

Electronically Filed
Oct 23 2019 10:07 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

NOAS
DANIEL L. SCHWARTZ, ESQ.
Nevada Bar No. 005125
JOEL P. JEEVES, ESQ.
Nevada Bar No. 013231
LEWIS BRISBOIS BISGAARD & SMITH LLP
2300 W. Sahara Ave. Ste. 300
Las Vegas, Nevada 89102
Telephone: 702-893-3383
Facsimile: 702-366-9689
Email: daniel.schwartz@lewisbrisbois.com
Attorneys for Petitioners
Focus Framing and
Sun City Electric

DISTRICT COURT

CLARK COUNTY, NEVADA

FOCUS FRAMING and SUN CITY ELECTRIC, CASE NO.: A-18-774772-J

Petitioners,

DEPT. NO.: X

v.

MARTIN DURAN PEREZ. and THE
DEPARTMENT OF ADMINISTRATION,
HEARINGS DIVISION, APPEALS OFFICE,
an Agency of the State of Nevada,

Respondents.

NOTICE OF APPEAL

TO: MARTIN DURAN PEREZ

TO: ALIKA ANGERMAN

NOTICE IS HEREBY GIVEN that Petitioners FOCUS FRAMING and SUN CITY
ELECTRIC, (hereinafter referred to as the "Petitioners"), in the above-entitled action, hereby
appeal to the Supreme Court of the State of Nevada from the attached "Order" entered in this

///

1 action on or about July 3, 2019 which denied Petitioners' Petition for Judicial Review and the
2 "Notice of Entry of Order" filed on or about September 13, 2019.

3
4 DATED this 14 day of October, 2019.

5 Respectfully submitted,

6 **LEWIS BRISBOIS BISGAARD & SMITH LLP**

7
8
9 By: 

DANIEL L. SCHWARTZ, ESQ.

Nevada Bar No. 005125

JOEL P. REEVES, ESQ.

Nevada Bar No. 013231

2300 W. Sahara Ave. Ste. 300

Las Vegas, Nevada 89102

Phone: 702-893-3383

Fax: 702-366-9689

Attorneys for Petitioners

DISTRICT COURT
CLARK COUNTY, NEVADA

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding document, _____

NOTICE OF APPEAL

filed in case number: A-18-774772-J

☒ Document does not contain the Social Security number of any person.

- OR -

☐ Document contains the Social Security number of a person as required by:

☐ A specific state or federal law, to wit:

- or -

☐ For the administration of a public program

- or -

☐ For an application for a federal or state grant

- or -

☐ Confidential Family Court Information Sheet
(NRS 125.130, NRS 125.230 and NRS 125B.055)

Date: 10/14/19


(Signature)

DANIEL L. SCHWARTZ, ESQ.
(Print Name)

PETITIONERS
(Attorney for)

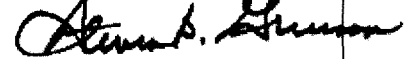
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LIST OF EXHIBITS

EXHIBIT I: Notice of Entry of Order, dated 09/13/19

EXHIBIT I

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1 **NEOJ**
2 **ALIK A K. ANGERMAN, ESQ.**
3 Nevada Bar No. 12933
4 **BIGHORN LAW**
5 716 S. Jones Blvd.
6 Las Vegas, Nevada 89107
7 Tel: (702) 333-1111
8 Email: Alika@BighornLaw.com
9 *Attorneys for Respondent, Martin Duran Perez*

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

12 **FOCUS FRAMING and SUN CITY**
13 **ELECTRIC,**

14 Petitioners,

15 v.

CASE NO: A-18-774772-J

DEPT. NO:X

16 **MARTIN DURAN PEREZ, and THE**
17 **DEPARTMENT OF ADMINISTRATION**
18 **HEARINGS DIVISION, APPEALS OFFICE,**
19 **an Agency of the State of Nevada**

20 Respondents.

21 **NOTICE OF ENTRY OF ORDER DENYING THE PETITION FOR JUDICIAL**
22 **REVIEW**

23 PLEASE TAKE NOTICE that an Order Denying Petition for Judicial Review was entered
24 in favor of Respondents on April 16, 2019 by the above-entitled court.

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A copy of said Order is attached hereto.

DATED this 13th day of September, 2019.

BIGHORN LAW

By: /s/ Alika K. Angerman
ALIKA K. ANGERMAN, ESQ.
Nevada Bar No. 12933
716 S. Jones Blvd.
Las Vegas, Nevada 89107
Attorneys for Respondent

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5, NEFCR 9 and EDCR 8.05, I hereby certify that I am an employee
3 of BIGHORN LAW, and on September 13, 2019, I served a copy of the foregoing **NOTICE OF**
4 **ENTRY OF ORDER DENYING THE PETITION FOR JUDICIAL REVIEW** as follows:
5

6 ☒ Electronic Service – By serving a copy thereof through the Court’s electronic service
7 system

8 ☒ U.S. Mail—By depositing a true copy thereof in the U.S. mail, first class postage
9 prepaid and addressed as listed below; and/or

10 ☐ Facsimile—By facsimile transmission pursuant to EDCR 7.26 to the facsimile
11 number(s) shown below and in the confirmation sheet filed herewith. Consent to service
12 under NRCP 5(b)(2)(D) shall be assumed unless an objection to service by facsimile
13 transmission is made in writing and sent to the sender via facsimile within 24 hours of
14 receipt of this Certificate of Service; and/or

