

IN THE SUPREME COURT OF THE STATE OF NEVADA

REZA ZANDIAN A/K/A GOLAMREZA
ZANDIANJAZI A/K/A GHOLAM REZA
ZANDIAN A/K/A REZA JAZI A/K/A J.
REZA JAZI A/K/A G. REZA JAZI A/K/A
GHONOREZA ZANDIAN JAZI, AN
INDIVIDUAL,

Appellant,

vs.

JED MARGOLIN, AN INDIVIDUAL,

Respondent.

**Nevada Supreme Court
Case No. 65960**

APPEAL

from the FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR CARSON CITY
THE HONORABLE JAMES T. RUSSELL, District Judge

JOINT APPENDIX

VOLUME IV

JASON WOODBURY
Nevada Bar No. 6870
KAEMPFER CROWELL
510 West Fourth Street
Carson City, Nevada 89703
Telephone: (775) 884-8300

Attorneys for Appellant, Reza Zandian

ALPHABETICAL INDEX TO JOINT APPENDIX (“J.A.”)

***REZA ZANDIAN aka GOLAMREZA ZANDIANJAZI aka GHOLAM
REZA ZANDIAN aka REZA JAZI aka J. REZA JAZI aka G. REZA
JAZI aka GHONOREZA ZANDIAN JAZI, an individual,
Appellant,***

vs.

***JED MARGOLIN, an individual,
Respondent.***

Nevada Supreme Court Case Number: 65960

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Matthew D. Francis (6978)
Adam P. McMillen (10678)
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5371 Kietzke Lane
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Telephone: 775-324-4100
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Attorneys for Plaintiff Jed Margolin

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ALAN GLOVER
CLERK
BY *[Signature]*
JFPIIT

**In The First Judicial District Court of the State of Nevada
In and for Carson City**

JED MARGOLIN, an individual,

Plaintiff,

Case No.: 090C00579 1B

Dept. No.: 1

vs.

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

**REPLY IN SUPPORT OF MOTION
FOR ORDER ALLOWING COSTS
AND NECESSARY
DISBURSEMENTS AND
MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT
THEREOF**

Defendants.

I. Postjudgment Costs

Zandian does not dispute Margolin is allowed postjudgment costs under NRS 18.160 and NRS 18.170. Zandian only requests that the Court reduce the photocopy charges from \$0.25 to \$0.15 per page.¹ See Defendants' Motion to Retax and Settle Costs ("Opposition"),

¹ Zandian does not dispute the Research, Witness Fees (Subpoenas) or Process service/courier fees.

1 filed 4/30/14, 3:4-15. Zandian looks to the “FedEx Office” in Carson City to demonstrate that
2 the rate of \$0.25 per page is too high. *Id.* (citing Affidavit of Jano Barnhurst). Zandian’s
3 counsel fails to mention what it charges for copies. Also, the FedEx Office is not a law firm
4 and is not a proper example for determining the reasonableness of copy charges in a civil
5 lawsuit.

6 The First Judicial District Court’s own Fee Schedule, which shows the Court charges
7 \$0.50 per page for copies, is a better exemplar of what reasonable copy charges should be in
8 this matter. *See* Declaration of Adam McMillen in Support of Reply (“McMillen Decl.”),
9 dated 5/12/14, Exhibit 1, filed herewith. The rate of \$0.25 per page is half of what the Court
10 charges for legal copies and is reasonable under the circumstances. Therefore, Margolin’s
11 copy charges should not be reduced and should be awarded in full.

13 **II. Postjudgment Attorney’s Fees**

14 Zandian believes “there is no applicable statute or rule and the parties did not enter into
15 an agreement which afforded attorney’s fees.” *See* Opposition at 3:18-22. However, as
16 demonstrated in the Motion for Order Allowing Costs and Necessary Disbursements, Margolin
17 should be awarded his postjudgment fees pursuant to the Deceptive Trade Practices statute.
18

19 **a. NRS 598.0999(2) does allow an award of attorney’s fees**

20 NRS 598.0999(2) states as follows:

21 Except as otherwise provided in NRS 598.0974, **in any action brought**
22 **pursuant to the provisions of NRS 598.0903 to 598.0999**, inclusive, if the
23 court finds that a person has willfully engaged in a deceptive trade practice, the
24 district attorney of any county in this State or the Attorney General **bringing**
25 **the action** may recover a civil penalty not to exceed \$5,000 for each violation.
The court **in any such action** may, in addition to any other relief or
reimbursement, award reasonable attorney’s fees and costs.

26 NRS 598.0999(2) (emphasis added).

27 The “provisions of NRS 598.0903 to 598.0999” encompasses the entire Deceptive
28 Trade Practices statute. The language, “any action brought pursuant to the provisions of NRS

1 598.0903 to 598.0999,” does not limit Deceptive Trade Practices actions to district attorneys
2 or the Attorney General. *See also Betsinger v. DR Horton, Inc.*, 232 P. 3d 433 (Nev. 2010) (an
3 example of a Deceptive Trade Practices action not brought by district attorney or Attorney
4 General). The only limitation in NRS 598.0999(2) relates to the district attorney’s and the
5 Attorney General being able to pursue the \$5,000 civil penalty. In contrast, the last sentence
6 of NRS 598.0999(2) stands alone and does not limit attorney fee awards to district attorneys or
7 the Attorney General and allows the Court, in any Deceptive Trade Practices action, to “award
8 reasonable attorney’s fees and costs.” NRS 598.0999(2).

9
10 Zandian’s argument that NRS 598.0999(2) does not permit an award of attorney’s fees
11 because it is limited to an action brought by the district attorney or the Attorney General is
12 clearly erroneous.

13 Since NRS 598.0999(2) does not exclude postjudgment attorney fees, Margolin’s
14 attorney’s fees should be awarded for having to incur fees enforcing the judgment on the
15 deceptive trade practices claim. *See Barney v. Mt. Rose Heating & Air Conditioning*, 124
16 Nev. 821, 825-6, 192 P.3d 730, 733-4 (2008) (mechanic lien statute did not expressly provide
17 for attorney fees incurred postjudgment, however, statute did not expressly exclude
18 postjudgment attorney fees from its purview and was liberally interpreted to allow
19 postjudgment attorney fees “so as to further the lien statutes’ purpose to ensure that contractors
20 are paid in whole for their work.”); *see also Rosen v. LegacyQuest*, A136985, 2014 WL
21 1372114 (Cal. Ct. App. Mar. 21, 2014) (judgment creditor, who had recovered statutory
22 attorney fees in connection with underlying judgment, authorized to recover attorney fees
23 incurred in enforcing underlying judgment under the statute authorizing recovery of judgment
24 creditor’s “reasonable and necessary costs of enforcing a judgment,” since the statute
25 authorizing the underlying attorney fee award established that the fee award was “otherwise
26 provided by law” within meaning of the fee statute) (an attorney fee award properly includes
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1 the reasonable fees incurred in seeking the fees); *see also Ketchum v. Moses* (2001) 24 Cal.4th
2 1122, 104 Cal.Rptr.2d 377, 17 P.3d 735 (judgment creditor entitled to fees incurred in
3 enforcing the right to mandatory fees under statute).

4 **b. Margolin's attorneys' fees are reasonable**

5 Without providing any foundation, Zandian claims Margolin's fees are inflated. *See*
6 *Opposition* at 5:11-6:12. Zandian's only stated basis for this argument is that "[t]his case has
7 been a series of default judgments and did not require years of legal work focused on a
8 specialty in intellectually property." *See id.* at 5:13-14.

9 Zandian ignores the fact that this matter is predicated upon Zandian's fraudulent
10 assignment of Margolin's intellectual property rights. While Zandian purposely avoided
11 appearing and litigating the claims at issue, the nature of this matter required specialized skill
12 and required a significant amount of time and attention by the attorneys involved.

13 The patent and deceptive trade practices issues, and the unique facts surrounding them,
14 involved careful consideration and research. Despite what Defense counsel says, patent and
15 deceptive trade practices litigation is a niche practice that requires a high degree of legal skill
16 and care in order to be performed properly and effectively. Each of these causes of action,
17 coupled with the unique facts of this matter, required thorough research and careful analysis.
18 Again, undersigned counsel billed at an hourly rate of \$300, which counsel contends is
19 reasonable for intellectual property litigation.

20 The postjudgment collection efforts have thus far included attempting to find Zandian's
21 collectible assets, including researching and investigating his property in Nevada and
22 California and moving for a debtor's examination. Considering Zandian's elusive behavior,
23 shell games, and elaborate financial arrangements with a multitude of companies and
24 individuals, Margolin has been forced to incur a significant amount of attorney's fees in
25 attempting to collect on the judgment. Tellingly, Zandian does not address these postjudgment
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1 collection issues in his Opposition.

2 Also, undersigned counsel is charging \$300 per-hour, which is more than reasonable.

3 According to all of the *Brunzell* factors, as outlined in the Motion, Margolin should be
4 awarded his postjudgment attorney's fees incurred in collecting on the judgment. *See Brunzell*
5 *v. Golden Gate National Bank*, 455 P.2d 31, 85 Nev. 345 (1969) and *Shuette v. Beazer Homes*
6 *Holdings Corp.*, 124 P. 3d 530, 121 Nev. 837 (2005).

7 **c. Margolin is entitled to his postjudgment fees not incurred on appeal**

8 Margolin concedes that he is not currently entitled to attorney's fees that are incurred
9 on appeal. *See Bd. of Gallery of History, Inc. v. Datecs Corp.*, 116 Nev. 286, 288, 994 P.2d
10 1149, 1150 (2000). However, as stated in the Motion and above, Margolin is entitled to his
11 postjudgment attorney's fees, including those incurred in executing on the judgment.

12 Therefore, Margolin has revised the fees he is requesting to reflect only those fees that have
13 been incurred, postjudgment, with regards to execution of the judgment, for a total of
14 \$31,247.50 in fees. *See* McMillen Decl., ¶¶ 4-5 and Exhibits 2-3.

15 **III. Postjudgment Interest**

16 Zandian argues it is premature for Margolin to request an order stating what the current
17 amount of accrued postjudgment interest is at this time. *See* Opposition at 6:4-5. Zandian
18 provides no legal basis for his position. Further, Zandian does not argue that Margolin is not
19 entitled to postjudgment interest.

20 "The purpose of post-judgment interest is to compensate the plaintiff for loss of the use
21 of the money awarded in the judgment 'without regard to the elements of which that judgment
22 is composed.'" *Albert H. Wohlers & Co. v. Bartgis*, 114 Nev. 1249, 1269, 969 P.2d 949, 963
23 (1998) (citing *Ainsworth v. Combined Ins. Co.*, 105 Nev. 237, 244, 774 P.2d 1003, 1009
24 (1989); *see also Waddell v. L.V.R.V. Inc.*, 122 Nev. 15, 26, 125 P.3d 1160, 1167 (2006)
25 ("[t]he purpose of post-judgment interest is to compensate the plaintiff for loss of the use of
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1 the money awarded in the judgment' without regard to the various elements that make up the
2 judgment.”).

3 Zandian has not provided a supersedeas bond to stop execution of the judgment and
4 Margolin is entitled to postjudgment interest until the judgment is satisfied. *See* NRCPC 62(d)
5 (by giving a supersedeas bond party may obtain stay of execution); *see also* NRS 17.130(2)
6 (interest accrues until judgment satisfied). Therefore, because the original judgment was
7 entered in Nevada and the judgment set the interest rate at the legal rate of interest according
8 to NRS 17.130, the interest rate is 5.25 percent per-annum, or \$215.15 per-day. Accordingly,
9 Margolin is owed simple interest at 5.25 percent or \$215.15 per- day from June 27, 2014, the
10 date of notice of entry of the judgment, through April 18, 2014. It is 296 days from June 27,
11 2013 to April 18, 2014. Multiplying 296 days by \$215.15 equals \$63,684.40 in accrued
12 interest.²

14 **IV. Conclusion**

15 Based upon the above, Margolin respectfully requests that the Motion for Order
16 Allowing Costs and Necessary Disbursements be granted in full.

18 **AFFIRMATION PURSUANT TO NRS 239B.030**

19 The undersigned does hereby affirm that the preceding document does not contain the
20 social security number of any person.

21 DATED: May 12, 2014.

WATSON ROUNDS

22 By: 

23 Matthew D. Francis (6978)

Adam P. McMillen (10678)

24 WATSON ROUNDS

5371 Kietzke Lane

25 Reno, NV 89511

Telephone: 775-324-4100

26 Facsimile: 775-333-8171

27 Attorneys for Plaintiff Jed Margolin

28 ² Interest continues to accrue until the judgment is satisfied. *See* NRS 17.130(2).

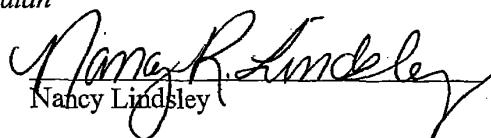
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of Watson Rounds, and that on this date, I deposited for mailing, in a sealed envelope, with first-class postage prepaid, a true and correct copy of the foregoing document, **REPLY IN SUPPORT OF MOTION FOR ORDER ALLOWING COSTS AND NECESSARY DISBURSEMENTS AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF**, addressed as follows:

Jason D. Woodbury
Severin A. Carlson
Kaempfer Crowell
510 West Fourth Street
Carson City, Nevada 89703
Attorneys for Defendant, Reza Zandian

Dated: May 12, 2014


Nancy Lindsley

1 Matthew D. Francis (6978)
Adam P. McMillen (10678)
2 WATSON ROUNDS
5371 Kietzke Lane
3 Reno, NV 89511
Telephone: 775-324-4100
4 Facsimile: 775-333-8171
Attorneys for Plaintiff Jed Margolin

REC'D & FILED
2014 MAY 12 PM 3:51

ALAN GLOVER
CLERK
BY *[Signature]*
DEPUTY

7 In The First Judicial District Court of the State of Nevada

8 In and for Carson City

11 JED MARGOLIN, an individual,
12 Plaintiff,

13 vs.

14 OPTIMA TECHNOLOGY CORPORATION,
a California corporation, OPTIMA
15 TECHNOLOGY CORPORATION, a Nevada
corporation, REZA ZANDIAN
16 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,

21 Defendants.

Case No.: 090C00579 1B

Dept. No.: 1

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

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 the Reply in Support of
26 Plaintiff's Motion for Order Allowing Costs and Necessary Disbursements, filed concurrently.

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CERTIFICATE OF SERVICE

Pursuant to NRCp 5(b), I certify that I am an employee of Watson Rounds, and that on this date, I deposited for mailing, in a sealed envelope, with first-class postage prepaid, a true and correct copy of the foregoing document, **DECLARATION OF ADAM MCMILLEN IN SUPPORT OF REPLY IN SPPOT OF PLAINTIFF'S MOTION FOR ORDER ALLOWING COSTS AND NECESSARY DISBURSEMENTS**, addressed as follows:

Jason D. Woodbury
Severin A. Carlson
Kaempfer Crowell
510 West Fourth Street
Carson City, Nevada 89703
Attorneys for Defendant, Reza Zandian

Dated: May 12, 2014

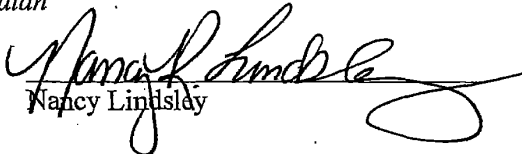

Nancy Lindsley

EXHIBIT LIST

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EXHIBIT NO.	DESCRIPTION	PAGE(S)
1	First Judicial District Court Fee Schedule	5
2	Watson Rounds Client Fees Listing Oct/18/2013 to Apr/18/2014	9
3	Watson Rounds Client Ledger Costs	3

Exhibit 1

Exhibit 1

FIRST JUDICIAL DISTRICT COURT FEE SCHEDULE
Effective October 1, 2013

ABSTRACT OF JUDGMENT \$3.00

NRS 19.013

ADOPTION \$233.00

NRS 19.013; NRS 19.020; AB 65; Ct. Security Fee; NRS 19.031; NRS 19.0312; CMC 2.35.010; NRS 19.0313 (3); CMC 2.36.010; NRS 19.03135; CMC 2.37.010; NRS 19.0315; AB 535

If DCFS or child placing agency licensed by the Division consents to the adoption of a child with special needs per NRS 127.186, there is no fee. Costs, i.e., copies, certs, etc. can be waived by court order per NRS 127.186(8) n/c

ANSWERS

NRS 19.013; AB 65; Ct. Security Fee; NRS 19.031; NRS 19.0312; CMC 2.35.010; NRS 19.0313(3); CMC 2.36.010; NRS 19.03135; CMC 2.37.010; NRS 19.0335; NRS 125; NRS 19.0315; AB 535

- ~ ANSWER (DIVORCES/ANNULMENTS) \$207.00
- ~ ANSWER TO MOTION TO MODIFY FINAL ORDER (DIVORCE) \$25.00
- ~ ANSWER (BUSINESS MATTERS) (pending local rule) \$1,478.00
- ~ ANSWER (CIVIL) \$218.00
- ~ ANSWER (COMPLEX CASES) (pending local rule) \$468.00
- ~ ANSWER (CONSTRUCTIONAL) \$468.00

For each additional defendant named in an answer when the answer is filed or for each additional party appearing in the action when the additional party appears in the action \$30.00

COPIES AND SEARCHES

NRS 19.013; NRAP Rule 10

- ~ CERTIFIED COPY (copy from court file - copy charges apply) \$3.00
- ~ CERTIFIED COPY (when presented by customer) \$5.00
- ~ COPIES (per page) \$0.50
- ~ EXEMPLIFIED COPY \$6.00
- ~ RECORD INDEX SEARCHES (per name/per year) \$0.50

~ RECORD ON APPEAL TO SUPREME COURT - Civil cases only
charges will apply for copying court file and binder covers

COMPLAINTS

NRS 19.013; NRS 19.020; AB 65; Ct. Security Fee; NRS 19.030; NRS 19.031; NRS 19.0312; CMC 2.35.010; NRS 19.0313(3); CMC 2.36.010; NRS 19.03135; CMC 2.37.010; NRS 19.033; NRS 19.335; NRS 19.0315, AB 535; NRS 444.605; NRS 40.600 to 40.695, inclusive

~ ANNULMENT	\$275.00
~ BUSINESS MATTERS (pending local rule)	\$1,525.00
~ CIVIL (Charges apply for add'l plaintiffs. See below.)	\$265.00
~ COMPLEX (pending local rule)	\$515.00
~ CONSTRUCTIONAL	\$515.00
For each additional plaintiff named in complaint when complaint is filed or when an amended complaint adds an additional plaintiff	\$30.00
~ DIVORCE	\$284.00
~ DOMESTICATE A FOREIGN DIVORCE DECREE Re: Action therein	\$284.00
~ FOREIGN REGISTRY Re: Child custody or support from foreign divorce action	\$284.00
~ FOREIGN REGISTRY - Re: Child custody or support from foreign civil action	\$265.00
~ SEPARATE MAINTENANCE	\$265.00
~ THIRD-PARTY COMPLAINT	\$210.00
~ COMPROMISE CLAIM OF MINOR	n/c

CONFESSION OF JUDGMENT

NRS 17.110; NRS 19.0312; CMC 2.35.010

\$33.00

CORPORATIONS - Any document

NRS 19.013

\$20.00

ESTATE & GUARDIANSHIP FILINGS

(Letters Testamentary; Letters of Administration; Set Aside Estate; Guardianship)

NRS 19.013; NRS 19.020; AB 65; Court Security Fee; NRS 19.030; NRS 19.031; NRS 19.0312; CMC 2.35.010; NRS.0313(3); CMC 2.36.010; NRS 19.03135; CMC 2.37.010; NRS 19.0315; AB 535

Value of Estate:	
\$ 0 - \$ 2,500	n/c
\$ 2,501 - \$ 20,000	\$180.50
\$ 20,001 - \$ 199,999	\$279.50
\$ 200,000 and above	\$532.50
~ GUARDIAN AD LITEM (Fee to be paid upon filing of Complaint)	n/c
~ LAST WILL & TESTAMENT (To be submitted upon death only)	\$5.00
~ OBJECTION OR CROSS-PETITION TO APPOINTMENT	\$122.00
~ PETITION TO CONTEST WILL	\$122.00
<u>FORMS</u>	
NRS 19.013	
~ DIVORCE PACKETS (Packets can be printed from our website at no charge)	\$3.00
<u>INSURANCE CERTIFICATE</u>	\$15.00
NRS 19.013	
<u>ISSUANCE OF WRITS</u>	\$10.00
(Attachment; Garnishment; Execution or any other writ designed to enforce any judgment of the court)	
AB 65	
<u>JURY DEMAND</u> - per party requesting jury (first day jury fees)	\$320.00
NRCP Rule 38; NRS 6.150	
<u>JUSTICE COURT APPEAL</u>	\$122.00
NRS19.013; NRS 19.020; Ct. Security Fee; NRS 19.031; NRS 19.0312; CMC 2.35.010; NRS 19.0313(3); NRS 19.0313(3); CMC 2.36.010; NRS 19.03135; CMC 2.37.010; NRS 19.315; AB 535	
<u>JUSTICE COURT TRANSFER</u>	\$120.00
NRS19.013; NRS 19.020; Ct. Security Fee; NRS 19.031; NRS 19.0312; CMC 2.35.010; NRS 19.0313(3); CMC 2.36.010; NRS 19.03135; CMC 2.37.010; NRS 19.315; AB 535	
<u>MISCELLANEOUS FILINGS</u>	\$5.00
(For filings of all papers to be kept by the clerk, not otherwise provided for, other than papers filed in actions and proceedings in court)	
NRS 19.013	
<u>MOTION FOR SUMMARY JUDGMENT OR JOINDER THERETO</u>	\$200.00
AB 65	
<u>MOTION TO CERTIFY/DECERTIFY A CLASS</u>	\$349.00
AB 65	

<u>MOTION TO MODIFY FINAL ORDER (DIVORCE)</u>	\$25.00
NRS 19.031	
<u>NOTARY BOND</u>	\$20.00
NRS 19.013; NRS 19.016	
<u>NOTICE OF APPEAL</u> - (See below for additional fees)	\$24.00
NRS 19.013; NRAP 7	
~ SUPREME COURT FILING FEE - (Payable to Supreme Court; must be submitted with the notice of appeal at time of filing)	\$250.00
~ COSTS ON APPEAL BOND	\$500.00
<u>PARENTAL RIGHTS TERMINATION</u>	\$265.00
NRS 128.140; NRS 19.013; NRS 19.020; AB 65; Ct. Security Fee; NRS 19.030; NRS 19.031; NRS 19.0312; CMC 2.35.010; NRS 19.0313(3); CMC 2.36.010; NRS 19.03135; CMC 2.37.010; NRS 19.0315; AB 535	
<u>PEREMPTORY CHALLENGE</u> - payable to Supreme Court; must be submitted with document at time of filing	\$450.00
SCR 48.1; increased 1/12/11	
<u>POWER OF ATTORNEY</u>	\$15.00
NRS 19.013	
<u>REPORT OF ADOPTION - Certification</u>	\$6.00
NRS 19.013; NRS 19.030	
<u>VENUE TRANSFER TO CARSON FROM ANOTHER COUNTY</u>	\$155.00
NRS 19.013; AB 65	

