

TAXICAB AUTHORITY

BOARD MEETING

AND

PUBLIC HEARING

WEDNESDAY, APRIL 20, 2022, 9:30 A.M.

AT THE NEVADA STATE BUSINESS CENTER

3300 W. SAHARA AVE.

SUITE 400, NEVADA ROOM

LAS VEGAS, NV 89102

OR

Join the meeting using Microsoft TEAMS

Join on your computer or mobile app

[Click here to join the meeting](#)

Join with a video conferencing device

192425125@teams.bjn.vc

Video Conference ID: 324 749 416#

Alternate VTC instructions

Or call in (audio only)

+1 775-321-6111, 324749416# *United States, Reno*

Phone Conference ID: 324 749 416#

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NEVADA TAXICAB AUTHORITY

Department of Business and Industry

Steve F. Sisolak, Governor
Terry Reynolds, Director
JD Decker, Interim Administrator



Dan R. Reaser, Chairman
Roger C. Thompson PhD, Vice Chairman
JD Decker, Member
Cindy M. Rodriguez, Member
Don Soderberg, Member

PUBLIC BOARD MEETING NOTICE AND AGENDA

Date and Time of Meeting: Wednesday, April 20, 2022
9:30 a.m.

Place of Meeting: Nevada State Business Center
3300 W. Sahara Avenue, Suite 400 Nevada Room
Las Vegas, Nevada 89102

OR

Microsoft Teams meeting
Join on your computer or mobile app

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+1 775-321-6111,324749416# United States, Reno

Phone Conference ID: 324 749 416#

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This meeting has been properly noticed and posted at the following locations:

- State of Nevada Taxicab Authority, 2090 E. Flamingo Road, Suite 200, Las Vegas, NV 89119
- Las Vegas City Hall, 495 S. Main Street, Las Vegas, NV 89101
- Clark County Commissioners, 500 S. Grand Central Parkway, Las Vegas, NV 89101
- Grant Sawyer Building, 555 E. Washington Avenue, Las Vegas, NV 89101
- Nevada Taxicab Authority Website www.taxi.state.nv.us
- State of Nevada Website <https://notice.nv.gov>

The State of Nevada Taxicab Authority is pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the State of Nevada Taxicab Authority, in writing, at 2090 E. Flamingo Road, Suite 200, Las Vegas, Nevada 89119 or by calling (702) 668-4000 at least 24 hours prior to the date of the meeting.

Members of the public may request the supporting material for this meeting from: **Katana Martinez, Nevada Taxicab Authority, 2090 E. Flamingo Road, Suite 200, Las Vegas, Nevada 89119, (702) 668-4010, email: kamartinez@taxi.state.nv.us**

In accordance with Nevada's Open Meeting Law, the Authority may consider agenda items taken out of order. The Authority may combine two or more agenda items for consideration. The Authority may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. The Authority may continue the meeting as deemed necessary. The Authority, at its discretion,



may take public comment during times other than the designated Public Comment agenda items. The Authority reserves the right to limit public comment to three minutes. Comment may not be restricted based on viewpoint. Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the board may refuse to consider public comment. See NRS 233B.126.

Persons wishing to intervene must file the appropriate pleading in accordance with the procedures of N.A.C. 706.894, and serve their petitions to intervene on all appropriate persons, pursuant to N.A.C. 706.921, no later than Wednesday, April 13, 2022 at 1:00 P.M. Pursuant to NRS 241.030(1), the State of Nevada Taxicab Authority may conduct a closed meeting to consider the character, allegations of misconduct, professional competence, or physical and mental health of a person. Please be advised that the Authority may discuss or reference applicable governing statutes and regulations during deliberation and action of any of the agenda items, including but not limited to, NRS Chapter 706 and NAC Chapter 706.

ALL CELLULAR TELEPHONES AND PAGERS ARE TO BE TURNED OFF OR SET TO SILENT NOTIFICATION MODE DURING THE PROCEEDINGS.



AGENDA

1. Open Meeting

- A. Call to Order
- B. Pledge of Allegiance
- C. Compliance with Open Meeting Law

2. Public Comment

Members of the public must identify themselves for the record and are then invited to use three minutes to comment on items on the meeting agenda or on items not contained therein. Comments shall be directed to the Board and presented in a professional demeanor and not in a threatening, profane, vulgar, or abusive manner. *The Board may limit repetitive comments to balance time constraints.

*NRS 203.090 Disturbing meeting. Every person who, without authority of law, shall willfully disturb an assembly or meeting not unlawful in its character, shall be guilty of a misdemeanor.

3. Announcement of Newly Appointed Taxicab Authority Administrator, Karl Armstrong (For Discussion Only)

4. Briefing and Transition of Responsibility from Outgoing Interim Administrator, JD Decker (For Discussion Only)

5. Any Responses, Objections, Replies, Appeals, etc. to the Taxicab Authority's March 21, 2022 Findings of Fact, Conclusions of Law and Order regarding Independent Cab's application for eight (8) subpoenas, and/or the subpoenas that issued pursuant to that Order (For Discussion and Possible Action)

6. Public Hearing in the Matter of an Application to Amend the Fuel Surcharge for Taxicab Rides (For Discussion and Possible Action)

7. Presentation from Curb about Up-front Pricing for eHail (For Discussion and Possible Action)

8. Industry Discussion (For Discussion Only)

9. Staff Report (For Discussion only)

- A. Administrator's Report
- B. Chief Investigator's Report
- C. Stats
- D. Legal Counsel

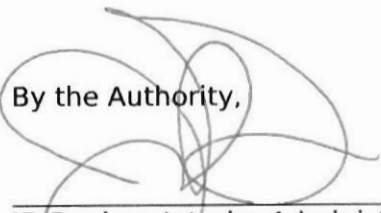


E. Future Agenda Items

10. Public Comment

11. Adjournment (Action)

By the Authority,



JD Decker, Interim Administrator
Nevada Taxicab Authority



Dan R. Reaser, Chairman
Nevada Taxicab Authority Board

Dated: April 5, 2022
Las Vegas, Nevada

Dated: April 5, 2022
Las Vegas, Nevada





Open Meeting

Public Comment

Announcement of Newly Appointed Taxicab
Authority Administrator, Karl Armstrong

Briefing and Transition of Responsibility from
Outgoing Interim Administrator, JD Decker

Any Responses, Objections, Replies, Appeals,
etc. to the Taxicab Authority's March 21, 2022
Order re: Independent Cab's Application

Public Hearing in the Matter of an Application to
Amend the Fuel Surcharge for Taxicab Rides

Presentation from Curb about Up-front Pricing
for eHail

Industry Discussion

Staff Report

Public Comment

Adjournment

1

AGENDA ITEM 1

Open Meeting

- A. Call to Order
- B. Pledge of Allegiance
- C. Compliance with Open Meeting Law

NEVADA TAXICAB AUTHORITY
Department of Business and Industry

Steve F. Sisolak, Governor
Terry Reynolds, Director
JD Decker, Interim Administrator



Dan R. Reaser, Chairman
Roger C. Thompson PhD, Vice Chair
JD Decker, Member
Cindy M. Rodriguez, Member
Don Soderberg, Member

COMPLIANCE OF POSTING

I hereby certify that I have, this day, faxed/posted the ***Notice of Agenda for the Board Meeting and Public Hearing*** scheduled for ***Wednesday, April 20, 2022, at 9:30 a.m.*** This Board Meeting and Public Hearing will be held in the:

Nevada State Business Center
3300 W. Sahara Avenue, Suite 400 Nevada Room
Las Vegas, Nevada 89102

OR

Microsoft Teams meeting
Join on your computer or mobile app

[Click here to join the meeting](#)

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- *Las Vegas City Hall - 495 S. Main Street Las Vegas, Nevada 89101*
- *Clark County Commissioners - 500 S. Grand Central Parkway Las Vegas, Nevada 89101*
- *Grant Sawyer Building - 555 E. Washington Avenue Las Vegas, Nevada 89101*
- *Nevada Taxicab Authority Website www.taxi.state.nv.us*
- *State of Nevada Website <https://notice.nv.gov>*

Dated in Las Vegas, Nevada this 8th day of April 2022.


Katana Martinez
Management Analyst II

2090 E. Flamingo Road, Suite 200
Las Vegas, NV 89119

taxi.nv.gov



Telephone (702) 668-4000
Fax (702) 668-4001

NEVADA TAXICAB AUTHORITY
Department of Business and Industry

Steve F. Sisolak, Governor
Terry Reynolds, Director
D Decker, Interim Administrator




Dan R. Reaser, Chairman
Roger C. Thompson PhD, Vice Chair
Cindy M. Rodriguez, Member
Don Soderberg, Member

POSTING CONFIRMATION RECEIPT

This certifies that the attached ***Notice of the Agenda for the Board Meeting and Public Hearing*** scheduled for ***Wednesday, April 20, 2022 at 9:30 a.m.***, has been properly posted at the following location:

STATE OF NEVADA TAXICAB AUTHORITY
2090 E. Flamingo Road, Suite 200
Las Vegas, Nevada 89119

Signature: 
Date: 4/17/22



APR/07/2022/THU 02:06 PM

FAX No.

P. 001/001

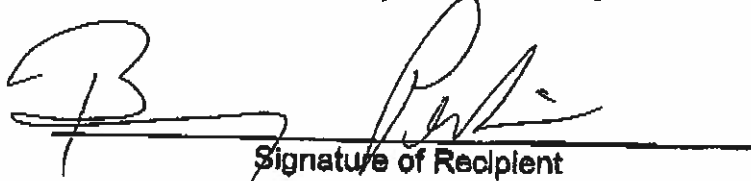
04/07/2022 13:51 7026684001

NV TAXICAB AUTHORITY

PAGE 02/06

NEVADA TAXICAB AUTHORITY
Department of Business and IndustrySteve F. Sisolak, Governor
Terry Reynolds, Director
JD Decker, Interim AdministratorDan R. Reaser, Chairman
Roger C. Thompson PhD, Vice Chair
JD Decker, Member
Cindy M. Rodriguez, Member
Don Soderberg, Member**POSTING CONFIRMATION RECEIPT**

This certifies that the attached *Notice of the Agenda for the Board Meeting and Public Hearing* scheduled for *Wednesday, April 20, 2022 at 9:30 a.m.*, has been appropriately posted at the following location:

LAS VEGAS CITY HALL**495 South Main Street****Las Vegas, Nevada 89101**
Signature of Recipient4-7-2022

Date Posted

2022 APR -7 P 2:13

RECEIVED
CITY CLERK

Please fax this posting confirmation back to:

702-668-4008

Attn: Katana Martinez

Or email to

kamartinez@taxi.state.nv.us

NEVADA TAXICAB AUTHORITY
Department of Business and Industry

Steve F. Sisolak, Governor
Harry Reynolds, Director
JD Decker, Interim Administrator



Dan R. Reaser, Chairman
Roger C. Thompson PhD, Vice Chair
JD Decker, Member
Cindy M. Rodriguez, Member
Don Soderberg, Member

POSTING CONFIRMATION RECEIPT

This certifies that the attached *Notice of the Agenda for the Board Meeting and Public Hearing* scheduled for *Wednesday, April 20, 2022 at 9:30 a.m.*, has been appropriately posted at the following location:

CLARK COUNTY GOVERNMENT BUILDING

500 S. Grand Central Parkway

Las Vegas, Nevada 89155

Katana Martinez
Signature of Recipient

04/07/22
Date Posted

Please fax this posting confirmation back to:

702-668-4008

Attn: Katana Martinez

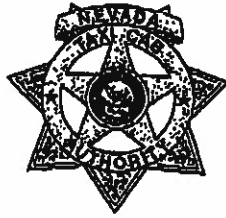
Or email to

kamartinez@taxi.state.nv.us



NEVADA TAXICAB AUTHORITY
Department of Business and Industry

Steve F. Sisolak, Governor
Jerry Reynolds, Director
JD Decker, Interim Administrator



Dan R. Reaser, Chairman
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JD Decker, Member
Cindy M. Rodriguez, Member
Don Soderberg, Member

POSTING CONFIRMATION RECEIPT

This certifies that the attached *Notice of the Agenda for the Board Meeting and Public Hearing* scheduled for *Wednesday, April 20, 2022 at 9:30 a.m.*, has been appropriately posted at the following location:

GRANT SAWYER BUILDING

555 E. Washington Avenue

Las Vegas, NV 89101

A handwritten signature in black ink, appearing to read "K. Curren", is written over a horizontal line.

Signature of Recipient

4-8-2022

Date Posted

Please fax this posting confirmation back to:

702-668-4008

Attn: Katana Martinez

Or email to

kamartinez@taxi.state.nv.us



Legal Notices

Government Notices

IS REQUIRED [APN 138-09-226-006]

22-0037-VAR7 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-226-007]

22-0037-VAR8 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-226-008]

22-0037-VAR9 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-226-009]

22-0037-VAR10 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-226-010]

22-0037-VAR11 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-226-011]

22-0037-VAR12 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-226-012]

22-0037-VAR13 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-226-013]

22-0037-VAR14 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-226-014]

22-0037-VAR15 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-226-015]

22-0037-VAR16 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-226-016]

22-0037-VAR17 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-226-017]

22-0037-VAR18 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-226-018]

22-0037-VAR19 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-226-019]

22-0037-VAR20 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-226-020]

22-0037-VAR21 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-226-021]

22-0037-VAR22 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-226-022]

22-0037-VAR23 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-226-023]

22-0037-VAR24 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-226-024]

22-0037-VAR25 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-226-025]

22-0037-VAR26 - VARIANCE - TO

IS REQUIRED [APN 138-09-326-015]

22-0037-VAR45 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-326-016]

22-0037-VAR46 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-326-017]

22-0037-VAR47 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-326-018]

22-0037-VAR48 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-326-019]

22-0037-VAR49 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-326-020]

22-0037-VAR50 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-326-021]

22-0037-VAR51 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-326-022]

22-0037-VAR52 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-326-023]

22-0037-VAR53 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-326-024]

22-0037-VAR54 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-326-025]

22-0037-VAR55 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-326-026]

22-0037-VAR56 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-326-027]

22-0037-VAR57 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-326-028]

22-0037-VAR58 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED [APN 138-09-326-029]

22-0042 - PUBLIC HEARING - APPLICANT/OWNER: CITI PROPERTIES, LLC - For possible action on the following Land Use Entitlement project requests on 0.79 acres on the south side of Lake Mead Boulevard approximately 395 feet east of Decatur Boulevard (APN 139-19-301-002), C-1 (Limited Commercial) Zone, Ward 5 (Crear).

22-0042-SUP1 - SPECIAL USE PERMIT - FOR AN AUTO REPAIR GARAGE, MINOR USE

22-0042-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 6,000 SQUARE-FOOT MINOR AUTO REPAIR GARAGE WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS AND TO ALLOW SERVICE BAYS TO FACE THE PUBLIC RIGHT-OF-WAY WHERE SUCH IS PROHIBITED

Continues... See 22-0050

PUB: March 31, 2022
LV Review-Journal

NOTICES OF
PUBLIC HEARINGS
APRIL 12, 2022

802-004), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen).

22-0057-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DRRN, INC. - OWNER: TSMO VEGAS, LLC - For possible action on a Land Use Entitlement project request for a PROPOSED 2,800 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE at 353 East Bonnyville Avenue, Suite #115 (APN 139-34-312-006), C-2 (General Commercial) Zone, Ward 3 (Diaz).

22-0064-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: TOM J. PROVENZANO - For possible action on a Land Use Entitlement project request to ALLOW A PROPOSED SIX-FOOT TALL SOLID SCREEN WALL WITHIN THE FRONT YARD SETBACK AREA WHERE FIVE FEET WITH TWO FEET SOLID IS THE MAXIMUM ALLOWED on 0.94 acres at 6531 White Tiger Court (APN 125-35-310-033), R-1 (Single Family Residential) Zone, Ward 6 (Flores).

22-0087-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WILD THYME GROUP LAS VEGAS, INC. - OWNER: R H CENTENNIAL, LLC, ET AL - For possible action on a Land Use Entitlement project request FOR A PROPOSED 3,799 SQUARE-FOOT GAMING ESTABLISHMENT, RESTRICTED LICENSE USE WITH A WAIVER TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A PARCEL ZONED FOR RESIDENTIAL USE WHERE 330 FEET IS REQUIRED at 7585 Norman Rockwell Drive (APN 125-17-720-001), T-C (Town Center) Zone [S-X-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Flores).

22-0089-VAC1 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: THE LOUISE ANN BENITA LIVING TRUST - For possible action on a Land Use Entitlement project request for a Petition to Vacate a portion of public right-of-way generally located at the southwest corner of Grand Teton Drive and Jones Boulevard, Ward 6 (Flores).

22-0096 - PUBLIC HEARING - APPLICANT/OWNER: BERRYESSA PLAZA, LLC - For possible action on the following Land Use Entitlement project requests on 5.26 acres on the north side of Lone Mountain Road, approximately 165 feet west of Decatur Boulevard (APN 125-36-818-001), C-1 (Limited Commercial) Zone, Ward 6 (Flores).

22-0096-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED 4,662 SQUARE-FOOT RESTAURANT WITH ALCOHOL WITH A 560 SQUARE-FOOT OUTDOOR SEATING AREA

22-0096-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A MAJOR AMENDMENT OF AN APPROVED PLOT PLAN AND BUILDING ELEVATION REVIEW (Z-0085-84(8)) FOR THE ADDITION OF A PROPOSED 4,662 SQUARE-FOOT RESTAURANT AND 560 SQUARE-FOOT OUTDOOR PATIO TO AN EXISTING SHOPPING CENTER WITH WAIVERS OF BUILDING PLACEMENT DEVELOPMENT STANDARDS

22-0097-SDR1 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: PINTO TONOPAH, LLC, ET AL - For possible action on a Land Use Entitlement project request for A PROPOSED THREE-STORY, 44,700 SQUARE-FOOT MEDICAL OFFICE AND OFFSITE PARKING LOT WITH WAIVERS OF TITLE 19.09 FORM BASED CODE STANDARDS on 2.24 acres at the northeast and southeast corners of Pinto Lane and Tonopah Drive (APNs 139-33-302-008 through 011; 139-33-302-016, 017, 018 and 024), T5-N (T5 Neighborhood) and T6-UG (T6 Urban General) Zones, Ward 1

feet south of Oakley Boulevard (APNs Multiple), Ward 3 (Diaz).

22-0107-GPA1 - GENERAL PLAN AMENDMENT - FROM: MKU (MIXED USE) AND C (COMMERCIAL) TO: GC (GENERAL COMMERCIAL)

22-0107-ZON1 - REZONING - FROM: R-4 (HIGH DENSITY RESIDENTIAL) AND C-M (COMMERCIAL/INDUSTRIAL) TO: C-2 (GENERAL COMMERCIAL)

22-0107-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED 99,858 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE WITH A 6,625 SQUARE-FOOT OUTDOOR PATIO AREA

22-0107-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 99,858 SQUARE-FOOT COMMERCIAL RECREATION/A MUSEUM (INDOOR/OUTDOOR) FACILITY AND A 6,625 SQUARE-FOOT OUTDOOR PATIO AREA WITH FIELD LIGHTING AND WAIVERS OF THE TITLE 19 APPENDIX F INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS

22-0121 - PUBLIC HEARING - APPLICANT/OWNER: GRAND CANYON VILLAGE, LLC - For possible action on the following Land Use Entitlement project requests on 11.98 acres at the northeast corner of W Skye Canyon Park Dr and Grand Canyon Drive (APN 125-07-611-001), D (Planned Development) Zone [CC (Community Commercial), Grand Canyon Village Special Land Use Designation], Ward 6 (Flores).

Continues... See 22-0121-SUP1

PUB: March 31, 2022
LV Review-Journal

NOTICES OF PUBLIC HEARINGS APRIL 12, 2022

NOTICE IS HEREBY GIVEN THAT ON TUESDAY, APRIL 12, 2022, at the hour of 6:00 P.M., in the Council Chambers, City Hall Complex, 495 South Main Street, Las Vegas, Nevada, the Planning Commission will consider the following Zoning Code Text Amendments of the City of Las Vegas Zoning Code - Title 19 for the following:

22-0157-TXT1 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request to amend LVMC 19.12 regarding the Blood Plasma Donor Center use, and to provide for other related matters.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file a written objection thereto or approval thereof with the Department of Planning, Case Planning Division, 495 South Main Street, Las Vegas, Nevada 89101. Following the hearing by the Planning Commission, this item will be forwarded to the City Council. The date(s) of the City Council meeting will be published when determined. For further information, please call 229-6301 (TDD 386-9108).

COMMUNITY DEVELOPMENT
SETH FLOYD, ESQ., DIRECTOR

(The information contained above is considered to be accurate; however, there may be minor variations involved. A complete, detailed legal description is on file in the Department of Planning.)

PUB: March 31, 2022
LV Review-Journal

NOTICES OF
PUBLIC HEARINGS
APRIL 12, 2022

PROHIBITED; AND A SEVEN-FOOT REAR YARD SETBACK WHERE 15 FEET IS REQUIRED AND A 10-FOOT SIDE YARD SETBACK WHERE 5 FEET IS REQUIRED FOR AN EXISTING ADDITION TO THE PRINCIPLE DWELLING on 0.27 acres at 409 North Bruce Street (APN 139-35-111-162), R-1 (Single Family Residential) Zone, Ward 5 (Crear).

22-0065-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CRAIG CURTIS HAMILTON AND CINDY ANN HAMILTON - For possible action on a Land Use Entitlement project request TO ALLOW A 30-FOOT FRONT YARD SETBACK WHERE 50 FEET IS REQUIRED FOR A PROPOSED SINGLE-FAMILY DWELLING on 0.49 acres on the west side of Maverick Street approximately 150 feet north of the Northwest corner of Tropical Parkway and Maverick Street (APN 125-26-603-016), R-E (Residence Estates) Zone, Ward 6 (Flores).

22-0070 - PUBLIC HEARING - APPLICANT: CLEVELAND WELTER, LLC - OWNER: DEBRA J. REOCH - For possible action on the following Land Use Entitlement project requests on 0.79 acres at 5640 North Rainbow Boulevard (APN 125-26-410-006), C-1 (Limited Commercial) Zone, Ward 6 (Flores).

22-0070-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED 3,900 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) USE WITH A WAIVER TO ALLOW A 444-FOOT DISTANCE SEPARATION FROM A SCHOOL / INDIVIDUAL CARE CENTER LICENSED FOR MORE THAN 12 CHILDREN WHERE 1,500 FEET IS REQUIRED

22-0070-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 3,500 SQUARE-FOOT TAVERN DEVELOPMENT WITH A WAIVER OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

22-0078 - PUBLIC HEARING - APPLICANT/OWNER: RAINY DAY INVESTMENTS, LLC - For possible action on the following Land Use Entitlement project requests on 1.91 acres located on the northeast corner of Hamner Lane and Rainbow Boulevard (APNs 125-35-103-014 and 016), Ward 6 (Flores).

22-0078-GPA1 - GENERAL PLAN AMENDMENT - FROM: R (RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL)

22-0078-ZON1 - REZONING - FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL)

22-0078-VAR1 - VARIANCE - TO ALLOW A 100 CONNECTIVITY RATIO WHERE 130 IS THE MINIMUM REQUIRED, TO ALLOW A HAMMERHEAD STREET TERMINATION ON AN UN-GATED PRIVATE STREET WHERE A CUL-DE-SAC IS REQUIRED AND TO ALLOW AN UN-GATED PRIVATE STREET THAT DOES NOT MEET PUBLIC STREET DEVELOPMENT STANDARDS

22-0078-TMP1 - TENTATIVE MAP - RAINBOW & HAMMER - FOR A PROPOSED 10-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION

22-0083 - PUBLIC HEARING - APPLICANT: ALBERTO DE LA PAZ - OWNER: ADDD HOLDINGS, LLC, VEGAS DRIVE SERIES - For possible action on the following Land Use Entitlement project requests on 0.94 acres on the south side of Vegas Drive, approximately 605 feet west of Pyramid Drive (APN 139-30-501-001), C-1 (Limited Commercial) Zone, Ward 5 (Crear).

21-0083-VAR1 - VARIANCE - TO ALLOW 46 PARKING SPACES WHERE 150 ARE REQUIRED

21-0083-VAR2 - VARIANCE - TO ALLOW AN EIGHT-FOOT TALL FENCE WHERE 5 FEET IS

PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a Land Use Entitlement project request for TWO, 320 SQUARE-FOOT ACCESSORY STRUCTURES (URBAN FARM CONTAINERS) WITH A WAIVER OF TITLE 19.09 FORM BASED CODE DEVELOPMENT STANDARDS on 4.59 acres generally located 100 feet southeast of the Jackson Avenue and B Street intersection (APN 139-27-101-002), T4-M (T4 Maker) Zone, Ward 5 (Crear).

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file a written objection thereto or approval thereof with the Department of Planning, Case Planning Division, 495 South Main Street, Las Vegas, Nevada 89101. For items forwarded to City Council for final decision the date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after discussion of the item. For further information, please call 229-6301 (TDD 386-9108) or <http://www.lasvegasnevada.gov>.

DEPARTMENT OF PLANNING
ERIC MCCAMMOND, SR.
MANAGEMENT ANALYST
CASE PLANNING DIVISION

(The information contained above is considered to be accurate; however, there may be minor variations involved. A complete, detailed legal description is on file in the Department of Planning.)

PUB: March 31, 2022
LV Review-Journal

BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY

NOTICE OF PUBLIC HEARING

THE STATE OF NEVADA TAXICAB AUTHORITY BOARD WILL MEET TO CONDUCT A PUBLIC HEARING IN THE MATTER OF:

An application to amend the fuel surcharge for taxicab rides.

Wednesday, April 20, 2022
At 9:30 a.m.
At the
Nevada State Business Center
3300 W. Sahara Avenue
Suite 400 - Nevada Room
Las Vegas, NV 89102

The hearing is expected to involve discussion of, but is not limited to, NRS 706.8819, NRS 706.8824, NAC 706.471, NAC 706.903, NAC 706.909, NAC 706.924, Nevada Revised Statutes Chapters 233B and 706 generally, Nevada Administrative Code 706 generally, and any other relevant statutes and regulations.

Any person wishing to intervene must file the appropriate Petition with the Taxicab Authority in accordance with NAC 706.894 no later than 3:00 p.m. on Tuesday, April 19, 2022.

Further information is available at the Taxicab Authority office located at 2050 E. Flamingo Road, Suite 200, Las Vegas, Nevada 89119.

Dated this 31st day of March at Las Vegas, Nevada.

State of Nevada Taxicab Authority By: J.D. Decker, Interim Administrator

PUB: March 31, 2022
LV Review-Journal

**BEFORE THE
STATE OF NEVADA
TAXICAB AUTHORITY**

**NOTICE OF
PUBLIC HEARING**

THE STATE OF NEVADA
TAXICAB AUTHORITY BOARD
WILL MEET TO CONDUCT A
PUBLIC HEARING IN THE
MATTER OF:

An application to amend the
fuel surcharge for taxicab
rides.

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Nevada State Business Center
3300 W. Sahara Avenue
Suite 400 - Nevada Room
Las Vegas, NV 89102**

The hearing is expected to
involve discussion of, but is
not limited to, NRS 706.8819,
NRS 706.8824, NAC 706.471,
NAC 706.903, NAC 706.909, NAC
706.924, Nevada Revised
Statutes Chapters 233B and
706 generally, Nevada
Administrative Code 706
generally, and any other
relevant statutes and
regulations.

Any person wishing to
intervene must file the
appropriate Petition with the
Taxicab Authority in
accordance with NAC 706.894
no later than 3:00 p.m. on
Tuesday, April 5th, 2022.

**Further information is
available at the Taxicab
Authority office located at
2090 E. Flamingo Road, Suite
200, Las Vegas, Nevada 89119.**

Dated this 31st day of March
at Las Vegas, Nevada.

State of Nevada Taxicab
Authority By: J.D. Decker,
Interim Administrator

PUB: March 31, 2022
LV Review-Journal

2

AGENDA ITEM 2

Public Comment

3

AGENDA ITEM 3

**Announcement of Newly Appointed
Taxicab Authority Administrator, Karl Armstrong
(For Discussion Only)**

4

AGENDA ITEM 4

**Briefing and Transition of Responsibility from
Outgoing Interim Administrator, JD Decker**
(For Discussion Only)

5

AGENDA ITEM 5

**Any Responses, Objections, Replies, Appeals, etc.
to the Taxicab Authority's March 21, 2022 Findings
of Fact, Conclusions of Law and Order regarding
Independent Cab's application for eight (8)
subpoenas, and/or the subpoenas that issued
pursuant to that Order**

(For Discussion and Possible Action)

RESPONSES

YCS, filed April 1, 2022

Lucky Cab, unfiled, received April 7, 2022

Western Cab, unfiled, received April 7, 2022

Independent Cab, filed April 8, 2022

OBJECTIONS

None

REPLIES

None

APPEALS

None

PREVIOUS PLEADINGS REGARDING THIS MATTER

RELEVANT NEVADA ADMINISTRATIVE CODES

RESPONSE

YCS, filed April 1, 2022

1 Keith B. Gibson, Esq.
2 NV Bar No. 10050
3 5225 W. Post Rd.
4 Las Vegas, NV 89118
5 kgibson@taximanagement.vegas
6 702.933.1642
7 Attorney for NEVADA YELLOW
8 CAB CORPORATION, NEVADA
9 CHECKER CAB CORPORATION
10 & NEVADA STAR CAB CORPORATION

11 **BEFORE THE NEVADA TAXICAB AUTHORITY**

12 IN THE MATTER OF THE APPLICATION FOR)
13 A CERTIFICATE OF PUBLIC CONVENIENCE)
14 AND NECESSITY BY APPLICANTS BRENT)
15 CARSON AND CLAUDIA MARIA HOEPFNER,)
16 INDEPENDENT CAB COMPANY, LLC AND)
17 REQUEST FOR THIRTY-FIVE MEDALLIONS)

18 **INTERVENORS NEVADA YELLOW CAB CORPORATION, NEVADA CHECKER CAB**
19 **CORPORATION AND NEVADA STAR CAB CORPORATION'S RESPONSE TO**
20 **INDEPENDENT CAB COMPANY'S SUBPOENA FOR DOCUMENT PRODUCTION**

21 NEVADA YELLOW CAB CORPORATION, NEVADA CHECKER CAB CORPORATION and
22 NEVADA STAR CAB CORPORATION ("YCS") by and through their counsel of record, Keith B.
23 Gibson, Esq., hereby Responds to Applicant Independent Cab Company's request for Document
24 Production as follows:

25 **REQUEST NO. 1:**

26 Any and all documents, exhibits or other tangible items you intend to offer into evidence at the
27 hearing on Independent Cab Company's Application for a Certificate of Public Convenience and
28 Necessity.

29 **ANSWER TO REQUEST NO. 1:**

30 Please see all documents previously produced by YCS in this matter. YCS also reserves the
31 right to utilize any document disclosed by any party.

32 **REQUEST NO. 2:**

33 Produce the Tax Returns for Yellow Cab for the past two years: 2019 and 2020.

1
2 **ANSWER TO REQUEST NO. 2:**

3 **Objection: YCS' tax returns have no relevance to the issues before the Taxicab Authority**
4 **and they are no likely to lead to the discovery of relevant information. YCS' has disclosed the**
5 **Taxicab Authority statistics from 2004 through April 2021. Furthermore, YCS' tax return**
6 **information is confidential and proprietary.**

7 **REQUEST NO. 3:**

8 Produce Yellow Cab's annual reports filed with the Nevada Taxicab Authority for the years 2019
9 and 2020.

10
11 **ANSWER TO REQUEST NO. 3:**

12 **Objection: YCS' tax returns have no relevance to the issues before the Taxicab Authority**
13 **and they are no likely to lead to the discovery of relevant information. YCS' has disclosed the**
14 **Taxicab Authority statistics from 2004 through April 2021. Furthermore, YCS' tax return**
15 **information is confidential and proprietary.**

16 **REQUEST NO. 4:**

17 Produce any and all documents that support your contention that there is no need for any
18 additional taxicab medallions in Clark County.

19 **ANSWER TO REQUEST NO. 4:**

20 **Objection: Pursuant to NRS 706.8827(2)(d) and (3), Applicant bears the burden of proving**
21 **the existing certificate holders will not meet the needs of the area for which the certificate is being**
22 **applied. YCS does not bear the burden of proving there is no need for any additional taxicab**
23 **medallions in Clark County. Subject to and without waiving these objections: See the Taxicab**
24 **Authority Statistics previously disclosed as Exhibit 1 to YCS' List of Witnesses and Exhibits.**

25 **REQUEST NO. 5:**

26
27 Produce any and all documents that support your contention that 35 additional medallions will
28 unreasonably and adversely affect your operations.

1 **ANSWER TO REQUEST NO. 5:**

2 **Objection:** Pursuant to NRS 706.8827(2)(c) and (3), Applicant bears the burden of proving
3 the granting of 35 additional medallions “will not unreasonably and adversely affect other carriers
4 operating in the territory for which the certificate is sought”. YCS does not bear this burden.
5 **Subject to and without waiving these objections:** See the Taxicab Authority Statistics previously
6 disclosed as Exhibit 1 to YCS’ List of Witnesses and Exhibits.

7 **REQUEST NO. 6:**

8 Produce any and all documents that support your contention that 35 additional medallions will
9 not benefit the travelling public.

10 **ANSWER TO REQUEST NO. 6:**

11
12 **Objection:** Pursuant to NRS 706.8827(2)(e) and (3), Applicant bears the burden of proving
13 the additional 35 medallions will benefit the traveling public and the taxicab business in the
14 territory served, namely Clark County, Nevada. YCS does not bear this burden. Subject to and
15 without waiving these objections: See the Taxicab Authority Statistics previously disclosed as
16 Exhibit 1 to YCS’ List of Witnesses and Exhibits.

17 **REQUEST NO. 7:**

18 Produce any and all documents that Applicants are not fit to perform the services of a taxicab
19 motor carrier.

20
21 **ANSWER TO REQUEST NO. 7:**

22 **Objection:** Pursuant to NRS 706.8827(2)(a) and (3), it is Applicants’ burden to prove that it
23 is “fit, willing and able to perform the services of a taxicab motor carrier”. YCS does not bear
24 this burden.

25 **REQUEST NO. 8:**

26 Produce any and all documents that Applicants are not willing to perform the services of a
27 taxicab motor carrier.
28

1 **ANSWER TO REQUEST NO. 8:**

2
3 **Objection:** Pursuant to NRS 706.8827(2)(a) and (3), it is Applicants' burden to prove that
4 it is "fit, willing and able to perform the services of a taxicab motor carrier". YCS does not bear
5 this burden.

6 **REQUEST NO. 9:**


7 Produce any and all documents that Applicants are not able to perform the services of a taxicab
8 motor carrier.

9 **ANSWER TO REQUEST NO. 9:**

10 **Objection:** Pursuant to NRS 706.8827(2)(a) and (3), it is Applicants' burden to prove that it
11 is "fit, willing and able to perform the services of a taxicab motor carrier". YCS does not bear
12 this burden.
13

14 DATED this 1st day of April, 2022.

15
16 Nevada Yellow Cab Corporation
17 Nevada Checker Cab Corporation
18 Nevada Star Cab Corporation

19 
20 Keith B. Gibson, General Counsel
21 Nevada Bar No. 10050
22 5225 W. Post Road
23 Las Vegas, Nevada 89118
24 Telephone: (702) 873-8012
25 Facsimile: (702) 365-7864
26 kgibson@taximanagement.vegas
27 Attorney for Interveners
28

CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of April, 2022, I served via electronic Mail and/or U.S. Mail, a true and accurate copy of the foregoing NEVADA YELLOW CAB CORPORATION, NEVADA CHECKER CAB CORPORATION AND NEVADA STAR CAB CORPORATION'S RESPONSE TO INDEPENDENT CAB COMPANY'S SUBPOENA FOR DOCUMENT PRODUCTION to the following persons:

FOR A CAB:

C.J. Nady
A-Cab LLC
1500 Searles Avenue
Las Vegas, NV 89101
Fax: 365-9994
jongathright@acablv.com

Robert Winner, Esq.
WINNER & CARSON, P.C.
4675 Wynn Road
Las Vegas, NV 89117
Fax: 471-0110
raw@whclvlaw.com
raw@winnerlawltd.com

Esther C. Rodriguez, Esq.
Rodriguez Law Offices, PC
10161 Park Run Dr., #150
Las Vegas, NV 89145
Fax: 320-8401
susan@rodriguezlaw.com

FOR ITPEU:

ITPEU
3271 S. Highland Drive, Ste #716
Las Vegas, NV 89109
Fax: 384-4939
lasvegasitpe@aol.com

FOR BOULDER CAB:

Richard Flaven
Deluxe Taxicab
257 Elliot Road, Ste #A
Henderson, NV 89015
Fax: 568-6668
deluxetaxicab@aol.com

FOR LUCKY CAB:

Jason Awad, Esq.
Lucky Cab Company
4195 W. Diablo Drive
Las Vegas, NV 89118
Fax: 732-8449
jason@jasonawad.com

FOR DESERT CAB:

George Balaban
Desert Cab Co.
4675 S. Wynn Road
Las Vegas, NV 89103
Fax: 386-6859
gtbalaban@aol.com

Desiree Dante
4195 W. Diablo Drive
Las Vegas, NV 89118
Fax: 732-8449
ddnte@lucklimolv.com

Ryan J. Awad, Esq.
Jason A. Awad & Associates
10801 W. Charleston Blvd. #575
Las Vegas, NV 89135

1 FOR WESTERN CAB:

2 John T. Moran, Jr., Esq.
3 Western Cab Company
4 630 S. 4th Street
5 Las Vegas, NV 89102
6 Fax: 384-6568
7 m.schubert@moranlawfirm.com
8 westerncab@hotmail.com

9 FOR NELLIS CAB:

10 Michelle Langille, General Manager
11 Nellis Cab Co.
12 5490 S. Cameron Street
13 Las Vegas, NV 89118
14 Fax: 220-4000
15 mlangille@nelliscab.com

16 FOR WHITTLESEA BLUE/
17 HENDERSON TAXI and
18 VIRGIN VALLEY CAB

19 Mark Trafton, Esq.
20 Whittlesea/Henderson
21 1900 Industrial Road
22 Las Vegas, NV 89102
23 mark@bellunitedins.com

24 Cheryl D. Gibbons, General Manager
25 Whittlesea/Henderson/Virgin Valley
26 1910 Industrial Road
27 Las Vegas, NV 89102
28 cknapp@belltransportation.com

Kimberly Maxson-Rushton
Cooper Levenson
3016 W. Charleston Blvd., Ste 195
Las Vegas, NV 89102
krushton@cooperlevenson.com

Brent Bell
Whittlesea Bell
1900 Industrial Road
Las Vegas, NV 89102
Fax: 382-4604
brent@belltransporation.com

FOR INDEPENDENT CAB:

Brent A. Carson, Esq.
Claudia Hoepner
Attorney Brent Carson LLC
7935 W. Sahara Ave #101
Las Vegas, NV 89117
bac@winnercarson.com

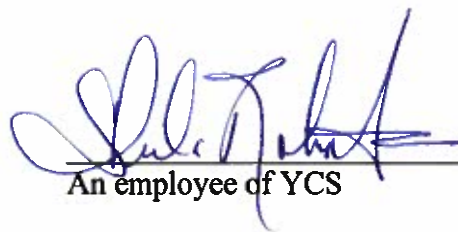
FOR TAXICAB AUTHORITY:

JD Decker, Interim Administrator
Nevada Taxicab Authority
2090 E. Flamingo Road, Ste 200
Las Vegas, NV 90119

David Rickert, Esq.
Nevada Taxicab Authority
2090 E. Flamingo Rd., Ste 200
Las Vegas, NV 89119
drickert@taxi.state.nv.us

FOR THE STATE:

Asheesh Bhalla, Esq.
DEPUTY ATTORNEY GENERAL
555 E. Washington, Ste 3900
Las Vegas, NV 89101
abhalla@ag.nv.gov


An employee of YCS

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RESPONSE

Lucky Cab, unfiled, received April 7, 2022

1 **RYAN J. AWAD, ESQ.**

Nevada Bar No. 14822

2 **JASON A. AWAD & ASSOCIATES**

3 10801 W. Charleston Blvd, Suite 575

Las Vegas, Nevada 89145

4 ryan@jasonawad.com

5 *Attorney for Lucky Cab Company and Western Cab Company*

6 **BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY**

7 In the matter of an Application for a certificate
8 of Public Convenience and Necessity by
9 Applicants, Brent A. Carson and Claudia Maria
10 Hoeppner (Independent Cab Company, LLC),
and Request for Thirty-Five Taxicab Medallions

11 **LUCKY CAB COMPANY'S RESPONSES TO APPLICANT'S SUBPOENA FOR**
12 **DOCUMENT PRODUCTION**

13 COMES NOW, Intervenor, LUCKY CAB COMPANY, by and through their attorney,
14 Ryan Awad, Esq. of Jason A. Awad & Associates, responds to Applicant INDEPENDENT CAB
15 COMPANY, LLC's Subpoena to Produce Documents as follows:
16

17 **REQUEST NO. 1:**

18 Any and all documents, exhibits or other tangible items you intend to offer into evidence
19 at the hearing on Independent Cab Company's Application for a Certificate of Public Convenience
20 and Necessity.
21

22 **RESPONSE TO REQUEST NO. 1:**

23 Please see all documents previously produced by all other interveners and all documents
24 previously produced by the Applicant Independent Cab in this matter. Lucky Cab reserves the right
25 to utilize any documents disclosed by any party.
26

27 ///

1 **REQUEST NO. 2:**

2 Produce the Tax Returns for Lucky Cab for the past two years: 2019 and 2020.

3 **RESPONSE TO REQUEST NO. 2:**

4 Objection: Lucky Cab Company's tax returns have no relevance to the issues before the
5 Taxicab Authority and are not likely to lead to the discovery of relevant information nor admissible
6 evidence. Furthermore, Lucky Cab Company's tax return information is confidential and
7 proprietary.
8

9 **REQUEST NO. 3:**

10 Produce Lucky Cab's annual reports filed with the Nevada Taxicab Authority for the years
11 2019 and 2020.
12

13 **RESPONSE TO REQUEST NO. 3:**

14 Objection: Lucky Cab Company's annual reports have no relevance to the issues before
15 the Taxicab Authority and are not likely to lead the discovery of relevant information nor
16 admissible evidence. Furthermore, Lucky Cab Company's annual report information is
17 confidential and proprietary.
18

19 **REQUEST NO. 4:**

20 Produce any and all documents that support your contention that there is no need for any
21 additional taxicab medallions in Clark County.
22

23 **RESPONSE TO REQUEST NO. 4:**

24 Objection: Pursuant to NRS 706.8827(2)(d) and (3), Applicant bears the burden of proving
25 that "the existing certificate holders will not meet the needs of the territory for which the certificate
26 sought if the certificate is not granted." Intervenor Lucky Cab does not bear the burden of proving
27 that there is no need for any additional taxicab medallions in Clark County.
28

1 **REQUEST NO. 5:**

2 Produce any and all documents that support your contention that 35 additional medallions
3 will unreasonably and adversely affect your operations.
4

5 **RESPONSE TO REQUEST NO. 5:**

6 Objection: Pursuant to NRS 706.8827(2)(c) and (3), Applicant bears the burden of proving
7 that the granting of 35 additional medallions “will not unreasonably and adversely affect other
8 carriers operating in the territory for which the certificate is sought.” Intervenor Lucky Cab does
9 not bear the burden of proving that the additional 35 medallions will unreasonably and adversely
10 affect its operations.
11

12 **REQUEST NO. 6:**

13 Produce any and all documents that support your contention that 35 additional medallions
14 will not benefit the traveling public.
15

16 **RESPONSE TO REQUEST NO. 6:**

17 Objection: Pursuant to NRS 706.8827(2)(e) and (3), Applicant bears the burden of proving
18 that the 35 additional medallions “will benefit the public and the taxicab business in the territory
19 to be served.” Intervenor Lucky Cab does not bear the burden of proving that the additional 35
20 medallions will not benefit the traveling public.
21

22 **REQUEST NO. 7:**

23 Produce any and all documents that Applicants are not fit to perform the services of a
24 taxicab motor carrier.

25 **RESPONSE TO REQUEST NO. 7:**

26 Objection: Pursuant to NRS 706.8827(2)(a) and (3), Applicant bears the burden to prove
27 that Applicant is “fit, willing and able to perform the services of a taxicab motor carrier.”
28

Intervenor Lucky Cab does not bear the burden of proving that Applicants are not fit to perform the services of a taxicab motor carrier.

