

1 \$2515  
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Electronically Filed  
Oct 09 2023 10:50 AM  
Elizabeth A. Brown  
Clerk of Supreme Court

7 *Attorneys for Defendants Wespac and Greg Christian*

8 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**

9 **IN AND FOR THE COUNTY OF WASHOE**

10  
11 GREGORY O. GARMONG,

12 Plaintiff,

13 vs.

14 WESPAC; GREG CHRISTIAN; DOES 1-  
10,inclusive,

15 Defendants.  
16

CASE NO. CV12-01271

Dept. No. 6

17 **NOTICE OF APPEAL**

18 Please take notice that Defendants, WESPAC and GREG CHRISTIAN, appeals to the  
19 Nevada Supreme Court from the District Courts August 10, 2023, Order regarding attorneys fees  
20 awarded related to Defendants motion to compel.  
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**AFFIRMATION**

The undersigned hereby declares that the within document does not contain the Social Security Number of any person.

DATED this 4<sup>th</sup> day of October, 2023.

GORDON REES  
SCULLY MANSUKHANI LLP

By: 

STEPHEN S. KENT, ESQ.

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*Attorneys for Defendants Wespac and  
Greg Christian*

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**CERTIFICATE OF SERVICE**

Pursuant to Rule 5(b) of the Nevada Rules of Civil Procedure, I hereby certify that I am an employee of Gordon Rees Scully Mansukhani and that on this date, I served a true and correct copy of the attached document(s) as follows:

\_\_\_\_\_ By placing the document(s) in a sealed envelope with first-class U.S. postage prepaid, and depositing it for mailing with the U.S. Postal Service in Reno, Nevada addressed to the person at the address listed below.

  X   By electronic service. By filing the document with the court's electronic filing system which serves counsel listed below electronically.

\_\_\_\_\_ By personally delivering the document(s) listed above, addressed to the person at the address as set forth below.

\_\_\_\_\_ By Federal Express.

\_\_\_\_\_ By facsimile.

Carl Hebert, Esq.  
2215 Stone View Drive  
Sparks, NV 89436

DATED this   4   day of   October  , 2023.

Sam Baker  
Sam Baker

1310  
STEPHEN S. KENT, ESQ.  
Nevada Bar No. 1251  
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*Attorneys for Defendants Wespac and Greg Christian*

**IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**  
**IN AND FOR THE COUNTY OF WASHOE**

GREGORY O. GARMONG,

Plaintiff,

vs.

WESPAC; GREG CHRISTIAN; DOES 1-  
10, inclusive,

Defendants.

CASE NO. CV12-01271

Dept. No. 6

**CASE APPEAL STATEMENT**

1. Name of appellant filing this case appeal statement:

WESPAC and GREG CHRISTIAN.

2. Identify the judge issuing the decision, judgment, or order appealed from:

Honorable Lynn Simons.

3. Identify each appellant and the name and address of counsel for each appellant:

WESPAC and GREG CHRISTIAN, c/o Stephen S. Kent, Esq., Gordon Rees Scully  
Mansukhani, LLP, 1 East Liberty Street, Suite 424, Reno, Nevada 89501.

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

1 GREGORY O. GARMONG, c/o Carl Hebert, Esq., 2215 Stone View Drive, Sparks,  
2 Nevada 89436.

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

7 Both attorneys are licensed in the State of Nevada.

8 6 Indicate whether appellant is represented by appointed or retained counsel in the  
9 district court:

10 Retained counsel.

11 7. Indicate whether appellant is represented by appointed or retained counsel on  
12 appeal:

13 Retained counsel.

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

16 None.

17 9. Indicate the date the proceedings commenced in the district court (e.g., date  
18 complaint, indictment, information, or petition was filed):

19 May 9, 2012

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

23 Mr. Garmong alleged in proper person that defendants Wespac and Greg Christian, who  
24 are financial advisors, mismanaged his investments.

25 Mr. Garmong filed his *Complaint* on May 9, 2012, alleging the following claims for  
26 relief:

27 1) Breach of Contract;

28 2) Breach of Nevada Deceptive Trade Practices Act;

- 1           3) Breach of Implied Covenant of Good Faith and Fair Dealing;
- 2           4) Unjust Enrichment;
- 3           5) Breach of Fiduciary Duty;
- 4           6) Malpractice; and
- 5           7) Negligence.
- 6

7 *Complaint, generally.*

8           On September 19, 2012, Defendants filed a *Motion to Dismiss and Compel Arbitration*.  
9 On December 13, 2012, this Court<sup>1</sup> entered its *Order* granting Defendants' request to compel  
10 arbitration but denying the motion to dismiss. Mr. Garmong then filed his *Combined Motions*  
11 *for Leave to Rehear and for Rehearing of the Order of December 13, 2012 Compelling*  
12 *Arbitration ("Reconsider Motion")*. The *Reconsider Motion* was opposed by Defendants. Mr.  
13 Garmong did not file a reply and this case was stagnant for nearly a year until January 13,  
14 2014, when the District Court entered its *Order to Proceed*. Mr. Garmong filed his reply on  
15 February 3, 2014. The *Reconsider Motion* was denied on April 2, 2014.

17           Mr. Garmong then sought writ relief from the Nevada Supreme Court. ON December  
18 18, 2014, the Nevada Supreme Court in Case No. 65899 entered its *Order Denying Petition for*  
19 *Writ of Mandamus or Prohibition*, entered its *Order Denying Rehearing* on March 18, 2015, and,  
20 subsequently, entered its *Order Denying En Banc Reconsideration* on May 1, 2015.

22           After the Nevada Supreme Court's orders were entered, the District Court again entered  
23 its *Order for Response* on November 17, 2015, instructing the parties to proceed with this case.  
24 In response, the parties indicated they had initiated an arbitration proceeding with JAMS in Las  
25 Vegas. *Notice of Status Report*, December 1, 2015.

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27           <sup>1</sup> Judge Brent T. Adams originally presided over this proceeding in Department 6 before his  
28 retirement. Judge Lynne K. Simons was sworn in on January 5, 2015, and presides in  
Department 6.

1           On June 8, 2016, Mr. Garmong filed his *Motion for a Court-Appointed Arbitrator*  
2 arguing the JAMS arbitrators were prejudiced against him. This matter was fully briefed; and, on  
3 July 12, 2016, the District Court entered its *Order re: Arbitration* requiring each party to submit  
4 the names of three arbitrators to the Court. The parties then stipulated to select one arbitrator, to  
5 reduce costs. *Stipulation to Select One Arbitrator*, October 17, 2016. Thereafter, the District  
6 Court entered its *Order Appointing Arbitrator* on October 31, 2016, appointing Michael G.  
7 Ornstil, Esq., as arbitrator. After it was determined Mr. Ornstil was unavailable, Mr. Garmong  
8 stipulated to the appointment of either retired Judge Phillip M. Pro (“Judge Pro”),<sup>2</sup> or Lawrence  
9 R. Mills. Esq.

11           On November 13, 2017, the District Court entered its *Order Granting Motion to Strike*  
12 which stayed the proceeding pending the outcome of the arbitration, and directed the parties to  
13 file an amended complaint and other responsive papers at the direction of Judge Pro. *Order*  
14 *Granting Motion to Strike*, p. 2. On February 21, 2017, the District Court entered its *Order*  
15 *Appointing Arbitrator*, appointing Judge Pro.

17           On March 27, 2017, Mr. Garmong filed Plaintiff’s Objection Pursuant to NRS 38.231(3)  
18 and 38.241(e) *That There is No Agreement to Arbitrate; Notification of Objection to the Court*.  
19 Despite prior determinative orders from this Court, Mr. Garmong again objected to arbitration on  
20 the basis there was no agreement to arbitrate.

22           On May 23, 2017, the District Court entered its *Order to Show Cause Why Action Should*  
23 *not be Dismissed for Want of Prosecution Pursuant to NRCP 41(E)* (“OSC Order”), finding “Mr.  
24 Garmong and Defendants have been ordered numerous times to participate in arbitration as early  
25 as December 13, 2012.” The District Court found the file did not contain any evidence the parties  
26 had proceeded to arbitration as ordered. *OSC Order*, p. 4. Accordingly, the District Court

28 <sup>2</sup> Mr. Garmong stipulated to Judge Pro despite previously moving to preclude a judge from  
serving as an arbitrator.

1 ordered the parties to show cause why the action should not be dismissed for want of prosecution  
2 and required each party to file one responsive brief. *OSC Order*, p. 4.

3 In the responsive briefs, the parties state they attended their first arbitration conference in  
4 April 2017. The District Court acknowledged sufficient cause was shown in the *Order* entered  
5 June 30, 2017.

6  
7 On July 22, 2018, without asking for leave of Court to lift the stay, Mr. Garmong filed  
8 *Plaintiff's Motion to Disqualify Arbitrator Pro, Vacate Order Denying Motion for Summary*  
9 *Judgment and Appoint New Arbitrator*. The District Court thereafter entered its *Order Denying*  
10 *Plaintiff's Motion to Disqualify Arbitrator Pro; Order Denying Motion to Vacate Order Denying*  
11 *Motion for Summary Judgment; Order Denying Motion to Appoint New Arbitrator* ("Arbitrator  
12 *Order*") on November 29, 2018.

13  
14 Defendants Wespac and Greg Christian thereafter filed their *Motion for Limited Relief*  
15 *From Stay to File Motion for Attorney's Fees and Sanctions* ("Motion for Sanctions") requesting  
16 limited relief from this Court's order staying the proceeding pending the outcome of arbitration.  
17 While the *Motion for Sanctions* was under consideration, Defendants filed their *Notice of*  
18 *Completion of Arbitration Hearing* on October 22, 2018. The District Court found, with  
19 completion of the arbitration, Defendants' *Motion for Sanctions* was moot. Additionally, the  
20 District Court took notice of Defendants' *Notice of Completion of Arbitration* and determined  
21 there were additional decisions to be rendered regarding the *Notice of Completion of Arbitration*.

22  
23 Judge Pro found Mr. Garmong's claims for: (1) Breach of Contract; (2) Breach of  
24 Implied Warranty; (3) Breach of the Implied Covenant of Good Faith and Fair Dealing; (4)  
25 Nevada's Deceptive Trade Practices Act; (5) Breach of Fiduciary Duty of Full Disclosure; (6)  
26 Intentional Infliction of Emotional Distress; and (7) Unjust Enrichment all failed as a matter of  
27 law because Mr. Garmong did not establish his claims by a preponderance of the evidence. See  
28



1 *Final Award*, p. 8-9. Furthermore, after weighing the necessary factors required by Brunzell v.  
2 Golden Gate National Bank, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969), Judge Pro found  
3 Defendants Wespac and Greg Christian were entitled to an award of reasonable attorneys' fees in  
4 the amount of \$111,649.96. *Final Award*, p. 11.

5  
6 After the *Final Award*, the litigation continued with several filings. On August 8, 2019,  
7 the District Court entered its *Order re Motions ("ORM")*: (1) granting *Defendants' Petition for*  
8 *an Order Confirming Arbitrator's Final Award and Reducing Award to Judgment, Including,*  
9 *Attorneys' Fees and Costs*; (2) denying *Plaintiff's Motion to Vacate Arbitrator's Final Award*;  
10 (3) denying *Plaintiff's Motion to Vacate Arbitrator's Award of Attorneys' Fees*; (4) denying  
11 *Plaintiff's Motion to Vacate Arbitrator's Award of Denial of Plaintiff's Motion for Partial*  
12 *Summary Judgment and for the Court to Decide and Grant Plaintiff's Motion for Partial*  
13 *Summary Judgment*; and (5) granting *Defendants' Motion for an Order to File Exhibit as*  
14 *Confidential*. *ORM*, p. 15-16.

15  
16 On August 27, 2019, the District Court entered its *Order*: (1) directing WESPAC to file  
17 an *Amended Motion for the Award of Attorneys' Fees*; (2) allowing Mr. Garmong the standard  
18 response time to file and serve his opposition to Defendants' *Amended Motion for the Award of*  
19 *Attorneys' Fees*; and (3) directing WESPAC would not be required to file its proposed final  
20 judgment until ten (10) days following this Court's ruling on WESPAC's *Amended Motion for*  
21 *the Award of Attorneys' Fees*. *Order*, p. 1.

22  
23 On December 6, 2019, the District Court entered its *Order Denying Motion to Alter or*  
24 *Amend Judgment ("AA Order")* maintaining its prior rulings within the *ORM*. On January 7,  
25 2020, Mr. Garmong filed a *Notice of Appeal* to the Nevada Supreme Court regarding this Court's  
26 *Arbitrator Order*, *ORM*, and *AA Order*. On December 9, 2019, *Defendants' Amended Motion for*  
27 *Attorney's Fees* was filed. Due to Mr. Garmong's pending appeal, the District Court entered its  
28

1 *Order Holding Issuance of Order on Defendants' Amended Motion for Attorney's Fees in*  
2 *Abeyance*. On December 1, 2020, the Nevada Court of Appeals issued its *Order of Affirmance*  
3 upholding the District Court's judgment in its entirety and noting Defendants may seek amended  
4 fees pursuant to the fee shifting provision in NRCP 68 which extends to fees incurred on and  
5 after appeal.

6  
7 On February 18, 2021, Defendants filed Defendants' Second Amended Motion for  
8 *Attorney's Fees*. On February 22, 2021, the Nevada Court of Appeals entered its *Order Denying*  
9 *Rehearing* pursuant to NRAP 40(c). Next, the parties entered into a stipulation to extend the time  
10 for Mr. Garmong to file an opposition to *Defendants' Second Amended Motion for Attorney's*  
11 *Fees*. The stipulation was granted on March 1, 2021, by the District Court's *Order Extending*  
12 *Time for Plaintiff to File Points and Authorities in Opposition to the Defendants' Second*  
13 *Amended Motion for Fees*. On April 6, 2021, the Nevada Supreme Court entered its *Order*  
14 *Denying Petition for Review*. On July 16, 2021, the District Court entered its *Order Granting*  
15 *Defendants' Second Amended Motion for Attorney's Fees; Order Confirming Arbitrator's Final*  
16 *Award* ("July 16, 2021, Order"), which confirmed Judge Pro's arbitration award of \$111,649.96,  
17 and awarded Defendants attorneys' fees in the amount of \$45,084.50. On August 10, 2021, Mr.  
18 Garmong filed a *Notice of Appeal*, appealing the *July 16, 2021, Order* to the Nevada Supreme  
19 Court.  
20

21  
22 On November 3, 2021, Defendants filed a *Substitution of Attorney* replacing Thomas C.  
23 Bradley, Esq. with Stephen S. Kent, Esq. as their counsel of record. Mr. Kent was retained to  
24 collect the judgment against Garmong. On April 4, 2022, Defendants filed their *Affidavit of*  
25 *Judgment* and *Judgment Lien Abstract of Judgment and Affidavit of Judgment* both naming Mr.  
26 Garmong as the judgment debtor. On May 10, 2022, Defendants filed a *Declaration of Service of*  
27  
28

1 the writ of execution and garnishment on Fidelity Investments/Fidelity Brokerage Services, LLC  
2 on May 3, 2022, by the Washoe County Sheriff's Office.

3 On July 25, 2022, the Nevada Court of Appeals entered its Order of Affirmance affirming  
4 the *July 16, 2021, Order* in its entirety. On October 24, 2022, the Nevada Supreme Court entered  
5 its *Order Denying Rehearing* pursuant to NRAP 40(c). On January 17, 2023, the Nevada  
6 Supreme Court issued its *Remittitur*.

7  
8 On January 24, 2023, Defendants filed their *Motion to Compel and Request for Expenses*  
9 *of Motion* ("Motion to Compel"), and on April 10, 2023, the District Court entered its *Order*  
10 *Granting Motion to Compel and Request for Expenses of Motion* ("Order Granting").

11 On April 10, 2023, the District Court granted the motion to compel answers to  
12 interrogatories and requests for production related to Mr. Garmongs assets and awarded the  
13 expenses of the motion.

14  
15 On April 26, 2023, Defendants filed their motion for fees related to the motion to compel  
16 seeking \$4,878.25 in fees and \$13.25 in costs.

17 On August 10, 2023 the District court awarded fees of only \$2,835.00 because it believed  
18 NRCP 37(a)(5)(A) only allowed recovery of \$2,835.00 for fees for the first motion pleading only  
19 not the meeting and conferring, not the reading of the opposition, nor preparing a reply or the  
20 motion for fees and reply even though court rules require these for a motion.

21 Appellants believe NRCP 37(a)(5) which allows recovery expenses for a motion to  
22 compel implicitly includes all fees related to that motion, not just the first motion pleading and  
23 this order was an abuse of discretion

24  
25 It is this Order the Defendants appeal.  
26  
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1           11.     Indicate whether the case has previously been the subject of an appeal to or  
2 original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket  
3 number of the prior proceeding:

4           Yes.

5           In 2014 Mr. Garmong filed a Writ with the Nevada Supreme Court, appealing the order  
6 compelling arbitration, Case No. 65899. The writ was denied by order dated December 18,  
7 2014.

8           On January 7, 2020, Mr. Garmong filed a Notice of Appeal to the Nevada Supreme Court  
9 appealing the District Court's arbitration confirmation order and attorney fee award in favor of  
10 defendants in Case No. 80376. The Court of Appeals affirmed the District Courts decisions on  
11 December 1, 2020.

12           On August 10, 2021, Mr. Garmong filed a Notice of Appeal of the District Court July 16,  
13 2021, award of additional attorneys fees on appeal. This appeal was Case No. 8595000. The  
14 Court of Appeals affirmed the District Court on July 21, 2022.

15           12.     Indicate whether this appeal involved child custody or visitation.

16           No.

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

19           Yes.

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**AFFIRMATION**

The undersigned hereby declares that the within document does not contain the Social Security Number of any person.

DATED this 5th day of October, 2023.

GORDON REES  
SCOLLY MANSON & SIKHANI LLP

By:



STEPHEN S. KENT, ESQ.  
Nevada Bar No. 1251  
1 East Liberty Street, Suite 424  
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[skent@grsm.com](mailto:skent@grsm.com)  
*Attorneys for Defendants Wespac and  
Greg Christian*

1 **CERTIFICATE OF SERVICE**

2 Pursuant to Rule 5(b) of the Nevada Rules of Civil Procedure, I hereby certify that I am  
3 an employee of Gordon Rees Scully Mansukhani and that on this date, I served a true and  
4 correct copy of the attached document(s) as follows:

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6 ☐ By placing the document(s) in a sealed envelope with first-class U.S. postage prepaid,  
and depositing it for mailing with the U.S. Postal Service in Reno, Nevada addressed to  
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10 address as set forth below.

11 ☐ By Federal Express.

12 ☐ By facsimile.