15 **LEWIS BRISBOIS BISGAARD & SMITH**

16 **JOEL REEVES, ESQ.**

17 Nevada Bar No. 13231

18 2300 W. Sahara Ave. Suite 300, Box 28

19 Las Vegas, Nevada 89102

20 **E-SERVICE**

21 *Attorneys for Petitioner*

22 **FOCUS FRAMING/PLUMBING**

23 **C/O Sun City Electric**

24 1220 S. Commerce Street Suite 120

25 Las Vegas, Nevada 89102

26 **Via US Postal Mailing**

27 By: /s/ Eva G. Dhimi
28 An employee of **BIGHORN LAW**

EXHIBIT 1



1 **ORDER**
2 BIGHORN LAW
3 ALIKA K. ANGERMAN, ESQ.
4 716 S. Jones Blvd
5 Las Vegas, NV 89107
6 alika@bighornlaw.com
7 Phone: (702) 333-1111
8 Fax: (702) 507-0092
9 Attorneys for Petitioner

6 **DISTRICT COURT**
7
8 **CLARK COUNTY, NEVADA**

9 *****

9 FOCUS FRAMING and SUN CITY
10 ELECTRIC,

11 Petitioners,

12 v.

13 MARTIN DURAN PEREZ, and THE
14 DEPARTMENT OF
15 ADMINISTRATION, HEARINGS
16 DIVISION, APPEALS OFFICE, an
17 Agency of the State of Nevada

18 Respondents.

CASE NO.: A-18-774772-J
DEPT. NO.: X

17 **ORDER DENYING THE PETITION FOR JUDICIAL REVIEW**

18 After careful review and consideration of the papers and pleadings on file herein:

19 THE COURT ORDERS the Appeals Officer Decision and Order be AFFIRMED and the Petition
20 for Judicial review is DENIED.

21 DATED this 16 day of April 2019.

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District Court Judge
Tierra Jones

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Submitted by:

BIGHORN LAW

By:

ALIKA K. ANGERMAN, ESQ.

Nevada Bar No.: 12933

716 S. Jones Blvd.

Las Vegas, NV 89107

Phone: 702-333-1111

Fax 702-507-0092

Attorneys for Respondent

Approved as to form and content:

LEWIS BRISBOIS BISGAARD & SMITH

By:

JOEL REEVES, ESQ.

Nevada Bar No.: 13231

2300 W. Sahara Avenue, Ste. 300, Box 28

Las Vegas, NV 89102

Attorneys For Petitioner

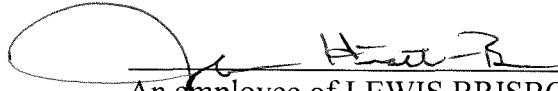
1 **CERTIFICATE OF MAILING**

2 Pursuant to Nevada Rules of Civil Procedure 5(b), I hereby certify that, on the 14th day of
3 October, 2019, service of the foregoing **NOTICE OF APPEAL** was made this date by depositing a
4 true copy of the same for mailing, first class mail, as follows:

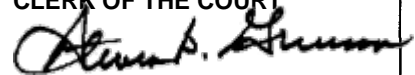
5 Bighorn Law
6 716 S. Jones Blvd.
7 Las Vegas, NV 89107

8 Focus Framing
9 C/O Sun City Electric

10 Focus Framing
11 C/O Sun City Electric
12 ATTN: Patty Pizano
13 1220 S. Commerce St., #120
14 Las Vegas, NV 89102

15 

16 An employee of LEWIS BRISBOIS BISGAARD & SMITH LLP
17
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1 **ASTA**
DANIEL J. SCHWARTZ, ESQ.
2 Nevada Bar No. 005125
JOEL P. REEVES, ESQ.
3 Nevada Bar No. 013231
LEWIS BRISBOIS BISGAARD & SMITH LLP
4 2300 W. Sahara Ave. Ste. 300
Las Vegas, Nevada 89102
5 Telephone: 702-893-3383
Facsimile 702-366-9689
6 Email: daniel.schwartz@lewisbrisbois.com
Attorneys for Petitioners
7 *Focus Framing and*
Sun City Electric

8 **DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

10 **FOCUS FRAMING and SUN CITY ELECTRIC,**

11 **Petitioners,**

12 **v.**

13 **MARTIN DURAN PEREZ. and THE**
14 **DEPARTMENT OF ADMINISTRATION,**
15 **HEARINGS DIVISION, APPEALS OFFICE,**
an Agency of the State of Nevada,

16 **Respondents..**

CASE NO.: A-18-774772-J

DEPT. NO.: X

17 **CASE APPEAL STATEMENT**

18 1. Name of Petitioners filing this case appeal statement:

19 **Focus Framing and Sun City Electric**

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

21 **Hon. Tierra Jones, District Court Judge**

22 3. Identify all parties to the proceedings in the district court (the use of et al. to denote
23 parties is prohibited):

24 **Focus Framing, Sun City Electric, and Martin Duran Perez**

25 ...

26 ...

27 ...