REQUEST NO. 8:

Produce any and all documents that Applicants are not willing to perform the services of a taxicab motor carrier.

RESPONSE TO REQUEST NO. 8:

Objection: Pursuant to NRS 706.8827(2)(a) and (3), Applicant bears the burden to prove that Applicant is "fit, willing and able to perform the services of a taxicab motor carrier." Intervenor Lucky Cab does not bear the burden of proving that the Applicants are not willing to perform the services of a taxicab motor carrier.

REQUEST NO. 9:

Produce any and all documents that Applicants are not able to perform the services of a taxicab motor carrier.

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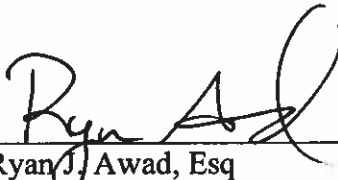
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1 **RESPONSE TO REQUEST NO. 9:**

2 Objection: Pursuant to NRS 706.8827(2)(a) and (3), Applicant bears the burden to prove
3 that Applicant is "fit, willing and able to perform the services of a taxicab motor carrier."
4 Intervenor Lucky Cab does not bear the burden of proving that the Applicants are not able to
5 perform the services of a taxicab motor carrier.
6

7
8 Dated this 4th day of April, 2022,
9

10
11 
12 _____
13 Ryan J. Awad, Esq
14 Nevada Bar No. 14822
15 10801 W. Charleston Blvd. Suite 575
16 Las Vegas, NV 89135
17 *Attorney for Lucky Cab Company and*
18 *Western Cab Company*
19
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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document: LUCKY CAB COMPANY'S RESPONSES TO APPLICANT'S SUBPOENA FOR DOCUMENT PRODUCTION upon all parties of record in this proceeding by mailing a copy thereof, properly addressed, with postage paid, to the below listed.

Dated at Las Vegas, NV, this 5th th day of April 2022.

FOR A-CAB:

Creighton J. Nady, Owner
A Cab, LLC
1500 Searles Ave.
Las Vegas, NV 89101

Esther C. Rodriguez, Esq.
Rodriguez Law Offices, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

FOR DESERT CAB:

George Balaban
Desert Cab Co.
4675 Wynn Road
Las Vegas, NV 89103

Robert Winner, Esq.
ROBERT WINNER, LTD
400 S. 4TH Street, 3rd Floor
Las Vegas, NV 89101

FOR WHITTLESEA BLUE/HENDERSON TAXI:

Cheryl D. Gibbons, General Manager
WHITTLESEA BLUE/HENDERSON TAXI
And VIRGIN VALLEY CAB
1910 Industrial Road
Las Vegas, NV 89102

Mark E. Trafton, Esq.
WHITTLESEA BLUE/HENDERSON TAXI
1910 Industrial Road
Las Vegas, NV 89102

FOR INDEPENDENT CAB INC.:

1 Independent Cab Co.
2 Attn: Claudia Hoeppner and Brent Carson
3 2383 Green Mountain Ct.
4 Las Vegas, NV 89135

5 Brent A. Carson, Esq.
6 Attorney Brent Carson LLC
7 7935 W. Sahara Avenue, #101
8 Las Vegas, NV 89117

9 FOR YCS CORPS:

10 YELLOW CHECKER & STAR CAB CORP.
11 Attn: Keith Gibson, Gen. Counsel
12 5225 W. Post Road
13 Las Vegas, NV 89118

14 FOR NELLIS CAB:

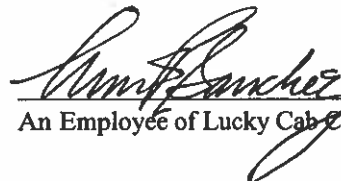
15 Jamie Pino
16 Nellis Cab Company
17 5490 Cameron St.
18 Las Vegas, NV 89119

19 FOR THE STATE:

20 Asheesh Bhalla, Esq.
21 Deputy Attorney General
22 555 E. Washington Ave., Suite 3900
23 Las Vegas, NV 89101

24 JD DECKER, Interim Administrator
25 Nevada Taxicab Authority
26 2090 E. Flamingo Road, Suite 200
27 Las Vegas, NV 89119

28 David Ricker, Esq.
NEVADA TAXICAB AUTHORITY
2090 E. Flamingo Road, Suite 200
Las Vegas, NV 89119


An Employee of Lucky Cab Company

RESPONSE

Western Cab, unfiled, received April 7, 2022

1 **RYAN J. AWAD, ESQ.**

2 Nevada Bar No. 14822

3 **JASON A. AWAD & ASSOCIATES**

4 10801 W. Charleston Blvd, Suite 575

5 Las Vegas, Nevada 89145

6 ryan@jasonawad.com

7 *Attorney for Lucky Cab Company and Western Cab Company*

8 **BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY**

9 In the matter of an Application for a certificate
10 of Public Convenience and Necessity by
11 Applicants, Brent A. Carson and Claudia Maria
12 Hoepfner (Independent Cab Company, LLC),
13 and Request for Thirty-Five Taxicab Medallions

14 **WESTERN CAB COMPANY'S RESPONSES TO APPLICANT'S SUBPOENA FOR**
15 **DOCUMENT PRODUCTION**

16 COMES NOW, Intervenor, WESTERN CAB COMPANY, by and through their attorney,
17 Ryan Awad, Esq. of Jason A. Awad & Associates, responds to Applicant INDEPENDENT CAB
18 COMPANY, LLC's Subpoena to-Produce Documents as follows:

19 **REQUEST NO. 1:**

20 Any and all documents, exhibits or other tangible items you intend to offer into evidence
21 at the hearing on Independent Cab Company's Application for a Certificate of Public Convenience
22 and Necessity.

23 **RESPONSE TO REQUEST NO. 1:**

24 Please see all documents previously produced by all other interveners and all documents
25 previously produced by the Applicant Independent Cab in this matter. Western Cab reserves the
26 right to utilize any documents disclosed by any party.

27 //

1 **REQUEST NO. 2:**

2 Produce the Tax Returns for Western cab for the past two years: 2019 and 2020.

3 **RESPONSE TO REQUEST NO. 2:**

4 Objection: Western Cab Company's tax returns have no relevance to the issues before the
5 Taxicab Authority and are not likely to lead to the discovery of relevant information nor admissible
6 evidence. Furthermore, Western Cab Company's tax return information is confidential and
7 proprietary.
8

9 **REQUEST NO. 3:**

10 Produce Western cab's annual reports filed with the Nevada Taxicab Authority for the
11 years 2019 and 2020.
12

13 **RESPONSE TO REQUEST NO. 3:**

14 Objection: Western cab Company's annual reports have no relevance to the issues before
15 the Taxicab Authority and are not likely to lead the discovery of relevant information nor
16 admissible evidence. Furthermore, Western Cab Company's annual report information is
17 confidential and proprietary.
18

19 **REQUEST NO. 4:**

20 Produce any and all documents that support your contention that there is no need for any
21 additional taxicab medallions in Clark County.
22

23 **RESPONSE TO REQUEST NO. 4:**

24 Objection: Pursuant to NRS 706.8827(2)(d) and (3), Applicant bears the burden of proving
25 that "the existing certificate holders will not meet the needs of the territory for which the certificate
26 sought if the certificate is not granted." Intervenor Western Cab does not bear the burden of
27 proving that there is no need for any additional taxicab medallions in Clark County.
28

1 **REQUEST NO. 5:**

2 Produce any and all documents that support your contention that 35 additional medallions
3 will unreasonably and adversely affect your operations.
4

5 **RESPONSE TO REQUEST NO. 5:**

6 Objection: Pursuant to NRS 706.8827(2)(c) and (3), Applicant bears the burden of proving
7 that the granting of 35 additional medallions "will not unreasonably and adversely affect other
8 carriers operating in the territory for which the certificate is sought." Intervenor Western Cab does
9 not bear the burden of proving that the additional 35 medallions will unreasonably and adversely
10 affect its operations.
11

12 **REQUEST NO. 6:**

13 Produce any and all documents that support your contention that 35 additional medallions
14 will not benefit the traveling public.
15

16 **RESPONSE TO REQUEST NO. 6:**

17 Objection: Pursuant to NRS 706.8827(2)(e) and (3), Applicant bears the burden of proving
18 that the 35 additional medallions "will benefit the public and the taxicab business in the territory
19 to be served." Intervenor Western Cab does not bear the burden of proving that the additional 35
20 medallions will not benefit the traveling public.
21

22 **REQUEST NO. 7:**

23 Produce any and all documents that Applicants are not fit to perform the services of a
24 taxicab motor carrier.

25 **RESPONSE TO REQUEST NO. 7:**

26 Objection: Pursuant to NRS 706.8827(2)(a) and (3), Applicant bears the burden to prove
27 that Applicant is "fit, willing and able to perform the services of a taxicab motor carrier."
28

1 Intervenor Western Cab does not bear the burden of proving that Applicants are not fit to perform
2 the services of a taxicab motor carrier.

3 **REQUEST NO. 8:**

4 Produce any and all documents that Applicants are not willing to perform the services of a
5 taxicab motor carrier.
6

7 **RESPONSE TO REQUEST NO. 8:**

8 Objection: Pursuant to NRS 706.8827(2)(a) and (3), Applicant bears the burden to prove
9 that Applicant is "fit, willing and able to perform the services of a taxicab motor carrier."
10 Intervenor Western Cab does not bear the burden of proving that the Applicants are not willing to
11 perform the services of a taxicab motor carrier.
12

13 **REQUEST NO. 9:**

14 Produce any and all documents that Applicants are not able to perform the services of a
15 taxicab motor carrier.
16

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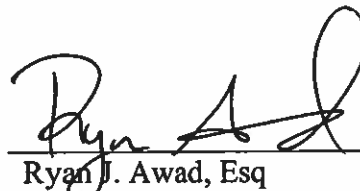
26 ///

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1 **RESPONSE TO REQUEST NO. 9:**

2 Objection: Pursuant to NRS 706.8827(2)(a) and (3), Applicant bears the burden to prove
3 that Applicant is "fit, willing and able to perform the services of a taxicab motor carrier."
4
5 Intervenor Western Cab does not bear the burden of proving that the Applicants are not able to
6 perform the services of a taxicab motor carrier.

7
8 Dated this 4th day of April, 2022,
9

10
11
12 

13 Ryan J. Awad, Esq
14 Nevada Bar No. 14822
15 10801 W. Charleston Blvd. Suite 575
16 Las Vegas, NV 89135
17 *Attorney for Lucky Cab Company and*
18 *Western Cab Company*
19
20
21
22
23
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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document: WESTERN CAB COMPANY'S RESPONSES TO APPLICANT'S SUBPOENA FOR DOCUMENT PRODUCTION upon all parties of record in this proceeding by mailing a copy thereof, properly addressed, with postage paid, to the below listed.

Dated at Las Vegas, NV, this 5th day of April 2022.

FOR A-CAB:

Creighton J. Nady, Owner
A Cab, LLC
1500 Searles Ave.
Las Vegas, NV 89101

Esther C. Rodriguez, Esq.
Rodriguez Law Offices, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

FOR DESERT CAB:

George Balaban
Desert Cab Co.
4675 Wynn Road
Las Vegas, NV 89103

Robert Winner, Esq.
ROBERT WINNER, LTD
400 S. 4TH Street, 3rd Floor
Las Vegas, NV 89101

FOR WHITTLESEA BLUE/HENDERSON TAXI:

Cheryl D. Gibbons, General Manager
WHITTLESEA BLUE/HENDERSON TAXI
And VIRGIN VALLEY CAB
1910 Industrial Road
Las Vegas, NV 89102

Mark E. Trafton, Esq.
WHITTLESEA BLUE/HENDERSON TAXI
1910 Industrial Road
Las Vegas, NV 89102

FOR INDEPENDENT CAB INC.:

1 Independent Cab Co.
Attn: Claudia Hoeppner and Brent Carson
2 2383 Green Mountain Ct.
3 Las Vegas, NV 89135

4 Brent A. Carson, Esq.
Attorney Brent Carson LLC
5 7935 W. Sahara Avenue, #101
6 Las Vegas, NV 89117

7 FOR YCS CORPS:

8 YELLOW CHECKER & STAR CAB CORP.
Attn: Keith Gibson, Gen. Counsel
9 5225 W. Post Road
10 Las Vegas, NV 89118

11 FOR NELLIS CAB:


12 Jamie Pino
Nellis Cab Company
13 5490 Cameron St.
14 Las Vegas, NV 89119

15 FOR THE STATE:

16 Asheesh Bhalla, Esq.
Deputy Attorney General
17 555 E. Washington Ave., Suite 3900
18 Las Vegas, NV 89101

19 JD DECKER, Interim Administrator
Nevada Taxicab Authority
20 2090 E. Flamingo Road, Suite 200
21 Las Vegas, NV 89119

22 David Ricker, Esq.
NEVADA TAXICAB AUTHORITY
23 2090 E. Flamingo Road, Suite 200
24 Las Vegas, NV 89119

25 
26 An Employee of Lucky Cab Company

RESPONSE

Independent Cab, filed April 8, 2022

BRENT A. CARSON, ESQ.
Nevada Bar No. 5903
ATTORNEY BRENT CARSON, LLC.
bac@winnercarson.com
7935 W. Sahara Avenue, Suite 101
Las Vegas, Nevada 89117
Ph: (702) 471-1111
Fax: (702) 471-0110

Attorney for Applicant,
INDEPENDENT CAB COMPANY, LLC

BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY

In the matter of An Application for a certificate)
of Public Convenience and Necessity by)
Applicants, Brent A. Carson and Claudia Maria)
Hoeppner (Independent ab Company, LLC),)
And Request for Thirty-Five Taxicab)
Medallions.)

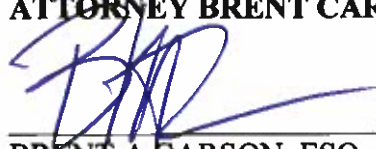
APPLICANT'S RESPONSE TO
OBJECTIONS TO SUBPOENA REQUESTS

COMES NOW, Applicants BRENT A. CARSON and CLAUDIA MARIA HOEPPNER, by
and through their attorney of record, Brent A. Carson, Esq. of the law firm of ATTORNEY BRENT
CARSON, LLC., hereby responds to the Objections to the Subpoena Requests made by the
Intervenors.

This Response is made and based on all the papers and pleadings on file herein, together with
the attached Points & Authorities and any other evidence the Authority may entertain at the hearing
of this Motion.

DATED this 8 Day of April, 2022.

ATTORNEY BRENT CARSON, LLC


BRENT A. CARSON, ESQ.
Nevada Bar No. 5903
7935 W. Sahara Avenue, Suite 101
Las Vegas, Nevada 89117
Attorney for Independent Cab Company

1 MEMORANDUM OF POINTS AND AUTHORITY:

2 1. Brief Statement of Facts:

3 On March 21, 2022, the Taxicab Authority issued an Order allowing Independent Cab
4 Company to serve subpoenas on each of the intervenors. The subpoenas were issued by
5 Administrator Decker and served on or about March 22, 2022

6 The March 21, 2022 Order reads in part:

7 Each Intervenor in the underlying matter will have 10 days from the date of service of the
8 subpoena to file an objection to the subpoena's scope, or move to quash or modify the
9 subpoena.

10 **A.) Yellow, Checker, Star, Henderson and Whittlesea Cab Companies:**

11 For simplicity, the above entities will be taken together as their responses and objections are
12 nearly identical.

13 On or about April 1, 2022, Independent Cab received responses from the following:

- 14 1) Yellow Cab (See Exhibit 1)
15 2) Checker Cab (See Exhibit 1);
16 3) Star Cab (See Exhibit 1);
17 4) Henderson Cab (See Exhibit 2);
18 5) Whittlesea Cab (See Exhibit 3).
19
20

21 As can be seen, Independent Cab's subpoena consisted of nine separate requests. All of the
22 above intervenors objected to requests 2 through 9. Assuming that these "objections" meets the
23 requirements of the March 21, 2022 Order, their objections are improper and not valid.
24

25 Starting with Request numbers 2 and 3, Independent Cab asked for the Intervenor's tax
26 returns for 2019 and 2020 (Request #2) and a copy of their annual reports filed with the Taxicab
27 Authority for 2019 and 2020 (Request #3). The Intervenor objected to these requests on the basis
28 that the "tax returns/annual reports have no relevance to the issues before the taxicab authority nor

1 will they lead to the discovery of relevant information. Further, this information is confidential and
2 proprietary.”

3 During discovery, the intervenors made a similar request to Applicants. They requested tax
4 returns and bank statements. Applicants objected that these documents were confidential. (See
5 Desert Cab’s Motion to Compel and Applicant’s Opposition, not attached, but a part of the
6 Applicant’s file) Hearing Officer Cassetty disagreed and the Intervenor received redacted copies of
7 all of Applicants’ financial information. The US Code states that “[federal tax] returns and return
8 information shall be confidential.” In my opinion, that is common sense. However, that law only
9 prohibits others from disclosing your tax returns. Anyone may choose to make their own tax records
10 public. In this instance, Applicants, Brent Carson and Claudia Hoeppner, submitted a copy of their
11 tax returns to the Nevada Taxicab Authority. NRS 706.8827 and NAC 706.453 have requirements
12 that relate to an applicant’s financial fitness. However, the statutes and regulations clearly state that
13 it is the Authority’s role, not the intervenors, to determine financial ability. The question that
14 remains is why would one party’s financial statements be treated as not confidential, while the other
15 party’s financials are considered confidential? This doesn’t make sense and the discussion below
16 outlines why both the applicant and the intervenors should be treated equally.

17
18
19 a) Relevance:

20 Intervenor object that the production of their tax returns and annual reports are not relevant.
21 As the authority is well aware, Exhibit I of the application requires the Applicant to provide a
22 projected performance (Pro Forma) for the first year of operations. During initial discovery,
23 applicants asked each and every Intervenor the following interrogatories:

24
25 Interrogatory:

26 If you contend that the Pro-Forma Income Statement submitted with the Application is
27 incorrect, insufficient, or otherwise do not agree with the projections, please identify each
28 and every area of concern that you may have, including an explanation as to why the
projections are inaccurate.

1 Interrogatory:

2 Please state all facts and/or opinions and identify any and all documents you intend to use as
3 evidence on whether the proposed operations of Independent Cab Company will NOT be
4 compensable.

5 Every Intervenor responded, and allow me to paraphrase, that the forecasted revenue was too
6 high and that the expenses were too low. On that basis, Applicants subpoenaed the Intervenor's
7 annual reports and tax returns to compare them to Applicants' Pro Forma only to be met with
8 objections.
9

10 Intervenor, by their own responses to discovery have made these documents relevant. A
11 party cannot testify that certain numbers are high, while others are too low, and then hide behind an
12 objection when asked to verify their testimony.
13

14 b) Confidentiality:

15 The five above listed companies also objected to Request numbers 2 and 3 on the basis of
16 confidentiality and proprietary information. As stated above, financial information can be
17 considered confidential and proprietary. However, in this situation, Intervenor are using the
18 objection as both a sword and a shield. They testified by interrogatories that the Pro Forma
19 estimates are wrong, but when asked to provide back up information for their positions, they respond
20 that we don't have to produce that information.
21

22 Intervenor lost the right to claim "confidential information" the day they voluntarily chose
23 to become parties to this application. Discovery is a two-way street. Applicants did not even want
24 discovery, it was the intervenors who requested discovery.

25 In requesting Intervenor status, every Intervenor requested in their Amended Petitions to
26 Intervene that they wanted the Authority to issue an Order that:
27

28 Grants permission to intervene and participate fully in any public hearing with respect to this
matter, including the right to offer evidence of any kind, to examine and cross-examine

1 witnesses and to make arguments and file briefs, as well as participate in all other aspects of
2 this matter. (emphasis added, see Amended Petitions to Intervene, not attached hereto, but
part of the Authority's file)

3 The Intervenors' specifically requested an Order from the Taxicab Authority allowing them
4 full participation in this matter. NAC 706.894 states in part:

5 [t]he authority, presiding officer or Administrator may grant leave to intervene or otherwise
6 appear in the proceeding with respect to the matters set out in the intervening notice. See,
7 NAC 706.894(3)

8 In their intervening notices, Intervenors requested full participation. Based on the moving
9 papers and the representations made, their request was granted. Discovery is a part of this matter.
10 Subpoenas are a part of this matter. Full participation requires compliance with discovery. They
11 made their choice to intervene. They don't get to sit back and pick and choose what part of full
12 participation now applies to them.

13
14
15 c) Objections to Requests 4 through 9:

16 In Subpoena requests 4 through 9, Applicants asked for any and all documents that support
17 Intervenors' contentions:

18 #4. That there is no need for any additional medallions;

19 #5. That 35 medallions will unreasonably and adversely affect your operations;

20 #6. That 35 additional medallions will not benefit the traveling public;

21 #7. That Applicants are not fit to perform the services of a taxicab motor carrier;

22 #8. That Applicants are not willing to perform the services of a taxicab motor carrier;

23 #9. That Applicants are not able to perform the services of a taxicab motor carrier.

24
25 Yellow, Checker, Star, Henderson, and Whittlesea all provided the same objection to each of
26 the above requests, that it was Applicants' burden of proof under NRS 706.8827 to meet the
27 requirements, not the Intervenors' burden. That is not a valid objection. Applicants are well aware
28

1 of their burden, but are still entitled to discovery as to what evidence the Intervenor's intend on
2 presenting at the hearing.

3 Once a subpoena has been issued by the Authority or Administrator, NAC 706.936 provides
4 that the Authority may only quash the subpoena if it is unreasonable or oppressive. NAC 706.936
5 reads in part:

6 **NAC 706.936 Subpoenas; depositions. (NRS 233B.050, 706.8818)**

7 1. . . . The Authority, presiding officer or Administrator, upon motion made promptly
8 and, in any event, at or before the time specified in the subpoena for compliance may:

9 a) Quash the subpoena if it is unreasonable or oppressive;

10
11 The regulation does not say anything about a party's burden of proof. In fact, it would be
12 illogical to sustain an objection of burden of proof. Every lawsuit contains a burden of proof. If it
13 was a car accident, the plaintiff has the burden of proving elements of negligence. If it was breach
14 of contract, the plaintiff has the burden of proving the various contractual elements. An objection
15 relating to burden of proof would render the discovery process moot.

16
17 It is clear that Applicants' request for documents or evidence the Intervenor's intend on
18 offering at the hearing is not unreasonable or oppressive.

19 **B.) Desert Cab Company:**

20 On or about April 4, 2022, Applicant's received Desert Cab's responses to the Subpoena.
21 (See exhibit 4).

22 Similar to the above companies, Desert Cab objected to the production of their tax returns and
23 annual reports. Desert Cab's objection was on confidentiality and proprietary reasons.

24 To avoid repetition, Applicant adopts the above arguments as it relates to these objections.

25 Desert Cab also objected to Applicants' requests 4 through 9. These are the same requests as
26 outlined above. However, Desert Cab did not object on the basis of burden of proof. Rather, they
27 objected to the requests on the basis of work product. Without waiving that objection, Desert Cab
28

1 did produce three pages which were attached to their responses. That's three pages more than any
2 other intervenor produced.

3 Nevada's work-product privilege is found at NRCp 26(b)(3), which provides, in relevant part:

4 [A] party may obtain discovery of documents and tangible things. . . prepared in anticipation
5 of litigation . . . by or for another party or by or for that other party's representative . . . only
6 upon a showing that the party seeking discovery has substantial need of the materials. . . and
7 that the party is unable without undue hardship to obtain the substantial equivalent of the
8 materials by other means In ordering discovery of such materials when the required showing
has been made, the court shall protect against disclosure of the mental impressions,
conclusions, opinions, or legal theories of an attorney or other representative of a party
concerning the litigation.

9 See, Wynn Resorts Limited v. Eighth Judicial District Court, 133 Nev. A. O. 52 (2017).

10 NRCp 26(b)(3) protects documents with "two characteristics: (1) they must be prepared in
11 anticipation of litigation or for trial, and (2) they must be prepared by or for another party or by or
12 for that other party's representative." In re Grand Jury Subpoena (Mark Torf /Torf Envtl. Mgmt.)
13 (Torf), 357 F.3d 900, 907 (9th Cir. 2004) (internal quotation marks omitted). Thus, "work product"
14 only protects documents that were prepared by a party or party representative that are made in
15 anticipation of litigation. Based upon the reasoning of the Nevada Supreme Court, it is clear that the
16 work product doctrine doesn't apply to the Applicants' subpoena requests. Assuming work product
17 is a valid objection, Nevada law holds that when a party withholds information otherwise
18 discoverable by claiming that the information is privileged or subject to protection as trial-
19 preparation material, the party must: 1.) expressly make the claim; and 2.) describe the nature of the
20 documents, communications, or tangible things not produced or disclosed to enable other parties to
21 assess the privilege claim. (See, NRCp 26 (5)). This is known as a "privilege log." Desert Cab
22 failed to provide a privilege log along with their work product objection.
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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document: RESPONSE TO OBJECTIONS upon all parties of record in this proceeding by mailing a copy thereof, properly addressed, with postage prepaid, to the below listed.

Dated at Las Vegas, NV, this 5 day of April 2022

FOR DESERT CAB:

George Balaban
DESERT CAB COMPANY
4675 Wynn Road
Las Vegas, NV 89103

Robert A. Winner, Esq.
ROBERT WINNER, LTD
400 S. 4th Street, 3rd Floor
Las Vegas, NV 89101

FOR LUCKY AND WESTERN CAB:

Jason A. Awad, Esq.
Desiree Dante
4195 W. Diablo Dr.
Las Vegas, NV 89118

Ryan J. Awad, Esq.
JASON A. AWAD & ASSOC.
10801 W. Charleston Blvd, #575
Las Vegas, NV 89135

FOR WHITTLESEA BLUE/HENDERSON TAXI

Cheryl D. Gibbons, General Manager
WHITTLESEA BLUE/HENDERSON TAXI
And VIRGIN VALLEY CAB
1910 Industrial Road
Las Vegas, NV 89102

Mark E. Trafton, Esq.
WHITTLESEA BLUE/HENDERSON TAXI
1910 Industrial Road
Las Vegas, NV 89102

1 FOR YCS CORPS:

2 YELLOW CHECKER AND STAR CAB
3 CORPORATIONS

4 ATTN: Keith Gibson,
5 General Counsel

6 5225 W. Post Road
7 Las Vegas, NV 89118

8 FOR THE STATE:

9 Asheesh Bhalla, Esq.
10 DEPUTY ATTORNEY GENERAL
11 555 E. Washington Ave., Suite 3900
12 Las Vegas, NV 89101

13 JD Decker, Interim Administrator
14 Nevada Taxicab Authority
15 2090 E. Flamingo Rd, Suite 200
16 Las Vegas, NV 89119

17 David Ricker, Esq.
18 NEVADA TAXICAB AUTHORITY
19 2090 E. Flamingo Rd, Suite 200
20 Las Vegas, NV 89119

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An employee of Attorney Brent Carson

EXHIBIT 1

1 Keith B. Gibson, Esq.
2 NV Bar No. 10050
3 5225 W. Post Rd.
4 Las Vegas, NV 89118
5 kgibson@taximanagement.vegas
6 702.933.1642
7 Attorney for NEVADA YELLOW
8 CAB CORPORATION, NEVADA
9 CHECKER CAB CORPORATION
10 & NEVADA STAR CAB CORPORATION

6 **BEFORE THE NEVADA TRANSPORTATION AUTHORITY**

7 IN THE MATTER OF THE APPLICATION FOR)
8 A CERTIFICATE OF PUBLIC CONVENIENCE)
9 AND NECESSITY BY APPLICANTS BRENT)
10 CARSON AND CLAUDIA MARIA HOEPPNER,)
11 INDEPENDENT CAB COMPANY, LLC AND)
12 REQUEST FOR THIRTY-FIVE MEDALLIONS)

11 **INTERVENORS NEVADA YELLOW CAB CORPORATION, NEVADA CHECKER CAB**
12 **CORPORATION AND NEVADA STAR CAB CORPORATION'S RESPONSE TO**
13 **INDEPENDENT CAB COMPANY'S SUBPOENA FOR DOCUMENT PRODUCTION**

14 NEVADA YELLOW CAB CORPORATION, NEVADA CHECKER CAB CORPORATION and
15 NEVADA STAR CAB CORPORATION ("YCS") by and through their counsel of record, Keith B.
16 Gibson, Esq., hereby Responds to Applicant Independent Cab Company's request for Document
17 Production as follows:

18 **REQUEST NO. 1:**

19 Any and all documents, exhibits or other tangible items you intend to offer into evidence at the
20 hearing on Independent Cab Company's Application for a Certificate of Public Convenience and
21 Necessity.

22 **ANSWER TO REQUEST NO. 1:**

23 Please see all documents previously produced by YCS in this matter. YCS also reserves the
24 right to utilize any document disclosed by any party.

25 **REQUEST NO. 2:**

26 Produce the Tax Returns for Yellow Cab for the past two years: 2019 and 2020.

1
2 **ANSWER TO REQUEST NO. 2:**

3 **Objection: YCS' tax returns have no relevance to the issues before the Taxicab Authority**
4 **and they are no likely to lead to the discovery of relevant information. YCS' has disclosed the**
5 **Taxicab Authority statistics from 2004 through April 2021. Furthermore, YCS' tax return**
6 **information is confidential and proprietary.**

7 **REQUEST NO. 3:**

8 **Produce Yellow Cab's annual reports filed with the Nevada Taxicab Authority for the years 2019**
9 **and 2020.**

10 **ANSWER TO REQUEST NO. 3:**

11 **Objection: YCS' tax returns have no relevance to the issues before the Taxicab Authority**
12 **and they are no likely to lead to the discovery of relevant information. YCS' has disclosed the**
13 **Taxicab Authority statistics from 2004 through April 2021. Furthermore, YCS' tax return**
14 **information is confidential and proprietary.**

15 **REQUEST NO. 4:**

16 **Produce any and all documents that support your contention that there is no need for any**
17 **additional taxicab medallions in Clark County.**

18 **ANSWER TO REQUEST NO. 4:**

19 **Objection: Pursuant to NRS 706.8827(2)(d) and (3), Applicant bears the burden of proving**
20 **the existing certificate holders will not meet the needs of the area for which the certificate is being**
21 **applied. YCS does not bear the burden of proving there is no need for any additional taxicab**
22 **medallions in Clark County. Subject to and without waiving these objections: See the Taxicab**
23 **Authority Statistics previously disclosed as Exhibit 1 to YCS' List of Witnesses and Exhibits.**

24 **REQUEST NO. 5:**

25 **Produce any and all documents that support your contention that 35 additional medallions will**
26 **unreasonably and adversely affect your operations.**
27
28

1 **ANSWER TO REQUEST NO. 5:**

2 **Objection:** Pursuant to NRS 706.8827(2)(c) and (3), Applicant bears the burden of proving
3 the granting of 35 additional medallions "will not unreasonably and adversely affect other carriers
4 operating in the territory for which the certificate is sought". YCS does not bear this burden.
5 **Subject to and without waiving these objections:** See the Taxicab Authority Statistics previously
6 disclosed as Exhibit 1 to YCS' List of Witnesses and Exhibits.

7 **REQUEST NO. 6:**

8 Produce any and all documents that support your contention that 35 additional medallions will
9 not benefit the travelling public.

10 **ANSWER TO REQUEST NO. 6:**

11
12 **Objection:** Pursuant to NRS 706.8827(2)(e) and (3), Applicant bears the burden of proving
13 the additional 35 medallions will benefit the traveling public and the taxicab business in the
14 territory served, namely Clark County, Nevada. YCS does not bear this burden. Subject to and
15 without waiving these objections: See the Taxicab Authority Statistics previously disclosed as
16 Exhibit 1 to YCS' List of Witnesses and Exhibits.

17 **REQUEST NO. 7:**

18 Produce any and all documents that Applicants are not fit to perform the services of a taxicab
19 motor carrier.

20
21 **ANSWER TO REQUEST NO. 7:**

22 **Objection:** Pursuant to NRS 706.8827(2)(a) and (3), it is Applicants' burden to prove that it
23 is "fit, willing and able to perform the services of a taxicab motor carrier". YCS does not bear
24 this burden.

25 **REQUEST NO. 8:**

26 Produce any and all documents that Applicants are not willing to perform the services of a
27 taxicab motor carrier.
28

1 **ANSWER TO REQUEST NO. 8:**

2 **Objection: Pursuant to NRS 706.8827(2)(a) and (3), it is Applicants' burden to prove that**
3 **it is "fit, willing and able to perform the services of a taxicab motor carrier". YCS does not bear**
4 **this burden.**

5
6 **REQUEST NO. 9:**

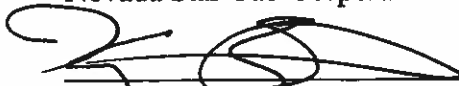
7 Produce any and all documents that Applicants are not able to perform the services of a taxicab
8 motor carrier.

9 **ANSWER TO REQUEST NO. 9:**

10 **Objection: Pursuant to NRS 706.8827(2)(a) and (3), it is Applicants' burden to prove that it**
11 **is "fit, willing and able to perform the services of a taxicab motor carrier". YCS does not bear**
12 **this burden.**

13
14 DATED this 1st day of April, 2022.

15
16 Nevada Yellow Cab Corporation
17 Nevada Checker Cab Corporation
18 Nevada Star Cab Corporation

19 
20 Keith B. Gibson, General Counsel
21 Nevada Bar No. 10050
22 5225 W. Post Road
23 Las Vegas, Nevada 89118
24 Telephone: (702) 873-8012
25 Facsimile: (702) 365-7864
26 kgibson@taximanagement.vegas
27 Attorney for Intervenors
28

CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of April, 2022, I served via electronic Mail and/or U.S. Mail, a true and accurate copy of the foregoing NEVADA YELLOW CAB CORPORATION, NEVADA CHECKER CAB CORPORATION AND NEVADA STAR CAB CORPORATION'S RESPONSE TO INDEPENDENT CAB COMPANY'S SUBPOENA FOR DOCUMENT PRODUCTION to the following persons:

FOR A CAB:

C.J. Nady
A-Cab LLC
1500 Searles Avenue
Las Vegas, NV 89101
Fax: 365-9994
jongathright@acablv.com

Robert Winner, Esq.
WINNER & CARSON, P.C.
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FOR LUCKY CAB:

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Lucky Cab Company
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FOR DESERT CAB:

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10801 W. Charleston Blvd. #575
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1 FOR WESTERN CAB:

2 John T. Moran, Jr., Esq.
3 Western Cab Company
4 630 S. 4th Street
5 Las Vegas, NV 89102
6 Fax: 384-6568
7 m.schubert@moranlawfirm.com
8 westerncab@hotmail.com

9 FOR NELLIS CAB:

10 Michelle Langille, General Manager
11 Nellis Cab Co.
12 5490 S. Cameron Street
13 Las Vegas, NV 89118
14 Fax: 220-4000
15 mlangille@nelliscab.com

16 FOR WHITTLESEA BLUE/
17 HENDERSON TAXI and
18 VIRGIN VALLEY CAB

19 Mark Trafton, Esq.
20 Whittlesea/Henderson
21 1900 Industrial Road
22 Las Vegas, NV 89102
23 mark@bellunitedins.com

24 Cheryl D. Gibbons, General Manager
25 Whittlesea/Henderson/Virgin Valley
26 1910 Industrial Road
27 Las Vegas, NV 89102
28 cknapp@belltransportation.com

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FOR INDEPENDENT CAB:

Brent A. Carson, Esq.
Claudia Hoepfner
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bac@winnercarson.com

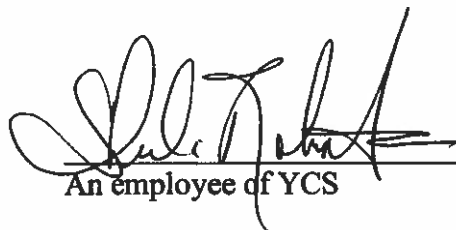
FOR TAXICAB AUTHORITY:

JD Decker, Interim Administrator
Nevada Taxicab Authority
2090 E. Flamingo Road, Ste 200
Las Vegas, NV 90119

David Rickert, Esq.
Nevada Taxicab Authority
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Las Vegas, NV 89119
drickert@taxi.state.nv.us

FOR THE STATE:

Asheesh Bhalla, Esq.
DEPUTY ATTORNEY GENERAL
555 E. Washington, Ste 3900
Las Vegas, NV 89101
abhalla@ag.nv.gov



An employee of YCS

EXHIBIT 2

1 Mark E. Trafton, Esq.
Nevada State Bar No. 6525
2 1900 Industrial Road
Las Vegas, Nevada 89102
3 (702) 385-1813

4 Attorney for Interveners,
HENDERSON TAXI and
5 WHITTLESEA BLUE CAB COMPANY

6
7 BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY

8 In the Matter of An Application for a Certificate of
Public Convenience and Necessity by Applicants, Brent Carson
9 and Claudia Maria Hoeppner (Independent Cab Company, LLC),
and Request for Thirty-five Taxicab Medallions
10

11
12 **INTERVENER HENDERSON TAXI'S RESPONSES**
13 **TO APPLICANT'S SUBPOENA FOR DOCUMENT PRODUCTION**

14 TO: INDEPENDENT CAB COMPANY, LLC

15 Henderson Taxi, by and through its counsel of record, MARK E. TRAFTON, ESQ., hereby
16 Responds to Applicant Independent Cab's Subpoena for Document Production as follows:

17 **REQUEST NO. 1:**

18 Any and all documents, exhibits or other tangible items you intend to offer into evidence at
19 the hearing on Independent Cab Company's Application for a Certificate of Public Convenience and
20 Necessity.

21 **RESPONSE TO REQUEST NO. 1:**

22 See all documents previously produced by Interveners Whittlesea Blue Cab Company and
23 Henderson Taxi in this matter. See also all documents previously produced by all other interveners
24 and all documents previously produced by Applicant Independent Cab in this matter.

25 **REQUEST NO. 2:**

26 Produce the Tax Returns for Henderson Taxi for the past two years: 2019 and 2020.

27 **RESPONSE TO REQUEST NO. 2:**

28 Objection, Henderson Taxi's Tax Returns have no relevance to the issues before the Taxicab

1 Authority nor are they likely to lead to the discovery of relevant information. Further, this
2 information is confidential and proprietary.

3 **REQUEST NO. 3:**

4 Produce Henderson Taxi's annual reports filed with the Nevada Taxicab Authority for the
5 years 2019 and 2020.

6 **RESPONSE TO REQUEST NO. 3:**

7 Objection, Henderson Taxi's annual reports have no relevance to the issues before the
8 Taxicab Authority nor are they likely to lead to the discovery of relevant information. Further, this
9 information is confidential and proprietary.