13 Carl Hebert, Esq.  
2215 Stone View Drive  
14 Sparks, NV 89436

15 DATED this 5th day of October, 2023.

16 Sam Baker  
17 Sam Baker

**SECOND JUDICIAL DISTRICT COURT****STATE OF NEVADA****COUNTY OF WASHOE****Case History - CV12-01271****Case Description: GREGORY GARMONG VS WESPAC ET AL (D6)****Case Number: CV12-01271 Case Type: OTHER CIVIL MATTERS - Initially Filed On: 5/9/2012****Parties**

<u>Party Type &amp; Name</u>	<u>Party Status</u>
JUDG - LYNNE K. SIMONS - D6	Active
PLTF - GREGORY GARMONG - @1200326	Active
DEFT - WESPAC - @1223052	Active
DEFT - GREG CHRISTIAN - @1223053	Active
ATTY - Stephen Smiley Kent, Esq. - 1251	Active
ATTY - Carl Martin Hebert, Esq. - 250	Active
ATTY - Thomas Charles Bradley, Esq. - 1621	Party ended on: 11/3/2021 12:00:00AM

**Disposed Hearings**

- 1 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 12/5/2012 at 08:35:00  
Extra Event Text: DEFTS MOTION TO DISMISS AND TO COMPEL ARBITRATION (NO PAPER ORDER PROVIDED)  
Event Disposition: S200 - 12/13/2012
- 2 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 2/10/2014 at 15:52:00  
Extra Event Text: COMBINED MOTIONS FOR LEAVE TO REHEAR AND FOR REHEARING OF THE ORDER OF DECEMBER 13, 2012 COMPELLING ARBITRATION  
Event Disposition: S200 - 4/2/2014
- 3 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 7/7/2016 at 13:42:00  
Extra Event Text: MOTION FOR A COURT-APPOINTED ARBITRATOR (NO ORDER)  
Event Disposition: S200 - 7/12/2016
- 4 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 9/2/2016 at 10:09:00  
Extra Event Text: DEFENDANT'S WESPAC AND GREG CHRISTIAN'S SUBMISSION OF POTENTIAL ARBITRATORS (PAPER ORDER NOT PROVIDED)  
Event Disposition: S200 - 9/13/2016
- 5 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 10/18/2016 at 08:28:00  
Extra Event Text: STIPULATION TO SELECT ONE ARBITRATOR  
Event Disposition: S200 - 10/31/2016
- 6 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 2/8/2017 at 16:01:00  
Extra Event Text: STIPULATION TO APPOINT ONE OF TWO REMAINING ARBITRATOR CANDIDATES  
Event Disposition: S200 - 2/21/2017
- 7 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 6/7/2017 at 15:59:00  
Extra Event Text: ORDER TO SHOW CAUSE WHY ACTION SHOULD NOT BE DISMISSED FOR WANT OF PROSECUTION UNDER NRCP 41(E) FILED 5/24/17  
Event Disposition: S200 - 6/30/2017
- 8 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 11/6/2017 at 14:56:00  
Extra Event Text: MOTION TO STRIKE FILED 10/11/17  
Event Disposition: S200 - 11/13/2017
- 9 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 4/9/2018 at 10:44:00  
Extra Event Text: PLAINTIFF'S MOTION FOR RECONSIDERATION OF ORDER OF 11/13/17  
Event Disposition: S200 - 5/31/2018

**Report Does Not Contain Sealed Cases or Confidential Information**

- 10 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 9/17/2018 at 08:40:00  
Extra Event Text: PLAINTIFF'S MOTION TO DISQUALIFY ARBITRATOR PRO VACATE ORDER DENYING MOTION FOR SUMMARY JUDGMENT AND APPOINT  
Event Disposition: S200 - 11/29/2018
- 11 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 10/3/2018 at 12:03:00  
Extra Event Text: DEFENDANTS MOTION FOR LIMITED RELIEF FROM STAY TO FILE MOTION FOR ATTORNEY'S FEES AND SANCTIONS FILED 7-26-18  
Event Disposition: S200 - 12/10/2018
- 12 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 10/22/2018 at 13:44:00  
Extra Event Text: NOTICE OF COMPLETION OF ARBITRATION HEARING  
Event Disposition: S200 - 12/10/2018
- 13 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 5/20/2019 at 16:56:00  
Extra Event Text: PETITION FOR AN ORDER CONFIRMING ARBITRATORS FINAL AWARD AND REDUCE AWARD TO JUDGMENT, INCLUDING, ATTORNEYS F  
Event Disposition: S200 - 8/8/2019
- 14 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 5/22/2019 at 16:16:00  
Extra Event Text: PLAINTIFFS MOTION TO VACATE ARBITRATORS FIANL AWARD FILED 5/22/19  
Event Disposition: S200 - 8/8/2019
- 15 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 5/22/2019 at 15:33:00  
Extra Event Text: PLAINTIFF'S MOTIONS TO VACATE ARBITRATOR'S AWARD OF DENIAL OF PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT AN  
Event Disposition: S200 - 8/8/2019
- 16 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 5/22/2019 at 15:39:00  
Extra Event Text: PLAINTIFF'S MOTION TO VACATE ARBITRATOR'S AWARD OF ATTORNEY'S FEES AND REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDA  
Event Disposition: S200 - 8/8/2019
- 17 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 6/3/2019 at 11:45:00  
Extra Event Text: DEFENDANTS' MOTION FOR AN ORDER TO FILE EXHIBIT AS CONFIDENTIAL FILED 5-16-19, PLAINTIFF'S OPPOSITION TO DEFENDANT'S  
Event Disposition: S200 - 8/8/2019
- 18 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 8/21/2019 at 16:52:00  
Extra Event Text: STIPULATION ( ORDER ATTACHED AS EXHIBIT 1)  
Event Disposition: S200 - 8/27/2019
- 19 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 9/25/2019 at 13:29:00  
Extra Event Text: PLAINTIFF'S MOTION TO ALTER OR AMEND ORDER RE MOTION ENTERED 8/8/19  
Event Disposition: S200 - 12/6/2019
- 20 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 12/23/2019 at 11:16:00  
Extra Event Text: DEFT'S AMENDED MOTION FOR ATTORNEY'S FEES FIELD 12-9-19 - NO OPPOSITION FILED  
Event Disposition: S200 - 3/9/2020
- 21 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 4/21/2021 at 10:24:00  
Extra Event Text: Second Amended Motion for Attorney's Fees - BINDER BUILT  
Event Disposition: S200 - 7/12/2021
- 22 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 5/12/2021 at 09:56:00  
Extra Event Text: MOTION FOR EXTENSION OF TIME TO FILE OPPOSITION TO DEFT'S SECOND AMENDED MOTION FOR ATTORNEY'S FEES AND COSTS -  
Event Disposition: S200 - 6/11/2021
- 23 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 5/12/2021 at 09:56:00  
Extra Event Text: MOTION TO STRIKE DECLARATION OF THOMAS C. BRADLEY IN SUPPORT OF SECOND AMENDED MOTION FOR ATTORNEY'S FEES ANI  
Event Disposition: S200 - 7/7/2021



- 24 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 5/12/2021 at 11:41:00  
Extra Event Text: MOTION TO STRIKE THE DECLARATION OF THOMAS C. BRADLEY IN SUPPORT OF SECOND AMENDED MOTION FOR ATTORNEY'S FEES  
Event Disposition: S200 - 5/17/2021
- 25 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 7/14/2021 at 10:57:00  
Extra Event Text: PROPOSED FINAL JUDGMENT (ORDER PROVIDED)  
Event Disposition: S200 - 7/16/2021
- 26 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 9/27/2022 at 16:55:00  
Extra Event Text: MOTION FOR ATTORNEY FEES FILED 9/01/2022 - BINDER BUILT  
Event Disposition: S200 - 12/12/2022
- 27 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 12/6/2022 at 16:16:00  
Extra Event Text: MOTION TO RETAX DEFENDANTS' POST JUDGMENT COSTS - BINDER BUILT  
Event Disposition: S200 - 2/7/2023
- 28 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 1/23/2023 at 15:05:00  
Extra Event Text: APPLICATION FOR DEBTOR'S EXAM FILED 12/02/2022 - BINDER BUILT  
Event Disposition: S200 - 4/10/2023
- 29 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 2/10/2023 at 16:40:00  
Extra Event Text: MOTION TO COMPEL AND REQUEST FOR EXPENSES OF MOTION FILED 1/24/2023 - BINDER BUILT  
Event Disposition: S200 - 4/10/2023
- 30 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 2/13/2023 at 16:47:00  
Extra Event Text: Motion for Relief from Order or for Leave of Court for Reconsideration of Order Denying Attorneys Fees - BINDER BUILT  
Event Disposition: S200 - 4/11/2023
- 31 Department: D6 -- Event: Request for Submission -- Scheduled Date & Time: 5/17/2023 at 14:59:00  
Extra Event Text: MOTION FOR FEES AND COSTS PURSUANT TO ORDER GRANTING MOTION TO COMPEL FILED 4/26/2023 - BINDER BUILT  
Event Disposition: S200 - 8/10/2023

### Actions

- |   | <u>Filing Date</u> | <u>-</u> | <u>Docket Code &amp; Description</u>  |
|---|--------------------|----------|---|
| 1 | 5/9/2012           | -        | COV - **Civil Cover Sheet<br><i>No additional text exists for this entry.</i>   |
| 2 | 5/9/2012           | -        | \$1425 - \$Complaint - Civil<br><i>No additional text exists for this entry.</i>  |
| 3 | 5/9/2012           | -        | 4090 - ** Summons Issued<br>Additional Text: X2   |
| 4 | 5/9/2012           | -        | PAYRC - **Payment Receipted<br>Additional Text: A Payment of -\$260.00 was made on receipt DCDC359217.                                      |
| 5 | 8/29/2012          | -        | 2520 - Notice of Appearance<br><i>No additional text exists for this entry.</i>   |
| 6 | 9/8/2012           | -        | 1067 - Affidavit of Service<br>Additional Text: WESPAC SERVED ON 9/4/12 - Transaction 3203348 - Approved By: MCHOLICO : 09-10-2012:08:17:11 |

- 7 9/8/2012 - 1067 - Affidavit of Service  
Additional Text: GREG CHRISTIAN SERVED ON 9/6/12 - Transaction 3203349 - Approved By: MCHOLICO : 09-10-2012:08:16:24
- 8 9/10/2012 - NEF - Proof of Electronic Service  
Additional Text: Transaction 3203446 - Approved By: NOREVIEW : 09-10-2012:08:18:42
- 9 9/10/2012 - NEF - Proof of Electronic Service  
Additional Text: Transaction 3203448 - Approved By: NOREVIEW : 09-10-2012:08:19:14
- 10 9/19/2012 - \$1560 - \$Def 1st Appearance - CV  
*No additional text exists for this entry.*
- 11 9/19/2012 - 2270 - Mtn to Compel...  
Additional Text: MOTION TO DISMISS AND TO COMPEL ARBITRATION
- 12 9/19/2012 - \$DEFT - \$Addl Def/Answer - Prty/Appear  
*No additional text exists for this entry.*
- 13 9/19/2012 - 1046 - Affidavit of Plaintiff  
Additional Text: AFFIDAVIT OF GREG CHRISTIAN
- 14 9/19/2012 - PAYRC - \*\*Payment Received  
Additional Text: A Payment of -\$243.00 was made on receipt DCDC377263.
- 15 10/29/2012 - 2645 - Opposition to Mtn ...  
Additional Text: Transaction 3309632 - Approved By: APOMA : 10-29-2012:14:02:10
- 16 10/29/2012 - NEF - Proof of Electronic Service  
Additional Text: Transaction 3309672 - Approved By: NOREVIEW : 10-29-2012:14:04:01
- 17 12/3/2012 - 3795 - Reply...  
Additional Text: DEFTS REPLY TO PLTFS OPPOSITION TO DEFTS MOTION TO DISMISS AND TO COMPEL ARBITRATION
- 18 12/4/2012 - 3860 - Request for Submission  
Additional Text: DOCUMENT TITLE: DEFTS MOTION TO DISMISS AND TO COMPEL ARBITRATION (NO PAPER ORDER PROVIDED)  
PARTY SUBMITTING: BRADLEY, ESQ., THOMAS CHARLES  
DATE SUBMITTED: 12/4/12  
SUBMITTED BY: ACROGHAN  
DATE RECEIVED JUDGE OFFICE:
- 19 12/13/2012 - S200 - Request for Submission Complet  
Additional Text: order
- 20 12/13/2012 - 3370 - Order ...  
Additional Text: GRANTING MOTION TO COMPEL ARBITRATION AND DENYING MOTION TO DISMISS - Transaction 3404818 - Approved By: NOREVIEW : 12-13-2012:11:34:05
- 21 12/13/2012 - NEF - Proof of Electronic Service  
Additional Text: Transaction 3404841 - Approved By: NOREVIEW : 12-13-2012:11:36:50
- 22 12/31/2012 - 2490 - Motion ...  
Additional Text: COMBINED MOTIONS FOR LEAVE TO REHEAR AND FOR REHEARING OF THE ORDER OF DECEMBER 13, 2012 COMPELLING ARBITRATION - Transaction 3435926 - Approved By: MCHOLICO : 01-02-2013:08:20:50
- 23 1/2/2013 - NEF - Proof of Electronic Service  
Additional Text: Transaction 3436070 - Approved By: NOREVIEW : 01-02-2013:08:22:33

- 24 1/9/2013 - 2645 - Opposition to Mtn ...  
Additional Text: DEFENDANTS' OPPOSITION TO PLAINTIFF'S COMBINED MOTIONS FOR LEAVE TO REHEAR AND FOR REHEARING OF THE ORDER OF DECEMBER 13, 2012 COMPELLING ARBITRATION AND REQUEST FOR ATTORNEY'S FEES - Transaction 3452039 - Approved By: JYOST : 01-09-2013:11:18:34
- 25 1/9/2013 - NEF - Proof of Electronic Service  
Additional Text: Transaction 3452188 - Approved By: NOREVIEW : 01-09-2013:11:20:57
- 26 1/13/2014 - 3330 - Ord to Proceed ...  
Additional Text: Transaction 4251991 - Approved By: NOREVIEW : 01-13-2014:10:24:36
- 27 1/13/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4251998 - Approved By: NOREVIEW : 01-13-2014:10:26:18
- 28 2/3/2014 - 3795 - Reply...  
Additional Text: PLAINTIFF'S REPLY TO "DEFENDANT'S OPPOSITION TO PLAINTIFF'S COMBINED MOTION FOR LEAVE TO REHEAR AND FOR REHEARING OF THE ORDER OF DECEMBER 13, 2012, COMPELLING ARBITRATION AND REQUEST FOR ATTORNEY'S FEES" - Transaction 4287098 - Approved By: MELWOOD : 02-03-2014:15:46:45
- 29 2/3/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4287466 - Approved By: NOREVIEW : 02-03-2014:15:49:30
- 30 2/10/2014 - 3860 - Request for Submission  
Additional Text: COMBINED MOTIONS FOR LEAVE TO REHEAR AND FOR REHEARING OF THE ORDER OF DECEMBER 13, 2012 COMPELLING ARBITRATION (NO PAPER ORDER PROVIDED) - Transaction 4298026 - Approved By: PDBROWN : 02-10-2014:14:31:51  
PARTY SUBMITTING: CARL M. HEBERT, ESQ.  
DATE SUBMITTED: 02-10-14  
SUBMITTED BY: PDBROWN  
DATE RECEIVED JUDGE OFFICE:
- 31 2/10/2014 - 3880 - Response...  
Additional Text: RESPONSE TO ORDER OF JANUARY 13, 2014 - Transaction 4298093 - Approved By: MELWOOD : 02-10-2014:14:21:23
- 32 2/10/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4298399 - Approved By: NOREVIEW : 02-10-2014:14:24:30
- 33 2/10/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4298436 - Approved By: NOREVIEW : 02-10-2014:14:32:57
- 34 4/2/2014 - S200 - Request for Submission Complet  
Additional Text: ORDER
- 35 4/2/2014 - 3370 - Order ...  
Additional Text: DENYING MOTION TO REHEAR AND REHEARING OF COURT'S 12/13/12 ORDER - Transaction 4370203 - Approved By: NOREVIEW : 04-02-2014:13:36:33
- 36 4/2/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4370205 - Approved By: NOREVIEW : 04-02-2014:13:37:33
- 37 7/16/2014 - 1188 - Supreme Court Receipt for Doc  
Additional Text: SUPREME COURT NO. 65899/RECEIPT FOR DOCUMENTS - Transaction 4518972 - Approved By: NOREVIEW : 07-16-2014:10:28:24
- 38 7/16/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4518975 - Approved By: NOREVIEW : 07-16-2014:10:29:25
- 39 12/18/2014 - 4128 - Supreme Court Order Denying  
Additional Text: SUPREME COURT NO. 65899/ORDER DENYING PETITION FOR WRIT OF MANDAMUS OR PROHIBITION - Transaction 4742321 - Approved By: NOREVIEW : 12-18-2014:10:19:51

- 40 12/18/2014 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4742324 - Approved By: NOREVIEW : 12-18-2014:10:20:52
- 41 3/18/2015 - 4128 - Supreme Court Order Denying  
Additional Text: SUPREME COURT NO. 65899/ORDER DENYING REHEARING - Transaction 4866324 - Approved By: NOREVIEW : 03-18-2015:11:36:00
- 42 3/18/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4866332 - Approved By: NOREVIEW : 03-18-2015:11:37:04
- 43 5/1/2015 - 4128 - Supreme Court Order Denying  
Additional Text: SUPREME COURT NO. 65899/ORDER DENYING EN BANC RECONSIDERATION - Transaction 4932705 - Approved By: NOREVIEW : 05-01-2015:09:03:20
- 44 5/1/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4932719 - Approved By: NOREVIEW : 05-01-2015:09:04:59
- 45 5/21/2015 - 4133 - Supreme Court Notice  
Additional Text: SUPREME COURT NO. 65899/NOTICE IN LIEU OF REMITTITUR - Transaction 4964996 - Approved By: NOREVIEW : 05-21-2015:14:23:41
- 46 5/21/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4965001 - Approved By: NOREVIEW : 05-21-2015:14:24:42
- 47 11/17/2015 - 3370 - Order ...  
Additional Text: Transaction 5238561 - Approved By: NOREVIEW : 11-17-2015:10:36:38
- 48 11/17/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5238580 - Approved By: NOREVIEW : 11-17-2015:10:37:46
- 49 12/1/2015 - 2610 - Notice ...  
Additional Text: NOTICE OF STATUS REPORT - Transaction 5256972 - Approved By: YVILORIA : 12-01-2015:11:48:19
- 50 12/1/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5257098 - Approved By: NOREVIEW : 12-01-2015:11:49:18
- 51 6/8/2016 - 2490 - Motion ...  
Additional Text: PLAINTIFF'S MOTION FOR A COURT-APPOINTED ARBITRATOR - Transaction 5552357 - Approved By: YVILORIA : 06-08-2016:12:13:20
- 52 6/8/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5552696 - Approved By: NOREVIEW : 06-08-2016:12:14:14
- 53 6/23/2016 - 2645 - Opposition to Mtn ...  
Additional Text: DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION FOR A COURT-APPOINTED ARBITRATOR - Transaction 5576662 - Approved By: CSULEZIC : 06-23-2016:13:35:18
- 54 6/23/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5576975 - Approved By: NOREVIEW : 06-23-2016:13:36:21
- 55 7/5/2016 - 3795 - Reply...  
Additional Text: PLAINTIFF'S REPLY TO "DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION FOR A COURT-APPOINTED ARBITRATOR" - Transaction 5593653 - Approved By: RKWATKIN : 07-06-2016:11:04:07
- 56 7/6/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5594480 - Approved By: NOREVIEW : 07-06-2016:11:05:10

- 57 7/7/2016 - 3860 - Request for Submission  
Additional Text: Transaction 5597399 - Approved By: RKWATKIN : 07-07-2016:13:42:08  
DOCUMENT TITLE: MOTION FOR A COURT-APPOINTED ARBITRATOR (NO ORDER)  
PARTY SUBMITTING: THOMAS BRADLEY, ESQ  
DATE SUBMITTED: 7/7/16  
SUBMITTED BY: RKWATKIN  
DATE RECEIVED JUDGE OFFICE:
- 58 7/7/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5597872 - Approved By: NOREVIEW : 07-07-2016:13:43:06
- 59 7/12/2016 - S200 - Request for Submission Complet  
Additional Text: ORDER
- 60 7/12/2016 - 3370 - Order ...  
Additional Text: RE: ARBITRATION - Transaction 5604778 - Approved By: NOREVIEW : 07-12-2016:15:42:10
- 61 7/12/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5604784 - Approved By: NOREVIEW : 07-12-2016:15:43:13
- 62 7/27/2016 - 1405 - Clarification of Ord  
Additional Text: STIPULATION REQUESTING CLARIFICATION - Transaction 5630799 - Approved By: TBRITTON : 07-28-2016:08:50:44
- 63 7/28/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5631155 - Approved By: NOREVIEW : 07-28-2016:08:52:19
- 64 9/1/2016 - 2490 - Motion ...  
Additional Text: DEFENDANTS WESPAC AND GREG CHRISTIAN'S SUBMISSION OF POTENTIAL ARBITRATORS - Transaction 5689679 - Approved By: TBRITTON : 09-02-2016:08:43:43
- 65 9/1/2016 - 3860 - Request for Submission  
Additional Text: DEFENDANT'S WESPAC AND GREG CHRISTIAN'S SUBMISSION OF POTENTIAL ARBITRATORS (PAPER ORDER NOT PROVIDED) - Transaction 5689701 - Approved By: TBRITTON : 09-02-2016:09:25:33  
PARTY SUBMITTING: THOMAS C. BRADLEY, ESQ.  
DATE SUBMITTED: SEPTEMBER 1, 2016  
SUBMITTED BY: TBRITTON  
DATE RECEIVED JUDGE OFFICE:
- 66 9/1/2016 - A600 - List of Stricken Arbitrators  
Additional Text: Plaintiff's List of Arbitration Candidates - Transaction 5690224 - Approved By: YVILORIA : 09-02-2016:11:07:42
- 67 9/2/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5690415 - Approved By: NOREVIEW : 09-02-2016:08:44:30
- 68 9/2/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5690556 - Approved By: NOREVIEW : 09-02-2016:09:26:26
- 69 9/2/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5690906 - Approved By: NOREVIEW : 09-02-2016:11:10:07
- 70 9/13/2016 - S200 - Request for Submission Complet  
Additional Text: order
- 71 9/13/2016 - 3370 - Order ...  
Additional Text: APPOINTING ARBITRATION PANEL - Transaction 5705056 - Approved By: NOREVIEW : 09-13-2016:15:24:00

- 72 9/13/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5705066 - Approved By: NOREVIEW : 09-13-2016:15:25:22
- 73 10/17/2016 - 4050 - Stipulation ...  
Additional Text: STIPULATION TO SELECT ONE ARBITRATOR - Transaction 5761303 - Approved By: YLLOYD : 10-18-2016:08:27:39
- 74 10/17/2016 - 3860 - Request for Submission  
Additional Text: Transaction 5761311 - Approved By: YLLOYD : 10-18-2016:08:28:08  
DOCUMENT TITLE: STIPULATION TO SELECT ONE ARBITRATOR (NO PAPER ORDER)  
PARTY SUBMITTING: THOMAS BRADLEY ESQ  
DATE SUBMITTED: 10/17/16  
SUBMITTED BY: YLLOYD  
DATE RECEIVED JUDGE OFFICE:
- 75 10/18/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5761789 - Approved By: NOREVIEW : 10-18-2016:08:28:41
- 76 10/18/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5761791 - Approved By: NOREVIEW : 10-18-2016:08:29:01
- 77 10/31/2016 - 2745 - Ord Appointing ...  
Additional Text: ARBITRATOR - Transaction 5781488 - Approved By: NOREVIEW : 10-31-2016:08:33:15
- 78 10/31/2016 - S200 - Request for Submission Complet  
Additional Text: order
- 79 10/31/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5781490 - Approved By: NOREVIEW : 10-31-2016:08:34:25
- 80 2/8/2017 - 4050 - Stipulation ...  
Additional Text: STIPULATION TO APPOINT ONE OF TWO REMAINING ARBITRATOR CANDIDATES - Transaction 5940782 - Approved By: CSULEZIC : 02-08-2017:13:22:02
- 81 2/8/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5941102 - Approved By: NOREVIEW : 02-08-2017:13:23:04
- 82 2/8/2017 - 3860 - Request for Submission  
Additional Text: STIPULATION TO APPOINT ONE OF TWO REMAINING ARBITRATOR CANDIDATES - Transaction 5941184 - Approved By: CSULEZIC : 02-08-2017:14:46:06  
PARTY SUBMITTING: CARL HEBERT ESQ  
DATE SUBMITTED: 2/08/17  
SUBMITTED BY: CS  
DATE RECEIVED JUDGE OFFICE:
- 83 2/8/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5941538 - Approved By: NOREVIEW : 02-08-2017:14:47:13
- 84 2/21/2017 - 3370 - Order ...  
Additional Text: APPOINTING ARBITRATOR - Transaction 5960277 - Approved By: NOREVIEW : 02-21-2017:16:57:00
- 85 2/21/2017 - S200 - Request for Submission Complet  
Additional Text: ORDER
- 86 2/21/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5960280 - Approved By: NOREVIEW : 02-21-2017:16:57:50

