claiming costs of \$1,000 for
 9 non-existent "Supersedeas Bond Premiums" that it never paid meaning those costs are
 10 actually zero.¹ Ex. "A" ¶ 3.

11
 12 **B. Defendant is only entitled to appeal filing fees of**
 13 **\$291.50 for the final judgment appeal, the remaining**
\$531 of claimed appeal filing fees involved other matters.

14 Defendant seeks \$822.50 in costs as claimed "Fees for Filing the Notices of
 15 Appeal." Only those costs accruing after final judgment, August 21, 2018, are
 16 recoverable under NRS 18.060. Defendant is improperly seeking \$531 in costs for
 17 fees it expended in 2017 in a prior injunction appeal and a denied writ petition. Those
 18 costs cannot be awarded at this time, upon a post-judgment remand (they needed to be
 19 sought, if at all, prior to judgment), and are not within the scope of NRS 18.060
 20 concerning costs from an appeal resulting in a new trial or modified judgment.

21 **C. Defendant is entitled to none of the \$1,000 it claims as**
 22 **bond premiums costs as it never paid any bond premiums.**

23 Defendant seeks \$1,000 in costs as claimed "Premiums Paid for Supersedeas
 24 bond or other bond." Defendant itemizes this as "District Court Costs Bond" of \$500
 25 each for 3/23/17 "Writ re: SOL" and 10/02/18 "MSJ [final judgment] appeal." Costs
 26

27 ¹ This conduct by defendant's counsel would be properly subject to Rule 11 or
 28 other sanctions. The Court may want to consider such sanctions on its own initiative,
 plaintiffs make no formal request for such sanctions at this time.

1 for the former, its unsuccessful writ proceeding, are not recoverable costs on this
2 appeal under NRS 18.060. Defendant never paid any such bond costs and this request
3 is made solely to harass. These amounts are *not* “premiums” paid for any bond (a
4 “cost” of the bond) but are the fully refundable bond amount of \$500 deposited by an
5 appellant with the Clerk of the Court per NRAP Rule 7 for a potential appeal costs
6 award to the respondent. Upon request to the Court those deposited funds will be
7 returned to defendant. Defendants’ counsel was advised of this, admitted no such
8 bond premium cost was paid or that could be claimed for a cost award, but refused to
9 withdraw this request for \$1,000 in costs from their motion. Ex. “A” ¶ 3.

10 **C. Defendant is entitled to a maximum of \$1,050.82 in court**
11 **reporter costs, or more properly \$560.82 of such costs.**

12 As discussed, *infra*, and corroborated in Ex. “A,” no more that \$1,050.82 of
13 court reporter fees are potentially properly taxed as costs for defendant. Of that
14 amount, \$490.00 was expended on issues for which it did not secure any relief. Since
15 NRS 18.060 awards costs on appeal based on a party “obtaining relief,” and as noted
16 in the appeal of this very case, discussed *supra*, cost awards are to be made in a
17 “restrained” manner and under a “strict” construction of the costs statute, that \$490
18 should be excluded from such a costs award. This results in a total cost award of
19 \$560.82 to defendant for court reporter appeal transcripts.

20 **1. No more than \$2,780.82 of the claimed \$6,764.87 in court**
21 **reporter fees could have been “needed” for the post-**
22 **judgment appeal; \$3,984.05 in claimed court reporter**
fees were paid prior to judgment and for use during
the district court proceedings not for the appeal.

23 Defendant claims court reporter costs totaling \$6,764.87 for transcripts of
24 hearings on 24 different dates, all allegedly incurred because they were “needed to
25 determine the appeal.” The amount actually paid for transcripts that were “needed for
26 the appeal” cannot exceed \$2,780.82, the amount of court reporter costs paid after
27 entry of judgment. Ex, “A” ¶ 4. Transcripts defendant paid for prior to judgment were
28 not paid for because they were “needed for the appeal” of the judgment but for use in

the district court proceedings.² The court reporter costs recoverable by defendant under NRS 18.060 and NRAP 39(e) are limited to transcripts paid for because they were “needed to determine the appeal.” *i.e.*, they were not already paid for and in defendant’s possession prior to the appeal.

2. Of the potential \$2,780.82 in post-judgment court reporter expenses that might constitute costs, defendant has only justified a maximum of \$1,050.82 of such costs.

Of the \$2,780.82 in court reporter costs that *might* have been paid by defendant because they were “needed for the appeal,” \$1,730 cannot be awarded as costs because defendant has failed to properly substantiate the same. That \$1,730, though paid after judgment, was in an unitemized invoice for seven different transcripts, including five that were *not used* in the appeal (they were not in the appeal appendix). Ex. “A” ¶ 5. It is impossible to determine what portion of that \$1,730 is a potentially properly claimed appeal cost (for two out of seven transcripts) and that entire \$1,730 must be denied. *See, Cadle Co.*, 345 P.3d at 1054, and the other authorities discussed, *supra*, requiring itemization of each proper cost. This leaves a total of no more than \$1,052.82 of such costs.

3. Defendant should not be awarded costs for \$490 of court reporter expenses involving unsuccessful issues; its court reporter costs should be limited to \$560.82.