10 **REQUEST NO. 4:**

11 Produce any and all documents that support your contention that there is no need for any
12 additional taxicab medallions in Clark County.

13 **RESPONSE TO REQUEST NO. 4:**

14 Objection, under NRS 706.8827(d), it is Applicant's burden of proof to prove that "the
15 holders of existing certificates will not meet the needs of the territory for which the certificate is
16 sought if the certificate is not granted," not Intervener Henderson Taxi's duty to prove that there is
17 no need for any additional taxicab medallions in Clark County.

18 **REQUEST NO. 5:**

19 Produce any and all documents that support your contention that 35 additional medallions
20 will unreasonably and adversely affect your operations.

21 **RESPONSE TO REQUEST NO. 5:**

22 Objection, under NRS 706.8827(c), it is Applicant's burden of proof to prove that granting
23 it 35 additional medallions "will not unreasonably and adversely affect other carriers operating in
24 the territory for which the certificate is sought," not Intervener Henderson Taxi's duty to prove that
25 35 additional medallions will unreasonably and adversely affect its operations.

26 **REQUEST NO. 6:**

27 Produce any and all documents that support your contention that 35 additional medallions
28 will not benefit the traveling public.

RESPONSE TO REQUEST NO. 6:

Objection, under NRS 706.8827(e), it is Applicant's burden of proof to prove that granting it 35 additional medallions "will benefit the public and the taxicab business in the territory to be served," not Intervener Henderson Taxi's duty to prove that 35 additional medallions will not benefit the traveling public.

REQUEST NO. 7:

Produce any and all documents that Applicants are not fit to perform the services of a taxicab motor carrier.

RESPONSE TO REQUEST NO. 7:

Objection, under NRS 706.8827(a), it is Applicant's burden of proof to prove that it is "fit, willing and able to perform the services of a taxicab motor carrier," not Intervener Henderson Taxi's duty to prove that Applicant is not "fit, willing and able to perform the services of a taxicab motor carrier".

REQUEST NO. 8:

Produce any and all documents that Applicants are not willing to perform the services of a taxicab motor carrier.

RESPONSE TO REQUEST NO. 8:

Objection, under NRS 706.8827(a), it is Applicant's burden of proof to prove that it is "fit, willing and able to perform the services of a taxicab motor carrier," not Intervener Henderson Taxi's duty to prove that Applicant is not "fit, willing and able to perform the services of a taxicab motor carrier".

REQUEST NO. 9:

Produce any and all documents that Applicants are not able to perform the services of a taxicab motor carrier.


RESPONSE TO REQUEST NO. 9:

Objection, under NRS 706.8827(a), it is Applicant's burden of proof to prove that it is "fit, willing and able to perform the services of a taxicab motor carrier," not Intervener Henderson Taxi's

///

1 duty to prove that Applicant is not "fit, willing and able to perform the services of a taxicab motor
2 carrier".

3
4 Dated this 29 day of March, 2022.

5 
6 Mark E. Trafton, Esq.
7 Nevada State Bar No. 6525
8 1900 Industrial Road
9 Las Vegas, Nevada 89102
10 Attorney for Interveners,
11 HENDERSON TAXI and
12 WHITTLESEA BLUE CAB COMPANY
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1 **CERTIFICATE OF SERVICE BY MAIL**

2 I hereby certify that on the 29th day of March, 2022, I served via Regular U.S. mail, with
3 postage prepaid, and email, a true and correct copy of the foregoing "**INTERVENER**
4 **HENDERSON TAXI'S RESPONSES TO APPLICANT'S SUBPOENA FOR DOCUMENT**
5 **PRODUCTION**" to the following persons / entities:

6
7 Robert Winner, Esq.
Winner Law Ltd.
8 400 S. Fourth Street, 3rd Floor
Las Vegas, Nevada 89101
9 Phone 702-791-0308
raw@winnerlawltd.com

10 Jamie Pino
11 Nellis Cab Company
5490 Cameron St.
12 Las Vegas, Nevada 89119
Fax: 702-220-4000
13 jpino@nelliscab.net

14 Keith Gibson, Esq.
Yellow/Checker/Star Companies
15 5225 W. Post Road
Las Vegas, Nevada 89119
16 Phone: 702-873-8012
Fax: 702-365-7864
17 kgibson@taximanagement.vegas

Independent Cab Inc.
Attn: Claudia Hoeppner and Brent Carson
2383 Green Mountain Ct.
Las Vegas, Nevada 89135

Jason A. Awad, Esq.
Awad & Associates
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Jason@jasonawad.com

Brent A. Carson, Esq.
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Fax: 702-471-0110
bac@winnercarson.com

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21 Kathryn Collins
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EXHIBIT 3

1 Mark E. Trafton, Esq.
2 Nevada State Bar No. 6525
3 1900 Industrial Road
4 Las Vegas, Nevada 89102
5 (702) 385-1813

6 Attorney for Interveners,
7 HENDERSON TAXI and
8 WHITTLESEA BLUE CAB COMPANY

9 BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY

10 In the Matter of An Application for a Certificate of)
11 Public Convenience and Necessity by Applicants, Brent Carson)
12 and Claudia Maria Hoepfner (Independent Cab Company, LLC),)
13 and Request for Thirty-five Taxicab Medallions)

14 **INTERVENER WHITTLESEA BLUE CAB COMPANY'S RESPONSES**
15 **TO APPLICANT'S SUBPOENA FOR DOCUMENT PRODUCTION**

16 TO: INDEPENDENT CAB COMPANY, LLC

17 Whittlesea Blue Cab Company, by and through its counsel of record, MARK E. TRAFTON,
18 ESQ., hereby Responds to Applicant Independent Cab's Subpoena for Document Production as
19 follows:

20 **REQUEST NO. 1:**

21 Any and all documents, exhibits or other tangible items you intend to offer into evidence at
22 the hearing on Independent Cab Company's Application for a Certificate of Public Convenience and
23 Necessity.

24 **RESPONSE TO REQUEST NO. 1:**

25 See all documents previously produced by Interveners Whittlesea Blue Cab Company and
26 Henderson Taxi in this matter. See also all documents previously produced by all other interveners
27 and all documents previously produced by Applicant Independent Cab in this matter.

28 **REQUEST NO. 2:**

Produce the Tax Returns for Whittlesea Blue Cab Company for the past two years: 2019 and
2020.

1 **RESPONSE TO REQUEST NO. 2:**

2 Objection, Whittlesea Blue Cab Company's Tax Returns have no relevance to the issues
3 before the Taxicab Authority nor are they likely to lead to the discovery of relevant information.
4 Further, this information is confidential and proprietary.

5 **REQUEST NO. 3:**

6 Produce Whittlesea Blue Cab Company's annual reports filed with the Nevada Taxicab
7 Authority for the years 2019 and 2020.

8 **RESPONSE TO REQUEST NO. 3:**

9 Objection, Whittlesea Blue Cab Company's annual reports have no relevance to the issues
10 before the Taxicab Authority nor are they likely to lead to the discovery of relevant information.
11 Further, this information is confidential and proprietary.

12 **REQUEST NO. 4:**

13 Produce any and all documents that support your contention that there is no need for any
14 additional taxicab medallions in Clark County.

15 **RESPONSE TO REQUEST NO. 4:**

16 Objection, under NRS 706.8827(d), it is Applicant's burden of proof to prove that "the
17 holders of existing certificates will not meet the needs of the territory for which the certificate is
18 sought if the certificate is not granted," not Intervener Whittlesea Blue Cab Company's duty to prove
19 that there is no need for any additional taxicab medallions in Clark County.

20 **REQUEST NO. 5:**

21 Produce any and all documents that support your contention that 35 additional medallions
22 will unreasonably and adversely affect your operations.

23 **RESPONSE TO REQUEST NO. 5:**

24 Objection, under NRS 706.8827(c), it is Applicant's burden of proof to prove that granting
25 it 35 additional medallions "will not unreasonably and adversely affect other carriers operating in
26 the territory for which the certificate is sought," not Intervener Whittlesea Blue Cab Company's duty
27 to prove that 35 additional medallions will unreasonably and adversely affect its operations.

28 // // //

1 **REQUEST NO. 6:**

2 Produce any and all documents that support your contention that 35 additional medallions
3 will not benefit the traveling public.

4 **RESPONSE TO REQUEST NO. 6:**

5 Objection, under NRS 706.8827(e), it is Applicant's burden of proof to prove that granting
6 it 35 additional medallions "will benefit the public and the taxicab business in the territory to be
7 served," not Intervener Whittlesea Blue Cab Company's duty to prove that 35 additional medallions
8 will not benefit the traveling public.

9 **REQUEST NO. 7:**

10 Produce any and all documents that Applicants are not fit to perform the services of a taxicab
11 motor carrier.

12 **RESPONSE TO REQUEST NO. 7:**

13 Objection, under NRS 706.8827(a), it is Applicant's burden of proof to prove that it is "fit,
14 willing and able to perform the services of a taxicab motor carrier," not Intervener Whittlesea Blue
15 Cab Company's duty to prove that Applicant is not "fit, willing and able to perform the services of
16 a taxicab motor carrier".

17 **REQUEST NO. 8:**

18 Produce any and all documents that Applicants are not willing to perform the services of a
19 taxicab motor carrier.

20 **RESPONSE TO REQUEST NO. 8:**

21 Objection, under NRS 706.8827(a), it is Applicant's burden of proof to prove that it is "fit,
22 willing and able to perform the services of a taxicab motor carrier," not Intervener Whittlesea Blue
23 Cab Company's duty to prove that Applicant is not "fit, willing and able to perform the services of
24 a taxicab motor carrier".

25 **REQUEST NO. 9:**

26 Produce any and all documents that Applicants are not able to perform the services of a
27 taxicab motor carrier.

28 // // //

Objection, under NRS 706.8827(a), it is Applicant's burden of proof to prove that it is "fit, willing and able to perform the services of a taxicab motor carrier," not Intervener Whittlesea Blue Cab Company's duty to prove that Applicant is not "fit, willing and able to perform the services of a taxicab motor carrier".

Dated this 21 day of March, 2022.

- 4 -

1 **CERTIFICATE OF SERVICE BY MAIL**

2 I hereby certify that on the 29th day of March, 2022, I served via Regular U.S. mail, with
3 postage prepaid, and email, a true and correct copy of the foregoing "**INTERVENER**
4 **WHITTLESEA BLUE CAB COMPANY'S RESPONSES TO APPLICANT'S SUBPOENA**
5 **FOR DOCUMENT PRODUCTION**" to the following persons / entities:

6
7 Robert Winner, Esq.
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8 400 S. Fourth Street, 3rd Floor
Las Vegas, Nevada 89101
9 Phone 702-791-0308
raw@winnerlawltd.com

10 Jamie Pino
11 Nellis Cab Company
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12 Las Vegas, Nevada 89119
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13 jpino@nelliscab.net

14 Keith Gibson, Esq.
Yellow/Checker/Star Companies
15 5225 W. Post Road
Las Vegas, Nevada 89119
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Fax: 702-365-7864
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21 Kathryn Collins
Kathryn Collins
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EXHIBIT 4

1 Robert A. Winner, Esq.
Nevada Bar No. 5167
2 **ROBERT WINNER, LTD.**
400 S. Fourth Street, 3rd Floor
3 Las Vegas, Nevada 89101
raw@winnerlawltd.com
4 (702) 791-0308
Attorney for Desert Cab, Inc.
5

6 **BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY**

7 IN THE MATTER OF AN APPLICATION
8 FOR A CERTIFICATE OF PUBLIC
9 CONVENIENCE AND NECESSITY BY
10 APPLICANTS BRENT CARSON AND
CLAUDIA MARIA HOEPPNER
(INDEPENDENT CAB COMPANY, LLC),
AND REQUEST FOR THIRTY-FIVE
TAXICAB MEDALLIONS.

11
12 **DESERT CAB, INC.'S RESPONSES TO APPLICANT'S SUBPOENA FOR**
13 **DOCUMENT PRODUCTION**

14 COMES NOW, Intervenor, DESERT CAB, INC., by and through its attorney of record,
15 ROBERT A. WINNER, ESQ., of ROBERT WINNER, LTD., and hereby responds to Applicant,
16 INDEPENDENT CAB COMPANY, LLC'S Subpoena for Document Production as follows:

17 **REQUEST NO. 1:** Any and all documents, exhibits or other tangible items you intend to offer into
18 evidence at the hearing on Independent Cab Company's Application for a Certificate of Public
19 Convenience and Necessity.

20 **RESPONSE NO. 1:** Objection, this request seeks work product. Without waiving, see TA stats, 2 are
21 attached. Desert Cab reserves right to offer or rely on any documents produced by Desert Cab or any
22 other party participating in discovery. Discovery continues.

23 **REQUEST NO. 2:** Produce the Tax Returns for Desert Cab Company for the past two years: 2019
24 and 2020.

25 **RESPONSE NO. 2:** Objection. Requested documents are confidential and proprietary. Further, the
26 requests aren't reasonably calculated to lead to the discovery of admissible evidence.

27 **REQUEST NO. 3:** Produce Desert Cab Company's annual reports filed with the Nevada Taxicab
28 Authority for the years 2019 and 2020.

1 **RESPONSE NO. 3:** Objection. Requested documents are confidential and proprietary. Further, the
2 requests aren't reasonably calculated to lead to the discovery of admissible evidence.

3 **REQUEST NO. 4:** Produce any and all documents that support your contention that there is no need
4 for any additional taxicab medallion in Clark County.

5 **RESPONSE NO. 4:** Objection, this request seeks work product. Without waiving, see TA stats, 2 are
6 attached. Desert Cab reserves right to offer or rely on any documents produced by Desert Cab or any
7 other party participating in discovery. Discovery continues.

8 **REQUEST NO. 5:** Produce any and all documents that support your contention that 35 additional
9 medallions will unreasonably and adversely affect your operations.

10 **RESPONSE NO. 5:** Objection, this request seeks work product. Without waiving, see TA stats, 2 are
11 attached. Desert Cab reserves right to offer or rely on any documents produced by Desert Cab or any
12 other party participating in discovery. Discovery continues.

13 **REQUEST NO. 6:** Produce any and all documents that support your contentions that 35 additional
14 medallions will not benefit the traveling public.

15 **RESPONSE NO. 6:** Objection, this request seeks work product. Without waiving, see TA stats, 2 are
16 attached. Desert Cab reserves right to offer or rely on any documents produced by Desert Cab or any
17 other party participating in discovery. Discovery continues.

18 **REQUEST NO. 7:** Produce any and all documents that Applicants are not fit to perform the services
19 of a taxicab motor carrier.

20 **RESPONSE NO. 7:** Objection, this request seeks work product. Without waiving, see TA stats, 2 are
21 attached. Desert Cab reserves right to offer or rely on any documents produced by Desert Cab or any
22 other party participating in discovery. Discovery continues.

23 **REQUEST NO. 8:** Produce any and all documents that Applicants are not willing to perform the
24 services of a taxicab motor carrier.

25 **RESPONSE NO. 8:** Objection, this request seeks work product. Without waiving, see TA stats, 2 are
26 attached. Desert Cab reserves right to offer or rely on any documents produced by Desert Cab or any
27 other party participating in discovery. Discovery continues.

28 **REQUEST NO. 9:** Produce any and all documents that Applicants are not able to perform the services

1 of a taxicab motor carrier.

2 **RESPONSE NO. 9:** Objection, this request seeks work product. Without waiving, see TA stats, 2 are
3 attached. Desert Cab reserves right to offer or rely on any documents produced by Desert Cab or any
4 other party participating in discovery. Discovery continues.

5 DATED this 4th day of April, 2022.

6 **ROBERT WINNER, LTD.**

7
8 */s/Robert A. Winner*

9 _____
10 ROBERT A. WINNER
11 Nevada Bar No. 5167
12 400 S. Fourth Street, 3rd Floor
13 Las Vegas, Nevada 89101
14 *Attorney for Desert Cab, Inc.*
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CERTIFICATE OF SERVICE BY EMAIL

The foregoing INTERVENOR, DESERT CAB, INC.'S RESPONSES TO APPLICANT'S
SUBPOENA FOR DOCUMENT PRODUCTION was served by email on this 4th day of April,
2022, to the following:

George Balaban
DESERT CAB COMPANY
4675 Wynn Road
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gtbalaban@aol.com

Jason A. Awad, Esq.
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Jason@jasonawad.com

Jamie Pino
NELLIS CAB COMPANY
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nelliscab@aol.com

Keith Gibson, Esq.
YELLOW/CHECKER/STAR COMPANIES
5225 W. Post Road
Las Vegas, Nevada 89118
kgibson@taximanagement.vegas

Brent A. Carson, Esq.
Attorney Brent Carson, LLC
7935 W. Sahara Ave. #101
Las Vegas, Nevada 89117
bac@winnercarson.com

Independent Cab Inc.
ATTN: Claudia Hoepfner & Brent Carson
2383 Green Mountain Court
Las Vegas, Nevada 89135
(served via U.S. Mail)

Mark Trafton, Esq.
WHITTLESEA BLUE/HENDERSON TAXI
1910 Industrial Road
Las Vegas, NV 89102
mark@belltransportation.com

/s/Dawn Stanfill

Dawn Stanfill, Paralegal
ROBERT WINNER, LTD.

NEVADA TAXICAB AUTHORITY MEDALLIONS BY COMPANY FEBRUARY 2022

Company	Σ Medallions
A-CAB	145
DELUXE	136
DESERT	229
FRIAS	12
HENDERSON	225
LUCKY	184
NELLIS	224
VIRGIN VALLEY	132
WESTERN	228
WHITTLESEA	286
YCS CHECKER	295
YCS NEW CAB 1	221
YCS NEW CAB 2	236
YCS NEW CAB 3	238
YCS NEW CAB 4	221
YCS STAR	223
YCS YELLOW	295
TOTAL	3,530

Previous medallion counts presented in the Nevada Taxicab Authority monthly statistics were based on an equivalency algorithm, which converted time restricted medallion totals into a quotient that was proportionally (i.e. mathematically) equivalent to that of medallions that could operate in Clark County 24 hours per day. The algorithm provided an easily understandable statistical mechanism which facilitated the comparison of seemingly disparate, incongruent, and/or dissimilar data points. The current medallion counts are based solely on the number of physical medallion plates issued to each Clark County certificated taxicab company.

[illegible]

NEVADA TAXICAB INDUSTRY BLOWN SHIFTS BY MEDALLION TYPE

COMPANY	24/7	Geo Rest	GEO 2	Time 12p - 2a	Time Thu 2p - Mon 2p	TOTALS	24/7%	GEO%	GEO 2%	TIME%	Shifts Reported	Shifts Available	% BLOWN
A-CAB	0	192	0	0	0	192	0.00%	100.00%	0.00%	0.00%	3,448	3,640	5.27%
ANLV	28	226	0	0	31	285	9.82%	79.30%	0.00%	10.88%	7,403	7,688	3.71%
ACE	23	140	0	1	39	203	11.33%	68.97%	0.00%	19.70%	9,244	9,447	2.15%
CHECKER	407	537	0	112	0	1,056	38.54%	50.85%	0.00%	10.61%	11,397	12,453	8.48%
DELUXE	22	0	0	0	0	22	100.00%	0.00%	0.00%	0.00%	2,114	2,136	1.03%
DESERT	448	222	0	179	0	849	52.77%	26.15%	0.00%	21.08%	7,332	8,425	10.08%
DESERT (LAUGHLIN)	40	0	0	0	0	40	100.00%	0.00%	0.00%	0.00%	204	See Above	0.47%
HENDERSON	63	433	0	0	33	529	11.91%	81.85%	0.00%	6.24%	7,579	8,108	6.52%
LUCKY	180	98	0	4	17	299	60.20%	32.78%	0.00%	7.02%	5,230	5,881	5.08%
LUCKY (LAUGHLIN)	169	0	0	0	0	169	100.00%	0.00%	0.00%	0.00%	183	See Above	2.87%
NELLIS	418	293	0	15	34	760	55.00%	38.55%	0.00%	6.45%	7,276	8,036	9.46%
STAR	214	539	0	92	0	845	25.33%	63.79%	0.00%	10.89%	7,487	8,332	10.14%
UNION	49	186	0	1	39	275	17.82%	67.64%	0.00%	14.55%	8,485	8,760	3.14%
VEGAS WESTERN	56	168	0	0	27	251	22.31%	66.93%	0.00%	10.76%	7,474	7,725	3.25%
VIRGIN VALLEY	17	0	0	0	51	68	25.00%	0.00%	0.00%	75.00%	2,796	2,864	2.37%
WESTERN	1	13	0	0	1	15	6.67%	86.67%	0.00%	6.67%	8,257	8,272	0.18%
WHITESEA	102	449	0	8	28	587	17.38%	76.49%	0.00%	6.13%	11,275	11,862	4.95%
YELLOW	426	555	0	92	0	1,073	39.70%	51.72%	0.00%	8.57%	11,628	12,701	8.45%
TOTALS	2,663	4,051	0	504	300	7,518	35.42%	53.88%	0.00%	8.99%	118,812	126,330	5.95%

*= Shifts Reported + Shifts Blown

DECEMBER 2014

EXHIBIT 5

1 **RYAN J. AWAD, ESQ.**
2 Nevada Bar No. 14822
3 **JASON A. AWAD & ASSOCIATES**
4 10801 W. Charleston Blvd, Suite 575
5 Las Vegas, Nevada 89145
6 ryan@jasonawad.com
7 *Attorney for Lucky Cab Company and Western Cab Company*

8 **BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY**

9 In the matter of an Application for a certificate
10 of Public Convenience and Necessity by
11 Applicants, Brent A. Carson and Claudia Maria
12 Hoepfner (Independent Cab Company, LLC),
13 and Request for Thirty-Five Taxicab Medallions

14 **WESTERN CAB COMPANY'S RESPONSES TO APPLICANT'S SUBPOENA FOR**
15 **DOCUMENT PRODUCTION**

16 COMES NOW, Intervenor, WESTERN CAB COMPANY, by and through their attorney,
17 Ryan Awad, Esq. of Jason A. Awad & Associates, responds to Applicant INDEPENDENT CAB
18 COMPANY, LLC's Subpoena to Produce Documents as follows:

19 **REQUEST NO. 1:**

20 Any and all documents, exhibits or other tangible items you intend to offer into evidence
21 at the hearing on Independent Cab Company's Application for a Certificate of Public Convenience
22 and Necessity.

23 **RESPONSE TO REQUEST NO. 1:**

24 Please see all documents previously produced by all other interveners and all documents
25 previously produced by the Applicant Independent Cab in this matter. Western Cab reserves the
26 right to utilize any documents disclosed by any party.

27 //

1 **REQUEST NO. 2:**

2 Produce the Tax Returns for Western cab for the past two years: 2019 and 2020.

3 **RESPONSE TO REQUEST NO. 2:**

4 Objection: Western Cab Company's tax returns have no relevance to the issues before the
5 Taxicab Authority and are not likely to lead to the discovery of relevant information nor admissible
6 evidence. Furthermore, Western Cab Company's tax return information is confidential and
7 proprietary.
8

9 **REQUEST NO. 3:**

10 Produce Western cab's annual reports filed with the Nevada Taxicab Authority for the
11 years 2019 and 2020.
12

13 **RESPONSE TO REQUEST NO. 3:**

14 Objection: Western cab Company's annual reports have no relevance to the issues before
15 the Taxicab Authority and are not likely to lead the discovery of relevant information nor
16 admissible evidence. Furthermore, Western Cab Company's annual report information is
17 confidential and proprietary.
18

19 **REQUEST NO. 4:**

20 Produce any and all documents that support your contention that there is no need for any
21 additional taxicab medallions in Clark County.
22

23 **RESPONSE TO REQUEST NO. 4:**

24 Objection: Pursuant to NRS 706.8827(2)(d) and (3), Applicant bears the burden of proving
25 that "the existing certificate holders will not meet the needs of the territory for which the certificate
26 sought if the certificate is not granted." Intervenor Western Cab does not bear the burden of
27 proving that there is no need for any additional taxicab medallions in Clark County.
28

1 **REQUEST NO. 5:**

2 Produce any and all documents that support your contention that 35 additional medallions
3 will unreasonably and adversely affect your operations.
4

5 **RESPONSE TO REQUEST NO. 5:**

6 Objection: Pursuant to NRS 706.8827(2)(c) and (3), Applicant bears the burden of proving
7 that the granting of 35 additional medallions "will not unreasonably and adversely affect other
8 carriers operating in the territory for which the certificate is sought." Intervenor Western Cab does
9 not bear the burden of proving that the additional 35 medallions will unreasonably and adversely
10 affect its operations.
11

12 **REQUEST NO. 6:**

13 Produce any and all documents that support your contention that 35 additional medallions
14 will not benefit the traveling public.
15

16 **RESPONSE TO REQUEST NO. 6:**

17 Objection: Pursuant to NRS 706.8827(2)(e) and (3), Applicant bears the burden of proving
18 that the 35 additional medallions "will benefit the public and the taxicab business in the territory
19 to be served." Intervenor Western Cab does not bear the burden of proving that the additional 35
20 medallions will not benefit the traveling public.
21

22 **REQUEST NO. 7:**

23 Produce any and all documents that Applicants are not fit to perform the services of a
24 taxicab motor carrier.
25

26 **RESPONSE TO REQUEST NO. 7:**

27 Objection: Pursuant to NRS 706.8827(2)(a) and (3), Applicant bears the burden to prove
28 that Applicant is "fit, willing and able to perform the services of a taxicab motor carrier."

1 Intervenor Western Cab does not bear the burden of proving that Applicants are not fit to perform
2 the services of a taxicab motor carrier.

3 **REQUEST NO. 8:**

4
5 Produce any and all documents that Applicants are not willing to perform the services of a
6 taxicab motor carrier.

7 **RESPONSE TO REQUEST NO. 8:**

8 Objection: Pursuant to NRS 706.8827(2)(a) and (3), Applicant bears the burden to prove
9 that Applicant is "fit, willing and able to perform the services of a taxicab motor carrier."
10 Intervenor Western Cab does not bear the burden of proving that the Applicants are not willing to
11 perform the services of a taxicab motor carrier.
12

13 **REQUEST NO. 9:**

14 Produce any and all documents that Applicants are not able to perform the services of a
15 taxicab motor carrier.

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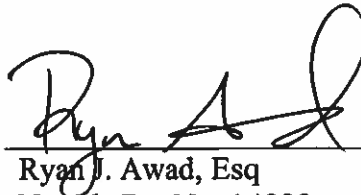
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28 ///

1 **RESPONSE TO REQUEST NO. 9:**

2 Objection: Pursuant to NRS 706.8827(2)(a) and (3), Applicant bears the burden to prove
3 that Applicant is "fit, willing and able to perform the services of a taxicab motor carrier."
4
5 Intervenor Western Cab does not bear the burden of proving that the Applicants are not able to
6 perform the services of a taxicab motor carrier.

7
8 Dated this 4th day of April, 2022,
9

10
11
12 

13 Ryan J. Awad, Esq
14 Nevada Bar No. 14822
15 10801 W. Charleston Blvd. Suite 575
16 Las Vegas, NV 89135
17 *Attorney for Lucky Cab Company and*
18 *Western Cab Company*
19
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21
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28

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document: WESTERN CAB COMPANY'S RESPONSES TO APPLICANT'S SUBPOENA FOR DOCUMENT PRODUCTION upon all parties of record in this proceeding by mailing a copy thereof, properly addressed, with postage paid, to the below listed.

Dated at Las Vegas, NV, this 5th day of April 2022.

FOR A-CAB:

Creighton J. Nady, Owner
A Cab, LLC
1500 Searles Ave.
Las Vegas, NV 89101

Esther C. Rodriguez, Esq.
Rodriguez Law Offices, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

FOR DESERT CAB:

George Balaban
Desert Cab Co.
4675 Wynn Road
Las Vegas, NV 89103

Robert Winner, Esq.
ROBERT WINNER, LTD
400 S. 4TH Street, 3rd Floor
Las Vegas, NV 89101

FOR WHITTLESEA BLUE/HENDERSON TAXI:

Cheryl D. Gibbons, General Manager
WHITTLESEA BLUE/HENDERSON TAXI
And VIRGIN VALLEY CAB
1910 Industrial Road
Las Vegas, NV 89102

Mark E. Trafton, Esq.
WHITTLESEA BLUE/HENDERSON TAXI
1910 Industrial Road
Las Vegas, NV 89102

FOR INDEPENDENT CAB INC.:

1 Independent Cab Co.
2 Attn: Claudia Hoepfner and Brent Carson
3 2383 Green Mountain Ct.
4 Las Vegas, NV 89135

5 Brent A. Carson, Esq.
6 Attorney Brent Carson LLC
7 7935 W. Sahara Avenue, #101
8 Las Vegas, NV 89117

9 FOR YCS CORPS:

10 YELLOW CHECKER & STAR CAB CORP.
11 Attn: Keith Gibson, Gen. Counsel
12 5225 W. Post Road
13 Las Vegas, NV 89118

14 FOR NELLIS CAB:

15 Jamie Pino
16 Nellis Cab Company
17 5490 Cameron St.
18 Las Vegas, NV 89119

19 FOR THE STATE:

20 Asheesh Bhalla, Esq.
21 Deputy Attorney General
22 555 E. Washington Ave., Suite 3900
23 Las Vegas, NV 89101

24 JD DECKER, Interim Administrator
25 Nevada Taxicab Authority
26 2090 E. Flamingo Road, Suite 200
27 Las Vegas, NV 89119

28 David Ricker, Esq.
NEVADA TAXICAB AUTHORITY
2090 E. Flamingo Road, Suite 200
Las Vegas, NV 89119



An Employee of Lucky Cab Company

EXHIBIT 6

1 **RYAN J. AWAD, ESQ.**

Nevada Bar No. 14822

2 **JASON A. AWAD & ASSOCIATES**

3 10801 W. Charleston Blvd, Suite 575

Las Vegas, Nevada 89145

4 ryan@jasonawad.com

5 *Attorney for Lucky Cab Company and Western Cab Company*

6 **BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY**

7 In the matter of an Application for a certificate
8 of Public Convenience and Necessity by
9 Applicants, Brent A. Carson and Claudia Maria
10 Hoepfner (Independent Cab Company, LLC),
and Request for Thirty-Five Taxicab Medallions

11 **LUCKY CAB COMPANY'S RESPONSES TO APPLICANT'S SUBPOENA FOR**
12 **DOCUMENT PRODUCTION**

13 COMES NOW, Intervenor, LUCKY CAB COMPANY, by and through their attorney,
14 Ryan Awad, Esq. of Jason A. Awad & Associates, responds to Applicant INDEPENDENT CAB
15 COMPANY, LLC's Subpoena to Produce Documents as follows:
16

17 **REQUEST NO. 1:**

18 Any and all documents, exhibits or other tangible items you intend to offer into evidence
19 at the hearing on Independent Cab Company's Application for a Certificate of Public Convenience
20 and Necessity.
21

22 **RESPONSE TO REQUEST NO. 1:**

23 Please see all documents previously produced by all other interveners and all documents
24 previously produced by the Applicant Independent Cab in this matter. Lucky Cab reserves the right
25 to utilize any documents disclosed by any party.
26

27 ///

1 **REQUEST NO. 2:**

2 Produce the Tax Returns for Lucky Cab for the past two years: 2019 and 2020.

3 **RESPONSE TO REQUEST NO. 2:**

4 Objection: Lucky Cab Company's tax returns have no relevance to the issues before the
5 Taxicab Authority and are not likely to lead to the discovery of relevant information nor admissible
6 evidence. Furthermore, Lucky Cab Company's tax return information is confidential and
7 proprietary.
8

9 **REQUEST NO. 3:**

10 Produce Lucky Cab's annual reports filed with the Nevada Taxicab Authority for the years
11 2019 and 2020.
12

13 **RESPONSE TO REQUEST NO. 3:**

14 Objection: Lucky Cab Company's annual reports have no relevance to the issues before
15 the Taxicab Authority and are not likely to lead the discovery of relevant information nor
16 admissible evidence. Furthermore, Lucky Cab Company's annual report information is
17 confidential and proprietary.
18

19 **REQUEST NO. 4:**

20 Produce any and all documents that support your contention that there is no need for any
21 additional taxicab medallions in Clark County.
22

23 **RESPONSE TO REQUEST NO. 4:**

24 Objection: Pursuant to NRS 706.8827(2)(d) and (3), Applicant bears the burden of proving
25 that "the existing certificate holders will not meet the needs of the territory for which the certificate
26 sought if the certificate is not granted." Intervenor Lucky Cab does not bear the burden of proving
27 that there is no need for any additional taxicab medallions in Clark County.
28

1 **REQUEST NO. 5:**

2 Produce any and all documents that support your contention that 35 additional medallions
3 will unreasonably and adversely affect your operations.
4

5 **RESPONSE TO REQUEST NO. 5:**

6 Objection: Pursuant to NRS 706.8827(2)(c) and (3), Applicant bears the burden of proving
7 that the granting of 35 additional medallions “will not unreasonably and adversely affect other
8 carriers operating in the territory for which the certificate is sought.” Intervenor Lucky Cab does
9 not bear the burden of proving that the additional 35 medallions will unreasonably and adversely
10 affect its operations.
11

12 **REQUEST NO. 6:**

13 Produce any and all documents that support your contention that 35 additional medallions
14 will not benefit the traveling public.
15

16 **RESPONSE TO REQUEST NO. 6:**

17 Objection: Pursuant to NRS 706.8827(2)(e) and (3), Applicant bears the burden of proving
18 that the 35 additional medallions “will benefit the public and the taxicab business in the territory
19 to be served.” Intervenor Lucky Cab does not bear the burden of proving that the additional 35
20 medallions will not benefit the traveling public.
21

22 **REQUEST NO. 7:**

23 Produce any and all documents that Applicants are not fit to perform the services of a
24 taxicab motor carrier.
25

26 **RESPONSE TO REQUEST NO. 7:**

27 Objection: Pursuant to NRS 706.8827(2)(a) and (3), Applicant bears the burden to prove
28 that Applicant is “fit, willing and able to perform the services of a taxicab motor carrier.”

1 Intervenor Lucky Cab does not bear the burden of proving that Applicants are not fit to perform
2 the services of a taxicab motor carrier.

3 **REQUEST NO. 8:**

4 Produce any and all documents that Applicants are not willing to perform the services of a
5 taxicab motor carrier.
6

7 **RESPONSE TO REQUEST NO. 8:**

8 Objection: Pursuant to NRS 706.8827(2)(a) and (3), Applicant bears the burden to prove
9 that Applicant is "fit, willing and able to perform the services of a taxicab motor carrier."
10 Intervenor Lucky Cab does not bear the burden of proving that the Applicants are not willing to
11 perform the services of a taxicab motor carrier.
12

13 **REQUEST NO. 9:**

14 Produce any and all documents that Applicants are not able to perform the services of a
15 taxicab motor carrier.
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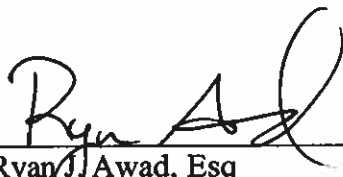
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28 ///

1 **RESPONSE TO REQUEST NO. 9:**

2 Objection: Pursuant to NRS 706.8827(2)(a) and (3), Applicant bears the burden to prove
3 that Applicant is "fit, willing and able to perform the services of a taxicab motor carrier."
4
5 Intervenor Lucky Cab does not bear the burden of proving that the Applicants are not able to
6 perform the services of a taxicab motor carrier.

7
8 Dated this 4th day of April, 2022,
9

10
11 
12 _____
13 Ryan J. Awad, Esq
14 Nevada Bar No. 14822
15 10801 W. Charleston Blvd. Suite 575
16 Las Vegas, NV 89135
17 *Attorney for Lucky Cab Company and*
18 *Western Cab Company*
19
20
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28

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document: LUCKY CAB COMPANY'S RESPONSES TO APPLICANT'S SUBPOENA FOR DOCUMENT PRODUCTION upon all parties of record in this proceeding by mailing a copy thereof, properly addressed, with postage paid, to the below listed.

Dated at Las Vegas, NV, this 5th day of April 2022.

FOR A-CAB:

Creighton J. Nady, Owner
A Cab, LLC
1500 Searles Ave.
Las Vegas, NV 89101

Esther C. Rodriguez, Esq.
Rodriguez Law Offices, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

FOR DESERT CAB:

George Balaban
Desert Cab Co.
4675 Wynn Road
Las Vegas, NV 89103

Robert Winner, Esq.
ROBERT WINNER, LTD
400 S. 4TH Street, 3rd Floor
Las Vegas, NV 89101

FOR WHITTLESEA BLUE/HENDERSON TAXI:

Cheryl D. Gibbons, General Manager
WHITTLESEA BLUE/HENDERSON TAXI
And VIRGIN VALLEY CAB
1910 Industrial Road
Las Vegas, NV 89102

Mark E. Trafton, Esq.
WHITTLESEA BLUE/HENDERSON TAXI
1910 Industrial Road
Las Vegas, NV 89102

FOR INDEPENDENT CAB INC.:

1 Independent Cab Co.
2 Attn: Claudia Hoeppner and Brent Carson
3 2383 Green Mountain Ct.
4 Las Vegas, NV 89135

5 Brent A. Carson, Esq.
6 Attorney Brent Carson LLC
7 7935 W. Sahara Avenue, #101
8 Las Vegas, NV 89117

9 FOR YCS CORPS:

10 YELLOW CHECKER & STAR CAB CORP.
11 Attn: Keith Gibson, Gen. Counsel
12 5225 W. Post Road
13 Las Vegas, NV 89118

14 FOR NELLIS CAB:

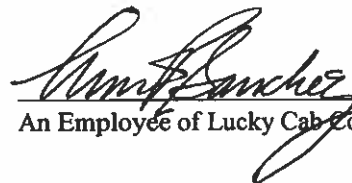
15 Jamie Pino
16 Nellis Cab Company
17 5490 Cameron St.
18 Las Vegas, NV 89119

19 FOR THE STATE:

20 Asheesh Bhalla, Esq.
21 Deputy Attorney General
22 555 E. Washington Ave., Suite 3900
23 Las Vegas, NV 89101

24 JD DECKER, Interim Administrator
25 Nevada Taxicab Authority
26 2090 E. Flamingo Road, Suite 200
27 Las Vegas, NV 89119

28 David Ricker, Esq.
NEVADA TAXICAB AUTHORITY
2090 E. Flamingo Road, Suite 200
Las Vegas, NV 89119


An Employee of Lucky Cab Company

PREVIOUS PLEADINGS REGARDING THIS MATTER

Order Regarding Independent Cab's Application for Eight (8) Subpoenas, and/or the Subpoenas that Issued Pursuant to that Order, and Request for Thirty-Five (35) Taxicab Medallions, filed March 21, 2022

1 **BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY**

2 **IN THE MATTER OF:**

3 Applicants' Petition for Appeal Pursuant to
4 NAC 706.975 from the Order Denying
5 Independent Cab, LLC's Eight Applications
6 Seeking Subpoenas to Produce Documents
7 Pursuant to NAC 706.936, regarding an
8 application for a certificate of public
9 convenience and necessity by applicants
10 Brent Carson and Claudia Hoeppner
11 (Independent Cab Company, LLC), and
12 request for thirty-five taxicab medallions.

13 **FINDINGS OF FACT, CONCLUSIONS**
14 **OF LAW AND ORDER**

15 At a hearing of the STATE OF NEVADA TAXICAB AUTHORITY ("Taxicab Authority"),
16 held at the Nevada State Business Center, 3300 W. Sahara Avenue, Suite 400, Las Vegas,
17 NV 89102.

18 **PRESENT:** Dan R. Reaser, Chair
19 Cindy Rodriguez, Member
20 Don Soderberg, Member
21 J.D. Decker, Member & Interim Administrator
22 Asheesh Bhalla, Deputy Attorney General

23 The Taxicab Authority makes the following Findings of Fact, Conclusions of Law, and
24 Order.

25 **FINDINGS OF FACT**

26 1. On December 18, 2019, an application ("Application") for a new certificate of
27 public convenience and necessity ("CPCN"), along with a request for thirty-five taxicab
28 medallions, was received by the Taxicab Authority.

 2. The Applicants are Brent Carson, Esq. and Claudia Hoeppner, as the principals
 of Independent Cab Company, LLC.

1 3. A series of prehearing conferences have been scheduled and held, and
2 discovery has been conducted, but an application hearing before the Taxicab Authority has
3 not yet occurred in this matter.

4 4. On January 18, 2022, applicant Independent Cab, LLC filed eight (8)
5 applications at the office of the Taxicab Authority, requesting the approval of eight separate
6 subpoenas for documents to be issued to various interveners in the matter.

7 5. The eight (8) applications were entitled:
8

- 9 a. "Applicant, Independent Cab Company's Application Pursuant to NAC 706.936
10 for the Taxicab Authority to Approve the Issuance of the Attached Subpoena to
11 Produce Documents to Yellow Cab Company."
12 b. "Applicant, Independent Cab Company's Application Pursuant to NAC 706.936
13 for the Taxicab Authority to Approve the Issuance of the Attached Subpoena to
14 Produce Documents to Checker Cab Company."
15 c. "Applicant, Independent Cab Company's Application Pursuant to NAC 706.936
16 for the Taxicab Authority to Approve the Issuance of the Attached Subpoena to
17 Produce Documents to Star Cab Company."
18 d. "Applicant, Independent Cab Company's Application Pursuant to NAC 706.936
19 for the Taxicab Authority to Approve the Issuance of the Attached Subpoena to
20 Produce Documents to Lucky Cab."
21 e. "Applicant, Independent Cab Company's Application Pursuant to NAC 706.936
22 for the Taxicab Authority to Approve the Issuance of the Attached Subpoena to
23 Produce Documents to Western Cab."
24
25
26
27

1 f. "Applicant, Independent Cab Company's Application Pursuant to NAC 706.936
2 for the Taxicab Authority to Approve the Issuance of the Attached Subpoena to
3 Produce Documents to Whittlesea Blue Cab."