Exhibit 2

Exhibit 2

Watson Rounds
Client Fees Listing
Oct/18/2013 To Apr/18/2014
Working Lawyer

Date	Fee / Time	Explanation	Hours	Amount	Inv#	Billing Status
Entry #						
5457		Margolin, Jed				
5457.01		Patent theft analysis & litigation				
Oct 18/2013	Lawyer: NRL 1.50 Hrs X 125.00		NRL - Nancy R. Lindsley	1.50	187.50 12409	Billed
1115373		Telephone conference with Charles Schwab re password to access CD; access CD-compile information; save to client				
Oct 18/2013	Lawyer: NRL 1.00 Hrs X 125.00		NRL - Nancy R. Lindsley	1.00	125.00 12409	Billed
1115374		Telephone conference with Wells Fargo regarding redactions in documents produced; preparation of Second Amended				
Oct 24/2013	Lawyer: NRL 0.50 Hrs X 125.00		NRL - Nancy R. Lindsley	0.50	62.50 12409	Billed
1115875		Email to Jed				
Oct 28/2013	Lawyer: NRL 0.80 Hrs X 125.00		NRL - Nancy R. Lindsley	0.80	100.00 12409	Billed
1116086		Brief conference with Jed				
Oct 28/2013	Lawyer: NRL 0.20 Hrs X 125.00		NRL - Nancy R. Lindsley	0.20	25.00 12409	Billed
1116091		Review email from MDF				
Oct 28/2013	Lawyer: APM 0.10 Hrs X 300.00		APM - Adam P. McMillen	0.10	30.00 12409	Billed
1116101		Review letter, dated 10/7/13, from Charles Schwab regarding subpoenaed documents.				
Oct 29/2013	Lawyer: NRL 0.50 Hrs X 125.00		NRL - Nancy R. Lindsley	0.50	62.50 12409	Billed
1116297		Telephone conference with Wells Fargo regarding subpoena duces tecum; review previous SDP and response to same;				
Oct 30/2013	Lawyer: APM 0.20 Hrs X 300.00		APM - Adam P. McMillen	0.20	60.00 12409	Billed
1116490		Communicate with Fred Sadri				
Oct 30/2013	Lawyer: NRL 1.00 Hrs X 125.00		NRL - Nancy R. Lindsley	1.00	125.00 12409	Billed
1116520		Commence preparation of Analysis of Information from Financial Institutions				
Nov 1/2013	Lawyer: APM 0.10 Hrs X 300.00		APM - Adam P. McMillen	0.10	30.00 12455	Billed
1116933		Received telephone call from Eli Abrishami				
Nov 1/2013	Lawyer: APM 0.10 Hrs X 300.00		APM - Adam P. McMillen	0.10	30.00 12455	Billed
1116934		Draft email to Eli Abrishami				
Nov 1/2013	Lawyer: APM 0.10 Hrs X 300.00		APM - Adam P. McMillen	0.10	30.00 12455	Billed
1116935		Review email, dated 11/1/13, from Eli Abrishami				
Nov 4/2013	Lawyer: APM 0.40 Hrs X 300.00		APM - Adam P. McMillen	0.40	120.00 12455	Billed
1117495		Review 18 pages of detailed Notes by Jed Margolin, dated 10/27/13,				
Nov 8/2013	Lawyer: APM 0.30 Hrs X 300.00		APM - Adam P. McMillen	0.30	90.00 12455	Billed
1118457		Communicate with Fred Sadri				
Nov 8/2013	Lawyer: APM 0.20 Hrs X 300.00		APM - Adam P. McMillen	0.20	60.00 12455	Billed
1118462		Review new subpoena to Bank of America.				
Nov 8/2013	Lawyer: NRL 1.00 Hrs X 125.00		NRL - Nancy R. Lindsley	1.00	125.00 12455	Billed
1118480		Telephone conference with Wells Fargo regarding subpoena; preparation of SDP to Bank of America				
Nov 13/2013	Lawyer: NRL 0.50 Hrs X 125.00		NRL - Nancy R. Lindsley	0.50	62.50 12455	Billed
1118849		Finalize BofA SDP for service				
Nov 20/2013	Lawyer: APM 0.10 Hrs X 300.00		APM - Adam P. McMillen	0.10	30.00 12455	Billed
1119932		Communicate with representative from Bank of America regarding their request for additional information for Zan				
Dec 2/2013	Lawyer: APM 0.20 Hrs X 300.00		APM - Adam P. McMillen	0.20	60.00 12501	Billed
1121016		Communicate with Fred Sadri				
Dec 2/2013	Lawyer: APM 0.20 Hrs X 300.00		APM - Adam P. McMillen	0.20	60.00 12501	Billed
1121017		Draft email to Jed Margolin				
Dec 2/2013	Lawyer: APM 0.20 Hrs X 300.00		APM - Adam P. McMillen	0.20	60.00 12501	Billed
1121030		Communicate with Nancy Lindsley				
Dec 2/2013	Lawyer: NRL 1.50 Hrs X 125.00		NRL - Nancy R. Lindsley	1.50	187.50 12501	Billed
1121051		Review subpoena responses				
Dec 4/2013	Lawyer: NRL 0.20 Hrs X 125.00		NRL - Nancy R. Lindsley	0.20	25.00 12501	Billed
1121458		Discuss SDP's with APM				
Dec 6/2013	Lawyer: APM 0.30 Hrs X 300.00		APM - Adam P. McMillen	0.30	90.00 12501	Billed
1121789		Review letter, dated 12/6/13, from Geoffrey Hawkins regarding his representation of Zandian				
Dec 6/2013	Lawyer: APM 0.10 Hrs X 300.00		APM - Adam P. McMillen	0.10	30.00 12501	Billed
1121790		Draft email to Jed Margolin				
Dec 6/2013	Lawyer: APM 0.30 Hrs X 300.00		APM - Adam P. McMillen	0.30	90.00 12501	Billed
1121792		Communicate with Jed Margolin				
Dec 6/2013	Lawyer: APM 0.40 Hrs X 300.00		APM - Adam P. McMillen	0.40	120.00 12501	Billed
1121793		Communicate with Johnathan Fayeghi regarding				
Dec 6/2013	Lawyer: APM 0.30 Hrs X 300.00		APM - Adam P. McMillen	0.30	90.00 12501	Billed
1121794		Communicate with Matt Francis				
Dec 6/2013	Lawyer: APM 0.10 Hrs X 300.00		APM - Adam P. McMillen	0.10	30.00 12501	Billed
1121795		Draft email to Jed Margolin				
Dec 6/2013	Lawyer: APM 0.10 Hrs X 300.00		APM - Adam P. McMillen	0.10	30.00 12501	Billed
1121796		Review Third Amended Subpoena to Charles Schwab				
Dec 6/2013	Lawyer: APM 0.10 Hrs X 300.00		APM - Adam P. McMillen	0.10	30.00 12501	Billed
1121797		Review Subpoena to E-Trade				
Dec 6/2013	Lawyer: MDF 0.50 Hrs X 300.00		MDF - Matthew D. Francis	0.50	150.00 12501	Billed
1122234		Conference with APM re:				
Dec 9/2013	Lawyer: APM 0.40 Hrs X 300.00		APM - Adam P. McMillen	0.40	120.00 12501	Billed
1122027		Review email, dated 12/8/13, from Jed Margolin				
Dec 10/2013	Lawyer: NRL 0.00 Hrs X 125.00		NRL - Nancy R. Lindsley	0.00	0.00 12501	Billed
1122113						
Dec 10/2013	Lawyer: APM 2.70 Hrs X 300.00		APM - Adam P. McMillen	2.70	810.00 12501	Billed
1122191		Draft motion for debtor's examination.				
Dec 10/2013	Lawyer: NRL 0.00 Hrs X 125.00		NRL - Nancy R. Lindsley	0.00	0.00 12501	Billed
1122281		Process for service two (2) Subpoenas Duces Tecum - E-Trade and Charles Schwab & Co., Inc.				
Dec 11/2013	Lawyer: APM 0.10 Hrs X 300.00		APM - Adam P. McMillen	0.10	30.00 12501	Billed
1122290		Review email, dated 12/10/13, from Jed Margolin				
Dec 11/2013	Lawyer: APM 0.70 Hrs X 300.00		APM - Adam P. McMillen	0.70	210.00 12501	Billed
1122291		Revise motion for debtor's examination				
Dec 11/2013	Lawyer: NRL 1.00 Hrs X 125.00		NRL - Nancy R. Lindsley	1.00	125.00 12501	Billed
1122315		Finalize Motion for Judgment Debtor's Examination; compile exhibits and prepare exhibit list; serve all parties				
Dec 13/2013	Lawyer: MDF 0.30 Hrs X 300.00		MDF - Matthew D. Francis	0.30	90.00 12501	Billed
1123393		Review motion for debtor's examination				
Dec 13/2013	Lawyer: APM 0.10 Hrs X 300.00		APM - Adam P. McMillen	0.10	30.00 12501	Billed

Watson Rounds
Client Fees Listing
Oct/18/2013 To Apr/18/2014
Working Lawyer

Date	Entry #	Fee / Time Explanation	Hours	Amount	Inv#	Billing Status
Dec 17/2013	1123556	Review email, dated 12/17/13, from Jed Margolin				
		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12501	Billed
Dec 17/2013	1123557	Review email, dated 12/17/13, from Donna Johnson				
		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12501	Billed
Dec 17/2013	1123558	Draft email to Jed Margolin				
		Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12501	Billed
Dec 17/2013	1123559	Draft email to Donna Johnson				
		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12501	Billed
Dec 17/2013	1123568	Review and respond to email, dated 12/17/13, from Donna Johnson				
		Lawyer: NRL 1.50 Hrs X 125.00	1.50	187.50	12501	Billed
Dec 18/2013	1123752	Scan documents received from Wells Fargo and Bank of America				
		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12501	Billed
Dec 18/2013	1125569	Review and respond to email, dated 12/18/13, from Donna Johnson				
		Lawyer: NRL 1.50 Hrs X 125.00	1.50	187.50	12501	Billed
Dec 19/2013	1123884	Continued scanning of financial documents; compare scanned to original for reference; burn to DVD/CD for client				
		Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12501	Billed
Dec 19/2013	1123893	Communicate with Donna Johnson				
		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12501	Billed
Dec 19/2013	1123894	Review email, dated 12/19/13, from Donna Johnson				
		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12501	Billed
Dec 30/2013	1124315	Draft email to Jed Margolin				
		Lawyer: APM 0.40 Hrs X 300.00	0.40	120.00	12501	Billed
Dec 30/2013	1124392	Review Zandian's motion to set aside default judgment, dated 12/19/13				
		Lawyer: APM 0.60 Hrs X 300.00	0.60	180.00	12501	Billed
Dec 30/2013	1124393	Review Westlaw people map report of Zandian				
		Lawyer: APM 0.90 Hrs X 300.00	0.90	270.00	12501	Billed
Dec 30/2013	1124394	Begin review of Wells Fargo documents				
		Lawyer: APM 0.30 Hrs X 300.00	0.30	90.00	12501	Billed
Dec 31/2013	1124477	Begin review of Bank of America documents				
		Lawyer: APM 1.10 Hrs X 300.00	1.10	330.00	12501	Billed
Dec 31/2013	1124478	Finish review of Zandian's motion to set aside				
		Lawyer: APM 0.50 Hrs X 300.00	0.50	150.00	12501	Billed
Dec 31/2013	1124485	Finish review of Zandian's people map from Westlaw				
		Lawyer: APM 0.30 Hrs X 300.00	0.30	90.00	12501	Billed
Dec 31/2013	1124486	Review detailed email, dated 12/22/13, from Jed Margolin				
		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12501	Billed
Dec 31/2013	1124499	Draft email to Jed Margolin				
		Lawyer: NRL 1.00 Hrs X 125.00	1.00	125.00	12501	Billed
Jan 2/2014	1124989	Initial review records from Charles Schwab; scan to file				
		Lawyer: MDF 0.50 Hrs X 300.00	0.50	150.00	12547	Billed
Jan 3/2014	1125010	Review motion to stay proceedings				
		Lawyer: APM 0.40 Hrs X 300.00	0.40	120.00	12547	Billed
Jan 6/2014	1125168	Review and respond to detailed email, dated 1/3/14, from Jed Margolin				
		Lawyer: APM 0.40 Hrs X 300.00	0.40	120.00	12547	Billed
Jan 6/2014	1125169	Review email, dated 1/6/14, and attachments, from Jed Margolin				
		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12547	Billed
Jan 8/2014	1125435	Draft email to Jed Margolin				
		Lawyer: APM 3.60 Hrs X 300.00	3.60	1080.00	12547	Billed
Jan 9/2014	1125661	Draft opposition to motion to set aside				
		Lawyer: NRL 2.00 Hrs X 125.00	2.00	250.00	12547	Billed
Jan 9/2014	1125668	Review/proof Opposition to Motion to Set Aside Judgment; compile exhibits; arrange for filing and delivery to court				
		Lawyer: APM 4.90 Hrs X 300.00	4.90	1470.00	12547	Billed
Jan 9/2014	1125669	Finish drafting opposition to motion to set aside default judgment				
		Lawyer: APM 0.40 Hrs X 300.00	0.40	120.00	12547	Billed
Jan 9/2014	1125679	Revise proposed order on motion for debtor's examination				
		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12547	Billed
Jan 9/2014	1125888	Review email, dated 1/8/14, from Jed Margolin				
		Lawyer: MDF 0.50 Hrs X 300.00	0.50	150.00	12547	Billed
Jan 13/2014	1126575	Review opposition to motion to set aside				
		Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12547	Billed
Jan 14/2014	1126679	Communicate with Judge Russell's assistant regarding debtor's examination on 2/11/14 at 9:00 a.m.				
		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12547	Billed
Jan 14/2014	1126680	Communicate with Angela, Judge Russell's assistant, regarding debtor's examination				
		Lawyer: APM 0.30 Hrs X 300.00	0.30	90.00	12547	Billed
Jan 14/2014	1126704	Begin preparing for debtor's examination				
		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12547	Billed
Jan 14/2014	1126939	Draft email to Jed Margolin				
		Lawyer: NRL 0.50 Hrs X 125.00	0.50	62.50	12547	Billed
Jan 14/2014	1127397	Telephone conference with staff from opposing counsel requesting transmittal of Opposition to Motion to Set Aside				
		Lawyer: MDF 0.30 Hrs X 300.00	0.30	90.00	12547	Billed
Jan 16/2014	1126936	Conference with APM				
		Lawyer: APM 2.50 Hrs X 300.00	2.50	750.00	12547	Billed
Jan 16/2014	1126939	Draft opposition to Zandian's motion to stay proceedings				
		Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12547	Billed
Jan 16/2014	1126941	Review order granting motion for debtor examination, dated 1/13/14				
		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12547	Billed
Jan 16/2014	1126950	Review notice of entry of order for debtor's examination				
		Lawyer: NRL 1.50 Hrs X 125.00	1.50	187.50	12547	Billed
Jan 16/2014	1126953	Review Opposition to Motion for Stay to Enforce Judgment, and Order Granting Plaintiff's Motion for Debtor Exam				
		Lawyer: NRL 0.20 Hrs X 125.00	0.20	25.00	12547	Billed
Jan 16/2014	1127386	Preparation of memo of telephone conference with client				
		Lawyer: MDF 1.20 Hrs X 300.00	1.20	360.00	12547	Billed

Watson Rounds
Client Fees Listing
Oct/18/2013 To Apr/18/2014
Working Lawyer

Date	Entry #	Fee / Time Explanation	Hours	Amount	Inv#	Billing Status
Jan 17/2014	1126979	Lawyer: APM 0.10 Hrs X 300.00 Communicate with Nancy Lindsley	0.10	30.00	12547	Billed
Jan 17/2014	1126985	Lawyer: APM 0.10 Hrs X 300.00 Review memo from Nancy Lindsley, dated 1/17/14.	0.10	30.00	12547	Billed
Jan 17/2014	1127035	Lawyer: NRL 1.00 Hrs X 125.00 Review Wells Fargo documents in anticipation of preparation of SVF for deposit detail; telephone conference with	1.00	125.00	12547	Billed
Jan 23/2014	1127509	Lawyer: APM 0.30 Hrs X 300.00 Continue drafting questions for debtor's examination of Zandian.	0.30	90.00	12547	Billed
Jan 23/2014	1127516	Lawyer: APM 0.90 Hrs X 300.00 Review and respond to email, dated 1/23/14, from Jed Margolin	0.90	270.00	12547	Billed
Jan 23/2014	1127519	Lawyer: APM 0.30 Hrs X 300.00 Research process of service on E*Trade as they have not responded to subpoena and they do not have any branches	0.30	90.00	12547	Billed
Jan 23/2014	1127524	Lawyer: APM 0.20 Hrs X 300.00 Begin review Zandian's reply in support of motion to set aside default, dated 1/21/14.	0.20	60.00	12547	Billed
Jan 23/2014	1127628	Lawyer: MDF 0.50 Hrs X 300.00 Review reply in support of motion to set aside default judgment and affidavit in support thereof/Review request	0.50	150.00	12547	Billed
Jan 28/2014	1127844	Lawyer: NRL 1.00 Hrs X 125.00 Review Federal Express from B*Trade Financial; duplicate for client; save to file	1.00	125.00	12547	Billed
Jan 29/2014	1127944	Lawyer: NRL 1.00 Hrs X 125.00 Preparation of email to client	1.00	125.00	12547	Billed
Jan 31/2014	1128477	Lawyer: MDF 0.30 Hrs X 300.00 Draft and review e-mails to and from law clerk and client, et al. re: order denying motion to set aside	0.30	90.00	12547	Billed
Jan 31/2014	1129051	Lawyer: APM 0.10 Hrs X 300.00 Review email, dated 1/31/14, from Samantha Valerius, judge's law clerk, regarding request for proposed order.	0.10	30.00	12547	Billed
Feb 1/2014	1129052	Lawyer: APM 0.20 Hrs X 300.00 Review and respond to email, dated 2/1/14, from Jed Margolin	0.20	60.00	12624	Billed
Feb 3/2014	1128543	Lawyer: APM 0.10 Hrs X 300.00 Review voicemail from Fred Sadri	0.10	30.00	12624	Billed
Feb 4/2014	1128695	Lawyer: APM 0.10 Hrs X 300.00 Begin drafting order denying motion to set aside.	0.10	30.00	12624	Billed
Feb 5/2014	1129034	Lawyer: APM 0.10 Hrs X 300.00 Review email, dated 2/5/14, from Jed Margolin	0.10	30.00	12624	Billed
Feb 5/2014	1129035	Lawyer: APM 0.10 Hrs X 300.00 Draft email to Jed Margolin	0.10	30.00	12624	Billed
Feb 5/2014	1129036	Lawyer: APM 0.10 Hrs X 300.00 Review another email from Jed Margolin	0.10	30.00	12624	Billed
Feb 5/2014	1129038	Lawyer: APM 3.70 Hrs X 300.00 Draft proposed order denying Zandian's motion to set aside the judgment.	3.70	1110.00	12624	Billed
Feb 5/2014	1129048	Lawyer: APM 0.10 Hrs X 300.00 Draft email to Samantha Valerius regarding proposed order denying motion to set aside judgment.	0.10	30.00	12624	Billed
Feb 5/2014	1129053	Lawyer: APM 0.10 Hrs X 300.00 Review Zandian's reply in support of motion for stay of proceedings to enforce the judgment, dated 1/29/14.	0.10	30.00	12624	Billed
Feb 5/2014	1129234	Lawyer: MDF 1.00 Hrs X 300.00 Review and revise proposed order denying Defendants' Motion to Set Aside/	1.00	300.00	12624	Billed
Feb 6/2014	1129184	Lawyer: APM 0.10 Hrs X 300.00 Review email, dated 2/6/14, from Samantha Valerius, judge's law clerk, regarding judge signing order denying mo	0.10	30.00	12624	Billed
Feb 6/2014	1129185	Lawyer: APM 0.10 Hrs X 300.00 Draft email to Samantha Valerius, judge's law clerk, regarding judge signing order denying motion to set aside	0.10	30.00	12624	Billed
Feb 6/2014	1129186	Lawyer: APM 0.30 Hrs X 300.00 Draft email to Jonathon Faveghi regarding debtor's examination.	0.30	90.00	12624	Billed
Feb 6/2014	1129187	Lawyer: APM 0.20 Hrs X 300.00 Telephone conference with Fred Sadri	0.20	60.00	12624	Billed
Feb 6/2014	1129195	Lawyer: APM 0.10 Hrs X 300.00 Review email, dated 2/6/14, from Johnathon Faveghi regarding Zandian's debtor's examination.	0.10	30.00	12624	Billed
Feb 6/2014	1129196	Lawyer: APM 0.10 Hrs X 300.00 Draft email to Johnathon Faveghi regarding Zandian's debtor's examination.	0.10	30.00	12624	Billed
Feb 6/2014	1129197	Lawyer: APM 0.10 Hrs X 300.00 Draft email to Jed Margolin	0.10	30.00	12624	Billed
Feb 6/2014	1129284	Lawyer: MDF 0.40 Hrs X 300.00 Conference with APM	0.40	120.00	12624	Billed
Feb 7/2014	1129524	Lawyer: NRL 0.70 Hrs X 125.00 Review Order Denying Motion to Set Aside Default Judgment; scan and transmit to opposing counsel; preparation o	0.70	87.50	12624	Billed
Feb 7/2014	1129542	Lawyer: APM 0.20 Hrs X 300.00 Call and email John Faveghi regarding Zandian's non-response to order to produce documents prior to debtor's ex	0.20	60.00	12624	Billed
Feb 7/2014	1129551	Lawyer: APM 0.10 Hrs X 300.00 Draft email to Jed Margolin	0.10	30.00	12624	Billed
Feb 7/2014	1129554	Lawyer: APM 0.30 Hrs X 300.00 Review order denying Zandian's motion to set aside judgment, dated 2/6/14.	0.30	90.00	12624	Billed
Feb 7/2014	1130792	Lawyer: MDF 0.80 Hrs X 300.00 Conference with APM	0.80	240.00	12624	Billed
Feb 10/2014	1129743	Lawyer: APM 0.10 Hrs X 300.00 Draft another email to John Faveghi regarding tomorrow's debtor's examination of Zandian.	0.10	30.00	12624	Billed
Feb 10/2014	1129744	Lawyer: APM 0.10 Hrs X 300.00 Draft debtor's examination questions.	0.10	30.00	12624	Billed
Feb 10/2014	1129746	Lawyer: APM 0.30 Hrs X 300.00 Review and respond to email, dated 2/10/14, from John Faveghi regarding debtor's examination.	0.30	90.00	12624	Billed
Feb 10/2014	1129748	Lawyer: APM 0.80 Hrs X 300.00 Draft email to Court regarding Zandian not appearing before the court tomorrow on debtor's examination.	0.80	240.00	12624	Billed
Feb 10/2014	1129756	Lawyer: APM 0.20 Hrs X 300.00 Review email, dated 2/10/14, from Angela Jeffries regarding vacating debtor's examination and requesting a noti	0.20	60.00	12624	Billed
Feb 10/2014	1129757	Lawyer: APM 0.10 Hrs X 300.00 Draft email to Angela Jeffries regarding vacating debtor's examination and requesting a motion for order to sho	0.10	30.00	12624	Billed

Watson Rounds
Client Fees Listing
Oct/18/2013 To Apr/18/2014
Working Lawyer

Date	Entry #	Fee / Time Explanation	Hours	Amount	Inv#	Billing Status
Feb 10/2014	1129758	Draft email to Jed Margolin				
Feb 10/2014	1129759	Lawyer: APM 0.20 Hrs X 300.00 Review Wells Fargo's response to \$55,000 transaction to Zandian.	0.20	60.00	12624	Billed
Feb 10/2014	1129760	Lawyer: APM 0.30 Hrs X 300.00 Review email, dated 2/10/14, from Jed Margolin	0.30	90.00	12624	Billed
Feb 10/2014	1129761	Lawyer: APM 0.20 Hrs X 300.00 Respond to Jed Margolin's email	0.20	60.00	12624	Billed
Feb 10/2014	1130645	Lawyer: MDF 1.00 Hrs X 300.00 Conference with APM	1.00	300.00	12624	Billed
Feb 11/2014	1130034	Lawyer: NRL 1.00 Hrs X 125.00 Reorganize file materials; review emails between APM and opposing counsel and court	1.00	125.00	12624	Billed
Feb 11/2014	1130053	Lawyer: APM 4.40 Hrs X 300.00 Draft Motion for Order to Show Cause Regarding Contempt, as requested by the court.	4.40	1320.00	12624	Billed
Feb 11/2014	1130138	Lawyer: MDF 1.30 Hrs X 300.00 Review and revise motion to show cause why Defendant should not be held in contempt	1.30	390.00	12624	Billed
Feb 12/2014	1130659	Lawyer: NRL 1.00 Hrs X 125.00 Finalize Motion for Order to Show Cause Re Contempt vs. Zandian; compile exhibits; transmit for filing; serve v.	1.00	125.00	12624	Billed
Feb 12/2014	1130680	Lawyer: APM 0.10 Hrs X 300.00 Finish drafting motion for contempt sanctions.	0.10	30.00	12624	Billed
Feb 24/2014	1131791	Lawyer: APM 0.30 Hrs X 300.00 Review Zandian's substitution of attorney's, dated 2/21/14.	0.30	90.00	12624	Billed
Feb 24/2014	1131793	Lawyer: APM 0.10 Hrs X 300.00 Draft email to Jed Margolin	0.10	30.00	12624	Billed
Feb 24/2014	1131860	Lawyer: APM 0.10 Hrs X 300.00 Review and respond to Jed Margolin's email, dated 2/24/14.	0.10	30.00	12624	Billed
Mar 4/2014	1132838	Lawyer: APM 0.10 Hrs X 300.00 Review voicemail, dated 3/4/14, from Fred Sadri	0.10	30.00	12651	Billed
Mar 4/2014	1132839	Lawyer: APM 0.70 Hrs X 300.00 Review Opposition to Motion for Order to Show Cause Regarding Contempt, dated 3/3/14.	0.70	210.00	12651	Billed
Mar 4/2014	1132840	Lawyer: APM 0.10 Hrs X 300.00 Draft email to Jed Margolin	0.10	30.00	12651	Billed
Mar 4/2014	1132931	Lawyer: APM 0.20 Hrs X 300.00 Review and respond to email, dated 3/4/14, from Jed Margolin	0.20	60.00	12651	Billed
Mar 4/2014	1132953	Lawyer: MDF 0.80 Hrs X 300.00 Review opposition to motion for order to show cause re: contempt/Draft and review e-mails to add from APM re: s	0.80	240.00	12651	Billed
Mar 5/2014	1133005	Lawyer: APM 0.20 Hrs X 300.00 Review email, dated 3/4/14, from Jed Margolin	0.20	60.00	12651	Billed
Mar 5/2014	1133305	Lawyer: APM 0.10 Hrs X 300.00 Review voicemail from Fred Sadri	0.10	30.00	12651	Billed
Mar 5/2014	1133306	Lawyer: APM 0.30 Hrs X 300.00 Telephone conference with Fred Sadri	0.30	90.00	12651	Billed
Mar 5/2014	1134285	Lawyer: APM 0.10 Hrs X 300.00 Review email, dated 3/5/14, from Jed Margolin	0.10	30.00	12651	Billed
Mar 5/2014	1134288	Lawyer: NRL 1.00 Hrs X 125.00 Review Opposition to Motion for OSC; calendar reply to same; review Carson City County website to confirm if Zar	1.00	125.00	12651	Billed
Mar 8/2014	1134292	Lawyer: APM 0.10 Hrs X 300.00 Review email, dated 3/8/14, from Jed Margolin	0.10	30.00	12651	Billed
Mar 10/2014	1134284	Lawyer: APM 0.10 Hrs X 300.00 Review attachments attached to 3/4/14 email from Jed Margolin	0.10	30.00	12651	Billed
Mar 11/2014	1134398	Lawyer: APM 0.50 Hrs X 300.00 Review Jed Margolin's comments	0.50	150.00	12651	Billed
Mar 12/2014	1134505	Lawyer: APM 3.90 Hrs X 300.00 Draft reply in support of motion for contempt sanctions.	3.90	1170.00	12651	Billed
Mar 12/2014	1134505	Lawyer: APM 1.60 Hrs X 300.00 Continue drafting reply in support of motion for contempt sanctions.	1.60	480.00	12651	Billed
Mar 12/2014	1134512	Lawyer: APM 0.20 Hrs X 300.00 Review email, dated 3/12/14, from Jed Margolin	0.20	60.00	12651	Billed
Mar 13/2014	1134610	Lawyer: NRL 1.50 Hrs X 125.00 Review and finalize Reply iso Motion for OSC; preparation of Request for Submission; telephone conference with I	1.50	187.50	12651	Billed
Mar 13/2014	1134671	Lawyer: APM 0.20 Hrs X 300.00 Finish drafting reply in support of motion for contempt sanctions.	0.20	60.00	12651	Billed
Mar 13/2014	1134680	Lawyer: APM 0.30 Hrs X 300.00 Perform legal research	0.30	90.00	12651	Billed
Mar 19/2014	1134612	Lawyer: APM 0.20 Hrs X 300.00 Review email dated 2/10/14 from Jed Margolin	0.20	60.00	12651	Billed

