Electronically Filed
Dec 27 2018 03:16 p.m.
Elizabeth A. Brown
Clerk of Supreme Court**Marquis Aurbach Coffing**Micah S. Echols, Esq.
Nevada Bar No. 8437
Tom W. Stewart, Esq.
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mechols@maclaw.com
tstewart@maclaw.com**Richard Harris Law Firm**Benjamin P. Cloward, Esq.
Nevada Bar No. 11087
Bryan A. Boyack, Esq.
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Telephone: (702) 444-4444
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Benjamin@RichardHarrisLaw.com
Bryan@RichardHarrisLaw.com*Attorneys for Plaintiff, Aaron Morgan***DISTRICT COURT****CLARK COUNTY, NEVADA**

AARON M. MORGAN, individually,

Plaintiff,

vs.

Case No.: A-15-718679-C

Dept. No.: XI

DAVID E. LUJAN, individually; HARVEST
MANAGEMENT SUB LLC; a Foreign Limited-
Liability Company; DOES 1 through 20; ROE
BUSINESS ENTITIES 1 through 20, inclusive
jointly and severally,

Defendants.

NOTICE OF APPEALPlaintiff, Aaron M. Morgan, by and through his attorneys of record, Marquis Aurbach
Coffing and the Richard Harris Law Firm, hereby appeals to the Supreme Court of Nevada from:
(1) the Order Denying Plaintiff's Motion for Entry of Judgment, which was filed on

1 November 28, 2018 and is attached as **Exhibit 1**; and (2) the Judgment Upon the Jury Verdict,
2 which was filed on December 17, 2018 and is attached as **Exhibit 2**.

3 Dated this 18th day of December, 2018.

4
5 MARQUIS AURBACH COFFING

6
7 By /s/ Micah S. Echols
8 Micah S. Echols, Esq.
9 Nevada Bar No. 8437
10 Tom W. Stewart, Esq.
11 Nevada Bar No. 14280
12 10001 Park Run Drive
13 Las Vegas, Nevada 89145
14 *Attorneys for Plaintiff, Aaron Morgan*
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **NOTICE OF APPEAL** was submitted electronically for filing and/or service with the Eighth Judicial District Court on the 18th day of December, 2018. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:¹

Andrea M. Champion	achampion@baileykennedy.com
Joshua P. Gilmore	jgilmore@baileykennedy.com
Sarah E. Harmon	sharmon@baileykennedy.com
Dennis L. Kennedy	dkennedy@baileykennedy.com
Bailey Kennedy, LLP	bkfederaldownloads@baileykennedy.com
<i>Attorneys for Defendant Harvest Management Sub, LLC</i>	

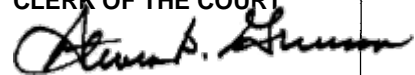
Doug Gardner, Esq.	dgardner@rsglawfirm.com
Douglas R. Rands	drands@rsgnlaw.com
Melanie Lewis	mlewis@rsglawfirm.com
Pauline Batts	pbatts@rsgnlaw.com
Jennifer Meacham	jmeacham@rsglawfirm.com
Lisa Richardson	lrichardson@rsglawfirm.com
<i>Attorneys for Defendant David E. Lujan</i>	

/s/ Leah Dell

Leah Dell, an employee of
Marquis Aurbach Coffing

¹ Pursuant to EDCR 8.05(a), each party who submits an E-Filed document through the E-Filing System consents to electronic service in accordance with NRCP 5(b)(2)(D).

Exhibit 1



ORDR

DENNIS L. KENNEDY

Nevada Bar No. 1462

SARAH E. HARMON

Nevada Bar No. 8106

JOSHUA P. GILMORE

Nevada Bar No. 11576

ANDREA M. CHAMPION

Nevada Bar No. 13461

BAILEY❖KENNEDY

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DKennedy@BaileyKennedy.com

SHarmon@BaileyKennedy.com

JGilmore@BaileyKennedy.com

AChampion@BaileyKennedy.com

Attorneys for Defendant

HARVEST MANAGEMENT SUB LLC

DISTRICT COURT

CLARK COUNTY, NEVADA

AARON M. MORGAN, individually,

Plaintiff,

vs.

DAVID E. LUJAN, individually; HARVEST
MANAGEMENT SUB LLC; a Foreign-Limited-
Liability Company; DOES 1 through 20; ROE
BUSINESS ENTITIES 1 through 20, inclusive
jointly and severally,

Defendants.

Case No. A-15-718679-C

Dept. No. ~~15~~ XI

PLEASE NOTE
DEPT. CHANGE

**ORDER ON PLAINTIFFS' MOTION FOR
ENTRY OF JUDGMENT**

Date of Hearing: November 6, 2018

Time of Hearing: 9:00 A.M.

On November 6, 2018, at 9:00 a.m., the Motion for Entry of Judgment came before the Court. Tom W. Stewart of Marquis Aurbach Coffing P.C. and Bryan A. Boyack of Richard Harris Law Firm appeared on behalf of Plaintiff Aaron Morgan and Dennis L. Kennedy, Sarah E. Harmon, and Andrea M. Champion of Bailey❖Kennedy appeared on behalf of Defendant Harvest Management Sub LLC.

///

1 The Court, having examined the briefs of the parties, the records and documents on file, and
2 having heard argument of counsel, and for good cause appearing,


3 HEREBY ORDERS that the Motion for Entry of Judgment shall be, and hereby is,
4 **DENIED.**

5 DATED this 26 day of November, 2018.

6
7 
8 DISTRICT COURT JUDGE

9 Respectfully submitted by:

10 BAILEY ♦ KENNEDY, LLP

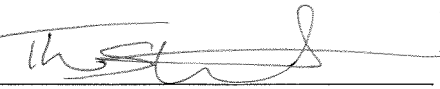
11 By: 

12 DENNIS L. KENNEDY
13 SARAH E. HARMON
14 JOSHUA P. GILMORE
15 ANDREA M. CHAMPION
16 8984 Spanish Ridge Avenue
17 Las Vegas, Nevada 89148

18 *Attorneys for Defendant Harvest Management*
19 *Sub LLC*

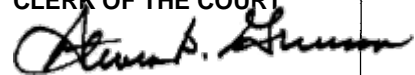
Approved as to form and content by:

MARQUIS AURBACH COFFING P.C.

By: 

20 MICAH S. ECHOLS
21 TOM W. STEWART
22 1001 Park Run Drive
23 Las Vegas, Nevada 89145
24 *Attorneys for Plaintiff Aaron Morgan*

Exhibit 2



ORDR

DENNIS L. KENNEDY

Nevada Bar No. 1462

SARAH E. HARMON

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AChampion@BaileyKennedy.com

Attorneys for Defendant

HARVEST MANAGEMENT SUB LLC

DISTRICT COURT

CLARK COUNTY, NEVADA

AARON M. MORGAN, individually,

Plaintiff,

vs.

DAVID E. LUJAN, individually; HARVEST
MANAGEMENT SUB LLC; a Foreign-Limited-
Liability Company; DOES 1 through 20; ROE
BUSINESS ENTITIES 1 through 20, inclusive
jointly and severally,

Defendants.

Case No. A-15-718679-C

Dept. No. ~~XX~~ XI

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DEPT. CHANGE

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///

1 The Court, having examined the briefs of the parties, the records and documents on file, and
2 having heard argument of counsel, and for good cause appearing,


3 HEREBY ORDERS that the Motion for Entry of Judgment shall be, and hereby is,
4 **DENIED.**

5 DATED this 26 day of November, 2018.

6
7 
8 DISTRICT COURT JUDGE

9 Respectfully submitted by:

10 BAILEY ♦ KENNEDY, LLP

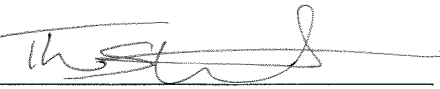
11 By: 

12 DENNIS L. KENNEDY
13 SARAH E. HARMON
14 JOSHUA P. GILMORE
15 ANDREA M. CHAMPION
16 8984 Spanish Ridge Avenue
17 Las Vegas, Nevada 89148

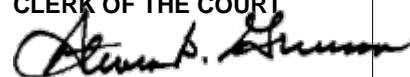
18 *Attorneys for Defendant Harvest Management*
19 *Sub LLC*

Approved as to form and content by:

MARQUIS AURBACH COFFING P.C.

By: 

20 MICAH S. ECHOLS
21 TOM W. STEWART
22 1001 Park Run Drive
23 Las Vegas, Nevada 89145
24 *Attorneys for Plaintiff Aaron Morgan*

**Marquis Aurbach Coffing**Micah S. Echols, Esq.
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tstewart@maclaw.com**Richard Harris Law Firm**Benjamin P. Cloward, Esq.
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Benjamin@RichardHarrisLaw.com
Bryan@RichardHarrisLaw.com*Attorneys for Plaintiff, Aaron Morgan***DISTRICT COURT****CLARK COUNTY, NEVADA**

AARON M. MORGAN, individually,

Plaintiff,

vs.

Case No.: A-15-718679-C

Dept. No.: XI

DAVID E. LUJAN, individually; HARVEST
MANAGEMENT SUB LLC; a Foreign Limited-
Liability Company; DOES 1 through 20; ROE
BUSINESS ENTITIES 1 through 20, inclusive
jointly and severally,

Defendants.

CASE APPEAL STATEMENTPlaintiff, Aaron Morgan, by and through his attorneys of record, Marquis Aurbach
Coffing and the Richard Harris Law Firm, hereby files this Case Appeal Statement.

1. Name of appellant filing this Case Appeal Statement:

Plaintiff, Aaron Morgan.

- 1 2. Identify the Judge issuing the decision, judgment, or order appealed from:
- 2 Honorable Elizabeth Gonzalez.
- 3 3. Identify each appellant and the name and address of counsel for each appellant:
- 4 **Appellant:** Aaron Morgan
- 5 **Marquis Aurbach Coffing**
6 Micah S. Echols, Esq.
7 Tom W. Stewart, Esq.
8 10001 Park Run Drive
9 Las Vegas, Nevada 89145
- 10 **Richard Harris Law Firm**
11 Benjamin P. Cloward, Esq.
12 Bryan A. Boyack, Esq.
13 801 South Fourth Street
14 Las Vegas, Nevada 89101
- 15 4. Identify each respondent and the name and address of appellate counsel, if known,
16 for each respondent (if the name of a respondent's appellate counsel is unknown, indicated as
17 much and provide the name and address of that respondent's trial counsel):
- 18 **Respondent:** David E. Lujan
- 19 **Rands, South & Gardner**
20 Douglas J. Gardner, Esq.
21 1055 Whitney Ranch Drive, Suite 220
22 Henderson, Nevada 89014
- 23 **Respondent:** Harvest Management Sub LLC
- 24 **Bailey Kennedy**
25 Dennis L. Kennedy, Esq.
26 Sarah E. Harmon, Esq.
27 Joshua P. Gilmore, Esq.
28 Andrea M. Champion, Esq.
 8984 Spanish Ridge Avenue
 Las Vegas, Nevada 89148-1302
5. Indicate whether any attorney identified above in response to question 3 or 4 is
not licensed to practice law in Nevada and, if so, whether the district court granted that attorney
permission to appear under SCR 42 (attach a copy of any district court order granting such
permission):
- N/A.

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

Retained.

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

Retained.

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

N/A.

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

The complaint was filed on May 20, 2015.

