District Court Case No: D-23-675595-Z

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Nov 14 2024 11:12 AM
Elizabeth A. Brown
Clerk of Supreme Court

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR THE COUNTY OF CLARK

In the Matter of the Joint Petition for Divorce of:

MARIKA LENEE CHUNYK and VI HAN DO,

Petitioner(s),

NOTICE OF APPEAL PACKET COVER SHEET

Docket 89624 Document 2024-43099

Electronically Filed
11/07/2024
CLERK OF THE COURT

FILING CODE: _____
Your Name: Marika L. Chunyk
Address: 10040 W. Cheyenne Ave Ste 170
City, State, Zip: Las Vegas, NV 89129
Telephone: 702-234-1728
Email Address: mlenee@comcast.net
Self-Represented

DISTRICT COURT
_____ COUNTY, NEVADA

Vi Han Do Plaintiff, vs. Marika Lenee Chunyk Defendant.	CASE NO.: D-23-675595-Z DEPT: A

NOTICE OF APPEAL

Notice is hereby given that (*your name*) Marika Lenee Chunyk,
(*check one*) ☐ Plaintiff / ☒ Defendant above named, hereby appeals to the Supreme Court of Nevada from the (*name of order/decree*)
Attorney fees of $15,000 for Plaintiffs attorney entered in this action
(*order date mm/dd/yyyy*) 10/28/2024.

DATED (*month*) November (*day*) 7, 2024.

Submitted By: (*your signature*) Marika L Chunyk
(*print your name*) Marika L. Chunyk

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CERTIFICATE OF SERVICE

I certify that on the date indicated below, I served a copy of this **NOTICE OF APPEAL** upon all parties to the appeal as follows:

☐ By personally serving it upon him/her; or

☑ By mailing it by first-class mail with sufficient postage prepaid to the following address(es) (List names and address(es) of parties served):

Vi Han DO
7229 Atascadero creek Ct
Las Vegas NV 89118

McFarling Law Group
6230 W. Desert INN Road
Las vegas NV 89146

DATED (*today's date*) November 7 2024.

Submitted By: (*your signature*) Marika L Chunyk
(*print your name*) Marika L. Chunyk

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Electronically Filed
11/12/2024 8:31 AM
Steven D. Grierson
CLERK OF THE COURT

ASTA

District Court Case No: D-23-675595-Z

Dept No: A

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR THE COUNTY OF CLARK

In the Matter of the Joint Petition for Divorce of:

MARIKA LENEE CHUNYK and VI HAN DO,

Petitioner(s),

CASE APPEAL STATEMENT

1. Name of appellant(s) filing this case appeal statement:
   Marika L. Chunyk

2. Identify the judge issuing the decision, judgment or order appealed from:
   Mari D. Parlade

3. Identify each appellant and the name and address of counsel for each appellant. If an appellant(s) is self-represented, identify the name and address of appellant(s):

   Marika L. Chunyk

   Marika L. Chunyk
   10040 W. Cheyenne Ave., Ste. 170
   Las Vegas, NV 89129

4. Identify each respondent and the name and address of appellate counsel, if known, for each respondent (if the name of a respondent's appellate counsel is unknown, indicate as much and provide the name and address of that respondent's trial counsel). For self-represented respondents, identify the name and address of each respondent:

Vi Han Do

Emily McFarling, Esq.
6230 W. Desert Inn Rd.
Las Vegas, NV 89146

5. Indicate whether any attorney identified above in response to question 3 or 4 is not licensed to practice law in Nevada and, if so, whether the District Court granted that attorney permission to appear under SCR 42: **N/A**

6. If appellant was represented by counsel in the District Court, indicate whether counsel was ☐ appointed or ☒ retained or ☒ N/A

7. If appellant is represented by counsel on appeal, is counsel ☐ appointed or ☐ retained or ☒ N/A

8. Has appellant been granted leave to proceed informa pauperis?

☐ Yes: Identify the date of entry of the District Court order granting such leave:
(copy of order to follow by mail)
***Expires 1 year from date filed*

☒ No: Has appellant filed an application to proceed in forma pauperis?
☒ No.
☐ Yes: identify date the application was filed:
If application was denied, indicate date of order denying:
(copy of order to follow by mail.)

9. Indicate the date the proceedings commenced in the District Court (e.g., date complaint, indictment, information, or petition was filed): **September 22, 2023**

10. Provide a brief description of the nature of the action and result in the District Court, including the type of judgment or order being appealed and the relief granted by the District Court: **Misc. Order**

11. Indicate whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court or Court of Appeals and, if so, the caption and appellate court docket number of the prior proceedings:

Docket No.	**Case Caption**
N/A	N/A

12. Does this appeal raise issues involving child custody, the guardianship of a minor, parenting time, or visitation?

☐ Yes: Is this the primary issue on appeal? ☐ Yes ☐ No
☒ No

13. If this is a civil case, indicate whether this appeal involves the possibility of settlement: **unknown**

Dated This 12 day of November 2024.

