

# **Agenda Item 3**

**Oscar Peralta**

**Commission Counsel  
Submission**

## OSCAR PERALTA

Experienced Attorney with an interest in public law and litigation seeking to transition advanced litigation and legal research and writing skills from private practice into a career in government

**Published Opinions:** *Vargas v. J. Morales Inc.*, 138 Nev. Adv. Op. 38 (June 2, 2022)

**Distinctions:** Super Lawyers Mountain States Rising Stars List 2023, 2022, 2021, 2020, 2019, 2018 Nevada Business Magazine Legal Elite 2019 | America's Top 100 Personal Injury Attorneys 2020, 2019

### EXPERIENCE

**Peralta Law Group**, Las Vegas, NV

Founding Attorney, Aug 2016 – Present

- Have successfully resolved hundreds of torts cases ranging in value from thousands to millions of dollars through negotiation and all stages of litigation, including trial and appeals.

**Gabroy Law Offices**, Henderson, NV; Associate Attorney, Apr 2016 – Aug 2016

- Performed substantial litigation work in employment and tort cases, including class actions.

**Heness & Haight Injury Attorneys**, Las Vegas, NV; Associate Attorney, Nov 2014 – Apr 2016

- Represented hundreds of individuals in the areas of personal injury and workers' compensation.

**De Castroverde Law Group**, Las Vegas, NV; Law Clerk, Jun 2013 – Nov 2014

- Researched and prepared memoranda and substantive drafts in all facets of torts litigation.

**Greenspun College of Urban Affairs, UNLV**, Las Vegas, NV; Research Assistant, Feb – May 2014

- Conducted research on the conceptual model and formation of a possible future law and policy institute at UNLV.

**Nevada Hispanic Legislative Caucus**, Carson City, NV; Legislative Extern, January 2013 – June 2013

- Composed drafts of bills and bill amendments which were subsequently adopted and enacted.
- Attended, and testified at, bill hearings on behalf of the Caucus.
- Prepared research memoranda on bills, legislative history, policy issues, and model legislation.

**Office of Senate Majority Leader Harry Reid**, Washington D.C.

Congressional Hispanic Caucus Institute Public Policy Fellow, Aug 2010 – May 2011

- Conducted research and analysis on a variety of Senate bills, including legislative history and House counterparts.
- Researched and drafted reports on a range of policy issues including education, immigration, budget, and voting.
- Created briefing policy materials for Senate senior staff, the public, and advocacy organizations.

### EDUCATION

**William S. Boyd School of Law, University of Nevada, Las Vegas**, Juris Doctor, 2014

Graduated in the top 30% | Academic Scholarship, 2011-2014 | Nevada Justice Association Scholarship, 2013 | State Bar of Nevada Diversity Scholarship, 2013

Activities: Nevada Law Journal (law review), 2012-2014 | Society of Advocates, Negotiation Team, 2012-2014 | International & Human Rights Comparative Law Practicum, New Delhi, India, Winter 2013-2014 | American Constitution Society (President, 2012-2013) | La Voz Hispanic Law Students Association (Vice-President, 2012-2013)

**University of Nevada, Reno**, Reno, NV Bachelor of Arts, Philosophy; Political Science, May 2010

College of Liberal Arts J.D. Robb Scholarship, 2011; Latino Research Center Promesa Award, 2010

Activities: Phi Alpha Delta Pre Law Fraternity (President, 2009 – 2010)

**Stephen Titzer**

**Commission Counsel  
Submission**

**STEPHEN L. TITZER, ESQ.**  
**LEWIS BRISBOIS BISGAARD &  
SMITH**  
6385 South Rainbow Blvd., Suite 600  
Las Vegas, NV 89118  
Telephone: 702-693-4334  
Facsimile: 702-893-3789

**LEGAL WORK  
EXPERIENCE**

**PARTNER** 2010 – 2022  
LEWIS BRISBOIS BISGAARD & SMITH LLP

- Civil Litigation, Insurance Defense, Personal Injury, Premises Liability, Wrongful Death, Breach of Contract, UM/UIM.
  
- All phases of litigation, client and witness interviews, discovery plans, analyze medical records, deposition of plaintiffs and expert witnesses; draft pleadings, oppositions, briefs, motions to dismiss, summary judgment; petitions for writ; appellate briefs; defense verdict in jury trial and arbitrations; coverage/liability opinions, status reports, evaluate and respond to demand letters.
  