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

This case arises from an April 1, 2014 motor vehicle crash and the injuries sustained by Plaintiff, Aaron Morgan ("Morgan") in that crash. In his complaint, Morgan alleged three causes of action: (1) negligence against Defendant, David E. Lujan ("Lujan"); (2) negligence per se against Lujan; and (3) vicarious liability/respondent superior against Defendant, Harvest Management Sub LLC ("Harvest Management"). The Defendants jointly answered the complaint and were jointly represented by the same counsel through both trials.

The case initially proceeded to trial in November, 2017. However, on the third day of the initial trial, the Court declared a mistrial based on Defendants' counsel's misconduct. Following the mistrial, the case proceeded to a second trial in April, 2018. Throughout the litigation, all parties were aware that claims for damages were being pursued against both Defendants. Morgan's claim for vicarious liability was not contested during trial. Harvest Management's NRCP 30(b)(6) contested primary liability, but never contested Harvest Management's vicarious liability.

On the final day of trial, the District Court sua sponte created a special verdict form that inadvertently included Lujan as the only Defendant in the caption. The Court informed the parties of this omission, and the Defendants agreed they had no objection. Jury instructions were provided to the jury with the proper caption. The jury used those instructions to fill out the improperly-captioned special verdict form and render judgment in favor of Plaintiff—the jury found Defendants to be negligent and 100% at fault for the accident. As a result, the jury awarded Plaintiff \$2,980,000.

Following trial, Morgan moved the District Court to enter its proposed judgment against both Defendants or to make an explicit finding that the omission of Harvest Management from the special verdict was inadvertent and to render judgment in favor of Morgan against both Defendants, jointly and severally. The Court denied Morgan's motion, leaving the judgment only as to Lujan due to the improperly captioned special verdict form.

The order denying Morgan's motion was filed on November 28, 2018, and the judgment upon jury verdict was filed on December 17, 2018. Morgan now appeals from both the order and the judgment.

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

This case has not been the subject of any prior appeal or original proceeding in the Supreme Court.

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

N/A.

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

Morgan believes that this case does involve the possibility of settlement.

Dated this 18th day of December, 2018.

MARQUIS AURBACH COFFING

By /s/ Micah S. Echols

Micah S. Echols, Esq.

Nevada Bar No. 8437

Tom W. Stewart, Esq.

Nevada Bar No. 14280

10001 Park Run Drive

Las Vegas, Nevada 89145

Attorneys for Plaintiff, Aaron Morgan

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **CASE APPEAL STATEMENT** was submitted electronically for filing and/or service with the Eighth Judicial District Court on the 18th day of December, 2018. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:¹

Andrea M. Champion	achampion@baileykennedy.com
Joshua P. Gilmore	jgilmore@baileykennedy.com
Sarah E. Harmon	sharmon@baileykennedy.com
Dennis L. Kennedy	dkennedy@baileykennedy.com
Bailey Kennedy, LLP	bkfederaldownloads@baileykennedy.com
<i>Attorneys for Defendant Harvest Management Sub, LLC</i>	

Doug Gardner, Esq.	dgardner@rsglawfirm.com
Douglas R. Rands	drands@rsgnlaw.com
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Pauline Batts	pbatts@rsgnlaw.com
Jennifer Meacham	jmeacham@rsglawfirm.com
Lisa Richardson	lrichardson@rsglawfirm.com
<i>Attorneys for Defendant David E. Lujan</i>	

/s/ Leah Dell

Leah Dell, an employee of
Marquis Aurbach Coffing

¹ Pursuant to EDCR 8.05(a), each party who submits an E-Filed document through the E-Filing System consents to electronic service in accordance with NRCP 5(b)(2)(D).

Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

§
§
§
§
§

Location: **Department 11**
 Judicial Officer: **Gonzalez, Elizabeth**
 Filed on: **05/20/2015**
 Case Number History:
 Cross-Reference Case Number: **A718679**

CASE INFORMATION

Statistical Closures
 06/29/2018 Verdict Reached

Case Type: **Negligence - Auto**

Case Status: **06/29/2018 Closed**

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number A-15-718679-C
 Court Department 11
 Date Assigned 07/02/2018
 Judicial Officer Gonzalez, Elizabeth

PARTY INFORMATION





Plaintiff	Morgan, Aaron M	<i>Lead Attorneys</i> Echols, Micah S. <i>Retained</i> 702-382-0711(W)
Defendant	Harvest Management Sub LLC	Kennedy, Dennis L. <i>Retained</i> 7025628820(W)
	Lujan, David E	Gardner, Douglas J, ESQ <i>Retained</i> 702-940-2222(W)




DATE

EVENTS & ORDERS OF THE COURT

INDEX

EVENTS

05/20/2015	 Complaint Filed By: Plaintiff Morgan, Aaron M <i>Complaint</i>
05/20/2015	Case Opened
05/28/2015	 Affidavit of Service Filed By: Plaintiff Morgan, Aaron M <i>Affidavit of Service - Harvest Management Sub LLC</i>
06/01/2015	 Affidavit of Service Filed By: Plaintiff Morgan, Aaron M <i>Affidavit of Service - David E Lujan</i>
06/16/2015	 Initial Appearance Fee Disclosure Filed By: Defendant Lujan, David E <i>Initial Appearance Fee Disclosure (NRS Chapter 19)</i>

06/16/2015	 Demand for Jury Trial Filed By: Defendant Lujan, David E <i>Demand for Jury Trial</i>
06/16/2015	 Answer to Complaint Filed by: Defendant Lujan, David E <i>Defendants' Answer to Plaintiff's Complaint</i>
10/14/2015	 Commissioners Decision on Request for Exemption - Granted <i>Commissioner's Decision on Request for Exemption</i>
12/04/2015	 Arbitration File <i>Arbitration File</i>
12/11/2015	 Arbitration File <i>Arbitration File</i>
12/21/2015	 Joint Case Conference Report Filed By: Plaintiff Morgan, Aaron M <i>Joint case Conference Report</i>
01/21/2016	 Scheduling Order <i>Scheduling Order</i>
02/03/2016	 Order Setting Civil Jury Trial <i>Order Setting Civil Jury Trial</i>
08/30/2016	 Stipulation to Extend Discovery Party: Defendant Lujan, David E <i>Stipulation and Order to Extend Discovery and Continue Trial</i>
09/16/2016	 Order Setting Civil Jury Trial <i>Second Order Setting Civil Jury Trial</i>
02/22/2017	 Pre-Trial Disclosure Party: Plaintiff Morgan, Aaron M <i>Plaintiff's Pre-Trial Disclosures and Objections Pursuant to N.R.C.P. 16.1 (a)(3)</i>
02/23/2017	 Notice Filed By: Plaintiff Morgan, Aaron M <i>Notice of EDCR 2.67 Conference</i>
02/27/2017	 Joint Pre-Trial Memorandum Filed By: Plaintiff Morgan, Aaron M <i>Plaintiff Aaron M. Morgan's and Defendants David E. Lujan and Harvest Management Sub, LLC's Joint Pre-Trial Memorandum</i>
03/06/2017	 Stipulation and Order Filed by: Plaintiff Morgan, Aaron M <i>Stipulation and Order to Exclude Defendant's Biomechanical Expert John Baker, P.E., PH.D.</i>
03/06/2017	 Notice of Entry of Stipulation and Order

	Filed By: Plaintiff Morgan, Aaron M <i>Notice of Entry of Order</i>
03/07/2017	 Order Setting Civil Jury Trial <i>Third Order Setting Civil Jury Trial</i>
03/07/2017	 Notice of Appearance Party: Plaintiff Morgan, Aaron M <i>Notice of Appearance</i>
04/20/2017	 Notice of Association of Counsel Filed By: Defendant Lujan, David E <i>Notice of Association of Counsel</i>
05/10/2017	 Motion for Partial Summary Judgment Filed By: Plaintiff Morgan, Aaron M <i>Plaintiff's Motion for Partial Summary Judgment Regarding Plaintiff's Past Medical Expenses</i>
05/11/2017	 Notice of Hearing Filed By: Plaintiff Morgan, Aaron M <i>Notice of Hearing</i>
06/02/2017	 Opposition Filed By: Defendant Lujan, David E; Defendant Harvest Management Sub LLC <i>Defendant's Opposition to Plaintiff's Motion for Summary Judgment</i>
08/22/2017	 Reporters Transcript <i>Court Reporters transcript of Proceedings - June 13, 2017</i>
08/30/2017	 Order Filed By: Plaintiff Morgan, Aaron M <i>Order Granting Plaintiff's Motion for Partial Summary Judgment Regarding Plaintiff's Past Medical Treatment and Expenss</i>
08/31/2017	 Notice of Entry Filed By: Plaintiff Morgan, Aaron M <i>Notice of Entry of Order</i>
09/25/2017	 Pre-trial Memorandum Filed by: Defendant Harvest Management Sub LLC <i>Defendants David E. Lujan and Harvest Management Sub LLC's Individual Pre-Trial Memorandum</i>
10/31/2017	 Brief Filed By: Plaintiff Morgan, Aaron M <i>Plaintiff's Bench Regarding Demonstrative Exhibits</i>
10/31/2017	 Brief <i>Plaintiff's Bench Regarding the Issue of Jury Selection</i>
11/06/2017	 Jury List
02/08/2018	 Reporters Transcript <i>Court Reporters transcript of Proceedings (Civil) - Jury Trial - Day 1</i>

02/08/2018	 Recorders Transcript of Hearing <i>Day 2 - Jury Trial - Transcript of Proceedings - 1-7-2018</i>
02/08/2018	 Transcript of Proceedings <i>Transcript of Proceedings - July Trial - Day 3</i>
03/07/2018	 Memorandum of Costs and Disbursements Filed By: Plaintiff Morgan, Aaron M <i>Plaintiff's Memorandum of Costs and Disbursements</i>
03/07/2018	 Motion for Attorney Fees and Costs Filed By: Plaintiff Morgan, Aaron M <i>(4/11/2018 Withdrawn) Plaintiff's Motion for Attorney Fees and Costs of Mistrial</i>
03/08/2018	 Pre-Trial Disclosure Party: Plaintiff Morgan, Aaron M <i>Plaintiff's Supplement to Pre-Trial Disclosures and Objections Pursuant to N.R.C.P. 16.1(a) (3)</i>
03/08/2018	 Notice of Hearing Filed By: Plaintiff Morgan, Aaron M <i>Notice of Hearing</i>
03/26/2018	 Opposition Filed By: Defendant Lujan, David E; Defendant Harvest Management Sub LLC <i>Defendant's Opposition to Plaintiff's Motion for Attorney Fees and Costs of Mistrial</i>
03/27/2018	 Motion Filed By: Plaintiff Morgan, Aaron M <i>Plaintiff's Motion to Present a Jury Questionnaire Prior to Voir Dire or In the Alternative for More Liberal Jury Selection on Order Shortening Time</i>
03/27/2018	 Receipt of Copy Filed by: Plaintiff Morgan, Aaron M <i>Receipt of Copy - Plaintiff's Motion to Present a Jury Questionnaire Prior to Voir Dire or In the Alternative for More Liberal Jury Selection on Order Shortening Time</i>
03/30/2018	 Trial Brief Filed By: Plaintiff Morgan, Aaron M <i>Plaintiff's Trial Brief</i>
04/03/2018	 Jury List
04/04/2018	 Reporters Transcript <i>Court Reporters transcript of Proceedings (Civil) - Defense Opening - 4-3-2018</i>
04/09/2018	 Amended Jury List
04/09/2018	 Special Jury Verdict
04/09/2018	 Jury Instructions