- 87 3/27/2017 - 2630 - Objection to ...  
Additional Text: PLAINTIFF'S OBJECTION PURSUANT TO NRS 38.231.(3) AND 38.241(1)(E) THAT THERE IS NO AGREEMENT TO ARBITRATE; NOTIFICATION OF OBJECTION TO THE COURT - Transaction 6018228 - Approved By: PMSEWELL : 03-27-2017:12:20:48
- 88 3/27/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6018254 - Approved By: NOREVIEW : 03-27-2017:12:23:25
- 89 5/23/2017 - 3355 - Ord to Show Cause  
Additional Text: WHY ACTION SHOULD NOT BE DISMISSED FOR WANT OF PROSECUTION - Transaction 6113144 - Approved By: NOREVIEW : 05-23-2017:09:29:01
- 90 5/23/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6113146 - Approved By: NOREVIEW : 05-23-2017:09:30:03
- 91 5/24/2017 - 3880 - Response...  
Additional Text: PLAINTIFF'S RESPONSE TO ORDER TO SHOW CAUSE WHY ACTION SHOULD NOT BE DISMISSED FOR WANT OF PROSECUTION UNDER NRCP 41(e) - Transaction 6116178 - Approved By: TBRITTON : 05-24-2017:13:01:42
- 92 5/24/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6116241 - Approved By: NOREVIEW : 05-24-2017:13:03:30
- 93 6/7/2017 - 3860 - Request for Submission  
Additional Text: ORDER TO SHOW CAUSE WHY ACTION SHOULD NOT BE DISMISSED FOR WANT OF PROSECUTION UNDER NRCP 41(E) FILED 5/24/17 - Transaction 6136674 - Approved By: CSULEZIC : 06-07-2017:12:25:49  
PARTY SUBMITTING: CARL HEBERT ESQ  
DATE SUBMITTED: 6/07/17  
SUBMITTED BY: CS  
DATE RECEIVED JUDGE OFFICE:
- 94 6/7/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6136953 - Approved By: NOREVIEW : 06-07-2017:12:26:36
- 95 6/30/2017 - 3370 - Order ...  
Additional Text: Transaction 6176446 - Approved By: NOREVIEW : 06-30-2017:15:56:03
- 96 6/30/2017 - S200 - Request for Submission Complet  
Additional Text: ORDER
- 97 6/30/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6176450 - Approved By: NOREVIEW : 06-30-2017:15:56:53
- 98 9/18/2017 - 1090 - Amended Complaint  
Additional Text: Transaction 6304598 - Approved By: SWILLIAM : 09-18-2017:15:17:53
- 99 9/18/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6304731 - Approved By: NOREVIEW : 09-18-2017:15:20:52
- 100 10/11/2017 - 2475 - Mtn to Strike...  
Additional Text: Transaction 6341419 - Approved By: PMSEWELL : 10-11-2017:11:18:43
- 101 10/11/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6341582 - Approved By: NOREVIEW : 10-11-2017:11:19:46
- 102 10/30/2017 - 2645 - Opposition to Mtn ...  
Additional Text: PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION TO STRIKE - Transaction 6370693 - Approved By: MPURDY : 10-30-2017:16:45:00

- 103 10/30/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6370848 - Approved By: NOREVIEW : 10-30-2017:16:45:58
- 104 11/6/2017 - 3795 - Reply...  
Additional Text: DEFENDANTS' REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION TO STRIKE - Transaction 6381324 - Approved By: CSULEZIC : 11-06-2017:14:14:08
- 105 11/6/2017 - 3860 - Request for Submission  
Additional Text: MOTION TO STRIKE FILED 10/11/17 - Transaction 6381331 - Approved By: CSULEZIC : 11-06-2017:14:18:25  
PARTY SUBMITTING: THOMAS BRADLEY ESQ  
DATE SUBMITTED: 11/06/17  
SUBMITTED BY: CS  
DATE RECEIVED JUDGE OFFICE:
- 106 11/6/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6381525 - Approved By: NOREVIEW : 11-06-2017:14:15:06
- 107 11/6/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6381540 - Approved By: NOREVIEW : 11-06-2017:14:19:28
- 108 11/13/2017 - 3060 - Ord Granting Mtn ...  
Additional Text: DEFENDANTS' MOTION TO STRIKE - Transaction 6392831 - Approved By: NOREVIEW : 11-13-2017:17:09:07
- 109 11/13/2017 - S200 - Request for Submission Complet  
Additional Text: ORDER
- 110 11/13/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6392834 - Approved By: NOREVIEW : 11-13-2017:17:10:07
- 111 12/4/2017 - 2175 - Mtn for Reconsideration  
Additional Text: PLAINTIFF'S MOTION FOR LEAVE TO RECONSIDER AND MOTION FOR RECONSIDERATION OF ORDER OF NOVEMBER 13, 2017 GRANTING "DEFENDANTS' MOTIO TO STRIKE - Transaction 6422162 - Approved By: YVILORIA : 12-04-2017:16:47:58
- 112 12/4/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6422366 - Approved By: NOREVIEW : 12-04-2017:16:51:01
- 113 12/29/2017 - 2645 - Opposition to Mtn ...  
Additional Text: DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION FOR LEAVE TO RECONSIDER AND MOTION FOR RECONSIDERATION OF ORDER GRANTING DEFENDANTS' MOTION TO STRIKE - Transaction 6458312 - Approved By: YVILORIA : 12-29-2017:09:56:20
- 114 12/29/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6458327 - Approved By: NOREVIEW : 12-29-2017:09:57:19
- 115 4/9/2018 - 3795 - Reply...  
Additional Text: PLAINTIFF'S REPLY TO DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION FOR LEAVE TO RECONSIDER AND MOTION FOR RECONSIDERATION TOF ORDER GRANTING DEFENDANTS' MOTION TO STRIKE - Transaction 6618053 - Approved By: YVILORIA : 04-09-2018:10:19:29
- 116 4/9/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6618083 - Approved By: NOREVIEW : 04-09-2018:10:20:21
- 117 4/9/2018 - 3860 - Request for Submission  
Additional Text: Transaction 6618133 - Approved By: CVERA : 04-09-2018:10:42:36  
DOCUMENT TITLE: PLAINTIFF'S MOTION FOR RECONSIDERATION OF ORDER OF 11/13/17  
PARTY SUBMITTING: CARL MARTIN HEBERT, ESQ.  
DATE SUBMITTED: 04/09/18  
SUBMITTED BY: CVERA  
DATE RECEIVED JUDGE OFFICE:



- 118 4/9/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6618180 - Approved By: NOREVIEW : 04-09-2018:10:43:22
- 119 5/31/2018 - S200 - Request for Submission Complet  
Additional Text: ORDER
- 120 5/31/2018 - 2842 - Ord Denying Motion  
Additional Text: PLAINTIFF'S MOTION FOR LEAVE TO RECONSIDER AND MOTION FOR RECONSIDERATIOAN OF ORDER OF NOVEMBER 13, 2017 GRANTING "DEFENDANTS' MOTION TO STRIKE" - Transaction 6707193 - Approved By: NOREVIEW : 05-31-2018:16:17:39
- 121 5/31/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6707196 - Approved By: NOREVIEW : 05-31-2018:16:18:24
- 122 7/22/2018 - 2490 - Motion ...  
Additional Text: PLAINTIFF'S MOTION TO DISQUALIFY ARBITRATOR PRO, VACATE ORDER DENYING MOTION FOR SUMMARY JUDGMENT AND APPOINT NEW ARBITRATOR - Transaction 6789215 - Approved By: CSULEZIC : 07-23-2018:08:37:33
- 123 7/23/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6789404 - Approved By: NOREVIEW : 07-23-2018:08:39:25
- 124 7/26/2018 - 2645 - Opposition to Mtn ...  
Additional Text: OPPOSITION TO MOTION TO DISQUALIFY ARBITRATOR PRO, VACATE ORDER DENYING MOTION FOR SUMMARY JUDGMENT AND APPOINT NET ARBITRATOR - Transaction 6797923 - Approved By: YVILORIA : 07-26-2018:14:50:06
- 125 7/26/2018 - 2490 - Motion ...  
Additional Text: MOTION FOR LIMITED RELIEF FROM STAY TO FILE MOTIO FOR ATTORNEY'S FEES AND SANCTIONS - Transaction 6797923 - Approved By: YVILORIA : 07-26-2018:14:50:06
- 126 7/26/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6798047 - Approved By: NOREVIEW : 07-26-2018:14:51:24
- 127 8/28/2018 - 3795 - Reply...  
Additional Text: PLAINTIFF'S REPLY TO OPPOSITION TO MOTION TO DISQUALIFY ARBITRATOR - Transaction 6851198 - Approved By: YVILORIA : 08-28-2018:09:05:41
- 128 8/28/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6851464 - Approved By: NOREVIEW : 08-28-2018:09:06:44
- 129 8/30/2018 - 2650 - Opposition to ...  
Additional Text: PLAINTIFF'S OPPOSITION TO DEFENDANTS' "MOTION FOR LIMITED RELIEF FROM STAY TO FILE MOTION FOR ATTORNEY'S FEES AND SANCTIONS" - Transaction 6856035 - Approved By: YVILORIA : 08-30-2018:08:53:01
- 130 8/30/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6856241 - Approved By: NOREVIEW : 08-30-2018:08:54:02
- 131 9/17/2018 - 3860 - Request for Submission  
Additional Text: Transaction 6881758 - Approved By: YVILORIA : 09-17-2018:08:39:21  
DOCUMENT TITLE: PLAINTIFF'S MOTION TO DISQUALIFY ARBITRATOR PRO VACATE ORDER DENYING MOTION FOR SUMMARY JUDGMENT AND APPOINT NEW ARBITRATOR  
PARTY SUBMITTING: CARL HEBERT ESQ  
DATE SUBMITTED: SEPT 17, 2018  
SUBMITTED BY: YV  
DATE RECEIVED JUDGE OFFICE:
- 132 9/17/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6881801 - Approved By: NOREVIEW : 09-17-2018:08:40:25
- 133 10/3/2018 - 3860 - Request for Submission

Additional Text: Transaction 6909214 - Approved By: YVILORIA : 10-03-2018:12:01:46  
DOCUMENT TITLE: DEFENDANTS MOTION FOR LIMITED RELIEF FROM STAY TO FILE MOTION FOR ATTORNEY'S FEES AND  
SANCTIONS FILED 7-26-18  
PARTY SUBMITTING: THOMAS CHARLES BRADLEY ESQ  
DATE SUBMITTED: OCT 3, 2018  
SUBMITTED BY: YV  
DATE RECEIVED JUDGE OFFICE:

134 10/3/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6909323 - Approved By: NOREVIEW : 10-03-2018:12:03:15

135 10/22/2018 - 2610 - Notice ...

Additional Text: NOTICE OF COMPLETION OF ARBITRATION HEARING - Transaction 6939329 - Approved By: YVILORIA :  
10-22-2018:13:34:05

136 10/22/2018 - 3860 - Request for Submission

Additional Text: Transaction 6939335 - Approved By: YVILORIA : 10-22-2018:13:42:35  
DOCUMENT TITLE: NOTICE OF COMPLETION OF ARBITRATION HEARING  
PARTY SUBMITTING: THOMAS BRADLEY ESQ  
DATE SUBMITTED: OCT 22, 2018  
SUBMITTED BY: YV  
DATE RECEIVED JUDGE OFFICE:

137 10/22/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6939553 - Approved By: NOREVIEW : 10-22-2018:13:34:58

138 10/22/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6939588 - Approved By: NOREVIEW : 10-22-2018:13:43:29

139 11/29/2018 - 2842 - Ord Denying Motion

Additional Text: PLAINTIFF'S MOTION TO DISQUALIFY ARBITRATOR PRO; DENYING MOTION TO VACATE ORDER DENYING MOTION  
FOR SJ; ORDER DENYING MOTIOON TO APPOINT NEW ARBITRATOR - Transaction 6998027 - Approved By: NOREVIEW :  
11-29-2018:11:59:56

140 11/29/2018 - S200 - Request for Submission Complet

Additional Text: ORDER

141 11/29/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6998028 - Approved By: NOREVIEW : 11-29-2018:12:00:52

142 12/10/2018 - 3370 - Order ...

Additional Text: RE DEFENDANT - Transaction 7015067 - Approved By: NOREVIEW : 12-10-2018:09:57:38

143 12/10/2018 - S200 - Request for Submission Complet

Additional Text: ORDER

144 12/10/2018 - S200 - Request for Submission Complet

Additional Text: ORDER

145 12/10/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 7015072 - Approved By: NOREVIEW : 12-10-2018:09:58:40

146 12/12/2018 - 2540 - Notice of Entry of Ord

Additional Text: Notice of Entry of Order for Order for Order RE Defendants' Motion for Limited Relief from Stay to File Motion for  
Attorney's Fees and Sanctions - Transaction 7020152 - Approved By: NOREVIEW : 12-12-2018: 11:31:33

147 12/12/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 7020156 - Approved By: NOREVIEW : 12-12-2018:11:32:33

- 148 12/12/2018 - 2540 - Notice of Entry of Ord  
Additional Text: Notice of Entry of Order for Order Deny Plaintiff's Motion to Disqualify Arbitrator Pro; Order Deny Motion to Vacate Order Deny Motion for Summ Judgment; Order Deny Motion to Appoint New Arbitrator - Transaction 7020171 - Approved By: NOREVIEW : 12-12-2018:11:37:27
- 149 12/12/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7020180 - Approved By: NOREVIEW : 12-12-2018:11:38:59
- 150 2/28/2019 - 2525 - Notice of Change of Address  
Additional Text: Notice of Change of Address for Thomas C. Bradley, Esq. - Transaction 7141212 - Approved By: CSULEZIC : 02-28-2019:12:28:40
- 151 2/28/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7141226 - Approved By: NOREVIEW : 02-28-2019:12:29:42
- 152 4/15/2019 - 3645 - Petition ...  
Additional Text: DEFENDANTS' PETITION FOR AN ORDER CONFIRMING ARBITRATOR'S FINAL AWARD AND REDUCE AWARD TO JUDGMENT, INCLUDING, ATTORNEYS' FEES AND COSTS - Transaction 7218326 - Approved By: YVILORIA : 04-15-2019:11:38:50
- 153 4/15/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7218514 - Approved By: NOREVIEW : 04-15-2019:11:40:00
- 154 4/22/2019 - 2490 - Motion ...  
Additional Text: PLAINTIFF'S MOTION TO VACATE ARBITRATOR'S FINAL AWARD - Transaction 7232416 - Approved By: CSULEZIC : 04-23-2019:10:16:07
- 155 4/22/2019 - 2610 - Notice ...  
Additional Text: NOTICE OF FILING OF CONTINUATION EXHIBITS IN SUPPORT OF PLAINTIFF'S MOTION TO VACATE ARBITRATOR'S FINAL AWARD - Transaction 7232445 - Approved By: CSULEZIC : 04-23-2019:10:20:27
- 156 4/22/2019 - 2610 - Notice ...  
Additional Text: SECOND NOTICE OF FILING OF CONTINUATION EXHIBITS IN SUPPORT OF PLAINTIFF'S MOTION TO VACATE ARBITRATOR'S FINAL AWARD - Transaction 7232448 - Approved By: CSULEZIC : 04-23-2019:10:26:15
- 157 4/22/2019 - 2490 - Motion ...  
Additional Text: Plaintiff's Motion to Vacate Arbitrator's Award of Attorney's Fees - Transaction 7232452 - Approved By: CSULEZIC : 04-23-2019:09:33:45
- 158 4/22/2019 - 2490 - Motion ...  
Additional Text: PLAINTIFF'S MOTIONS TO VACATE ARBITRATOR'S AWARD OF DENIAL OF PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT AND FOR THE COURT TO DECIDE AND GRANT PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT - Transaction 7232457 - Approved By: CSULEZIC : 04-23-2019:09:34:30
- 159 4/23/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7232702 - Approved By: NOREVIEW : 04-23-2019:09:35:07
- 160 4/23/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7232710 - Approved By: NOREVIEW : 04-23-2019:09:35:53
- 161 4/23/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7232946 - Approved By: NOREVIEW : 04-23-2019:10:18:50
- 162 4/23/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7232965 - Approved By: NOREVIEW : 04-23-2019:10:22:46
- 163 4/23/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7232978 - Approved By: NOREVIEW : 04-23-2019:10:27:25
- 164 4/25/2019 - 2610 - Notice ...

Additional Text: DFX: SUB-EXHIBITS ATTACHED INCORRECTLY - NOTICE OF FILING OF EXHIBITS IN SUPPORT OF PLAINTIFF'S MOTIONS TO VACATE ARBITRATOR'S AWARD OF DENIAL OF PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT AND FOR THE COURT TO DECIDE AND GRANT PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT--PART 1 - Transaction 7238227 - Approved By: YVILORIA : 04-25-2019:14:32:47

165 4/25/2019 - 2610 - Notice ...

Additional Text: DFX: SUB-EXHIBITS ATTACHED INCORRECTLY - NOTICE OF FILING OF EXHIBITS IN SUPPORT OF PLAINTIFF'S MOTIONS TO VACATE ARBITRATOR'S AWARD OF DENIAL OF PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT AND FOR THE COURT TO DECIDE AND GRANT PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT-- PART 2 - Transaction 7238461 - Approved By: YVILORIA : 04-25-2019:15:26:13

166 4/25/2019 - 2610 - Notice ...

Additional Text: DFX: SUB-EXHIBITS PRESENTED INCORRECTLY - NOTICE OF FILING OF EXHIBITS IN SUPPORT OF PLAINTIFF'S MOTIONS TO VACATE ARBITRATOR'S AWARD OF DENIAL OF PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT AND FOR THE COURT TO DECIDE AND GRANT PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT--PART 3- Transaction 7238629 - Approved By: YVILORIA : 04-25-2019:16:28:23

167 4/25/2019 - NEF - Proof of Electronic Service

Additional Text: Transaction 7238634 - Approved By: NOREVIEW : 04-25-2019:14:34:11

168 4/25/2019 - NEF - Proof of Electronic Service

Additional Text: Transaction 7238869 - Approved By: NOREVIEW : 04-25-2019:15:30:50

169 4/25/2019 - NEF - Proof of Electronic Service

Additional Text: Transaction 7239225 - Approved By: NOREVIEW : 04-25-2019:16:31:02

170 4/25/2019 - 2650 - Opposition to ...

Additional Text: PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION TO CONFIRM ARBITRATOR'S AWARD - Transaction 7239477 - Approved By: CSULEZIC : 04-26-2019:09:05:29

171 4/26/2019 - NEF - Proof of Electronic Service

Additional Text: Transaction 7239706 - Approved By: NOREVIEW : 04-26-2019:09:10:29

172 5/6/2019 - 3790 - Reply to/in Opposition

Additional Text: DFX: EX4 SET TO LEVEL 3 DUE TO PERSONAL INFO - DEFENDANTS' REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION TO CONFIRM ARBITRATOR'S AWARD - Transaction 7255481 - Approved By: YVILORIA : 05-07-2019:08:21:00

173 5/7/2019 - NEF - Proof of Electronic Service

Additional Text: Transaction 7256064 - Approved By: NOREVIEW : 05-07-2019:08:21:58

174 5/9/2019 - 2645 - Opposition to Mtn ...

Additional Text: DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO VACATE ARBITRATOR'S FINAL AWARD - Transaction 7261598 - Approved By: YVILORIA : 05-09-2019:10:35:50

175 5/9/2019 - NEF - Proof of Electronic Service

Additional Text: Transaction 7261643 - Approved By: NOREVIEW : 05-09-2019:10:36:46

176 5/9/2019 - 2645 - Opposition to Mtn ...

Additional Text: DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTIONS TO VACATE ARBITRATOR'S AWARD OF DENIAL OF PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT AND FOR THE COURT TO DECIDE AND GRANT PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT - Transaction 7261736 - Approved By: YVILORIA : 05-09-2019:11:26:33

177 5/9/2019 - NEF - Proof of Electronic Service

Additional Text: Transaction 7261800 - Approved By: NOREVIEW : 05-09-2019:11:27:34

178 5/9/2019 - 2645 - Opposition to Mtn ...

