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BENJAMIN B. CHILDS, ESQ.
State Bar # 3946
[redacted]
nts
BENJAMIN CHILDS
LAW OFFICE OF BENJAMIN B. CHILDS

DISTRICT COURT
CLARK COUNTY, NEVADA

LUBA DACE Plaintiff v. MELVIN GRIMES; BENJAMIN CHILDS; LAW OFFICE OF BENJAMIN B. CHILDS; MARY PERRY Defendants	CASE NO. A-25-922833-C DEPT. NO. 29 Hearing Requested

DEFENDANTS BENJAMIN CHILDS AND LAW OFFICE OF BENJAMIN B. CHILDS' MOTION FOR AWARD OF COSTS

Defendants BENJAMIN CHILDS and LAW OFFICE OF BENJAMIN B. CHILDS [Childs] move to reduce the costs in the amount of $267.50 to a judgment against Plaintiff LUBA DACE.

A MEMORANDUM OF COSTS AND DISBURSEMENTS FOR DEFENDANTS BENJAMIN CHILDS AND LAW OFFICE OF BENJAMIN B. CHILDS was filed and served September 26, 2025 [ECF # 62][1] No Motion to retax and settle costs was filed by Plaintiff as required by NRS 18.110(4).

STATUTORY AUTHORITY

NRS 18.020 Cases in which costs allowed prevailing party. Costs must be allowed of course to the prevailing party against any adverse party against whom judgment is rendered, in the following cases:

[1]. Documents in the case are not attached pursuant to EDCR 2.27(e)

...

3. In an action for the recovery of money or damages, where the plaintiff seeks to recover more than $2,500.

NRS 17.130(1) requires interest be awarded on costs, as follows.

1. In all judgments and decrees, rendered by any court of justice, for any debt, damages or costs, and in all executions issued thereon, the amount must be computed, as near as may be, in dollars and cents, rejecting smaller fractions, and no judgment, or other proceedings, may be considered erroneous for that omission.

2. When no rate of interest is provided by contract or otherwise by law, or specified in the judgment, the judgment draws interest from the time of service of the summons and complaint until satisfied, except for any amount representing future damages, which draws interest only from the time of the entry of the judgment until **satisfied, at a rate equal to the prime rate at the largest bank in Nevada as ascertained by the Commissioner of Financial Institutions on January 1 or July 1, as the case may be, immediately preceding the date of judgment, plus 2 percent.** The rate must be adjusted accordingly on each January 1 and July 1 thereafter until the judgment is satisfied.

CASE AUTHORITY

Waddell v. L.V.R.V. Inc. 122 Nev. 15, 25 125 P.3d 1160, 1170 (2006) applied NRS 17.130(1) holding that "prejudgment interest is available for costs incurred by the prevailing party." Citing Bobby Berosini, Ltd. v. PETA, 114 Nev. 1348, 1352, 971 P.2d 383, 385 (1998). See, also, ibellini v. Klindt, 110 Nev. 1201, 1209, 885 P.2d 540 545 (Nev. 1994).

DISCUSSION

The Judgment Interest chart is attached as Exhibit A. Current interest is 9.5% per annum So the interest that has accrued, and is accruing, on $267.50

from August 25, 2025 is $.07/day until the interest changes in January, 2026.

In light of the FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER was filed on September 24, 2025. [ECF #63], and the statutes and case cited above, Childs is entitled to an award of costs, plus accrued interest, which should be reduced to a judgment in favor of DEFENDANTS BENJAMIN CHILDS AND LAW OFFICE OF BENJAMIN B. CHILDS and against Plaintiff LUBA DACE.

This motion is timely filed pursuant to NRCP 54..

CONCLUSION

nrs 18.020 uses the mandatory “Costs must be allowed of course to the prevailing party against any adverse party against whom judgment is rendered...”

Judgment should be entered in favor of DEFENDANTS BENJAMIN CHILDS AND LAW OFFICE OF BENJAMIN B. CHILDS and against Plaintiff LUBA DACE in the amount of $267.50 plus interest at the judgment rate from August 25, 2025.

/s/ Benjamin B. Childs
BENJAMIN B. CHILDS
Nevada Bar # 3946
Attorney for Defendants
BENJAMIN CHILDS
LAW OFFICE OF BENJAMIN B. CHILDS

CERTIFICATE OF SERVICE

This DEFENDANTS BENJAMIN CHILDS AND LAW OFFICE OF BENJAMIN B. CHILDS’ MOTION FOR AWARD OF COSTS, with Exhibit A, was served through the electronic filing system to Plaintiff and all parties on the Court's eservice list at filing. Electronic service is in lieu of mailing.

/s/ Benjamin B. Childs, Sr.
BENJAMIN B. CHILDS, Sr.ESQ.
NEVADA BAR # 3946

EXHIBIT A

EXHIBIT A

Second Judicial District Court (/)
State of Nevada
Washoe County

Legal Interest Rate

As a result of Senate Bill 45, the Nevada State Legislature has revised NRS 17.130, NRS 37.175, NRS 99.040, NRS 108.237, NRS 147.220, NRS 233.170 and NRS 645.847 to read:

"*When no rate of interest is provided by contract, or otherwise by law, or specified in the judgment, the judgment draws interest at a rate equal to the prime rate at the largest bank in Nevada as ascertained by the commissioner of financial institutions on January 1 or July 1, as the case may be, immediately preceding the date of judgment, plus 2 percent. The rate must be adjusted accordingly on each January 1 and July 1 thereafter until the judgment is satisfied.*"

On September 25, 1987, the judges voted to have this rate established by the Court Administrator in accordance with Senate Bill 45. Accordingly, I hereby establish the following.

1. If a rate of interest is stated in the judgment, that rate shall take precedence.

2. If no rate of interest is stated in actions filed on and after July 1, 2025, add 9.5% (prime rate 7.5% plus 2%).

3. This rate of interest shall be adjusted again on December 31, 2025.

Begin Date	End Date	Interest Rate
July 1, 2025	December 31, 2025	9.5
January 1, 2025	June 30, 2025	10
July 1, 2024	December 31, 2024	10.5
January 1, 2024	June 30, 2024	10.5
July 1, 2023	December 31, 2023	10.25
January 1, 2023	June 30, 2023	9.5
July 1, 2022	December 31, 2022	6.75
January 1, 2022	June 30, 2022	5.25
July 1, 2021	December 31, 2021	5.25
January 1, 2021	June 30, 2021	5.25
July 1, 2020	December 31, 2020	5.25
January 1, 2020	June 30, 2020	6.75
July 1, 2019	December 31, 2019	7.5
January 1, 2019	June 30, 2019	7.5