

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 III

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

<u>DOCUMENT</u>	<u>DATE</u>	<u>VOL.</u>	<u>PAGES (J.A.)</u>
<i>Additional Summons on Amended Complaint</i>	Nov. 7, 2011	I	19-23
<i>Additional Summons on Amended Complaint</i>	Nov. 7, 2011	I	24-28
<i>Amended Complaint</i>	Aug. 11, 2011	I	11-18
<i>Amended Request for Submission</i>	May 14, 2014	IV	546-548
<i>Complaint</i>	Dec. 11, 2009	I	1-10
<i>Declaration of Adam McMillen in Support of Plaintiff’s Motion for Order Allowing Costs and Necessary Disbursements</i>	Apr. 28, 2014	III	419-494
<i>Declaration of Adam McMillen in Support of Reply in Support of Plaintiff’s Motion for Order Allowing Costs and Necessary Disbursement</i>	May 12, 2014	IV	513-533

<u>DOCUMENT</u>	<u>DATE</u>	<u>VOL.</u>	<u>PAGES (J.A.)</u>
<i>Default Judgment</i>	June 24, 2013	I	35-37
<i>Defendant Zandian's Motion for Stay of Proceedings to Enforce Judgment Pursuant to NRCP 62(B)</i>	Jan. 2, 2014	I	114-120
<i>Defendant Zandian's Motion to Set Aside Default Judgment</i>	Dec. 20, 2013	I	97-113
<i>Defendant Zandian's Reply in Support of Motion for Stay of Proceedings to Enforce Judgment Pursuant to NRCP 62(B)</i>	Feb. 3, 2014	II	228-234
<i>Defendant Zandian's Reply in Support of Motion to Set Aside Default Judgment</i>	Jan. 23, 2014	II	211-224
<i>Defendant's Motion to Retax and Settle Costs</i>	Apr. 30, 2014	III	495-505
<i>First Memorandum of Post-Judgment Costs and Fees</i>	Apr. 2, 2014	III	386-389
<i>General Denial</i>	Mar. 6, 2012 (Stricken per Order filed Jan. 15, 2013)	I	29-31
<i>General Denial</i>	Mar. 14, 2012	I	32-34
<i>Motion for Judgment Debtor Examination and to Produce Documents</i>	Dec. 11, 2013	I	44-96

<u>DOCUMENT</u>	<u>DATE</u>	<u>VOL.</u>	<u>PAGES (J.A.)</u>
<i>Motion for Order Allowing Costs and Necessary Disbursements and Memorandum of Points and Authorities in Support Thereof</i>	Apr. 28, 2014	III	411-418
<i>Motion for Order to Show Cause Regarding Contempt</i>	Feb. 12, 2014	II	259-281
<i>Motion for Writ of Execution</i>	Apr. 2, 2014	II	329-385
<i>Motion for Writ of Execution</i>	June 18, 2014	IV	576-580
<i>Motion to Retax and Settle Costs</i>	Apr. 9, 2014	III	390-399
<i>Notice</i>	June 9, 2014	IV	572-575
<i>Notice of Appeal</i>	June 30, 2014	IV	581-640
<i>Notice of Entry of Default Judgment</i>	June 27, 2013	I	38-43
<i>Notice of Entry of Order (denying defendant's motion to set aside default judgment)</i>	Feb. 10, 2014	II	245-258
<i>Notice of Entry of Order Granting Plaintiff's Motion for Debtor Examination and to Produce Documents</i>	Jan. 17, 2014	II	203-210
<i>Notice of Entry of Order on Motion for Order Allowing Costs and Necessary Disbursements</i>	May 21, 2014	IV	559-571

<u>DOCUMENT</u>	<u>DATE</u>	<u>VOL.</u>	<u>PAGES (J.A.)</u>
<i>Opposition to Motion for Order Allowing Costs and Necessary Disbursements</i>	May 12, 2014	IV	537-545
<i>Opposition to Motion for Order to Show Cause Regarding Contempt</i>	Mar. 3, 2014	II	285-310
<i>Opposition to Motion for Stay of Proceedings to Enforce Judgment Pursuant to NRCP 62(B)</i>	Jan. 17, 2014	II	199-202
<i>Opposition to Motion for Writ of Execution</i>	Apr. 21, 2014	III	402-407
<i>Opposition to Motion to Set Aside Default Judgment</i>	Jan. 9, 2014	I	121-194
<i>Order Denying Defendant Zandian's Motion to Set Aside Default Judgment</i>	Feb. 6, 2014	II	235-244
<i>Order Denying Request for Submission</i>	Mar. 17, 2014	II	326-328
<i>Order Granting Plaintiff's Motion for Debtor Examination and to Produce Documents</i>	Jan. 13, 2014	I	195-198
<i>Order on Motion for Order Allowing Costs and Necessary Disbursements and Memorandum of Points and Authorities in Support Thereof</i>	May 19, 2014	IV	549-558

<u>DOCUMENT</u>	<u>DATE</u>	<u>VOL.</u>	<u>PAGES (J.A.)</u>
<i>Reply in Support of Motion for Order Allowing Costs and Necessary Disbursements and Memorandum of Points and Authorities in Support Thereof</i>	May 12, 2014	IV	506-512
<i>Reply in Support of Motion for Order to Show Cause Regarding Contempt</i>	Mar 13, 2014	II	311-322
<i>Reply in Support of Motion for Writ of Execution and Opposition to Motion to Retax and Settle Costs</i>	Apr. 21, 2014	III	408-410
<i>Request for Submission</i>	Mar. 13, 2014	II	323-325
<i>Request for Submission</i>	May 12, 2014	IV	534-536
<i>Request for Submission and Hearing on Defendant Zandian's Motion to Set Aside Default Judgment</i>	Jan. 23, 2014	II	225-227
<i>Stipulation and Order to Withdraw Motion Filed by Reza Zandian on March 24, 2014</i>	Apr. 17, 2014	III	400-401
<i>Substitution of Counsel</i>	Feb. 21, 2014	II	282-284

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 APR -2 PM 4:06

ALAN GLOVER
BY CLERK
DEPUTY

5
6
7 **In The First Judicial District Court of the State of Nevada**
8 **In and for Carson City**
9

10
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
Individuals 21-30,
20

21 Defendants.
22

Case No.: 090C00579 1B

Dept. No.: 1

**FIRST MEMORANDUM OF POST-
JUDGMENT COSTS AND FEES**

23 Judgment having been entered in the above entitled action on June 24, 2013 against
24 Defendants, jointly and severally, Plaintiff Jed Margolin, by and through his counsel of record,
25 Adam P. McMillen, Esquire of Watson Rounds, P.C., submits Plaintiff's First Memorandum
26 of Post-Judgment Costs and Fees and requests the Clerk tax such costs and fees, as follows:
27

28 POST-JUDGMENT ATTORNEYS' FEES
(JUNE 24, 2013 THROUGH MARCH 26, 2014) \$ 34,787.50

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COSTS (JUNE 24, 2013 THROUGH MARCH 26, 2014):

- Postage/photocopies (in-house) \$ 619.75
 - Fees (filing fees and recording fees) 154.00
 - Research 271.46
 - Witness Fees (Subpoenas) 444.38
 - Process service/courier fees 433.00
- \$ 1,922.59

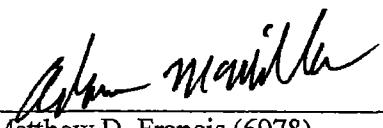
TOTAL: \$ 36,710.09

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: April 2, 2014.

WATSON ROUNDS, P.C.

BY: 

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

DECLARATION OF ADAM P. McMILLEN

I, ADAM P. McMILLEN, declare under the penalty of perjury that the foregoing costs and fees are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed.

DATED: April 2, 2014.



ADAM P. McMILLEN
Attorney for Plaintiff Jed Margolin

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

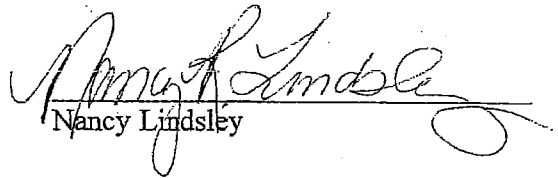
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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, **FIRST MEMORANDUM OF POST-JUDGMENT COSTS AND FEES**, 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: April 2nd, 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@kenvlaw.com
5 *Attorneys for Reza Zandian*

REC'D & FILED
2014 APR -9 PM 12:09
ALAN GLOVER
BY: C. GRIBBLE CLERK
DEPUTY

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,

Case No. 09OC00579 1B

Dept. No. I

18 Defendants.

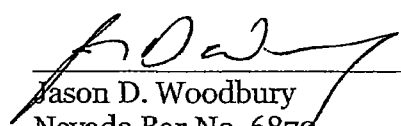
19
20 **MOTION TO RETAX AND SETTLE COSTS**

21 COMES NOW, Defendant REZA ZANDIAN ("ZANDIAN"), by and through his
22 attorneys, Kaempfer Crowell, and hereby moves this Court to retax and settle the costs
23 in the above-referenced proceeding. This *Motion* is made pursuant to NRS 18.110(4),
24 18.160(3), and NRS 18.170, and is based on NRS 18.005, 18.020, 18.050, 18.110, 18.160
and 18.170, the attached memorandum of points and authorities, all papers and

1 pleadings on file in this matter and any evidence received and arguments entertained by
2 the Court at any hearing on this *Motion*.

3 DATED this 8th day of April, 2014.

4 **KAEMPFER CROWELL**

5
6 

7 Jason D. Woodbury
8 Nevada Bar No. 6870
9 510 West Fourth Street
10 Carson City, Nevada 89703
11 Telephone: (775) 884-8300
12 Facsimile: (775) 882-0257
13 JWoodbury@kcnvlaw.com
14 ***Attorneys for Reza Zandian***

15
16
17
18
19
20
21
22 KAEMPFER CROWELL
23 510 West Fourth Street
24 Carson City, Nevada 89703

1 MEMORANDUM OF POINTS AND AUTHORITIES

2 I. Relevant Procedural Background¹

3 On September 24, 2012, this Court entered a default against Defendant, Optima
4 Technology Corporation, a California corporation, and Optima Technology Corporation,
5 a Nevada corporation (collectively referred to as "OTC").² On September 27, 2012,
6 Plaintiff served notice that the default against OTC had been entered.³ A month later,
7 Plaintiff applied for default judgment against OTC, which was granted on October 31,
8 2012.⁴ Notice of the entry of default judgment against OTC was filed on November 6,
9 2012.⁵

10 This Court entered a default against ZANDIAN on March 28, 2013 and notice of
11 the default was filed April 5, 2013.⁶ Plaintiff subsequently applied for default judgment,
12 the application was granted and notice of the default judgment was filed on June 27,
13 2013.⁷

14 Later, beginning in December 2013 and culminating with this Court's denial in
15 February, 2014, ZANDIAN attempted to have the default judgment against him set
16 aside.⁸ The case has been appealed, and the appeal is pending.⁹ On April 2, 2014,

17 _____
18 ¹ The presentation of the procedural background material to this *Motion* is not intended and should not be
19 construed as an admission that there were not procedural deficiencies in regard to the proceedings
recited. That is to say, for instance, that a representation that a "notice" was made is not intended as a
representation that the referenced "notice" was made in a legally valid and procedurally sufficient
manner.

20 ² See *Default* (Sept. 24, 2012).

21 ³ See *Notice of Entry of Default* (Sept. 27, 2012).

22 ⁴ See *Application for Default J.* (Oct. 30, 2012); *Default J.* (Oct. 31, 2012).

23 ⁵ See *Notice of Entry of J.* (Nov. 6, 2012).

24 ⁶ See *Default* (Mar. 28, 2013); *Amended Not. of Entry of Default* (April 5, 2013).

⁷ See *Application for Default J.* (April 17, 2013); *Default J.* (June 24, 2013); *Notice of Entry of Default J.*
(June 27, 2013).

⁸ See generally, *Order Denying Defendant Reza Zandian aka Golamreza Zandianjazi aka Gholam Reza
Zandian aka Reza Jazi aka J. Reza Jazi aka G. Reza Jazi aka Ghonoreza Zandian Jazi's Motion to Set
Aside Default Judgment* (Feb. 6, 2014).

1 Plaintiff served by mail a document entitled *First Memorandum of Post-Judgment*
2 *Costs and Fees* (“*Memorandum*”). This *Motion* is filed in response.

3 II. Argument

4 **A. Plaintiff should be denied costs and fees because the** 5 ***Memorandum* is procedurally defective.**

6 As a threshold matter, it is not possible to determine whether Plaintiff’s
7 *Memorandum* is presented under NRS 18.110—for costs incurred during the course of
8 an action—under NRS 18.160—for costs incurred following entry of judgment—or under
9 NRS 18.170—for costs incurred following entry of judgment which are not specified in
10 NRS 18.160.¹⁰ On the one hand, the *Memorandum*’s reference to “post-judgment”
11 suggests that its basis is NRS 18.160 or NRS 18.170. But on the other hand, the
12 *Memorandum* references a request for costs of “postage,” “photocopies,” “filing fees and
13 recording fees,” “research,” “witness fees” and “process service/courier fees.” None of
14 those items are identified in NRS 18.160 or NRS 18.170 as costs which may be recovered
15 following a judgment. Rather, those items are within the definition of “costs” as that
16 term is used in NRS 18.010.¹¹ This seems to indicate that the *Memorandum* is
17 presented under the authority of NRS 18.010. Fortunately, this Court need not resolve
18 the confusion over the legal basis for the *Memorandum* because regardless of whether
19 the *Memorandum* is presented under NRS 18.010, NRS 18.160, or NRS 18.170, it is
20 procedurally defective.

21 ⁹ See, e.g., *Notice of Appeal* (Mar. 12, 2014).

22 ¹⁰ Plaintiff does not identify the authority upon which he relies for the *Memorandum*’s request. The
23 absence of any authority in the *Memorandum* is, in and of itself, sufficient cause to reject it. See FJDCR
24 15(5).

¹¹ See NRS 18.005 which provides in pertinent part: “**For the purposes of NRS 18.010 to 18.150,**
inclusive, the term ‘costs’ means: 1. Clerks’ fees.... 4. Fees for witnesses at trial, pretrial hearing and
deposing witnesses 7. The fee of any sheriff or licensed process server for the delivery or service of any
summons or subpoena used in the action.... 12. Reasonable costs for photocopies.... 14. Reasonable
costs for postage.... 17.... [R]easonable and necessary expenses for computerized services for legal
research.” (Emphasis added).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

1. If the Memorandum is presented pursuant to NRS 18.010, it is untimely.

In pertinent part, NRS 18.110 provides:

The party in whose favor judgment is rendered, and who claims costs, **must** file with the clerk, and serve a copy upon the adverse party, **within 5 days after the entry of judgment**, or such further time as the court or judge may grant, a memorandum of the items of the costs in the action or proceeding....¹²

Notice of the default judgments against OTC and ZANDIAN were filed on November 6, 2012, and June 27, 2013 respectively. The *Memorandum* was not filed within five days after the entry of those judgments. Therefore, it is untimely under NRS 18.110 and the *Motion* should be granted.¹³

While NRS 18.110 does permit a court to grant further time beyond the five days, Plaintiff has not requested that additional time.¹⁴ As such, the *Memorandum* does not satisfy the clear requirements of NRS 18.110(1) and should be denied.

2. If the Memorandum is presented pursuant to NRS 18.160, it is untimely and requests costs which are not allowed.

NRS 18.160 provides that a request the recovery of post-judgment costs may be served and filed “at any time or times not more than 6 months after the items have been incurred.”¹⁵ The *Memorandum* of Plaintiff, however, filed April 2, 2014, is a request for costs allegedly incurred from “June 24, 2013 through March 26, 2014.” Even if it applies in these circumstances, the language of NRS 18.160(2) expressly restricts recoverable costs to those “incurred” from October 3, 2013 to April 2, 2014—six months.

¹² NRS 18.110(1) (emphasis added).

¹³ See *Securities Inv. Co. v. Donnelley*, 89 Nev. 341, 349, 513 P.2d 1238, 1243 (1973) (affirming denial of costs when memorandum of costs filed more than five days after judgment).

¹⁴ Indeed, it seems notable that even if Plaintiff had requested additional time to serve the *Memorandum*, such request would have almost certainly been rejected. The *Memorandum* is not merely a few days, or even weeks late. It was filed nearly a year and a half after the OTC judgment and over nine months after the ZANDIAN judgment. Such an extraordinary delay cannot conceivably be justified.

¹⁵ NRS 18.160(2).

1 The *Memorandum* provides no information as to when the costs were incurred.¹⁶

2 Therefore, the *Motion* should be granted.

3 But even to the extent that the *Memorandum* does requests costs which were
4 incurred within the six month time frame fixed by NRS 18.160(2), the *Motion* should
5 still be granted because the *Memorandum* seeks categories of costs which are not
6 allowed by NRS 18.160(1). In fact, *none* of the costs itemized in the *Memorandum* is
7 allowed by NRS 18.160(1).¹⁷ As such, NRS 18.160 does not provide Plaintiff a legal basis
8 to receive the costs he seeks and the *Motion* should be granted.

9 **3. If the Memorandum is presented pursuant to NRS 18.170,**
10 **it should be rejected because it was not preceded or**
accompanied by a motion.

11 When a party seeks post-judgment costs outside the scope of the categories
12 specified by NRS 18.160, NRS 18.170 provides the procedure and states, in pertinent
13 part:

14 A judgment creditor claiming costs or necessary disbursements reasonably
15 incurred in aid of the collection of a judgment or of any execution issued thereon,
16 other than those specified in NRS 18.160, including items which have been
17 disallowed by the judge in the supplemental proceeding, shall serve the adverse
18 party either personally or by mail, and file, at any time or times not more than 6
19 months after such item has been incurred and prior to the time the judgment is
20 fully satisfied, a *notice of motion for an order allowing the same*,
specifying the items claimed and the amount thereof, and supported by an
affidavit of the party or the party's attorney or agent stating that to the best of his
or her knowledge and belief the items are correct and showing that the costs were
reasonable, and the disbursements reasonable and necessarily incurred. The
court or judge hearing *such motion* shall make such order respecting the costs
or disbursements so claimed as the circumstances justify, allowing the same in
whole or in part, or disallowing the same.

21 In other words, NRS 18.170 requires a procedure different than NRS 18.110 or NRS
22 18.160 because it concerns costs which are of a different nature. Nevada law allows a
23

24 ¹⁶ Because the time frame—chosen by Plaintiff—commenced “June 24, 2013” presumably, that is when it
is alleged that post-judgment costs began accruing. As such, clearly some of the costs Plaintiff has
included are disallowed.

1 prevailing party to request costs by “memorandum” under NRS 18.110 and NRS 18.160
2 because those provisions are restricted to costs which have been “pre-determined,” in a
3 sense, to be valid. NRS 18.170, unlike those statutes allows costs beyond those “pre-
4 determined” categories. However, that statute balances the interests of the parties by
5 requiring the requesting party to present a “motion” to the Court for approval of the
6 costs requested.

7 Of course, Plaintiff has not followed that procedure in this case. The requests for
8 costs is not presented in a motion—complete with a sufficient explanation of the costs
9 and legal authority for their allowance—but, rather, a memorandum which provides
10 only the minimal information of a general category of the cost and the alleged amount
11 incurred for that category. This is grossly insufficient under NRS 18.170 and even the
12 most liberal construction of the *Memorandum* cannot turn it into a “motion” which
13 remotely satisfies the letter or purpose of the statute.

14 Consequently, regardless of whether Plaintiff’s legal basis for the Memorandum
15 is NRS 18.110, NRS 18.160, or NRS 18.170, the *Memorandum* is procedurally and fatally
16 defective and the *Motion* should be granted.

17 **B. Plaintiff is not entitled to attorneys’ fees even if allowed to
18 recover costs.**

19 The procedural defects addressed above do not even touch upon the most blatant
20 deficiency of the *Memorandum*: the request for attorneys’ fees disguised as costs.
21 Attorneys’ fees are not the same thing as “costs” for purposes of Chapter 18 of Nevada
22 Revised Statutes.¹⁷ For some unexplained—and unauthorized—reason, however,

23
24 ¹⁷ Compare NRS 18.160(1)(a) – (f) with *Memorandum* at 1:27 – 2:5.

¹⁸ See NRS 18.005, .160.

1 Plaintiff's *Memorandum* includes a request for \$34,787.50 in "post-judgment attorneys'
2 fees" as though it was such a cost.

3 Attorneys' fees are not recoverable unless authorized by a statute, rule, or
4 contractual provision.¹⁹ None provides a legal basis to award Plaintiff's fees as the
5 *Memorandum* requests.

6 The general statute authorizing recovery of fees by a prevailing party, NRS
7 18.010, does not apply to the circumstances of this case. Further, there is no evidence
8 that any offer of judgment was rejected by ZANDIAN or OTC which would trigger a
9 potential award of fees under any statute or rule of civil procedure. No other rule exists
10 which would allow Plaintiff to recover fees in this case.²⁰ The judgments at issue in this
11 case did not include recovery for attorneys' fees subsequent to the entry of judgment.
12 And there has never any allegation by Plaintiff that he and OTC and/or ZANDIAN were
13 parties to *any* contract together—must less any contract which provided for the
14 recovery of attorneys' fees in this litigation.

15 For these reasons, this Court should reject the *Memorandum* and grant the
16 *Motion*, and deny Plaintiff's attempt to recover attorneys' fees disguised as costs.

17 \\\\
18 \\\\
19 \\\\
20 \\\\
21 \\\\
22 \\\\
23

24 ¹⁹ See, e.g., *Horgan v. Felton*, 123 Nev. 577, 170 P.3d 982, 986 (2007).

