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CLERK OF THE COURT

Electronically Filed
Feb 15 2011 11:01 a.m.
Tracie K. Lindeman

NOTC
JONATHAN B. GOLDSMITH, ESQ.
Nevada Bar No. 11805
ROSENFELD & RINATO
9029 South Pecos Road, #2800
Henderson, Nevada 89074
702.386.8637 / 702.385.3025 (Facsimile)
jgoldsmith@lawrosen.com
Attorneys for Tenant

DISTRICT COURT
CLARK COUNTY, NEVADA

REDSTONE GRILLE, LLC,	Case No.	A-10-630855-C
	Dept. No.	31
Landlord,		
vs.		
VEGAS MARTINI GROUP, LLC dba STRAIGHT UP MARTINI BAR		
Subtenant		

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Vegas Martini Group, LLC dba Straight Up Martini Bar, Subtenant above named, hereby appeals to the Supreme Court of Nevada from the Order entered in this action on the 9th day of February, 2011, attached hereto as Exhibit "1".

Dated this 10th day of February, 2011.

/s/ Jonathan B. Goldsmith, Esq.
JONATHAN B. GOLDSMITH, ESQ.
Nevada Bar No. 11805
Rosenfeld & Rinato
9029 South Pecos Road, #2800
Henderson, Nevada 89074
702.386.8637 / 702.385.3025 (Facsimile)
jgoldsmith@lawrosen.com
Attorneys for Tenant

Docket 57766 Document 2011-04886

CERTIFICATE OF SERVICE

Jonathan B. Goldsmith, Esq., attorney for Petitioner, hereby certifies that on the 20th day of September, 2010, I served a true and correct copy of Notice of Appeal to Landlord's counsel of record by depositing said documents in a sealed envelope in the United States mail, first-class postage prepaid, addressed as follows:

Ryan Works, Esq.
2300 West Sahara Avenue, #1000
Las Vegas, Nevada 89102

/s/ Jonathan B. Goldsmith, Esq.
Jonathan B. Goldsmith, Esq.

Exhibit "1"

REGISTER OF ACTIONS
CASE NO. A-10-630855-C

Redstone Grille LLC, Plaintiff(s) vs. Vegas Martini Group LLC, Defendant(s)

Case Type: **Landlord/Tenant**
Subtype: **Unlawful Detainer**
Date Filed: **12/07/2010**
Location: **Department 31**
Conversion Case Number: **A630855**

PARTY INFORMATION

Defendant	**Vegas Martini Group LLC** *Doing Business As* Straight Up Martini B	**Lead Attorneys** **Jonathan B Goldsmith, ESQ** *Retained* 702-448-7981(W)
Plaintiff	**Redstone Grille LLC**	**Ryan J. Works** *Retained* 7028734100(W)

EVENTS & ORDERS OF THE COURT

01/31/2011 **Hearing** (9:00 AM) (Judicial Officer Kishner, Joanna)
01/31/2011, 02/09/2011
Pltf's Ex-Parte Application for Summary Eviction

Minutes

01/31/2011 9:00 AM
- Colloquy regarding whether this court has jurisdiction. Mr. Stoft argued under NRS 40.253 the Court does have jurisdiction and part of this matter was handled in Justice Court. Colloquy regarding Arrietta being a part of Redstone in the past and Arrietta was served with a five day pay or vacate. Mr. Stoft further argued there are potential damages of $130,000.00 and Vegas Martini's bankruptcy is a red herring matter and they have not paid rent since 6/2010. Arguments between counsel over issue of jurisdiction. Mr. Goldsmith argued landlord/tenant issues should be handled in Justice Court or Bankruptcy court could hear this matter. Arguments between counsel regarding Deft paying rent, yet it is going to the owner Wine Garden and not to Pltf. The Court NOTED it will not rule on this matter until it receives supporting documents from Bankruptcy Court. COURT ORDERED, matter CONTINUED for Chambers decision on 02.09.11. Counsel to submit additional briefs regarding courts jurisdiction. Counsel to provide courtesy copies to court and each other.

