

**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

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**JOINT APPENDIX**

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**VOLUME IV**

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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**

<b><u>DOCUMENT</u></b>	<b><u>DATE</u></b>	<b><u>VOL.</u></b>	<b><u>PAGES (J.A.)</u></b>
<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

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<i>Default Judgment</i>	June 24, 2013	I	35-37
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<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

<b><u>DOCUMENT</u></b>	<b><u>DATE</u></b>	<b><u>VOL.</u></b>	<b><u>PAGES (J.A.)</u></b>
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<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

<b><u>DOCUMENT</u></b>	<b><u>DATE</u></b>	<b><u>VOL.</u></b>	<b><u>PAGES (J.A.)</u></b>
<i>Opposition to Motion for Order Allowing Costs and Necessary Disbursements</i>	May 12, 2014	IV	537-545
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<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
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<i>Order Denying Request for Submission</i>	Mar. 17, 2014	II	326-328
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<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)  
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*Attorneys for Plaintiff Jed Margolin*

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ALAN GLOVER  
CLERK  
BY *[Signature]*  
AFPIITV

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

22 **I. Postjudgment Costs**

23  
24 Zandian does not dispute Margolin is allowed postjudgment costs under NRS 18.160  
25 and NRS 18.170. Zandian only requests that the Court reduce the photocopy charges from  
26 \$0.25 to \$0.15 per page.<sup>1</sup> See Defendants' Motion to Retax and Settle Costs ("Opposition"),  
27

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

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

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

## 13 II. Postjudgment Attorney’s Fees

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

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

20 NRS 598.0999(2) states as follows:

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

26 NRS 598.0999(2) (emphasis added).

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



1 598.0903 to 598.0999,” does not limit Deceptive Trade Practices actions to district attorneys  
2 or the Attorney General. *See also Betsinger v. DR Horton, Inc.*, 232 P. 3d 433 (Nev. 2010) (an  
3 example of a Deceptive Trade Practices action not brought by district attorney or Attorney  
4 General). The only limitation in NRS 598.0999(2) relates to the district attorney’s and the  
5 Attorney General being able to pursue the \$5,000 civil penalty. In contrast, the last sentence  
6 of NRS 598.0999(2) stands alone and does not limit attorney fee awards to district attorneys or  
7 the Attorney General and allows the Court, in any Deceptive Trade Practices action, to “award  
8 reasonable attorney’s fees and costs.” NRS 598.0999(2).  
9

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

13 Since NRS 598.0999(2) does not exclude postjudgment attorney fees, Margolin’s  
14 attorney’s fees should be awarded for having to incur fees enforcing the judgment on the  
15 deceptive trade practices claim. *See Barney v. Mt. Rose Heating & Air Conditioning*, 124  
16 Nev. 821, 825-6, 192 P.3d 730, 733-4 (2008) (mechanic lien statute did not expressly provide  
17 for attorney fees incurred postjudgment, however, statute did not expressly exclude  
18 postjudgment attorney fees from its purview and was liberally interpreted to allow  
19 postjudgment attorney fees “so as to further the lien statutes’ purpose to ensure that contractors  
20 are paid in whole for their work.”); *see also Rosen v. LegacyQuest*, A136985, 2014 WL  
21 1372114 (Cal. Ct. App. Mar. 21, 2014) (judgment creditor, who had recovered statutory  
22 attorney fees in connection with underlying judgment, authorized to recover attorney fees  
23 incurred in enforcing underlying judgment under the statute authorizing recovery of judgment  
24 creditor’s “reasonable and necessary costs of enforcing a judgment,” since the statute  
25 authorizing the underlying attorney fee award established that the fee award was “otherwise  
26 provided by law” within meaning of the fee statute) (an attorney fee award properly includes  
27  
28

1 the reasonable fees incurred in seeking the fees); *see also Ketchum v. Moses* (2001) 24 Cal.4th  
2 1122, 104 Cal.Rptr.2d 377, 17 P.3d 735 (judgment creditor entitled to fees incurred in  
3 enforcing the right to mandatory fees under statute).

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

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

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

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

21  
22 The postjudgment collection efforts have thus far included attempting to find Zandian's  
23 collectible assets, including researching and investigating his property in Nevada and  
24 California and moving for a debtor's examination. Considering Zandian's elusive behavior,  
25 shell games, and elaborate financial arrangements with a multitude of companies and  
26 individuals, Margolin has been forced to incur a significant amount of attorney's fees in  
27 attempting to collect on the judgment. Tellingly, Zandian does not address these postjudgment  
28

1 collection issues in his Opposition.

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

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

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

8 Margolin concedes that he is not currently entitled to attorney's fees that are incurred  
9 on appeal. *See Bd. of Gallery of History, Inc. v. Datecs Corp.*, 116 Nev. 286, 288, 994 P.2d  
10 1149, 1150 (2000). However, as stated in the Motion and above, Margolin is entitled to his  
11 postjudgment attorney's fees, including those incurred in executing on the judgment.  
12

13 Therefore, Margolin has revised the fees he is requesting to reflect only those fees that have  
14 been incurred, postjudgment, with regards to execution of the judgment, for a total of  
15 \$31,247.50 in fees. *See* McMillen Decl., ¶¶ 4-5 and Exhibits 2-3.

16 **III. Postjudgment Interest**

17 Zandian argues it is premature for Margolin to request an order stating what the current  
18 amount of accrued postjudgment interest is at this time. *See* Opposition at 6:4-5. Zandian  
19 provides no legal basis for his position. Further, Zandian does not argue that Margolin is not  
20 entitled to postjudgment interest.  
21

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

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

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

14 **IV. Conclusion**

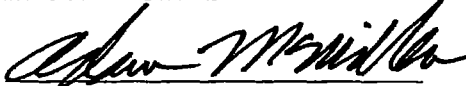
15 Based upon the above, Margolin respectfully requests that the Motion for Order  
16 Allowing Costs and Necessary Disbursements be granted in full.  
17

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

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

21 DATED: May 12, 2014.

WATSON ROUNDS

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

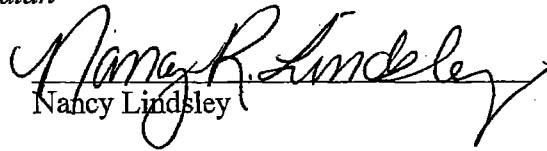
<sup>2</sup> Interest continues to accrue until the judgment is satisfied. *See* NRS 17.130(2).

1 CERTIFICATE OF SERVICE

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

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

14 Dated: May 12, 2014

15   
16 Nancy Lindsley  
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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  
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ALAN GLOVER  
CLERK  
BY *[Signature]*  
DEPUTY

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

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

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

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

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

1. I am counsel of record for Plaintiff Jed Margolin in this matter. This declaration is based upon my personal knowledge and is made in support of the Reply in Support of Plaintiff's Motion for Order Allowing Costs and Necessary Disbursements, filed concurrently.



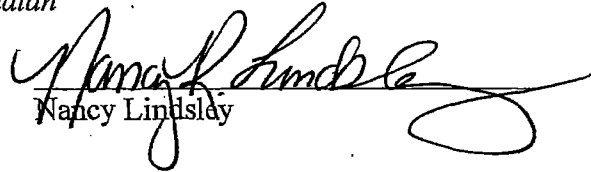
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**CERTIFICATE OF SERVICE**

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

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

Dated: May 12, 2014



Nancy Lindsley



**EXHIBIT LIST**

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**EXHIBIT NO.**

**DESCRIPTION**

**PAGE(S)**

1	First Judicial District Court Fee Schedule	5
2	Watson Rounds Client Fees Listing Oct/18/2013 to Apr/18/2014	9
3	Watson Rounds Client Ledger Costs	3

# Exhibit 1

Exhibit 1

# FIRST JUDICIAL DISTRICT COURT FEE SCHEDULE

## Effective October 1, 2013

**ABSTRACT OF JUDGMENT** \$3.00

NRS 19.013

**ADOPTION** \$233.00

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

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

**ANSWERS**

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

~ ANSWER (DIVORCES/ANNULMENTS) \$207.00

~ ANSWER TO MOTION TO MODIFY FINAL ORDER (DIVORCE) \$25.00

~ ANSWER (BUSINESS MATTERS) (pending local rule) \$1,478.00

~ ANSWER (CIVIL) \$218.00

~ ANSWER (COMPLEX CASES) (pending local rule) \$468.00

~ ANSWER (CONSTRUCTIONAL) \$468.00

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

**COPIES AND SEARCHES**

NRS 19.013; NRAP Rule 10

~ CERTIFIED COPY (copy from court file - copy charges apply) \$3.00

~ CERTIFIED COPY (when presented by customer) \$5.00

~ COPIES (per page) \$0.50

~ EXEMPLIFIED COPY \$6.00

~ RECORD INDEX SEARCHES (per name/per year) \$0.50

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

**COMPLAINTS**

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

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

**CONFESSION OF JUDGMENT**

NRS 17.110; NRS 19.0312; CMC 2.35.010

\$33.00

**CORPORATIONS** - Any document

NRS 19.013

\$20.00

**ESTATE & GUARDIANSHIP FILINGS**

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

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

Value of Estate:

\$ 0 - \$ 2,500	n/c
\$ 2,501 - \$ 20,000	\$180.50
\$ 20,001 - \$ 199,999	\$279.50
\$ 200,000 and above	\$532.50

~ GUARDIAN AD LITEM (Fee to be paid upon filing of Complaint)	n/c
~ LAST WILL & TESTAMENT (To be submitted upon death only)	\$5.00
~ OBJECTION OR CROSS-PETITION TO APPOINTMENT	\$122.00
~ PETITION TO CONTEST WILL	\$122.00

**FORMS**

NRS 19.013

~ DIVORCE PACKETS (Packets can be printed from our website at no charge)	\$3.00
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**INSURANCE CERTIFICATE**

NRS 19.013

\$15.00

**ISSUANCE OF WRITS**

(Attachment; Garnishment; Execution or any other writ designed to enforce any judgment of the court)

AB 65

\$10.00

**JURY DEMAND** - per party requesting jury (first day jury fees)

NRCP Rule 38; NRS 6.150

\$320.00

**JUSTICE COURT APPEAL**

NRS19.013; NRS 19.020; Ct. Security Fee; NRS 19.031; NRS 19.0312; CMC 2.35.010; NRS 19.0313(3); NRS 19.0313(3); CMC 2.36.010; NRS 19.03135; CMC 2.37.010; NRS 19.315; AB 535

