

SUPREME COURT OF NEVADA

Safari v. Modjtahed

Safari · No. 82279 · Decided June 22, 2022

SUMMARY

This document is a Nevada Supreme Court appellate case docket for Safari v. Modjtahed, involving a civil appeal from the Eighth Judicial District Court in Clark County. The appeal was dismissed pursuant to the parties' stipulation on June 22, 2022, with the parties bearing their own costs and attorney fees.

CASE DETAILS

COURT	Supreme Court of Nevada
JURISDICTION	Nevada
DECIDED	June 22, 2022
DOCKET	82279
DISPOSITION	dismissed
PROCEDURAL POSTURE	Civil appeal from the Eighth Judicial District Court of Clark County; the parties stipulated to dismissal of the appeal with prejudice.
PRECEDENTIAL VALUE	Published status is indicated in the supplied metadata, but the available document is a stipulated dismissal order rather than a merits opinion.
PARTIES	Mandana Zahedi, Nooshin Zahedi, Parviz Safari v. Hamid Modjtahed, Mohammad Mojtahed

TOPICS

- appellate procedure
- appellate jurisdiction
- civil procedure

PRACTICE AREAS

- appellate procedure
- civil procedure

KEY QUOTATIONS

“this appeal is dismissed.”

PROCEDURAL HISTORY

The appellants filed a notice of appeal from proceedings in the Eighth Judicial District Court of Clark County. After briefing activity and a joint notice of settlement, the parties stipulated to dismiss the appeal with prejudice. The Supreme Court of Nevada dismissed the appeal and ordered the parties to bear their own costs and attorney fees.

DISPOSITION

dismissed

OPINION

PER CURIAM.

82279: Case View Nevada Appellate Courts Appellate Case Management System C-Track, the browser based CMS for Appellate Courts Case Search Participant Search Cases Case Search Participant Search 22-19726: This document is currently unavailable. If you need a copy of this document, please contact Clerk's Office at (775)684-1600. Disclaimer: The information and documents available here should not be relied upon as an official record of action.Only filed documents can be viewed.

Some documents received in a case may not be available for viewing.Some documents originating from a lower court, including records and appendices, may not be available for viewing.For official records, please contact the Clerk of the Supreme Court of Nevada at (775) 684-1600. Case Information: 82279 Short Caption:SAFARI VS. MODJTAHEDCourt:Supreme Court Related Case(s):79926 Lower Court Case(s):Clark Co. - Eighth Judicial District - A729030Classification:Civil Appeal - General - Other Disqualifications:Case Status:Disposition Filed/Case Closed Replacement:Panel Assigned: Panel To SP/Judge:01/07/2021 / Kuzemka, KristineSP Status:Completed Oral Argument:Oral Argument Location: Submission Date:How Submitted: + Party Information RoleParty NameRepresented By AppellantMandana ZahediThomas W. Stewart (The Powell Law Firm) AppellantNooshin ZahediThomas W. Stewart (The Powell Law Firm) AppellantParviz SafariThomas W. Stewart (The Powell Law Firm) RespondentHamid ModjtahedJonathan D. Blum (Wiley Petersen) Adam K. Bult (Brownstein Hyatt Farber Schreck, LLP/Las Vegas) Eric D. Walther (Brownstein Hyatt Farber Schreck, LLP/Las Vegas) RespondentMohammad MojtahedJonathan D. Blum (Wiley Petersen) Adam K. Bult (Brownstein Hyatt Farber Schreck, LLP/Las Vegas) Eric D. Walther (Brownstein Hyatt Farber Schreck, LLP/Las Vegas) Docket Entries DateTypeDescriptionPending?Document 01/05/2021Filing FeeFiling Fee Paid. \$250.00 from Nevada Injury Attorneys Inc. Check no. 3066.

(SC) 01/05/2021Notice of Appeal DocumentsFiled Notice of Appeal. Appeal docketed in the Supreme Court this day. (Docketing statement mailed to counsel for appellant.) (SC)21-00271 01/05/2021Notice/OutgoingIssued Notice of Referral to Settlement Program. This appeal may be

assigned to the settlement program. Timelines for requesting transcripts and filing briefs are stayed.