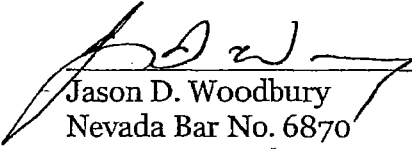
²⁰ Indeed, to the extent that a rule applies to this situation, it contravenes the *Memorandum's* request. NRCPC 54(d) requires that fees must be requested by motion, that the motion must be filed within 20 days

1 **III. Conclusion**

2 For all the reasons hereinabove, it is respectfully requested that this Court grant
3 this *Motion*.

4 DATED this 7th day of April, 2014.

5 **KAEMPFER CROWELL**

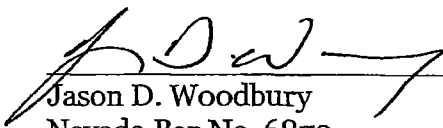
6
7 
8 Jason D. Woodbury
9 Nevada Bar No. 6870
10 510 West Fourth Street
11 Carson City, Nevada 89703
12 Telephone: (775) 884-8300
13 Facsimile: (775) 882-0257
14 JWoodbury@kcnvlaw.com
15 ***Attorneys for Reza Zandian***

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 7th day of April, 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
24 Facsimile: (775) 882-0257
JWoodbury@kcnvlaw.com
Attorneys for Reza Zandian

of the notice of entry of judgment, and that it must "specify" the "statute, rule, or other grounds" authorizing the award of fees. The *Memorandum* does none of these.

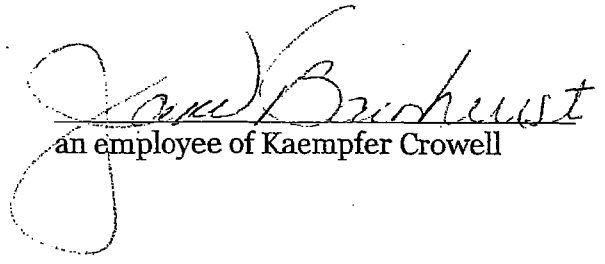
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that service of the foregoing **MOTION TO RETAX AND SETTLE COSTS** 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 9 day of April, 2014.


an employee of Kaempfer Crowell

REC'D & FILED

2014 APR 17 AM 10:51

ALAN GLOVER

BY ~~C. DEPUY~~ CLERK

1 JASON D. WOODBURY
 Nevada Bar No. 6870
 2 SEVERIN A. CARLSON
 Nevada Bar No. 9373
 3 KAEMPFER CROWELL
 510 West Fourth Street
 4 Carson City, Nevada 89703
 Telephone: (775) 884-8300
 5 Facsimile: (775) 882-0257
jwoodbury@kcnvlaw.com
 6 **Attorneys for Defendant,**
REZA ZANDIAN

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

10 JED MARGOLIN, an individual,

11 Plaintiff,

12 vs.

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

19 Defendants.

Case No. 09 OC 00579 1B

Dept. No. I

20
 21 **STIPULATION AND ORDER TO WITHDRAW MOTION FILED BY**
REZA ZANDIAN ON MARCH 24, 2014

22 COME NOW, WATSON ROUNDS, counsel for Plaintiff, JED MARGOLIN, by and
 23 through ADAM McMILLEN, and KAEMPFER CROWELL, counsel for Defendant, REZA
 24

KAEMPFER CROWELL
 810 W. Fourth Street
 Carson City, Nevada 89703

1 ZANDIAN, by and through JASON WOODBURY and hereby stipulate that the Motion
2 filed by REZA ZANDIAN appearing in Proper Person on March 24, 2014, be withdrawn.

3 Dated this 14 day of April, 2014. Dated this 15th day of April, 2014.

4 **WATSON ROUNDS**

KAEMPFER CROWELL

5
6 By: *Adam McMullen*
7 ADAM P. McMILLEN
8 Nevada Bar No. 10678
9 5371 Kietzke Lane
10 Reno, NV 89511
11 Telephone: (775) 324-4100
12 Facsimile: (775) 333-8171
13 Email: amcmullen@watsonrounds.com
14 **Attorneys for Plaintiff,**
15 **JED MARGOLIN**

6 By: *J. D. Woodbury*
7 JASON D. WOODBURY
8 Nevada Bar No. 6870
9 510 West Fourth Street
10 Carson City, Nevada 89703
11 Telephone: (775) 884-8300
12 Facsimile: (775) 882-0257
13 Email: jwoodbury@kcnvlaw.com
14 **Attorneys for Defendant,**
15 **REZA ZANDIAN**

16 **IT IS SO ORDERED.**

17 DATED this 17th day of April, 2014.

18 *James T. Russell*
19 JAMES T. RUSSELL
20 District Judge

21
22
23
24
Case#1K
CITY OF LAS VEGAS
CLERK OF DISTRICT COURT
4th FLOOR
89701C

REC'D & FILED

2014 APR 21 PM 3:48

ALAN GLOVER
CLERK
BY V. Alberto
DEPUTY

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***

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.

Case No. 09OC00579 1B

Dept. No. I

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.

19
20 **OPPOSITION TO MOTION FOR WRIT OF EXECUTION**

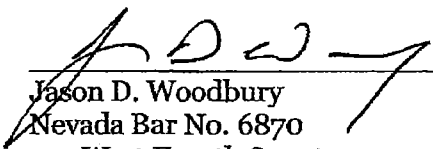
21 COMES NOW, Defendant REZA ZANDIAN ("ZANDIAN"), by and through his
22 attorneys, Kaempfer Crowell, and hereby opposes the *Motion for Writ of Execution*
23 ("*Motion*") served by mail on April 2, 2014. This *Opposition* is made pursuant to
24 FJDCR 15(3) and is based on the attached memorandum of points and authorities, all

KAEMPFER CROWELL
510 West Fourth Street
Carson City, Nevada 89703

1 papers and pleadings on file in this matter and any evidence received and arguments
2 entertained by the Court at any hearing on the *Motion*.

3 DATED this 21st day of April, 2014.

4 **KAEMPFER CROWELL**

5
6 
7 Jason D. Woodbury
8 Nevada Bar No. 6870
9 510 West Fourth Street
10 Carson City, Nevada 89703
11 Telephone: (775) 884-8300
12 Facsimile: (775) 882-0257
13 JWoodbury@kcnvlaw.com
14 ***Attorneys for Reza Zandian***

15
16
17
18
19
20
21
22
23
24
KAEMPFER CROWELL
510 West Fourth Street
Carson City, Nevada 89703

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. Procedural Background**

3 On June 24, 2013, this Court entered default judgment in the amount of
4 \$1,495,775.74 in this case.¹ On April 2, 2014, Plaintiff served the instant *Motion*.
5 Attached to the *Motion* are two exhibits. The first, Exhibit 1, is a document entitled
6 “*First Memorandum of Post-Judgment Costs and Fees*.” The second, Exhibit 2, is
7 actually a series of documents each entitled “*Writ of Execution*” some of which purport
8 to be issued to the Sheriff of Washoe County and some of which purport to be issued to
9 the Constable of Clark County.

10 On April 9, 2014, ZANDIAN filed a *Motion to Retax and Settle Costs* (“*Motion to*
11 *Retax*”) in response to the *First Memorandum of Post-Judgment Costs and Fees*.² The
12 *Motion to Retax* is pending and has not been addressed at this time.

13 **II. Argument**

14 **A. This Court should deny Plaintiff’s *Motion* to issue the proposed**
15 ***Writs* because they include fees and costs which this Court has**
16 **not granted.**

17 The proposed *Writs* presented to this Court by Plaintiff include the following
18 amounts as “sums [which] have accrued since the entry of judgment.”³ Two of these
19 items, \$34,787.50 in attorney’s fees and \$1,022.59 in “accrued costs” reflect the costs

20 ¹ See *Default J.* at 2:19 – 3:3 (June 24, 2013). This Court’s *Default Judgment* reflects that the judgment
21 includes “damages, along with pre-judgment interest, attorney’s fees and costs.” *Id.* at 2:21-22. However,
22 the *Default Judgment* does not itemize the amount of each category and only reflects a lump sum of
23 \$1,495,775.74. Plaintiff’s proposed *Writ of Execution* does itemize these categories and sums as follows:
24 “\$900,000.00 principal,” “\$83,761.25 attorney’s fees”, “\$488,545.89 interest, and” “\$24,021.96 costs,
making a total amount of \$1,495,775.74”. *Exhibit 2 to Motion for Writ of Execution* at 2:1-5 (hereinafter
referred to as “proposed *Writs*”). Adding to the confusion, the sums of the categories listed in Plaintiff’s
proposed writs do not equal what is reported as the “total amount.” ($\$900,000 + \$83,761.25 +$
 $\$488,545.89 + \$24,021.96 = \$1,497,329.10$ not $\$1,495,775.74$). Plaintiff, however, offers no explanation
for the discrepancy between the categories and total and, to date, has made no effort to correct any error.
For this reason alone, this Court should deny the *Motion* and require clarification by Plaintiff. A writ of
execution must be precise.

² See *Motion to Retax and Settle Costs* (April 9, 2014).

1 and fees requested in the *First Memorandum of Post-Judgment Costs and Fees*. Those
2 fees and costs are disputed and this Court has yet to resolve any dispute as to their
3 amount. Indeed, there is significant doubt that Plaintiff has any legal basis to recover
4 post-judgment fees in this case. In any event, however, the proposed *Writs* do not
5 accurately reflect the previous orders of this Court and should be rejected.

6 More egregious, Plaintiff's proposed *Writs* reflect a higher sum than this Court
7 has actually awarded—even assuming the adoption of the *First Memorandum of Post-*
8 *Judgment Costs and Fees*. The proposed *Writs* would have this Court authorize
9 execution for the total sum of \$1,592,091.22.⁴ One would assume that this sum consists
10 of the amount previously awarded by this Court, \$1,495,775.74, added to the sum
11 requested in the *First Memorandum of Post-Judgment Costs and Fees*, \$93,315.40.
12 However, those two figures add up to 1,589,091.14, \$3,000.08 less than the sum
13 reflected in the proposed *Writs*. No explanation for this is provided in the *Motion*.
14 Simply, the proposed *Writs* are erroneous on their face and this Court should decline
15 their issuance.

16 \\\

17 \\\

18 \\\

19 \\\

20 \\\

21 \\\

22 \\\

23 \\\

24 ³ Proposed *Writs* at 2:7.

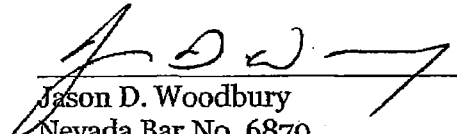
⁴ Proposed *Writs* at 2:17-19.

1 **III. Conclusion**

2 For all these reasons explained herein, it is respectfully requested that this Court
3 deny the *Motion*.

4 DATED this 21st day of April, 2014.

5 **KAEMPFER CROWELL**

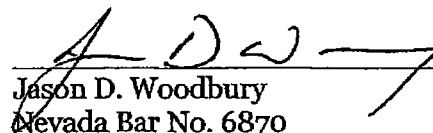
6
7 
8 Jason D. Woodbury
9 Nevada Bar No. 6870
10 510 West Fourth Street
11 Carson City, Nevada 89703
12 Telephone: (775) 884-8300
13 Facsimile: (775) 882-0257
14 JWoodbury@kcnvlaw.com
15 *Attorneys for Reza Zandian*

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 21st day of April, 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
24 Facsimile: (775) 882-0257
JWoodbury@kcnvlaw.com
Attorneys for Reza Zandian

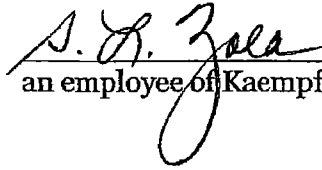
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that service of the foregoing
OPPOSITION TO MOTION FOR WRIT OF EXECUTION 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 21st day of April, 2014.


an employee of Kaempfer Crowell

ORIGINAL

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 APR 21 PM 4:16

ALAN GLOVER
BY CLERK
DEPUTY

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

10
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

**REPLY IN SUPPORT OF MOTION
FOR WRIT OF EXECUTION AND
OPPOSITION TO MOTION TO
RETAG AND SETTLE COSTS**

22 Plaintiff Jed Margolin, by and through his attorneys of record, hereby files the
23 following Reply in Support of Motion for Writ of Execution, filed April 2, 2014, and
24 Opposition to Reza Zandian's ("Zandian") Motion to Retax and Settle Costs, filed on April 9,
25 2014. Plaintiff hereby withdraws his Motion for Writ of Execution, and will be filing a
26 Motion for Order Allowing Costs and Necessary Disbursements, shortly. Once the Motion for
27 Order Allowing Costs and Necessary Disbursements is ruled upon, Plaintiff will renew the
28 Motion for Writ of Execution.

1 Plaintiff's withdrawal of the Motion for Writ of Execution is done without prejudice.
2 Plaintiff does not admit any of the points made in Zandian's Motion to Retax and Settle Costs.
3 Plaintiff's withdrawal of the Motion for Writ of Execution moots Zandian's Motion to Retax
4 and Settle Costs.

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

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

8 DATED: April 21, 2014.

WATSON ROUNDS

9 By: 

10 Matthew D. Francis (6978)
11 Adam P. McMillen (10678)
12 WATSON ROUNDS
13 5371 Kietzke Lane
14 Reno, NV 89511
15 Telephone: 775-324-4100
16 Facsimile: 775-333-8171
17 *Attorneys for Plaintiff Jed Margolin*

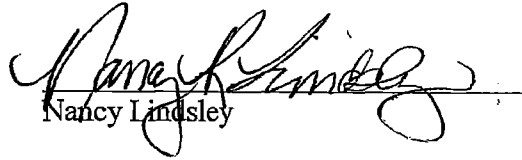
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 WRIT OF EXECUTION AND OPPOSITION TO MOTION TO RETAX AND SETTLE COSTS**, 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: April 21, 2014


Nancy Lindsley

ORIGINAL

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 APR 28 PM 3:57
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
16 corporation, REZA ZANDIAN
aka GOLAMREZA ZANDIANJAZI
17 aka GHOLAM REZA ZANDIAN
aka REZA JAZI aka J. REZA JAZI
18 aka G. REZA JAZI aka GHONONREZA
ZANDIAN JAZI, an individual, DOE Companies
19 1-10, DOE Corporations 11-20, and DOE
20 Individuals 21-30,

21 Defendants.

Case No.: 090C00579 1B

Dept. No.: 1

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

22 Plaintiff Jed Margolin has incurred various postjudgment collection costs and fees.

23 Pursuant to the judgment, NRS 18.160, NRS 18.170, and NRS 598.0999(2), Plaintiff moves
24 this Court for an order awarding him postjudgment interest, costs and attorneys' fees.
25

26 ///

27 ///

28 ///

POINTS AND AUTHORITIES

I. Postjudgment Interest

On June 24, 2013, the Court entered Default Judgment against Defendants. Notice of entry of the Default Judgment was filed on June 27, 2014. 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, thereon, from the date of default until the judgment is satisfied.

The award of interest in this case is governed by NRS 17.130(2), which states that the postjudgment interest computation in a proceeding to enforce a judgment is subject to either the parties' contract, the judgment against the party, or as otherwise provided by law.

Accordingly, the interest computation in this case is governed by the judgment against

Defendants. Because the original judgment was entered in Nevada and the judgment set the interest rate at the legal rate of interest according to NRS 17.130, the interest rate is 5.25

percent per-annum, or \$215.15 per-day. Further, because Plaintiff is enforcing the Nevada

judgment according to its terms, which does not provide for compound interest, simple interest is appropriate. Accordingly, Plaintiff is owed simple interest at 5.25 percent or \$215.15 per-

day from June 27, 2014, the date of notice of entry of the judgment, through April 18, 2014. It

is 296 days from June 27, 2014 to April 18, 2014. Multiplying 296 days by \$215.15 equals

\$63,684.40 in accrued interest.

II. Postjudgment Costs

NRS 18.160(1)(f) allows “[c]osts or disbursements incurred in connection with any proceeding supplementary to execution which have been approved as to necessity, propriety and amount by the judge ordering or conducting the proceeding.” (emphasis added). NRS 18.170 further provides that a “judgment creditor claiming costs or necessary disbursements reasonably in aid of collection of a judgment or of any execution issued thereon...” must file a

1 motion for costs and necessary disbursements “at any time or times not more than 6 months
2 after such item has been incurred.” “The court or judge hearing such motion shall make such
3 order respecting the costs or disbursements so claimed as the circumstances justify, allowing
4 the same in whole or in part, or disallowing the same.” NRS 18.170.

5 Plaintiff has incurred the following costs or disbursements reasonably in aid of
6 execution of the judgment in the last six months:

7 COSTS (October 18, 2013 THROUGH April 18, 2014):

8

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

11

12 The above items are correct and reasonable and the disbursements reasonably and
13 necessarily incurred, postjudgment. *See* Declaration of Adam McMillen (“McMillen Decl.”),
14 dated April 24, 2014, ¶¶ 11-13 and Exhibits 4-5.

15 **III. Postjudgment Attorney’s Fees**

16 “The district court may award attorney fees only if authorized by a rule, contract, or
17 statute.” *Barney v. Mt. Rose Heating & Air Conditioning*, 124 Nev. 821, 825, 192 P.3d 730,
18 733 (2008) (citing *Albios v. Horizon Communities, Inc.*, 122 Nev. 409, 417, 132 P.3d 1022,
19 1028 (2006)). A district court’s award of attorney fees and costs is reviewed for an abuse of
20 discretion. *Albios*, 122 Nev. at 417, 132 P.3d at 1027–28 (attorney fees); *Bobby Berosini, Ltd.*
21 *v. PETA*, 114 Nev. 1348, 1352, 971 P.2d 383, 385 (1998) (costs).
22

23 Under Plaintiff’s Deceptive Trade Practices claim, “[t]he court in any such action may,
24 **in addition to any other relief or reimbursement, award reasonable attorney’s fees and**
25 **costs.**” NRS 598.0999(2) (emphasis added). Although NRS 598.0999(2) does not explicitly
26 provide for attorney fees incurred postjudgment, the statute does not expressly exclude
27 postjudgment attorney fees from its purview, and for public policy reasons, NRS 598.0999(2)
28

1 should be liberally interpreted as allowing for postjudgment attorney fees so as to further the
2 statute's purpose to ensure that those that engage in deceptive trade practices are penalized and
3 deterred from engaging in such practices and so that an attorney fee award properly includes
4 the reasonable fees incurred in seeking the fees. *See Barney*, 124 Nev. at 825-26, 192 P.3d at
5 733-34 (mechanic lien statute did not expressly provide for attorney fees incurred
6 postjudgment, however, statute did not expressly exclude postjudgment attorney fees from its
7 purview and was liberally interpreted to allow postjudgment attorney fees "so as to further the
8 lien statutes' purpose to ensure that contractors are paid in whole for their work."); *see also*
9 *Rosen v. LegacyQuest*, A136985, 2014 WL 1372114 (Cal. Ct. App. Mar. 21, 2014) (judgment
10 creditor, who had recovered statutory attorney fees in connection with underlying judgment,
11 authorized to recover attorney fees incurred in enforcing underlying judgment under the statute
12 authorizing recovery of judgment creditor's "reasonable and necessary costs of enforcing a
13 judgment," since the statute authorizing the underlying attorney fee award established that the
14 fee award was "otherwise provided by law" within meaning of the fee statute) (an attorney fee
15 award properly includes the reasonable fees incurred in seeking the fees); *see also Ketchum v.*
16 *Moses* (2001) 24 Cal.4th 1122, 104 Cal.Rptr.2d 377, 17 P.3d 735 (judgment creditor entitled
17 to fees incurred in enforcing the right to mandatory fees under statute).

20 "In Nevada, 'the method upon which a reasonable fee is determined is subject to the
21 discretion of the court,' which 'is tempered only by reason and fairness.'" *Shuette v. Beazer*
22 *Homes Holdings Corp.*, 124 P. 3d 530, 121 Nev. 837 (2005) (citing *University of Nevada v.*
23 *Tarkanian*, 110 Nev. 581, 594, 591, 879 P.2d 1180, 1188, 1186 (1994)). "Accordingly, in
24 determining the amount of fees to award, the court is not limited to one specific approach; its
25 analysis may begin with any method rationally designed to calculate a reasonable amount,
26 including those based on a 'lodestar' amount or a contingency fee." *Id.* (citations omitted).
27 "The lodestar approach involves multiplying 'the number of hours reasonably spent on the
28

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

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

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

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

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

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

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

27
28 ///

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

4 The issues related to this case included: (a) whether Plaintiff's patents were entitled to
5 protection; (b) whether Defendants fraudulently assigned Plaintiff's patents; and (c), whether
6 Plaintiff was damaged by Defendants' conduct. McMillen Decl., ¶ 7. The patent and
7 deceptive trade practices issues, and the unique facts surrounding them, involved careful
8 consideration and research. *Id.* In general, patent and deceptive trade practices litigation is a
9 niche practice that requires a high degree of legal skill and care in order to be performed
10 properly and effectively. *Id.* Each of these causes of action, coupled with the unique facts of
11 this matter, required thorough research and careful analysis. *Id.*

12 In addition, the postjudgment collection efforts so far have included attempting to find
13 Zandian's collectible assets, including researching and investigating his property in Nevada
14 and California and moving for a debtor's examination. *Id.* Considering Zandian's elusive
15 behavior to date and elaborate financial arrangements with a multitude of companies and
16 individuals, Plaintiff has been forced to incur a significant amount of attorney's fees in
17 attempting to collect on the judgment. *Id.*

18 Accordingly, Plaintiff's claimed postjudgment attorney's fees are reasonable under
19 these factors:
20

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

22 Plaintiff's counsel has been required to research Zandian's vast real estate holdings in
23 Nevada. McMillen Decl., ¶ 9. Plaintiff's counsel has recorded the judgment in each Nevada
24 County where Zandian holds property. *Id.* Plaintiff's counsel has researched and subpoenaed
25 Zandian's financial information from several financial institutions. *Id.* Plaintiff's counsel has
26 moved the court for a debtor's examination of Zandian. *Id.* The time and labor required
27 relating to collections efforts are set forth in detail in Plaintiffs' counsel's declaration, and
28

1 incorporated by reference herein. McMillen Decl., ¶¶ 5-10 and Exhibits 2-3. In sum, the time
2 expended for the work product in this case is more than reasonable.