\$122.00

**JUSTICE COURT TRANSFER**

NRS19.013; NRS 19.020; Ct. Security Fee; NRS 19.031; NRS 19.0312; CMC 2.35.010; NRS 19.0313(3); CMC 2.36.010; NRS 19.03135; CMC 2.37.010; NRS 19.315; AB 535

\$120.00

**MISCELLANEOUS FILINGS**

(For filings of all papers to be kept by the clerk, not otherwise provided for, other than papers filed in actions and proceedings in court)

NRS 19.013

\$5.00

**MOTION FOR SUMMARY JUDGMENT OR JOINDER THERETO**

AB 65

\$200.00

**MOTION TO CERTIFY/DECERTIFY A CLASS**

AB 65

\$349.00

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

# Exhibit 2

# Exhibit 2

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

Date	Entry #	Fee / Time Explanation	Hours	Amount	Inv#	Billing Status
	5457	Margolin, Jed				
	5457.01	Patent theft analysis & litigation				
Oct 18/2013	1115373	Lawyer: NRL 1.50 Hrs X 125.00 Telephone conference with Charles Schwab re password to access CD; access CD-compile information; save to client	NRL - Nancy R. Lindsley 1.50	187.50	12409	Billed
Oct 18/2013	1115374	Lawyer: NRL 1.00 Hrs X 125.00 Telephone conference with Wells Fargo regarding redactions in documents produced; preparation of Second Amended	NRL - Nancy R. Lindsley 1.00	125.00	12409	Billed
Oct 24/2013	1115875	Lawyer: NRL 0.50 Hrs X 125.00 Email to Jed	NRL - Nancy R. Lindsley 0.50	62.50	12409	Billed
Oct 28/2013	1116086	Lawyer: NRL 0.80 Hrs X 125.00 Brief conference with Jed	NRL - Nancy R. Lindsley 0.80	100.00	12409	Billed
Oct 28/2013	1116091	Lawyer: NRL 0.20 Hrs X 125.00 Review email from MDF	NRL - Nancy R. Lindsley 0.20	25.00	12409	Billed
Oct 28/2013	1116101	Lawyer: APM 0.10 Hrs X 300.00 Review letter, dated 10/7/13, from Charles Schwab regarding subpoenaed documents.	APM - Adam P. McMillen 0.10	30.00	12409	Billed
Oct 29/2013	1116297	Lawyer: NRL 0.50 Hrs X 125.00 Telephone conference with Wells Fargo regarding subpoena duces tecum; review previous SDT and response to same;	NRL - Nancy R. Lindsley 0.50	62.50	12409	Billed
Oct 30/2013	1116490	Lawyer: APM 0.20 Hrs X 300.00 Communicate with Fred Sadri	APM - Adam P. McMillen 0.20	60.00	12409	Billed
Oct 30/2013	1116520	Lawyer: NRL 1.00 Hrs X 125.00 Commence preparation of Analysis of Information from Financial Institutions	NRL - Nancy R. Lindsley 1.00	125.00	12409	Billed
Nov 1/2013	1116933	Lawyer: APM 0.10 Hrs X 300.00 Received telephone call from Eli Abrishami	APM - Adam P. McMillen 0.10	30.00	12455	Billed
Nov 1/2013	1116934	Lawyer: APM 0.10 Hrs X 300.00 Draft email to Eli Abrishami	APM - Adam P. McMillen 0.10	30.00	12455	Billed
Nov 1/2013	1116935	Lawyer: APM 0.10 Hrs X 300.00 Review email, dated 11/1/13, from Eli Abrishami	APM - Adam P. McMillen 0.10	30.00	12455	Billed
Nov 4/2013	1117495	Lawyer: APM 0.40 Hrs X 300.00 Review 18 pages of detailed Notes by Jed Margolin, dated 10/27/13,	APM - Adam P. McMillen 0.40	120.00	12455	Billed
Nov 8/2013	1118457	Lawyer: APM 0.30 Hrs X 300.00 Communicate with Fred Sadri	APM - Adam P. McMillen 0.30	90.00	12455	Billed
Nov 8/2013	1118462	Lawyer: APM 0.20 Hrs X 300.00 Review new subpoena to Bank of America.	APM - Adam P. McMillen 0.20	60.00	12455	Billed
Nov 8/2013	1118480	Lawyer: NRL 1.00 Hrs X 125.00 Telephone conference with Wells Fargo regarding subpoena; preparation of SDT to Bank of America	NRL - Nancy R. Lindsley 1.00	125.00	12455	Billed
Nov 13/2013	1118849	Lawyer: NRL 0.50 Hrs X 125.00 Finalize BofA SDT for service	NRL - Nancy R. Lindsley 0.50	62.50	12455	Billed
Nov 20/2013	1119932	Lawyer: APM 0.10 Hrs X 300.00 Communicate with representative from Bank of America regarding their request for additional information for Zan	APM - Adam P. McMillen 0.10	30.00	12455	Billed
Dec 2/2013	1121016	Lawyer: APM 0.20 Hrs X 300.00 Communicate with Fred Sadri	APM - Adam P. McMillen 0.20	60.00	12501	Billed
Dec 2/2013	1121017	Lawyer: APM 0.20 Hrs X 300.00 Draft email to Jed Margolin	APM - Adam P. McMillen 0.20	60.00	12501	Billed
Dec 2/2013	1121030	Lawyer: APM 0.20 Hrs X 300.00 Communicate with Nancy Lindsley	APM - Adam P. McMillen 0.20	60.00	12501	Billed
Dec 2/2013	1121051	Lawyer: NRL 1.50 Hrs X 125.00 Review subpoena responses	NRL - Nancy R. Lindsley 1.50	187.50	12501	Billed
Dec 4/2013	1121458	Lawyer: NRL 0.20 Hrs X 125.00 Discuss SDT's with APM; preparation of SDT to Etrade and revised SDT to Charles Schwab	NRL - Nancy R. Lindsley 0.20	25.00	12501	Billed
Dec 6/2013	1121789	Lawyer: APM 0.30 Hrs X 300.00 Review letter, dated 12/6/13, from Geoffrey Hawkins regarding his representation of Zandian.	APM - Adam P. McMillen 0.30	90.00	12501	Billed
Dec 6/2013	1121790	Lawyer: APM 0.10 Hrs X 300.00 Draft email to Jed Margolin	APM - Adam P. McMillen 0.10	30.00	12501	Billed
Dec 6/2013	1121792	Lawyer: APM 0.30 Hrs X 300.00 Communicate with Jed Margolin	APM - Adam P. McMillen 0.30	90.00	12501	Billed
Dec 6/2013	1121793	Lawyer: APM 0.40 Hrs X 300.00 Communicate with Johnathan Faveghi regarding	APM - Adam P. McMillen 0.40	120.00	12501	Billed
Dec 6/2013	1121794	Lawyer: APM 0.30 Hrs X 300.00 Communicate with Matt Francis	APM - Adam P. McMillen 0.30	90.00	12501	Billed
Dec 6/2013	1121795	Lawyer: APM 0.10 Hrs X 300.00 Draft email to Jed Margolin	APM - Adam P. McMillen 0.10	30.00	12501	Billed
Dec 6/2013	1121796	Lawyer: APM 0.10 Hrs X 300.00 Review Third Amended Subpoena to Charles Schwab.	APM - Adam P. McMillen 0.10	30.00	12501	Billed
Dec 6/2013	1121797	Lawyer: APM 0.10 Hrs X 300.00 Review Subpoena to E-Trade.	APM - Adam P. McMillen 0.10	30.00	12501	Billed
Dec 6/2013	1122334	Lawyer: MDF 0.50 Hrs X 300.00 Conference with APM re:	MDF - Matthew D. Francis 0.50	150.00	12501	Billed
Dec 9/2013	1122027	Lawyer: APM 0.40 Hrs X 300.00 Review email, dated 12/8/13, from Jed Margolin	APM - Adam P. McMillen 0.40	120.00	12501	Billed
Dec 10/2013	1122113	Lawyer: NRL 0.00 Hrs X 125.00	NRL - Nancy R. Lindsley 0.00	0.00	12501	Billed
Dec 10/2013	1122191	Lawyer: APM 2.70 Hrs X 300.00 Draft motion for debtor's examination.	APM - Adam P. McMillen 2.70	810.00	12501	Billed
Dec 10/2013	1122281	Lawyer: NRL 0.00 Hrs X 125.00 Process for service two (2) Subpoenas Duces Tecum - ETrade and Charles Schwab & Co., Inc.	NRL - Nancy R. Lindsley 0.00	0.00	12501	Billed
Dec 11/2013	1122290	Lawyer: APM 0.10 Hrs X 300.00 Review email, dated 12/10/13, from Jed Margolin	APM - Adam P. McMillen 0.10	30.00	12501	Billed
Dec 11/2013	1122291	Lawyer: APM 0.70 Hrs X 300.00 Revise motion for debtor's examination.	APM - Adam P. McMillen 0.70	210.00	12501	Billed
Dec 11/2013	1122315	Lawyer: NRL 1.00 Hrs X 125.00 Finalize Motion for Judgment Debtor's Examination; compile exhibits and prepare exhibit list; serve all parties	NRL - Nancy R. Lindsley 1.00	125.00	12501	Billed
Dec 13/2013	1123393	Lawyer: MDF 0.30 Hrs X 300.00 Review motion for debtor's examination	MDF - Matthew D. Francis 0.30	90.00	12501	Billed