Defendant paid \$490 for the transcript of the hearing held post-judgment on October 22, 2018, on its motion to dismiss the claims, for a new trial, and its opposition to plaintiffs’ motion to amend the judgment. Ex, “A” ¶ 6. It did not secure relief on any of those issues on appeal. *Id.* NRS 18.060 provides “...a party

² Those district court proceeding transcript costs would have been recoverable by defendant at the time of final judgment if it had prevailed in the district court, but it did not. *See, NRS 18.005(8)*. Defendant does not become eligible to receive those costs because it appealed, secured a modification of the adverse judgment (which still remains adverse to it) and placed in the record of the appeal numerous transcripts. It remains the loser in the district court proceedings and is not entitled to any district court transcript costs except those specifically incurred for the appeal.

obtaining any relief shall have his or her costs.” Defendant was not a party obtaining “relief” as to those issues and should not be awarded that \$490 in claimed costs. While defendant will presumably argue they are entitled to all costs since they obtained *some* relief from the appeal that is neither logical nor reasonable. It is also contrary to the Supreme Court’s holding in this very case, discussed *supra*. The language of NRS 18.060 ties the award of costs to the relief itself: “the party” who secures “any relief shall have his or her costs” meaning *the costs associated with that relief*. It is also unreasonable to reward a party with costs that can be in the thousands of dollars for raising unsuccessful claims on appeal.

4. Even if the Court were to find court reporter fees paid prior to judgment could be “costs” under NRAP 39(e) defendant has still failed to establish its entitlement to court reporter costs exceeding \$1,050.82.

Defendant will likely insist that the “cost” of a court reporter transcript it “used” for the post-judgment appeal is recoverable even though it paid that cost for its benefit in the district court proceedings and prior to judgment or the existence of any appeal. That interpretation of NRAP 39(e) would be incorrect, as it only allows such costs when the transcript expense was incurred because it was “needed to determine the appeal.” But even if the Court were to adopt defendant’s interpretation of such rule, defendant has not shown under such an approach that more than \$1,050.82 in court reporter costs were properly incurred for use in the appeal.

Defendant seeks costs for six transcripts not even arguably “used” in the appeal — they were not in its appeal appendix and one of those six was not even from this case. Those transcripts cost \$2,000. Ex. “A” ¶¶ 5, 7. It seeks costs for a court reporter transcript from 2017 concerning the injunction issued in this case that was subject to the 2017 appeal and not part of this appeal. That claimed cost is \$116. *Id.* It seeks costs of \$1,058.18 (including a \$33.26 credit card fee) for a transcript from November 3, 2015, on its unsuccessful motion to dismiss and addressing none of the other issues raised on appeal, it was not necessary to the appeal. Ex. “A” ¶ 7.

1 Defendant's election to place in the appeal record \$1,000 or several thousand dollars
2 worth of useless transcripts does not create a right for it to recover those amounts as
3 "costs" — they were not "needed" for the appeal and defendant does not explain how
4 they were needed.

5 The only two transcripts defendant has identified that were arguably "used" and
6 "needed" for the purposes of the appeal were for the two issues it secured relief upon
7 on the appeal: the tolling of the statute of limitations and the post-judgment quashing
8 of the judgment execution. In respect to the former, prepared prior to judgment, it had
9 court reporter costs of \$816.32. In respect to the latter it did not justify its costs for
10 that transcript since it presented it as part of a \$1,730 invoice covering seven different
11 (and five not used) transcripts.

12 IN SUPPORT OF THE COUNTER MOTION

13 Upon remittitur from the Supreme Court the judgment against A Cab for
14 \$1,033,027 will be amended to remove damages that pre-dated October 8, 2010. This
15 will leave a damages judgment of approximately \$675,000 (not including post-
16 judgment interest from August of 2018) in favor of the class members against A Cab
17 plus post-judgment interest of approximately \$122,000.³ Any award of costs to A Cab
18 should be applied as a set-off against the class members' judgment, to be born *pro-*
19 *rata* by each class member. Plaintiffs' counsel will perform the necessary calculations
20

21
22 ³ This "post-October 8, 2010" damages amount was already established in the
23 prior proceedings, it was calculated separately and incorporated into the final
24 judgment total with the separately calculated pre-October 8, 2010 damages. *See*
25 Declaration of Class Counsel filed June 20, 2018, at Ex. "C" and Ex. 1-5 thereto. The
26 modified judgment will involve a purely arithmetical exercise using what is already in
27 the record and this Court is bound by the Supreme Court's affirmance of the post-
28 October 8, 2010 damages amount. Plaintiffs' counsel expects to provide the necessary
arithmetical breakout to the Court shortly after remittitur issues. Any argument by A
Cab that further findings will need to be made as to the modified judgment amount is
specious.

1 to do so and present them to the Court and defendant's counsel after remittitur when a
2 modified judgment is presented to the Court for entry.

3
4 **CONCLUSION**

5 For all the foregoing reasons, defendants' motion should be denied and plaintiffs'
6 counter-motion granted..

7 Dated: February 3, 2022

8 LEON GREENBERG PROFESSIONAL CORP.

9
10 /s/ Leon Greenberg
11 Leon Greenberg, Esq.
12 Nevada Bar No. 8094
13 2965 S. Jones Boulevard - Ste. E-3
14 Las Vegas, NV 89146
15 Tel (702) 383-6085
16 Attorney for the Class
17
18
19
20
21
22
23
24
25
26
27
28

1
2 PROOF OF SERVICE
3

4 The undersigned certifies that on February 3, 2022 she served the within:

5 **PLAINTIFFS' RESPONSE TO DEFENDANTS' MOTION FOR COSTS**
6 **COUNTER MOTION TO**
7 **OFFSET COSTS AGAINST**
8 **JUDGMENT**

9 by court electronic service to:

10 TO:

11 Esther C. Rodriguez, Esq.
12 RODRIGUEZ LAW OFFICES, P.C.
13 10161 Park Run Drive, Suite 150
14 Las Vegas, NV 89145
15
16
17
18
19
20
21
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23
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25
26
27
28

/s/ Ruthann Devereaux-Gonzalez

Ruthann Devereaux-Gonzalez

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EXHIBIT "A"

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Attorneys for Plaintiffs

**DISTRICT COURT
 CLARK COUNTY, NEVADA**

MICHAEL MURRAY, and MICHAEL
 RENO, Individually and on behalf of
 others similarly situated,

Plaintiffs,

vs.

