

1 **NOAS**
2 KRISTA N. ALBREGTS, ESQ.
3 Nevada Bar No. 13301
4 E-mail: Kalbregts@albregtslaw.com
5 KRISTA N. ALBREGTS, PLLC
6 5940 South Rainbow Blvd., # 715
7 Las Vegas, Nevada 89118
8 Telephone: (725) 577-2966
9 *Attorneys for Respondent John Buyachek, Jr.*

Electronically Filed
Dec 07 2023 10:53 AM
Elizabeth A. Brown
Clerk of Supreme Court

6 **EIGHTH JUDICIAL DISTRICT COURT**

7 **CLARK COUNTY, NEVADA**

8 CASINO CONNECTION INTERNATIONAL,
9 LLC, a Georgia limited liability company,

10 Petitioner,

11 v.

12 NEVADA LABOR COMMISSIONER, a
13 Nevada Administrative Agency; and JOHN
14 BUYACHEK, JR., an individual,

15 Respondents.

Case No.: A-19-805612-J

Dept. No.: 25

NOTICE OF APPEAL

16 The Notice is hereby given that Respondent JOHN BUYACHEK, JR., by and through his
17 counsel, Krista N. Albregts, Esq. of Krista N. Albregts, PLLC, hereby appeals to the Supreme
18 Court of the State of Nevada from the Order Granting Motion For Relief Pursuant To NRCPC
19 60(b)(4) and (6), Motion To Quash Writ of Execution, and Opposition To Application For
20 Computation of Judgment, filed on November 1, 2023 in the Eighth Judicial District Court, Clark
21 County, Nevada, attached hereto as **Exhibit 1**, the Notice of Entry of Order of which was served
22 on November 1, 2023, and is attached hereto as **Exhibit 2**.

23 Dated this 1st day of December, 2023.

24 **KRISTA N. ALBREGTS, PLLC**




25 KRISTA N. ALBREGTS, ESQ.

26 Nevada Bar No. 13301

27 *Attorneys for Respondent John Buyachek, Jr.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 1st day of December, 2023, the foregoing **Notice of Appeal**, was submitted for filing with the District Court Clerk of Clark County Nevada, to be served via the Court's ECF filing system on all parties of record.


For Krista N. Albregts, PLLC

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Exhibit 1

OGM
GARMAN TURNER GORDON LLP
ERIC R. OLSEN
Nevada Bar No. 3127
Email: eolsen@gtg.legal
7251 Amigo St., Suite 210
Las Vegas, Nevada 89119
Tel: (725) 777-3000
Fax: (725) 777-3112

*Attorneys for Casino Connections
International, LLC*

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA**

CASINO CONNECTION INTERNATIONAL,
LLC., a Georgia limited liability company,

Petitioner,

v.

NEVADA LABOR COMMISSIONER; a
Nevada Administrative Agency, and JOHN
BUYACHEK, JR., an individual,

Respondents.

CASE NO. A-19-805612-J
DEPT. NO. 25

**ORDER GRANTING MOTION FOR
RELIEF PURSUANT TO NRCP 60(b)(4)
AND (6), MOTION TO QUASH WRIT OF
EXECUTION, AND OPPOSITION
APPLICATION FOR COMPUTATION OF
JUDGMENT**

The matter of Petitioner Casino Connection International, LLC's Motion for Relief Pursuant to NRCP 60(b)(4) and (6), Motion to Quash Writ of Execution, and Opposition to Application for Computation of Judgment came before the Court for hearing on October 10, 2023, with Eric R. Olsen, Esq. of Garman Turner Gordon LLP appearing on behalf of Casino Connection International, LLC, ("CCI"), Andrea Nichols, Esq. appearing on behalf of Respondent Nevada Labor Commissioner ("NVLC"), and Krista N. Albregts, Esq. of Krista N. Albregts, PLLC, appearing on behalf of Respondent John Buyachek, Jr. ("Buyachek") (collectively the "Respondents").

The Court, having reviewed the pleadings and papers on file herein and the exhibits attached thereto, and having considered the arguments of counsel for the parties, and good cause appearing therefore, HEREBY FINDS, DECIDES, AND ORDER, as follows:

1 THE COURT FINDS AND DECIDES that this action consists solely of a petition
2 brought by CCI for judicial review of the Findings of Fact, Conclusions of Law and Order
3 entered by a hearing officer for the Nevada Labor Commissioner's Office, on October 18, 2019,
4 and as Mr. Buyachek did not appear in this action, it does not include a claim for damages by
5 Respondent Mr. Buyachek.

6 THE COURT FURTHER FINDS AND DECIDES the Order Denying Casino
7 Connection International, LLC's Petition for Judicial Review, or in the Alternative, Petition for
8 Writ of Mandamus and/or Prohibition, entered February 20, 2021 (Notice of Entry February 23.
9 2021), is the only judgment entered by this Court.

10 THE COURT FURTHER FINDS AND DECIDES that, while it entered the judgment
11 denying the petition for judicial review, it did not enter a money judgment in favor of
12 Respondent Mr. Buyachek, in this case.

13 THE COURT FURTHER FINDS AND DECIDES that because this Court did not enter a
14 money judgment in favor of Respondent Mr. Buyachek, in this case, he cannot enforce a money
15 judgment in this case, whether by the Writ of Execution submitted to the district court clerk, by
16 the Application for Computation of Judgment lodged with this Court, or by any other process.

17 THE COURT FURTHER FINDS AND DECIDES that it did not view the request for
18 attorney's fees made by Petitioner as a separate motion for sanctions and, furthermore, that the
19 Court does not find sufficient grounds to award attorney fees or costs.

20 GOOD CAUSE APPEARING THEREFORE,

21 IT IS HEREBY ORDERED that Petitioner's Motion for Relief Pursuant to NRC
22 60(b)(4) and (b)(6) is GRANTED and the Notice of Entry of Judgement and Order, filed July
23 18, 2023, shall be stricken pursuant to those sections;

24 IT IS FURTHER HEREBY ORDERED that the Motion to Quash Writ of Execution is
25 GRANTED, and the Writ of Execution QUASHED.

26 ///

27 ///

28 ///

1 IT IS FURTHER HEREBY ORDERED that the Ex Parte Application for Computation is
2 DENIED.

3 IT IS FURTHER HEREBY ORDERED that the request in Petitioner's motion for an
4 award of attorney fees and costs is DENIED.

5 Dated this 1st day of November, 2023

6 
7

DISTRICT COURT JUDGE

8 800 F0B 8D9C E449
Kathleen E. Delaney
District Court Judge

9 Respectfully Submitted by:

10 GARMAN TURNER GORDON LLP

11 /s/ Eric R. Olsen

12 ERIC R. OLSEN
Nevada Bar No. 3127
7251 Amigo St., Suite 210
13 Las Vegas, Nevada 89119
Attorneys for Petitioner

14
15
16 **REVIEWED AND APPROVED AS TO
CONTENT AND FORM**

17
18 *Disapproved*

19 KRISTA N. ALBREGTS, PLLC
Nevada Bar No. 13301
20 5940 South Rainbow Blvd., # 715
Las Vegas, Nevada 89118
21 Attorneys for Respondent John Buyachek, Jr.

16 **REVIEWED AND APPROVED AS TO
CONTENT AND FORM**

17
18 /s/ Andrea Nichols

19 AARON D. FORD
ANDREA NICHOLS
20 Nevada Bar No. 6436
Office of the Attorney General
100 North Carson St
21 Carson City, NV 89701-4717

22
23
24
25 4887-8151-5400, v. 1
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27
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Catherine Wrangham

From: Andrea H. Nichols <ANichols@ag.nv.gov>
Sent: Thursday, October 26, 2023 9:39 AM
To: Catherine Wrangham
Cc: Eric Olsen
Subject: RE: CCI/Buyachek - Order Granting Motion for Relief

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you Ms. Wrangham. Please allow this to confirm that you may use my e-signature.

Sincerely,

Andrea Nichols,
Senior Deputy Attorney General

From: Catherine Wrangham <cwrangham@Gtg.legal>
Sent: Thursday, October 26, 2023 9:30 AM
To: Andrea H. Nichols <ANichols@ag.nv.gov>
Cc: Eric Olsen <eolsen@Gtg.legal>
Subject: RE: CCI/Buyachek - Order Granting Motion for Relief

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Hello Ms. Nichols,

Your changes were accepted. Can you please respond with authorization to use your e-signature so that I may submit to chambers?

Thanks!

Catherine M. Wrangham

Legal Assistant

P 725 777 3000 | F 725 777 3112

GARMAN | TURNER | GORDON

7251 AMIGO STREET, SUITE 210
LAS VEGAS, NV 89119

[website](#) | [vCard](#) | [map](#) | [email](#)



From: Andrea H. Nichols <ANichols@ag.nv.gov>
Sent: Thursday, October 19, 2023 12:58 PM
To: Catherine Wrangham <cwrangham@Gtg.legal>; Krista Albregts <kalbregts@albregtslaw.com>
Cc: Eric Olsen <eolsen@Gtg.legal>
Subject: RE: CCI/Buyachek - Order Granting Motion for Relief

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Ms. Wrangham,

I received it thank you and am sending it back with requested changes.

Sincerely,

Andrea Nichols,
Senior Deputy Attorney General
Office of the Attorney General
100 N. Carson Street
Carson City, NV 89701-4717
Telephone: (775) 684-1218



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From: Catherine Wrangham <cwrangham@Gtg.legal>
Sent: Thursday, October 19, 2023 12:32 PM
To: Andrea H. Nichols <ANichols@ag.nv.gov>; Krista Albregts <kalbregts@albregtslaw.com>
Cc: Eric Olsen <eolsen@Gtg.legal>
Subject: RE: CCI/Buyachek - Order Granting Motion for Relief

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I believe I sent it to everyone. If you did not receive the Word version please let me know.

Catherine M. Wrangham

Legal Assistant

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Subject: RE: CCI/Buyachek - Order Granting Motion for Relief

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That would be helpful to me as well. Thank you.