Watson Rounds
Client Fees Listing
Oct/18/2013 To Apr/18/2014
Working Lawyer

Date	Entry #	Fee / Time	Explanation	Hours	Amount	Inv#	Billing Status
Mar 20/2014	1135506	Lawyer: APM 0.40 Hrs X 300.00	Communicate with Matt Frances	0.40	120.00	12651	Billed
Mar 20/2014	1135507	Lawyer: APM 0.90 Hrs X 300.00	Telephone conference with Jed Margolin	0.90	270.00	12651	Billed
Mar 20/2014	1135512	Lawyer: APM 0.40 Hrs X 300.00	Draft letter to Jason Woodbury requesting debtor's examination and documents from Zandian	0.40	120.00	12651	Billed
Mar 20/2014	1135530	Lawyer: NRL 0.20 Hrs X 125.00	Finalize letter to Jason Woodbury; transmit via email and US Mail	0.20	25.00	12651	Billed
Mar 20/2014	1135900	Lawyer: MDF 0.50 Hrs X 300.00	Conference with Adam McMillen	0.50	150.00	12651	Billed
Mar 20/2014	1136416	Lawyer: APM 0.50 Hrs X 300.00	Review email, dated 3/20/14, from Jed Margolin	0.50	150.00	12651	Billed
Mar 22/2014	1136422	Lawyer: APM 0.50 Hrs X 300.00	Review email, dated 3/21/14, from Jed Margolin	0.50	150.00	12651	Billed
Mar 25/2014	1135892	Lawyer: APM 0.20 Hrs X 300.00	Review and respond to email, dated 3/25/14, from Jed Margolin	0.20	60.00	12651	Billed
Mar 25/2014	1135893	Lawyer: APM 0.40 Hrs X 300.00	Review and respond to email, dated 3/25/14, from Jed Margolin	0.40	120.00	12651	Billed
Mar 25/2014	1136737	Lawyer: APM 0.40 Hrs X 300.00	Review email, dated 3/25/14, from Jed Margolin	0.40	120.00	12651	Billed
Mar 26/2014	1135890	Lawyer: APM 0.30 Hrs X 300.00	Review email, dated 3/26/14, from Jed Margolin	0.30	90.00	12651	Billed
Mar 26/2014	1135891	Lawyer: APM 0.50 Hrs X 300.00	Review email, dated 3/25/14, from Jed Margolin	0.50	150.00	12651	Billed
Mar 26/2014	1135893	Lawyer: APM 0.30 Hrs X 300.00	Review email, dated 3/26/14, from Jed Margolin	0.30	90.00	12651	Billed
Mar 26/2014	1135894	Lawyer: APM 0.60 Hrs X 300.00	Telephone call with Jed Margolin	0.60	180.00	12651	Billed
Mar 26/2014	1135954	Lawyer: MDF 1.00 Hrs X 300.00	Review property title documents/Conference with APM re: strategy for execution and related issues	1.00	300.00	12651	Billed
Mar 27/2014	1135975	Lawyer: NRL 2.00 Hrs X 125.00	Review notes and research regarding execution vs real property; commence prep	2.00	250.00	12651	Billed
Mar 28/2014	1136128	Lawyer: NRL 2.50 Hrs X 125.00	Commence preparation of Motion for Writ of Execution, Writ of Execution and First Memorandum of Post-Judgment C	2.50	312.50	12651	Billed
Mar 28/2014	1136134	Lawyer: APM 0.20 Hrs X 300.00	Draft writ of execution	0.20	60.00	12651	Billed
Mar 31/2014	1136403	Lawyer: APM 0.10 Hrs X 300.00	Review and respond to email, dated 3/31/14, from Jed Margolin	0.10	30.00	12651	Billed
Mar 31/2014	1136404	Lawyer: APM 0.10 Hrs X 300.00	Revise first memo of post-judgment costs and fees	0.10	30.00	12651	Billed
Mar 31/2014	1136405	Lawyer: APM 0.30 Hrs X 300.00	Revise writ of execution	0.30	90.00	12651	Billed
Mar 31/2014	1136407	Lawyer: APM 0.30 Hrs X 300.00	Review email, dated 3/28/14, from Jason Woodbury regarding Zandian's motion filed recently	0.30	90.00	12651	Billed
Mar 31/2014	1136433	Lawyer: APM 0.20 Hrs X 300.00	Communicate with Jed Margolin	0.20	60.00	12651	Billed
Mar 31/2014	1136549	Lawyer: NRL 2.00 Hrs X 125.00	Finalize First Memorandum of Costs; Motion for Issuance of Writ; recalculate interest; and preparation of of AF	2.00	250.00	12651	Billed
Mar 31/2014	1136862	Lawyer: APM 0.30 Hrs X 300.00	Review email, dated 4/1/14, from Jed Margolin	0.30	90.00	12651	Billed
Mar 31/2014	1136865	Lawyer: APM 0.10 Hrs X 300.00	Review proposed motion for writ of execution	0.10	30.00	12651	Billed
Mar 31/2014	1136870	Lawyer: APM 0.10 Hrs X 300.00	Review voicemail from Fred Sadri and return his call	0.10	30.00	12651	Billed
Mar 31/2014	1137007	Lawyer: NRL 2.50 Hrs X 125.00	Finalize Motion for Writ of Execution; telephone conference with Steve Wood of Washoe County Sheriff's Office r	2.50	312.50	12651	Billed
Apr 1/2014	1137094	Lawyer: NRL 1.00 Hrs X 125.00	Review Clark County and Washoe County deeds for insertion of legal description into Writs of Execution; revise	1.00	125.00	12682	Billed
Apr 1/2014	1137101	Lawyer: NRL 0.50 Hrs X 125.00	Review emails; calendar response to Motion for writ of Execution	0.50	62.50	12682	Billed
Apr 2/2014	1137194	Lawyer: APM 0.10 Hrs X 300.00	Review email, dated 4/2/14, from Jed Margolin	0.10	30.00	12682	Billed
Apr 2/2014	1137195	Lawyer: APM 1.20 Hrs X 300.00	Review Zandian's motion to dismiss and vacate default judgment	1.20	360.00	12682	Billed
Apr 2/2014	1137197	Lawyer: APM 0.10 Hrs X 300.00	Draft email to Jason Woodbury regarding debtor's examination and bizarre motion filed by Sandian	0.10	30.00	12682	Billed
Apr 2/2014	1137199	Lawyer: APM 0.60 Hrs X 300.00	Review file stamped motion to dismiss in Abrisshami v Gold Canyon, dated 3/24/14	0.60	180.00	12682	Billed
Apr 2/2014	1137200	Lawyer: APM 0.30 Hrs X 300.00	Review file-stamped motion, dated 3/24/14	0.30	90.00	12682	Billed
Apr 2/2014	1137201	Lawyer: APM 0.20 Hrs X 300.00	Telephone conference with Fred Sadri	0.20	60.00	12682	Billed
Apr 2/2014	1137206	Lawyer: APM 0.20 Hrs X 300.00	Review letter, dated 12/4/13, from Kristin Luis to Judge Wilson regarding Gold Canyon case	0.20	60.00	12682	Billed
Apr 2/2014	1137225	Lawyer: APM 0.20 Hrs X 300.00	Review and respond to email, dated 4/2/14, from Jed Margolin	0.20	60.00	12682	Billed
Apr 2/2014	1137225	Lawyer: NRL 1.00 Hrs X 125.00	Brief review Motion and supporting documents filed by Zandian; calendar response to same	1.00	125.00	12682	Billed

Date	Entry #	Fee / Time Explanation	Hours	Amount	Inv#	Billing Status
Apr 8/2014	1139451	Review email, dated 4/7/14, from Jed Margolin				
Apr 8/2014	1138186	Lawyer: APM 0.20 Hrs X 300.00 Review email, dated 4/8/14, from Jed Margolin	0.20	60.00	12682	Billed
Apr 8/2014	1138191	Lawyer: APM 1.00 Hrs X 300.00 Telephone call with Jed Margolin regarding	1.00	300.00	12682	Billed
Apr 8/2014	1138198	Lawyer: NRL 0.50 Hrs X 125.00 Telephone conference with Steve Wood of the Washoe County Sheriff's office re execution vs. real properties, i.e.	0.50	62.50	12682	Billed
Apr 8/2014	1138223	Lawyer: APM 0.20 Hrs X 300.00 Review email, dated 4/8/14, from Jed Margolin	0.20	60.00	12682	Billed
Apr 9/2014	1138213	Lawyer: APM 0.20 Hrs X 300.00 Draft opposition to Zandian's motion to dismiss	0.20	60.00	12682	Billed
Apr 9/2014	1138215	Lawyer: APM 0.30 Hrs X 300.00 Review and respond to emails, dated 4/9/14, from Jason Woodbury regarding Zandian's motion to dismiss	0.30	90.00	12682	Billed
Apr 9/2014	1138216	Lawyer: APM 0.10 Hrs X 300.00 Draft email to Jed Margolin	0.10	30.00	12682	Billed
Apr 9/2014	1138250	Lawyer: NRL 0.30 Hrs X 125.00 Telephone conference with Court Clerk re issuance of Writs; preparation of memo to APM re same	0.30	37.50	12682	Billed
Apr 9/2014	1138532	Lawyer: APM 0.20 Hrs X 300.00 Review and respond to email from Nancy Lindsley	0.20	60.00	12682	Billed
Apr 10/2014	1138333	Lawyer: NRL 0.50 Hrs X 125.00 Review Motion to Retax and Settle Costs; calendar response to same	0.50	62.50	12682	Billed
Apr 11/2014	1138506	Lawyer: APM 0.20 Hrs X 300.00 Review and respond to email, dated 4/11/14, from Jed Margolin	0.20	60.00	12682	Billed
Apr 14/2014	1138500	Lawyer: APM 0.30 Hrs X 300.00 Meet with Matt Francis	0.30	90.00	12682	Billed
Apr 14/2014	1138502	Lawyer: APM 0.20 Hrs X 300.00 Review email, dated 4/14/14, from Jed Margolin	0.20	60.00	12682	Billed
Apr 14/2014	1138507	Lawyer: APM 0.10 Hrs X 300.00 Draft email to Jason Woodbury regarding stipulation to withdraw motion to dismiss from Zandian	0.10	30.00	12682	Billed
Apr 14/2014	1138511	Lawyer: APM 0.10 Hrs X 300.00 Review and respond to another email, dated 4/14/14, from Jed Margolin	0.10	30.00	12682	Billed
Apr 14/2014	1138512	Lawyer: APM 0.70 Hrs X 300.00 Revise declaration for JP Lee, gather old letters regarding same and draft email to JP Lee requesting him to sign	0.70	210.00	12682	Billed
Apr 14/2014	1138521	Lawyer: APM 0.10 Hrs X 300.00 Review email, dated 4/14/14, from Jason Woodbury regarding stipulation to withdraw Zandian's motion to dismiss	0.10	30.00	12682	Billed
Apr 14/2014	1138522	Lawyer: APM 0.10 Hrs X 300.00 Review first draft of Jason Woodbury's proposed stipulation to withdraw Zandian's motion to dismiss	0.10	30.00	12682	Billed
Apr 14/2014	1138523	Lawyer: APM 0.20 Hrs X 300.00 Draft emails to Jason Woodbury regarding proposed stipulation to withdraw Zandian's motion to dismiss	0.20	60.00	12682	Billed
Apr 14/2014	1138547	Lawyer: NRL 0.50 Hrs X 125.00 Transmit executed Stipulation and Order to Withdraw Motion to Jason Woodbury	0.50	62.50	12682	Billed
Apr 15/2014	1138697	Lawyer: APM 0.20 Hrs X 300.00 Begin review of Zandian's motion to retax, dated 4/9/14	0.20	60.00	12682	Billed
Apr 15/2014	1138698	Lawyer: APM 0.10 Hrs X 300.00 Review email, dated 4/15/14, from Tiffany Dube regarding request for declaration from JP Lee	0.10	30.00	12682	Billed
Apr 15/2014	1138699	Lawyer: APM 0.10 Hrs X 300.00 Review letter, dated 4/15/14, from JP Lee regarding request for declaration	0.10	30.00	12682	Billed
Apr 15/2014	1138834	Lawyer: MDF 0.50 Hrs X 300.00 Review motion to retax costs/Emails with APM re: same	0.50	150.00	12682	Billed
Apr 16/2014	1138801	Lawyer: NRL 0.80 Hrs X 125.00 Generate report reflecting costs incurred from 6/26/2013 to present; commence preparation of revised Memorandum	0.80	100.00	12682	Billed
Apr 16/2014	1138816	Lawyer: APM 1.40 Hrs X 300.00 Finish review of Zandian's motion to retax	1.40	420.00	12682	Billed
Apr 16/2014	1138817	Lawyer: APM 1.70 Hrs X 300.00 Begin drafting opposition to Zandian's motion to retax	1.70	510.00	12682	Billed
Apr 16/2014	1138819	Lawyer: APM 0.30 Hrs X 300.00 Review and respond to email, dated 4/15/14, from Jed Margolin	0.30	90.00	12682	Billed

Watson Rounds
Client Fees Listing
Oct/18/2013 To Apr/18/2014
Working Lawyer

Date	Entry #	Fee / Time Explanation	Hours	Amount	Inv#	Billing Status
Apr 16/2014	1138862	Lawyer: APM 0.30 Hrs X 300.00 Meet with Matt Francis	0.30	90.00	12682	Billed
Apr 16/2014	1138863	Lawyer: APM 0.20 Hrs X 300.00 Draft email to Jed Margolin	0.20	60.00	12682	Billed
Apr 16/2014	1138865	Lawyer: APM 0.10 Hrs X 300.00 Draft email to Jed Margolin	0.10	30.00	12682	Billed
Apr 16/2014	1138866	Lawyer: APM 3.40 Hrs X 300.00 Draft motion for post judgment fees and costs	3.40	1020.00	12682	Billed
Apr 16/2014	1139445	Lawyer: APM 0.10 Hrs X 300.00 Review email, dated 4/16/14, from Jano Barnhurst regarding stipulation to withdraw motion filed by Zandian	0.10	30.00	12682	Billed
Apr 16/2014	1139446	Lawyer: APM 0.10 Hrs X 300.00 Review email, dated 4/15/14, from Jed Margolin	0.10	30.00	12682	Billed
Apr 17/2014	1138879	Lawyer: APM 0.30 Hrs X 300.00 Review and respond to emails, dated 4/18/14, from Jed Margolin	0.30	90.00	12682	Billed
Apr 18/2014	1138926	Lawyer: NRL 0.50 Hrs X 125.00 Generate reports from PCLaw for fees and costs from October 21, 2013 through April 21, 2014	0.50	62.50	12682	Billed
Apr 18/2014	1138927	Lawyer: NRL 1.00 Hrs X 125.00 Review/proof Motion for Order Allowing Costs and APM Dec iso same; compile exhibits	1.00	125.00	12682	Billed
Apr 18/2014	1138937	Lawyer: APM 0.10 Hrs X 300.00 Draft email to Jed Margolin	0.10	30.00	12682	Billed
Apr 18/2014	1138938	Lawyer: APM 1.60 Hrs X 300.00 Finish drafting motion for post judgment fees and costs	1.60	480.00	12682	Billed
Apr 18/2014	1138944	Lawyer: APM 0.10 Hrs X 300.00 Review and respond to email, dated 4/18/14, from Jed Margolin	0.10	30.00	12682	Billed

Unbilled: 0.00 0.00
Billed: 143.40 34812.50
Total: 143.40 34812.50
Percent Billed: 100.00 100.00

*** Summary by Working Lawyer ***

Working Lawyer	Hours				Fees							
	Unbilled	Firm %	Billed	Firm %	Total	% Bld	Unbilled	Firm %	Billed	Firm %	Total	% Bld
MOF - Matthew D.	0.00	100.00	14.40	10.04	14.40	100.00	0.00	100.00	4320.00	12.41	4320.00	100.00
APM - Adam P. Mct	0.00	100.00	82.10	57.25	82.10	100.00	0.00	100.00	24630.00	70.75	24630.00	100.00
NRL - Nancy R. Li	0.00	100.00	46.90	32.71	46.90	100.00	0.00	100.00	5862.50	16.84	5862.50	100.00
Firm Total	0.00	100.00	143.40	100.00	143.40	100.00	0.00	100.00	34812.50	100.00	34812.50	100.00

*** Summary by Responsible Lawyer ***

Responsible Lawyer	Hours				Fees							
	Unbilled	Firm %	Billed	Firm %	Total	% Bld	Unbilled	Firm %	Billed	Firm %	Total	% Bld
APM - Adam P. Mct	0.00	100.00	143.40	100.00	143.40	100.00	0.00	100.00	34812.50	100.00	34812.50	100.00
Firm Total	0.00	100.00	143.40	100.00	143.40	100.00	0.00	100.00	34812.50	100.00	34812.50	100.00

REPORT SELECTIONS - Client Fees Listing

Layout Template: Default
Advanced Search Filter: None
Requested by: Nancy
Finished by: Monday, May 12, 2014 at 11:34:52 AM
Ver: 13.0 SR1 (13.0.20131028)
Date Range: Oct/18/2013 To Apr/18/2014
Matters: 5457.01
Clients: All
Major Clients: All
Client Intro Lawyer: All
Matter Intro Lawyer: All
Responsible Lawyer: All
Assigned Lawyer: All
Type of Law: All
Select From: Active, Inactive, Archived Matters
Matters Sort by: Default
New Page for Each Lawyer: No
Firm Totals Only: No
Client balances only: No
Matter balances only: No
Entries Shown - Billed Only: Yes
Entries Shown - Unbilled: Yes
Entries Shown - Billable Tasks: Yes

May/12/2014

Watson Rounds
Client Fees Listing
Oct/18/2013 To Apr/18/2014
Working Lawyer

Page:

Date	Fee / Time		Hours	Amount	Inv#	Billing
Entry #	Explanation					Status
Entries Shown - Write Up/Down Tasks		Yes				
Entries Shown - No Charge Tasks		Yes				
Entries Shown - Non Billable Tasks		Yes				
Working Lawyer		All				

Exhibit 3

Exhibit 3

Date	Received From/Paid To	Chg#	General	Eld	Trust	Activity				
Entry #	Explanation	Rec#	Rcpts	Disbs	Fees	Inv#	Acc	Rcpts	Disbs	Balance
5457	Margolin, Jed									
5457.01	Patent theft analysis & litigation									Resp Lawyer: AEM
Oct 22/2013	Reno/Carson Messenger Service, In									
1115832	Process service expense			52.00		124091				
Nov 7/2013	Billing on Invoice 124091									
1117911	FEES 3512.50			0.00		124091				
	DISBS 194.20									
Nov 13/2013	Bank of America									
1118672	Witness fee subpoena for Bank of America	2475		25.00		124555				
Nov 13/2013	Expense Recovery									
1120227	Postage	16627		5.28		124555				
Nov 18/2013	Reno/Carson Messenger Service, In									
1119582	Process service expense			52.00		124555				
Dec 9/2013	Billing on Invoice 124555									
1121920	FEES 577.50			0.00		124555				
	DISBS 82.28									
Dec 9/2013	Expense Recovery									
1124586	Photocopies 160 @ 0.25 - Service copies/2 SDTs	16680		40.00		125011				
Dec 10/2013	Charles Schwab & Co., Inc.									
1122115	Witness fee Charles Schwab	2569		25.00		125011				
Dec 10/2013	E-Trade Bank									
1122117	Witness fee - E-Trade Bank	2570		25.00		125011				
Dec 10/2013	Expense Recovery									
1123859	Postage	16668		8.96		125011				
Dec 11/2013	Expense Recovery									
1123860	Postage	16668		24.48		125011				
Dec 11/2013	Expense Recovery									
1124587	Photocopies 570 @ 0.25 - Motion for judgment/debtor exam	16680		142.50		125011				
Dec 12/2013	Reno/Carson Messenger Service, In									
1123048	Courier expense			16.00		125011				
Dec 12/2013	Reno/Carson Messenger Service, In									
1123301	Courier expense			37.00		125011				
Dec 12/2013	Bank of America									
1123303	Outside coping expense from BofA			115.66		125011				
Dec 18/2013	Expense Recovery									
1124598	Photocopies 126 @ 0.25 - Banking documents	16680		31.50		125011				
Dec 19/2013	Expense Recovery									
1124611	Postage	16680		1.72		125011				
Dec 31/2013	Expense Recovery									
1124658	Legal research documents	16682		153.92		125011				
Jan 9/2014	Expense Recovery									
1128654	Photocopies 640 @ 0.25 - Opposition/request for admissions/order	16712		160.00		125472				
Jan 10/2014	Reno/Carson Messenger Service, In									
1125835	Courier expense			16.00		125472				
Jan 13/2014	Billing on Invoice 125011									
1125944	FEES 4527.50			0.00		125011				
	DISBS 621.74									
Jan 16/2014	Expense Recovery									
1128655	Photocopies 64 @ 0.25 - Notice of entry	16712		16.00		125472				
Jan 19/2014	Expense Recovery									
1127892	Postage	16707		6.60		125472				
Jan 29/2014	Reno/Carson Messenger Service, In									
1128111	Courier expense			95.00		125472				
Jan 29/2014	Expense Recovery									
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	DISBS 295.00									
Feb 10/2014	Expense Recovery									
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Mar 1/2014	Expense Recovery									
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Mar 7/2014	Billing on Invoice 126244									
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	DISBS 73.29									
Mar 13/2014	Expense Recovery									
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Mar 13/2014	Expense Recovery									
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Mar 17/2014	Reno/Carson Messenger Service, In									
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Mar 20/2014	Expense Recovery									
1136522	Postage	16803		0.48		126514				
Mar 31/2014	Expense Recovery									
1137167	Westlaw legal research documents	16810		38.61		126514				
Apr 1/2014	First Judicial District Court									
1136733	Fee for issuance of Writ of Execution	3004		120.00						
Apr 3/2014	Billing on Invoice 126514									

Oct/21/2013 To Apr/21/2014

Date	Received From/Paid To	Chq#	General			Bld	Trust Activity			
Entry #	Explanation	Rec#	Rcpts	Disbs	Fees	Inv#	Acc	Rcpts	Disbs	Balance
Apr 4/2014	DISBS 122.08									
1137826	Reno/Carson Messenger Service, Ir Process service expense				65.00					

UNBILLED					BILLED					BALANCES	
TOTALS	CHE	+ RECOV	+ FEES	= TOTAL	DISBS	+ FEES	+ TAX	- RECEIPTS	= A/R	TRUST	
PERIOD	185.00	0.00	8275.00	8460.00	1246.39	25895.00	0.00	30331.09	-3189.70	-1109.14	
END DATE	185.00	0.00	8275.00	8460.00	27048.52	124026.25	0.00	151074.77	0.00	0.00	
General Retainer			5000.00								

UNBILLED					BILLED					BALANCES	
FIRM TOTAL	CHE	+ RECOV	+ FEES	= TOTAL	DISBS	+ FEES	+ TAX	- RECEIPTS	= A/R	TRUST	
PERIOD	185.00	0.00	8275.00	8460.00	1246.39	25895.00	0.00	30331.09	-3189.70	-1109.14	
END DATE	185.00	0.00	8275.00	8460.00	27048.52	124026.25	0.00	151074.77	0.00	0.00	
General Retainer			5000.00								

REPORT SELECTIONS - Client Ledger

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Requested by	Nancy
Finished by	Monday, April 21, 2014 at 02:05:26 PM
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Matter Intro Lawyer	All
Responsible Lawyer	All
Assigned Lawyer	All
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Entries Shown - Billed Only	No
Entries Shown - Disbursements	Yes
Entries Shown - Receipts	No
Entries Shown - Time or Fees	No
Entries Shown - Trust	No
Incl. Matters with Retainer Bal	No
Incl. Matters with Neg Unbld Disb	No
Trust Account	All
Working Lawyer	All
Include Corrected Entries	No
Show Check # on Paid Payables	No
Show Client Address	No
Consolidate Payments	No
Show Trust Summary by Account	No
Show Interest	No
Interest Up To	Apr/21/2014
Show Invoices that Payments Were Applied to	No
Display Entries in	Date Order

1 Matthew D. Francis (6978)
2 Adam P. McMillen (10678)
3 WATSON ROUNDS
4 5371 Kietzke Lane
5 Reno, NV 89511
6 Telephone: 775-324-4100
7 Facsimile: 775-333-8171
8 *Attorneys for Plaintiff Jed Margolin*

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ALAN GLOVER
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BY *[Signature]*
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**In The First Judicial District Court of the State of Nevada
In and for Carson City**

JED MARGOLIN, an individual,

Plaintiff,

vs.

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

Defendants.

Case No.: 090C00579 1B

Dept. No.: 1

REQUEST FOR SUBMISSION

Plaintiff through his counsel respectfully requests the following documents be submitted to the Court for decision:

- 1) Motion for Order Allowing Costs and Necessary Disbursements and Memorandum of Points and Authorities in Support Thereof, filed April 28, 2014;
- 2) Declaration of Adam McMillen in Support of Motion for Order Allowing Costs and Necessary Disbursements, with supporting exhibits, filed April 28, 2014;

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- 3) Defendant's Motion to Retax and Settle Costs (Opposition), filed April 30, 2014;
- and,
- 4) Plaintiff's Reply in Support of Motion for Order Allowing Costs and Necessary Disbursements, filed May 12, 2014.

Affirmation Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED: May 12, 2014.

WATSON ROUNDS

BY: 
Matthew D. Francis (6978)
Adam P. McMillen (10678)
5371 Kietzke Lane
Reno, NV 89511
Telephone: 775-324-4100
Facsimile: 775-333-8171
Attorneys for Plaintiff Jed Margolin

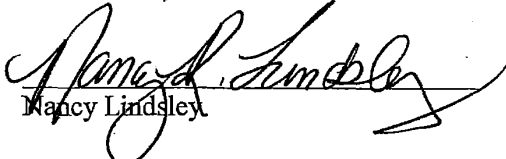
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CERTIFICATE OF SERVICE

Pursuant to NRC 5(b), I certify that I am an employee of Watson Rounds, and that on this date, I deposited for mailing, in a sealed envelope, with first-class postage prepaid, a true and correct copy of the foregoing document, **REQUEST FOR SUBMISSION**, addressed as follows:

Jason D. Woodbury
Severin A. Carlson
Kaempfer Crowell
510 West Fourth Street
Carson City, Nevada 89703
Attorneys for Defendant, Reza Zandian

Dated: May 12, 2014


Nancy Lindsley

1 JASON D. WOODBURY
Nevada Bar No. 6870
2 KAEMPFER CROWELL
510 West Fourth Street
3 Carson City, Nevada 89703
Telephone: (775) 884-8300
4 Facsimile: (775) 882-0257
JWoodbury@kcnvlaw.com
5 ***Attorneys for Reza Zandian***

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2014 MAY 12 PM 4:44
ALAN GLOVER
CLERK
BY V. Adams
DEPUTY

6 IN THE FIRST JUDICIAL DISTRICT COURT
7 OF THE STATE OF NEVADA IN AND FOR
CARSON CITY

9 JED MARGOLIN, an individual,
10 Plaintiff,
11 vs.
12 OPTIMA TECHNOLOGY CORPORATION,
a California corporation, OPTIMA
13 TECHNOLOGY CORPORATION, a Nevada
corporation, REZA ZANDIAN aka
14 GOLAMREZA ZANDIANJAZI aka
GHOLAM REZA ZANDIAN aka REZA
15 JAZI aka J. REZA JAZI aka G. REZA JAZI
aka GHONOREZA ZANDIAN JAZI, an
16 individual, DOE Companies 1-10, DOE
Corporations 11-20, and DOE Individuals
17 21-30,
18 Defendants.