02/09/2011 3:00 AM
- On January 31, 2011 this Court held a hearing on Plaintiff's Motion for Summary Eviction. At the hearing, Supplemental Briefing was requested to address the questions regarding the proper jurisdiction of this matter. The parties were given until Friday, February 4, 2011, to provide supplemental information to the Court. The Court received Landlord/Plaintiff's Notice of the Entry of Order dated January 31, 2011, of the United States Bankruptcy Court, District of Nevada, Case No. BK-S-10-29723-BAM, "Order Authorizing the Debtor to Reject Retail Lease Agreement Nunc Pro Tunc as of December 13, 2010." The Court also received "Subtenant's Supplemental Brief in Opposition to Summary Eviction," from Defendant/Tenant and the "Reply in Support of Summary Eviction," from Landlord/Plaintiff. Contained within the Order Authorizing the Debtor to Reject Retail Lease Agreement Nunc Pro Tunc as of December 13, 2010, the Bankruptcy Court held the following: The Court FINDS the debtor may continue its efforts to regain possession of the Property by taking appropriate action in Nevada State Court and the Nevada State Court is free to render a determination (summary eviction or otherwise) regarding possession of the Property. As the Bankruptcy court has established there is jurisdiction and for good cause, Landlord Plaintiff's Motion for Summary Eviction is COURT ORDERED GRANTED. FURTHER ORDERED, Defendant/Tenant's Request for a Stay of Execution Pursuant to NRS 70 is DENIED. CLERK'S NOTE: A copy of this minute order has been place in the attorney folder(s) of David Stoft (McDonald Carano et al) and Jonathan Goldsmith.

Parties Present
Return to Register of Actions

DEPARTMENT 31

CASE SUMMARY

CASE NO. A-10-630855-C

Redstone Grille LLC, Plaintiff(s)	§	Location:	**Department 31**
vs.	§	Judicial Officer:	**Kishner, Joanna**
Vegas Martini Group LLC, Defendant(s)	§	Filed on:	**12/07/2010**
	§	Case Number History:	
	§	Conversion Case Number:	**A630855**

CASE INFORMATION

Case Type: **Landlord/Tenant**
Sub Type: **Unlawful Detainer**

Case Flags: **Appealed to Supreme Court**

DATE — CASE ASSIGNMENT

Current Case Assignment

Case Number	A-10-630855-C
Court	Department 31
Date Assigned	01/01/2011
Judicial Officer	Kishner, Joanna

PARTY INFORMATION

		Lead Attorneys
Plaintiff	**Redstone Grille LLC**	**Works, Ryan J.** *Retained* 7028734100(W)
Defendant	**Vegas Martini Group LLC**	**Goldsmith, Jonathan B, ESQ** *Retained* 702-448-7981(W)

DATE — EVENTS & ORDERS OF THE COURT — INDEX

DATE	EVENTS & ORDERS OF THE COURT
12/07/2010	Answer Filed By: Defendant Vegas Martini Group LLC *Subtenant's Answer in Opposition to Summary Eviction*
01/01/2011	Case Reassigned to Department 31 *Case reassigned from Judge Villani, Michael*
01/13/2011	Affidavit Filed By: Plaintiff Redstone Grille LLC *Affidavit of Complaint for Summary Eviction*
01/18/2011	Ex Parte Application Party: Plaintiff Redstone Grille LLC *Ex Parte Application for Order Shortening Time on Hearing for Summary Eviction*
01/18/2011	Notice of Hearing Filed By: Plaintiff Redstone Grille LLC *Notice of Hearing on Affidavit of Complaint for Summary Eviction on Order Shortening Time*
01/21/2011	Initial Appearance Fee Disclosure Filed By: Plaintiff Redstone Grille LLC *Initial Appearance Fee Disclosure*
01/31/2011	

CASE SUMMARY

CASE NO. A-10-630855-C

	Notice of Entry of Order Filed By: Plaintiff Redstone Grille LLC *Notice of Entry of Order*
01/31/2011	**Hearing** (9:00 AM) (Judicial Officer: Kishner, Joanna) **01/31/2011, 02/09/2011** Events: 01/18/2011 Ex Parte Application *Pltf's Ex-Parte Application for Summary Eviction*
02/01/2011	Supplemental Brief Filed By: Plaintiff Redstone Grille LLC *Subtenant's Supplemental Brief in Opposition to Summary Eviction*
02/04/2011	Reply in Support Filed By: Plaintiff Redstone Grille LLC *Reply in Support of Summary Eviction*
02/10/2011	Notice of Appeal Filed By: Defendant Vegas Martini Group LLC *Notice of Appeal*
02/10/2011	Order Filed By: Plaintiff Redstone Grille LLC *Order for Summary Eviction*
02/11/2011	Notice of Entry of Order Filed By: Plaintiff Redstone Grille LLC *Notice of Entry of Order for Summary Eviction*
02/11/2011	Amended Complaint Filed By: Plaintiff Redstone Grille LLC *Amended Verified Complaint*