From: Krista Albregts <kalbregts@albregtslaw.com>
Sent: Thursday, October 19, 2023 12:03 PM
To: Catherine Wrangham <cwrangham@Gtg.legal>
Cc: Eric Olsen <eolsen@Gtg.legal>; Andrea H. Nichols <ANichols@ag.nv.gov>
Subject: Re: CCI/Buyachek - Order Granting Motion for Relief

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Hi Catherine,

Would it be possible to send a Word version so I can redline proposed changes as necessary?

Thanks so much,

Krista N. Albregts, Esq.

This email and any files transmitted with it may contain confidential information that is legally privileged and is intended solely for the use of the individual or entity to whom they are addressed. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, dissemination, distribution, or use of any of the information

contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this email in error please notify the sender by reply email and destroy the original transmission and its attachments without reading or saving them in any manner.

From: Catherine Wrangham <cwrangham@Gtg.legal>

Date: Monday, October 16, 2023 at 3:53 PM

To: Krista Albregts <kalbregts@albregtslaw.com>, Andrea H. Nichols <ANichols@ag.nv.gov>

Cc: Eric Olsen <eolsen@Gtg.legal>

Subject: CCI/Buyachek - Order Granting Motion for Relief

Attached please find the ORDER GRANTING MOTION FOR RELIEF PURSUANT TO NRCP 60(b)(4) AND (6), MOTION TO QUASH WRIT OF EXECUTION, AND OPPOSITION APPLICATION FOR COMPUTATION OF JUDGMENT. Please review the order and if it is approved as to form and content, please email us your authorization to use your e-signatures so that we can submit to chambers. Thank you!

Catherine M. Wrangham

Legal Assistant

P 725 777 3000 | F 725 777 3112

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7251 AMIGO STREET, SUITE 210
LAS VEGAS, NV 89119

[website](#) | [vCard](#) | [map](#) | [email](#)



1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Casino Connection International
LLC, Petitioner(s)

CASE NO: A-19-805612-J

7 vs.

DEPT. NO. Department 25

8
9 Nevada Labor Commissioner,
Respondent(s)

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

15 Service Date: 11/1/2023

16 Eric Olsen

eolsen@gtg.legal

17 Andrea Nichols

anichols@ag.nv.gov

18 Krista Albregts

kalbregts@albregtslaw.com

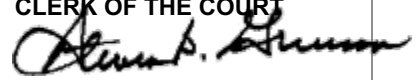
19 Catherine Wrangham

cwrangham@gtg.legal

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Exhibit 2



NEO
GARMAN TURNER GORDON LLP
ERIC R. OLSEN
Nevada Bar No. 3127
Email: eolsen@gtg.legal
7251 Amigo St., Suite 210
Las Vegas, Nevada 89119
Tel: (725) 777-3000
Fax: (725) 777-3112

*Attorneys for Casino Connections
International, LLC*

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA**

CASINO CONNECTION INTERNATIONAL,
LLC., a Georgia limited liability company,

Petitioner,

v.

NEVADA LABOR COMMISSIONER; a
Nevada Administrative Agency, and JOHN
BUYACHEK, JR., an individual,

Respondents.

CASE NO. A-19-805612-J
DEPT. NO. 25

**NOTICE OF ENTRY OF ORDER
GRANTING MOTION FOR RELIEF
PURSUANT TO NRCP 60(b)(4) AND (6),
MOTION TO QUASH WRIT OF
EXECUTION, AND OPPOSITION TO
APPLICATION FOR COMPUTATION OF
JUDGMENT**

PLEASE TAKE NOTICE that the ORDER GRANTING PETITIONER'S MOTION FOR RELIEF PURSUANT TO NRCP 60(B)(B) AND (6), MOTION TO QUASH WRIT OF EXECUTION AND OPPOSITION TO APPLICATION FOR COMPUTATION OF JUDGMENT HEARING, a copy of which is attached hereto, was entered in the above-captioned case on the 1st day of November 2023.

DATED this 1st day of November 2023.

GARMAN TURNER GORDON LLP

/s/Eric R. Olsen

ERIC R. OLSEN
NV Bar No. 3127
7251 Amigo St., Suite 210
Las Vegas, Nevada 89119

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CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of November 2023, the foregoing **NOTICE OF ENTRY OF ORDER GRANTING MOTION FOR RELIEF PURSUANT TO NRCP 60(b)(4) AND (6), MOTION TO QUASH WRIT OF EXECUTION, AND OPPOSITION TO APPLICATION FOR COMPUTATION OF JUDGMENT** was submitted electronically for filing and/or service.

Brett K. Harris
Office of the Labor Commissioner - State of Nevada
3300 W. Sahara Ave., Suite 225
Las Vegas, NV 89102
tballard@labor.nv.gov

Kalbregts@albregtslaw.com
KRISTA N. ALBREGTS, PLLC
5940 South Rainbow Blvd., # 715
Las Vegas, Nevada 89118
Telephone: (725) 577-2966
Attorneys for Respondent John Buyachek, Jr

Aaron D. Ford
Andrea Nichols
Office of the Attorney General
100 North Carson St
Carson City, NV 89701-4717

/s/ CM Wrangham

An employee of GARMAN TURNER GORDON

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4887-8151-5400, v. 1

OGM
GARMAN TURNER GORDON LLP
ERIC R. OLSEN
Nevada Bar No. 3127
Email: eolsen@gtg.legal
7251 Amigo St., Suite 210
Las Vegas, Nevada 89119
Tel: (725) 777-3000
Fax: (725) 777-3112

*Attorneys for Casino Connections
International, LLC*

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA**

CASINO CONNECTION INTERNATIONAL,
LLC., a Georgia limited liability company,

Petitioner,

v.

NEVADA LABOR COMMISSIONER; a
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BUYACHEK, JR., an individual,

Respondents.

CASE NO. A-19-805612-J
DEPT. NO. 25

**ORDER GRANTING MOTION FOR
RELIEF PURSUANT TO NRCP 60(b)(4)
AND (6), MOTION TO QUASH WRIT OF
EXECUTION, AND OPPOSITION
APPLICATION FOR COMPUTATION OF
JUDGMENT**

The matter of Petitioner Casino Connection International, LLC's Motion for Relief Pursuant to NRCP 60(b)(4) and (6), Motion to Quash Writ of Execution, and Opposition to Application for Computation of Judgment came before the Court for hearing on October 10, 2023, with Eric R. Olsen, Esq. of Garman Turner Gordon LLP appearing on behalf of Casino Connection International, LLC, ("CCI"), Andrea Nichols, Esq. appearing on behalf of Respondent Nevada Labor Commissioner ("NVLC"), and Krista N. Albregts, Esq. of Krista N. Albregts, PLLC, appearing on behalf of Respondent John Buyachek, Jr. ("Buyachek") (collectively the "Respondents").

The Court, having reviewed the pleadings and papers on file herein and the exhibits attached thereto, and having considered the arguments of counsel for the parties, and good cause appearing therefore, HEREBY FINDS, DECIDES, AND ORDER, as follows:

1 THE COURT FINDS AND DECIDES that this action consists solely of a petition
2 brought by CCI for judicial review of the Findings of Fact, Conclusions of Law and Order
3 entered by a hearing officer for the Nevada Labor Commissioner's Office, on October 18, 2019,
4 and as Mr. Buyachek did not appear in this action, it does not include a claim for damages by
5 Respondent Mr. Buyachek.

6 THE COURT FURTHER FINDS AND DECIDES the Order Denying Casino
7 Connection International, LLC's Petition for Judicial Review, or in the Alternative, Petition for
8 Writ of Mandamus and/or Prohibition, entered February 20, 2021 (Notice of Entry February 23.
9 2021), is the only judgment entered by this Court.

10 THE COURT FURTHER FINDS AND DECIDES that, while it entered the judgment
11 denying the petition for judicial review, it did not enter a money judgment in favor of
12 Respondent Mr. Buyachek, in this case.

13 THE COURT FURTHER FINDS AND DECIDES that because this Court did not enter a
14 money judgment in favor of Respondent Mr. Buyachek, in this case, he cannot enforce a money
15 judgment in this case, whether by the Writ of Execution submitted to the district court clerk, by
16 the Application for Computation of Judgment lodged with this Court, or by any other process.

17 THE COURT FURTHER FINDS AND DECIDES that it did not view the request for
18 attorney's fees made by Petitioner as a separate motion for sanctions and, furthermore, that the
19 Court does not find sufficient grounds to award attorney fees or costs.

20 GOOD CAUSE APPEARING THEREFORE,

21 IT IS HEREBY ORDERED that Petitioner's Motion for Relief Pursuant to NRC
22 60(b)(4) and (b)(6) is GRANTED and the Notice of Entry of Judgement and Order, filed July
23 18, 2023, shall be stricken pursuant to those sections;

24 IT IS FURTHER HEREBY ORDERED that the Motion to Quash Writ of Execution is
25 GRANTED, and the Writ of Execution QUASHED.

26 ///

27 ///

28 ///

1 IT IS FURTHER HEREBY ORDERED that the Ex Parte Application for Computation is
2 DENIED.

3 IT IS FURTHER HEREBY ORDERED that the request in Petitioner's motion for an
4 award of attorney fees and costs is DENIED.

5 Dated this 1st day of November, 2023

6 
7

DISTRICT COURT JUDGE

8 800 F0B 8D9C E449
Kathleen E. Delaney
District Court Judge

9 Respectfully Submitted by:

10 GARMAN TURNER GORDON LLP

11 /s/ Eric R. Olsen

12 ERIC R. OLSEN
Nevada Bar No. 3127
7251 Amigo St., Suite 210
13 Las Vegas, Nevada 89119
Attorneys for Petitioner

14
15
16 **REVIEWED AND APPROVED AS TO
CONTENT AND FORM**

17
18 *Disapproved*

19 KRISTA N. ALBREGTS, PLLC
Nevada Bar No. 13301
20 5940 South Rainbow Blvd., # 715
Las Vegas, Nevada 89118
21 Attorneys for Respondent John Buyachek, Jr.