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

5 Plaintiff prevailed on all of his causes of action in this case. Plaintiff's case against
6 Defendants resulted in a Default Judgment being entered against Defendants on Plaintiff's
7 causes of action. Specifically, the Court ordered Defendants to pay Plaintiff \$1,495,775.74,
8 plus interest. In addition, through postjudgment efforts, Plaintiff's counsel has successfully
9 liened Zandian's Nevada real estate to secure the judgment and Plaintiff's counsel is in the
10 process of securing appropriate writs of execution to satisfy the judgment. Thus, Plaintiff
11 obtained the results sought, and this factor weighs in favor of the reasonableness of Plaintiff's
12 fee request.

13
14 In sum, an analysis of the *Brunzell* factors and other applicable case law proves
15 Plaintiff's fees in the lodestar amount of \$34,632.50 are reasonable and should be awarded.

16 **IV. Conclusion**

17 For the reasons stated above, Plaintiff respectfully requests that this Motion for Order
18 Allowing Costs and Necessary Disbursements be granted in full.

19
20 **AFFIRMATION PURSUANT TO NRS 239B.030**

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

23 DATED: April 25, 2014.

WATSON ROUNDS

24 By: Adam McMillen
25 Matthew D. Francis (6978)
26 Adam P. McMillen (10678)
27 WATSON ROUNDS
28 5371 Kietzke Lane
Reno, NV 89511
Telephone: 775-324-4100
Facsimile: 775-333-8171
Attorneys for Plaintiff Jed Margolin

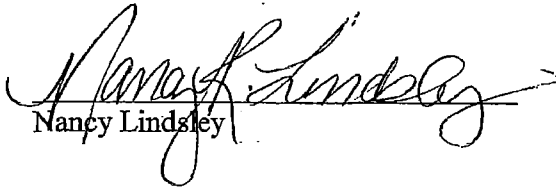
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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, **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: April 25, 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 APR 28 PM 3:57

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,

Case No.: 090C00579 1B

Dept. No.: 1

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,

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

21 Defendants.

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

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

1 2. I am an associate in the law firm of Watson Rounds. I have over 7 years of
2 experience as a litigator in intellectual property and business litigation matters. Watson
3 Rounds is an AV-rated law firm.

4 3. Matthew D. Francis is a partner in the law firm of Watson Rounds. He has over 14
5 years of experience in the fields of intellectual property and business litigation, including
6 reported decisions.

7 4. Between October 18, 2013 and April 18, 2014, my and Mr. Francis's hourly billing
8 rate for this litigation was \$300 per-hour. It is my understanding that the customary fee
9 charged by attorneys with our experience for similar patent and deceptive trade practices
10 matters in Nevada ranges between \$275-\$450 per-hour. It is also my understanding that
11 intellectual property litigators in major markets, such as San Francisco, Los Angeles, New
12 York, and Boston charge in excess of these amounts, and in some instances, over \$500 per-
13 hour. According to the 2002 Altman Weil "Survey of Law Firm Economics," the median
14 partner hourly rates for intellectual property litigation exceeded well over \$300 per-hour in
15 2002. A true and correct copy of the 2002 Altman Weil Survey entitled "Mining the Surveys:
16 Which Specialties Command the Highest Rates," is attached hereto as Exhibit 1. This Survey
17 was conducted over a decade ago. Furthermore, in 2012, the Ninth Circuit upheld a District of
18 Nevada fee award in a trade dress action in the amount of \$836,899.99, and approved
19 attorneys' fees ranging between \$320 to \$685 per hour. *See Secalt S.A. v. Wuxi Shenxi Const.*
20 *Machinery Co., Ltd.*, 668 F.3d 677, 689 (9th Cir. 2012).

21 4A. Nancy Lindsley, my current secretary and paralegal, has over 30 years of
22 paralegal experience and has worked almost exclusively on intellectual property matters
23 during her tenure at Watson Rounds. Mrs. Lindsley's hourly rate for this action is \$125 per-
24 hour.

25 5. The itemization and description of the work performed for the fees sought herein is
26 set forth in a true and correct copy of Plaintiff's client ledger dated April 23, 2014, and
27 attached hereto as Exhibit 2. Attached collectively hereto as Exhibit 3 are true and correct
28 redacted copies of the actual invoices sent to Plaintiff, which list all activity performed on the

1 file, including fees and costs. Each of the bills set forth in Exhibit 3 was reviewed and edited,
2 and is reasonable.

3 6. The personal abbreviations contained in Exhibits 2 and 3 mean the following: MDF
4 = Matthew D. Francis; NRL = Nancy R. Lindsley; APM = Adam P. McMillen. Attorneys and
5 paralegals at Watson Rounds bill in 1/10 of an hour increments.

6 6A. It is part of my ordinary business practice to review each invoice before it is sent
7 to a client. All of the invoices sent to Plaintiff were personally reviewed by me or by Mr.
8 Francis prior to being sent to Plaintiff for payment. As detailed below, Plaintiff requests
9 reasonable attorneys' fees for this action in the amount of \$34,632.50. This amount only
10 includes attorney's fees from October 18, 2013 to April 18, 2014, as follows: 14.4 hours of
11 work performed by attorney Matthew D. Francis at \$300 per hour (\$4,320.00); 81.5 hours of
12 work performed by attorney Adam P. McMillen at \$300 per hour (\$24,450.00); and 46.90
13 hours of work performed by paralegal Nancy Lindsley at \$125 per hour (\$5,862.50).

14 \$34,632.50 is the lodestar amount Plaintiff is requesting from the Court. *See* Exhibit 2.

15 7. This was a fraudulent patent assignment and deceptive trade practices action. The
16 issues related to this case included: (a) whether Plaintiff's patents were entitled to protection;
17 (b) whether Defendants fraudulently assigned Plaintiff's patents; and (c) whether Plaintiff was
18 damaged by Defendants' conduct. The patent and deceptive trade practices issues, and the
19 unique facts surrounding them, involved careful consideration and research. In general, patent
20 and deceptive trade practices litigation is a niche practice that requires a high degree of legal
21 skill and care in order to be performed properly and effectively. Each of these causes of
22 action, coupled with the unique facts of this matter, required thorough research and careful
23 analysis. In addition, the postjudgment collection efforts so far have included attempting to
24 find Zandian's collectible assets, including researching and investigating his property in
25 Nevada and California and moving for a debtor's examination. Considering Zandian's elusive
26 behavior to date and elaborate financial arrangements with a multitude of companies and
27 individuals, Plaintiff has been forced to incur a significant amount of attorney's fees in
28 attempting to collect on the judgment.

1 8. On June 24, 2013, the Court entered Default Judgment against Defendants. In the
2 Default Judgment, the Court entered judgment in favor of Plaintiff against Defendants, jointly
3 and severally, in the sum of \$1,495,775.74, plus interest at the legal rate, pursuant to NRS
4 17.130, therein from the date of default until the judgment is satisfied.

5 9. In order to begin collecting on the judgment, our office has been required to do the
6 following: research Zandian's vast real estate holdings in Nevada; record the judgment in
7 each Nevada County where Zandian holds property; research and subpoena Zandian's
8 financial information from several financial institutions; move the Court for a debtor's
9 examination of Zandian; among other things. *See Exhibits 2 and 3.*

10 10. The total amount of postjudgment fees relating to the above-identified areas of
11 work identified in paragraph 9 is \$34,632.50. Again, this is the lodestar amount that Plaintiff
12 is claiming.

13 11. Plaintiff incurred a total of \$1,355.17 in postjudgment costs as a result of this
14 action. More specifically, Plaintiff incurred the following costs:

15 COSTS (October 18, 2013 THROUGH April 18, 2014):

16	• Postage/photocopies (in-house)	\$ 481.20
17	• Research	285.31
18	• Witness Fees (Subpoenas)	215.66
19	• Process service/courier fees	<u>373.00</u>

20 \$1,355.17

21 *See Exhibit 4, which is a true and correct copy of a client ledger for Plaintiff's postjudgment*
22 *costs and disbursements; see also Exhibit 5, which is a true and correct copy of the invoices*
23 *and receipts for the Plaintiff's postjudgment costs.*

24 12. As mentioned above, Plaintiff's total requested postjudgment fees in this case are
25 \$34,632.50. Plaintiff's total requested postjudgment costs in this case are \$1,355.17.

26 13. To the best of my knowledge and belief the above items are correct and
27 reasonable, and they have been necessarily and reasonably incurred in this action or
28 proceeding.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

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: April 25, 2014

By: 
ADAM P. MCMILLEN

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRC 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, **DECLARATION OF ADAM MCMILLEN IN**
5 **SUPPORT OF PLAINTIFF'S MOTION FOR ORDER ALLOWING COSTS AND**
6 **NECESSARY DISBURSEMENTS**, addressed as follows:

7 Jason D. Woodbury
8 Severin A. Carlson
9 Kaempfer Crowell
10 510 West Fourth Street
11 Carson City, Nevada 89703
12 *Attorneys for Defendant, Reza Zandian*

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
Dated: April 25, 2014

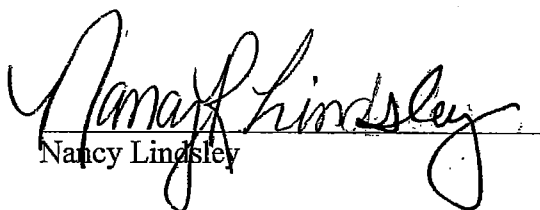

Nancy Lindsley

EXHIBIT LIST

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT NO.

DESCRIPTION

PAGE(S)

1	2002 Altman Weil Survey entitled, "Mining the Surveys: Which Specialties Command the Highest Rates"	4
2	Plaintiff's client ledger dated April 17, 2014, reflecting fees incurred between October 18, 2013 through April 18, 2014	8
3	Statements for professional services rendered to Plaintiff from October, 2013 through April, 2014	39
4	Plaintiff's client ledger dated April 17, 2014, reflecting costs incurred between October 18, 2013 through April 18, 2014	3
5	Invoices and receipts for Plaintiff's postjudgment costs reflected on Exhibit 4	14

EXHIBIT LIST

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT NO.

DESCRIPTION

PAGE(S)

1	2002 Altman Weil Survey entitled, "Mining the Surveys: Which Specialties Command the Highest Rates"	4
2	Plaintiff's client ledger dated April 17, 2014, reflecting fees incurred between October 18, 2013 through April 18, 2014	8
3	Statements for professional services rendered to Plaintiff from October, 2013 through April, 2014	39
4	Plaintiff's client ledger dated April 17, 2014, reflecting costs incurred between October 18, 2013 through April 18, 2014	3
5	Invoices and receipts for Plaintiff's postjudgment costs reflected on Exhibit 4	14

Exhibit 1

Exhibit 1

MINING THE SURVEYS: WHICH SPECIALTIES COMMAND THE HIGHEST RATES?

by Ward Bower

Copyright © 2003 Altman Weil, Inc., Newtown Square, PA, USA
All rights for further publication or reproduction reserved.

The annual Altman Weil *Survey of Law Firm Economics* compiles billing rate information by geographic region, by state, by firm size, by size of population of the community in which the firm is located, by year admitted to the bar and by specialty, for both partners and associates. Specialty information is divided into litigation and non-litigation specialties.

Non-Litigation Specialties

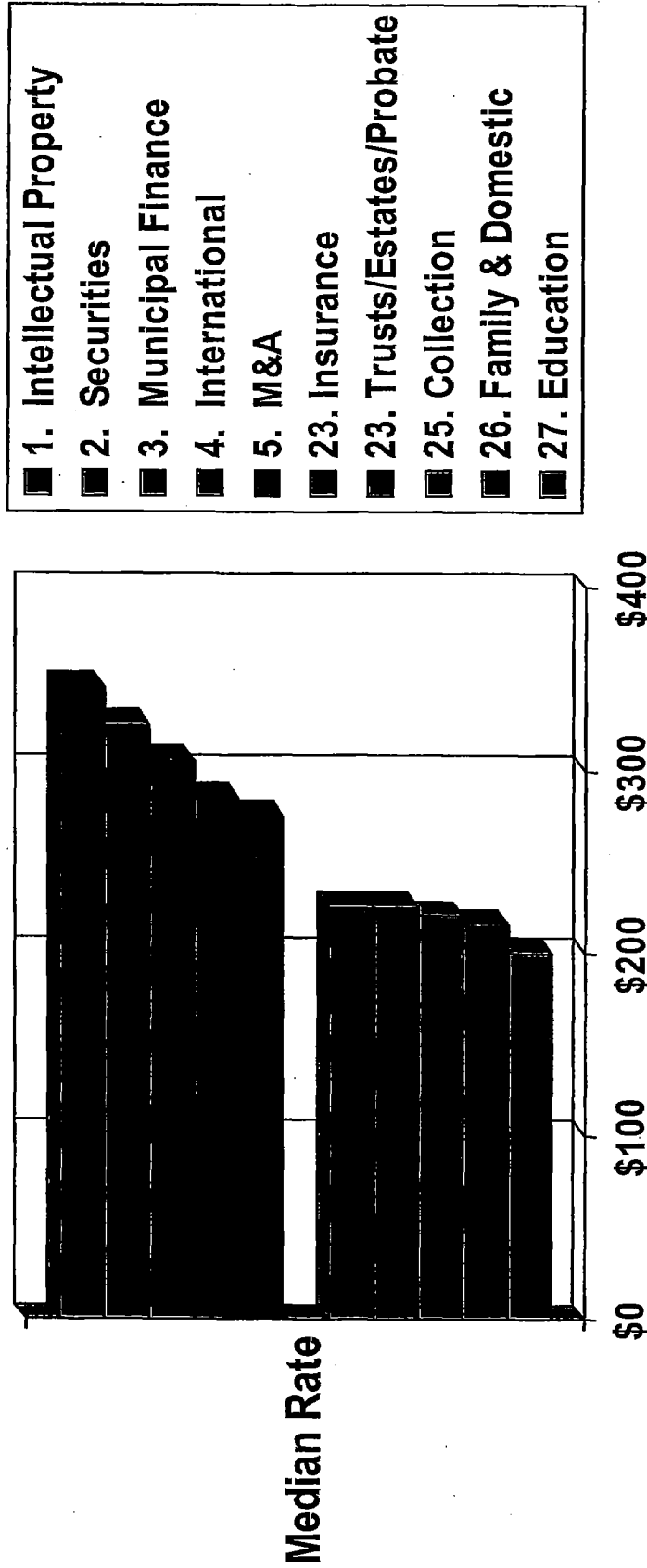
Twenty-seven non-litigation specialties are covered. The first chart (following) shows the top and bottom five non-litigation specialties, by median hourly billing rate for partners/ shareholders. The top median rate goes to partners and shareholders in intellectual property practice at \$345 per hour. The bottom goes to partner/ shareholders in Education specialty practice — \$200 per hour, less than 60% of the median rates of partners/ shareholders in intellectual property practice. On an 1,800 billable hour year, that would amount to a difference of \$261,000 in personal billings, annually.

Litigation Specialties

In the 26 litigation specialties reported in the 2002 Altman Weil Survey of Law Firm Economics, there is even a greater difference — \$296 per hour between the highest (antitrust — \$430) and lowest (workers' compensation — \$134). On a 1,800 hour work year, that difference would translate to a staggering \$532,800 differential in personal billings!

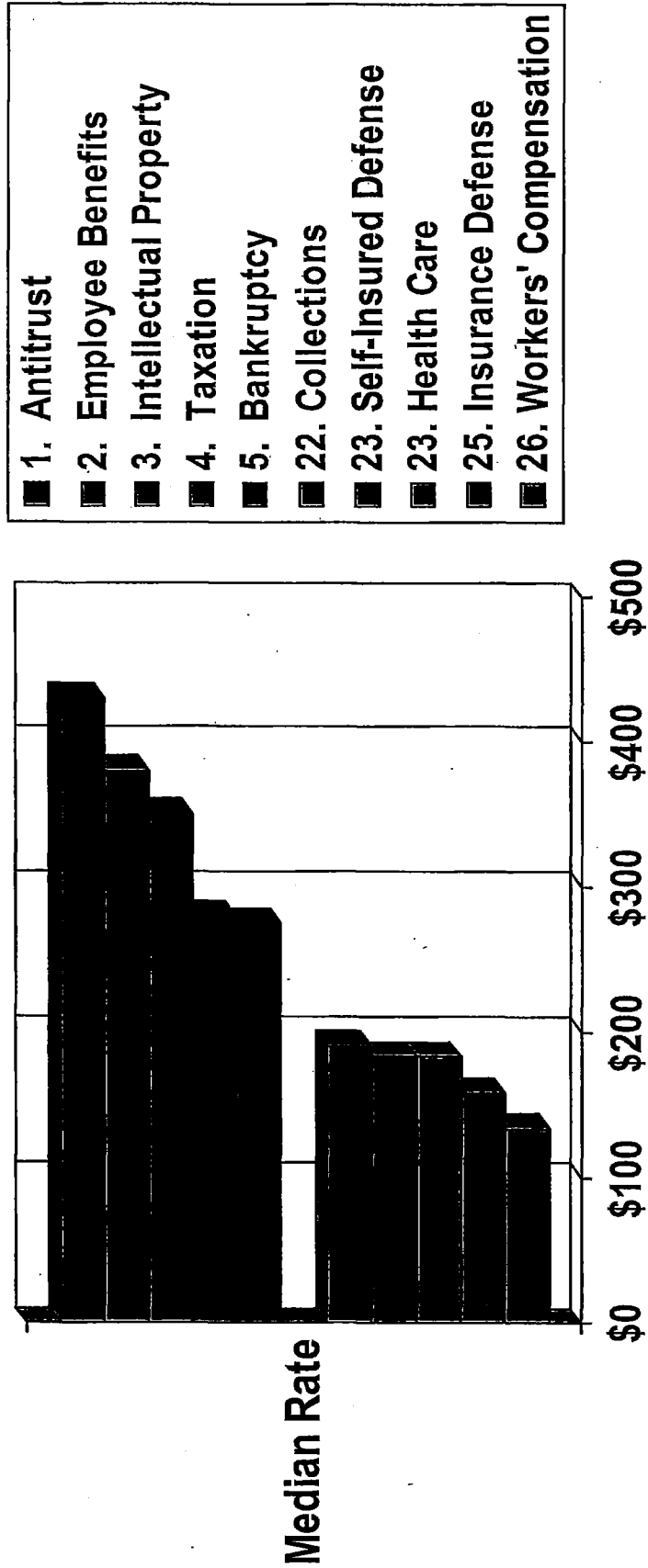
The second chart depicts the top and bottom five median partner/ shareholder hourly billing rates for litigation specialties reported in the 2002 Survey.

Median Partner/ Shareholder Hourly Rates, by Specialty — Non-Litigation Areas (top five, bottom five)



Source: 2002 Altman Weil Survey of Law Firm Economics

Median Partner/ Shareholder Hourly Rates, by Specialty — Litigation Areas (top five, bottom five)



Source: 2002 Altman Weil Survey of Law Firm Economics

Exhibit 2

Exhibit 2

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	NRL - Nancy R. Lindsley	1.00	125.00	12409	Billed
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	NRL - Nancy R. Lindsley	0.50	62.50	12409	Billed
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.	NRL - Nancy R. Lindsley	0.50	62.50	12409	Billed
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 SDT and response to same;	APM - Adam P. McMillen	0.20	60.00	12409	Billed
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 SDT 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 SDT 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; preparation of SDT to Etrade and revised SDT to Charles Schwab					
Dec 4/2013	Lawyer: NRL 0.20 Hrs X 125.00	NRL - Nancy R. Lindsley	0.20	25.00	12501	Billed
1121458	Discuss SDT'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 regarding					
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
1123234	Conference with APM					
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 - Etrade 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 17/2013	Lawyer: APM 0.10 Hrs X 300.00	APM - Adam P. McMillen	0.10	30.00	12501	Billed