Steven D. Grierson, Clerk of the Court

/s/ Cierra Borum
Cierra Borum, Deputy Clerk
200 Lewis Ave
PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512

cc: Marika L. Chunyk

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. D-23-675595-Z

In the Matter of the Joint Petition for Divorce of:	§	Location:	**Department A**
Marika Lenee Chunyk and Vi Han Do	§	Judicial Officer:	**Parlade, Mari D**
	§	Filed on:	**09/22/2023**
	§		
	§		

CASE INFORMATION

Statistical Closures

10/28/2024	Settled/Withdrawn Without Judicial Conference or Hearing
04/26/2024	Settled/Withdrawn With Judicial Conference or Hearing
09/25/2023	Settled/Withdrawn Without Judicial Conference or Hearing

Case Type: **Divorce - Joint Petition**
Subtype: **Joint Petition No Minor(s)**
Case Status: **10/28/2024 Closed**
Case Flags: **Order / Decree Logged Into Department**
Appealed to Supreme Court

DATE — CASE ASSIGNMENT

Current Case Assignment

Case Number	D-23-675595-Z
Court	Department A
Date Assigned	09/22/2023
Judicial Officer	Parlade, Mari D

PARTY INFORMATION

Petitioner

Chunyk, Marika Lenee
10790 Hickam AVE
Las Vegas, NV 89129
Pro Se

Do, Vi Han
7229 Atascadero Creek CT
Las Vegas, NV 89118
Fic, Holly A.
Retained
702-565-4335(W)
Aronson, Joshua Tovim
Retained
702-384-9800(W)
Aronson, Joshua Tovim
Retained
702-384-9800(W)
McFarling, Emily M, ESQ
Retained
702-565-4335(W)

DATE — EVENTS & ORDERS OF THE COURT

EVENTS

09/22/2023 Joint Petition for Summary Decree of Divorce
Filed by: Petitioner Chunyk, Marika Lenee
[1] Joint Petition for Summary Decree of Divorce

09/22/2023 Affidavit of Resident Witness
Filed by: Petitioner Chunyk, Marika Lenee
[2] Affidavit of Resident Witness

09/22/2023 Confidential Information sheet - Domestics
Filed by: Petitioner Chunyk, Marika Lenee
[3] Confidential Information sheet - Domestics

09/25/2023 Decree of Divorce

[4] Decree of Divorce

11/21/2023 Motion
Filed By: Petitioner Do, Vi Han
[5] Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt

11/21/2023 Exhibits
Filed By: Petitioner Do, Vi Han
[6] Exhibits Appendix

11/21/2023 Schedule of Arrearages
Filed by: Petitioner Do, Vi Han
[7] Schedule of Arrearages

11/21/2023 Ex Parte Application
Filed by: Petitioner Do, Vi Han
[8] Ex Parte Application for an Order to Show Cause

11/21/2023 Certificate of Service
Filed by: Petitioner Do, Vi Han
[9] Certificate of Service

02/26/2024 Ex Parte Motion
Filed by: Petitioner Do, Vi Han
[10] Ex Parte Motion

02/26/2024 Certificate of Service
Filed by: Petitioner Do, Vi Han
[11] Amended Certificate of Service

03/20/2024 Opposition
Filed By: Petitioner Chunyk, Marika Lenee
[12] Opposition To Motion For An Order To Enforce And/Or For An Order To Show Cause Regarding Contempt

03/27/2024 Notice of Appearance
Party: Petitioner Do, Vi Han
[13] Plaintiff's Notice of Appearance

03/28/2024 Reply
Filed By: Petitioner Do, Vi Han
[14] Plaintiff's Reply to Opposition to Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt and Request for Sanctions and Attorney's Fees and Costs

03/28/2024 Schedule of Arrearages
Filed by: Petitioner Do, Vi Han
[15] Updated Schedule of Arrears for Plaintiff

04/01/2024 Financial Disclosure Form
Filed by: Petitioner Do, Vi Han
[16] General Financial Disclosure Form

04/19/2024 Memorandum
Filed By: Petitioner Do, Vi Han
[17] Plaintiff's Memorandum of Attorney's Fess and Costs

04/24/2024 Notice of Hearing
[18] Notice of Hearing

04/24/2024 Financial Disclosure Form
Filed by: Petitioner Chunyk, Marika Lenee
[19] Financial Disclosure Form

04/26/2024 Notice of Withdrawal
Filed by: Petitioner Chunyk, Marika Lenee

[20] Notice of Withdrawal of Counsel for Defendant

04/26/2024 Order
[21] Order from April 2, 2024 Hearing

04/29/2024 Notice of Entry
Filed By: Petitioner Do, Vi Han
[22] Notice of Entry of Order from April 2, 2024 Hearing

05/13/2024 Motion to Reconsider
Filed by: Petitioner Do, Vi Han
[23] Vi Han Do's Notice of Motion and Motion to Reconsider his Request for Sanctions and Attorney's Fees and Costs and Motion for an Order to Show Cause Why Defendant Should Not be Held in Contempt, to Further Enforce Orders, and for Attorney's Fees and Costs

05/13/2024 Schedule of Arrearages
Filed by: Petitioner Do, Vi Han
[24] Second Schedule of Arrears for Vi Han Do