1 4. Identify all parties involved in this appeal (the use of et al. to denote parties is
2 prohibited):

3 **Focus Framing, Sun City Electric, and Martin Duran Perez**

4 5. Set forth the name, law firm, address, and telephone number of all counsel on
5 appeal and identify the party or parties whom they represent:

6 **DANIEL L. SCHWARTZ, ESQ.**
7 **JOEL P. REEVES, ESQ.**
8 **LEWIS BRISBOIS BISGAARD & SMITH LLP**
9 **2300 W. Sahara Avenue, Suite 300, Box 28**
10 **Las Vegas, Nevada 89102-4375**
11 *Attorneys for Petitioners*
12 *Focus Framing and*
13 *Sun City Electric*

14 **ALIKA K. ANGERMAN, ESQ.**
15 **BIGHORN LAW**
16 **716 S. Jones Blvd.**
17 **Las Vegas, Nevada 89107**
18 *Attorney for Respondent*
19 *Martin Duran Perez*

20 6. Indicate whether Petitioners were represented by appointed or retained counsel in
21 the district court:

22 **Petitioners were represented by retained counsel in the District Court.**

23 7. Indicate whether Respondent was represented by appointed or retained counsel in
24 the district court:

25 **Respondent was represented by retained counsel in the District Court.**

26 8. Indicate whether Petitioners are represented by appointed or retained counsel on
27 appeal:

28 **Petitioners are represented by retained counsel on appeal.**

9. Indicate whether Respondent is represented by appointed or retained counsel on
appeal:

Respondent is represented by retained counsel on appeal.

1 10. Indicate whether Petitioners were granted leave to proceed in forma pauperis, and
2 the date of entry of the district court order granting such leave:

3 **Petitioners were not granted leave to proceed in forma pauperis.**

4 11. Indicate whether Respondent was granted leave to proceed in forma pauperis, and
5 the date of entry of the district court order granting such leave:

6 **Respondent was not granted leave to proceed in forma pauperis.**

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

9 **The Petition for Judicial Review of the Appeals Officer's Decision of May 3, 2018 was**
10 **filed on May 18, 2018.**

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

13 **This is a workers' compensation case. On December 30, 2016, the Respondent,**
14 **MARTIN DURAN PEREZ (hereinafter referred to as "Respondent") arrived to work and**
15 **was upset about an allegedly short paycheck for a period where he was working under a**
16 **supervisor named Pedro. Respondent's Safety Manager, Nicholas Pao, informed Respondent**
17 **that the proper way to resolve his paycheck issue was to speak with payroll at the end of the**
18 **day and they would help him. Despite Mr. Pao's instruction, Respondent left his job site and**
19 **walked to another job site where Pedro was working. Respondent then scaled a house frame,**
20 **failed to attach any protective gear, and then proceeded to argue with Pedro about the check**
21 **for approximately ten (10) minutes. Then, unfortunately, Pedro's son got involved in the**
22 **argument and pushed Respondent off the house frame, causing injury to Respondent. A**
23 **Criminal Complaint was issued against Pedro's son, Jose Rosales.**

1 On March 6, 2017, Petitioners denied Respondent's claim for worker's compensation
2 benefits based on the fact that Respondent's injuries were unrelated to his employment.

3 Respondent appealed

4 On June 1, 2017, following Hearing No. 1710955-MT, the Hearing Officer issued a
5 Decision and Order reversing the March 6, 2017 determination denying the claim.
6 Petitioners filed a timely appeal. In addition, the Petitioners filed a Motion for a Stay of the
7 Hearing Officer's decision, which was granted.
8

9 On February 9, 2018, this case came on for hearing before the Appeals Officer. The
10 testimonies of four separate witnesses were taken: Respondent; Respondent's brother-in-
11 law; and two safety directors for Employer (Nicholas Pao and Kevin Mendoza).
12

13 On May 3, 2018, the Appeals Officer issued the subject Decision and Order reversing
14 claim denial. Of note, the Decision and Order makes no mention whatsoever of any of the
15 testimony given. Nor does it comment on the credibility of any witness.

16 Petitioners filed the instant Petition for Judicial Review contesting the May 3, 2018
17 Appeals Officer's Decision and Order and the District Court granted a request for a stay.
18 On July 2, 2019, the District Court issued an Order Denying the Petition for Judicial
19 Review. The Notice of Entry of Order was filed on September 13, 2019.
20

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

24 No.

25 15. Indicate whether this appeal involves child custody or visitation:

26 No.

27 ...
28

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

3 No.

4 DATED this 14 day of October, 2019.

5 Respectfully submitted,

6 LEWIS BRISBOIS BISGAARD & SMITH LLP

7
8
9 By:

DANIEL L. SCHWARTZ, ESQ.

JOEL P. REEVES, ESQ.

LEWIS BRISBOIS BISGAARD & SMITH, LLP

2300 West Sahara Avenue, Suite 300, Box 28

Las Vegas, Nevada 89102

Attorneys for Petitioners

DISTRICT COURT
CLARK COUNTY, NEVADA

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding document, _____

CASE APPEAL STATEMENT

filed in case number: A-18-774772-J :

☐ Document does not contain the Social Security number of any person.

- OR -

☐ Document contains the Social Security number of a person as required by:

☐ A specific state or federal law, to wit:

- or -

☐ For the administration of a public program

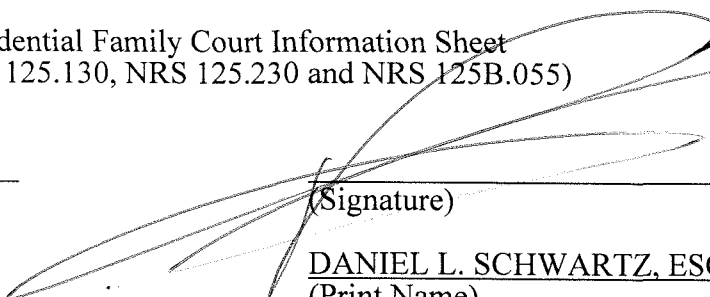
- or -

☐ For an application for a federal or state grant

- or -

☐ Confidential Family Court Information Sheet
(NRS 125.130, NRS 125.230 and NRS 125B.055)