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

Date	Entry #	Fee / Time Explanation	Hours	Amount	Inv#	Billing Status
Dec 17/2013	1123556	Review email, dated 12/17/13, from Jed Margolin [REDACTED]				
Dec 17/2013	1123557	Lawyer: APM 0.10 Hrs X 300.00 [REDACTED]	0.10	30.00	12501	Billed
Dec 17/2013	1123558	Review email, dated 12/17/13, from Donna Johnson [REDACTED]				
Dec 17/2013	1123559	Lawyer: APM 0.10 Hrs X 300.00 [REDACTED]	0.10	30.00	12501	Billed
Dec 17/2013	1123568	Draft email to Jed Margolin [REDACTED]				
Dec 17/2013	1123569	Lawyer: APM 0.20 Hrs X 300.00 [REDACTED]	0.20	60.00	12501	Billed
Dec 17/2013	1123570	Draft email to Donna Johnson [REDACTED]				
Dec 17/2013	1123571	Lawyer: APM 0.10 Hrs X 300.00 [REDACTED]	0.10	30.00	12501	Billed
Dec 18/2013	1123572	Review and respond to email, dated 12/17/13, from Donna Johnson [REDACTED]				
Dec 18/2013	1123573	Lawyer: NRL 1.50 Hrs X 125.00 [REDACTED]	1.50	187.50	12501	Billed
Dec 18/2013	1123574	Scan documents received from Wells Fargo and Bank of America				
Dec 18/2013	1125569	Lawyer: APM 0.10 Hrs X 300.00 [REDACTED]	0.10	30.00	12501	Billed
Dec 19/2013	1123884	Review and respond to email, dated 12/18/13, from Donna Johnson [REDACTED]				
Dec 19/2013	1123885	Lawyer: NRL 1.50 Hrs X 125.00 [REDACTED]	1.50	187.50	12501	Billed
Dec 19/2013	1123886	Continued scanning of financial documents; compare scanned to original for reference; burn to DVD/CD for client				
Dec 19/2013	1123887	Lawyer: APM 0.20 Hrs X 300.00 [REDACTED]	0.20	60.00	12501	Billed
Dec 19/2013	1123893	Communicate with Donna Johnson [REDACTED]				
Dec 19/2013	1123894	Lawyer: APM 0.10 Hrs X 300.00 [REDACTED]	0.10	30.00	12501	Billed
Dec 19/2013	1123895	Review email, dated 12/19/13, from Donna Johnson [REDACTED]				
Dec 19/2013	1123896	Lawyer: APM 0.10 Hrs X 300.00 [REDACTED]	0.10	30.00	12501	Billed
Dec 30/2013	1124315	Draft email to Jed Margolin [REDACTED]				
Dec 30/2013	1124316	Lawyer: APM 0.40 Hrs X 300.00 [REDACTED]	0.40	120.00	12501	Billed
Dec 30/2013	1124392	Review Zandian's motion to set aside default judgment, dated 12/19/13.				
Dec 30/2013	1124393	Lawyer: APM 0.60 Hrs X 300.00 [REDACTED]	0.60	180.00	12501	Billed
Dec 30/2013	1124394	Review Westlaw people map report of Zandian [REDACTED]				
Dec 30/2013	1124395	Lawyer: APM 0.90 Hrs X 300.00 [REDACTED]	0.90	270.00	12501	Billed
Dec 30/2013	1124396	Begin review of Wells Fargo documents.				
Dec 30/2013	1124397	Lawyer: APM 0.30 Hrs X 300.00 [REDACTED]	0.30	90.00	12501	Billed
Dec 30/2013	1124398	Begin review of Bank of America documents.				
Dec 31/2013	1124477	Lawyer: APM 1.10 Hrs X 300.00 [REDACTED]	1.10	330.00	12501	Billed
Dec 31/2013	1124478	Finish review of Zandian's motion to set aside.				
Dec 31/2013	1124479	Lawyer: APM 0.50 Hrs X 300.00 [REDACTED]	0.50	150.00	12501	Billed
Dec 31/2013	1124480	Finish review of Zandian's people map from Westlaw [REDACTED]				
Dec 31/2013	1124481	Lawyer: APM 0.30 Hrs X 300.00 [REDACTED]	0.30	90.00	12501	Billed
Dec 31/2013	1124482	Review detailed email, dated 12/22/13, from Jed Margolin [REDACTED]				
Dec 31/2013	1124483	Lawyer: APM 0.10 Hrs X 300.00 [REDACTED]	0.10	30.00	12501	Billed
Dec 31/2013	1124484	Draft email to Jed Margolin [REDACTED]				
Dec 31/2013	1124485	Lawyer: NRL 1.00 Hrs X 125.00 [REDACTED]	1.00	125.00	12501	Billed
Dec 31/2013	1124486	Initial review records from Charles Schwab; scan to file				
Jan 2/2014	1124989	Lawyer: MDF 0.50 Hrs X 300.00 [REDACTED]	0.50	150.00	12547	Billed
Jan 3/2014	1125010	Review motion to stay proceedings				
Jan 6/2014	1125168	Lawyer: APM 0.40 Hrs X 300.00 [REDACTED]	0.40	120.00	12547	Billed
Jan 6/2014	1125169	Review email, dated 1/6/14, and attachments, from Jed Margolin [REDACTED]				
Jan 6/2014	1125170	Lawyer: APM 0.10 Hrs X 300.00 [REDACTED]	0.10	30.00	12547	Billed
Jan 8/2014	1125435	Draft email to Jed Margolin [REDACTED]				
Jan 8/2014	1125436	Lawyer: APM 3.60 Hrs X 300.00 [REDACTED]	3.60	1080.00	12547	Billed
Jan 9/2014	1125437	Draft opposition to motion to set aside.				
Jan 9/2014	1125661	Lawyer: NRL 2.00 Hrs X 125.00 [REDACTED]	2.00	250.00	12547	Billed
Jan 9/2014	1125662	Review/proof Opposition to Motion to Set Aside Judgment; compile exhibits; arrange for filing and delivery to c				
Jan 9/2014	1125663	Lawyer: APM 4.90 Hrs X 300.00 [REDACTED]	4.90	1470.00	12547	Billed
Jan 9/2014	1125664	Finish drafting opposition to motion to set aside default judgment.				
Jan 9/2014	1125665	Lawyer: APM 0.40 Hrs X 300.00 [REDACTED]	0.40	120.00	12547	Billed
Jan 9/2014	1125666	Revise proposed order on motion for debtor's examination.				
Jan 9/2014	1125679	Lawyer: APM 0.10 Hrs X 300.00 [REDACTED]	0.10	30.00	12547	Billed
Jan 9/2014	1125680	Review email, dated 1/8/14, from Jed Margolin [REDACTED]				
Jan 9/2014	1125681	Lawyer: MDF 0.50 Hrs X 300.00 [REDACTED]	0.50	150.00	12547	Billed
Jan 13/2014	1126575	Review opposition to motion to set aside [REDACTED]				
Jan 13/2014	1126576	Lawyer: APM 0.20 Hrs X 300.00 [REDACTED]	0.20	60.00	12547	Billed
Jan 14/2014	1126679	Communicate with Judge Russell's assistant regarding debtor's examination on 2/11/14 at 9:00 a.m.				
Jan 14/2014	1126680	Lawyer: APM 0.10 Hrs X 300.00 [REDACTED]	0.10	30.00	12547	Billed
Jan 14/2014	1126681	Communicate with Angela, Judge Russell's assistant, regarding debtor's examination.				
Jan 14/2014	1126682	Lawyer: APM 0.30 Hrs X 300.00 [REDACTED]	0.30	90.00	12547	Billed
Jan 14/2014	1126683	Begin preparing for debtor's examination.				
Jan 14/2014	1126692	Lawyer: APM 0.10 Hrs X 300.00 [REDACTED]	0.10	30.00	12547	Billed
Jan 14/2014	1126704	Draft email to Jed Margolin [REDACTED]				
Jan 14/2014	1126705	Lawyer: NRL 0.50 Hrs X 125.00 [REDACTED]	0.50	62.50	12547	Billed
Jan 14/2014	1126706	Telephone conference with staff from opposing counsel requesting transmittal of Opposition to Motion to Set Asi				
Jan 14/2014	1127397	Lawyer: MDF 0.30 Hrs X 300.00 [REDACTED]	0.30	90.00	12547	Billed
Jan 16/2014	1126936	Conference with APM [REDACTED]				
Jan 16/2014	1126937	Lawyer: APM 2.50 Hrs X 300.00 [REDACTED]	2.50	750.00	12547	Billed
Jan 16/2014	1126938	Draft opposition to Zandian's motion to stay proceedings.				
Jan 16/2014	1126939	Lawyer: APM 0.20 Hrs X 300.00 [REDACTED]	0.20	60.00	12547	Billed
Jan 16/2014	1126940	Review order granting motion for debtor examination, dated 1/13/14.				
Jan 16/2014	1126941	Lawyer: APM 0.10 Hrs X 300.00 [REDACTED]	0.10	30.00	12547	Billed
Jan 16/2014	1126942	Review notice of entry of order for debtor's examination.				
Jan 16/2014	1126950	Lawyer: NRL 1.50 Hrs X 125.00 [REDACTED]	1.50	187.50	12547	Billed
Jan 16/2014	1126951	Review Opposition to Motion for Stay to Enforce Judgment; and Order Granting Plaintiff's Motion for Debtor Exam				
Jan 16/2014	1126952	Lawyer: NRL 0.20 Hrs X 125.00 [REDACTED]	0.20	25.00	12547	Billed
Jan 16/2014	1126953	Preparation of memo of telephone conference with client				
Jan 16/2014	1127386	Lawyer: MDF 1.20 Hrs X 300.00 [REDACTED]	1.20	360.00	12547	Billed
Jan 16/2014	1127387	Revise and revise opposition to motion to stay proceedings [REDACTED]				

Date	Fee / Time	Hours	Amount	Inv#	Billing Status
Entry #	Explanation				
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 SDV for deposit detail; telephone conference with				
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				
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 Faveghi 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 Faveghi 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 Faveghi 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 Faveghi 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
1130792	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 Faveghi 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 Faveghi 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				