05/13/2024 Clerk's Notice of Hearing
[25] Clerk's Notice of Hearing

05/30/2024 Ex Parte Application for Order
Party: Petitioner Do, Vi Han
[26] Plaintiff/Second Joint Petitioner's Ex Parte Application for an Order to Show Cause Why Defendant/First Joint Petitioner Should Not be Held in Contempt

06/25/2024 Request for Summary Disposition
Filed by: Petitioner Do, Vi Han
[27] Vi Han Do's Request for Summary Disposition of Unopposed Motion

06/25/2024 Certificate of Service
Filed by: Petitioner Do, Vi Han
[28] Certificate of Service

06/26/2024 Errata
Filed By: Petitioner Do, Vi Han
[29] Errata to Vi Han Do's Notice of Motion and Motion to Reconsider his Request for Sanctions and Attorney's Fees and Costs and Motion for an Order to Show Cause Why Defendant Should not be Held in Contempt, to Further Enforce Orders, and for Attorney's Fees and Costs

07/02/2024 Notice of Appearance
Party: Petitioner Chunyk, Marika Lenee
[30] Notice of Appearance for Defendant / First Joint Petitioner

07/04/2024 Notice
Filed By: Petitioner Chunyk, Marika Lenee
[31] Notice of Intent to Oppose

07/15/2024 Schedule of Arrearages
Filed by: Petitioner Do, Vi Han
[32] Updated Schedule of Arrears for Vi Han Do

07/16/2024 Opposition and Countermotion
Filed By: Petitioner Chunyk, Marika Lenee
[33] Plaintiff's Opposition to Defendant's Motion to Reconsider His Request for Sanctions and Attorney's Fees and Costs, for an Order to Show Cause why Defendant Shall Not be Held In Contempt, to Further Enforce Orders, and for Additional Attorney's Fees and Costs and Costs and Countermotion for Attorney's Fees and Costs

07/16/2024 Financial Disclosure Form
Filed by: Petitioner Chunyk, Marika Lenee
[34] Plaintiff's Financial Disclosure Form

07/17/2024 Writ Electronically Issued

Filed By: Petitioner Do, Vi Han
[35] Writ of Execution

07/31/2024 Memorandum
Filed By: Petitioner Do, Vi Han
[37] Vi Han Do's Second Memorandum of Attorney's Fees and Costs

07/31/2024 Order
[38] Order from July 17, 2024 Hearing

08/01/2024 Notice of Entry
Filed By: Petitioner Do, Vi Han
[39] Notice of Entry of Order from July 17, 2024 Hearing

08/07/2024 Objection
Filed By: Petitioner Chunyk, Marika Lenee
[40] Plaintiffs Objection To Defendant Vi Han Dos Second Memorandum Of Attorneys Fees And Costs

08/23/2024 Order
[41] Income withholding for Support

10/28/2024 Order
[42] Order Awarding Attorney's Fees and Costs

10/28/2024 Notice of Entry
Filed By: Petitioner Do, Vi Han
[43] Notice of Entry of Order Awarding Attorney's Fees and Costs

10/30/2024 Writ
*[44] ***Not Issues***Writ of Execution*

11/05/2024 Notice of Withdrawal
Filed by: Petitioner Chunyk, Marika Lenee
[45] Notice of Withdrawal as Attorney of Record for Defendant/First Joint Petitioner

11/07/2024 Notice of Appeal
Filed By: Petitioner Chunyk, Marika Lenee
[46] Notice of Appeal

11/12/2024 Case Appeal Statement
Case Appeal Statement

HEARINGS

04/02/2024 **Motion** (10:00 AM) (Judicial Officer: Parlade, Mari D)
Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt
Matter Heard; See All Pending Session on 04.02.24

04/02/2024 **Opposition** (10:00 AM) (Judicial Officer: Parlade, Mari D)
Opposition To Motion For An Order To Enforce And/Or For An Order To Show Cause Regarding Contempt
Matter Heard; See All Pending Session on 04.02.24

04/02/2024 **Hearing** (10:00 AM) (Judicial Officer: Parlade, Mari D)
Plaintiff's Reply to Opposition to Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt and Request for Sanctions and Attorney's Fees and Costs
Matter Heard; See All Pending Session on 04.02.24

04/02/2024 **All Pending Motions** (10:00 AM) (Judicial Officer: Parlade, Mari D)

MINUTES
Matter Heard;

05/01/2024 *CANCELED* **Order to Show Cause** (10:00 AM) (Judicial Officer: Parlade, Mari D)
Vacated
RE: Past Due Order from the hearing on 4/2/2024. Atty Fic was to prepare the order

07/17/2024 **Motion** (9:00 AM) (Judicial Officer: Parlade, Mari D)

Petitioner, Vi Han Do's Notice of Motion and Motion to Reconsider his Request for Sanctions and Attorney's Fees and Costs and Motion for an Order to Show Cause Why Defendant Should Not be Held in Contempt, to Further Enforce Orders, and for Attorney's Fees and Costs
Denied in Part;

09/09/2024 *CANCELED* **Status Check** (6:00 PM) (Judicial Officer: Parlade, Mari D)
Vacated
re: Briefing on Attorney's Fees and Costs (No Appearances Required) [Memorandum due July 31, 2024 (2 weeks after Motion Hrng) Response due August 7, 2024 (1 week after Memo)]