(SC)21-00273 01/07/2021Settlement NoticeIssued Notice: Assignment to Settlement Program. Issued Assignment Notice to NRAP 16 Settlement Program. Settlement Judge: Kristine M. Kuzemka. (SC)21-00449 01/25/2021Settlement Program ReportFiled ECAR/Not Appropriate for Settlement Program. This case is not appropriate for mediation. (SC)21-02230 01/26/2021Settlement Order/ProceduralFiled Order Removing From Settlement Program/Briefing Reinstated.

This appeal is removed from the settlement program. Appellant(s): 14 days transcript request; 90 days opening brief. (SC)21-02368 01/27/2021Order/Clerk'sFiled Order Granting Extension Per Telephonic Request. Appellant's docketing statement due: February 9, 2021. (SC)21-02492 02/05/2021Transcript RequestFiled Request for Transcript of Proceedings. Transcripts requested: 5/21/2019; 5/22/2019; 5/23/2019; 6/11/2019; 6/12/2019; 6/13/2019; 6/14/2019; 6/19/2109; 6/26/2019; 6/27/2019; 7/16/2019; 7/17/2019; 7/18/2019;7/31/2019; 8/1/2019; 8/7/2019.

To Court Reporter: Jennifer Gerold. (SC)21-03545 02/08/2021Notice/IncomingFiled Notice of Appearance (Adam K. Bult and Eric D. Walther of Brownstein Hyatt Farber Schreck, LLP are appearing as co-counsel along with Jonathan D. Blum of Wiley Petersen for respondents). (SC)21-03718 02/12/2021MotionFiled Respondents' Motion to Compel Filing of the Docketing Statement.

(SC)21-04291 02/12/2021MotionFiled Appellant's Motion for Extension of Time to File Docketing Statement. (SC) (DETACHED DOCKETING STATEMENT FROM MOTION AND FILED SEPARATELY PER 02/17/21 ORDER).21-04310 02/17/2021Order/ProceduralFiled Order.

The clerk shall detach the docketing statement from the motion filed on February 12, 2021, and file it separately. Respondents' motion to compel production of the docketing statement is denied as moot. (SC).21-04695 02/17/2021Docketing StatementFiled Docketing Statement Civil Appeals. (SC).21-04696 02/23/2021Docketing StatementFiled Response to Docketing Statement.

(SC)21-05287 04/09/2021Order/IncomingFiled District Court Order. Order Denying Plaintiffs'/Counterdefendant's Motion to Proceed on Appeal in Forma Pauperis. (SC) 04/12/2021MotionFiled Appellant's Motion to Proceed on Appeal In Forma Pauperis. (SC)21-10567 04/15/2021Order/ProceduralFiled Order Granting Motion. Appellants have filed a motion to proceed in forma pauperis on appeal.

The motion is denied. (SC)21-10854 04/19/2021Notice/IncomingFiled Court Recorder Jennifer P. Gerold's Certificate of Non-Service. (SC)21-11267 04/20/2021Order/ProceduralFiled Order to Show Cause. Appellants shall have 30 days from the date of this order within which to show cause

why this appeal should not be dismissed for lack of jurisdiction. Respondents may file any reply within 14 days from the date that appellants' response is served.

Briefing is suspended. (SC)21-11399 05/14/2021Order/Clerk'sFiled Order Granting Extension Per Telephonic Request. Appellants' response to the order to show cause due: June 3, 2021. (SC)21-13981 06/01/2021MotionFiled Appellants' Motion to Extend Time To File Response To Order To Show Cause. (SC)21-15491 06/01/2021MotionFiled Respondents' Response to Order to Show Cause.

(SC)21-15547 06/01/2021MotionFiled Respondents' Opposition to Appellants' Motion for Extension (Response to Order to Show Cause). (SC)21-15548 06/10/2021Order/ProceduralFiled Order Granting Motion. Appellants' opposed motion for a second extension of time to file a response to this court's order to show cause is granted. Appellants shall have until July 6, 2021, to file and serve a response.

(SC)21-16717 06/30/2021MotionFiled Stipulation to Allow for Correction of Final Judgement to Correct Oversight and/or Omission Pursuant to NRCP 60(A) and To Stay the Deadline for Appellant to Respond to the Court's April 20, 2021 Order to Show Cause Pending Resolution. (SC)21-18797 07/14/2021Order/ProceduralFiled Order. Appellants shall have 30 days from the date of this order to file and serve a response to this court's order to show cause.

