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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 : 11/20/2025 @ 09:00

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

LEGAL BASIS FOR AWARD OF ATTORNEY FEES AND COSTS

This was addressed fully in Childs' Motion. The Memorandum of Costs was timely filed with supporting documentation. They are undisputed in both amount and being reasonable and necessary.

NRS 18.020 states "Costs must be allowed of course to the prevailing party against any adverse party against whom judgment is rendered..." The allowance of costs is mandatory.

Childs is not seeking an award of attorney fees.

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MOTION FOR COSTS IS TIMELY

NRCP 54(d)(2)(B)(i), set forth in the Motion, sets a 21 day deadline "after written notice of entry of judgment is served". The Notice of Entry of Judgment was served September 25, 2025. The Motion was timely filed October 7, 2025.

CHILDS IS THE PREVAILING PARTY

"Prevailing party" is a legal term of art that means a party who "succeeds on any significant issue in litigation which achieves some of the benefit it sought in bringing suit." Valley Elec. Ass'n v. Overfield, 121 Nev. 7, 10, 106 P.3d 1198, 1200 (2005). The causes of action against Childs were dismissed without prejudice. Dace's case should not have been brought in the first place.

Childs is the prevailing party.

CONCLUSION

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 Petitioner

CERTIFICATE OF SERVICE

On this October 23, 2025 I served a copy of this REPLY TO OPPOSITION TO DEFENDANTS BENJAMIN CHILDS AND LAW OFFICE OF BENJAMIN B. CHILDS' MOTION FOR AWARD OF COSTS, through the Court's Electronic Filing System. Electronic service is in lieu of mailing.

/s/ Benjamin B. Childs
BENJAMIN B. CHILDS, ESQ.
Nevada Bar # 3946