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Attorneys for Defendants
Melvin Grimes and Law Offices of Roberts Stoffel

DISTRICT COURT

CLARK COUNTY, NEVADA

LUBA DACE,

Plaintiffs,

vs.

MELVIN GRIMES, BENJAMIN CHILDS, LAW OFFICE OF BENJAMIN B. CHILDS, MARY PERRY

Defendants.

Case No: A-25-922833-C
Dept. No.: 29

ORDER GRANTING MOTION FOR FEES AND COSTS AND JUDGMENT

Defendant MELVIN GRIMES and LAW OFFICE OF ROBERTS STOFFEL (collectively "Grimes" or "Defendants") filed a Motion for Fees and Costs. The Court having reviewed the briefing on the Motion for Fees and Costs, the pleadings on file finds and holds as follows:

FINDINGS OF FACT AND PROCEDURAL HISTORY

1. On July 9, 2025, Plaintiff commenced this action by filing a Complaint. On July 10, 2025, she filed an Amended Complaint. On July 11, 2025, she filed her Second Amended Complaint. On August 4, 2025, she filed a Third Amended Complaint.

2. The Third Amended Complaint is the operative Complaint, and as to Grimes, Plaintiff alleges (1) civil conspiracy, (2) fraud/intentional misrepresentation, and (3) concert of action.
3. On September 29, 2025, Findings of Facts, Conclusions of Law and Order was entered granting Defendants Anti-SLAPP Special Motion to Dismiss.
4. On October 9, 2025, Defendants filed their Motion for Fees and Costs, which sought $14,898.00 for fees, $278.09 in costs.
5. The Motion for Fees and Costs also requested $10,000 for each of the Defendants as a sanction under the Anti-SLAPP statute, NRS 41.670(1)(b).

CONCLUSIONS OF LAW

1. NRS 41.670 provides in part:

> 1. If the court grants a special motion to dismiss filed pursuant to NRS 41.660:
> (a) The court shall award reasonable costs and attorney's fees to the person against whom the action was brought, except that the court shall award reasonable costs and attorney's fees to this State or to the appropriate political subdivision of this State if the Attorney General, the chief legal officer or attorney of the political subdivision or special counsel provided the defense for the person pursuant to NRS 41.660.

2. All fees incurred in defending oneself from a SLAPP suit are recoverable when all claims are dismissed under the anti-SLAPP statute. See *Graham-Suit v. Clainos,* 738 F.3d 1131,1159 (9th Cir. 2013) (affirmed in *Graham-Suit v. Clainos,* [redacted] 2014)) (finding that awarding all attorney's fees incurred in connection with a case, even if not directly related to the anti-SLAPP motion, are recoverable if all claims are dismissed).
3. In determining the reasonableness of the fees, the following factors must be considered: 1) the qualities of the advocate: his ability, training, education, experience, professional standing and skill; (2) the character of the work to be done: its difficulty, its importance, time and skill required, the responsibility imposed and the prominence and character of the parties where they affect the importance of the litigation; (3) the work actually performed by the lawyer: the skill, time and attention given to the work; and (4) the result, whether the attorney was

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successful and what benefits were derived. *Brunzell*, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969) (internal citations omitted).

4. "The value to be placed on the services rendered by counsel lies in the exercise of sound discretion by the trier of the facts." *Id.* at 33-34, 350; *Prostack v. Songailo*, 623 P.2d 978, 979-80, 97 Nev. 38, 40 (Nev. 1981).
5. Reasonable attorney's fees are generally calculated using the traditional "lodestar" method, which involves multiplying "the number of hours reasonably spent on a case by a reasonable hourly rate." See *Camacho v. Bridgeport Financial, Inc.*, 523 F.3d 973, 979 (9th Cir. 2008); see also *Shuette*, 124 P.2d at 549 citing *Herbst v. Humana Health Ins. Of Nevada*, 105 Nev. 586, 590, 781 P.2d 89); *see also Cunningham v. County of Los Angeles*, 879 F.2d 481, 1988) (the lodestar figure is presumptively reasonable).
6. The 'reasonableness' aspect of the lodestar analysis is determined by the specific facts of each case and requires examination of "the prevailing market rate in the relevant legal community for similar services by lawyers of reasonably comparable skills, experience, and reputation." *Camacho*, 523 F.3d at 979; see also *Norman v. Housing Authority of City of Montgomery*, 836 F.2d 1292, 1299 1541, 1547 (1984).
7. The Court finds that Defendants' Special Motion to Dismiss was granted, and the Court additionally finds Defendants have satisfied the *Brunzel* factors, and grants attorney's fees. The fees requested are allowed in full save for the entries that are redacted from 8/29 to 9/25 which total $655.50. With that reduction from the amount requested the court awards attorney's fees in the amount of $14,242.50.
8. The Court finds the Motion to Retax is untimely and the costs are all substantiated, known to the Court, and plainly allowed by statute. The Court awards costs in full in the amount of $278.09.
9. "In addition to cases where an allowance is authorized by specific statute, the