Date	Entry #	Fee / Time Explanation	Hours	Amount	Inv#	Billing Status
	1123556	Review email, dated 12/17/13, from Jed Margolin [REDACTED]				
Dec 17/2013		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12501	Billed
	1123557	Review email, dated 12/17/13, from Donna Johnson [REDACTED]				
Dec 17/2013		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12501	Billed
	1123558	Draft email to Jed Margolin [REDACTED]				
Dec 17/2013		Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12501	Billed
	1123559	Draft email to Donna Johnson [REDACTED]				
Dec 17/2013		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12501	Billed
	1123568	Review and respond to email, dated 12/17/13, from Donna Johnson [REDACTED]				
Dec 18/2013		Lawyer: NRL 1.50 Hrs X 125.00	1.50	187.50	12501	Billed
	1123752	Scan documents received from Wells Fargo and Bank of America [REDACTED]				
Dec 18/2013		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12501	Billed
	1125569	Review and respond to email, dated 12/18/13, from Donna Johnson [REDACTED]				
Dec 19/2013		Lawyer: NRL 1.50 Hrs X 125.00	1.50	187.50	12501	Billed
	1123884	Continued scanning of financial documents; compare scanned to original for reference; burn to DVD/CD for client [REDACTED]				
Dec 19/2013		Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12501	Billed
	1123893	Communicate with Donna Johnson [REDACTED]				
Dec 19/2013		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12501	Billed
	1123894	Review email, dated 12/19/13, from Donna Johnson [REDACTED]				
Dec 19/2013		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12501	Billed
	1123895	Draft email to Jed Margolin [REDACTED]				
Dec 30/2013		Lawyer: APM 0.40 Hrs X 300.00	0.40	120.00	12501	Billed
	1124315	Review Zandian's motion to set aside default judgment, dated 12/19/13.				
Dec 30/2013		Lawyer: APM 0.60 Hrs X 300.00	0.60	180.00	12501	Billed
	1124392	Review Westlaw people map report of Zandian [REDACTED]				
Dec 30/2013		Lawyer: APM 0.90 Hrs X 300.00	0.90	270.00	12501	Billed
	1124393	Begin review of Wells Fargo documents.				
Dec 30/2013		Lawyer: APM 0.30 Hrs X 300.00	0.30	90.00	12501	Billed
	1124394	Begin review of Bank of America documents.				
Dec 31/2013		Lawyer: APM 1.10 Hrs X 300.00	1.10	330.00	12501	Billed
	1124477	Finish review of Zandian's motion to set aside [REDACTED]				
Dec 31/2013		Lawyer: APM 0.50 Hrs X 300.00	0.50	150.00	12501	Billed
	1124478	Finish review of Zandian's people map from Westlaw [REDACTED]				
Dec 31/2013		Lawyer: APM 0.30 Hrs X 300.00	0.30	90.00	12501	Billed
	1124485	Review detailed email, dated 12/22/13, from Jed Margolin [REDACTED]				
Dec 31/2013		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12501	Billed
	1124486	Draft email to Jed Margolin [REDACTED]				
Dec 31/2013		Lawyer: NRL 1.00 Hrs X 125.00	1.00	125.00	12501	Billed
	1124499	Initial review records from Charles Schwab; scan to file.				
Jan 2/2014		Lawyer: MDF 0.50 Hrs X 300.00	0.50	150.00	12547	Billed
	1124989	Review motion to stay proceedings [REDACTED]				
Jan 3/2014		Lawyer: APM 0.40 Hrs X 300.00	0.40	120.00	12547	Billed
	1125010	Review and respond to detailed email, dated 1/3/14, from Jed Margolin [REDACTED]				
Jan 6/2014		Lawyer: APM 0.40 Hrs X 300.00	0.40	120.00	12547	Billed
	1125168	Review email, dated 1/6/14, and attachments, from Jed Margolin [REDACTED]				
Jan 6/2014		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12547	Billed
	1125169	Draft email to Jed Margolin [REDACTED]				
Jan 8/2014		Lawyer: APM 3.60 Hrs X 300.00	3.60	1080.00	12547	Billed
	1125435	Draft opposition to motion to set aside.				
Jan 9/2014		Lawyer: NRL 2.00 Hrs X 125.00	2.00	250.00	12547	Billed
	1125661	Review/proof Opposition to Motion to Set Aside Judgment; compile exhibits; arrange for filing and delivery to c [REDACTED]				
Jan 9/2014		Lawyer: APM 4.90 Hrs X 300.00	4.90	1470.00	12547	Billed
	1125668	Finish drafting opposition to motion to set aside default judgment.				
Jan 9/2014		Lawyer: APM 0.40 Hrs X 300.00	0.40	120.00	12547	Billed
	1125669	Revise proposed order on motion for debtor's examination.				
Jan 9/2014		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12547	Billed
	1125679	Review email, dated 1/8/14, from Jed Margolin [REDACTED]				
Jan 9/2014		Lawyer: MDF 0.50 Hrs X 300.00	0.50	150.00	12547	Billed
	1125888	Review opposition to motion to set aside [REDACTED]				
Jan 13/2014		Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12547	Billed
	1126575	Communicate with Judge Russell's assistant regarding debtor's examination on 2/11/14 at 9:00 a.m.				
Jan 14/2014		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12547	Billed
	1126679	Communicate with Angela, Judge Russell's assistant, regarding debtor's examination.				
Jan 14/2014		Lawyer: APM 0.30 Hrs X 300.00	0.30	90.00	12547	Billed
	1126680	Begin preparing for debtor's examination.				
Jan 14/2014		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12547	Billed
	1126692	Draft email to Jed Margolin [REDACTED]				
Jan 14/2014		Lawyer: NRL 0.50 Hrs X 125.00	0.50	62.50	12547	Billed
	1126704	Telephone conference with staff from opposing counsel requesting transmittal of Opposition to Motion to Set Asi [REDACTED]				
Jan 14/2014		Lawyer: MDF 0.30 Hrs X 300.00	0.30	90.00	12547	Billed
	1127397	Conference with APM [REDACTED]				
Jan 16/2014		Lawyer: APM 2.50 Hrs X 300.00	2.50	750.00	12547	Billed
	1126936	Draft opposition to Zandian's motion to stay proceedings.				
Jan 16/2014		Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12547	Billed
	1126939	Review order granting motion for debtor examination, dated 1/13/14.				
Jan 16/2014		Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12547	Billed
	1126941	Review notice of entry of order for debtor's examination.				
Jan 16/2014		Lawyer: NRL 1.50 Hrs X 125.00	1.50	187.50	12547	Billed
	1126950	Review Opposition to Motion for Stay to Enforce Judgment; and Order Granting Plaintiff's Motion for Debtor Exam [REDACTED]				
Jan 16/2014		Lawyer: NRL 0.20 Hrs X 125.00	0.20	25.00	12547	Billed
	1126953	Preparation of memo of telephone conference with client [REDACTED]				
Jan 16/2014		Lawyer: MDF 1.20 Hrs X 300.00	1.20	360.00	12547	Billed
	1127386	Review and revise opposition to motion to stay proceedings [REDACTED] /Review order granting				

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

Date	Fee / Time	Hours	Amount	Inv#	Billing
Entry #	Explanation				Status
Jan 17/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12547	Billed
1126979	Communicate with Nancy Lindsley				
Jan 17/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12547	Billed
1126985	Review memo from Nancy Lindsley, dated 1/17/14,				
Jan 17/2014	Lawyer: NRL 1.00 Hrs X 125.00	1.00	125.00	12547	Billed
1127035	Review Wells Fargo documents in anticipation of preparation of SDT for deposit detail; telephone conference wit				
Jan 23/2014	Lawyer: APM 0.30 Hrs X 300.00	0.30	90.00	12547	Billed
1127509	Continue drafting questions for debtor's examination of Zandian				
Jan 23/2014	Lawyer: APM 0.90 Hrs X 300.00	0.90	270.00	12547	Billed
1127516	Review and respond to email, dated 1/23/14, from Jed Margolin				
Jan 23/2014	Lawyer: APM 0.30 Hrs X 300.00	0.30	90.00	12547	Billed
1127519	Research process of service on E*Trade as they have not responded to subpoena and they do not have any branches				
Jan 23/2014	Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12547	Billed
1127524	Begin review Zandian's reply in support of motion to set aside default, dated 1/21/14.				
Jan 23/2014	Lawyer: MDF 0.50 Hrs X 300.00	0.50	150.00	12547	Billed
1127628	Review reply in support of motion to set aside default judgment and affidavit in support thereof/Review request				
Jan 28/2014	Lawyer: NRL 1.00 Hrs X 125.00	1.00	125.00	12547	Billed
1127844	Review Federal Express from E*Trade Financial; duplicate for client; save to file				
Jan 29/2014	Lawyer: NRL 1.00 Hrs X 125.00	1.00	125.00	12547	Billed
1127944	Preparation of email to client				
Jan 31/2014	Lawyer: MDF 0.30 Hrs X 300.00	0.30	90.00	12547	Billed
1128477	Draft and review e-mails to and from law clerk and client, et al. re: order denying motion to set aside				
Jan 31/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12547	Billed
1129051	Review email, dated 1/31/14, from Samantha Valerius, judge's law clerk, regarding request for proposed order.				
Feb 1/2014	Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12624	Billed
1129052	Review and respond to email, dated 2/1/14, from Jed Margolin				
Feb 3/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12624	Billed
1128543	Review voicemail from Fred Sadri				
Feb 4/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12624	Billed
1128895	Begin drafting order denying motion to set aside.				
Feb 5/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12624	Billed
1129034	Review email, dated 2/5/14, from Jed Margolin				
Feb 5/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12624	Billed
1129035	Draft email to Jed Margolin				
Feb 5/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12624	Billed
1129036	Review another email from Jed Margolin				
Feb 5/2014	Lawyer: APM 3.70 Hrs X 300.00	3.70	1110.00	12624	Billed
1129038	Draft proposed order denying Zandian's motion to set aside the judgment.				
Feb 5/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12624	Billed
1129048	Draft email to Samantha Valerius regarding proposed order denying motion to set aside judgment.				
Feb 5/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12624	Billed
1129053	Review Zandian's reply in support of motion for stay of proceedings to enforce the judgment, dated 1/29/14.				
Feb 5/2014	Lawyer: MDF 1.00 Hrs X 300.00	1.00	300.00	12624	Billed
1129234	Review and revise proposed order denying Defendants' Motion to Set aside/Conferences with APM re: same				
Feb 6/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12624	Billed
1129184	Review email, dated 2/6/14, from Samantha Valerius, judge's law clerk, regarding judge signing order denying mo				
Feb 6/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12624	Billed
1129185	Draft email to Samantha Valerius, judge's law clerk, regarding judge signing order denying motion to set aside				
Feb 6/2014	Lawyer: APM 0.30 Hrs X 300.00	0.30	90.00	12624	Billed
1129186	Draft email to Jonathon Fayeghi regarding debtor's examination.				
Feb 6/2014	Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12624	Billed
1129187	Telephone conference with Fred Sadri				
Feb 6/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12624	Billed
1129195	Review email, dated 2/6/14, from Johnathon Fayeghi regarding Zandian's debtor's examination.				
Feb 6/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12624	Billed
1129196	Draft email to Johnathon Fayeghi regarding Zandian's debtor's examination.				
Feb 6/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12624	Billed
1129197	Draft email to Jed Margolin				
Feb 6/2014	Lawyer: MDF 0.40 Hrs X 300.00	0.40	120.00	12624	Billed
1129284	Conference with APM				
Feb 7/2014	Lawyer: NRL 0.70 Hrs X 125.00	0.70	87.50	12624	Billed
1129524	Review Order Denying Motion to Set Aside Default Judgment; scan and transmit to opposing counsel; preparation o				
Feb 7/2014	Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12624	Billed
1129542	Call and email John Fayeghi regarding Zandian's non-response to order to produce documents prior to debtor's ex				
Feb 7/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12624	Billed
1129551	Draft email to Jed Margolin				
Feb 7/2014	Lawyer: APM 0.30 Hrs X 300.00	0.30	90.00	12624	Billed
1129554	Review order denying Zandian's motion to set aside judgment, dated 2/6/14.				
Feb 7/2014	Lawyer: MDF 0.80 Hrs X 300.00	0.80	240.00	12624	Billed
1130702	Conference with APM				
Feb 10/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12624	Billed
1129743	Draft another email to John Fayeghi regarding tomorrow's debtor's examination of Zandian.				
Feb 10/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12624	Billed
1129744	Draft debtor's examination questions.				
Feb 10/2014	Lawyer: APM 0.30 Hrs X 300.00	0.30	90.00	12624	Billed
1129746	Review and respond to email, dated 2/10/14, from John Fayeghi regarding debtor's examination				
Feb 10/2014	Lawyer: APM 0.80 Hrs X 300.00	0.80	240.00	12624	Billed
1129748	Draft email to Court regarding Zandian not appearing before the court tomorrow on debtor's examination.				
Feb 10/2014	Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12624	Billed
1129756	Review email, dated 2/10/14, from Angela Jeffries regarding vacating debtor's examination and requesting a moti				
Feb 10/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12624	Billed
1129757	Draft email to Angela Jeffries regarding vacating debtor's examination and requesting a motion for order to sho				
Feb 10/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12624	Billed

Date	Fee / Time	Hours	Amount	Inv#	Billing Status
Entry #	Explanation				
Feb 10/2014	1129758 Draft email to Jed Margolin [REDACTED] Lawyer: APM 0.20 Hrs X 300.00	APM - Adam P. McMillen 0.20	60.00	12624	Billed
Feb 10/2014	1129759 Review Wells Fargo's response to \$55,000 transaction to Zandian. Lawyer: APM 0.30 Hrs X 300.00	APM - Adam P. McMillen 0.30	90.00	12624	Billed
Feb 10/2014	1129760 Review email, dated 2/10/14, from Jed Margolin [REDACTED] Lawyer: APM 0.20 Hrs X 300.00	APM - Adam P. McMillen 0.20	60.00	12624	Billed
Feb 10/2014	1129761 Respond to Jed Margolin's email [REDACTED] Lawyer: MDF 1.00 Hrs X 300.00	MDF - Matthew D. Francis 1.00	300.00	12624	Billed
Feb 11/2014	1130645 Conference with APM re: [REDACTED] Lawyer: NRL 1.00 Hrs X 125.00	NRL - Nancy R. Lindsley 1.00	125.00	12624	Billed
Feb 11/2014	1130034 Reorganize file materials; review emails between APM and opposing counsel and court Lawyer: APM 4.40 Hrs X 300.00	APM - Adam P. McMillen 4.40	1320.00	12624	Billed
Feb 11/2014	1130053 Draft Motion for Order to Show Cause Regarding Contempt, as requested by the court. Lawyer: MDF 1.30 Hrs X 300.00	MDF - Matthew D. Francis 1.30	390.00	12624	Billed
Feb 12/2014	1130138 Review and revise motion to show cause why Defendant should not be held in contempt/ Lawyer: NRL 1.00 Hrs X 125.00	NRL - Nancy R. Lindsley 1.00	125.00	12624	Billed
Feb 12/2014	1130659 Finalize Motion for Order to Show Cause Re Contempt vs. Zandian; compile exhibits; transmit for filing; serve v Lawyer: APM 0.10 Hrs X 300.00	APM - Adam P. McMillen 0.10	30.00	12624	Billed
Feb 24/2014	1130680 Finish drafting motion for contempt sanctions. Lawyer: APM 0.30 Hrs X 300.00	APM - Adam P. McMillen 0.30	90.00	12624	Billed
Feb 24/2014	1131791 Review Zandian's substitution of attorney's, dated 2/21/14. Lawyer: APM 0.10 Hrs X 300.00	APM - Adam P. McMillen 0.10	30.00	12624	Billed
Feb 24/2014	1131793 Draft email to Jed Margolin [REDACTED] Lawyer: APM 0.10 Hrs X 300.00	APM - Adam P. McMillen 0.10	30.00	12624	Billed
Mar 4/2014	1131860 Review and respond to Jed Margolin's email, dated 2/24/14, [REDACTED] Lawyer: APM 0.10 Hrs X 300.00	APM - Adam P. McMillen 0.10	30.00	12651	Billed
Mar 4/2014	1132838 Review voicemail, dated 3/4/14, from Fred Sadri [REDACTED] Lawyer: APM 0.70 Hrs X 300.00	APM - Adam P. McMillen 0.70	210.00	12651	Billed
Mar 4/2014	1132839 Review Opposition to Motion for Order to Show Cause Regarding Contempt, dated 3/3/14. Lawyer: APM 0.10 Hrs X 300.00	APM - Adam P. McMillen 0.10	30.00	12651	Billed
Mar 4/2014	1132840 Draft email to Jed Margolin [REDACTED] Lawyer: APM 0.20 Hrs X 300.00	APM - Adam P. McMillen 0.20	60.00	12651	Billed
Mar 4/2014	1132853 Review and respond to email, dated 3/4/14, from Jed Margolin [REDACTED] Lawyer: MDF 0.80 Hrs X 300.00	MDF - Matthew D. Francis 0.80	240.00	12651	Billed
Mar 4/2014	1132931 Review opposition to motion for order to show cause re: contempt/Draft and review e-mails to and from APM re: s Lawyer: APM 0.20 Hrs X 300.00	APM - Adam P. McMillen 0.20	60.00	12651	Billed
Mar 5/2014	1134263 Review email, dated 3/4/14, from Jed Margolin [REDACTED] Lawyer: APM 0.10 Hrs X 300.00	APM - Adam P. McMillen 0.10	30.00	12651	Billed
Mar 5/2014	1133305 Review voicemail from Fred Sadri [REDACTED] Lawyer: APM 0.30 Hrs X 300.00	APM - Adam P. McMillen 0.30	90.00	12651	Billed
Mar 5/2014	1133306 Telephone conference with Fred Sadri [REDACTED] Lawyer: APM 0.10 Hrs X 300.00	APM - Adam P. McMillen 0.10	30.00	12651	Billed
Mar 5/2014	1134285 Review email, dated 3/5/14, from Jed Margolin [REDACTED] Lawyer: NRL 1.00 Hrs X 125.00	NRL - Nancy R. Lindsley 1.00	125.00	12651	Billed
Mar 8/2014	1136894 Review Opposition to Motion for OSC; calendar reply to same; review Carson City County website to confirm if Za Lawyer: APM 0.10 Hrs X 300.00	APM - Adam P. McMillen 0.10	30.00	12651	Billed
Mar 10/2014	1134292 Review email, dated 3/8/14, from Jed Margolin [REDACTED] Lawyer: APM 0.10 Hrs X 300.00	APM - Adam P. McMillen 0.10	30.00	12651	Billed
Mar 11/2014	1134284 Review attachments attached to 3/4/14 email from Jed Margolin [REDACTED] Lawyer: APM 0.50 Hrs X 300.00	APM - Adam P. McMillen 0.50	150.00	12651	Billed
Mar 11/2014	1134398 Review Jed Margolin's comments [REDACTED] Lawyer: APM 3.90 Hrs X 300.00	APM - Adam P. McMillen 3.90	1170.00	12651	Billed
Mar 12/2014	1134399 Draft reply in support of motion for contempt sanctions Lawyer: APM 1.60 Hrs X 300.00	APM - Adam P. McMillen 1.60	480.00	12651	Billed
Mar 12/2014	1134505 Continue drafting reply in support of motion for contempt sanctions. Lawyer: APM 0.20 Hrs X 300.00	APM - Adam P. McMillen 0.20	60.00	12651	Billed
Mar 13/2014	1134512 Review email, dated 3/12/14, from Jed Margolin [REDACTED] Lawyer: NRL 1.50 Hrs X 125.00	NRL - Nancy R. Lindsley 1.50	187.50	12651	Billed
Mar 13/2014	1134610 Review and finalize Reply iso Motion for OSC; preparation of Request for Submission; telephone conference with Lawyer: MDF 1.00 Hrs X 300.00	MDF - Matthew D. Francis 1.00	300.00	12651	Billed
Mar 13/2014	1134630 Review and revise Reply ISO Motion for Order to Show Cause Regarding Contempt/Review appellate documents/Confer Lawyer: APM 0.20 Hrs X 300.00	APM - Adam P. McMillen 0.20	60.00	12651	Billed
Mar 13/2014	1134671 Finish drafting reply in support of motion for contempt sanctions. Lawyer: APM 0.20 Hrs X 300.00	APM - Adam P. McMillen 0.20	60.00	12651	Billed
Mar 13/2014	1134677 Review notice of appeal. Lawyer: APM 0.20 Hrs X 300.00	APM - Adam P. McMillen 0.20	60.00	12651	Billed
Mar 13/2014	1134678 Review case appeal statement. Lawyer: APM 0.10 Hrs X 300.00	APM - Adam P. McMillen 0.10	30.00	12651	Billed
Mar 13/2014	1134679 Review notice of cash deposit by Zandian. Lawyer: APM 0.30 Hrs X 300.00	APM - Adam P. McMillen 0.30	90.00	12651	Billed
Mar 13/2014	1134680 Perform legal research [REDACTED] Lawyer: NRL 0.50 Hrs X 125.00	NRL - Nancy R. Lindsley 0.50	62.50	12651	Billed
Mar 17/2014	1134747 Download Appellate documents; change NV Supreme Court profile Lawyer: NRL 1.00 Hrs X 125.00	NRL - Nancy R. Lindsley 1.00	125.00	12651	Billed
Mar 18/2014	1134907 Download file-stamped documents; calendar Nevada Supreme Court Appeal deadlines Lawyer: NRL 0.50 Hrs X 125.00	NRL - Nancy R. Lindsley 0.50	62.50	12651	Billed
Mar 19/2014	1135027 Download and save appeal documents Lawyer: NRL 1.00 Hrs X 125.00	NRL - Nancy R. Lindsley 1.00	125.00	12651	Billed
Mar 19/2014	1135392 Review Nevada Supreme Court docket; review Order Denying Request for Submission; and Notice of Assignment to Se Lawyer: MDF 0.50 Hrs X 300.00	MDF - Matthew D. Francis 0.50	150.00	12651	Billed
Mar 19/2014	1135437 Review order rejecting request for submission relating to contempt application/Review Nevada Supreme Court sche Lawyer: APM 0.20 Hrs X 300.00	APM - Adam P. McMillen 0.20	60.00	12651	Billed
Mar 19/2014	1136412 Review email, dated 3/19/14, from Jed Margolin [REDACTED]				