- Alternate Judge, Municipal Court and Traffic Commissioner;
- Judge Pro Tempore, Short Trial Program;
- Arbitrator, Court Appointed Arbitration Program;
- Pro Bono CAP Lawyer, LACSN;
- SBN Disciplinary Committee (2019-2020)
  
- Received Defense Jury Verdict; Conducted Mediations; Arbitrations; Settlement Conferences.

**ASSOCIATE ATTORNEY** 2007 - 2010  
PYATT SILVESTRI & HANLON

- Civil Litigation, Insurance Defense, Personal Injury, Surety Defense, Wrongful Death, Contracts, UM/UIM.
  
- Bad Faith Litigation, Coverage and Liability Opinions, Homeowners Insurance, Claims on Excess/Umbrella Policies.
  
- Firm included in the 2008 Edition of the Bar Register of Preeminent Lawyers issued by Martindale-Hubbell. Fewer than 5% of all law firms qualify for this distinction.

**ASSOCIATE ATTORNEY** 2001 - 2007  
**LEFEBVRE & ASSOCIATES, CHTD**

- Civil Litigation, Insurance Defense, Pharmaceutical and Medical Device, Surety Defense, Construction Law, Contracts, Personal Injury, UM/UIM.
- Trial Experience: First Chair (Nonjury); Second Chair (Nonjury); Direct and Cross Examination (lay and expert); Jury Selection.

**SALES MANAGER** 1993 - 2001  
**WYETH LABORATORIES**

- Sales Manager, Pharmaceutical and Medical Device;
- Sales Trainer; Continuing Education Instructor;
- FDA Regulatory/Compliance; Formulary Approval.

**EDUCATION:** **UNLV BOYD SCHOOL OF LAW** 2002  
- Juris Doctorate

**UNIVERSITY OF PHOENIX** 1997  
- Master in Business Administration

**UNIVERSITY OF EVANSVILLE** 1987  
- Bachelor of Science, Sociology

- MEMBERSHIPS:**
- State Bar of Nevada
  - United States District Court, District of Nevada
  - Ninth Circuit Court of Appeals
  - State Bar of Nevada Southern Nevada Disciplinary Committee (2019-2022)

**Michael Matuska**

**Commission Counsel  
Submission**

April 7, 2023

NEVADA COMMISSION ON ETHICS

Re: Commission Counsel

Dear Hon. Commission Members:

I am pleased to submit my application for the Commission Counsel position with the Nevada Commission on Ethics.

Your preferred candidate must have experience in administrative law, public agency litigation and Nevada legislative processes. My broad civil practice has provided me with the necessary experience and qualifications. I am a graduate of the University of California, Davis, and the University of California, Davis School of Law. I have lived in Nevada for twenty-five (25) years. I established Matuska Law Offices, Ltd., a successful solo law practice, in 2011 after leaving my partnership position in the Brooke Shaw Zumpft law firm.

Over the years, I have represented individual and corporate clients in a wide range of complex matters before various boards, commissions and tribunals. I am licensed to practice in all state and federal courts in Nevada and California, the Ninth Circuit Court of Appeals and the United States Supreme Court. I am also a Nevada State Bar certified mentor, a certified arbitrator for the Court Annexed Arbitration program, and previously a mediator for the Division of Real Estate. I have appeared before at least nine (9) different boards and commissions in Nevada and served as a hearing officer for the Nevada State Board of Medical Examiners.

I also have experience with the legislative processes in Nevada. As a regular part of my private practice, I track bills for matters that affect my clients and provide comments. I have also appeared at workshops, and one occasion, I drafted proposed legislation for a local conservancy district.

More recently, I have served two terms on Carson City's Charter Review Committee and was a founding board member of Douglas County (Nevada) Community Services Foundation.

My resume is provided herewith, along with the Lawyer's Biographical Data Form that is required by the Nevada State Bar and Nevada Rule of Professional Conduct 1.4(c). The Lawyers Biographical Data Form is more detailed than the resume and provides additional information about my experience before various boards and committees, reported cases, publications and other qualifications. My linked in profile page is: [www.linkedin.com/in/michael-matuska-69a25547](http://www.linkedin.com/in/michael-matuska-69a25547).