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court may make an allowance of attorney's fees to a prevailing party: … (b) without regard to the recovery sought, when the court finds that the claim . . . was brought or maintained without reasonable ground or to harass the prevailing party." NRS 18.010(2)(b). Fees for anti-SLAPP motions may be separately recoverable pursuant to NRS 18.010(2) where the prevailing party is "forced to defend claims that lack[ ] a reasonable legal basis." *Goldman v. Clark County Sch. Dist.*, 2020 Nev. Unpub. LEXIS 879, *15. Therefore, the Court grants the attorney's fees in the amount of $14,242.50 also pursuant to NRS 18.010.

10. "Costs must be allowed of course to the prevailing party against any adverse party against whom judgment is rendered, . . . in action for the recovery of money or damages, where the plaintiff seeks to recover more than $2,500. NRS 18.020(3)." Accordingly, costs in anti-SLAPP actions may be separately recoverable pursuant to NRS 18.020. Therefore, the Court also grants the requested costs of $278.09 pursuant to NRS 18.020.

11. The Court finds that NRS 41.670(1)(b) allows discretion to granting an additional sanction in addition to fees and costs, and in exercising that discretion the Court awards each of the Defendants (Grimes and Law Offices of Roberts Stoffel) $2000 for a total sanction in the amount of $4000.00. Plaintiff is a pro se Litigant, otherwise this would have likely been much higher. The Court cannot condone a practice of filing lawsuits against attorneys merely for representing their clients.

ORDER AND JUDGMENT

Based on the foregoing, the Court hereby **ORDERS** that:

1. Defendant's Motion for Fees and Costs is **GRANTED.**
2. The Court awards Defendants their attorney's fees in the amount of $14,242.50 pursuant to NRS 41.670 and NRS 18.010.
3. The Court awards Defendants their costs in the amount of $278.09 pursuant to NRS 41.670 and NRS 18.020.

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4. The Court awards Defendants sanctions in the amount of $2000 each totaling $4,000.00, pursuant to NRS 41.670(1)(b).
5. The total of attorney's fees ($14,242.50), costs ($278.09), and sanctions ($4,000.00) amount to $18,520.59.
6. **THUS, IT IS SO ORDERED THAT JUDGMENT** is entered in favor of Defendants Melvin Grimes and Law Offices of Roberts Stoffel, and against Plaintiff Luba Dace, for attorney's fees in the amount of $14,242.50, costs in the amount of $278.09, and sanctions in the amount of $4,000.00, together collectively for a total judgment in the amount of **$18,520.59.**
7. **IT IS FURTHER ORDERED,** that post-judgment interest is accruing on the principal judgment at the legal rate set forth in NRS 17.130.

Dated this 11th day of December, 2025

Jacob A. Reynolds

District Court Judge

252 B48 4DB1 D447
Jacob A. Reynolds
District Court Judge

Submitted by:

GARIN LAW GROUP

/s/ Angela Ochoa
ANGELA N. OCHOA, ESQ.
Nevada Bar No. 10164
[redacted]

Attorneys for Defendants

Approved as to form and content:

Did not respond
Luba Dace
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[redacted]

Pro Per Plaintiff

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DISTRICT COURT
CLARK COUNTY, NEVADA

Luba Dace, Plaintiff(s)	CASE NO: A-25-922833-C
vs.	DEPT. NO. Department 29
Melvin Grimes, Defendant(s)	

AUTOMATED CERTIFICATE OF SERVICE

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

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