A CAB TAXI SERVICE LLC, A CAB
 SERIES LLC formerly known as A
 CAB LLC, and CREIGHTON J. NADY,

Defendants.

Case No.: A-12-669926-C

Dept.: II

**DECLARATION OF CLASS
 COUNSEL, LEON
 GREENBERG, ESQ.**

Leon Greenberg, an attorney duly licensed to practice law in the State of Nevada, hereby affirms, under the penalty of perjury, that:

1. I have been appointed by the Court as class counsel in this matter. I offer this declaration in connection with plaintiffs' opposition to defendant's motion for an award of costs on their final judgment appeal.

2. I spoke with defendant's counsel, Esther Rodriguez, on January 25, 2022, as also confirmed in my letter to her of January 31, 2022 (attached). At that time I urged her to withdraw without prejudice or at least continue this motion until such time as remittitur issues from the Supreme Court since this Court lacks jurisdiction to

1 have such request presented to it until remittitur issues. She refused that request and
2 insisted the motion must be heard on February 16, 2022.

3 3. When I spoke with Esther Rodriguez on January 25, 2021, I asked her to
4 remove from defendant's costs request motion items that were clearly improper. I
5 specifically discussed with her that the request for \$1,000 in "Supersedeas Bond
6 Premiums" for "District Court Cost Bond" that was claimed was in error, as the \$500
7 deposit (two deposits being claimed) made with the Clerk of the Court per NRAP Rule
8 7 (the "bond" at issue) was fully refundable — that is not a "premium" paid for a
9 supersedeas bond. Ms. Rodriguez acknowledged that was true and no such cost
10 actually existed, refused to withdraw this requested item of costs from her motion, and
11 then insisted on terminating our phone call without any further discussion of this or
12 any other improperly claimed cost issue.

13 4. My office reviewed the court reporter costs claimed by defendant in their
14 motion and the invoices indicating when those costs were paid. Defendant paid
15 \$2,780.82 in such claimed costs after entry of the final judgment in this case in August
16 of 2018, meaning no more than \$2,708.82 of such claimed costs may have been
17 incurred in connection with this appeal.

18 5. Defendant's present a claim for \$1,730 in court reporter fees set forth in a
19 single invoice for preparation of transcripts of seven hearings held on 1/11/2013,
20 8/11/2015, 3/16/2016, 5/23/2018, 6/1/2018, 9/26/2018, and 9/28/2018. The
21 transcripts for the first five of those hearings were not included in the appendix used
22 by defendant in its appeal. That invoice does not detail the cost for each of those
23 transcripts, meaning the cost for the two transcripts potentially subject to a costs award
24 (for 9/26/2018 and 9/28/2018) is unknown.

25 6. Defendant presents a claim for \$490 in court reporter fees for a transcript
26 of the hearing held on October 22, 2018. That hearing concerned requests by
27 defendant to dismiss the plaintiffs' claims, to have a new trial, and its opposition to the
28

1 plaintiffs' motion to amend the judgment. In its appeal of the judgment defendant did
2 not secure any relief on any of those issues and the district court's rulings made on
3 October 22, 2018, and the subject of such transcript, were fully affirmed by the
4 Supreme Court.

5 7. Defendant presents a claim for \$270 in court reporter costs for the pre-
6 judgment preparation of a transcript from February 14, 2017, in another case (*Dubric*
7 *v. A Cab*). That transcript was not filed in the appendix used by defendant on its
8 appeal. It is also seeks costs of \$116 for the pre-judgment preparation of a transcript
9 from February 14, 2017, concerning the issuance of an injunction that was not part of
10 this appeal (it was resolved in a prior appeal in 2018).

11
12 I have read the foregoing and affirm the same is true and correct.

13
14 Affirmed this 3rd Day of February, 2022

15
16 /s/ Leon Greenberg
17 Leon Greenberg, Esq.

ELECTRONICALLY SERVED
1/31/2022 3:31 PM
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January 31, 2022

Esther C. Rodriguez, Esq.
10161 Park Run Drive, Suite 150
Las Vegas, Nevada 89145

VIA WIZNET SYSTEM SERVICE

Re: Murray v. A Cab
Motion for Appeal Costs

Dear Ms. Rodriguez:

I write to confirm our conversation on January 25, 2022, about this. In relevant part we discussed:

1. My agreement to have some portion of the costs you itemized in this motion awarded as an offset to the judgment and in favor of your client, for example a \$250 appeal filing fee cost.
2. That certain costs you itemized in this motion are not even arguably proper. By way of example, you assert claims of \$500 twice, for a total of \$1,000 as "Premiums Paid for Supersedas Bond" further described as "District Court Cost Bond." As I pointed out to you during our conversation, the \$500 an appellant deposits with the Clerk to cover appeal costs is refunded, in full, upon request. You acknowledged that to me but refused to discuss agreeing to remove your request for these costs, or any other costs, from your motion and then terminated our phone call.