Case No. 09OC00579 1B
Dept. No. I

19
20 **OPPOSITION TO MOTION FOR ORDER**
ALLOWING COSTS AND NECESSARY DISBURSEMENTS

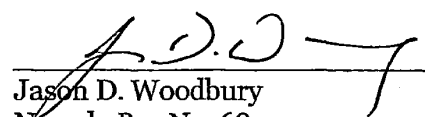
21 COMES NOW, Defendant REZA ZANDIAN ("ZANDIAN"), by and through his
22 attorneys, Kaempfer Crowell, and hereby opposes the *Motion for Order Allowing Costs*
23 *and Necessary Disbursements and Memorandum of Points and Authorities in Support*
24 *Thereof* ("Motion") served by mail on April 25, 2014. This *Opposition* is made pursuant

KAEMPFER CROWELL
510 West Fourth Street
Carson City, Nevada 89703

1 to FJDCR 15(3) and is based on the attached memorandum of points and authorities, all
2 papers and pleadings on file in this matter and any evidence received and arguments
3 entertained by the Court at any hearing on the *Motion*.

4 DATED this 12th day of May, 2014.

5 **KAEMPFER CROWELL**

6
7 
8 Jason D. Woodbury
9 Nevada Bar No. 6870
10 510 West Fourth Street
11 Carson City, Nevada 89703
12 Telephone: (775) 884-8300
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14 JWoodbury@kcnvlaw.com
15 ***Attorneys for Reza Zandian***

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KAEMPFER CROWELL
510 West Fourth Street
Carson City, Nevada 89703

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **A. THE COURT HAS DISCRETION TO AWARD COSTS AND EACH**
3 **PARTY SHOULD BEAR THEIR OWN COSTS IN THIS CASE**

4 The determination of allowable costs is within the sound discretion of the trial
5 court.¹ However, statutes permitting recovery of costs are in derogation of common law,
6 and therefore must be strictly construed.²

7 Here, while Defendant believes each party should bear its own costs, Plaintiff
8 seeks its photocopying costs at a rate of \$0.25 per page.³ NRS 18.005(12) authorizes
9 “[r]easonable costs for photocopies.” If the court is inclined to award costs, the Court
10 should reduce photocopy charges to \$0.15 per page, or a total of \$288.72 for
11 photocopies.⁴

12 **B. AN AWARD OF ATTORNEY’S FEES IS NOT APPROPRIATE AS A**
13 **MATTER OF LAW**

14 It is well settled law in Nevada that the district court may not award attorney fees
15 absent authority under a statute, rule, or contract.⁵ Here, there is no applicable statute
16 or rule and the parties did not enter into an agreement which permits an award of
17 attorney’s fees. Therefore, the American Rule that each party should bear its own
18 attorney’s fees and costs controls, and Plaintiff’s unsupported request for fees should be
19 rejected.

20 \\\

21 \\\

22 ¹ See *Bobby Berosini, Ltd. v. People for the Ethical Treatment of Animals*, 114 Nev. 1348, 1353-54, 971
23 P.2d 383, 386 (1998) (citing *Bergmann v. Boyce*, 109 Nev. 670, 674, 856 P.2d 560, 563 (1993)).

24 ² See *Gibellini v. Klindt*, 110 Nev. 1201, 1208, 885 P.2d 540, 544-45 (1994); NRS 18.005.

³ See *Declaration of Adam McMillen in Support of Pl.’s Mot. for Order Allowing Costs and Necessary Disbursements at Exhibit 4* (April 25, 2014).

⁴ See *Affidavit of Jano Barnhurst, Exhibit 1 to Motion to Retax and Settle Costs* (April 30, 2014).

⁵ See, e.g., *Horgan v. Felton*, 123 Nev. 577, 583 170 P.3d 982, 986 (2007) (citing *Rowland v. Lepire*, 99 Nev. 308, 315, 662 P.2d 1332, 1336 (1983)).

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1. NRS 598.0999(2) does not permit an award of attorney's fees in this case

Plaintiff claims that under its claim for “deceptive trade practices” it is entitled to an award of attorney’s fees under “NRS 598.0999(2).”⁶ While Plaintiff concedes that “NRS 598.0999(2) does not explicitly provide for attorney fees incurred postjudgment,” Plaintiff nonetheless relies exclusively on the authority of NRS 598.0999(2) in the request for an award of fees.

However, NRS 598.0999 does not permit an award of attorney’s fees in this case.

In pertinent part, that statute provides:

Except as otherwise provided in NRS 598.0974, in any action brought pursuant to the provisions of NRS 598.0903 to 598.0999, inclusive, if the court finds that a person has willfully engaged in a deceptive trade practice, *the district attorney of any county in this State or the Attorney General bringing the action* may recover a civil penalty not to exceed \$5,000 for each violation. The court in *any such action* may, in addition to any other relief or reimbursement, award reasonable attorney’s fees and costs.⁷

The statutory language “in any such action” refers to the potential action to be brought by the district attorney or the Attorney General in pursuing its civil recourse. It does not refer to an action brought by a Plaintiff in a civil action. Therefore, NRS 598.0999(2) does not apply.

2. The district court may not award attorney fees absent authority under a statute, rule, or contract.

It is well settled Nevada law that attorney’s fees are not recoverable unless authorized by a statute, rule, or contractual provision.⁸ Here, the American Rule that each party should bear its own attorney’s fees and costs remains the case, in the absence of a statute, rule or contract to the contrary. Under the “American Rule,” win or lose,

⁶ See Motion at 3:24-28.

⁷ NRS 598.0999(2) (emphasis added).

⁸ See, e.g., *Horgan*, 123 Nev. at 583 170 P.3d at 986 (citing *Rowland*, 99 Nev. at 315, 662 P.2d at 1336).

1 the parties bear their own legal fees.⁹ The district court may not award attorney fees
2 absent authority under a statute, rule, or contract.¹⁰

3 **3. The court's exercise of discretion in determining the reasonable value**
4 **of an attorney's services arises only when an award of attorney's fees**
5 **is prescribed.**

6 While it is within this Court's discretion to determine the reasonable amount of
7 attorney's fees under a statute or rule, in exercising its discretion, this Court must
8 evaluate the factors set forth in *Brunzell v. Golden Gate National Bank*.¹¹ Here, the
9 Court need not undertake such an analysis because there is no applicable statute or rule
10 which permits an award of fees to the Plaintiff. The *Brunzell* analysis only arises in
11 instances where attorney's fees are prescribed by statute, rule or contract.

12 **4. Even if a *Brunzell* analysis of an award of attorney's fees were**
13 **permissible, Plaintiff's fees are inflated.**

14 This case has been a series of default judgments and did not require years of legal
15 work focused on a specialty in intellectual property. If complex intellectual property
16 issues were involved, it *might*, in general, justify opposing counsel's billable hourly rate.
17 But this case was not driven by intellectual property law, but, rather, involves basic
18 principles concerning the default judgment process. The *Complaint* reflects this fact: it
19 offers up the run of the mill torts against Defendants and only alleges "deceptive trade
20 practices," as the one and only "intellectual property" specialty. Further, not one of the
21 Plaintiff's claims was ever never litigated and brought to a judgment on the merits. In
22 fact, the fees Plaintiff seeks to recover are related solely to post-judgment work that has
23 been performed – not even work that was performed to bring about the default
24 judgment.

⁹ See *Fox v. Vice*, 131 S. Ct. 2205, 2213 (2011).

¹⁰ See *State, Dep't of Human Resources v. Fowler*, 109 Nev. 782, 784, 858 P.2d 375, 376 (1993).

¹¹ 85 Nev. 345, 455 P.2d 31 (1969).

1 The judgment against this Defendant is exclusively by default and therefore, does
2 not impose specialized skill or unusual time and attention to the work performed by
3 counsel in this case. Plaintiff pursued and has only pursued default judgments against
4 all Defendants since the matter's inception. Hence, this case required no specialized
5 legal practice which justifies the hourly rate or justifies collection of an increased fee, if
6 any at all.

7 The *Brunzell* factors evaluate: (1) the qualities of the advocate: his ability, his
8 training, education, experience, professional standing and skill; (2) the character of the
9 work to be done: its difficulty, its intricacy, its importance, time and skill required, the
10 responsibility imposed and the prominence and character of the parties where they
11 affect the importance of the litigation; (3) the work actually performed by the lawyer:
12 the skill, time and attention given to the work; (4) the result: whether the attorney was
13 successful and what benefits were derived.¹² As set forth above, no factor weighs in
14 favor of an award of \$34,632.50 for 6 months of work dedicated to opposing a motion to
15 set aside a default judgment, taking steps to execute against a default judgment, and
16 responding to a notice of appeal.¹³

17 **5. Even if a *Brunzell* analysis of an award of attorney's fees was**
18 **permissible, Plaintiff's requested fees are exclusively for post-**
19 **judgment, pre-appeal work.**

20 Additionally, Plaintiff is asking that the *Brunzell* factors be applied exclusively to
21 post-judgment accrued attorney's fees. The default judgment was obtained on June 24,
22 2013 and Plaintiff is asking for its attorney's fees from "October 18, 2013 to April 18,
23 2014."¹⁴ Therefore, the *Brunzell* factors are applicable—if at all—only to the effort

23 ¹² See *Brunzell*, 85 Nev. at 349, 455 P.2d at 33.

24 ¹³ The appeal has been assigned to the Nevada Supreme Court's settlement program and briefing has been suspended.

¹⁴ *Motion* at 5:22-23.

1 expended in defeating the motion to set aside the default judgment filed on January 9,
2 2014. No fees may be awarded for work performed related to the appeal noticed by
3 Defendant on March 12, 2014.

4 To the extent that the attorney's fees are applied to post-appeal work by Plaintiff's
5 counsel, an award of attorney's fees is prohibited in this case, as well. "There is no
6 provision in the statutes authorizing the district court to award attorney fees incurred on
7 appeal. NRAP 38(b) authorizes only this court [the Nevada Supreme Court] to make
8 such an award if it determines that the appeals process has been misused."¹⁵

9 **C. POST-JUDGMENT INTEREST SHOULD NOT COME DUE BY THIS
10 PREMATURE REQUEST**

11 The postjudgment interest is accounted for in the Court's June 24, 2013 *Default*
12 *Judgment* "until satisfied." And the interest that Plaintiff alleges is due cannot be
13 advanced via the *Motion*. Further, the matter is on appeal as of March 14, 2014.

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510 West Fourth Street
Carson City, Nevada 89703

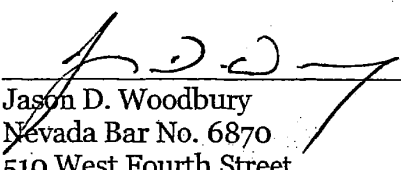
¹⁵ *Board of Gallery of History, Inc. v. Datecs Corp.*, 116 Nev. 286, 288, 994 P. 2d 1149, 1150 (2000).

1 **D. CONCLUSION**

2 For all the reasons set forth herein, it is respectfully requested that this Court
3 DENY Plaintiff's *Motion for Order Allowing Costs and Necessary Disbursements*.

4 DATED this 12th day of May, 2014.

5 **KAEMPFER CROWELL**

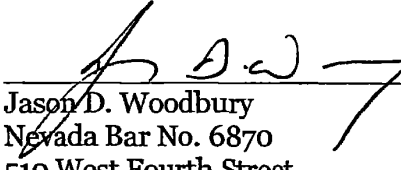
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8 Jason D. Woodbury
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10 510 West Fourth Street
11 Carson City, Nevada 89703
12 Telephone: (775) 884-8300
13 Facsimile: (775) 882-0257
14 JWoodbury@kcnvlaw.com
15 *Attorneys for Reza Zandian*

12 **AFFIRMATION pursuant to NRS 239B.030**

13 The undersigned does hereby affirm that the preceding document does not
14 contain the social security number of any person.

15 DATED this 12th day of May, 2014.

16 **KAEMPFER CROWELL**

17
18 
19 Jason D. Woodbury
20 Nevada Bar No. 6870
21 510 West Fourth Street
22 Carson City, Nevada 89703
23 Telephone: (775) 884-8300
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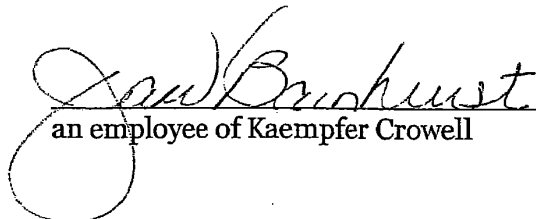
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that service of the foregoing
OPPOSITION TO MOTION FOR ORDER ALLOWING COSTS AND
NECESSARY DISBURSEMENTS was made this date by depositing a true copy of
the same for mailing at Carson City, Nevada, addressed to each of the following:

Matthew D. Francis
Adam P. McMillen
WATSON ROUNDS
5371 Kietzke Lane
Reno, NV 89511

DATED this 12th day of May, 2014.


an employee of Kaempfer Crowell

KAEMPFER CROWELL
510 West Fourth Street
Carson City, Nevada 89703

1 Matthew D. Francis (6978)
2 Adam P. McMillen (10678)
3 WATSON ROUNDS
4 5371 Kietzke Lane
5 Reno, NV 89511
6 Telephone: 775-324-4100
7 Facsimile: 775-333-8171
8 *Attorneys for Plaintiff Jed Margolin*

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DEPUTY CLERK

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**In The First Judicial District Court of the State of Nevada
In and for Carson City**

JED MARGOLIN, an individual,

Plaintiff,

vs.

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

Defendants.

Case No.: 090C00579 1B

Dept. No.: 1

**AMENDED REQUEST
FOR SUBMISSION**

Plaintiff through his counsel amends the Request for Submission filed in this matter on May 12, 2014, to include Defendant's Opposition to Motion for Order Allowing Costs and Necessary Disbursements which was filed on May 12, 2014.

Plaintiff respectfully requests the following documents be submitted to the Court for decision:

- 1) Motion for Order Allowing Costs and Necessary Disbursements and Memorandum of Points and Authorities in Support Thereof, filed April 28, 2014;

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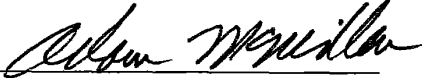
- 2) Declaration of Adam McMillen in Support of Motion for Order Allowing Costs and Necessary Disbursements, with supporting exhibits, filed April 28, 2014;
- 3) Defendant's Motion to Retax and Settle Costs (Opposition), filed April 30, 2014; and,
- 4) Plaintiff's Reply in Support of Motion for Order Allowing Costs and Necessary Disbursements, filed May 12, 2014.
- 5) Opposition to Motion for Order Allowing Costs and Necessary Disbursements, filed May 12, 2014. (**NOTE:** The Opposition contains essentially the same arguments which were set forth in Defendant's Motion to Retax and Settle Costs filed April 30, 2014).

Affirmation Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED: May 14, 2014.

WATSON ROUNDS

BY: 
Matthew D. Francis (6978)
Adam P. McMillen (10678)
5371 Kietzke Lane
Reno, NV 89511
Telephone: 775-324-4100
Facsimile: 775-333-8171
Attorneys for Plaintiff Jed Margolin

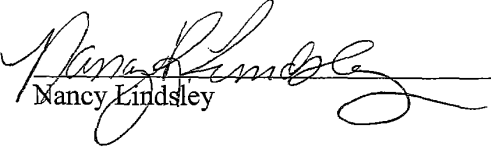
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of Watson Rounds, and that on this date, I deposited for mailing, in a sealed envelope, with first-class postage prepaid, a true and correct copy of the foregoing document, **AMENDED REQUEST FOR SUBMISSION**, addressed as follows:

Jason D. Woodbury
Severin A. Carlson
Kaempfer Crowell
510 West Fourth Street
Carson City, Nevada 89703
Attorneys for Defendant, Reza Zandian

Dated: May 14, 2014


Nancy Lindsley

1 Necessary Disbursements, which restates the arguments included in the Motion to Retax. On
2 May 12, 2014, Margolin filed a Reply in Support of the Motion for Order Allowing Costs and
3 Necessary Disbursements and Margolin also filed a Request for Submission on the same date.
4 On May 14, 2014, Margolin filed an Amended Request for Submission, finally submitting the
5 Motion for Order Allowing Costs and Necessary Disbursements to the Court for decision.

6 Based upon the following facts and conclusions of law, the Motion for Order Allowing
7 Costs and Necessary Disbursements is hereby GRANTED.

8 **I. Postjudgment Costs**

9
10 Zandian does not dispute Margolin is allowed postjudgment costs under NRS 18.160
11 and NRS 18.170. Zandian does not dispute the requested research, witness fees or process
12 service/courier costs. Zandian only requests that the Court reduce the photocopy charges from
13 \$0.25 to \$0.15 per page. Zandian relies upon what the "FedEx Office" in Carson City charges
14 for copies to demonstrate that Margolin's rate of \$0.25 per page is not reasonable.

15 Margolin cites to the First Judicial District Court's own fee schedule for copy charges,
16 which shows the Court charges \$0.50 per page for copies. The District Court's own fee
17 schedule is a better exemplar of what reasonable copy charges should be in this matter. The
18 rate of \$0.25 per page is half of what the Court charges for legal copies and the Court finds
19 that \$0.25 per page is reasonable under the circumstances. Therefore, Margolin's copy charges will not
20 be reduced and are awarded in full in the amount requested. Since Zandian did not oppose the
21 other costs, Margolin is granted his costs pursuant to NRS 18.160 and NRS 18.170, as follows:

22
23 **COSTS (October 18, 2013 THROUGH April 18, 2014):**

24
25 Postage/photocopies (in-house) \$ 481.20
26 Research 285.31
27 Witness Fees (Subpoenas) 215.66
28 Process service/courier fees 373.00
\$1,355.17

1 **II. Postjudgment Attorney's Fees**

2 Zandian argued that there is no applicable statute or rule upon which postjudgment
3 attorney's fees can be awarded to Margolin and that the parties did not enter into an agreement
4 which affords attorney's fees and therefore Margolin's request for postjudgment attorney's
5 fees should be denied. Further, Zandian argues that NRS 598.0999(2) does not permit an
6 award of attorney's fees in this case.

7 However, NRS 598.0999(2) is applicable to any action filed pursuant to the provisions
8 of NRS 598.0903 to 598.0999, inclusive. Accordingly, Margolin should be awarded his
9 postjudgment fees pursuant to the Deceptive Trade Practices statute.
10

11 **a. NRS 598.0999(2) provides for an award of attorney's fees**

12 NRS 598.0999(2) states as follows:

13 Except as otherwise provided in NRS 598.0974, in any action brought pursuant
14 to the provisions of NRS 598.0903 to 598.0999, inclusive, if the court finds that
15 a person has willfully engaged in a deceptive trade practice, the district attorney
16 of any county in this State or the Attorney General bringing the action may
17 recover a civil penalty not to exceed \$5,000 for each violation. The court in any
18 such action may, in addition to any other relief or reimbursement, award
19 reasonable attorney's fees and costs.

20 NRS 598.0999(2) (emphasis added).

21 Thus, the phrase, "provisions of NRS 598.0903 to 598.0999," encompasses all actions
22 brought under those sections. The language, "any action brought pursuant to the provisions of
23 NRS 598.0903 to 598.0999," does not limit Deceptive Trade Practices actions to district
24 attorneys or the Attorney General. The only limitation in NRS 598.0999(2) relates to the
25 district attorney's and the Attorney General being able to pursue the \$5,000 civil penalty. In
26 contrast, the last sentence of NRS 598.0999(2) stands alone and does not limit attorney fee
27 awards to district attorneys or the Attorney General and allows the Court, in any Deceptive
28 Trade Practices action, to "award reasonable attorney's fees and costs." NRS 598.0999(2).

1 As NRS 598.0999(2) provides for attorney's fees based upon actions filed pursuant to
2 the provisions of NRS 598.0903 to 598.0999, inclusive, and since NRS 598.0999(2) does not
3 exclude postjudgment attorney fees, Margolin's attorney's fees are hereby awarded for having
4 to incur fees enforcing the judgment on the deceptive trade practices claim.

5 **b. Margolin's attorneys' fees are reasonable**

6 "In Nevada, 'the method upon which a reasonable fee is determined is subject to the
7 discretion of the court,' which 'is tempered only by reason and fairness.'" *Shuette v. Beazer*
8 *Homes Holdings Corp.*, 124 P. 3d 530, 121 Nev. 837 (2005) (citing *University of Nevada v.*
9 *Tarkanian*, 110 Nev. 581, 594, 591, 879 P.2d 1180, 1188, 1186 (1994)). "Accordingly, in
10 determining the amount of fees to award, the court is not limited to one specific approach; its
11 analysis may begin with any method rationally designed to calculate a reasonable amount,
12 including those based on a 'lodestar' amount or a contingency fee." *Id.* (citations omitted).
13 "The lodestar approach involves multiplying 'the number of hours reasonably spent on the
14 case by a reasonable hourly rate.'" *Id.* at n. 98 (citing *Herbst v. Humana Health Ins. of*
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20 837 (2005). See *Barney v. Mt. Rose Heating & Air Conditioning*, 124 Nev. 821, 829-30, 192
21 P.3d 730, 735-7 (2008).

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

- 25
26 (1) the advocate's qualities, including ability, training, education, experience,
27 professional standing, and skill;
28 (2) the character of the work, including its difficulty, intricacy, importance, as
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;

- 1 (3) the work performed, including the skill, time, and attention given to the
work; and
- 2 (4) the result—whether the attorney was successful and what benefits were
derived.

3 *Barney*, 192 P.3d at 736 (citing *Brunzell*, 85 Nev. at 349, 455 P.2d at 33). According to
4 *Shuette*, the district court is required to “provide[] sufficient reasoning and findings in support
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7 Margolin concedes that he is not currently entitled to attorney’s fees that are incurred
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11 hereby awarded only those fees that have been incurred, postjudgment, with regards to
12 execution of the judgment, for a total of \$31,247.50 in fees, which reflects the lodestar amount
13 of postjudgment attorney’s fees.
14

15 The amount of attorney’s fees awarded only includes reasonable attorney’s fees from
16 October 18, 2013 to April 18, 2014, as follows: 11.4 hours of work performed by attorney
17 Matthew D. Francis at \$300 per-hour (\$3,420.00); 75.3 hours of work performed by attorney
18 Adam P. McMillen at \$300 per-hour (\$22,590.00); and 41.9 hours of work performed by
19 paralegal Nancy Lindsley at \$125 per-hour (\$5,237.50). This lodestar amount is reasonable
20 under the *Brunzell* factors as follows.
21

- 22 (1) **Factors 1 and 2 - The Advocate’s Qualities, Including Ability, Training,
23 Education, Experience, Professional Standing, and Skill and The Novelty
and Difficulty of The Questions Involved, and The Time and Skill Involved**

24 The issues related to this case included: (a) whether Plaintiff’s patents were entitled to
25 protection; (b) whether Defendants fraudulently assigned Plaintiff’s patents; and (c), whether
26 Plaintiff was damaged by Defendants’ conduct. The patent and deceptive trade practices
27 issues, and the unique facts surrounding them, involved careful consideration and research. In
28 general, patent and deceptive trade practices litigation is a niche practice that requires a high

1 degree of legal skill and care in order to be performed properly and effectively. Each of these
2 causes of action, coupled with the unique facts of this matter, required thorough research and
3 careful analysis.

4 In addition, the postjudgment collection efforts so far have included attempting to find
5 Zandian's collectible assets, including researching and investigating his property in Nevada
6 and California and moving for a debtor's examination. Considering Zandian's elusive
7 behavior to date and elaborate financial arrangements with a multitude of companies and
8 individuals, Margolin has been forced to incur a significant amount of attorney's fees in
9 attempting to collect on the judgment.
10

11 Accordingly, Margolin's claimed postjudgment attorney's fees are reasonable under
12 these factors.

13 **(2) Factor 3 – The Time and Labor Required**

14 Margolin's counsel has been required to research Zandian's vast real estate holdings in
15 Nevada. Margolin's counsel has recorded the judgment in each Nevada County where
16 Zandian holds property. Margolin's counsel has researched and subpoenaed Zandian's
17 financial information from several financial institutions. Margolin's counsel has moved the
18 court for a debtor's examination of Zandian. The time and labor required relating to
19 collections efforts have been reasonable and significant.
20

21 **(3) Factor 4 - The Result—Whether The Attorney Was Successful And What
22 Benefits Were Derived**

23 Margolin prevailed on all of his causes of action in this case. Margolin's case against
24 the Defendants resulted in a Default Judgment being entered against the Defendants on
25 Margolin's causes of action. Specifically, the Court ordered Defendants to pay Plaintiff
26 \$1,495,775.74, plus interest. In addition, through postjudgment efforts, Margolin's counsel
27 has successfully liened Zandian's Nevada real estate to secure the judgment and Margolin's
28 counsel is in the process of securing appropriate writs of execution to satisfy the judgment.

1 Thus, Margolin obtained the results sought, and this factor weighs in favor of the
2 reasonableness of Margolin's fee request.

3 Further, the Court finds that while Zandian's failure to appear and defend this action
4 led to the default judgments being entered, the nature of this matter required specialized skill
5 and required a significant amount of time and attention by the attorneys involved.

6 The Court finds that patent and deceptive trade practices issues, and the unique facts
7 surrounding them; involved careful consideration and research. Patent and deceptive trade
8 practices litigation is a not a routine practice but requires a high degree of legal skill and care
9 in order to be performed properly and effectively. Each of the causes of action in this matter,
10 coupled with the unique facts of this matter, required thorough research and careful analysis.
11 The Court finds that Margolin's counsel billed at an hourly rate of \$300, which is reasonable
12 for this matter.
13

14 In summary, an analysis of the *Brunzell* factors proves Margolin's fees in the lodestar
15 amount of \$31,247.50 are reasonable and are hereby awarded.

16 **III. Postjudgment Interest**

17 Margolin seeks a formal judgment for the postjudgment interest accrued on the
18 judgment to date. Zandian argues it is premature for Margolin to request an order stating what
19 the current amount of accrued postjudgment interest is at this time. Zandian does not argue
20 that Margolin is not entitled to postjudgment interest.
21

22 "The purpose of post-judgment interest is to compensate the plaintiff for loss of the use
23 of the money awarded in the judgment 'without regard to the elements of which that judgment
24 is composed.'" *Albert H. Wohlers & Co. v. Bartgis*, 114 Nev. 1249, 1269, 969 P.2d 949, 963
25 (1998) (citing *Ainsworth v. Combined Ins. Co.*, 105 Nev. 237, 244, 774 P.2d 1003, 1009
26 (1989); see also *Waddell v. L.V.R.V. Inc.*, 122 Nev. 15, 26, 125 P.3d 1160, 1167 (2006)
27 ("[t]he purpose of post-judgment interest is to compensate the plaintiff for loss of the use of
28

1 the money awarded in the judgment' without regard to the various elements that make up the
2 judgment.”).