Additional Text: DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO VACATE ARBITRATOR'S AWARD OF ATTORNEY'S FEES AND REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' PETITION FOR AN ORDER CONFIRMING ARBITRATOR'S FINAL AWARD AND REDUCE AWARD TO JUDGMENT, INCLUDING, ATTORNEYS - Transaction 7262680 - Approved By: YVILORIA : 05-09-2019:16:11:47

- 179 5/9/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7263025 - Approved By: NOREVIEW : 05-09-2019:16:12:59
- 180 5/16/2019 - 2490 - Motion ...  
Additional Text: MOTION FOR AN ORDER TO FILE EXHIBIT AS CONFIDENTIAL - Transaction 7274242 - Approved By: SWOLFE : 05-17-2019:07:44:22
- 181 5/17/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7275118 - Approved By: NOREVIEW : 05-17-2019:07:45:11
- 182 5/20/2019 - 3795 - Reply...  
Additional Text: PLAINTIFF'S REPLY TO DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO VACATE ARBITRATOR'S AWARD OF ATTORNEY'S FEES & REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' PETITION FOR AN ORDER CONFIRMING ARBITRATOR'S FINAL AWARD & REDUCE AWARD TO JUDGMENT - Transaction 7277526 - Approved By: SWOLFE : 05-20-2019:09:31:05
- 183 5/20/2019 - 3795 - Reply...  
Additional Text: PLAINTIFF'S REPLY TO DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTIONS TO VACATE ARBITRATOR'S AWARD OF DENIAL OF PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT AND FOR THE COURT TO DECIDE AND GRANT PLAINTIFFS MOTION FOR PARTIAL SUMMARY JUDGMENT - Transaction 7277573 - Approved By: CSULEZIC : 05-20-2019:11:14:56
- 184 5/20/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7277638 - Approved By: NOREVIEW : 05-20-2019:09:32:25
- 185 5/20/2019 - 3795 - Reply...  
Additional Text: PLAINTIFF'S REPLY TO DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO VACATE ARBITRATOR'S FINAL AWARD - Transaction 7277660 - Approved By: CSULEZIC : 05-20-2019:11:28:46
- 186 5/20/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7278102 - Approved By: NOREVIEW : 05-20-2019:11:16:12
- 187 5/20/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7278193 - Approved By: NOREVIEW : 05-20-2019:11:30:03
- 188 5/20/2019 - 3860 - Request for Submission  
Additional Text: PETITION FOR AN ORDER CONFIRMING ARBITRATORS FINAL AWARD AND REDUCE AWARD TO JUDGMENT, INCLUDING, ATTORNEYS FEES AND COSTS FILED 4/15/19 - Transaction 7279086 - Approved By: CSULEZIC : 05-20-2019:16:54:48  
PARTY SUBMITTING: THOMAS BRADLEY ESQ  
DATE SUBMITTED: 5/20/19  
SUBMITTED BY: CS  
DATE RECEIVED JUDGE OFFICE:
- 189 5/20/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7279573 - Approved By: NOREVIEW : 05-20-2019:16:56:03
- 190 5/21/2019 - 3980 - Stip and Order...  
Additional Text: Transaction 7280604 - Approved By: NOREVIEW : 05-21-2019:11:45:15
- 191 5/21/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7280623 - Approved By: NOREVIEW : 05-21-2019:11:47:42
- 192 5/22/2019 - 3860 - Request for Submission  
Additional Text: - Transaction 7283565 - Approved By: CSULEZIC : 05-22-2019:15:46:32  
DOCUMENT TITLE: PLAINTIFFS MOTION TO VACATE ARBITRATORS FINAL AWARD FILED 5/22/19  
PARTY SUBMITTING: THOMAS BRADLEY ESQ  
DATE SUBMITTED: 5/22/19  
SUBMITTED BY: CS  
DATE RECEIVED JUDGE OFFICE:
- 193 5/22/2019 - 3860 - Request for Submission

Additional Text: REQUEST FOR SUBMISSION - Transaction 7283621 - Approved By: YVILORIA : 05-22-2019:15:31:25  
DOCUMENT TITLE: PLAINTIFF'S MOTIONS TO VACATE ARBITRATOR'S AWARD OF DENIAL OF PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT AND FOR THE COURT TO DECIDE AND GRANT PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT  
PARTY SUBMITTING: THOMAS BRADLEY ESQ  
DATE SUBMITTED: 5-22-19  
SUBMITTED BY: YV  
DATE RECEIVED JUDGE OFFICE:

194 5/22/2019 - 3860 - Request for Submission

Additional Text: REQUEST FOR SUBMISSION - Transaction 7283638 - Approved By: YVILORIA : 05-22-2019:15:38:07  
DOCUMENT TITLE: PLAINTIFF'S MOTION TO VACATE ARBITRATOR'S AWARD OF ATTORNEY'S FEES AND REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' PETITION FOR AN ORDER CONFIRMING ARBITRATOR'S FINAL AWARD AND REDUCE AWARD TO JUDGMENT, INCLUDING ATTORNEY'S FEES AND COSTS  
PARTY SUBMITTING: THOMAS BRADLEY ESQ  
DATE SUBMITTED: 5-22-19  
SUBMITTED BY: YV  
DATE RECEIVED JUDGE OFFICE:

195 5/22/2019 - NEF - Proof of Electronic Service

Additional Text: Transaction 7283829 - Approved By: NOREVIEW : 05-22-2019:15:33:33

196 5/22/2019 - NEF - Proof of Electronic Service

Additional Text: Transaction 7283864 - Approved By: NOREVIEW : 05-22-2019:15:39:08

197 5/22/2019 - NEF - Proof of Electronic Service

Additional Text: Transaction 7283944 - Approved By: NOREVIEW : 05-22-2019:15:48:47

198 5/28/2019 - 2650 - Opposition to ...

Additional Text: PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION FOR AN ORDER TO FILE EXHIBIT AS CONFIDENTIAL - Transaction 7290594 - Approved By: YVILORIA : 05-28-2019:15:25:59

199 5/28/2019 - NEF - Proof of Electronic Service

Additional Text: Transaction 7290992 - Approved By: NOREVIEW : 05-28-2019:15:26:58

200 6/3/2019 - 3790 - Reply to/in Opposition

Additional Text: REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION FOR AN ORDER TO FILE EXHIBIT AS CONFIDENTIAL - Transaction 7299930 - Approved By: YVILORIA : 06-03-2019:11:41:01

201 6/3/2019 - 3790 - Reply to/in Opposition

Additional Text: REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION FOR AN ORDER TO FILE EXHIBIT AS CONFIDENTIAL - Transaction 7299943 - Approved By: YVILORIA : 06-03-2019:11:44:03

202 6/3/2019 - 3860 - Request for Submission

Additional Text: REQUEST FOR SUBMISSION - Transaction 7299943 - Approved By: YVILORIA : 06-03-2019:11:44:03  
DOCUMENT TITLE: DEFENDANTS' MOTION FOR AN ORDER TO FILE EXHIBIT AS CONFIDENTIAL FILED 5-16-19, PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION FOR AN ORDER TO FILE EXHIBIT AS CONFIDENTIAL, FILED 5-28-19; DEFENDANT'S REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION FOR AN ORDER TO FILE EXHIBIT AS CONFIDENTIAL FILED 6-3-19  
PARTY SUBMITTING: THOMAS BRADLEY ESQ  
DATE SUBMITTED: 6-3-19  
SUBMITTED BY: YV  
DATE RECEIVED JUDGE OFFICE:

203 6/3/2019 - NEF - Proof of Electronic Service

Additional Text: Transaction 7300121 - Approved By: NOREVIEW : 06-03-2019:11:43:39

204 6/3/2019 - NEF - Proof of Electronic Service

Additional Text: Transaction 7300132 - Approved By: NOREVIEW : 06-03-2019:11:45:05

205 6/14/2019 - 4050 - Stipulation ...

Additional Text: DFX: CASE NUMBER ON DOCUMENT DOES NOT MATCH CASE FILING INTO STIPULATION AND ORDER TO PERMIT TJ JESKY TO RESIGN AS CO-DERIVATIVE PLAINTIFF - Transaction 7321429 - Approved By: SWOLFE : 06-14-2019:10:33:03

206 6/14/2019 - 3860 - Request for Submission  
Additional Text: DFX: CASE NUMBER ON DOCUMENT DOES NOT MATCH CASE FILING INTO. NO S1 BUILT - Transaction 7321429 -  
Approved By: SWOLFE : 06-14-2019:10:33:03

207 6/14/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7321673 - Approved By: NOREVIEW : 06-14-2019:10:36:10

208 8/8/2019 - 2682 - Ord Addressing Motions  
Additional Text: Transaction 7418877 - Approved By: NOREVIEW : 08-08-2019:11:55:15

209 8/8/2019 - S200 - Request for Submission Complet  
Additional Text: ORDER

210 8/8/2019 - S200 - Request for Submission Complet  
Additional Text: ORDER

211 8/8/2019 - S200 - Request for Submission Complet  
Additional Text: ORDER

212 8/8/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7418884 - Approved By: NOREVIEW : 08-08-2019:11:56:22

213 8/8/2019 - S200 - Request for Submission Complet  
Additional Text: ORDER

214 8/8/2019 - S200 - Request for Submission Complet  
Additional Text: ORDER

215 8/8/2019 - 2540 - Notice of Entry of Ord  
Additional Text: Transaction 7419104 - Approved By: NOREVIEW : 08-08-2019:13:05:29

216 8/8/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7419107 - Approved By: NOREVIEW : 08-08-2019:13:06:24

217 8/8/2019 - 2010 - Mtn for Attorney's Fee  
Additional Text: Transaction 7419708 - Approved By: NOREVIEW : 08-08-2019:15:24:18

218 8/8/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7419720 - Approved By: NOREVIEW : 08-08-2019:15:25:50

219 8/16/2019 - 4047 - Stip Extension of Time ...  
Additional Text: NOTICE ATTACHED - NOTICE OF STRICKEN DOCUMENT FILED AUGUST 16, 2019 STRIKING THE STIPULATION FOR THE  
FOLLOWING REASON: DOCUMENT IS AN UNSIGNED ORDER THAT IS NOT IDENTIFIED AS A PROPOSED ORDER – WDCR 10(c)(1)  
  
Transaction 7433073 - Approved By: NOREVIEW : 08-16-2019:12:26:10

220 8/16/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7433078 - Approved By: NOREVIEW : 08-16-2019:12:27:07

221 8/21/2019 - 4050 - Stipulation ...  
Additional Text: Transaction 7441955 - Approved By: NOREVIEW : 08-21-2019:12:17:09

222 8/21/2019 - 3860 - Request for Submission

Additional Text: Transaction 7441955 - Approved By: NOREVIEW : 08-21-2019:12:17:09

DOCUMENT TITLE: STIPULATION ( ORDER ATTACHED AS EXHIBIT 1)

PARTY SUBMITTING: THOMAS BRADLEY, ESQ

DATE SUBMITTED: AUGUST 21, 2019

SUBMITTED BY: BBLOUGH

DATE RECEIVED JUDGE OFFICE:

223 8/21/2019 - NEF - Proof of Electronic Service

Additional Text: Transaction 7441965 - Approved By: NOREVIEW : 08-21-2019:12:20:17

224 8/27/2019 - S200 - Request for Submission Complet

*No additional text exists for this entry.*

225 8/27/2019 - 3370 - Order ...

Additional Text: Transaction 7453486 - Approved By: NOREVIEW : 08-27-2019:16:20:47

226 8/27/2019 - NEF - Proof of Electronic Service

Additional Text: Transaction 7453491 - Approved By: NOREVIEW : 08-27-2019:16:21:51

227 9/5/2019 - 2250 - Mtn Alter or Amend Judgment

Additional Text: PLAINTIFF'S MOTION TO ALTER OR AMEND ORDER RE MOTIONS ENTERED AUGUST 8, 2019 - Transaction 7468273 -

Approved By: YVILORIA : 09-05-2019:13:30:34

228 9/5/2019 - NEF - Proof of Electronic Service

Additional Text: Transaction 7468379 - Approved By: NOREVIEW : 09-05-2019:13:31:33

229 9/12/2019 - 2645 - Opposition to Mtn ...

Additional Text: OPPOSITION TO PLAINTIFF'S MOTION TO ALTER OR AMEND "ORDER RE MOTIONS" ENTERED AUGUST 8, 2019 -

Transaction 7480788 - Approved By: CSULEZIC : 09-12-2019:11:23:38

230 9/12/2019 - NEF - Proof of Electronic Service

Additional Text: Transaction 7480894 - Approved By: NOREVIEW : 09-12-2019:11:24:45

231 9/24/2019 - 3795 - Reply...

Additional Text: PLAINTIFF'S REPLY POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO ALTER OR AMEND "ORDER RE MOTIONS" ENTERED ON AUGUST 8, 2019 - Transaction 7502292 - Approved By: YVILORIA : 09-25-2019:09:12:30

232 9/25/2019 - NEF - Proof of Electronic Service

Additional Text: Transaction 7502532 - Approved By: NOREVIEW : 09-25-2019:09:13:29

233 9/25/2019 - 3860 - Request for Submission

Additional Text: Transaction 7503018 - Approved By: NOREVIEW : 09-25-2019:10:46:52

DOCUMENT TITLE: PLAINTIFF'S MOTION TO ALTER OR AMEND ORDER RE MOTION ENTERED 8/8/19

PARTY SUBMITTING: THOMAS C BRADLEY, ESQ ATTY FOR DEFTS

DATE SUBMITTED: 9/25/19

SUBMITTED BY: MDIONICI

DATE RECEIVED JUDGE OFFICE:

234 9/25/2019 - NEF - Proof of Electronic Service

Additional Text: Transaction 7503031 - Approved By: NOREVIEW : 09-25-2019:10:48:26

235 12/6/2019 - 2842 - Ord Denying Motion

Additional Text: TO ALTER OR AMEND JUDGMENT - Transaction 7625279 - Approved By: NOREVIEW : 12-06-2019:15:46:55

236 12/6/2019 - S200 - Request for Submission Complet

Additional Text: ORDER

237 12/6/2019 - NEF - Proof of Electronic Service

Additional Text: Transaction 7625333 - Approved By: NOREVIEW : 12-06-2019:15:53:58



- 238 12/9/2019 - 2540 - Notice of Entry of Ord  
Additional Text: Transaction 7626059 - Approved By: NOREVIEW : 12-09-2019:08:52:26
- 239 12/9/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7626060 - Approved By: NOREVIEW : 12-09-2019:08:53:20
- 240 12/9/2019 - 1120 - Amended ...  
Additional Text: DEFENDANTS' AMENDED MOTION FOR ATTORNEY'S FEES - Transaction 7627206 - Approved By: NOREVIEW : 12-09-2019:13:29:47
- 241 12/9/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7627212 - Approved By: NOREVIEW : 12-09-2019:13:30:49
- 242 12/23/2019 - 3860 - Request for Submission  
Additional Text: Transaction 7652277 - Approved By: NOREVIEW : 12-23-2019:11:17:11  
DOCUMENT TITLE: DEFT'S AMENDED MOTION FOR ATTORNEY'S FEES FIELD 12-9-19  
PARTY SUBMITTING: THOMAS BRADLEY ESQ  
DATE SUBMITTED: 12-23-19  
SUBMITTED BY: YV  
DATE RECEIVED JUDGE OFFICE:
- 243 12/23/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7652284 - Approved By: NOREVIEW : 12-23-2019:11:18:22
- 244 1/7/2020 - 1310 - Case Appeal Statement  
Additional Text: CASE APPEAL STATEMENT - Transaction 7671937 - Approved By: NOREVIEW : 01-07-2020:12:57:30
- 245 1/7/2020 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7671944 - Approved By: NOREVIEW : 01-07-2020:12:58:46
- 246 1/7/2020 - 2515 - Notice of Appeal Supreme Court  
Additional Text: NOTICE OF APPEAL - Transaction 7671827 - Approved By: YVILORIA : 01-07-2020:13:12:13
- 247 1/7/2020 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7671994 - Approved By: NOREVIEW : 01-07-2020:13:13:14
- 248 1/7/2020 - \$2515 - \$Notice/Appeal Supreme Court  
Additional Text: APPEAL PREVIOUSLY FILED
- 249 1/7/2020 - PAYRC - \*\*Payment Receipted  
Additional Text: A Payment of -\$24.00 was made on receipt DCDC652663.
- 250 1/7/2020 - SAB - \*\*Supreme Court Appeal Bond  
Additional Text: Bond ID: SAB-20-00002; Total Bond Amount: \$500.00.  
  
Bond Code, SAB, Receipted for: SITE DEFINED TRUST DEPOSIT, on 07-JAN-2020 in the amount of \$500.00 on case ID CV12-01271.
- 251 1/7/2020 - 1350 - Certificate of Clerk  
Additional Text: CERTIFICIATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 7673097 - Approved By: NOREVIEW : 01-07-2020:16:28:05
- 252 1/7/2020 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7673113 - Approved By: NOREVIEW : 01-07-2020:16:30:00
- 253 1/10/2020 - 1187 - \*\*Supreme Court Case No. ...  
Additional Text: SUPREME COURT NO. 80376 - GARMONG

- 254 1/13/2020 - 1188 - Supreme Court Receipt for Doc  
Additional Text: SUPREME COURT NO. 80376 / RECEIPT FOR DOCUMENTS - Transaction 7682254 - Approved By: NOREVIEW : 01-13-2020:13:48:08
- 255 1/13/2020 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7682268 - Approved By: NOREVIEW : 01-13-2020:13:50:07
- 256 3/9/2020 - 3370 - Order ...  
Additional Text: HOLDING ISSUANCE OF ORDER ON DEFENDANTS' AMENDED MOTION FOR ATTORNEY'S FEES IN ABEYANCE - Transaction 7782911 - Approved By: NOREVIEW : 03-09-2020:15:59:23
- 257 3/9/2020 - S200 - Request for Submission Complet  
Additional Text: ORDER
- 258 3/9/2020 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7782920 - Approved By: NOREVIEW : 03-09-2020:16:00:42
- 259 9/22/2020 - 4133 - Supreme Court Notice  
Additional Text: SUPREME COURT NO. 80376 / NOTICE OF TRANSFER TO COURT OF APPEALS - Transaction 8078836 - Approved By: NOREVIEW : 09-22-2020:09:07:49
- 260 9/22/2020 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8078841 - Approved By: NOREVIEW : 09-22-2020:09:08:45
- 261 12/8/2020 - 4134 - Supreme Court Order Affirming  
Additional Text: SUPREME COURT NO. 80376 / ORDER OF AFFIRMANCE - Transaction 8193721 - Approved By: NOREVIEW : 12-08-2020:09:03:56
- 262 12/8/2020 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8193724 - Approved By: NOREVIEW : 12-08-2020:09:04:44
- 263 2/18/2021 - 1120 - Amended ...  
Additional Text: DEFENDANTS SECOND AMENDED MOTION FOR ATTORNEY FEES - Transaction 8300593 - Approved By: NOREVIEW : 02-18-2021:10:05:38
- 264 2/18/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8300595 - Approved By: NOREVIEW : 02-18-2021:10:06:34
- 265 2/22/2021 - 4128 - Supreme Court Order Denying  
Additional Text: SUPREME COURT NO. 80376 / ORDER DENYING REHEARING - Transaction 8306529 - Approved By: NOREVIEW : 02-22-2021:14:58:51
- 266 2/22/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8306531 - Approved By: NOREVIEW : 02-22-2021:14:59:50
- 267 3/1/2021 - 4047 - Stip Extension of Time ...  
Additional Text: for Plaintiff to Oppose the Defendant's 2nd Amended Motion for Attorney's Fees - Transaction 8317488 - Approved By: NOREVIEW : 03-01-2021:07:56:07
- 268 3/1/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8317491 - Approved By: NOREVIEW : 03-01-2021:07:57:07
- 269 3/1/2021 - 2777 - Ord Approving ...  
Additional Text: STIPULATION - Transaction 8319278 - Approved By: NOREVIEW : 03-01-2021:16:16:24
- 270 3/1/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8319288 - Approved By: NOREVIEW : 03-01-2021:16:17:56

- 271 4/8/2021 - 4128 - Supreme Court Order Denying  
Additional Text: SUPREME COURT NO. 80376 / ORDER DENYING PETITION FOR REVIEW - Transaction 8385870 - Approved By: NOREVIEW : 04-08-2021:14:59:13
- 272 4/8/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8385885 - Approved By: NOREVIEW : 04-08-2021:15:00:42
- 273 4/21/2021 - 3860 - Request for Submission  
Additional Text: Transaction 8405365 - Approved By: NOREVIEW : 04-21-2021:10:28:03  
DOCUMENT TITLE: Second Amended Motion for Attorney's Fees  
PARTY SUBMITTING: THOMAS BRADLEY, ESQ.  
DATE SUBMITTED: 4/21/21  
SUBMITTED BY: NM  
DATE RECEIVED JUDGE OFFICE:
- 274 4/21/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8405376 - Approved By: NOREVIEW : 04-21-2021:10:29:01
- 275 4/26/2021 - 2475 - Mtn to Strike...  
Additional Text: MOTION TO STRIKE DECLARATION OF THOMAS C. BRADLEY IN SUPPORT OF SECOND AMENDED MOTION FOR ATTORNEY'S FEES AND COSTS - Transaction 8411659 - Approved By: CSULEZIC : 04-26-2021:10:09:59
- 276 4/26/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8411682 - Approved By: NOREVIEW : 04-26-2021:10:11:56
- 277 4/27/2021 - 2075 - Mtn for Extension of Time  
Additional Text: MOTION FOR EXTENSION OF TIME TO FILE OPPOSITION TO DEFENDANTS' SECOND AMENDED MOTION FOR ATTORNEY'S FEES AND COSTS; OPPOSITION POINTS AND AUTHORITIES - Transaction 8415145 - Approved By: YVILORIA : 04-27-2021:13:26:14
- 278 4/27/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8415343 - Approved By: NOREVIEW : 04-27-2021:13:28:53
- 279 5/5/2021 - 2645 - Opposition to Mtn ...  
Additional Text: DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO STRIKE - Transaction 8428321 - Approved By: CSULEZIC : 05-05-2021:09:40:48
- 280 5/5/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8428490 - Approved By: NOREVIEW : 05-05-2021:09:41:51
- 281 5/6/2021 - 2645 - Opposition to Mtn ...  
Additional Text: DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION FOR EXTENSION OF TIME - Transaction 8431203 - Approved By: CSULEZIC : 05-06-2021:11:37:33
- 282 5/6/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8431221 - Approved By: NOREVIEW : 05-06-2021:11:38:30
- 283 5/12/2021 - 3860 - Request for Submission  
Additional Text: Transaction 8440366 - Approved By: NOREVIEW : 05-12-2021:10:00:39  
DOCUMENT TITLE: MOTION TO STRIKE DECLARATION OF THOMAS C. BRADLEY IN SUPPORT OF SECOND AMENDED MOTION FOR ATTORNEY'S FEES AND COSTS FILED 4/26/2021  
PARTY SUBMITTING: THOMAS BRADLEY ESQ  
DATE SUBMITTED: 5/12/2021  
SUBMITTED BY: CS  
DATE RECEIVED JUDGE OFFICE:
- 284 5/12/2021 - 3860 - Request for Submission

Additional Text: Transaction 8440366 - Approved By: NOREVIEW : 05-12-2021:10:00:39

DOCUMENT TITLE: MOTION FOR EXTENSION OF TIME TO FILE OPPOSITION TO DEFT'S SECOND AMENDED MOTION FOR ATTORNEY'S FEES AND COSTS

PARTY SUBMITTING: THOMAS BRADLEY ESQ

DATE SUBMITTED: 5/12/2021

SUBMITTED BY: CS

DATE RECEIVED JUDGE OFFICE:

285 5/12/2021 - NEF - Proof of Electronic Service

Additional Text: Transaction 8440370 - Approved By: NOREVIEW : 05-12-2021:10:01:42

286 5/12/2021 - 3795 - Reply...