Date: 10/18/19


(Signature)

DANIEL L. SCHWARTZ, ESQ.
(Print Name)

PETITIONERS
(Attorney for)

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. A-18-774772-J**

Focus Framing, Petitioner(s)
vs.
Martin Duran Perez, Respondent(s)

§
 §
 §
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 §

Location: **Department 10**
 Judicial Officer: **Jones, Tierra**
 Filed on: **05/18/2018**
 Case Number History:
 Cross-Reference Case Number: **A774772**

CASE INFORMATION

Case Type: **Worker's Compensation Appeal**

Case Status: **05/18/2018 Open**

DATE**CASE ASSIGNMENT****Current Case Assignment**

Case Number A-18-774772-J
 Court Department 10
 Date Assigned 05/21/2018
 Judicial Officer Jones, Tierra

PARTY INFORMATION**Petitioner****Focus Framing***Lead Attorneys*

Schwartz, Daniel L
Retained
 702-893-3383(W)

Sun City Electric

Schwartz, Daniel L
Retained
 702-893-3383(W)

Respondent

Department of Administration Hearings Division Appeals Office
Duran Perez, Martin

Angerman, Alikia K
Retained

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

05/18/2018



Initial Appearance Fee Disclosure
 Filed By: Petitioner Sun City Electric
Initial Appearance Fee Disclosure

05/18/2018



Petition for Judicial Review
 Filed by: Petitioner Focus Framing; Petitioner Sun City Electric
Petition for Judicial Review

05/21/2018



Peremptory Challenge
 Filed by: Petitioner Focus Framing; Petitioner Sun City Electric
Peremptory Challenge of Judge
















05/21/2018



Notice of Department Reassignment
Notice of Department Reassignment

CASE SUMMARY

CASE NO. A-18-774772-J

| | |
|------------|--|
| 05/21/2018 |  Initial Appearance Fee Disclosure Filed By: Petitioner Focus Framing; Petitioner Sun City Electric <i>Peremptory Challenge Filing Fee Disclosure</i> |
| 05/23/2018 |  Motion Filed By: Petitioner Focus Framing; Petitioner Sun City Electric <i>Petitioners' Motion for Stay Pending Appeal and Request for Order Shortening Time</i> |
| 06/15/2018 |  Opposition <i>Respondent's Opposition to Petitioner's Motion for Stay</i> |
| 07/16/2018 |  Order Filed By: Petitioner Focus Framing; Petitioner Sun City Electric <i>Order Granting Motion for Stay</i> |
| 07/17/2018 |  Notice of Entry of Order Filed By: Petitioner Focus Framing; Petitioner Sun City Electric <i>Notice of Entry of ORder</i> |
| 07/24/2018 |  Transmittal of Record on Appeal Party: Respondent Department of Administration Hearings Division Appeals Office <i>TRANSMITTAL OF RECORD ON APPEAL</i> |
| 07/24/2018 |  Affidavit Filed By: Respondent Department of Administration Hearings Division Appeals Office <i>AFFIDAVIT AND CERTIFICATION</i> |
| 07/24/2018 |  Certification of Transmittal Party: Respondent Department of Administration Hearings Division Appeals Office <i>CERTIFICATION OF TRANSMITTAL</i> |
| 09/04/2018 |  Brief Filed By: Petitioner Focus Framing; Petitioner Sun City Electric <i>Petitioners' Opening Brief</i> |
| 10/08/2018 |  Respondent's Answering Brief <i>Respondent's Answering Brief</i> |
| 11/07/2018 |  Brief Filed By: Petitioner Focus Framing; Petitioner Sun City Electric <i>Petitioners' Reply Brief</i> |
| 12/10/2018 |  Request Filed by: Petitioner Focus Framing; Petitioner Sun City Electric <i>Request for Hearing on Petitioner's Petition for Judicial Review</i> |
| 07/02/2019 |  Order <i>Order Denying The Petition for Judicial Review</i> |
| 09/13/2019 |  Notice of Entry of Order <i>Notice of Entry of Order Denying Petition for Judicial Review</i> |
| 10/08/2019 |  Motion |

CASE SUMMARY
CASE NO. A-18-774772-J

Filed By: Petitioner Focus Framing; Petitioner Sun City Electric
Petitioners' Motion for Stay Pending Supreme Court Appeal and Request for Order Shortening Time

10/11/2019



Opposition

Filed By: Respondent Duran Perez, Martin
Respondent's Opposition to Petitioners' Motion for Stay Pending Supreme Court Appeal

10/14/2019



Notice of Appeal

Filed By: Petitioner Focus Framing; Petitioner Sun City Electric
Notice of Appeal

10/14/2019



Case Appeal Statement

Filed By: Petitioner Focus Framing; Petitioner Sun City Electric
Case Appeal Statement

DISPOSITIONS

07/02/2019

Order Denying Judicial Review (Judicial Officer: Jones, Tierra)
Debtors: Focus Framing (Petitioner), Sun City Electric (Petitioner)
Creditors: Martin Duran Perez (Respondent), Department of Administration Hearings Division Appeals Office (Respondent)
Judgment: 07/02/2019, Docketed: 07/03/2019

HEARINGS

06/19/2018



Motion For Stay (9:30 AM) (Judicial Officer: Jones, Tierra)