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

Date	Entry #	Fee / Time Explanation	Hours	Amount	Inv#	Billing Status
Feb 10/2014	1129758	Draft email to Jed Margolin Lawyer: APM 0.20 Hrs X 300.00	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	0.30	90.00	12624	Billed
Feb 10/2014	1129760	Review email, dated 2/10/14, from Jed Margolin Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12624	Billed
Feb 10/2014	1129761	Respond to Jed Margolin's email Lawyer: MDF 1.00 Hrs X 300.00	1.00	300.00	12624	Billed
Feb 11/2014	1130645	Conference with APM Lawyer: NRL 1.00 Hrs X 125.00	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	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	1.30	390.00	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	0.10	30.00	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	0.10	30.00	12624	Billed
Feb 24/2014	1131793	Draft email to Jed Margolin Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12624	Billed
Mar 4/2014	1132838	Review voicemail, dated 3/4/14, from Fred Sadri Lawyer: APM 0.70 Hrs X 300.00	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	0.10	30.00	12651	Billed
Mar 4/2014	1132840	Draft email to Jed Margolin Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12651	Billed
Mar 4/2014	1132853	Review and respond to email, dated 3/4/14, from Jed Margolin Lawyer: MDF 0.80 Hrs X 300.00	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	0.20	60.00	12651	Billed
Mar 5/2014	1134283	Review email, dated 3/4/14, from Jed Margolin Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12651	Billed
Mar 5/2014	1133305	Review voicemail from Fred Sadri Lawyer: APM 0.30 Hrs X 300.00	0.30	90.00	12651	Billed
Mar 5/2014	1133306	Telephone conference with Fred Sadri Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12651	Billed
Mar 5/2014	1134285	Review email, dated 3/5/14, from Jed Margolin Lawyer: NRL 1.00 Hrs X 125.00	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	0.10	30.00	12651	Billed
Mar 10/2014	1134292	Review email, dated 3/8/14, from Jed Margolin Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12651	Billed
Mar 11/2014	1134284	Review attachments attached to 3/4/14 email from Jed Margolin Lawyer: APM 0.50 Hrs X 300.00	0.50	150.00	12651	Billed
Mar 11/2014	1134398	Review Jed Margolin's comments Lawyer: APM 3.90 Hrs X 300.00	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	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	0.20	60.00	12651	Billed
Mar 13/2014	1134512	Review email, dated 3/12/14, from Jed Margolin Lawyer: NRL 1.50 Hrs X 125.00	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 I Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12651	Billed
Mar 13/2014	1134671	Finish drafting reply in support of motion for contempt sanctions. Lawyer: APM 0.30 Hrs X 300.00	0.30	90.00	12651	Billed
Mar 13/2014	1134680	Perform legal research Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12651	Billed
Mar 19/2014	1134612	Review email dated 2/12/14 from Jed Margolin Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12651	Billed

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

Date	Entry #	Fee / Time Explanation	Hours	Amount	Inv#	Billing Status
Mar 20/2014	1135506	Lawyer: APM 0.40 Hrs X 300.00 Communicate with Matt Frances	0.40	120.00	12651	Billed
Mar 20/2014	1135507	Lawyer: APM 0.90 Hrs X 300.00 Telephone conference with Jed Margolin	0.90	270.00	12651	Billed
Mar 20/2014	1135512	Lawyer: APM 0.40 Hrs X 300.00 Draft letter to Jason Woodbury requesting debtor's examination and documents from Zandian	0.40	120.00	12651	Billed
Mar 20/2014	1135530	Lawyer: NRL 0.20 Hrs X 125.00 Finalize letter to Jason Woodbury; transmit via email and US Mail	0.20	25.00	12651	Billed
Mar 20/2014	1135900	Lawyer: MDF 0.50 Hrs X 300.00 Conference with Adam McMillen	0.50	150.00	12651	Billed
Mar 20/2014	1136416	Lawyer: APM 0.50 Hrs X 300.00 Review email, dated 3/20/14, from Jed Margolin	0.50	150.00	12651	Billed
Mar 22/2014	1136422	Lawyer: APM 0.50 Hrs X 300.00 Review email, dated 3/21/14, from Jed Margolin	0.50	150.00	12651	Billed
Mar 25/2014	1135892	Lawyer: APM 0.20 Hrs X 300.00 Review and respond to email, dated 3/25/14, from Jed Margolin	0.20	60.00	12651	Billed
Mar 25/2014	1135983	Lawyer: APM 0.40 Hrs X 300.00 Review and respond to email, dated 3/25/14, from Jed Margolin	0.40	120.00	12651	Billed
Mar 25/2014	1136737	Lawyer: APM 0.40 Hrs X 300.00 Review email, dated 3/25/14, from Jed Margolin	0.40	120.00	12651	Billed
Mar 26/2014	1135890	Lawyer: APM 0.30 Hrs X 300.00 Review email, dated 3/26/14, from Jed Margolin	0.30	90.00	12651	Billed
Mar 26/2014	1135891	Lawyer: APM 0.50 Hrs X 300.00 Review email, dated 3/25/14, from Jed Margolin	0.50	150.00	12651	Billed
Mar 26/2014	1135893	Lawyer: APM 0.30 Hrs X 300.00 Review email, dated 3/26/14, from Jed Margolin	0.30	90.00	12651	Billed
Mar 26/2014	1135894	Lawyer: APM 0.60 Hrs X 300.00 Telephone call with Jed Margolin	0.60	180.00	12651	Billed
Mar 26/2014	1135954	Lawyer: MDF 1.00 Hrs X 300.00 Review property title documents/Conference with APM re: strategy for execution and related issues	1.00	300.00	12651	Billed
Mar 27/2014	1135975	Lawyer: NRL 2.00 Hrs X 125.00 Review notes and research regarding execution vs real property; commence pre	2.00	250.00	12651	Billed
Mar 28/2014	1136128	Lawyer: NRL 2.50 Hrs X 125.00 Commence preparation of Motion for Writ of Execution, Writ of Execution and First Memorandum of Post-Judgment C	2.50	312.50	12651	Billed
Mar 28/2014	1136134	Lawyer: APM 0.20 Hrs X 300.00 Draft writ of execution	0.20	60.00	12651	Billed
Mar 31/2014	1136403	Lawyer: APM 0.10 Hrs X 300.00 Review and respond to email, dated 3/31/14, from Jed Margolin	0.10	30.00	12651	Billed
Mar 31/2014	1136404	Lawyer: APM 0.10 Hrs X 300.00 Revise first memo of post-judgment costs and fees	0.10	30.00	12651	Billed
Mar 31/2014	1136405	Lawyer: APM 0.30 Hrs X 300.00 Revise writ of execution	0.30	90.00	12651	Billed
Mar 31/2014	1136407	Lawyer: APM 0.30 Hrs X 300.00 Review email, dated 3/28/14, from Jason Woodbury regarding Zandian's motion filed recently	0.30	90.00	12651	Billed
Mar 31/2014	1136433	Lawyer: APM 0.20 Hrs X 300.00 Communicate with Jed Margolin	0.20	60.00	12651	Billed
Mar 31/2014	1136549	Lawyer: NRL 2.00 Hrs X 125.00 Finalize First Memorandum of Costs; Motion for Issuance of Writ; recalculate interest; and preparation of of Af	2.00	250.00	12651	Billed
Mar 31/2014	1136862	Lawyer: APM 0.30 Hrs X 300.00 Review email, dated 4/1/14, from Jed Margolin	0.30	90.00	12651	Billed
Mar 31/2014	1136865	Lawyer: APM 0.30 Hrs X 300.00 Review proposed motion for writ of execution	0.30	90.00	12651	Billed
Mar 31/2014	1136870	Lawyer: APM 0.10 Hrs X 300.00 Review voicemail from Fred Sadri and return his call	0.10	30.00	12651	Billed
Mar 31/2014	1137007	Lawyer: NRL 2.50 Hrs X 125.00 Finalize Motion for Writ of Execution; telephone conference with Steve Wood of Washoe County Sheriff's Office n	2.50	312.50	12651	Billed
Apr 1/2014	1137094	Lawyer: NRL 1.00 Hrs X 125.00 Review Clark County and Washoe County deeds for insertion of legal description into Writs of Execution; revise	1.00	125.00	12682	Billed
Apr 1/2014	1137101	Lawyer: NRL 0.50 Hrs X 125.00 Review emails; calendar response to Motion for Writ of Execution	0.50	62.50	12682	Billed
Apr 2/2014	1137194	Lawyer: APM 0.10 Hrs X 300.00 Review email, dated 4/2/14, from Jed Margolin	0.10	30.00	12682	Billed
Apr 2/2014	1137195	Lawyer: APM 1.20 Hrs X 300.00 Review Zandian's motion to dismiss and vacate default judgment	1.20	360.00	12682	Billed
Apr 2/2014	1137196	Lawyer: APM 0.10 Hrs X 300.00 Draft email to Jason Woodbury regarding debtor's examination and bizarre motion filed by Zandian	0.10	30.00	12682	Billed
Apr 2/2014	1137197	Lawyer: APM 0.60 Hrs X 300.00 Review file stamped motion to dismiss in Abrishami v Gold Canyon, dated 3/24/14	0.60	180.00	12682	Billed
Apr 2/2014	1137199	Lawyer: APM 0.30 Hrs X 300.00 Review file-stamped motion, dated 3/24/14	0.30	90.00	12682	Billed
Apr 2/2014	1137200	Lawyer: APM 0.20 Hrs X 300.00 Telephone conference with Fred Sadri	0.20	60.00	12682	Billed
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	0.20	60.00	12682	Billed
Apr 2/2014	1137206	Lawyer: APM 0.20 Hrs X 300.00 Review and respond to email, dated 4/2/14, from Jed Margolin	0.20	60.00	12682	Billed
Apr 2/2014	1137225	Lawyer: NRL 1.00 Hrs X 125.00 Brief review Motion and supporting documents filed by Zandian; calendar response to same	1.00	125.00	12682	Billed