4 g. "Applicant, Independent Cab Company's Application Pursuant to NAC 706.936
5 for the Taxicab Authority to Approve the Issuance of the Attached Subpoena to
6 Produce Documents to Henderson Taxi."

7 h. "Applicant, Independent Cab Company's Application Pursuant to NAC 706.936
8 for the Taxicab Authority to Approve the Issuance of the Attached Subpoena to
9 Produce Documents to Desert Cab Company."

10
11 6. On January 19, 2022, the Chair of the Taxicab Authority signed an order
12 denying all eight (8) of these applications by Independent Cab, LLC.

13 7. The Chair's order stated that "[t]hese eight (8) applications have been improperly
14 submitted substantially after the discovery cut-off date (November 22, 2021), and there is an
15 absence of evidence in all of these applications of good cause for reopening discovery for
16 these purposes. After review and consideration, all eight (8) applications by Independent Cab
17 are hereby DENIED."

18
19 8. On February 11, 2022, applicant Independent Cab, LLC filed at the office of the
20 Taxicab Authority its "Applicants' Petition for Appeal Pursuant to NAC 706.975 from the Order
21 Denying Independent Cab, LLC's Eight (8) Applications Seeking Subpoenas to Produce
22 Documents Pursuant to NAC 706.936."

23 9. In its petition for appeal, Independent Cab argued (among other issues) that
24 November 22, 2021 (the date cited in the Chair's order) was not an actual discovery cut-off
25 date in this matter, and it was "clearly erroneous" to consider it as such.
26
27
28

1 10. In its petition for appeal, Independent Cab requested "that the Authority grant
2 this Appeal and allow the Application for Subpoenas to be issued by the Administrator."

3 11. On or about March 3, 2022, a Notice and Agenda for March 16, 2022 were
4 issued and posted. The Taxicab Authority's Agenda included an item 5- "Applicants' Petition
5 for Appeal Pursuant to NAC 706.975 from the Order Denying Independent Cab, LLC's Eight
6 Applications Seeking Subpoenas to Produce Documents Pursuant to NAC 706.936, regarding
7 an application for a certificate of public convenience and necessity' by applicants Brent
8 Carson and Claudia Hoeppner (Independent Cab Company, LLC), and request for thirty-five
9 taxicab medallions," noted for discussion and possible action.
10

11 12. On March 9, 2022, Desert Cab, Inc. d/b/a Desert Cab Company (an approved
12 intervener in the underlying application matter) filed a "Petition to Intervene" regarding item 5.

13 13. On March 16, 2022, a public meeting of the Taxicab Authority was held in
14 compliance with the provisions of the Nevada Open Meeting Law, the Nevada Administrative
15 Procedure Act, Chapter 706 of the Nevada Revised Statutes ("NRS") and the Nevada
16 Administrative Code ("NAC"), at which time the intervener appeared (through counsel) and its
17 petition to intervene was granted.
18

19 14. At that meeting, the Taxicab Authority considered agenda item 5- "Applicants'
20 Petition for Appeal Pursuant to NAC 706.975 from the Order Denying Independent Cab, LLC's
21 Eight Applications Seeking Subpoenas to Produce Documents Pursuant to NAC 706.936,
22 regarding an application for a certificate of public convenience and necessity' by applicants
23 Brent Carson and Claudia Hoeppner (Independent Cab Company, LLC), and request for
24 thirty-five taxicab medallions."
25

26 15. Arguments and statements regarding this appeal were made to the Authority by
27 Brent Carson, Esq., legal counsel on behalf of appellant/petitioner/applicant Independent Cab,
28

1 LLC, and by Robert Winner, Esq. legal counsel on behalf of intervener Desert Cab, Inc. d/b/a
2 Desert Cab Company.

3 16. Legal counsel for each of the Independent Cab and Desert Cab Company
4 agreed that they interpreted the order of the hearing officer entered September 7, 2021, to set
5 a deadline for completion of discovery by November 22, 2021, but that in a subsequent
6 proceeding the hearing officer had orally indicated that was not the intent of the order and
7 permitted further discovery by the intervenors. Both legal counsel concurred that under these
8 circumstances there was a risk of disparate treatment as to discovery rights among the
9 parties.
10

11 17. After discussion and deliberation, all four members of the Taxicab Authority at
12 the March 16, 2022 meeting, having fully considered the law and being fully advised in the
13 premises, voted unanimously in favor of granting Independent Cab, LLC's petition to appeal.
14 Independent Cab's eight (8) applications for subpoenas for documents, previously denied, are
15 all approved, and the eight (8) subpoenas may be served upon the intended interveners.
16

17 18. As voted unanimously by the Taxicab Authority, each intervener in the
18 underlying application matter will have ten (10) days from the date of service of the subpoena
19 to file an objection to the subpoena's scope, or to move to quash or modify the subpoena.
20

21 19. As voted unanimously by the Taxicab Authority, Independent Cab, LLC will have
22 ten (10) days from the date of service upon it of each intervener's objection, motion to modify
23 and/or motion to quash in order to file any response or reply.

24 20. No objection of any kind was made by Independent Cab, LLC or the intervener
25 to the Authority's actions in granting the petition to appeal, or in setting the schedule listed
26 above.
27
28

21. The Taxicab Authority retains jurisdiction at this time to hear and decide on any objection, appeal, motion to quash or motion to modify regarding these eight (8) subpoenas.

22. If any of the foregoing findings of fact is more appropriately construed as a conclusion of law, it may be so construed.

CONCLUSIONS OF LAW

The Taxicab Authority finds that the Findings of Fact, as well as the argument and statements presented, support the following Conclusions of Law by a preponderance of the evidence:

1. The Taxicab Authority is duly constituted and is mandated by NRS 706.8819(1)(b) to conduct hearings and make final decisions regarding applications for certificates of public convenience and necessity to operate a taxicab service.

2. NAC 706.876 through NAC 706.990 "[g]overn all practice and procedure before the Taxicab Authority and the Administrator unless otherwise directed by the Authority or Administrator," but these practice rules "[m]ust be liberally construed to secure just, speedy and economical determination of all issues presented to the Authority." NAC 706.876(1).

3. The Taxicab Authority may issue subpoenas pursuant to NAC 706.936, and may hear appeals of a previous ruling pursuant to NAC 706.975.

4. Appellant/petitioner/applicant Independent Cab, LLC's appeal regarding these eight (8) subpoenas was timely filed, and appropriately served.

5. There is good cause to grant in full the appellant/petitioner/applicant Independent Cab, LLC's petition to appeal regarding these eight (8) subpoenas in an appropriate exercise of the Authority's appellate discretion and with the agreement of both Independent Cab, LLC and the participating intervener.

6. The March 16, 2022 hearing on this matter was noticed in accordance with Nevada Revised Statutes and Nevada Administrative Code.

7. If any of the foregoing conclusions of law is more appropriately construed as a finding of fact, it may be so construed.

ORDER

THEREFORE, IT IS HEREBY ORDERED that "Applicants' Petition for Appeal Pursuant to NAC 706.975 from the Order Denying Independent Cab, LLC's Eight Applications Seeking Subpoenas to Produce Documents Pursuant to NAC 706.936," regarding an application for a certificate of public convenience and necessity by applicants Brent Carson and Claudia Hoepfner (Independent Cab Company, LLC), and request for thirty-five taxicab medallions, is hereby GRANTED. Independent Cab's eight (8) applications for subpoenas for documents, all filed January 18, 2022 and all previously denied, are all approved, and the eight (8) subpoenas may be served upon the intended interveners. Each intervener in the underlying application matter will have ten (10) days from the date of service of the subpoena to file an objection to the subpoena's scope, or to move to quash or modify the subpoena. Independent Cab, LLC will then have ten (10) days from the date of service upon it of each intervener's objection, motion to modify and/or motion to quash in order to file and serve any response or reply.

Dated this 21st day of March, 2022.

BY THE AUTHORITY:

Dan R. Reaser
Dan R. Reaser – Chairman
Nevada Taxicab Authority

CERTIFICATE OF MAILING

I, KATANA MARTINEZ, do hereby certify that I deposited in the U.S. mail, postage prepaid, via First Class Mail and Certified Return receipt Requested, a true and correct copy of the foregoing Findings of fact, Conclusions of Law, and Order to the following:

Whittlesea - Henderson
ATTN: Brent Bell
1910 Industrial Road
Las Vegas, NV 89102

Whittlesea - Henderson
ATTN: Cheryl Gibbons
1910 Industrial Road
Las Vegas, NV 89102

Whittlesea - Henderson
ATTN: Mark Trafton
1910 Industrial Road
Las Vegas, NV 89102

Cooper Levenson Law Firm
ATTN: Kimberly Maxson-Rushton
3016 W. Charleston Blvd., Suite 195
Las Vegas, NV 89102

Western Cab
ATTN: Marilyn Moran
4195 W. Diablo
Las Vegas, NV 89103

Western Cab
ATTN: John Moran
4195 W. Diablo
Las Vegas, NV 89103

Lucky/Western
ATTN: Desiree Dante
4195 W. Diablo
Las Vegas, NV 89103

Lucky/Western
ATTN: Donald Chan
4195 W. Diablo
Las Vegas, NV 89103

Lucky Cab
ATTN: Jason Awad
4195 W. Diablo
Las Vegas, NV 89103

Lucky Cab
ATTN: Ryan Awad
4195 W. Diablo
Las Vegas, NV 89103

Deluxe
ATTN: Rich Flaven
P.O. Box 531787
Henderson, NV 89053-1787

Jim Jimmerson
415 S. 6th Street, Suite 100
Las Vegas, NV 89101

A Cab
ATTN: Jay Nady
1500 Searles Avenue
Las Vegas, NV 89101

A Cab
ATTN: Mike Malloy
1500 Searles Avenue
Las Vegas, NV 89101

ITPEU/OPEIU LOCAL
ATTN: Mike Kilgo
4480 W. Hacienda Ave., Suite 110
Las Vegas, NV 89118

Robert Winner Esq.
4675 Wynn Road
Las Vegas, NV 89103

Desert Cab
ATTN: Rich Frakes
4675 Wynn Road
Las Vegas, NV 89103

Desert Cab
ATTN: George Balaban
4675 Wynn Road
Las Vegas, NV 89103

1 Nellis Cab
ATTN: Michelle Langille
2 5490 Cameron Street
Las Vegas, NV 89119

KAPTYN
ATTN: Andrew Meyers
4675 S. Wynn Road
Las Vegas, NV 89103

3 Nellis Cab
4 ATTN: Jamie Pino
5490 Cameron Street
5 Las Vegas, NV 89119

KAPTYN
ATTN: Jim Morgan
4675 S. Wynn Road
Las Vegas, NV 89103

6 Esther Rodriguez Esq.
10161 Park Run Drive, Suite 150
7 Las Vegas, NV 89145

KAPTYN
ATTN: Michael Morrison
4675 S. Wynn Road
Las Vegas, NV 89103

8 Yellow Checker Star
ATTN: Mike Rawlings
5225 W. Post Road
9 Las Vegas, NV 89118

KAPTYN
ATTN: Chris Bordonaro
4675 S. Wynn Road
Las Vegas, NV 89103

10 Yellow Checker Star
ATTN: Jonathan Schwartz
11 5225 W. Post Road
Las Vegas, NV 89118

Independent Cab Inc.
ATTN: Brent Carson
7935 W. Sahara Ave., Suite 101
Las Vegas, NV 89117

12 Yellow Checker Star
13 ATTN: Keith Gibson
5225 W. Post Road
14 Las Vegas, NV 89118

Independent Cab Inc.
ATTN: Claudia Hoepfner
7935 W. Sahara Ave., Suite 101
Las Vegas, NV 89117

15
16 Dated this 21st day of MARCH, 2022.

17
18
19
20 
KATANA MARTINEZ
21
22
23
24
25
26
27
28 Employee of the Taxicab Authority

PREVIOUS PLEADINGS REGARDING THIS MATTER

**Desert Cab, Inc.'s Petition to Intervene in
March 16, 2022 Board Meeting, filed March 9, 2022**

1 Robert A. Winner, Esq.
 Nevada Bar No. 5167
 2 **ROBERT WINNER, LTD.**
 400 S. Fourth Street, 3rd Floor
 3 Las Vegas, Nevada 89101
raw@winnerlawltd.com
 4 (702) 791-0308
 Attorney for Desert Cab, Inc.

6 **BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY**

7 IN THE MATTER OF AN APPLICATION
 8 FOR A CERTIFICATE OF PUBLIC
 9 CONVENIENCE AND NECESSITY BY
 10 APPLICANTS BRENT CARSON AND
 CLAUDIA MARIA HOEPPNER
 (INDEPENDENT CAB COMPANY, LLC),
 11 AND REQUEST FOR THIRTY-FIVE
 TAXICAB MEDALLIONS.

12 **DESERT CAB, INC.'S PETITION TO INTERVENE**

13 DESERT CAB, INC. d/b/a DESERT CAB COMPANY hereby petitions the Nevada Taxicab
 14 Authority of the State of Nevada, pursuant to NRS 706.8819 to 706.8824, and NAC 706.894 for
 leave to intervene and join in the above-entitled matter, on the following grounds:

- 15 1. Petitioner is and was, at all times relevant herein, a Nevada corporation, in good standing
 16 and operating and doing business in Clark County, Nevada.
- 17 2. The address of Petitioner to which all correspondence and pleadings should be sent is as
 18 follows:

19 George Balaban, President
 Desert Cab Company
 20 4675 Wynn Road
 Las Vegas, Nevada 89103

21 Robert A. Winner, Esq.
 ROBERT WINNER, LTD.
 22 400 S. 4th Street, 3rd Floor
 23 Las Vegas, Nevada 89101

- 24 3. Petitioner is a common motor carrier holding a Certificate of Public Convenience and
 25 Necessity (887) issued by the Taxicab Authority for the State of Nevada, authorizing it to
 26 transport passengers and their baggage in taxicab service between all points and places in
 27 Clark County, Nevada. Petitioner is the owner and holder of taxicab medallions duly
 28 issued by the Taxicab Authority for this purpose. As applicant seeks to operate taxi
 service in the same territory as Desert Cab operates, Desert Cab has an economic interest
 and therefore a direct and substantial interest in this application.

1 4. Petitioner therefore requests that it be permitted to intervene and join in this proceeding
2 (Agenda) scheduled for March 16, 2022; specifically, Item Number 5, and that it be
3 served with copies of any and all pleadings, notices, papers, and exhibits that have been
or may be filed in this matter, as they may want to oppose.

4 5. Desert Cab Company would like to participate in the discussion and possible action
5 concerning Applicants' Petition for Appeal pursuant to NAC 706.975 from the Order
6 Denying Independent Cab, LLC's Eight Applications Seeking Subpoenas to Produce
7 Documents Pursuant to NAC 706.936, regarding an application for a certificate of public
convenience and necessity by applicants Brent Carson and Claudia Hoepfner
(Independent Cab, LLC), and for thirty-five taxicab medallions.

8 THEREFORE, DESERT CAB, INC., d/b/a DESERT CAB COMPANY, hereby requests
9 relief as follows:

10 1. Permission to intervene and participate fully in any public hearing (Agenda) with respect
11 to this matter, including the right to offer evidence of any kind, to examine and cross
12 examine witnesses and to make arguments and file briefs, as well as participate in all
other aspects of this matter.

13 2. For such other relief as appears just and proper in the premises.

14 DATED this 9th day of March, 2022.

15 **ROBERT WINNER, LTD.**

16
17 */s/Robert A. Winner*

18 **ROBERT A. WINNER, ESQ.**

19 Nevada Bar No. 5167

20 4675 Wynn Road

21 Las Vegas, Nevada 89103

22 *Attorney for Desert Cab, Inc.*
23
24
25
26
27
28

CERTIFICATE OF SERVICE BY EMAIL

The foregoing **DESERT CAB, INC.'S PETITION TO INTERVENE**, was served by email on this 9th day of March, 2022, to the following:

George Balaban
DESERT CAB COMPANY
4675 Wynn Road
Las Vegas, NV 89103
gtbalaban@aol.com

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Jamie Pino
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nelliscab@aol.com

Keith Gibson, Esq.
YELLOW/CHECKER/STAR COMPANIES
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Brent A. Carson, Esq.
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Las Vegas, Nevada 89117
bac@winnercarson.com

Independent Cab Inc.
ATTN: Claudia Hoeppner & Brent Carson
2383 Green Mountain Court
Las Vegas, Nevada 89135
(served via U.S. Mail)

Mark Trafton, Esq.
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1910 Industrial Road
Las Vegas, NV 89102
mark@belltransportation.com

/s/Dawn Stanfill

Dawn Stanfill, Paralegal
ROBERT WINNER, LTD.

1 Robert A. Winner, Esq.
 Nevada Bar No. 5167
 2 **ROBERT WINNER, LTD.**
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 3 Las Vegas, Nevada 89101
raw@winnerlawltd.com
 4 (702) 791-0308
 Attorney for Desert Cab, Inc.

6 **BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY**

7 IN THE MATTER OF AN APPLICATION
 8 FOR A CERTIFICATE OF PUBLIC
 9 CONVENIENCE AND NECESSITY BY
 10 APPLICANTS BRENT CARSON AND
 CLAUDIA MARIA HOEPPNER
 (INDEPENDENT CAB COMPANY, LLC),
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13 DESERT CAB, INC. d/b/a DESERT CAB COMPANY hereby petitions the Nevada Taxicab
 14 Authority of the State of Nevada, pursuant to NRS 706.8819 to 706.8824, and NAC 706.894 for
 leave to intervene and join in the above-entitled matter, on the following grounds:

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- 17 2. The address of Petitioner to which all correspondence and pleadings should be sent is as
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19 George Balaban, President
 20 Desert Cab Company
 4675 Wynn Road
 21 Las Vegas, Nevada 89103

22 Robert A. Winner, Esq.
 ROBERT WINNER, LTD.
 23 400 S. 4th Street, 3rd Floor
 24 Las Vegas, Nevada 89101

- 25 3. Petitioner is a common motor carrier holding a Certificate of Public Convenience and
 26 Necessity (887) issued by the Taxicab Authority for the State of Nevada, authorizing it to
 27 transport passengers and their baggage in taxicab service between all points and places in
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 issued by the Taxicab Authority for this purpose. As applicant seeks to operate taxi
 service in the same territory as Desert Cab operates, Desert Cab has an economic interest
 and therefore a direct and substantial interest in this application.

1 4. Petitioner therefore requests that it be permitted to intervene and join in this proceeding
2 (Agenda) scheduled for March 16, 2022; specifically, Item Number 5, and that it be
3 served with copies of any and all pleadings, notices, papers, and exhibits that have been
or may be filed in this matter, as they may want to oppose.

4 5. Desert Cab Company would like to participate in the discussion and possible action
5 concerning Applicants' Petition for Appeal pursuant to NAC 706.975 from the Order
6 Denying Independent Cab, LLC's Eight Applications Seeking Subpoenas to Produce
7 Documents Pursuant to NAC 706.936, regarding an application for a certificate of public
convenience and necessity by applicants Brent Carson and Claudia Hoepfner
(Independent Cab, LLC), and for thirty-five taxicab medallions.

8 THEREFORE, DESERT CAB, INC., d/b/a DESERT CAB COMPANY, hereby requests
9 relief as follows:

10 1. Permission to intervene and participate fully in any public hearing (Agenda) with respect
11 to this matter, including the right to offer evidence of any kind, to examine and cross
12 examine witnesses and to make arguments and file briefs, as well as participate in all
other aspects of this matter.

13 2. For such other relief as appears just and proper in the premises.

14 DATED this 9th day of March, 2022.

15 **ROBERT WINNER, LTD.**

16
17 */s/Robert A. Winner*

18 **ROBERT A. WINNER, ESQ.**

19 Nevada Bar No. 5167

20 4675 Wynn Road

21 Las Vegas, Nevada 89103

22 *Attorney for Desert Cab, Inc.*

CERTIFICATE OF SERVICE BY EMAIL

The foregoing **DESERT CAB, INC.'S PETITION TO INTERVENE**, was served by email on this 9th day of March, 2022, to the following:

George Balaban
DESERT CAB COMPANY
4675 Wynn Road
Las Vegas, NV 89103
gtbalaban@aol.com

Jason A. Awad, Esq.
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Keith Gibson, Esq.
YELLOW/CHECKER/STAR COMPANIES
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Brent A. Carson, Esq.
Attorney Brent Carson, LLC
7935 W. Sahara Ave. #101
Las Vegas, Nevada 89117
bac@winnercarson.com

Independent Cab Inc.
ATTN: Claudia Hoeppner & Brent Carson
2383 Green Mountain Court
Las Vegas, Nevada 89135
(served via U.S. Mail)

Mark Trafton, Esq.
WHITTLESEA BLUE/HENDERSON TAXI
1910 Industrial Road
Las Vegas, NV 89102
mark@belltransportation.com

/s/Dawn Stanfill

Dawn Stanfill, Paralegal
ROBERT WINNER, LTD.

PREVIOUS PLEADINGS REGARDING THIS MATTER

**Independent Cab's Petition to Appeal Pursuant to
NAC 706.975 from the Order Denying Independent
Cab, LLC's Eight Applications Seeking Subpoenas
to Produce Documents Pursuant to NAC 706.936,
filed February 11, 2022**

1 BRENT A. CARSON, ESQ.
2 Nevada Bar No. 5903
3 ATTORNEY BRENT CARSON, LLC.
4 bac@winnercarson.com
5 7935 W. Sahara Avenue, Suite 101
6 Las Vegas, Nevada 89117
7 Ph: (702) 471-1111
8 Fax: (702) 471-0110

9 Attorney for Applicant,
10 INDEPENDENT CAB COMPANY, LLC

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BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY

In the matter of An Application for a certificate)
of Public Convenience and Necessity by)
Applicants, Brent A. Carson and Claudia Maria)
Hoepfner (Independent Cab Company, LLC),)
And Request for Thirty-Five Taxicab)
Medallions.)

**APPLICANTS' PETITION FOR APPEAL PURSUANT TO NAC 706.975 FROM THE
ORDER DENYING INDEPENDENT CAB, LLC'S EIGHT (8) APPLICATIONS SEEKING
SUBPOENAS TO PRODUCE DOCUMENTS PURSUANT TO NAC 706.936**

COMES NOW, Applicants BRENT A. CARSON and CLAUDIA MARIA HOEPPNER, by
and through their attorney of record, Brent A. Carson, Esq. of the law firm of ATTORNEY BRENT
CARSON, LLC., hereby Petitions to appeal the Order Denying Applications for Subpoenas dated
January 19, 2022.. (See, Exhibit 1, Order dated January 19, 2022)

I.

INTRODUCTION:

1. Brief Statement of Facts:

On September 7, 2021, Hearing Officer David Cassetty issued his Findings of Fact, Conclusions
of Law and Order following the August 23, 2021 Prehearing Conference.

Paragraph 23 under the section "Findings of Fact," and paragraph 5 of the "Order," states that the
Applicant may serve interrogatories on the intervenors. On October 12, 2021, Applicant prepared

1 and served Interrogatories on all Intervenors. Applicant received unverified, non-responses to a
2 majority of these Interrogatories from the Intervenors. Applicant did not receive a timely response
3 from Yellow, Checker and Star Cab Companies, and received no response to the interrogatories from
4 Nellis Cab.

5 The September 7, 2021 Order also contained paragraph 22, which references a "November 22,
6 2021 filing deadlines." Applicant, based on the belief that this date was the "discovery deadline"
7 and based on the various non-responses, filed Motions in Limine against Desert Cab,
8 Henderson/Whittlesea, Western/Lucky and Motions to Strike the Petitions to Intervene against
9 Yellow/Checker/Star and Nellis Cab, because they failed to "appropriately serve any proposed
10 evidence by November 22, 2021."

11 On December 22, 2021, Hearing Officer, David Cassetty, conducted the prehearing conference.
12 At issue were the Applicants' Motions in Limine, Motions to Strike and Intervenor's Motion to
13 Compel. The original application hearing date was set for January 5, 2022. However, during the
14 prehearing conference, Mr. Cassetty informed the parties that the January hearing date was be
15 continued.

16 Therefore, Applicants' Motions in Limine and Motions to Strike were treated as Motions to
17 Compel Discovery. At the prehearing conference, Applicants argued that the November 22, 2021
18 date was a discovery deadline and that the Intervenor's failed to produce certain documents by that
19 date and therefore, inadmissible at the upcoming hearing. Hearing Officer Cassetty disagreed with
20 my interpretation of the November 22, 2021 deadline. He specifically stated that November 22,
21 2021 was NOT a discovery cut-off date.

22 The Hearing Officer then Ordered the Intervenors to amend their answers to Applicant's
23 interrogatories by January 3, 2022. (See Exhibit 2, Order dated 12/23/2021) Unfortunately, due to
24 technical issues, there is no recording of the December 22 prehearing conference. The Hearing
25 Officer then stated that based on the amended answers, Applicant could file Applications for
26 Subpoenas with the Administrator pursuant to NAC 706.936.

27 Intervenors' filed their amended answers to Applicant's interrogatories and Applicant filed
28 Applications for Subpoenas. Applicants' Subpoena requests were denied by Chair Reaser because

1 they were submitted "after the discovery cut-off date (November 22, 2021)" This is completely
2 contrary to Mr. Cassetty's representations at the December 22, 2021 prehearing conference that the
3 November 22, 2021 date was not a discovery cut-off deadline.

4 Upon receipt of the Order denying Applicants' request for subpoenas and since the December
5 22, 2021 was not recorded, Applicant requested a discovery conference call. Mr. Cassetty held the
6 discovery conference call on January 24, 2022. The purpose of the call was obvious. How come
7 when the Applicant says that November 22, 2021 is a discovery deadline, the hearing office says no
8 it is not, and allows the Intervenor to continue with their discovery, but when Applicant tries to
9 conduct discovery after November 22, 2021, it is rejected because it is past the discovery deadline?
10 November 22, 2021 cannot be treated as a discovery cut off for one party, but not a discovery cut off
11 for the other. It is either one or the other.

12 2. Legal Standard:

13 NAC 706.933 governs prehearing conferences. On December 22, 2021, Mr. Cassetty presided
14 over the prehearing conference. At the Prehearing Conference, it was determined that November 22,
15 2021 filing deadlines was not considered a discovery cut-off deadline. As such, the parties agreed to
16 supplement discovery responses, take depositions and basically, work with each other to accomplish
17 these goals. NAC 706.933 reads:

18 **NAC 706.933 Prehearing conference. (NRS 233B.050, 706.8818)**

19 1. The Authority, presiding officer or Administrator may, upon written notice to all
20 parties of record, hold a prehearing conference for the purposes of formulating or simplifying
21 the issues, obtaining admissions of fact and of documents which will avoid unnecessary proof,
22 arranging for the exchange of proposed exhibits or prepared expert testimony, limit the number
23 of witnesses and consolidate the examination of witnesses, establish procedure at the hearing
24 and resolve other matters that may expedite orderly conduct and the disposition of the
25 proceedings or settlements.

26 2. The action taken at the conference and the agreements made by the parties
27 concerned must be made a part of the record and will control the course of subsequent
28 proceedings, unless modified at the hearing by the presiding officer.

According to the regulation, the actions taken at the prehearing conference and agreements
made by the parties "will control the course of the subsequent proceedings."

1 As stated above, on January 24, 2022, a discovery conference call was held to clarify the
2 Hearing Officer's rulings at the December 22, 2021 prehearing conference. On the conference call,
3 Mr. Cassetty made the following representations:

4 Time on CD:

Summary of Mr. Cassetty:

5 10:14

Applicant could apply for subpoenas after Nov. 22, 2021, but
6 his is not the person who authorizes or approves subpoenas.

7 11:00

It was his intention that Nov. 22, 2021 was not a discovery cut
8 off deadline.

9 11:45

Again, he was permitting Applicant to Apply for subpoenas
10 after Nov. 22, 2021, but again, he could not approve the
11 subpoenas, because that was up to the authority or
12 administrator.

13 NAC 706.975 is the regulation dealing with appeals. It reads:

14 **NAC 706.975 Appeals to Authority. (NRS 233B.050, 706.8818)**

- 15 1. An appeal from the decision of the Administrator or hearing officer to the Authority is
16 permitted providing that the notice of appeal by the appellant is filed with the Administrator within
17 30 days of the decision of the Administrator or hearing officer.
18 2. Petitions for appeal must set forth the ground or grounds upon which the appellant considers
19 the order, decision, rule, direction or regulation to be unreasonable, unlawful, erroneous or not in
20 conformity with the law. The appellant shall include in the appeal a copy of the transcript from the
21 contested hearing.
22 3. Copies of the notice of appeal must be served upon the Administrator and all of the parties of
23 record.

24 The regulation states that an appeal must be filed within 30 days from the decision. The order
25 denying the application for subpoenas was entered on January 19, 2022. To be timely, this appeal has
26 to be filed on or before February 18, 2022.

27 The regulation holds that the Petition for Appeal must set forth the grounds which the appellant
28 considers the order to be unreasonable, unlawful, erroneous or not in conformity with the law. For the
purposes of this appeal, Applicants contend that the order denying the application for subpoenas was

1 unreasonable. The hearing officer, Mr. Cassetty, in this matter clearly indicated that the November
2 22, 2021 filing deadline in his September Order was not a "discovery cut-off" deadline. In fact, he
3 allowed the Intervenor's amend their discovery responses and further allowed depositions to be noticed.
4 You can not allow discovery for one party and not the other. If the Board interpreted the November
5 22, 2021 date to be a discovery cut-off date, then it applies equally to all parties.
6

7 The regulation next states an Order is appealable if it is unlawful or not in conformity with the
8 law. As stated above, NAC 706.933 states that at the prehearing conference any agreements made by
9 the parties concerned must be made a part of the record and will control the course of subsequent
10 proceedings. Mr. Cassetty Ordered additional discovery following the December 22, 2021 hearing.
11 The hearing officer further stated that after Intervenor's provided supplemental responses to their
12 discovery responses, that Applicant could file an application for subpoena pursuant to NAC 706.936.
13 The hearing officer made it clear that he could not approve any subpoena requests, because NAC
14 706.396 provides the process for approval, which did not include him. However, the Hearing Officer
15 certainly did not prohibit the filing of the Applications for Subpoenas based on the November 22, 2021
16 date. The Order denying the Applications is contrary to NAC 706.933. You cannot deny the
17 application for subpoenas on the basis of a discovery cut-off date that never existed. This is clearly
18 erroneous and does not conform with the decisions made by the hearing officer and parties.
19
20

21 CONCLUSION:

22
23 WHEREFORE, based upon the foregoing, Applicant, Independent Cab Company
24 respectfully requests that the Authority grant this Appeal and allow the Application for Subpoenas to
25 be issued by the Administrator.
26
27
28

1 DATED this 11 Day of FEB, 2022.

2 ATTORNEY BRENT CARSON, LLC

3 

4 BRENT A CARSON, ESQ.

5 Nevada Bar No. 5903

6 7935 W. Sahara Avenue, Suite 101

7 Las Vegas, Nevada 89117

8 *Attorney for Independent Cab Company*

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document: NOTICE OF APPEAL upon all parties of record in this proceeding by mailing a copy thereof, properly addressed, with postage prepaid, to the below listed.

Dated at Las Vegas, NV, this 11th day of February of 2022.

Robert A. Winner, Esq.
ROBERT WINNER, LTD
400 S. 4th Street, 3rd Floor
Las Vegas, NV 89101

Ryan J. Awad, Esq.
JASON A. AWAD & ASSOC.
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Mark E. Trafton, Esq.
WHITTLESEA BLUE/HENDERSON TAXI
1900 Industrial Road
Las Vegas, NV 89102

YELLOW CHECKER AND STAR CAB
CORPORATIONS
ATTN: Keith Gibson,
General Counsel
5225 W. Post Road
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FOR THE STATE:

Asheesh Bhalla, Esq.
DEPUTY ATTORNEY GENERAL
555 E. Washington Ave., Suite 3900
Las Vegas, NV 89101

JD Decker, Interim Administrator
Nevada Taxicab Authority
2090 E. Flamingo Rd, Suite 200
Las Vegas, NV 89119



An employee of Attorney Brent Carson

PREVIOUS PLEADINGS REGARDING THIS MATTER

Order Denying Independent Cab, LLC's Eight (8) Applications (all filed January 18, 2022) Seeking Subpoenas to Produce Documents Pursuant to NAC 706-936, filed January 19, 2022

-o0o-

BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY

In the matter of an application for a certificate of public convenience and necessity by applicants Brent Carson and Claudia Maria Hoepfner (Independent Cab Company, LLC), and request for thirty-five taxicab medallions.

**ORDER DENYING INDEPENDENT
CAB, LLC's EIGHT (8) APPLICATIONS
(all filed January 18, 2022) SEEKING
SUBPOENAS TO PRODUCE
DOCUMENTS PURSUANT TO NAC
706.936**

On January 18, 2022, applicant Independent Cab, LLC filed eight (8) applications with the Taxicab Authority in the above-captioned matter. In its applications, Independent Cab is seeking approval for subpoenas to produce documents, to be issued to various interveners in this matter. The eight (8) applications are titled:

- 1) "Applicant, Independent Cab Company's Application Pursuant to NAC 706.936 for the Taxicab Authority to Approve the Issuance of the Attached Subpoena to Produce Documents to Yellow Cab Company" (filed 1/18/22)
- 2) "Applicant, Independent Cab Company's Application Pursuant to NAC 706.936 for the Taxicab Authority to Approve the Issuance of the Attached Subpoena to Produce Documents to Checker Cab Company" (filed 1/18/22)
- 3) "Applicant, Independent Cab Company's Application Pursuant to NAC 706.936 for the Taxicab Authority to Approve the Issuance of the Attached Subpoena to Produce Documents to Star Cab Company" (filed 1/18/22)
- 4) "Applicant, Independent Cab Company's Application Pursuant to NAC 706.936 for the Taxicab Authority to Approve the Issuance of the Attached Subpoena to Produce Documents to Lucky Cab" (filed 1/18/22)
- 5) "Applicant, Independent Cab Company's Application Pursuant to NAC 706.936 for the Taxicab Authority to Approve the Issuance of the Attached Subpoena to Produce Documents to Western Cab" (filed 1/18/22)
- 6) "Applicant, Independent Cab Company's Application Pursuant to NAC 706.936 for the Taxicab Authority to Approve the Issuance of the Attached Subpoena to Produce Documents to Whittlesea Blue Cab" (filed 1/18/22)

1 7) "Applicant, Independent Cab Company's Application Pursuant to NAC 706.936 for the
2 Taxicab Authority to Approve the Issuance of the Attached Subpoena to Produce
Documents to Henderson Taxi" (filed 1/18/22)

3 8) "Applicant, Independent Cab Company's Application Pursuant to NAC 706.936 for the
4 Taxicab Authority to Approve the Issuance of the Attached Subpoena to Produce
Documents to Desert Cab Company" (filed 1/18/22)

5
6 These eight (8) applications have been improperly submitted substantially after the
7 discovery cut-off date (November 22, 2021), and there is an absence of evidence in all of
8 these applications of good cause for reopening discovery for these purposes. After review
9 and consideration, all eight (8) applications by Independent Cab are hereby DENIED.

10 Dated this 19th day of January, 2022.

11
12 BY THE AUTHORITY:

13
14 Dan R. Reaser
15 Dan R. Reaser – Chairman
16 Nevada Taxicab Authority
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CERTIFICATE OF MAILING

I, Nancy Moran, do hereby certify that I deposited in the U.S. mail, postage prepaid, via First Class Mail and Certified Return receipt Requested, a true and correct copy of the foregoing Findings of Fact, Conclusions of Law, and Order to the following:

Whittlesea – Henderson
ATTN: Brent Bell
1910 Industrial Road
Las Vegas, NV 89102

Lucky Cab
ATTN: Jason Awad
4195 W. Diablo
Las Vegas, NV 89103

Whittlesea – Henderson
ATTN: Cheryl Gibbons
1910 Industrial Road
Las Vegas, NV 89102

Lucky Cab
ATTN: Ryan Awad
4195 W. Diablo
Las Vegas, NV 89103

Whittlesea – Henderson
ATTN: Mark Trafton
1910 Industrial Road
Las Vegas, NV 89102

Deluxe
ATTN: Rich Flaven
P.O. Box 531787
Henderson, NV 89053-1787

Cooper Levenson Law Firm
ATTN: Kimberly Maxson-Rushton
3016 W. Charleston Blvd., Suite 195
Las Vegas, NV 89102

Jim Jimmerson
415 S. 6th Street, Suite 100
Las Vegas, NV 89101

Western Cab
ATTN: Marilyn Moran
4195 W. Diablo
Las Vegas, NV 89103

A Cab
ATTN: Jay Nady
1500 Searles Avenue
Las Vegas, NV 89101

Western Cab
ATTN: John Moran
4195 W. Diablo
Las Vegas, NV 89103

A Cab
ATTN: Mike Malloy
1500 Searles Avenue
Las Vegas, NV 89101

Lucky/Western
ATTN: Desiree Dante
4195 W. Diablo
Las Vegas, NV 89103

ITPEU/OPEIU LOCAL
ATTN: Mike Kilgo
4480 W. Hacienda Ave., Suite 110
Las Vegas, NV 89118

Lucky/Western
ATTN: Donald Chan
4195 W. Diablo
Las Vegas, NV 89103

Robert Winner Esq.
4675 Wynn Road
Las Vegas, NV 89103

Desert Cab
ATTN: Rich Frakes
4675 Wynn Road
Las Vegas, NV 89103

Yellow Checker Star
ATTN: Keith Gibson
5225 W. Post Road
Las Vegas, NV 89118

Desert Cab
ATTN: George Balaban
4675 Wynn Road
Las Vegas, NV 89103

KAPTYN
ATTN: Andrew Meyers
4675 S. Wynn Road
Las Vegas, NV 89103

Nellis Cab
ATTN: Michelle Langille
5490 Cameron Street
Las Vegas, NV 89119

KAPTYN
ATTN: Jim Morgan
4675 S. Wynn Road
Las Vegas, NV 89103

Nellis Cab
ATTN: Jamie Pino
5490 Cameron Street
Las Vegas, NV 89119

KAPTYN
ATTN: Michael Morrison
4675 S. Wynn Road
Las Vegas, NV 89103

Esther Rodriguez Esq.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

KAPTYN
ATTN: Chris Bordonaro
4675 S. Wynn Road
Las Vegas, NV 89103

Yellow Checker Star
ATTN: Mike Rawlings
5225 W. Post Road
Las Vegas, NV 89118

Independent Cab Inc.
ATTN: Brent Carson
7935 W. Sahara Ave., Suite 101
Las Vegas, NV 89117

Yellow Checker Star
ATTN: Jonathan Schwartz
5225 W. Post Road
Las Vegas, NV 89118

Independent Cab Inc.
ATTN: Claudia Hoepfner
7935 W. Sahara Ave., Suite 101
Las Vegas, NV 89117

Dated this 19 day of January, 2022.



Employee of the Taxicab Authority

PREVIOUS PLEADINGS REGARDING THIS MATTER

Independent Cab's Application Pursuant to NAC 706.936 for the Taxicab Authority to Approve the Issuance of Subpoena to Produce Documents to Checker Cab Company, filed January 18, 2022

1 BRENT A. CARSON, ESQ.
2 Nevada Bar No. 5903
3 ATTORNEY BRENT CARSON, LLC.
4 bac@winnercarson.com
5 7935 W. Sahara Avenue, Suite 101
6 Las Vegas, Nevada 89117
7 Ph: (702) 471-1111
8 Fax: (702) 471-0110
9 Attorney for INDEPENDENT CAB COMPANY, LLC

JAN 18 '22 FILED

6 BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY

7 In the matter of An Application for a certificate)
8 of Public Convenience and Necessity by)
9 Applicants, Brent A. Carson and Claudia Maria)
10 Hoeppner (Independent ab Company, LLC),)
11 And Request for Thirty-Five Taxicab)
12 Medallions.)

12 APPLICANT, INDEPENDENT CAB COMPANY'S APPLICATION PURSUANT TO NAC
13 706.936 FOR THE TAXICAB AUTHORITY TO APPROVE THE ISSUANCE OF THE
14 ATTACHED SUBPOENA TO PRODUCE DOCUMENTS TO CHECKER CAB COMPANY

15 COMES NOW, Applicants BRENT A. CARSON and CLAUDIA MARIA HOEPPNER, by
16 and through their attorney of record, Brent A. Carson, Esq. of the law firm of ATTORNEY BRENT
17 CARSON, LLC., and submits this Application pursuant to NAC 706.936 in the above referenced
18 matter. Independent Cab Company respectfully requests the Taxicab Authority issue the Subpoena
19 attached to this Application, and identified as Exhibit "A." The attached Subpoena is in Compliance
20 with NAC 706.936 and is reasonable and not oppressive. Independent Cab Company requests
21 compliance with the attached Subpoena within ten (10) days of its issuance.

22 DATED this 15th Day of Jan, 2022.

24 ATTORNEY BRENT CARSON, LLC

25 
26 BRENT A. CARSON, ESQ.
27 Nevada Bar No. 5903
28 7935 W. Sahara Avenue, Suite 101
Las Vegas, Nevada 89117
Attorney for Independent Cab Company

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document: APPLICATION FOR SUBPOENA TO CHECKER CAB COMPANY upon all parties of record in this proceeding by mailing a copy thereof, properly addressed, with postage prepaid, to the below listed.

