


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

AMINA JOHNSON,
Appellant,
vs.
GENERAL DYNAMICS INFORMATION
TECHNOLOGY; BROADSPIRE
SERVICES, INC. CLAIM
ADMINISTRATOR; AND DANIEL L.
SCHWARTZ, ESQ.,
Respondents.

No. 89197-COA

FILED

MAY 30 2025

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Amina Johnson appeals from the district court's dismissal of an employment matter. Eighth Judicial District Court, Clark County; Veronica Barisich, Judge.

Johnson was previously employed by respondent General Dynamics Information Technology (GDIT) and had filed a workers' compensation claim after contracting COVID-19 in 2022. Several months later, Johnson was terminated from GDIT. Johnson's workers' compensation claim was ultimately denied, and she thereafter filed a civil lawsuit against GDIT and respondent Daniel L. Schwartz, GDIT's counsel in the workers' compensation case, in February 2024. That case was dismissed by the district court, and Johnson did not appeal that decision.

In May 2024, Johnson filed the complaint in the instant underlying case against respondents GDIT, Schwartz, and respondent

Broadspire Services, Inc. (GDIT's third-party claims administrator), alleging causes of action for conspiracy, "false statements," intentional fraud, negligence, and retaliation. In her complaint Johnson requested over \$8 million in damages arising out of alleged "discriminatory practices." Broadspire and Schwartz filed a motion to dismiss her complaint, arguing primarily that she failed to state claims upon which relief could be granted, failed to plead with sufficient specificity to put them on notice of her claims, and that claim and issue preclusion¹ barred her claims, which had been raised in her previous civil suit. GDIT also filed a motion to dismiss, arguing Johnson's claims appeared to arise out of her employment but the complaint failed to allege any cognizable employment-related claims and that she was an at-will employee who could be terminated at any time. Johnson opposed the motions and respondents filed replies.

The district court entered two orders granting respondents' respective motions to dismiss. With respect to the Broadspire motion, the court found that Johnson's complaint (1) failed to state a claim upon which relief could be granted pursuant to NRCP 12(b)(5), (2) did not include a prayer for relief and failed to set forth a basis for punitive damages, and (3)

¹Broadspire and Schwartz referred to these doctrines as res judicata and collateral estoppel, but our supreme court has clarified they are properly referred to as claim preclusion and issue preclusion, respectively. See *Five Star Capital Corp. v. Ruby*, 124 Nev. 1048, 1051-52, 194 P.3d 709, 711 (2008) (adopting the terms claim preclusion and issue preclusion as the proper terminology for res judicata and collateral estoppel); see also *Holland v. Anthony L. Barney, Ltd.*, 139 Nev., Adv. Op. 49, 540 P.3d 1074, 1082 n.12 (Ct. App. 2023) (noting that the modern trend is to use the terms claim and issue preclusion). Thus, we use the latter terms throughout this order.

was barred by claim and issue preclusion because Johnson had filed multiple unsuccessful actions against the same parties, with the same underlying facts, and seeking identical or highly similar relief. With respect to GDIT's motion to dismiss, the court likewise found that Johnson failed to state a claim upon which relief could be granted and that claim and issue preclusion barred relief. The court concluded that Johnson failed to overcome the presumption of at-will employment and that, while she listed various federal statutes as bases for her claims, she could not assert claims under those statutes as a matter of law based on her allegations. This appeal followed.

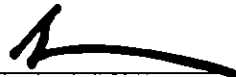
On appeal, Johnson's main arguments appear to be that relief is warranted because the district court disregarded her various filings and federal precedent, and her complaint stated claims upon which relief could be granted. Notably, while Johnson challenges the dismissal orders with respect to whether she sufficiently stated her claims, she does not challenge or otherwise address the district court's granting of the motions to dismiss pursuant to claim and issue preclusion.

Without addressing the merits of the grounds for alternative relief, as this court has previously stated, when a district court resolves a case on multiple grounds and the appellant fails to challenge each alternative ground on appeal from the final judgment, those challenges are waived, "thereby foreclosing [the] appeal as it concerns the district court's . . . ruling." See *Hung v. Genting Berhad*, 138 Nev. 547, 547-48, 513 P.3d 1285, 1286 (Ct. App. 2022). Here Johnson's failure to challenge the court's alternate conclusion that dismissal was warranted based on claim


and issue preclusion supports affirming the district court's decisions to dismiss her complaint.

Accordingly, we

ORDER the judgment of the district court AFFIRMED.²


_____, C.J.
Bulla


_____, J.
Gibbons


_____, J.
Westbrook

cc: Hon. Veronica Barisich, District Judge
Amina Johnson
Hooks Meng & Clement
Fisher & Phillips LLP
Eighth District Court Clerk

²Insofar as Johnson raises arguments that are not specifically addressed in this order, we have considered these arguments and conclude they need not be addressed given our resolution of this matter.