Date	Entry #	Fee / Time Explanation	Hours	Amount	Inv#	Billing Status
Apr 8/2014	1138186	Review email, dated 4/7/14, from Jed Margolin	0.20	60.00	12682	Billed
Apr 8/2014	1138191	Lawyer: APM 1.00 Hrs X 300.00	1.00	300.00	12682	Billed
Apr 8/2014	1138198	Telephone call with Jed Margolin regarding [REDACTED]	0.50	62.50	12682	Billed
Apr 8/2014	1138223	Telephone conference with Steve Wood of the Washoe County Sheriff's office re execution vs. real properties; is:	0.20	60.00	12682	Billed
Apr 9/2014	1138213	Review email, dated 4/8/14, from Jed Margolin	0.20	60.00	12682	Billed
Apr 9/2014	1138215	Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12682	Billed
Apr 9/2014	1138216	Draft opposition to Zandian's motion to dismiss	0.30	90.00	12682	Billed
Apr 9/2014	1138217	Lawyer: APM 0.30 Hrs X 300.00	0.30	90.00	12682	Billed
Apr 9/2014	1138218	Review and respond to emails, dated 4/9/14, from Jason Woodbury regarding Zandian's motion to dismiss	0.10	30.00	12682	Billed
Apr 9/2014	1138219	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12682	Billed
Apr 9/2014	1138220	Draft email to Jed Margolin	0.30	37.50	12682	Billed
Apr 9/2014	1138221	Lawyer: NRL 0.30 Hrs X 125.00	0.30	37.50	12682	Billed
Apr 9/2014	1138222	Telephone conference with Court Clerk re issuance of Writs; preparation of memo to APM re same	0.20	60.00	12682	Billed
Apr 9/2014	1138223	Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12682	Billed
Apr 10/2014	1138532	Review and respond to email from Nancy Lindsley	0.50	62.50	12682	Billed
Apr 10/2014	1138333	Lawyer: NRL 0.50 Hrs X 125.00	0.50	62.50	12682	Billed
Apr 11/2014	1138506	Review Motion to Retax and Settle Costs; calendar response to same	0.20	60.00	12682	Billed
Apr 11/2014	1138507	Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12682	Billed
Apr 14/2014	1138508	Review and respond to email, dated 4/11/14, from Jed Margolin	0.30	90.00	12682	Billed
Apr 14/2014	1138509	Lawyer: APM 0.30 Hrs X 300.00	0.30	90.00	12682	Billed
Apr 14/2014	1138510	Meet with Matt Francis	0.20	60.00	12682	Billed
Apr 14/2014	1138511	Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12682	Billed
Apr 14/2014	1138512	Review email, dated 4/14/14, from Jed Margolin	0.10	30.00	12682	Billed
Apr 14/2014	1138513	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12682	Billed
Apr 14/2014	1138514	Draft email to Jason Woodbury regarding stipulation to withdraw motion to dismiss from Zandian	0.10	30.00	12682	Billed
Apr 14/2014	1138515	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12682	Billed
Apr 14/2014	1138516	Review and respond to another email, dated 4/14/14, from Jed Margolin	0.70	210.00	12682	Billed
Apr 14/2014	1138517	Lawyer: APM 0.70 Hrs X 300.00	0.70	210.00	12682	Billed
Apr 14/2014	1138518	Revise declaration for JP Lee, gather old letters regarding same and draft email to JP Lee requesting him to sit	0.10	30.00	12682	Billed
Apr 14/2014	1138519	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12682	Billed
Apr 14/2014	1138520	Review email, dated 4/14/14, from Jason Woodbury regarding stipulation to withdraw Zandian's motion to dismiss	0.10	30.00	12682	Billed
Apr 14/2014	1138521	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12682	Billed
Apr 14/2014	1138522	Review first draft of Jason Woodbury's proposed stipulation to withdraw Zandian's motion to dismiss	0.20	60.00	12682	Billed
Apr 14/2014	1138523	Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12682	Billed
Apr 14/2014	1138524	Draft emails to Jason Woodbury regarding proposed stipulation to withdraw Zandian's motion to dismiss	0.50	62.50	12682	Billed
Apr 14/2014	1138525	Lawyer: NRL 0.50 Hrs X 125.00	0.50	62.50	12682	Billed
Apr 15/2014	1138526	Transmit executed Stipulation and Order to Withdraw Motion to Jason Woodbury	0.20	60.00	12682	Billed
Apr 15/2014	1138527	Lawyer: APM 0.20 Hrs X 300.00	0.20	60.00	12682	Billed
Apr 15/2014	1138528	Begin review of Zandian's motion to retax, dated 4/9/14	0.10	30.00	12682	Billed
Apr 15/2014	1138529	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12682	Billed
Apr 15/2014	1138530	Review email, dated 4/15/14, from Tiffany Dube regarding request for declaration from JP Lee	0.10	30.00	12682	Billed
Apr 15/2014	1138531	Lawyer: APM 0.10 Hrs X 300.00	0.10	30.00	12682	Billed
Apr 15/2014	1138532	Review letter, dated 4/15/14, from JP Lee regarding request for declaration	0.50	150.00	12682	Billed
Apr 15/2014	1138533	Lawyer: MDF 0.50 Hrs X 300.00	0.50	150.00	12682	Billed
Apr 16/2014	1138801	Review motion to retax costs/emails with APM re: same	0.80	100.00	12682	Billed
Apr 16/2014	1138802	Lawyer: NRL 0.80 Hrs X 125.00	0.80	100.00	12682	Billed
Apr 16/2014	1138803	Generate report reflecting costs incurred from 6/26/2013 to present; commence preparation of revised Memorandum	1.40	420.00	12682	Billed
Apr 16/2014	1138804	Lawyer: APM 1.40 Hrs X 300.00	1.40	420.00	12682	Billed
Apr 16/2014	1138805	Finish review of Zandian's motion to retax	1.70	510.00	12682	Billed
Apr 16/2014	1138806	Lawyer: APM 1.70 Hrs X 300.00	1.70	510.00	12682	Billed
Apr 16/2014	1138807	Begin drafting opposition to Zandian's motion to retax	0.30	90.00	12682	Billed
Apr 16/2014	1138808	Lawyer: APM 0.30 Hrs X 300.00	0.30	90.00	12682	Billed
Apr 16/2014	1138809	Review and respond to email, dated 4/15/14, from Jed Margolin				

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

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

\*\*\* Summary by Working Lawyer \*\*\*

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

\*\*\* Summary by Responsible Lawyer \*\*\*

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

REPORT SELECTIONS - Client Fees Listing

Layout Template: Default  
 Advanced Search Filter: None  
 Requested by: Nancy  
 Finished: Monday, May 12, 2014 at 11:34:52 AM  
 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

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

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

# Exhibit 3

Exhibit 3



Date	Received From/Paid To	Chq#	Bld	Trust Activity	
Entry #	Explanation	Rec#	Inv#	Acc	Balance
5457	Margolin, Jed				
5457.01	Patent theft analysis & litigation				Resp Lawyer: APM
Oct 22/2013	Reno/Carson Messenger Service, Ir				
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, Ir				
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, Ir				
1123048	Courier expense		16.00	125011	
Dec 12/2013	Reno/Carson Messenger Service, Ir				
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, Ir				
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, Ir				
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, Ir				
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
Apr 4/2014	DISBS 122.08 Reno/Carson Messenger Service, Ir									
1137826	Process service expense			65.00						

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

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

REPORT SELECTIONS - Client Ledger

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 Client Intro Lawyer All  
 Matter Intro Lawyer All  
 Responsible Lawyer All  
 Assigned Lawyer All  
 Type of Law All  
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 New Page for Each Lawyer No  
 New Page for Each Matter No  
 No Activity Date Dec/31/2199  
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 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

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

REC'D & FILED

2014 MAY 12 PM 3:51

ALAN GLOVER  
CLERK  
BY *[Signature]*  
AFFIDAVIT

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

10 **JED MARGOLIN, an individual,**

11 **Plaintiff,**

12 **vs.**

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

20 **Defendants.**

Case No.: 090C00579 1B

Dept. No.: 1

**REQUEST FOR SUBMISSION**

21  
22 Plaintiff through his counsel respectfully requests the following documents be  
23 submitted to the Court for decision:

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

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3) Defendant's Motion to Retax and Settle Costs (Opposition), filed April 30, 2014;  
and,

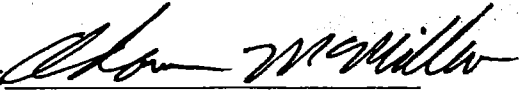
4) Plaintiff's Reply in Support of Motion for Order Allowing Costs and Necessary  
Disbursements, filed May 12, 2014.

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

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

DATED: May 12, 2014.

WATSON ROUNDS

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

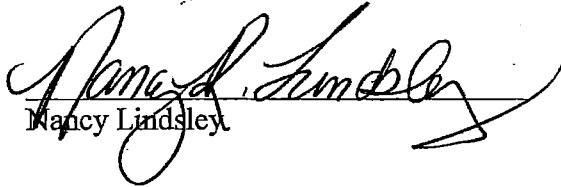
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**CERTIFICATE OF SERVICE**

Pursuant to 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, **REQUEST FOR SUBMISSION**, addressed as follows:

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

Dated: May 12, 2014

  
Nancy Lindsley

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

REC'D & FILED  
2014 MAY 12 PM 4:44  
ALAN GLOVER  
CLERK  
BY W. A. [Signature]  
DEPUTY

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

9 JED MARGOLIN, an individual,  
10 Plaintiff,

11 vs.

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

18 Defendants.

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

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

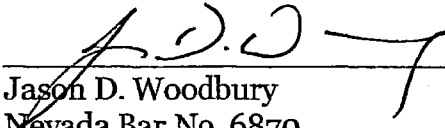
21 COMES NOW, Defendant REZA ZANDIAN ("ZANDIAN"), by and through his  
22 attorneys, Kaempfer Crowell, and hereby opposes the *Motion for Order Allowing Costs*  
23 *and Necessary Disbursements and Memorandum of Points and Authorities in Support*  
24 *Thereof* ("Motion") served by mail on April 25,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

KAEMPFER CROWELL  
510 West Fourth Street  
Carson City, Nevada 89703

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

4 DATED this 12<sup>th</sup> day of May, 2014.

5 **KAEMPFER CROWELL**

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

1 MEMORANDUM OF POINTS AND AUTHORITIES

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

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

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

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

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

20 \\\

21 \\\

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

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

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

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

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



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

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

8           However, NRS 598.0999 does not permit an award of attorney’s fees in this case.  
9       In pertinent part, that statute provides:

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

17           The statutory language “in any such action” refers to the potential action to be  
18       brought by the district attorney or the Attorney General in pursuing its civil recourse. It  
19       does not refer to an action brought by a Plaintiff in a civil action. Therefore, NRS  
20       598.0999(2) does not apply.

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

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

---

<sup>6</sup> See Motion at 3:24-28.

<sup>7</sup> NRS 598.0999(2) (emphasis added).

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

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

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

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

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

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

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

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

<sup>11</sup> 85 Nev. 345, 455 P.2d 31 (1969).

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

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

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

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

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

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

<sup>14</sup> *Motion* at 5:22-23.

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

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

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

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

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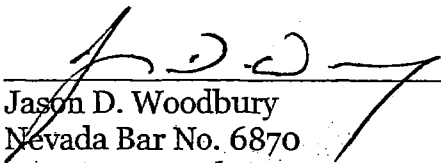
<sup>15</sup> *Board of Gallery of History, Inc. v. Datecs Corp.*, 116 Nev. 286, 288, 994 P. 2d 1149, 1150 (2000).

1 **D. CONCLUSION**

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

4 DATED this 12<sup>th</sup> day of May, 2014.

5 **KAEMPFER CROWELL**

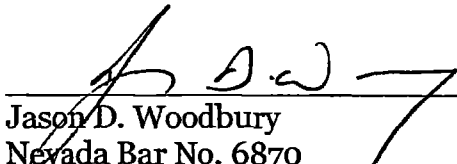
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8 Jason D. Woodbury  
9 Nevada Bar No. 6870  
10 510 West Fourth Street  
11 Carson City, Nevada 89703  
12 Telephone: (775) 884-8300  
13 Facsimile: (775) 882-0257  
14 JWoodbury@kcnvlaw.com  
15 ***Attorneys for Reza Zandian***

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 12<sup>th</sup> day of May, 2014.