Appellants shall attach to their response a copy of any file-stamped district court order finally resolving the claims against UTSafety. Respondents may file any reply within 14 days of service of appellants' response. Briefing of this appeal remains suspended pending further order of this court. (SC)21-20333 07/29/2021MotionFiled Appellants' Response to Order to Show Cause.

(SC)21-21986 08/04/2021Order/ProceduralFiled Order Reinstating Briefing and Regarding Transcripts. Appellants shall have 14 days from the date of this order to pay the required deposit for the requested transcripts and provide this court with written proof of payment. Court recorder Jennifer Gerold shall have 30 days from receipt of the deposit to prepare, file, and deliver the requested transcripts.

Within the same time period, Ms. Gerold shall file in this court the notice required by NRAP 9(c) (2). Appellants shall have 90 days from the date of this order to file and serve the opening brief and appendix. (SC)21-22652 08/17/2021MotionFiled Appellants' Motion for Extension of Time to Pay for Transcripts and File Notice Pursuant to NRAP 9. (SC)21-24051 08/18/2021MotionFiled Respondents' Response to Appellants' Motion for Extension of Time to Pay for Transcripts and File Notice Pursuant to NRAP 9.

(SC)21-24141 08/19/2021TranscriptFiled Notice from Court Reporter. Jennifer P. Gerold - Certificate of Non-Service. (SC)21-24237 09/03/2021Order/ProceduralFiled Order. Appellants shall have until October 4, 2021, to pay the required deposit for the transcripts and provide this

court with written proof of payment. Appellants' request for an extension of time to file a transcript request form is denied as moot as appellants filed their transcript request form in this court February 5, 2021.

Court recorder Jennifer Gerold's Certificate of Delivery of Transcripts due: 30 days from receipt of the deposit. Appellants shall have 30 days from receipt of the requested transcripts to file and serve the opening brief and appendix. (SC)21-25763 09/28/2021Notice/IncomingFiled Appellants' Notice of Compliance. (SC)21-27849 10/27/2021Order/Clerk'sFiled Order Granting Extension Per Telephonic Request.

Court recorder Jennifer Gerold's certificate of delivery of transcripts due: November 12, 2021. (SC)21-30968 11/16/2021TranscriptFiled Notice from Court Reporter. Jennifer Gerold stating that the requested transcripts were delivered. (SC)21-32951 12/11/2021AppendixFiled Appendix to Opening Brief Appellants' Appendix, Volume 1. (STRICKEN PER 12/17/21 ORDER).

(SC) 12/11/2021AppendixFiled Appendix to Opening Brief Appellants' Appendix, Volume 2. (STRICKEN PER 12/17/21 ORDER). (SC) 12/11/2021AppendixFiled Appendix to Opening Brief Appellants' Appendix, Volume 3. (STRICKEN PER 12/17/21 ORDER). (SC) 12/11/2021AppendixFiled Appendix to Opening Brief Appellants' Appendix, Volume 4. (STRICKEN PER 12/17/21 ORDER). (SC) 12/11/2021AppendixFiled Appendix to Opening Brief Appellants' Appendix, Volume 5.

(STRICKEN PER 12/17/21 ORDER). (SC) 12/11/2021AppendixFiled Appendix to Opening Brief Appellants' Appendix, Volume 6. (STRICKEN PER 12/17/21 ORDER). (SC) 12/11/2021AppendixFiled Appendix to Opening Brief Appellants' Appendix, Volume 7. (STRICKEN PER 12/17/21 ORDER). (SC) 12/11/2021AppendixFiled Appendix to Opening Brief Appellants' Appendix, Volume 8. (STRICKEN PER 12/17/21 ORDER).

(SC) 12/11/2021AppendixFiled Appendix to Opening Brief Appellants' Appendix, Volume 9. (STRICKEN PER 12/17/21 ORDER). (SC) 12/11/2021AppendixFiled Appendix to Opening Brief Appellants' Appendix, Volume 10. (STRICKEN PER 12/17/21 ORDER). (SC) 12/11/2021AppendixFiled Appendix to Opening Brief Appellants' Appendix, Volume 11. (STRICKEN PER 12/17/21 ORDER). (SC) 12/11/2021AppendixFiled Appendix to Opening Brief Appellants' Appendix, Volume 12.