09/09/2024 *CANCELED* **Opposition** (6:00 PM) (Judicial Officer: Parlade, Mari D)
Vacated
Plaintiff s Objection To Defendant Vi Han Do s Second Memorandum Of Attorney s Fees And Costs

10/18/2024 **Minute Order** (11:00 AM) (Judicial Officer: Parlade, Mari D)
Minute Order - No Hearing Held;

Electronically Filed
10/28/2024 9:24 AM
CLERK OF THE COURT

ORDR
Emily McFarling, Esq.
Nevada Bar Number 8567
Holly Fic, Esq.
Nevada Bar Number 7699
MCFARLING LAW GROUP
6230 W. Desert Inn Road
Las Vegas, NV 89146
(702) 565-4335 phone
(702) 732-9385 fax
eservice@mcfarlinglaw.com
Attorney for Second Joint Petitioner,
Vi Han Do

EIGHTH JUDICIAL DISTRICT COURT

FAMILY DIVISION

CLARK COUNTY, NEVADA

VI HAN DO, Second Joint Petitioner, vs. MARIKA LENEE CHUNYK, First Joint Petitioner.	Case Number: D-23-675595-Z Department: A

ORDER AWARDING ATTORNEY'S FEES AND COSTS

Following the July 17, 2024 court hearing regarding *Petitioner, Vi Han Do's Motion to Reconsider his Request for Sanctions and Attorney's Fees and Costs and Motion for an Order to Show Cause Why Defendant Should Not be Held in Contempt, to Further Enforce Orders, and for Attorney's Fees and Costs,* for which Secon Joint Petitioner filed *Vi Han Do's Second Memorandum of Fees and Costs filed with the court on July 31, 2024* and First Joint Petitioner Marika Lenee Chunyk having filed her Objection thereto on August 7, 2024, and this Court having taken the matter under chambers decision, and the Court having reviewed and considered the

Statistically closed: USJR-FAM-Set/Withdrawn W/O Judicial Conf/Hearing Close Case (UWOJC)

papers and pleadings on file herein, and being duly and fully advised in the premises, issues the following findings and orders:

THE COURT HEREBY FINDS pursuant to NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing.

THE COURT FURTHER FINDS that on May 13, 2024, Petitioner Vi Han Do filed his Motion to Reconsider his Request for Sanctions and Attorney's Fees and Costs and Motion for an Order to Show Cause Why Defendant Should Not be Held in Contempt, to Further Enforce Orders, and for Attorney s Fees and Costs.

THE COURT FURTHER FINDS that on July 16, 2024, Petitioner Marika Lenee Chunyk filed her Opposition to Defendant's Motion to Reconsider his Request for Sanctions and Attorney's Fees and Costs and Motion for an Order to Show Cause Why Defendant Should Not be Held in Contempt, to Further Enforce Orders, and for Attorney s Fees and Costs and Countermotion for Attorney s Fees and Costs.

THE COURT FURTHER FINDS that on July 17, 2024, the parties appeared before the Court on Petitioner Vi Han Do s Motion to Reconsider his Request for Sanctions and Attorney's Fees and Costs and Motion for an Order to Show Cause Why Defendant Should Not be Held in Contempt, to Further Enforce Orders, and for Attorneys Fees and Costs and Petitioner Marika Lenee Chunyk's Corresponding Opposition. At the hearing, this Court declined to set the Matter for an Order to Show Cause but asserted it will entertain Attorney Fic's Memorandum of Fees and Costs for Petitioner Vi Han Do subject to all of the fees and costs that were incurred for the hearing. The Court ORDERED Petitioner Vi Han Do's Request for Reconsideration be PARTIALLY

GRANTED and that two weeks from the date of the hearing, Attorney Fic shall submit her Memorandum of Fees and Costs and Briefing as to why she is requesting additional fees and costs.

THEREFORE, THE COURT ORDERS the following:

THE COURT HEREBY ORDERS that upon review of the papers and pleadings filed herein, Petitioner Vi Han Do's Motion to Reconsider his Request for Sanctions and Attorney's Fees and Costs and Motion for an Order to Show Cause Why Defendant Should Not be Held in Contempt, to Further Enforce Orders, and for Attorney's Fees and Costs is **PARTIALLY GRANTED** with respect to attorney s fees and costs.

THE COURT FURTHER ORDERS Attorney Holly Fic is to prepare the Order on this Matter and leave a blank space where the Court will fill in the amount of attorney's fees Petitioner Vi Han Do is entitled to.