06/19/2018, 06/26/2018

Petitioners Focus Framing and Sun City Electric's Motion for Stay Pending Appeal and Request for Order Shortening Time

Matter Continued;

Motion Granted; Petitioners Focus Framing and Sun City Electric's Motion for Stay Pending Appeal and Request for Order Shortening Time

Journal Entry Details:

Colloquy regarding medical treatment Respondent will need. Mr. Angerman advised on December 30, 2016, Respondent suffered injuries. Further, within first thirty days insurance company has to issue determination, Respondent was allowed to treat under workers compensation system and then claim was denied in March. At that time, Respondent was allowed to treat outside workers compensation system. However, Respondent was not working, no insurance, no money and no actual means to treat. Mr. Reeves argued no evidence he needs medical treatment. Further, without some sort of evidence he will be irreparably harmed, no evidence to support as to irreparable harm. As to counsel's client, client will have to potentially issue retroactive wage replacement benefits that cannot be given back. Additionally, Mr. Reeves argued if Respondent is successful, he will get his benefits, his wage replacement benefits if he is entitled to them at the end of the appeal process and there is no irreparable harm. Mr. Angerman argued Respondent has already been irreparably harmed. Further, there is a C-4 document indicating Respondent needs additional care. In addition to that, physician took Respondent off work for about a week and after that Respondent was placed on work restrictions from preventing him suffering another head injury. Additional argument by Mr. Reeves. COURT ORDERED, motion GRANTED.;

Matter Continued;

Motion Granted; Petitioners Focus Framing and Sun City Electric's Motion for Stay Pending Appeal and Request for Order Shortening Time



Journal Entry Details:

Alika Angerman, Esq., present on behalf of Respondent. Upon Court's inquiry, Mr. Angerman advised Morris Anderson is now Bighorn Law. Based on that representation, Court noted no Opposition had been filed. Colloquy regarding the Opposition being filed. COURT ORDERED, matter CONTINUED for the Court to review the Opposition. Court confirmed the temporary stay is to remain in place until the Motion is heard. CONTINUED TO: 6/26/18 9:30 AM;

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-18-774772-J

| | |
|------------|--|
| 01/15/2019 |  Petition for Judicial Review (9:30 AM) (Judicial Officer: Jones, Tierra) 01/15/2019, 01/22/2019, 01/29/2019 <i>Request for Hearing on Petitioner's Petition for Judicial Review</i> Continued; Matter Continued; Request for Hearing on Petitioner's Petition for Judicial Review Matter Heard; Journal Entry Details: <i>Following arguments by counsel, COURT ORDERED matter CONTINUED to this Court's chamber's calendar for Decision, on the date given. 01/31/19 (CHAMBERS) DECISION PETITION FOR JUDICIAL REVIEW;</i> Continued; Matter Continued; Request for Hearing on Petitioner's Petition for Judicial Review Matter Heard; Journal Entry Details: <i>Mr. Angerman informed the Court opposing counsel is in another court. MATTER TRAILED. MATTER RECALLED. The Court noted opposing counsel has not made an appearance. COURT ORDERED, MATTER CONTINUED. 1-29-18 9:30 AM PETITIONER'S PETITION FOR JUDICIAL REVIEW;</i> Continued; Matter Continued; Request for Hearing on Petitioner's Petition for Judicial Review Matter Heard; Journal Entry Details: <i>Court noted not parties present, however, Mr. Lavery signed in. Matter trailed. Later matter recalled. Mr. Lavery still not present. COURT ORDERED, matter CONTINUED to the date given. Later matter recalled, following this Court's calendar. Mr. Lavery present, late, on behalf of Petitioner, advising he sent a text to opposing counsel, and counsel advised this wasn't on calendar today. Court noted it is prepared to rule on the pleadings today. Mr. Lavery requested to pass the matter for opposing counsel's presence. Court so noted and ORDERED, matter CONTINUED for counsel's presence. 01/22/19 9:30 A.M. PETITION FOR JUDICIAL REVIEW Clerk's Note: A copy of these minutes emailed to Ms.. Angerman Esq., at alika@bighornlaw.com /tb;</i> |
| 01/31/2019 |  Decision (3:00 AM) (Judicial Officer: Jones, Tierra) <i>Decision: Petition for Judicial Review</i> Decision Made; Journal Entry Details: <i>Following review of the papers and pleadings on file herein, COURT ORDERED, the Appeals Officer s Decision and Order be AFFIRMED. ;</i> |
| 10/17/2019 | Motion For Stay (9:30 AM) (Judicial Officer: Jones, Tierra) <i>Petitioners' Motion for Stay Pending Supreme Court Appeal and Request for Order Shortening Time</i> |

| DATE | FINANCIAL INFORMATION |
|------|--|
| | Petitioner Focus Framing Total Charges 1,200.00 Total Payments and Credits 1,200.00 Balance Due as of 10/15/2019 0.00 |
| | Petitioner Sun City Electric Total Charges 24.00 Total Payments and Credits 24.00 Balance Due as of 10/15/2019 0.00 |
| | Petitioner Focus Framing Appeal Bond Balance as of 10/15/2019 500.00 |

DISTRICT COURT CIVIL COVER SHEET

County, Nevada

A-18-774772-J

Case No. _____

(Assigned by Clerk's Office)