16 **REVIEWED AND APPROVED AS TO
CONTENT AND FORM**

17
18 /s/ Andrea Nichols

19 AARON D. FORD
ANDREA NICHOLS
20 Nevada Bar No. 6436
Office of the Attorney General
100 North Carson St
21 Carson City, NV 89701-4717

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25 4887-8151-5400, v. 1
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Catherine Wrangham

From: Andrea H. Nichols <ANichols@ag.nv.gov>
Sent: Thursday, October 26, 2023 9:39 AM
To: Catherine Wrangham
Cc: Eric Olsen
Subject: RE: CCI/Buyachek - Order Granting Motion for Relief

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Thank you Ms. Wrangham. Please allow this to confirm that you may use my e-signature.

Sincerely,

Andrea Nichols,
Senior Deputy Attorney General

From: Catherine Wrangham <cwrangham@Gtg.legal>
Sent: Thursday, October 26, 2023 9:30 AM
To: Andrea H. Nichols <ANichols@ag.nv.gov>
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Hello Ms. Nichols,

Your changes were accepted. Can you please respond with authorization to use your e-signature so that I may submit to chambers?

Thanks!

Catherine M. Wrangham

Legal Assistant

P 725 777 3000 | F 725 777 3112

GARMAN | TURNER | GORDON

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LAS VEGAS, NV 89119

[website](#) | [vCard](#) | [map](#) | [email](#)



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Andrea Nichols,
Senior Deputy Attorney General
Office of the Attorney General
100 N. Carson Street
Carson City, NV 89701-4717
Telephone: (775) 684-1218



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Legal Assistant

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Krista N. Albregts, Esq.

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From: Catherine Wrangham <cwrangham@Gtg.legal>

Date: Monday, October 16, 2023 at 3:53 PM

To: Krista Albregts <kalbregts@albregtslaw.com>, Andrea H. Nichols <ANichols@ag.nv.gov>

Cc: Eric Olsen <eolsen@Gtg.legal>

Subject: CCI/Buyachek - Order Granting Motion for Relief

Attached please find the ORDER GRANTING MOTION FOR RELIEF PURSUANT TO NRCP 60(b)(4) AND (6), MOTION TO QUASH WRIT OF EXECUTION, AND OPPOSITION APPLICATION FOR COMPUTATION OF JUDGMENT. Please review the order and if it is approved as to form and content, please email us your authorization to use your e-signatures so that we can submit to chambers. Thank you!

Catherine M. Wrangham

Legal Assistant

P 725 777 3000 | F 725 777 3112

GARMAN | TURNER | GORDON

7251 AMIGO STREET, SUITE 210
LAS VEGAS, NV 89119

[website](#) | [vCard](#) | [map](#) | [email](#)



1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 Casino Connection International
7 LLC, Petitioner(s)

CASE NO: A-19-805612-J

8 vs.

DEPT. NO. Department 25

9 Nevada Labor Commissioner,
10 Respondent(s)

11 **AUTOMATED CERTIFICATE OF SERVICE**

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

15 Service Date: 11/1/2023

16 Eric Olsen

eolsen@gtg.legal

17 Andrea Nichols

anichols@ag.nv.gov

18 Krista Albregts

kalbregts@albregtslaw.com

19 Catherine Wrangham

cwrangham@gtg.legal

20

21

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23

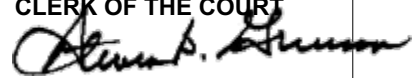
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1 **ASTA**
2 KRISTA N. ALBREGTS, ESQ.
3 Nevada Bar No. 13301
4 E-mail: Kalbregts@albregtslaw.com
5 KRISTA N. ALBREGTS, PLLC
6 5940 South Rainbow Blvd., # 715
7 Las Vegas, Nevada 89118
8 Telephone: (725) 577-2966
9 *Attorneys for Respondent John Buyachek, Jr.*

6
7 **EIGHTH JUDICIAL DISTRICT COURT**

8 **CLARK COUNTY, NEVADA**

9 CASINO CONNECTION INTERNATIONAL,
10 LLC, a Georgia limited liability company,

11 Petitioner,

12 v.

13 NEVADA LABOR COMMISSIONER, a
14 Nevada Administrative Agency; and JOHN
15 BUYACHEK, JR., an individual,

16 Respondents.

Case No.: A-19-805612-J

Dept. No.: 25

CASE APPEAL STATEMENT

16 Respondent John Buyachek, Jr., by and through his counsel, Krista N. Albregts, Esq. of
17 Krista N. Albregts, PLLC, pursuant to NRAP 3(f), hereby submits his Case Appeal Statement as
18 follows:

19 **1. District Court Case Number:** A-19-05612-J

20 **Case Caption:** *Casino Connection International, LLC v.*
21 *Nevada Labor Commissioner; John Buyachek Jr.*

22 **2. Judge Who Entered Order Being Appealed:** Hon. Kathleen E. Delaney

23 **3. Name of Appellant and Address of Counsel For Appellant:**

24 John Buyachek Jr.
25 c/o Krista N. Albregts, Esq.
26 Krista N. Albregts, PLLC
27 5940 South Rainbow Blvd., # 715
28 Las Vegas, Nevada 89118
Email: kalbregts@albregtslaw.com
Telephone No.: (725) 577-2966

1
2 **4. Name of Appellant and Address of Counsel For Respondent:**

3 Casino Connection International, LLC
4 c/o Eric R. Olsen, Esq.
5 Garman Turner Gordon, LLP
6 7251 Amigo Street, Suite 210
7 Las Vegas, Nevada 89119
8 Email: eolsen@gtg.legal
9 Telephone No.: (725) 777-3000

10 **5. Whether any attorney for Appellant or Respondent is not licensed to practice law**
11 **in Nevada:** No (all attorneys are licensed to practice law in Nevada).

12 **6. Whether Appellant Was Represented By Appointed Counsel in the District**
13 **Court:** No.

14 **7. Whether The District Court Granted Appellant Leave To Proceed In Forma**
15 **Pauperis:** No.

16 **8. Date Proceedings Commenced in the District Court:** November 18, 2019.

17 **9. Brief Description of the Nature the Action and Result in the District Court:**

18 The underlying action in the District Court was a petition for judicial review (the
19 Petition”) by Casino Connection International, LLC (“Casino Connection”) of Findings
20 of Fact, Conclusions of Law and Order issued by the Nevada Labor Commissioner
21 awarding a certain sum of monies due and payable from Casino Connection to
22 Appellant John Buyachek Jr. (the “Commissioner’s Order”), on which District Court
23 entered a final judgment (the “Judgment”) denying the Petition and affirming the
24 Commissioner’s Order. The District Court’s Judgment was appealed by Casino
25 Connection to the Nevada Supreme Court, and was affirmed by both the Nevada
26 Supreme Court and Nevada Court of Appeals. Thereafter, the District Court entered a
27 special order, its Order Granting Motion For Relief Pursuant To NRCP 60(b)(4) and
28 (6), Motion To Quash Writ of Execution, and Opposition To Application For
Computation of Judgment (the “Special Order”), denying an Application For
Computation of Judgment by Mr. Buyachek, in which the District Court found and

1 ordered, without citing to any legal authority, that while it entered a judgment, that
2 judgment was not a money judgment, and Mr. Buyacheck therefore cannot enforce a
3 money judgment in the case by process whatsoever. It is the Special Order that is
4 being appealed from here.

5 **10. Whether the Case Has Previously Been the Subject of an Appeal:** Yes.

6 **Docket No.:** 82683

7 **Case Caption:** *Casino Connection International, LLC v.*
8 *Nevada Labor Commissioner; John Buyachek Jr.*

9 **11. Whether the Appeal Involves Child Custody Or Visitation:** No.

10 **12. Whether the Appeal Involves the Possibility of Settlement:** Yes.

11 Dated this 1st day of December, 2023.

12 **KRISTA N. ALBREGTS, PLLC**

13 

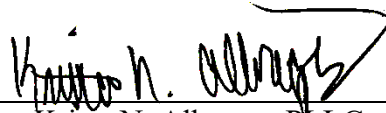
14 KRISTA N. ALBREGTS, ESQ.

15 Nevada Bar No. 13301

16 *Attorneys for Respondent John Buyachek, Jr.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 1st day of December, 2023, the foregoing **Case Appeal Statement**, was submitted for filing with the District Court Clerk of Clark County Nevada, to be served via the Court's ECF filing system on all parties of record.



For Krista N. Albregts, PLLC

CASE SUMMARY**CASE NO. A-19-805612-J**

Casino Connection International LLC, Petitioner(s)
vs.
Nevada Labor Commissioner, Respondent(s)

§
§
§
§
§
§

Location: **Department 25**
 Judicial Officer: **Delaney, Kathleen E.**
 Filed on: **11/18/2019**
 Cross-Reference Case Number: **A805612**
 Supreme Court No.: **82683**

CASE INFORMATION

Statistical Closures
 02/20/2021 Summary Judgment

Case Type: **Other Judicial Review/Appeal**Case Flags: **Appealed to Supreme Court****DATE****CASE ASSIGNMENT****Current Case Assignment**

Case Number A-19-805612-J
 Court Department 25
 Date Assigned 11/18/2019
 Judicial Officer Delaney, Kathleen E.