You have repeatedly asserted plaintiffs' counsel in this case has improperly inflated their attorney's fee claim by engaging in excessive and unnecessary litigation activities. Your conduct in respect to this motion demonstrates that the

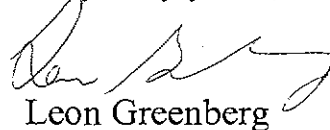
004486

opposite it true. It is you, on behalf of your client, that continues to engage in unnecessary and time consuming litigation activities that, in turn, create a need for larger (and otherwise avoidable) fee awards to plaintiffs' counsel.

Instead of reviewing the relevant issues raised by this motion, and working to resolve them (or at least appropriately narrow the issues to conserve the time of plaintiffs' counsel and the Court), you insist on presenting what you acknowledge are improper cost requests to the Court. Plaintiffs' counsel must, in turn, then expend the time to explain to the Court your improper requests. And your client is responsible for the time consumed by plaintiffs' counsel doing so, time expenditures that you are insisting they undertake.

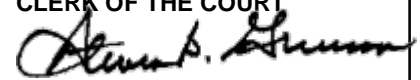
I remain available to work with you to resolve this motion, at least in part, and conserve my time and spare your client its liability for my fees that will accrue from the time I will have to spend refuting your improper cost requests. Do contact me most promptly if you wish to work with me on that.

Very truly yours,


Leon Greenberg

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ROPP

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

MICHAEL MURRAY, and MICHAEL
RENO, Individually and on behalf of
others similarly situated,

Plaintiffs,

vs.

A CAB TAXI SERVICE LLC, A CAB
SERIES LLC formerly known as A
CAB LLC, and CREIGHTON J. NADY,

Defendants.

Case No.: A-12-669926-C

Dept.: IX

**PLAINTIFFS' REPLY TO
DEFENDANTS' OPPOSITION
TO PLAINTIFFS' MOTION TO
STAY, OFFSET, OR
APPORTION AWARD OF
COSTS AND/OR
RECONSIDER AWARD OF
COSTS**

**Hearing Date: July 11, 2022
In Chambers**

Plaintiffs, through their attorneys, Leon Greenberg Professional Corporation,
hereby submit this reply to defendants' opposition to plaintiffs' motion to stay, offset,
or apportion the Court's award of certain appellate costs to defendants and/or
reconsider that award.

ARGUMENT

**I. It may be more efficient for the Court to consolidate this motion
with the motion set for hearing on July 27, 2022, so the Court's
two overlapping Orders can be appropriately reconciled.**

Owing to an *ex parte* communication by A Cab's counsel, discussed *infra*, on
June 3, 2022, the Court entered a second Order dealing with the issues addressed in
plaintiffs' motion. Ex. "A." The Court's June 3, 2022, Order, while not identical to

1 the May 17, 2022, Order, still contains errors the plaintiffs seek to correct via a motion
2 for reconsideration set for hearing on July 27, 2022, at 9:00 a.m. Plaintiffs take no
3 position on whether the May 17, 2022, or the June 3, 2022, Order is controlling (where
4 those terms differ, certain terms are identical). They have filed a notice of appeal of
5 both orders and seek reconsideration of each.

6 The Court may want to continue this motion and resolve it at the July 27, 2022,
7 hearing for reconsideration of the Court's June 3, 2022, Order. If it does not, when it
8 resolves this motion it should resolve the overlapping June 3, 2022, and May 17, 2022,
9 Orders. It can indicate the relief it is granting (or deny any relief) and merge the two
10 Orders and their conflicting terms into a single Order as the Court deems appropriate.

11 **II. Plaintiffs' motion is properly presented and A Cab concedes**
12 **there is at least one error in the Court's Orders requiring correction.**

13 A Cab's opposition wrongly accuses plaintiffs of misconduct. Plaintiffs respond
14 to those untrue allegations if the Court elects to examine them, though it should only
15 consider the merits of the plaintiffs' requests and A Cab's response to the same.

16 **A. Plaintiffs' motion cannot be frivolous as A Cab agrees the**
17 **Court's prior Orders erred by awarding costs to "defendants"**
and not just to "A Cab" and that error requires correction.

18 Both the May 17, 2022, and the June 3, 2022, Orders contain a manifest error:
19 they grant an award of appellate costs to "defendants" plural (Ex. "A" moving papers,
20 Order, p. 2., l. 8 "Accordingly, Defendants are awarded a total of \$7,052.87 as costs,
21 and against Plaintiffs."). But there was only one appellant — A Cab. The other
22 defendant, Nady, had his case severed and was not a party to the final judgment or to
23 the appeal giving rise to the award of appellate costs. Ex. "H" moving papers, Order
24 of Nevada Supreme Court dismissing Nady from that appeal. Defendants' counsel, in
25 its letter to plaintiffs' counsel, does not suggest that both defendants, and not just A
26 Cab, are entitled to appellate costs. Ex. "B" correspondence of June 17, 2022.
27 Rather, it insists the May 17, 2022, Order does not mean what it says because it does
28 not recite that the motion for costs was filed by Nady. *Id.*, p. 2. Rather than baselessly

1 demanding sanctions (plaintiffs cannot be acting frivolously by seeking to correct this
2 clear error by motion), it should have cooperated to correct this error via a stipulation.

3 **B. Plaintiffs have not improperly presented any orders or motions**
4 **to the Court or the wrong Department; it is defendants who**
5 **engaged in an *ex-parte* communication with the Court causing**
6 **the submission of proposed orders in an irregular fashion and**
7 **the Court's unintentional, and uninformed, entry of two**
8 **Orders.**

9 **1. The Court's entry of two Orders purporting to resolve**
10 **the same motion was caused by defendants' counsel.**

11 Plaintiffs' moving papers state (p. 5, fn 1) the Court entered the May 17, 2022,
12 Order from defendants' proposed Order before plaintiffs could submit their own draft
13 Order. **That is incorrect** and plaintiffs' counsel apologizes for that misstatement.