DATE	FINANCIAL INFORMATION	
	Defendant Vegas Martini Group LLC	
	Total Charges	24.00
	Total Payments and Credits	24.00
	Balance Due as of 2/14/2011	**0.00**
	Plaintiff Redstone Grille LLC	
	Total Charges	270.00
	Total Payments and Credits	270.00
	Balance Due as of 2/14/2011	**0.00**
	Defendant Vegas Martini Group LLC	
	APPEAL BOND Balance as of 2/14/2011	**250.00**

A-10-630855-C
CCS
Civil Cover Sheet
1090002

CIVIL COVER SHEET

Clark County, Nevada

Case No. _____
(Assigned by Clerk's Office)

XVII
A-10-630855-C

I. Party Information

Plaintiff(s) (name/address/phone):	Defendant(s) (name/address/phone):
Vegas Martini Group, LLC	Redstone Grille, LLC
Attorney (name/address/phone):	Attorney (name/address/phone):
Jonathan B. Goldsmith, Esq.	Ryan Works, Esq.
9029 S. Pecos Rd., #2800, Henderson, NV 89074	2300 West Sahara, #1000, Las Vegas, NV 89102

II. Nature of Controversy (Please check applicable bold category and applicable subcategory, if appropriate)

☐ **Arbitration Requested**

Civil Cases

Real Property

- ☑ **Landlord/Tenant**
  - ☑ Unlawful Detainer
- ☐ **Title to Property**
  - ☐ Foreclosure
  - ☐ Liens
  - ☐ Quiet Title
  - ☐ Specific Performance
- ☐ **Condemnation/Eminent Domain**
- ☐ **Other Real Property**
  - ☐ Partition
  - ☐ Planning/Zoning

Torts

Negligence
- ☐ **Negligence – Auto**
- ☐ **Negligence – Medical/Dental**
- ☐ **Negligence – Premises Liability** (Slip/Fall)
- ☐ **Negligence – Other**

- ☐ **Product Liability**
  - ☐ Product Liability/Motor Vehicle
  - ☐ Other Torts/Product Liability
- ☐ **Intentional Misconduct**
  - ☐ Torts/Defamation (Libel/Slander)
  - ☐ Interfere with Contract Rights
- ☐ **Employment Torts** (Wrongful termination)
- ☐ **Other Torts**
  - ☐ Anti-trust
  - ☐ Fraud/Misrepresentation
  - ☐ Insurance
  - ☐ Legal Tort
  - ☐ Unfair Competition

Probate

Estimated Estate Value: ____

- ☐ **Summary Administration**
- ☐ **General Administration**
- ☐ **Special Administration**
- ☐ **Set Aside Estates**
- ☐ **Trust/Conservatorships**
  - ☐ Individual Trustee
  - ☐ Corporate Trustee
- ☐ **Other Probate**

Other Civil Filing Types

- ☐ **Construction Defect**
  - ☐ Chapter 40
  - ☐ General
- ☐ **Breach of Contract**
  - ☐ Building & Construction
  - ☐ Insurance Carrier
  - ☐ Commercial Instrument
  - ☐ Other Contracts/Acct/Judgment
  - ☐ Collection of Actions
  - ☐ Employment Contract
  - ☐ Guarantee
  - ☐ Sale Contract
  - ☐ Uniform Commercial Code
- ☐ **Civil Petition for Judicial Review**
  - ☐ Foreclosure Mediation
  - ☐ Other Administrative Law
  - ☐ Department of Motor Vehicles
  - ☐ Worker's Compensation Appeal

- ☐ **Appeal from Lower Court** *(also check applicable civil case box)*
  - ☐ Transfer from Justice Court
  - ☐ Justice Court Civil Appeal
- ☐ **Civil Writ**
  - ☐ Other Special Proceeding
- ☐ **Other Civil Filing**
  - ☐ Compromise of Minor's Claim
  - ☐ Conversion of Property
  - ☐ Damage to Property
  - ☐ Employment Security
  - ☐ Enforcement of Judgment
  - ☐ Foreign Judgment – Civil
  - ☐ Other Personal Property
  - ☐ Recovery of Property
  - ☐ Stockholder Suit
  - ☐ Other Civil Matters