PARTY INFORMATION

Petitioner **Casino Connection International LLC**

Lead Attorneys

Olsen, Eric R.
Retained
 725-777-3000(W)

Respondent **Buyachek, John, Jr.**
Nevada Labor Commissioner

Nichols, Andrea H.
Retained
 775-684-1218(W)

DATE**EVENTS & ORDERS OF THE COURT****INDEX**

11/18/2019



Petition for Judicial Review
 Filed by: Petitioner Casino Connection International LLC
[1] Petition for Judicial Review or, in the Alternative, Petition for Writ of Mandamus and/or Prohibition

11/19/2019



Clerk's Notice of Nonconforming Document
[2] Clerk's Notice of Nonconforming Document

12/13/2019



Clerk's Notice of Nonconforming Document and Curative Action
[3] Clerk's Notice of Curative Action

01/09/2020



Motion to Dismiss
 Filed By: Respondent Nevada Labor Commissioner
[4] Motion to Dismiss

01/09/2020



Clerk's Notice of Hearing
[5] Notice of Hearing












01/23/2020



Opposition
 Filed By: Petitioner Casino Connection International LLC
[6] Opposition to Respondent, Nevada Labor Commissioner's Motion to Dismiss Petitioner's Petition for Judicial Review, Etc. and Counter-Motion to Extend Time for Service












CASE SUMMARY

CASE NO. A-19-805612-J

01/28/2020	 Reply to Opposition Filed by: Respondent Nevada Labor Commissioner <i>[7] Reply to Opposition to Motion to Dismiss and Opposition to Counter-Motion to Extend Time for Service</i>
01/30/2020	 Clerk's Notice of Hearing <i>[8] Notice of Hearing</i>
02/11/2020	Motion to Dismiss (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Nevada Labor Commissioner's Motion to Dismiss</i>
02/11/2020	Opposition and Countermotion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Opposition to Respondent, Nevada Labor Commissioner's Motion to Dismiss Petitioner's Petition for Judicial Review, Etc. and Counter-Motion to Extend Time for Service</i>
02/11/2020	 All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
02/26/2020	 Order Denying Motion Filed By: Petitioner Casino Connection International LLC <i>[9] Order Denying the Nevada Labor Commissioner's Motion to Dismiss Petition for Judicial Review, and Granting Counter-Motion to Extend Time for Service</i>
02/28/2020	 Notice of Entry of Order Filed By: Petitioner Casino Connection International LLC <i>[10] Notice of Entry of Order Denying The Nevada Labor Commissioner's Motion to Dismiss Petition for Judicial Review, and Granting Counter-Motion to Extend Time for Service</i>
03/13/2020	 Affidavit of Service Filed By: Petitioner Casino Connection International LLC <i>[11] Affidavit of Service on Nevada Labor Commissioner</i>
04/02/2020	 Motion to Dismiss Filed By: Respondent Nevada Labor Commissioner <i>[12] Nevada Labor Commissioner's Motion to Renew Motion to Dismiss</i>
04/02/2020	 Clerk's Notice of Hearing <i>[13] Notice of Hearing</i>
04/16/2020	 Opposition Filed By: Petitioner Casino Connection International LLC <i>[14] Opposition to Respondent, Nevada Labor Commissioner's Motion to Renew Motion to Dismiss Petitioner's Petition for Judicial Review, Etc. and Countermotion for Extension of Time to Serve Petition for Judicial Review</i>
04/24/2020	 Reply to Opposition Filed by: Respondent Nevada Labor Commissioner <i>[15] Nevada Labor Commissioner's Reply to Opposition to Motion to Renew Motion to Dismiss Petitioner's Petition for Judicial Review and Opposition to Countermotion for Extension of Time to Serve Petition for Judicial Review</i>
04/27/2020	 Miscellaneous Filing Filed by: Petitioner Casino Connection International LLC <i>[16] Notice of Intent to Appear Telephonically</i>

CASE SUMMARY

CASE NO. A-19-805612-J

04/27/2020	 Affidavit of Service Filed By: Petitioner Casino Connection International LLC Party Served: Respondent Nevada Labor Commissioner <i>[17] Affidavit of Service - Nevada Labor Commissioner</i>
04/28/2020	 Supplemental Filed by: Petitioner Casino Connection International LLC <i>[18] Supplemental Declaration of Eric R. Olsen in Support of Opposition to Respondent, Nevada Labor Commissioner's Motion to Renew Motion to Dismiss Petitioner's Petition for Judicial Review, Etc., and Counter-Motion to Extend Time for Service</i>
04/29/2020	 Receipt of Copy Filed by: Respondent Nevada Labor Commissioner <i>[19] Receipt of Courtesy Copy</i>
04/30/2020	 Supplemental Filed by: Petitioner Casino Connection International LLC <i>[20] Second Supplemental Declaration of Eric R. Olsen in Support of Opposition to Respondent, Nevada Labor Commissioner's Motion Renew Motion To Dismiss Petitioner's Petition For Judicial Review, Etc. and Counter-Motion to Extend Time for Service</i>
05/05/2020	Motion to Dismiss (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Nevada Labor Commissioner's Motion to Renew Motion to Dismiss</i>
05/05/2020	Opposition and Countermotion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Opposition to Respondent, Nevada Labor Commissioner's Motion to Renew Motion to Dismiss Petitioner's Petition for Judicial Review, Etc. and Countermotion for Extension of Time to Serve Petition for Judicial Review</i>
05/05/2020	 All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
05/11/2020	 Acceptance of Service Filed By: Petitioner Casino Connection International LLC <i>[21] Acceptance of Service - Petition for Judicial Review</i>
05/11/2020	 Notice of Intent to Participate Filed By: Respondent Nevada Labor Commissioner <i>[22] Notice of Intent to Participate</i>
05/13/2020	 Order Denying Motion Filed By: Petitioner Casino Connection International LLC <i>[23] Order Denying the Nevada Labor Commissioner's Motion to Renew Motion to Dismiss, and Granting Counter-Motion to Extend Time for Service</i>
05/14/2020	 Notice of Entry of Order Filed By: Petitioner Casino Connection International LLC <i>[24] Notice of Entry of Order Denying the Nevada Labor Commissioner's Motion to Renew Motion to Dismiss Petition for Judicial Review, and Granting Counter-Motion to Extend Time for Service</i>
07/21/2020	 Motion to Dismiss Filed By: Respondent Nevada Labor Commissioner <i>[25] Nevada Labor Commissioner's Motion to Dismiss for Failure to Comply with NRS 233B.131(1)(a)</i>
07/22/2020	 Clerk's Notice of Hearing

CASE SUMMARY
CASE NO. A-19-805612-J

[26] Notice of Hearing

07/28/2020



Notice of Telephonic Hearing

Filed by: Respondent Nevada Labor Commissioner

[27] Notice of Intent to Appear by Communication Equipment

07/28/2020



Certificate of Service

Filed by: Respondent Nevada Labor Commissioner

[28] Certificate of Service

08/04/2020



Opposition

Filed By: Petitioner Casino Connection International LLC

[29] Opposition to Respondent, Nevada Labor Commissioner's Motion to Dismiss for Failure to Comply with NRS 233B.131(1)(a)

08/13/2020



Reply to Opposition

Filed by: Respondent Nevada Labor Commissioner

[30] Reply to Opposition to MTD for Failure to Comply with NRS233B.131(1)(a) and Opposition to Countermotion to Extend Time

08/21/2020



Supplemental

Filed by: Petitioner Casino Connection International LLC

[31] Supplement to Opposition to Respondent, Nevada Labor Commissioner's Motion to Dismiss for Failure to Comply with NRS 233B.131(1)(a) and Counter to Extend Time under NRS 233B.131(1)

08/25/2020



Motion to Dismiss (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

08/25/2020, 09/01/2020

Nevada Labor Commissioner's Motion to Dismiss for Failure to Comply with NRS 233B.131(1)(a)

09/01/2020



Transcript of Proceedings

Party: Petitioner Casino Connection International LLC

[32] Notice of Transmitting Transcript in Accordance with NRS 223B.131(1)

09/03/2020



Record on Appeal

Party: Respondent Nevada Labor Commissioner

[33] Remainder of Administrative Record on Appeal

10/14/2020



Notice of Change of Address

Filed By: Respondent Nevada Labor Commissioner

[34] Notice of Change of Address

11/02/2020



Petitioners Opening Brief

Filed by: Petitioner Casino Connection International LLC

[35] Petitioner's Opening Brief

11/10/2020



Order

[36] Order Denying Respondent, Nevada Labor Commissioner's Motion to Dismiss for Failure to Comply with NRS 233B.131(1)(a) and Countermotion to Extend Time Under NRS 233B.131(1)

12/02/2020



Reply Points and Authorities

Filed by: Respondent Nevada Labor Commissioner

[37] Nevada Labor Commissioner's Reply Memorandum of Points and Authorities

CASE SUMMARY
CASE NO. A-19-805612-J

12/28/2020	 Order Filed By: Petitioner Casino Connection International LLC <i>[38] Order Denying Respondent, Nevada Labor Commissioner's Motion to Dismiss for Failure to Comply with NRS 23b.131(1)(a) and Countermotion to Extend Time Under NRS 233B.131(1)</i>
01/04/2021	 Petitioner's Reply Brief Filed by: Petitioner Casino Connection International LLC <i>[39] Petitioner's Reply Brief</i>
01/11/2021	 Minute Order (10:30 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Minute Order Re: Dept. 25 Formal Request to Appear Remotely</i>
01/12/2021	 Hearing (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
02/20/2021	 Order Denying Judicial Review of Administrative Decision Filed by: Respondent Nevada Labor Commissioner <i>[40] Order Denying Casino Connection's International LLC's Petition for Judicial Review or in the Alternative, Petition for Writ of Mandamus and/ or Prohibition</i>
02/20/2021	Order Denying Judicial Review (Judicial Officer: Delaney, Kathleen E.) Debtors: Casino Connection International LLC (Petitioner) Creditors: Nevada Labor Commissioner (Respondent), John Buyachek, JR. (Respondent) Judgment: 02/20/2021, Docketed: 02/22/2021
02/23/2021	 Notice of Entry of Order Filed By: Respondent Nevada Labor Commissioner <i>[41] Notice of Entry of Order Denying Casino Connection International, LLC's Petition for Judicial Review or, in the Alternative Petition for Writ of Mandamus and/or Prohibition</i>
03/25/2021	 Notice of Appeal Filed By: Petitioner Casino Connection International LLC <i>[42] Notice of Appeal</i>
06/23/2021	 Request Filed by: Petitioner Casino Connection International LLC <i>[43] Request for Transcripts of Proceedings</i>
03/15/2022	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[44] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i>
03/15/2022	Clerk's Certificate (Judicial Officer: Delaney, Kathleen E.) Debtors: Casino Connection International LLC (Petitioner) Creditors: Nevada Labor Commissioner (Respondent) Judgment: 03/15/2022, Docketed: 03/15/2022 Comment: Supreme Court No. 82683 Appeal Affirmed
07/18/2023	 Notice of Entry of Judgment Filed By: Respondent Buyachek, John, Jr. <i>[45] Notice of Entry of Judgment and Order</i>
09/26/2023	 Ex Parte Application Party: Respondent Buyachek, John, Jr. <i>[46] Ex Parte Application For Computation of Judgment</i>









