

1 **NOAS**  
2 NONA TOBIN, AN INDIVIDUAL  
3 2664 Olivia Heights Avenue  
4 Henderson NV 89052  
5 Office: (702) 465-2199  
6 nonatobin@gmail.com  
7 *Defendant-in-Intervention / Cross-Claimant*  
8 *In Proper Person*

Electronically Filed  
Jul 30 2019 10:31 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

6 **DISTRICT COURT**  
7 **CLARK COUNTY, NEVADA**

8 NONA TOBIN, as Trustee of the  
9 GORDON B. HANSEN TRUST,  
10 dated 8/22/08,

Counter-Claimant

vs.

11 JOEL A. STOKES and SANDRA F.  
12 STOKES, as trustees of the JIMI JACK  
13 IRREVOCABLE TRUST and YUEN  
14 K. LEE, an Individual, and  
15 BONDURANT, LLC,

Counter-Defendants

Case No.: A-15-720032-C  
Consolidated with: A-16-730078-C

Department: XXXI

**NOTICE OF APPEAL**

16 Notice is hereby given that NONA TOBIN, AN INDIVIDUAL, Counterclaimant  
17 in the above entitled matter, hereby appeals to the Supreme Court of Nevada from the following”

- 18 1. The Findings of Fact, Conclusions of Law and Judgment entered into this action on June  
19 24, 2019;
- 20 2. The Findings of Fact, Conclusions of Law and Judgment entered into this action on April  
21 17, 2019;
- 22 3. The Order Denying Motion for reconsideration entered in this action on May 31, 2019.  
23  
24

- 1 4. The April 23, 2019 bench orders issued ex-parte to strike the following pleadings and  
2 notices from the record (No NEO):
- 3 a. Notice of Appearance (NOTA) – Nona Tobin, an individual, re-appearing as a Pro Se  
4 litigant - filed April 9, 2019; re-filed/served April 12, 2019
- 5 b. Notice of Completion of Mediation (NOTC)- filed April 9, 2019; re-filed/served April  
6 12, 2019- Notice that the September 19, 2019 dismissal of Nona Tobin’s claims, as an  
7 individual and as trustee of the Gordon B. Hansen Trust, dated 8/22/08, pending  
8 completion of NRS 38.310 mediation, was now void as the Court, as mediation had  
9 been completed on November 13, 2018 by Nona Tobin, in both her capacities.
- 10 c. Opposition to the Nationstar Motion for Summary Judgment Against Jimijack and the  
11 Countermotion for Summary Judgment (OPPC) - filed April 10, 2019; re-filed/served  
12 April 12, 2019 – containing the verified complaint to the Attorney General, naming  
13 Nationstar as the respondent (AG-2-2019) for the abuse of this HOA foreclosure dispute  
14 to gain standing to foreclose on a note it does not own
- 15 d. Reply to OPPC- filed April 17, 2019 with exhibits of 610 pages to support Tobin’s  
16 claims and refute the findings of fact in the April 17, 2019 order (#2 above)
- 17 e. Nationstar’s Response (RESP) to Tobin’s NOTA, NOTC, OPPC – accepted untimely  
18 and ex-parte by the Court on April 23, 2019
- 19 5. Motion to Vacate Sun City Anthem Motion for Summary Judgment and Nationstar’s  
20 Joinder thereto – filed April 24, 2019 (not heard)
- 21 6. Motion to Intervene as an Individual – filed June 24, 2019 (not heard)
- 22 7. Sun City Anthem’s Motion for Summary Judgment – filed February 5, 2019 with no  
23 supporting affidavits compliant with EDCR 2.21 and NRCP 56 (c)(2)(4), concealing SCA’s  
24

1 official records requested in discovery, and representing to the court that the unverified,  
2 uncorroborated Rock Foreclosure File should be given more weight than the official  
3 compliance records of the State of Nevada.

4 8. Nationstar's Joinder Thereto – filed February 12, 2019 in bad faith per NRCP 56(h),  
5 EDCR 2.21 and NRCP 56 (c)(2)(4).

6 9. May 31, 2019 order ratifying Nationstar's and Jimijack's ex-parte "settlement" that  
7 precluded a fair adjudication of Tobin-Jimijack quiet title dispute.

8 Dated this 24th day of July, 2019,

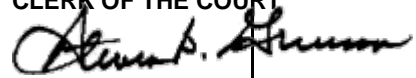
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16 CERTIFICATE OF SERVICE  
17 I, Nona Tobin, hereby certify that the foregoing and pursuant  
18 to NRCP 5(b), I on this the 24th day July 2019, I served via the Clark County electronic  
19 filing system a true and correct copy of the foregoing NONA TOBIN'S INDIVIDUAL,  
20 NOTICE OF APPEAL to all parties listed in the Odyssey eFileNV contact list:  
21  
22  
23  
24

25 



1 ASTA

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**IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE  
STATE OF NEVADA IN AND FOR  
THE COUNTY OF CLARK**

7

8

9

10 JOEL A. STOKES; SANDRA F. STOKES;  
JIMI JACK IRREVOCABLE TRUST,

11 Plaintiff(s),

Case No: A-15-720032-C  
*Consolidated with A-16-730078-C*

Dept No: XXXI

12 vs.

13

14 BANK OF AMERICA, N.A.; SUN CITY  
ANTHEM COMMUNITY ASSOCIATION, INC.,

15 Defendant(s),

16

17 NONA TOBIN, AS TRUSTEE OF THE GORDON  
B. HANSEN TRUT, DATED 8/22/08,

18 Plaintiff(s),

19 vs.

20

21 JOEL A. STOKES; SANDRA F. STOKES AS  
TRUSTEE OF THE JIMI JACK IRREVOCABLE  
TRUST; YUEN K. LEE; BONDURANT, LLC,

22 Defendant(s),

23

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25

**CASE APPEAL STATEMENT**

26

1. Appellant(s): Nona Tobin

27

2. Judge: Joanna S. Kishner

28

3. Appellant(s): Nona Tobin

1 Counsel:

2 Nona Tobin  
3 2664 Olivia Heights Ave.  
4 Henderson, NV 89052

- 5 4. Respondent (s): Joel A. Stokes; Sandra F. Stokes as Trustee of the Jimijack Irrevocable Trust;  
6 Yuen K. Lee; Bondurant, LLC

7 Counsel:

8 Joseph Y. Hong, Esq.  
9 1980 Festival Plaza Dr., Ste 650  
10 Las Vegas, NV 89135

- 11 5. Appellant(s)'s Attorney Licensed in Nevada: N/A  
12 Permission Granted: N/A