(STRICKEN PER 12/17/21 ORDER). (SC) 12/11/2021AppendixFiled Appendix to Opening Brief Appellants' Appendix, Volume 13. (STRICKEN PER 12/17/21 ORDER). (SC) 12/11/2021AppendixFiled Appendix to Opening Brief Appellants' Appendix, Volume 14. (STRICKEN PER 12/17/21 ORDER). (SC) 12/11/2021AppendixFiled Appendix to Opening Brief Appellants' Appendix, Volume 15. (STRICKEN PER 12/17/21 ORDER).

(SC) 12/11/2021AppendixFiled Appendix to Opening Brief Appellants' Appendix, Volume 16. (STRICKEN PER 12/17/21 ORDER). (SC) 12/11/2021AppendixFiled Appendix to Opening Brief Appellants' Appendix, Volume 17. (STRICKEN PER 12/17/21 ORDER). (SC) 12/11/2021AppendixFiled Appendix to Opening Brief Appellants' Appendix, Volume 18. (STRICKEN PER 12/17/21 ORDER). (SC) 12/11/2021AppendixFiled Appendix to Opening Brief Appellants' Appendix, Volume 19.

(STRICKEN PER 12/17/21 ORDER). (SC) 12/11/2021AppendixFiled Appendix to Opening Brief Appellants' Appendix, Volume 20. (STRICKEN PER 12/17/21 ORDER). (SC) 12/11/2021MotionFiled Motion to Extend Time to File Opening Brief. (SC)21-35325 12/15/2021Order/ProceduralFiled Order Granting Motion. Appellant's opening brief due: January 27, 2022. (SC)21-35763 12/16/2021MotionFiled Appellant's Unopposed Emergency Motion to Seal Appendix.

(SC)21-35918 12/17/2021Order/ProceduralFiled Order Denying Motion to Seal and Striking Appendix. Appellants have filed an emergency motion to seal their entire 20-volume appendix in this case under SRCR 3(4)(e) and (h), indicating that the motion is unopposed.

The motion to seal is denied without prejudice. The clerk shall strike the appendix filed on December 11, 2021. Appellants shall have until January 27, 2022 (the date by which their opening brief is due), to file and serve their appendix, along with any renewed motion to seal or motion to file certain documents subject to redaction. (SC)21-36086 01/25/2022MotionFiled Appellant's Motion to Redact Appendix.

(SC)22-02563 01/26/2022BriefFiled Appellants' Opening Brief. (SC)22-02584 01/31/2022MotionFiled Stipulation to Extend the Time for Respondents to File Their Answering Brief. (SC)22-03115 01/31/2022Notice/OutgoingIssued Notice Motion/Stipulation Approved. (Answering Brief due: March 28, 2022)22-03118 02/01/2022MotionFiled Appellant's Motion to Redact Appendix w/attachments.

(SC) 02/01/2022AppendixFiled Appendix to Opening Brief, Vols. 1-20 (Unredacted). (FILED VOLS. 1-3 AND 18 UNDER SEAL AND RETURNED UNFILED VOL. 19 PER ORDER 2/14/22). (SC) 02/01/2022AppendixFiled Appendix to Opening Brief, Vol. 4 (Unredacted). (SC)22-05031 02/01/2022AppendixFiled Appendix to Opening Brief, Vol. 5 (Unredacted). (SC)22-05033 02/01/2022AppendixFiled Appendix to Opening Brief, Vol.

6 (Unredacted). (SC)22-05035 02/01/2022AppendixFiled Appendix to Opening Brief, Vol. 7 (Unredacted). (SC)22-05036 02/01/2022AppendixFiled Appendix to Opening Brief, Vol. 8 (Unredacted). (SC)22-05038 02/01/2022AppendixFiled Appendix to Opening Brief, Vol. 9 (Unredacted). (SC)22-05040 02/01/2022AppendixFiled Appendix to Opening Brief, Vol. 10 (Unredacted). (SC)22-05041 02/01/2022AppendixFiled Appendix to Opening Brief, Vol.