III. Business Court Requested (Please check applicable category; *for Clark or Washoe Counties only.*)

- ☐ NRS Chapters 78-88
- ☐ Commodities (NRS 90)
- ☐ Securities (NRS 90)
- ☐ Investments (NRS 104 Art. 8)
- ☐ Deceptive Trade Practices (NRS 598)
- ☐ Trademarks (NRS 600A)
- ☐ Enhanced Case Mgmt/Business
- ☐ Other Business Court Matters

12/7/10
Date

Signature of initiating party or representative

See other side for family-related case filings.

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CLERK OF THE COURT

ORDR
ANDREW P. GORDON, ESQ.
Nevada Bar No. 3421
RYAN J. WORKS, ESQ.
Nevada Bar No. 9224
DAVID J. STOFT, ESQ.
Nevada Bar No. 10241
McDONALD CARANO WILSON LLP
2300 West Sahara Avenue, Suite 1000
Las Vegas, Nevada 89102
(702) 873-4100
Attorneys for Plaintiff/Landlord

DISTRICT COURT

CLARK COUNTY, NEVADA

REDSTONE GRILLE, LLC, Plaintiff/Landlord, vs. VEGAS MARTINI GROUP, LLC dba STAIGHT UP MARTINI BAR, Defendants/Tenants.	CASE NO.: A-630855 DEPT NO.: XXXI **ORDER FOR SUMMARY EVICTION**

An Affidavit of Complaint for Summary Eviction having been filed on January 13, 2011, in the above entitled court by plaintiff REDSTONE GRILLE, LLC ("Plaintiff"), by and through the law firm of McDonald Carano Wilson LLP, seeking summary eviction of defendants VEGAS MARTINI GROUP, LLC dba STAIGHT UP MARTINI BAR ("Defendant"), and it appearing from the record that the statutory requirements have been met, and it further appearing that jurisdiction is appropriate, and it further appearing that Defendant still unlawfully detains and withholds the premises at issue, and the Court being fully advised and finding good cause therefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Constable/Sheriff, within twenty-four (24) hours after receipt of this Order, is hereby authorized to enter, ~~using all~~

necessary ~~force as may be required,~~ upon the premises located at 4970 South Fort Apache Road, Las Vegas, Nevada 89148 in Clark County, Nevada, and to summarily remove Defendant from the property, and Plaintiff is hereby awarded the right of possession of the premises. Consistent with NRS 40.253

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Tenant – Defendant's Request for a stay of execution of this Order is DENIED.

DATED this 10th day of February, 2011.

DISTRICT COURT JUDGE

Submitted by:

McDONALD CARANO WILSON LLP

ANDREW P. GORDON, ESQ. (#3421)
RYAN J. WORKS, ESQ. (#9224)
2300 W. Sahara Avenue, Suite 1000
Las Vegas, Nevada 89102
Attorneys for Plaintiff/Landlord

215366.2

NEOJ
ANDREW P. GORDON, ESQ.
Nevada Bar No. 3421
RYAN J. WORKS, ESQ.
Nevada Bar No. 9224
DAVID J. STOFT, ESQ.
Nevada Bar No. 10241
McDONALD CARANO WILSON LLP
2300 West Sahara Avenue, Suite 1000
Las Vegas, Nevada 89102
(702) 873-4100

Attorneys for Plaintiff/Landlord

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CLERK OF THE COURT

DISTRICT COURT

CLARK COUNTY, NEVADA

REDSTONE GRILLE, LLC,

Plaintiff/Landlord,

vs.

VEGAS MARTINI GROUP, LLC dba STAIGHT UP MARTINI BAR,

Defendants/Tenants.

CASE NO.: A-630855
DEPT NO.: XXXI

NOTICE OF ENTRY OF ORDER FOR SUMMARY EVICTION

PLEASE TAKE NOTICE that on the 10th day of February, 2011, an ORDER FOR SUMMARY EVICTION was entered in the above-captioned case, a copy of which is attached hereto.

DATED this 11th day of February, 2011.