13 Respondent(s)'s Attorney Licensed in Nevada: Yes  
14 Permission Granted: N/A

- 15 6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No

- 16 7. Appellant Represented by Appointed Counsel On Appeal: N/A

- 17 8. Appellant Granted Leave to Proceed in Forma Pauperis\*\*: N/A  
18 \*\*Expires 1 year from date filed  
19 Appellant Filed Application to Proceed in Forma Pauperis: No  
20 Date Application(s) filed: N/A

- 21 9. Date Commenced in District Court: June 16, 2015

- 22 10. Brief Description of the Nature of the Action: REAL PROPERTY - Other

23 Type of Judgment or Order Being Appealed: Judgment

- 24 11. Previous Appeal: Yes

25 Supreme Court Docket Number(s):

- 26 12. Child Custody or Visitation: N/A

- 27 13. Possibility of Settlement: Unknown

28 Dated This 25 day of July 2019.

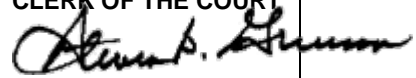
Steven D. Grierson, Clerk of the Court

*/s/ Amanda Hampton*

---

Amanda Hampton, Deputy Clerk  
200 Lewis Ave  
PO Box 551601  
Las Vegas, Nevada 89155-1601  
(702) 671-0512

cc: Nona Tobin



1 **ASTA**  
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7 *Defendant-in-Intervention / Cross-Claimant*  
8 *In Proper Person*

6 **DISTRICT COURT**  
7 **CLARK COUNTY, NEVADA**

8 NONA TOBIN, as Trustee of the  
9 GORDON B. HANSEN TRUST,  
10 dated 8/22/08,

11 Counter-Claimant

12 vs.

13 JOEL A. STOKES and SANDRA F.  
14 STOKES, as trustees of the JIMI JACK  
15 IRREVOCABLE TRUST and YUEN  
16 K. LEE, an Individual, and  
17 BONDURANT, LLC,

18 Counter-Defendants

Case No.: A-15-720032-C  
Consolidated with: A-16-730078-C

Department: XXXI

**CASE APPEAL STATEMENT**

16 NONA TOBIN, AN INDIVIDUAL, IN PROPER PERSON, for CASE APPEAL  
17 STATEMENT, states as follows

- 18 1. Name of appellant filing this case appeal statement:  
19 NONA TOBIN, AN INDIVIDUAL,
- 20 2. Identify the judge issuing the decision, judgment, or order appealed from:  
21 THE HONORABLE JOANNA S. KISHNER.
- 22 3. Identify each appellant and the name and address of counsel for each appellant:  
23 NONA TOBIN, AN INDIVIDUAL, Appellant  
24 2664 Olivia Heights Avenue  
Henderson NV 89052

1 Office: (702) 465-2199  
2 nonatobin@gmail.com  
3 *Counter-Claimant; Cross-Claimant*  
4 *In Proper Person*

5 4. Identify each respondent and the name and address of appellate counsel, if  
6 unknown, provide the name of the trial counsel

- 7 a. Joel A. Stokes and Sandra F. Stokes as Trustees of the Jimijack  
8 Irrevocable Trust, Yuen K. Lee and F. Bondurant, LLC, Respondents

9 Respondent's appellate counsel is unknown. Trial counsel was:

10 Joseph Y. Hong, Esq.  
11 Nevada Bar No. 5995  
12 Hong & Hong Law Office  
13 1980 Festival Plaza Drive, Suite 650  
14 Las Vegas, Nevada 89135

- 15 b. Sun City Anthem Community Association, Respondent

16 Respondent's appellate counsel is unknown. Case counsel listed below  
17 were not required to participate at trial.

18 Kaleb D. Anderson, Esq.  
19 Nevada Bar No. 7582  
20 Lipson Neilson, P.C.  
21 9900 Covington Cross Drive, Suite 120  
22 Las Vegas, Nevada 89144

23 David T. Ochoa  
24 Nevada Bar No. 10414  
Lipson Neilson, P.C.  
9900 Covington Cross Drive, Suite 120  
Las Vegas, Nevada 89144

- c. Nationstar Mortgage, LLC, Respondent

Respondent's appellate counsel is unknown. Case counsel listed below were not  
required to participate at trial.

Melanie D. Morgan, Esq.  
Nevada Bar No. 8215  
Akerman, LLP  
1635 Village Center Circle, Suite 200  
Las Vegas, Nevada 89134



1 Donna Wittig  
2 Nevada Bar No. 11015  
3 Akerman, LLP  
4 1635 Village Center Circle, Suite 200  
5 Las Vegas, Nevada 89134

6 Thera A. Cooper, Esq.  
7 Nevada Bar No. 13468  
8 Akerman, LLP  
9 1635 Village Center Circle, Suite 200  
10 Las Vegas, Nevada 89134

11 Ariel Stern  
12 Nevada Bar No.  
13 Akerman, LLP  
14 1635 Village Center Circle, Suite 200  
15 Las Vegas, Nevada 89134

16 **5.** Indicate whether any attorney identified above in response to question 3 or 4 is  
17 not licensed to practice law in Nevada.

18 The attorneys identified above are licensed to practice law in Nevada.

19 **6.** Indicate whether appellant was represented by appointed or retained counsel in  
20 the district court:

21 L. Joe Coppedge and Michael R. Mushkin of MUSHKIN CICA COPPEDGE  
22 appeared as Counsel of Record for Appellant NONA TOBIN, AN INDIVIDUAL from  
23 May 23, 2017 July 9, 2019. At a hearing on July 9, 2019 Mushkin's third motion to  
24 withdraw was unopposed, and as such, the motion was granted by Justice David Becker  
in Justice Kishner's absence.

Appellant NONA TOBIN, AN INDIVIDUAL, filed into the consolidated cases  
and appeared at hearings IN PROPER PERSON from July 29, 2016 through May 23,  
2017. She filed a Second Notice of Appearance to return to her Pro Se status on April 9,  
2019 not knowing that approval was required, or that it would be withheld.

1           7.       Indicate whether appellant is represented by appointed or retained counsel  
2 on appeal

3           No retainer agreement has been signed to date with appellate counsel, but if  
4 counsel can be retained, it is intended to be

5                   JOHN W. THOMSON, ESQ,  
6                   Nevada Bar No. 5802  
7                   LAW OFFICE OF JOHN W. THOMSON, ESQ.  
8                   2450 St. Rose Parkway Suite 120  
9                   Henderson NV 89074  
10                  Office: (702) 478-8282  
11                  Fax: (702) 541-9500  
12                  johnwthomson@ymail.com

13           From April 9, 2019 through July 9, 2019, she filed twelve notices, oppositions, and  
14 motions, seven of which were stricken from the record at an ex-parte hearing on April 23, 2019  
15 that Tobin and Counsel of Record, Joe Coppedge, were served notice was continued to May 7,  
16 2019.