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AS SUCH, THE COURT HEREBY ORDERS that in accordance with *Brunzell v. Golden Gate Nat'l Bank*, 85 Nev. 345 (1969), in which this Court considered the various factors including: 1) the quality of the advocate; 2) the character and difficulty of the work performed; 3) the work actually performed by the attorney; and 4) the result obtained as set forth in Second Joint Petitioner *Vi Han Do's Second Memorandum of Fees and Costs* filed with the court on July 31, 2024 and First Joint Petitioner Marika Lenee Chunyk August 7, 2024 Objection thereto; Second Joint Petitioner Vi Han Do is hereby granted and awarded attorneys' fees and costs from First Joint Petitioner Marika Lenee Chunyk in the total sum of $ 15,000, which sum shall be reduced to judgment and collectible by all lawful means

Dated this 28th day of October, 2024

D43 204 E1FE C84D
Mari D. Parlade
District Court Judge

Submitted by:
MCFARLING LAW GROUP

/s/Holly Fic

Emily McFarling, Esq.
Nevada Bar Number 8567
Holly Fic, Esq.
Nevada Bar Number 7699
6230 W. Desert Inn Road
Las Vegas, NV 89146
(702) 565-4335
Attorney for Plaintiff/Second Joint Petitioner
Vi Han Do

CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

In the Matter of the Joint Petition for Divorce of: Marika Lenee Chunyk and Vi Han Do	CASE NO: D-23-675595-Z DEPT. NO. Department A

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Order was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

Service Date: 10/28/2024

E File	efile@sgroandroger.com
Julia Calderon	juliacalderon@sgroandroger.com
Kimber Laux	klaux@sgroandroger.com
Cheyenne Kidd	ckidd@sgroandroger.com
Vi Do	vihdo@yahoo.com
Marika Chunyk	mlenee@comcast.net
Holly Fic, Esq.	eservice@mcfarlinglaw.com

Electronically Filed
10/28/2024 11:58 AM
Steven D. Grierson
CLERK OF THE COURT

NEO
Emily McFarling, Esq.
Nevada Bar Number 8567
Holly Fic, Esq.
Nevada Bar Number 7699
MCFARLING LAW GROUP
6230 W. Desert Inn Road
Las Vegas, NV 89146
(702) 565-4335 phone
(702) 732-9385 fax
eservice@mcfarlinglaw.com
Attorney for Second Joint Petitioner,
Vi Han Do

EIGHTH JUDICIAL DISTRICT COURT

FAMILY DIVISION

CLARK COUNTY, NEVADA

VI HAN DO, Second Joint Petitioner, vs. MARIKA LENEE CHUNYK, First Joint Petitioner.	Case Number: D-23-675595-Z Department: A

NOTICE OF ENTRY OF ORDER AWARDING ATTORNEY'S FEES AND COSTS

PLEASE TAKE NOTICE that on October 28, 2024, an Order was entered, a copy of which is attached hereto and by reference fully incorporated herein.

DATED this 28th day of October, 2024.

MCFARLING LAW GROUP

/s/ Holly Fic
Emily McFarling, Esq. #8567
Holly Fic, Esq. #7699
Attorney for Second Joint Petitioner,
Vi Han Do

CERTIFICATE OF SERVICE

The undersigned, an employee of McFarling Law Group, hereby certifies that on the 28th day of October, 2024, served a true and correct copy of Notice of Entry of Order Awarding Attorney's Fees and Costs:

__X___ via mandatory electronic service by using the Eighth Judicial District Court's E-file and E-service System to the following:

Kimber Laux, Esq.
Cheyenne Kidd, Esq.
klaux@sgroandroger.com
ckidd@sgroandroger.com
juliacalderon@sgroandroger.com
efile@sgroandroger.com

/s/Kiya J. Jack
Kiya J. Jack

ELECTRONICALLY SERVED
10/28/2024 9:25 AM

Electronically Filed
10/28/2024 9:24 AM
CLERK OF THE COURT

ORDR
Emily McFarling, Esq.
Nevada Bar Number 8567
Holly Fic, Esq.
Nevada Bar Number 7699
MCFARLING LAW GROUP
6230 W. Desert Inn Road
Las Vegas, NV 89146
(702) 565-4335 phone
(702) 732-9385 fax
eservice@mcfarlinglaw.com
Attorney for Second Joint Petitioner,
Vi Han Do

EIGHTH JUDICIAL DISTRICT COURT

FAMILY DIVISION

CLARK COUNTY, NEVADA

VI HAN DO, Second Joint Petitioner, vs. MARIKA LENEE CHUNYK, First Joint Petitioner.	Case Number: D-23-675595-Z Department: A

ORDER AWARDING ATTORNEY'S FEES AND COSTS

Following the July 17, 2024 court hearing regarding *Petitioner, Vi Han Do's Motion to Reconsider his Request for Sanctions and Attorney's Fees and Costs and Motion for an Order to Show Cause Why Defendant Should Not be Held in Contempt, to Further Enforce Orders, and for Attorney's Fees and Costs,* for which Secon Joint Petitioner filed *Vi Han Do's Second Memorandum of Fees and Costs filed with the court on July 31, 2024* and First Joint Petitioner Marika Lenee Chunyk having filed her Objection thereto on August 7, 2024, and this Court having taken the matter under chambers decision, and the Court having reviewed and considered the

papers and pleadings on file herein, and being duly and fully advised in the premises, issues the following findings and orders:

THE COURT HEREBY FINDS pursuant to NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing.

THE COURT FURTHER FINDS that on May 13, 2024, Petitioner Vi Han Do filed his Motion to Reconsider his Request for Sanctions and Attorney's Fees and Costs and Motion for an Order to Show Cause Why Defendant Should Not be Held in Contempt, to Further Enforce Orders, and for Attorney s Fees and Costs.