Department 30

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

| | |
|---|---|
| Plaintiff(s) (name/address/phone): FOCUS FRAMING AND SUN CITY ELECTRIC 1220 S. COMMERCE STREET, #120 LAS VEGAS, NV 89102 | Defendant(s) (name/address/phone): MARTIN DURAN PEREZ |
| Attorney (name/address/phone): DANIEL SCHWARTZ, ESQ LEWIS BRISBOIS BISGAARD & SMITH LLP 2300 W. Sahara, Ste. 300, Box 28 LAS VEGAS, NV 89101 / 702-893-3383 | Attorney (name/address/phone): ALIKA ANGERMAN, ESQ. BIGHORN LAW 716 S. JONES BLVD. LAS VEGAS, NV 89107 / 702-333-1111 |

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

Civil Case Filing Types

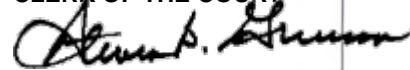
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|---|--|---|
| Real Property Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant Title to Property <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property 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 <i>(select case type and estate value)</i> <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 checked="" 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.

5/18/18
Date

Signature of initiating party or representative

See other side for family-related case filings.



1 **ORDR**
2 BIGHORN LAW
3 ALIKA K. ANGERMAN, ESQ.
4 716 S. Jones Blvd
5 Las Vegas, NV 89107
6 alika@bighornlaw.com
7 Phone: (702) 333-1111
8 Fax: (702) 507-0092
9 *Attorneys for Petitioner*

6 **DISTRICT COURT**
7 **CLARK COUNTY, NEVADA**

8 *****

9 FOCUS FRAMING and SUN CITY
10 ELECTRIC,

11 *Petitioners,*

12 v.

13 MARTIN DURAN PEREZ, and THE
14 DEPARTMENT OF
15 ADMINISTRATION, HEARINGS
16 DIVISION, APPEALS OFFICE, an
17 Agency of the State of Nevada

18 *Respondents.*

CASE NO.: A-18-774772-J

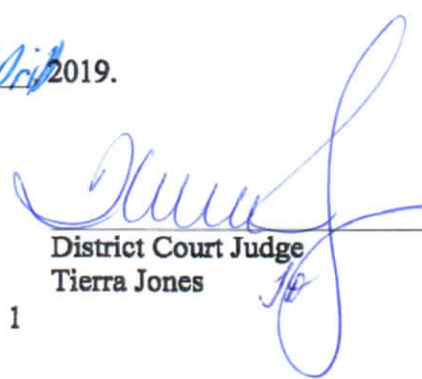
DEPT. NO.: X

17 **ORDER DENYING THE PETITION FOR JUDICIAL REVIEW**

18 After careful review and consideration of the papers and pleadings on file herein:

19 THE COURT ORDERS the Appeals Officer Decision and Order be AFFIRMED and the Petition
20 for Judicial review is DENIED.

21 DATED this 16 day of April 2019.

22
23
24 
District Court Judge
Tierra Jones

1
2
3 Submitted by:

4 BIGHORN LAW

5 By: 

6 ALIKA K. ANGERMAN, ESQ.

7 Nevada Bar No.: 12933

8 716 S. Jones Blvd.

9 Las Vegas, NV 89107

10 Phone: 702-333-1111

11 Fax: 702-507-0092

12 *Attorneys for Respondent*

Approved as to form and content:

LEWIS BRISBOIS BISGAARD & SMITH

By: 

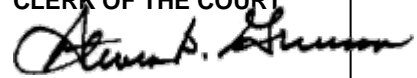
JOEL REEVES, ESQ.

Nevada Bar No.: 13231

2300 W. Sahara Avenue, Ste. 300, Box 28

Las Vegas, NV 89102

Attorneys For Petitioner



NEOJ
ALIKA K. ANGERMAN, ESQ.
Nevada Bar No. 12933
BIGHORN LAW
716 S. Jones Blvd.
Las Vegas, Nevada 89107
Tel: (702) 333-1111
Email: Alika@BighornLaw.com
Attorneys for Respondent, Martin Duran Perez

DISTRICT COURT
CLARK COUNTY, NEVADA

FOCUS FRAMING and SUN CITY
ELECTRIC,

Petitioners,

v.

MARTIN DURAN PEREZ, and THE
DEPARTMENT OF ADMINISTRATION
HEARINGS DIVISION, APPEALS OFFICE,
an Agency of the State of Nevada

Respondents.

CASE NO: A-18-774772-J

DEPT. NO:X

**NOTICE OF ENTRY OF ORDER DENYING THE PETITION FOR JUDICIAL
REVIEW**

PLEASE TAKE NOTICE that an Order Denying Petition for Judicial Review was entered
in favor of Respondents on April 16, 2019 by the above-entitled court.

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A copy of said Order is attached hereto.

DATED this 13th day of September, 2019.

BIGHORN LAW

By: /s/ Alike K. Angerman
ALIKA K. ANGERMAN, ESQ.
Nevada Bar No. 12933
716 S. Jones Blvd.
Las Vegas, Nevada 89107
Attorneys for Respondent

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5, NEFCR 9 and EDCR 8.05, I hereby certify that I am an employee
3 of BIGHORN LAW, and on September 13, 2019, I served a copy of the foregoing **NOTICE OF**
4 **ENTRY OF ORDER DENYING THE PETITION FOR JUDICIAL REVIEW** as follows:
5

6 ☒ Electronic Service – By serving a copy thereof through the Court’s electronic service
7 system

8 ☒ U.S. Mail—By depositing a true copy thereof in the U.S. mail, first class postage
9 prepaid and addressed as listed below; and/or