04/11/2018	 Notice Filed By: Plaintiff Morgan, Aaron M <i>Notice of Plaintiff's Withdrawal of Motion</i>
04/26/2018	 Substitution of Attorney Filed by: Defendant Harvest Management Sub LLC <i>Substitution of Attorneys</i>
04/26/2018	 Errata Filed By: Defendant Harvest Management Sub LLC <i>Errata to Substitution of Attorneys</i>
05/09/2018	 Reporters Transcript <i>Court Reporters transcript of Proceedings (Civil) 4-2-2018 - Jury Trial</i>
05/09/2018	 Recorders Transcript of Hearing <i>Recorder's Transcript of Jury Trial - 4-3-2018</i>
05/09/2018	 Recorders Transcript of Hearing <i>Recorder's Transcript of Jury Trial - 4-4-2018</i>
05/09/2018	 Reporters Transcript <i>Recorder's Transcript of Jury Trial -4-5-2018</i>
05/09/2018	 Recorders Transcript of Hearing <i>Recorder's Transcript of Jury Trial - 4-6-2018</i>
05/09/2018	 Recorders Transcript of Hearing <i>Recorder's Transcript of Jury Trial - 4-9-2018</i>
06/06/2018	 Stipulation and Order Filed by: Plaintiff Morgan, Aaron M <i>Stipulation and Order To Vacate Hearing on Plaintiff's Motion for Attorney Fees and Cost of Mistrial Filed on March 7, 2018</i>
06/06/2018	 Notice of Entry of Order Filed By: Plaintiff Morgan, Aaron M <i>Notice of Entry of Order</i>
06/29/2018	 Order to Statistically Close Case <i>Civil Order to Statistically Close Case</i>
07/02/2018	Case Reassigned to Department 11 <i>Reassigned From Judge Bell - Dept 7</i>
07/30/2018	 Notice of Appearance Party: Plaintiff Morgan, Aaron M <i>Notice of Appearance</i>
07/30/2018	 Motion for Entry of Judgment Filed By: Plaintiff Morgan, Aaron M <i>Plaintiff's Motion for Entry of Judgment</i>

08/06/2018	 Notice of Change of Hearing <i>Notice of Change of Hearing</i>
08/16/2018	 Appendix Filed By: Defendant Harvest Management Sub LLC <i>Appendix of Exhibits to Defendant Harvest Management Sub LLC's Opposition to Plaintiff's Motion for Entry of Judgment - Volume 1 of 4</i>
08/16/2018	 Appendix Filed By: Defendant Harvest Management Sub LLC <i>Appendix of Exhibits to Defendant Harvest Management Sub LLC's Opposition to Plaintiff's Motion for Entry of Judgment - Volume 2 of 4</i>
08/16/2018	 Appendix Filed By: Defendant Harvest Management Sub LLC <i>Appendix of Exhibits to Defendant Harvest Management Sub LLC's Opposition to Plaintiff's Motion for Entry of Judgment - Volume 3 of 4</i>
08/16/2018	 Appendix Filed By: Defendant Harvest Management Sub LLC <i>Appendix of Exhibits to Defendant Harvest Management Sub LLC's Opposition to Plaintiff's Motion for Entry of Judgment - Volume 4 of 4</i>
08/16/2018	 Opposition Filed By: Defendant Harvest Management Sub LLC <i>Defendant Harvest Management Sub LLC's Opposition to Plaintiff's Motion for Entry of Judgment</i>
09/07/2018	 Reply in Support Filed By: Plaintiff Morgan, Aaron M <i>Plaintiff's Reply in Support of Motion for Entry of Judgment</i>
11/28/2018	 Order Filed By: Defendant Harvest Management Sub LLC <i>Order on Plaintiffs' motion for Entry of Judgment</i>
11/28/2018	 Notice of Entry of Order Filed By: Defendant Harvest Management Sub LLC <i>Notice of Entry of Order on Plaintiff's Motion for Entry of Judgment</i>
12/17/2018	 Judgment on Jury Verdict Filed By: Plaintiff Morgan, Aaron M <i>Judgment Upon the Jury Verdict</i>
12/18/2018	 Memorandum of Costs and Disbursements Filed By: Plaintiff Morgan, Aaron M <i>Plaintiff's Verified Memorandum of Costs</i>
12/18/2018	 Notice of Appeal Filed By: Plaintiff Morgan, Aaron M <i>Notice of Appeal</i>
12/18/2018	 Case Appeal Statement Filed By: Plaintiff Morgan, Aaron M

Case Appeal Statement

12/20/2018

**Objection**

Filed By: Defendant Harvest Management Sub LLC
Defendant Harvest Management Sub LLC's Limited Objection to Plaintiff's Verified Memorandum of Costs

DISPOSITIONS

08/30/2017

Partial Summary Judgment (Judicial Officer: Bell, Linda Marie)

Debtors: David E Lujan (Defendant), Harvest Management Sub LLC (Defendant)

Creditors: Aaron M Morgan (Plaintiff)

Judgment: 08/30/2017, Docketed: 08/31/2017

04/09/2018

Verdict (Judicial Officer: Gonzalez, Elizabeth)

Debtors: David E Lujan (Defendant)

Creditors: Aaron M Morgan (Plaintiff)

Judgment: 04/09/2018, Docketed: 12/17/2018

Total Judgment: 298,980.00

12/17/2018

Judgment Upon the Verdict (Judicial Officer: Gonzalez, Elizabeth)

Debtors: David E Lujan (Defendant)

Creditors: Aaron M Morgan (Plaintiff)

Judgment: 12/17/2018, Docketed: 12/17/2018

Total Judgment: 3,046,382.72

HEARINGS

11/29/2016

CANCELED Status Conference (9:00 AM) (Judicial Officer: Bell, Linda Marie)*Vacated - per Stipulation and Order*

12/29/2016

**Status Conference** (9:00 AM) (Judicial Officer: Bell, Linda Marie)*Status Conference: Status of Case Re: Trial Setting*

Matter Heard;

Journal Entry Details:

Counsel advised discovery was completed and they had no discovery issues; the dispositive motion cut-off date is due within three weeks. COURT reviewed the trial handout and ORDERED, trial date STANDS.;

01/31/2017

CANCELED Calendar Call (9:00 AM) (Judicial Officer: Bell, Linda Marie)*Vacated - per Stipulation and Order*

02/06/2017

CANCELED Jury Trial (9:00 AM) (Judicial Officer: Bell, Linda Marie)*Vacated - per Stipulation and Order*

03/07/2017

**Calendar Call** (9:00 AM) (Judicial Officer: Bell, Linda Marie)**MINUTES****Calendar Call** (04/04/2017 at 9:00 AM) (Judicial Officer: Bell, Linda Marie)

Matter Heard;







Journal Entry Details:


Calendar Call Mr. Gardner advised he is ready to move forward with trial. Colloquy regarding scheduling. COURT ORDERED, trial VACATED and RESET. 4/4/17 9:00 AM CALENDAR CALL 4/24/17 9:00 AM JURY TRIAL;

SCHEDULED HEARINGS**Calendar Call** (04/04/2017 at 9:00 AM) (Judicial Officer: Bell, Linda Marie)

03/13/2017

CANCELED Jury Trial (9:00 AM) (Judicial Officer: Bell, Linda Marie)*Vacated - per Judge*

04/04/2017	CANCELED Calendar Call (9:00 AM) (Judicial Officer: Bell, Linda Marie) <i>Vacated</i>
04/04/2017	 Calendar Call (9:00 AM) (Judicial Officer: Bell, Linda Marie) Trial Date Set; Journal Entry Details: <i>Parties announced ready for trial 4 - 5 DAYS; will have exhibits and jury instructions prepared and submit to the court soon. COURT ORDERED, TRIAL DATE STANDS. 4-24-17 9:00 AM JURY TRIAL (DEPT. VII);</i>
04/24/2017	 Jury Trial - FIRM (9:00 AM) (Judicial Officer: Bell, Linda Marie) Vacated and Reset -sdp Off Calendar; Journal Entry Details: <i>Jury Trial OUTSIDE THE PERSPECTIVE JURY Mr. Rands advised the defendant, Mr. Lujan, has been hospitalized and requested to continue the jury trial. No opposition by Mr. Cloward, requesting a status check be set. COURT ORDERED, jury trial CONTINUED and Mr. Rands to provide medical documentation as to Mr. Lujan's hospital stay by the upcoming court date. COURT FURTHER ORDERED, exhibits returned to Counsel and trial OFF CALENDAR . 5/16/17 9:00 AM STATUS CHECK: STATUS OF THE CASE;</i>
05/16/2017	 Status Check (9:00 AM) (Judicial Officer: Bell, Linda Marie) <i>Status Check: Status of the Case</i> Matter Heard; Journal Entry Details: <i>Status Check: Status of the Case Mr. Gardner advised his client is making a disability claim and his daughter who is assisting him has his records. Mr. Lujan is prepared to make a record under oath. Court advised it needs the discharge paperwork from the hospital. Mr. Gardner so noted. Mr. Boyack advised a motion for partial summary judgment has been filed and would like to reset the trial after. Colloquy regarding scheduling. COURT ORDERED, trial date SET. Mr. Gardner made an oral request for the Court to review the discharge summary of Mr. Lujan in camera as he does not want to file it. COURT SO NOTED. 8/29/17 9:00 AM CALENDAR CALL 9/5/17 9:00 AM JURY TRIAL;</i>
06/13/2017	 Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Bell, Linda Marie) <i>Plaintiff's Motion for Partial Summary Judgment Regarding Plaintiff's Past Medical Expenses Granted;</i> Journal Entry Details: <i>Bryan Boyack, Esq., appeared on behalf of Pltf Douglas Gardner, Esq., appeared on behalf of Deft Mr. Gardner provided the Court with medical records. Mr. Boyack argued Deft's expert should not be allowed to make any further opinions that were not disclosed in his reports. Court noted having Mr. Lujan's discharge summary. Mr. Gardner argued Deft's are prepared to respond to the affidavit, and requested more time to do so. However, if Deft's are not allowed to respond to the affidavit it should be stricken. After hearing from both sides, COURT ORDERED, Motion for Partial Summary Judgment GRANTED. Mr. Boyack indicated he would submit the proposed order. ;</i>
08/29/2017	 Calendar Call (9:00 AM) (Judicial Officer: Bell, Linda Marie) Trial Date Set; Journal Entry Details: <i>Calendar Call Mr. Boyack advised Mr. Cloward is currently in trial in DC 27 and will be starting another trial 9/18/17 and an issue with an expert the week of 9/25/17. Upon the Court's inquiry, the trial will remain five days. Colloquy regarding scheduling. COURT ORDERED, trial VACATED and RESET. 10/3/17 9:00 AM CALENDAR CALL 10/9/17 9:00 AM JURY TRIAL;</i>
09/05/2017	CANCELED Jury Trial (9:00 AM) (Judicial Officer: Bell, Linda Marie) <i>Vacated</i>
10/03/2017	 Calendar Call (9:00 AM) (Judicial Officer: Bell, Linda Marie)