14 Plaintiffs' counsel was in communication by email repeatedly with defendants'
15 counsel on May 16, 2022, on the form of the proposed Order, the parties having agreed
16 to most aspects of the same. Ex. "C" declaration and emails. Defendants' counsel,
17 rejecting plaintiffs' counsel's request for further dialogue about their outstanding
18 differences, submitted a proposed Order via email directly to the Department 2 inbox
19 at 5:34 p.m. that day. *Id.* That submission was presumptively to the *wrong*
20 *Department*, as this case had been reassigned to Department 9 on March 25, 2022.
21 Defendants' counsel now affirms she was instructed "on or about May 2, 2022" by
22 Court staff to submit such Order to Department 2 and not Department 9. Opp., Ex.
23 "5" ¶ 4, p. 2, l. 14-20. But that submission by defendants' counsel was still
24 presumptively to the *wrong Department* as such counsel never advised plaintiffs'
25 counsel of that *ex-parte* conversation taking place two weeks earlier — and did not
26 advise of that conversation until filing their motion opposition. Ex. "C" ¶ 4. The next
27 day, at 2:18 p.m., plaintiffs' counsel submitted their proposed form of Order via email
28 to Department 9, the presumptively correct Department. *Id.* ¶ 3. Later that same day,
at 2:59 p.m., the defendants' form of Order was signed and entered by Judge Sturman.

1 *Id.* It was Judge Sturman who had heard the motion for Department 2 and its staff
2 forwarded the defendants' proposed Order to her for review.

3 Plaintiffs' counsel (and perhaps defendants' counsel as well) had assumed the
4 Court's entry of defendants' proposed Order on May 17, 2022, resulted from the
5 proper presentation of proposed Orders duly considered by the Court or a decision by
6 Judge Sturman to not further await presentation of plaintiffs' proposed Order. But it
7 was neither of those things. Defendants' proposed Order was not emailed to
8 Department 9, where this case was assigned. It was emailed, pursuant to *ex parte*
9 instructions defendants' counsel secured and never communicated to plaintiffs'
10 counsel, to Department 2 which sent it to Judge Sturman instead of the Department 9
11 staff. Judge Sturman never saw plaintiffs' proposed Order, submitted prior to her
12 signing of the defendants' proposed Order. That proposed Order was held by the
13 Department 9 staff and entered by its presiding Judge on June 3, 2022, who were
14 obviously unaware of the actions taken by Department 2's staff and Judge Sturman.
15 This unintended course of events resulted in two different Orders being entered that
16 addressed the same motion (with neither jurist signing those Orders having the benefit
17 of first considering *both* counsel's timely submitted proposed Orders).

18 Whatever "blame" may exist for the entry of two Orders by the Court lies with
19 defendants. If Ms. Rodriguez had engaged plaintiffs' counsel in her May 2, 2022, call
20 to Department 2 and not proceeded with an *ex parte* communication, or advised
21 plaintiffs' counsel of the instructions she received on that date, the parties proposed
22 order submissions would have proceeded properly. There is no reason to believe Ms.
23 Rodriguez acted with any animus, but there was a failure by her to properly
24 communicate and that failure caused the Court to enter two Orders.

25 **2. Plaintiffs have not presented any motion to the "wrong**
26 **department" — defendants are asserting an impossibility.**

27 Defendant insist plaintiffs have improperly presented a reconsideration motion
28 in "the wrong forum" to Department 2, not Department 9, and sanctions should be

imposed” Opp., p. 12, l. 1-3, p. 16, l. 16. This claim is unexplained and frivolous. And impossible. When plaintiffs’ motion was filed via Wiznet it, like any Wiznet filed motion, is submitted to the staff of the case’s assigned Department and noticed for a hearing in that Department (in this case Department 9). The only improper submission to the Court was defendants’ proposed Order, since it was emailed on May 16, 2022, directly to Department 2, pursuant to *ex-parte* instructions never communicated by defendants and not filed via Wiznet.¹

III. The Court never considered or ruled upon plaintiffs’ counter-motion to apportion the award of costs and such apportionment should be granted or at least deferred (denied “without prejudice”).

Defendants’ insistence Judge Sturman considered whether the costs award should be apportioned, and denied that request (made in a counter-motion) with prejudice, rests upon silence — a complete silence in the record by Judge Sturman as to whether she was considering or denying that request or even aware of that request. Such silence cannot constitute a with prejudice denial of that request barring its further consideration. *Cf., Irons v. Montanye*, 520 F.2d 646, 649 (2nd Cir. 1975) (Denial of motion without opinion is presumed to be without prejudice). The record sets forth ample reasons to consider that request and either grant it or rule it should be deferred for future consideration (denied “without prejudice”).

A. Judge Sturman did not indicate at the motion hearing she was even aware of the apportionment issue and denied plaintiffs’ counsel further time to address the Court.

Judge Sturman made no mention of her considering the counter-motion to apportion costs and at the conclusion of the hearing denied plaintiffs’ counsel’s request to be heard further. Ex. “D” Transcript, p. 28, l. 18-20. A Cab’s claim “Plaintiffs did not choose to even argue their countermotion during the hearing” is untrue — they did not do so orally because Judge Sturman did not allow it. But it was

¹ Perhaps defendants are claiming the typographical error (an obsolete caption reference to Department 2) in plaintiffs’ motion means it was improperly filed.