CASE SUMMARY

CASE NO. A-19-805612-J

09/29/2023	 Motion for Relief Filed By: Petitioner Casino Connection International LLC <i>[47] Motion for Relief Pursuant to NRCP 60(b)(4) and (6), Motion to Quash Writ of Execution, and Opposition to Application for Computation of Judgment</i>
09/29/2023	 Certificate of Electronic Service Filed By: Petitioner Casino Connection International LLC <i>[48] Certificate of Service of Motion for Relief Pursuant to NRCP 60(b)(4) and (6), Motion to Quash Writ of Execution, and Opposition to Application for Computation of Judgment</i>
10/02/2023	 Clerk's Notice of Nonconforming Document <i>[49] Clerk's Notice of Nonconforming Document</i>
10/04/2023	 Clerk's Notice of Nonconforming Document and Curative Action <i>[50] Clerk's Notice of Nonconforming Document and Curative Action</i>
10/04/2023	 Clerk's Notice of Hearing <i>[51] Clerk's Notice of Hearing</i>
10/04/2023	 Order Shortening Time <i>[52] Ex Parte Application Order Shortening Time for the Hearing on Petitioner's Motion for Relief Pursuant to NRCP 60(b)(4) and (6), Motion to Quash Writ of Execution and Opposition Application for Computation of Judgment</i>
10/05/2023	 Notice of Entry Filed By: Petitioner Casino Connection International LLC <i>[53] Notice Of Entry Of Order Shortening Time For The Hearing On Petitioners Motion For Relief Pursuant To NRCP 60(B)(B) and (6), Motion To Quash Writ Of Execution And Opposition To Application For Computation Of Judgment Hearing</i>
10/05/2023	 Notice Filed By: Petitioner Casino Connection International LLC <i>[54] Notice of Intent to Appear by Simultaneous Audiovisual Transmission Equipment</i>
10/07/2023	 Opposition Filed By: Respondent Buyachek, John, Jr. <i>[55] Defendant's Opposition To 1) Motion For Relief Pursuant to NRCP 60(b)(4) and (6) and 2) Motion To Quash Writ of Execution, and Reply In Support of Opposition [sic] Application For Computation of Judgment</i>
10/09/2023	 Reply in Support Filed By: Petitioner Casino Connection International LLC <i>[56] Reply in Support of Motion for Relief Pursuant to NRCP 60(b)(4) and (6), Motion to Quash Writ of Execution, and Opposition to Application for Computation of Judgment</i>
10/09/2023	 Opposition Filed By: Respondent Nevada Labor Commissioner <i>[57] Nevada Labor Commissioners Opposition to Motion for Relief Pursuant to NRCP 60(b)(4) and (6), Motion to Quash Writ of Execution, and Opposition Application for Computation of Judgment</i>
10/10/2023	 Motion for Relief (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 09/29/2023 Motion for Relief <i>Motion for Relief Pursuant to NRCP 60(b)(4) and (6), Motion to Quash Writ of Execution, and Opposition to Application for Computation of Judgment</i>

CASE SUMMARY

CASE NO. A-19-805612-J

11/01/2023	 Order Granting Motion Filed By: Petitioner Casino Connection International LLC <i>[58] Order Granting Motion for Relief Pursuant to NRCP 60(b)(4) and (6), Motion to Quash Writ of Execution, and Opposition Application for Computation of Judgment</i>
11/01/2023	 Notice of Entry Filed By: Petitioner Casino Connection International LLC <i>[59] Notice of Entry of Order Granting Motion for Relief Pursuant to NRCP 60(b)(4) and (6), Motion to Quash Writ of Execution, and Opposition to Application for Computation of Judgment</i>
11/14/2023	 Motion to Reconsider Filed By: Respondent Buyachek, John, Jr. <i>[60] Motion for Reconsideration of Order Denying Application for Computation of Judgment and/or Motion for Entry of Money Judgment on Order Shortening Time</i>
11/16/2023	 Clerk's Notice of Hearing <i>[61] Notice of Hearing</i>
11/16/2023	 Clerk's Notice of Nonconforming Document <i>[62] Clerk's Notice of Nonconforming Document</i>
11/28/2023	 Opposition <i>[63] Petitioner's Opposition to Motion for Reconsideration of Order Denying Application for Computation of Judgment and/or Motion for Entry of Money Judgment on Order Shortening Time</i>
12/01/2023	 Notice of Appeal Filed By: Respondent Buyachek, John, Jr. <i>[64] Notice of Appeal</i>
12/01/2023	 Case Appeal Statement Filed By: Respondent Buyachek, John, Jr. <i>[65] Case Appeal Statement</i>
12/19/2023	Motion For Reconsideration (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 11/14/2023 Motion to Reconsider <i>Respondent's Motion for Reconsideration of Order Denying Application for Computation of Judgment and/or Motion for Entry of Money Judgment on Order Shortening Time</i>

DATE

FINANCIAL INFORMATION

Petitioner Casino Connection International LLC	
Total Charges	294.00
Total Payments and Credits	294.00
Balance Due as of 12/5/2023	0.00
Respondent Buyachek, John, Jr.	
Total Charges	24.00
Total Payments and Credits	24.00
Balance Due as of 12/5/2023	0.00
Petitioner Casino Connection International LLC	
Appeal Bond Balance as of 12/5/2023	500.00

CASE SUMMARY

CASE NO. A-19-805612-J

DISTRICT COURT CIVIL COVER SHEET

A-19-805612-J

County, Nevada

Department 25

Case No.

(Assigned by Clerk's Office)

I. Party Information (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone): Casino Connection International, LLC	Defendant(s) (name/address/phone): Nevada Labor Commissioner and John Buyachek
Attorney (name/address/phone): E. Olsen Garman Turner Gordon 650 White Drive, Suite 100 Las Vegas, NV 89119	Attorney (name/address/phone):

II. Nature of Controversy (please select the one most applicable filing type below)

Civil Case Filing Types

Real Property Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant Title to Property <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property Other Real Property <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	Negligence <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence Malpractice <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	Torts Other Torts <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
Probate Probate (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate Estate Value <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	Construction Defect & Contract Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect Contract Case <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	Judicial Review/Appeal Judicial Review <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency Nevada State Agency Appeal <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency Appeal Other <input type="checkbox"/> Appeal from Lower Court <input checked="" type="checkbox"/> Other Judicial Review/Appeal
Civil Writ Civil Writ <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ	Other Civil Filing Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters	

Business Court filings should be filed using the Business Court civil coversheet.

11/18/2019

Date

Signature of initiating party or representative

See other side for family-related case filings.

OGM
GARMAN TURNER GORDON LLP
ERIC R. OLSEN
Nevada Bar No. 3127
Email: eolsen@gtg.legal
7251 Amigo St., Suite 210
Las Vegas, Nevada 89119
Tel: (725) 777-3000
Fax: (725) 777-3112

*Attorneys for Casino Connections
International, LLC*

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA**

CASINO CONNECTION INTERNATIONAL,
LLC., a Georgia limited liability company,

Petitioner,

v.

NEVADA LABOR COMMISSIONER; a
Nevada Administrative Agency, and JOHN
BUYACHEK, JR., an individual,

Respondents.

CASE NO. A-19-805612-J
DEPT. NO. 25

**ORDER GRANTING MOTION FOR
RELIEF PURSUANT TO NRCP 60(b)(4)
AND (6), MOTION TO QUASH WRIT OF
EXECUTION, AND OPPOSITION
APPLICATION FOR COMPUTATION OF
JUDGMENT**

The matter of Petitioner Casino Connection International, LLC's Motion for Relief Pursuant to NRCP 60(b)(4) and (6), Motion to Quash Writ of Execution, and Opposition to Application for Computation of Judgment came before the Court for hearing on October 10, 2023, with Eric R. Olsen, Esq. of Garman Turner Gordon LLP appearing on behalf of Casino Connection International, LLC, ("CCI"), Andrea Nichols, Esq. appearing on behalf of Respondent Nevada Labor Commissioner ("NVLC"), and Krista N. Albregts, Esq. of Krista N. Albregts, PLLC, appearing on behalf of Respondent John Buyachek, Jr. ("Buyachek") (collectively the "Respondents").

The Court, having reviewed the pleadings and papers on file herein and the exhibits attached thereto, and having considered the arguments of counsel for the parties, and good cause appearing therefore, HEREBY FINDS, DECIDES, AND ORDER, as follows:

1 THE COURT FINDS AND DECIDES that this action consists solely of a petition
2 brought by CCI for judicial review of the Findings of Fact, Conclusions of Law and Order
3 entered by a hearing officer for the Nevada Labor Commissioner's Office, on October 18, 2019,
4 and as Mr. Buyachek did not appear in this action, it does not include a claim for damages by
5 Respondent Mr. Buyachek.

6 THE COURT FURTHER FINDS AND DECIDES the Order Denying Casino
7 Connection International, LLC's Petition for Judicial Review, or in the Alternative, Petition for
8 Writ of Mandamus and/or Prohibition, entered February 20, 2021 (Notice of Entry February 23.
9 2021), is the only judgment entered by this Court.

10 THE COURT FURTHER FINDS AND DECIDES that, while it entered the judgment
11 denying the petition for judicial review, it did not enter a money judgment in favor of
12 Respondent Mr. Buyachek, in this case.

13 THE COURT FURTHER FINDS AND DECIDES that because this Court did not enter a
14 money judgment in favor of Respondent Mr. Buyachek, in this case, he cannot enforce a money
15 judgment in this case, whether by the Writ of Execution submitted to the district court clerk, by
16 the Application for Computation of Judgment lodged with this Court, or by any other process.

17 THE COURT FURTHER FINDS AND DECIDES that it did not view the request for
18 attorney's fees made by Petitioner as a separate motion for sanctions and, furthermore, that the
19 Court does not find sufficient grounds to award attorney fees or costs.

20 GOOD CAUSE APPEARING THEREFORE,

21 IT IS HEREBY ORDERED that Petitioner's Motion for Relief Pursuant to NRC
22 60(b)(4) and (b)(6) is GRANTED and the Notice of Entry of Judgement and Order, filed July
23 18, 2023, shall be stricken pursuant to those sections;

24 IT IS FURTHER HEREBY ORDERED that the Motion to Quash Writ of Execution is
25 GRANTED, and the Writ of Execution QUASHED.

