

Case No. 90147

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID OANCEA, an Individual and
VVD123, LLC, a Nevada Limited
Liability Company,

Appellants,

vs.

CABO PLATINUM, LLC, a Nevada
Limited Liability Company,

Respondent.

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Elizabeth A. Brown
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**PETITION FOR REHEARING
PURSUANT TO NRAP 40**

Alexander G. LeVeque, Esq. (#11183)
Ross E. Evans, Esq. (#11374)
Michael P. Desmond, Esq. (#15903)
SOLOMON DWIGGINS FREER & STEADMAN, LTD.
9060 West Cheyenne Avenue
Las Vegas, Nevada 89129
Telephone: (702) 853-5483
Facsimile: (702) 853-5485
aveveque@sdfnvlaw.com
revans@sdfnvlaw.com
mdesmond@sdfnvlaw.com

Attorneys for Appellants

**DECLARATION OF TIMOTHY R. TREFFINGER, ESQ. IN SUPPORT OF
PETITION FOR REHEARING PURSUANT TO NRAP 40**

Pursuant to NRS 53.045, I, TIMOTHY R. TREFFINGER, ESQ. declares as follows:

I, TIMOTHY R. TREFFINGER, ESQ. hereby declare under penalty of perjury in the State of Nevada, that the following statements are true and correct:

1. I am over the age of 18, am mentally competent, have personal knowledge of the facts in this matter and if called upon to testify could and would do so.

2. I make this declaration in support of Appellants' Petition for Rehearing Pursuant to NRAP 40.

3. I am Appellants' former counsel of record in the appeal entitled *Oancea, et al. vs. Cabo Platinum, LLC*, Nevada Supreme Court No. 90147.

4. On December 5, 2025, the Court entered its Order Dismissing Appeal in Part.

5. Over at least the past one hundred and twenty (120) days, I have been suffering from Transient Ischemic Attacks ("TIA"). TIA consists of "mini strokes" that blocks the flow of blood to my brain.

6. My TIA has rendered me temporarily disabled. As a result, I have filed a Motion to Withdraw as Counsel in the underlying case in the District Court, *Cabo Platinum LLC vs. David Oancea, et al.*, Eighth Judicial District Court No. A-24-892991-B. I have also substituted the law firm Solomon Dwiggin Freer & Steadman, Ltd. in my place and stead in the present appeal.

7. Due to my temporary disability caused by TIA, I was unable to file a Petition for Rehearing in response to the December 5, 2025 Order within the time prescribed by the Nevada Rules of Appellate Procedure.

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8. This declaration is made in good faith and not intended to delay the instant proceeding.

Dated January 2, 2026.

Timothy R. Treffinger, Esq.
TIMOTHY R. TREFFINGER, ESQ.