1 raised in their briefs and they were entitled to have it addressed. If it was to be denied,
 2 so be it, but they now properly seeking reconsideration to ensure it is addressed and
 3 not ignored.

4 **B. Defendants' *ex parte* communication deprived Judge Sturman**
 5 **of an opportunity to be made aware of the apportionment issue**
 6 **before signing defendants' proposed Order.**

7 As discussed, *supra*, both parties timely submitted proposed Orders to the
 8 Court, prior to the entry of the May 17, 2022, Order, but Judge Sturman only saw
 9 defendants' proposed Order. That resulted from defendants' counsel's *ex parte*
 10 communication with Department 2. If Judge Sturman had seen both proposed Orders
 11 she may have elected to *not* deny the apportionment request "with prejudice" but (as
 12 contained in the June 3, 2022, Order) deny that request "without prejudice" so it could
 13 be considered in the future. She might have, as is customary, paused her decision on
 14 the form of the Order to consider letters from counsel on the varying of proposed
 15 Orders. Plaintiffs' counsel had drafted such a letter for Department 9 but it was never
 16 sent because Judge Sturman, unaware of the proposed Order in Department 9, signed
 17 defendants' proposed Order before it could be dispatched. Ex. "C, ¶ 3."

18 **C. A Cab does not explain why it should be allowed to harass**
 19 **the two named individual plaintiffs with a costs award; its**
 20 **economic interests and judicial economy are better served**
 21 **by assuring A Cab collects its costs from the class as a whole.**

22 A Cab does not explain why it opposes having its costs award applied as a set
 23 off against the entire class judgment of over \$685,000.² Doing so would guarantee it a
 24 full recovery of that judgment's value. Having that award for \$7,052 imposed as a
 25 judgment against only the two individual plaintiffs would not, as their collective
 26 judgments against A Cab are for less than \$7,052 (Ex. "D" moving papers). But A
 27 Cab is not interested in collecting that \$7,052. It wants to vindictively harass those
 28 plaintiffs (Murray and Reno) with judgment collection proceedings. That is confirmed

² As discussed, *infra*, A Cab, contrary to the Nevada Supreme Court's Orders and the record, is baselessly insisting there is no final judgment.

1 by its initiation of an abusive lawsuit against Murray and Reno, *A Cab v. Murray*, A-
2 19-792961-C, dismissed by Judge Escobar with the imposition of over \$20,000 in
3 sanctions against A Cab and its attorneys. Order, Ex. "E."

4 To the extent justice and the law requires an award of costs to A Cab that award
5 should be delivered to A Cab in the most efficient fashion that does not impair any of
6 its legitimate interests. A Cab has no proper concern as to whether its \$7,052 award is
7 paid by the class as a whole or Reno and Murray individually and its attempt to
8 oppress those two plaintiffs with that award should be rejected.

9 **D. A set off is proper as the final judgment in this case**
10 **against A Cab was affirmed and stands at over**
\$685,886 and is not subject to further modification.

11 A Cab falsely asserts (Opp. p. 6, l. 13 - 23) there is "no final judgment" in this
12 case against A Cab; that the final judgment appeal in this case, *A Cab LLC v. Murray*,
13 137 Nev. Adv. Op. 84 (Dec. 30, 2021) (En Banc), copy at Ex. "F," left an unexplained
14 "number of issues to be determined in the remand"; that those issues include a need to
15 have plaintiffs' damages "determined"; a need to "determine" who is "a proper
16 defendant for any liability"; and "in compliance with the remand" a need to address
17 "decertification of portions of the class." In doing so it cites to no portion of the
18 Supreme Court's opinion and none of those assertions are even colorably true.

19 The Supreme Court made only one determination about this Court's final
20 judgment: that the damages awarded for the time period prior to the two-year statute of
21 limitations (prior to October 8, 2010) were improper and modifying the final judgment
22 (reducing it in a like amount) accordingly. *Id.* at 12-14. That involved one of three
23 separate damages awards calculated by this Court and incorporated into the final
24 judgment for three distinct time periods as discussed by the Supreme Court. *See, Id.* at
25 12-14 (discussing period more than two years prior to commencement of this case on
26 October 8, 2012); p. 14-15 (discussing 2013-2015 period); p. 16-20 (discussing period
27 prior to 2013). This Court's Judgment entered on August 21, 2018, confirms its final
28 judgment was a total of the damages calculated separately for each of those three

1 periods, including the disallowed period prior to October 8, 2010. *See* Ex. “B”
2 moving papers, final judgment, p. 17-18, ¶¶ 25-26, explaining how the record contains
3 the separate amounts awarded and incorporated into the final judgment for each of the
4 three periods.

5 The damages in this case have already been completely determined. The record
6 sets forth the amount of the modification of the final judgment directed by the
7 Supreme Court and the final judgment remains in place, accruing interest since its
8 original entry on August 21, 2018, for that modified amount. *See* Ex. “G” moving
9 papers, Supreme Court Order of February 3, 2022. As discussed in the moving papers,
10 that modified amount (\$685,886 on behalf of 661 class member taxi drivers), while
11 already in the record, is not specifically itemized and confirmed by the Court because
12 A Cab prevailed upon Judge Kierny to stay this case and prevent the same.³ A Cab
13 also argues that the final judgment is somehow impacted by a need to rule on its
14 request for an “order that no damages exist after June 26, 2014.” *Opp.*, p. 8, l. 19-23.
15 No basis exists to issue such an order. The Supreme Court affirmed the final
16 judgment, modifying it only to remove the damages pre-dating October 8, 2010. This
17 Court cannot otherwise modify any aspect of that judgment.