16 **KAEMPFER CROWELL**

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18   
19 Jason D. Woodbury  
20 Nevada Bar No. 6870  
21 510 West Fourth Street  
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***Attorneys for Reza Zandian***

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Carson City, Nevada 89703

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**CERTIFICATE OF SERVICE**

Pursuant to NRCp 5(b), I hereby certify that service of the foregoing

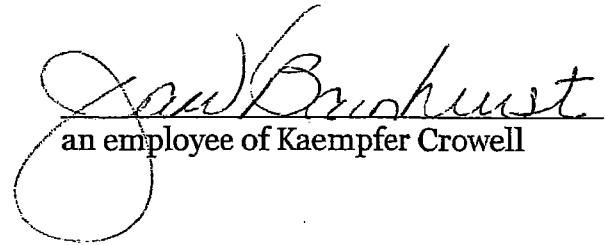
**OPPOSITION TO MOTION FOR ORDER ALLOWING COSTS AND**

**NECESSARY DISBURSEMENTS** was made this date by depositing a true copy of

the same for mailing at Carson City, Nevada, addressed to each of the following:

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


DATED this 12<sup>th</sup> day of May, 2014.

  
an employee of Kaempfer Crowell

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

REC'D & FILED

2014 MAY 14 PM 4:00

ALAN GLOVER  
BY  DEPUTY CLERK

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

12 **JED MARGOLIN, an individual,**

13 **Plaintiff,**

14 **vs.**

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

26 **Defendants.**

Case No.: 090C00579 1B

Dept. No.: 1

**AMENDED REQUEST  
FOR SUBMISSION**

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

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

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

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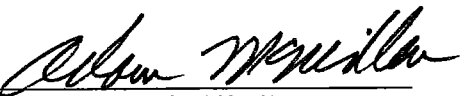
- 2) Declaration of Adam McMillen in Support of Motion for Order Allowing Costs and Necessary Disbursements, with supporting exhibits, filed April 28, 2014;
- 3) Defendant's Motion to Retax and Settle Costs (Opposition), filed April 30, 2014; and,
- 4) Plaintiff's Reply in Support of Motion for Order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

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

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

DATED: May 14, 2014.

WATSON ROUNDS

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



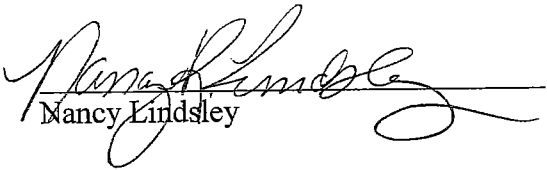
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**CERTIFICATE OF SERVICE**

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

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

Dated: May 14, 2014

  
Nancy Lindsley

1 Case No.: 090C00579 1B

2 Dept. No.: 1

REC'D & FILED

2015 MAY 19 PM 2: 22

ALAN BLOVER

BY  CLERK  
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7 **In The First Judicial District Court of the State of Nevada**  
8 **In and for Carson City**  
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11 JED MARGOLIN, an individual,  
12 Plaintiff,

13 vs.

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

25 Defendants.

Case No.: 090C00579 1B

Dept. No.: 1

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

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

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

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

8  
9 **I. Postjudgment Costs**

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

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

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

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

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

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

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

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

12                   NRS 598.0999(2) states as follows:

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

20                   NRS 598.0999(2) (emphasis added).

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

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

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

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

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

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

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

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

3 *Barney*, 192 P.3d at 736 (citing *Brunzell*, 85 Nev. at 349, 455 P.2d at 33). According to  
4 *Shuette*, the district court is required to “provide[ ] sufficient reasoning and findings in support  
5 of its ultimate determination.” *Id.* (citing *Shuette*, 121 Nev. at 865, 124 P.3d at 549).  
6

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### 17 **III. Postjudgment Interest**

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

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



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

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

14 **IV. Conclusion**

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

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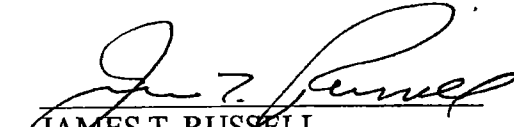
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28 <sup>1</sup> Interest continues to accrue until the judgment is satisfied. *See* NRS 17.130(2).

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

6 DATED: This 19 day of May, 2014.

IT IS SO ORDERED:

7  
8  
9   
10 JAMES T. RUSSELL  
DISTRICT COURT JUDGE

11  
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16 Respectfully submitted by,

17 WATSON ROUNDS, P.C.

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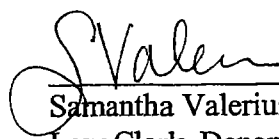
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**CERTIFICATE OF MAILING**

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

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

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

  
\_\_\_\_\_  
Samantha Valerius  
Law Clerk, Department I

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

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

JED MARGOLIN, an individual,

Plaintiff,

vs.

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

Defendants.

Case No.: 090C00579 1B

Dept. No.: 1

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

TO: All parties:

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

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

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


///

///

1 social security number of any person.

2 DATED: May 20, 2014.

WATSON ROUNDS

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

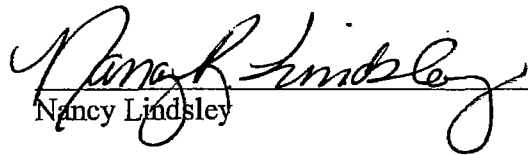
10 Attorneys for Plaintiff Jed Margolin  
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1 **CERTIFICATE OF SERVICE**

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

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

12 Dated: This 20<sup>th</sup> day of May, 2014.

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14 Nancy Lindsley  
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Case No.: 090C00579 1B

Dept. No.: 1

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ALAN GLOVER  
BY [Signature] CLERK  
DEPUTY

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

JED MARGOLIN, an individual,

Plaintiff,

vs.

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

Defendants.

Case No.: 090C00579 1B

Dept. No.: 1

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

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

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

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

8 **I. Postjudgment Costs**

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

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

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

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



## II. Postjudgment Attorney's Fees

1  
2 Zandian argued that there is no applicable statute or rule upon which postjudgment  
3 attorney's fees can be awarded to Margolin and that the parties did not enter into an agreement  
4 which affords attorney's fees and therefore Margolin's request for postjudgment attorney's  
5 fees should be denied. Further, Zandian argues that NRS 598.0999(2) does not permit an  
6 award of attorney's fees in this case.

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

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

11  
12 NRS 598.0999(2) states as follows:

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

20 NRS 598.0999(2) (emphasis added).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### 16 **III. Postjudgment Interest**

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

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

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

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

#### 14 IV. Conclusion

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

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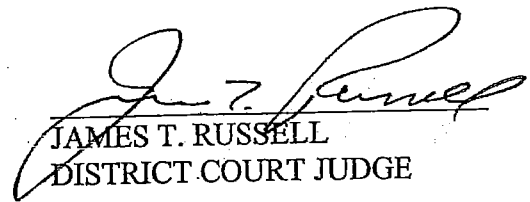
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28 <sup>1</sup> Interest continues to accrue until the judgment is satisfied. *See* NRS 17.130(2).

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

6 DATED: This 19 day of May, 2014.

IT IS SO ORDERED:

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

16 Respectfully submitted by,

17 WATSON ROUNDS, P.C.

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

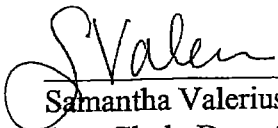
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I hereby certify that on the 19<sup>th</sup> day of May, 2014, I placed a copy of the foregoing in the United States Mail, postage prepaid, addressed as follows:

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

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

  
Samantha Valerius  
Law Clerk, Department I



1 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](mailto:jwoodbury@kcnvlaw.com)  
5 **Attorneys for Reza Zandian**

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BY **C. Cooper** CLERK  
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6 IN THE FIRST JUDICIAL DISTRICT COURT  
OF THE STATE OF NEVADA IN AND FOR  
7 CARSON CITY

9 JED MARGOLIN, an individual,

10 Plaintiff,

11 vs.

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

18 Defendants.

Case No. 09 OC 00579 1B

Dept. No. I

19  
20 **NOTICE**

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

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

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

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

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

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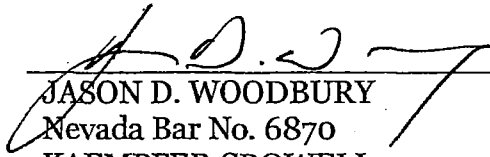
KAEMPFER CROWELL  
510 West Fourth Street  
Carson City, Nevada 89703

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

3 DATED this 9<sup>th</sup> day of June, 2014.

4 KAEMPFER CROWELL RENSHAW  
5 GRONAUER & FIORENTINO

6 BY:



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

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Carson City, Nevada 89703

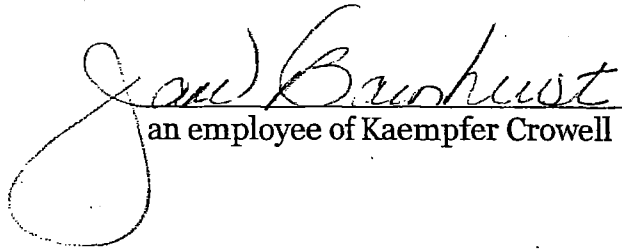
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**CERTIFICATE OF SERVICE**

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

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

DATED this 9 day of June, 2014.

  
an employee of Kaempfer Crowell

ORIGINAL

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ALAN GLOVER  
BY *[Signature]* CLERK  
DEPUTY

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

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

13 JED MARGOLIN, an individual,  
14  
15 Plaintiff,

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

16 vs.

**MOTION FOR WRIT OF EXECUTION**

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

28 Defendants.

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

**POINTS AND AUTHORITIES**

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

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

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

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

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

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

DATED: June 17, 2014.

WATSON ROUNDS

By: *Adam P. McMillen*

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

**CERTIFICATE OF SERVICE**

1  
2 Pursuant to NRCPC 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, MOTION FOR WRIT OF EXECUTION,  
5 addressed as follows:

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

12 Dated: June 18, 2014

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Marilyn Marsh



**INDEX OF EXHIBITS**

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

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

2014 JUN 23 PM 4:10

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

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

9 JED MARGOLIN, an individual,

10 Plaintiff,

11 vs.