10 ☐ Facsimile—By facsimile transmission pursuant to EDCR 7.26 to the facsimile
11 number(s) shown below and in the confirmation sheet filed herewith. Consent to service
12 under NRCP 5(b)(2)(D) shall be assumed unless an objection to service by facsimile
13 transmission is made in writing and sent to the sender via facsimile within 24 hours of
14 receipt of this Certificate of Service; and/or

14 **LEWIS BRISBOIS BISGAARD & SMITH**
15 **JOEL REEVES, ESQ.**

15 Nevada Bar No. 13231
16 2300 W. Sahara Ave. Suite 300, Box 28
16 Las Vegas, Nevada 89102

17 **E-SERVICE**

17 *Attorneys for Petitioner*

18 **FOCUS FRAMING/PLUMBING**

19 **C/O Sun City Electric**

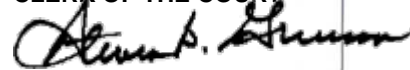
19 1220 S. Commerce Street Suite 120

20 Las Vegas, Nevada 89102

21 **Via US Postal Mailing**

23 By: /s/ Eva G. Dhimi
24 An employee of **BIGHORN LAW**

EXHIBIT 1



1 **ORDR**
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6 alika@bighornlaw.com
7 Phone: (702) 333-1111
8 Fax: (702) 507-0092
9 *Attorneys for Petitioner*

6 **DISTRICT COURT**
7
8 **CLARK COUNTY, NEVADA**

8 * * * * *

9 FOCUS FRAMING and SUN CITY
10 ELECTRIC,

11 *Petitioners,*

12 v.

13 MARTIN DURAN PEREZ, and THE
14 DEPARTMENT OF
15 ADMINISTRATION, HEARINGS
16 DIVISION, APPEALS OFFICE, an
17 Agency of the State of Nevada

18 *Respondents.*

CASE NO.: A-18-774772-J

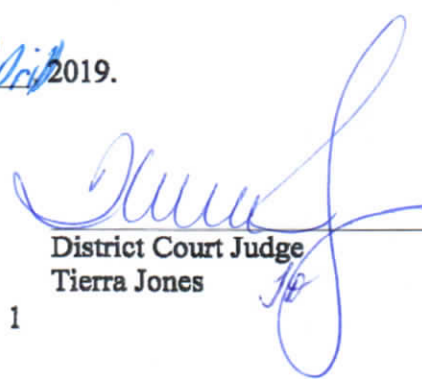
DEPT. NO.: X

17 **ORDER DENYING THE PETITION FOR JUDICIAL REVIEW**

18 After careful review and consideration of the papers and pleadings on file herein:

19 THE COURT ORDERS the Appeals Officer Decision and Order be AFFIRMED and the Petition
20 for Judicial review is DENIED.

21 DATED this 16 day of April 2019.

22
23
24 
District Court Judge
Tierra Jones

1
2
3 Submitted by:

4 BIGHORN LAW

5 By: 

6 ALIKA K. ANGERMAN, ESQ.

7 Nevada Bar No.: 12933

8 716 S. Jones Blvd.

9 Las Vegas, NV 89107

10 Phone: 702-333-1111

11 Fax: 702-507-0092

12 *Attorneys for Respondent*

Approved as to form and content:

LEWIS BRISBOIS BISGAARD & SMITH

By: 

JOEL REEVES, ESQ.

Nevada Bar No.: 13231

2300 W. Sahara Avenue, Ste. 300, Box 28

Las Vegas, NV 89102

Attorneys For Petitioner

**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Worker's Compensation
Appeal**

COURT MINUTES

June 19, 2018

A-18-774772-J Focus Framing, Petitioner(s)
vs.
Martin Duran Perez, Respondent(s)

June 19, 2018 9:30 AM Motion For Stay

HEARD BY: Jones, Tierra **COURTROOM:** RJC Courtroom 14B

COURT CLERK: Madalyn Kearney

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT: Reeves, Joel Attorney

JOURNAL ENTRIES

- Arika Angerman, Esq., present on behalf of Respondent.

Upon Court's inquiry, Mr. Angerman advised Morris Anderson is now Bighorn Law. Based on that representation, Court noted no Opposition had been filed. Colloquy regarding the Opposition being filed. COURT ORDERED, matter CONTINUED for the Court to review the Opposition. Court confirmed the temporary stay is to remain in place until the Motion is heard.

CONTINUED TO: 6/26/18 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Worker's Compensation
Appeal**

COURT MINUTES

June 26, 2018

A-18-774772-J Focus Framing, Petitioner(s)
vs.
Martin Duran Perez, Respondent(s)

| | | | |
|----------------------|----------------|------------------------|---|
| June 26, 2018 | 9:30 AM | Motion For Stay | Petitioners Focus Framing and Sun City Electric's Motion for Stay Pending Appeal and Request for Order Shortening Time |
|----------------------|----------------|------------------------|---|

HEARD BY: Jones, Tierra

COURTROOM: RJC Courtroom 14B

COURT CLERK: April Watkins

RECORDER: Victoria Boyd

REPORTER:

PARTIES

| | | |
|-----------------|--------------------|----------|
| PRESENT: | Angerman, Alikia K | Attorney |
| | Reeves, Joel | Attorney |

