

IN THE SUPREME COURT OF THE STATE OF NEVADA

GREGORY O. GARMONG,
Appellant,
vs.
SILVERMAN, DECARIA &
KATTELMAN, CHTD.,
Respondent.

No. 59275

FILED

OCT 21 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY R. Malone
DEPUTY CLERK

ORDER OF AFFIRMANCE

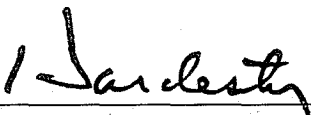
This is an appeal from a district court post-judgment order adjudicating an attorney's lien and awarding attorney fees. Ninth Judicial District Court, Douglas County; Michael P. Gibbons, Judge.

Respondent Silverman, Decaria & Kattelman, Chtd. (SDK), represented appellant Gregory O. Garmong in his divorce action, and afterward sought to adjudicate its charging lien under NRS 18.015. The district court adjudicated the lien and entered a judgment in favor of SDK. Garmong appealed and this court affirmed. Garmong petitioned for rehearing and this court directed SDK to answer the petition for rehearing on the limited issue of whether sufficient evidence was presented to the district court in support of the motion to adjudicate the charging lien. When SDK failed to file an answer, this court granted rehearing, vacated in part the order of affirmance, and reversed and remanded the case to the district court. *Garmong v. Silverman, Decaria & Kattelman*, Docket No. 52012 (Order Granting Rehearing, Vacating Previous Order In Part, and Reversing and Remanding, November 10, 2010). In granting rehearing, this court concluded that the district court abused its discretion solely on the basis that it did not consider the factors set forth in *Brunzell v. Golden*

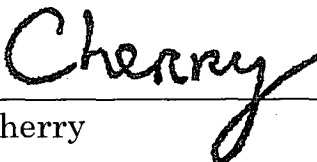
Gate National Bank, 85 Nev. 345, 349-50, 455 P.2d 31, 33 (1969), when it determined the reasonableness of SDK's attorney fees. No other aspect of the previous order of affirmance was disturbed in the order granting rehearing. On remand, the district court considered the *Brunzell* factors, adjudicated the lien, and entered judgment in favor of SDK for \$37,439.84. Garmong again appealed.

We have considered the parties' arguments and the record in this appeal and conclude that on remand the district court properly followed this court's mandate and did not abuse its discretion when it considered the *Brunzell* factors and entered judgment in SDK's favor. *Argentina Consol. Mining Co. v. Jolley Urga Wirth Woodbury & Standish*, 125 Nev. 527, 531, 216 P.3d 779, 782 (2009) ("[The district court's] attorney fees award is reviewed under an abuse of discretion standard."). Accordingly, we

ORDER the judgment of the district court AFFIRMED.¹


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Cherry

¹Garmong's August 20, 2013, motion for leave to file a reply to SDK's response to the notice of supplemental authorities is granted. The clerk of this court shall detach and file the reply attached to Garmong's motion.

We have considered Garmong's other arguments and conclude that they do not warrant reversal.

cc: Hon. Michael P. Gibbons, District Judge
David Wasick, Settlement Judge
Carl M. Hebert
Woodburn & Wedge
Les W. Bradshaw
Silverman, Decaria & Kattelman, Chtd.
Lemons, Grundy & Eisenberg
Douglas County Clerk