

1 case by a reasonable hourly rate.” *Id.* at n. 98 (citing *Herbst v. Humana Health Ins. of*  
2 *Nevada*, 105 Nev. 586, 590, 781 P.2d 762, 764 (1989)).

3 However, before awarding attorney’s fees, the district court must make findings  
4 concerning the reasonableness of the award, as required by *Brunzell v. Golden Gate National*  
5 *Bank*, 455 P.2d 31, 85 Nev. 345 (1969) and *Shuette v. Beazer Homes Holdings Corp.*, 124 P.  
6 3d 530, 121 Nev. 837 (2005). *See Barney*, 124 Nev. at 829-30, 192 P.3d at 735-37.

7 According to *Brunzell*, the factors that the district court should consider in awarding  
8 attorney fees, with no one factor controlling, is as follows:

- 9
- 10 (1) the advocate's qualities, including ability, training, education, experience,  
professional standing, and skill;
  - 11 (2) the character of the work, including its difficulty, intricacy, importance, as  
12 well as the time and skill required, the responsibility imposed, and the  
prominence and character of the parties when affecting the importance of the  
litigation;
  - 13 (3) the work performed, including the skill, time, and attention given to the  
work; and
  - 14 (4) the result—whether the attorney was successful and what benefits were  
15 derived.

16 *Barney*, 192 P.3d at 736 (citing *Brunzell*, 85 Nev. at 349, 455 P.2d at 33).

17 According to *Shuette*, the district court is required to “provide[ ] sufficient reasoning  
18 and findings in support of its ultimate determination.” *Id.* (citing *Shuette*, 121 Nev. at 865, 124  
19 P.3d at 549).

20 As set forth in Plaintiff’s counsel’s declaration, the lodestar amount of postjudgment  
21 attorney’s fees is \$34,632.50. *See* McMillen Decl., ¶¶ 2-6A and Exhibit 2. This amount only  
22 includes reasonable attorney’s fees from October 18, 2013 to April 18, 2014, as follows: 14.4  
23 hours of work performed by attorney Matthew D. Francis at \$300 per-hour (\$4,320.00); 81.5  
24 hours of work performed by attorney Adam P. McMillen at \$300 per-hour (\$24,450.00); and  
25 46.9 hours of work performed by paralegal Nancy Lindsley at \$125 per-hour (\$5,862.50). *Id.*  
26 This lodestar amount is reasonable under the *Brunzell* factors as follows.

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BY *[Signature]*  
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7 In The First Judicial District Court of the State of Nevada  
8  
9 In and for Carson City

10  
11 JED MARGOLIN, an individual,  
12  
13 Plaintiff,

Case No.: 090C00579 1B

Dept. No.: 1

13 vs.

14 OPTIMA TECHNOLOGY CORPORATION,  
a California corporation, OPTIMA  
15 TECHNOLOGY CORPORATION, a Nevada  
16 corporation, REZA ZANDIAN  
aka GOLAMREZA ZANDIANJAZI  
17 aka GHOLAM REZA ZANDIAN  
aka REZA JAZI aka J. REZA JAZI  
18 aka G. REZA JAZI aka GHONONREZA  
ZANDIAN JAZI, an individual, DOE Companies  
19 1-10, DOE Corporations 11-20, and DOE  
20 Individuals 21-30,

**DECLARATION OF ADAM  
MCMILLEN IN SUPPORT OF  
PLAINTIFF'S MOTION FOR ORDER  
ALLOWING COSTS AND  
NECESSARY DISBURSEMENTS**

21 Defendants.

22  
23 I, Adam P. McMillen, do hereby declare and state:

24 1. I am counsel of record for Plaintiff Jed Margolin in this matter. This declaration is  
25 based upon my personal knowledge and is made in support of Plaintiff's Motion for Order  
26 Allowing Costs and Necessary Disbursements.