JOURNAL ENTRIES

- Colloquy regarding medical treatment Respondent will need. Mr. Angerman advised on December 30, 2016, Respondent suffered injuries. Further, within first thirty days insurance company has to issue determination, Respondent was allowed to treat under workers compensation system and then claim was denied in March. At that time, Respondent was allowed to treat outside workers compensation system. However, Respondent was not working, no insurance, no money and no actual means to treat. Mr. Reeves argued no evidence he needs medical treatment. Further, without some sort of evidence he will be irreparably harmed, no evidence to support as to irreparable harm. As to counsel's client, client will have to potentially issue retroactive wage replacement benefits that cannot be given back. Additionally, Mr. Reeves argued if Respondent is successful, he will get his benefits, his wage replacement benefits if he is entitled to them at the end of the appeal process and

there is no irreparable harm. Mr. Angerman argued Respondent has already been irreparably harmed. Further, there is a C-4 document indicating Respondent needs additional care. In addition to that, physician took Respondent off work for about a week and after that Respondent was placed on work restrictions from preventing him suffering another head injury. Additional argument by Mr. Reeves. COURT ORDERED, motion GRANTED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Worker's Compensation
Appeal**

COURT MINUTES

January 15, 2019

A-18-774772-J Focus Framing, Petitioner(s)
vs.
Martin Duran Perez, Respondent(s)

January 15, 2019 9:30 AM Petition for Judicial Review

HEARD BY: Jones, Tierra **COURTROOM:** RJC Courtroom 14B

COURT CLERK: Teri Berkshire

RECORDER: Victoria Boyd

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Court noted not parties present, however, Mr. Lavery signed in. Matter trailed. Later matter recalled. Mr. Lavery still not present. COURT ORDERED, matter CONTINUED to the date given. Later matter recalled, following this Court's calendar. Mr. Lavery present, late, on behalf of Petitioner, advising he sent a text to opposing counsel, and counsel advised this wasn't on calendar today. Court noted it is prepared to rule on the pleadings today. Mr. Lavery requested to pass the matter for opposing counsel's presence. Court so noted and ORDERED, matter CONTINUED for counsel's presence.

01/22/19 9:30 A.M. PETITION FOR JUDICIAL REVIEW

Clerk's Note: A copy of these minutes emailed to Ms.. Angerman Esq., at alika@bighornlaw.com /tb

**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Worker's Compensation
Appeal**

COURT MINUTES

January 22, 2019

A-18-774772-J Focus Framing, Petitioner(s)
vs.
Martin Duran Perez, Respondent(s)

**January 22, 2019 9:30 AM Petition for Judicial Review Request for Hearing
on Petitioner's
Petition for Judicial
Review**

HEARD BY: Jones, Tierra

COURTROOM: RJC Courtroom 14B

COURT CLERK: Phyllis Irby

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT: Angerman, Alike K Attorney

JOURNAL ENTRIES

- Mr. Angerman informed the Court opposing counsel is in another court. MATTER TRAILED.

MATTER RECALLED. The Court noted opposing counsel has not made an appearance. COURT ORDERED, MATTER CONTINUED.

1-29-18 9:30 AM PETITIONER'S PETITION FOR JUDICIAL REVIEW

**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Worker's Compensation
Appeal**

COURT MINUTES

January 29, 2019

A-18-774772-J Focus Framing, Petitioner(s)
vs.
Martin Duran Perez, Respondent(s)

January 29, 2019 9:30 AM Petition for Judicial Review

HEARD BY: Jones, Tierra **COURTROOM:** RJC Courtroom 14B

COURT CLERK: Teri Berkshire

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT: Angerman, Alike K Attorney
Reeves, Joel Attorney

JOURNAL ENTRIES

- Following arguments by counsel, COURT ORDERED matter CONTINUED to this Court's chamber's calendar for Decision, on the date given.

01/31/19 (CHAMBERS) DECISION PETITION FOR JUDICIAL REVIEW

**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Worker's Compensation
Appeal**

COURT MINUTES

January 31, 2019

A-18-774772-J Focus Framing, Petitioner(s)
vs.
Martin Duran Perez, Respondent(s)

January 31, 2019 3:00 AM Decision

HEARD BY: Jones, Tierra **COURTROOM:** RJC Courtroom 14B

COURT CLERK: Teri Berkshire

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Following review of the papers and pleadings on file herein, COURT ORDERED, the Appeals Officer s Decision and Order be AFFIRMED.

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 DENYING THE PETITION FOR JUDICIAL
REVIEW; NOTICE OF ENTRY OF ORDER DENYING THE PETITION FOR JUDICIAL REVIEW;
DISTRICT COURT MINUTES

FOCUS FRAMING; SUN CITY ELECTRIC,

Petitioner(s),

vs.

MARTIN DURAN PEREZ; THE
DEPARTMENT OF ADMINISTRATION,
HEARINGS DIVISION, APPEALS OFFICE,

Respondent(s),

Case No: A-18-774772-J

Dept No: X

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 15 day of October 2019.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk

WARNING - Do not cash unless you can verify a color change - Rub Briskly to Verify

LEWIS BRISBOIS BISGAARD & SMITH LLP

WELLS FARGO BANK, N.A.
San Francisco, CA

CHECK NO. 14280

ATTORNEYS
LAS VEGAS OFFICE
6385 SOUTH RAINBOW BOULEVARD, SUITE 600
LAS VEGAS, NEVADA 89118
(702) 893-3383

11-24/1210

DATE 10/14/2019


\$ *****250.00

PAY: Two Hundred Fifty and 00/100*****

Draft void 120 days from issued
LEWIS BRISBOIS BISGAARD & SMITH LLP

TO THE ORDER OF
CLERK OF THE NEVADA SUPREME COURT

A-18-774772-1



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