THE COURT FURTHER FINDS that on July 16, 2024, Petitioner Marika Lenee Chunyk filed her Opposition to Defendant's Motion to Reconsider his Request for Sanctions and Attorney's Fees and Costs and Motion for an Order to Show Cause Why Defendant Should Not be Held in Contempt, to Further Enforce Orders, and for Attorney s Fees and Costs and Countermotion for Attorney s Fees and Costs.

THE COURT FURTHER FINDS that on July 17, 2024, the parties appeared before the Court on Petitioner Vi Han Do s Motion to Reconsider his Request for Sanctions and Attorney's Fees and Costs and Motion for an Order to Show Cause Why Defendant Should Not be Held in Contempt, to Further Enforce Orders, and for Attorneys Fees and Costs and Petitioner Marika Lenee Chunyk's Corresponding Opposition. At the hearing, this Court declined to set the Matter for an Order to Show Cause but asserted it will entertain Attorney Fic's Memorandum of Fees and Costs for Petitioner Vi Han Do subject to all of the fees and costs that were incurred for the hearing. The Court ORDERED Petitioner Vi Han Do's Request for Reconsideration be PARTIALLY

GRANTED and that two weeks from the date of the hearing, Attorney Fic shall submit her Memorandum of Fees and Costs and Briefing as to why she is requesting additional fees and costs.

THEREFORE, THE COURT ORDERS the following:

THE COURT HEREBY ORDERS that upon review of the papers and pleadings filed herein, Petitioner Vi Han Do's Motion to Reconsider his Request for Sanctions and Attorney's Fees and Costs and Motion for an Order to Show Cause Why Defendant Should Not be Held in Contempt, to Further Enforce Orders, and for Attorney's Fees and Costs is **PARTIALLY GRANTED** with respect to attorney s fees and costs.

THE COURT FURTHER ORDERS Attorney Holly Fic is to prepare the Order on this Matter and leave a blank space where the Court will fill in the amount of attorney's fees Petitioner Vi Han Do is entitled to.

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AS SUCH, THE COURT HEREBY ORDERS that in accordance with *Brunzell v. Golden Gate Nat'l Bank*, 85 Nev. 345 (1969), in which this Court considered the various factors including: 1) the quality of the advocate; 2) the character and difficulty of the work performed; 3) the work actually performed by the attorney; and 4) the result obtained as set forth in Second Joint Petitioner *Vi Han Do's Second Memorandum of Fees and Costs* filed with the court on July 31, 2024 and First Joint Petitioner Marika Lenee Chunyk August 7, 2024 Objection thereto; Second Joint Petitioner Vi Han Do is hereby granted and awarded attorneys' fees and costs from First Joint Petitioner Marika Lenee Chunyk in the total sum of $ 15,000, which sum shall be reduced to judgment and collectible by all lawful means

Dated this 28th day of October, 2024

D43 204 E1FE C84D
Mari D. Parlade
District Court Judge

Submitted by:
MCFARLING LAW GROUP

/s/Holly Fic

Emily McFarling, Esq.
Nevada Bar Number 8567
Holly Fic, Esq.
Nevada Bar Number 7699
6230 W. Desert Inn Road
Las Vegas, NV 89146
(702) 565-4335
Attorney for Plaintiff/Second Joint Petitioner
Vi Han Do

CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

In the Matter of the Joint Petition for Divorce of: Marika Lenee Chunyk and Vi Han Do	CASE NO: D-23-675595-Z DEPT. NO. Department A

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Order was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

Service Date: 10/28/2024

E File	efile@sgroandroger.com
Julia Calderon	juliacalderon@sgroandroger.com
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Marika Chunyk	mlenee@comcast.net
Holly Fic, Esq.	eservice@mcfarlinglaw.com

DISTRICT COURT
CLARK COUNTY, NEVADA

Divorce - Joint Petition **COURT MINUTES** April 02, 2024

D-23-675595-Z In the Matter of the Joint Petition for Divorce of:
Marika Lenee Chunyk and Vi Han Do

April 02, 2024 **10:00 AM** **All Pending Motions**

HEARD BY: Parlade, Mari D **COURTROOM:** Courtroom 02

COURT CLERK: Sheila Bourne

PARTIES:
Marika Chunyk, Petitioner, present Pro Se
Vi Do, Petitioner, present Emily McFarling, Attorney, not present

JOURNAL ENTRIES

- OPPOSITION: OPPOSITION TO MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT...HEARING: PLAINTIFF'S REPLY TO OPPOSITION TO MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT AND REQUEST FOR SANCTIONS AND ATTORNEY'S FEES AND COST...MOTION: MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT

The Petitioner/Ex-Husband, Petitioner/Ex-Wife, Holly Fic, Nevada Bar Number 7699, on behalf of the Ex-Husband, and Joshua Aronson, Nevada Bar Number 12683, on behalf of the Ex-Wife, were present at the hearing In Person and via Zoom Videoconference and Javs Recording. The Court appeared In Person.

Upon the matter being called and placed on the record, the Court NOTED it reviewed the documents and had there been any resolution between Counsel.

Ms. Fic argued no resolution has been reached and she does not like to cite Rule 11 Sanctions, and requested Mr. Aronson to Withdraw his Opposition because she believed it to be Wrongful. Mr. Aronson argued he did not believe his Opposition to be Wrongful under EDCR 5.509 (a).
The Court allowed arguments by both Attorneys before issuing its ruling.