	<p>Matter Heard; Journal Entry Details: <i>Upon the Court's inquiry, parties ready to go forward with trial which will consist of 5-6 witnesses; requesting the end of November. Colloquy regarding scheduling. COURT ORDERED, trial SET TO PROCEED. Additionally, Mr. Garner inquired about a witness appearing by video, Court so noted. 11/6/17 9:00 AM JURY TRIAL;</i></p>
10/09/2017	<p>CANCELED Jury Trial (9:00 AM) (Judicial Officer: Bell, Linda Marie) <i>Vacated</i></p>
11/06/2017	<p> Jury Trial (9:00 AM) (Judicial Officer: Bell, Linda Marie) 11/06/2017-11/08/2017 Trial Continues; Jury Trial Trial Continues; Jury Trial Mistrial; Journal Entry Details: <i>INSIDE THE PRESENCE OF THE JURY: Testimony and exhibits presented (See worksheets). OUTSIDE THE PRESENCE OF THE JURY: Arguments by Mr. Gardner advising reference to the auto citation is not relevant and prejudicial as not relevant. Opposition by Mr. Cloward stating it would be used for impeachment purposes. Further arguments by Counsel. COURT ORDERED, traffic citation inadmissible. INSIDE THE PRESENCE OF THE JURY: Testimony and exhibits continued. OUTSIDE THE PRESENCE OF THE JURY: Mr. Cloward move for a mistrial as Mr. Garner referred to a pending accident Plaintiff was involved in. Mr. Gardner advised it was brought up for impeachment purposes. COURT ORDERED, matter TRAILED. MATTER RECALLED, Court stated findings and ORDERED, mistrial GRANTED. INSIDE THE PRESENCE OF THE JURY: Court thanked and excused the Jury. OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding scheduling. COURT ORDERED, status check SET. 11/9/18 9:00 AM STATUS CHECK: TRIAL SETTING;</i> Trial Continues; Jury Trial Trial Continues; Jury Trial Mistrial; Journal Entry Details: <i>Jury Trial Continued INSIDE THE PRESENCE OF THE JURY: Opening statements by Plaintiff's Counsel. OUTSIDE THE PRESENCE OF THE JURY: Mr. Cloward waived his opening statement until the Plaintiff's rest. COURT SO ORDERED. EXCLUSIONARY RULE INVOKED. INSIDE THE PRESENCE OF THE JURY: Testimony and exhibits presented. (See worksheets). COURT ORDERED, trial in recess and CONTINUED. OUTSIDE THE PRESENCE OF THE JURY: Mr. Gardner made a record as to the motion in limine that granted the Plaintiff summary judgment; further stating opposition and there has not been adequate foundation laid for it. Court advised the issue was there was no expert by the Defense providing any opinion about the issues related to wrist from the defense side. Jury instructions settled. CONTINUED TO 11/8/17 10:00 AM;</i> Trial Continues; Jury Trial Trial Continues; Jury Trial Mistrial; Journal Entry Details: <i>Jury Trial Begins OUTSIDE THE PRESENCE OF THE PERSPECTIVE JURY: Colloquy regarding counsel's proposed jury instructions, trial procedures and voir dire. Mr. Cloward made an oral request to be able to move around the courtroom during voir dire citing Salazar v. State an Whitlock v. Salmon. COURT ORDERED, Mr. Cloward's request DENIED. Counsel may address the jury at the podium but may not move about the courtroom. Further colloquy regarding wage abandonment. Court advised any discussion regarding Plaintiff's employment can be done outside the presence of the jury. Parties so noted. INSIDE THE PRESENCE OF THE PERSPECTIVE JURY: Introductions by the Court and Counsel. Voir Dire conducted. OUTSIDE THE PRESENCE OF THE PERSPECTIVE JURY: Mr. Cloward made a record as to discussions during a side bar regarding secondary gain. INSIDE THE PRESENCE OF THE PERSPECTIVE JURY: Voir dire continued. OUTSIDE THE PRESENCE OF THE PERSPECTIVE JURY: Mr. Cloward stated additional concerns as to having to remain at the podium during voir dire. Court so noted. INSIDE THE PRESENCE OF THE PERSPECTIVE JURY: Voir dire continued. Peremptory challenges exercised. Court read jury instructions. Jury sworn. COURT ORDERED, trial CONTINUED and in recess for the evening. CONTINUED TO 11/7/17 10:00 AM ;</i></p>
11/07/2017	<p>CANCELED Status Check (9:00 AM) (Judicial Officer: Bell, Linda Marie)</p>

Vacated - On in Error
Status Check: Settlement Documents

11/09/2017



Status Check (10:30 AM) (Judicial Officer: Bell, Linda Marie)

Status Check: Trial Setting
 Matter Heard; Status Check: Trial Setting
 Journal Entry Details:
Upon the Court's inquiry, Mr. Cloward advised he is unable to begin trial this upcoming Monday as two of the three Drs are unavailable. Colloquy regarding scheduling. COURT ORDERED, trial date SET. 3/6/18 9:00 AM CALENDAR CALL 4/2/18 9:00 AM JURY TRIAL (FIRM);

03/06/2018



Calendar Call (9:00 AM) (Judicial Officer: Bell, Linda Marie)

Matter Heard;
 Journal Entry Details:
Mr. Cloward announced ready for trial. COURT ORDERED, TRIAL DATE STANDS. 4-02-18 9:00 AM JURY TRIAL (FIRM);

04/02/2018



Jury Trial - FIRM (9:00 AM) (Judicial Officer: Bell, Linda Marie)



04/02/2018-04/06/2018, 04/09/2018

Trial Continues;
 Trial Continues;
 Trial Continues;
 Trial Continues;
 Trial Continues;
 Verdict for Plaintiff;
 Journal Entry Details:
JURY PRESENT. Testimony and exhibits presented (see worksheets). CONFERENCE AT BENCH. Defense rests. Court instructed the Jury. Closing statements by Mr. Cloward and Mr. Rands. Rebuttal by Mr. Cloward. At the hour of 3:33 p.m., Jury retired to deliberate. JURY PRESENT. At the hour of 5:29 p.m., the Jury reached a verdict in accordance with the verdict which was filed in OPEN COURT; Plaintiff awarded damages in the amount of \$2,980,980.00. Court thanked and excused the jurors.;

Trial Continues;
 Trial Continues;
 Trial Continues;
 Trial Continues;
 Trial Continues;
 Verdict for Plaintiff;
 Journal Entry Details:
JURY PRESENT. Testimony presented (see worksheet). Plaintiff rests. OUTSIDE THE PRESENCE OF THE JURY. Jury instructions settled on record. COURT ORDERED, matter CONTINUED. CONTINUED TO: 4/9/18 9:00 AM;

Trial Continues;
 Trial Continues;
 Trial Continues;
 Trial Continues;
 Trial Continues;
 Verdict for Plaintiff;
 Journal Entry Details:
JURY PRESENT. Testimony and exhibits presented (see worksheets). COURT ORDERED, matter CONTINUED. CONTINUED TO: 4/6/18 9:00 AM;

Trial Continues;
 Trial Continues;
 Trial Continues;
 Trial Continues;
 Trial Continues;
 Verdict for Plaintiff;
 Journal Entry Details:
OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding instructions to the Jury with respect to the previous trial. JURY PRESENT. Testimony and exhibits presented (see

	<p>worksheets). <i>COURT ORDERED, matter CONTINUED. CONTINUED TO: 4/5/18 10:30 AM;</i></p> <p>Trial Continues;</p> <p>Trial Continues;</p> <p>Trial Continues;</p> <p>Trial Continues;</p> <p>Trial Continues;</p> <p>Verdict for Plaintiff;</p> <p>Journal Entry Details:</p> <p><i>PROSPECTIVE JURY PANEL PRESENT. CONFERENCE AT BENCH. Peremptory challenges exercised. Court instructed Jury. Eight Jurors and two alternates selected and sworn. Opening statements by Mr. Cloward and Mr. Gardner. COURT ORDERED, matter CONTINUED. CONTINUED TO: 4/4/18 9:00 AM;</i></p> <p>Trial Continues;</p> <p>Trial Continues;</p> <p>Trial Continues;</p> <p>Trial Continues;</p> <p>Trial Continues;</p> <p>Verdict for Plaintiff;</p> <p>Journal Entry Details:</p> <p><i>JURY TRIAL FIRM....PLAINTIFF'S MOTION TO PRESENT A JURY QUESTIONNAIRE PRIOR TO VOIR DIRE OR IN THE ALTERNATIVE FOR MORE LIBERAL JURY SELECTION ON ORDER SHORTENING TIME OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL. Colloquy regarding Plaintiff's Motion. COURT ORDERED, Motion DENIED as it was filed untimely. PROSPECTIVE JURY PANEL PRESENT. Voir dire of panel. CONFERENCE AT BENCH. COURT ORDERED, matter CONTINUED. CONTINUED TO: 4/3/18 10:00 AM;</i></p>
04/02/2018	<p>Motion (9:00 AM) (Judicial Officer: Bell, Linda Marie)</p> <p><i>Plaintiff's Motion to Present a Jury Questionnaire Prior to Voir Dire or In the Alternative for More Liberal Jury Selection on Order Shortening Time</i></p> <p>Denied;</p>
04/10/2018	<p> Motion for Attorney Fees and Costs (9:00 AM) (Judicial Officer: Bell, Linda Marie)</p> <p>04/10/2018, 05/24/2018</p> <p><i>Plaintiff's Motion for Attorney Fees and Costs of Mistrial</i></p> <p>Matter Continued;</p> <p>Off Calendar;</p> <p>Journal Entry Details:</p> <p><i>Court advised the Motion has been withdrawn as of 04/11/18, and should have been taken off calendar.;</i></p> <p>Matter Continued;</p> <p>Off Calendar;</p> <p>Journal Entry Details:</p> <p><i>Matter called, no parties present. COURT ORDERED, matter CONTINUED. CONTINUED TO: 5/24/18 9:00 AM;</i></p>
11/06/2018	<p> Motion for Judgment (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)</p> <p><i>Plaintiff's Motion for Entry of Judgment</i></p> <p>Motion Denied; Plaintiff's Motion for Entry of Judgment</p> <p>Journal Entry Details:</p> <p><i>Mr. Stewart argued the actions of defense counsel were pretty clear throughout the trial he was representing individual Pltf. and Harvest Management. During counsels opening statement he introduced Harvest as his 36(b) client, no dispute Mr. Lujan was in the course and scope of his employment, driving the bus at the time of the accident. Further, Due to an inadvertent error on the verdict form, left off Harvest Management and when counsel noticed this, consulted the NRCP governing special verdicts and 49(a) allows for the Court to make a finding about something not submitted to the jury. Mr. Kennedy argued motion should be denied since and essentially it stems from two premises. The first, whatever the claim was, negligent entrustment or vicarious liability was apparently abandoned at some point early on and was never presented to the jury. Further, you go through the first trial, every step of the way where a lawyer would of said, this is my client, this is the claim that I am defending and it does not happen. It did not happen if voir dire, does not happen when naming witnesses for the jury and in the first trial does not happen in the opening statement and that ends in a mistrial.</i></p>