11 (Unredacted). (SC)22-05043 02/01/2022AppendixFiled Appendix to Opening Brief, Vol. 12 (Unredacted). (SC)22-05045 02/01/2022AppendixFiled Appendix to Opening Brief, Vol. 13 (Unredacted). (SC)22-05046 02/01/2022AppendixFiled Appendix to Opening Brief, Vol. 14 (Unredacted). (SC)22-05047 02/01/2022AppendixFiled Appendix to Opening Brief, Vol. 15 (Unredacted).

(SC)22-05048 02/01/2022AppendixFiled Appendix to Opening Brief, Vol. 16 (Unredacted). (SC)22-05049 02/01/2022AppendixFiled Appendix to Opening Brief, Vol. 17 (Unredacted). (SC)22-05050 02/01/2022AppendixFiled Appendix to Opening Brief, Vol. 20 (Unredacted). (SC)22-05057 02/14/2022Order/ProceduralFiled Order. Appellants have filed a motion to redact portions of the appendix that are subject to a protective order.

It appears appellants actually seek to file documents under seal and the motion is construed as a motion to file documents under seal. The unredacted appendix was filed on this court's public docket on February 1, 2022.

The clerk shall strike volumes 1-3 and 18-19 from the public docket and file volumes 1-3 and 18 of the unredacted appendix under seal. The clerk shall file volumes 1-3 and 18 of the redacted appendix, received on February 1, 2022, on this court's public docket.

The clerk shall return volume 19 of the redacted appendix unfiled. Appellants may file a renewed motion to seal or redact a portion of volume 19 within 7 days of the date of this order, if deemed warranted. The clerk shall strike the unredacted documents attached as exhibit 3 to the motion filed on February 1, 2022. (SC)22-04924 02/14/2022AppendixFiled Appendix to Opening Brief, Vols.

1-3 and 18 (Un-Redacted). (FILED UNDER SEAL PER ORDER 2/14/22). (SC) 02/14/2022AppendixFiled Appendix to Opening Brief, REDACTED Volume 1. (SC)22-04966 02/14/2022AppendixFiled Appendix to Opening Brief, REDACTED Volume 2. (SC)22-04970 02/14/2022AppendixFiled Appendix to Opening Brief, REDACTED Volume 3. (SC)22-04972 02/14/2022AppendixFiled Appendix to Opening Brief, REDACTED Volume 18.

(SC)22-04973 02/21/2022AppendixFiled Appendix to Opening Brief, REDACTED Volume 19. (SC)22-05588 03/15/2022MotionFiled Respondent's Unopposed Motion for Extension of Time to File the Answering Brief. (SC)22-08114 03/21/2022Order/ProceduralFiled Order Granting Motion. Respondents shall have until May 27, 2022, to file and serve the answering brief. (SC)22-08795 04/28/2022MotionFiled Respondent's Motion to Substitute Parties and for Partial Dismissal of the Appeal.

(SC)22-13557 05/02/2022Order/Clerk'sFiled Order Granting Telephonic Extension. Appellants shall have until May 19, 2022, to file and serve their response to respondents' motion to substitute parties and for partial dismissal of the appeal. (SC)22-13894 05/20/2022Notice/IncomingFiled

Joint Notice of Settlement and Request for Stay of Deadlines. (SC)22-15977 05/23/2022Order/ProceduralFiled Order Granting Motion.

Respondents shall have until June 27, 2022, to file and serve the answering brief. Appellants shall have until June 27, 2022, to file and serve a response to the motion to substitute parties and partially dismiss this appeal. Alternatively, within the same time period, the parties may file a motion or stipulation to dismiss this appeal. (SC)22-16278 06/17/2022MotionFiled Stipulation to Dismiss Appeal with Prejudice.

(SC)22-19274 06/22/2022Order/DispositionalFiled Order/Stipulated Dismissal. Order Dismissing Appeal. Pursuant to the stipulation of the parties, "this appeal is dismissed." The parties shall bear their own costs and attorney fees. Case Closed/No Remittitur Issued. fn1 [Given this dismissal, this court takes no action on respondents' motion to substitute parties and for partial dismissal of this appeal.]

(SC)22-19726 Combined Case View