26 ///

27 ///

28 ///

1 IT IS FURTHER HEREBY ORDERED that the Ex Parte Application for Computation is
2 DENIED.

3 IT IS FURTHER HEREBY ORDERED that the request in Petitioner's motion for an
4 award of attorney fees and costs is DENIED.

5 Dated this 1st day of November, 2023

6 
7

DISTRICT COURT JUDGE

8 800 F0B 8D9C E449
Kathleen E. Delaney
District Court Judge

9 Respectfully Submitted by:

10 GARMAN TURNER GORDON LLP

11 /s/ Eric R. Olsen

12 ERIC R. OLSEN
Nevada Bar No. 3127
7251 Amigo St., Suite 210
13 Las Vegas, Nevada 89119
Attorneys for Petitioner

14
15
16 **REVIEWED AND APPROVED AS TO
CONTENT AND FORM**

17
18 *Disapproved*

19 KRISTA N. ALBREGTS, PLLC
Nevada Bar No. 13301
20 5940 South Rainbow Blvd., # 715
Las Vegas, Nevada 89118
21 Attorneys for Respondent John Buyachek, Jr.

16 **REVIEWED AND APPROVED AS TO
CONTENT AND FORM**

17
18 /s/ Andrea Nichols

19 AARON D. FORD
ANDREA NICHOLS
20 Nevada Bar No. 6436
Office of the Attorney General
100 North Carson St
21 Carson City, NV 89701-4717

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25 4887-8151-5400, v. 1
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27
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Catherine Wrangham

From: Andrea H. Nichols <ANichols@ag.nv.gov>
Sent: Thursday, October 26, 2023 9:39 AM
To: Catherine Wrangham
Cc: Eric Olsen
Subject: RE: CCI/Buyachek - Order Granting Motion for Relief

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Thank you Ms. Wrangham. Please allow this to confirm that you may use my e-signature.

Sincerely,

Andrea Nichols,
Senior Deputy Attorney General

From: Catherine Wrangham <cwrangham@Gtg.legal>
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Hello Ms. Nichols,

Your changes were accepted. Can you please respond with authorization to use your e-signature so that I may submit to chambers?

Thanks!

Catherine M. Wrangham

Legal Assistant

P 725 777 3000 | F 725 777 3112

GARMAN | TURNER | GORDON

7251 AMIGO STREET, SUITE 210
LAS VEGAS, NV 89119

[website](#) | [vCard](#) | [map](#) | [email](#)



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Senior Deputy Attorney General
Office of the Attorney General
100 N. Carson Street
Carson City, NV 89701-4717
Telephone: (775) 684-1218



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Thanks so much,

Krista N. Albregts, Esq.

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contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this email in error please notify the sender by reply email and destroy the original transmission and its attachments without reading or saving them in any manner.

From: Catherine Wrangham <cwrangham@Gtg.legal>

Date: Monday, October 16, 2023 at 3:53 PM

To: Krista Albregts <kalbregts@albregtslaw.com>, Andrea H. Nichols <ANichols@ag.nv.gov>

Cc: Eric Olsen <eolsen@Gtg.legal>

Subject: CCI/Buyachek - Order Granting Motion for Relief

Attached please find the ORDER GRANTING MOTION FOR RELIEF PURSUANT TO NRCP 60(b)(4) AND (6), MOTION TO QUASH WRIT OF EXECUTION, AND OPPOSITION APPLICATION FOR COMPUTATION OF JUDGMENT. Please review the order and if it is approved as to form and content, please email us your authorization to use your e-signatures so that we can submit to chambers. Thank you!

Catherine M. Wrangham

Legal Assistant

P 725 777 3000 | F 725 777 3112

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[website](#) | [vCard](#) | [map](#) | [email](#)



1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Casino Connection International
LLC, Petitioner(s)

CASE NO: A-19-805612-J

7 vs.

DEPT. NO. Department 25

8
9 Nevada Labor Commissioner,
Respondent(s)

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

15 Service Date: 11/1/2023

16 Eric Olsen

eolsen@gtg.legal

17 Andrea Nichols

anichols@ag.nv.gov

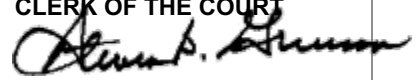
18 Krista Albregts

kalbregts@albregtslaw.com

19 Catherine Wrangham

cwrangham@gtg.legal

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NEO
GARMAN TURNER GORDON LLP
ERIC R. OLSEN
Nevada Bar No. 3127
Email: eolsen@gtg.legal
7251 Amigo St., Suite 210
Las Vegas, Nevada 89119
Tel: (725) 777-3000
Fax: (725) 777-3112

*Attorneys for Casino Connections
International, LLC*

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA**

CASINO CONNECTION INTERNATIONAL,
LLC., a Georgia limited liability company,

Petitioner,

v.

NEVADA LABOR COMMISSIONER; a
Nevada Administrative Agency, and JOHN
BUYACHEK, JR., an individual,

Respondents.

CASE NO. A-19-805612-J
DEPT. NO. 25

**NOTICE OF ENTRY OF ORDER
GRANTING MOTION FOR RELIEF
PURSUANT TO NRCP 60(b)(4) AND (6),
MOTION TO QUASH WRIT OF
EXECUTION, AND OPPOSITION TO
APPLICATION FOR COMPUTATION OF
JUDGMENT**

PLEASE TAKE NOTICE that the ORDER GRANTING PETITIONER'S MOTION FOR RELIEF PURSUANT TO NRCP 60(B)(B) AND (6), MOTION TO QUASH WRIT OF EXECUTION AND OPPOSITION TO APPLICATION FOR COMPUTATION OF JUDGMENT HEARING, a copy of which is attached hereto, was entered in the above-captioned case on the 1st day of November 2023.

DATED this 1st day of November 2023.

GARMAN TURNER GORDON LLP

/s/Eric R. Olsen

ERIC R. OLSEN
NV Bar No. 3127
7251 Amigo St., Suite 210
Las Vegas, Nevada 89119

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CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of November 2023, the foregoing **NOTICE OF ENTRY OF ORDER GRANTING MOTION FOR RELIEF PURSUANT TO NRCP 60(b)(4) AND (6), MOTION TO QUASH WRIT OF EXECUTION, AND OPPOSITION TO APPLICATION FOR COMPUTATION OF JUDGMENT** was submitted electronically for filing and/or service.

Brett K. Harris
Office of the Labor Commissioner - State of Nevada
3300 W. Sahara Ave., Suite 225
Las Vegas, NV 89102
tballard@labor.nv.gov

Kalbregts@albregtslaw.com
KRISTA N. ALBREGTS, PLLC
5940 South Rainbow Blvd., # 715
Las Vegas, Nevada 89118
Telephone: (725) 577-2966
Attorneys for Respondent John Buyachek, Jr

Aaron D. Ford
Andrea Nichols
Office of the Attorney General
100 North Carson St
Carson City, NV 89701-4717

/s/ CM Wrangham

An employee of GARMAN TURNER GORDON

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4887-8151-5400, v. 1

OGM
GARMAN TURNER GORDON LLP
ERIC R. OLSEN
Nevada Bar No. 3127
Email: eolsen@gtg.legal
7251 Amigo St., Suite 210
Las Vegas, Nevada 89119
Tel: (725) 777-3000
Fax: (725) 777-3112

*Attorneys for Casino Connections
International, LLC*

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA**

CASINO CONNECTION INTERNATIONAL,
LLC., a Georgia limited liability company,

Petitioner,

v.

NEVADA LABOR COMMISSIONER; a
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BUYACHEK, JR., an individual,

Respondents.

CASE NO. A-19-805612-J
DEPT. NO. 25

**ORDER GRANTING MOTION FOR
RELIEF PURSUANT TO NRCP 60(b)(4)
AND (6), MOTION TO QUASH WRIT OF
EXECUTION, AND OPPOSITION
APPLICATION FOR COMPUTATION OF
JUDGMENT**

The matter of Petitioner Casino Connection International, LLC's Motion for Relief Pursuant to NRCP 60(b)(4) and (6), Motion to Quash Writ of Execution, and Opposition to Application for Computation of Judgment came before the Court for hearing on October 10, 2023, with Eric R. Olsen, Esq. of Garman Turner Gordon LLP appearing on behalf of Casino Connection International, LLC, ("CCI"), Andrea Nichols, Esq. appearing on behalf of Respondent Nevada Labor Commissioner ("NVLC"), and Krista N. Albregts, Esq. of Krista N. Albregts, PLLC, appearing on behalf of Respondent John Buyachek, Jr. ("Buyachek") (collectively the "Respondents").

The Court, having reviewed the pleadings and papers on file herein and the exhibits attached thereto, and having considered the arguments of counsel for the parties, and good cause appearing therefore, HEREBY FINDS, DECIDES, AND ORDER, as follows:

1 THE COURT FINDS AND DECIDES that this action consists solely of a petition
2 brought by CCI for judicial review of the Findings of Fact, Conclusions of Law and Order
3 entered by a hearing officer for the Nevada Labor Commissioner's Office, on October 18, 2019,
4 and as Mr. Buyachek did not appear in this action, it does not include a claim for damages by
5 Respondent Mr. Buyachek.

6 THE COURT FURTHER FINDS AND DECIDES the Order Denying Casino
7 Connection International, LLC's Petition for Judicial Review, or in the Alternative, Petition for
8 Writ of Mandamus and/or Prohibition, entered February 20, 2021 (Notice of Entry February 23.
9 2021), is the only judgment entered by this Court.

10 THE COURT FURTHER FINDS AND DECIDES that, while it entered the judgment
11 denying the petition for judicial review, it did not enter a money judgment in favor of
12 Respondent Mr. Buyachek, in this case.

13 THE COURT FURTHER FINDS AND DECIDES that because this Court did not enter a
14 money judgment in favor of Respondent Mr. Buyachek, in this case, he cannot enforce a money
15 judgment in this case, whether by the Writ of Execution submitted to the district court clerk, by
16 the Application for Computation of Judgment lodged with this Court, or by any other process.

17 THE COURT FURTHER FINDS AND DECIDES that it did not view the request for
18 attorney's fees made by Petitioner as a separate motion for sanctions and, furthermore, that the
19 Court does not find sufficient grounds to award attorney fees or costs.