Dated at Las Vegas, NV, this ____ day of January of 2022.

FOR A-CAB:

Creighton J. Nady, Owner
A Cab, LLC
1500 Searles Ave.
Las Vegas, NV 89101

Esther C. Rodriquez, Esq.
Rodriquez Law Offices, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

FOR DESERT CAB:

George Balaban
DESERT CAB COMPANY
4675 Wynn Road
Las Vegas, NV 89103

Robert A. Winner, Esq.
ROBERT WINNER, LTD
400 S. 4th Street, 3rd Floor
Las Vegas, NV 89101

FOR LUCKY AND WESTERN CAB:

Jason A. Awad, Esq.
Desiree Dante
4195 W. Diablo Dr.
Las Vegas, NV 89118

Ryan J. Awad, Esq.
JASON A. AWAD & ASSOC.
10801 W. Charleston Blvd, #575
Las Vegas, NV 89135

1 FOR WHITTLESEA BLUE/HENDERSON TAXI

2 Cheryl D. Gibbons, General Manager
3 WHITTLESEA BLUE/HENDERSON TAXI
4 And VIRGIN VALLEY CAB
5 1910 Industrial Road
6 Las Vegas, NV 89102

7 Mark E. Trafton, Esq.
8 WHITTLESEA BLUE/HENDERSON TAXI
9 1910 Industrial Road
10 Las Vegas, NV 89102

11 FOR YCS CORPS:

12 YELLOW CHECKER AND STAR CAB
13 CORPORATIONS
14 ATTN: Keith Gibson,
15 General Counsel
16 5225 W. Post Road
17 Las Vegas, NV 89118

18 FOR THE STATE:

19 Asheesh Bhalla, Esq.
20 DEPUTY ATTORNEY GENERAL
21 555 E. Washington Ave., Suite 3900
22 Las Vegas, NV 89101

23 JD Decker, Interim Administrator
24 Nevada Taxicab Authority
25 2090 E. Flamingo Rd, Suite 200
26 Las Vegas, NV 89119

27 David Ricker, Esq.
28 NEVADA TAXICAB AUTHORITY
2090 E. Flamingo Rd, Suite 200
Las Vegas, NV 89119

An employee of Attorney Brent Carson

EXHIBIT A

1 BRENT A. CARSON, ESQ.
2 Nevada Bar No. 5903
3 ATTORNEY BRENT CARSON, LLC.
4 bac@winnercarson.com
5 7935 W. Sahara Avenue, Suite 101
6 Las Vegas, Nevada 89117
7 Ph: (702) 471-1111
8 Fax: (702) 471-0110
9 Attorney for INDEPENDENT CAB COMPANY, LLC

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BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY

In the matter of An Application for a certificate)
of Public Convenience and Necessity by)
Applicants, Brent A. Carson and Claudia Maria)
Hoeppner (Independent ab Company, LLC),)
And Request for Thirty-Five Taxicab)
Medallions.)

SUBPOENA FOR DOCUMENT PRODCUTION TO CHECKER CAB

TO: CHECKER CAB

TO: KEITH GIBSON, ESQ., their attorney

Pursuant to the Order of the Hearing Officer and the Application on file herein, and pursuant to NAC 706.936, Independent Cab Company requests that the following documents subpoenaed be produced by Intervenor within ten (10) days.

ITEMS TO BE PRODUCED:

1. Any and all documents, exhibits or other tangible items you intend to offer into evidence at the hearing on Independent Cab Company's Application for a Certificate of Public Convenience and Necessity.
2. Produce the Tax Returns for Checker Cab for the past two years: 2019 and 2020.
3. Produce Checker Cab's annual reports filed with the Nevada Taxicab Authority for the years 2019 and 2020.
4. Produce any and all documents that support your contention that there is no need for any additional taxicab medallions in Clark County.
5. Produce any and all documents that support your contention that 35 additional medallions will

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document: SUBPOENA TO CHECKER CAB upon all parties of record in this proceeding by mailing a copy thereof, properly addressed, with postage prepaid, to the below listed.

Dated at Las Vegas, NV, this ____ day of January of 2022.

FOR A-CAB:

Creighton J. Nady, Owner
A Cab, LLC
1500 Searles Ave.
Las Vegas, NV 89101

Esther C. Rodriguez, Esq.
Rodriguez Law Offices, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

FOR DESERT CAB:

George Balaban
DESERT CAB COMPANY
4675 Wynn Road
Las Vegas, NV 89103

Robert A. Winner, Esq.
ROBERT WINNER, LTD
400 S. 4th Street, 3rd Floor
Las Vegas, NV 89101

FOR LUCKY AND WESTERN CAB:

Jason A. Awad, Esq.
Desiree Dante
4195 W. Diablo Dr.
Las Vegas, NV 89118

Ryan J. Awad, Esq.
JASON A. AWAD & ASSOC.
10801 W. Charleston Blvd, #575
Las Vegas, NV 89135

1 FOR WHITTLESEA BLUE/HENDERSON TAXI

2 Cheryl D. Gibbons, General Manager
3 WHITTLESEA BLUE/HENDERSON TAXI
4 And VIRGIN VALLEY CAB
5 1910 Industrial Road
6 Las Vegas, NV 89102

7 Mark E. Trafton, Esq.
8 WHITTLESEA BLUE/HENDERSON TAXI
9 1910 Industrial Road
10 Las Vegas, NV 89102

11 FOR YCS CORPS:

12 YELLOW CHECKER AND STAR CAB
13 CORPORATIONS
14 ATTN: Keith Gibson,
15 General Counsel
16 5225 W. Post Road
17 Las Vegas, NV 89118

18 FOR THE STATE:

19 Asheesh Bhalla, Esq.
20 DEPUTY ATTORNEY GENERAL
21 555 E. Washington Ave., Suite 3900
22 Las Vegas, NV 89101

23 JD Decker, Interim Administrator
24 Nevada Taxicab Authority
25 2090 E. Flamingo Rd, Suite 200
26 Las Vegas, NV 89119

27 David Ricker, Esq.
28 NEVADA TAXICAB AUTHORITY
2090 E. Flamingo Rd, Suite 200
Las Vegas, NV 89119

An employee of Attorney Brent Carson

PREVIOUS PLEADINGS REGARDING THIS MATTER

Independent Cab's Application Pursuant to NAC 706.936 for the Taxicab Authority to Approve the Issuance of Subpoena to Produce Documents to Desert Cab Company, filed January 18, 2022

1 BRENT A. CARSON, ESQ.
2 Nevada Bar No. 5903
3 ATTORNEY BRENT CARSON, LLC.
4 bac@winnercarson.com
5 7935 W. Sahara Avenue, Suite 101
6 Las Vegas, Nevada 89117
7 Ph: (702) 471-1111
8 Fax: (702) 471-0110
9 Attorney for INDEPENDENT CAB COMPANY, LLC

JAN 19 '22 FILED

6 **BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY**

7 In the matter of An Application for a certificate)
8 of Public Convenience and Necessity by)
9 Applicants, Brent A. Carson and Claudia Maria)
10 Hoeppner (Independent ab Company, LLC),)
11 And Request for Thirty-Five Taxicab)
12 Medallions.)

12 **APPLICANT, INDEPENDENT CAB COMPANY'S APPLICATION PURSUANT TO NAC**
13 **706.936 FOR THE TAXICAB AUTHORITY TO APPROVE THE ISSUANCE OF THE**
14 **ATTACHED SUBPOENA TO PRODUCE DOCUMENTS TO DESERT CAB COMPANY**

15 COMES NOW, Applicants BRENT A. CARSON and CLAUDIA MARIA HOEPPNER, by
16 and through their attorney of record, Brent A. Carson, Esq. of the law firm of ATTORNEY BRENT
17 CARSON, LLC., and submits this Application pursuant to NAC 706.936 in the above referenced
18 matter. Independent Cab Company respectfully requests the Taxicab Authority issue the Subpoena
19 attached to this Application, and identified as Exhibit "A." The attached Subpoena is in Compliance
20 with NAC 706.936 and is reasonable and not oppressive. Independent Cab Company requests
21 compliance with the attached Subpoena within ten (10) days of its issuance.

22 DATED this 15 Day of Jan, 2022.

24 **ATTORNEY BRENT CARSON, LLC**

25 
26 BRENT A. CARSON, ESQ.
27 Nevada Bar No. 5903
28 7935 W. Sahara Avenue, Suite 101
Las Vegas, Nevada 89117
Attorney for Independent Cab Company

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document: APPLICATION FOR SUBPOENA TO DESERT CAB COMPANY upon all parties of record in this proceeding by mailing a copy thereof, properly addressed, with postage prepaid, to the below listed.

Dated at Las Vegas, NV, this ____ day of January of 2022.

FOR A-CAB:

Creighton J. Nady, Owner
A Cab, LLC
1500 Searles Ave.
Las Vegas, NV 89101

Esther C. Rodriquez, Esq.
Rodriquez Law Offices, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

FOR DESERT CAB:

George Balaban
DESERT CAB COMPANY
4675 Wynn Road
Las Vegas, NV 89103

Robert A. Winner, Esq.
ROBERT WINNER, LTD
400 S. 4th Street, 3rd Floor
Las Vegas, NV 89101

FOR LUCKY AND WESTERN CAB:

Jason A. Awad, Esq.
Desiree Dante
4195 W. Diablo Dr.
Las Vegas, NV 89118

Ryan J. Awad, Esq.
JASON A. AWAD & ASSOC.
10801 W. Charleston Blvd, #575
Las Vegas, NV 89135

1 FOR WHITTLESEA BLUE/HENDERSON TAXI

2 Cheryl D. Gibbons, General Manager
3 WHITTLESEA BLUE/HENDERSON TAXI
4 And VIRGIN VALLEY CAB
5 1910 Industrial Road
6 Las Vegas, NV 89102

7 Mark E. Trafton, Esq.
8 WHITTLESEA BLUE/HENDERSON TAXI
9 1910 Industrial Road
10 Las Vegas, NV 89102

11 FOR YCS CORPS:

12 YELLOW CHECKER AND STAR CAB
13 CORPORATIONS
14 ATTN: Keith Gibson,
15 General Counsel
16 5225 W. Post Road
17 Las Vegas, NV 89118

18 FOR THE STATE:

19 Asheesh Bhalla, Esq.
20 DEPUTY ATTORNEY GENERAL
21 555 E. Washington Ave., Suite 3900
22 Las Vegas, NV 89101

23 JD Decker, Interim Administrator
24 Nevada Taxicab Authority
25 2090 E. Flamingo Rd, Suite 200
26 Las Vegas, NV 89119

27 David Ricker, Esq.
28 NEVADA TAXICAB AUTHORITY
2090 E. Flamingo Rd, Suite 200
Las Vegas, NV 89119

An employee of Attorney Brent Carson

EXHIBIT A

1 BRENT A. CARSON, ESQ.
2 Nevada Bar No. 5903
3 ATTORNEY BRENT CARSON, LLC.
4 bac@winnercarson.com
5 7935 W. Sahara Avenue, Suite 101
6 Las Vegas, Nevada 89117
7 Ph: (702) 471-1111
8 Fax: (702) 471-0110
9 Attorney for INDEPENDENT CAB COMPANY, LLC

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BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY

In the matter of An Application for a certificate)
of Public Convenience and Necessity by)
Applicants, Brent A. Carson and Claudia Maria)
Hoeppner (Independent ab Company, LLC),)
And Request for Thirty-Five Taxicab)
Medallions.)

SUBPOENA FOR DOCUMENT PRODCUTION TO DESERT CAB COMPANY

TO: DESERT CAB COMPANY

TO: ROBERT A. WINNER, ESQ., their attorney

Pursuant to the Order of the Hearing Officer and the Application on file herein, and pursuant to NAC 706.936, Independent Cab Company requests that the following documents subpoenaed be produced by Intervenor within ten (10) days.

ITEMS TO BE PRODUCED:

1. Any and all documents, exhibits or other tangible items you intend to offer into evidence at the hearing on Independent Cab Company's Application for a Certificate of Public Convenience and Necessity.
2. Produce the Tax Returns for Desert Cab Company for the past two years: 2019 and 2020.
3. Produce Desert Cab Company's annual reports filed with the Nevada Taxicab Authority for the years 2019 and 2020.
4. Produce any and all documents that support your contention that there is no need for any additional taxicab medallions in Clark County.
5. Produce any and all documents that support your contention that 35 additional medallions will

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2 **CERTIFICATE OF SERVICE**

3 I hereby certify that I have this day served the foregoing document: SUBPOENA TO DESERT CAB
4 COMPANY upon all parties of record in this proceeding by mailing a copy thereof, properly
5 addressed, with postage prepaid, to the below listed.

6 Dated at Las Vegas, NV, this ____ day of January of 2022.

7 **FOR A-CAB:**

8 Creighton J. Nady, Owner
9 A Cab, LLC
10 1500 Searles Ave.
11 Las Vegas, NV 89101

12 Esther C. Rodriquez, Esq.
13 Rodriquez Law Offices, P.C.
14 10161 Park Run Drive, Suite 150
15 Las Vegas, NV 89145

16 **FOR DESERT CAB:**

17 George Balaban
18 DESERT CAB COMPANY
19 4675 Wynn Road
20 Las Vegas, NV 89103

21 Robert A. Winner, Esq.
22 ROBERT WINNER, LTD
23 400 S. 4th Street, 3rd Floor
24 Las Vegas, NV 89101

25 **FOR LUCKY AND WESTERN CAB:**

26 Jason A. Awad, Esq.
27 Desiree Dante
28 4195 W. Diablo Dr.
Las Vegas, NV 89118

Ryan J. Awad, Esq.
JASON A. AWAD & ASSOC.
10801 W. Charleston Blvd, #575
Las Vegas, NV 89135

1 FOR WHITTLESEA BLUE/HENDERSON TAXI

2 Cheryl D. Gibbons, General Manager
3 WHITTLESEA BLUE/HENDERSON TAXI
4 And VIRGIN VALLEY CAB
5 1910 Industrial Road
6 Las Vegas, NV 89102

7 Mark E. Trafton, Esq.
8 WHITTLESEA BLUE/HENDERSON TAXI
9 1910 Industrial Road
10 Las Vegas, NV 89102

11 FOR YCS CORPS:

12 YELLOW CHECKER AND STAR CAB
13 CORPORATIONS
14 ATTN: Keith Gibson,
15 General Counsel
16 5225 W. Post Road
17 Las Vegas, NV 89118

18 FOR THE STATE:

19 Asheesh Bhalla, Esq.
20 DEPUTY ATTORNEY GENERAL
21 555 E. Washington Ave., Suite 3900
22 Las Vegas, NV 89101

23 JD Decker, Interim Administrator
24 Nevada Taxicab Authority
25 2090 E. Flamingo Rd, Suite 200
26 Las Vegas, NV 89119

27 David Ricker, Esq.
28 NEVADA TAXICAB AUTHORITY
2090 E. Flamingo Rd, Suite 200
Las Vegas, NV 89119

An employee of Attorney Brent Carson

PREVIOUS PLEADINGS REGARDING THIS MATTER

Independent Cab's Application Pursuant to NAC 706.936 for the Taxicab Authority to Approve the Issuance of Subpoena to Produce Documents to Henderson Taxi, filed January 18, 2022

JAN 18 '22 FILED

BRENT A. CARSON, ESQ.
Nevada Bar No. 5903
ATTORNEY BRENT CARSON, LLC.
bac@winnercarson.com
7935 W. Sahara Avenue, Suite 101
Las Vegas, Nevada 89117
Ph: (702) 471-1111
Fax: (702) 471-0110
Attorney for INDEPENDENT CAB COMPANY, LLC

BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY


In the matter of An Application for a certificate)
of Public Convenience and Necessity by)
Applicants, Brent A. Carson and Claudia Maria)
Hoeppner (Independent ab Company, LLC),)
And Request for Thirty-Five Taxicab)
Medallions.)

**APPLICANT, INDEPENDENT CAB COMPANY'S APPLICATION PURSUANT TO NAC
706.936 FOR THE TAXICAB AUTHORITY TO APPROVE THE ISSUANCE OF THE
ATTACHED SUBPOENA TO PRODUCE DOCUMENTS TO HENDERSON TAXI**

COMES NOW, Applicants BRENT A. CARSON and CLAUDIA MARIA HOEPPNER, by
and through their attorney of record, Brent A. Carson, Esq. of the law firm of ATTORNEY BRENT
CARSON, LLC., and submits this Application pursuant to NAC 706.936 in the above referenced
matter. Independent Cab Company respectfully requests the Taxicab Authority issue the Subpoena
attached to this Application, and identified as Exhibit "A." The attached Subpoena is in Compliance
with NAC 706.936 and is reasonable and not oppressive. Independent Cab Company requests
compliance with the attached Subpoena within ten (10) days of its issuance.

DATED this 15 Day of Jan, 2022.

ATTORNEY BRENT CARSON, LLC


BRENT A. CARSON, ESQ.
Nevada Bar No. 5903
7935 W. Sahara Avenue, Suite 101
Las Vegas, Nevada 89117
Attorney for Independent Cab Company

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document: APPLICATION FOR SUBPOENA TO HENDERSON TAXI upon all parties of record in this proceeding by mailing a copy thereof, properly addressed, with postage prepaid, to the below listed.

Dated at Las Vegas, NV, this ____ day of January of 2022.

FOR A-CAB:

Creighton J. Nady, Owner
A Cab, LLC
1500 Searles Ave.
Las Vegas, NV 89101

Esther C. Rodriguez, Esq.
Rodriquez Law Offices, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

FOR DESERT CAB:

George Balaban
DESERT CAB COMPANY
4675 Wynn Road
Las Vegas, NV 89103

Robert A. Winner, Esq.
ROBERT WINNER, LTD
400 S. 4th Street, 3rd Floor
Las Vegas, NV 89101

FOR LUCKY AND WESTERN CAB:

Jason A. Awad, Esq.
Desiree Dante
4195 W. Diablo Dr.
Las Vegas, NV 89118

Ryan J. Awad, Esq.
JASON A. AWAD & ASSOC.
10801 W. Charleston Blvd, #575
Las Vegas, NV 89135

1 FOR WHITTLESEA BLUE/HENDERSON TAXI

2 Cheryl D. Gibbons, General Manager
3 WHITTLESEA BLUE/HENDERSON TAXI
4 And VIRGIN VALLEY CAB
5 1910 Industrial Road
6 Las Vegas, NV 89102

7 Mark E. Trafton, Esq.
8 WHITTLESEA BLUE/HENDERSON TAXI
9 1910 Industrial Road
10 Las Vegas, NV 89102

11 FOR YCS CORPS:

12 YELLOW CHECKER AND STAR CAB
13 CORPORATIONS
14 ATTN: Keith Gibson,
15 General Counsel
16 5225 W. Post Road
17 Las Vegas, NV 89118

18 FOR THE STATE:

19 Asheesh Bhalla, Esq.
20 DEPUTY ATTORNEY GENERAL
21 555 E. Washington Ave., Suite 3900
22 Las Vegas, NV 89101

23 JD Decker, Interim Administrator
24 Nevada Taxicab Authority
25 2090 E. Flamingo Rd, Suite 200
26 Las Vegas, NV 89119

27 David Ricker, Esq.
28 NEVADA TAXICAB AUTHORITY
29 2090 E. Flamingo Rd, Suite 200
30 Las Vegas, NV 89119

An employee of Attorney Brent Carson

EXHIBIT A

1 BRENT A. CARSON, ESQ.
2 Nevada Bar No. 5903
3 ATTORNEY BRENT CARSON, LLC.
4 bac@winnercarson.com
5 7935 W. Sahara Avenue, Suite 101
6 Las Vegas, Nevada 89117
7 Ph: (702) 471-1111
8 Fax: (702) 471-0110
9 Attorney for INDEPENDENT CAB COMPANY, LLC

10
11
12 **BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY**

13 In the matter of An Application for a certificate)
14 of Public Convenience and Necessity by)
15 Applicants, Brent A. Carson and Claudia Maria)
16 Hoeppner (Independent ab Company, LLC),)
17 And Request for Thirty-Five Taxicab)
18 Medallions.)

19
20 **SUBPOENA FOR DOCUMENT PRODCUTION TO HENDERSON TAXI**

21 TO: HENDERSON TAXI

22 TO: MARK TRAFTON, ESQ., their attorney

23 Pursuant to the Order of the Hearing Officer and the Application on file herein, and pursuant
24 to NAC 706.936, Independent Cab Company requests that the following documents subpoenaed be
25 produced by Intervenor within ten (10) days.

26 **ITEMS TO BE PRODUCED:**

- 27 1. Any and all documents, exhibits or other tangible items you intend to offer into evidence at the
28 hearing on Independent Cab Company's Application for a Certificate of Public Convenience
and Necessity.
2. Produce the Tax Returns for Henderson Taxi for the past two years: 2019 and 2020.
3. Produce Henderson Taxi's annual reports filed with the Nevada Taxicab Authority for the
years 2019 and 2020.
4. Produce any and all documents that support your contention that there is no need for any
additional taxicab medallions in Clark County.
5. Produce any and all documents that support your contention that 35 additional medallions will


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unreasonably and adversely affect your operations.

6. Produce any and all documents that support your contention that 35 additional medallions will not benefit the travelling public.
7. Produce any and all documents that Applicants are not fit to perform the services of a taxicab motor carrier.
8. Produce any and all documents that Applicants are not willing to perform the services of a taxicab motor carrier.
9. Produce any and all documents that Applicants are not able to perform the services of a taxicab motor carrier.

DATED this 15 Day of Jan, 2022.

ATTORNEY BRENT CARSON, LLC


BRENT A CARSON, ESQ.
Nevada Bar No. 5903
7935 W. Sahara Avenue, Suite 101
Las Vegas, Nevada 89117
Attorney for Independent Cab Company

ISSUED AND APPROVED BY:

Nevada Taxicab Authority
J.D. Decker, Interim Administrator

Date: _____

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document: SUBPOENA TO WHITTLSEA BLUE CAB upon all parties of record in this proceeding by mailing a copy thereof, properly addressed, with postage prepaid, to the below listed.

Dated at Las Vegas, NV, this ____ day of January of 2022.

FOR A-CAB:

Creighton J. Nady, Owner
A Cab, LLC
1500 Searles Ave.
Las Vegas, NV 89101

Esther C. Rodriquez, Esq.
Rodriquez Law Offices, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

FOR DESERT CAB:

George Balaban
DESERT CAB COMPANY
4675 Wynn Road
Las Vegas, NV 89103

Robert A. Winner, Esq.
ROBERT WINNER, LTD
400 S. 4th Street, 3rd Floor
Las Vegas, NV 89101

FOR LUCKY AND WESTERN CAB:

Jason A. Awad, Esq.
Desiree Dante
4195 W. Diablo Dr.
Las Vegas, NV 89118

Ryan J. Awad, Esq.
JASON A. AWAD & ASSOC.
10801 W. Charleston Blvd, #575
Las Vegas, NV 89135

1 FOR WHITTLESEA BLUE/HENDERSON TAXI

2 Cheryl D. Gibbons, General Manager
3 WHITTLESEA BLUE/HENDERSON TAXI
4 And VIRGIN VALLEY CAB
5 1910 Industrial Road
6 Las Vegas, NV 89102

7 Mark E. Trafton, Esq.
8 WHITTLESEA BLUE/HENDERSON TAXI
9 1910 Industrial Road
10 Las Vegas, NV 89102

11 FOR YCS CORPS:

12 YELLOW CHECKER AND STAR CAB
13 CORPORATIONS
14 ATTN: Keith Gibson,
15 General Counsel
16 5225 W. Post Road
17 Las Vegas, NV 89118

18 FOR THE STATE:

19 Asheesh Bhalla, Esq.
20 DEPUTY ATTORNEY GENERAL
21 555 E. Washington Ave., Suite 3900
22 Las Vegas, NV 89101

23 JD Decker, Interim Administrator
24 Nevada Taxicab Authority
25 2090 E. Flamingo Rd, Suite 200
26 Las Vegas, NV 89119

27 David Ricker, Esq.
28 NEVADA TAXICAB AUTHORITY
2090 E. Flamingo Rd, Suite 200
Las Vegas, NV 89119

An employee of Attorney Brent Carson

PREVIOUS PLEADINGS REGARDING THIS MATTER

**Independent Cab's Application Pursuant to NAC
706.936 for the Taxicab Authority to Approve the
Issuance of Subpoena to Produce Documents to
Lucky Cab, filed January 18, 2022**

1 BRENT A. CARSON, ESQ.
2 Nevada Bar No. 5903
3 ATTORNEY BRENT CARSON, LLC.
4 bac@winnercarson.com
5 7935 W. Sahara Avenue, Suite 101
6 Las Vegas, Nevada 89117
7 Ph: (702) 471-1111
8 Fax: (702) 471-0110
9 Attorney for INDEPENDENT CAB COMPANY, LLC

JAN 18 '22 FILED

6 BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY

7 In the matter of An Application for a certificate)
8 of Public Convenience and Necessity by)
9 Applicants, Brent A. Carson and Claudia Maria)
10 Hoeppner (Independent ab Company, LLC),)
11 And Request for Thirty-Five Taxicab)
12 Medallions.)

12 **APPLICANT, INDEPENDENT CAB COMPANY'S APPLICATION PURSUANT TO NAC**
13 **706.936 FOR THE TAXICAB AUTHORITY TO APPROVE THE ISSUANCE OF THE**
14 **ATTACHED SUBPOENA TO PRODUCE DOCUMENTS TO LUCKY CAB**

15 COMES NOW, Applicants BRENT A. CARSON and CLAUDIA MARIA HOEPPNER, by
16 and through their attorney of record, Brent A. Carson, Esq. of the law firm of ATTORNEY BRENT
17 CARSON, LLC., and submits this Application pursuant to NAC 706.936 in the above referenced
18 matter. Independent Cab Company respectfully requests the Taxicab Authority issue the Subpoena
19 attached to this Application, and identified as Exhibit "A." The attached Subpoena is in Compliance
20 with NAC 706.936 and is reasonable and not oppressive. Independent Cab Company requests
21 compliance with the attached Subpoena within ten (10) days of its issuance.

22 DATED this 15 Day of Jan, 2022.

24 ATTORNEY BRENT CARSON, LLC

25 
26 BRENT A. CARSON, ESQ.
27 Nevada Bar No. 5903
28 7935 W. Sahara Avenue, Suite 101
Las Vegas, Nevada 89117
Attorney for Independent Cab Company

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document: APPLICATION FOR SUBPOENA TO LUCKY CAB upon all parties of record in this proceeding by mailing a copy thereof, properly addressed, with postage prepaid, to the below listed.

Dated at Las Vegas, NV, this ____ day of January of 2022.

FOR A-CAB:

Creighton J. Nady, Owner
A Cab, LLC
1500 Searles Ave.
Las Vegas, NV 89101

Esther C. Rodriquez, Esq.
Rodriquez Law Offices, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

FOR DESERT CAB:

George Balaban
DESERT CAB COMPANY
4675 Wynn Road
Las Vegas, NV 89103

Robert A. Winner, Esq.
ROBERT WINNER, LTD
400 S. 4th Street, 3rd Floor
Las Vegas, NV 89101

FOR LUCKY AND WESTERN CAB:

Jason A. Awad, Esq.
Desiree Dante
4195 W. Diablo Dr.
Las Vegas, NV 89118

Ryan J. Awad, Esq.
JASON A. AWAD & ASSOC.
10801 W. Charleston Blvd, #575
Las Vegas, NV 89135

1 FOR WHITTLESEA BLUE/HENDERSON TAXI

2 Cheryl D. Gibbons, General Manager
3 WHITTLESEA BLUE/HENDERSON TAXI
4 And VIRGIN VALLEY CAB
5 1910 Industrial Road
6 Las Vegas, NV 89102

7 Mark E. Trafton, Esq.
8 WHITTLESEA BLUE/HENDERSON TAXI
9 1910 Industrial Road
10 Las Vegas, NV 89102

11 FOR YCS CORPS:

12 YELLOW CHECKER AND STAR CAB
13 CORPORATIONS
14 ATTN: Keith Gibson,
15 General Counsel
16 5225 W. Post Road
17 Las Vegas, NV 89118

18 FOR THE STATE:

19 Asheesh Bhalla, Esq.
20 DEPUTY ATTORNEY GENERAL
21 555 E. Washington Ave., Suite 3900
22 Las Vegas, NV 89101

23 JD Decker, Interim Administrator
24 Nevada Taxicab Authority
25 2090 E. Flamingo Rd, Suite 200
26 Las Vegas, NV 89119

27 David Ricker, Esq.
28 NEVADA TAXICAB AUTHORITY
2090 E. Flamingo Rd, Suite 200
Las Vegas, NV 89119

An employee of Attorney Brent Carson

EXHIBIT A

1 BRENT A. CARSON, ESQ.
2 Nevada Bar No. 5903
3 ATTORNEY BRENT CARSON, LLC.
4 bac@winnercarson.com
5 7935 W. Sahara Avenue, Suite 101
6 Las Vegas, Nevada 89117
7 Ph: (702) 471-1111
8 Fax: (702) 471-0110
9 Attorney for INDEPENDENT CAB COMPANY, LLC

10
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12 **BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY**

13 In the matter of An Application for a certificate)
14 of Public Convenience and Necessity by)
15 Applicants, Brent A. Carson and Claudia Maria)
16 Hoeppner (Independent ab Company, LLC),)
17 And Request for Thirty-Five Taxicab)
18 Medallions.)

19
20 **SUBPOENA FOR DOCUMENT PRODCUTION TO LUCKY CAB**

21 TO: LUCKY CAB

22 TO: RYAN AWAD, ESQ., their attorney

23 Pursuant to the Order of the Hearing Officer and the Application on file herein, and pursuant
24 to NAC 706.936, Independent Cab Company requests that the following documents subpoenaed be
25 produced by Intervenor within ten (10) days.

26 **ITEMS TO BE PRODUCED:**


- 27 1. Any and all documents, exhibits or other tangible items you intend to offer into evidence at the
28 hearing on Independent Cab Company's Application for a Certificate of Public Convenience
and Necessity.
2. Produce the Tax Returns for Lucky Cab for the past two years: 2019 and 2020.
3. Produce Lucky Cab's annual reports filed with the Nevada Taxicab Authority for the years
2019 and 2020.
4. Produce any and all documents that support your contention that there is no need for any
additional taxicab medallions in Clark County.
5. Produce any and all documents that support your contention that 35 additional medallions will

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unreasonably and adversely affect your operations.

- 6. Produce any and all documents that support your contention that 35 additional medallions will not benefit the travelling public.
- 7. Produce any and all documents that Applicants are not fit to perform the services of a taxicab motor carrier.
- 8. Produce any and all documents that Applicants are not willing to perform the services of a taxicab motor carrier.
- 9. Produce any and all documents that Applicants are not able to perform the services of a taxicab motor carrier.

DATED this 15 Day of Jan, 2022.

ATTORNEY BRENT CARSON, LLC

BRENT A CARSON, ESQ.
Nevada Bar No. 5903
7935 W. Sahara Avenue, Suite 101
Las Vegas, Nevada 89117
Attorney for Independent Cab Company

ISSUED AND APPROVED BY:

Nevada Taxicab Authority
J.D. Decker, Interim Administrator

Date: _____

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document: SUBPOENA TO LUCKY CAB upon all parties of record in this proceeding by mailing a copy thereof, properly addressed, with postage prepaid, to the below listed.

Dated at Las Vegas, NV, this ____ day of January of 2022.

FOR A-CAB:

Creighton J. Nady, Owner
A Cab, LLC
1500 Searles Ave.
Las Vegas, NV 89101

Esther C. Rodriquez, Esq.
Rodriquez Law Offices, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

FOR DESERT CAB:

George Balaban
DESERT CAB COMPANY
4675 Wynn Road
Las Vegas, NV 89103

Robert A. Winner, Esq.
ROBERT WINNER, LTD
400 S. 4th Street, 3rd Floor
Las Vegas, NV 89101

FOR LUCKY AND WESTERN CAB:

Jason A. Awad, Esq.
Desiree Dante
4195 W. Diablo Dr.
Las Vegas, NV 89118

Ryan J. Awad, Esq.
JASON A. AWAD & ASSOC.
10801 W. Charleston Blvd, #575
Las Vegas, NV 89135

1 FOR WHITTLESEA BLUE/HENDERSON TAXI

2 Cheryl D. Gibbons, General Manager
3 WHITTLESEA BLUE/HENDERSON TAXI
4 And VIRGIN VALLEY CAB
5 1910 Industrial Road
6 Las Vegas, NV 89102

7 Mark E. Trafton, Esq.
8 WHITTLESEA BLUE/HENDERSON TAXI
9 1910 Industrial Road
10 Las Vegas, NV 89102

11 FOR YCS CORPS:

12 YELLOW CHECKER AND STAR CAB
13 CORPORATIONS
14 ATTN: Keith Gibson,
15 General Counsel
16 5225 W. Post Road
17 Las Vegas, NV 89118

18 FOR THE STATE:

19 Asheesh Bhalla, Esq.
20 DEPUTY ATTORNEY GENERAL
21 555 E. Washington Ave., Suite 3900
22 Las Vegas, NV 89101

23 JD Decker, Interim Administrator
24 Nevada Taxicab Authority
25 2090 E. Flamingo Rd, Suite 200
26 Las Vegas, NV 89119

27 David Ricker, Esq.
28 NEVADA TAXICAB AUTHORITY
2090 E. Flamingo Rd, Suite 200
Las Vegas, NV 89119

An employee of Attorney Brent Carson

PREVIOUS PLEADINGS REGARDING THIS MATTER

Independent Cab's Application Pursuant to NAC 706.936 for the Taxicab Authority to Approve the Issuance of Subpoena to Produce Documents to Star Cab Company, filed January 18, 2022

1 BRENT A. CARSON, ESQ.
2 Nevada Bar No. 5903
3 ATTORNEY BRENT CARSON, LLC.
4 bac@winnercarson.com
5 7935 W. Sahara Avenue, Suite 101
6 Las Vegas, Nevada 89117
7 Ph: (702) 471-1111
8 Fax: (702) 471-0110
9 Attorney for INDEPENDENT CAB COMPANY, LLC

JAN 18 '22 FILED

6 **BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY**

7 In the matter of An Application for a certificate)
8 of Public Convenience and Necessity by)
9 Applicants, Brent A. Carson and Claudia Maria)
10 Hoeppner (Independent ab Company, LLC),)
11 And Request for Thirty-Five Taxicab)
12 Medallions.)

12 **APPLICANT, INDEPENDENT CAB COMPANY'S APPLICATION PURSUANT TO NAC**
13 **706.936 FOR THE TAXICAB AUTHORITY TO APPROVE THE ISSUANCE OF THE**
14 **ATTACHED SUBPOENA TO PRODUCE DOCUMENTS TO STAR CAB COMPANY**

15 COMES NOW, Applicants BRENT A. CARSON and CLAUDIA MARIA HOEPPNER, by
16 and through their attorney of record, Brent A. Carson, Esq. of the law firm of ATTORNEY BRENT
17 CARSON, LLC., and submits this Application pursuant to NAC 706.936 in the above referenced
18 matter. Independent Cab Company respectfully requests the Taxicab Authority issue the Subpoena
19 attached to this Application, and identified as Exhibit "A." The attached Subpoena is in Compliance
20 with NAC 706.936 and is reasonable and not oppressive. Independent Cab Company requests
21 compliance with the attached Subpoena within ten (10) days of its issuance.

22 DATED this 15 Day of Jan, 2022.

24 **ATTORNEY BRENT CARSON, LLC**

25 
26 BRENT A. CARSON, ESQ.
27 Nevada Bar No. 5903
28 7935 W. Sahara Avenue, Suite 101
Las Vegas, Nevada 89117
Attorney for Independent Cab Company

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document: APPLICATION FOR SUBPOENA TO STAR CAB COMPANY upon all parties of record in this proceeding by mailing a copy thereof, properly addressed, with postage prepaid, to the below listed.

Dated at Las Vegas, NV, this ____ day of January of 2022.

FOR A-CAB:

Creighton J. Nady, Owner
A Cab, LLC
1500 Searles Ave.
Las Vegas, NV 89101

Esther C. Rodriguez, Esq.
Rodriguez Law Offices, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

FOR DESERT CAB:

George Balaban
DESERT CAB COMPANY
4675 Wynn Road
Las Vegas, NV 89103

Robert A. Winner, Esq.
ROBERT WINNER, LTD
400 S. 4th Street, 3rd Floor
Las Vegas, NV 89101

FOR LUCKY AND WESTERN CAB:

Jason A. Awad, Esq.
Desiree Dante
4195 W. Diablo Dr.
Las Vegas, NV 89118

Ryan J. Awad, Esq.
JASON A. AWAD & ASSOC.
10801 W. Charleston Blvd, #575
Las Vegas, NV 89135

1 FOR WHITTLESEA BLUE/HENDERSON TAXI

2 Cheryl D. Gibbons, General Manager
3 WHITTLESEA BLUE/HENDERSON TAXI
4 And VIRGIN VALLEY CAB
5 1910 Industrial Road
6 Las Vegas, NV 89102

7 Mark E. Trafton, Esq.
8 WHITTLESEA BLUE/HENDERSON TAXI
9 1910 Industrial Road
10 Las Vegas, NV 89102

11 FOR YCS CORPS:

12 YELLOW CHECKER AND STAR CAB
13 CORPORATIONS
14 ATTN: Keith Gibson,
15 General Counsel
16 5225 W. Post Road
17 Las Vegas, NV 89118

18 FOR THE STATE:

19 Asheesh Bhalla, Esq.
20 DEPUTY ATTORNEY GENERAL
21 555 E. Washington Ave., Suite 3900
22 Las Vegas, NV 89101

23 JD Decker, Interim Administrator
24 Nevada Taxicab Authority
25 2090 E. Flamingo Rd, Suite 200
26 Las Vegas, NV 89119

27 David Ricker, Esq.
28 NEVADA TAXICAB AUTHORITY
2090 E. Flamingo Rd, Suite 200
Las Vegas, NV 89119

An employee of Attorney Brent Carson

EXHIBIT A

1 BRENT A. CARSON, ESQ.
2 Nevada Bar No. 5903
3 ATTORNEY BRENT CARSON, LLC.
4 bac@winnercarson.com
5 7935 W. Sahara Avenue, Suite 101
6 Las Vegas, Nevada 89117
7 Ph: (702) 471-1111
8 Fax: (702) 471-0110
9 Attorney for INDEPENDENT CAB COMPANY, LLC

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11
12 **BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY**

13 In the matter of An Application for a certificate)
14 of Public Convenience and Necessity by)
15 Applicants, Brent A. Carson and Claudia Maria)
16 Hoeppner (Independent ab Company, LLC),)
17 And Request for Thirty-Five Taxicab)
18 Medallions.)

19
20 **SUBPOENA FOR DOCUMENT PRODCUTION TO STAR CAB**

21 TO: STAR CAB

22 TO: KEITH GIBSON, ESQ., their attorney

23 Pursuant to the Order of the Hearing Officer and the Application on file herein, and pursuant
24 to NAC 706.936, Independent Cab Company requests that the following documents subpoenaed be
25 produced by Intervenor within ten (10) days.

26 **ITEMS TO BE PRODUCED:**


- 27
- 28 1. Any and all documents, exhibits or other tangible items you intend to offer into evidence at the
hearing on Independent Cab Company's Application for a Certificate of Public Convenience
and Necessity.
 2. Produce the Tax Returns for Star Cab for the past two years: 2019 and 2020.
 3. Produce Star Cab's annual reports filed with the Nevada Taxicab Authority for the years 2019
and 2020.
 4. Produce any and all documents that support your contention that there is no need for any
additional taxicab medallions in Clark County.
 5. Produce any and all documents that support your contention that 35 additional medallions will

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- 6. Produce any and all documents that support your contention that 35 additional medallions will not benefit the travelling public.
- 7. Produce any and all documents that Applicants are not fit to perform the services of a taxicab motor carrier.
- 8. Produce any and all documents that Applicants are not willing to perform the services of a taxicab motor carrier.
- 9. Produce any and all documents that Applicants are not able to perform the services of a taxicab motor carrier.

DATED this 15 Day of Jun, 2022.

ATTORNEY BRENT CARSON, LLC

BRENT A CARSON, ESQ.
Nevada Bar No. 5903
7935 W. Sahara Avenue, Suite 101
Las Vegas, Nevada 89117
Attorney for Independent Cab Company

ISSUED AND APPROVED BY:

Nevada Taxicab Authority
J.D. Decker, Interim Administrator

Date: _____

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document: SUBPOENA TO STAR CAB upon all parties of record in this proceeding by mailing a copy thereof, properly addressed, with postage prepaid, to the below listed.

Dated at Las Vegas, NV, this ____ day of January of 2022.