17           **8.**           Indicate whether appellant was granted leave to proceed in forma pauperis, and  
18 the date of entry of the district court order granting such leave:

19           No.

20           9.       Indicate the date the proceedings commenced in the district court (e.g., date  
21 complaint, indictment, information, or petition was filed):

22                   The original June 16, 2015 Complaint, *A-15-720032-C, Joel and Sandra Stokes*  
23                   *as trustees for Jimijack Irrevocable Trust (Jimijack, Plaintiffs) vs. Bank of America (BANA)*  
24                   *and Sun City Anthem (SCA), defendants.*

                  On January 11, 2016, *Nationstar Mortgage, LLC vs. Opportunity Homes, LLC*  
was filed as *A-16-730078-C*.

                  The two cases were consolidated in August 2016 (No NEO).

1 Nona Tobin filed a Pro se motion to intervene on July 29, 2016 into case A-16-730078-  
2 C that was denied on procedural grounds on September 29, 2016 (No NEO).

3 On November 15, 2016, Nona Tobin filed a second Pro Se motion to intervene motion  
4 to intervene into the consolidated cases A-15-720032-C that was granted (NEO January 12,  
5 2017).

6 10. Provide a brief description of the nature of the action and result in the district  
7 court, including the type of judgment or order being appealed and the relief granted by the  
8 district court:

9 This is an action to quiet title to real estate following an August 15, 2014 HOA  
10 foreclosure. The Gordon B. Hansen Trust dated August 22, 2008 (the "Trust") was the owner  
11 of the subject property at the time of the foreclosure. Nona Tobin was the successor trustee of  
12 the GBH Trust, effective January 14, 2012, upon Gordon Hansen's. The title and all interest to  
13 the property was transferred from the GBH Trust to Nona Tobin, an Individual, on March 28,  
14 2017.

15 **A. Claims have not been fully adjudicated**

16 NONA TOBIN, AN INDIVIDUAL, filed Pro Se counter claims, as the successor  
17 Trustee and as beneficiary of the Gordon B. Hansen Trust, on February 1, 2017. against  
18 Plaintiffs Jimijack (Quiet title and Equitable Relief, Fraudulent Conveyance, Unjust  
19 Enrichment, Civil Conspiracy, and Injunctive Relief).

20 Cross-claims against filed against Sun City Anthem as the HOA under whose authority  
21 the defective sale was conducted by Red Rock Financial Services (Quiet title and Equitable  
22 Relief, statutory and governing documents Due Process, Fraudulent Concealment (agents),  
23 Civil Conspiracy(agents), Unjust Enrichment(agents), and Breach of Contract (agents).

24 Cross claims were also brought against Yuen K. Lee dba F. Bondurant LLC (Herein  
Lee)and Thomas Lucas dba Opportunity Homes, LLC who were allegedly the purchaser at  
the sale and an intervening owner.

The Court ruled that none of the parties or claims would go to trial on June 5-6, 2019  
except the quiet title and equitable relief claim of the GBH Trust vs. Jimijack and Lee.

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**B. The trial decision was made after excluding all GBH Trust’s evidence**

Further, the trial decision was without any consideration of the binders of exhibits evidence. as a sanction for attorneys Hong and Coppedge not meeting for an EDCR 2.67 conference all exhibits were excluded from trial. Tobin in both her roles was severely prejudiced by this sanction for attorney actions outside of her control.

**C. Statement of Appeal of Nona Tobin as Trustee of the Gordon B. Hansen Trust (Herein GBH Trust)**

Separately, appellate counsel L. Joe Coppedge, filed a Statement of Appeal for Nona Tobin as Trustee of the GBH Trust that was named in, and appeals, from:

- (i) the April 17, 2019 Findings of Fact, Conclusions of Law and Order on Cross-Defendant Sun City Anthem Community Association’s Motion for Summary Judgment entered on April 18, 2019, which granted Sun City Anthem Community Association’s Motion for Summary Judgment and Nationstar Mortgage, LLC’s limited joinder,
- (ii) the May 31, 2019 Order Denying Motion for Reconsideration, entered on May 31, 2019, which denied Tobin’s Motion for Reconsideration, and
- (iii) the final judgment entered in this action on June 24, 2019 in the form of Findings of Fact, Conclusions of Law and Judgment entered in favor of the remaining Respondents, Joel A. Stokes and Sandra F. Stokes as Trustees of the Jimijack Irrevocable Trust, Yuen K. Lee and F. Bondurant, LLC on Tobin’s counterclaim to quiet title to the subject property.

**D. Statement of Appeal of Nona Tobin as an Individual who appeals additional orders, most of which were not entered against her individually or at all:**

This second Statement of Appeal is also being filed now to meet the deadline after the trial order (despite the additional \$250 filing fee) to preserve the rights of Nona Tobin to appeal as an individual even though those orders were only issued against her in her trustee role.

1 The reality is that it is Nona Tobin as an individual, who has held the GBH Trust  
2 title interest in the property since March 28, 2017, when she closed the GBH Trust as  
3 insolvent and not worth the cost of administration per NRS 163.187.

4 Nona Tobin is not individually named in, but is aggrieved by, the orders described  
5 in (i), (ii), (iii).

6 She is also aggrieved by many other irregularities in the proceedings that prevented  
7 the quiet title dispute between the real parties in interest, Nona Tobin and Joel Stokes, from  
8 adjudication at a trial at all, let alone a fair trial, based on evaluating the parties' evidence  
9 on their merits, equally judged according to the standards articulated in NRS, NRCP and  
EDCP, and without interference from the HOA and the bank.