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The Court stated its NOTED, FINDINGS and ORDERS as follows:

COURT NOTED the Motion to Enforce is before the Court, and it will treat it as an AND/OR, and the language is very clear that Petitioner/Ex-Wife is Ordered to pay $625.00 every two weeks for three years beginning November 17, 2023, ending November 23, 2026. The Court will not be moving forward on an Order For Contempt, the Court will be enforcing this, and if there is a request to reduce this to Judgement, the Court will be granting that request.

The Motion For an Order to Enforce is GRANTED, REDUCE the amounts DUE AND OWING AND THE UPDATED SCHEDULE OF ARREARS TO JUDGMENT. The COURT FURTHER ORDERED to REDUCE the amount of $ 6,250.00, reducible to judgment.

The Motion for Contempt is DENIED.

Petitioner/Ex-Wife to file her Financial Disclosure Form.

The Court is GRANTING LIMITED ATTORNEYS FEES to Ms. Fic, no more than $1,500.00, in Attorney s Fees, subject to a Brunzell Analysis Memorandum of Fees and Cost.

The Court will not be issuing Rule 11 Sanctions.

Ms. Vic shall prepare and submit the Order. Mr. Aronson shall review the Order, and sign off.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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DISTRICT COURT
CLARK COUNTY, NEVADA

Divorce - Joint Petition **COURT MINUTES** July 17, 2024

D-23-675595-Z In the Matter of the Joint Petition for Divorce of:
Marika Lenee Chunyk and Vi Han Do

July 17, 2024 **9:00 AM** **Motion**

HEARD BY: Parlade, Mari D **COURTROOM:** Courtroom 02

COURT CLERK: Andrelle Stanley

PARTIES:
Marika Chunyk, Petitioner, present Pro Se
Vi Do, Petitioner, present Holly Fic, Attorney, present

JOURNAL ENTRIES

- MOTION: PETITIONER, VI HAN DO'S NOTICE OF MOTION AND MOTION TO RECONSIDER HIS REQUEST FOR SANCTIONS AND ATTORNEY'S FEES AND COSTS AND MOTION FOR AN ORDER TO SHOW CAUSE WHY DEFENDANT SHOULD NOT BE HELD IN CONTEMPT, TO FURTHER ENFORCE ORDERS, AND FOR ATTORNEY'S FEES AND COSTS

All Parties appeared in the Courtroom.

The Court reviewed the history of the case.

Upon Court inquiry, Attorney Laux indicated that there was a partial resolution. Attorney Laux further indicated that the Parties STIPULATED to enter a wage-withholding Order for Petitioner Chunyk's spousal support obligation going forward effective August 1, 2024.

Attorney Laux indicated that there was a misunderstanding represented in her Opposition indicating that her office requested that the spousal support period shift in lieu of the arrears and she believed that this was in agreement with Opposing Counsel, but it was not. Attorney Laux further indicated she can amend her Opposition.

Court allowed argument by Attorney Fic regarding attorney's fees, Petitioner Chunyk not making

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efforts toward payment of spousal support, Petitioner Chunyk's income, spousal support arrears, and Petitioner Chunyk being disingenuous regarding her claim of wage garnishment.

Court allowed argument by Attorney Laux regarding Petitioner Han Do's Motion for the Order to Show Cause, attorney's fees, and their proposals toward resolution.

Attorney Fic indicated that this was the first time she was made aware of these proposals.

Court allowed further argument by Attorney Laux regarding Petitioner Han Do's Motion for the Order to Show Cause, there being no need for a finding of contempt, the Motion to Reconsider being procedurally deficient, the Motion for the Order to Show Cause being procedurally deficient as well, attorney's fees, the parties' disparity of income due to Petitioner Han Do's wilful under-employment, Petitioner Han Do's Financial Disclosure Form being deficient, and Opposing Counsel's attorney's fees request being unreasonable.

Attorney Laux indicated that Petitioner Chunyk's proposal is that she continues to pay the $625.00 biweekly in alimony via wage-withholding.

Upon Court inquiry, Attorney Laux indicated that it is Petitioner Chunyk's proposal that she pay an additional $200.00 monthly toward the arrears, making the bi-weekly payments equate to $725.00.

COURT NOTED, the spousal support arrears are at $5,262.00.

Further colloquy regarding the arrears, Attorney Laux's proposal, the attorney's fees in this matter, Petitioner Chunyk's Financial Disclosure Form, and the contempt issue.

COURT NOTED, the Court will not set this for an Order to Show Cause, however, it will entertain Attorney Fic's Memorandum of Fees and Costs subject to all of the fees and costs that were incurred today. It will also entertain Attorney Laux's Opposition thereto.

Colloquy regarding Petitioner Chunyk's Financial Disclosure Forms.

COURT FINDS that the Opposition was filed untimely and will be stricken.

Following statements, COURT ORDERED,

Petitioner Han Do's Request for Reconsideration is PARTIALLY GRANTED.