FOR A-CAB:

Creighton J. Nady, Owner
A Cab, LLC
1500 Searles Ave.
Las Vegas, NV 89101

Esther C. Rodriguez, Esq.
Rodriguez Law Offices, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

FOR DESERT CAB:

George Balaban
DESERT CAB COMPANY
4675 Wynn Road
Las Vegas, NV 89103

Robert A. Winner, Esq.
ROBERT WINNER, LTD
400 S. 4th Street, 3rd Floor
Las Vegas, NV 89101

FOR LUCKY AND WESTERN CAB:

Jason A. Awad, Esq.
Desiree Dante
4195 W. Diablo Dr.
Las Vegas, NV 89118

Ryan J. Awad, Esq.
JASON A. AWAD & ASSOC.
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1 FOR WHITTLESEA BLUE/HENDERSON TAXI

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4 And VIRGIN VALLEY CAB
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8 WHITTLESEA BLUE/HENDERSON TAXI
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10 Las Vegas, NV 89102

11 FOR YCS CORPS:

12 YELLOW CHECKER AND STAR CAB
13 CORPORATIONS
14 ATTN: Keith Gibson,
15 General Counsel
16 5225 W. Post Road
17 Las Vegas, NV 89118

18 FOR THE STATE:

19 Asheesh Bhalla, Esq.
20 DEPUTY ATTORNEY GENERAL
21 555 E. Washington Ave., Suite 3900
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26 Las Vegas, NV 89119

27 David Ricker, Esq.
28 NEVADA TAXICAB AUTHORITY
2090 E. Flamingo Rd, Suite 200
Las Vegas, NV 89119

An employee of Attorney Brent Carson

PREVIOUS PLEADINGS REGARDING THIS MATTER

**Independent Cab's Application Pursuant to NAC
706.936 for the Taxicab Authority to Approve the
Issuance of Subpoena to Produce Documents to
Western Cab, filed January 18, 2022**

1 BRENT A. CARSON, ESQ.
2 Nevada Bar No. 5903
3 ATTORNEY BRENT CARSON, LLC.
4 bac@winnercarson.com
5 7935 W. Sahara Avenue, Suite 101
6 Las Vegas, Nevada 89117
7 Ph: (702) 471-1111
8 Fax: (702) 471-0110
9 Attorney for INDEPENDENT CAB COMPANY, LLC

JAN 18 '22 FILED

6 **BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY**


7 In the matter of An Application for a certificate)
8 of Public Convenience and Necessity by)
9 Applicants, Brent A. Carson and Claudia Maria)
10 Hoeppner (Independent ab Company, LLC),)
11 And Request for Thirty-Five Taxicab)
12 Medallions.)

13 **APPLICANT, INDEPENDENT CAB COMPANY'S APPLICATION PURSUANT TO NAC**
14 **706.936 FOR THE TAXICAB AUTHORITY TO APPROVE THE ISSUANCE OF THE**
15 **ATTACHED SUBPOENA TO PRODUCE DOCUMENTS TO WESTERN CAB**

16 COMES NOW, Applicants BRENT A. CARSON and CLAUDIA MARIA HOEPPNER, by
17 and through their attorney of record, Brent A. Carson, Esq. of the law firm of ATTORNEY BRENT
18 CARSON, LLC., and submits this Application pursuant to NAC 706.936 in the above referenced
19 matter. Independent Cab Company respectfully requests the Taxicab Authority issue the Subpoena
20 attached to this Application, and identified as Exhibit "A." The attached Subpoena is in Compliance
21 with NAC 706.936 and is reasonable and not oppressive. Independent Cab Company requests
22 compliance with the attached Subpoena within ten (10) days of its issuance.

23 DATED this 15 Day of Jan, 2022.

24 **ATTORNEY BRENT CARSON, LLC**

25 
26 BRENT A. CARSON, ESQ.
27 Nevada Bar No. 5903
28 7935 W. Sahara Avenue, Suite 101
Las Vegas, Nevada 89117
Attorney for Independent Cab Company

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document: APPLICATION FOR SUBPOENA TO WESTERN CAB upon all parties of record in this proceeding by mailing a copy thereof, properly addressed, with postage prepaid, to the below listed.

Dated at Las Vegas, NV, this ____ day of January of 2022.

FOR A-CAB:

Creighton J. Nady, Owner
A Cab, LLC
1500 Searles Ave.
Las Vegas, NV 89101

Esther C. Rodriquez, Esq.
Rodriquez Law Offices, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

FOR DESERT CAB:

George Balaban
DESERT CAB COMPANY
4675 Wynn Road
Las Vegas, NV 89103

Robert A. Winner, Esq.
ROBERT WINNER, LTD
400 S. 4th Street, 3rd Floor
Las Vegas, NV 89101

FOR LUCKY AND WESTERN CAB:

Jason A. Awad, Esq.
Desiree Dante
4195 W. Diablo Dr.
Las Vegas, NV 89118

Ryan J. Awad, Esq.
JASON A. AWAD & ASSOC.
10801 W. Charleston Blvd, #575
Las Vegas, NV 89135

1 FOR WHITTLESEA BLUE/HENDERSON TAXI

2 Cheryl D. Gibbons, General Manager
3 WHITTLESEA BLUE/HENDERSON TAXI
4 And VIRGIN VALLEY CAB
5 1910 Industrial Road
6 Las Vegas, NV 89102

7 Mark E. Trafton, Esq.
8 WHITTLESEA BLUE/HENDERSON TAXI
9 1910 Industrial Road
10 Las Vegas, NV 89102

11 FOR YCS CORPS:

12 YELLOW CHECKER AND STAR CAB
13 CORPORATIONS
14 ATTN: Keith Gibson,
15 General Counsel
16 5225 W. Post Road
17 Las Vegas, NV 89118

18 FOR THE STATE:

19 Asheesh Bhalla, Esq.
20 DEPUTY ATTORNEY GENERAL
21 555 E. Washington Ave., Suite 3900
22 Las Vegas, NV 89101

23 JD Decker, Interim Administrator
24 Nevada Taxicab Authority
25 2090 E. Flamingo Rd, Suite 200
26 Las Vegas, NV 89119

27 David Ricker, Esq.
28 NEVADA TAXICAB AUTHORITY
2090 E. Flamingo Rd, Suite 200
Las Vegas, NV 89119

An employee of Attorney Brent Carson

EXHIBIT A

1 BRENT A. CARSON, ESQ.
2 Nevada Bar No. 5903
3 ATTORNEY BRENT CARSON, LLC.
4 bac@winnercarson.com
5 7935 W. Sahara Avenue, Suite 101
6 Las Vegas, Nevada 89117
7 Ph: (702) 471-1111
8 Fax: (702) 471-0110
9 Attorney for INDEPENDENT CAB COMPANY, LLC

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BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY

In the matter of An Application for a certificate)
of Public Convenience and Necessity by)
Applicants, Brent A. Carson and Claudia Maria)
Hoeppner (Independent ab Company, LLC),)
And Request for Thirty-Five Taxicab)
Medallions.)

SUBPOENA FOR DOCUMENT PRODCUTION TO WESTERN CAB

TO: WESTERN CAB

TO: RYAN AWAD, ESQ., their attorney

Pursuant to the Order of the Hearing Officer and the Application on file herein, and pursuant to NAC 706.936, Independent Cab Company requests that the following documents subpoenaed be produced by Intervenor within ten (10) days.

ITEMS TO BE PRODUCED:

1. Any and all documents, exhibits or other tangible items you intend to offer into evidence at the hearing on Independent Cab Company's Application for a Certificate of Public Convenience and Necessity.
2. Produce the Tax Returns for Western Cab for the past two years: 2019 and 2020.
3. Produce Western Cab's annual reports filed with the Nevada Taxicab Authority for the years 2019 and 2020.
4. Produce any and all documents that support your contention that there is no need for any additional taxicab medallions in Clark County.
5. Produce any and all documents that support your contention that 35 additional medallions will

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document: SUBPOENA TO WESTERN CAB upon all parties of record in this proceeding by mailing a copy thereof, properly addressed, with postage prepaid, to the below listed.

Dated at Las Vegas, NV, this ____ day of January of 2022.

FOR A-CAB:

Creighton J. Nady, Owner
A Cab, LLC
1500 Searles Ave.
Las Vegas, NV 89101

Esther C. Rodriguez, Esq.
Rodriguez Law Offices, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

FOR DESERT CAB:

George Balaban
DESERT CAB COMPANY
4675 Wynn Road
Las Vegas, NV 89103

Robert A. Winner, Esq.
ROBERT WINNER, LTD
400 S. 4th Street, 3rd Floor
Las Vegas, NV 89101

FOR LUCKY AND WESTERN CAB:

Jason A. Awad, Esq.
Desiree Dante
4195 W. Diablo Dr.
Las Vegas, NV 89118

Ryan J. Awad, Esq.
JASON A. AWAD & ASSOC.
10801 W. Charleston Blvd, #575
Las Vegas, NV 89135

1 FOR WHITTLESEA BLUE/HENDERSON TAXI

2 Cheryl D. Gibbons, General Manager
3 WHITTLESEA BLUE/HENDERSON TAXI
4 And VIRGIN VALLEY CAB
5 1910 Industrial Road
6 Las Vegas, NV 89102

7 Mark E. Trafton, Esq.
8 WHITTLESEA BLUE/HENDERSON TAXI
9 1910 Industrial Road
10 Las Vegas, NV 89102

11 FOR YCS CORPS:

12 YELLOW CHECKER AND STAR CAB
13 CORPORATIONS
14 ATTN: Keith Gibson,
15 General Counsel
16 5225 W. Post Road
17 Las Vegas, NV 89118

18 FOR THE STATE:

19 Asheesh Bhalla, Esq.
20 DEPUTY ATTORNEY GENERAL
21 555 E. Washington Ave., Suite 3900
22 Las Vegas, NV 89101

23 JD Decker, Interim Administrator
24 Nevada Taxicab Authority
25 2090 E. Flamingo Rd, Suite 200
26 Las Vegas, NV 89119

27 David Ricker, Esq.
28 NEVADA TAXICAB AUTHORITY
2090 E. Flamingo Rd, Suite 200
Las Vegas, NV 89119

An employee of Attorney Brent Carson

PREVIOUS PLEADINGS REGARDING THIS MATTER

Independent Cab's Application Pursuant to NAC 706.936 for the Taxicab Authority to Approve the Issuance of Subpoena to Produce Documents to Whittlesea Blue Cab, filed January 18, 2022

JAN 18 '22 FILED

BRENT A. CARSON, ESQ.
Nevada Bar No. 5903
ATTORNEY BRENT CARSON, LLC.
bac@winnercarson.com
7935 W. Sahara Avenue, Suite 101
Las Vegas, Nevada 89117
Ph: (702) 471-1111
Fax: (702) 471-0110
Attorney for INDEPENDENT CAB COMPANY, LLC

BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY

In the matter of An Application for a certificate)
of Public Convenience and Necessity by)
Applicants, Brent A. Carson and Claudia Maria)
Hoeppner (Independent ab Company, LLC),)
And Request for Thirty-Five Taxicab)
Medallions.)

**APPLICANT, INDEPENDENT CAB COMPANY'S APPLICATION PURSUANT TO NAC
706.936 FOR THE TAXICAB AUTHORITY TO APPROVE THE ISSUANCE OF THE
ATTACHED SUBPOENA TO PRODUCE DOCUMENTS TO WHITTLSEA BLUE CAB**

COMES NOW, Applicants BRENT A. CARSON and CLAUDIA MARIA HOEPPNER, by
and through their attorney of record, Brent A. Carson, Esq. of the law firm of ATTORNEY BRENT
CARSON, LLC., and submits this Application pursuant to NAC 706.936 in the above referenced
matter. Independent Cab Company respectfully requests the Taxicab Authority issue the Subpoena
attached to this Application, and identified as Exhibit "A." The attached Subpoena is in Compliance
with NAC 706.936 and is reasonable and not oppressive. Independent Cab Company requests
compliance with the attached Subpoena within ten (10) days of its issuance.

DATED this 15 Day of Jan, 2022.

ATTORNEY BRENT CARSON, LLC


BRENT A. CARSON, ESQ.
Nevada Bar No. 5903
7935 W. Sahara Avenue, Suite 101
Las Vegas, Nevada 89117
Attorney for Independent Cab Company

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document: APPLICATION FOR SUBPOENA TO WHITTLESEA BLUE CAB upon all parties of record in this proceeding by mailing a copy thereof, properly addressed, with postage prepaid, to the below listed.

Dated at Las Vegas, NV, this ____ day of January of 2022.

FOR A-CAB:

Creighton J. Nady, Owner
A Cab, LLC
1500 Searles Ave.
Las Vegas, NV 89101

Esther C. Rodriguez, Esq.
Rodriguez Law Offices, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

FOR DESERT CAB:

George Balaban
DESERT CAB COMPANY
4675 Wynn Road
Las Vegas, NV 89103

Robert A. Winner, Esq.
ROBERT WINNER, LTD
400 S. 4th Street, 3rd Floor
Las Vegas, NV 89101

FOR LUCKY AND WESTERN CAB:

Jason A. Awad, Esq.
Desiree Dante
4195 W. Diablo Dr.
Las Vegas, NV 89118

Ryan J. Awad, Esq.
JASON A. AWAD & ASSOC.
10801 W. Charleston Blvd, #575
Las Vegas, NV 89135

1 FOR WHITTLESEA BLUE/HENDERSON TAXI

2 Cheryl D. Gibbons, General Manager
3 WHITTLESEA BLUE/HENDERSON TAXI
4 And VIRGIN VALLEY CAB
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6 Las Vegas, NV 89102

7 Mark E. Trafton, Esq.
8 WHITTLESEA BLUE/HENDERSON TAXI
9 1910 Industrial Road
10 Las Vegas, NV 89102

11 FOR YCS CORPS:

12 YELLOW CHECKER AND STAR CAB
13 CORPORATIONS
14 ATTN: Keith Gibson,
15 General Counsel
16 5225 W. Post Road
17 Las Vegas, NV 89118

18 FOR THE STATE:

19 Asheesh Bhalla, Esq.
20 DEPUTY ATTORNEY GENERAL
21 555 E. Washington Ave., Suite 3900
22 Las Vegas, NV 89101

23 JD Decker, Interim Administrator
24 Nevada Taxicab Authority
25 2090 E. Flamingo Rd, Suite 200
26 Las Vegas, NV 89119

27 David Ricker, Esq.
28 NEVADA TAXICAB AUTHORITY
2090 E. Flamingo Rd, Suite 200
Las Vegas, NV 89119

An employee of Attorney Brent Carson

EXHIBIT A

1 BRENT A. CARSON, ESQ.
2 Nevada Bar No. 5903
3 ATTORNEY BRENT CARSON, LLC.
4 bac@winnercarson.com
5 7935 W. Sahara Avenue, Suite 101
6 Las Vegas, Nevada 89117
7 Ph: (702) 471-1111
8 Fax: (702) 471-0110
9 Attorney for INDEPENDENT CAB COMPANY, LLC

10
11
12 **BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY**

13 In the matter of An Application for a certificate)
14 of Public Convenience and Necessity by)
15 Applicants, Brent A. Carson and Claudia Maria)
16 Hoeppner (Independent ab Company, LLC),)
17 And Request for Thirty-Five Taxicab)
18 Medallions.)

19
20 **SUBPOENA FOR DOCUMENT PRODCUTION TO WHITTLESEA BLUE CAB**

21 TO: WHITTLESEA BLUE CAB

22 TO: MARK TRAFTON, ESQ., their attorney

23 Pursuant to the Order of the Hearing Officer and the Application on file herein, and pursuant
24 to NAC 706.936, Independent Cab Company requests that the following documents subpoenaed be
25 produced by Intervenor within ten (10) days.


26 **ITEMS TO BE PRODUCED:**

- 27 1. Any and all documents, exhibits or other tangible items you intend to offer into evidence at the
28 hearing on Independent Cab Company's Application for a Certificate of Public Convenience
and Necessity.
2. Produce the Tax Returns for Whittlesea Blue Cab Company for the past two years: 2019 and
2020.
3. Produce Whittlesea Blue Cab Company's annual reports filed with the Nevada Taxicab
Authority for the years 2019 and 2020.
4. Produce any and all documents that support your contention that there is no need for any
additional taxicab medallions in Clark County.

- 1 5. Produce any and all documents that support your contention that 35 additional medallions will
2 unreasonably and adversely affect your operations.
3 6. Produce any and all documents that support your contention that 35 additional medallions will
4 not benefit the travelling public.
5 7. Produce any and all documents that Applicants are not fit to perform the services of a taxicab
6 motor carrier.
7 8. Produce any and all documents that Applicants are not willing to perform the services of a
8 taxicab motor carrier.
9 9. Produce any and all documents that Applicants are not able to perform the services of a taxicab
10 motor carrier.

11 DATED this 5 Day of Jan, 2022.

12 ATTORNEY BRENT CARSON, LLC

13 
14 BRENT A CARSON, ESQ.
15 Nevada Bar No. 5903
16 7935 W. Sahara Avenue, Suite 101
17 Las Vegas, Nevada 89117
18 Attorney for Independent Cab Company

19 **ISSUED AND APPROVED BY:**

20 _____ Date: _____
21 Nevada Taxicab Authority
22 J.D. Decker, Interim Administrator
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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document: SUBPOENA TO WHITTLSEA BLUE CAB upon all parties of record in this proceeding by mailing a copy thereof, properly addressed, with postage prepaid, to the below listed.

Dated at Las Vegas, NV, this ____ day of January of 2022.

FOR A-CAB:

Creighton J. Nady, Owner
A Cab, LLC
1500 Searles Ave.
Las Vegas, NV 89101

Esther C. Rodriquez, Esq.
Rodriquez Law Offices, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

FOR DESERT CAB:

George Balaban
DESERT CAB COMPANY
4675 Wynn Road
Las Vegas, NV 89103

Robert A. Winner, Esq.
ROBERT WINNER, LTD
400 S. 4th Street, 3rd Floor
Las Vegas, NV 89101

FOR LUCKY AND WESTERN CAB:

Jason A. Awad, Esq.
Desiree Dante
4195 W. Diablo Dr.
Las Vegas, NV 89118

Ryan J. Awad, Esq.
JASON A. AWAD & ASSOC.
10801 W. Charleston Blvd, #575
Las Vegas, NV 89135

1 FOR WHITTLESEA BLUE/HENDERSON TAXI

2 Cheryl D. Gibbons, General Manager
3 WHITTLESEA BLUE/HENDERSON TAXI
4 And VIRGIN VALLEY CAB
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6 Las Vegas, NV 89102

7 Mark E. Trafton, Esq.
8 WHITTLESEA BLUE/HENDERSON TAXI
9 1910 Industrial Road
10 Las Vegas, NV 89102

11 FOR YCS CORPS:

12 YELLOW CHECKER AND STAR CAB
13 CORPORATIONS
14 ATTN: Keith Gibson,
15 General Counsel
16 5225 W. Post Road
17 Las Vegas, NV 89118

18 FOR THE STATE:

19 Asheesh Bhalla, Esq.
20 DEPUTY ATTORNEY GENERAL
21 555 E. Washington Ave., Suite 3900
22 Las Vegas, NV 89101

23 JD Decker, Interim Administrator
24 Nevada Taxicab Authority
25 2090 E. Flamingo Rd, Suite 200
26 Las Vegas, NV 89119

27 David Ricker, Esq.
28 NEVADA TAXICAB AUTHORITY
2090 E. Flamingo Rd, Suite 200
Las Vegas, NV 89119

An employee of Attorney Brent Carson

PREVIOUS PLEADINGS REGARDING THIS MATTER

Independent Cab's Application Pursuant to NAC 706.936 for the Taxicab Authority to Approve the Issuance of Subpoena to Produce Documents to Yellow Cab Company, filed January 18, 2022

1 BRENT A. CARSON, ESQ.
2 Nevada Bar No. 5903
3 ATTORNEY BRENT CARSON, LLC.
4 bac@winnercarson.com
5 7935 W. Sahara Avenue, Suite 101
6 Las Vegas, Nevada 89117
7 Ph: (702) 471-1111
8 Fax: (702) 471-0110
9 Attorney for INDEPENDENT CAB COMPANY, LLC

10
11
12 **BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY**


13 In the matter of An Application for a certificate)
14 of Public Convenience and Necessity by)
15 Applicants, Brent A. Carson and Claudia Maria)
16 Hoeppner (Independent ab Company, LLC),)
17 And Request for Thirty-Five Taxicab)
18 Medallions.)

19
20 **APPLICANT, INDEPENDENT CAB COMPANY'S APPLICATION PURSUANT TO NAC**
21 **706.936 FOR THE TAXICAB AUTHORITY TO APPROVE THE ISSUANCE OF THE**
22 **ATTACHED SUBPOENA TO PRODUCE DOCUMENTS TO YELLOW CAB COMPANY**

23 COMES NOW, Applicants BRENT A. CARSON and CLAUDIA MARIA HOEPPNER, by
24 and through their attorney of record, Brent A. Carson, Esq. of the law firm of ATTORNEY BRENT
25 CARSON, LLC., and submits this Application pursuant to NAC 706.936 in the above referenced
26 matter. Independent Cab Company respectfully requests the Taxicab Authority issue the Subpoena
27 attached to this Application, and identified as Exhibit "A." The attached Subpoena is in Compliance
28 with NAC 706.936 and is reasonable and not oppressive. Independent Cab Company requests
compliance with the attached Subpoena within ten (10) days of its issuance.

DATED this 15 Day of Jan, 2022.

ATTORNEY BRENT CARSON, LLC


BRENT A. CARSON, ESQ.
Nevada Bar No. 5903
7935 W. Sahara Avenue, Suite 101
Las Vegas, Nevada 89117
Attorney for Independent Cab Company

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document: APPLICATION FOR SUBPOENA TO YELLOW CAB COMPANY upon all parties of record in this proceeding by mailing a copy thereof, properly addressed, with postage prepaid, to the below listed.

Dated at Las Vegas, NV, this ____ day of January of 2022.

FOR A-CAB:

Creighton J. Nady, Owner
A Cab, LLC
1500 Searles Ave.
Las Vegas, NV 89101

Esther C. Rodriquez, Esq.
Rodriquez Law Offices, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

FOR DESERT CAB:

George Balaban
DESERT CAB COMPANY
4675 Wynn Road
Las Vegas, NV 89103

Robert A. Winner, Esq.
ROBERT WINNER, LTD
400 S. 4th Street, 3rd Floor
Las Vegas, NV 89101

FOR LUCKY AND WESTERN CAB:

Jason A. Awad, Esq.
Desiree Dante
4195 W. Diablo Dr.
Las Vegas, NV 89118

Ryan J. Awad, Esq.
JASON A. AWAD & ASSOC.
10801 W. Charleston Blvd, #575
Las Vegas, NV 89135

1 FOR WHITTLESEA BLUE/HENDERSON TAXI

2 Cheryl D. Gibbons, General Manager
3 WHITTLESEA BLUE/HENDERSON TAXI
4 And VIRGIN VALLEY CAB
5 1910 Industrial Road
6 Las Vegas, NV 89102

7 Mark E. Trafton, Esq.
8 WHITTLESEA BLUE/HENDERSON TAXI
9 1910 Industrial Road
10 Las Vegas, NV 89102

11 FOR YCS CORPS:

12 YELLOW CHECKER AND STAR CAB
13 CORPORATIONS
14 ATTN: Keith Gibson,
15 General Counsel
16 5225 W. Post Road
17 Las Vegas, NV 89118

18 FOR THE STATE:

19 Asheesh Bhalla, Esq.
20 DEPUTY ATTORNEY GENERAL
21 555 E. Washington Ave., Suite 3900
22 Las Vegas, NV 89101

23 JD Decker, Interim Administrator
24 Nevada Taxicab Authority
25 2090 E. Flamingo Rd, Suite 200
26 Las Vegas, NV 89119

27 David Ricker, Esq.
28 NEVADA TAXICAB AUTHORITY
2090 E. Flamingo Rd, Suite 200
Las Vegas, NV 89119

An employee of Attorney Brent Carson

EXHIBIT A

1 BRENT A. CARSON, ESQ.
2 Nevada Bar No. 5903
3 ATTORNEY BRENT CARSON, LLC.
4 bac@winnercarson.com
5 7935 W. Sahara Avenue, Suite 101
6 Las Vegas, Nevada 89117
7 Ph: (702) 471-1111
8 Fax: (702) 471-0110
9 Attorney for INDEPENDENT CAB COMPANY, LLC

10
11
12 **BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY**

13 In the matter of An Application for a certificate)
14 of Public Convenience and Necessity by)
15 Applicants, Brent A. Carson and Claudia Maria)
16 Hoeppner (Independent ab Company, LLC),)
17 And Request for Thirty-Five Taxicab)
18 Medallions.)

19
20 **SUBPOENA FOR DOCUMENT PRODCUTION TO YELLOW CAB**

21 TO: YELLOW CAB

22 TO: KEITH GIBSON, ESQ., their attorney


23 Pursuant to the Order of the Hearing Officer and the Application on file herein, and pursuant
24 to NAC 706.936, Independent Cab Company requests that the following documents subpoenaed be
25 produced by Intervenor within ten (10) days.

26 **ITEMS TO BE PRODUCED:**

- 27 1. Any and all documents, exhibits or other tangible items you intend to offer into evidence at the
28 hearing on Independent Cab Company's Application for a Certificate of Public Convenience
and Necessity.
2. Produce the Tax Returns for Yellow Cab for the past two years: 2019 and 2020.
3. Produce Yellow Cab's annual reports filed with the Nevada Taxicab Authority for the years
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4. Produce any and all documents that support your contention that there is no need for any
additional taxicab medallions in Clark County.
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- DATED this 15 Day of Jan, 2022.


BRENT A CARSON, ESQ.
Nevada Bar No. 5903
7935 W. Sahara Avenue, Suite 101
Las Vegas, Nevada 89117
Attorney for Independent Cab Company

Date: _____
 Nevada Taxicab Authority
 J.D. Decker, Interim Administrator

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document: SUBPOENA TO YELLOW CAB upon all parties of record in this proceeding by mailing a copy thereof, properly addressed, with postage prepaid, to the below listed.

Dated at Las Vegas, NV, this ____ day of January of 2022.

FOR A-CAB:

Creighton J. Nady, Owner
A Cab, LLC
1500 Searles Ave.
Las Vegas, NV 89101

Esther C. Rodriquez, Esq.
Rodriquez Law Offices, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

FOR DESERT CAB:

George Balaban
DESERT CAB COMPANY
4675 Wynn Road
Las Vegas, NV 89103

Robert A. Winner, Esq.
ROBERT WINNER, LTD
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Las Vegas, NV 89101

FOR LUCKY AND WESTERN CAB:

Jason A. Awad, Esq.
Desiree Dante
4195 W. Diablo Dr.
Las Vegas, NV 89118

Ryan J. Awad, Esq.
JASON A. AWAD & ASSOC.
10801 W. Charleston Blvd, #575
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11 FOR YCS CORPS:

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14 ATTN: Keith Gibson,
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18 FOR THE STATE:

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2090 E. Flamingo Rd, Suite 200
Las Vegas, NV 89119

An employee of Attorney Brent Carson

PREVIOUS PLEADINGS REGARDING THIS MATTER

**Order from the Prehearing Conference held on
December 22, 2021, filed December 23, 2021**

BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY

In the matter of an application for a certificate of public convenience and necessity by applicants Brent Carson and Claudia Maria Hoeppner (Independent Cab Company, LLC), and request for thirty-five taxicab medallions.

Prehearing Conference - December 22, 2021

ORDER

Based on the proceedings occurring at open hearing on December 22, 2021, the filings of the parties and arguments presented, IT IS HEREBY ORDERED:

1) The final hearing in this matter is CONTINUED until February 15, 2022 or thereafter, to be set by the Taxicab Authority.

2) A prehearing conference will be set for approximately 2 weeks prior to the final hearing, to address any outstanding issues and to address the issues contained in NAC 706.933.

4) Intervenors shall amend their answers to Applicant's interrogatories on or by January 3, 2022.

5) Applicant shall produce any documents upon which their expert witness relied, beyond those identified in the previously produced exhibit list, on or by January 3, 2022. The deposition of Applicant's expert shall take place on January 5, 2022 unless otherwise agreed by the parties.

6) Applicant shall produce the tax return and financial information in the Application, as redacted by the Taxicab Authority, once that redaction has been finalized. The biographical information of the Applicant's principals shall remain confidential.

1 7) Applicant may exceed the 5 depositions allotted by previous order, to depose
2 the witnesses identified as experts in the answers to interrogatories served by intervenors.

3 8) The motion to strike Nellis Cab, LLC's Petition to Intervenor is GRANTED. Nellis
4 Cab failed to respond to Applicant's interrogatories, failed to file witness and exhibit lists, failed
5 to oppose the motion to strike, failed to attend the prehearing conference on December 22,
6 2021, and otherwise has failed to demonstrate an intent to participate in this matter.
7 Furthermore, the remaining intervenors adequately represent the interests of the existing
8 medallion holders, rendering the continued participation of Nellis Cab unnecessary.

9 9) The actions taken at this prehearing conference are hereby part of the record of
10 the proceedings regarding this application, and this Order will control the course of
11 subsequent proceedings unless modified at the hearing by the Taxicab Authority or their
12 delegated presiding officer.
13

14 10) The terms of this Order are subject to modification by action of the Taxicab
15 Authority, or a subsequent prehearing conference.

16 11) The hearing officer and the Taxicab Authority retain jurisdiction for correcting
17 any errors that may have occurred in the drafting or issuance of this Order.
18

19 Dated this 23th day of December, 2021.

20 BY THE AUTHORITY:

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23 David Cassetty
24 Hearing Officer
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EXHIBIT 1

CERTIFICATE OF MAILING

I, Nancy Moran, do hereby certify that I deposited in the U.S. mail,
postage prepaid, via First Class Mail and Certified Return receipt Requested, a true and
correct copy of the foregoing Findings of Fact, Conclusions of Law, and Order to the following:

Whittlesea – Henderson
ATTN: Brent Bell
1910 Industrial Road
Las Vegas, NV 89102

Lucky Cab
ATTN: Jason Awad
4195 W. Diablo
Las Vegas, NV 89103

Whittlesea – Henderson
ATTN: Cheryl Gibbons
1910 Industrial Road
Las Vegas, NV 89102

Lucky Cab
ATTN: Ryan Awad
4195 W. Diablo
Las Vegas, NV 89103

Whittlesea – Henderson
ATTN: Mark Trafton
1910 Industrial Road
Las Vegas, NV 89102

Deluxe
ATTN: Rich Flaven
P.O. Box 531787
Henderson, NV 89053-1787

Cooper Levenson Law Firm
ATTN: Kimberly Maxson-Rushton
3016 W. Charleston Blvd., Suite 195
Las Vegas, NV 89102

Jim Jimmerson
415 S. 6th Street, Suite 100
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Western Cab
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Las Vegas, NV 89101

Western Cab
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Lucky/Western
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ATTN: Chris Bordonaro
4675 S. Wynn Road
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Yellow Checker Star
ATTN: Mike Rawlings
5225 W. Post Road
Las Vegas, NV 89118

Independent Cab Inc.
ATTN: Brent Carson
7935 W. Sahara Ave., Suite 101
Las Vegas, NV 89117

Yellow Checker Star
ATTN: Jonathan Schwartz
5225 W. Post Road
Las Vegas, NV 89118

Independent Cab Inc.
ATTN: Claudia Hoepfner
7935 W. Sahara Ave., Suite 101
Las Vegas, NV 89117

Dated this 23 day of December, 2021.



Employee of the Taxicab Authority

PREVIOUS PLEADINGS REGARDING THIS MATTER

**Order from the Prehearing Conference held on
August 23, 2021, filed September 7, 2021**

SEP 21 2021

-000-

BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY

In the matter of an application for a certificate of public convenience and necessity by applicants Brent Carson and Claudia Maria Hoeppner (Independent Cab Company, LLC), and request for thirty-five taxicab medallions.

Prehearing Conference - August 23, 2021

FINDINGS OF FACT. CONCLUSIONS OF LAW AND ORDER

FINDINGS OF FACT

The Hearing Officer makes the following Findings of Fact, based upon a preponderance of the evidence:

1. On December 18, 2019, an application ("Application") for a new certificate of public convenience and necessity ("CPCN"), along with a request for thirty-five taxicab medallions, was received by the Taxicab Authority.

2. The Applicants are Brent Carson, Esq. and Claudia Hoeppner, as the principals of Independent Cab Company, LLC.

3. A public hearing regarding this application was noticed and agendized by the Taxicab Authority for Thursday, February 20, 2020 at 9:30 AM.

4. The following ("Petitioners") timely filed pleadings with the Taxicab Authority, and petitioned to request status as interveners in this matter pursuant to NAC 706.894: 1) A Cab; 2) Boulder Cab, Inc. (d/b/a Deluxe Taxicab Service); 3) Desert Cab, Inc.; 4) the Industrial, Technical and Professional Employees Union (ITPEU- AFL/CIO); 5) Lucky Cab Co. and Western Cab Company; 6) Nellis Cab, LLC; 7) Whittlesea Blue Cab Company,

1 Henderson Taxi, and Blue Desert, LLC (d/b/a Virgin Valley Cab); 8) Yellow Cab Corporation,
2 Checker Cab Corporation, and Star Cab Corporation.

3 5. The Applicants (Brent Carson, Claudia Maria Hoeppner, and Independent Cab
4 Company, LLC) filed an "Opposition to Petitions for Leave to Intervene" with the office of the
5 Taxicab Authority on February 25, 2020. This Opposition alleged that all Petitioners failed to
6 serve the Applicants as required under NAC 706.921, alleged failures by all Petitioners to
7 meet the requirements of NAC 706.894 to qualify as an intervener and requested that each
8 petition to intervene be denied.

9 6. The Administrator set a prehearing conference for Monday, March 2, 2020, to
10 consider the petitions to intervene regarding the application of Brent Carson and Claudia
11 Hoeppner, as the principals of Independent Cab Company, LLC, to decide whether to grant
12 intervener status to one or more petitioners, and to consider the possible scope and duration
13 of any requested discovery period(s) as well as any other matters authorized under NAC
14 706.933.

15 7. After listening to the statements and arguments of the petitioners, the hearing
16 officer found the petitions defective under NAC 706.894 and denied intervener status in the
17 prehearing conference order of May 26, 2021. The hearing officer did grant interested party
18 status to the petitioners, except for Boulder Cab which failed to appear at the hearing.

19 8. Six petitioners filed appeals of the decision. The Industrial, Technical and
20 Professional Employees Union (ITPEU – AFL/CIO) and Boulder Cab, Inc. did not file appeals,
21 although a representative of Boulder Cab voiced support for the appeals of the other
22 petitioners at a hearing.

23 9. The Taxi Authority held a hearing on the appeals on July 9, 2021.
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1 10. By order dated July 15, 2021 the Taxicab Authority dismissed the appeal of A
2 Cab, but reversed and remanding the May 26, 2021 order for further proceedings.

3 11. The five successful petitioners filed amended petitions to intervene: 1) Desert
4 Cab, Inc.; 2) Lucky Cab Co. and Western Cab Company; 3) Nellis Cab, LLC; 4) Whittlesea
5 Blue Cab Company and Henderson Taxi; and 5) Yellow Cab Corporation, Checker Cab
6 Corporation, and Star Cab Corporation.

7 12. Pursuant to the July 15, 2021 order, the Administrator set a prehearing
8 conference for August 23, 2021, to consider the petitions to intervene regarding the
9 application of Brent Carson and Claudia Hoepfner, as the principals of Independent Cab
10 Company, LLC, and to enter a full and complete pre-hearing order.

11 13. After listening to the statements and arguments of the petitioners and applicant
12 Carson, the hearing officer found the five petitions are in substantial compliance with the
13 requirements of NAC 706.894, the standard required under Checker Cab v. State Taxicab
14 Authority, 97 Nev. 5, 621 P.2d 496 (Nev. 1981). Each petitioner is directly and substantially
15 affected by the proceeding on the application; each has an interest in the potential competition
16 by Independent Cab Company, LLC; each articulated the nature of the evidence it will present
17 and the position it will take. The hearing officer did not find that the intervention of the five
18 petitioners (representing eight companies) would unduly broaden the scope of the issues.
19

20 14. After addressing the petitions to intervene regarding the application of Brent
21 Carson and Claudia Hoepfner, as the principals of Independent Cab Company, LLC, the
22 hearing officer next considered the possible scope and duration of any requested discovery in
23 this matter.
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25 15. After listening to the statements and arguments of the five petitioners and
26 applicant Carson, and having previously reviewed their pleadings, the hearing officer set a
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1 schedule and parameters for discovery prior to the Taxicab Authority hearing on this
2 application.

3 16. Pursuant to the July 15, 2021 order, the hearing in this application must take
4 place no later than January 5, 2022. Accordingly, the hearing shall be set for Wednesday,
5 January 5, 2022 at 9:00 AM in the Nevada State Business Center, 3300 W. Sahara Ave.,
6 Suite 400 – Nevada Room, Las Vegas, NV 89102. A final pre-hearing conference shall be set
7 for Monday, December 6, 2021 at 9:00 AM at the same location, pursuant to NAC 706.933.

8 17. The hearing officer found that the Applicants and any intervener who wants to
9 present exhibits or evidence of any kind at the hearing on this application for a new certificate
10 of public convenience and necessity must prepare and serve the proposed evidence or
11 exhibits on the Applicants and all other parties by November 22, 2021.
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13 18. The hearing officer found that the Applicants and any intervener who wants to
14 present one or more witnesses to give testimony at the hearing by the Taxicab Authority on
15 this application must prepare and serve its proposed "witness list" on the Applicants and all
16 other parties by November 22, 2021. This "witness list" will include the name of all proposed
17 witnesses, their contact information, and a brief description of the nature of their proposed
18 testimony.
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20 19. The hearing officer also found that the obligation regarding discovery and
21 witnesses is reciprocal on both the Applicants as well as the interveners. A failure to
22 appropriately serve any proposed evidence by November 22, 2021 may render that evidence
23 inadmissible at the hearing by the Taxicab Authority on this application. A failure to
24 appropriately provide notice of a witness through service of a "witness list" (including the name
25 of that proposed witness, their contact information, and a brief description of the nature of their
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1 proposed testimony) by November 22, 2021 may render that witness's testimony inadmissible
2 at the hearing by the Taxicab Authority on this application.

3 20. The hearing officer also found that, even if appropriately noticed and/or provided
4 to the Applicants and all interveners, any proposed exhibits, evidence, or witnesses for the
5 hearing by the Taxicab Authority on this application are still subject to the rules of evidence
6 and the regulations of the Taxicab Authority, including NAC 708.948, and will only be admitted
7 into evidence at the hearing with the approval of the Taxicab Authority.

8 21. The hearing officer found that, being parties, the five interveners (representing a
9 total of eight companies) have the right to depose the Applicants, any witnesses of the
10 Applicants, or other witnesses of any other intervener. This right is reciprocal, and Applicants
11 have the right to depose the interveners, or any witnesses of the interveners.
12

13 22. In order to meet the November 22, 2021 filing deadlines, and not unduly burden
14 the parties, the interveners jointly are limited to three depositions. Applicants are limited to five
15 depositions, as there are a greater number of interveners than applicants.
16

17 23. The hearing officer found that, being parties, the five interveners may submit
18 interrogatories and compel answers to those interrogatories by the Applicants, to formulate
19 and/or simplify the issues, pursuant to NAC 708.933(1). Intervenors may serve a total of 50
20 interrogatories jointly, either by agreement as to their division or, absent such agreement, by
21 serving no more than ten each. Applicants may serve 50 interrogatories in total upon the five
22 interveners.

23 24. The hearing officer found that, being parties, the five interveners will have the
24 right to cross-examine the Applicants, any witnesses of the Applicants, other interveners, and
25 witnesses of any other intervener as part of these proceedings or at the hearing on the
26 application.
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25. The hearing officer found that, being parties, the five interveners have the right to seek a subpoena for the production of books, papers, accounts or other documents from the Applicants, any witnesses of the Applicants, other interveners or witnesses of any other intervener as part of these proceedings or at the hearing on the application, and may seek a subpoena to require the attendance of one or more of their witnesses at the hearing on this application. This right is reciprocal, and Applicants have the right to seek the same. Subpoenas may be requested by applying in writing pursuant to the provisions of NAC 706.936(1); however, the grant of such a subpoena is discretionary.

26. After inquiring of the Applicants and the five petitioners whether any other matters needed to be addressed at that time, and hearing none, the prehearing conference was adjourned by the hearing officer.

27. If any of the foregoing findings of fact is more appropriately construed as a conclusion of law, it may be so construed.

CONCLUSIONS OF LAW

The Hearing Officer finds that the previous Findings of Fact (supported by a preponderance of evidence), as well as the pleadings, the arguments and statements made at the prehearing conference, further support the following Conclusions of Law:

1. The Taxicab Authority is duly constituted, and may regulate the conduct of the taxicab business, pursuant to NRS 706.8818.

2. According to NRS 706.8819 and 706.8827, the Taxicab Authority must hold a hearing after the filing of an application for a new certificate of public convenience and necessity and make a final decision on such an application. Any final decision of the Taxicab

1 Authority regarding such an application is subject to judicial review pursuant to NRS
2 233B.130.

3 3. Pursuant to NAC 706.933, a prehearing conference may be held before a
4 hearing of the Taxicab Authority takes place "for the purposes of formulating or simplifying the
5 issues, obtaining admissions of fact and of documents which will avoid unnecessary proof,
6 arranging for the exchange of proposed exhibits or prepared expert testimony, limit the
7 number of witnesses and consolidate the examination of witnesses, establish procedure at the
8 hearing and resolve other matters that may expedite orderly conduct and the disposition of the
9 proceedings or settlements."

10
11 4. Appropriate notice of this prehearing conference was given to all Applicants and
12 Petitioners.

13 5. NAC 706.876 through NAC 706.990 "[g]overn all practice and procedure before
14 the Taxicab Authority and the Administrator unless otherwise directed by the Authority or
15 Administrator," but these practice rules "[m]ust be liberally construed to secure just, speedy
16 and economical determination of all issues presented to the Authority." NAC 706.876(1).

17
18 6. The Nevada Rules of Civil Procedure do not govern the practice and procedure
19 before the Taxicab Authority or the Administrator, as these matters are not civil actions or
20 proceedings in a district court of the State of Nevada. NRCP 1.

21 7. Regarding practice and procedure in proceedings before the Taxicab Authority
22 and the Administrator, an Intervener is "any person or persons permitted to intervene pursuant
23 to NAC.894." NAC 706.885(1)(d).