20 GOOD CAUSE APPEARING THEREFORE,

21 IT IS HEREBY ORDERED that Petitioner's Motion for Relief Pursuant to NRC
22 60(b)(4) and (b)(6) is GRANTED and the Notice of Entry of Judgement and Order, filed July
23 18, 2023, shall be stricken pursuant to those sections;

24 IT IS FURTHER HEREBY ORDERED that the Motion to Quash Writ of Execution is
25 GRANTED, and the Writ of Execution QUASHED.

26 ///

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28 ///

1 IT IS FURTHER HEREBY ORDERED that the Ex Parte Application for Computation is
2 DENIED.

3 IT IS FURTHER HEREBY ORDERED that the request in Petitioner's motion for an
4 award of attorney fees and costs is DENIED.

Dated this 1st day of November, 2023



DISTRICT COURT JUDGE

800 F0B 8D9C E449
Kathleen E. Delaney
District Court Judge

Respectfully Submitted by:

GARMAN TURNER GORDON LLP

/s/ Eric R. Olsen

ERIC R. OLSEN
Nevada Bar No. 3127
7251 Amigo St., Suite 210
Las Vegas, Nevada 89119
Attorneys for Petitioner

REVIEWED AND APPROVED AS TO
CONTENT AND FORM

Disapproved

KRISTA N. ALBREGTS, PLLC
Nevada Bar No. 13301
5940 South Rainbow Blvd., # 715
Las Vegas, Nevada 89118
Attorneys for Respondent John Buyachek, Jr.

REVIEWED AND APPROVED AS TO
CONTENT AND FORM

/s/ Andrea Nichols

AARON D. FORD
ANDREA NICHOLS
Nevada Bar No. 6436
Office of the Attorney General
100 North Carson St
Carson City, NV 89701-4717

4887-8151-5400, v. 1

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Legal Assistant

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Legal Assistant

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[website](#) | [vCard](#) | [map](#) | [email](#)



1 **CSERV**

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3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 Casino Connection International
7 LLC, Petitioner(s)

CASE NO: A-19-805612-J

8 vs.

DEPT. NO. Department 25

9 Nevada Labor Commissioner,
10 Respondent(s)

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anichols@ag.nv.gov

18 Krista Albregts

kalbregts@albregtslaw.com

19 Catherine Wrangham

cwrangham@gtg.legal

20

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Judicial Review/Appeal

COURT MINUTES

February 11, 2020

A-19-805612-J	Casino Connection International LLC, Petitioner(s) vs. Nevada Labor Commissioner, Respondent(s)
---------------	---

February 11, 2020 9:00 AM All Pending Motions

HEARD BY: Delaney, Kathleen E. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Dana J. Tavaglione

PARTIES

PRESENT:	Nichols, Andrea H. Olsen, Eric R.	Attorney Attorney
-----------------	--------------------------------------	----------------------

JOURNAL ENTRIES

- NEVADA LABOR COMMISSIONER'S MOTION TO DISMISS...OPPOSITION TO RESPONDENT, NEVADA COMMISSIONER'S MOTION TO DISMISS PETITIONER'S PETITION FOR JUDICIAL REVIEW, ETC. AND COUNTER-MOTION TO EXTEND TIME FOR SERVICE

Extensive argument regarding service upon the Attorney General's Office and Labor Commission; who should be served, if an email to Labor Commission constitutes service, the diligence of the parties, and the Saavedra- Sandoval v. Walmart and Scrimmer v. District Court decisions and what constitutes good cause. Ms. Nichols argued inadvertence is not a good argument for good cause. In order to obtain jurisdiction over the person, the person must be served. She could not find any reference that an email communication is proper service on a party. Mr. Olsen argued the best way address the status of this now is for him to request Court extend the service time. Adding, there is no prejudice to the Labor Commission, this has not set them back in any way.

COURT FINDS Nevada Labor Commissioner's Motion to Dismiss should be GRANTED, and ORDERED, Counter to Extend Service GRANTED to allow time for service. COURT DETERMINES

there was not proper service and the Labor Commission is not properly in the case based upon the service that was undertaken. COURT STATED FINDINGS; the applicable Saavedra-Sandoval factors have met to show a basis for the delay, the applicable Scrimmer factors have been shown to show why there is good cause to serve. COURT will give LEAVE for an ADDITIONAL THIRTY (30) DAYS to serve. To avoid added complications, COURT CLARIFIED, even though Court believes there is a factual basis to believe service was improper upon the Labor Commission, and that could serve as a basis to GRANT the Motion to Dismiss, COURT FURTHER ORDERS, Motion to Dismiss, DENIED in lieu of GRANTING the Motion to Extend Time for Service to ensure the Labor Commission is properly served and properly in the case, can respond, and address the case upon its merits.

Mr. Olsen is to prepare the Order, provide a copy to opposing counsel for review as to form and content, and return it back to the Court within 10 days of today's hearing.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Judicial Review/Appeal

COURT MINUTES

May 05, 2020

A-19-805612-J Casino Connection International LLC,
Petitioner(s)
vs.
Nevada Labor Commissioner,
Respondent(s)

May 05, 2020 9:00 AM All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Bill Nelson

PARTIES

PRESENT: Nichols, Andrea H. Attorney
Olsen, Eric R. Attorney

JOURNAL ENTRIES

- NEVADA LABOR COMMISSIONER'S MOTION TO RENEW MOTION TO DISMISS...OPPOSITION TO RESPONDENT, NEVADA LABOR COMMISSIONER'S MOTION TO RENEW MOTION TO DISMISS PETITIONER'S PETITION FOR JUDICIAL REVIEW, ETC, AND COUNTERMOTION FOR EXTENSION OF TIME TO SERVE PETITION FOR JUDICIAL REVIEW

Counsel appeared telephonically.

Ms. Nichols argued the Petitioner was given an extension to serve until 03/27/20, prior to that date they served respondent with a copy of the Court's Order. Petitioner attempted service again 04/13/20; that was past the original extension. COURT NOTED, due to the current Covid-19 pandemic there have been issues contacting government offices. Ms. Nichols argued service was not attempted until after the deadline passed. If Court is inclined to grant the Counter Motion for Extension of Time to Serve Petition, Mr. Olsen can contact her and she will make arrangements for service. Mr. Olsen argued he appreciates the Attorney General's offer to speak with him now to accommodate service, at the time he did not anticipate that would be the case. His process server had

directions regarding service that would have made this just as impractical in March as it would have been in April. Additional arguments by counsel regarding the delay in service and if there is any prejudice.

COURT STATED FINDINGS, and ORDERED, MOTION GRANTED IN PART / DENIED IN PART. Motion to Dismiss DENIED; Countermotion for Extension of Time to Serve, GRANTED. Petitioner has until 05/15/20 to serve Respondent, that is an ADDITIONAL TEN (10) days. Court trusts counsel will communicate. Proper service is to be accomplished within that 10 days time frame. Mr. Olsen is to prepare the Order, provide a copy to opposing counsel for review as to form and content, and return it back to the Court within 10 days. Colloquy regarding how counsel should communicate. Ms. Nichols requested it be by email.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Judicial Review/Appeal

COURT MINUTES

August 25, 2020

A-19-805612-J Casino Connection International LLC,
Petitioner(s)
vs.
Nevada Labor Commissioner,
Respondent(s)

August 25, 2020 9:00 AM Motion to Dismiss

HEARD BY: Delaney, Kathleen E. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Due to the unexpected unavailability of the Court, matter CONTINUED.

CONTINUED TO: 09/01.20 9:00 A.M.

CLERK'S NOTE: A copy of this minute order was electronically served upon all registered parties.
/sb 08.25.20

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Judicial Review/Appeal

COURT MINUTES

September 01, 2020

A-19-805612-J Casino Connection International LLC,
Petitioner(s)
vs.
Nevada Labor Commissioner,
Respondent(s)

September 01, 2020 9:00 AM Motion to Dismiss

HEARD BY: Delaney, Kathleen E. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Bill Nelson

PARTIES

PRESENT: Nichols, Andrea H. Attorney
 Olsen, Eric R. Attorney

JOURNAL ENTRIES

- Counsel appeared telephonically.

With Court unable to reach Mr Olsen telephonically, MATTER TRAILED.

MATTER RECALLED, Mr. Olsen now present. All other parties present as before. Mr. Olsen stated the Transcript of Proceedings was filed this morning. Ms. Nichols argued noting the extensions previously granted to Mr. Olsen. Ms. Nichols asked Mr Olsen comply with the requirements of the Administrative Procedures Act. Failure to comply constitutes grounds for dismissal of this action. Mr. Olsen argued he anticipated having the transcript and record filed. He could not locate the disc, he is sure it was received; there is a receipt. He has not had staff in his office during the Covid-19 pandemic. Mr. Olsen stated he has never been able to locate the original disc. Mr. Olsen asked Court allow the filing of the transcript today be acceptable. Mr. Olsen asked the Court to strike the Order that was attached in the Reply, it is an Order from another Court.

Additional arguments by counsel regarding whether the delays should have some adverse

consequence. COURT STATED FINDINGS; Court will ALLOW the matter to proceed on the merits. ADDITIONALLY, Court will go ahead and EXTEND the time for filing of the Transcript to be inclusive through today's date with there being good cause for that late filing. Court DECLINES to strike the Order that was attached to the Reply. Mr. Olsen is to prepare the Order, provide a copy to opposing counsel for review as to form and content, and return it back to the Court within 10 days. Following colloquy regarding scheduling, COURT FURTHER ORDERED, a Briefing Schedule SET. Ms. Nichols to provide the remainder of the record, DUE BY 09/22/20. Petitioner's Opening Brief DUE 11/01/20, Respondent's Answering Brief DUE 12/02/20, Petitioner's Final Reply DUE 01/04/21; a Hearing SET

01.12.21 9:00 .A.M. HEARING

January 11, 2021

Minutes Date: February 11, 2020

To connect for an audio-only appearance, dial the telephone number below, then enter the Meeting ID number, followed by the # sign:

Call-in number: 1-408-419-1715

Meeting ID number: 633737743

Again, until further notice, the Meeting ID number for all DC 25 Civil Calendars will be the same.