Additional Text: REPLY TO DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION TO STRIKE - Transaction 8440748 - Approved By: YVILORIA : 05-12-2021:11:40:22

287 5/12/2021 - NEF - Proof of Electronic Service

Additional Text: Transaction 8440811 - Approved By: NOREVIEW : 05-12-2021:11:41:13

288 5/12/2021 - 3860 - Request for Submission

Additional Text: of Plaintiff's Motion to Strike the Declaration of Thomas C. Bradley - Transaction 8440834 - Approved By: NOREVIEW : 05-12-2021:11:45:28

DOCUMENT TITLE: MOTION TO STRIKE THE DECLARATION OF THOMAS C. BRADLEY IN SUPPORT OF SECOND AMENDED MOTION FOR ATTORNEY'S FEES AND COSTS FILED 4/26/2021

PARTY SUBMITTING: CARL HEBERT ESQ

DATE SUBMITTED: 5/12/2021

SUBMITTED BY:

DATE RECEIVED JUDGE OFFICE:

289 5/12/2021 - NEF - Proof of Electronic Service

Additional Text: Transaction 8440841 - Approved By: NOREVIEW : 05-12-2021:11:46:26

290 5/13/2021 - 3795 - Reply...

Additional Text: REPLY POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR EXENSION OF TIME AND OPPOSITION TO THE DEFENDANTS' SECOND AMENDED MOTION FOR ATTORNEY'S FEES AND COSTS - Transaction 8443074 - Approved By: YVILORIA : 05-13-2021:11:48:45

291 5/13/2021 - NEF - Proof of Electronic Service

Additional Text: Transaction 8443128 - Approved By: NOREVIEW : 05-13-2021:11:51:39

292 5/14/2021 - 4145 - Supreme Court Remittitur

Additional Text: SUPREME COURT NO. 80376 / REMITTITUR - Transaction 8445796 - Approved By: NOREVIEW : 05-14-2021:13:52:17

293 5/14/2021 - 4111 - Supreme Ct Clk's Cert & Judg

Additional Text: SUPREME COURT NO. 80376 / CLERK'S CERTIFICATE & JUDGMENTS - Transaction 8445796 - Approved By: NOREVIEW : 05-14-2021:13:52:17

294 5/14/2021 - NEF - Proof of Electronic Service

Additional Text: Transaction 8445802 - Approved By: NOREVIEW : 05-14-2021:13:53:21

295 5/17/2021 - S200 - Request for Submission Complet

Additional Text: duplicate submission

296 6/11/2021 - 2842 - Ord Denying Motion

Additional Text: FOR EXTENSION OF TIME TO FILE OPPOSITION TO DEFENDANTS' SECOND AMENDED MOTION FOR ATTORNEY'S FEES AND COSTS - Transaction 8491419 - Approved By: NOREVIEW : 06-11-2021:11:26:14

297 6/11/2021 - NEF - Proof of Electronic Service

Additional Text: Transaction 8491423 - Approved By: NOREVIEW : 06-11-2021:11:27:14

298 6/11/2021 - S200 - Request for Submission Complet  
Additional Text: ORDER

299 6/14/2021 - 2540 - Notice of Entry of Ord  
Additional Text: Transaction 8493315 - Approved By: NOREVIEW : 06-14-2021:10:31:57

300 6/14/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8493319 - Approved By: NOREVIEW : 06-14-2021:10:32:55

301 6/15/2021 - 2980 - Ord Return of Appeal Bond  
Additional Text: Transaction 8495043 - Approved By: NOREVIEW : 06-15-2021:05:53:29

302 6/15/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8495044 - Approved By: NOREVIEW : 06-15-2021:05:54:27

303 6/23/2021 - CHECK - \*\*Trust Disbursement  
Additional Text: A Disbursement of \$500.00 on Check Number 12688

304 7/7/2021 - 2842 - Ord Denying Motion  
Additional Text: to Strike Declaration of Thomas C. Bradley - Transaction 8531218 - Approved By: NOREVIEW : 07-07-2021:14:00:39

305 7/7/2021 - S200 - Request for Submission Complet  
Additional Text: ORDER DENYING MOTION TO STRIKE FILED 7 JUL 2021

306 7/7/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8531225 - Approved By: NOREVIEW : 07-07-2021:14:01:38

307 7/8/2021 - 2540 - Notice of Entry of Ord  
Additional Text: Transaction 8532828 - Approved By: NOREVIEW : 07-08-2021:11:05:19

308 7/8/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8532831 - Approved By: NOREVIEW : 07-08-2021:11:06:19

309 7/12/2021 - 3105 - Ord Granting ...  
Additional Text: Defendants' Second Amended Motion for Attorney's Fees; Order Confirming Arbitrator's Final Award - Transaction 8537770 - Approved By: NOREVIEW : 07-12-2021:11:53:23

310 7/12/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8537775 - Approved By: NOREVIEW : 07-12-2021:11:54:23

311 7/12/2021 - S200 - Request for Submission Complet  
Additional Text: ORDER FILED 12 JUL 2021

312 7/14/2021 - 3860 - Request for Submission  
Additional Text: Transaction 8542575 - Approved By: NOREVIEW : 07-14-2021:11:02:22  
DOCUMENT TITLE: PROPOSED FINAL JUDGMENT (ORDER PROVIDED)  
PARTY SUBMITTING: THOMAS BRADLEY ESQ  
DATE SUBMITTED: 7/14/2021  
SUBMITTED BY: CS  
DATE RECEIVED JUDGE OFFICE:

313 7/14/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8542578 - Approved By: NOREVIEW : 07-14-2021:11:03:22

314 7/16/2021 - 1880 - Judgment  
Additional Text: Transaction 8547189 - Approved By: NOREVIEW : 07-16-2021:11:02:31

- 315 7/16/2021 - S200 - Request for Submission Complet  
Additional Text: FINAL JUDGMENT 16 JUL 2021
- 316 7/16/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8547194 - Approved By: NOREVIEW : 07-16-2021:11:03:36
- 317 7/16/2021 - F230 - Other Manner of Disposition  
*No additional text exists for this entry.*
- 318 7/16/2021 - 2535 - Notice of Entry of Judgment  
Additional Text: Transaction 8547449 - Approved By: NOREVIEW : 07-16-2021:12:11:05
- 319 7/16/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8547458 - Approved By: NOREVIEW : 07-16-2021:12:12:28
- 320 8/10/2021 - \$2515 - \$Notice/Appeal Supreme Court  
Additional Text: Transaction 8588503 - Approved By: YVILORIA : 08-10-2021:15:52:03
- 321 8/10/2021 - PAYRC - \*\*Payment Receipted  
Additional Text: A Payment of \$24.00 was made on receipt DCDC678186.
- 322 8/10/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8588528 - Approved By: NOREVIEW : 08-10-2021:15:53:02
- 323 8/10/2021 - 1310 - Case Appeal Statement  
Additional Text: Transaction 8588621 - Approved By: NOREVIEW : 08-10-2021:16:11:06
- 324 8/10/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8588635 - Approved By: NOREVIEW : 08-10-2021:16:14:10
- 325 8/10/2021 - SAB - \*\*Supreme Court Appeal Bond  
Additional Text: GREGORY GARMONG - Transaction 8588693 - Approved By: YVILORIA : 08-11-2021:07:59:43
- 326 8/11/2021 - PAYRC - \*\*Payment Receipted  
Additional Text: A Payment of \$500.00 was made on receipt DCDC678191.
- 327 8/11/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8589085 - Approved By: NOREVIEW : 08-11-2021:08:00:45
- 328 8/11/2021 - 4113 - District Ct Deficiency Notice  
Additional Text: NOTICE OF APPEAL DEFICIENCY NOTICE - SUPREME COURT FILING FEE - Transaction 8589210 - Approved By: NOREVIEW : 08-11-2021:08:47:30
- 329 8/11/2021 - 1350 - Certificate of Clerk  
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 8589210 - Approved By: NOREVIEW : 08-11-2021:08:47:30
- 330 8/11/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8589211 - Approved By: NOREVIEW : 08-11-2021:08:48:28
- 331 8/11/2021 - 1187 - \*\*Supreme Court Case No. ...  
Additional Text: SUPREME COURT NO. 83356 - GARMONG
- 332 8/13/2021 - 1188 - Supreme Court Receipt for Doc  
Additional Text: SUPREME COURT NO. 83356 / RECEIPT FOR DOCUMENTS - Transaction 8595000 - Approved By: NOREVIEW : 08-13-2021:13:54:38

- 333 8/13/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8595004 - Approved By: NOREVIEW : 08-13-2021:13:55:39
- 334 11/3/2021 - 4075 - Substitution of Counsel  
Additional Text: SUBSTITUTION AND WITHDRAWAL OF DEFENDANTS ATTORNEY: STEPHEN S. KENT ESQ IN PLACE OF THOMAS BRADLEY ESQ / WESPAC AND GREG CHRISTIAN - Transaction 8729499 - Approved By: NOREVIEW : 11-03-2021:11:21:15
- 335 11/3/2021 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8729513 - Approved By: NOREVIEW : 11-03-2021:11:23:01
- 336 4/1/2022 - 1075 - Affidavit ...  
Additional Text: "NOTICE ATTACHED - NOTICE OF STRICKEN DOCUMENT FILED 4/01/2022 STRIKING THE AFFIDAVIT OF JUDGMENT FOR THE FOLLOWING REASON: DOCUMENT DOES NOT HAVE AN AFFIRMATION – WDCR10(c)(1 - Transaction 8977922 - Approved By: NOREVIEW : 04-01-2022:14:55:27
- 337 4/1/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8977939 - Approved By: NOREVIEW : 04-01-2022:14:56:09
- 338 4/1/2022 - 2589 - Notice of Stricken Document  
Additional Text: Transaction 8978218 - Approved By: NOREVIEW : 04-01-2022:15:50:59
- 339 4/1/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8978221 - Approved By: NOREVIEW : 04-01-2022:15:51:41
- 340 4/4/2022 - 1075 - Affidavit ...  
Additional Text: Affidavit of Judgment - Transaction 8979560 - Approved By: NOREVIEW : 04-04-2022:13:14:15
- 341 4/4/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8979561 - Approved By: NOREVIEW : 04-04-2022:13:14:54
- 342 4/4/2022 - 1770 - General Notice  
Additional Text: Judgment Abstract of Judgment and Affidavit of Judgment - Transaction 8979606 - Approved By: NOREVIEW : 04-04-2022:13:26:28
- 343 4/4/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 8979618 - Approved By: NOREVIEW : 04-04-2022:13:27:20
- 344 4/19/2022 - 1075 - Affidavit ...  
Additional Text: Affidavit of Judgment - Transaction 9004860 - Approved By: NOREVIEW : 04-19-2022:09:25:14
- 345 4/19/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9004863 - Approved By: NOREVIEW : 04-19-2022:09:25:56
- 346 4/19/2022 - 2610 - Notice ...  
Additional Text: JUDGMENT ABSTRACT OF JUDGMENT AND AFFIDAVIT OF JUDGMENT - Transaction 9004952 - Approved By: YVILORIA : 04-19-2022:09:53:47
- 347 4/19/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9004999 - Approved By: NOREVIEW : 04-19-2022:09:54:25
- 348 5/10/2022 - 1520 - Declaration  
Additional Text: DECLARATION OF SERVICE - FIDELITY INVESTMENTS 5/03/2022
- 349 6/6/2022 - 4133 - Supreme Court Notice  
Additional Text: SUPREME COURT NO. 83356 - NOTICE OF TRANSFER TO COURT OF APPEALS - Transaction 9082930 - Approved By: NOREVIEW : 06-06-2022:08:03:59

- 350 6/6/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9082934 - Approved By: NOREVIEW : 06-06-2022:08:04:49
- 351 7/25/2022 - 4134 - Supreme Court Order Affirming  
Additional Text: SUPREME COURT NO. 83356 - ORDER OF AFFIRMANCE - Transaction 9167583 - Approved By: NOREVIEW : 07-25-2022:14:23:48
- 352 7/25/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9167586 - Approved By: NOREVIEW : 07-25-2022:14:24:18
- 353 9/1/2022 - 2010 - Mtn for Attorney's Fee  
Additional Text: Transaction 9239336 - Approved By: NOREVIEW : 09-01-2022:15:19:23
- 354 9/1/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9239340 - Approved By: NOREVIEW : 09-01-2022:15:20:09
- 355 9/15/2022 - 2645 - Opposition to Mtn ...  
Additional Text: OPPOSITION TO DEFENDANTS' MOTION FOR ATTORNEYS' FEES - Transaction 9261402 - Approved By: CSULEZIC : 09-15-2022:10:20:42
- 356 9/15/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9261443 - Approved By: NOREVIEW : 09-15-2022:10:21:38
- 357 9/27/2022 - 3795 - Reply...  
Additional Text: Defendants' Reply to Plaintiff's Opposition to Defendants' Motion for Attorney Fees - Transaction 9283059 - Approved By: NOREVIEW : 09-27-2022:16:45:05
- 358 9/27/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9283061 - Approved By: NOREVIEW : 09-27-2022:16:45:42
- 359 9/27/2022 - 3860 - Request for Submission  
Additional Text: Transaction 9283086 - Approved By: NOREVIEW : 09-27-2022:16:55:26  
DOCUMENT TITLE: MOTION FOR ATTORNEY FEES FILED 9/01/2022  
PARTY SUBMITTING: STEPHEN KENT ESQ.  
DATE SUBMITTED: 9/27/2022  
SUBMITTED BY: CS  
DATE RECEIVED JUDGE OFFICE:
- 360 9/27/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9283090 - Approved By: NOREVIEW : 09-27-2022:16:56:03
- 361 10/24/2022 - 4128 - Supreme Court Order Denying  
Additional Text: SUPREME COURT NO. 83356 - ORDER DENYING REHEARING - Transaction 9327739 - Approved By: NOREVIEW : 10-24-2022:14:08:42
- 362 10/24/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9327748 - Approved By: NOREVIEW : 10-24-2022:14:09:36
- 363 10/26/2022 - 2490 - Motion ...  
Additional Text: MOTION FOR LEAVE TO FILE SUPPLEMENTAL POINTS AND AUTHORITIES; SUPPLEMENTAL POINTS AND AUTHORITIES - Transaction 9332260 - Approved By: YVILORIA : 10-26-2022:13:43:53
- 364 10/26/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9332387 - Approved By: NOREVIEW : 10-26-2022:13:44:47
- 365 11/2/2022 - 1520 - Declaration  
Additional Text: Declaration of Service - Transaction 9342600 - Approved By: NOREVIEW : 11-02-2022:13:48:42



366 11/2/2022 - NEF - Proof of Electronic Service  
Additional Text: DECLARATION OF SERVICE - CARRIE FECTEAU OBO FIDELITY INVESTMENT 4/18/2022 Transaction 9342601 -  
Approved By: NOREVIEW : 11-02-2022:13:49:20

367 11/9/2022 - 2645 - Opposition to Mtn ...  
Additional Text: OPPOSITION TO OCTOBER 26, 2022 MOTION TO SUPPLEMENT - Transaction 9356220 - Approved By: CSULEZIC :  
11-09-2022:16:26:14

368 11/9/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9356232 - Approved By: NOREVIEW : 11-09-2022:16:27:01

369 11/14/2022 - 1950 - Memorandum of Costs  
Additional Text: Transaction 9361032 - Approved By: NOREVIEW : 11-14-2022:13:38:56

370 11/14/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9361038 - Approved By: NOREVIEW : 11-14-2022:13:39:37

371 11/16/2022 - 3795 - Reply...  
Additional Text: PLAINTIFF'S REPLY POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR LEAVE TO FILE SUPPLEMENTAL POINTS  
AND AUTHORITIES - Transaction 9366929 - Approved By: NOREVIEW : 11-16-2022:21:20:10

372 11/16/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9366930 - Approved By: NOREVIEW : 11-16-2022:21:20:50

373 11/21/2022 - 2430 - Mtn to Retax Costs  
Additional Text: MOTION TO RETAX DEFENDANTS' POST JUDGMENT COSTS Transaction 9373795 - Approved By: NOREVIEW :  
11-21-2022:21:26:04

374 11/21/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9373796 - Approved By: NOREVIEW : 11-21-2022:21:26:44

375 11/28/2022 - 2645 - Opposition to Mtn ...  
Additional Text: OPPOSITION TO MOTION TO RETAX - Transaction 9379932 - Approved By: CSULEZIC : 11-28-2022:13:57:30

376 11/28/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9380005 - Approved By: NOREVIEW : 11-28-2022:13:58:28

377 12/2/2022 - 1270 - Application ...  
Additional Text: Application for Debtor's Exam - Transaction 9390011 - Approved By: NOREVIEW : 12-02-2022:14:06:09

378 12/2/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9390014 - Approved By: NOREVIEW : 12-02-2022:14:06:52

379 12/5/2022 - 3795 - Reply...  
Additional Text: PLAINTIFF'S REPLY POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO RETAX COSTS - Transaction 9393641 -  
Approved By: NOREVIEW : 12-05-2022:19:50:58

380 12/5/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9393642 - Approved By: NOREVIEW : 12-05-2022:19:51:28

381 12/6/2022 - 3860 - Request for Submission  
Additional Text: Transaction 9395553 - Approved By: NOREVIEW : 12-06-2022:16:17:04  
DOCUMENT TITLE: MOTION TO RETAX DEFENDANTS' POST JUDGMENT COSTS  
PARTY SUBMITTING: STEPHEN KENT, ESQ.  
DATE SUBMITTED: 12/6/22  
SUBMITTED BY: NM  
DATE RECEIVED JUDGE OFFICE:

382 12/6/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9395554 - Approved By: NOREVIEW : 12-06-2022:16:17:47

383 12/12/2022 - 2842 - Ord Denying Motion  
Additional Text: for Attorney's Fees - Transaction 9405062 - Approved By: NOREVIEW : 12-12-2022:14:14:12

384 12/12/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9405064 - Approved By: NOREVIEW : 12-12-2022:14:14:53

385 12/12/2022 - S200 - Request for Submission Complet  
Additional Text: Order Denying Defendants' Motion for Attorney's Fees filed 12 DEC 2022

386 12/13/2022 - 2540 - Notice of Entry of Ord  
Additional Text: Denying Defendants' Motion for Attorney's Fees - Transaction 9407462 - Approved By: NOREVIEW : 12-13-2022:13:01:38

387 12/13/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9407464 - Approved By: NOREVIEW : 12-13-2022:13:02:13

388 12/16/2022 - 2650 - Opposition to ...  
Additional Text: OPPOSITION TO DEFENDANTS' APPLICATION FOR DEBTOR'S EXAMINATION - Transaction 9414571 - Approved By: CSULEZIC : 12-16-2022:14:36:02

389 12/16/2022 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9414576 - Approved By: NOREVIEW : 12-16-2022:14:36:46