3 Since Zandian has not provided a supersedeas bond to stop execution of the judgment,
4 Margolin is entitled to postjudgment interest until the judgment is satisfied. *See* NRCPC 62(d)
5 (by giving a supersedeas bond a party may obtain stay of execution); *see also* NRS 17.130(2)
6 (interest accrues until judgment satisfied). As the original judgment was entered in Nevada
7 and the judgment set the interest rate at the legal rate of interest according to NRS 17.130, the
8 interest rate is 5.25 percent per-annum, or \$215.15 per-day. Accordingly, the Court hereby
9 finds that Margolin is owed simple interest at 5.25 percent or \$215.15 per-day from June 27,
10 2013, the date of notice of entry of the judgment, through April 18, 2014. It is 296 days from
11 June 27, 2013 to April 18, 2014. Multiplying 296 days by \$215.15 equals \$63,684.40 in
12 accrued interest, which is the amount of interest currently due and owing.¹

14 **IV. Conclusion**

15 Based upon the above, the Motion for Order Allowing Costs and Necessary
16 Disbursements is GRANTED in full. Therefore, Margolin is awarded his postjudgment costs,
17 from October 18, 2013 through April 18, 2014, in the amount of \$1,355.17. Margolin is
18 awarded his postjudgment attorney’s fees in the amount of \$31,247.50. Margolin is awarded
19 his postjudgment interest in the amount of \$63,684.40.

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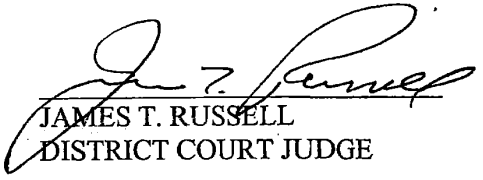
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28 ¹ Interest continues to accrue until the judgment is satisfied. *See* NRS 17.130(2).

1 The total amount awarded to Margolin herein is \$96,287.07. This award shall be added
2 to the judgment. This award must be paid before satisfaction of judgment may be entered in
3 this matter. Payment of this award shall be made within 10 days of notice of entry of this
4 Order. Payment shall be made payable to the Watson Rounds Trust Account or to Jed
5 Margolin. Payment shall be delivered to the law office of Watson Rounds.

6 DATED: This 19 day of May, 2014.

IT IS SO ORDERED:

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8 
9 JAMES T. RUSSELL
10 DISTRICT COURT JUDGE

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16 Respectfully submitted by,
17 WATSON ROUNDS, P.C.

18 By: _____
19 Adam P. McMillen, Esquire
20 Nevada Bar No. 10678
21 5371 Kietzke Lane
22 Reno, NV 89511
23 Telephone: (775) 324-4100
24 Facsimile: (775) 333-8171
25 Email: amcmillen@watsonrounds.com
26 Attorneys for Plaintiff
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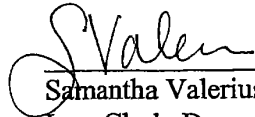
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CERTIFICATE OF MAILING

I hereby certify that on the 19th day of May, 2014, I placed a copy of the foregoing in the United States Mail, postage prepaid, addressed as follows:

Matthew D. Francis
Adam P. McMillen
Watson Rounds
5371 Kietzke Lane
Reno, NV 89511

Jason D. Woodbury
Severin A. Carlson
Kaempfer Crowell
510 West Fourth Street
Carson City, NV 89703



Samantha Valerius
Law Clerk, Department I

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Matthew D. Francis (6978)
Adam P. McMillen (10678)
WATSON ROUNDS
5371 Kietzke Lane
Reno, NV 89511
Telephone: 775-324-4100
Facsimile: 775-333-8171
Attorneys for Plaintiff Jed Margolin

REC'D & FILED
2014 MAY 21 AM 11:15
ALAN GLOVER
CLERK
BY *[Signature]*
REPTITV

**In The First Judicial District Court of the State of Nevada
In and for Carson City**

JED MARGOLIN, an individual,

Plaintiff,

vs.

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

Defendants.

Case No.: 090C00579 1B
Dept. No.: 1

**NOTICE OF ENTRY OF ORDER ON
MOTION FOR ORDER ALLOWING
COSTS AND NECESSARY
DISBURSEMENTS**

TO: All parties:

PLEASE TAKE NOTICE that on May 19, 2014 the Court entered its Order on
Motion for Order Allowing Costs and Necessary Disbursements. A true and correct copy of
such order is attached hereto as Exhibit 1

Affirmation Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the

///
///

1 social security number of any person.

2 DATED: May 20, 2014.

WATSON ROUNDS

3

4

By: 

5

Matthew D. Francis

6

Adam P. McMillen

7

Watson Rounds

8

5371 Kietzke Lane

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Reno, NV 89511

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Attorneys for Plaintiff Jed Margolin

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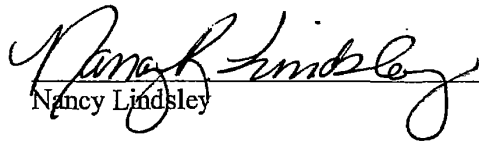
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Jason D. Woodbury
Severin A. Carlson
Kaempfer Crowell
510 West Fourth Street
Carson City, NV 89703

Dated: This 20th day of May, 2014.


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2 causes of action, coupled with the unique facts of this matter, required thorough research and
3 careful analysis.

4 In addition, the postjudgment collection efforts so far have included attempting to find
5 Zandian's collectible assets, including researching and investigating his property in Nevada
6 and California and moving for a debtor's examination. Considering Zandian's elusive
7 behavior to date and elaborate financial arrangements with a multitude of companies and
8 individuals, Margolin has been forced to incur a significant amount of attorney's fees in
9 attempting to collect on the judgment.
10

11 Accordingly, Margolin's claimed postjudgment attorney's fees are reasonable under
12 these factors.

13 **(2) Factor 3 – The Time and Labor Required**

14 Margolin's counsel has been required to research Zandian's vast real estate holdings in
15 Nevada. Margolin's counsel has recorded the judgment in each Nevada County where
16 Zandian holds property. Margolin's counsel has researched and subpoenaed Zandian's
17 financial information from several financial institutions. Margolin's counsel has moved the
18 court for a debtor's examination of Zandian. The time and labor required relating to
19 collections efforts have been reasonable and significant.
20

21 **(3) Factor 4 - The Result—Whether The Attorney Was Successful And What
22 Benefits Were Derived**

23 Margolin prevailed on all of his causes of action in this case. Margolin's case against
24 the Defendants resulted in a Default Judgment being entered against the Defendants on
25 Margolin's causes of action. Specifically, the Court ordered Defendants to pay Plaintiff
26 \$1,495,775.74, plus interest. In addition, through postjudgment efforts, Margolin's counsel
27 has successfully liened Zandian's Nevada real estate to secure the judgment and Margolin's
28 counsel is in the process of securing appropriate writs of execution to satisfy the judgment.

1 Thus, Margolin obtained the results sought, and this factor weighs in favor of the
2 reasonableness of Margolin's fee request.

3 Further, the Court finds that while Zandian's failure to appear and defend this action
4 led to the default judgments being entered, the nature of this matter required specialized skill
5 and required a significant amount of time and attention by the attorneys involved.

6 The Court finds that patent and deceptive trade practices issues, and the unique facts
7 surrounding them; involved careful consideration and research. Patent and deceptive trade
8 practices litigation is a not a routine practice but requires a high degree of legal skill and care
9 in order to be performed properly and effectively. Each of the causes of action in this matter,
10 coupled with the unique facts of this matter, required thorough research and careful analysis.
11 The Court finds that Margolin's counsel billed at an hourly rate of \$300, which is reasonable
12 for this matter.
13

14 In summary, an analysis of the *Brunzell* factors proves Margolin's fees in the lodestar
15 amount of \$31,247.50 are reasonable and are hereby awarded.
16

17 **III. Postjudgment Interest**

18 Margolin seeks a formal judgment for the postjudgment interest accrued on the
19 judgment to date. Zandian argues it is premature for Margolin to request an order stating what
20 the current amount of accrued postjudgment interest is at this time. Zandian does not argue
21 that Margolin is not entitled to postjudgment interest.

22 "The purpose of post-judgment interest is to compensate the plaintiff for loss of the use
23 of the money awarded in the judgment 'without regard to the elements of which that judgment
24 is composed.'" *Albert H. Wohlers & Co. v. Bartgis*, 114 Nev. 1249, 1269, 969 P.2d 949, 963
25 (1998) (citing *Ainsworth v. Combined Ins. Co.*, 105 Nev. 237, 244, 774 P.2d 1003, 1009
26 (1989); see also *Waddell v. L.V.R.V. Inc.*, 122 Nev. 15, 26, 125 P.3d 1160, 1167 (2006)
27 ("[t]he purpose of post-judgment interest is to compensate the plaintiff for loss of the use of
28

1 the money awarded in the judgment' without regard to the various elements that make up the
2 judgment.”).

3 Since Zandian has not provided a supersedeas bond to stop execution of the judgment,
4 Margolin is entitled to postjudgment interest until the judgment is satisfied. *See* NRCPC 62(d)
5 (by giving a supersedeas bond a party may obtain stay of execution); *see also* NRS 17.130(2)
6 (interest accrues until judgment satisfied). As the original judgment was entered in Nevada
7 and the judgment set the interest rate at the legal rate of interest according to NRS 17.130, the
8 interest rate is 5.25 percent per-annum, or \$215.15 per-day. Accordingly, the Court hereby
9 finds that Margolin is owed simple interest at 5.25 percent or \$215.15 per-day from June 27,
10 2013, the date of notice of entry of the judgment, through April 18, 2014. It is 296 days from
11 June 27, 2013 to April 18, 2014. Multiplying 296 days by \$215.15 equals \$63,684.40 in
12 accrued interest, which is the amount of interest currently due and owing.¹

14 **IV. Conclusion**

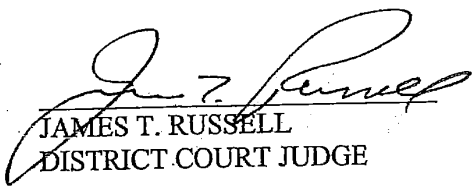
15 Based upon the above, the Motion for Order Allowing Costs and Necessary
16 Disbursements is GRANTED in full. Therefore, Margolin is awarded his postjudgment costs,
17 from October 18, 2013 through April 18, 2014, in the amount of \$1,355.17. Margolin is
18 awarded his postjudgment attorney’s fees in the amount of \$31,247.50. Margolin is awarded
19 his postjudgment interest in the amount of \$63,684.40.

21 ///
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28 ¹ Interest continues to accrue until the judgment is satisfied. *See* NRS 17.130(2).

1 The total amount awarded to Margolin herein is \$96,287.07. This award shall be added
2 to the judgment. This award must be paid before satisfaction of judgment may be entered in
3 this matter. Payment of this award shall be made within 10 days of notice of entry of this
4 Order. Payment shall be made payable to the Watson Rounds Trust Account or to Jed
5 Margolin. Payment shall be delivered to the law office of Watson Rounds.

6 DATED: This 19 day of May, 2014. IT IS SO ORDERED:

7
8 
9 JAMES T. RUSSELL
10 DISTRICT COURT JUDGE
11
12
13
14
15

16 Respectfully submitted by,
17 WATSON ROUNDS, P.C.

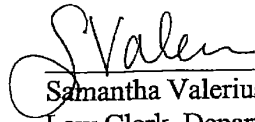
18 By: _____
19 Adam P. McMillen, Esquire
20 Nevada Bar No. 10678
21 5371 Kietzke Lane
22 Reno, NV 89511
23 Telephone: (775) 324-4100
24 Facsimile: (775) 333-8171
25 Email: amcmillen@watsonrounds.com
26 Attorneys for Plaintiff
27
28

CERTIFICATE OF MAILING

I hereby certify that on the 19th day of May, 2014, I placed a copy of the foregoing in the United States Mail, postage prepaid, addressed as follows:

Matthew D. Francis
Adam P. McMillen
Watson Rounds
5371 Kietzke Lane
Reno, NV 89511

Jason D. Woodbury
Severin A. Carlson
Kaempfer Crowell
510 West Fourth Street
Carson City, NV 89703


Samantha Valerius
Law Clerk, Department I

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1 JASON D. WOODBURY
Nevada Bar No. 6870
2 KAEMPFER CROWELL
510 West Fourth Street
3 Carson City, Nevada 89703
Telephone: (775) 884-8300
4 Facsimile: (775) 882-0257
jwoodbury@kcnvlaw.com
5 **Attorneys for Reza Zandian**

REC'D & FILED

2014 JUN -9 PM 6:32

ALAN CLOVER
BY **C. Cooper** CLERK
DEPUTY

6 IN THE FIRST JUDICIAL DISTRICT COURT
7 OF THE STATE OF NEVADA IN AND FOR
8 CARSON CITY

9 JED MARGOLIN, an individual,

10 Plaintiff,

11 vs.

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

18 Defendants.

Case No. 09 OC 00579 1B

Dept. No. I

19
20 **NOTICE**

21 **TO: THE HONORABLE JAMES T. RUSSELL, DISTRICT JUDGE,**
22 **FIRST JUDICIAL DISTRICT COURT OF THE STATE OF**
NEVADA IN AND FOR CARSON CITY;

23 **TO: JED MARGOLIN, PLAINTIFF; and**

24 \\\

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**TO: MATTHEW D. FRANCIS
ADAM P. McMILLEN
WATSON ROUNDS, ATTORNEYS OF RECORD FOR JED
MARGOLIN**

On May 19, 2014, this Court issued its *Order on Motion for Order Allowing Costs and Necessary Disbursements and Memorandum of Points and Authorities in Support Thereof* (“*Order*”) in this case. The *Order* awarded the sum of \$96,287.07 in interest, costs and fees to Plaintiff, Jed Margolin. The *Order* states, “Payment of this award shall be made within 10 days of notice of entry of this *Order*.” *Order* at 9:3-4. *Notice of Entry of Order on Motion for Order Allowing Costs and Necessary Disbursements* (“*Notice*”) was served by mail on May 20, 2014. Allowing three days for service, June 9, 2014 is the tenth judicial day from service of the *Notice*, and the date the *Order* calls for payment.

Defendant, REZA ZANDIAN (“ZANDIAN”), by and through his attorneys of record, KAEMPFER CROWELL, hereby provides notice that he is unable to pay the sum of \$96,287.07 as ordered by this Court. It is respectfully submitted that notice of

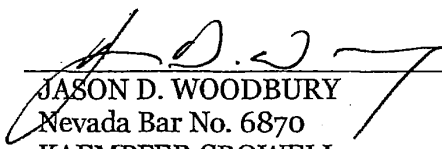
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KAEMPFER CROWELL
510 West Fourth Street
Carson City, Nevada 89703

1 ZANDIAN's inability to pay is presented in good faith and not for the purpose of delay or
2 any other improper purpose in this matter.

3 DATED this 9th day of June, 2014.

4 KAEMPFFER CROWELL RENSHAW
5 GRONAUER & FIORENTINO

6 BY: 
7 JASON D. WOODBURY
8 Nevada Bar No. 6870
9 KAEMPFFER CROWELL
10 510 West Fourth Street
11 Carson City, Nevada 89703
12 Telephone: (775) 884-8300
13 Facsimile: (775) 882-0257
14 jwoodbury@kcnvlaw.com
15 *Attorneys for Reza Zandian*

KAEMPFFER CROWELL
510 West Fourth Street
Carson City, Nevada 89703

24

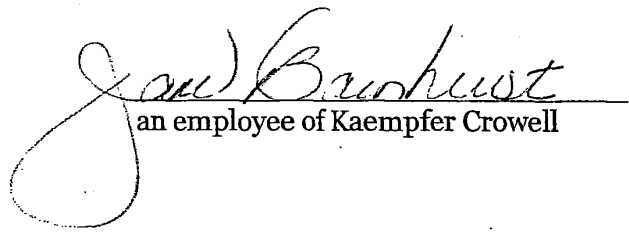
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CERTIFICATE OF SERVICE

Pursuant to NRAP 25(d) and NRCP 5(b), I hereby certify that service of the foregoing **NOTICE** was made this date by depositing a true copy of the same for mailing at Carson City, Nevada, first class postage pre-paid, addressed to each of the following:

Matthew D. Francis
Adam P. McMillen
WATSON ROUNDS
5371 Kietzke Lane
Reno, NV 89511

DATED this 9 day of June, 2014.


an employee of Kaempfer Crowell

KAEMPFER CROWELL
510 West Fourth Street
Carson City, Nevada 89703

ORIGINAL

REC'D & FILED

2014 JUN 18 PM 3:34

ALAN GLOVER
BY *[Signature]* CLERK
DEPUTY

1 Matthew D. Francis (6978)
2 Adam P. McMillen (10678)
3 WATSON ROUNDS
4 5371 Kietzke Lane
5 Reno, NV 89511
6 Telephone: 775-324-4100
7 Facsimile: 775-333-8171
8 Attorneys for Plaintiff Jed Margolin

9
10
11 **In The First Judicial District Court of the State of Nevada**
12 **In and for Carson City**

13 JED MARGOLIN, an individual,
14 Plaintiff,

Case No.: 090C00579 1B

Dept. No.: 1

15 vs.

**MOTION FOR WRIT OF
EXECUTION**

16 OPTIMA TECHNOLOGY CORPORATION,
17 a California corporation, OPTIMA
18 TECHNOLOGY CORPORATION, a Nevada
19 corporation, REZA ZANDIAN
20 aka GOLAMREZA ZANDIANJAZI
21 aka GHOLAM REZA ZANDIAN
22 aka REZA JAZI aka J. REZA JAZI
23 aka G. REZA JAZI aka GHONONREZA
24 ZANDIAN JAZI, an individual, DOE Companies
25 1-10, DOE Corporations 11-20, and DOE
26 Individuals 21-30,

27 Defendants.

28 Plaintiff Jed Margolin ("Plaintiff"), by and through his attorneys of record, hereby files
the following Motion for Writ of Execution:

POINTS AND AUTHORITIES

On June 24, 2013, the Court entered Default Judgment against Defendants. In the
Default Judgment, the Court entered judgment in favor of Plaintiff against Defendants, jointly
and severally, in the sum of \$1,495,775.74, plus interest at the legal rate, pursuant to NRS
17.130, therein from the date of default until the judgment is satisfied. On May 19, 2014, the

1 Court entered an Order Allowing Costs and Necessary Disbursements, allowing post-judgment
2 costs (\$1,355.17), post-judgment attorney's fees (\$31,247.50) and post-judgment interest
3 (\$63,684.40), for a total of \$96,287.07 in post-judgment costs, fees and interest. The Court
4 ordered that the \$96,287.07 be paid by Defendants within 10 days of notice of entry of the
5 Order. Notice of entry of the Order was served on May 20, 2014. On June 9, 2014, Defendant
6 Reza Zandian filed a notice with the Court that he was unable to pay the \$96,287.07 as ordered
7 by the Court.

8 As such, Plaintiff requests that the Court authorize all applicable County Sheriffs in the
9 State of Nevada to execute the Judgment through the seizure of Defendants' bank accounts,
10 investment accounts, certificates of deposit, annuities, wages, and real and personal property.
11 Such an order is appropriate here as no security has been provided to protect the Judgment
12 entered by this Court. Defendants have not obtained a stay of enforcement or posted a bond
13 which would prevent execution of the Judgment.

14 Based on the foregoing and the attached Second Memorandum of Post-Judgment Costs
15 and Fees, attached hereto as Exhibit 1, Plaintiff hereby requests that the Court direct the Court
16 Clerk to issue the attached Writs of Execution, attached hereto as Exhibit 2, so that the
17 Washoe County Sheriff and the Clark County Constable may assist Plaintiff in executing the
18 Default Judgment against Defendants. If those properties are not enough to satisfy the
19 Judgment, Plaintiff requests that the Court order and direct that any further appropriate writs of
20 execution that are provided to the Court Clerk by Plaintiff also be issued, until the Judgment is
21 satisfied.

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AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED: June 17, 2014.

WATSON ROUNDS

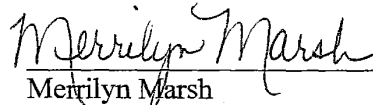
By: *Adam McMillen*
Matthew D. Francis (6978)
Adam P. McMillen (10678)
WATSON ROUNDS
5371 Kietzke Lane
Reno, NV 89511
Telephone: 775-324-4100
Facsimile: 775-333-8171
Attorneys for Plaintiff Jed Margolin

CERTIFICATE OF SERVICE

Pursuant to NRCPC 5(b), I certify that I am an employee of Watson Rounds, and that on this date, I deposited for mailing, in a sealed envelope, with first-class postage prepaid, a true and correct copy of the foregoing document, MOTION FOR WRIT OF EXECUTION, addressed as follows:

Jason D. Woodbury
Severin A. Carlson
Kaempfer Crowell
510 West Fourth Street
Carson City, Nevada 89703
Attorneys for Defendant, Reza Zandian

Dated: June 18, 2014


Marilyn Marsh

INDEX OF EXHIBITS

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Exhibit No.	Description	Pages
1	Second Memorandum of Post-Judgment Costs and Fees	5
2	Writs of Execution (10 original –Washoe County; 2 original Clark County)	37

1 JASON D. WOODBURY
2 Nevada Bar No. 6870
3 KAEMPFER CROWELL
4 510 West Fourth Street
5 Carson City, Nevada 89703
6 Telephone: (775) 884-8300
7 Facsimile: (775) 882-0257
8 jwoodbury@kenvlaw.com
9 **Attorneys for Reza Zandian**

2014 JUN 23 PM 4:10

Electronically Filed
Jun 30 2014 11:35 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

IN THE FIRST JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA IN AND FOR
CARSON CITY

9 JED MARGOLIN, an individual,
10
11 Plaintiff,

11 vs.

12 OPTIMA TECHNOLOGY CORPORATION,
13 a California corporation, OPTIMA
14 TECHNOLOGY CORPORATION, a Nevada
15 corporation, REZA ZANDIAN aka
16 GOLAMREZA ZANDIANJAZI aka
17 GHOLAM REZA ZANDIAN aka REZA
18 JAZI aka J. REZA JAZI aka G. REZA JAZI
19 aka GHONOREZA ZANDIAN JAZI, an
20 individual, DOE Companies 1-10, DOE
21 Corporations 11-20, and DOE Individuals
22 21-30,
23
24 Defendants.

Case No. 09 OC 00579 1B
Dept. No. I

NOTICE OF APPEAL

21 Notice is hereby given that REZA ZANDIAN, a Defendant above-named, hereby
22 appeals to the Supreme Court of Nevada from the *Order on Motion for Order Allowing*
23 *Costs and Necessary Disbursements and Memorandum of Points and Authorities in*
24 *Support Thereof* entered in this action on the 19th day of May, 2014. A *Notice of Entry*
of Order on Motion for Order Allowing Costs and Necessary Disbursements was served

KAEMPFER CROWELL
510 West Fourth Street
Carson City, Nevada 89703

Page .

1 by mail upon counsel for Reza Zandian on June 20, 2014, true and correct copy of which
2 is attached to this *Notice of Appeal* as Exhibit 1. A cash deposit in the amount of
3 \$500.00 has been submitted herewith as evidence by the *Notice of Cash Deposit in Lieu*
4 *of Bond* filed contemporaneously herewith.

5 DATED this 23rd day of June, 2014.

6 KAEMPFER CROWELL RENSHAW
7 GRONAUER & FIORENTINO

8 BY:  #10274

JASON D. WOODBURY
Nevada Bar No. 6870
KAEMPFER CROWELL
510 West Fourth Street
Carson City, Nevada 89703
Telephone: (775) 884-8300
Facsimile: (775) 882-0257
jwoodbury@kcnvlaw.com
Attorneys for Reza Zandian

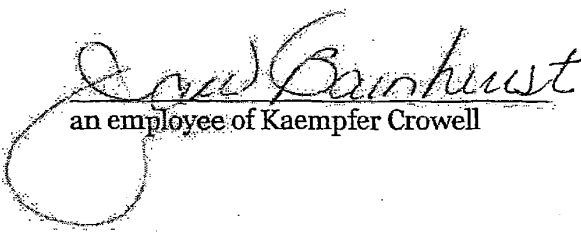
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KAEMPFER CROWELL
510 West Fourth Street
Carson City, Nevada 89703

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRAP 25(d) and NRCF 5(b), I hereby certify that service of the
3 foregoing **NOTICE OF APPEAL** was made this date by depositing a true copy of the
4 same for mailing at Carson City, Nevada, first class postage pre-paid, addressed to each
5 of the following:

6 Matthew D. Francis
7 Adam P. McMillen
8 WATSON ROUNDS
9 5371 Kietzke Lane
10 Reno, NV 89511

11 DATED this 23 day of June, 2014.

12 
13 an employee of Kaempfer Crowell

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KAEMPFER CROWELL
610 West Fourth Street
Carson City, Nevada 89703

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JED MARGOLIN, an individual,

Plaintiff,

vs.

**OPTIMA TECHNOLOGY CORPORATION, a California corporation,
OPTIMA TECHNOLOGY CORPORATION, a Nevada corporation,
REZA ZANDIAN aka GOLAMREZA ZANDIANJAZI aka
GHOLAM REZA ZANDIAN aka REZA JAZI aka J. REZA JAZI aka
G. REZA JAZI aka GHONOREZA ZANDIAN JAZI, an individual,
DOE Companies 1-10, DOE Corporations 11-20, and DOE Individuals 21-30,**

Defendants.

First Judicial District Court of the State of Nevada in and for Carson City

Case No. 09 OC 00579 1B

Dept. No. I

NOTICE OF APPEAL

Exhibit List

Exhibit No.	Description of Exhibit	Exhibit Pages
1	<i>Notice of Entry of Order on Motion for Order Allowing Costs and Necessary Disbursements (May 20, 2014)</i>	13

EXHIBIT 1

EXHIBIT 1

1 Matthew D. Francis (6978)
Adam P. McMillen (10678)
2 WATSON ROUNDS
5371 Kietzke Lane
3 Reno, NV 89511
Telephone: 775-324-4100
4 Facsimile: 775-333-8171
Attorneys for Plaintiff Jed Margolin
5

6
7 **In The First Judicial District Court of the State of Nevada**
8 **In and for Carson City**
9

10 JED MARGOLIN, an individual,

11 Plaintiff,

12 vs.

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

20 Defendants.

Case No.: 090C00579 1B

Dept. No.: 1

**NOTICE OF ENTRY OF ORDER ON
MOTION FOR ORDER ALLOWING
COSTS AND NECESSARY
DISBURSEMENTS**

21 TO: All parties:

22 **PLEASE TAKE NOTICE** that on May 19, 2014 the Court entered its Order on
23 Motion for Order Allowing Costs and Necessary Disbursements. A true and correct copy of
24 such order is attached hereto as Exhibit 1

25 **Affirmation Pursuant to NRS 239B.030**

26 The undersigned does hereby affirm that the preceding document does not contain the


27 ///

28 ///

1 social security number of any person.