Date	Entry #	Fee / Time Explanation	Working Lawyer	Hours	Amount	Inv#	Billing Status
Mar 20/2014	1135506	Lawyer: APM 0.40 Hrs X 300.00 Communicate with Matt Francis	APM - Adam P. McMillen	0.40	120.00	12651	Billed
Mar 20/2014	1135507	Lawyer: APM 0.90 Hrs X 300.00 Telephonic conference with Jed Margolin	APM - Adam P. McMillen	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.	APM - Adam P. McMillen	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	NRL - Nancy R. Lindsley	0.20	25.00	12651	Billed
Mar 20/2014	1135900	Lawyer: MDF 0.50 Hrs X 300.00 Conference with Adam McMillen re: [REDACTED]	MDF - Matthew D. Francis	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	APM - Adam P. McMillen	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 regarding [REDACTED]	APM - Adam P. McMillen	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	APM - Adam P. McMillen	0.20	60.00	12651	Billed
Mar 25/2014	1135983	Lawyer: APM 0.40 Hrs X 300.00 Review and respond to email, dated 3/25/14, from Jed Margolin	APM - Adam P. McMillen	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	APM - Adam P. McMillen	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	APM - Adam P. McMillen	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	APM - Adam P. McMillen	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	APM - Adam P. McMillen	0.30	90.00	12651	Billed
Mar 26/2014	1135894	Lawyer: APM 0.60 Hrs X 300.00 Telephone call with Jed Margolin	APM - Adam P. McMillen	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: [REDACTED]	MDF - Matthew D. Francis	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; review Jed's email and enclosures; commence pre	NRL - Nancy R. Lindsley	2.00	250.00	12651	Billed
Mar 27/2014	1135990	Lawyer: APM 0.20 Hrs X 300.00 Review filed copy of district court docket entries, filed with supreme court on 3/25/14.	APM - Adam P. McMillen	0.20	60.00	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	NRL - Nancy R. Lindsley	2.50	312.50	12651	Billed
Mar 28/2014	1136134	Lawyer: APM 0.20 Hrs X 300.00 Draft writ of execution.	APM - Adam P. McMillen	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	APM - Adam P. McMillen	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.	APM - Adam P. McMillen	0.10	30.00	12651	Billed
Mar 31/2014	1136405	Lawyer: APM 0.30 Hrs X 300.00 Review writ of execution.	APM - Adam P. McMillen	0.30	90.00	12651	Billed
Mar 31/2014	1136407	Lawyer: APM 0.20 Hrs X 300.00 Review email, dated 3/28/14, from Jason Woodbury regarding Zandian's motion filed recently	APM - Adam P. McMillen	0.20	60.00	12651	Billed
Mar 31/2014	1136433	Lawyer: NRL 2.00 Hrs X 125.00 Communicate with Jed Margolin regarding [REDACTED]	NRL - Nancy R. Lindsley	2.00	250.00	12651	Billed
Mar 31/2014	1136549	Lawyer: APM 0.30 Hrs X 300.00 Finalize First Memorandum of Costs; Motion for Issuance of Writ; recalculate interest; and preparation of of Af	APM - Adam P. McMillen	0.30	90.00	12651	Billed
Mar 31/2014	1136862	Lawyer: APM 0.30 Hrs X 300.00 Review email, dated 4/1/14, from Jed Margolin	APM - Adam P. McMillen	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.	APM - Adam P. McMillen	0.10	30.00	12651	Billed
Mar 31/2014	1136870	Lawyer: NRL 2.50 Hrs X 125.00 Review voicemail from Fred Sadri and return his call.	NRL - Nancy R. Lindsley	2.50	312.50	12651	Billed
Apr 1/2014	1137007	Lawyer: NRL 1.00 Hrs X 125.00 Finalize Motion for Writ of Execution; telephone conference with Steve Wood of Washoe County Sheriff's Office r	NRL - Nancy R. Lindsley	1.00	125.00		Unbilled
Apr 1/2014	1137094	Lawyer: NRL 0.50 Hrs X 125.00 Review Clark County and Washoe County deeds for insertion of legal description into Writs of Execution; revise	NRL - Nancy R. Lindsley	0.50	62.50		Unbilled
Apr 2/2014	1137101	Lawyer: APM 0.10 Hrs X 300.00 Review emails; calendar response to Motion for Writ of Execution	APM - Adam P. McMillen	0.10	30.00		Unbilled
Apr 2/2014	1137194	Lawyer: APM 1.20 Hrs X 300.00 Review email, dated 4/2/14, from Jed Margolin	APM - Adam P. McMillen	1.20	360.00		Unbilled
Apr 2/2014	1137195	Lawyer: APM 0.10 Hrs X 300.00 Review Zandian's motion to dismiss and vacate default judgment.	APM - Adam P. McMillen	0.10	30.00		Unbilled
Apr 2/2014	1137196	Lawyer: APM 0.60 Hrs X 300.00 Draft email to Jason Woodbury regarding debtor's examination and bizarre motion filed by Zandian.	APM - Adam P. McMillen	0.60	180.00		Unbilled
Apr 2/2014	1137197	Lawyer: APM 0.30 Hrs X 300.00 Review file stamped motion to dismiss in Abrishami v Gold Canyon, dated 3/24/14.	APM - Adam P. McMillen	0.30	90.00		Unbilled
Apr 2/2014	1137200	Lawyer: APM 0.20 Hrs X 300.00 Telephone conference with Fred Sadri.	APM - Adam P. McMillen	0.20	60.00		Unbilled
Apr 2/2014	1137201	Lawyer: APM 0.20 Hrs X 300.00 Review letter, dated 12/4/13, from Kristin Luis to Judge Wilson regarding Gold Canyon case.	APM - Adam P. McMillen	0.20	60.00		Unbilled
Apr 2/2014	1137206	Lawyer: APM 2.80 Hrs X 300.00 Review and respond to email, dated 4/2/14, from Jed Margolin	APM - Adam P. McMillen	2.80	840.00		Unbilled
Apr 2/2014	1137210	Lawyer: NRL 1.00 Hrs X 125.00 Draft confidential settlement brief.	NRL - Nancy R. Lindsley	1.00	125.00		Unbilled
Apr 2/2014	1137225	Lawyer: MDF 1.00 Hrs X 300.00 Brief review Motion and supporting documents filed by Zandian; calendar response to same	MDF - Matthew D. Francis	1.00	300.00		Unbilled

Date	Entry #	Fee / Time Explanation	Hours	Amount	Inv#	Billing Status
Apr 3/2014	1137244	Review Zandian's Motion to Dismiss and related documents/Review and revise Supreme Court mediation brief/Confer Lawyer: NRL 1.00 Hrs X 125.00	1.00	125.00		Unbilled
Apr 3/2014	1137587	Review/revise Respondent's Confidential Settlement Conference Statement; transmit via fax; telephone conference Lawyer: NRL 0.50 Hrs X 125.00	0.50	62.50		Unbilled
Apr 3/2014	1137589	Telephone conference with Reno Carson Messenger Service to arrange for personal delivery of Settlement Conferen Lawyer: APM 0.60 Hrs X 300.00	0.60	180.00		Unbilled
Apr 4/2014	1137599	Finish drafting confidential settlement brief. Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00		Unbilled
Apr 4/2014	1138024	Review notification from Supreme Court of Zandian's filing of docketing statement Lawyer: APM 0.50 Hrs X 300.00	0.50	150.00		Unbilled
Apr 4/2014	1138025	Review Zandian's docketing statement Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00		Unbilled
Apr 4/2014	1138027	Review issued notice for Zandian to provide proof of service of docketing statement upon settlement judge. Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00		Unbilled
Apr 7/2014	1138107	Review filed proof of service affidavit of service of docketing statement, dated 4/7/14 Lawyer: NRL 0.50 Hrs X 125.00	0.50	62.50		Unbilled
Apr 7/2014	1138125	Review and download filed Appellate documents Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00		Unbilled
Apr 8/2014	1138186	Review email, dated 4/8/14, from Jed Margolin [REDACTED] Lawyer: APM 0.50 Hrs X 300.00	0.50	150.00		Unbilled
Apr 8/2014	1138187	Review supreme court forms for responding to Zandian's docketing statement Lawyer: APM 1.00 Hrs X 300.00	1.00	300.00		Unbilled
Apr 8/2014	1138191	Telephone call with Jed Margolin [REDACTED] Lawyer: NRL 0.50 Hrs X 125.00	0.50	62.50		Unbilled
Apr 8/2014	1138198	Telephone conference with Steve Wood of the Washoe County Sheriff's office re execution vs. real properties; le Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00		Unbilled
Apr 8/2014	1138223	Review email, dated 4/8/14, from Jed Margolin [REDACTED] Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00		Unbilled
Apr 9/2014	1138213	Draft opposition to Zandian's motion to dismiss Lawyer: APM 0.30 Hrs X 300.00	0.30	90.00		Unbilled
Apr 9/2014	1138215	Review and respond to emails, dated 4/9/14, from Jason Woodbury regarding Zandian's motion to dismiss Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00		Unbilled
Apr 9/2014	1138216	Draft email to Jed Margolin [REDACTED] Lawyer: NRL 0.30 Hrs X 125.00	0.30	37.50		Unbilled
Apr 9/2014	1138250	Telephone conference with Court Clerk re issuance of Writs; preparation of memo to APM re same Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00		Unbilled
Apr 10/2014	1138532	Review and respond to email from Nancy Lindsley [REDACTED] Lawyer: NRL 0.50 Hrs X 125.00	0.50	62.50		Unbilled
Apr 11/2014	1138333	Review Motion to Retax and Settle Costs; calendar response to same Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00		Unbilled
Apr 11/2014	1138506	Review and respond to email, dated 4/11/14, from Jed Margolin [REDACTED] Lawyer: APM 0.30 Hrs X 300.00	0.30	90.00		Unbilled
Apr 14/2014	1138500	Meet with Matt Francis [REDACTED] Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00		Unbilled
Apr 14/2014	1138502	Review email, dated 4/14/14, from Jed Margolin [REDACTED] Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00		Unbilled
Apr 14/2014	1138507	Draft email to Jason Woodbury regarding stipulation to withdraw motion to dismiss from Zandian Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00		Unbilled
Apr 14/2014	1138511	Review and respond to another email, dated 4/14/14, from Jed Margolin [REDACTED] Lawyer: APM 0.70 Hrs X 300.00	0.70	210.00		Unbilled
Apr 14/2014	1138512	Revise declaration for JP Lee; gather old letters regarding same and draft email to JP Lee requesting him to si Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00		Unbilled
Apr 14/2014	1138513	Review filed copy of District court Docket Entries, dated 4/10/14 Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00		Unbilled
Apr 14/2014	1138521	Review email, dated 4/14/14, from Jason Woodbury regarding stipulation to withdraw Zandian's motion to dismiss Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00		Unbilled
Apr 14/2014	1138522	Review first draft of Jason Woodbury's proposed stipulation to withdraw Zandian's motion to dismiss Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00		Unbilled
Apr 14/2014	1138523	Draft emails to Jason Woodbury regarding proposed stipulation to withdraw Zandian's motion to dismiss Lawyer: NRL 0.50 Hrs X 125.00	0.50	62.50		Unbilled
Apr 14/2014	1138547	Transmit executed Stipulation and Order to Withdraw Motion to Jason Woodbury Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00		Unbilled
Apr 15/2014	1138697	Begin review of Zandian's motion to retax, dated 4/9/14 Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00		Unbilled
Apr 15/2014	1138698	Review email, dated 4/15/14, from Tiffany Dube regarding request for declaration from JP Lee Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00		Unbilled
Apr 15/2014	1138699	Review letter, dated 4/15/14, from JP Lee regarding request for declaration Lawyer: MDF 0.50 Hrs X 300.00	0.50	150.00		Unbilled
Apr 16/2014	1138834	Review motion to retax costs/Emails with APM re: same Lawyer: NRL 0.80 Hrs X 125.00	0.80	100.00		Unbilled
Apr 16/2014	1138801	Generate report reflecting costs incurred from 6/26/2013 to present; commence preparation of revised Memorandum Lawyer: APM 1.40 Hrs X 300.00	1.40	420.00		Unbilled
Apr 16/2014	1138816	Finish review of Zandian's motion to retax Lawyer: APM 1.70 Hrs X 300.00	1.70	510.00		Unbilled
Apr 16/2014	1138817	Begin drafting opposition to Zandian's motion to retax Lawyer: APM 0.30 Hrs X 300.00	0.30	90.00		Unbilled
Apr 16/2014	1138819	Review and respond to email, dated 4/15/14, from Jed Margolin [REDACTED] Lawyer: APM 0.30 Hrs X 300.00	0.30	90.00		Unbilled
Apr 16/2014	1138862	Meet with Matt Francis [REDACTED] Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00		Unbilled
Apr 16/2014	1138863	Draft email to Jed Margolin [REDACTED] Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00		Unbilled
Apr 16/2014	1138864	Communicate with David Wasick regarding mediation				

Date	Fee / Time	Hours	Amount	Inv#	Billing Status
Entry #	Explanation				
Apr 16/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00		Unbilled
1138865	Draft email to Jed Margolin				
Apr 16/2014	Lawyer: APM 3.40 Hrs X 300.00	3.40	1020.00		Unbilled
1138866	Draft motion for post judgment fees and costs				
Apr 16/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00		Unbilled
1138869	Review email, dated 4/17/14, from Jason Woodbury regarding settlement conference in May				
Apr 17/2014	Lawyer: APM 0.30 Hrs X 300.00	0.30	90.00		Unbilled
1138879	Review and respond to emails, dated 4/18/14, from Jed Margolin				
Apr 17/2014	Lawyer: MDF 0.50 Hrs X 300.00	0.50	150.00		Unbilled
1139139	Review emails re: settlement issues/Conference with APM re: same and Voicemail from David Wasick				
Apr 18/2014	Lawyer: NRL 0.50 Hrs X 125.00	0.50	62.50		Unbilled
1138926	Generate reports from PCLaw for fees and costs from October 21, 2013 through April 21, 2014				
Apr 18/2014	Lawyer: NRL 1.00 Hrs X 125.00	1.00	125.00		Unbilled
1138927	Review/proof Motion for Order Allowing Costs and APM Dec iso same; compile exhibits				
Apr 18/2014	Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00		Unbilled
1138934	Draft email to David Wasick and Woodbury regarding settlement conference				
Apr 18/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00		Unbilled
1138936	Review email, dated 4/18/14, from David Wasick setting settlement conference for May 21, 2014				
Apr 18/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00		Unbilled
1138937	Draft email to Jed Margolin				
Apr 18/2014	Lawyer: APM 1.60 Hrs X 300.00	1.60	480.00		Unbilled
1138938	Finish drafting motion for postjudgment fees and costs				
Apr 18/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00		Unbilled
1138940	Review Supreme Court of Nevada's notice of filed copy of district court docket entries				
Apr 18/2014	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00		Unbilled
1138944	Review and respond to email, dated 4/18/14, from Jed Margolin				
		Unbilled:	33.10	8425.00	
		Billed:	109.70	26207.50	
		Total:	142.80	34632.50	
		Percent Billed:	76.82	75.67	

*** Summary by Working Lawyer ***

Working Lawyer	Hours				Fees							
	Unbilled Firm %	Billed Firm %	Total	% Bld	Unbilled Firm %	Billed Firm %	Total	% Bld				
MDF - Matthew D.	2.00	6.04	12.40	11.30	14.40	86.11	600.00	7.12	3720.00	14.19	4320.00	86.11
APM - Adam P. Mc	22.50	67.98	59.00	53.78	81.50	72.39	6750.00	80.12	17700.00	67.54	24450.00	72.39
NRL - Nancy R. Li	8.60	25.98	38.30	34.91	46.90	81.66	1075.00	12.76	4787.50	18.27	5862.50	81.66
Firm Total	33.10	100.00	109.70	100.00	142.80	76.82	8425.00	100.00	26207.50	100.00	34632.50	75.67

*** Summary by Responsible Lawyer ***

Responsible Lawyer	Hours				Fees							
	Unbilled Firm %	Billed Firm %	Total	% Bld	Unbilled Firm %	Billed Firm %	Total	% Bld				
APM - Adam P. Mc	33.10	100.00	109.70	100.00	142.80	76.82	8425.00	100.00	26207.50	100.00	34632.50	75.67
Firm Total	33.10	100.00	109.70	100.00	142.80	76.82	8425.00	100.00	26207.50	100.00	34632.50	75.67

REPORT SELECTIONS - Client Fees Listing

Layout Template Default
 Advanced Search Filter None
 Requested by Nancy
 Finished Thursday, April 24, 2014 at 01:39:37 PM
 Ver 13.0 SP1 (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
 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

WATSON ROUNDS

Tax ID#: 88-0319593

5371 Kietzke Lane
Reno, NV 89511

Ph: 775-324-4100

Fax: 775-333-8171

Jed Margolin
1981 Empire Road
Reno, Nevada 89521-7430

November 7, 2013

Attention:

File #: 5457.01
Inv #: 124091

RE: Patent theft analysis & litigation

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

	preparation of email to client [REDACTED] [REDACTED]			
	Telephone conference with Wells Fargo regarding redactions in documents produced; preparation of Second Amended SDT to Wells Fargo; arrange for service; serve Defendants; duplicate CD from Charles Schwab for client; organize file containing subpoena responses.	1.00	125.00	NRL
Oct-24-13	Email to Jed [REDACTED] continued organization of documents received in response to subpoenas duces tecum	0.50	62.50	NRL
Oct-28-13	Review letter, dated 10/7/13, from Charles Schwab regarding subpoenaed documents.	0.10	30.00	APM
	Brief conference with Jed [REDACTED] [REDACTED]	0.80	100.00	NRL
	Review email from MDF [REDACTED] left message for Merriam at Wells Fargo re same	0.20	25.00	NRL
Oct-29-13	Telephone conference with Wells Fargo regarding subpoena duces tecum; review previous SDT and response to same; and request they review/research and respond to SDT. Granted extension of time to respond to same	0.50	62.50	NRL
Oct-30-13	Communicate with Fred Sadri [REDACTED] [REDACTED]	0.20	60.00	APM
	Commence preparation of Analysis of Information from Financial Institutions	1.00	125.00	NRL
	Totals	16.20	\$3,512.50	

DISBURSEMENTS**Disbursements****Receipts**

Nov-07-13	Payment for invoice: 124091		2,550.00
-----------	-----------------------------	--	----------

Invoice #: 124091

Page

Payment for invoice: 124091 194.20

Payment for invoice: 124091 962.50

Oct-07-13	Research/DVD/USP from Charles Schwab	98.42	
Oct-18-13	Witness fee subpoena for Wells Fargo	25.00	
	Photocopies 54 @ 0.25 - Documents to Wells Fargo	13.50	
	Postage	5.28	
Oct-22-13	Process service expense	52.00	
	Totals	<u>\$194.20</u>	<u>\$0.00</u>
	Total Current Fees & Disbursements		\$3,706.70
	Previous Balance		\$0.00
	Payments		\$0.00
	Balance Due Now		\$0.00
	Approved By: _____		

Retainer Balance: \$0.00

Client shall pay Attorney's invoices on a Net 30 basis. Attorney may charge interest for any late payment of any sum due under this Agreement at the rate of eighteen percent (18%) per annum from the due date of the invoice until the date paid.

TRUST STATEMENT

5457.01		Disbursements	Receipts
	Trust Balance Forward		1,109.14
Oct-30-13	Received From: Jed Margolin Trust receipt		3,890.86
Nov-07-13	Paid To: Watson Rounds Payment for invoice: 124091	3,706.70	
	Total Trust	<u>\$3,706.70</u>	<u>\$5,000.00</u>
	Trust Balance		\$1,293.30

WATSON ROUNDS

Tax ID#: 88-0319593

5371 Kietzke Lane

Reno, NV 89511

Ph: 775-324-4100

Fax: 775-333-8171

Jed Margolin
1981 Empire Road
Reno, Nevada 89521-7430

December 9, 2013

Attention:

File #: 5457.01

Inv #: 124555

RE: Patent theft analysis & litigation

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Nov-01-13	Received telephone call from Eli Abrishami [REDACTED]	0.10	30.00	APM
	Draft email to Eli Abrishami [REDACTED] [REDACTED]	0.10	30.00	APM
	Review email, dated 11/1/13, from Eli Abrishami [REDACTED]	0.10	30.00	APM
Nov-04-13	Review 18 pages of detailed Notes by Jed Margolin, dated 10/27/13, [REDACTED] [REDACTED]	0.40	120.00	APM
Nov-08-13	Communicate with Fred Sadri [REDACTED] [REDACTED]	0.30	90.00	APM
	Review new subpoena to Bank of America.	0.20	60.00	APM
	Telephone conference with Wells Fargo regarding subpoena; preparation of SDT to Bank of America	1.00	125.00	NRL
Nov-13-13	Finalize BofA SDT for service	0.50	62.50	NRL
Nov-20-13	Communicate with representative from Bank of America regarding their request for	0.10	30.00	APM

additional information for Zandian related to
our subpoena.

Totals	2.80	\$577.50
--------	------	----------

DISBURSEMENTS**Disbursements****Receipts**

Dec-09-13	Payment for invoice: 124555		390.00
	Payment for invoice: 124555		82.28
	Payment for invoice: 124555		187.50
Nov-13-13	Witness fee subpoena for Bank of America	25.00	
	Postage	5.28	
Nov-18-13	Process service expense	52.00	
	Totals	\$82.28	\$0.00
	Total Current Fees & Disbursements		\$659.78
	Previous Balance		\$0.00
	Payments		\$0.00
	Balance Due Now		\$0.00
	Approved By: _____		

Retainer Balance: \$0.00

Client shall pay Attorney's invoices on a Net 30 basis. Attorney may charge interest for any late payment of any sum due under this Agreement at the rate of eighteen percent (18%) per annum from the due date of the invoice until the date paid.