390 1/9/2023 - 3897 - Return  
Additional Text: WRIT RETURN - Transaction 9446738 - Approved By: NOREVIEW : 01-09-2023:15:04:28

391 1/9/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9446740 - Approved By: NOREVIEW : 01-09-2023:15:07:12

392 1/19/2023 - 4145 - Supreme Court Remittitur  
Additional Text: SUPREME COURT NO. 83356 - REMITTITUR - Transaction 9465453 - Approved By: NOREVIEW : 01-19-2023:16:59:45

393 1/19/2023 - 4111 - Supreme Ct Clk's Cert & Judg  
Additional Text: SUPREME COURT NO. 83356 - CLERK'S CERTIFICATE & JUDGMENTS - Transaction 9465453 - Approved By: NOREVIEW : 01-19-2023:16:59:45

394 1/19/2023 - 4128 - Supreme Court Order Denying  
Additional Text: SUPREME COURT NO. 83356 - ORDER DENYING PETITION FOR REVIEW - Transaction 9465453 - Approved By: NOREVIEW : 01-19-2023:16:59:45

395 1/19/2023 - 4128 - Supreme Court Order Denying  
Additional Text: SUPREME COURT NO. 83356 - ORDER DENYING REHEARING - Transaction 9465453 - Approved By: NOREVIEW : 01-19-2023:16:59:45

396 1/19/2023 - 4134 - Supreme Court Order Affirming  
Additional Text: SUPREME COURT NO. 83356 - ORDER OF AFFIRMANCE - Transaction 9465453 - Approved By: NOREVIEW : 01-19-2023:16:59:45

397 1/19/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9465457 - Approved By: NOREVIEW : 01-19-2023:17:02:02

398 1/23/2023 - 3795 - Reply...  
Additional Text: Reply in Support of Wespac and Greg Christians' Motion to Conduct Debtor's Exam - Transaction 9469183 - Approved By: NOREVIEW : 01-23-2023:13:08:05

- 399 1/23/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9469186 - Approved By: NOREVIEW : 01-23-2023:13:08:53
- 400 1/23/2023 - 3860 - Request for Submission  
Additional Text: Request for Submission - Transaction 9469757 - Approved By: NOREVIEW : 01-23-2023:15:05:53  
DOCUMENT TITLE: APPLICATION FOR DEBTOR'S EXAM FILED 12/02/2022  
PARTY SUBMITTING: STEPHEN KENT ESQ  
DATE SUBMITTED: 1/23/2023  
SUBMITTED BY: CS  
DATE RECEIVED JUDGE OFFICE:
- 401 1/23/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9469765 - Approved By: NOREVIEW : 01-23-2023:15:08:11
- 402 1/23/2023 - 2175 - Mtn for Reconsideration  
Additional Text: Motion for Relief from Order or for Leave of Court for Reconsideration of Order Denying Attorneys Fees - Transaction 9470488 - Approved By: NOREVIEW : 01-23-2023:17:32:26
- 403 1/23/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9470491 - Approved By: NOREVIEW : 01-23-2023:17:33:06
- 404 1/24/2023 - 2980 - Ord Return of Appeal Bond  
Additional Text: Transaction 9471288 - Approved By: NOREVIEW : 01-24-2023:11:03:16
- 405 1/24/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9471293 - Approved By: NOREVIEW : 01-24-2023:11:03:57
- 406 1/24/2023 - 2270 - Mtn to Compel...  
Additional Text: MOTION TO COMPEL AND REQUEST FOR EXPENSES OF MOTION - Transaction 9471311 - Approved By: CSULEZIC : 01-24-2023:11:15:04
- 407 1/24/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9471337 - Approved By: NOREVIEW : 01-24-2023:11:15:44
- 408 1/25/2023 - 1360 - Certificate of Service  
Additional Text: Certificate of Service of January 11, 2023 Writ of Execution - Transaction 9475154 - Approved By: NOREVIEW : 01-25-2023:15:50:46
- 409 1/25/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9475162 - Approved By: NOREVIEW : 01-25-2023:15:51:50
- 410 2/6/2023 - CHECK - \*\*Trust Disbursement  
Additional Text: A Disbursement of \$500.00 on Check Number 14536
- 411 2/6/2023 - 2650 - Opposition to ...  
Additional Text: OPPOSITION TO DEFENDANTS' MOTION FOR RECONSIDERATION - Transaction 9495462 - Approved By: CSULEZIC : 02-07-2023:08:10:17
- 412 2/7/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9495660 - Approved By: NOREVIEW : 02-07-2023:08:10:55
- 413 2/7/2023 - 3060 - Ord Granting Mtn ...  
Additional Text: to Retax Defendants' Post-Judgment Costs - Transaction 9496130 - Approved By: NOREVIEW : 02-07-2023:10:24:12
- 414 2/7/2023 - S200 - Request for Submission Complet  
Additional Text: Order Granting Mtn to Retax Defendants' Post-Judgment Costs filed 7 FEB 2023

- 415 2/7/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9496133 - Approved By: NOREVIEW : 02-07-2023:10:24:51
- 416 2/7/2023 - 2645 - Opposition to Mtn ...  
Additional Text: OPPOSITION TO DEFENDANTS' MOTION COMPEL DISCOVERY - Transaction 9498039 - Approved By: CSULEZIC : 02-08-2023:08:33:18
- 417 2/8/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9498271 - Approved By: NOREVIEW : 02-08-2023:08:33:52
- 418 2/9/2023 - 1650 - Errata...  
Additional Text: Errata to Motion for Relief from Order or For Leave of Court for Reconsideration of Order Denying Attorneys Fees - Transaction 9502760 - Approved By: NOREVIEW : 02-09-2023:15:22:25
- 419 2/9/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9502767 - Approved By: NOREVIEW : 02-09-2023:15:23:13
- 420 2/10/2023 - 3795 - Reply...  
Additional Text: Reply in Support of Motion to Compel - Transaction 9505599 - Approved By: NOREVIEW : 02-10-2023:16:35:26
- 421 2/10/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9505602 - Approved By: NOREVIEW : 02-10-2023:16:36:03
- 422 2/10/2023 - 3860 - Request for Submission  
Additional Text: Transaction 9505618 - Approved By: NOREVIEW : 02-10-2023:16:41:05  
DOCUMENT TITLE: MOTION TO COMPEL AND REQUEST FOR EXPENSES OF MOTION FILED 1/24/2023  
PARTY SUBMITTING: STEPHEN KENT ESQ  
DATE SUBMITTED: 2/10/2023  
SUBMITTED BY: CS  
DATE RECEIVED JUDGE OFFICE:
- 423 2/10/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9505626 - Approved By: NOREVIEW : 02-10-2023:16:42:15
- 424 2/13/2023 - 3795 - Reply...  
Additional Text: Reply in Support of Motion for Reconsideration - Transaction 9508243 - Approved By: NOREVIEW : 02-13-2023:16:27:22
- 425 2/13/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9508246 - Approved By: NOREVIEW : 02-13-2023:16:28:03
- 426 2/13/2023 - 3860 - Request for Submission  
Additional Text: Transaction 9508345 - Approved By: NOREVIEW : 02-13-2023:16:47:46  
DOCUMENT TITLE: Motion for Relief from Order or for Leave of Court for Reconsideration of Order Denying Attorneys Fees  
PARTY SUBMITTING: STEPHEN KENT, ESQ.  
DATE SUBMITTED: 2/13/23  
SUBMITTED BY: NM  
DATE RECEIVED JUDGE OFFICE:
- 427 2/13/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9508357 - Approved By: NOREVIEW : 02-13-2023:16:48:49
- 428 3/31/2023 - CHKVO - \*\*Trust Check Voided  
Additional Text: Check Number 12688 for \$500.00 has been Voided.
- 429 3/31/2023 - PAYVD - \*\*Payment Voided  
Additional Text: Receipt Number DCDC676037 has been voided.

- 430 4/4/2023 - CHECK - \*\*Trust Disbursement  
Additional Text: A Disbursement of \$500.00 on Check Number 14777
- 431 4/10/2023 - 2840 - Ord Denying ...  
Additional Text: Application for Debtor's Exam - Transaction 9603814 - Approved By: NOREVIEW : 04-10-2023:11:43:37
- 432 4/10/2023 - S200 - Request for Submission Complet  
Additional Text: Order Denying Application for Debtor's Exam filed 10 APR 2023
- 433 4/10/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9603818 - Approved By: NOREVIEW : 04-10-2023:11:44:27
- 434 4/10/2023 - 3060 - Ord Granting Mtn ...  
Additional Text: to Compel and Request for Expenses of Motion - Transaction 9603828 - Approved By: NOREVIEW : 04-10-2023:11:45:48
- 435 4/10/2023 - S200 - Request for Submission Complet  
Additional Text: Order Granting Motion to Compel and Request for Expenses of Motion filed 10 APR 2023
- 436 4/10/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9603831 - Approved By: NOREVIEW : 04-10-2023:11:46:27
- 437 4/11/2023 - 2842 - Ord Denying Motion  
Additional Text: Transaction 9606349 - Approved By: NOREVIEW : 04-11-2023:12:58:49
- 438 4/11/2023 - S200 - Request for Submission Complet  
Additional Text: Order Denying Motion filed 11 APR 2023
- 439 4/11/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9606351 - Approved By: NOREVIEW : 04-11-2023:12:59:28
- 440 4/26/2023 - 2010 - Mtn for Attorney's Fee  
Additional Text: Motion for Fees and Costs Pursuant to Order Granting Motion to Compel - Transaction 9635761 - Approved By: NOREVIEW : 04-26-2023:16:25:27
- 441 4/26/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9635763 - Approved By: NOREVIEW : 04-26-2023:16:26:14
- 442 5/10/2023 - 2650 - Opposition to ...  
Additional Text: OPPOSITION TO DEFENDANTS' MOTION FOR ATTORNEY'S FEES AND COSTS - Transaction 9661289 - Approved By: CSULEZIC : 05-11-2023:08:06:36
- 443 5/11/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9661415 - Approved By: NOREVIEW : 05-11-2023:08:07:39
- 444 5/17/2023 - 3795 - Reply...  
Additional Text: Reply in Support of Motion for Fees and Costs for Motion to Compel - Transaction 9672669 - Approved By: NOREVIEW : 05-17-2023:14:57:44
- 445 5/17/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9672681 - Approved By: NOREVIEW : 05-17-2023:14:58:33
- 446 5/17/2023 - 3860 - Request for Submission

Additional Text: Transaction 9672690 - Approved By: NOREVIEW : 05-17-2023:15:00:03  
DOCUMENT TITLE: MOTION FOR FEES AND COSTS PURSUANT TO ORDER GRANTING MOTION TO COMPEL FILED 4/26/2023  
PARTY SUBMITTING: STEPHEN KENT ESQ.  
DATE SUBMITTED: 5/17/2023  
SUBMITTED BY: CS  
DATE RECEIVED JUDGE OFFICE:

447 5/17/2023 - NEF - Proof of Electronic Service

Additional Text: Transaction 9672700 - Approved By: NOREVIEW : 05-17-2023:15:01:19

448 8/10/2023 - 3025 - Ord Granting/Denying in Part

Additional Text: ORDER GRANTING, IN PART, AND DENYING, IN PART, MOTION FOR FEES AND COSTS - Transaction 9824011 -  
Approved By: NOREVIEW : 08-10-2023:13:36:28

449 8/10/2023 - S200 - Request for Submission Complet

Additional Text: Order Granting, in Part, and Denying, in Part, Motion for Fees and Costs filed 10 AUG 2023

450 8/10/2023 - NEF - Proof of Electronic Service

Additional Text: Transaction 9824018 - Approved By: NOREVIEW : 08-10-2023:13:37:21

451 8/15/2023 - 3720 - Proof of Service

Additional Text: Transaction 9832287 - Approved By: NOREVIEW : 08-15-2023:15:29:04

452 8/15/2023 - NEF - Proof of Electronic Service

Additional Text: Transaction 9832289 - Approved By: NOREVIEW : 08-15-2023:15:29:51

453 9/14/2023 - 2540 - Notice of Entry of Ord

Additional Text: Notice of Entry of Order - Transaction 9885705 - Approved By: NOREVIEW : 09-14-2023:09:11:02

454 9/14/2023 - NEF - Proof of Electronic Service

Additional Text: Transaction 9885708 - Approved By: NOREVIEW : 09-14-2023:09:13:56

455 9/18/2023 - 2540 - Notice of Entry of Ord

Additional Text: NOTICE OF ENTRY OF ORDER DENYING DEFENDANTS' MOTION FOR RELIEF FROM ORDER OR FOR LEAVE OF COURT  
FOR RECONSIDERATION OF ORDER DENYING ATTORNEYS FEES - Transaction 9893415 - Approved By: NOREVIEW :  
09-18-2023:19:23:56

456 9/18/2023 - NEF - Proof of Electronic Service

Additional Text: Transaction 9893417 - Approved By: NOREVIEW : 09-18-2023:19:24:35

457 9/23/2023 - 2490 - Motion ...

Additional Text: for Relief from Order Compelling Post-Judgment Discovery Responses - Transaction 9903933 - Approved By: ADIXON  
: 09-25-2023:08:25:44

458 9/25/2023 - NEF - Proof of Electronic Service

Additional Text: Transaction 9904163 - Approved By: NOREVIEW : 09-25-2023:08:26:43

459 10/4/2023 - 2010 - Mtn for Attorney's Fee

Additional Text: Motion for Attorney Fees and Costs Related to Second Writ of Execution - Transaction 9924625 - Approved By:  
NOREVIEW : 10-04-2023:16:51:54

460 10/4/2023 - NEF - Proof of Electronic Service

Additional Text: Transaction 9924628 - Approved By: NOREVIEW : 10-04-2023:16:52:48

461 10/4/2023 - \$2515 - \$Notice/Appeal Supreme Court

Additional Text: Transaction 9924636 - Approved By: YVILORIA : 10-05-2023:08:16:25

462 10/5/2023 - PAYRC - \*\*Payment Receipted

Additional Text: A Payment of \$24.00 was made on receipt DCDC727125.

- 463 10/5/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9924883 - Approved By: NOREVIEW : 10-05-2023:08:17:24
- 464 10/5/2023 - SAB - \*\*Supreme Court Appeal Bond  
Additional Text: STEPHEN S. KENT ESQ FOR WESPAC AND GREG CHRISTIAN - Transaction 9925452 - Approved By: YVILORIA : 10-05-2023:11:05:18
- 465 10/5/2023 - PAYRC - \*\*Payment Receipted  
Additional Text: A Payment of \$500.00 was made on receipt DCDC727151.
- 466 10/5/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9925470 - Approved By: NOREVIEW : 10-05-2023:11:06:03
- 467 10/5/2023 - 1310 - Case Appeal Statement  
Additional Text: Transaction 9926969 - Approved By: NOREVIEW : 10-05-2023:16:52:26
- 468 10/5/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9926972 - Approved By: NOREVIEW : 10-05-2023:16:53:04
- 469 10/6/2023 - 1350 - Certificate of Clerk  
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 9927360 - Approved By: NOREVIEW : 10-06-2023:08:55:40
- 470 10/6/2023 - NEF - Proof of Electronic Service  
Additional Text: Transaction 9927364 - Approved By: NOREVIEW : 10-06-2023:08:56:21

1 CODE NO. 3025

2  
3  
4  
5  
6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF WASHOE

8 GREGORY O. GARMONG,

9 Plaintiff,

Case No. CV12-01271

10 Dept. No. 6

11 vs.

12 WESPAC; GREG CHRISTIAN;  
13 DOES 1-10, inclusive,

14 Defendants.

15 \_\_\_\_\_ /  
16 **ORDER GRANTING, IN PART, AND**  
17 **DENYING, IN PART, MOTION FOR FEES AND COSTS**

18 Before this Court is the *Motion for Fees and Costs Pursuant to Order Granting Motion*  
19 *to Compel* ("Motion") filed by Defendants WESPAC and GREG CHRISTIAN (collectively  
20 "Defendants" unless individually referenced), by and through their counsel of record,  
21 Stephen S. Kent, Esq. ("Mr. Kent")

22 Plaintiff GREGORY O. GARMONG ("Mr. Garmong"), filed his *Opposition to*  
23 *Defendants' Motion for Attorney's Fees* ("Opposition"), by and through his counsel of record,  
24 Carl M. Hebert, Esq.

25  
26 Defendants filed their *Reply in Support of Motion for Fees and Costs For Motion to*  
27 *Compel* ("Reply") and the matter was submitted to the Court for its consideration.

28 //



1 **I. PROCEDURAL BACKGROUND.**

2 The instant *Motion* arises from an action for breach of a financial management  
3 agreement and carries with it a robust procedural history. Mr. Garmong filed his *Complaint*  
4 on May 9, 2012, alleging the following claims for relief:  
5

- 6 1) Breach of Contract;
- 7 2) Breach of Nevada Deceptive Trade Practices Act;
- 8 3) Breach of Implied Covenant of Good Faith and Fair Dealing;
- 9 4) Unjust Enrichment;
- 10 5) Breach of Fiduciary Duty;
- 11 6) Malpractice; and
- 12 7) Negligence.

13  
14 *Complaint, generally.*

15 On September 19, 2012, Defendants filed their *Motion to Dismiss and Compel*  
16 *Arbitration*. On December 13, 2012, this Court<sup>1</sup> entered its *Order* granting Defendants'  
17 request to compel arbitration but denying the motion to dismiss. Mr. Garmong then filed his  
18 *Combined Motions for Leave to Rehear and for Rehearing of the Order of December 13,*  
19 *2012 Compelling Arbitration ("Reconsider Motion").* The *Reconsider Motion* was opposed  
20 by Defendants. Mr. Garmong did not file a reply and this case was stagnant for nearly a  
21 year until January 13, 2014, when the Court entered its *Order to Proceed*. Mr. Garmong  
22 filed his reply on February 3, 2014. The *Reconsider Motion* was denied on April 2, 2014.  
23

24  
25 //

26  
27 \_\_\_\_\_  
28 <sup>1</sup> Judge Brent T. Adams originally presided over this proceeding in Department 6 before his retirement. Judge Lynne K. Simons was sworn in on January 5, 2015, and presides in Department 6.

1 Mr. Garmong then sought writ relief from the Nevada Supreme Court. On December  
2 18, 2014, the Nevada Supreme Court entered its *Order Denying Petition for Writ of*  
3 *Mandamus or Prohibition*, entered its *Order Denying Rehearing* on March 18, 2015, and,  
4 subsequently, entered its *Order Denying En Banc Reconsideration* on May 1, 2015.  
5

6 After the Nevada Supreme Court's orders were entered, this Court again entered its  
7 *Order for Response* on November 17, 2015, instructing the parties to proceed with this  
8 case. In response, the parties indicated they had initiated an arbitration proceeding with  
9 JAMS in Las Vegas. *Notice of Status Report*, December 1, 2015.  
10

11 On June 8, 2016, Mr. Garmong filed his *Motion for a Court-Appointed Arbitrator*  
12 arguing the JAMS arbitrators were prejudiced against him. This matter was fully briefed;  
13 and, on July 12, 2016, this Court entered its *Order re: Arbitration* requiring each party to  
14 submit the names of three arbitrators to the Court. The parties then stipulated to select one  
15 arbitrator, to reduce costs. *Stipulation to Select One Arbitrator*, October 17, 2016.  
16 Thereafter, this Court entered its *Order Appointing Arbitrator* on October 31, 2016,  
17 appointing Michael G. Ornstil, Esq., as arbitrator. After it was determined Mr. Ornstil was  
18 unavailable, Mr. Garmong stipulated to the appointment of either retired Judge Phillip M. Pro  
19 (“Judge Pro”),<sup>2</sup> or Lawrence R. Mills. Esq.  
20  
21

22 On November 13, 2017, this Court entered its *Order Granting Motion to Strike* which  
23 stayed the proceeding pending the outcome of the arbitration, and directed the parties to file  
24 an amended complaint and other responsive papers at the direction of Judge Pro. *Order*  
25 *Granting Motion to Strike*, p. 2. On February 21, 2017, this Court entered its *Order*  
26 *Appointing Arbitrator*, appointing Judge Pro.  
27

---

28 <sup>2</sup> Mr. Garmong stipulated to Judge Pro despite previously moving to preclude a judge from serving  
as an arbitrator.