Petitioner Chunyk's SPOUSAL SUPPORT ARREARS total $5,262.00. Said amount shall be REDUCED to JUDGMENT collectable by any legal means bearing the legal rate of interest until paid in full. This amount shall be PAID IN FULL within sixty (60) days.

Two weeks from today, Attorney Fic shall submit her MEMORANDUM of FEES and COSTS and

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BRIEFING as to why she is requesting additional fees and costs. Attorney Laux will have one week from then to present her response thereto. The Court will render its DECISION in CHAMBERS.

CLERK'S NOTE: Minutes prepared by Court Clerk I, Elize Tupaz, by a review of the official JAVS audio/video record. (ect 7.18.2024)

INTERIM CONDITIONS:

FUTURE HEARINGS:

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DISTRICT COURT
CLARK COUNTY, NEVADA

Divorce - Joint Petition **COURT MINUTES** October 18, 2024

D-23-675595-Z In the Matter of the Joint Petition for Divorce of:
Marika Lenee Chunyk and Vi Han Do

October 18, 2024 **11:00 AM** **Minute Order**

HEARD BY: Parlade, Mari D **COURTROOM:** Chambers

COURT CLERK:

PARTIES:
Marika Chunyk, Petitioner, not present Pro Se
Vi Do, Petitioner, not present Holly Fic, Attorney, not present

JOURNAL ENTRIES

- D-23-675595-Z Chunyk Matter Chambers Calendar September 9, 2024

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action.

Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing.

THE COURT FINDS that on May 13, 2024, Petitioner Han Do filed his Motion to Reconsider his Request for Sanctions and Attorney's Fees and Costs and Motion for an Order to Show Cause Why Defendant Should Not be Held in Contempt, to Further Enforce Orders, and for Attorney s Fees and Costs.

THE COURT FURTHER FINDS that on July 16, 2024, Petitioner Marika Lenee Chunyk filed her Opposition to Defendant's Motion to Reconsider his Request for Sanctions and Attorney's Fees and Costs and Motion for an Order to Show Cause Why Defendant Should Not be Held in Contempt, to Further Enforce Orders, and for Attorney s Fees and Costs and Countermotion for Attorney s Fees and Costs.

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THE COURT FURTHER FINDS that on July 17, 2024, the parties appeared before the Court on Petitioner Han Do s Motion to Reconsider his Request for Sanctions and Attorney's Fees and Costs and Motion for an Order to Show Cause Why Defendant Should Not be Held in Contempt, to Further Enforce Orders, and for Attorney s Fees and Costs and Petitioner Marika Lenee Chunyk s Corresponding Opposition. At the hearing, this Court declined to set the Matter for an Order to Show Cause, but asserted it will entertain Attorney Fic's Memorandum of Fees and Costs subject to all of the fees and costs that were incurred for the hearing. The Court ORDERED Petitioner Han Do's Request for Reconsideration be PARTIALLY GRANTED and that two weeks from the date of the hearing, Attorney Fic shall submit her Memorandum of Fees and Costs and Briefing as to why she is requesting additional fees and costs.

THEREFORE, THE COURT ORDERS, upon review of the papers and pleadings filed herein, Petitioner Han Do's Motion to Reconsider his Request for Sanctions and Attorney's Fees and Costs and Motion for an Order to Show Cause Why Defendant Should Not be Held in Contempt, to Further Enforce Orders, and for Attorney's Fees and Costs is PARTIALLY GRANTED with respect to attorney s fees and costs. Attorney Holly Fic is to prepare the Order on this Matter and leave a blank space where the Court will fill in the amount of attorney's fees Petitioner Han Do is entitled to.

A copy of this Minute Order shall be provided to all parties.

CLERK'S NOTE A copy of this minute order has been emailed/mailed to the parties/counsel.

INTERIM CONDITIONS:

FUTURE HEARINGS:

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE

NOTICE OF DEFICIENCY

ON APPEAL TO NEVADA SUPREME COURT

MARIKA L. CHUNYK
10040 W. CHEYENNE AVE., STE. 170
LAS VEGAS, NV 89129

DATE: November 12, 2024
CASE: D-23-675595-Z

RE CASE: In the Matter of the Joint Petition for Divorce of: MARIKA LENEE CHUNYK and VI HAN DO

NOTICE OF APPEAL FILED: November 7, 2024

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

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

☒ $250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)**
- 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)**
- NRAP 7: Bond For Costs On Appeal in Civil Cases
- *Previously paid Bonds are not transferable between appeals without an order of the District Court.*

☐ 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 an appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay any district court fees or Supreme Court filing fee. The district court clerk must apprise the appellant of the deficiencies in writing, and must send the notice of appeal to the Supreme Court in accordance with Rule 3(g) 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 must docket the appeal in accordance with Rule 12."

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

***Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.*

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; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER AWARDING ATTORNEY'S FEES AND COSTS; NOTICE OF ENTRY OF ORDER AWARDING ATTORNEY'S FEES AND COSTS; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

In the Matter of the Joint Petition for Divorce of:

MARIKA LENEE CHUNYK and VI HAN DO,

Petitioner(s),

Case No: D-23-675595-Z

Dept No: A

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 12 day of November 2024.

Steven D. Grierson, Clerk of the Court

/s/ Cierra Borum
Cierra Borum, Deputy Clerk