Then you go to the second trial, nothing in voir dire, nothing in opening statement about the claim, nothing in the jury instructions, nothing in closing arguments and most importantly, there is nothing on the verdict form. Court inquired why on the jury instructions the caption includes the corporate Deft. and on the special verdict form, it does not. Mr. Kennedy stated he does not know and as to the jury instructions, they are printed off the regular caption that had that Deft. on it. When you look at the jury instructions, there are no jury instructions as to the theories asserted against Harvest Management and if you look at the verdict form, Deft. is singular. Additionally, with respect to that inconsistency, when you look at what counsel says in closing arguments to the jury, counsel argued there is no question counsel understands it is a sole Deft., showing the form on the apparently on the ELMO, this is what the form will look like and this is what you should do. You should find Mr. Lujan is 100% negligent and Pltf. 0% and you should make a finding against Mr. Lujan, the Pltf. and that is what the jury does. Further, Mr. Kennedy argued procedurally they never tried the case against that Deft. As to the master servant theory, Mr. Kennedy stated that is not actual plead, it is mentioned and nothing in there that pleads that theory. In fact, the evidence is, Mr. Lujan was having lunch and returning from lunch when the accident happened. Also, Rule 49 does not get them there, Rule 49 allows the Court to add implicit findings, does not allow the Court to allow add a party Deft. and a claim to a jury verdict form where the jury form does not include them to start with. As to negligent entrustment, Mr. Kenney argued they asked that the individual Deft. Mr. Lujan be found 100% negligent and that was the finding. Mr. Steward further argued inadvertent error on instructions. Mr. Boyack advised the Judge had prepared the special verdict form and along with that what does Harvest Management want the special verdict to look like if there is no comparative negligence on the corporate Deft. There was no evidence presented in any of the trial that he was not within the course and scope. The corporate representative who was put on the stand during the trial discusses he was an employee, discusses the facts of the accident and never does she bring up on direct or cross examination that he was on a break and we are not on the hook here or any assertion of that. Colloquy. COURT ORDERED, motion DENIED. While there is an inconsistency in the caption of the jury instructions and special verdict form, it does not appear to be any additional instructions that would lend credence to the fact that the claims against Harvest Management Sub, LLC, were submitted to the jury. Judgement to be submitted to the Court.;

DATE

FINANCIAL INFORMATION

Defendant Harvest Management Sub LLC

Total Charges	30.00
Total Payments and Credits	30.00
Balance Due as of 12/21/2018	0.00

Defendant Lujan, David E

Total Charges	223.00
Total Payments and Credits	223.00
Balance Due as of 12/21/2018	0.00

Plaintiff Morgan, Aaron M

Total Charges	887.50
Total Payments and Credits	887.50
Balance Due as of 12/21/2018	0.00

Plaintiff Morgan, Aaron M

Appeal Bond Balance as of 12/21/2018	500.00
--------------------------------------	---------------

DISTRICT COURT CIVIL COVER SHEET

A-15-718679-C

County, Nevada

Case No.

VII

(Assigned by Clerk's Office)

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

Plaintiff(s) (name/address/phone):

Aaron M. Morgan

Defendant(s) (name/address/phone):

David E. Lujan; Harvest Management Sub LLC.

Attorney (name/address/phone):

Adam W. Williams

Attorney (name/address/phone):

Richard Harris Law Firm

801 S. 4th Street

Las Vegas, Nevada 89101

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 checked="" 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 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

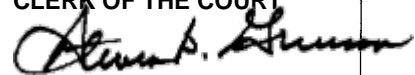
Business Court filings should be filed using the Business Court civil coversheet.

5/20/15

Date

Signature of initiating party or representative

See other side for family-related case filings.



ORDR

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Nevada Bar No. 1462

SARAH E. HARMON

Nevada Bar No. 8106

JOSHUA P. GILMORE

Nevada Bar No. 11576

ANDREA M. CHAMPION

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AChampion@BaileyKennedy.com

Attorneys for Defendant

HARVEST MANAGEMENT SUB LLC

DISTRICT COURT

CLARK COUNTY, NEVADA

AARON M. MORGAN, individually,

Plaintiff,

vs.

DAVID E. LUJAN, individually; HARVEST
MANAGEMENT SUB LLC; a Foreign-Limited-
Liability Company; DOES 1 through 20; ROE
BUSINESS ENTITIES 1 through 20, inclusive
jointly and severally,

Defendants.

Case No. A-15-718679-C

Dept. No. ~~15~~ XI

PLEASE NOTE
DEPT. CHANGE

**ORDER ON PLAINTIFFS' MOTION FOR
ENTRY OF JUDGMENT**

Date of Hearing: November 6, 2018

Time of Hearing: 9:00 A.M.

On November 6, 2018, at 9:00 a.m., the Motion for Entry of Judgment came before the Court. Tom W. Stewart of Marquis Aurbach Coffing P.C. and Bryan A. Boyack of Richard Harris Law Firm appeared on behalf of Plaintiff Aaron Morgan and Dennis L. Kennedy, Sarah E. Harmon, and Andrea M. Champion of Bailey❖Kennedy appeared on behalf of Defendant Harvest Management Sub LLC.

///

1 The Court, having examined the briefs of the parties, the records and documents on file, and
2 having heard argument of counsel, and for good cause appearing,


3 HEREBY ORDERS that the Motion for Entry of Judgment shall be, and hereby is,
4 **DENIED.**

5 DATED this 26 day of November, 2018.

6
7 
8 DISTRICT COURT JUDGE

9 Respectfully submitted by:

10 BAILEY ♦ KENNEDY, LLP

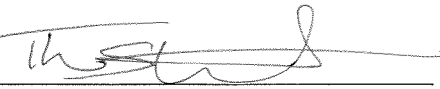
11 By: 

12 DENNIS L. KENNEDY
13 SARAH E. HARMON
14 JOSHUA P. GILMORE
15 ANDREA M. CHAMPION
16 8984 Spanish Ridge Avenue
17 Las Vegas, Nevada 89148

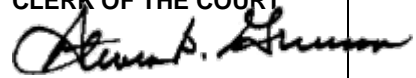
18 *Attorneys for Defendant Harvest Management*
19 *Sub LLC*

Approved as to form and content by:

MARQUIS AURBACH COFFING P.C.

By: 

20 MICAH S. ECHOLS
21 TOM W. STEWART
22 1001 Park Run Drive
23 Las Vegas, Nevada 89145
24 *Attorneys for Plaintiff Aaron Morgan*



1 **NEOJ**

DENNIS L. KENNEDY

2 Nevada Bar No. 1462

SARAH E. HARMON

3 Nevada Bar No. 8106

JOSHUA P. GILMORE

4 Nevada Bar No. 11576

ANDREA M. CHAMPION

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10 *Attorneys for Defendant*

11 HARVEST MANAGEMENT SUB LLC

12 DISTRICT COURT

13 CLARK COUNTY, NEVADA

14 AARON M. MORGAN, individually,

15 Plaintiff,

16 vs.

17 DAVID E. LUJAN, individually; HARVEST
18 MANAGEMENT SUB LLC; a Foreign-Limited-
19 Liability Company; DOES 1 through 20; ROE
BUSINESS ENTITIES 1 through 20, inclusive
jointly and severally,

20 Defendants.

Case No. A-15-718679-C

Dept. No. XI

21
22 **NOTICE OF ENTRY OF ORDER ON PLAINTIFF'S**
23 **MOTION FOR ENTRY OF JUDGMENT**

24 PLEASE TAKE NOTICE that an Order on Plaintiff's Motion for Entry of Judgment was
25 entered on November 28, 2018.

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A true and correct copy is attached hereto.

DATED this 28th day of November, 2018.

BAILEY❖KENNEDY

By: /s/ Sarah E. Harmon
DENNIS L. KENNEDY
SARAH E. HARMON
JOSHUA P. GILMORE
ANDREA M. CHAMPION

Attorneys for Defendants
HARVEST MANAGEMENT SUB LLC

CERTIFICATE OF SERVICE

I certify that I am an employee of BAILEY❖KENNEDY and that on the 28th day of November, 2018, service of the foregoing **NOTICE OF ENTRY OF ORDER ON PLAINTIFF'S MOTION FOR ENTRY OF JUDGMENT** was made by mandatory electronic service through the Eighth Judicial District Court's electronic filing system and/or by depositing a true and correct copy in the U.S. Mail, first class postage prepaid, and addressed to the following at their last known address:

BENJAMIN P. CLOWARD
BRYAN A. BOYACK
RICHARD HARRIS LAW FIRM
801 South Fourth Street
Las Vegas, Nevada 89101

Email: Benjamin@richardharrislaw.com
Bryan@richardharrislaw.com

and

MICAH S. ECHOLS
TOM W. STEWART
**MARQUIS AURBACH
COFFING P.C.**
1001 Park Run Drive
Las Vegas, Nevada 89145

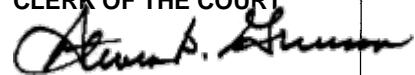
Email: Mechols@maclaw.com
Tstewart@maclaw.com

Attorneys for Plaintiff
AARON M. MORGAN

DOUGLAS J. GARDNER
RANDS, SOUTH & GARDNER
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Email: dgardner@rsglawfirm.com
Attorney for Defendant
DAVID E. LUJAN

/s/ Josephine Baltazar
Employee of BAILEY❖KENNEDY



ORDR

DENNIS L. KENNEDY

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SARAH E. HARMON

Nevada Bar No. 8106

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Attorneys for Defendant

HARVEST MANAGEMENT SUB LLC

DISTRICT COURT

CLARK COUNTY, NEVADA

AARON M. MORGAN, individually,

Plaintiff,

vs.

DAVID E. LUJAN, individually; HARVEST
MANAGEMENT SUB LLC; a Foreign-Limited-
Liability Company; DOES 1 through 20; ROE
BUSINESS ENTITIES 1 through 20, inclusive
jointly and severally,

Defendants.

Case No. A-15-718679-C

Dept. No. ~~XX~~ XI

PLEASE NOTE
DEPT. CHANGE

**ORDER ON PLAINTIFFS' MOTION FOR
ENTRY OF JUDGMENT**

Date of Hearing: November 6, 2018

Time of Hearing: 9:00 A.M.

On November 6, 2018, at 9:00 a.m., the Motion for Entry of Judgment came before the Court. Tom W. Stewart of Marquis Aurbach Coffing P.C. and Bryan A. Boyack of Richard Harris Law Firm appeared on behalf of Plaintiff Aaron Morgan and Dennis L. Kennedy, Sarah E. Harmon, and Andrea M. Champion of Bailey❖Kennedy appeared on behalf of Defendant Harvest Management Sub LLC.

///

1 The Court, having examined the briefs of the parties, the records and documents on file, and
2 having heard argument of counsel, and for good cause appearing,


3 HEREBY ORDERS that the Motion for Entry of Judgment shall be, and hereby is,
4 **DENIED.**

5 DATED this 26 day of November, 2018.

6
7 
8 DISTRICT COURT JUDGE

9 Respectfully submitted by:

10 BAILEY ♦ KENNEDY, LLP

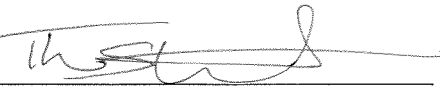
11 By: 

12 DENNIS L. KENNEDY
13 SARAH E. HARMON
14 JOSHUA P. GILMORE
15 ANDREA M. CHAMPION
16 8984 Spanish Ridge Avenue
17 Las Vegas, Nevada 89148

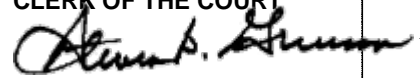
18 *Attorneys for Defendant Harvest Management*
19 *Sub LLC*

Approved as to form and content by:

MARQUIS AURBACH COFFING P.C.

By: 

20 MICAH S. ECHOLS
21 TOM W. STEWART
22 1001 Park Run Drive
23 Las Vegas, Nevada 89145
24 *Attorneys for Plaintiff Aaron Morgan*



JGJV
Richard Harris Law Firm
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Attorneys for Plaintiff, Aaron M. Morgan

DISTRICT COURT

CLARK COUNTY, NEVADA

AARON M. MORGAN, individually,
Plaintiff,

vs.