10 **E. Statement of Appeal of Nona Tobin as an Individual appeals the April 23,**  
11 **2019 bench orders issued ex-parte to strike the following pleadings and**  
12 **notices from the record (No NEO):**

- 13 i. Notice of Appearance (NOTA) – Nona Tobin, an individual, re-  
14 appearing as a Pro Se litigant - filed April 9, 2019; re-filed/served April  
15 12, 2019
- 16 ii. Notice of Completion of Mediation (NOTC)- filed April 9, 2019; re-  
17 filed/served April 12, 2019- Notice that the September 19, 2019  
18 dismissal of Nona Tobin's claims, as an individual and as trustee of the  
19 Gordon B. Hansen Trust, dated 8/22/08, pending completion of NRS  
20 38.310 mediation, was now void as the Court, as mediation had been  
21 completed on November 13, 2018 by Nona Tobin, in both her capacities.
- 22 iii. Opposition to the Nationstar Motion for Summary Judgment and the  
23 Countermotion for Summary Judgment (OPPC) - filed April 10, 2019;  
24 re-filed/served April 12, 2019 – containing the verified complaint to the

1 Attorney General, naming Nationstar as the respondent (AG-2-2019) for  
2 the abuse of this HOA foreclosure dispute to gain standing to foreclose  
3 on a note it does not own

4 iv. Reply to OPPC- filed April 17, 2019 with exhibits of 610 pages to  
5 support Tobin's claims and refute the findings of fact in the April 17,  
6 2019 order (#2 above)

7 2. Nationstar's Response (RESP) to Tobin's NOTA, NOTC, OPPC – accepted  
8 untimely and ex-parte by the Court on April 23, 2019

9 3. Motion to Vacate Sun City Anthem Motion for Summary Judgment and  
10 Nationstar's Joinder thereto – filed April 24, 2019 (not heard)

11 4. Motion to Intervene as an Individual – filed June 24, 2019 (not heard)

12 5. Sun City Anthem's Motion for Summary Judgment – filed February 5, 2019 with  
13 no supporting affidavits compliant with EDCR 2.21 and NRCP 56 (c)(2)(4), concealing  
14 SCA's official records requested in discovery, and representing to the court that the  
15 unverified, uncorroborated Rock Foreclosure File should be given more weight than the  
16 official compliance records of the State of Nevada.

17 6. Nationstar's Joinder Thereto – filed February 12, 2019 in bad faith per NRCP  
18 56(h), EDCR 2.21 and NRCP 56 (c)(2)(4).

19 7. May 31, 2019 order ratifying Nationstar's and Jimijack's ex-parte "settlement" that  
20 precluded a fair adjudication of Tobin-Jimijack quiet title dispute.

21 **F. Pending Post Trial Motions**

22 July 22, 2019 -Tobin individual motion for a new trial (MNTR) pursuant to Rule 54(b)  
23 and Rule 59 (1)(A)(B)(C)(F) was filed

24 August 27, 2019 -MNTR scheduled for hearing

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July 25, 2019 -propose to file Motion to Stay (MSTY) per Rule 62 but judicial notice

**G. Judicial Attention Requested**

However, judicial attention is requested to the is requested to the fact Joel Stokes and Nationstar have made ten (10) changes to title based on the trial court’s sanctioning Jimijack “settling” the quiet title decision between themselves without adjudicating Tobin’s individual or GBH Trust adverse claims.

In the month **before the trial**, on May 1, 2019, non-party, Joel Stokes, has held the title as an individual. He encumbered the property with a \$335,000 deed of trust which has been re-assigned several times.

Nationstar is the “funder” of these new security instruments in exchange for letting Jimijack keep five years of rent that Tobin claims (unadjudicated ) belong to her.

Tobin has alleged in the filings that were excluded that Nationstar’s own disclosures into the case prove that Nationstar **had no standing to be in the case at all** and yet managed to trick the Court into letting them make a deal that prevented Tobin’s claims from being heard.

11. Indicate whether the case has previously been the subject of an appeal

This case has **not** been previously been the subject of an appeal to or original writ proceeding in the Supreme Court.

12. Indicate whether this appeal involves child custody or visitation:

This case does **not** involve child custody or visitation.

13. Indicate whether this appeal involves the possibility of settlement.

Nona Tobin requests that Sun City Anthem be required to participate in good faith in alternate dispute resolution (ADR) as they have not done so under NRS 38 or their own CC&Rs. The Order, entered on September 20, 2017, that memorialized the Court’s decisions at the May 25, 2019 hearing, dismissed all of the claims of the GBH Trust and Tobin, the individual, to go to mediation, except for quiet title.

Between the hearing and the entry of the order on September 20, 2017, SCA attorney Adam Clarkson issued an order, dated August 24, 2017, declaring Tobin’s elected

1 (2,001 votes) Board seat was vacant by “operation of law” for being a party to this quiet title  
2 civil action.

3 There was no removal election required by NRS 116.31036.

4 Additional orders, dated February 9, 2018 and February 12, 2019, have been  
5 written declaring that until all appeals related to this 2014 foreclosure quiet title action have  
6 been exhausted, Nona Tobin’s membership rights are restricted.

7 One of Nona Tobin’s individual claims is that the SCA attorneys have  
8 interfered with Tobin’s rights as a homeowner. Sun City Anthem (SCA) did not even consider  
9 her March 22, 2017 offer to resolve her claims without litigation despite the fact that ADR  
10 was guaranteed to her by SCA CC&Rs XVI: Limits on Litigation.

11 Nona Tobin has been a SCA member in good standing for over 15 years as the  
12 owner of her own home at 2664 Olivia Heights Ave, in addition to her being the trustee of the  
13 SCA property that was doles without notice in this case.

14 SCA attorney David Ochoa’s unilaterally rejected Nona Tobin’s March 22,  
15 2017 offer to the SCA Board without getting approval of the SCA Board and, the same day,  
16 filed an unwarranted motion to dismiss her claims for not having an attorney. Tobin’s offer  
17 would have ended the case without litigation at no cost to SCA or Tobin.

18 SCA attorney Ochoa’s only explanation was that Tobin’s claims were similar  
19 to those of the banks, and so it wasn’t in SCA’s interest to settle with one party. That makes  
20 no sense, and not just because no bank ever filed any claims against SCA. If the sale had been  
21 properly investigated, as requested, and the improperly noticed and statutorily-defective sale  
22 voided, whatever security interest the lender had before the sale would have been restored.  
23 Neither a lender nor the estate of the deceased homeowner would have had any claims against  
24 SCA or against each other.

25 This decision to force this case into a five-year litigation nightmare was made  
26 by an attorney, without the authorization of the Board. It has forced the executor of the  
27 deceased homeowner’s estate to personally spend \$40,000 on trial counsel (billed only  
28 through February 1, 2019) and another \$10,000 to pay a second attorney to review the file to



1 decide if he will come on as counsel for the appeal) in addition to \$10,000 plus on litigation-  
2 related expenses to date.

3 All of these costs have been borne by Nona Tobin, individually, as the GBH  
4 Trust had no other assets than this underwater house after Hansen's death in January 2012.  
5 For these reasons and more, the Court is respectfully requested to make alternate dispute  
6 resolution mandatory.