18
19
20 ³ A Cab, without explaining *how* the plaintiffs have failed to itemize the final
21 judgment as modified by the Supreme Court and as determined by the Court’s
22 previous findings, erroneously insists there is “no final judgment” and a
23 “determination of damages” remains to be made. The Supreme Court rejected A
24 Cab’s claim this Court’s damages calculations were erroneous. Ex. “F” p. 15,
25 observing “we have been provided with no justification” to reverse the damages
26 calculations made by the district court as A Cab “has not demonstrated existing issues
27 of material fact” in respect to the “data points” used to calculate the damages, “the
28 calculations performed” or the “minimum wage deficiencies revealed by those
calculations.” The Supreme Court fully affirmed the correctness of the damages
determined by this Court. It modified the final judgment to remove (back out) this
Court’s previously determined damages for prior to October 8, 2010, that are in the
record.

1 A Cab misrepresents the Supreme Court’s decision as having “specifically
2 stated that the District Court erred ‘without taking evidence on what corporate entities
3 existed and were actually liable for the judgment’ ” and that it “specifically stated” this
4 Court must determine “which entity existed at the time and which bears any liability
5 for any damages that are determined.” The Supreme Court made no such findings.

6 The Supreme Court affirmed A Cab’s liability for the final judgment and the
7 amendment of the judgment to be against “A Cab Series LLC.” A Cab misrepresents
8 the Supreme Court’s discussion of A Cab’s attempt to quash a judgment execution on
9 bank accounts that were alleged to belong to other non-debtor entities. The full
10 sentence at issue states: **“Finally, while the district court properly amended the
11 judgment to include ‘A Cab Series, LLC,’ it erred in denying A Cab’s motion to
12 quash the execution of judgment** without taking evidence on what corporate entities
13 existed and were actually liable for the judgment.” Ex. “F” p. 32, portion in bold
14 omitted by A Cab in its quotation.

15 The judgment debtor in this case is a single entity — A Cab Series LLC,
16 originally known as A Cab LLC, (“A Cab”) as found by this Court and as affirmed by
17 the Supreme Court. No additional findings are or can be made about that judgment
18 debtor’s liability. Whether that judgment has been used to improperly seize property
19 belonging to other, non-debtor entities, a separate post-judgment issue addressed by
20 the Supreme Court, does not involve any further findings as to the judgment itself.⁴
21 That judgment has been fully affirmed, as modified, against A Cab.

22 A Cab frivolously insists a “decertification” of the class must occur with notice
23 to all “erroneously included” class members who were employed prior to October 8,
24

25 ⁴ The Supreme Court granted judgment debtor A Cab, and the alleged non-
26 debtor entities, a right to an evidentiary hearing on the propriety of the prior writ of
27 judgment execution and an opportunity to potentially quash the same. Ex. “F” p. 30-
28 31. Neither A Cab nor the alleged non-debtor entities have requested that hearing
despite their claim to the Supreme Court that over \$220,000 was improperly seized.

1 2010 “in compliance with the remand” from the Supreme Court. Opp. p. 6, l. 19-20, p.
2 8, l. 23 - p. 9, l. 3. The Supreme Court made no determinations regarding the class
3 certification of this case. Nor did it direct a “decertification” upon remand. A Cab is
4 nonsensically arguing that because class member claims prior to October 8, 2010, were
5 found to be non-recoverable by the Supreme Court (beyond the statute of limitations)
6 the “class” must be reconstituted (“decertified”) and noticed accordingly. That is
7 absurd — the class was properly certified, the Supreme Court did not modify the class
8 certification, and all of the class members proceeded to a final judgment of their
9 damages claims. That some class members may have failed partially, or entirely, on
10 their damages claims because of this Court’s overturned statute of limitations ruling
11 does not change this Court’s final judgment. There is no “class” to “decertify” or class
12 member damages claims to further adjudicate. The class judgment is final and each
13 class member’s claim fully resolved, either with, or without, a recovery.

14 **IV. The Court’s award of court reporter expenses was manifestly**
15 **erroneous; the “reasonableness” of the reporter’s charges and A**
Cab’s desire for those transcripts did not render them “necessary.”

16 Only the portion of the Court’s award of court reporter costs is presented for
17 reconsideration, based upon clearly erroneous rulings and misunderstandings of
18 established law by the Court. That plaintiffs also rely on the previously presented
19 (and misunderstood/misapprehended) record and arguments do not, as defendants’
20 claim, render that request for reconsideration improper. Plaintiffs’ counsel sought
21 additional time at the motion hearing to explain to the Court how it was misapplying
22 the law on this point, but the Court denied that request. Ex. “D,” p. 28, l. 18-20.
23 Even if the Court now elects to deny reconsideration, plaintiffs’ submission of that
24 reconsideration request is not frivolous in light of the Court’s denial of plaintiffs’
25 request to address such issue at the motion hearing.

26 The court reporter costs sought by A Cab were excessive for two reasons: (1)
27 Many of the transcripts for which costs were sought were not used in its appeal, they
28 were not in its appendix, and did not involve any issues appealed; and (2) Those

1 transcripts were not actually secured for the appeal, they were costs incurred during
2 the district court litigation (costs it could not collect as the losing party in district
3 court). The Court, at the February 16, 2022, hearing, in considering these issues, and
4 reviewing particular court reporter charges, stated as follows:

5 That's the big lump, the 1,250. So that one appears to have been
6 requested and for the purposes of using it in the appeal. Whether it
7 actually made it into the -- into the appeal if any particular issue was or
8 wasn't raised in the appeal if -- and it wasn't attached, it was in the
9 appendix.