DAVID E. LUJAN, individually; HARVEST
MANAGEMENT SUB LLC; a Foreign Limited-
Liability Company; DOES 1 through 20; ROE
BUSINESS ENTITIES 1 through 20, inclusive
jointly and severally,

Defendants.

CASE NO.: A-15-718679-C
Dept. No.: XI

JUDGMENT UPON THE JURY VERDICT

12-13-18P01:10 RCVD

JUDGMENT UPON THE JURY VERDICT

This action came on for trial before the Court and the jury, the Honorable Linda Marie Bell, District Court Judge, presiding,¹ and the issues having been duly tried and the jury having duly rendered its verdict.²

IT IS ORDERED AND ADJUDGED that PLAINTIFF, AARON M. MORGAN, have a recovery against DEFENDANT, DAVID E. LUJAN, for the following sums:

Past Medical Expenses	\$208,480.00
Future Medical Expenses	+\$1,156,500.00
Past Pain and Suffering	+\$116,000.00
Future Pain and Suffering	+\$1,500,000.00
Total Damages	\$2,980,980.00

IT IS FURTHER ORDERED AND ADJUDGED that AARON M. MORGAN's past damages of \$324,480 shall bear Pre-Judgment interest in accordance with *Lee v. Ball*, 121 Nev. 391, 116 P.3d 64 (2005) and NRS 17.130 at the rate of 5.00% per annum plus 2% from the date of service of the Summons and Complaint on May 28, 2015, through the entry of the Special Verdict on April 9, 2018:

PRE-JUDGMENT INTEREST ON PAST DAMAGES:

05/28/15 through 04/09/18 = **\$65,402.72**

[(1,051 days) at (prime rate (5.00%) plus 2 percent = 7.00%) on \$324,480 past damages]

[Pre-Judgment Interest is approximately \$62.23 per day]

PLAINTIFF'S TOTAL JUDGMENT

Plaintiff's total judgment is as follows:

Total Damages:	\$2,980,980.00
Prejudgment Interest:	\$65,402.72
TOTAL JUDGMENT	\$3,046,382.72

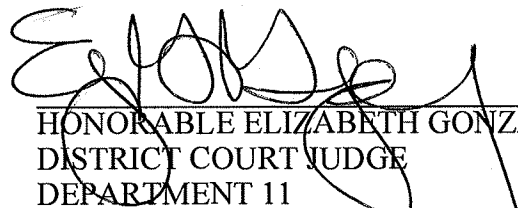
¹ This case was reassigned to the Honorable Elizabeth Gonzalez, District Court Judge, in July 2018.

² See Special Verdict filed on April 9, 2018, attached as **Exhibit 1**.

Now, THEREFORE, Judgment Upon the Jury Verdict in favor of the Plaintiff is as follows:

PLAINTIFF, AARON M. MORGAN, is hereby awarded \$3,046,382.72 against DEFENDANT, DAVID E. LUJAN, which shall bear post-judgment interest at the adjustable legal rate from the date of the entry of judgment until fully satisfied. Post-judgment interest at the current 7.00% rate accrues interest at the rate of \$584.24 per day.

Dated this 13 day of Dec., 2018.


HONORABLE ELIZABETH GONZALEZ
DISTRICT COURT JUDGE
DEPARTMENT 11

Respectfully Submitted by:

Dated this 12TH day of December, 2018.

MARQUIS AURBACH COFFING

By 

Micah S. Echols, Esq.
Nevada Bar No. 8437
Tom W. Stewart, Esq.
Nevada Bar No. 14280
10001 Park Run Drive
Las Vegas, Nevada 89145
Attorneys for Plaintiff, Aaron M. Morgan

[CASE NO. A-15-718679-C—JUDGMENT UPON THE JURY VERDICT]

Exhibit 1

FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

APR - 9 2018

BY: *A. M. Brown*
A. M. BROWN, DEPUTY

DISTRICT COURT

CLARK COUNTY, NEVADA

CASE NO: A-15-718679-C

DEPT. NO: VII

AARON MORGAN,

Plaintiff,

vs.

DAVID LUJAN,

Defendant.

SPECIAL VERDICT

We, the jury in the above-entitled action, find the following special verdict on the questions submitted to us:

QUESTION NO. 1: Was Defendant negligent?

ANSWER: Yes ☒ No ☐

If you answered no, stop here. Please sign and return this verdict.

If you answered yes, please answer question no. 2.

QUESTION NO.2: Was Plaintiff negligent?

ANSWER: Yes ☐ No ☒

If you answered yes, please answer question no. 3.

If you answered no, please skip to question no. 4.

///

A-15-718679-C
SJV
Special Jury Verdict
4738215



1 **QUESTION NO. 3:** What percentage of fault do you assign to each party?

2 Defendant: 100

3 Plaintiff: 0

4 Total: 100%

5 Please answer question 4 without regard to you answer to question 3.

6 **QUESTION NO. 4:** What amount do you assess as the total amount of Plaintiff's damages?

7 (Please do not reduce damages based on your answer to question 3, if you answered question 3.


8 The Court will perform this task.)

9	Past Medical Expenses	\$ <u>208,480.</u> <u>00</u>
10	Future Medical Expenses	\$ <u>1,156,500.</u> <u>00</u>
11	Past Pain and Suffering	\$ <u>116,000.</u> <u>00</u>
12	Future Pain and Suffering	\$ <u>1,500,000.</u> <u>00</u>
13		
14	TOTAL	\$ <u>2,980,980.</u> <u>00</u>

15

16 DATED this 9th day of April, 2018.

17

18 
19 FOREPERSON

20 ARTHUR J. ST. LAURENT
21
22
23
24
25
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27
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

December 29, 2016

A-15-718679-C Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

December 29, 2016 9:00 AM Status Conference

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 03B

COURT CLERK: Louisa Garcia

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Boyack, Bryan A. Attorney
Gardner, Douglas J, ESQ Attorney

JOURNAL ENTRIES

- Counsel advised discovery was completed and they had no discovery issues; the dispositive motion cut-off date is due within three weeks. COURT reviewed the trial handout and ORDERED, trial date STANDS.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

March 07, 2017

A-15-718679-C Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

March 07, 2017 9:00 AM Calendar Call

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Sylvia Perry

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Gardner, Douglas J, ESQ Attorney

JOURNAL ENTRIES

- Calendar Call

Mr. Gardner advised he is ready to move forward with trial. Colloquy regarding scheduling.
COURT ORDERED, trial VACATED and RESET.

4/4/17 9:00 AM CALENDAR CALL

4/24/17 9:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

April 04, 2017

A-15-718679-C Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

April 04, 2017 9:00 AM Calendar Call

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Phyllis Irby

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Boyack, Bryan A. Attorney
 Cloward, Benjamin P. Attorney
 Gardner, Douglas J, ESQ Attorney

JOURNAL ENTRIES

- Parties announced ready for trial 4 - 5 DAYS; will have exhibits and jury instructions prepared and submit to the court soon. COURT ORDERED, TRIAL DATE STANDS.

4-24-17 9:00 AM JURY TRIAL (DEPT. VII)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

April 24, 2017

A-15-718679-C Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

April 24, 2017 9:00 AM Jury Trial - FIRM

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Sylvia Perry

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Boyack, Bryan A. Attorney
 Cloward, Benjamin P. Attorney
 Rands, Douglas R Attorney

JOURNAL ENTRIES

- Jury Trial

OUTSIDE THE PERSPECTIVE JURY

Mr. Rands advised the defendant, Mr. Lujan, has been hospitalized and requested to continue the jury trial. No opposition by Mr. Cloward, requesting a status check be set. COURT ORDERED, jury trial CONTINUED and Mr. Rands to provide medical documentation as to Mr. Lujan's hospital stay by the upcoming court date. COURT FURTHER ORDERED, exhibits returned to Counsel and trial OFF CALENDAR .

5/16/17 9:00 AM STATUS CHECK: STATUS OF THE CASE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

May 16, 2017

A-15-718679-C Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

May 16, 2017 9:00 AM Status Check

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Sylvia Perry

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Boyack, Bryan A. Attorney
 Cloward, Benjamin P. Attorney
 Gardner, Douglas J, ESQ Attorney

JOURNAL ENTRIES

- Status Check: Status of the Case

Mr. Gardner advised his client is making a disability claim and his daughter who is assisting him has his records. Mr. Lujan is prepared to make a record under oath. Court advised it needs the discharge paperwork from the hospital. Mr. Gardner so noted. Mr. Boyack advised a motion for partial summary judgment has been filed and would like to reset the trial after. Colloquy regarding scheduling. COURT ORDERED, trial date SET. Mr. Gardner made an oral request for the Court to review the discharge summary of Mr. Lujan in camera as he does not want to file it. COURT SO NOTED.

8/29/17 9:00 AM CALENDAR CALL

9/5/17 9:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

June 13, 2017

A-15-718679-C Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

**June 13, 2017 9:00 AM Motion for Partial
Summary Judgment**

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 15A

COURT CLERK: Marwanda Knight

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Boyack, Bryan A. Attorney
Gardner, Douglas J, ESQ Attorney

JOURNAL ENTRIES

- Bryan Boyack, Esq., appeared on behalf of Pltff
Douglas Gardner, Esq., appeared on behalf of Deft

Mr. Gardner provided the Court with medical records.

Mr. Boyack argued Deft s expert should not be allowed to make any further opinions that were not disclosed in his reports. Court noted having Mr. Lujan s discharge summary. Mr. Gardner argued Defts are prepared to respond to the affidavit, and requested more time to do so. However, if Defts are not allowed to respond to the affidavit it should be stricken. After hearing from both sides, COURT ORDERED, Motion for Partial Summary Judgment GRANTED.

Mr. Boyack indicated he would submit the proposed order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

August 29, 2017

A-15-718679-C Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

August 29, 2017 9:00 AM Calendar Call

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 15A

COURT CLERK: Sylvia Perry
Elizabeth Vargas

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Boyack, Bryan A. Attorney
Gardner, Douglas J, ESQ Attorney
Attorney

JOURNAL ENTRIES

- Calendar Call

Mr. Boyack advised Mr. Cloward is currently in trial in DC 27 and will be starting another trial 9/18/17 and an issue with an expert the week of 9/25/17. Upon the Court's inquiry, the trial will remain five days. Colloquy regarding scheduling. COURT ORDERED, trial VACATED and RESET.

10/3/17 9:00 AM CALENDAR CALL

10/9/17 9:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

October 03, 2017

A-15-718679-C Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

October 03, 2017 9:00 AM Calendar Call

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Sylvia Perry

RECORDER: Gail Reiger

REPORTER:

PARTIES

PRESENT: Boyack, Bryan A. Attorney
Gardner, Douglas J, ESQ Attorney

JOURNAL ENTRIES

- Upon the Court's inquiry, parties ready to go forward with trial which will consist of 5-6 witnesses; requesting the end of November. Colloquy regarding scheduling. COURT ORDERED, trial SET TO PROCEED. Additionally, Mr. Garner inquired about a witness appearing by video, Court so noted.