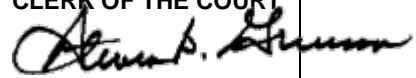
7 Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019,

8  
9 \_\_\_\_\_  
10 NONA TOBIN, AN INDIVIDUAL  
11 2664 Olivia Heights Avenue  
12 Henderson NV 89052  
13 (702) 465-2199  
14 nonatobin@gmail.com  
15 *In Proper Person*

16 CERTIFICATE OF SERVICE

17 I, \_\_\_\_\_, hereby certify that the foregoing and pursuant  
18 to NRCF 5(b), I on this the \_\_\_\_\_ day of \_\_\_\_\_, 2019, I served via the Clark County  
19 electronic filing system a true and correct copy of the foregoing CASE APPEAL STATEMENT  
20 OF NONA TOBIN, AN INDIVIDUAL, , to all parties listed in the Odyssey eFileNV service  
21 contact list:

22 \_\_\_\_\_  
23 Nona Tobin



1 **NOTA**

2 NONA TOBIN,  
3 AN INDIVIDUAL  
4 2664 Olivia Heights Avenue  
5 Henderson NV 89052  
6 Office: (702) 465-2199  
7 nonatobin@gmail.com  
8 *In Proper Person*

6 **DISTRICT COURT**  
7 **CLARK COUNTY, NEVADA**

8 NONA TOBIN, as Trustee of the  
9 GORDON B. HANSEN TRUST,  
10 dated 8/22/08,

11 Counter-Claimant

12 vs.

13 JOEL A. STOKES and SANDRA F.  
14 STOKES, as trustees of the JIMJACK  
15 IRREVOCABLE TRUST and YUEN  
16 K. LEE, an Individual, and  
17 BONDURANT, LLC,

18 Counter-Defendants

Case No.: A-15-720032-C  
Consolidated with: A-16-730078-C

Department: XXXI

**NOTICE OF APPEARANCE**

19 **NONA TOBIN, AN INDIVIDUAL, APPEARS IN PROPER PERSON**

20 TO: ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

21 PLEASE TAKE NOTICE that Nona Tobin, an Individual, appears In Proper  
22 Person, pursuant to the bench order by Judicial Officer David Barker, at the July 9,  
23 2019 hearing of the Mushkin, Coppedge, Cica Motion to withdraw as Counsel of  
24 Record for Nona Tobin, An Individual, On Order Shortening Time.

1 All items, including but not limited to pleadings, papers, correspondence, documents  
2 and any other thing related to this matter, can be forwarded to Nona Tobin at the above address  
3 and, pursuant to NRCP 5(b), to [nonatobin@gmail.com](mailto:nonatobin@gmail.com) via the Clark County electronic filing  
4 system,

5  
6 Dated this 23rd day of JULY, 2019,

7   
8

9 NONA TOBIN, AN INDIVIDUAL  
10 2664 Olivia Heights Avenue  
11 Henderson NV 89052  
12 (702) 465-2199  
13 nonatobin@gmail.com  
14 *In Proper Person*  
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CERTIFICATE OF SERVICE

I, NONA TOBIN, hereby certify that the foregoing and pursuant to NRCP 5(b), I on this the 23RD day of JULY, 2019, I served via the Clark County electronic filing system a true and correct copy of the foregoing NOTICE OF APPEARANCE OF NONA TOBIN, AN INDIVIDUAL, IN PROPER PERSON, to all parties listed in the Odyssey eFileNV service contact list:



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Nona Tobin

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. A-15-720032-C**

**Joel Stokes, Plaintiff(s)**  
**vs.**  
**Bank of America NA, Defendant(s)**

§  
§  
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§  
§

Location: **Department 31**  
 Judicial Officer: **Kishner, Joanna S.**  
 Filed on: **06/16/2015**  
 Cross-Reference Case Number: **A720032**

**CASE INFORMATION**

**Related Cases**

A-16-730078-C (Companion Case)

Case Type: **Other Title to Property**

**Statistical Closures**

07/16/2019 Judgment Reached (bench trial)  
 10/16/2015 Default Judgment

Case Status: **07/16/2019 Closed**

**DATE**

**CASE ASSIGNMENT**

**Current Case Assignment**

Case Number	A-15-720032-C
Court	Department 31
Date Assigned	06/16/2015
Judicial Officer	Kishner, Joanna S.

**PARTY INFORMATION**

		<i>Lead Attorneys</i>
<b>Plaintiff</b>	<b>JimiJack Irrevocable Trust</b>	<b>Hong, Joseph Y.</b> <i>Retained</i> 702-870-1777(W)
<b>Defendant</b>	<b>Bank of America NA</b>	<b>Nitz, Dana J.</b> <i>Retained</i> 702-475-7964(W)
	<b>Sun City Anthem Community Association Inc</b>	<b>Clark, David A.</b> <i>Retained</i> 7023822200(W)
<b>Counter Claimant</b>	<b>Gordon B. Hansen Trust Dated 8/22/08</b>	
	<b>Nationstar Mortgage, LLC</b>	<b>Morgan, Melanie D.</b> <i>Retained</i> 702-634-5000(W)
	<b>Nona Tobin, as Trustee of the Gordon B. Hansen Trust</b>	<b>Pro Se</b> 702-465-2199(H)
<b>Counter Defendant</b>	<b>F. Bondurant LLC</b> Removed: 02/20/2019 Dismissed	
	<b>JimiJack Irrevocable Trust</b> Removed: 05/31/2019 Dismissed	<b>Hong, Joseph Y.</b> <i>Retained</i> 702-870-1777(W)
	<b>Joel A. Stokes, as Trustee of the Jimijack Irrevocable Trust</b>	<b>Hong, Joseph Y.</b> <i>Retained</i> 702-870-1777(W)
	<b>Oppurtunity Homes LLC</b> Removed: 02/20/2019 Dismissed	

**CASE SUMMARY**

**CASE NO. A-15-720032-C**

**Sandra F. Stokes, as Trustee of the Jimijack Irrevocable Trust**

**Hong, Joseph Y.**  
Retained  
702-870-1777(W)

**Cross Claimant**      **Gordon B. Hansen Trust Dated 8/22/08**

**Nona Tobin, as Trustee of the Gordon B. Hansen Trust**

**Pro Se**  
702-465-2199(H)

**Cross Defendant**      **Lee, Yuen K.**

**Oppurtunity Homes LLC**  
Removed: 08/07/2017  
Dismissed

**Sun City Anthem Community Association Inc**

**Clark, David A.**  
Retained  
7023822200(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
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**EVENTS**


