

1 **BEFORE THE CERTIFIED COURT REPORTERS' BOARD OF NEVADA**

2 IN THE MATTER OF )

3 Rene Hannah, CCR No. 326 )

Case No.: NV01-2015

4 Respondent. )

5 **FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

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7 This matter came on for hearing on March 29, 2016 before the Certified Court  
8 Reporters' Board of Nevada ("Board") at Esquire Deposition Services, 2300 W. Sahara Ave.,  
9 Suite 770, Las Vegas, NV. Respondent Rene Hannah appeared and testified. Rose Marie  
10 Reynolds, Deputy Attorney General with the Nevada Attorney General's Office, appeared on  
11 behalf of the Board.

12 Pursuant to Nevada Revised Statutes (NRS) and Nevada Administrative code (NAC)  
13 Chapter 656, the Board has legal jurisdiction and authority over this matter. The Board,  
14 having heard testimony and considered the evidence, enters the following Findings of Fact,  
15 Conclusions of Law, and Order.

16 **FINDINGS OF FACT**

17 1. At all relevant times, Respondent Hannah<sup>n</sup> was issued Certificate of Registration  
18 No. 326 as a certified court reporter by the Board.

19 2. On September 1, 2015, Respondent Hannah took a court reporting job for U.S.  
20 Legal Support. Respondent Hannah was the court reporter for the deposition of Andria  
21 Robinson in the case of Robinson v. Galindo ("Robinson transcript"). The Robinson transcript  
22 was due on September 15, 2015, but Respondent Hannah did not turn it in by the due date.

23 3. On September 10, 2015, Respondent Hannah took a court reporting job for U.S. Legal  
24 Support. Respondent Hannah was the court reporter for the deposition of Ryan Smock  
25 in the case of Smock v. Bade ("Ryan Smock transcript"). The Ryan Smock transcript was due  
26 on September 24, 2015, but Respondent Hannah did not turn it in by the due date.

27 4. On September 11, 2015, Respondent Hannah took a court reporting job for U.S.  
28 Legal Support. Respondent Hannah was the court reporter for the deposition of Jennie  
Smock in the case of Smock v. Bade ("Jennie Smock transcript"). The Jennie Smock

1 transcript was due on September 25, 2015, but Respondent Hannah did not turn it in by the  
2 due date.

3 5. On September 28, 2015, Briana Grauer from U.S. Legal Support sent an e-mail to  
4 Respondent Hannah requesting the overdue transcripts immediately.

5 6. On October 2, 2015, Briana Grauer from U.S. Legal Support sent an e-mail to  
6 Respondent Hannah requesting the overdue transcripts immediately. Respondent Hannah  
7 did not turn in the transcripts.

8 7. On October 5, 2015, Jason Bovard from U.S. Legal Support sent an e-mail to  
9 Respondent Hannah stating the transcripts were overdue and asking for an ETA on the  
10 delivery. Respondent Hannah replied on October 5, 2015, but she did not address the  
11 Robinson transcript, the Ryan Smock transcript or the Jennie Smock transcript.

12 8. On October 7, 2015, Jason Bovard from U.S. Legal Support sent an e-mail to  
13 Respondent Hannah stating he needed the Robinson transcript that day and that if he did not  
14 receive the overdue transcripts by the end of the week, he would file a complaint with the  
15 Board.

16 9. On October 7, 2015, Respondent Hannah replied to Jason Bovard via e-mail that  
17 she had a machine malfunction on the Galindo job (Robinson transcript) and that the machine  
18 wrote fine until halfway through. Respondent Hannah said she had looked at the other files  
19 and they seemed to be okay.

20 10. On October 8, 2015, Respondent Hannah sent Jason Bovard the Robinson  
21 transcript, but the transcript was not complete.

22 11. On October 13, 2015, Jason Bovard from U.S. Legal Support sent an e-mail to  
23 Respondent Hannah that he needed what she had for the Robinson transcript and that per her  
24 text there is a section that is "just dense nonsensical" and the transcript could not be  
25 completed. He asked for a brief summary of the steps taken to try to remedy the technical  
26 issues.

27 12. On October 15, 2015, Jason Bovard from U.S. Legal Support sent an e-mail to  
28 Respondent Hannah that he had not heard from her regarding his October 13, 2015 e-mail



1 and he requested an update on the Smock transcripts.

2 13. On October 15, 2015, Respondent Hannah replied to Jason Bovard's e-mail that  
3 she would like to finish Ryan Smock's transcript that day first and she would turn in Jennie  
4 Smock's transcript on Monday. Respondent Hannah did not turn in Ryan Smock's transcript  
5 that day (October 15) and she did not turn in Jennie Smock's transcript on Monday.

6 14. On October 15, 2015, U.S. Legal Support filed a complaint with the Board and on  
7 November 2, 2015, the Board served its Notice of Alleged Violations on Respondent Hannah  
8 and requested her response by December 2, 2015.