24 8. "Persons, other than the original parties to the proceeding, who are directly and
25 substantially affected by the proceeding, shall serve notice on the Authority or Administrator,
26 of their intention to intervene by submitting a clear and concise statement, in writing, of the
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1 interest of the applicant in such proceeding, outlining the matters and things relied upon by the
2 applicant as basis for his or her request, together with a statement as to the nature of
3 evidence the applicant will present and the position the applicant will take." NAC 706.894(1).

4 9. "Notice to intervene must be filed with the Authority or Administrator 15 days
5 before the commencement of hearing. If filed thereafter, the petition must state a substantial
6 reason for the delay; otherwise the petition will not be considered." NAC 706.894(2).

7 10. The granting of intervener status is left to the discretion of the Taxicab Authority,
8 presiding officer or Administrator, and is not a matter of right even if "a notice of intervention
9 shows direct and substantial interest in the subject matter of the proceeding or any part
10 thereof and does not unduly broaden the issues..." NAC 706.894(3).

11 11. "At any hearing, all parties named in NAC 706.885, except interested parties,
12 are entitled to enter an appearance, to introduce evidence, examine and cross-examine
13 witnesses, make arguments, and generally participate in the conduct of the proceeding." NAC
14 706.888(1).

15 12. The five amended petitions to intervene in this matter of an application for a new
16 certificate of public convenience and necessity ("CPCN"), along with a request for thirty-five
17 taxicab medallions, by Brent Carson and Claudia Hoepfner as the principals of Independent
18 Cab Company, LLC, substantially complied with the requirements of NAC 706.894, and
19 accordingly were approved.

20 13. It was within the discretion of the hearing officer to resolve matters of the scope
21 and duration of discovery before the Taxicab Authority holds its hearing regarding the
22 application for a new certificate of public convenience and necessity. NAC 706.933.

23 14. At a hearing of the Taxicab Authority, "[w]here two or more interested parties
24 have substantially like interests and positions, the presiding officer of the Authority or
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1 Administrator may at any time during the hearing, if he or she deems it advisable in order to
2 expedite the hearing, limit the number of interested parties who will be permitted to testify."
3 NAC 706.951(2).

4 15. The Taxicab Authority has the authority to dismiss interveners at the hearing if it
5 is determined that an intervener does not have a direct or substantial interest or that the public
6 interest does not require the intervener's participation, pursuant to NAC 706.894(3).

7 16. Regarding a prehearing conference held before a hearing of the Taxicab
8 Authority occurs, "[t]he action taken at the conference and the agreements made by the
9 parties concerned must be made a part of the record and will control the course of subsequent
10 proceedings, unless modified at the hearing by the presiding officer." NAC 706.933(2).
11

12 17. If any of the foregoing conclusions of law is more appropriately construed as a
13 finding of fact, it may be so construed.
14

15 ORDER

16 Based on the foregoing, THEREFORE, IT IS HEREBY ORDERED:

17 1) That in this matter of an application for a certificate of public convenience and
18 necessity by Applicants Brent Carson and Claudia Maria Hoappner (Independent Cab
19 Company, LLC), and request for thirty-five (35) taxicab medallions, the petitions requesting
20 status as interveners by 1) Desert Cab, Inc; 2) Lucky Cab Co. and Western Cab Company; 3)
21 Nellis Cab, LLC; 4) Whittlesea Blue Cab Company and Henderson Taxi; 5) Yellow Cab
22 Corporation, Checker Cab Corporation, and Star Cab Corporation, are all hereby GRANTED.
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24 2) That, no later than November 22, 2021, the Applicants and any intervener who
25 wants to present exhibits or evidence of any kind at the hearing on this application for a new
26 certificate of public convenience and necessity must prepare and serve the proposed
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1 evidence or exhibits on the Applicants and all other parties. A failure to appropriately serve
2 any proposed exhibits or evidence by November 22, 2021 may render that evidence
3 inadmissible at the hearing by the Taxicab Authority on this application.

4 4) That, no later than November 22, 2021, the Applicants and any intervener who
5 wants to present one or more witnesses to give testimony at the hearing by the Taxicab
6 Authority on this application must prepare and serve its proposed "witness list" on the
7 Applicants and all other parties. This "witness list" will include the name of all proposed
8 witnesses, their contact information, and a brief description of the nature of their proposed
9 testimony. A failure to appropriately provide notice of a witness through service of a "witness
10 list" (including the name of that proposed witness, their contact information, and a brief
11 description of the nature of their proposed testimony) by November 22, 2021 may render that
12 witness's testimony inadmissible at the hearing by the Taxicab Authority on this application.

14 5) That the five interveners are parties and may engage in the presentation of
15 evidence and witnesses, as well as cross-examination of witnesses, at the hearing of the
16 Taxicab Authority on this application. The Applicants and five interveners may conduct
17 discovery as follows:

- 18
- 19 a) The interveners jointly are limited to three depositions. Applicants are
20 limited to five depositions.
- 21 b) The interveners may serve a total of 50 interrogatories jointly, either by
22 agreement as to their division or, absent such agreement, by serving no
23 more than ten each. Applicants may serve 50 interrogatories in total upon
24 the five interveners.
- 25 c) The parties may seek a subpoena for the production of books, papers,
26 accounts or other documents from the Applicants, any witnesses of the
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Applicants, interveners or witnesses of any other party, as part of these proceedings or at the hearing on the application, by applying in writing pursuant to the provisions of NAC 706.936(1); however, the grant of such a subpoena is discretionary.

6) That the Applicants and five interveners may seek a subpoena to require the attendance of one or more of their witnesses at the hearing on this application by applying in writing pursuant to the provisions of NAC 706.936(1); however, the grant of such a subpoena is discretionary.

7) That any proposed exhibits, evidence or witnesses of the parties for the hearing by the Taxicab Authority on this application, even if appropriately noticed and/or provided to the other parties, are still subject to the rules of evidence and the regulations of the Taxicab Authority, including NAC 706.948, and will only be admitted into evidence at the hearing with the approval of the Taxicab Authority or their delegated presiding officer.

8) That at the hearing by the Taxicab Authority on this application, the Taxicab Authority or their delegated presiding officer may limit the number of parties who will be permitted to testify, notwithstanding the grant of Intervener status and the provisions of this Order.

9) That the actions taken at this prehearing conference are hereby part of the record of the proceedings regarding this application, and this Order will control the course of subsequent proceedings unless modified at the hearing by the Taxicab Authority or their delegated presiding officer.

10) That the terms of this Order are subject to modification by action of the Taxicab Authority, or a subsequent prehearing conference.

1 11) That the hearing officer and the Taxicab Authority retain jurisdiction for
2 correcting any errors that may have occurred in the drafting or issuance of this Order.

3 Dated this 7th day of September, 2021.

4
5 BY THE AUTHORITY:

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8 _____
9 David Cassetty
10 Hearing Officer
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EXHIBIT 1

CERTIFICATE OF MAILING

I, Nancy Moran, do hereby certify that I deposited in the U.S. mail, postage prepaid, via First Class Mail and Certified Return receipt Requested, a true and correct copy of the foregoing Findings of Fact, Conclusions of Law, and Order to the following:

Whittlesea - Henderson
ATTN: Brent Bell
1910 Industrial Road
Las Vegas, NV 89102

Lucky Cab
ATTN: Jason Awad
4195 W. Diablo
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ATTN: Brent Carson
7935 W. Sahara Ave., Suite 101
Las Vegas, NV 89117

Independent Cab Inc.
ATTN: Claudia Hoeppner
7935 W. Sahara Ave., Suite 101
Las Vegas, NV 89117

20
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22 Dated this 7th day of September, 2021.

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Employee of the Taxicab Authority

RELEVANT NEVADA ADMINISTRATIVE CODES

NAC 706.975 Appeals to Authority

NAC 706.936 Subpoenas; Depositions

NAC 706.933 Prehearing Conference

NAC 706.975 Appeals to Authority. ([NRS 233B.050](#), [706.8818](#))

1. An appeal from the decision of the Administrator or hearing officer to the Authority is permitted providing that the notice of appeal by the appellant is filed with the Administrator within 30 days of the decision of the Administrator or hearing officer.

2. Petitions for appeal must set forth the ground or grounds upon which the appellant considers the order, decision, rule, direction or regulation to be unreasonable, unlawful, erroneous or not in conformity with the law. The appellant shall include in the appeal a copy of the transcript from the contested hearing.

3. Copies of the notice of appeal must be served upon the Administrator and all of the parties of record.

NAC 706.936 Subpoenas; depositions. ([NRS 233B.050](#), [706.8818](#))

1. Subpoenas requiring the attendance of a witness from any place in the State to any designated place of hearing for the purpose of taking testimony of the witness orally before the Authority or Administrator, may be issued by any member of the Authority or the Administrator upon application in writing. Subpoenas for the production of books, papers, accounts or other documents, unless directed to issue by the Authority or Administrator on their own motion, will be issued only upon application in writing, which application must specify, as clearly as may be, the books, papers, accounts or other documents desired. The Authority, presiding officer or Administrator, upon motion made promptly and, in any event, at or before the time specified in the subpoena for compliance may:

(a) Quash the subpoena if it is unreasonable or oppressive; or

(b) Condition denial of the motion upon the advancement by the person in whose behalf the subpoena is issued of the reasonable cost of producing the books, papers, accounts or other documents desired.

2. The Authority, Administrator or any party to any proceeding before them may cause the depositions of witnesses to be taken in the manner prescribed by law and rule of court for depositions in civil actions.

NAC 706.933 Prehearing conference. ([NRS 233B.050](#), [706.8818](#))

1. The Authority, presiding officer or Administrator may, upon written notice to all parties of record, hold a prehearing conference for the purposes of formulating or simplifying the issues, obtaining admissions of fact and of documents which will avoid unnecessary proof, arranging for the exchange of proposed exhibits or prepared expert testimony, limit the number of witnesses and consolidate the examination of witnesses, establish procedure at the hearing and resolve other matters that may expedite orderly conduct and the disposition of the proceedings or settlements.

2. The action taken at the conference and the agreements made by the parties concerned must be made a part of the record and will control the course of subsequent proceedings, unless modified at the hearing by the presiding officer.

6

AGENDA ITEM 6

Public Hearing in the Matter of an Application to Amend the Fuel Surcharge for Taxicab Rides (For Discussion and Possible Action)

APPLICANTS

Henderson Taxi, Whittlesea Bell Taxi, Nevada Yellow Cab Corporation, Nevada Checker Cab Corporation, Nevada Star Cab Corporation, Blue Desert, and Desert Cab, filed March 30, 2022

INTERVENERS

YCS Acquisition LLC, Twenty-First Century Taxi, LLC, Cab Transport, LLC, and Taxi Transport, LLC, filed April 1, 2022

RELEVANT NEVADA REVISED STATUTES AND NEVADA ADMINISTRATIVE CODES

RELEVANT SUPPLEMENTAL MATERIALS

**Application of Henderson Taxi, Whittlesea Bell,
Nevada Yellow Cab Corporation, Nevada Checker Cab
Corporation, Nevada Start Cab Corporation, Blue Desert,
and Desert Cab to Amend Fuel Surcharge Rates,
filed March 30, 2022**

1 **BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY**

2 Re: Application of Henderson Taxi, Whittlesea
3 Bell, Nevada Yellow Cab Corporation, Nevada
4 Checker Cab Corporation, Nevada Star Cab
Corporation, Blue Desert, and Desert Cab to
Amend the Fuel Surcharge Rates.

Docket #

**APPLICATION TO AMEND
FUEL SURCHARGE RATES**

5
6 COMES NOW, Kimberly Maxson-Rushton, Esq., on behalf of Henderson Taxi, Whittlesea Bell
7 Taxi, Nevada Yellow Cab Corporation, Nevada Checker Cab Corporation, Nevada Star Cab
8 Corporation, Blue Desert, and Desert Cab (collectively referred to as "Applicants"), and hereby submits
9 this Application to the Nevada Taxicab Authority (referred to as "TA" or "Board") to modify the fuel
10 surcharge rates currently charged by the taxi industry in Clark County. This Application is filed
11 pursuant to Nevada Administrative Code ("NAC") 706.909.

12 All notices, pleading documents and correspondence pertaining to this proceeding should be
13 directed to the following individual:

14 Kimberly Maxson-Rushton, Esq.
15 Cooper Levenson, Attorneys at Law
16 3016 W. Charleston Blvd., Suite 195
Las Vegas, NV 89102

17
18 **I.**

19 **MEMORANDUM OF POINTS AND AUTHORITIES**

20 **A. Procedural Background**

21 "By previous Board vote and an order of the Taxicab Authority dated August 17, 2015, the
22 Taxicab Authority ordered

23
24 't]hat a twenty cent (20¢) fuel surcharge shall be added to the metered
25 mile for Clark County taxicabs automatically anytime the cost of regular
26 unleaded fuel rises above \$3.25 per gallon on average during a thirty (30)
day period. The fuel surcharge may be reviewed if the unleaded fuel
drops below \$3.25 per gallon for thirty (30) consecutive days, the Taxicab
Authority Administrator is authorized to remove the surcharge.'"
27

28 ...

1 Said Order was further affirmed by the Taxicab Authority Board on August 30, 2021. See attached
2 Exhibit 1. Accordingly, Applicants hereby submit this Application to amend the prior Board Order to
3 authorize requested modifications to the fuel surcharge rates.

4 **B. Necessity of Increasing the Fuel Surcharge Rates**

5 As evidenced by the procedural history set forth above, the current fuel surcharge rate has been
6 in place since 2015 and in that time gas prices have both fluctuated and steadily increased. According
7 to Pew Research Center (December 2021) gas prices are currently at the highest level in seven (7)
8 years. See attached Exhibit 2. Correspondingly, due to current world events there is further
9 uncertainty in whether the spikes in gas prices recently experienced in the US will continue. As a
10 result of said volatility Applicants' request that the Board consider and approve the following
11 modifications to the fuel surcharge rates charged by taxi operators in Clark County following
12 fourteen (14) days of gas prices above the thresholds proposed below¹.

13 **Meter Rate:**

14 Currently approved fuel surcharge: Gas prices - \$3.25-\$4.45 .20¢.

15 **Proposed new tiers:**

16 Gas price \$4.46-\$5.65 .19¢ fuel surcharge*

17 \$5.66-\$6.85 .21¢ fuel surcharge

18 \$6.86-\$7.05 .24¢ fuel surcharge

19 *The lower fuel surcharge rate results from calculations based on the existing meter rate.

20 **Zone Rates:**

21 Currently approved fuel surcharge: \$3.25 - \$1.00 fuel surcharge.

22 **Proposed new rates:**

23 Gas prices exceed \$4.46 - \$2.00 fuel surcharge

24 Gas prices exceed \$5.66 - \$3.00 fuel surcharge

25 Gas prices exceed \$6.86 - \$4.00 fuel surcharge

26 Applicants submit that this request is supported not only by the rising cost of gas but also the
27 need for more taxi drivers to service passengers in Las Vegas. The continuing inability to attract and
28 retain qualified drivers is endemic to the taxi industry and if not addressed it will ultimately result in the
traveling public not having safe, reliable transportation services. Thus, the temporary rate changes

¹ Currently gas prices must remain above the \$3.25 threshold for a period of 30 days.

1 requested herein will assist taxi operators in maintaining drivers. Accordingly, this Application, if
2 approved, will assist the industry and the traveling public.

3 Lastly, Applicants request that the Board Order be further amended to find that the price of
4 regular and diesel fuel is an amount equal to the retail price per gallon of regular and diesel fuel
5 according to the United States Department of Energy (DOE), Energy Information Administration (EIA)
6 survey on Weekly Retail Gasoline and Diesel Prices, Regular Grade - West Coast (PADD 5) and
7 Weekly Retail Gasoline and Diesel Prices, Diesel, All Types - West Coast (PADD 5).

8 **II.**

9 **CONCLUSION**

10 Based on the arguments set forth herein Applicants request that the Nevada Taxicab Authority
11 consider and approve Applicants' request to amend the prior Board Order, dated August 30, 2021 and
12 increase the fuel surcharge rates consistent with the rising cost of gas.

13 DATED this 30th day of March, 2022.

14 **COOPER LEVENSON, P.A.**

15 */s/Kimberly Maxson-Rushton*

16 Kimberly Maxson-Rushton, Esq.
17 Nevada Bar No.: 5065
18 3016 W. Charleston Boulevard, #195
19 Las Vegas, NV 89102
20
21
22
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 30th day of March, 2022, I did deposit for mailing in the United States mail at Las Vegas, Nevada, a true and correct copy of the above and foregoing **APPLICATION TO AMEND FUEL SURCHARGE RATES** in a sealed envelope with first class postage fully prepaid thereon, addressed to:

Asheesh Bhalla, Esq., Deputy Attorney General
OFFICE OF THE NEVADA ATTORNEY GENERAL
555 E. Washington Ave., Suite 390
Las Vegas, NV 89101

/s/ Nina J. Little
An employee of COOPER LEVENSON

EXHIBIT “1”

EXHIBIT “1”

BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY**IN THE MATTER OF:****DISCUSSION AND POSSIBLE DECISION
REGARDING TAXICAB COMPANIES
ADDING A FUEL SURCHARGE.****FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER**

At a hearing of the STATE OF NEVADA TAXICAB AUTHORITY ("Taxicab Authority"), held at the Nevada State Business Center, 3300 W. Sahara Avenue, Suite 400, Las Vegas, NV 89102.

PRESENT: Dan R. Reaser, Chair
Roger C. Thompson, Ph.D, Vice-Chair
Richard David Groover, Member
(telephonically) Cindy Rodríguez, Member
J.D. Decker, Taxicab Authority Interim Administrator
Justin Taruc, Deputy Attorney General

The Taxicab Authority makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. By previous Board vote and an order of the Taxicab Authority dated August 17, 2015, the Taxicab Authority ordered

"[t]hat a twenty cent (20¢) fuel surcharge shall be added to the metered mile for Clark County taxicabs automatically anytime the cost of regular unleaded fuel rises above \$3.25 per gallon on average during a thirty (30) day period. The fuel surcharge may be reviewed if the unleaded fuel drops below \$3.25 per gallon for thirty (30) consecutive days, the Taxicab Authority Administrator is authorized to remove the surcharge."

See Exhibit 1, pp. 3-4.

1 2. This Order has not been repealed by action of the Taxicab Authority, and
2 remains in effect.

3 3. On August 5, 2021 a notice of a public hearing for "The Discussion and Possible
4 Decision Regarding Taxicab Companies Adding a Fuel Surcharge" was published in the Las
5 Vegas Review-Journal, with a date set for the hearing before the Taxicab Authority of August
6 26, 2021.

7 4. On or about August 12, 2021, a Notice and Agenda for August 26, 2021 were
8 issued and posted. The Taxicab Authority's Agenda included an item 4- "Discussion and
9 possible decision regarding taxicab companies adding a fuel surcharge," noted for discussion
10 and possible action.

11 5. The following filed Petitions to Intervene in this matter: 1) Whittlesea Blue Cab
12 Company and Henderson Taxi; 2) Desert Cab Inc. and Blue Desert LLC (d/b/a Virgin Valley
13 Cab); 3) Boulder Cab Inc. (d/b/a Deluxe Taxicab Service); 4) Nevada Yellow Cab Corporation,
14 Nevada Checker Cab Corporation, Nevada Star Cab Corporation, YCS Acquisition LLC,
15 Twenty-First Century Taxi, LLC, Cab Transport, LLC, and Taxi Transport, LLC.

16 6. On August 26, 2021, a public hearing was held regarding the above-entitled
17 matter in compliance with the provisions of the Nevada Open Meeting Law, the Nevada
18 Administrative Procedure Act, Chapter 706 of the Nevada Revised Statutes ("NRS") and the
19 Nevada Administrative Code ("NAC"), at which time all interveners appeared and were
20 permitted to be heard. Public comment was also allowed.

21 7. At that meeting, the Taxicab Authority considered agenda item 4- "Discussion
22 and possible decision regarding taxicab companies adding a fuel surcharge."
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1 8. All interveners stated that the conditions of the August 17, 2015 Order had been
2 met for imposition of the fuel surcharge, and requested that the Taxicab Authority affirm its
3 Order so that the fuel surcharge could now be imposed as described.

4 9. Intervenors also requested that the existing fuel surcharge be permitted to
5 extend to compensable "zone" trips- certain direct taxicab trips to and from McCarran Airport
6 that are subject to the flat-fare zone pricing- since the August 2015 Order contemplated
7 covering all compensable taxi trips, but zone pricing had not existed at that time. A \$1.00 fuel
8 surcharge, to be added to each zone flat fare, was recommended.

9
10 10. Discussion was had between Board members, intervenors, agency staff, and
11 industry members regarding these concerns and proposals, as well as the need to notify the
12 public of any rate changes.

13 11. The Taxicab Authority noted that, at the time of its meeting, the price of fuel has
14 met the parameters laid out in its August 17, 2015 Order to trigger the imposition of the fuel
15 surcharge.

16 12. After discussion and deliberation, all four members of the Taxicab Authority at
17 the August 26, 2021 meeting, having fully considered the law and being fully advised in the
18 premises, voted unanimously in favor of a motion affirming the terms of its Order of August 17,
19 2015 regarding fuel surcharges, mandating that all certificate holders charge this fuel
20 surcharge on their taximeters for each compensable trip (that is not subject to zone pricing)
21 since conditions for its imposition are currently met, and ordering all certificate holders to
22 amend the "rate cards" in their taxicabs to show that this fuel surcharge is now in place and
23 will be charged to customers.
24

25 13. After discussion and deliberation, all four members of the Taxicab Authority at
26 the August 26, 2021 meeting, having fully considered the law and being fully advised in the
27
28

1 premises, also voted unanimously in favor of a motion to require all certificate holders to add
2 for each compensable "zone" trip a one dollar (\$1.00) fuel surcharge to each of the three flat
3 rate zone prices previously ordered, while the conditions described in the 8/17/15 Order are
4 met, and to note the \$1.00 fuel surcharge in a legible manner on any material describing the
5 zone prices.

6 14. If any of the foregoing findings of fact is more appropriately construed as a
7 conclusion of law, it may be so construed.
8

9 CONCLUSIONS OF LAW

10 The Taxicab Authority finds that the Findings of Fact, as well as the argument and
11 statements presented, support the following Conclusions of Law by a preponderance of the
12 evidence:
13

14 1. The area to be affected by this order is Clark County, Nevada.

15 2. The Taxicab Authority is duly constituted and may regulate the conduct of the
16 taxicab business pursuant to NRS 706.8818.

17 3. Generally, the Taxicab Authority may attach to the exercise of the rights granted
18 by the allocation of taxicab medallions any terms and conditions which in its judgment the
19 public interest may require. NRS 706.8824(5).
20

21 4. The Taxicab Authority is directed by law to review the rates, charges or fares of
22 the certificate holders in its jurisdiction. NRS 706.8824(6)(b).

23 5. The Taxicab Authority may adjust, alter or change the rates, charges or fares for
24 taxicab service, and is the only entity authorized to do so for taxicab service within its
25 jurisdiction. NRS 706.8819(1)(a), NAC 706.471(1).
26
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6. The rates, charges or fares of all certificate holders within a county under the jurisdiction of the Taxicab Authority must be uniform, unless there is a showing that the public interest requires otherwise. NAC 706.471(3).

7. The August 26, 2021 hearing was noticed in accordance with Nevada Revised Statutes and Nevada Administrative Code, including NAC 706.924.

8. In conducting any investigation, inquiry or hearing, neither the Authority nor any of its officers or employees are bound by the technical rules of evidence, and no informality in any proceeding or in the manner of taking of testimony will invalidate any order, decision, rule or regulation made or approved by the Authority. NAC 706.948(1).

9. The Taxicab Authority's previous Order of August 17, 2015 regarding fuel surcharges is valid, remains in effect, and is a reasonable and permissible use of its authority to regulate the taxicab industry and its rates. In addition, the extension of the fuel surcharge to cover "zone" trips is also a reasonable and permissible use of its authority.

10. If any of the foregoing conclusions of law is more appropriately construed as a finding of fact, it may be so construed.

ORDER

THEREFORE, IT IS HEREBY ORDERED that the Taxicab Authority AFFIRMS its previous Order of August 27, 2015 permitting a fuel surcharge. Specifically, it affirms

"That a twenty cent (20¢) fuel surcharge shall be added to the metered mile for Clark County taxicabs automatically anytime the cost of regular unleaded fuel rises above \$3.25 per gallon on average during a thirty (30) day period. The fuel surcharge may be reviewed if the unleaded fuel drops below \$3.25 per gallon for thirty (30) consecutive days, the Taxicab Authority Administrator is authorized to remove the surcharge."

All certificate holders under the jurisdiction of the Taxicab Authority are hereby mandated to charge this fuel surcharge on their taximeters for each compensable trip (that is

1 not subject to zone pricing) while the conditions described in the 8/17/15 Order are met, as
2 they currently are.

3 All certificate holders under the jurisdiction of the Taxicab Authority are hereby
4 mandated to amend all of the "rate cards" in their taxicabs to show that this fuel surcharge is
5 now in place and will be charged to customers. This change to the "rate card" may be done
6 by any uniform and legible means- sticker, stamp, etc. These changes must be reported to
7 the Administrator.

8 For each compensable trip that is subject to zone pricing (i.e., certain direct taxicab
9 trips to and from McCarran Airport, as previously ordered by the Taxicab Authority), all
10 certificate holders under the jurisdiction of the Taxicab Authority are hereby mandated to add
11 a one dollar (\$1.00) fuel surcharge to each of the three flat rate zone prices previously
12 ordered. As with compensable trips not subject to zone pricing, this \$1.00 fuel surcharge is
13 mandated and applies while the conditions described in the 8/17/15 Order are met, and will be
14 maintained and removed under the same standards as described in the 8/17/15 Order. The
15 \$1.00 fuel surcharge added to the zone prices is to be noted in a legible manner on any
16 material describing the zone prices that is offered or displayed by the certificate holders.
17

18 The Taxicab Authority directs the Administrator to monitor the United States
19 Department of Energy, Energy Information Administration survey on Weekly Retail Gasoline
20 and Diesel Prices, Regular Grade - West Coast, which shall be used to calculate the cost of
21 fuel. The Administrator is directed to determine when the conditions of the fuel surcharge
22 have been met, and is delegated the authority to impose or revoke the fuel surcharge
23 according to the conditions set forth in the 8/17/15 Order. No application and/or petition to the
24 Taxicab Authority is necessary for the Administrator to act according to the terms of this and
25 the 8/17/15 Order regarding fuel surcharges.
26
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1 This Order takes effect immediately.

2
3 Dated this 30th day of August, 2021.

4
5 BY THE AUTHORITY:

6
7 Dan R. Reaser

8 Dan R. Reaser – Chairman
9 Nevada Taxicab Authority
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EXHIBIT 1

EXHIBIT 1

BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY

IN THE MATTER OF:

DISCUSSION AND POSSIBLE DECISION
REGARDING FUEL PRICES AND THE
IMPLEMENTATION OF A FUEL
SURCHARGE.

ORDER

At a regular monthly session of the State of Nevada Taxicab Authority, held at the Nevada Taxicab Authority, 2080 E. Flamingo Rd., Las Vegas, NV 89119.

PRESENT:

Ileana Drobkin, Chairperson
Dean Collins, Member
Dennis Nolan, Member
James Campos, Member
Jennifer De Rose, (Acting) Taxicab Authority Administrator
Christine Guerel-Nyhus, Deputy Attorney General

On July 23, 2015, a public hearing was held regarding the above-entitled matter in compliance with the provisions of the Nevada Open Meeting Law, the Nevada Administrative Procedure Act, Chapter 706 of the Nevada Revised Statutes (NRS) and the Nevada Administrative Code (NAC), at which time all interested parties appeared and were permitted to be heard.

The following filed Petitions to Intervene and all were permitted to intervene and be heard: (1) Desert Cab Company, (2) Western Cab Company, (3) A Cab LLC, (4) Nellis Cab Company, (5) Yellow/Checker/Star Cab Companies, (6) Whittlesea Blue Cab Company/Henderson Taxi, (7) Lucky Cab Company, (8) Ace Cab, Inc., Union Cab Co., A NLV Cab Co., Vegas-Western Cab, Inc., and Virgin Valley Cab Company, (9) ITPE Union, and (10) United Steelworkers Union.

Intervenor and Staff were allowed to present argument and evidence regarding the need for a permanent fuel surcharge adjusting automatically due to the rising cost of fuel.

1 The Taxicab Authority received proof regarding the circumstances affecting the interests of
2 the taxicab industry, drivers and customers in Clark County, and having duly considered the
3 evidence and being fully advised in the premises, makes its Findings of Fact and Conclusions
4 of Law, as follows:

5
6 **FINDINGS OF FACT**

- 7 1. The Board recognizes the need for a fuel surcharge due to the recent increasing cost
8 of gasoline.
- 9 2. The Taxicab Authority Staff recommends a twenty cent (20¢) fuel surcharge on every
10 metered mile be implemented when fuel costs rise above \$3.25 per gallon for a
11 continuing average over a 30 day period. The Board may review the fuel surcharge if
12 the cost of fuel rises above \$4.45 per gallon for a continuing average over a 30 day
13 period. Staff testified that it would be able to begin the process of calibrating
14 taximeters for the fuel surcharge upon approval.
- 15 3. Intervenors supported a fuel surcharge, but recommended that the surcharge be
16 implemented automatically at any time fuel costs fall within the parameters of \$3.25 to
17 \$4.45 per gallon.
- 18 4. Intervenors supported keeping the current index used to calculate the cost of fuel for
19 the purposes of the fuel surcharge.
- 20 5. The Board finds that further research is needed prior to considering the removal of
21 California from the index used to calculate the cost of fuel for the purposes of the fuel
22 surcharge.
- 23 6. For purposes of this order, the cost of fuel shall be based upon the figures provided by
24 the United States Department of Energy, Energy Information Administration survey on
25 Weekly Retail Gasoline and Diesel Prices, Regular Grade - West Coast.
- 26
27
28

1 7. After discussion, the Board made a motion to approve a twenty-cent (20¢) fuel
2 surcharge on the metered mile, to cover costs of fuel up to and including \$4.45 per
3 gallon. This motion also specified a base of \$3.25 for calculation only, and grants to
4 the Administrator the authority to remove the surcharge if the cost of fuel falls below
5 \$3.25 per gallon for a period of 30 consecutive days.

6 8. The Board decided that any meter change as a result of a fuel surcharge would be
7 conducted concurrently with the implementation of the 3% excise tax.

8 9. If any of the foregoing findings of fact is more properly deemed a conclusion of law, it
9 may be so construed.
10

11 CONCLUSIONS OF LAW

12 1. This matter was held in accordance with applicable Nevada Revised Statutes
13

14 2. The Taxicab Authority has the authority to review and alter taxicab rates, charges, or
15 fares in Clark County, pursuant to NRS 708.8819(1)(a).
16

17 3. The area to be affected by this Order is Clark County.

18 4. The interests, welfare, convenience, necessity, and well-being of the customers of
19 taxicabs are better served by this Order.

20 5. If any of the foregoing conclusions of law is more appropriately construed as a finding
21 of fact, it may be so construed.

22 ORDER

23 **IT IS HEREBY ORDERED** that the rates, charges and fares be increased as follows:
24

25 That a twenty cent (20¢) fuel surcharge shall be added to the metered mile for Clark
26 County taxicabs automatically anytime the cost of regular unleaded fuel rises above \$3.25 per
27 gallon on average during a thirty (30) day period. The fuel surcharge may be reviewed if the
28

1 unleaded fuel drops below \$3.25 per gallon for thirty (30) consecutive days, the Taxicab
2 Authority Administrator is authorized to remove the surcharge.
3

4 Dated this 17th day of August, 2016.
5

6 BY THE AUTHORITY:

7 
8 ILEANA DROBKIN - CHAIRPERSON
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CERTIFICATE OF MAILING

I, Nancy Moran, do hereby certify that I deposited in the U.S. mail, postage prepaid, via First Class Mail and Certified Return receipt Requested, a true and correct copy of the foregoing Findings of Fact, Conclusions of Law, and Order to the following:

Whittlesea - Henderson
ATTN: Brent Bell
1910 Industrial Road
Las Vegas, NV 89102

Lucky Cab
ATTN: Jason Awad
4195 W. Diablo
Las Vegas, NV 89103

Whittlesea - Henderson
ATTN: Cheryl Gibbons
1910 Industrial Road
Las Vegas, NV 89102

Lucky Cab
ATTN: Ryan Awad
4195 W. Diablo
Las Vegas, NV 89103

Whittlesea - Henderson
ATTN: Mark Trafton
1910 Industrial Road
Las Vegas, NV 89102

Deluxe
ATTN: Rich Flaven
P.O. Box 531787
Henderson, NV 89053-1787

Cooper Levenson Law Firm
ATTN: Kimberly Maxson-Rushton
3016 W. Charleston Blvd., Suite 195
Las Vegas, NV 89102

Jim Jimmerson
415 S. 6th Street, Suite 100
Las Vegas, NV 89101

Western Cab
ATTN: Marilyn Moran
4195 W. Diablo
Las Vegas, NV 89103

A Cab
ATTN: Jay Nady
1500 Searles Avenue
Las Vegas, NV 89101

Western Cab
ATTN: John Moran
4195 W. Diablo
Las Vegas, NV 89103

A Cab
ATTN: Mike Malloy
1500 Searles Avenue
Las Vegas, NV 89101

Lucky/Western
ATTN: Jason Lather
4195 W. Diablo
Las Vegas, NV 89103

ITPEU/OPEIU LOCAL
ATTN: Mike Kilgo
4480 W. Hacienda Ave., Suite 110
Las Vegas, NV 89118

Lucky/Western
ATTN: Donald Chan
4195 W. Diablo
Las Vegas, NV 89103

Robert Winner Esq.
4675 Wynn Road
Las Vegas, NV 89103

1 Desert Cab
2 ATTN: Rich Frakes
3 4675 Wynn Road
4 Las Vegas, NV 89103

5 Desert Cab
6 ATTN: George Balaban
7 4675 Wynn Road
8 Las Vegas, NV 89103

9 Nellis Cab
10 ATTN: Michelle Langille
11 5490 Cameron Street
12 Las Vegas, NV 89119

13 Nellis Cab
14 ATTN: Jamie Pino
15 5490 Cameron Street
16 Las Vegas, NV 89119

17 Esther Rodriguez Esq.
18 10161 Park Run Drive, Suite 150
19 Las Vegas, NV 89145

20 Yellow Checker Star
21 ATTN: Mike Rawlings
22 5225 W. Post Road
23 Las Vegas, NV 89118

Yellow Checker Star
ATTN: Jonathan Schwartz
5225 W. Post Road
Las Vegas, NV 89118

Yellow Checker Star
ATTN: Keith Gibson
5225 W. Post Road
Las Vegas, NV 89118

KAPTYN
ATTN: Andrew Meyers
4675 S. Wynn Road
Las Vegas, NV 89103

KAPTYN
ATTN: Jim Morgan
4675 S. Wynn Road
Las Vegas, NV 89103

KAPTYN
ATTN: Michael Morrison
4675 S. Wynn Road
Las Vegas, NV 89103

KAPTYN
ATTN: Chris Bordonaro
4675 S. Wynn Road
Las Vegas, NV 89103

24 Dated this 30th day of August, 2021.

25 
26 Employee of the Taxicab Authority
27
28

EXHIBIT “2”

EXHIBIT “2”

NUMBERS, FACTS AND TRENDS SHAPING YOUR WORLD | NEWSLETTERS | DONATE | MY ACCOUNT



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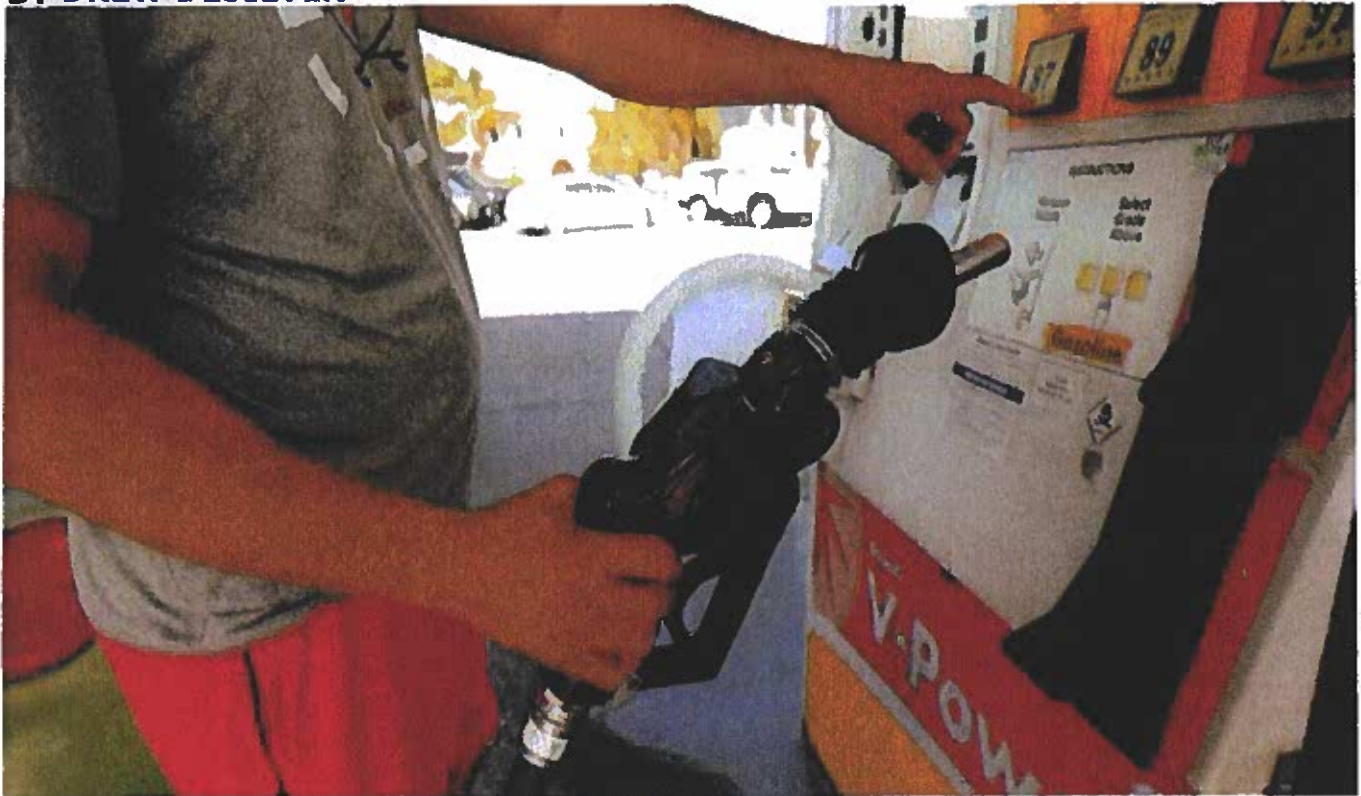
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DECEMBER 9, 2021

Gasoline costs more these days, but price spikes have a long history and happen for a host of reasons

BY DREW DESILVER



A driver makes his selection from various fuels priced over \$6 at a Shell gas station in Los Angeles on Nov. 15, 2021. (Al Seib/Los Angeles Times via Getty Images)

Americans are [acutely sensitive to gasoline prices](#), especially when they're on the rise. One reason, of course, is that we buy a lot of gas: an estimated 570 gallons this year for the average driver, which at current national average prices would cost close to \$2,000. Also, gas prices are posted all over town on large signs – unlike, say, [milk prices](#) – and people typically buy gas on its own rather than as part of a larger shopping trip, making price changes more noticeable. And gas prices can and do swing sharply and unpredictably, in ways that can seem unconnected to the rest of the economy.

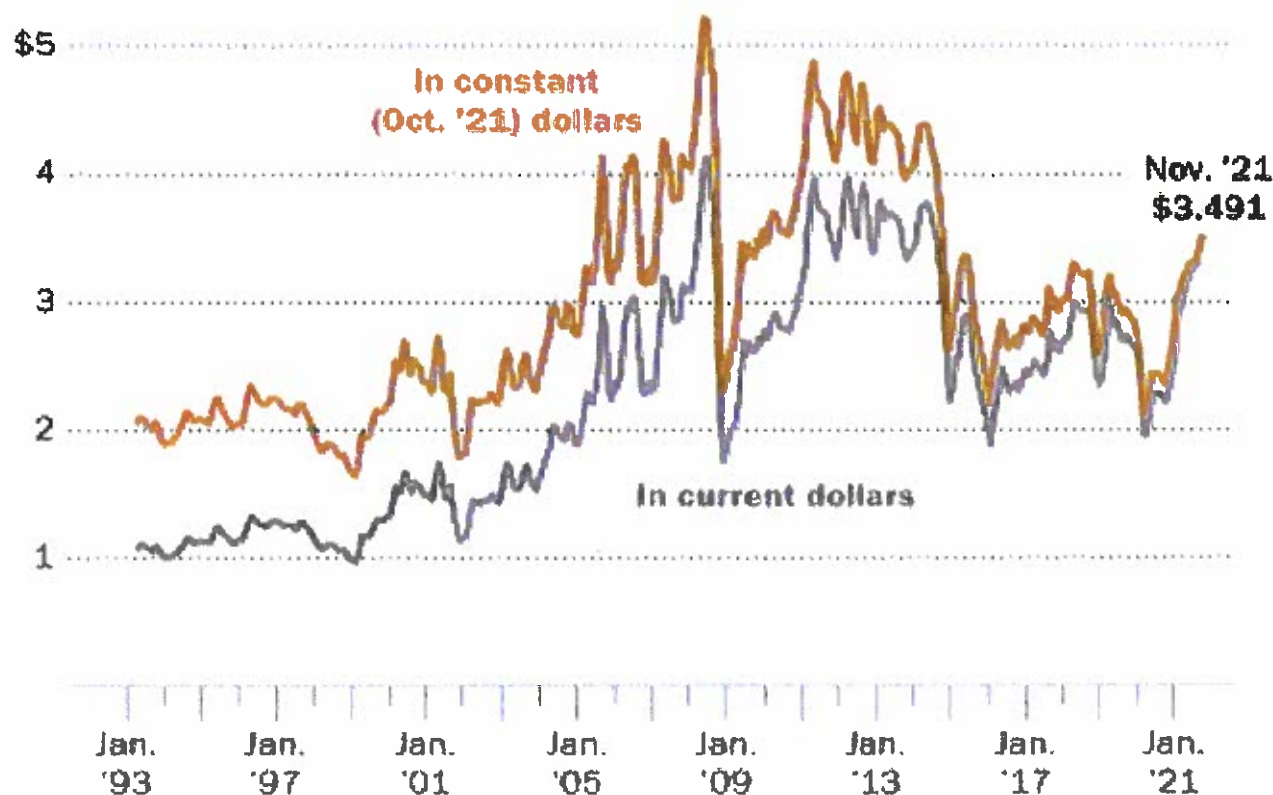
Regular gas costs, on average, 58.7% more than it did a year ago this time – \$3.491 a gallon last month, versus \$2.20 in November 2020, according to the federal [Energy Information Administration](#) (EIA).