TRUST STATEMENT

5457.01		Disbursements	Receipts
	Trust Balance Forward		1,293.30
Nov-27-13	Received From: Jed Margolin Trust receipt		3,706.70
Dec-09-13	Paid To: Watson Rounds Payment for invoice: 124555	659.78	
		<hr/>	<hr/>
	Total Trust	\$659.78	\$5,000.00
	Trust Balance		\$4,340.22

WATSON ROUNDS

Tax ID#: 88-0319593

5371 Kietzke Lane

Reno, NV 89511

Ph:775-324-4100

Fax:775-333-8171

Jed Margolin
1981 Empire Road
Reno, Nevada 89521-7430

January 13, 2014

Attention:

File #: 5457.01

Inv #: 125011

RE: Patent theft analysis & litigation

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Dec-02-13	Communicate with Fred Sadri [REDACTED] [REDACTED]	0.20	60.00	APM
	Draft email to Jed Margolin [REDACTED] [REDACTED]	0.20	60.00	APM
	Communicate with Nancy Lindsley [REDACTED] [REDACTED]	0.20	60.00	APM
	Review subpoena responses and [REDACTED] [REDACTED]; preparation of SDT to Etrade and revised SDT to Charles Schwab	1.50	187.50	NRL
Dec-04-13	Discuss SDT's with APM;	0.20	25.00	NRL
Dec-06-13	Conference with APM re: [REDACTED] [REDACTED]	0.50	150.00	MDF
	Review letter, dated 12/6/13, from Geoffrey Hawkins regarding his representation of Zandian.	0.30	90.00	APM
	Draft email to Jed Margolin [REDACTED] [REDACTED]	0.10	30.00	APM

	Communicate with Jed Margolin [REDACTED] [REDACTED]	0.30	90.00	APM
	Communicate with Johnathan Fayeghi regarding threatened motion to set aside default judgment.	0.40	120.00	APM
	Communicate with Matt Francis [REDACTED] [REDACTED]	0.30	90.00	APM
	Draft email to Jed Margolin [REDACTED] [REDACTED]	0.10	30.00	APM
	Review Third Amended Subpoena to Charles Schwab.	0.10	30.00	APM
	Review Subpoena to E-Trade.	0.10	30.00	APM
Dec-09-13	Review email, dated 12/8/13, from Jed Margolin [REDACTED]	0.40	120.00	APM
Dec-10-13	Draft motion for debtor's examination.	2.70	810.00	APM
		0.00	0.00	NRL
	Process for service two (2) Subpoenas Duces Tecum - ETrade and Charles Schwab & Co., Inc.	0.00	0.00	NRL
Dec-11-13	Review email, dated 12/10/13, from Jed Margolin [REDACTED] [REDACTED]	0.10	30.00	APM
	Revise motion for debtor's examination [REDACTED]	0.70	210.00	APM
	Finalize Motion for Judgment Debtor's Examination; compile exhibits and prepare exhibit list; serve all parties via U.S. Mail	1.00	125.00	NRL
Dec-13-13	Review motion for debtor's examination	0.30	90.00	MDF
Dec-17-13	Review email, dated 12/17/13, from Jed Margolin [REDACTED] [REDACTED]	0.10	30.00	APM
	Review email, dated 12/17/13, from Donna Johnson [REDACTED] [REDACTED]	0.10	30.00	APM

	Draft email to Jed Margolin [REDACTED] [REDACTED]	0.10	30.00	APM
	Draft email to Donna Johnson [REDACTED] [REDACTED]	0.20	60.00	APM
	Review and respond to email, dated 12/17/13, from Donna Johnson [REDACTED] [REDACTED]	0.10	30.00	APM
Dec-18-13	Review and respond to email, dated 12/18/13, from Donna Johnson [REDACTED] [REDACTED]	0.10	30.00	APM
	Scan documents received from Wells Fargo and Bank of America	1.50	187.50	NRL
Dec-19-13	Communicate with Donna Johnson [REDACTED] [REDACTED]	0.20	60.00	APM
	Review email, dated 12/19/13, from Donna Johnson [REDACTED]	0.10	30.00	APM
	Draft email to Jed Margolin [REDACTED] [REDACTED]	0.10	30.00	APM
	Continued scanning of financial documents; compare scanned to original for reference; burn to DVD/CD for client; preparation of letter to client transmitting same	1.50	187.50	NRL
Dec-30-13	Review Zandian's motion to set aside default judgment, dated 12/19/13.	0.40	120.00	APM
	Review Westlaw people map report of Zandian [REDACTED]	0.60	180.00	APM
	Begin review of Wells Fargo documents.	0.90	270.00	APM
	Begin review of Bank of America documents.	0.30	90.00	APM
Dec-31-13	Finish review of Zandian's motion to set aside.	1.10	330.00	APM
	Finish review of Zandian's people map from Westlaw [REDACTED] [REDACTED]	0.50	150.00	APM
	Review detailed email, dated 12/22/13, from	0.30	90.00	APM

Jed Margolin [REDACTED]
[REDACTED]

Draft email to Jed Margolin [REDACTED] 0.10 30.00 APM
[REDACTED]

Initial review records from Charles Schwab; scan to file 1.00 125.00 NRL

Totals 19.00 \$4,527.50

DISBURSEMENTS

Disbursements

Receipts

Jan-13-14	Payment for invoice: 125011		687.85
	Payment for invoice: 125011		2,833.52
	Payment for invoice: 125011		621.74
	Payment for invoice: 125011		197.11
Dec-09-13	Photocopies 160 @ 0.25 - Service copies/2 SDTs	40.00	
Dec-10-13	Witness fee Charles Schwab	25.00	
	Witness fee - E-Trade Bank	25.00	
	Postage	8.96	
Dec-11-13	Photocopies 570 @ 0.25 - Motion for judgment/debtor exam	142.50	
	Postage	24.48	
Dec-12-13	Courier expense	16.00	
	Courier expense	37.00	
	Outside coping expense from BofA	115.66	
Dec-18-13	Photocopies 126 @ 0.25 - Banking documents	31.50	
Dec-19-13	Postage	1.72	
Dec-31-13	Legal research documents	153.92	
	Totals	\$621.74	\$0.00

Invoice #:

125011

Page

Total Current Fees & Disbursements

\$5,149.24

Previous Balance

\$0.00

Payments

\$0.00

Balance Due Now

\$809.02

Approved By: _____

Retainer Balance: \$0.00

Client shall pay Attorney's invoices on a Net 30 basis. Attorney may charge interest for any late payment of any sum due under this Agreement at the rate of eighteen percent (18%) per annum from the due date of the invoice until the date paid.

TRUST STATEMENT

5457.01		Disbursements	Receipts
	Trust Balance Forward		4,340.22
Jan-13-14	Paid To: Watson Rounds Payment for invoice: 125011	4,340.22	
	Total Trust	<u>\$4,340.22</u>	<u>\$4,340.22</u>
	Trust Balance		\$0.00

WATSON ROUNDS

Tax ID#: 88-0319593

5371 Kietzke Lane

Reno, NV 89511

Ph:775-324-4100

Fax:775-333-8171

Jed Margolin
1981 Empire Road
Reno, Nevada 89521-7430

February 10, 2014

Attention:

File #: 5457.01

Inv #: 125472

RE: Patent theft analysis & litigation

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jan-02-14	Review motion to stay proceedings	0.50	150.00	MDF
Jan-03-14	Review and respond to detailed email, dated 1/3/14, from Jed Margolin [REDACTED]	0.40	120.00	APM
Jan-06-14	Review email, dated 1/6/14, and attachments, from Jed Margolin [REDACTED]	0.40	120.00	APM
	Draft email to Jed Margolin [REDACTED]	0.10	30.00	APM
Jan-08-14	Draft opposition to motion to set aside.	3.60	1,080.00	APM
Jan-09-14	Review opposition to motion to set aside [REDACTED]	0.50	150.00	MDF
	Finish drafting opposition to motion to set aside default judgment.	4.90	1,470.00	APM
	Revise proposed order on motion for debtor's examination.	0.40	120.00	APM
	Review email, dated 1/8/14, from Jed Margolin [REDACTED]	0.10	30.00	APM

	Review/proof Opposition to Motion to Set Aside Judgment; compile exhibits; arrange for filing and delivery to court via RCMS "special"; compile service copies; file and serve	2.00	250.00	NRL
Jan-13-14	Communicate with Judge Russell's assistant regarding debtor's examination on 2/11/14 at 9:00 a.m.	0.20	60.00	APM
Jan-14-14	Conference with APM re: [REDACTED]	0.30	90.00	MDF
	Communicate with Angela, Judge Russell's assistant, regarding debtor's examination.	0.10	30.00	APM
	Begin preparing for debtor's examination.	0.30	90.00	APM
	Draft email to Jed Margolin [REDACTED]	0.10	30.00	APM
	Telephone conference with staff from opposing counsel requesting transmittal of Opposition to Motion to Set Aside Judgment; [REDACTED]; transmit Opposition via email	0.50	62.50	NRL
Jan-16-14	Review and revise opposition to motion to stay proceedings [REDACTED] [REDACTED]/Review order granting debtor's exam	1.20	360.00	MDF
	Draft opposition to Zandian's motion to stay proceedings.	2.50	750.00	APM
	Review order granting motion for debtor examination, dated 1/13/14.	0.20	60.00	APM
	Review notice of entry of order for debtor's examination.	0.10	30.00	APM
	Review Opposition to Motion for Stay to Enforce Judgment; and Order Granting Plaintiff's Motion for Debtor Examination; preparation of draft Notice of Entry of Order; arrange for filing and service of documents; telephone conference with client [REDACTED]	1.50	187.50	NRL

	Preparation of memo of telephone conference with client	0.20	25.00	NRL
Jan-17-14	Communicate with Nancy Lindsley [REDACTED] [REDACTED]	0.10	30.00	APM
	Review memo from Nancy Lindsley, dated 1/17/14, [REDACTED]	0.10	30.00	APM
	Review Wells Fargo documents in anticipation of preparation of SDT for deposit detail; telephone conference with client [REDACTED]	1.00	125.00	NRL
Jan-23-14	Review reply in support of motion to set aside default judgment and affidavit in support thereof/Review request for submission of motion to set aside default judgment	0.50	150.00	MDF
	Continue drafting questions for debtor's examination of Zandian.	0.30	90.00	APM
	Review and respond to email, dated 1/23/14, from Jed Margolin [REDACTED]	0.90	270.00	APM
	Research process of service on E*Trade as they have not responded to subpoena and they do not have any branches in Nevada.	0.30	90.00	APM
	Begin review Zandian's reply in support of motion to set aside default, dated 1/21/14.	0.20	60.00	APM
Jan-28-14	Review Federal Express from E*Trade Financial; duplicate for client; save to file	1.00	125.00	NRL
Jan-29-14	Preparation of email to client [REDACTED] [REDACTED]	1.00	125.00	NRL
Jan-31-14	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	MDF
	Review email, dated 1/31/14, from Samantha Valerius, judge's law clerk, regarding request for proposed order.	0.10	30.00	APM
	Totals	25.90	\$6,510.00	

DISBURSEMENTS		Disbursements	Receipts
Feb-10-14	Payment for invoice: 125472		559.25
	Payment for invoice: 125472		2,870.80
	Payment for invoice: 125472		295.00
	Payment for invoice: 125472		615.17
Jan-09-14	Photocopies 640 @ 0.25 - Opposition/request for admissions/order	160.00	
Jan-10-14	Courier expense	16.00	
Jan-16-14	Photocopies 64 @ 0.25 - Notice of entry	16.00	
Jan-19-14	Postage	6.60	
Jan-29-14	Courier expense	95.00	
	Postage	1.40	
	Totals	\$295.00	\$0.00
	Total Current Fees & Disbursements		\$6,805.00
	Previous Balance		\$809.02
	Payments		\$809.02
	Balance Due Now		\$2,464.78
	Approved By: _____		

Retainer Balance: \$0.00

Client shall pay Attorney's invoices on a Net 30 basis. Attorney may charge interest for any late payment of any sum due under this Agreement at the rate of eighteen percent (18%) per annum from the due date of the invoice until the date paid.

TRUST STATEMENT

5457.01		Disbursements	Receipts
Jan-24-14	Received From: Jed Margolin Trust receipt		5,149.24
	Paid To: Watson Rounds Transfer of trust funds to account balance due	809.02	
Feb-10-14	Paid To: Watson Rounds Payment for invoice: 125472	4,340.22	
	Total Trust	<hr/> \$5,149.24	<hr/> \$5,149.24
	Trust Balance		\$0.00

WATSON ROUNDS

Tax ID#: 88-0319593

5371 Kietzke Lane

Reno, NV 89511

Ph: 775-324-4100

Fax: 775-333-8171

Jed Margolin
1981 Empire Road
Reno, Nevada 89521-7430

March 7, 2014

Attention:

File #: 5457.01

Inv #: 126244

RE: Patent theft analysis & litigation

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Feb-01-14	Review and respond to email, dated 2/1/14, from Jed Margolin [REDACTED]	0.20	60.00	APM
Feb-03-14	Review voicemail from Fred Sadri [REDACTED]	0.10	30.00	APM
Feb-04-14	Begin drafting order denying motion to set aside.	0.10	30.00	APM
Feb-05-14	Review and revise proposed order denying Defendants' Motion to Set aside, [REDACTED]	1.00	300.00	MDF
	Review email, dated 2/5/14, from Jed Margolin [REDACTED]	0.10	30.00	APM
	Draft email to Jed Margolin [REDACTED]	0.10	30.00	APM
	Review another email from Jed Margolin [REDACTED]	0.10	30.00	APM

	Draft proposed order denying Zandian's motion to set aside the judgment.	3.70	1,110.00	APM
	Draft email to Samantha Valerius regarding proposed order denying motion to set aside judgment.	0.10	30.00	APM
	Review Zandian's reply in support of motion for stay of proceedings to enforce the judgment, dated 1/29/14.	0.10	30.00	APM
Feb-06-14	Conference with APM re: [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] /Review email string between APM and opposing counsel re: contempt issues	0.40	120.00	MDF
	Review email, dated 2/6/14, from Samantha Valerius, judge's law clerk, regarding judge signing order denying motion to set aside judgment.	0.10	30.00	APM
	Draft email to Samantha Valerius, judge's law clerk, regarding judge signing order denying motion to set aside judgment.	0.10	30.00	APM
	Draft email to Jonathon Fayeghi regarding debtor's examination.	0.30	90.00	APM
	Telephone conference with Fred Sadri [REDACTED]	0.20	60.00	APM
	Review email, dated 2/6/14, from Johnathon Fayeghi regarding Zandian's debtor's examination.	0.10	30.00	APM
	Draft email to Johnathon Fayeghi regarding Zandian's debtor's examination.	0.10	30.00	APM
	Draft email to Jed Margolin [REDACTED] [REDACTED] [REDACTED] [REDACTED]	0.10	30.00	APM
Feb-07-14	Conference with APM re: [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	0.80	240.00	MDF

	Call and email John Fayeghi regarding Zandian's non-response to order to produce documents prior to debtor's examination.	0.20	60.00	APM
	Draft email to Jed Margolin [REDACTED] [REDACTED]	0.10	30.00	APM
	Review order denying Zandian's motion to set aside judgment, dated 2/6/14.	0.30	90.00	APM
	Review Order Denying Motion to Set Aside Default Judgment; scan and transmit to opposing counsel; preparation of Notice of Entry of Judgment for filing	0.70	87.50	NRL
Feb-10-14	Conference with APM re: [REDACTED] [REDACTED]	1.00	300.00	MDF
	Draft another email to John Fayeghi regarding tomorrow's debtor's examination of Zandian.	0.10	30.00	APM
	Draft debtor's examination questions.	0.10	30.00	APM
	Review and respond to email, dated 2/10/14, from John Fayeghi regarding debtor's examination	0.30	90.00	APM
	Draft email to Court regarding Zandian not appearing before the court tomorrow on debtor's examination.	0.80	240.00	APM
	Review email, dated 2/10/14, from Angela Jeffries regarding vacating debtor's examination and requesting a motion for order to show cause regarding contempt.	0.20	60.00	APM
	Draft email to Angela Jeffries regarding vacating debtor's examination and requesting a motion for order to show cause regarding contempt.	0.10	30.00	APM
	Draft email to Jed Margolin [REDACTED] [REDACTED]	0.10	30.00	APM
	Review Wells Fargo's response to \$55,000 transaction to Zandian.	0.20	60.00	APM

	Review email, dated 2/10/14, from Jed Margolin [REDACTED]	0.30	90.00	APM
	Respond to Jed Margolin's email [REDACTED]	0.20	60.00	APM
Feb-11-14	Review and revise motion to show cause why Defendant should not be held in contempt [REDACTED]	1.30	390.00	MDF
	Draft Motion for Order to Show Cause Regarding Contempt, as requested by the court.	4.40	1,320.00	APM
	Reorganize file materials; review emails between APM and opposing counsel and court	1.00	125.00	NRL
Feb-12-14	Finish drafting motion for contempt sanctions.	0.10	30.00	APM
	Finalize Motion for Order to Show Cause Re Contempt vs. Zandian; compile exhibits; transmit for filing; serve via first class mail	1.00	125.00	NRL
Feb-24-14	Review Zandian's substitution of attorney's, dated 2/21/14.	0.30	90.00	APM
	Draft email to Jed Margolin [REDACTED]	0.10	30.00	APM
	Review and respond to Jed Margolin's email, dated 2/24/14, [REDACTED]	0.10	30.00	APM
	Totals	20.80	\$5,767.50	

DISBURSEMENTS

Mar-07-14	Payment for invoice: 126244
	Payment for invoice: 126244
	Payment for invoice: 126244
	Payment for invoice: 126244

Disbursements

Receipts

249.69
3,018.48
73.29
998.76

Invoice #: 126244

Page

Feb-01-14	Legal research documents	59.69	
Feb-10-14	Postage	13.60	
	Totals	<hr/> \$73.29	<hr/> \$0.00
	Total Current Fees & Disbursements		<hr/> \$5,840.79
	Previous Balance		\$2,464.78
	Payments		\$2,464.78
	Balance Due Now		<hr/> \$1,500.57
	Approved By: _____		

Retainer Balance: \$0.00

Client shall pay Attorney's invoices on a Net 30 basis. Attorney may charge interest for any late payment of any sum due under this Agreement at the rate of eighteen percent (18%) per annum from the due date of the invoice until the date paid.

TRUST STATEMENT

5457.01		Disbursements	Receipts
Feb-26-14	Received From: Jed Margolin Trust receipt		6,805.00
	Paid To: Watson Rounds Trust transfer to account balance due	2,464.78	
Mar-07-14	Paid To: Watson Rounds Payment for invoice: 126244	4,340.22	
	Total Trust	<hr/> \$6,805.00	<hr/> \$6,805.00
	Trust Balance		\$0.00

WATSON ROUNDS

Tax ID#: 88-0319593

5371 Kietzke Lane
Reno, NV 89511

Ph: 775-324-4100

Fax: 775-333-8171

Jed Margolin
1981 Empire Road
Reno, Nevada 89521-7430

April 3, 2014

Attention:

File #: 5457.01

Inv #: 126514

RE: Patent theft analysis & litigation

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Mar-04-14	Review opposition to motion for order to show cause re: contempt/Draft and review e-mails to and from APM re: same, and reply arguments	0.80	240.00	MDF
	Review voicemail, dated 3/4/14, from Fred Sadri [REDACTED]	0.10	30.00	APM
	Review Opposition to Motion for Order to Show Cause Regarding Contempt, dated 3/3/14.	0.70	210.00	APM
	Draft email to Jed Margolin [REDACTED]	0.10	30.00	APM
	Review and respond to email, dated 3/4/14, from Jed Margolin [REDACTED]	0.20	60.00	APM
	Review email, dated 3/4/14, from Jed Margolin [REDACTED]	0.20	60.00	APM
Mar-05-14	Review voicemail from Fred Sadri [REDACTED]	0.10	30.00	APM

	Telephone conference with Fred Sadri [REDACTED]	0.30	90.00	APM
	Review email, dated 3/5/14, from Jed Margolin [REDACTED]	0.10	30.00	APM
	Review Opposition to Motion for OSC; calendar reply to same; review Carson City County website to confirm if Zandian owns real property in Carson	1.00	125.00	NRL
Mar-08-14	Review email, dated 3/8/14, from Jed Margolin [REDACTED]	0.10	30.00	APM
Mar-10-14	Review attachments attached to 3/4/14 email from Jed Margolin [REDACTED]	0.10	30.00	APM
Mar-11-14	Review Jed Margolin's comments [REDACTED]	0.50	150.00	APM
	Draft reply in support of motion for contempt sanctions.	3.90	1,170.00	APM
Mar-12-14	Continue drafting reply in support of motion for contempt sanctions.	1.60	480.00	APM
	Review email, dated 3/12/14, from Jed Margolin [REDACTED]	0.20	60.00	APM
Mar-13-14	Review and revise Reply ISO Motion for Order to Show Cause Regarding Contempt/Review appellate documents [REDACTED]	1.00	300.00	MDF
	Finish drafting reply in support of motion for contempt sanctions.	0.20	60.00	APM
	Review notice of appeal.	0.20	60.00	APM
	Review case appeal statement.	0.20	60.00	APM
	Review notice of cash deposit by Zandian.	0.10	30.00	APM

	Perform legal research [REDACTED] [REDACTED]	0.30	90.00	APM
	Review and finalize Reply iso Motion for OSC; preparation of Request for Submission; telephone conference with Reno Carson Messenger Service for special to Carson City to file documents; review Notice of Appeal and supporting documents; scan/email/save	1.50	187.50	NRL
Mar-14-14	Download Appellate documents; change NV Supreme Court profile	0.50	62.50	NRL
Mar-17-14	Download file-stamped documents; calendar Nevada Supreme Court Appeal deadlines	1.00	125.00	NRL
Mar-18-14	Download and save appeal documents	0.50	62.50	NRL
Mar-19-14	Review order rejecting request for submission relating to contempt application/Review Nevada Supreme Court scheduling order re: settlement conference	0.50	150.00	MDF
	Review email, dated 3/19/14, from Jed Margolin [REDACTED] [REDACTED]	0.20	60.00	APM
	Review Nevada Supreme Court docket; review Order Denying Request for Submission; and Notice of Assignment to Settlement Program; calendar same	1.00	125.00	NRL
Mar-20-14	Conference with Adam Mcmillen re: [REDACTED] [REDACTED]	0.50	150.00	MDF
	Communicate with Matt Frances [REDACTED] [REDACTED]	0.40	120.00	APM
	Telephone conference with Jed Margolin [REDACTED]	0.90	270.00	APM
	Draft letter to Jason Woodbury requesting debtor's examination and documents from Zandian.	0.40	120.00	APM
	Review email, dated 3/20/14, from Jed Margolin [REDACTED]	0.50	150.00	APM

	Finalize letter to Jason Woodbury; transmit via email and US Mail	0.20	25.00	NRL
Mar-22-14	Review email, dated 3/21/14, from Jed Margolin [REDACTED]	0.50	150.00	APM
Mar-25-14	Review email, dated 3/25/14, from Jed Margolin [REDACTED]	0.40	120.00	APM
	Review and respond to email, dated 3/25/14, from Jed Margolin [REDACTED]	0.20	60.00	APM
	Review and respond to email, dated 3/25/14, from Jed Margolin regarding [REDACTED]	0.40	120.00	APM
Mar-26-14	Review property title documents/Conference with APM re: [REDACTED]	1.00	300.00	MDF
	Review email, dated 3/26/14, from Jed Margolin [REDACTED]	0.30	90.00	APM
	Review email, dated 3/25/14, from Jed Margolin [REDACTED]	0.50	150.00	APM
	Review email, dated 3/26/14, from Jed Margolin [REDACTED]	0.30	90.00	APM
	Telephone call with Jed Margolin	0.60	180.00	APM
Mar-27-14	Review filed copy of district court docket entries, filed with supreme court on 3/25/14.	0.20	60.00	APM
	Review notes and research regarding execution vs real property; review Jed's email and enclosures; commence preparation of Motion for Writ of Execution; Execution; and, Notice of Execution	2.00	250.00	NRL
Mar-28-14	Draft writ of execution.	0.20	60.00	APM
	Commence preparation of Motion for Writ of Execution, Writ of Execution and First Memorandum of Post-Judgment Costs and Fees; print client ledger to calculate and break down fees and costs	2.50	312.50	NRL

Mar-31-14	Review and respond to email, dated 3/31/14, from Jed Margolin [REDACTED]	0.10	30.00	APM
	Revise first memo of post-judgment costs and fees.	0.10	30.00	APM
	Revise writ of execution.	0.30	90.00	APM
	Review email, dated 3/28/14, from Jason Woodbury regarding Zandian's motion filed recently	0.30	90.00	APM
	Communicate with Jed Margolin [REDACTED]	0.20	60.00	APM
	Review email, dated 4/1/14, from Jed Margolin [REDACTED]	0.30	90.00	APM
	Review proposed motion for writ of execution.	0.30	90.00	APM
	Review voicemail from Fred Sadri and return his call.	0.10	30.00	APM
	Finalize First Memorandum of Costs; Motion for Issuance of Writ; recalculate interest; and preparation of of Affidavit and Request for Writ	2.00	250.00	NRL
	Finalize Motion for Writ of Execution; telephone conference with Steve Wood of Washoe County Sheriff's Office regarding service of Writs and requirements for same; update memo re same; preparation of twelve (12) Writs of Execution (10 for Washoe County, 2 for Clark County); telephone conference with Clerk regarding filing fee for issuance	2.50	312.50	NRL
	Totals	35.40	\$8,047.50	

DISBURSEMENTS**Disbursements****Receipts**

Apr-03-14	Payment for invoice: 126514			1,113.81
	Payment for invoice: 126514			3,073.20

Invoice #: 126514

Page

Payment for invoice: 126514 122.08

Payment for invoice: 126514 691.01

Mar-01-14	Westlaw litigation documents/downloads	33.09
Mar-13-14	Photocopies 36 @ 0.25 - Reply	9.00
	Postage	0.90
Mar-17-14	Courier expense	40.00
Mar-20-14	Postage	0.48
Mar-31-14	Westlaw legal research documents	38.61

Totals	\$122.08	\$0.00
--------	----------	--------

Total Current Fees & Disbursements \$8,169.58

Previous Balance \$1,500.57

Payments \$1,500.47

Balance Due Now \$3,169.58

Approved By: _____

Retainer Balance: \$0.00

Client shall pay Attorney's invoices on a Net 30 basis. Attorney may charge interest for any late payment of any sum due under this Agreement at the rate of eighteen percent (18%) per annum from the due date of the invoice until the date paid.