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

18 Defendants.

Case No. 09 OC 00579 1B

Dept. No. I

19  
20 **NOTICE OF APPEAL**

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

Page .

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

5 DATED this 23rd day of June, 2014.

6 KAEMPFER CROWELL RENSHAW  
7 GRONAUER & FIORENTINO

8 BY:  #1027/pe

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

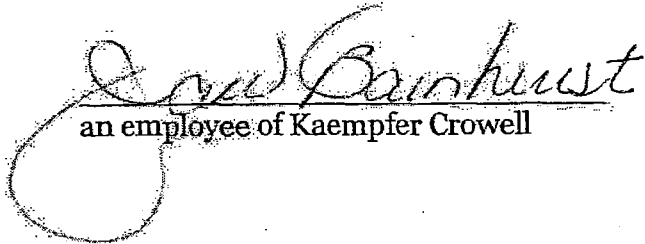
**CERTIFICATE OF SERVICE**

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

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

DATED this 23 day of June, 2014.

  
an employee of Kaempfer Crowell

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**JED MARGOLIN, an individual,**  
**Plaintiff,**

**vs.**

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

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

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

**NOTICE OF APPEAL**

**Exhibit List**

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



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# **EXHIBIT 1**

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# **EXHIBIT 1**

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

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

Case No.: 090C00579 1B

Dept. No.: 1

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

21 TO: All parties:

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

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

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

27 ///

28 ///



1 social security number of any person.

2 DATED: May 20, 2014.

WATSON ROUNDS

3  
4 By: 

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

10 Attorneys for Plaintiff Jed Margolin

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1 **CERTIFICATE OF SERVICE**

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

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

12 Dated: This 20<sup>th</sup> day of May, 2014.

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14 Nancy Lindsley  
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Case No.: 090C00579 1B

Dept. No.: 1

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ALAN GLOVER

BY                      CLERK  
DEPUTY

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

JED MARGOLIN, an individual,

Plaintiff,

vs.

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

Defendants.

Case No.: 090C00579 1B

Dept. No.: 1

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

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

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

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

8  
9 **I. Postjudgment Costs**

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

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

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

24

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

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

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

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

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

11                   NRS 598.0999(2) states as follows:

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

19                   NRS 598.0999(2) (emphasis added).

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

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

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

6 "In Nevada, 'the method upon which a reasonable fee is determined is subject to the  
7 discretion of the court,' which 'is tempered only by reason and fairness.'" *Shuette v. Beazer*  
8 *Homes Holdings Corp.*, 124 P.3d 530, 121 Nev. 837 (2005) (citing *University of Nevada v.*  
9 *Tarkanian*, 110 Nev. 581, 594, 591, 879 P.2d 1180, 1188, 1186 (1994)). "Accordingly, in  
10 determining the amount of fees to award, the court is not limited to one specific approach; its  
11 analysis may begin with any method rationally designed to calculate a reasonable amount,  
12 including those based on a 'lodestar' amount or a contingency fee." *Id.* (citations omitted).  
13 "The lodestar approach involves multiplying 'the number of hours reasonably spent on the  
14 case by a reasonable hourly rate.'" *Id.* at n. 98 (citing *Herbst v. Humana Health Ins. of*  
15 *Nevada*, 105 Nev. 586, 590, 781 P.2d 762, 764 (1989)).  
16

17 Before awarding attorney's fees, the district court must make findings concerning the  
18 reasonableness of the award, as required by *Brunzell v. Golden Gate National Bank*, 455 P.2d  
19 31, 85 Nev. 345 (1969) and *Shuette v. Beazer Homes Holdings Corp.*, 124 P.3d 530, 121 Nev.  
20 837 (2005). See *Barney v. Mt. Rose Heating & Air Conditioning*, 124 Nev. 821, 829-30, 192  
21 P.3d 730, 735-7 (2008).  
22

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

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

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

3 *Barney*, 192 P.3d at 736 (citing *Brunzell*, 85 Nev. at 349, 455 P.2d at 33). According to  
4 *Shuette*, the district court is required to “provide[ ] sufficient reasoning and findings in support  
5 of its ultimate determination.” *Id.* (citing *Shuette*, 121 Nev. at 865, 124 P.3d at 549).  
6

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

### 17 **III. Postjudgment Interest**

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

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

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

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

14             **IV. Conclusion**

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

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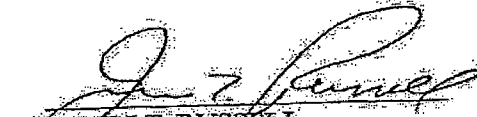
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28 <sup>1</sup> Interest continues to accrue until the judgment is satisfied. *See* NRS 17.130(2).

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

6 DATED: This 19 day of May, 2014.

IT IS SO ORDERED:

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

16 Respectfully submitted by,

17 WATSON ROUNDS, P.C.

18 By: \_\_\_\_\_

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

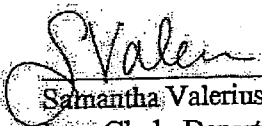
**CERTIFICATE OF MAILING**

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

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

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

  
Samantha Valerius  
Law Clerk, Department I

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

2014 JUN 23 PM 4:11

KAEMPFER CROWELL  
*[Signature]*

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

9 JED MARGOLIN, an individual,  
10 Plaintiff,

11 vs.

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

Case No. 09 OC 00579 1B

Dept. No. I

18 Defendants.

19  
20 **CASE APPEAL STATEMENT**

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

23 1. **Name of appellant filing this case appeal statement (NRAP**

24 **3(f)(3)(C):**

REZA ZANDIAN, an individual.

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

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

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

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

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

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

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

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

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

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

Appellant was represented by retained counsel in district court.

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

Appellant is represented by retained counsel on appeal.

8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave (NRAP 3(f)(3)(G)):

Appellant was not granted leave to proceed in forma pauperis.

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

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

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

(a) Case number:

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

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(b) Caption:

JED MARGOLIN, an individual,

Plaintiff,

vs.

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

Defendants.

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

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

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

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



1 corporations are referred to hereinafter as the "Corporate Defendants")  
2 and Reza Zandian ("Zandian") (collectively the Corporate Defendants and  
3 Zandian are referred to as the "Defendants") disrupted his ownership and  
4 control over the patents, thereby causing him damages.

5 On March 28, 2013, the District Court entered a *Default* against  
6 Zandian. Later, pursuant to the application of Plaintiff, the District Court  
7 entered a *Default Judgment* against the Defendants in the amount of  
8 \$1,495,775.74. Plaintiff filed a *Notice of Entry of Default Judgment* on  
9 June 27, 2013.<sup>1</sup>

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

- 19 **13. Whether the case has previously been the subject of an appeal to**  
20 **or original writ proceeding in the Supreme Court and, if so, the**  
21 **caption and Supreme Court docket number of the prior**  
22 **proceeding (NRAP 3(f)(J)):**

23  
24 <sup>1</sup> After the *Default Judgment* was entered, an effort was made to set it aside. The District Court denied the motion to set aside, which is the subject of a pending appeal with this Court. See *Zandian v. Margolin* (Case No. 65205).

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

The caption is:

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

vs.

JED MARGOLIN, AN INDIVIDUAL, Respondent.

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

The appeal does not involve child custody or visitation.

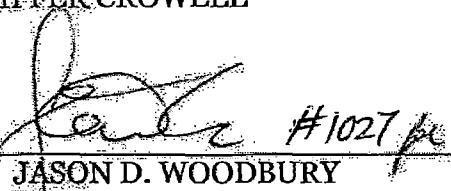
**15. In civil cases, whether the appeal involves the possibility of settlement (NRAP 3(f)(3)(L)):**

The appeal does not involve the possibility of settlement.

DATED this 25 day of June, 2014.

~~KAEMPFFER CROWELL~~

BY:



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

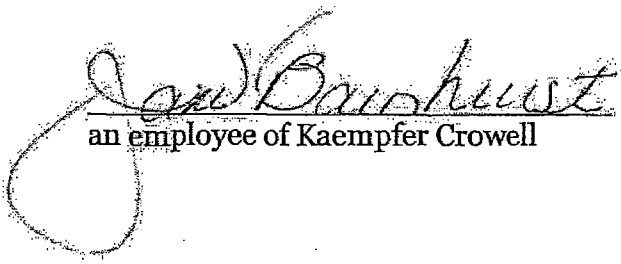
KAEMPFFER CROWELL  
510 West Fourth Street  
Carson City, Nevada 89703

1 CERTIFICATE OF SERVICE

2 Pursuant to NRAP 25(d) and NRCP 5(b), I hereby certify that service of the  
3 foregoing CASE APPEAL STATEMENT was made this date by depositing for mailing  
4 of the same in Portable Document Format 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 23 day of June, 2014.

11   
12 an employee of Kaempfer Crowell

Judge: RUSSELL, JUDGE JAMES  
 TODD

Case No. 09 OC 00579 1B

Ticket No.  
 CTN:

MARGOLIN, JED

By:

-vs-

OPTIMA TECHNOLOGY  
 CORPORATION

DRSPND

By:

Dob:  
 Lic:  
 ZANDIAN, REZA

Sex:  
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 DRSPND

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Plate#:  
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 Venue:  
 Location:

MARGOLIN, JED

PLNTPET

Bond:  
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 Comments:

Ct.:  
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 Arrest Dt:  
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Sentencing:

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

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

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

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

Terms: JUDGMENT ENTERED @  
4:12 PM

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

Judgment For: MARGOLIN, JED -

PLNFF/PETNR

Judgment Against: OPTIMA  
 TECHNOLOGY CORPORATION -  
 DEFENDANT/RESPONDENT

ZANDIAN,  
 REZA - DEFENDANT/RESPONDENT

Judgment Balance:  
 1,495,775.74

Case Total: 2,903,922.66

Case Balance: 2,903,922.66

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

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



No.	Filed	Action	Operator	Fine/Cost	Due
93	05/29/12	DECISION OF ARBITRATION COMMISSIONER REMOVING MATTER FROM MANDATORY ARBITRATION	1BCGRIBBLE	0.00	0.00
94	05/15/12	PLAINTIFF'S MOTION TO COMPEL APPEARANCE OF COUNSEL FOR OPTIMA TECHNOLOGY CORPORATIONS, OR IN THE ALTERNATIVE, MOTION TO STRIKE GENERAL DENIAL OF OPTIMA TECHNOLOGY CORPORATIONS (COPY) (SEE MINUTE ORDER FILED 06/19/2012)	1BVANESSAG	0.00	0.00
95	05/10/12	DECLARATION OF JED MARGOLIN IN SUPPORT OF REQUEST TO EXEMPT CASE FROM COURT ANNEXED ARBITRATION PROGRAM	1BCGRIBBLE	0.00	0.00
96	05/10/12	SECOND SUPPLEMENTAL REQUEST FOR EXEMPTION FROM ARBITRATION	1BCGRIBBLE	0.00	0.00
97	05/09/12	NOTICE OF ENTRY OF ORDER GRANTING JOHN PETER LEE, LTD.'S AMENDED MOTION TO WITHDRAW FROM REPRESENTATION OF DEFENDANTS OPTIMA TECHNOLOGY CORPORATION OPTIMA TECHNOLOGY CORPORATION, REZA ZANDIAN AKA GOLAMREA ZANDIANJAZI AKA GHOLAM REZA ZANDIAN AKA REZA JAZI AKA J. REZA JAZI AKA G. REA JAZI AKA GHONONREZA ZANDIAN JAZI	1BCCOOPER	0.00	0.00
98	04/26/12	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BVANESSAG	0.00	0.00
99	04/26/12	ORDER GRANTING JOHN PETER LEE, LTD.'S AMENDED MOTION TO WITHDRAW FROM REPRESENTATION OF DEFENDANTS OPTIMA TECHNOLOGY CORPORATION, A CALIFORNIA CORPORATION; OPTIMA TECHNOLOGY CORPORATION, A NEVADA CORPORATION; AND REZA ZANDIAN AKA GOLAMREZA ZANDIANJAZI AKA GHOLAM REZA ZANDIAN AKA REZA JAZI AKA J. REZA JAZI AKA G. REZA JAZI AKA GHONONREZA ZANDIAN JAZI	1BVANESSAG	0.00	0.00
100	04/23/12	REQUEST FOR SUBMISSION	1BCGRIBBLE	0.00	0.00
101	04/20/12	SUPPLEMENTAL REQUEST FOR EXEMPTION FROM ARBITRATION	1BCGRIBBLE	0.00	0.00
102	03/30/12	DECLARATION OF ADAM P. MCMILLEN IN SUPPORT OF THE NOTICE ON NON-OPPOSITION TO JOHN PETER LEE, LTD.'S AMENDED MOTION TO WITHDRAW FROM REPRESENTATION	1BCCOOPER	0.00	0.00
103	03/30/12	NOTICE OF NON-OPPOSITION TO JOHN PETER LEE, LTD'S AMENDED MOTION TO WITHDRAW FROM REPRESENTATION	1BCCOOPER	0.00	0.00
104	03/16/12	DECLARATION OF ADAM P. MCMILLEN IN SUPPORT OF THE NOTICE OF NON-OPPOSITION TO JOHN PETER LEE, LTD.'S MOTION TO WITHDRAW FROM REPRESENTATION	1BCCOOPER	0.00	0.00
105	03/16/12	NOTICE OF NON-OPPOSITION TO JOHN PETER LEE, LTD'S MOTION TO WITHDRAW FROM REPRESENTATION	1BCCOOPER	0.00	0.00
106	03/14/12	GENERAL DENIAL Receipt# 21864 Date: 03/16/2012	1BCCOOPER	218.00	0.00

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

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

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

Terms: JUDGMENT ENTERED @ 3:24 PM.

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

Judgment For: MARGOLIN, JED - PLNTF/PETNR

Judgment Against: OPTIMA TECHNOLOGY - DEFENDANT/RESPONDENT

ZANDIAN, REZA - DEFENDANT/RESPONDENT

Judgment Balance:  
121,594.46

Case Total:  
121,594.46

Case Balance:  
121,594.46

No.	Filed	Action	Operator	Fine/Cost	Due
148	03/01/11	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BCCOOPER	0.00	0.00
149	03/01/11	DEFAULT JUDGMENT	1BCCOOPER	0.00	0.00
150	02/28/11	APPLICATION FOR DEFAULT JUDGMENT; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF	1BMKALE	0.00	0.00
151	02/28/11	DECLARATION OF JED MARGOLIN IN SUPPORT OF APPLICATINO FOR DEFAULT JUDGMENT	1BMKALE	0.00	0.00
152	02/28/11	DECLARATION FO CASSANDRA P. JOSEPH IN SUPPORT OF APPLICATION FOR DEFAULT JUDGMENT	1BMKALE	0.00	0.00
153	02/25/11	CERTIFICATE OF SERVICE	1BMKALE	0.00	0.00
154	12/07/10	NOTICE OF ENTRY OF DEFAULT (3)	1BCFRANZ	0.00	0.00
155	12/02/10	DEFAULT	1BCCOOPER	0.00	0.00
156	12/02/10	APPLICATION FOR ENTRY OF DEFAULT	1BCCOOPER	0.00	0.00
157	12/02/10	APPLICATION FOR ENTRY OF DEFAULT	1BCCOOPER	0.00	0.00
158	12/02/10	DEFAULT	1BCCOOPER	0.00	0.00
159	12/02/10	APPLICATION FOR ENTRY OF DEFAULT	1BCCOOPER	0.00	0.00
160	03/26/10	SUMMONS AND ADD'S SUMMONS	1BCFRANZ	0.00	0.00
161	03/09/10	SUMMONS	1BCFRANZ	0.00	0.00
162	03/09/10	ISSUING SUMMONS & ADD'L SUMMONS	1BMKALE	0.00	0.00
163	12/15/09	ISSUING SUMMONS & 2 ADD'L	1BCCOOPER	0.00	0.00
164	12/14/09	COMPLAINT Receipt: 10054 Date: 12/14/2009 Receipt 10054 reversed by 10067 on 12/14/2009. Receipt: 10068 Date: 12/14/2009	1BMKALE	265.00	0.00
Total:				1,249.00	0.00
Totals By: COST				749.00	0.00
HOLDING				500.00	0.00
INFORMATION				0.00	0.00
*** End of Report ***					

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Case No.: 090C00579 1B

Dept. No.: 1

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ALAN GLOVER  
BY: [Signature] CLERK  
DEPUTY

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

JED MARGOLIN, an individual,

Plaintiff,

vs.

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

Defendants.

Case No.: 090C00579 1B

Dept. No.: 1

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

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

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

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

8  
9 **I. Postjudgment Costs**

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

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

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

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

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

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

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

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

12                   NRS 598.0999(2) states as follows:

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

20                   NRS 598.0999(2) (emphasis added).

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

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

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

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

16  
17  
18 Before awarding attorney's fees, the district court must make findings concerning the  
19 reasonableness of the award, as required by *Brunzell v. Golden Gate National Bank*, 455 P.2d  
20 31, 85 Nev. 345 (1969) and *Shuette v. Beazer Homes Holdings Corp.*, 124 P. 3d 530, 121 Nev.  
21 837 (2005). See *Barney v. Mt. Rose Heating & Air Conditioning*, 124 Nev. 821, 829-30, 192  
22 P.3d 730, 735-7 (2008).

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### 17 III. Postjudgment Interest

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

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

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

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

14 **IV. Conclusion**

15 Based upon the above, the Motion for Order Allowing Costs and Necessary  
16 Disbursements is GRANTED in full. Therefore, Margolin is awarded his postjudgment costs,  
17 from October 18, 2013 through April 18, 2014, in the amount of \$1,355.17. Margolin is  
18 awarded his postjudgment attorney's fees in the amount of \$31,247.50. Margolin is awarded  
19 his postjudgment interest in the amount of \$63,684.40.  
20

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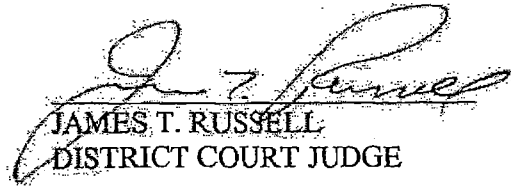
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28 <sup>1</sup> Interest continues to accrue until the judgment is satisfied. *See* NRS 17.130(2).

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

6 DATED: This 19 day of May, 2014.

IT IS SO ORDERED:

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9   
10 JAMES T. RUSSELL  
DISTRICT COURT JUDGE

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

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

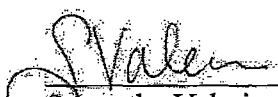
**CERTIFICATE OF MAILING**

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

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

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

  
Samantha Valerius  
Law Clerk, Department I

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

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

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

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

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

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

TO: All parties:

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

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

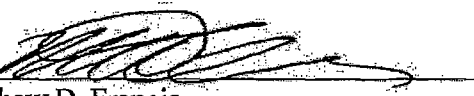
The undersigned does hereby affirm that the preceding document does not contain the

///  
///

1 social security number of any person.

2 DATED: May 20, 2014.

WATSON ROUNDS

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

10 Attorneys for Plaintiff Jed Margolin  
11  
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1 **CERTIFICATE OF SERVICE**

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

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

12 Dated: This 20<sup>th</sup> day of May, 2014.


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14 Nancy Lindsley  
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Case No.: 090C00579 1B

Dept No.: 1

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

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

JED MARGOLIN, an individual,  
Plaintiff,

vs.

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

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

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

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

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

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

8  
9 **I. Postjudgment Costs**

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

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

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

24

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

## 1 II. Postjudgment Attorney's Fees

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

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

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

12 NRS 598.0999(2) states as follows:

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

20 NRS 598.0999(2) (emphasis added).

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

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

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

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

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

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

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

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

3 *Barney*, 192 P.3d at 736 (citing *Brunzell*, 85 Nev. at 349, 455 P.2d at 33). According to  
4 *Shuette*, the district court is required to “provide[ ] sufficient reasoning and findings in support  
5 of its ultimate determination.” *Id.* (citing *Shuette*, 121 Nev. at 865, 124 P.3d at 549).  
6

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

### 17 III. Postjudgment Interest

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

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

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

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

14 **IV. Conclusion**

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


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

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

6 DATED: This 19 day of May, 2014.

IT IS SO ORDERED:

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

16 Respectfully submitted by,

17 WATSON ROUNDS, P.C.

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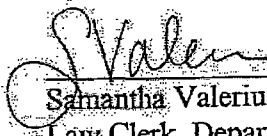
**CERTIFICATE OF MAILING**

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

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

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

  
Samantha Valerius  
Law Clerk, Department I

FIRST JUDICIAL DISTRICT COURT MINUTES

CASE NO. 09 OC 00579 1B

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

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

MINUTE ORDER

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

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