06/16/2015	 <b>Complaint</b> Filed By: Plaintiff JimiJack Irrevocable Trust <i>Complaint</i>	
08/12/2015	 <b>Summons</b> Filed by: Counter Defendant Joel A. Stokes, as Trustee of the Jimijack Irrevocable Trust <i>Summons</i>	
08/19/2015	 <b>Default</b> Filed By: Counter Defendant Joel A. Stokes, as Trustee of the Jimijack Irrevocable Trust <i>Default</i>	
08/20/2015	 <b>Three Day Notice of Intent to Default</b> Filed by: Counter Defendant Joel A. Stokes, as Trustee of the Jimijack Irrevocable Trust <i>Notice Of Intent To Take Default Judgment</i>	
08/25/2015	 <b>Application for Default Judgment</b> Party: Counter Defendant Joel A. Stokes, as Trustee of the Jimijack Irrevocable Trust <i>Application For Entry Of Default Judgment</i>	
08/25/2015	 <b>Memorandum of Costs and Disbursements</b> Filed By: Counter Defendant Joel A. Stokes, as Trustee of the Jimijack Irrevocable Trust <i>Memorandum Of Costs And Disbursements</i>	
09/08/2015	 <b>Notice of Hearing</b> Filed By: Counter Defendant Joel A. Stokes, as Trustee of the Jimijack Irrevocable Trust <i>Notice of Hearing</i>	
10/05/2015	 <b>Notice of Change of Hearing</b> <i>Notice of Change of Hearing</i>	
10/16/2015	 <b>Default Judgment</b> Filed By: Counter Defendant Joel A. Stokes, as Trustee of the Jimijack Irrevocable Trust <i>Judgment By Default Against Defendant, Bank Of America, N.A.</i>	
04/12/2016	 <b>Motion for Substitution</b>	


**CASE SUMMARY**


**CASE NO. A-15-720032-C**


Filed By: Other Nationstar Mortgage, LLC  
*Motion to Substitute Party, Intervene and Set Aside Default Judgment*


04/12/2016  Initial Appearance Fee Disclosure  
Filed By: Other Nationstar Mortgage, LLC  
*Initial Appearance Fee Disclosure*

04/12/2016  Declaration  
Filed By: Other Nationstar Mortgage, LLC  
*Declaration of Edgar C. Smith in Support of Motion to Substitute Party, Intervene and Set Aside Default Judgment*


04/26/2016  Opposition to Motion  
Filed By: Plaintiff JimiJack Irrevocable Trust  
*Plaintiff, Jimijack Irrevocable Trust's, Opposition To Proposed Intervenor, Nationstar Mortgage, LLC's, Motion To Substitute Party, Intervene And Set Aside Default Judgment*


05/10/2016  Reply in Support  
Filed By: Other Nationstar Mortgage, LLC  
*Reply in Support of Motion to Substitute Party, Intervene and Set Aside Default Judgment*


06/02/2016  Answer and Counterclaim  
Filed By: Other Nationstar Mortgage, LLC  
*Defendant in Intervention Nationstar Mortgage, LLC's Answer to Plaintiffs' Complaint and Counterclaim*


06/03/2016  Notice of Lis Pendens  
Filed by: Other Nationstar Mortgage, LLC  
*Notice of Lis Pendens*


06/07/2016  Order  
Filed By: Other Nationstar Mortgage, LLC  
*Order Granting in Part Nationstar Mortgage, LLC's Motion to Substitute Party, Intervene and Set Aside Default Judgment*

06/08/2016  Notice of Entry of Order  
Filed By: Defendant Bank of America NA  
*Notice of Entry of Order*

06/09/2016  Motion to Dismiss  
Filed By: Plaintiff JimiJack Irrevocable Trust  
*Plaintiff, Jimijack Irrevocable Trust's, Through Its Trustees, Motion To Dismiss Defendant In Intervention Nationstar Mortgage, LLC.'s Answer And Counterclaim*

06/16/2016  Ex Parte Application  
Party: Plaintiff JimiJack Irrevocable Trust  
*Plaintiff's Ex Parte Application For Order Shortening Time*

06/17/2016  Opposition to Motion to Dismiss  
Filed By: Other Nationstar Mortgage, LLC  
*Nationstar's Opposition to Motion to Dismiss*

06/17/2016  Order Shortening Time  
Filed By: Plaintiff JimiJack Irrevocable Trust  
*Order Shortening Time*

**CASE SUMMARY**

**CASE NO. A-15-720032-C**

- 06/21/2016  Reply to Opposition  
Filed by: Plaintiff JimiJack Irrevocable Trust  
*Plaintiff, Jimijack Irrevocable Trust's Reply to Nationstar's Opposition to Motion to Dismiss*
- 06/27/2016  Affidavit of Service  
Filed By: Counter Defendant Joel A. Stokes, as Trustee of the Jimijack Irrevocable Trust  
*Affidavit of Service*
- 06/28/2016  Notice of Early Case Conference  
Filed By: Other Nationstar Mortgage, LLC  
*Notice of N.R.C.P. 16.1 Early Case Conference*
- 06/30/2016  Motion to Consolidate  
Filed By: Plaintiff JimiJack Irrevocable Trust  
*Jimijack Irrevocable Trust's Motion To Consolidate Case No. A-16-730078-C And Case No. A-15-720032-C*
- 07/06/2016  Motion for Summary Judgment  
Filed By: Counter Defendant Joel A. Stokes, as Trustee of the Jimijack Irrevocable Trust  
*Plaintiff, Jimijack Irrevocable Trust's, Through Its Trustees, Motion For Summary Judgment On Order Shortening Time*
- 07/19/2016  Non Opposition  
Filed By: Other Nationstar Mortgage, LLC  
*Nationstar Mortgage, LLC's Non-Opposition to JimiJack Irrevocable Trust's Motion to Consolidate*
- 07/20/2016  Opposition to Motion For Summary Judgment  
Filed By: Other Nationstar Mortgage, LLC  
*Nationstar's Opposition to Motion for Summary Judgment*
- 07/21/2016  Order  
Filed By: Counter Defendant Joel A. Stokes, as Trustee of the Jimijack Irrevocable Trust  
*Order Denying JimiJack Irrevocable Trust's Motion to Dismiss*
- 07/25/2016  Reply to Opposition  
Filed by: Plaintiff JimiJack Irrevocable Trust  
*Plaintiff, Jimijack Irrevocable Trust's, Through Its Trustees, Reply To Nationstar Mortgage, LLC's Opposition To Motion For Summary Judgment On Order Shortening Time*
- 07/26/2016  Order  
Filed By: Counter Defendant Joel A. Stokes, as Trustee of the Jimijack Irrevocable Trust  
*Order*
- 07/29/2016  Notice of Entry of Order  
Filed By: Counter Defendant Joel A. Stokes, as Trustee of the Jimijack Irrevocable Trust  
*Notice Of Entry Of Order*
- 08/10/2016  Notice of Department Reassignment  
*Notice of Department Reassignment*
- 08/11/2016  Notice of Entry of Order  
Filed By: Defendant Bank of America NA