TRUST STATEMENT

		Disbursements	Receipts
5457.01			
Mar-21-14	Received From: Jed Margolin Trust receipt		5,840.79
	Paid To: Watson Rounds Transfer to outstanding account balance due	1,500.47	
Mar-27-14	Received From: Jed Margolin Trust receipt		659.78
Apr-03-14	Paid To: Watson Rounds Payment for invoice: 126514	5,000.10	
	Total Trust	\$6,500.57	\$6,500.57
	Trust Balance		\$0.00

Jed Margolin
1981 Empire Road
Reno, Nevada 89521-7430

April 24, 2014

Attention:

RE: Patent theft analysis & litigation

File #: 5457.01
Inv #: Sample

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Apr-01-14	Reveiw Clark County and Washoe County deeds for insertion of legal description into Writs of Execution; revise Writs of Execution for issuance	1.00	125.00	NRL
	Review emails; calendar response to Motion for Writ of Execution	0.50	62.50	NRL
Apr-02-14	Review Zandian's Motion to Dismiss and related documents/Review and revise Supreme Court mediation brief/ [REDACTED]	1.00	300.00	MDF
	Review email, dated 4/2/14, from Jed Margolin [REDACTED]	0.10	30.00	APM
	Review Zandian's motion to dismiss and vacate default judgment.	1.20	360.00	APM
	Draft email to Jason Woodbury regarding debtor's examination and bizarre motion filed by Zandian.	0.10	30.00	APM
	Review file stamped motion to dismiss in Abrishami v Gold Canyon, dated 3/24/14.	0.60	180.00	APM
	Review file-stamped motion, dated 3/24/14.	0.30	90.00	APM
	Telephone conference with Fred Sadri.	0.20	60.00	APM
	Review letter, dated 12/4/13, from Kristin Luis to Judge Wilson regarding Gold Canyon case.	0.20	60.00	APM
	Review and respond to email, dated 4/2/14, from Jed Margolin [REDACTED]	0.20	60.00	APM

	Draft confidential settlement brief.	2.80	840.00	APM
	Brief review Motion and supporting documents filed by Zandian; calendar response to same	1.00	125.00	NRL
Apr-03-14	Finish drafting confidential settlement brief.	0.60	180.00	APM
	Review/revise Respondent's Confidential Settlement Conference Statement; transmit via fax; telephone conference with RCMS regarding hand delivery to PO Box in Glenbrook (need to affix postage for delivery)	1.00	125.00	NRL
	Telephone conference with Reno Carson Messenger Service to arrange for personal delivery of Settlement Conference Statement to PO Box in Glenbrook; second call to confirm delivery made	0.50	62.50	NRL
Apr-04-14	Review notification from Supreme Court of Zandian's filing of docketing statement	0.10	30.00	APM
	Review Zandian's docketing statement	0.50	150.00	APM
	Review issued notice for Zandian to provide proof of service of docketing statement upon settlement judge.	0.20	60.00	APM
Apr-07-14	Review filed proof of service affidavit of service of docketing statement, dated 4/7/14	0.10	30.00	APM
	Review and download filed Appellate documents	0.50	62.50	NRL
Apr-08-14	Review email, dated 4/8/14, from Jed Margolin [REDACTED]	0.20	60.00	APM
	Review supreme court forms for responding to Zandian's docketing statement	0.50	150.00	APM
	Telephone call with Jed Margolin [REDACTED]	1.00	300.00	APM
	Review email, dated 4/8/14, from Jed Margolin [REDACTED]	0.20	60.00	APM
	Telephone conference with Steve Wood of the Washoe County Sheriff's office re execution	0.50	62.50	NRL

	vs. real properties; left message for Christie of First JD regarding issuance of Writs; download motion recently filed by Zandian			
Apr-09-14	Draft opposition to Zandian's motion to dismiss	0.20	60.00	APM
	Review and respond to emails, dated 4/9/14, from Jason Woodbury regarding Zandian's motion to dismiss	0.30	90.00	APM
	Draft email to Jed Margolin [REDACTED]	0.10	30.00	APM
	Review and respond to email from Nancy Lindsley [REDACTED]	0.20	60.00	APM
	Telephone conference with Court Clerk re issuance of Writs; preparation of memo to APM re same	0.30	37.50	NRL
Apr-10-14	Review Motion to Retax and Settle Costs; calendar response to same	0.50	62.50	NRL
Apr-11-14	Review and respond to email, dated 4/11/14, from Jed Margolin [REDACTED]	0.20	60.00	APM
Apr-14-14	Meet with Matt Francis [REDACTED]	0.30	90.00	APM
	Review email, dated 4/14/14, from Jed Margolin [REDACTED]	0.20	60.00	APM
	Draft email to Jason Woodbury regarding stipulation to withdraw motion to dismiss from Zandian	0.10	30.00	APM
	Review and respond to another email, dated 4/14/14, from Jed Margolin [REDACTED]	0.10	30.00	APM
	Revise declaration for JP Lee, gather old letters regarding same and draft email to JP Lee requesting him to sign new declaration	0.70	210.00	APM
	Review filed copy of District court Docket Entries, dated 4/10/14	0.10	30.00	APM
	Review email, dated 4/14/14, from	0.10	30.00	APM

	Jason Woodbury regarding stipulation to withdraw Zandian's motion to dismiss			
	Review first draft of Jason Woodbury's proposed stipulation to withdraw Zandian's motion to dismiss	0.10	30.00	APM
	Draft emails to Jason Woodbury regarding proposed stipulation to withdraw Zandian's motion to dismiss	0.20	60.00	APM
	Transmit executed Stipulation and Order to Withdraw Motion to Jason Woodbury	0.50	62.50	NRL
Apr-15-14	Review motion to retax costs/Emails with APM re: same	0.50	150.00	MDF
	Begin review of Zandian's motion to retax, dated 4/9/14	0.20	60.00	APM
	Review email, dated 4/15/14, from Tiffany Dube regarding request for declaration from JP Lee.	0.10	30.00	APM
	Review letter, dated 4/15/14, from JP Lee regarding request for declaration	0.10	30.00	APM
Apr-16-14	Finish review of Zandian's motion to retax	1.40	420.00	APM
	Begin drafting opposition to Zandian's motion to retax	1.70	510.00	APM
	Review and respond to email, dated 4/15/14, from Jed Margolin [REDACTED] [REDACTED] [REDACTED]	0.30	90.00	APM
	Meet with Matt Francis [REDACTED] [REDACTED] [REDACTED]	0.30	90.00	APM
	Draft email to Jed Margolin [REDACTED] [REDACTED] [REDACTED]	0.20	60.00	APM
	Communicate with David Wasick regarding mediation	0.10	30.00	APM
	Draft email to Jed Margolin [REDACTED] [REDACTED]	0.10	30.00	APM

	Draft motion for post judgment fees and costs	3.40	1,020.00	APM
	Review email, dated 4/17/14, from Jason Woodbury regarding settlement conference in May	0.10	30.00	APM
	Generate report reflecting costs incurred from 6/26/2013 to present; commence preparation of revised Memorandum of Costs	0.80	100.00	NRL
Apr-17-14	Review emails re: settlement issues/Conference with APM re: same and Voicemail from David Wasick	0.50	150.00	MDF
	Review and respond to emails, dated 4/18/14, from Jed Margolin [REDACTED] [REDACTED] [REDACTED]	0.30	90.00	APM
Apr-18-14	Draft email to David Wasick and Woodbury regarding settlement conference	0.20	60.00	APM
	Review email, dated 4/18/14, from David Wasick setting settlement conference for May 21, 2014	0.10	30.00	APM
	Draft email to Jed Margolin [REDACTED] [REDACTED]	0.10	30.00	APM
	Finish drafting motion for postjudgment fees and costs	1.60	480.00	APM
	Review Supreme Court of Nevada's notice of filed copy of district court docket entries	0.10	30.00	APM
	Review and respond to email, dated 4/18/14, from Jed Margolin [REDACTED] [REDACTED]	0.10	30.00	APM
	Generate reports from PCLaw for fees and costs from October 21, 2013 through April 21, 2014	0.50	62.50	NRL
	Review/proof Motion for Order Allowing Costs and APM Dec iso same; compile exhibits	1.00	125.00	NRL

	33.10	\$8,425.00
--	-------	------------

FEE SUMMARY:

Lawyer	Hours	Effective Rate	Amount
Matthew D. Francis	2.00	\$300.00	\$600.00
Adam P. McMillen	22.50	\$300.00	\$6,750.00
Nancy R. Lindsley	8.60	\$125.00	\$1,075.00

DISBURSEMENTS

		Disbursements	Receipts
Apr-01-14	Court documents via Pacer	1.50	
Apr-02-14	Postage	3.08	
Apr-04-14	Process service expense	65.00	
Apr-09-14	Postage	1.40	
	Totals	\$70.98	\$0.00

Total Fees & Disbursements

Previous Balance	\$3,169.58
Previous Payments	\$0.00
Balance Due Now	\$11,665.56

AMOUNT QUOTED: \$0.00

Exhibit 4

Exhibit 4

Date	Received From/Paid To	Chq#	General		Bld	Trust Activity				
Entry #	Explanation	Rec#	Rcpts	Disbs	Fees	Inv#	Acc	Rcpts	Disbs	Balance
5457	Margolin, Jed									
5457.01	Patent theft analysis & litigation									Resp Lawyer: APM
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									
1128663	Postage	16712		1.40		125472				
Feb 1/2014	Expense Recovery									
1129997	Legal research documents	16730		59.69		126244				
Feb 10/2014	Billing on Invoice 125472									
1129614	FEES 6510.00			0.00		125472				
	DISBS 295.00									
Feb 10/2014	Expense Recovery									
1131350	Postage	16741		13.60		126244				
Mar 1/2014	Expense Recovery									
1134969	Westlaw litigation documents/downloads	16783		33.09		126514				
Mar 7/2014	Billing on Invoice 126244									
1133801	FEES 5767.50			0.00		126244				
	DISBS 73.29									
Mar 13/2014	Expense Recovery									
1135051	Postage	16784		0.90		126514				
Mar 13/2014	Expense Recovery									
1136514	Photocopies 36 @ 0.25 - Reply	16803		9.00		126514				
Mar 17/2014	Reno/Carson Messenger Service, In									
1134803	Courier expense			40.00		126514				
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									

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

TOTALS	CHE	+	UNBILLED	+	FEEES	=	TOTAL	DISBS	+	FEEES	+	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														

FIRM TOTAL	CHE	+	UNBILLED	+	FEEES	=	TOTAL	DISBS	+	FEEES	+	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

Layout Template	Default
Advanced Search Filter	None
Requested by	Nancy
Finished	Monday, April 21, 2014 at 02:05:26 PM
Ver	13.0 SF1 (13.0.20131028)
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
New Page for Each Matter	No
No Activity Date	Dec/31/2199
Firm Totals Only	No
Totals Only	No
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 Unblid 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

Exhibit 5

Exhibit 5

CHECK REQUEST FORM

PAYABLE TO Wells Fargo Bank, N.A. DATE NEEDED: _____
DESCRIPTION: Witness Fee - Subpoena
ADDRESS (IF APPLICABLE): _____
AMOUNT: \$25
CLIENT NAME/MATTER#: 5457.01
REQUESTED BY/ATTORNEY APPROVAL: APM
MAIL CHECK FROM ACCOUNTING: YES/(NO)
RETURN CHECK TO: Nancy
DISPENSE FROM: GENERAL TRUST

FOR ACCOUNTING USE ONLY:

DATE OF CHECK: _____
CHECK #: _____
GL ACCOUNT: _____

4/8/99-Accounting/Payroll & exps/Forms

NOTES:

WATSON ROUNDS
GENERAL CHECKING ACCOUNT

2389

Date: Oct 18/13 Matter #: 5457.01
Amount: \$25.00 Claim Number: _____
Payable To: Wells Fargo Bank
Client: Margolin, Jed
Matter Description: Patent theft analysis & litigation
Explanation: Witness fee subpoena for Wells Fargo
Invoice #: _____

Invoice #: 38183
Date: 10/22/2013

Reno/Carson Messenger Service, Inc.
185 Martin Street
Reno, NV 89509
775.322.2424
Federal Tax ID: 88-0306306
NV STATE LIC#322



Process Server - Messenger Service
RENO / CARSON / LAS VEGAS
*** WE MAKE DEADLINES ***



RECEIVED

OCT 23 2013

WATSON ROUNDS

INVOICE FOR SERVICE:

Amount Due: \$52.00

WATSON ROUNDS
5371 KIETZKE LN,
RENO, NV 89511

Phone number: 775 324-4100
Fax number: 775 333-8171
Email Address:

Requestor: NANCY
Your File#, 5457-01

Service #39380: WELLS FARGO BANK, N.A.
Manner of Service: CUSTODIAN OF RECORDS

Completion Information/Recieved by:SUSAN DOBYNS

Service Date/Time:10/22/2013 11:10 AM

Service address:5340 KIETZKE LANE RENONV 89511

Served by:MATTHEW BAKER R-016102

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Caucasian	Blonde	55	5'9"	130
Other Features:					

IN THE FIRST JUDICIAL DISTRICT COURT-IN AND FOR THE COUNTY OF CARSON CITY, STATE OF NEVADA
JED MARGOLIN v. OPTIMA TECHNOLOGY CORPORATION, A CALIFORNIA CORPORATION, ET AL

Service Documents: SECOND AMENDED SUBPOENA DUCES TECUM; WITNESS FEE \$25.00

CASE#: 090C00579.1B

Service Comments:

Standard Service	\$37.00
RUSH	\$15.00
TOTAL CHARGES:	\$52.00
BALANCE:	\$52.00

CREDIT TERMS ARE NET 30. INVOICES NOT PAID WITHIN TERMS WILL BE ASSESSED A 1.5% PER MONTH FINANCE CHARGE

CHECK REQUEST FORM

PAYABLE TO Bank of America DATE NEEDED: _____
 DESCRIPTION: Subpoena Witness Fee
 ADDRESS (IF APPLICABLE): _____
 AMOUNT: \$25⁰⁰
 CLIENT NAME/MATTER#: 5457.01
 REQUESTED BY/ATTORNEY APPROVAL: _____
 MAIL CHECK FROM ACCOUNTING: _____ YES/(NO)
 RETURN CHECK TO: Nancy
 DISPENSE FROM: GENERAL TRUST

FOR ACCOUNTING USE ONLY:

DATE OF CHECK: _____
 CHECK #: _____
 GL ACCOUNT: _____

4/8/99-Accounting/Payroll & exps/Forms

NOTES:

WATSON ROUNDS
 GENERAL CHECKING ACCOUNT

2475

Date: Nov 13/13 Matter #: 5457.01
 Amount: \$25.00 Claim Number:
 Payable To: Bank of America
 Client: Margolin, Jed
 Matter Description: Patent theft analysis & litigation
 Explanation: Witness fee subpoena for Bank of America
 Invoice #:

Invoice #: 39689
Date: 11/18/2013

Reno/Carson Messenger Service, Inc.
185 Martin Street
Reno, NV 89509
775.322.2424
Federal Tax ID: 88-0306306
NV STATE LIC#322



RECEIVED
NOV 19 2013
WATSON ROUNDS

INVOICE FOR SERVICE:

Amount Due: \$52.00

WATSON ROUNDS
5371 KIETZKE LN,
RENO, NV 89511

Phone number: 775 324-4100
Fax number: 775 333-8171
Email Address:

Requestor: NANCY
Your File# 5457.01

Service #40598: BANK OF AMERICA
Manner of Service: CUSTODIAN OF RECORDS

Completion Information/Recieved by: WENDY FRANCO
Service Date/Time: 11/13/2013 1:07 PM
Service address: 5905 S. VIRGINIA ST. RENONV 89502
Served by: MIKE JONES R-023632

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Caucasian	Black	38	5'9	135
Other Features:					

IN THE FIRST JUDICIAL DISTRICT COURT-IN AND FOR THE COUNTY OF CARSON CITY, STATE OF NEVADA
JED MARGOLIN v. OPTIMA TECHNOLOGY CORPORATION, A CALIFORNIA CORPORATION, ET AL

Service Documents: SUBPOENA DUCES TECUM; LETTER; WITNESS FEE \$25.00

CASE#: 090C00579 1B

Service Comments:

Standard Service	\$37.00
RUSH	\$15.00
TOTAL CHARGES:	\$52.00
BALANCE:	\$52.00

CREDIT TERMS ARE NET 30. INVOICES NOT PAID WITHIN TERMS WILL BE ASSESSED A 1.5% PER MONTH
FINANCE CHARGE

CHECK REQUEST FORM

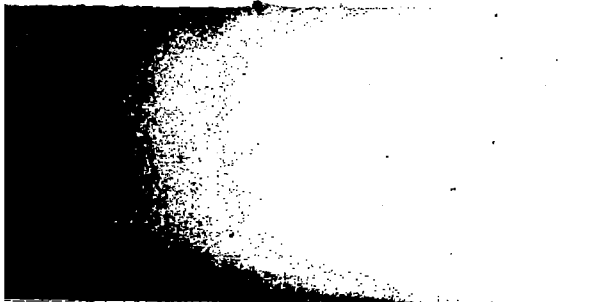
PAYABLE TO CHARLES SCHWAB & CO., INC. DATE NEEDED: _____
DESCRIPTION: WITNESS FEE - SUBPOENA DUCES TECUM
ADDRESS (IF APPLICABLE): _____
AMOUNT: \$25.00
CLIENT NAME/MATTER#: 5457.01
REQUESTED BY/ATTORNEY APPROVAL: APM
MAIL CHECK FROM ACCOUNTING: YES/(NO)
RETURN CHECK TO: Nancy (Thank you!)
DISPENSE FROM: GENERAL TRUST

FOR ACCOUNTING USE ONLY:

DATE OF CHECK: _____
CHECK #: _____
GL ACCOUNT: _____

4/8/99-Accounting/Payroll & exps/Forms

NOTES:



WATSON ROUNDS
GENERAL CHECKING ACCOUNT

2569

Date: Dec 10/13 Matter #: 5457.01
Amount: \$25.00 Claim Number:
Payable To: Charles Schwab & Co., Inc.
Client: Margolin, Jed
Matter Description: Patent theft analysis & litigation
Explanation: Witness fee Charles Schwab
Invoice #:

CHECK REQUEST FORM

PAYABLE TO E-TRADE BANK DATE NEEDED: _____
DESCRIPTION: Witness Fee - Subpoena Duces Tecum
ADDRESS (IF APPLICABLE): _____
AMOUNT: \$25.00
CLIENT NAME/MATTER#: 5457.01
REQUESTED BY/ATTORNEY APPROVAL: APM
MAIL CHECK FROM ACCOUNTING: YES/(NO)
RETURN CHECK TO: Nancy
DISPENSE FROM: GENERAL TRUST

FOR ACCOUNTING USE ONLY:

DATE OF CHECK: _____
CHECK #: _____
GL ACCOUNT: _____

4/8/99-Accounting/Payroll & exps/Forms

NOTES:

WATSON ROUNDS
GENERAL CHECKING ACCOUNT

2570

Date: Dec 10/13 Matter #: 5457.01
Amount: \$25.00 Claim Number:
Payable To: E-Trade Bank
Client: Margolin, Jed
Matter Description: Patent theft analysis & litigation
Explanation: Witness fee - E-Trade Bank
Invoice #:

Invoice #: 40903
Date: 12/12/2013

Reno/Carson Messenger Service, Inc.
185 Martin Street
Reno, NV 89509
775.322.2424
Federal Tax ID: 88-0306306
NV STATE LIC#322

RECEIVED

DEC 13 2013

WATSON ROUNDS



INVOICE FOR SERVICE:

Amount Due: \$16.00

WATSON ROUNDS
5371 KIETZKE LN,
RENO, NV 89511

RECEIVED

DEC 13 2013

WATSON ROUNDS

Phone number: 775 324-4100
Fax number: 775 333-8171
Email Address:

Requestor: NONE
Your File# 6457.01

Service #41830: COURIER/MESSENGER JOB
Manner of Service: MESSENGER
Service Instructions: PLEASE FILE AND RETURN

Completion Information/Recieved by: J. HIGGINS
Service Date/Time: 12/11/2013 3:12 PM
Service address: FIRST JUDICIAL 885 EAST MUSSER ST CARSON CITY NV 89701
Served by: WADE MORLAN R-006823

Sex	Color of skin/race	Color of hair	Age	Height	Weight
N/A	N/A	N/A		N/A	N/A
Other Features:					

Service Documents:

CASE#:

Service Comments:

MESSENGER

\$16.00

TOTAL CHARGES:

\$16.00

BALANCE:

\$16.00

CREDIT TERMS ARE NET 30. INVOICES NOT PAID WITHIN TERMS WILL BE ASSESSED A 1.5% PER MONTH FINANCE CHARGE



Service, Inc.
509
775.322.2424
Federal Tax ID: 88-0306306
NV STATE LIC#322

INVOICE FOR SERVICE:

WATSON ROUNDS
5371 KIETZKE LN,
RENO, NV 89511

RECEIVED

DEC 16 2013

WATSON ROUNDS

Amount Due: \$37.00

Phone number: 775 324-4100
Fax number: 775 333-8171
Email Address:

Requestor: NANCY
Your File# 5457.01

Service #41817: CHARLES SCHWAB & CO., INC.
Manner of Service: CORPORATE

Completion Information/Recieved by: ALENA DUGGAN

Service Date/Time: 12/11/2013 2:07 PM

Service address: 311 S. DIVISION ST THE CORPORATION TRUST COMPANY OF NEVADA
Carson City NV 89703

Served by: WADE MORLAN R-006823

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Caucasian	Brown	20-30	5ft4in-5ft8in	161-200 lbs
Other Features:					

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

JED MARGOLIN v. OPTIMA TECHNOLOGY CORPORATION, A CALIFORNIA CORPORATION, ET AL

Service Documents: THIRD AMENDED CUBPOENA DUCES TECUM; WITNESS FEE \$25.00

CASE#: 090C00579 1B

Service Comments:

Standard Service \$37.00

TOTAL CHARGES: \$37.00

BALANCE: \$37.00

CREDIT TERMS ARE NET 30. INVOICES NOT PAID WITHIN TERMS WILL BE ASSESSED A 1.5% PER MONTH FINANCE CHARGE

5457.01

Invoice



Bank Of America
Legal Order Processing
CA9-705-05-19
PO Box 3609
Los Angeles, CA 90051
213-580-0702

BILL TO

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

RECEIVED

DEC 16 2013

WATSON ROUNDS

Case # : L111813000262
Invoice Id : Invoice - 296601
Date of Invoice : 12/12/2013
Court Case Name : OPTIMA TECHNOLOGY
Court Case # : 090C00579 1B
EIN: 94-1687665

Amt Paid :

Please remit top half w/payment to the above address. Please include case number on payment.