McDONALD CARANO WILSON LLP

(11270)

ANDREW P. GORDON, ESQ. (#3421)
RYAN J. WORKS, ESQ. (#9224)
2300 W. Sahara Avenue, Suite 1000
Las Vegas, Nevada 89102
Attorneys for Plaintiff/Landlord

McDONALD·CARANO·WILSON LLP
2300 WEST SAHARA AVENUE • SUITE 1000 • LAS VEGAS, NEVADA 89102-4354
PHONE (702) 873-4100 • FAX (702) 873-9966

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of McDonald Carano Wilson LLP and that on this 11th day of February, 2011, I caused a true and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER FOR SUMMARY EVICTION** to be served via facsimile and U.S. Mail, postage prepaid, upon the following:

Jonathan B. Goldsmith, Esq.
Rosenfeld & Rinato
9029 South Pecos Rd., #2800
Henderson, NV 89074
Via Facsimile: 702-385-3025

218165

An employee of McDonald Carano Wilson LLP

McDONALD·CARANO·WILSON LLP
2300 WEST SAHARA AVENUE • SUITE 1000 • LAS VEGAS, NEVADA 89102-4354
PHONE (702) 873-4100 • FAX (702) 873-9966

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02/10/2011 04:18:41 PM

CLERK OF THE COURT

ORDR
ANDREW P. GORDON, ESQ.
Nevada Bar No. 3421
RYAN J. WORKS, ESQ.
Nevada Bar No. 9224
DAVID J. STOFT, ESQ.
Nevada Bar No. 10241
McDONALD CARANO WILSON LLP
2300 West Sahara Avenue, Suite 1000
Las Vegas, Nevada 89102
(702) 873-4100
Attorneys for Plaintiff/Landlord

DISTRICT COURT

CLARK COUNTY, NEVADA

REDSTONE GRILLE, LLC,

Plaintiff/Landlord,

vs.

VEGAS MARTINI GROUP, LLC dba STAIGHT UP MARTINI BAR,

Defendants/Tenants.

CASE NO.: A-630855
DEPT NO.: XXXI

ORDER FOR SUMMARY EVICTION

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~~necessary force as may be required,~~ upon the premises located at 4970 South Fort Apache Road, Las Vegas, Nevada 89148 in Clark County, Nevada, and to summarily remove Defendant from the property, and Plaintiff is hereby awarded the right of possession of the premises. Consistent with NRS 40.253

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Tenant – Defendant's Request for a stay of execution of this Order is DENIED.

DATED this 10th day of February, 2011.

DISTRICT COURT JUDGE

Submitted by:

McDONALD CARANO WILSON LLP

ANDREW P. GORDON, ESQ. (#3421)
RYAN J. WORKS, ESQ. (#9224)
2300 W. Sahara Avenue, Suite 1000
Las Vegas, Nevada 89102
Attorneys for Plaintiff/Landlord

215366.2

DISTRICT COURT
CLARK COUNTY, NEVADA

Landlord/Tenant	COURT MINUTES	January 31, 2011

A-10-630855-C Redstone Grille LLC, Plaintiff(s)
vs.
Vegas Martini Group LLC, Defendant(s)

January 31, 2011 **9:00 AM** **Hearing**

HEARD BY: Kishner, Joanna COURTROOM: RJC Courtroom 12D

COURT CLERK: Karina Kennedy

RECORDER:

REPORTER:

PARTIES
PRESENT: Goldsmith, Jonathan B, ESQ Attorney
Stoft, David J. Attorney

JOURNAL ENTRIES

- Colloquy regarding whether this court has jurisdiction. Mr. Stoft argued under NRS 40.253 the Court does have jurisdiction and part of this matter was handled in Justice Court. Colloquy regarding Arrietta being a part of Redstone in the past and Arrietta was served with a five day pay or vacate. Mr. Stoft further argued there are potential damages of $130,000.00 and Vegas Martini's bankruptcy is a red herring matter and they have not paid rent since 6/2010. Arguments between counsel over issue of jurisdiction. Mr. Goldsmith argued landlord/tenant issues should be handled in Justice Court or Bankruptcy court could hear this matter. Arguments between counsel regarding Deft paying rent, yet it is going to the owner Wine Garden and not to Pltf. The Court NOTED it will not rule on this matter until it receives supporting documents from Bankruptcy Court. COURT ORDERED, matter CONTINUED for Chambers decision on 02.09.11. Counsel to submit additional briefs regarding courts jurisdiction. Counsel to provide courtesy copies to court and each other.