1 On March 27, 2017, Mr. Garmong filed *Plaintiff's Objection Pursuant to NRS*  
2 *38.231(3) and 38.241(e) That There is No Agreement to Arbitrate; Notification of Objection*  
3 *to the Court*. Despite prior determinative orders from this Court, Mr. Garmong again  
4 objected to arbitration on the basis there was no agreement to arbitrate.  
5

6 On May 23, 2017, this Court entered its *Order to Show Cause Why Action Should not*  
7 *be Dismissed for Want of Prosecution Pursuant to NRCP 41(E)* ("OSC Order"), finding "Mr.  
8 Garmong and Defendants have been ordered numerous times to participate in arbitration as  
9 early as December 13, 2012." The Court found the file did not contain any evidence the  
10 parties had proceeded to arbitration as ordered. *OSC Order*, p. 4. Accordingly, the Court  
11 ordered the parties to show cause why the action should not be dismissed for want of  
12 prosecution and required each party to file one responsive brief. *OSC Order*, p. 4.  
13

14 In the responsive briefs, the parties state they attended their first arbitration  
15 conference in April 2017. The Court acknowledged sufficient cause was shown in the *Order*  
16 entered June 30, 2017.  
17

18 On July 22, 2018, without asking for leave of Court to lift the stay, Mr. Garmong filed  
19 *Plaintiff's Motion to Disqualify Arbitrator Pro, Vacate Order Denying Motion for Summary*  
20 *Judgment and Appoint New Arbitrator*. The Court thereafter entered its *Order Denying*  
21 *Plaintiff's Motion to Disqualify Arbitrator Pro; Order Denying Motion to Vacate Order*  
22 *Denying Motion for Summary Judgment; Order Denying Motion to Appoint New Arbitrator*  
23 *("Arbitrator Order")* on November 29, 2018.  
24

25 //

26 //

27 //

28 //

1 Defendants thereafter filed their *Motion for Limited Relief From Stay to File Motion*  
2 *for Attorney's Fees and Sanctions* ("Motion for Sanctions") requesting limited relief from this  
3 Court's order staying the proceeding pending the outcome of arbitration. While the *Motion*  
4 *for Sanctions* was under consideration, Defendants filed their *Notice of Completion of*  
5 *Arbitration Hearing* on October 22, 2018. The Court found, with completion of the  
6 arbitration, Defendants' *Motion for Sanctions* was moot. Additionally, the Court took notice  
7 of Defendants' *Notice of Completion of Arbitration* and determined there were additional  
8 decisions to be rendered regarding the *Notice of Completion of Arbitration*.  
9

10  
11 Judge Pro found Mr. Garmong's claims for: (1) Breach of Contract; (2) Breach of  
12 Implied Warranty; (3) Breach of the Implied Covenant of Good Faith and Fair Dealing; (4)  
13 Nevada's Deceptive Trade Practices Act; (5) Breach of Fiduciary Duty of Full Disclosure; (6)  
14 Intentional Infliction of Emotional Distress; and (7) Unjust Enrichment all failed as a matter of  
15 law because Mr. Garmong did not establish his claims by a preponderance of the evidence.  
16  
17 See Final Award, p. 8-9. Furthermore, after weighing the necessary factors required by  
18 Brunzell v. Golden Gate National Bank, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969), Judge  
19 Pro found Defendants were entitled to an award of reasonable attorneys' fees in the amount  
20 of \$111,649.96. *Final Award*, p. 11.  
21

22 After the *Final Award*, the litigation continued with several filings. On August 8, 2019,  
23 this Court entered its *Order re Motions* ("ORM"): (1) granting *Defendants' Petition for an*  
24 *Order Confirming Arbitrator's Final Award and Reducing Award to Judgment, Including,*  
25 *Attorneys' Fees and Costs*; (2) denying *Plaintiff's Motion to Vacate Arbitrator's Final Award*;  
26 (3) denying *Plaintiff's Motion to Vacate Arbitrator's Award of Attorneys' Fees*;  
27

28 //

1 (4) denying *Plaintiff's Motions to Vacate Arbitrator's Award of Denial of Plaintiff's Motion for*  
2 *Partial Summary Judgment and for the Court to Decide and Grant Plaintiff's Motion for*  
3 *Partial*  
4 *Summary Judgment*; and (5) granting *Defendants' Motion for an Order to File Exhibit as*  
5 *Confidential*. ORM, p. 15-16.

7 On August 27, 2019, this Court entered its *Order*: (1) directing WESPAC to file an  
8 *Amended Motion for the Award of Attorneys' Fees*; (2) allowing Mr. Garmong the standard  
9 response time to file and serve his opposition to Defendants' *Amended Motion for the*  
10 *Award of Attorneys' Fees*; and (3) directing WESPAC would not be required to file its  
11 proposed final judgment until ten (10) days following this Court's ruling on WESPAC's  
12 *Amended Motion for the Award of Attorneys' Fees*. *Order*, p. 1.

14 On December 6, 2019, this Court entered its *Order Denying Motion to Alter or Amend*  
15 *Judgment* ("AA Order") maintaining its prior rulings within the ORM. On January 7, 2020,  
16 Mr. Garmong filed his *Notice of Appeal* to the Nevada Supreme Court regarding this Court's  
17 *Arbitrator Order*, ORM, and AA Order. On December 9, 2019, *Defendants' Amended*  
18 *Motion for Attorney's Fees* was filed. Due to Mr. Garmong's pending appeal, this Court  
19 entered its *Order Holding Issuance of Order on Defendants' Amended Motion for Attorney's*  
20 *Fees in Abeyance*. On December 1, 2020, the Nevada Court of Appeals issued its *Order of*  
21 *Affirmance* upholding this Court's judgment in its entirety and noting Defendants may seek  
22 amended fees pursuant to the fee shifting provision in NRCP 68 which extends to fees  
23 incurred on and after appeal.

26 //

28 //

1 On February 18, 2021, Defendants filed *Defendants' Second Amended Motion for*  
2 *Attorney's Fees*. On February 22, 2021, the Nevada Court of Appeals entered its *Order*  
3 *Denying Rehearing* pursuant to NRAP 40(c). Next, the parties entered into a stipulation to  
4 extend the time for Mr. Garmong to file an opposition to *Defendants' Second Amended*  
5 *Motion for Attorney's Fees*. The stipulation was granted on March 1, 2021, by this Court's  
6 *Order Extending Time for Plaintiff to File Points and Authorities in Opposition to the*  
7 *Defendants' Second Amended Motion for Fees*. On April 6, 2021, the Nevada Supreme  
8 Court entered its *Order Denying Petition for Review*. On July 16, 2021, this Court entered  
9 its *Order Granting Defendants' Second Amended Motion for Attorney's Fees; Order*  
10 *Confirming Arbitrator's Final Award* ("July 16, 2021, Order"), which confirmed Judge Pro's  
11 arbitration award of \$111,649.96, and awarded Defendants attorneys' fees in the amount of  
12 \$45,084.50. On August 10, 2021, Mr. Garmong filed his *Notice of Appeal*, appealing the  
13 *July 16, 2021, Order* to the Nevada Supreme Court.

14  
15  
16  
17 On November 3, 2021, Defendants filed a *Substitution of Attorney* replacing Thomas  
18 C. Bradley, Esq. with Stephen S. Kent, Esq. as their counsel of record. On April 4, 2022,  
19 Defendants filed their *Affidavit of Judgment* and *Judgment Lien Abstract of Judgment and*  
20 *Affidavit of Judgment* both naming Mr. Garmong as the judgment debtor. On May 10, 2022,  
21 Defendants filed a *Declaration of Service* of the writ of execution and attachment on Fidelity  
22 Investments/Fidelity Brokerage Services, LLC on May 3, 2022, by the Washoe County  
23 Sheriff's Office.

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1 On July 25, 2022, the Nevada Court of Appeals entered its *Order of Affirmance*  
2 affirming the *July 16, 2021, Order* in its entirety. On October 24, 2022, the Nevada  
3 Supreme Court entered its *Order Denying Rehearing* pursuant to NRAP 40(c). On January  
4 17, 2023, the Nevada Supreme Court issued its *Remittitur*.  
5

6 On January 24, 2023, Defendants filed their *Motion to Compel and Request for*  
7 *Expenses of Motion* (“*Motion to Compel*”), and on April 10, 2023, the Court entered its *Order*  
8 *Granting Motion to Compel and Request for Expenses of Motion* (“*Order Granting*”).  
9

10 **A. MOTION FOR FEES AND COSTS.**

11 Defendants assert, pursuant to the Court’s *Order Granting*, they are entitled to an  
12 award of fees and costs in the total amount of Four Thousand Eight Hundred Seventy-Eight  
13 Dollars and 25/100 (\$4,878.25). *Motion*, pp. 1-2. Defendants maintain their counsel of  
14 records spent 13.9 hours at a rate of Three Hundred Fifty Dollars (\$350) per hour on the  
15 *Motion to Compel* and incurred Thirteen Dollars and 25/100 (\$13.25) in costs. *Motion*, p. 1.  
16

17 **B. OPPOSITION TO MOTION.**

18 Mr. Garmong argues the discovery was completely unnecessary and unreasonable.  
19 He states Defendants had sufficient information in hand to fully execute on the judgment  
20 before serving the discovery and, in fact, did fully execute on two separate writs of  
21 execution. *Opposition*, p. 3. Mr. Garmong also argues defense counsel failed to analyze  
22 the factors in Brunzell v. Golden Gate Nat. Bank, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969).  
23 Mr. Garmong contends for this reason alone the Court should decline to award fees.  
24 *Opposition*, p. 4. Further, even if the Brunzell factors were addressed, Defendants derived  
25 no benefit from their counsel’s services. Id.  
26  
27

28 //

1           **C.     REPLY IN SUPPORT OF MOTION.**

2           The *Reply* contends Mr. Garmong's objections to the discovery were waived when  
3 not timely made. *Reply*, p. 1. The *Reply* argues the Court already ordered Mr. Garmong to  
4 respond to the discovery and already awarded fees and costs, and only the amount of fees  
5 and costs is at issue. *Reply*, p. 2. The *Reply* avers Mr. Garmong's refusal to pay what he  
6 owes has necessitated Defendants' collection efforts. At the time of the discovery,  
7 Defendants did not know if Mr. Garmong still had his Fidelity accounts or if they had  
8 sufficient monies. *Id.* Finally, the *Reply* asserts the *Declaration of Stephen S. Kent*  
9 attached to the *Motion* as Ex. 1 ("*Declaration*") is consistent with Brunzell. *Id.*  
10  
11

12       **II.     APPLICABLE LAW AND ANALYSIS.**

13           **A.     Rule 37 of the Nevada Rules of Civil Procedure ("NRCP").**

14           NRCP 37 provides, in relevant part:

15           (a) (1) On notice to other parties and all affected persons, a party may move for an  
16 order compelling disclosure or discovery. The motion must include a certification that  
17 the movant has in good faith conferred or attempted to confer with the person or  
18 party failing to make disclosure or discovery in an effort to obtain it without court  
19 action.

19           ...  
20           (5) *Payment of Expenses.*

21           (A) If the motion is granted--or if the disclosure or requested discovery is  
22 provided after the motion was filed--the court must, after giving an opportunity  
23 to be heard, require the party or deponent whose conduct necessitated the  
24 motion, the party or attorney advising that conduct, or both to pay the movant's  
25 reasonable expenses incurred in making the motion, including attorney fees.

26           But the court must not order this payment if:

27           (i) the movant filed the motion before attempting in good faith to obtain the  
28 disclosure or discovery without court action;

             (ii) the opposing party's nondisclosure, response, or objection was  
substantially justified; or

             (iii) other circumstances make an award of expenses unjust.

NRCP 37.

//



1 In its *Order Granting*, the Court granted Defendants' *Motion to Compel*. The Court  
2 finds and determines Defendants made a good faith attempt to obtain the disclosure without  
3 Court action prior to filing their *Motion to Compel*. Mr. Garmong was provided an  
4 opportunity to be heard. Mr. Garmong's nondisclosure and objection are not substantially  
5 justified, and there are no other circumstances making an award of expenses unjustified.  
6

7 **B. AN AWARD OF ATTORNEY FEES IS SUPPORTED BY SUBSTANTIAL**  
8 **EVIDENCE.**

9 The Nevada Supreme Court reviews an award of attorney fees for an abuse of  
10 discretion and will affirm an award which is supported by substantial evidence. Logan v.  
11 Abe, 131 Nev. 260, 266, 350 P.3d 1139, 1143 (2015). Affidavits or other evidence meeting  
12 the factors in *Brunzell* constitute substantial evidence to support a request of attorneys'  
13 fees. Miller v. Wilfong, 121 Nev. 619, 623–24, 119 P.3d 727, 730 (2005). It has been held  
14 counsel's testimony regarding the nature and extent of the services performed constituted  
15 substantial evidence. Brunzell v. Golden Gate Nat'l. Bank, 85 Nev. 345, 349, 455 P.2d 31,  
16 33 (1969).  
17

18 In Nevada, "the method upon which a reasonable fee is determined is subject to the  
19 discretion of the court." Shuette v. Beazer Homes Holdings Corp., 121 Nev. 837, 864, 124  
20 P.3d 530, 548 (2005). A court is not limited to one specific approach; rather, a court may  
21 analyze a request for fees pursuant to "any method rationally designed to calculate a  
22 reasonable amount, including those based on a 'lodestar' amount or a contingency fee." Id.  
23 "The lodestar approach involves multiplying 'the number of hours reasonably spent on a  
24 case by a reasonable hourly rate.'" Id.  
25

26 //

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1            “[W]hichever method is chosen...the court must continue its analysis by considering  
2 the requested amount in light of the factors enumerated by this court in *Brunzell v. Golden*  
3 *Gate National Bank*.” Shuette, 121 Nev. at 865. Express findings on each factor are not  
4 necessary. Instead, the district court need only demonstrate it considered the required  
5 factors, and the award is supported by substantial evidence. Logan, 131 Nev. at 266.

7            The factors set forth in Brunzell, are as follows:

8            (1) *the qualities of the advocate*: his ability, his training, education, experience,  
9 professional standing and skill; (2) *the character of the work to be done*: its  
10 difficulty, its intricacy, its importance, time and skill required, the responsibility  
11 imposed and the prominence and character of the parties where they affect  
12 the importance of the litigation; (3) *the work actually performed by the lawyer*:  
the skill, time and attention given to the work; (4) *the result*: whether the  
attorney was successful and what benefits were derived.

13 Brunzell, 85 Nev. at 349.

14            A reviewing court will not substitute its judgment for a trial court in the absence of an  
15 abuse of discretion because “[t]he value to be placed on the services rendered by counsel  
16 lies in the exercise of sound discretion by the trier of facts.” Id. at 350. However, a trial  
17 court’s failure to analyze the Brunzell factors is an abuse of discretion. Gunderson v. D.R.  
18 Horton, Inc., 130 Nev. 67, 319 P.3d 606 (2014).

20            **1.        The qualities of the advocate.**

21            Mr. Kent is an attorney licensed to practice law in the State of Nevada. Mr. Kent has  
22 been practicing law for Forty-Two (42) years. *Declaration*, p. 1.

24            **2.        The character of the work to be done.**

25            From January 12, 2023, through April 10, 2023, Mr. Kent spent 8.1 hours preparing  
26 the *Motion to Compel*. *Declaration*, p. 2. Between April 24 and April 26, 2023, Mr. Kent  
27 spent 5.8 hours preparing the instant *Motion*. Id.

1                   **3.     The work actually performed by the attorney.**

2           Mr. Kent spent the majority of the 13.9 hours preparing and revising the *Motion to*  
3 *Compel*, the declaration in support, and the *Reply in Support of the Motion to Compel*.  
4  
5 However, Mr. Kent also includes time spent preparing the instant *Motion and Declaration*.

6           Pursuant to NRCP 37(a)(5)(A), “If the motion is granted...the court must...require the  
7 party...whose conduct necessitated the motion...to pay the movant's reasonable **expenses**  
8 **incurred in making the motion**, including attorney fees.” (Emphasis added.) The motion  
9 described in NRCP 37(a)(5)(A) is properly identified in NRCP 37(a)(1), which states:  
10

11           A party may move for an order compelling disclosure or discovery. The motion  
12 must include a certification that the movant has in good faith conferred or  
13 attempted to confer with the person or party failing to make disclosure or  
discovery in an effort to obtain it without court action.

14 NRCP 37.

15           Pursuant to NRCP 37, Defendants’ *Motion to Compel* is the only motion for which  
16 attorneys’ fees may be recovered. The instant *Motion* to recover fees is not the motion  
17 granted by the Court’s *Order Granting*. Thus, any costs and fees incurred in making the  
18 instant *Motion* are not recoverable at this juncture.  
19

20                   **4.     The result.**

21           Mr. Kent’s *Motion to Compel* successfully persuaded the Court to grant the *Motion to*  
22 *Compel* and award him attorneys’ fees and costs.

23           The Court finds the attorneys’ fees incurred between January 12, 2023, and April 10,  
24 2023, to be reasonable and actually incurred. However, Defendants are precluded from  
25 recovering their requested costs and fees incurred after April 10, 2023, at this juncture. The  
26 Court determines an award for attorneys’ fees in the amount of Two Thousand Eight  
27 Hundred Thirty-Five Dollars and 00/100 (\$2,835.00) is appropriate in this matter.  
28

1 **III. ORDER.**

2 Accordingly, and good cause appearing therefor,

3 **IT IS HEREBY ORDERED** the *Motion for Fees and Costs Pursuant to Order*  
4 *Granting Motion to Compel* is GRANTED, in part, and DENIED, in part.  
5

6 1. Attorneys' fees incurred in preparing the *Motion to Compel* are GRANTED in  
7 the amount of Two Thousand Eight Hundred Thirty-Five Dollars and 00/100 (\$2,835.00);

8 2. Attorneys' fees and costs incurred after April 10, 2023, are DENIED.

9 Dated this 10th day of August, 2023.  
10

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12 \_\_\_\_\_  
DISTRICT JUDGE  
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STEPHEN KENT, ESQ.  
CARL HEBERT, ESQ.

Holly W. Lange

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*Attorneys for Defendants Wespac and Greg Christian*

**IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**  
**IN AND FOR THE COUNTY OF WASHOE**

GREGORY O. GARMONG,

Plaintiff,

vs.

WESPAC; GREG CHRISTIAN; DOES 1-  
10,inclusive,

Defendants.

CASE NO. CV12-01271

Dept. No. 6

**NOTICE OF ENTRY OF ORDER**

Please take notice that an Order Granting, In part, and Denying In Part, Motion for Fees and Costs was entered in the above-referenced case on August 10, 2023, a copy of which is attached as Exhibit 1.

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**AFFIRMATION**

The undersigned hereby declares that the within document does not contain the Social Security Number of any person.

DATED this 14<sup>th</sup> day of September, 2023.

GORDON REES  
SCULLY MANSUKHANI LLP

By: /s/ **Stephen S. Kent**  
STEPHEN S. KENT, ESQ.  
Nevada Bar No. 1251  
1 East Liberty Street, Suite 424  
Reno, NV 89501  
Telephone: (775) 467-2603  
Facsimile: (775) 460-4901  
[skent@grsm.com](mailto:skent@grsm.com)  
*Attorneys for Defendants Wespac and  
Greg Christian*

**CERTIFICATE OF SERVICE**

Pursuant to Rule 5(b) of the Nevada Rules of Civil Procedure, I hereby certify that I am an employee of Gordon Rees Scully Mansukhani and that on this date, I served a true and correct copy of the attached document(s) as follows:

\_\_\_\_\_ By placing the document(s) in a sealed envelope with first-class U.S. postage prepaid, and depositing it for mailing with the U.S. Postal Service in Reno, Nevada addressed to the person at the address listed below.

  X   By electronic service. By filing the document with the court's electronic filing system which serves counsel listed below electronically.

\_\_\_\_\_ By personally delivering the document(s) listed above, addressed to the person at the address as set forth below.

\_\_\_\_\_ By Federal Express.

\_\_\_\_\_ By facsimile.

Carl Hebert, Esq.  
2215 Stone View Drive  
Sparks, NV 89436

DATED this 14<sup>th</sup> day of September, 2023.

          /s/ Sam Baker            
Sam Baker



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**INDEX OF EXHIBITS**

**NO.    DESCRIPTION**

1.        Order Granting in part and denying in part, motion for fees and costs

# Exhibit 1

# Exhibit 1

1 CODE NO. 3025

2  
3  
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5  
6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF WASHOE

8 GREGORY O. GARMONG,

9 Plaintiff,

Case No. CV12-01271

10 Dept. No. 6

11 vs.

12 WESPAC; GREG CHRISTIAN;  
13 DOES 1-10, inclusive,

14 Defendants.

15  
16 **ORDER GRANTING, IN PART, AND**  
**DENYING, IN PART, MOTION FOR FEES AND COSTS**

17 Before this Court is the *Motion for Fees and Costs Pursuant to Order Granting Motion*  
18 *to Compel* ("Motion") filed by Defendants WESPAC and GREG CHRISTIAN (collectively  
19 "Defendants" unless individually referenced), by and through their counsel of record,  
20 Stephen S. Kent, Esq. ("Mr. Kent")

21 Plaintiff GREGORY O. GARMONG ("Mr. Garmong"), filed his *Opposition to*  
22 *Defendants' Motion for Attorney's Fees* ("Opposition"), by and through his counsel of record,  
23 Carl M. Hebert, Esq.  
24

25 Defendants filed their *Reply in Support of Motion for Fees and Costs For Motion to*  
26 *Compel* ("Reply") and the matter was submitted to the Court for its consideration.  
27

28 //

1 **I. PROCEDURAL BACKGROUND.**

2 The instant *Motion* arises from an action for breach of a financial management  
3 agreement and carries with it a robust procedural history. Mr. Garmong filed his *Complaint*  
4 on May 9, 2012, alleging the following claims for relief:  
5

- 6 1) Breach of Contract;
- 7 2) Breach of Nevada Deceptive Trade Practices Act;
- 8 3) Breach of Implied Covenant of Good Faith and Fair Dealing;
- 9 4) Unjust Enrichment;
- 10 5) Breach of Fiduciary Duty;
- 11 6) Malpractice; and
- 12 7) Negligence.