**CASE SUMMARY**

**CASE NO. A-15-720032-C**

*Notice of Entry of Order Denying Jimijack Irrevocable Trust's Motion to Dismiss*

08/26/2016



Order Granting Motion

Filed By: Other Nationstar Mortgage, LLC

*Order Granting Motion to Consolidate and Denying Motion for Summary Judgment*

08/30/2016



Opposition to Motion

Filed By: Plaintiff JimiJack Irrevocable Trust

*Plaintiff, Jimijack Irrevocable Trust's, Opposition To Nona Tobin And Steve Hansen's Motion To Intervene*

09/09/2016



Reply to Opposition

Filed by: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust

*Reply to Plaintiff, JimiJack Irrevocable Trust's Opposition to Nona Tobin and Steve Hansen's Motion to Intervene*

09/16/2016



Notice of Change of Hearing

*Notice of Change of Hearing*

09/23/2016



Affidavit in Support

Filed By: Counter Defendant Joel A. Stokes, as Trustee of the Jimijack Irrevocable Trust

*Affidavit of Nona Tobin in Support of Nona Tobin and Steve Hansen's Motion to Intervene*

11/15/2016



Motion to Intervene

Party: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust

*Motion to Intervene Into Consolidated Quiet Title Cases A-15-720032-C and Former Case A-16-730078*

12/05/2016



Opposition to Motion

Filed By: Plaintiff JimiJack Irrevocable Trust

*Plaintiff, Jimijack Irrevocable Trust's, Opposition To Motion To Intervene*

12/12/2016



Reply to Opposition

Filed by: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust

*Reply to Plaintiff, Jimijack Irrevocable Trust's Opposition to Motion to Intervene*

01/11/2017



Order

Filed By: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust

*Order Granting Applicant Nona Tobin's Motion to Intervene*

01/12/2017



Notice of Entry of Order

Filed By: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust

*Notice of Entry of Order Granting Applicant Nona Tobin's Motion to Intervene*

01/31/2017



Crossclaim

Filed By: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust

*Nona Tobin's Crossclaim for Quiet Title Against Sun City Anthem Community Association, Inc. (HOA)*

02/01/2017



Crossclaim

Filed By: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust

*Nona Tobin's Crossclaim Against Thomas Lucas D/B/A Opportunity Homes, LLC*

02/01/2017



Crossclaim

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-15-720032-C

Filed By: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust  
*Nona Tobin's Crossclaim Against Yuen K. Lee d/b/a F. Bondurant, LLC*


- 02/01/2017  Initial Appearance Fee Disclosure  
Filed By: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust  
*Initial Appearance Fee Disclosure*
- 02/01/2017  Answer and Counterclaim  
Filed By: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust  
*Nona Tobin's Answer to Plaintiff's Complaint and Counterclaim*
- 02/05/2017  Summons  
Filed by: Defendant Bank of America NA  
*Summons Yuen K.Lee dba F. Bondurant*
- 02/05/2017  Summons  
Filed by: Defendant Bank of America NA  
*Summons - Sun City Anthem Community Association Inc*
- 02/06/2017  Summons  
Filed by: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust  
*Summons Thomas Lucas d/b/a Opportunity Homes LLC*
- 02/23/2017  Motion to Dismiss  
Filed By: Cross Defendant Sun City Anthem Community Association Inc  
*Sun City Anthem Community Association's Motion to Dismiss Nona Tobin, an Individual and Trustee of the Gordon B. Hansen Trust's Cross-Claim*
- 02/23/2017  Initial Appearance Fee Disclosure  
Filed By: Cross Defendant Sun City Anthem Community Association Inc  
*Initial Appearance Fee Disclosure*
- 03/03/2017  Opposition and Countermotion  
Filed By: Defendant Bank of America NA  
*(Withdrawn 9/19/17) Opposition to Sun City anthem Community Association's Motion to Dismiss and Counter Motion for Order Voiding the HOA Sale*
- 03/07/2017  Three Day Notice of Intent to Default  
Filed by: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust  
*Three Day Notice of Intent to Take Default*
- 03/07/2017  Three Day Notice of Intent to Default  
Filed by: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust  
*Three Day Notice of Intent to Take Default*
- 03/07/2017  Three Day Notice of Intent to Default  
Filed by: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust  
*Three Day Notice of Intent to Take Default*
- 03/08/2017  Disclaimer of Interest  
Filed By: Cross Defendant Oppurtunity Homes LLC  
*Disclaimer of Interest*
- 03/08/2017  Motion for Summary Judgment

**CASE SUMMARY**


**CASE NO. A-15-720032-C**

Filed By: Cross Defendant Oppurtunity Homes LLC  
*Thomas Lucas's and Opportunity Homes, LLC's Motion for Summary Judgment*


03/13/2017

 Reply to Counterclaim  
Filed by: Plaintiff JimiJack Irrevocable Trust  
*Plaintiff's Reply To Nona Tobin's Counterclaim*


03/13/2017

 Disclaimer of Interest  
Filed By: Cross Defendant Lee, Yuen K.  
*Disclaimer Of Interest*


03/13/2017

 Answer to Crossclaim  
Filed By: Counter Defendant F. Bondurant LLC  
*Yuen K. Lee's Answer To Nona Tobin's Crossclaim*


03/16/2017

 Substitution of Attorney  
Filed by: Cross Defendant Sun City Anthem Community Association Inc  
*Cross-Defendant Sun City Anthem Community Association's Substitution Of Counsel Pursuant To EDCR Rule 7.40 (B)(1)*


03/22/2017

 Motion to Dismiss  
Filed By: Cross Defendant Sun City Anthem Community Association Inc  
*Cross-Defendant Sun City Anthem Community Association's Motion To Dismiss Nona Tobin's Cross-Claims*


03/22/2017

 Opposition to Motion For Summary Judgment  
Filed By: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust  
*Opposition to Cross-Defendants, Thomas Lucas' and Opportunity Homes, LLC's, Motin for Summary Judgment*


03/27/2017

 Opposition to Motion For Summary Judgment  
Filed By: Other Nationstar Mortgage, LLC  
*Nationstar's Opposition to Opportunity Homes, LLC's Motion for Summary Judgment*