2 DATED: May 20, 2014.

WATSON ROUNDS

3
4 By: 
5 Matthew D. Francis
6 Adam P. McMillen
7 Watson Rounds
8 5371 Kietzke Lane
9 Reno, NV 89511

Attorneys for Plaintiff Jed Margolin

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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of Watson Rounds, and that on this date, I deposited for mailing, in a sealed envelope, with first-class postage prepaid, a true and correct copy of the foregoing document, NOTICE OF ENTRY OF ORDER ON MOTINO FOR ORDER ALLOWING COSTS AND NECESSARY DISBURSEMENTS, addressed as follows:

Jason D. Woodbury
Severin A. Carlson
Kaempfer Crowell
510 West Fourth Street
Carson City, NV 89703

Dated: This 20th day of May, 2014.



Nancy Lindley

1 Case No.: 090C00579 1B
2 Dept. No.: 1

REC'D & FILED
MAY 19 PM 2:22
ALAN GLOVER
BY CLERK
DEPUTY

7 **In The First Judicial District Court of the State of Nevada**
8 **In and for Carson City**

10 JED MARGOLIN, an individual,
11 Plaintiff,

13 vs.

14 OPTIMA TECHNOLOGY CORPORATION,
15 a California corporation, OPTIMA
16 TECHNOLOGY CORPORATION, a Nevada
17 corporation, REZA ZANDIAN
18 aka GOLAMREZA ZANDIANJAZI
19 aka GHOLAMREZA ZANDIAN
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21 aka G. REZA JAZI aka GHONONREZA
22 ZANDIAN JAZI, an individual, DOE Companies
23 1-10, DOE Corporations 11-20, and DOE
24 Individuals 21-30,
25 Defendants.

Case No.: 090C00579 1B
Dept. No.: 1

**ORDER ON MOTION FOR ORDER
ALLOWING COSTS AND
NECESSARY DISBURSEMENTS
AND MEMORANDUM OF POINTS
AND AUTHORITIES IN SUPPORT
THEREOF**

22 This matter comes before the Court on Plaintiff Jed Margolin's ("Margolin") Motion
23 for Order Allowing Costs and Necessary Disbursements and Memorandum of Points and
24 Authorities in Support Thereof, filed on April 28, 2014. On April 30, 2014, Defendant Reza
25 Zandian ("Zandian") filed a Motion to Retax and Settle Costs, wherein Defendant Zandian
26 addressed Margolin's Motion for Order Allowing Costs and Necessary Disbursements. On
27 May 12, 2014, Zandian served an Opposition to Motion for Order Allowing Costs and
28

1 Necessary Disbursements, which restates the arguments included in the Motion to Retax. On
2 May 12, 2014, Margolin filed a Reply in Support of the Motion for Order Allowing Costs and
3 Necessary Disbursements and Margolin also filed a Request for Submission on the same date.
4 On May 14, 2014, Margolin filed an Amended Request for Submission, finally submitting the
5 Motion for Order Allowing Costs and Necessary Disbursements to the Court for decision.

6 Based upon the following facts and conclusions of law, the Motion for Order Allowing
7 Costs and Necessary Disbursements is hereby GRANTED.

8
9 **I. Postjudgment Costs**

10 Zandian does not dispute Margolin is allowed postjudgment costs under NRS 18.160
11 and NRS 18.170. Zandian does not dispute the requested research, witness fees or process
12 service/courier costs. Zandian only requests that the Court reduce the photocopy charges from
13 \$0.25 to \$0.15 per page. Zandian relies upon what the "FedEx Office" in Carson City charges
14 for copies to demonstrate that Margolin's rate of \$0.25 per page is not reasonable.

15 Margolin cites to the First Judicial District Court's own fee schedule for copy charges,
16 which shows the Court charges \$0.50 per page for copies. The District Court's own fee
17 schedule is a better exemplar of what reasonable copy charges should be in this matter. The
18 rate of \$0.25 per page is half of what the Court charges for legal copies and the Court finds
19 that \$0.25 is reasonable under the circumstances. Therefore, Margolin's copy charges will not
20 be reduced and are awarded in full in the amount requested. Since Zandian did not oppose the
21 other costs, Margolin is granted his costs pursuant to NRS 18.160 and NRS 18.170, as follows:
22

23 **COSTS (October 18, 2013 THROUGH April 18, 2014):**

24
25 Postage/photocopies (in-house) \$ 481.20
26 Research 285.31
27 Witness Fees (Subpoenas) 215.66
28 Process service/courier fees 373.00
\$1,355.17

1 **II. Postjudgment Attorney's Fees**

2 Zandian argued that there is no applicable statute or rule upon which postjudgment
3 attorney's fees can be awarded to Margolin and that the parties did not enter into an agreement
4 which affords attorney's fees and therefore Margolin's request for postjudgment attorney's
5 fees should be denied. Further, Zandian argues that NRS 598.0999(2) does not permit an
6 award of attorney's fees in this case.

7 However, NRS 598.0999(2) is applicable to any action filed pursuant to the provisions
8 of NRS 598.0903 to 598.0999, inclusive. Accordingly, Margolin should be awarded his
9 postjudgment fees pursuant to the Deceptive Trade Practices statute.
10

11 **a. NRS 598.0999(2) provides for an award of attorney's fees**

12 NRS 598.0999(2) states as follows:

13 Except as otherwise provided in NRS 598.0974, in any action brought pursuant
14 to the provisions of NRS 598.0903 to 598.0999, inclusive, if the court finds that
15 a person has willfully engaged in a deceptive trade practice, the district attorney
16 of any county in this State or the Attorney General bringing the action may
recover a civil penalty not to exceed \$5,000 for each violation. The court in any
such action may, in addition to any other relief or reimbursement, award
reasonable attorney's fees and costs.

17
18 NRS 598.0999(2) (emphasis added).

19 Thus, the phrase, "provisions of NRS 598.0903 to 598.0999," encompasses all actions
20 brought under those sections. The language, "any action brought pursuant to the provisions of
21 NRS 598.0903 to 598.0999," does not limit Deceptive Trade Practices actions to district
22 attorneys or the Attorney General. The only limitation in NRS 598.0999(2) relates to the
23 district attorney's and the Attorney General being able to pursue the \$5,000 civil penalty. In
24 contrast, the last sentence of NRS 598.0999(2) stands alone and does not limit attorney fee
25 awards to district attorneys or the Attorney General and allows the Court, in any Deceptive
26 Trade Practices action, to "award reasonable attorney's fees and costs." NRS 598.0999(2).
27
28

1 As NRS 598.0999(2) provides for attorney's fees based upon actions filed pursuant to
2 the provisions of NRS 598.0903 to 598.0999, inclusive, and since NRS 598.0999(2) does not
3 exclude postjudgment attorney fees, Margolin's attorney's fees are hereby awarded for having
4 to incur fees enforcing the judgment on the deceptive trade practices claim.

5 **b. Margolin's attorneys' fees are reasonable**

6 "In Nevada, 'the method upon which a reasonable fee is determined is subject to the
7 discretion of the court,' which 'is tempered only by reason and fairness.'" *Shuette v. Beazer*
8 *Homes Holdings Corp.*, 124 P.3d 530, 121 Nev. 837 (2005) (citing *University of Nevada v.*
9 *Tarkanian*, 110 Nev. 581, 594, 591, 879 P.2d 1180, 1188, 1186 (1994)). "Accordingly, in
10 determining the amount of fees to award, the court is not limited to one specific approach; its
11 analysis may begin with any method rationally designed to calculate a reasonable amount,
12 including those based on a 'lodestar' amount or a contingency fee." *Id.* (citations omitted).
13 "The lodestar approach involves multiplying 'the number of hours reasonably spent on the
14 case by a reasonable hourly rate.'" *Id.* at n. 98 (citing *Herbst v. Humana Health Ins. of*
15 *Nevada*, 105 Nev. 586, 590, 781 P.2d 762, 764 (1989)).

16 Before awarding attorney's fees, the district court must make findings concerning the
17 reasonableness of the award, as required by *Brunzell v. Golden Gate National Bank*, 455 P.2d
18 31, 85 Nev. 345 (1969) and *Shuette v. Beazer Homes Holdings Corp.*, 124 P.3d 530, 121 Nev.
19 837 (2005). See *Barney v. Mt. Rose Heating & Air Conditioning*, 124 Nev. 821, 829-30, 192
20 P.3d 730, 735-7 (2008).

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

- 23 (1) the advocate's qualities, including ability, training, education, experience,
24 professional standing, and skill;
25 (2) the character of the work, including its difficulty, intricacy, importance, as
26 well as the time and skill required, the responsibility imposed, and the
27 prominence and character of the parties when affecting the importance of the
28 litigation;

1 (3) the work performed, including the skill, time, and attention given to the
work; and
2 (4) the result—whether the attorney was successful and what benefits were
derived.

3 *Barney*, 192 P.3d at 736 (citing *Brunzell*, 85 Nev. at 349, 455 P.2d at 33). According to
4 *Shuette*, the district court is required to “provide[] sufficient reasoning and findings in support
5 of its ultimate determination.” *Id.* (citing *Shuette*, 121 Nev. at 865, 124 P.3d at 549).

6
7 Margolin concedes that he is not currently entitled to attorney’s fees that are incurred
8 on appeal. *See Bd. of Gallery of History, Inc. v. Datecs Corp.*, 116 Nev. 286, 288, 994 P.2d
9 1149, 1150 (2000). However, as stated above, Margolin is entitled to his postjudgment
10 attorney’s fees, including those incurred in executing on the judgment. Therefore, Margolin is
11 hereby awarded only those fees that have been incurred, postjudgment, with regards to
12 execution of the judgment, for a total of \$31,247.50 in fees, which reflects the lodestar amount
13 of postjudgment attorney’s fees.
14

15 The amount of attorney’s fees awarded only includes reasonable attorney’s fees from
16 October 18, 2013 to April 18, 2014, as follows: 11.4 hours of work performed by attorney
17 Matthew D. Francis at \$300 per-hour (\$3,420.00); 75.3 hours of work performed by attorney
18 Adam P. McMillen at \$300 per-hour (\$22,590.00); and 41.9 hours of work performed by
19 paralegal Nancy Lindsley at \$125 per-hour (\$5,237.50). This lodestar amount is reasonable
20 under the *Brunzell* factors as follows.
21

22 (1) **Factors 1 and 2 - The Advocate’s Qualities, Including Ability, Training,
Education, Experience, Professional Standing, and Skill and The Novelty
23 and Difficulty of The Questions Involved, and The Time and Skill Involved**

24 The issues related to this case included: (a) whether Plaintiff’s patents were entitled to
25 protection; (b) whether Defendants fraudulently assigned Plaintiff’s patents; and (c), whether
26 Plaintiff was damaged by Defendants’ conduct. The patent and deceptive trade practices
27 issues, and the unique facts surrounding them, involved careful consideration and research. In
28 general, patent and deceptive trade practices litigation is a niche practice that requires a high

1 degree of legal skill and care in order to be performed properly and effectively. Each of these
2 causes of action, coupled with the unique facts of this matter, required thorough research and
3 careful analysis.

4 In addition, the postjudgment collection efforts so far have included attempting to find
5 Zandian's collectible assets, including researching and investigating his property in Nevada
6 and California and moving for a debtor's examination. Considering Zandian's elusive
7 behavior to date and elaborate financial arrangements with a multitude of companies and
8 individuals, Margolin has been forced to incur a significant amount of attorney's fees in
9 attempting to collect on the judgment.
10

11 Accordingly, Margolin's claimed postjudgment attorney's fees are reasonable under
12 these factors.

13 **(2) Factor 3 – The Time and Labor Required**

14 Margolin's counsel has been required to research Zandian's vast real estate holdings in
15 Nevada. Margolin's counsel has recorded the judgment in each Nevada County where
16 Zandian holds property. Margolin's counsel has researched and subpoenaed Zandian's
17 financial information from several financial institutions. Margolin's counsel has moved the
18 court for a debtor's examination of Zandian. The time and labor required relating to
19 collections efforts have been reasonable and significant.
20

21 **(3) Factor 4 - The Result—Whether The Attorney Was Successful And What
22 Benefits Were Derived**

23 Margolin prevailed on all of his causes of action in this case. Margolin's case against
24 the Defendants resulted in a Default Judgment being entered against the Defendants on
25 Margolin's causes of action. Specifically, the Court ordered Defendants to pay Plaintiff
26 \$1,495,775.74, plus interest. In addition, through postjudgment efforts, Margolin's counsel
27 has successfully liened Zandian's Nevada real estate to secure the judgment and Margolin's
28 counsel is in the process of securing appropriate writs of execution to satisfy the judgment.

1 Thus, Margolin obtained the results sought, and this factor weighs in favor of the
2 reasonableness of Margolin's fee request.

3 Further, the Court finds that while Zandian's failure to appear and defend this action
4 led to the default judgments being entered, the nature of this matter required specialized skill
5 and required a significant amount of time and attention by the attorneys involved.

6 The Court finds that patent and deceptive trade practices issues, and the unique facts
7 surrounding them, involved careful consideration and research. Patent and deceptive trade
8 practices litigation is a not a routine practice but requires a high degree of legal skill and care
9 in order to be performed properly and effectively. Each of the causes of action in this matter,
10 coupled with the unique facts of this matter, required thorough research and careful analysis.
11 The Court finds that Margolin's counsel billed at an hourly rate of \$300, which is reasonable
12 for this matter.
13

14 In summary, an analysis of the *Brunzell* factors proves Margolin's fees in the lodestar
15 amount of \$31,247.50 are reasonable and are hereby awarded.
16

17 III. Postjudgment Interest

18 Margolin seeks a formal judgment for the postjudgment interest accrued on the
19 judgment to date. Zandian argues it is premature for Margolin to request an order stating what
20 the current amount of accrued postjudgment interest is at this time. Zandian does not argue
21 that Margolin is not entitled to postjudgment interest.

22 "The purpose of post-judgment interest is to compensate the plaintiff for loss of the use
23 of the money awarded in the judgment 'without regard to the elements of which that judgment
24 is composed.'" *Albert H. Wohlers & Co. v. Bartgis*, 114 Nev. 1249, 1269, 969 P.2d 949, 963
25 (1998) (citing *Ainsworth v. Combined Ins. Co.*, 105 Nev. 237, 244, 774 P.2d 1003, 1009
26 (1989); see also *Waddell v. L.V.R.V. Inc.*, 122 Nev. 15, 26, 125 P.3d 1160, 1167 (2006)
27 ("[t]he purpose of post-judgment interest is to compensate the plaintiff for loss of the use of
28

1 the money awarded in the judgment' without regard to the various elements that make up the
2 judgment.").

3 Since Zandian has not provided a supersedeas bond to stop execution of the judgment,
4 Margolin is entitled to postjudgment interest until the judgment is satisfied. See NRCPC 62(d)
5 (by giving a supersedeas bond a party may obtain stay of execution); see also NRS 17.130(2)
6 (interest accrues until judgment satisfied). As the original judgment was entered in Nevada
7 and the judgment set the interest rate at the legal rate of interest according to NRS 17.130, the
8 interest rate is 5.25 percent per-annum, or \$215.15 per-day. Accordingly, the Court hereby
9 finds that Margolin is owed simple interest at 5.25 percent or \$215.15 per-day from June 27,
10 2013, the date of notice of entry of the judgment, through April 18, 2014. It is 296 days from
11 June 27, 2013 to April 18, 2014. Multiplying 296 days by \$215.15 equals \$63,684.40 in
12 accrued interest, which is the amount of interest currently due and owing.¹

14 **IV. Conclusion**

15 Based upon the above, the Motion for Order Allowing Costs and Necessary
16 Disbursements is GRANTED in full. Therefore, Margolin is awarded his postjudgment costs,
17 from October 18, 2013 through April 18, 2014, in the amount of \$1,355.17. Margolin is
18 awarded his postjudgment attorney's fees in the amount of \$31,247.50. Margolin is awarded
19 his postjudgment interest in the amount of \$63,684.40.

21 ///

22 ///

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27 ///

28 ¹ Interest continues to accrue until the judgment is satisfied. See NRS 17.130(2).

1 The total amount awarded to Margolin herein is \$96,287.07. This award shall be added
2 to the judgment. This award must be paid before satisfaction of judgment may be entered in
3 this matter. Payment of this award shall be made within 10 days of entry of this
4 Order. Payment shall be made payable to the Watson Rounds Trust Account or to Jed
5 Margolin. Payment shall be delivered to the law office of Watson Rounds.

6 DATED: This 19 day of May, 2014.

IT IS SO ORDERED:

7
8
9 
10 JAMES T. RUSSELL
DISTRICT COURT JUDGE

11
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15
16 Respectfully submitted by,

17 WATSON ROUNDS, P.C.

18 By: _____

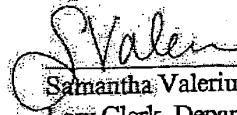
19 Adam P. McMillen, Esquire
20 Nevada Bar No. 10678
21 5371 Kietzke Lane
22 Reno, NV 89511
23 Telephone: (775) 324-4100
24 Facsimile: (775) 333-8171
25 Email: amcmillen@watsonrounds.com
26 Attorneys for Plaintiff
27
28

CERTIFICATE OF MAILING

I hereby certify that on the 19th day of May, 2014, I placed a copy of the foregoing in the United States Mail, postage prepaid, addressed as follows:

Matthew D. Francis
Adam P. McMillen
Watson Rounds
5371 Kietzke Lane
Reno, NV 89511

Jason D. Woodbury
Severin A. Carlson
Kaempfer Crowell
510 West Fourth Street
Carson City, NV 89703


Samantha Valerius
Law Clerk, Department I

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1 JASON D. WOODBURY
Nevada Bar No. 6870
2 KAEMPFER CROWELL
510 West Fourth Street
3 Carson City, Nevada 89703
Telephone: (775) 884-8300
4 Facsimile: (775) 882-0257
jwoodbury@kcnvlaw.com
5 **Attorneys for Reza Zandian**

2014 JUN 23 PM 4:11
APPELLATE
Clerk

6 IN THE FIRST JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA IN AND FOR
7 CARSON CITY

9 JED MARGOLIN, an individual,
10 Plaintiff,
11 vs.
12 OPTIMA TECHNOLOGY CORPORATION,
a California corporation, OPTIMA
13 TECHNOLOGY CORPORATION, a Nevada
corporation, REZA ZANDIAN aka
14 GOLAMREZA ZANDIANJAZI aka
GHOLAM REZA ZANDIAN aka REZA
15 JAZI aka J. REZA JAZI aka G. REZA JAZI
aka GHONOREZA ZANDIAN JAZI, an
16 individual, DOE Companies 1-10, DOE
Corporations 11-20, and DOE Individuals
17 21-30,
18 Defendants.

Case No. 09 OC 00579 1B
Dept. No. I

19
20 **CASE APPEAL STATEMENT**

21 Pursuant to NRAP 3(f), Defendant REZA ZANDIAN, an individual, hereby
22 provides the following *Case Appeal Statement*:

- 23 1. **Name of appellant filing this case appeal statement (NRAP**
3(f)(3)(C)):
24 REZA ZANDIAN, an individual.

KAEMPFER CROWELL
510 West Fourth Street
Carson City, Nevada 89703

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2. **Identify the judge issuing the decision, judgment, or order appealed from (NRAP 3(f)(3)(B)):**

The Honorable James T. Russell, District Judge, First Judicial District Court of the State of Nevada in and for Carson City, Department I.

3. **Identify all parties to the proceedings in the district court (the use of et al. to denote parties is prohibited) (NRAP 3(f)(3)(A)):**

- (a) JED MARGOLIN, an individual;
- (b) OPTIMA TECHNOLOGY CORPORATION, a California corporation;
- (c) OPTIMA TECHNOLOGY CORPORATION, a Nevada corporation; and
- (d) REZA ZANDIAN aka GOLAMREZA ZANDIANJAZI aka GHOLAM REZA ZANDIAN aka REZA JAZI aka J. REZA JAZI aka G. REZA JAZI aka GHONOREZA ZANDIAN JAZI, an individual;

4. **Identify all parties involved in this appeal (the use of et al. to denote parties is prohibited) (NRAP 3(f)(3)((C), (D)):**

- (a) JED MARGOLIN, an individual; and
- (b) REZA ZANDIAN, an individual.

5. **Set forth the name, law firm, address, and telephone number of all counsel on appeal and identify the party or parties whom they represent (NRAP 3(f)(3)(C), (D)):**

- (a) Matthew D. Francis
Adam P. McMillen
WATSON ROUNDS
5371 Kietzke Lane
Reno, NV 89511
Telephone: (775) 324-4100
Counsel for Respondent, JED MARGOLIN

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(b) Jason D. Woodbury
KAEMPFER CROWELL
510 West Fourth Street
Carson City, Nevada 89703
Telephone: (775) 884-8300
Counsel for Appellant, REZA ZANDIAN

6. **Indicate whether appellant was represented by appointed or retained counsel in the district court (NRAP 3(f)(3)(F)):**

Appellant was represented by retained counsel in district court.

7. **Indicate whether appellant is represented by appointed or retained counsel on appeal (NRAP 3(f)(3)(F)):**

Appellant is represented by retained counsel on appeal.

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 (NRAP 3(f)(3)(G)):**

Appellant was not granted leave to proceed in forma pauperis.

9. **Indicate the date of the proceedings commenced in the district court (e.g., date complaint, indictment, information, or petition was filed) (NRAP 3(f)(3)(H)):**

Respondent's *Complaint* was filed in the District Court on December 11, 2009.

10. **District court case number and caption showing the names of all parties to the proceedings below, but the use of et al. to denote parties is prohibited (NRAP 3(f)(3)(A)):**

(a) Case number:

First Judicial District Court Case Number: 09 OC 00579 1B
Department Number: I

KAMPFER CROWELL
510 West Fourth Street
Carson City, Nevada 89703

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(b) Caption:

JED MARGOLIN, an individual,

Plaintiff,

vs.

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

Defendants.

11. Whether any of respondents' attorneys are not licensed to practice law in Nevada, and, if so, whether the district court granted that attorney permission to appear under SCR 42, including a copy of any district court order granting that permission (NRAP 3(f)(3)(E)):

Based upon information and belief, all attorneys for respondents are licensed to practice law in Nevada.

12. Brief description of the nature of the action and result in district court, including the type of judgment or order being appealed and the relief granted by the district court (NRAP 3(f)(3)(D)):

The subject matter of this case concerns various patents and a dispute over their ownership. Plaintiff claims to be the owner of the patents at issue. Plaintiff claims that certain conduct and actions of Optima Technology Corporation, a California corporation, Optima Technology Corporation, a Nevada corporation, (together these

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corporations are referred to hereinafter as the “Corporate Defendants”) and Reza Zandian (“Zandian”) (collectively the Corporate Defendants and Zandian are referred to as the “Defendants”) disrupted his ownership and control over the patents, thereby causing him damages.

On March 28, 2013, the District Court entered a *Default* against Zandian. Later, pursuant to the application of Plaintiff, the District Court entered a *Default Judgment* against the Defendants in the amount of \$1,495,775.74. Plaintiff filed a *Notice of Entry of Default Judgment* on June 27, 2013.¹

Following entry of the *Default Judgment*, Plaintiff filed a *Motion for Order Allowing Costs and Necessary Disbursement and Memorandum of Points and Authorities in Support Thereof* (“*Motion*”). The *Motion* was thereafter briefed. On May 19, 2014, the District Court issued its *Order on Motion for Order Allowing Costs and Necessary Disbursements and Memorandum of Points and Authorities in Support Thereof*. And on May 20, Plaintiff served by mail a *Notice of Entry of Order on Motion for Order Allowing Costs and Necessary Disbursements* upon Defendant, Zandian

13. 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 (NRAP 3(f)(J)):

¹ After the *Default Judgment* was entered, an effort was made to set it aside. The District Court denied the motion to set aside, which is the subject of a pending appeal with this Court. See *Zandian v. Margolin* (Case No. 65205).

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The *Default Judgment* in this case is the subject of a pending appeal in the Supreme Court. The docket number of that case is 65205.

The caption is:

REZA ZANDIAN A/K/A GOLAMREZA ZANDIANJAZI A/K/A GHOLAM REZA ZANDIAN A/K/A REZA JAZI A/K/A J. REZA JAZI A/K/A G. REZA JAZI A/K/A GHONOREZA ZANDIAN JAZI, AN INDIVIDUAL, Appellant

vs.

JED MARGOLIN, AN INDIVIDUAL, Respondent.

14. Whether the appeal involves child custody or visitation (NRAP 3(f)(3)(K)):

The appeal does not involve child custody or visitation.

15. In civil cases, whether the appeal involves the possibility of settlement (NRAP 3(f)(3)(L)):

The appeal does not involve the possibility of settlement.

DATED this 23 day of June, 2014.