10 If it was still used for them in figuring out if that was something
11 they could raise and, and they have documented it with an invoice
12 showing that it was actually incurred; nobody's really challenging
13 whether it was reasonable. The issue is whether it was necessary. And so,
14 we have the actually incurred point and we have the reasonableness issue.
15 So we only have the question of what's -- I mean actually incurred and
16 reasonableness of the fee.... Ex. "C" p. 22, l. 19 - p. 23, l. 5

17The issue again solely is reasonableness, reasonable, necessary
18 and actually incurred. Nobody's challenging how much the transcripts
19 were charged, how much the transcriptionist charged to do their work.
20 And I -- they're all documented as having been actually paid. It's just this
21 question of reasonableness. **And for my purposes if they -- if they**
22 **reviewed it whether it made it into the appeal or not. If it was**
23 **something they ordered for their purposes in preparing for the**
24 **appeal, then I think it can be recovered.** *Id.*, p. 23, l. 23 - p. 24, l. 5.
25 (emphasis provided).

26 After making the foregoing findings the Court allowed discussion by counsel as
27 to other costs issues but denied plaintiffs' counsel's request to address its foregoing
28 court reporter costs ruling. *Id.*, p. 24, l. 23 - p. 28, l. 20.

29 The Court committed plain error by holding, *supra*, that the court reporter
30 transcript costs were properly awarded "whether it made it into the appeal or not." It
31 clearly erred in holding that A Cab's "reasonable" desire to secure and review those
32 transcripts rendered those costs "necessary" to the appeal. It did not. The Supreme
33 Court has repeatedly made clear, as discussed in plaintiffs' motion and in the appeal of
34 this very case, Ex. "F," 137 Nev. Adv. Op. 84, p. 24-25, that "necessary" and
35 "reasonable" are separate elements *both* of which need to be established by the party
36 claiming costs. The "reasonable" prong involves the *amount* of the cost claimed,

1 while the “necessary” prong concerns whether the cost is *needed* and thus properly
2 claimed (but only in a “reasonable” amount). *See, id.*, and cases cited therein.

3 That it was “reasonable” for A Cab to seek the transcripts does not, and cannot,
4 resolve whether they were “necessary” meaning *needed* for its appeal. The Court erred
5 by conflating those two separate issues into a single question, finding that since it was
6 “reasonable” for A Cab to secure a transcript it was properly awarded as a cost
7 “necessary” for the appeal even if it was not used. That is not only contrary to
8 controlling precedent, it contradicts NRAP 39(e)(2) awarding costs for only transcripts
9 needed by the Supreme Court to *determine* the appeal, not costs “reasonably” incurred
10 by A Cab to decide *what* to appeal. Transcripts not used by A Cab in its appendix
11 were not needed to determine the appeal and could not be awarded as costs. Without
12 those transcripts A Cab’s appeal would have proceeded in the same fashion, upon the
13 same appendix, and raised the same issues. Transcript costs incurred *prior to*
14 *judgment* were also not costs incurred because they were “necessary” for the appeal as
15 no possible appeal even existed until the adverse judgment was entered. The Court’s
16 prior Order granting such court reporter costs was plainly erroneous and contrary to
17 law. A Cab, as detailed in the moving papers, has not established more than \$1,050.82
18 of its court reporter costs were “necessary” to its appeal and properly awarded as
19 appellate costs.

20
21 **V. Plaintiffs have not violated the stay Order or acted
improperly; A Cab’s sanctions request is frivolous.**

22 Plaintiffs’ motion advised the Court of the stay Order entered on May 3, 2022
23 (moving papers, p. 1, l. 14-17, Ex. “D”) and respected that stay. That Order did not
24 bar the presentation of all (or any specific) motions to the Court. Plaintiffs’ motion
25 seeks, as would any motion in this case at this time, a *de facto* modification of that stay
26 since the Court is being asked to grant some specific relief and take some specific
27 action (not just keep this case 100% “stayed”). The Court’s May 3, 2022, Order (Ex.
28 “D” moving papers) could have, *but did not*, direct that “no party shall file any

1 motions with the Court” or “no requests to modify the stay imposed by this Order shall
2 be made” until a certain date or conditions came to pass.

3 A Cab’s assertion the Court’s stay Order was violated by plaintiffs’ presentation
4 of this motion is nonsensical. That stay prohibited unilateral litigation activity, such
5 as the service of subpoenas on non-parties. It did not limit the parties’ right to petition
6 the Court for assistance, whether to address circumstances arising *after* the stay Order
7 (such as those triggering plaintiffs’ motion) or to lift the stay itself so this action could
8 proceed.⁵ The Court may decide, on the merits, that plaintiffs’ motion should be
9 denied (or granted). But the presentation of that motion did not violate the stay Order
10 and that motion should be addressed on its merits.

11 Plaintiffs’ motion to reconsider was, as discussed *supra*, presented to the Court
12 to correct at least one indisputable error (an error A Cab admits exists, the award of
13 costs to its co-defendant Nady) and based on reasonable good faith arguments. A Cab
14 inserts a meaningless lengthy string of citations to wholly inapplicable cases, none
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24 ⁵ The May 3, 2022, Order found a stay was proper pending the *Dubric* appeal’s
25 resolution but did not direct a termination of the stay when that appeal was resolved or
26 under any other circumstances. A Cab is arguing until the Court *sue sponte* modifies
27 the stay any request to the Court, including one to lift the stay after the *Dubric*
28 appeal’s conclusion, violates the stay. That is absurd and A Cab has violated that
interpretation of the stay Order by submitting its proposed Order on May 16, 2022 that
they requested be entered!