13  
14 *Complaint, generally.*

15 On September 19, 2012, Defendants filed their *Motion to Dismiss and Compel*  
16 *Arbitration*. On December 13, 2012, this Court<sup>1</sup> entered its *Order* granting Defendants'  
17 request to compel arbitration but denying the motion to dismiss. Mr. Garmong then filed his  
18 *Combined Motions for Leave to Rehear and for Rehearing of the Order of December 13,*  
19 *2012 Compelling Arbitration ("Reconsider Motion")*. The *Reconsider Motion* was opposed  
20 by Defendants. Mr. Garmong did not file a reply and this case was stagnant for nearly a  
21 year until January 13, 2014, when the Court entered its *Order to Proceed*. Mr. Garmong  
22 filed his reply on February 3, 2014. The *Reconsider Motion* was denied on April 2, 2014.

23  
24  
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26  
27 \_\_\_\_\_  
28 <sup>1</sup> Judge Brent T. Adams originally presided over this proceeding in Department 6 before his retirement. Judge Lynne K. Simons was sworn in on January 5, 2015, and presides in Department 6.

1 Mr. Garmong then sought writ relief from the Nevada Supreme Court. On December  
2 18, 2014, the Nevada Supreme Court entered its *Order Denying Petition for Writ of*  
3 *Mandamus or Prohibition*, entered its *Order Denying Rehearing* on March 18, 2015, and,  
4 subsequently, entered its *Order Denying En Banc Reconsideration* on May 1, 2015.  
5

6 After the Nevada Supreme Court's orders were entered, this Court again entered its  
7 *Order for Response* on November 17, 2015, instructing the parties to proceed with this  
8 case. In response, the parties indicated they had initiated an arbitration proceeding with  
9 JAMS in Las Vegas. *Notice of Status Report*, December 1, 2015.  
10

11 On June 8, 2016, Mr. Garmong filed his *Motion for a Court-Appointed Arbitrator*  
12 arguing the JAMS arbitrators were prejudiced against him. This matter was fully briefed;  
13 and, on July 12, 2016, this Court entered its *Order re: Arbitration* requiring each party to  
14 submit the names of three arbitrators to the Court. The parties then stipulated to select one  
15 arbitrator, to reduce costs. *Stipulation to Select One Arbitrator*, October 17, 2016.  
16 Thereafter, this Court entered its *Order Appointing Arbitrator* on October 31, 2016,  
17 appointing Michael G. Ornstil, Esq., as arbitrator. After it was determined Mr. Ornstil was  
18 unavailable, Mr. Garmong stipulated to the appointment of either retired Judge Phillip M. Pro  
19 (“Judge Pro”),<sup>2</sup> or Lawrence R. Mills. Esq.  
20  
21

22 On November 13, 2017, this Court entered its *Order Granting Motion to Strike* which  
23 stayed the proceeding pending the outcome of the arbitration, and directed the parties to file  
24 an amended complaint and other responsive papers at the direction of Judge Pro. *Order*  
25 *Granting Motion to Strike*, p. 2. On February 21, 2017, this Court entered its *Order*  
26 *Appointing Arbitrator*, appointing Judge Pro.  
27

---

28 <sup>2</sup> Mr. Garmong stipulated to Judge Pro despite previously moving to preclude a judge from serving  
as an arbitrator.

1 On March 27, 2017, Mr. Garmong filed *Plaintiff's Objection Pursuant to NRS*  
2 *38.231(3) and 38.241(e) That There is No Agreement to Arbitrate; Notification of Objection*  
3 *to the Court*. Despite prior determinative orders from this Court, Mr. Garmong again  
4 objected to arbitration on the basis there was no agreement to arbitrate.  
5

6 On May 23, 2017, this Court entered its *Order to Show Cause Why Action Should not*  
7 *be Dismissed for Want of Prosecution Pursuant to NRCP 41(E)* ("OSC Order"), finding "Mr.  
8 Garmong and Defendants have been ordered numerous times to participate in arbitration as  
9 early as December 13, 2012." The Court found the file did not contain any evidence the  
10 parties had proceeded to arbitration as ordered. *OSC Order*, p. 4. Accordingly, the Court  
11 ordered the parties to show cause why the action should not be dismissed for want of  
12 prosecution and required each party to file one responsive brief. *OSC Order*, p. 4.  
13

14 In the responsive briefs, the parties state they attended their first arbitration  
15 conference in April 2017. The Court acknowledged sufficient cause was shown in the *Order*  
16 entered June 30, 2017.  
17

18 On July 22, 2018, without asking for leave of Court to lift the stay, Mr. Garmong filed  
19 *Plaintiff's Motion to Disqualify Arbitrator Pro, Vacate Order Denying Motion for Summary*  
20 *Judgment and Appoint New Arbitrator*. The Court thereafter entered its *Order Denying*  
21 *Plaintiff's Motion to Disqualify Arbitrator Pro; Order Denying Motion to Vacate Order*  
22 *Denying Motion for Summary Judgment; Order Denying Motion to Appoint New Arbitrator*  
23 *("Arbitrator Order")* on November 29, 2018.  
24

25 //

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1 Defendants thereafter filed their *Motion for Limited Relief From Stay to File Motion*  
2 *for Attorney's Fees and Sanctions* ("Motion for Sanctions") requesting limited relief from this  
3 Court's order staying the proceeding pending the outcome of arbitration. While the *Motion*  
4 *for Sanctions* was under consideration, Defendants filed their *Notice of Completion of*  
5 *Arbitration Hearing* on October 22, 2018. The Court found, with completion of the  
6 arbitration, Defendants' *Motion for Sanctions* was moot. Additionally, the Court took notice  
7 of Defendants' *Notice of Completion of Arbitration* and determined there were additional  
8 decisions to be rendered regarding the *Notice of Completion of Arbitration*.  
9

10  
11 Judge Pro found Mr. Garmong's claims for: (1) Breach of Contract; (2) Breach of  
12 Implied Warranty; (3) Breach of the Implied Covenant of Good Faith and Fair Dealing; (4)  
13 Nevada's Deceptive Trade Practices Act; (5) Breach of Fiduciary Duty of Full Disclosure; (6)  
14 Intentional Infliction of Emotional Distress; and (7) Unjust Enrichment all failed as a matter of  
15 law because Mr. Garmong did not establish his claims by a preponderance of the evidence.  
16  
17 See Final Award, p. 8-9. Furthermore, after weighing the necessary factors required by  
18 Brunzell v. Golden Gate National Bank, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969), Judge  
19 Pro found Defendants were entitled to an award of reasonable attorneys' fees in the amount  
20 of \$111,649.96. *Final Award*, p. 11.  
21

22 After the *Final Award*, the litigation continued with several filings. On August 8, 2019,  
23 this Court entered its *Order re Motions* ("ORM"): (1) granting *Defendants' Petition for an*  
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25 *Attorneys' Fees and Costs*; (2) denying *Plaintiff's Motion to Vacate Arbitrator's Final Award*;  
26 (3) denying *Plaintiff's Motion to Vacate Arbitrator's Award of Attorneys' Fees*;  
27

28 //

1 (4) denying *Plaintiff's Motions to Vacate Arbitrator's Award of Denial of Plaintiff's Motion for*  
2 *Partial Summary Judgment and for the Court to Decide and Grant Plaintiff's Motion for*  
3 *Partial*  
4 *Summary Judgment*; and (5) granting *Defendants' Motion for an Order to File Exhibit as*  
5 *Confidential*. ORM, p. 15-16.

7 On August 27, 2019, this Court entered its *Order*: (1) directing WESPAC to file an  
8 *Amended Motion for the Award of Attorneys' Fees*; (2) allowing Mr. Garmong the standard  
9 response time to file and serve his opposition to Defendants' *Amended Motion for the*  
10 *Award of Attorneys' Fees*; and (3) directing WESPAC would not be required to file its  
11 proposed final judgment until ten (10) days following this Court's ruling on WESPAC's  
12 *Amended Motion for the Award of Attorneys' Fees*. *Order*, p. 1.

14 On December 6, 2019, this Court entered its *Order Denying Motion to Alter or Amend*  
15 *Judgment* ("AA Order") maintaining its prior rulings within the ORM. On January 7, 2020,  
16 Mr. Garmong filed his *Notice of Appeal* to the Nevada Supreme Court regarding this Court's  
17 *Arbitrator Order*, ORM, and AA Order. On December 9, 2019, *Defendants' Amended*  
18 *Motion for Attorney's Fees* was filed. Due to Mr. Garmong's pending appeal, this Court  
19 entered its *Order Holding Issuance of Order on Defendants' Amended Motion for Attorney's*  
20 *Fees in Abeyance*. On December 1, 2020, the Nevada Court of Appeals issued its *Order of*  
21 *Affirmance* upholding this Court's judgment in its entirety and noting Defendants may seek  
22 amended fees pursuant to the fee shifting provision in NRCP 68 which extends to fees  
23 incurred on and after appeal.

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1 On February 18, 2021, Defendants filed *Defendants' Second Amended Motion for*  
2 *Attorney's Fees*. On February 22, 2021, the Nevada Court of Appeals entered its *Order*  
3 *Denying Rehearing* pursuant to NRAP 40(c). Next, the parties entered into a stipulation to  
4 extend the time for Mr. Garmong to file an opposition to *Defendants' Second Amended*  
5 *Motion for Attorney's Fees*. The stipulation was granted on March 1, 2021, by this Court's  
6 *Order Extending Time for Plaintiff to File Points and Authorities in Opposition to the*  
7 *Defendants' Second Amended Motion for Fees*. On April 6, 2021, the Nevada Supreme  
8 Court entered its *Order Denying Petition for Review*. On July 16, 2021, this Court entered  
9 its *Order Granting Defendants' Second Amended Motion for Attorney's Fees; Order*  
10 *Confirming Arbitrator's Final Award* ("July 16, 2021, Order"), which confirmed Judge Pro's  
11 arbitration award of \$111,649.96, and awarded Defendants attorneys' fees in the amount of  
12 \$45,084.50. On August 10, 2021, Mr. Garmong filed his *Notice of Appeal*, appealing the  
13 *July 16, 2021, Order* to the Nevada Supreme Court.

14  
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17 On November 3, 2021, Defendants filed a *Substitution of Attorney* replacing Thomas  
18 C. Bradley, Esq. with Stephen S. Kent, Esq. as their counsel of record. On April 4, 2022,  
19 Defendants filed their *Affidavit of Judgment* and *Judgment Lien Abstract of Judgment and*  
20 *Affidavit of Judgment* both naming Mr. Garmong as the judgment debtor. On May 10, 2022,  
21 Defendants filed a *Declaration of Service* of the writ of execution and attachment on Fidelity  
22 Investments/Fidelity Brokerage Services, LLC on May 3, 2022, by the Washoe County  
23 Sheriff's Office.

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1 On July 25, 2022, the Nevada Court of Appeals entered its *Order of Affirmance*  
2 affirming the *July 16, 2021, Order* in its entirety. On October 24, 2022, the Nevada  
3 Supreme Court entered its *Order Denying Rehearing* pursuant to NRAP 40(c). On January  
4 17, 2023, the Nevada Supreme Court issued its *Remittitur*.  
5

6 On January 24, 2023, Defendants filed their *Motion to Compel and Request for*  
7 *Expenses of Motion* (“*Motion to Compel*”), and on April 10, 2023, the Court entered its *Order*  
8 *Granting Motion to Compel and Request for Expenses of Motion* (“*Order Granting*”).  
9

10 **A. MOTION FOR FEES AND COSTS.**

11 Defendants assert, pursuant to the Court’s *Order Granting*, they are entitled to an  
12 award of fees and costs in the total amount of Four Thousand Eight Hundred Seventy-Eight  
13 Dollars and 25/100 (\$4,878.25). *Motion*, pp. 1-2. Defendants maintain their counsel of  
14 records spent 13.9 hours at a rate of Three Hundred Fifty Dollars (\$350) per hour on the  
15 *Motion to Compel* and incurred Thirteen Dollars and 25/100 (\$13.25) in costs. *Motion*, p. 1.  
16

17 **B. OPPOSITION TO MOTION.**

18 Mr. Garmong argues the discovery was completely unnecessary and unreasonable.  
19 He states Defendants had sufficient information in hand to fully execute on the judgment  
20 before serving the discovery and, in fact, did fully execute on two separate writs of  
21 execution. *Opposition*, p. 3. Mr. Garmong also argues defense counsel failed to analyze  
22 the factors in Brunzell v. Golden Gate Nat. Bank, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969).  
23 Mr. Garmong contends for this reason alone the Court should decline to award fees.  
24 *Opposition*, p. 4. Further, even if the Brunzell factors were addressed, Defendants derived  
25 no benefit from their counsel’s services. Id.  
26  
27

28 //

1           **C.     REPLY IN SUPPORT OF MOTION.**

2           The *Reply* contends Mr. Garmong's objections to the discovery were waived when  
3 not timely made. *Reply*, p. 1. The *Reply* argues the Court already ordered Mr. Garmong to  
4 respond to the discovery and already awarded fees and costs, and only the amount of fees  
5 and costs is at issue. *Reply*, p. 2. The *Reply* avers Mr. Garmong's refusal to pay what he  
6 owes has necessitated Defendants' collection efforts. At the time of the discovery,  
7 Defendants did not know if Mr. Garmong still had his Fidelity accounts or if they had  
8 sufficient monies. *Id.* Finally, the *Reply* asserts the *Declaration of Stephen S. Kent*  
9 attached to the *Motion* as Ex. 1 ("*Declaration*") is consistent with Brunzell. *Id.*  
10  
11

12       **II.     APPLICABLE LAW AND ANALYSIS.**

13           **A.     Rule 37 of the Nevada Rules of Civil Procedure ("NRCP").**

14           NRCP 37 provides, in relevant part:

15           (a) (1) On notice to other parties and all affected persons, a party may move for an  
16 order compelling disclosure or discovery. The motion must include a certification that  
17 the movant has in good faith conferred or attempted to confer with the person or  
18 party failing to make disclosure or discovery in an effort to obtain it without court  
19 action.

19           ...  
20           (5) *Payment of Expenses.*

21           (A) If the motion is granted--or if the disclosure or requested discovery is  
22 provided after the motion was filed--the court must, after giving an opportunity  
23 to be heard, require the party or deponent whose conduct necessitated the  
24 motion, the party or attorney advising that conduct, or both to pay the movant's  
25 reasonable expenses incurred in making the motion, including attorney fees.

26           But the court must not order this payment if:

27           (i) the movant filed the motion before attempting in good faith to obtain the  
28 disclosure or discovery without court action;

          (ii) the opposing party's nondisclosure, response, or objection was  
substantially justified; or

          (iii) other circumstances make an award of expenses unjust.

NRCP 37.

//

1 In its *Order Granting*, the Court granted Defendants' *Motion to Compel*. The Court  
2 finds and determines Defendants made a good faith attempt to obtain the disclosure without  
3 Court action prior to filing their *Motion to Compel*. Mr. Garmong was provided an  
4 opportunity to be heard. Mr. Garmong's nondisclosure and objection are not substantially  
5 justified, and there are no other circumstances making an award of expenses unjustified.  
6

7 **B. AN AWARD OF ATTORNEY FEES IS SUPPORTED BY SUBSTANTIAL**  
8 **EVIDENCE.**

9 The Nevada Supreme Court reviews an award of attorney fees for an abuse of  
10 discretion and will affirm an award which is supported by substantial evidence. Logan v.  
11 Abe, 131 Nev. 260, 266, 350 P.3d 1139, 1143 (2015). Affidavits or other evidence meeting  
12 the factors in *Brunzell* constitute substantial evidence to support a request of attorneys'  
13 fees. Miller v. Wilfong, 121 Nev. 619, 623–24, 119 P.3d 727, 730 (2005). It has been held  
14 counsel's testimony regarding the nature and extent of the services performed constituted  
15 substantial evidence. Brunzell v. Golden Gate Nat'l. Bank, 85 Nev. 345, 349, 455 P.2d 31,  
16 33 (1969).  
17

18 In Nevada, "the method upon which a reasonable fee is determined is subject to the  
19 discretion of the court." Shuette v. Beazer Homes Holdings Corp., 121 Nev. 837, 864, 124  
20 P.3d 530, 548 (2005). A court is not limited to one specific approach; rather, a court may  
21 analyze a request for fees pursuant to "any method rationally designed to calculate a  
22 reasonable amount, including those based on a 'lodestar' amount or a contingency fee." Id.  
23 "The lodestar approach involves multiplying 'the number of hours reasonably spent on a  
24 case by a reasonable hourly rate.'" Id.  
25

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1            “[W]hichever method is chosen...the court must continue its analysis by considering  
2 the requested amount in light of the factors enumerated by this court in *Brunzell v. Golden*  
3 *Gate National Bank*.” Shuette, 121 Nev. at 865. Express findings on each factor are not  
4 necessary. Instead, the district court need only demonstrate it considered the required  
5 factors, and the award is supported by substantial evidence. Logan, 131 Nev. at 266.

7            The factors set forth in Brunzell, are as follows:

8            (1) *the qualities of the advocate*: his ability, his training, education, experience,  
9 professional standing and skill; (2) *the character of the work to be done*: its  
10 difficulty, its intricacy, its importance, time and skill required, the responsibility  
11 imposed and the prominence and character of the parties where they affect  
12 the importance of the litigation; (3) *the work actually performed by the lawyer*:  
the skill, time and attention given to the work; (4) *the result*: whether the  
attorney was successful and what benefits were derived.

13 Brunzell, 85 Nev. at 349.

14            A reviewing court will not substitute its judgment for a trial court in the absence of an  
15 abuse of discretion because “[t]he value to be placed on the services rendered by counsel  
16 lies in the exercise of sound discretion by the trier of facts.” Id. at 350. However, a trial  
17 court’s failure to analyze the Brunzell factors is an abuse of discretion. Gunderson v. D.R.  
18 Horton, Inc., 130 Nev. 67, 319 P.3d 606 (2014).

20            **1.        The qualities of the advocate.**

21            Mr. Kent is an attorney licensed to practice law in the State of Nevada. Mr. Kent has  
22 been practicing law for Forty-Two (42) years. *Declaration*, p. 1.

24            **2.        The character of the work to be done.**

25            From January 12, 2023, through April 10, 2023, Mr. Kent spent 8.1 hours preparing  
26 the *Motion to Compel*. *Declaration*, p. 2. Between April 24 and April 26, 2023, Mr. Kent  
27 spent 5.8 hours preparing the instant *Motion*. Id.

1                   **3.     The work actually performed by the attorney.**

2           Mr. Kent spent the majority of the 13.9 hours preparing and revising the *Motion to*  
3 *Compel*, the declaration in support, and the *Reply in Support of the Motion to Compel*.  
4  
5 However, Mr. Kent also includes time spent preparing the instant *Motion and Declaration*.

6           Pursuant to NRCP 37(a)(5)(A), “If the motion is granted...the court must...require the  
7 party...whose conduct necessitated the motion...to pay the movant's reasonable **expenses**  
8 **incurred in making the motion**, including attorney fees.” (Emphasis added.) The motion  
9 described in NRCP 37(a)(5)(A) is properly identified in NRCP 37(a)(1), which states:  
10

11           A party may move for an order compelling disclosure or discovery. The motion  
12 must include a certification that the movant has in good faith conferred or  
13 attempted to confer with the person or party failing to make disclosure or  
discovery in an effort to obtain it without court action.

14 NRCP 37.

15           Pursuant to NRCP 37, Defendants’ *Motion to Compel* is the only motion for which  
16 attorneys’ fees may be recovered. The instant *Motion* to recover fees is not the motion  
17 granted by the Court’s *Order Granting*. Thus, any costs and fees incurred in making the  
18 instant *Motion* are not recoverable at this juncture.  
19

20                   **4.     The result.**

21           Mr. Kent’s *Motion to Compel* successfully persuaded the Court to grant the *Motion to*  
22 *Compel* and award him attorneys’ fees and costs.

23           The Court finds the attorneys’ fees incurred between January 12, 2023, and April 10,  
24 2023, to be reasonable and actually incurred. However, Defendants are precluded from  
25 recovering their requested costs and fees incurred after April 10, 2023, at this juncture. The  
26 Court determines an award for attorneys’ fees in the amount of Two Thousand Eight  
27 Hundred Thirty-Five Dollars and 00/100 (\$2,835.00) is appropriate in this matter.  
28

1 **III. ORDER.**

2 Accordingly, and good cause appearing therefor,

3 **IT IS HEREBY ORDERED** the *Motion for Fees and Costs Pursuant to Order*  
4 *Granting Motion to Compel* is GRANTED, in part, and DENIED, in part.  
5

6 1. Attorneys' fees incurred in preparing the *Motion to Compel* are GRANTED in  
7 the amount of Two Thousand Eight Hundred Thirty-Five Dollars and 00/100 (\$2,835.00);

8 2. Attorneys' fees and costs incurred after April 10, 2023, are DENIED.

9 Dated this 10th day of August, 2023.  
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12 DISTRICT JUDGE  
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STEPHEN KENT, ESQ.  
CARL HEBERT, ESQ.

Holly W. Lange



Code 1350

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF WASHOE

**GREGORY O. GARMONG,**

**Plaintiff,**

**vs.**

**Case No. CV12-01271**

**Dept. No. 6**

**WESPAC; GREG CHRISTIAN;  
DOES 1-10, inclusive,**

**Defendants.**

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**CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL**

I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on the 6th day of October, 2023, I electronically filed the Notice of Appeal in the above entitled matter to the Nevada Supreme Court.

I further certify that the transmitted record is a true and correct copy of the original pleadings on file with the Second Judicial District Court.

Dated this 6th day of October, 2023.

Alicia L. Lerud  
Clerk of the Court  
By /s/Y.Viloria  
Y.Viloria  
Deputy Clerk