KAEMPFER CROWELL

BY:  #1027

JASON D. WOODBURY
Nevada Bar No. 6870
KAEMPFER CROWELL
510 West Fourth Street
Carson City, Nevada 89703
Telephone: (775) 884-8300
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jwoodbury@kcnvlaw.com
Attorneys for Reza Zandian

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Carson City, Nevada 89703

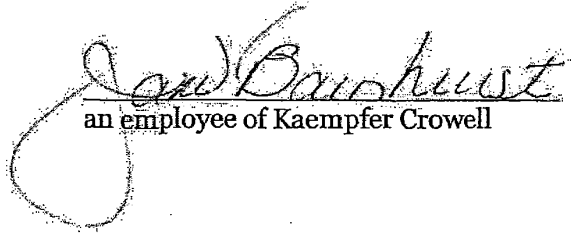
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CERTIFICATE OF SERVICE

Pursuant to NRAP 25(d) and NRCP 5(b), I hereby certify that service of the foregoing **CASE APPEAL STATEMENT** was made this date by depositing for mailing of the same in Portable Document Format addressed to each of the following:

Matthew D. Francis
Adam P. McMillen
WATSON ROUNDS
5371 Kietzke Lane
Reno, NV 89511

DATED this 23 day of June, 2014.


an employee of Kaempfer Crowell

KAEMPFER CROWELL
570 West Fourth Street
Carson City, Nevada 89703

Judge: RUSSELL, JUDGE JAMES
TODD

Case No. 09 OC 00579 1B

Ticket No.
CTN:

MARGOLIN, JED

By:

-vs-

OPTIMA TECHNOLOGY
CORPORATION

DRSPND

By:

Dob:
Lic:
ZANDIAN, REZA

Sex:
Sid:
DRSPND

By:

Dob:
Lic:

Sex:
Sid:

Plate#:

Make:

Year:

Accident:

Type:

Venue:

Location:

MARGOLIN, JED

PLNTPET

Bond:
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Charges:

Ct.:

Offense Dt: Cvr:
Arrest Dt:
Comments:

Ct.:

Offense Dt: Cvr:
Arrest Dt:
Comments:

Sentencing:

No.	Filed	Action	Operator	Fine/Cost	Due
1	06/23/14	NOTICE OF CASH DEPOSIT IN LIEU OF BOND	1BCFRANZ	0.00	0.00
2	06/23/14	CASE APPEAL STATEMENT	1BCFRANZ	0.00	0.00
3	06/23/14	NOTICE OF APPEAL FILED Receipt: 34909 Date: 06/23/2014	1BCFRANZ	24.00	0.00
4	06/18/14	MOTION FOR WRIT OF EXECUTION	1BJULIEH	0.00	0.00
5	06/09/14	NOTICE	1BCCOOPER	0.00	0.00
6	05/21/14	NOTICE OF ENTRY OF ORDER ON MOTION FOR ORDER ALLOWING COSTS AND NECESSARY DISBURSEMENTS	1BCCOOPER	0.00	0.00
7	05/19/14	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BVANESSA	0.00	0.00
8	05/19/14	ORDER ON MOTION FOR ORDER ALLOWING COSTS AND NECESSARY DISBURSEMENTS AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF	1BVANESSA	0.00	0.00
9	05/14/14	AMENDED REQUEST FOR SUBMISSION	1BCGRIBBLE	0.00	0.00
10	05/12/14	OPPOSITION TO MOTION FOR ORDER ALLOWING COSTS AND NECESSARY DISBURSMENTS	1BJULIEH	0.00	0.00
11	05/12/14	REQUEST FOR SUBMISSION	1BVANESSA	0.00	0.00
12	05/12/14	DECLARATION OF ADAM MCMILLEN IN SUPPORT OF REPLY IN SUPPORT OF PLAINTIFF'S MOTION FOR ORDER ALLOWING COSTS AND NECESSARY DISBURSEMENTS	1BVANESSA	0.00	0.00
13	05/12/14	REPLY IN SUPPORT OF MOTION FOR ORDER ALLOWING COSTS AND NECESSARY DISBURSEMENTS AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF	1BVANESSA	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
14	04/30/14	DEFENDANTS' MOTION TO RETAX AND SETTLE COSTS	1BJHIGGINS	0.00	0.00
15	04/29/14	DECLARATION OF ADAM MCMILLEN IN SUPPORT OF PLAINTIFF'S MOTION FOR ORDER ALLOWING COSTS AND NECESSARY DISBURSEMENTS	1BJHIGGINS	0.00	0.00
16	04/28/14	MOTION FOR ORDER ALLOWING COSTS AND NECESSARY DISBURSEMENTS AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF	1BJHIGGINS	0.00	0.00
17	04/21/14	REPLY IN SUPPORT OF MOTION FOR WRIT OF EXECUTION AND OPPOSITION TO MOTION TO RETAX AND SETTLEM COSTS	1BCCOOPER	0.00	0.00
18	04/21/14	OPPOSITION TO MOTION FOR WRIT OF EXECUTION	1BCCOOPER	0.00	0.00
19	04/17/14	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BJHIGGINS	0.00	0.00
20	04/17/14	STIPULATION AND ORDER TO WITHDRAW MOTION FILED BY REZA ZANDLIAN ON MARCH 24, 2014	1BJHIGGINS	0.00	0.00
21	04/09/14	MOTION TO RETAX AND SETTLE COSTS	1BCGRIBBLE	0.00	0.00
22	04/02/14	FIRST MEMORANDUM OF POST JUDGMENT COSTS AND FEES	1BCCOOPER	0.00	0.00
23	04/02/14	MOTION FOR WRIT OF EXECUTION	1BCCOOPER	0.00	0.00
24	03/24/14	MOTION	1BJHIGGINS	0.00	0.00
25	03/17/14	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BVANESSA	0.00	0.00
26	03/17/14	ORDER DENYING REQUEST FOR SUBMISSION	1BVANESSA	0.00	0.00
27	03/13/14	REQUEST FOR SUBMISSION	1BJULIEH	0.00	0.00
28	03/13/14	REPLY IN SUPPORT OF MOTION FOR GADER TO SHOW CAUSE REGARDING CONTEMPT	1BJULIEH	0.00	0.00
29	03/12/14	APPEAL BOND DEPOSIT Receipt: 33251 Date: 03/12/2014	1BCCOOPER	500.00	0.00
30	03/12/14	NOTICE OF CASH DEPOSIT IN LIEU OF BOND	1BCCOOPER	0.00	0.00
31	03/12/14	CASE APPEAL STATEMENT	1BCCOOPER	0.00	0.00
32	03/12/14	NOTICE OF APPEAL FILED Receipt: 33251 Date: 03/12/2014	1BCCOOPER	24.00	0.00
33	03/03/14	OPPOSITION TO MOTION FOR ORDER TO SHOW CAUSE REGARDING CONTEMPT	1BCGRIBBLE	0.00	0.00
34	02/21/14	SUBSTITUTION OF COUNSEL	1BCCOOPER	0.00	0.00
35	02/12/14	MOTION FOR ORDER TO SHOW CAUSE REGARDING CONTEMPT	1BCCOOPER	0.00	0.00
36	02/10/14	NOTICE OF ENTRY OF ORDER	1BVANESSA	0.00	0.00
37	02/06/14	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BJHIGGINS	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
38	02/06/14	ORDER DENYING DEFENDANT REZA ZANDIAN AKA GOLAMREZA ZANDIANJAZI AKA GHOLAM REZA ZANDIAN AKA REZA JAZI AKA J. REZA JAZI AKA G. REZA JAZI AKA GHONONREZA ZANDIAN JAZI'S MOTION TO SET ASIDE DEFAULT JUDGMENT	18JHIGGINS	0.00	0.00
39	02/03/14	DEFENDANT REZA ZANDIAN'S REPLY IN SUPPORT OF MOTION FOR STAY OF PROCEEDINGS TO ENFORCE JUDGMENT PURSUANT TO NRCF 62(B)	1BVANESSA	0.00	0.00
40	01/23/14	REQUEST FOR SUBMISSION AND HEARING ON DEFENDANT REZA ZANDIAN'S MOTION TO SET ASIDE BEAULT JUDGMENT	1BCGRIBBLE		0.00
41	01/23/14	DEFENDANT ZANDIAN'S REPLY IN SUPPORT OF MOTION TO SET ASIDE DEFAULT JUDGMENT	1BCGRIBBLE		0.00
42	01/17/14	NOTICE OF ENTRY OF ORDER GRANTING PLAINTIFF'S MOTION FOR DEBTOR EXAMINATION AND TO PRODUCE DOCUMENTS	1BCGRIBBLE	0.00	0.00
43	01/17/14	OPPOSITION TO MOTION FOR STAY OF PROCEEDINGS TO ENFORCE JUDGMENT PURSUANT TO NRCF 62(B)	1BCGRIBBLE	0.00	0.00
44	01/13/14	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BCCOOPER	0.00	0.00
45	01/13/14	ORDER GRANTING PLAINTIFFS MOTION FOR DEBTOR EXAMINATION AND TO PRODUCE DOCUMENTS	1BCCOOPER	0.00	0.00
46	01/09/14	REQUEST FOR SUBMISSION	1BVANESSA	0.00	0.00
47	01/09/14	OPPOSITION TO MOTION TO SET ASIDE DEFAULT JUDGMENT	1BVANESSA	0.00	0.00
48	01/02/14	DEFENDANT REZA ZANDIAN AKA GOLAMREZA ZANDIANJAZI AKA GHOLAM REZA ZANDIAN AKA REZA JAZI AKA J. REZA JAZI AKA G. REZA JAZI AKA GHONONREZA ZANDIAN JAZI'S MOTION FOR STAY OF PROCEEDINGS TO ENFORCE JUDGMENT PURSUANT TO NRCF 62(B)	1BCGRIBBLE	0.00	0.00
49	12/20/13	DEFENDANT REZA ZANDIAN AKA GOLAMREZA ZANDIANJAZI AKA GHOLAM REZA ZANDIAN AKA REDA JAZI AKA J. REZA JAZI AKA G. REZA JAZI AKA GHONONREZA ZANDIAN JAZI'S MOTION TO SET ASIDE DEFAULT JUDGMENT	1BCCOOPER	0.00	0.00
50	12/20/13	NOTICE OF APPEARANCE	1BCCOOPER	0.00	0.00
51	12/11/13	MOTION FOR JUDGMENT DESTOR EXAMINATION AND TO PRODUCE DOCUMENTS	1BCCOOPER	0.00	0.00
52	06/27/13	NOTICE OF ENTRY OF ORDER DEFAULT JUDGMENT	1BVANESSA	0.00	0.00
53	06/26/13	JUDGMENT	1BCCOOPER	0.00	0.00

Judgment Amount:
 1,495,775.74
 Judgment Total:
 1,495,775.74

Terms: JUDGMENT ENTERED @
 4:12 PM

Judgment Type: DEFAULT
 JUDGMENT
 Judgment Date: 06/24/2013

Judgment For: MARGOLIN, JED -

PLNTF/PETNR

Judgment Against: OPTIMA
 TECHNOLOGY CORPORATION -
 DEFENDANT/RESPONDENT

ZANDIAN,
 REZA - DEFENDANT/RESPONDENT

Judgment Balance:
 1,495,775.74
 Case Total: 2,903,922.66
 Case Balance: 2,903,922.66

No.	Filed	Action	Operator	Fine/Cost	Due
54	06/24/13	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BCCOOPER	0.00	0.00
55	06/24/13	DEFAULT JUDGMENT	1BCCOOPER	0.00	0.00
56	06/21/13	REQUEST FOR SUBMISSION	1EVANESSA	0.00	0.00
57	04/17/13	DECLARATION OF JED MARGOLIN IN SUPPORT OF APPLICATION FOR DEFAULT JUDGMENT	1BCGRIBBLE	0.00	0.00
58	04/17/13	DECLARATION OF ADAM P. MCMILLEN IN SUPPORT OF APPLICATION FOR DEFAULT JUDGMENT	1BCGRIBBLE	0.00	0.00
59	04/17/13	APPLICATION FOR DEFAULT JUDGMENT; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF	1BCGRIBBLE	0.00	0.00
60	04/05/13	AMENDED NOTICE OF ENTRY OF DEFAULT	1ECFRANZ	0.00	0.00
61	04/03/13	NOTICE OF ENTRY OF DEFAULT	1BCCOOPER	0.00	0.00
62	04/03/13	NOTICE OF ENTRY OF ORDER	1BCCOOPER	0.00	0.00
63	03/29/13	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BCCOOPER	0.00	0.00
64	03/29/13	ORDER GRANTING PLAINTIFF'S APPLICATION FOR ATTORNEY'S FEES AND COSTS	1BCCOOPER	0.00	0.00
65	03/28/13	REQUEST FOR SUBMISSION	1BCGRIBBLE	0.00	0.00
66	03/28/13	DEFAULT	1BCGRIBBLE	0.00	0.00
67	03/04/13	DECLARATION OF MAILING	1BCCOOPER	0.00	0.00
68	02/20/13	PLAINTIFF'S APPLICATION FOR ATTORNEY'S FEES AND COSTS	1BCGRIBBLE	0.00	0.00
69	02/20/13	DECLARATION OF ADAM P. MCMILLEN IN SUPPORT OF PLAINTIFF'S APPLICATION FOR ATTORNEY'S FEES AND COSTS	1BCGRIBBLE	0.00	0.00
70	01/17/13	NOTICE OF ENTRY OF ORDER	1BCGRIBBLE	0.00	0.00
71	01/15/13	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BJHIGGINS	0.00	0.00
72	01/15/13	ORDER GRANTING PLAINTIFF'S MOTION FOR SANCTIONS UNDER NRCP 37	1BJHIGGINS	0.00	0.00
73	01/11/13	REQUEST FOR SUBMISSION	1EVANESSA	0.00	0.00
74	12/14/12	DECLARATION OF ADAM P. MCMILLEN IN SUPPORT OF PLAINTIFF'S MOTION FOR SANCTIONS UNDER NRCP 37	1EVANESSA	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
75	12/14/12	PLAINTIFF'S MOTION FOR SANCTIONS UNDER NRCP 37	1BVANESSA	0.00	0.00
76	11/14/12	AFFIDAVIT OF SERVICE	1BCCOOPER	0.00	0.00
77	11/06/12	NOTICE OF ENTRY OF JUDGMENT	1BVANESSAG	0.00	0.00
78	10/31/12	JUDGMENT Judgment Amount: 1,286,552.46 Judgment Total: 1,286,552.46 Terms: JUDGMENT ENTERED AT 1:42 P.M. Judgment Type: DEFAULT JUDGMENT FOR THE PLAINTIFF Judgment Date: 10/31/2012 Judgment For: MARGOLIN, JED - ELNTE/PETNR Judgment Against: OPTIMA TECHNOLOGY CORPORATION - DEFENDANT/RESPONDENT Judgment Balance: 1,286,552.46 Case Total: 1,408,146.92 Case Balance: 1,408,146.92	1BJHIGGINS	0.00	0.00
79	10/31/12	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BJHIGGINS	0.00	0.00
80	10/31/12	DEFAULT JUDGMENT	1BJHIGGINS	0.00	0.00
81	10/30/12	DECLARATION OF ADAM P. MCMILLEN IN SUPPORT OF APPLICATION FOR DEFAULT JUDGMENT	1BJHIGGINS	0.00	0.00
82	10/30/12	DECLARATION OF JED MARGOLIN IN SUPPORT OF APPLICATION FOR DEFAULT JUDGMENT	1BJHIGGINS	0.00	0.00
83	10/30/12	APPLICATION FOR DEFAULT JUDGMENT; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF	1BJHIGGINS	0.00	0.00
84	10/30/12	AFFIDAVIT OF SERVICE	1BJHIGGINS	0.00	0.00
85	09/27/12	NOTICE OF ENTRY OF DEFAULT	1BVANESSAG	0.00	0.00
86	09/24/12	DEFAULT	1BVANESSAG	0.00	0.00
87	09/14/12	APPLICATION FOR ENTRY OF DEFAULT	1BVANESSAG	0.00	0.00
88	07/02/12	NOTICE OF ENTRY OF ORDER	1BCCOOPER	0.00	0.00
89	06/28/12	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BJULIEH	0.00	0.00
90	06/28/12	ORDER GRANTING PLAINTIFF'S MOTION TO COMPEL APPEARANCE OF COUNSEL FOR OPTIMA TECHNOLOGY CORPORATIONS, OR N THE ALTERNATIVE, MOTION TO STRIKE GENERAL DENIAL OF OPTIMA TECHNOLOGY CORPORATION	1BJULIEH	0.00	0.00
91	06/14/12	UNILATERAL CASE CONFERENCE REPORT	1BVANESSAG	0.00	0.00
92	06/06/12	REQUEST FOR SUBMISSION	1BCCRIBBLE	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
93	05/29/12	DECISION OF ARBITRATION COMMISSIONER REMOVING MATTER FROM MANDATORY ARBITRATION	1BCGRIBBLE	0.00	0.00
94	05/15/12	PLAINTIFF'S MOTION TO COMPEL APPEARANCE OF COUNSEL FOR OPTIMA TECHNOLOGY CORPORATIONS, OR IN THE ALTERNATIVE, MOTION TO STRIKE GENERAL DENIAL OF OPTIMA TECHNOLOGY CORPORATIONS (COPY) (SEE MINUTE ORDER FILED 06/19/2012)	1BVANESSAG	0.00	0.00
95	05/10/12	DECLARATION OF JED MARGOLIN IN SUPPORT OF REQUEST TO EXEMPT CASE FROM COURT ANNEXED ARBITRATION PROGRAM	1BCGRIBBLE	0.00	0.00
96	05/10/12	SECOND SUPPLEMENTAL REQUEST FOR EXEMPTION FROM ARBITRATION	1BCGRIBBLE	0.00	0.00
97	05/09/12	NOTICE OF ENTRY OF ORDER GRANTING JOHN PETER LEE, LTD.'S AMENDED MOTION TO WITHDRAW FROM REPRESENTATION OF DEFENDANTS OPTIMA TECHNOLOGY CORPORATION OPTIMA TECHNOLOGY CORPORATION, REZA ZANDIAN AKA GOLAMREZA ZANDIANJAZI AKA GHOLAM REZA ZANDIAN AKA REZA JAZI AKA J. REZA JAZI AKA G. REA JAZI AKA GHONONREZA ZANDIAN JAZI	1BCCOOPER	0.00	0.00
98	04/26/12	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BVANESSAG	0.00	0.00
99	04/26/12	ORDER GRANTING JOHN PETER LEE, LTD.'S AMENDED MOTION TO WITHDRAW FROM REPRESENTATION OF DEFENDANTS OPTIMA TECHNOLOGY CORPORATION, A CALIFORNIA CORPORATION; OPTIMA TECHNOLOGY CORPORATION, A NEVADA CORPORATION; AND REZA ZANDIAN AKA GOLAMREZA ZANDIANJAZI AKA GHOLAM REZA ZANDIAN AKA REZA JAZI AKA J. REZA JAZI AKA G. REZA JAZI AKA GHONONREZA ZANDIAN JAZI	1BVANESSAG	0.00	0.00
100	04/23/12	REQUEST FOR SUBMISSION	1BCGRIBBLE	0.00	0.00
101	04/20/12	SUPPLEMENTAL REQUEST FOR EXEMPTION FROM ARBITRATION	1BCGRIBBLE	0.00	0.00
102	05/30/12	DECLARATION OF ADAM P. MCMILLEN IN SUPPORT OF THE NOTICE ON NON-OPPOSITION TO JOHN PETER LEE, LTD.'S AMENDED MOTION TO WITHDRAW FROM REPRESENTATION	1BCCOOPER	0.00	0.00
103	03/30/12	NOTICE OF NON-OPPOSITION TO JOHN PETER LEE, LTD.'S AMENDED MOTION TO WITHDRAW FROM REPRESENTATION	1BCCOOPER	0.00	0.00
104	03/16/12	DECLARATION OF ADAM P. MCMILLEN IN SUPPORT OF THE NOTICE OF NON-OPPOSITION TO JOHN PETER LEE, LTD.'S MOTION TO WITHDRAW FROM REPRESENTATION	1BCCOOPER	0.00	0.00
105	03/16/12	NOTICE OF NON-OPPOSITION TO JOHN PETER LEE, LTD.'S MOTION TO WITHDRAW FROM REPRESENTATION	1BCCOOPER	0.00	0.00
106	03/14/12	GENERAL DENIAL Receipt# 21664 Date: 03/16/2012	1BCCOOPER	218.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
107	03/14/12	JOHN PETER LEE, LTD.'S AMENDED MOTION TO WITHDRAW FROM REPRESENTATION OF DEFENDANTS OPTIMA TECHNOLOGY CORPORATION, A CALIFORNIA CORPORATION; OPTIMA TECHNOLOGY CORPORATION, A NEVADA CORPORATION; AND REZA ZANDIAN AKA GOLAMREZA ZANDIANJAZI AKA GHOLAM REZA ZANDIAN AKA REZA JAZI AKA J. REZA JAZI AKA G. REZA JAZI AKA GHONONREZA ZANDIAN JAZI	1BJHIGGINS	0.00	0.00
108	03/09/12	REQUEST FOR EXEMPTION FROM ARBITRATION	1BVANESSAG	0.00	0.00
109	03/09/12	NOTICE OF INTENT TO TAKE DEFAULT	1BVANESSAG	0.00	0.00
110	03/07/12	JOHN PETER LEE, LTD.'S MOTION TO WITHDRAW FROM REPRESENTATION OF DEFENDANT REZA ZANDIAN AKA GOLAMREZA ZANDIANJAZI AKA GHOLM REZA ZANDIAN AKA REZA JAZI AKA J. REZA JAZI G. REZA JAZI AKA GHONONREZA ZANDIAN JAZI	1BCCOOPER	0.00	0.00
111	03/06/12	GENERAL DENIAL Receipt: 21739 Date: 03/09/2012 *STRICKEN PER ORDER GRANTING PLAINTIFF'S MOTION FOR SANCTIONS UNDER NRCP 37 FILED JAN. 15, 2013*	1BCCOOPER	218.00	0.00
112	02/24/12	NOTICE OF ENTRY OF ORDER	1BJHIGGINS	0.00	0.00
113	02/23/12	ORDER DENYING MOTION TO STRIKE	1BJHIGGINS	0.00	0.00
114	02/21/12	ORDER DENYING DEFENDANT'S MOTION TO DISMISS	1BJHIGGINS	0.00	0.00
115	02/13/12	REQUEST FOR SUBMISSION (2)	1BCCOOPER	0.00	0.00
116	02/13/12	DECLARATION OF ADAM P. MCMILLEN	1BCCOOPER	0.00	0.00
117	02/13/12	REPLY IN SUPPORT OF MOTION TO STRIKE	1BCCOOPER	0.00	0.00
118	02/02/12	OPPOSITION TO MOTION TO STRIKE	1BJHIGGINS	0.00	0.00
119	01/23/12	DECLARATION OF JED MARGOLIN IN SUPPORT OF MOTION TO STRIKE	1BVANESSAG	0.00	0.00
120	01/23/12	MOTION TO STRIKE	1BVANESSAG	0.00	0.00
121	12/13/11	REPLY TO OPPOSITION TO MOTION TO DISMISS	1BJHIGGINS	0.00	0.00
122	12/05/11	OPPOSITION TO MOTION TO DISMISS	1BKDUNCKHO	0.00	0.00
123	11/17/11	MOTION TO DISMISS AMENDED COMPLAINT ON SPECIAL APPEARANCE	1BKDUNCKHO	0.00	0.00
124	11/08/11	AMENDED CERTIFICATE OF SERVICE	1BVANESSAG	0.00	0.00
125	11/07/11	SUMMONS ON AMENDED COMPLAINT & (2) ADD'L SUMMONS ON AMENDED COMPLAINT	1BKDUNCKHO	0.00	0.00
126	11/07/11	CERTIFICATE OF SERVICE	1BKDUNCKHO	0.00	0.00
127	10/05/11	NOTICE OF ENTRY OF AMENDED ORDER	1BVANESSAG	0.00	0.00
128	09/27/11	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BJHIGGINS	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
129	09/27/11	AMENDED ORDER ALLOWING SERVICE BY PUBLICATION	1BJHIGGINS	0.00	0.00
130	09/23/11	REQUEST FOR SUBMISSION	1BCCOOPER	0.00	0.00
131	09/13/11	NOTICE OF ENTRY OF ORDER	1BKDUNCKHO	0.00	0.00
132	09/09/11	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BJHIGGINS	0.00	0.00
133	09/09/11	ORDER ALLOWING SERVICE BY PUBLICATION	1BJHIGGINS	0.00	0.00
134	09/07/11	REQUEST FOR SUBMISSION	1BKDUNCKHO	0.00	0.00
135	08/11/11	ISSUING SUMMONS ON AMENDED COMPLAINT & 2 ADDITIONAL	1BKDUNCKHO	0.00	0.00
136	08/11/11	AMENDED COMPLAINT	1BKDUNCKHO	0.00	0.00
137	08/11/11	MOTION TO SERVE BY PUBLICATION	1BKDUNCKHO	0.00	0.00
138	08/03/11	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BJULIEH	0.00	0.00
139	08/03/11	ORDER SETTING ASIDE DEFAULT, DYNING MOTION TO DISMISS AND GRANTING EXTENSION OF TIME FOR SERVICE	1BJULIEH	0.00	0.00
140	07/13/11	REQUEST FOR SUBMISSION	1BCCOOPER	0.00	0.00
141	07/05/11	REPLY TO OPPOSITION TO MOTION TO DISMISS ON A SPECIAL APPEARANCE	1BCCOOPER	0.00	0.00
142	06/22/11	OPPOSITION TO MOTION TO DISMISS AND COUNTER MOTIONS TO STRIKE AND FOR LEAVE TO AMEND THE COMPLAINT	1BMKALE	0.00	0.00
143	06/13/11	NOTICE OF CHANGE OF COUNSEL	1BJHIGGINS	0.00	0.00
144	06/09/11	MOTION TO DISMISS ON A SPECIAL APPEARANCE	1BMKALE	0.00	0.00
145	03/07/11	NOTICE OF ENTRY OF DEFAULT JUDGMENT	1BCCOOPER	0.00	0.00
146	03/01/11	DEFAULT JUDGMENT	1BCCOOPER	0.00	0.00
147	03/01/11	JUDGMENT	1BCCOOPER	0.00	0.00

Judgment Amount:
 121,594.46
 Judgment Total:
 121,594.46

Terms: JUDGMENT ENERED @ 3:24 PM.

Judgment Type: DEFAULT
 JUDGMENT
 Judgment Date: 03/01/2011

Judgment For: MARGOLIN, JED -
 PLNTF/PETNR

Judgment Against: OPTIMA
 TECHNOLOGY -
 DEFENDANT/RESPONDENT

ZANDIAN,
 REZA - DEFENDANT/RESPONDENT

Judgment Balance:
 121,594.46
 Case Total: 121,594.46
 Case Balance: 121,594.46

No.	Filed	Action	Operator	Fine/Cost	Due
148	03/01/11	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BCCOOPER	0.00	0.00
149	03/01/11	DEFAULT JUDGMENT	1BCCOOPER	0.00	0.00
150	02/28/11	APPLICATION FOR DEFAULT JUDGMENT; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF	1BMKALE	0.00	0.00
151	02/28/11	DECLARATION OF JED MARGOLIN IN SUPPORT OF APPLICATIO FOR DEFAULT JUDGMENT	1BMKALE	0.00	0.00
152	02/28/11	DECLARATION FO CASSANDRA P. JOSEPH IN SUPPORT OF APPLICATION FOR DEFAULT JUDGMENT	1BMKALE	0.00	0.00
153	02/25/11	CERTIFICATE OF SERVICE	1BMKALE	0.00	0.00
154	12/07/10	NOTICE OF ENTRY OF DEFAULT (3)	1BCFRANZ	0.00	0.00
155	12/02/10	DEFAULT	1BCCOOPER	0.00	0.00
156	12/02/10	APPLICATION FOR ENTRY OF DEFAULT	1BCCOOPER	0.00	0.00
157	12/02/10	APPLICATION FOR ENTRY OF DEFAULT	1BCCOOPER	0.00	0.00
158	12/02/10	DEFAULT	1BCCOOPER	0.00	0.00
159	12/02/10	APPLICATION FOR ENTRY OF DEFAULT	1BCCOOPER	0.00	0.00
160	03/26/10	SUMMONS AND ADD'S SUMMONS	1BCFRANZ	0.00	0.00
161	03/09/10	SUMMONS	1BCFRANZ	0.00	0.00
162	03/09/10	ISSUING SUMMONS & ADD'L SUMMONS	1BMKALE	0.00	0.00
163	12/15/09	ISSUING SUMMONS & 2 ADD'L	1BCCOOPER	0.00	0.00
164	12/14/09	COMPLAINT Receipt: 10054 Date: 12/14/2009 Receipt 10054 reversed by 10067 on 12/14/2009. Receipt: 10068 Date: 12/14/2009	1BMKALE	265.00	0.00
Totals:				1,249.00	0.00

Totals By: COST 749.00 0.00
 HOLDING 500.00 0.00
 INFORMATION 0.00 0.00
 *** End of Report ***

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Case No.: 090C00579 1B

Dept. No.: 1

REC'D & FILED
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ALAN GLOVER
BY CLERK
DEPUTY

**In The First Judicial District Court of the State of Nevada
In and for Carson City**

JED MARGOLIN, an individual,
Plaintiff,

vs.