Invoice Details

Quantity	Description of services/Financial Records Provided	Cost Per Item	Extended Amount
31	Copies of Checks	0.25	\$7.75
255	Copies of Statements Pages	0.25	\$63.75
16	Copies of Documents	0.25	\$4.00
41	Copies of Deposits	0.25	\$10.25
45	Copies of Offset	0.25	\$11.25
0	Copies of Account Records and Loan Documents	0.25	\$0.00
0	Copies of Complete Loan Files	30.00	\$0.00
0.00	Supervisor Time	0.00	\$0.00
1.77	Generalist Time	20.00	\$35.40
0.00	Witness Hours Amount	0.00	\$0.00
0.00	Mileage Amount	0.00	\$0.00
	Postage Amount		\$8.26
	Media Cost		\$0.00
	Other		\$0.00
	Sub Total		\$140.66
	Less Deposits/Payments Received		\$25.00
	Refund		\$0.00
	Amount due on Receipt		\$115.66

Invoice Remarks:

reno/Carson Messenger Service, Inc.
 185 Martin Street
 Reno, NV 89509
 tel 775.322.2424 fax 775.322.3408
 process@renocarson.com
 Federal Tax ID: 88-0306306
 NV STATE LIC#322



Process Server - Messenger Service
RENO / CARSON / LAS VEGAS
 WE MAKE DEADLINES

Invoice #: 42498
 Date: 01/10/2014



INVOICE FOR SERVICE:

Amount Due: \$16.00

WATSON ROUNDS
 5371 KIETZKE LN,
 RENO, NV 89511

Phone number: 775 324-4100
 Fax number: 775 333-8171
 Email Address:

Requestor: NANCY
 Your File# 5457.01

Service #43376: COURIER/MESSENGER JOB
 Manner of Service: MESSENGER
 Service Instructions: P/U (WILL CALL WHEN READY, CLOSE TO 4PM) - FILE
 IN 1ST JUD TODAY

RECEIVED
 JAN 19 2014
 WATSON ROUNDS

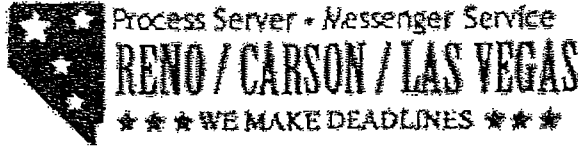
Completion Information/Recieved by:C. COOPER
 Service Date/Time:01/09/2014 3:35 PM
 Service address:FILE IN 1ST JUD TODAY CARSON CITYNV
 Served by:JOHN LEE R-004475

Sex	Color of skin/race	Color of hair	Age	Height	Weight
N/A	N/A	N/A		N/A	N/A
Other Features:					

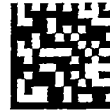
Service Documents:	CASE#:
Service Comments:	
MESSENGER	\$16.00
TOTAL CHARGES:	\$16.00
BALANCE:	\$16.00

CREDIT TERMS ARE NET 30. INVOICES NOT PAID WITHIN TERMS WILL BE ASSESSED A 1.5% PER MONTH FINANCE CHARGE

Carson Messenger Service, Inc.
 65 Martin Street
 Reno, NV 89509
 tel 775.322.2424 fax 775.322.3408
 process@renocarson.com
 Federal Tax ID: 88-0306306
 NV STATE LIC#322



Invoice #: 43629
 Date: 01/29/2014



INVOICE FOR SERVICE:

Amount Due: \$95.00

WATSON ROUNDS
 5371 KIETZKE LN,
 RENO, NV 89511

Phone number: 775 324-4100
 Fax number: 775 333-8171
 Email Address:

Requestor: NANCY
 Your File# 5457.01

Service #44406: WELLS FARGO BANK, N.A.
 Manner of Service: CORPORATE

Completion Information/Recieved by:FRANCES GUTIERREZ
 Service Date/Time:01/28/2014 2:45 PM
 Service address:2215-B RENAISSANCE DR CSC SERVICES OF NEVADA, INC. Las VegasNV
 89119
 Served by:ROGER PAYNE R-038800

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Hispanic	N/A	25 YOA	5'6"	120 LBS.
Other Features:					

IN THE FIRST JUDICIAL DISTRICT COURT-IN AND FOR THE COUNTY OF CARSON CITY, STATE OF NEVADA
 JED MARGOLIN v. OPTIMA TECHNOLOGY CORPORATION, A CALIFORNIA CORPORATION, ET AL

Service Documents: SUBPOENA DUCES TECUM; WITNESS FEE \$25.00

CASE#: 090C00579 1B

Service Comments:

Forwarding Fees		\$55.00
CASH ADVANCE	WITNESS FEES	\$25.00
RUSH		\$15.00
TOTAL CHARGES:		\$95.00
BALANCE:		\$95.00

CREDIT TERMS ARE NET 30. INVOICES NOT PAID WITHIN TERMS WILL BE ASSESSED A 1.5% PER MONTH
 FINANCE CHARGE

5457.01

Invoice #: 45499
Date: 03/17/2014

Process Server - Messenger Service, Inc.
55 Martin Street
Reno, NV 89509
tel 775.322.2424 fax 775.322.3408
process@renocarson.com
Federal Tax ID: 88-0306306
NV STATE LIC#322



Process Server - Messenger Service
RENO / CARSON / LAS VEGAS
*** WE MAKE DEADLINES ***



INVOICE FOR SERVICE:

Amount Due: \$40.00

WATSON ROUNDS
5371 KIETZKE LN,
RENO, NV 89511

Phone number: 775 324-4100
Fax number: 775 333-8171
Email Address:

Requestor: NANCY
Your File# 545701

RECEIVED
MAR 17 2014

Service #46410: COURIER/MESSENGER JOB
Manner of Service: MESSENGER
Service Instructions: P/U FILE IN 1ST JUD TODAY

Completion Information/Recieved by:FILED
Service Date/Time:03/13/2014 3:45 PM
Service address:FILE IN 1ST JUD TODAY CARSON CITYNV
Served by:JOHN LEE R-004475

Sex	Color of skin/race	Color of hair	Age	Height	Weight
N/A	N/A	N/A		N/A	N/A

Other Features:

Service Documents:	CASE#:
Service Comments:	
MESSENGER	\$40.00
TOTAL CHARGES:	\$40.00
BALANCE:	\$40.00

CREDIT TERMS ARE NET 30. INVOICES NOT PAID WITHIN TERMS WILL BE ASSESSED A 1.5% PER MONTH FINANCE CHARGE

Reno/Carson Messenger Service, Inc.
 185 Martin Street
 Reno, NV 89509
 tel 775.322.2424 fax 775.322.3408
 process@renocarson.com
 Federal Tax ID: 88-0306306
 NV STATE LIC#322



Process Server - Messenger Service
RENO / CARSON / LAS VEGAS
 *** WE MAKE DEADLINES ***

Invoice #: 46398
 Date: 04/04/2014



INVOICE FOR SERVICE:

Amount Due: \$65.00

WATSON ROUNDS
 5371 KIETZKE LN,
 RENO, NV 89511

Phone number: 775 324-4100
 Fax number: 775 333-8171
 Email Address:

Requestor: NANCY
 Your File# 5457.01

Service #47401: COURIER/MESSENGER JOB
 Manner of Service: MESSENGER
 Service Instructions: DELIVER TO: DAVID WESICK. OVER THE COUNTER
 TO THE POST MASTER.

RECEIVED

APR - 4 2014

WATSON ROUNDS

Completion Information/Recieved by: DIANNA GARCIA
 Service Date/Time: 04/03/2014 1:49 PM
 Service address: P.O. BOX 568 GLENBROOKNV 89413
 Served by: LARRY SCOTT R-053852

Sex	Color of skin/race	Color of hair	Age	Height	Weight
N/A	N/A	N/A		N/A	N/A
Other Features:					

Service Documents:

CASE#:

Service Comments: Postal Clerk

MESSENGER

\$25.00

SPECIAL MILEAGE

\$40.00

TOTAL CHARGES:

\$65.00

BALANCE:

\$65.00

CREDIT TERMS ARE NET 30. INVOICES NOT PAID WITHIN TERMS WILL BE ASSESSED A 1.5% PER MONTH
 FINANCE CHARGE

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 APR 30 PM 4:55
ALAN GLOVER
BY J. HARKLER
CLERK
DEPT

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

8 JED MARGOLIN, an individual,

9 Plaintiff,

10 vs.

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

17 Defendants.

Case No. 09OC00579 1B

Dept. No. I

18
19 **DEFENDANTS' MOTION TO RETAX AND SETTLE COSTS**

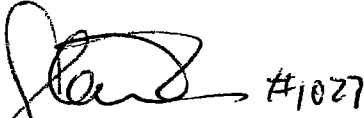
20 COMES NOW, Defendant REZA ZANDIAN ("ZANDIAN"), by and through his
21 attorneys, Kaempfer Crowell, and hereby files his Motion to Retax and Settle Costs relative to
22 Plaintiff's *Motion For Order Allowing Costs And Necessary Disbursements And Memorandum*
23 *Of Points And Authorities In Support Thereof.*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

This *Motion* is made pursuant to the attached memorandum of points and authorities, all papers and pleadings on file in this matter and any evidence received and arguments entertained by the Court at any hearing.

DATED this 30 day of April, 2014.

KAEMPFER CROWELL



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

1 MEMORANDUM OF POINTS AND AUTHORITIES

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

4 The determination of allowable costs is within the sound discretion of the trial court.
5 *Bobby Berosini, Ltd. v. People for the Ethical Treatment of Animals*, 971 P.2d 383, 114 Nev.
6 1348 (1998). However, statutes permitting recovery of costs are in derogation of common law,
7 and therefore must be strictly construed. *Gibellini v. Klindt*, 110 Nev. 1201, 885 P.2d 540, 1994
8 Nev. LEXIS 143 (1994). Nev. Rev. Stat. Ann. § 18.005.

9 Here, while Defendant believes each party should bear its own costs, Plaintiff seeks its
10 photocopying costs at a rate of \$0.25 per page, per supporting documentation at "Exhibit 4" of
11 "Declaration of Adam McMillen In Support of Plaintiff's Motion for Order Allowing Costs and
12 Necessary Disbursements" NRS 18.005(12) prescribes "Reasonable costs for photocopies." If
13 the court is inclined to award costs, the Defendant respectfully requests the court reduce the
14 photocopy charges to \$0.15 per page, or a total of \$288.72 for photocopies. *See Affidavit of Jano*
15 *Barnhurst*, attached hereto as Exhibit 1.

16 **B. AN AWARD OF ATTORNEY'S FEES IS NOT APPROPRIATE AS A**
17 **MATTER OF LAW**

18 It is well settled law in Nevada that the district court may not award attorney fees absent
19 authority under a statute, rule, or contract. Here there is no applicable statute or rule and the
20 parties did not enter into an agreement which afforded attorney's fees. Therefore, the American
21 Rule that each party should bear its own attorney's fees and costs applies, in keeping with the
22 following law.

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

24 Plaintiff claims that under its claim for "deceptive trade practices" it is entitled to an

1 award of attorney's fees under "NRS 598.0999(2)." See Plaintiff's Motion For Order Allowing
2 Costs And Necessary Disbursements And Memorandum Of Points And Authorities In Support
3 Thereof at p. 3, ll. 24-28. While Plaintiff concedes that "NRS 598.0999(2) does not explicitly
4 provide for attorney fees incurred postjudgment," Plaintiff nonetheless seeks them under the
5 authority of NRS 598.0999(2).

6 However, NRS 598.0999 does not permit an award of attorney's fees in this case. It
7 provides in relevant part:

8 *NRS 598.0999 Civil and criminal penalties for violations.*

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

15 Here, "in any such action" refers to the potential action to be brought by the district
16 attorney or the Attorney General in pursuing its civil recourse. It does not refer to an action
17 brought by a Plaintiff in a civil action. Therefore, NRS 598.0999(2) does not apply.

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

20 It is well settled Nevada law that attorney's fees are not recoverable unless authorized by
21 a statute, rule, or contractual provision. *Horgan v. Felton*, 123 Nev. 577, 583 (Nev. 2007) citing
22 *Rowland v. Lepire*, 99 Nev. 308, 315, 662 P.2d 1332, 1336 (1983).

23 Here, the American Rule that each party should bear its own attorney's fees and costs
24 remains the case, in the absence of a statute, rule or contract to the contrary. Under the
"American Rule," win or lose, the parties bear their own legal fees. *Fox v. Vice*, 131 S. Ct. 2205,
2213 (2011). The district court may not award attorney fees absent authority under a statute, rule,

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

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

5 While it is within the court's discretion to determine the reasonable amount of attorney's
6 fees under a statute or rule, in exercising its discretion, the court must evaluate the factors set
7 forth in *Brunzell v. Golden Gate National Bank*, 85 Nev. 345 (1969). Here, the court does not
8 arrive at such an analysis because there is no applicable statute or rule which permits an award of
9 fees to the Plaintiff. The *Brunzell* analysis only arises in instances where attorney's fees are
10 prescribed by statute, rule or contract.

11
12 **4. Even if a *Brunzell* Analysis of an award of attorney's fees were permissible,
Plaintiff's fees are inflated.**

13 This case has been a series of default judgments and did not require years of legal work
14 focused on a specialty in intellectual property. While that may, in general, justify opposing
15 counsel's billable hourly rate, this was not a case driven by intellectual property law. Rather, by
16 application of the default judgment scheme, NRS Chapter 17. Further, the Complaint reflects
17 this fact: it offers up the run of the mill torts against Defendants and only alleges "deceptive
18 trade practices," as the one and only "intellectual property" specialty. Further, not one of the
19 Plaintiff's claims was ever never litigated and brought to a judgment on the merits. In fact, the
20 fees Plaintiff seeks to recover are related solely to post-judgment work that has been performed –
21 not work that was performed to bring about the default judgment.

22 The judgment against this Defendant is exclusively by default and therefore, does not
23 impose specialized skill or unusual time and attention to the work performed by counsel in this
24 case. Plaintiff pursued and has only pursued default judgments against all Defendants since the

1 matter's inception. Hence, this case required no specialized legal practice which justifies the
2 hourly rate or justifies collection of an increased fee, if any at all.

3 The *Brunzell* factors evaluate: (1) the qualities of the advocate: his ability, his training,
4 education, experience, professional standing and skill; (2) the character of the work to be done:
5 its difficulty, its intricacy, its importance, time and skill required, the responsibility imposed and
6 the prominence and character of the parties where they affect the importance of the litigation; (3)
7 the work actually performed by the lawyer: the skill, time and attention given to the work; (4) the
8 result: whether the attorney was successful and what benefits were derived. *Brunzell v. Golden*
9 *Gate Nat'l Bank*, 85 Nev. 345, 349 (Nev. 1969). As set forth above, no factor weighs in favor of
10 an award of \$34,632.50 for 6 months of work dedicated to opposing the setting aside a default
11 judgment, taking steps to execute against a default judgment, and responding to an appeal
12 (10/18/2013 – 4/18/2014).

13
14 **5. Even if a *Brunzell* Analysis of an award of attorney's fees were permissible,
15 Plaintiff's requested fees are exclusively for post-judgment, pre-appeal work.**

16 Additionally, Plaintiff is asking that the *Brunzell* factors be applied exclusively to post-
17 judgment accrued attorney's fees. The default judgment was obtained on June 24, 2013 and
18 Plaintiff is asking for its attorney's fees from "October 18, 2013 to April 18, 2014." See p. 5, ll.
19 22-23 of Plaintiff's Motion. The *Brunzell* factors are therefore, generally not applicable (if at all
20 in this case) to the effort expended in defeating Defendants' "Motion To Set Aside Default
21 Judgment" filed on January 9, 2014, as fees may not be awarded for work performed related to
22 the appeal noticed by Defendant on March 12, 2014.

23 To the extent that the attorney's fees are applied to post-appeal work by Plaintiff's
24 counsel, an award of attorney's fees is prohibited in this case, as well. "There is no provision in
the statutes authorizing the district court to award attorney fees incurred on appeal. NRAP 38(b)

1 authorizes only this court [the Nevada Supreme Court] to make such an award if it determines
2 that the appeals process has been misused.” *Board of Gallery of History, Inc. v. Datecs Corp.*,
3 116 Nev. 286, 288; 994 P. 2d 1149, 1150 (2000).

4
5 **C. POST-JUDGMENT INTEREST SHOULD NOT COME DUE BY THIS
6 PREMATURE REQUEST**

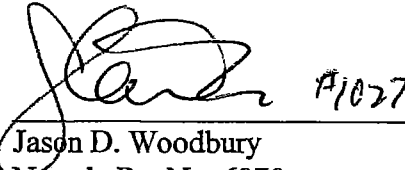
7 The postjudgment interest is accounted for in the Court’s 6/24/2013 Default Judgment
8 “until satisfied.” And, the interest that Plaintiff alleges is due cannot be advanced via the
9 Motion. Further, the matter is on appeal as of March 14, 2014.

10 **D. CONCLUSION**

11 For all the reasons set forth herein, it is respectfully requested that this Court GRANT
12 Defendants’ *Motion to Retax and Settle Costs* and DENY Plaintiff’s *Motion For Order Allowing*
13 *Costs And Necessary Disbursements And Memorandum Of Points And Authorities In Support*
14 *Thereof.*

15 DATED this 30th day of April, 2014.

16 **KAEMPFER CROWELL**

17  #1027
18 Jason D. Woodbury
19 Nevada Bar No. 6870
20 510 West Fourth Street
21 Carson City, Nevada 89703
22 Telephone: (775) 884-8300
23 Facsimile: (775) 882-0257
24 JWoodbury@kcnvlaw.com
Attorneys for Reza Zandian

1 CERTIFICATE OF SERVICE

2 Pursuant to NRCP 5(b), I hereby certify that service of the foregoing DEFENDANTS'
3 MOTION TO RETAX AND SETTLE COSTS was made this date by depositing a true copy
4 of the same for mailing at Carson City, Nevada, addressed to each of the following:

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

10 DATED this 30 day of April, 2014.

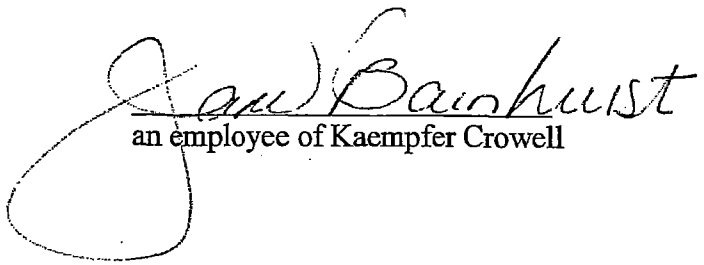
11 
12 an employee of Kaempfer Crowell

EXHIBIT 1

EXHIBIT 1

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**

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

8 JED MARGOLIN, an individual,

Case No. 09OC00579 1B

9 Plaintiff,

Dept. No. I

10 vs.

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

16 Defendants.
17

18 **AFFIDAVIT OF JANO BARNHURST**
19 **IN SUPPORT OF MOTION TO RETAX AND SETTLE COSTS**

20 STATE OF NEVADA)
21 CARSON CITY) ss.
22)

23 I, Jano Barnhurst, being first duly sworn under penalty of perjury, depose and
state as follows:

- 24 1. I am an employee with the law firm of Kaempfer Crowell.