I have been preparing to transition out of private practice and I would appreciate the opportunity to meet with you to discuss my qualifications and the Commission Counsel position in greater detail. I would be happy to schedule a time that is convenient for you. The email address, below, is the best way to contact me. Alternatively, you may call or text to my cell phone. That number is [REDACTED]. Thank you for your time, and I will look forward to hearing from you.

Sincerely,

A handwritten signature in blue ink that reads "Michael L. Matuska".

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Michael L. Matuska, Esq.

## EXPERIENCE

### OWNER, MATUSKA LAW OFFICES, LTD., CARSON CITY, NV – 2011 - Present

Solo law practice in all areas of civil practice, including litigation, administrative hearings, contracts, real estate, corporate and homeowners associations. Represent clients at hearings, trials, appellate arguments, settlement conferences and administrative proceedings.

### PARTNER, BROOKE SHAW ZUMPFT, LLP, MINDEN, NV — 2006-2011

Supervising attorney for general civil practice in all areas of commercial and real estate law, including water law, eminent domain, transactions, homeowners associations, title and boundary, construction, mechanics liens and foreclosures. Represent clients at hearings, trials, appellate arguments, settlement conferences and administrative proceedings.

### ASSOCIATE ATTORNEY, BROOKE SHAW ZUMPFT, LLP, MINDEN, NV — 1998-2006

Conducted general civil practice in all areas of commercial and real estate law, including water law, eminent domain, transactions, homeowners associations, title and boundary, construction, mechanics liens and foreclosures. Represented clients at hearings, trials, appellate arguments, settlement conferences and administrative proceedings.

### ASSOCIATE ATTORNEY, DANIEL R. WALSH, P.C., CARSON CITY, NV — 1995-1998

Conducted general civil practice in areas of eminent domain, water law, fraud, bankruptcy, insurance, contracts and malpractice. Represented clients at hearings, trials, appellate arguments, settlement conferences and administrative proceedings.

## EDUCATION

University of California at Davis, School of Law - Juris Doctor, 1994  
Outstanding Oral Advocate 1993; Outstanding Written Brief 1993;  
Traynor Moot Court Team 1994; Moot Court Honors Board, 1993-94

University of California at Davis - B.A. Economics, 1989  
Dean's List; Levy Foundation Scholarship Winner;  
Omicron Delta Epsilon Honor Society

## ADMITTED TO PRACTICE

State Bar of California - 1994  
State Bar of Nevada – 1995  
State Bar of Washington – 1997 (ret'd)  
United State Supreme Court  
Ninth Circuit Court of Appeals  
United State District Courts  
(N.D. Cal.; E.D. Cal.;  
C.D. Cal.; Nevada)

**CERTIFICATIONS:**

Certified Mediator

Arbitrator - Nevada Court Annexed Arbitration Program

Referee/Mediator/Arbitrator – State of Nevada Common Interest Communities (2015-2022)

Mentor - Nevada State Bar, Transitioning Into Practice

Hearing Officer – Nevada State Board of Medical Examiners (2016-2022)

## LAWYER'S BIOGRAPHICAL DATA FORM

**(1)** As required by the Supreme Court of the State of Nevada, in the matter of the Amendment to RULE OF PROFESSIONAL CONDUCT 1.4 regarding the Lawyer's Biographical Data Form. Dated this 10<sup>th</sup> day of January, 2023.

- (i) Full Name:** Michael L. Matuska  
**Business Address:** Matuska Law Offices, Ltd.  
2310 South Carson Street, #6  
Carson City NV 89701
- (ii) Date of admission to practice:** 1994  
**Jurisdiction of initial admission to practice:** California
- (iii) Date and jurisdiction of each subsequent admission to practice:**  
All Nevada State Courts, 1995;  
United States District Court, District of Nevada; Northern District of California;  
Central District of California; Eastern District of California  
United States Court of Appeals, Ninth Circuit  
United States Supreme Court
- (iv) Name of law school:** University of California, Davis  
King Hall School of Law  
**Year of graduation:** 1994
- (v) Areas of specialization in which the lawyer is entitled to hold himself out as a specialist under the provisions of Rule 7.4:** None
- (vi) Any and all disciplinary sanctions imposed by any jurisdiction and/or court:** None
- (vii) Name and address of liability insurance carrier:**  
QBE Insurance Corporation  
55 Water Street  
New York, New York 10041

**(2)** Upon request, each lawyer or law firm shall provide the following additional information detailing the background, training and experience of each lawyer or law firm, including but not limited to:

- (i) Names and dates of any legal articles or treaties published by the lawyer, and the name of the publication in which they were published.**

*Duties of a Surveyor, California Land Surveyors Association/Nevada Association*

of Land Surveyors Conference, 2004

*Commercial and Residential Evictions*, Sterling Educational Services, LLC, 2004  
(co-author)

*Practical Real Estate Title Skills in Nevada*, Half Moon, LLC, 2004 (co-author)

*Interpretations (Lost v. Obliterated Corners and Deed Ambiguities)*, Western  
Rendezvous, Tri-State Conference of Surveyors, 2002

*Surveyor Immunity Revisited*, Nevada Traverse, Vol. 30, No. 4 (2003)  
(Awarded Nevada Association of Land Surveyors' Article of the Year)

**(ii) A good faith estimate of the number of jury trials tried to a verdict by the lawyer to the present date, identifying the court or courts.**

|             |  |   |
|-------------|--|---|
| Nevada:     | Ninth Judicial District Court (Douglas County) | 1 |
| California: | Superior Court of El Dorado County             | 1 |

**(iii) A good faith estimate of the number of court (bench) trials tried to a judgment by the lawyer to the present date, identifying the court or courts.**

|                               |  |   |
|-------------------------------|--|---|
| California:                   | Superior Court for Mono County                 | 1 |
| Nevada:                       | First Judicial District Court (Carson City)    | 2 |
|                               | Second Judicial District Court (Washoe County) | 1 |
|                               | Fifth Judicial District Court (Nye County)     | 1 |
|                               | Ninth Judicial District Court (Douglas County) | 9 |
| United States District Court: | Southern District of New York                  | 1 |

**(iv) A good faith estimate of the number of administrative hearings tried to a conclusion by the lawyer, identifying the administrative agency or agencies.**

|   |   |
|---|---|
| Nevada Consumer Affairs                 | 1 |
| Nevada State Board of Equalization      | 1 |
| Nevada Division of Industrial Relations | 1 |
| Nevada Franchise Tax Board              | 1 |
| Employment Security Division            | 1 |
| Nevada State Engineer                   | 7 |
| Nevada State Contractors' Board         | 3 |
| Nevada State Board of Cosmetology       | 1 |
| State Board of Optometry                | 2 |

**(v) A good faith estimate of the number of mediations and arbitrations completed.**

|              |    |
|--------------|----|
| Arbitrations | 21 |
| Mediations   | 85 |

**(vi) A good faith estimate of the number of appellate cases argued to a court of appeals or a supreme court, in which the lawyer was responsible for writing the brief or orally arguing the case, identifying the court or courts.**

|   |    |
|---|----|
| Nevada Supreme Court                          | 15 |
| United States Court of Appeals, Ninth Circuit | 2  |
| California Court of Appeal, Second District   | 1  |

Reported Decisions: *Herup v. First Boston Financial, LLC*, 123 Nev. 228 (2007)  
*Rawson v. District Court (Cain)*, 133 Nev. Adv. Op. 44 (2017)  
*Cain v. Price*, 134 Nev. Adv. Op. 26 (2018)

**(vii) The professional activities of the lawyer consisting of teaching or lecturing.**

Arbitration and Mediation:

Nevada District Courts  
Court Annexed Arbitration Program  
(First, Second, and Ninth Judicial District Courts)

Nevada Department of Business and Industry, Real Estate Division, Office of the Ombudsman for Common-Interest Communities and Condominium Hotels Arbitrator and Mediator Panels (2015-2022)

Certified Mediator, ADR Services, International, Inc.

**(viii) The names of any volunteer or charitable organizations to which the lawyer belongs, which the lawyer desires to publish.**

Douglas County Senior and Community Services Foundation  
Carson City Charter Review Committee

**(ix) A description of bar activities such as elective or assigned committee positions in a recognized bar organization.**

Nevada: State Bar of Nevada Transition Into Practice ("TIP") Mentor

**(x) Expert Witness**

Prior Cases:

*First Boston Financial, LLC v. Grant*, in the Supreme Court of British Columbia, Vancouver Registry, Case No. S110990

*Craner v. Saddlehorn HOA*, Second Judicial District Court Case No. CV3-01383

*Luisi v. Bayview HOA*, Eighth Judicial District Court Case No. A-16-743201-C

*State v. Candelario*, First Judicial District Court