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

Case No.: 090C00579 1B
Dept. No.: 1

**ORDER ON MOTION FOR ORDER
ALLOWING COSTS AND
NECESSARY DISBURSEMENTS
AND MEMORANDUM OF POINTS
AND AUTHORITIES IN SUPPORT
THEREOF**

This matter comes before the Court on Plaintiff Jed Margolin's ("Margolin") Motion for Order Allowing Costs and Necessary Disbursements and Memorandum of Points and Authorities in Support Thereof, filed on April 28, 2014. On April 30, 2014, Defendant Reza Zandian ("Zandian") filed a Motion to Retax and Settle Costs, wherein Defendant Zandian addressed Margolin's Motion for Order Allowing Costs and Necessary Disbursements. On May 12, 2014, Zandian served an Opposition to Motion for Order Allowing Costs and

1 Necessary Disbursements, which restates the arguments included in the Motion to Retax. On
2 May 12, 2014, Margolin filed a Reply in Support of the Motion for Order Allowing Costs and
3 Necessary Disbursements and Margolin also filed a Request for Submission on the same date.
4 On May 14, 2014, Margolin filed an Amended Request for Submission, finally submitting the
5 Motion for Order Allowing Costs and Necessary Disbursements to the Court for decision.

6 Based upon the following facts and conclusions of law, the Motion for Order Allowing
7 Costs and Necessary Disbursements is hereby GRANTED.

8
9 **I. Postjudgment Costs**

10 Zandian does not dispute Margolin is allowed postjudgment costs under NRS 18.160
11 and NRS 18.170. Zandian does not dispute the requested research, witness fees or process
12 service/courier costs. Zandian only requests that the Court reduce the photocopy charges from
13 \$0.25 to \$0.15 per page. Zandian relies upon what the "FedEx Office" in Carson City charges
14 for copies to demonstrate that Margolin's rate of \$0.25 per page is not reasonable.

15 Margolin cites to the First Judicial District Court's own fee schedule for copy charges,
16 which shows the Court charges \$0.50 per page for copies. The District Court's own fee
17 schedule is a better exemplar of what reasonable copy charges should be in this matter. The
18 rate of \$0.25 per page is half of what the Court charges for legal copies and the Court finds
19 that \$0.25 is reasonable under the circumstances. Therefore, Margolin's copy charges will not
20 be reduced and are awarded in full in the amount requested. Since Zandian did not oppose the
21 other costs, Margolin is granted his costs pursuant to NRS 18.160 and NRS 18.170, as follows:

22
23 **COSTS (October 18, 2013 THROUGH April 18, 2014):**

24

25	Postage/photocopies (in-house)	\$ 481.20
	Research	285.31
26	Witness Fees (Subpoenas)	215.66
	Process service/courier fees	<u>373.00</u>
27		<u>\$1,355.17</u>

28

1 **II. Postjudgment Attorney's Fees**

2 Zandian argued that there is no applicable statute or rule upon which postjudgment
3 attorney's fees can be awarded to Margolin and that the parties did not enter into an agreement
4 which affords attorney's fees and therefore Margolin's request for postjudgment attorney's
5 fees should be denied. Further, Zandian argues that NRS 598.0999(2) does not permit an
6 award of attorney's fees in this case.

7 However, NRS 598.0999(2) is applicable to any action filed pursuant to the provisions
8 of NRS 598.0903 to 598.0999, inclusive. Accordingly, Margolin should be awarded his
9 postjudgment fees pursuant to the Deceptive Trade Practices statute.

10 **a. NRS 598.0999(2) provides for an award of attorney's fees**

11 NRS 598.0999(2) states as follows:

12 Except as otherwise provided in NRS 598.0974, in any action brought pursuant
13 to the provisions of NRS 598.0903 to 598.0999, inclusive, if the court finds that
14 a person has willfully engaged in a deceptive trade practice, the district attorney
15 of any county in this State or the Attorney General bringing the action may
16 recover a civil penalty not to exceed \$5,000 for each violation. The court in any
17 such action may, in addition to any other relief or reimbursement, award
18 reasonable attorney's fees and costs.

19 NRS 598.0999(2) (emphasis added).

20 Thus, the phrase, "provisions of NRS 598.0903 to 598.0999," encompasses all actions
21 brought under those sections. The language, "any action brought pursuant to the provisions of
22 NRS 598.0903 to 598.0999," does not limit Deceptive Trade Practices actions to district
23 attorneys or the Attorney General. The only limitation in NRS 598.0999(2) relates to the
24 district attorney's and the Attorney General being able to pursue the \$5,000 civil penalty. In
25 contrast, the last sentence of NRS 598.0999(2) stands alone and does not limit attorney fee
26 awards to district attorneys or the Attorney General and allows the Court, in any Deceptive
27 Trade Practices action, to "award reasonable attorney's fees and costs." NRS 598.0999(2).

1 As NRS 598.0999(2) provides for attorney's fees based upon actions filed pursuant to
2 the provisions of NRS 598.0903 to 598.0999, inclusive, and since NRS 598.0999(2) does not
3 exclude postjudgment attorney fees, Margolin's attorney's fees are hereby awarded for having
4 to incur fees enforcing the judgment on the deceptive trade practices claim.

5 **b. Margolin's attorneys' fees are reasonable**

6 "In Nevada, 'the method upon which a reasonable fee is determined is subject to the
7 discretion of the court,' which 'is tempered only by reason and fairness.'" *Shuette v. Beazer*
8 *Homes Holdings Corp.*, 124 P. 3d 530, 121 Nev. 837 (2005) (citing *University of Nevada v.*
9 *Tarkanian*, 110 Nev. 581, 594, 591, 879 P.2d 1180, 1188, 1186 (1994)). "Accordingly, in
10 determining the amount of fees to award, the court is not limited to one specific approach; its
11 analysis may begin with any method rationally designed to calculate a reasonable amount,
12 including those based on a 'lodestar' amount or a contingency fee." *Id.* (citations omitted).
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14 case by a reasonable hourly rate.'" *Id.* at n. 98 (citing *Herbst v. Humana Health Ins. of*
15 *Nevada*, 105 Nev. 586, 590, 781 P.2d 762, 764 (1989)).

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19 31, 85 Nev. 345 (1969) and *Shuette v. Beazer Homes Holdings Corp.*, 124 P. 3d 530, 121 Nev.
20 837 (2005). See *Barney v. Mt. Rose Heating & Air Conditioning*, 124 Nev. 821, 829-30, 192
21 P.3d 730, 735-7 (2008).

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

- 25
26 (1) the advocate's qualities, including ability, training, education, experience,
27 professional standing, and skill;
28 (2) the character of the work, including its difficulty, intricacy, importance, as
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;

- 1 (3) the work performed, including the skill, time, and attention given to the
work; and
2 (4) the result—whether the attorney was successful and what benefits were
derived.

3 *Barney*, 192 P.3d at 736 (citing *Brunzell*, 85 Nev. at 349, 455 P.2d at 33). According to
4 *Shuette*, the district court is required to “provide[] sufficient reasoning and findings in support
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7 Margolin concedes that he is not currently entitled to attorney’s fees that are incurred
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12 execution of the judgment, for a total of \$31,247.50 in fees, which reflects the lodestar amount
13 of postjudgment attorney’s fees.
14

15 The amount of attorney’s fees awarded only includes reasonable attorney’s fees from
16 October 18, 2013 to April 18, 2014, as follows: 11.4 hours of work performed by attorney
17 Matthew D. Francis at \$300 per-hour (\$3,420.00); 75.3 hours of work performed by attorney
18 Adam P. McMillen at \$300 per-hour (\$22,590.00); and 41.9 hours of work performed by
19 paralegal Nancy Lindsley at \$125 per-hour (\$5,237.50). This lodestar amount is reasonable
20 under the *Brunzell* factors as follows.
21

22 **(1) Factors 1 and 2 - The Advocate’s Qualities, Including Ability, Training,
23 Education, Experience, Professional Standing, and Skill and The Novelty
and Difficulty of The Questions Involved, and The Time and Skill Involved**

24 The issues related to this case included: (a) whether Plaintiff’s patents were entitled to
25 protection; (b) whether Defendants fraudulently assigned Plaintiff’s patents; and (c), whether
26 Plaintiff was damaged by Defendants’ conduct. The patent and deceptive trade practices
27 issues, and the unique facts surrounding them, involved careful consideration and research. In
28 general, patent and deceptive trade practices litigation is a niche practice that requires a high

1 degree of legal skill and care in order to be performed properly and effectively. Each of these
2 causes of action, coupled with the unique facts of this matter, required thorough research and
3 careful analysis.

4 In addition, the postjudgment collection efforts so far have included attempting to find
5 Zandian's collectible assets, including researching and investigating his property in Nevada
6 and California and moving for a debtor's examination. Considering Zandian's elusive
7 behavior to date and elaborate financial arrangements with a multitude of companies and
8 individuals, Margolin has been forced to incur a significant amount of attorney's fees in
9 attempting to collect on the judgment.
10

11 Accordingly, Margolin's claimed postjudgment attorney's fees are reasonable under
12 these factors.

13 **(2) Factor 3 – The Time and Labor Required**

14 Margolin's counsel has been required to research Zandian's vast real estate holdings in
15 Nevada. Margolin's counsel has recorded the judgment in each Nevada County where
16 Zandian holds property. Margolin's counsel has researched and subpoenaed Zandian's
17 financial information from several financial institutions. Margolin's counsel has moved the
18 court for a debtor's examination of Zandian. The time and labor required relating to
19 collections efforts have been reasonable and significant.
20

21 **(3) Factor 4 - The Result—Whether The Attorney Was Successful And What
22 Benefits Were Derived**

23 Margolin prevailed on all of his causes of action in this case. Margolin's case against
24 the Defendants resulted in a Default Judgment being entered against the Defendants on
25 Margolin's causes of action. Specifically, the Court ordered Defendants to pay Plaintiff
26 \$1,495,775.74, plus interest. In addition, through postjudgment efforts, Margolin's counsel
27 has successfully liened Zandian's Nevada real estate to secure the judgment and Margolin's
28 counsel is in the process of securing appropriate writs of execution to satisfy the judgment.

1 Thus, Margolin obtained the results sought, and this factor weighs in favor of the
2 reasonableness of Margolin's fee request.

3 Further, the Court finds that while Zandian's failure to appear and defend this action
4 led to the default judgments being entered, the nature of this matter required specialized skill
5 and required a significant amount of time and attention by the attorneys involved.

6 The Court finds that patent and deceptive trade practices issues, and the unique facts
7 surrounding them, involved careful consideration and research. Patent and deceptive trade
8 practices litigation is a not a routine practice but requires a high degree of legal skill and care
9 in order to be performed properly and effectively. Each of the causes of action in this matter,
10 coupled with the unique facts of this matter, required thorough research and careful analysis.
11 The Court finds that Margolin's counsel billed at an hourly rate of \$300, which is reasonable
12 for this matter.
13

14 In summary, an analysis of the *Brunzell* factors proves Margolin's fees in the lodestar
15 amount of \$31,247.50 are reasonable and are hereby awarded.
16

17 III. Postjudgment Interest

18 Margolin seeks a formal judgment for the postjudgment interest accrued on the
19 judgment to date. Zandian argues it is premature for Margolin to request an order stating what
20 the current amount of accrued postjudgment interest is at this time. Zandian does not argue
21 that Margolin is not entitled to postjudgment interest.

22 "The purpose of post-judgment interest is to compensate the plaintiff for loss of the use
23 of the money awarded in the judgment 'without regard to the elements of which that judgment
24 is composed.'" *Albert H. Wohlers & Co. v. Bartgis*, 114 Nev. 1249, 1269, 969 P.2d 949, 963
25 (1998) (citing *Ainsworth v. Combined Ins. Co.*, 105 Nev. 237, 244, 774 P.2d 1003, 1009
26 (1989); see also *Waddell v. L.V.R.V. Inc.*, 122 Nev. 15, 26, 125 P.3d 1160, 1167 (2006)
27 ("[t]he purpose of post-judgment interest is to compensate the plaintiff for loss of the use of
28

1 the money awarded in the judgment' without regard to the various elements that make up the
2 judgment.”).

3 Since Zandian has not provided a supersedeas bond to stop execution of the judgment,
4 Margolin is entitled to postjudgment interest until the judgment is satisfied. *See* NRC 62(d)
5 (by giving a supersedeas bond a party may obtain stay of execution); *see also* NRS 17.130(2)
6 (interest accrues until judgment satisfied). As the original judgment was entered in Nevada
7 and the judgment set the interest rate at the legal rate of interest according to NRS 17.130, the
8 interest rate is 5.25 percent per-annum, or \$215.15 per-day. Accordingly, the Court hereby
9 finds that Margolin is owed simple interest at 5.25 percent or \$215.15 per-day from June 27,
10 2013, the date of notice of entry of the judgment, through April 18, 2014. It is 296 days from
11 June 27, 2013 to April 18, 2014. Multiplying 296 days by \$215.15 equals \$63,684.40 in
12 accrued interest, which is the amount of interest currently due and owing.¹

14 **IV. Conclusion**

15 Based upon the above, the Motion for Order Allowing Costs and Necessary
16 Disbursements is GRANTED in full. Therefore, Margolin is awarded his postjudgment costs,
17 from October 18, 2013 through April 18, 2014, in the amount of \$1,355.17. Margolin is
18 awarded his postjudgment attorney’s fees in the amount of \$31,247.50. Margolin is awarded
19 his postjudgment interest in the amount of \$63,684.40.

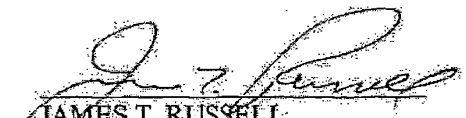
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28 ¹ Interest continues to accrue until the judgment is satisfied. *See* NRS 17.130(2).

1 The total amount awarded to Margolin herein is \$96,287.07. This award shall be added
2 to the judgment. This award must be paid before satisfaction of judgment may be entered in
3 this matter. Payment of this award shall be made within 10 days of notice of entry of this
4 Order. Payment shall be made payable to the Watson Rounds Trust Account or to Jed
5 Margolin. Payment shall be delivered to the law office of Watson Rounds.

6 DATED: This 19 day of May, 2014.

IT IS SO ORDERED:

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9 
10 JAMES T. RUSSELL
DISTRICT COURT JUDGE

11
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14
15
16 Respectfully submitted by,
17 WATSON ROUNDS, P.C.

18 By: _____
19 Adam P. McMillen, Esquire
20 Nevada Bar No. 10678
21 5371 Kietzke Lane
22 Reno, NV 89511
23 Telephone: (775) 324-4100
24 Facsimile: (775) 333-8171
25 Email: amcmillen@watsonrounds.com
26 Attorneys for Plaintiff
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CERTIFICATE OF MAILING

I hereby certify that on the 19th day of May, 2014, I placed a copy of the foregoing in the United States Mail, postage prepaid, addressed as follows:

Matthew D. Francis
Adam P. McMillen
Watson Rounds
5371 Kietzke Lane
Reno, NV 89511

Jason D. Woodbury
Severin A. Carlson
Kaempfer Crowell
510 West Fourth Street
Carson City, NV 89703



Samantha Valerius
Law Clerk, Department I

1 Matthew D. Francis (6978)
Adam P. McMillen (10678)
2 WATSON ROUNDS
5371 Kietzke Lane
3 Reno, NV 89511
Telephone: 775-324-4100
4 Facsimile: 775-333-8171
Attorneys for Plaintiff Jed Margolin
5

REC'D & FILED
2014 MAY 21 AM 11:15
ALAN GLOVER
CLERK
BY *[Signature]*
REPLIIT

6
7 **In The First Judicial District Court of the State of Nevada**
8 **In and for Carson City**
9

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

Case No.: 090C00579 1B
Dept. No.: 1

**NOTICE OF ENTRY OF ORDER ON
MOTION FOR ORDER ALLOWING
COSTS AND NECESSARY
DISBURSEMENTS**

21 TO: All parties:
22 PLEASE TAKE NOTICE that on May 19, 2014 the Court entered its Order on
23 Motion for Order Allowing Costs and Necessary Disbursements. A true and correct copy of
24 such order is attached hereto as Exhibit 1

25 **Affirmation Pursuant to NRS 239B.030**


26 The undersigned does hereby affirm that the preceding document does not contain the

27 ///
28 ///

1 social security number of any person.

2 DATED: May 20, 2014.

WATSON ROUNDS

3
4 By: 
5 Matthew D. Francis
6 Adam P. McMillen
7 Watson Rounds
8 5371 Kietzke Lane
9 Reno, NV 89511

10 Attorneys for Plaintiff Jed Margolin
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1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of Watson Rounds, and that on
3 this date, I deposited for mailing, in a sealed envelope, with first-class postage prepaid, a true
4 and correct copy of the foregoing document, NOTICE OF ENTRY OF ORDER ON MOTINO
5 FOR ORDER ALLOWING COSTS AND NECESSARY DISBURSEMENTS, addressed as
6 follows:

7 Jason D. Woodbury
8 Severin A. Carlson
9 Kaempfer Crowell
10 510 West Fourth Street
11 Carson City, NV 89703

12 Dated: This 20th day of May, 2014.

13 
14 Nancy Lindsley
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1 Case No.: 090C00579 1B

2 Dept. No.: 1

REC'D & FILED

MAY 19 PM 2: 22

ALAN GLOVER

BY ~~ALAN GLOVER~~ CLERK
DEPUTY

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6
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9
10
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**ORDER ON MOTION FOR ORDER
ALLOWING COSTS AND
NECESSARY DISBURSEMENTS
AND MEMORANDUM OF POINTS
AND AUTHORITIES IN SUPPORT
THEREOF**

26 This matter comes before the Court on Plaintiff Jed Margolin's ("Margolin") Motion
27 for Order Allowing Costs and Necessary Disbursements and Memorandum of Points and
28 Authorities in Support Thereof, filed on April 28, 2014. On April 30, 2014, Defendant Reza
Zandian ("Zandian") filed a Motion to Retax and Settle Costs, wherein Defendant Zandian
addressed Margolin's Motion for Order Allowing Costs and Necessary Disbursements. On
May 12, 2014, Zandian served an Opposition to Motion for Order Allowing Costs and

1 Necessary Disbursements, which restates the arguments included in the Motion to Retax. On
2 May 12, 2014, Margolin filed a Reply in Support of the Motion for Order Allowing Costs and
3 Necessary Disbursements and Margolin also filed a Request for Submission on the same date.
4 On May 14, 2014, Margolin filed an Amended Request for Submission, finally submitting the
5 Motion for Order Allowing Costs and Necessary Disbursements to the Court for decision.

6 Based upon the following facts and conclusions of law, the Motion for Order Allowing
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28 general, patent and deceptive trade practices litigation is a niche practice that requires a high

1 degree of legal skill and care in order to be performed properly and effectively. Each of these
2 causes of action, coupled with the unique facts of this matter, required thorough research and
3 careful analysis.

4 In addition, the postjudgment collection efforts so far have included attempting to find
5 Zandian's collectible assets, including researching and investigating his property in Nevada
6 and California and moving for a debtor's examination. Considering Zandian's elusive
7 behavior to date and elaborate financial arrangements with a multitude of companies and
8 individuals, Margolin has been forced to incur a significant amount of attorney's fees in
9 attempting to collect on the judgment.
10

11 Accordingly, Margolin's claimed postjudgment attorney's fees are reasonable under
12 these factors.

13 **(2) Factor 3 – The Time and Labor Required**

14 Margolin's counsel has been required to research Zandian's vast real estate holdings in
15 Nevada. Margolin's counsel has recorded the judgment in each Nevada County where
16 Zandian holds property. Margolin's counsel has researched and subpoenaed Zandian's
17 financial information from several financial institutions. Margolin's counsel has moved the
18 court for a debtor's examination of Zandian. The time and labor required relating to
19 collections efforts have been reasonable and significant.
20

21 **(3) Factor 4 - The Result—Whether The Attorney Was Successful And What
22 Benefits Were Derived**

23 Margolin prevailed on all of his causes of action in this case. Margolin's case against
24 the Defendants resulted in a Default Judgment being entered against the Defendants on
25 Margolin's causes of action. Specifically, the Court ordered Defendants to pay Plaintiff
26 \$1,495,775.74, plus interest. In addition, through postjudgment efforts, Margolin's counsel
27 has successfully liened Zandian's Nevada real estate to secure the judgment and Margolin's
28 counsel is in the process of securing appropriate writs of execution to satisfy the judgment.

1 Thus, Margolin obtained the results sought, and this factor weighs in favor of the
2 reasonableness of Margolin's fee request.

3 Further, the Court finds that while Zandian's failure to appear and defend this action
4 led to the default judgments being entered, the nature of this matter required specialized skill
5 and required a significant amount of time and attention by the attorneys involved.

6 The Court finds that patent and deceptive trade practices issues, and the unique facts
7 surrounding them; involved careful consideration and research. Patent and deceptive trade
8 practices litigation is a not a routine practice but requires a high degree of legal skill and care
9 in order to be performed properly and effectively. Each of the causes of action in this matter,
10 coupled with the unique facts of this matter, required thorough research and careful analysis.
11 The Court finds that Margolin's counsel billed at an hourly rate of \$300, which is reasonable
12 for this matter.
13

14 In summary, an analysis of the *Brunzell* factors proves Margolin's fees in the lodestar
15 amount of \$31,247.50 are reasonable and are hereby awarded.
16

17 III. Postjudgment Interest

18 Margolin seeks a formal judgment for the postjudgment interest accrued on the
19 judgment to date. Zandian argues it is premature for Margolin to request an order stating what
20 the current amount of accrued postjudgment interest is at this time. Zandian does not argue
21 that Margolin is not entitled to postjudgment interest.

22 "The purpose of post-judgment interest is to compensate the plaintiff for loss of the use
23 of the money awarded in the judgment 'without regard to the elements of which that judgment
24 is composed.'" *Albert H. Wohlers & Co. v. Bartgis*, 114 Nev. 1249, 1269, 969 P.2d 949, 963
25 (1998) (citing *Ainsworth v. Combined Ins. Co.*, 105 Nev. 237, 244, 774 P.2d 1003, 1009
26 (1989); see also *Waddell v. L.V.R.V. Inc.*, 122 Nev. 15, 26, 125 P.3d 1160, 1167 (2006)
27 ("[t]he purpose of post-judgment interest is to compensate the plaintiff for loss of the use of
28

1 the money awarded in the judgment' without regard to the various elements that make up the
2 judgment.").

3 Since Zandian has not provided a supersedeas bond to stop execution of the judgment,
4 Margolin is entitled to postjudgment interest until the judgment is satisfied. *See* NRCPC 62(d)
5 (by giving a supersedeas bond a party may obtain stay of execution); *see also* NRS 17.130(2)
6 (interest accrues until judgment satisfied). As the original judgment was entered in Nevada
7 and the judgment set the interest rate at the legal rate of interest according to NRS 17.130, the
8 interest rate is 5.25 percent per-annum, or \$215.15 per-day. Accordingly, the Court hereby
9 finds that Margolin is owed simple interest at 5.25 percent or \$215.15 per-day from June 27,
10 2013, the date of notice of entry of the judgment, through April 18, 2014. It is 296 days from
11 June 27, 2013 to April 18, 2014. Multiplying 296 days by \$215.15 equals \$63,684.40 in
12 accrued interest, which is the amount of interest currently due and owing.¹

14 **IV. Conclusion**

15 Based upon the above, the Motion for Order Allowing Costs and Necessary
16 Disbursements is GRANTED in full. Therefore, Margolin is awarded his postjudgment costs,
17 from October 18, 2013 through April 18, 2014, in the amount of \$1,355.17. Margolin is
18 awarded his postjudgment attorney's fees in the amount of \$31,247.50. Margolin is awarded
19 his postjudgment interest in the amount of \$63,684.40.

21 ///

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¹ Interest continues to accrue until the judgment is satisfied. *See* NRS 17.130(2).

1 The total amount awarded to Margolin herein is \$96,287.07. This award shall be added
2 to the judgment. This award must be paid before satisfaction of judgment may be entered in
3 this matter. Payment of this award shall be made within 10 days of notice of entry of this
4 Order. Payment shall be made payable to the Watson Rounds Trust Account or to Jed
5 Margolin. Payment shall be delivered to the law office of Watson Rounds.

6 DATED: This 19 day of May, 2014. IT IS SO ORDERED:

7
8 
9 JAMES T. RUSSELL
10 DISTRICT COURT JUDGE
11
12
13
14

15
16 Respectfully submitted by,
17 WATSON ROUNDS, P.C.


18 By: _____
19 Adam P. McMillen, Esquire
20 Nevada Bar No. 10678
21 5371 Kietzke Lane
22 Reno, NV 89511
23 Telephone: (775) 324-4100
24 Facsimile: (775) 333-8171
25 Email: amcmillen@watsonrounds.com
26 Attorneys for Plaintiff
27
28

CERTIFICATE OF MAILING

I hereby certify that on the 19th day of May, 2014, I placed a copy of the foregoing in the United States Mail, postage prepaid, addressed as follows:

Matthew D. Francis
Adam P. McMillen
Watson Rounds
5371 Kietzke Lane
Reno, NV 89511

Jason D. Woodbury
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Samantha Valerius
Law Clerk, Department I

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FIRST JUDICIAL DISTRICT COURT MINUTES

CASE NO. 09 OC 00579 1B

TITLE: JED MARGOLIN VS OPTIMA
TECHNOLOGY CORPORATION, a
California corporation; OPTIMA
TECHNOLOGY CORPORATION, a
Nevada corporation; REZA ZANDIAN aka
GOLAMREZA ZANDIANJAZI aka
GHOLAM REZA ZANDIAN aka REZA
JAZI aka J. REZA JAZI aka G. REZA JAZI
aka GHONONREZA ZANDIAN JAZI, an
individual

06/19/12 – DEPT. I – HONORABLE JAMES T. RUSSELL
J. Higgins, Clerk – Not Reported

MINUTE ORDER

COURT ORDERED: A copy of the document entitled Plaintiff's Motion to Compel Appearance of Counsel for Optima Technology Corporations, or in the Alternative, Motion to Strike General Denial of Optima Technology Corporations filed May 15, 2012 is to be used in the place and stead of the original as it is missing.