Finally, PLEASE NOTE the following protocol each participant will be required to follow:

Place your telephone on mute while waiting for your matter to be called.

Do not place the conference on hold, as it may play wait/hold music.

Identify yourself before speaking each time, as a record is being made.

Please be mindful of ambient noises, e.g. rustling papers.

[CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users in this case through the Eighth Judicial District Court Electronic Filing System.] aw

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Judicial Review/Appeal

COURT MINUTES

January 12, 2021

A-19-805612-J Casino Connection International LLC,
Petitioner(s)
vs.
Nevada Labor Commissioner,
Respondent(s)

January 12, 2021 9:00 AM Hearing

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15B

COURT CLERK: April Watkins

RECORDER:

REPORTER: Bill Nelson

PARTIES

PRESENT: Nichols, Andrea H. Attorney
Olsen, Eric R. Attorney

JOURNAL ENTRIES

- Mr. Olsen argued Casino Connection International, LLC (CCI) would like the Court to vacate award and instruct Labor Commissioner to take no further action as to this claimant. Alternatively, if the Court finds the claimant, Mr. Buyachek, met his burden of proving his entitlement to commission based on substantial evidence, CCI would request the Court reduce rate of commission from 12.5% to 7.5% which accounts for this 5% management fee issue, the fee that is in the agreement that he entered into. Further, CCI's position is that the Labor Commission hearing officer incorrectly put the burden of proof at the hearing on the respondent employer as opposed to the objecting party, Mr. Buyachek, he is the one who requested the hearing by objecting to the determination of the Labor Commission investigator. The determination under the regulation comes down to this, when does the commission become payable pursuant to the agreement. As to the burden issue, it is CCI's position that the hearing officer disregarded the law and put the burden on CCI of proving Mr. Buyachek was not entitled to a 12.5% commission instead of putting it on Mr. Buyachek to prove that he was entitled. The Labor Commission in their brief admits it is difficult to prove a negative and they of course say that the burden does not matter because the determination was based upon the agreement he, Mr. Buyachek, had completed the sale just by getting an advertiser to sign. At the

hearing Mr. Buyachek was not required to bear that burden, he did not do it and he said that he agreed to what was on paper but putting the burden on CCI instead of him was in error under the regulations and procedures. Court inquired if there is an agreement being relied upon by the Commissioner why would that agreement on its face be controlling and why wouldn't the burden then shift to whoever is disputing agreement. Mr. Olsen stated there is no argument by the Attorney General that burden shifted and we said the burden began and ended being placed on CCI. The Hearing Officer stated if you look at the agreement there is no stated date in the agreement when commissions were due and there is no definition of sale. The decision essentially takes positions on those things even though they are not in the evidence. The award says the agreement is silent as to the triggering event for Mr. Buyachek to be paid. The Commissioner went past that ambiguity and disregarded evidence that defines sale. Further, the 14 steps of a sale that provided that definition are not in agreement and Mr. Buyachek admitted himself that there are certain things that he was expected to do as a sales person to complete the process. Nine of the steps follow the signing of the ad agreement and the hearing officer concluded, sales person may or may not have performed some additional duties that are not in the record. Mr. Buyachek acknowledged post contract steps four through 10 were required of him. Once Mr. Buyachek left company, who could not complete those steps. The Hearing Officer acknowledge the 5% existed but failed to include in part of the order reducing the commissions to 7.5%. Both the award itself and briefs of the Labor Commission acknowledge that the employment agreement contains language Mr. Buyachek would receive 5% to manage sales of his predecessor that puts a value on completing the steps four through twelve. It is undisputed Mr. Buyachek received 5% to manage the contracts of his predecessor. It is undisputed that CCI paid 5% on Mr. Buyachek's ad contracts to its successor. Additionally, there is no evidence that CCI on accounts that were under contract with Mr. Buyachek when he left was going to pay 17.5%, 12.5 % to Mr. Buyachek and 5% to successor. There is no evidence in the contract that Mr. Buyachek was entitled to commissions after the sale and to the extent that he is entitled to anything, it has to be discounted by the 5% that was paid to others to complete sales and manage contracts to the end. Mr. Buyachek did not argue at the hearing for 7.5% and the award should be vacated and in the alternative, if the Court is going to account for that, then the award should be remanded with instructions accordingly or the Court has the authority to reduce the commission to 7.5% on the total. Court inquired would Mr. Buyachek still be entitled some commission whether or not you completed all the 14 steps of the cycle. Mr. Olsen stated sale is not defined an agreement and the hearing officer assumed it meant just getting a contract signed to place the ad. If you are looking at the agreement to define that, there is no definition. The evidence with regard to what the definition is, was provided. Ms. Nichols stated looking at the agreement as to commissions, it says 12.5% commissions will be paid on any new sales made and commissions are paid on collected net revenue the month following the collections. CCI continued to receive revenue monthly and they had an agreement with Mr. Buyachek that he would receive 12.5% commission. As to the 5%, Ms. Nichols stated just because Mr. Buyachek received a 5% commission on existing sales he was managing does not equate to his predecessor got a reduction of 5%. In fact, his predecessor received his 12.5% commission until he left. Mr. Buyachek received 5% on whatever he managed and the person that came in after him, received 5% for managing the accounts. There is no evidence that the 12.5% gets reduced by 5%. As to the burden of proof, Ms. Nichols stated Mr. Buyachek filed wage claim for unpaid commissions and CCI only produced documentation for May and June of 2018. The Labor Commissioner could

only issue a determination for May and June of 2018, and Mr. Buyachek stated he should of been paid through October of 2018. It was not until a year after the wage claim, when they were preparing for the hearing, CCI actually produced documents showing the revenues received on Mr. Buyachek's sales from May to October and that is why Mr. Buyachek appealed the original determination. Further, Ms. Nichols stated the issue that the Court should focus on is the payment of the commissions. Mr. Buyachek met his burden of proof showing that he had an agreement showing he was entitled to 12.5% on new sales and that he would get it when CCI collected it. Additionally, Mr. Buyachek testified there were other things he did for the company that he did not get paid for. Colloquy regarding statutes and regulations. Additional arguments by counsel. Looking at the totality of the circumstances, COURT ORDERED, hearing officer's decision AFFIRMED. It appears Mr. Buyachek did met burden that he was entitled to the amounts and at what amount. Further, the Court does not see justification, does not think burden has been met to show to this Court that what the hearing officer looked at and considered, even if the hearing officer shifted burden that in hindsight maybe should not of been shifted, the Court FINDS the hearing officer's decision is sound and ORDERED, petition DENIED. Ms. Nichols to prepare findings of fact and conclusions of law. Mr. Olsen to review and order to be submitted within 14 days to the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Judicial Review/Appeal

COURT MINUTES

October 10, 2023

A-19-805612-J Casino Connection International LLC,
Petitioner(s)
vs.
Nevada Labor Commissioner,
Respondent(s)

October 10, 2023	9:00 AM	Motion for Relief	Motion for Relief Pursuant to NRCP 60(b)(4) and (6), Motion to Quash Writ of Execution, and Opposition to Application for Computation of Judgment
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HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15B

COURT CLERK: April Watkins

RECORDER: Velvet Wood

REPORTER:

PARTIES

PRESENT:	Buyachek, John, Jr.	Respondent
	Nichols, Andrea H.	Attorney
	Olsen, Eric R.	Attorney

JOURNAL ENTRIES

- Following arguments by counsel, Court stated findings and ORDERED, motion GRANTED; writ QUASHED and the Court will not allow pursuance of the Application for Computation of Judgment. Decision was a judgment and not a monetary judgment. Mr. Olsen to prepare the order, Ms. Nichols to review and order to be submitted within 14 days.

Ms. Nichols stated counsel is seeking sanctions and counsel does not want that in the order. Mr.

PRINT DATE: 12/05/2023

Page 13 of 14

Minutes Date: February 11, 2020

Olsen stated counsel is not seeking sanctions against counsel. COURT ORDERED, request for sanctions DENIED.



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

KRISTA N. ALBREGTS, ESQ.
5940 S. RAINBOW BLVD., #715
LAS VEGAS, NV 89118

DATE: December 5, 2023
CASE: A-19-805612-J

RE CASE: CASINO CONNECTION INTERNATIONAL, LLC vs. NEVADA LABOR COMMISSIONER; JOHN BUYACHEK, JR.

NOTICE OF APPEAL FILED: December 1, 2023

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)**
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)**
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
 - *Previously paid Bonds are not transferable between appeals without an order of the District Court.*
- ☐ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (g) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

*****Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.***

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER GRANTING MOTION FOR RELIEF PURSUANT TO NRCP 60(b)(4) AND (6), MOTION TO QUASH WRIT OF EXECUTION, AND OPPOSITION APPLICATION FOR COMPUTATION OF JUDGMENT; NOTICE OF ENTRY OF ORDER GRANTING MOTION FOR RELIEF PURSUANT TO NRCP 60(b)(4) AND (6), MOTION TO QUASH WRIT OF EXECUTION, AND OPPOSITION TO APPLICATION FOR COMPUTATION OF JUDGMENT; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

CASINO CONNECTION INTERNATIONAL,
LLC,

Plaintiff(s),

vs.

NEVADA LABOR COMMISSIONER; JOHN
BUYACHEK, JR.,

Defendant(s),

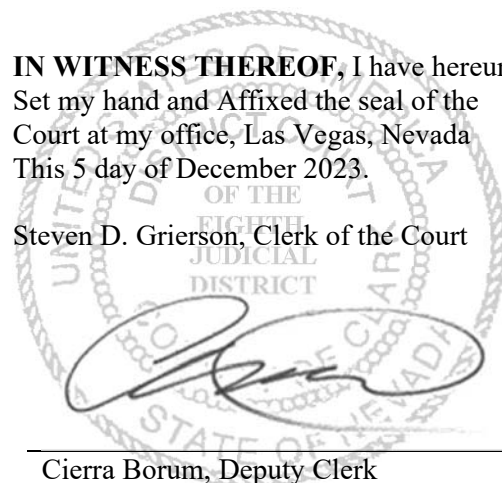
Case No: A-19-805612-J

Dept No: XXV

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 5 day of December 2023.

Steven D. Grierson, Clerk of the Court



Cierra Borum, Deputy Clerk