11/6/17 9:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

November 06, 2017

A-15-718679-C Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

November 06, 2017 9:00 AM

Jury Trial

Jury Trial

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 15A

COURT CLERK: Sylvia Perry

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:	Boyack, Bryan A.	Attorney
	Cloward, Benjamin P.	Attorney
	Gardner, Douglas J, ESQ	Attorney
	Lujan, David E	Defendant
	Morgan, Aaron M	Plaintiff
	Rands, Douglas R	Attorney

JOURNAL ENTRIES

- Jury Trial Begins

OUTSIDE THE PRESENCE OF THE PERSPECTIVE JURY:

Colloquy regarding counsel's proposed jury instructions, trial procedures and voir dire. Mr. Cloward made an oral request to be able to move around the courtroom during voir dire citing Salazar v. State an Whitlock v. Salmon. COURT ORDERED, Mr. Cloward's request DENIED. Counsel may address the jury at the podium but may not move about the courtroom. Further colloquy regarding wage abandonment. Court advised any discussion regarding Plaintiff's employment can be done outside the presence of the jury. Parties so noted.

INSIDE THE PRESENCE OF THE PERSPECTIVE JURY:

Introductions by the Court and Counsel. Voir Dire conducted.

OUTSIDE THE PRESENCE OF THE PERSPECTIVE JURY:

Mr. Cloward made a record as to discussions during a side bar regarding secondary gain.

INSIDE THE PRESENCE OF THE PERSPECTIVE JURY:

Voir dire continued.

OUTSIDE THE PRESENCE OF THE PERSPECTIVE JURY:

Mr. Cloward stated additional concerns as to having to remain at the podium during voir dire. Court so noted.

INSIDE THE PRESENCE OF THE PERSPECTIVE JURY:

Voir dire continued. Peremptory challenges exercised. Court read jury instructions. Jury sworn. COURT ORDERED, trial CONTINUED and in recess for the evening.

CONTINUED TO 11/7/17 10:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

November 07, 2017

A-15-718679-C Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

November 07, 2017 10:30 AM

Jury Trial

Jury Trial

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 15A

COURT CLERK: Sylvia Perry

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:	Boyack, Bryan A.	Attorney
	Cloward, Benjamin P.	Attorney
	Gardner, Douglas J, ESQ	Attorney
	Lujan, David E	Defendant
	Rands, Douglas R	Attorney

JOURNAL ENTRIES

- Jury Trial Continued

INSIDE THE PRESENCE OF THE JURY:

Opening statements by Plaintiff's Counsel.

OUTSIDE THE PRESENCE OF THE JURY:

Mr. Cloward waived his opening statement until the Plaintiff's rest. COURT SO ORDERED.
EXCLUSIONARY RULE INVOKED.

INSIDE THE PRESENCE OF THE JURY:

Testimony and exhibits presented. (See worksheets). COURT ORDERED, trial in recess and
CONTINUED.

OUTSIDE THE PRESENCE OF THE JURY:

Mr. Gardner made a record as to the motion in limine that granted the Plaintiff summary judgment; further stating opposition and there has not been adequate foundation laid for it. Court advised the issue was there was no expert by the Defense providing any opinion about the issues related to wrist from the defense side. Jury instructions settled.

CONTINUED TO 11/8/17 10:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

November 08, 2017

A-15-718679-C Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

November 08, 2017 10:00 AM Jury Trial

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 15A

COURT CLERK: Sylvia Perry

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:	Cloward, Benjamin P.	Attorney
	Gardner, Douglas J, ESQ	Attorney
	Lujan, David E	Defendant
	Morgan, Aaron M	Plaintiff
	Rands, Douglas R	Attorney

JOURNAL ENTRIES

- INSIDE THE PRESENCE OF THE JURY:

Testimony and exhibits presented (See worksheets).

OUTSIDE THE PRESENCE OF THE JURY:

Arguments by Mr. Gardner advising reference to the auto citation is not relevant and prejudicial as not relevant. Opposition by Mr. Cloward stating it would be used for impeachment purposes. Further arguments by Counsel. COURT ORDERED, traffic citation inadmissible.

INSIDE THE PRESENCE OF THE JURY:

Testimony and exhibits continued.

OUTSIDE THE PRESENCE OF THE JURY:

Mr. Cloward move for a mistrial as Mr. Garner referred to a pending accident Plaintiff was involved in. Mr. Gardner advised it was brought up for impeachment purposes. COURT ORDERED, matter

TRAILED. MATTER RECALLED, Court stated findings and ORDERED, mistrial GRANTED.

INSIDE THE PRESENCE OF THE JURY:

Court thanked and excused the Jury.

OUTSIDE THE PRESENCE OF THE JURY:

Colloquy regarding scheduling. COURT ORDERED, status check SET.

11/9/18 9:00 AM STATUS CHECK: TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

November 09, 2017

A-15-718679-C Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

November 09, 2017 10:30 AM Status Check Status Check: Trial Setting

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 03B

COURT CLERK: Sylvia Perry

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Cloward, Benjamin P. Attorney
 Gardner, Douglas J, ESQ Attorney

JOURNAL ENTRIES

- Upon the Court's inquiry, Mr. Cloward advised he is unable to begin trial this upcoming Monday as two of the three Drs are unavailable. Colloquy regarding scheduling. COURT ORDERED, trial date SET.

3/6/18 9:00 AM CALENDAR CALL

4/2/18 9:00 AM JURY TRIAL (FIRM)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

March 06, 2018

A-15-718679-C Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

March 06, 2018 9:00 AM Calendar Call

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Phyllis Irby

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Cloward, Benjamin P. Attorney

JOURNAL ENTRIES

- Mr. Cloward announced ready for trial. COURT ORDERED, TRIAL DATE STANDS.

4-02-18 9:00 AM JURY TRIAL (FIRM)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

April 02, 2018

A-15-718679-C Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

April 02, 2018 9:00 AM Jury Trial - FIRM

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Aja Brown

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Boyack, Bryan A. Attorney
 Cloward, Benjamin P. Attorney
 Morgan, Aaron M Plaintiff
 Rands, Douglas R Attorney

JOURNAL ENTRIES

- JURY TRIAL FIRM....PLAINTIFF'S MOTION TO PRESENT A JURY QUESTIONNAIRE PRIOR TO VOIR DIRE OR IN THE ALTERNATIVE FOR MORE LIBERAL JURY SELECTION ON ORDER SHORTENING TIME

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL. Colloquy regarding Plaintiff's Motion. COURT ORDERED, Motion DENIED as it was filed untimely.

PROSPECTIVE JURY PANEL PRESENT. Voir dire of panel. CONFERENCE AT BENCH. COURT ORDERED, matter CONTINUED.

CONTINUED TO: 4/3/18 10:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

April 03, 2018

A-15-718679-C Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

April 03, 2018 10:00 AM Jury Trial - FIRM

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Aja Brown

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:	Boyack, Bryan A.	Attorney
	Cloward, Benjamin P.	Attorney
	Gardner, Douglas J, ESQ	Attorney
	Morgan, Aaron M	Plaintiff
	Rands, Douglas R	Attorney

JOURNAL ENTRIES

- PROSPECTIVE JURY PANEL PRESENT. CONFERENCE AT BENCH. Peremptory challenges exercised. Court instructed Jury. Eight Jurors and two alternates selected and sworn. Opening statements by Mr. Cloward and Mr. Gardner. COURT ORDERED, matter CONTINUED.

CONTINUED TO: 4/4/18 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

April 04, 2018

A-15-718679-C Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

April 04, 2018 10:15 AM Jury Trial - FIRM

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Aja Brown

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Boyack, Bryan A. Attorney
 Cloward, Benjamin P. Attorney
 Gardner, Douglas J, ESQ Attorney
 Morgan, Aaron M Plaintiff
 Rands, Douglas R Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding instructions to the Jury with respect to the previous trial.

JURY PRESENT. Testimony and exhibits presented (see worksheets). COURT ORDERED, matter CONTINUED.

CONTINUED TO: 4/5/18 10:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

April 05, 2018

A-15-718679-C Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

April 05, 2018 10:30 AM Jury Trial - FIRM

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Aja Brown

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Boyack, Bryan A. Attorney
 Cloward, Benjamin P. Attorney
 Gardner, Douglas J, ESQ Attorney
 Morgan, Aaron M Plaintiff
 Rands, Douglas R Attorney

JOURNAL ENTRIES

- JURY PRESENT. Testimony and exhibits presented (see worksheets). COURT ORDERED, matter CONTINUED.

CONTINUED TO: 4/6/18 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

April 06, 2018

A-15-718679-C Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

April 06, 2018 9:00 AM Jury Trial - FIRM

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Aja Brown

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Boyack, Bryan A. Attorney
 Cloward, Benjamin P. Attorney
 Gardner, Douglas J, ESQ Attorney
 Morgan, Aaron M Plaintiff
 Rands, Douglas R Attorney

JOURNAL ENTRIES

- JURY PRESENT. Testimony presented (see worksheet). Plaintiff rests.

OUTSIDE THE PRESENCE OF THE JURY. Jury instructions settled on record. COURT ORDERED,
matter CONTINUED.

CONTINUED TO: 4/9/18 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

April 09, 2018

A-15-718679-C Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

April 09, 2018 9:00 AM Jury Trial - FIRM

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 15A

COURT CLERK: Aja Brown

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Boyack, Bryan A. Attorney
Cloward, Benjamin P. Attorney
Gardner, Douglas J, ESQ Attorney
Morgan, Aaron M Plaintiff
Rands, Douglas R Attorney

JOURNAL ENTRIES

- JURY PRESENT. Testimony and exhibits presented (see worksheets). CONFERENCE AT BENCH. Defense rests. Court instructed the Jury. Closing statements by Mr. Cloward and Mr. Rands. Rebuttal by Mr. Cloward. At the hour of 3:33 p.m., Jury retired to deliberate.

JURY PRESENT. At the hour of 5:29 p.m., the Jury reached a verdict in accordance with the verdict which was filed in OPEN COURT; Plaintiff awarded damages in the amount of \$2,980,980.00. Court thanked and excused the jurors.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

April 10, 2018

A-15-718679-C Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

**April 10, 2018 9:00 AM Motion for Attorney Fees
and Costs**

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 15A

COURT CLERK: Aja Brown

RECORDER: Renee Vincent

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Matter called, no parties present. COURT ORDERED, matter CONTINUED.