DISTRICT COURT
CLARK COUNTY, NEVADA

Landlord/Tenant	COURT MINUTES	February 09, 2011

A-10-630855-C Redstone Grille LLC, Plaintiff(s)
vs.
Vegas Martini Group LLC, Defendant(s)

February 09, 2011 **3:00 AM** **Hearing**

HEARD BY: Kishner, Joanna COURTROOM:

COURT CLERK: Karina Kennedy

RECORDER:

REPORTER:

PARTIES
PRESENT:

JOURNAL ENTRIES

- On January 31, 2011 this Court held a hearing on Plaintiff s Motion for Summary Eviction. At the hearing, Supplemental Briefing was requested to address the questions regarding the proper jurisdiction of this matter. The parties were given until Friday, February 4, 2011, to provide supplemental information to the Court. The Court received Landlord/Plaintiff s Notice of the Entry of Order dated January 31, 2011, of the United States Bankruptcy Court, District of Nevada, Case No. BK-S-10-29723-BAM, Order Authorizing the Debtor to Reject Retail Lease Agreement Nunc Pro Tunc as of December 13, 2010. The Court also received Subtenant s Supplemental Brief in Opposition to Summary Eviction, from Defendant/Tenant and the Reply in Support of Summary Eviction, from Landlord/Plaintiff. Contained within the Order Authorizing the Debtor to Reject Retail Lease Agreement Nunc Pro Tunc as of December 13, 2010, the Bankruptcy Court held the following:

The Court FINDS the debtor may continue its efforts to regain possession of the Property by taking appropriate action in Nevada State Court and the Nevada State Court is free to render a determination (summary eviction or otherwise) regarding possession of the Property.

As the Bankruptcy court has established there is jurisdiction and for good cause, Landlord Plaintiff s Motion for Summary Eviction is COURT ORDERED GRANTED. FURTHER ORDERED, Defendant/Tenant s Request for a Stay of Execution Pursuant to NRS 70 is DENIED.

CLERK'S NOTE: A copy of this minute order has been place in the attorney folder(s) of David Stoft (McDonald Carano et al) and Jonathan Goldsmith.

EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE

NOTICE OF DEFICIENCY

ON APPEAL TO NEVADA SUPREME COURT

JONATHAN B. GOLDSMITH, ESQ.
9029 S. PECOS RD., #2800
HENDERSON, NV 89074

DATE: February 14, 2011
CASE: 10A630855

RE CASE: REDSTONE GRILLE, LLC vs. VEGAS MARTINI GROUP, LLC dba STRAIGHT UP MARTINI BAR

NOTICE OF APPEAL FILED: February 10, 2011

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

☐ $250 – Supreme Court Filing Fee
- If the $250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.

☐ $24 – District Court Filing Fee (Make Check Payable to the District Court)

☒ $500 – Cost Bond on Appeal (Make Check Payable to the District Court)
- ***Balance due $250.00***
- NRAP 7: Bond For Costs On Appeal in Civil Cases

☒ Case Appeal Statement
- . NRAP 3 (a)(1), Form 2

☐ Order

☐ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

Certification of Copy

State of Nevada }
County of Clark } **SS:**

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER FOR SUMMARY EVICTION; NOTICE OF ENTRY OF ORDER FOR SUMMARY EVICTION; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

REDSTONE GRILLE, LLC,

Plaintiff(s),

vs.

MARTINI GROUP, LLC
dba STRAIGHT UP MARTINI BAR,

Defendant(s),

Case No: 10A630855
Dept No: XXXI

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto Set my hand and Affixed the seal of the Court at my office, Las Vegas, Nevada This 14 day of February 2011.

Steven D. Grierson, Clerk of the Court

Heather Ungermann, Deputy Clerk

JONATHAN B. GOLDSMITH, LTD.
9029 S PECOS RD STE 2800
HENDERSON, NV 89074-7199

1029
94-7074/3212 1751
8175620874

DATE 2/11/11

PAY TO THE ORDER OF Supreme Court of Nevada $ 250.00

Two Hundred Fifty Dollars Even DOLLARS

Security Features Details on Back.

WELLS FARGO
Wells Fargo Bank, N.A.
Nevada
wellsfargo.com

FOR

MP

⑈000001029⑈ ⑆321270742⑆ 8175620874⑈