But looking just at the recent rise can be misleading, or at least incomplete. For one thing, a year ago the United States was battling yet another wave of COVID-19 cases, large parts of the economy were still shuttered and demand for gas was way down. Estimated consumption in 2020 was 534 gallons per driver, down 14.4% from 624 gallons in 2019.

How we did this

U.S. gas prices are high, but less striking when inflation is factored in

Monthly average retail gasoline prices, all grades and all formulations, in dollars per gallon



Note: Current dollars refers to the actual price at a given time. Constant dollars are adjusted for inflation, relative to October 2021.

Sources: U.S. Energy Information Administration (prices); Bureau of Labor Statistics (inflation).

PEW RESEARCH CENTER

Also, the volatility of gas prices means they can go down as sharply and as suddenly as they go up. In the spring of 2020, as the [COVID-19 pandemic](#) sparked widespread lockdowns, the average gas price

sank 27% between Feb. 24 and April 27. Since 1994, average gas prices have fluctuated between a low of 96.2 cents a gallon in February 1999 and a high of \$4.114 in July 2008. The current average price, in fact, is almost exactly what it was in September 2014 – at least on a nominal basis.

When inflation is factored in, today's prices appear more modest. In today's dollars, gas cost an average of \$5.20 a gallon in June 2008, and more than \$4 as recently as September 2014.

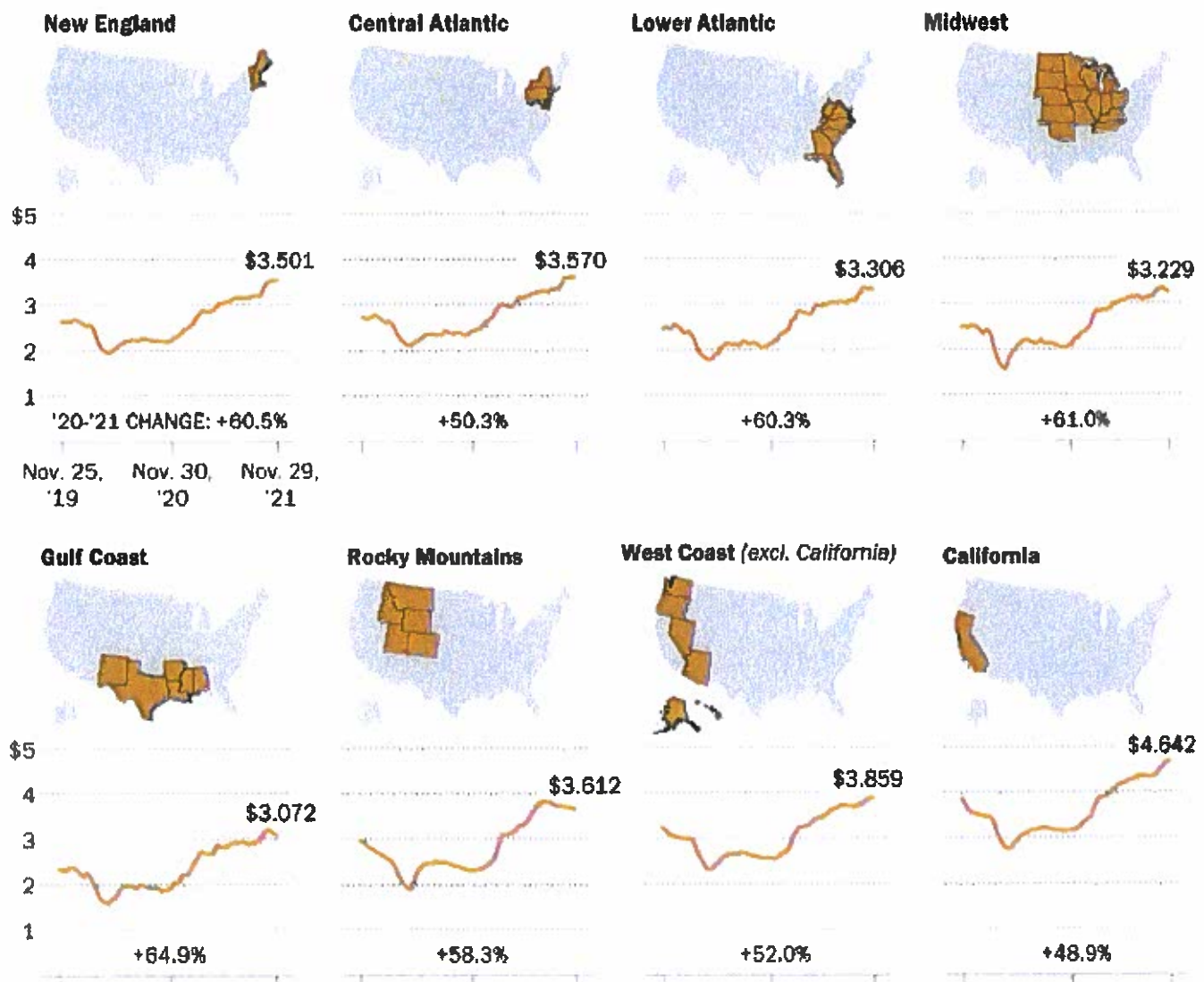
Also, gasoline is not a single, uniform product. Besides regular, midgrade and premium gas, which differ by octane rating, there's conventional and "reformulated" gas. The latter is required to be sold in California, along the Northeastern seaboard and in several other major urban areas to reduce smog and other air pollutants.

Over the past year, reformulated gas was consistently 30 to 35 cents more expensive than conventional gas until mid-October, when the differential began to widen, according to an analysis of EIA price data – it's now about 46 cents more expensive. Over the same period, midgrade gas has ranged from 37 cents to 46 cents more expensive than regular, while premium has been 25 to 27 cents higher than midgrade.

Where you buy gas also matters. Much of the U.S. petroleum industry is concentrated along the Gulf Coast, making it perhaps unsurprising that gas tends to be cheapest there. The average price in that region was \$3.072 a gallon in late November, and in Texas it was also a hairsbreadth above \$3.

How much to fill the tank? Where you are matters a lot

Weekly average gasoline prices, all grades and all formulations, in dollars per gallon



Note: Regional breaks are by Petroleum Administration for Defense District (PADD). Prices are not adjusted for inflation.
Source: U.S. Energy Information Administration.

PEW RESEARCH CENTER

By contrast, California almost always has the most expensive gas in the country. The state's average price in late November was \$4.642 a gallon, and in San Francisco it was \$4.816. Besides the fact that California already uses pricier reformulated gas and has relatively high gas taxes and environmental fees, it is geographically far removed from other refining centers and relatively few fuel pipelines cross the Rocky Mountains to connect California's refineries to the rest of the country.

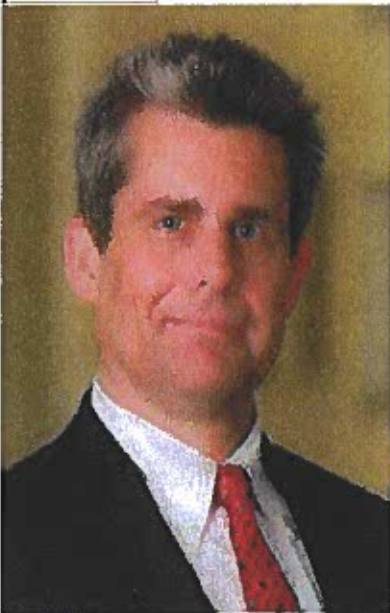
Under normal conditions, the state's refineries can produce enough gasoline to meet demand there, according to the [California Energy Commission](#). But if refineries go offline due to weather, accidents or mechanical breakdowns, the state typically imports gasoline from overseas – adding to the price because of the cost of marine shipments.

Topic

[Economic Conditions](#)

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[Drew DeSilver](#) is a senior writer at Pew Research Center.

[POSTS](#) [BIO](#) [TWITTER](#) [EMAIL](#)

INTERVENERS

**YCS Acquisition LLC, Twenty-first Century Taxi,
LLC, Cab Transport LLC, and Taxi Transport LLC,
filed April 1, 2022**

BEFORE THE NEVADA TAXICAB AUTHORITY

Re: Application of Henderson Taxi, Whittlesea)
Bell, Nevada Yellow Cab Corporation, Nevada)
Checker Cab Corporation, Nevada Star Cab)
Corporation, Blue Desert and Desert Cab to)
Amend the Fuel Surcharge Rates.)

Date of Hearing: April 20, 2022
Time of Hearing: 9:30 a.m.

APR 1 '22 FILED

**YCS ACQUISITION LLC, TWENTY FIRST CENTURY TAXI, LLC, CAB TRANSPORT, LLC
AND TAXI TRANSPORT, LLC'S PETITION TO INTERVENE**

COME NOW YCS ACQUISITION LLC, TWENTY FIRST CENTURY TAXI, LLC, CAB
TRANSPORT, LLC AND TAXI TRANSPORT, LLC ("Petitioners") hereby petition the Nevada State
Taxicab Authority ("Authority") to intervene in the above referenced matter. The Authority's Board
Meeting and Public Hearing is scheduled for April 20, 2022, at 9:30 a.m. This Petition is pursuant to
NRS 706.881 et seq. and is supported by the following:

1. Petitioners are corporations and limited-liability companies organized and existing under
the laws of the State of Nevada with their principal place of business located at 5225 W. Post Road, Las
Vegas, Nevada.

2. Written communications regarding this Petition should be addressed to:

YCS ACQUISITION LLC, TWENTY-FIRST CENTURY TAXI, LLC, CAB TRANSPORT,
LLC AND TAXI TRANSPORT, LLC
ATTN: Keith B. Gibson, Esq., General Counsel
5225 W. Post Road
Las Vegas, NV 89118
kgibson@taximanagement.vegas
legal@ycstrans.com

3. Petitioners are common motor carriers holding Certificates of Public Convenience and
Necessity issued by this Authority.

4. Pursuant to the authorization granted by this Authority, Petitioners engage in the
transportation of passengers and their baggage in taxicab service between all points and places in Clark
County, Nevada. Petitioners are the owners and holders of taxicab medallions duly issued by the

1 Taxicab Authority for this purpose.

2 5. Petitioners have learned from the Board Meeting Agenda and Notice of Public Hearing
3 published by the Authority that a board meeting and public hearing will be held on April 20, 2022, at
4 9:30 a.m., pursuant to NRS 706.8819 and 706.8828(6).
5

6 6. Petitioners are entitled, as a matter of right, to be heard at the public hearing on this
7 matter

8 7. Petitioners wish to take part in the discussion and possible action regarding Amending
9 the Fuel Surcharge Rates. Petitioners support the Application for Amending the Fuel Surcharge Rates.
10

11 9. Petitioners therefore request that they be permitted to intervene and join in this
12 proceeding and that they be served with copies of any and all pleadings, notices, papers and exhibits that
13 have been or may be filed in these matters.

14 WHEREFORE, Petitioners respectfully request that this Authority enter an appropriate order
15 which:

16 1. Grants permission to intervene and participate fully in any public hearing with respect to
17 this matter.

18 2. For such other relief as appears just and proper.
19

20 /////

21 /////

22 /////

23 /////

24 /////

1 DATED this 1st day of April, 2022.

2
3 YCS ACQUISITION LLC,
4 TWENTY FIRST CENTURY TAXI, LLC,
5 CAB TRANSPORT, LLC, AND
6 TAXI TRANSPORT, LLC

7 
8 _____
9 Keith B. Gibson, General Counsel

10 Nevada Bar No. 10050

11 5225 W. Post Road

12 Las Vegas, Nevada 89118

13 Telephone: (702) 873-8012

14 Facsimile: (702) 365-7864

15 kgibson@taximanagement.vegas
16
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CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of April, 2022, I served via electronic mail, a true and accurate copy of the foregoing to the following persons:

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Whittlesea/Henderson
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Fax: 382-4604
mark@belltransportation.com

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Las Vegas, NV 89101
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jongathright@acablv.com

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Las Vegas, NV 89103
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RELEVANT NEVADA REVISED STATUTES
AND ADMINISTRATIVE CODES

**NRS 706.8819 Hearings and Final Decisions;
Jurisdiction; Appeals from Final Decisions;
Judicial Review**

**NRS 706.8824 Allocation of Number of Taxicabs
by Taxicab Authority: Factors for Determination;
Limitations; Annual Review**

NRS 706.471 Rates, Charges and Fares

**NRS 706.909 Applications for Change of Rates or
Rules**

NAC 706.924 Notice of Hearings

NRS 706.8819 Hearings and final decisions; jurisdiction; appeals from final decisions; judicial review.

1. The Taxicab Authority shall conduct hearings and make final decisions in the following matters:

(a) Applications to adjust, alter or change the rates, charges or fares for taxicab service;

(b) Applications for certificates of public convenience and necessity to operate a taxicab service;

(c) Applications requesting authority to transfer any existing interest in a certificate of public convenience and necessity or in a corporation that holds a certificate of public convenience and necessity to operate a taxicab business;

(d) Applications to change the total number of allocated taxicabs in a county to which [NRS 706.881](#) to [706.885](#), inclusive, apply; and

(e) Appeals from final decisions of the Administrator made pursuant to [NRS 706.8822](#).

2. Any final decision of the Taxicab Authority pursuant to this section is subject to judicial review pursuant to [NRS 233B.130](#).

NRS 706.8824 Allocation of number of taxicabs by Taxicab Authority: Factors for determination; limitations; annual review.

1. In determining whether circumstances require the establishment of a system of allocations or a change in existing allocations, the Taxicab Authority shall consider the interests, welfare, convenience, necessity and well-being of the customers of taxicabs.

2. Whenever circumstances require the establishment of a system of allocations, the Taxicab Authority shall allocate the number of taxicabs among the certificate holders in the county in a manner which reflects the number of taxicabs operated by each certificate holder during the 5 years immediately preceding the date of establishment of the Taxicab Authority in the county.

3. Whenever circumstances require an increase in the existing allocations, the Taxicab Authority shall allocate the additional taxicabs equally among all the certificate holders who apply from the area to be affected by the allocation.

4. Unless a certificate holder puts the additionally allocated taxicabs into service within 30 days after the effective date of the increased allocation, the increased allocation to that certificate holder is void.

5. Except as otherwise provided in this subsection, the Taxicab Authority may attach to the exercise of the rights granted by the allocation any terms and conditions which in its judgment the public interest may require. The Taxicab Authority may:

(a) Not limit the geographical area from which service is offered or provided.

(b) Limit the hours of service, but such a limitation must not reduce hours of service to less than 12 consecutive hours in a 24-hour period.

➤ If a limitation is placed on an allocation, taxicabs must be marked in a distinctive manner that indicates the limitation.

6. The Taxicab Authority shall review annually:

(a) The existing allocation of taxicabs; and

(b) The rates, charges or fares of the certificate holders in its jurisdiction.

NAC 706.471 Rates, charges and fares. ([NRS 706.8818](#))

1. Only the Authority may set, adjust, alter or change the rates, charges or fares for service by a taxicab.
2. A hearing concerning rates, charges or fares may be initiated by the Authority or upon application of any certificate holder.
3. Except upon a showing that the public interest requires otherwise, the rates, charges or fares of all holders of a certificate in a county will be uniform.

NAC 706.909 Applications for change of rates or rules. ([NRS 233B.050](#), [706.8818](#))
Applications by any taxicab company to increase any rate, fare or charge or rule or regulation resulting in any increase must, in addition to complying with the provisions of [NAC 706.876](#) to [706.975](#), inclusive, applicable to all pleadings, submit the following data, either in the application or attached to it as an exhibit:

1. A statement showing in full the rates or fares, rules or regulations requested to be put into effect or the general relief asked for.
2. A statement or reference showing in full the rates or fares, rules or regulations which will be superseded by the proposed rates.
3. A complete and accurate statement of the circumstances and conditions relied upon as justification for the application.
4. A reference record to prior action if any by the Authority in any proceeding relative to the existing and proposed rates.
5. A financial statement for a full 12-month period including a balance sheet and a profit and loss statement; or in any application filed by or on behalf of a group of companies as parties to a tariff, composite financial statements for all or a representative group of companies involved for a full 12-month period, and a composite and representative profit and loss statement.

NAC 706.924 Notice of hearings. ([NRS 233B.050](#), [706.8818](#))

1. Hearings will be held before the Authority or Administrator as prescribed by law. Notice of hearing before the Authority or Administrator will be served on all parties at least 20 days before the hearing, indicating the purpose, place, date and hour of the hearing.

2. All hearings before the Authority which encompass rates, certificates or transfer of any existing Authority vested in any person or corporation to operate a taxicab business will be noticed by publication and mailing.

3. The notice will be published one time not less than 20 days before the day fixed for the hearing in one newspaper of general circulation in Clark County, Nevada.

RELEVANT SUPPLEMENTAL MATERIALS

**PADD 5 Weekly Data for West Coast less
California from time of filing to current
(March 28 – April 18, 2022)**

Taxicab Authority Vehicle Inspection Report:

- **Total Active Vehicles as of April 13, 2022**
- **Breakdown by Fuel Type as of April 13, 2022**

Currently Published Rate Card

Gasoline and Diesel Fuel Update

Gasoline Release Date: April 18, 2022

Next Release Date: April 25, 2022

Diesel Fuel Release Date: April 18, 2022

Next Release Date: April 25, 2022

Notice: [Petroleum Marketing Survey Form Changes Proposed for 2021](#)

U.S. Regular Gasoline Prices*(dollars per gallon)


[full history](#)  [XLS](#)

	04/04/22	04/11/22	04/18/22	Change from	
				week ago	year ago
U.S.	4.170	4.091	4.066	↓ -0.025	↑ 1.211
East Coast (PADD1)	4.045	3.966	3.926	↓ -0.040	↑ 1.176
New England (PADD1A)	4.094	4.033	3.993	↓ -0.040	↑ 1.239
Central Atlantic (PADD1B)	4.153	4.085	4.059	↓ -0.026	↑ 1.212
Lower Atlantic (PADD1C)	3.965	3.874	3.825	↓ -0.049	↑ 1.137
Midwest (PADD2)	3.972	3.892	3.876	↓ -0.016	↑ 1.104
Gulf Coast (PADD3)	3.815	3.732	3.733	↑ 0.001	↑ 1.168
Rocky Mountain (PADD4)	4.144	4.144	4.148	↑ 0.004	↑ 1.175
West Coast (PADD5)	5.218	5.139	5.095	↓ -0.044	↑ 1.568
West Coast less California	4.670	4.618	4.598	↓ -0.020	↑ 1.426

Source: [West Coast less California Gasoline and Diesel Retail Prices \(eia.gov\)](#)















Weekly Retail Gasoline and Diesel Prices


(Dollars per Gallon, Including Taxes)

*  Since March 30, 2022 Application

Area: West Coast less California

Period: Weekly

Download Series History Definitions, Sources & Notes								View History
Show Data By:	<input type="button" value="Graph"/> <input type="button" value="Clear"/>	03/14/22	03/21/22	03/28/22	04/04/22	04/11/22	04/18/22	
<input checked="" type="radio"/> Product <input type="radio"/> Area								
Gasoline - All Grades	 <input type="checkbox"/>	4.743	4.751	4.784	4.747	4.697	4.679	1998-2022
All Grades - Conventional Areas	 <input type="checkbox"/>	4.764	4.778	4.802	4.767	4.705	4.695	2000-2022
All Grades - Reformulated Areas	 <input type="checkbox"/>	4.659	4.639	4.707	4.662	4.661	4.610	1998-2022
Regular	 <input type="checkbox"/>	4.671	4.675	4.707	4.670	4.618	4.598	1998-2022
Conventional Areas	 <input type="checkbox"/>	4.691	4.702	4.725	4.689	4.626	4.614	2000-2022
Reformulated Areas	 <input type="checkbox"/>	4.591	4.569	4.637	4.591	4.587	4.537	1998-2022
Midgrade	 <input type="checkbox"/>	4.951	4.979	5.003	4.979	4.933	4.925	1998-2022
Conventional Areas	 <input type="checkbox"/>	4.955	4.994	5.010	4.985	4.930	4.933	2000-2022
Reformulated Areas	 <input type="checkbox"/>	4.929	4.903	4.969	4.941	4.949	4.886	1998-2022
Premium	 <input type="checkbox"/>	5.119	5.138	5.185	5.138	5.093	5.089	1998-2022
Conventional Areas	 <input type="checkbox"/>	5.120	5.142	5.184	5.137	5.081	5.086	2000-2022
Reformulated Areas	 <input type="checkbox"/>	5.115	5.114	5.191	5.140	5.160	5.105	1998-2022
Diesel (On-Highway) - All Types	 <input type="checkbox"/>	5.416	5.319	5.402	5.312	5.236	5.278	2011-2022
Ultra Low Sulfur (15 ppm and Under)	 <input type="checkbox"/>	5.416	5.319	5.402	5.312	5.236	5.278	2011-2022

 Click on the source key icon to learn how to download series into Excel, or to embed a chart or map on your website.

- = No Data Reported; -- = Not Applicable; NA = Not Available; W = Withheld to avoid disclosure of individual company data.

Notes: Conventional area is any area that does not require the sale of reformulated gasoline. All types of finished motor gasoline may be sold in this area. RFG area is an ozone nonattainment area designated by the Environmental Protection Agency which requires the use of reformulated gasoline. Publication of Low Sulfur On-Highway Diesel (LSD) prices at the U.S. level was discontinued on December 8, 2008 due to a diminishing number of stations selling LSD as a result of EPA diesel fuel regulations. EIA continued to collect LSD prices from retail outlets and included them in the Diesel Average All Types price until July 26, 2010, when no more outlets reported LSD sales. Beginning July 26, 2010 publication of Ultra Low Sulfur Diesel (ULSD) price became fully represented by the Diesel Average All Types price. As of December 1, 2010 (September 1, 2006 in California), any on-highway diesel fuel sold is ULSD as mandated by EPA on-highway diesel fuel regulations. EIA did not collect weekly retail motor gasoline data between December 10, 1990 and January 14, 1991. Monthly and annual averages are simple averages of the weekly data contained therein. For months and years with incomplete weekly data series, the monthly and/or annual averages are not available. See Definitions, Sources, and Notes link above for more information on this table.

Release Date: 4/18/2022

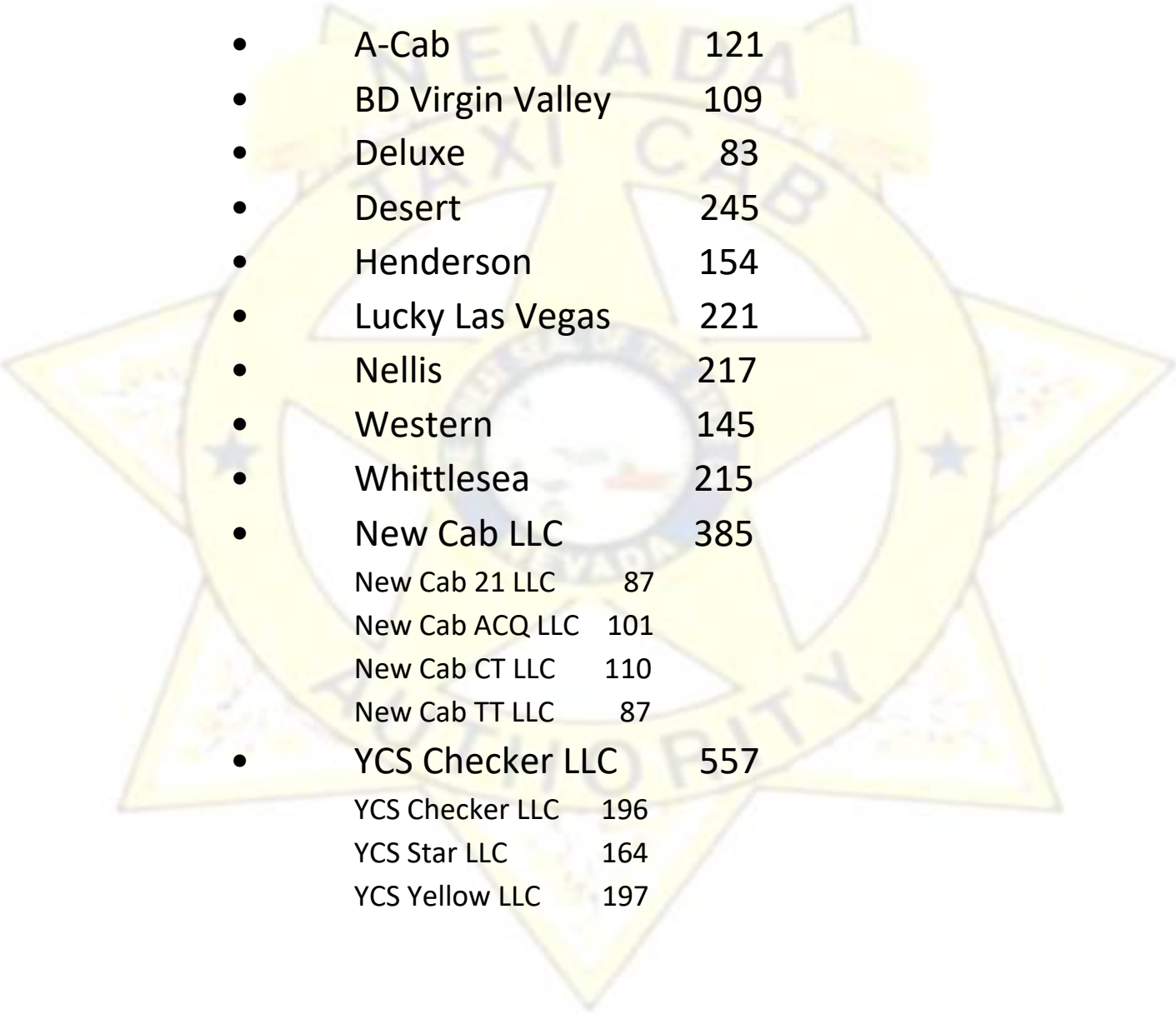
Next Release Date: 4/25/2022

Vehicle Inspection Report

➤ Total number of active vehicles as of 4/13/22

2,452

Active vehicles are generally operable; may have 24-hour repair notices or temporary out-of-status flags by TA vehicle inspectors



•	A-Cab	121
•	BD Virgin Valley	109
•	Deluxe	83
•	Desert	245
•	Henderson	154
•	Lucky Las Vegas	221
•	Nellis	217
•	Western	145
•	Whittlesea	215
•	New Cab LLC	385
	New Cab 21 LLC	87
	New Cab ACQ LLC	101
	New Cab CT LLC	110
	New Cab TT LLC	87
•	YCS Checker LLC	557
	YCS Checker LLC	196
	YCS Star LLC	164
	YCS Yellow LLC	197

Breakdown by Fuel Type

*as of 04/13/22

	Reg. Gas Only		Hybrid		Electric		Propane		Natural Gas	
A-Cab	47	39%	74	61%	0	0%	0	0%	0	0%
BD Virgin Valley	109	100%	0	0%	0	0%	0	0%	0	0%
Deluxe	83	100%	0	0%	0	0%	0	0%	0	0%
Desert	224	91%	13	5%	8	3%	0	0%	0	0%
Henderson	154	100%	0	0%	0	0%	0	0%	0	0%
Lucky Las Vegas	201	91%	20	9%	0	0%	0	0%	0	0%
Nellis	58	27%	159	73%	0	0%	0	0%	0	0%
Western	145	100%	0	0%	0	0%	0	0%	0	0%
Whittlesea	198	92%	3	1%	0	0%	0	0%	14	7%
New Cab LLC (All)	309	80%	26	7%	0	0%	50	13%	0	0%
YCS LLC (All)	123	22%	0	0%	2	0%	432	78%	0	0%
TOTAL	1,651	67%	295	12%	10	0%	482	20%	0	0%

**New Cab/YCS LLC w/ a combined total of 482 vehicles on propane, of which 50 vehicles under New Cab are currently not in use, per 4/13/22 report from TA Vehicle Inspections.*

Currently Published Rate Cards

- **Each Taxicab Company is responsible for the printing/production and visible display of the most current rate cards in their registered vehicles.**
- **Rate card formats vary slightly, but information is strictly based on the last Board Order and established standards set by the Taxicab Authority.**
- **Rate cards are checked during every vehicle inspection by the Taxicab Authority. The company is notified of a need to replace outdated/incorrect rate cards on display as applicable.**
- **Below is a sample of a current rate card displayed by Desert Cab, and published rates on the TA website.**

DESERT CAB RATE CARD

702-551-5151

CAB NUMBER _____

The Taxicab Authority regulates the taxicab industry. If you have a concern or complaint, please call (702) 668-4000 or e-mail us at taxicomplaints@taxi.state.nv.us


A driver shall take the most direct route to the passenger's destination unless a different route is requested or agreed to by the passenger.
DIRECT TRIPS FROM THE AIRPORT TO THE LAS VEGAS STRIP, AND FROM THE LAS VEGAS STRIP TO THE AIRPORT, MUST BE CHARGED ACCORDING TO THE CORRECT ZONE FARE.

FIRST 1/8 MILE.....	\$3.50
EACH ADDITIONAL 1/8 MILE.....	\$0.37
WAITING TIME, PER HOUR.....	\$32.40
EACH TRIP FROM MCCARRAN PROPERTY.....	\$2.40
CREDIT/DEBIT CARD FEE.....	\$3.00




3% EXCISE TAX WILL BE ADDED TO ALL RATES AND FEES
RATES INCLUDE A \$0.20 CENT PER MILE FUEL SURCHARGE
Business and Industry
Taxicab Authority
2090 E. Flamingo Road Suite 200
Las Vegas, Nevada 89119

TA WEBSITE PUBLISHED RATES



Department of Business and Industry
Nevada Taxicab Authority

[NV.gov](#) [Agencies](#) [Jobs](#)
ADA Assistance

 PRINT

ADMIN COMPLIANCE PASSENGERS DRIVERS COMPLAINTS RESOURCES TAXICAB COMPANIES CONTACT

Passengers

Taxi Rider Information Program

Approximate Fare Information

The fares listed below are **APPROXIMATIONS** only, and demonstrate an estimated minimum fare to the below listed locations. Time of day, route taken, day of week, destination, and traffic can dramatically influence the fare shown on the taximeter. The information contained herein was produced from sources believed to be reliable. No warranty expressed or implied is made regarding accuracy, adequacy, completeness, legality, reliability or usefulness of the information. This disclaimer applies to both isolated and aggregate uses of the information.

▪ Approximate Minimum Rates - McCarran Airport to Las Vegas Strip Hotels

Approximate Minimum Rates:

Approximate Minimum Rates:

Fare Description	Amount
Initial activation of taximeter	\$ 3.50
Each additional 1/8th mile (\$2.96 per mile)	\$.37
Waiting time per hour	\$ 32.40
McCarran Airport properties fee per pick-up	\$ 2.40
Credit/Debit Card Fee	\$ 3.00
**3% Excise Tax will be added to all rates and fees	

7

AGENDA ITEM 7

Presentation from Curb about Up-front Pricing for eHail

(For Discussion and Possible Action)

8

AGENDA ITEM 8

Industry Discussion (For Discussion Only)

9

AGENDA ITEM 9

Staff Report

(For Discussion Only)

- A. Administrator's Report
- B. Chief Investigator's Report
- C. Stats
- D. Legal Counsel
- E. Future Agenda Items

March 2022

Investigations

➤ Total number of citations written	113
➤ Total number of violations written (including impounds)	124
➤ Total number of long hauling citations	1

Court

➤ Total number of violations resolved	97
➤ Total number of failed to appear in Court	16
➤ Total number of waived before Hearing (walk-ins)	47
➤ Total number of Hearings held	12
○ Guilty	09
○ Not Guilty	00
○ Denial	00
○ Revocation	01
○ Dismissed	01
○ Vehicle Release	01
➤ Total number of violations Waived at Hearing (on court day)	22
➤ Total number dismissed by Hearing Officer	01
➤ Total number dismissed by DAG	00
➤ Total number dismissed by Administration	00
➤ Total number dismissed by Investigations	04
➤ Total number of denied-Overtured	00
➤ Total number Impound/Special	06
➤ Total number of No CPCNs	06
➤ Total number of warrant arrests	00
➤ Total number citations not turned in	00
➤ Total number citations voided	00

Citation/Violation Dispositions Summary

From Mar 1 '22 through Mar 31 '22



The background of the table features a large, semi-transparent seal of the Nevada Taxi Cab Authority. The seal is a yellow seven-pointed star with a circular center. The words "NEVADA TAXI CAB AUTHORITY" are written in a circular path around the star. The center of the seal contains the Great Seal of the State of Nevada, which depicts a landscape with a mountain, a river, and a ship. The words "THE GREAT SEAL OF THE STATE OF NEVADA" are written around the inner circle of the seal.

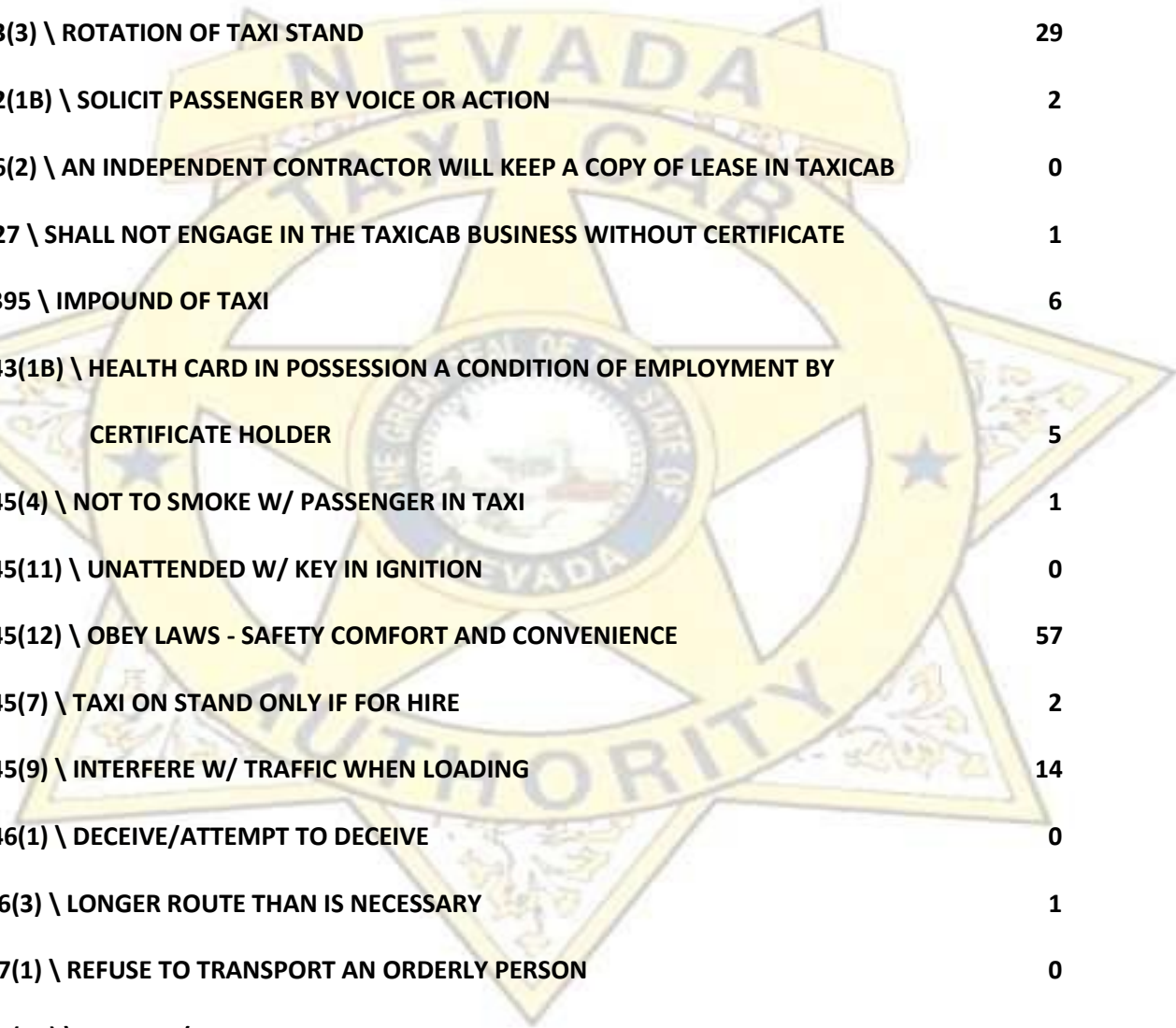
Fail To Appear in Court	16
Waived Before Hearing	47
Trial Held-Revocation	1
Denials Overturned	0
No CPCNs	6
Trial Held-Denial	0
Issued into Other Court	0
Waived at Hearing	22
Dismissed by Hearing Officer	1
Dismissed by Investigations	4
Dismissed by State	0
Dismissed by Administration	0
Dismissed by DAG	0
Trial Held -Guilty	9
Trial Held – Not Guilty	0
Default on Citation	1
Citation not turned in	0
Citation Voided	0
Denied No Appeal	0
Not Resolved	29

Total Violations 124

Total Citations 113

Citation Violation Report

From Mar 1 '22 through Mar 31 '22

The seal of the Nevada Taxi Cab Authority is a large, faint watermark in the background. It features a five-pointed star with a circular center. The word "NEVADA" is arched across the top, and "TAXI CAB" is arched across the middle. The words "AUTHORITY" and "STATE OF NEVADA" are also visible within the design.

NAC 706.531(1) \ DISPLAY T.A. PERMIT	3
NAC 706.531(2) \ PERMIT; UPRIGHT AND UNOBSTRUCTED	2
NAC 706.543(1) \ VERBAL ARGUMENTS/PHYSICAL VIOLENCE	1
NAC 706.543(3) \ ROTATION OF TAXI STAND	29
NAC 706.552(1B) \ SOLICIT PASSENGER BY VOICE OR ACTION	2
NAC 706.556(2) \ AN INDEPENDENT CONTRACTOR WILL KEEP A COPY OF LEASE IN TAXICAB	0
NAC 706.8827 \ SHALL NOT ENGAGE IN THE TAXICAB BUSINESS WITHOUT CERTIFICATE	1
NRS 706.88395 \ IMPOUND OF TAXI	6
NRS 706.8843(1B) \ HEALTH CARD IN POSSESSION A CONDITION OF EMPLOYMENT BY CERTIFICATE HOLDER	5
NRS 706.8845(4) \ NOT TO SMOKE W/ PASSENGER IN TAXI	1
NRS 706.8845(11) \ UNATTENDED W/ KEY IN IGNITION	0
NRS 706.8845(12) \ OBEY LAWS - SAFETY COMFORT AND CONVENIENCE	57
NRS 706.8845(7) \ TAXI ON STAND ONLY IF FOR HIRE	2
NRS 706.8845(9) \ INTERFERE W/ TRAFFIC WHEN LOADING	14
NRS 706.8846(1) \ DECEIVE/ATTEMPT TO DECEIVE	0
NRS706.8846(3) \ LONGER ROUTE THAN IS NECESSARY	1
NRS706.8847(1) \ REFUSE TO TRANSPORT AN ORDERLY PERSON	0
NRS706.8849(1B) \ ON HIRE/ASSURE METER IS ENGAGED	0
Total	124

Monthly Vehicle Report

March 2022

Cab company	OSN Issued	24HR Issued	Accident	Inspection	Meter seal
A-CAB	9	16	6	25	0
BD VIRGIN VALLEY	7	3	2	12	3
DELUXE	0	14	0	15	0
DESERT	18	13	15	41	8
HENDERSON	6	8	5	24	1
LUCKY LAS VEGAS	15	22	22	28	1
NELLIS	14	3	19	22	1
NEWCAB 21 LLC	6	10	6	13	0
NEWCAB ACQ LLC	7	6	7	10	0
NEWCAB CT LLC	7	10	4	13	1
NEWCAB TT LLC	9	4	10	3	1
WESTERN	10	10	7	21	0
WHITTLESEA	13	5	10	29	4
YCS CHECKER LLC	15	29	18	41	0
YCS STAR LLC	17	21	15	31	1
YCS YELLOW LLC	13	20	13	32	1
Total:	166	194	159	360	22

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AGENDA ITEM 10

Public Comment

11

AGENDA ITEM 11

Adjournment (Action)