CONTINUED TO: 5/24/18 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

May 24, 2018

A-15-718679-C Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

**May 24, 2018 9:00 AM Motion for Attorney Fees
and Costs**

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 03B

COURT CLERK: Nancy Maldonado

RECORDER: Renee Vincent

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Court advised the Motion has been withdrawn as of 04/11/18, and should have been taken off calendar.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Auto

COURT MINUTES

November 06, 2018

A-15-718679-C Aaron Morgan, Plaintiff(s)
vs.
David Lujan, Defendant(s)

November 06, 2018 9:00 AM Motion for Judgment Plaintiff's Motion for Entry of Judgment

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 03E

COURT CLERK: April Watkins

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Boyack, Bryan A.	Attorney
	Champion, Andrea M.	Attorney
	Harmon, Sarah E.	Attorney
	Kennedy, Dennis L.	Attorney
	Stewart, Thomas W,	Attorney

JOURNAL ENTRIES

- Mr. Stewart argued the actions of defense counsel were pretty clear throughout the trial he was representing individual Pltf. and Harvest Management. During counsels opening statement he introduced Harvest as his 36(b) client, no dispute Mr. Lujan was in the course and scope of his employment, driving the bus at the time of the accident. Further, Due to an inadvertent error on the verdict form, left off Harvest Management and when counsel noticed this, consulted the NRCP governing special verdicts and 49(a) allows for the Court to make a finding about something not submitted to the jury. Mr. Kennedy argued motion should be denied since and essentially it stems from two premises. The first, whatever the claim was, negligent entrustment or vicarious liability was apparently abandoned at some point early on and was never presented to the jury. Further, you go through the first trial, every step of the way where a lawyer would of said, this is my client, this is the claim that I am defending and it does not happen. It did not happen if voir dire, does not happen when naming witnesses for the jury and in the first trial does not happen in the opening statement and that ends in a mistrial. Then you go to the second trial, nothing in voir dire, nothing in opening

statement about the claim, nothing in the jury instructions, nothing in closing arguments and most importantly, there is nothing on the verdict form. Court inquired why on the jury instructions the caption includes the corporate Deft. and on the special verdict form, it does not. Mr. Kennedy stated he does not know and as to the jury instructions, they are printed off the regular caption that had that Deft. on it. When you look at the jury instructions, there are no jury instructions as to the theories asserted against Harvest Management and if you look at the verdict form, Deft. is singular. Additionally, with respect to that inconsistency, when you look at what counsel says in closing arguments to the jury, counsel argued there is no question counsel understands it is a sole Deft., showing the form on the apparently on the ELMO, this is what the form will look like and this is what you should do. You should find Mr. Lujan is 100% negligent and Pltf. 0% and you should make a finding against Mr. Lujan, the Pltf. and that is what the jury does. Further, Mr. Kennedy argued procedurally they never tried the case against that Deft. As to the master servant theory, Mr. Kennedy stated that is not actual plead, it is mentioned and nothing in there that pleads that theory. In fact, the evidence is, Mr. Lujan was having lunch and returning from lunch when the accident happened. Also, Rule 49 does not get them there, Rule 49 allows the Court to add implicit findings, does not allow the Court to allow add a party Deft. and a claim to a jury verdict form where the jury form does not include them to start with. As to negligent entrustment, Mr. Kenney argued they asked that the individual Deft. Mr. Lujan be found 100% negligent and that was the finding. Mr. Steward further argued inadvertent error on instructions. Mr. Boyack advised the Judge had prepared the special verdict form and along with that what does Harvest Management want the special verdict to look like if there is no comparative negligence on the corporate Deft. There was no evidence presented in any of the trial that he was not within the course and scope. The corporate representative who was put on the stand during the trial discusses he was an employee, discusses the facts of the accident and never does she bring up on direct or cross examination that he was on a break and we are not on the hook here or any assertion of that. Colloquy. COURT ORDERED, motion DENIED. While there is an inconsistency in the caption of the jury instructions and special verdict form, it does not appear to be any additional instructions that would lend credence to the fact that the claims against Harvest Management Sub, LLC, were submitted to the jury. Judgement to be submitted to the Court.

PLAINTIFF'S EXHIBITS**CASE NO. A-15-718679-C**

Morgan v. Lujan, Management Sub LLC

		Stipulated	Date Offered	Objection	Date Admitted
1.	Traffic Accident Report				
2.	Form 5 Code List				
3.	Property Damage Estimate for Morgan's Vehicle				
4.	Photos of Morgan Vehicle				
5.	AMR Records				
6.	Sunrise Hospital Records				
7.	Urgent Care Records				
8.	Ryan Grabow, MD Records				
9.	Nevada Comprehensive Pain Center Records				
10.	Las Vegas Valley Chiropractic Records				
11.	Las Vegas Radiology Records				
12.	William Muir, MD Records				
13.	PayLater Pharmacy Records				
14.	Advanced Spine and Rehabilitation Records				
15.	Southern Hills Hospital Records				
16.	Radiology Specialists, Ltd. Records				
17.	PBS Anesthesia Records				
18.	Fremont ER Records				
19.	Andrew Cash, M.D. Records				
20.	ATI Physical Therapy Records				
21.	Terrence Clauretie, CV, TH, FS				
22.	Terrance Dinneen, M.S. CV, TH, FS				
23.	Photos of Accident Scene				
24.	Video of Accident Scene				
25.	Complaint				
26.	Answer				
27.	Order re: Wrist				
28.	Las Vegas Radiology Films (2 CD's)				

DEFENDANT'S TRIAL EXHIBITS

CASE NO. A-15-718679-C

Morgan v. Lujan, Management Sub LLC

Date Offered OBJ Admitted Date

A.	Incident/Accident Report					
B.	Driver Statement Report					
C.	Incident Diagram					
D.	Accident Information Card					
E.	State of Nevada Traffic Accident Report					
F.	Repair Estimate (Plaintiff's vehicle)					
G.	Sixteen (16) colored photographs of Plaintiff's vehicle					
H.	Nine (9) colored photographs of Defendant's vehicle					
I.	U.S. Department of Transportation Alcohol Testing Forms Results (as to Defendant)					
J.	Las Vegas Metropolitan Police Department Traffic Collision Information					
K.	Expert, Steven M. Sanders, Report					

[illegible]

COURT'S EXHIBITS

CASE NO. A719679

Date Offered Objection Date Admitted

1. QUESTION FROM JUROR # 5	11/7/17	N	11/7/17
2. " " " " # 5	I	I	I
3. " " " " # 5	I	I	I
4. QUESTION FROM JUROR # 5	11/8/17	N	11/8/17
5. " " " " # 1	I	I	I
6. " " " " # 1	I	I	I
7. " " " " # 2	I	I	I
8. QUESTION FROM JUROR # 2	11/8/17	N	11/8/17
9. " " " " # 9	I	I	I
10. " " " " # 9	I	I	I
11. QUESTION FROM JUROR # 9	11/8/17	N	11/8/17

EXHIBIT(S) LIST

Case No.: A718679

Hearing / Trial Date: 04/02/18

Dept. No.: VII

Judge: Linda Marie Bell

Court Clerk: Aja Brown

Plaintiff: Aaron Morgan

Recorder / Reporter: Renee Vincent

Counsel for Plaintiff: Bryan Boyak and Benjamin

vs.

Cloward

Defendant: David Lujan

Counsel for Defendant: Douglas Gardner and

Douglas Rands

HEARING / TRIAL BEFORE THE COURT

PLAINTIFF'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
1					
2					
3	PROPERTY DAMAGE ESTIMATE MORGAN VEH	4/4/18	N	4/4/18	ws
4	PHOTOS OF MORGAN'S VEHICLE	4/4/18	N	4/4/18	ws
5					
6	SUNRISE HOSPITAL RECORDS	4/9/18	N	4/9/18	ws
7	URGENT CARE RECORDS	4/4/18	N	4/4/18	ws
8					
9	NEVADA COMPREHENSIVE PAIN CTR RECS	4/5/18	N	4/5/18	ws
10	LAS VEGAS VALLEY CHIROPRACTIC RECS	4/5/18	N	4/5/18	ws
11	LAS VEGAS RADIOLOGY RECORDS	4/5/18	N	4/5/18	ws
12					
13					
14					
15					
16					
17					

Case No: A718U79

vs. LIWAN

EXHIBITS

Rev. 03/2016

EXHIBIT(S) LIST

Case No.: A718679

Hearing / Trial Date: 04/02/18

Dept. No.: VII

Judge: Linda Marie Bell

Court Clerk: Aja Brown

Plaintiff: Aaron Morgan

Recorder / Reporter: Renee Vincent

Counsel for Plaintiff: Bryan Boyak and Benjamin

vs.

Cloward

Defendant: David Lujan

Counsel for Defendant: Douglas Gardner and

Douglas Rands

HEARING / TRIAL BEFORE THE COURT

COURT'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
1	QUESTION FROM JUROR # 6 (ASKED)	4/4/18	N/A	4/4/18	wa
2	QUESTION FROM JUROR # 6 (ASKED)	4/4/18	N/A	4/4/18	wa
3	QUESTION FROM JUROR # 6 (ASKED)	4/5/18	N/A	4/5/18	wa
4	QUESTION FROM JUROR # 6 (ASKED)	4/5/18	N/A	4/5/18	wa
5	QUESTION FROM JUROR # 5 (ASKED)	4/5/18	N/A	4/5/18	wa
6	QUESTION FROM JUROR # 8 (ASKED)	4/5/18	N/A	4/5/18	wa
7	QUESTION FROM JUROR # 10 (ASKED)	4/5/18	N/A	4/5/18	wa
8	QUESTION FROM JUROR # 9 (ASKED)	4/5/18	N/A	4/5/18	wa
9	QUESTION FROM JUROR # 6 (ASKED)	4/6/18	N/A	4/6/18	wa
10	QUESTION FROM JUROR # 6 (ASKED)	4/6/18	N/A	4/6/18	wa
11	QUESTION FROM JUROR # 5 (ASKED)	4/6/18	N/A	4/6/18	wa
12	QUESTION FROM JUROR # 5 (ASKED)	4/6/18	N/A	4/6/18	wa
13	QUESTION FROM JUROR # 5 (ASKED)	4/6/18	N/A	4/6/18	wa
14	QUESTION FROM JUROR # 5 (ASKED)	4/6/18	N/A	4/6/18	wa
15	QUESTION FROM JUROR # 10 (ASKED)	4/6/18	N/A	4/6/18	wa
16	QUESTION FROM JUROR # 10 (ASKED)	4/6/18	N/A	4/6/18	wa
17	QUESTION FROM JUROR # 10 (ASKED)	4/6/18	N	4/6/18	wa

EXHIBIT(S) LIST

Case No: A718679

Aaron Morgan

VS.

David Lujan

COURT'S EXHIBITS

[illegible]



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

**MICAH S. ECHOLS, ESQ.
10001 PARK RUN DR.
LAS VEGAS, NV 89145**

**DATE: December 21, 2018
CASE: A-15-718679-C**

RE CASE: AARON M. MORGAN vs. DAVID E. LUJAN; HARVEST MANAGEMENT SUB LLC

NOTICE OF APPEAL FILED: December 18, 2018

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
- ☐ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☒ Notice of Entry of Order *re: Judgment Upon the Jury Verdict filed December 17, 2018*

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 (e) 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 ON PLAINTIFFS' MOTION FOR ENTRY OF JUDGMENT; NOTICE OF ENTRY OF ORDER ON PLAINTIFF'S MOTION FOR ENTRY OF JUDGMENT; JUDGMENT UPON THE JURY VERDICT; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

AARON M. MORGAN,

Plaintiff(s),

vs.

DAVID E. LUJAN; HARVEST
MANAGEMENT SUB LLC,

Defendant(s),

Case No: A-15-718679-C

Dept No: XI

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 21 day of December 2018.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

JM

Clerk of the Supreme Court

12/20/2018

125755
\$250.00

Inv.Date	Inv.No.	Invoice Description
12-20-2018	MSE15167-1.	

Amount
250.00

125755

Total:**\$250.00**

THIS DOCUMENT HAS A MULTI-COLORED FACE THAT CHANGES COLOR GRADUALLY.

SEE LIST OF SECURITY FEATURES ON THE BACK. DO NOT CASH UNLESS ALL ARE PRESENT.



MARQUIS AURBACH
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Las Vegas, Nevada 89125
94-77/1224

125755
125755**Two Hundred Fifty and No/100 Dollars**

DATE

AMOUNT

12/20/2018

\$250.00

PAY
TO THE
ORDER
OF

Clerk of the Supreme Court

201 S. Carson St., Ste. # 201
Carson City, NV 89701



⑈ 125755 ⑈ ⑆ 122400779⑆0002100543⑈