9 15. On October 19, 2015, Respondent Hannah wrote an e-mail to Jason Bovard that  
10 she was waiting to hear back from her software company, she had been sending them files so  
11 they could work firsthand on the issues, and they did not have a technical explanation for what  
12 was happening. Respondent Hannah said that she met with her forensic guy and he was  
13 going to handle her security for a new computer she was going to be using. She said she  
14 believed she had been deliberately hacked and her software and files compromised. She said  
15 could send an e-mail explaining the issues with files, the dictionary changes that put  
16 nonsensical words in, and the dropping of a whole question and answer in translation.

17 16. On December 7, 2015, Respondent Hannah responded to the Board complaint  
18 and addressed only the Robinson transcript in her response. Respondent Hannah said that  
19 during the beginning of the deposition, her equipment was being temperamental, but as the  
20 deposition moved forward, her writing was clear. She said that she purchased a new  
21 computer four months before due to glitches she was experiencing here and there, her  
22 software company had a logged history regarding these problems, and she decided the best  
23 solution was to update the software on her computer. She said that after doing this she  
24 realized her entire computer had been compromised. She said she turned in the Robinson  
25 transcript to U.S. Legal Support as of October 9, 2015 to the best of her ability and that the  
26 transcript was missing a portion that could not be transcribed due to her computer issues.

27 17. On January 4, 2016, the Board served a second Notice of Alleged Violations on  
28 Respondent Hannah and requested that she address the two outstanding Smock transcripts

1 and provide more detail about her computer glitches, logged history with the software  
2 company and her new computer purchase. Respondent Hannah's response was due by  
3 February 4, 2016. Respondent Hannah received the second Notice of Alleged Violations, but  
4 she did not respond to the Board.

5 18. On March 15, 2016, Jason Bovard sent Respondent Hannah an e-mail stating that  
6 U.S. Legal Support was being held responsible for the burden of all costs in retaking the two  
7 Smock depositions including, but not limited to, flying the witnesses out from Virginia and  
8 attorney prep time. He asked Respondent Hannah to notify him when the transcripts were  
9 going to be turned in so he could tell the client and stop preparation for retaking the  
10 depositions if possible.

11 19. Respondent Hannah testified that she was concerned that her computer and  
12 notes have been tampered with. She filed a report with the police on February 15, 2016  
13 alleging that her ex-husband was harassing her and hacking into her computer.

14 20. Respondent Hannah did not give U.S. Legal Support notification that she would  
15 not be able to meet the transcript deadline for the Robinson transcript, the Ryan Smock  
16 transcript or the Jennie Smock transcript.

17 21. Respondent Hannah turned in the Ryan Smock transcript on or about Thursday or  
18 Friday just before the Board hearing on March 29, 2016, which was more than five months  
19 past the due date. At the time of hearing on March 29, 29, 2016, Respondent Hannah had not  
20 turned in the Jennie Smock transcript to U.S. Legal Support.

21 22. Respondent Hannah said that it took so long to turn in the Ryan Smock transcript  
22 because her world was upset and she was focused on surviving and paying her bills. U.S.  
23 Legal Support was not paying her for the work she turned in. She set aside the Smock  
24 transcripts to take other work in order to pay her bills.

### 25 CONCLUSIONS OF LAW

26 The Board concludes:

27 1. Respondent Hannah violated NRS 656.335 by failing to keep her notes in a  
28 manner which is reasonably secure against theft, tampering or accidental destruction.



2. Respondent Hannah violated NRS 656.250(10)(a), NRS 656.250(6) and/or NAC 656.370(1)(a) by failing to transcribe the Robinson transcript, Ryan Smock transcript and Jennie Smock transcript by the deadlines in a timely manner and by failing to communicate with U.S. Legal Support regarding issues she encountered.

3. Respondent Hannah violated NRS 656.250(11) by failing to timely respond to the Board's second Notice of Alleged Violations.

4. Respondent Hannah violated NRS 656.250(12)(a) and NRS 656.250(12)(c) by failing to transcribe the complete Robinson transcript by September 15, 2015.

5. Respondent Hannah violated NRS 656.250(12)(a) and NRS 656.250(12)(c) by failing to transcribe the Ryan Smock transcript by September 24, 2015.

6. Respondent Hannah violated NRS 656.250(12)(a) and NRS 656.250(12)(c) by failing to transcribe the Jennie Smock transcript by September 25, 2015.

### ORDER

The Board being fully apprised in the premises, and good cause appearing to the Board, IT IS HEREBY ORDERED that:

1. In accordance with NRS 622A.410, Respondent Hannah's Certificate of Registration No. 326 is revoked for a period of 18 months from the date of this Order, after which time she may apply for reinstatement. If Respondent Hannah's Certificate of Registration is reinstated after the 18 month period of revocation, she is subject to a one year probation period in accordance with NRS 656.257.

2. In accordance with NRS 622.400, Respondent Hannah is required to pay \$1,308.24 in attorney's fees and costs. The amount of \$1,308.24 is payable to the Board within 18 months of the date of this Order.

3. The Board may institute debt collection proceedings for failure to timely pay the \$1,308.24 in attorney's fees and costs. Further, if collection goes through the State of

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...

1 Nevada, then Respondent Hannah shall also pay the costs associated with collection.

2 Dated this 7<sup>th</sup> day of April, 2016.

3 CERTIFIED COURT REPORTERS' BOARD

4  
5 By: 

6 Lori Judd, Chairperson