03/27/2017

 Declaration  
Filed By: Defendant Bank of America NA  
*Declaration of Nationstar Mortgage, LLC in Support of Nationstar's Opposition to Opportunity Homes, LLC's Motion for Summary Judgment*


03/27/2017

 Reply in Support  
Filed By: Cross Defendant Sun City Anthem Community Association Inc  
*Cross-Defendant Sun City Anthem Community Association's Reply in Support of its Motion to Dismiss*


03/28/2017

 Disclaimer of Interest  
Filed By: Other Hansen, Steve  
*Disclaimer of Interest*

03/31/2017

 Opposition  
Filed By: Cross Defendant Sun City Anthem Community Association Inc  
*(Withdrawn 9/19/17) Cross-Defendant Sun City Anthem Community Association's Opposition to Nona Tobin's Countermotion to Void the Sale*

04/05/2017

 Opposition to Motion to Dismiss  
Filed By: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust

**CASE SUMMARY**

**CASE NO. A-15-720032-C**

*Opposition to Sun City Anthem's Motion to Dismiss*

04/10/2017



Reply to Opposition

Filed by: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust  
*Reply to Sun City Anthem Community Association's Opposition to Nona Tobin's Motion to Void the Sale*

04/18/2017



Reply in Support

Filed By: Cross Defendant Sun City Anthem Community Association Inc  
*Sun City Anthem Community Association's Reply in Support of its Motion to Dismiss*

04/19/2017



Reply to Opposition

Filed by: Cross Defendant Oppurtunity Homes LLC  
*Thomas Lucas and Oppurtunity Homes, LLC's Reply to Nona Tobin's Opposition to Motion for Summary Judgment*

04/20/2017



Reply to Opposition

Filed by: Cross Defendant Oppurtunity Homes LLC  
*Oppurtunity Homes, LLC's Reply to Nationstar Mortgage, LLC's Opposition to Motion for Summary Judgment*

05/24/2017



Notice of Appearance

Party: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust  
*Notice of Appearance of Counsel*

06/21/2017



Order Denying Motion

Filed By: Other Nationstar Mortgage, LLC  
*Order Denying Motion for Summary Judgment*

06/22/2017



Notice of Entry of Order

Filed By: Other Nationstar Mortgage, LLC  
*Notice of Entry of Order Denying Motion for Summary Judgment*

08/09/2017



Order

Filed By: Cross Defendant Oppurtunity Homes LLC  
*Order Granting Thomas Lucs and Oppurtunity Homes, LLC's Motion for Summary Judgment*

08/11/2017



Notice of Entry

Filed By: Cross Defendant Oppurtunity Homes LLC  
*Notice of Entry of Order Granting Thomas Lucas and Oppurtunity Homes, LLC's Motion for Summary Judgment*

08/16/2017



Memorandum of Costs and Disbursements

Filed By: Cross Defendant Oppurtunity Homes LLC  
*Thomas Lucas and Oppurtunity Homes, LLC S Memorandum of Costs*

09/15/2017



Notice of Early Case Conference

*Notice of N.R.C.P. 16.1 Early Case Conference*

09/19/2017



Order

Filed By: Cross Defendant Sun City Anthem Community Association Inc  
*Order*

09/20/2017



Notice of Entry

**CASE SUMMARY**

**CASE NO. A-15-720032-C**

Filed By: Cross Defendant Sun City Anthem Community Association Inc  
*Notice of Entry of Order*

11/09/2017



Notice

Filed By: Other Nationstar Mortgage, LLC  
*Notice of Completion of Mediation Pursuant to NRS 38.310*

02/09/2018



Individual Case Conference Report

Filed By: Other Nationstar Mortgage, LLC  
*Individual Case Conference Report*

03/16/2018



Notice to Appear for Discovery Conference

*Notice to Appear for Discovery Conference*

04/10/2018



Substitution of Attorney

Filed by: Other Nationstar Mortgage, LLC  
*Substitution Of Counsel For Defendant In Intervension And Counterclaimant Nationstar Mortgage Llc,*

04/20/2018



Answer to Crossclaim

Filed By: Cross Defendant Sun City Anthem Community Association Inc  
*Cross-Defendant Sun City Anthem Community Association s Answer To Cross-Claims By Nona Tobin, An Individual And Trustee Of The Gordon B. Hansen Trust*

05/15/2018



Joint Case Conference Report

Filed By: Other Nationstar Mortgage, LLC  
*Joint Case Conference Report*

07/10/2018



Scheduling Order

*Scheduling Order*

09/13/2018



Order Setting Civil Non-Jury Trial and Calendar Call

*Order Setting Civil Non Jury Trial, Pre Trial Conference, Calendar Call and Status Check*

11/30/2018



Motion to Amend

*Motion to Amend Answer, Counterclaim, and Crossclaims*

12/05/2018



Notice of Appearance

Party: Other Nationstar Mortgage, LLC  
*Notice of Appearance*

02/04/2019



Notice

*Notice of Issuance of Subpoena Duces Tecum to Americana, LLC dba Berkshire Hathaway Home Services Nevada Properties*

02/04/2019



Notice

*Notice of Issuance of Subpoena Duces Tecum to Red Rock Financial Services, LLC*

02/04/2019



Notice

*Notice of Issuance of Subpoena Duces Tecum to Nevada Legal News*

02/05/2019



Motion for Summary Judgment

Filed By: Cross Defendant Sun City Anthem Community Association Inc  
*Cross-Defendant Sun City Anthem Community Association s Motion For Summary Judgment*

**CASE SUMMARY**

**CASE NO. A-15-720032-C**

- 02/12/2019  Joinder  
Filed By: Other Nationstar Mortgage, LLC  
*Nationstar Mortgage LLC's Limited Joinder To Sun City Anthem Community Association's Motion For Summary Judgment*
- 02/13/2019  Initial Appearance Fee Disclosure  
*Initial Appearance Fee Disclosure*
- 02/20/2019  Stipulation and Order for Dismissal Without Prejudice  
Filed By: Other Nationstar Mortgage, LLC  
*Stipulation and Order for Dismissal Without Prejudice as to Claims Against Opportunity Homes LLC and F. Bondurant LLC*
- 02/20/2019  Notice of Entry of Stipulation and Order  
Filed By: Other Nationstar Mortgage, LLC  
*Notice of Entry of Stipulation and Order for Dismissal Without Prejudice as to Claims Against Opportunity Homes, LLC and F. Bondurant, LLC*
- 03/05/2019  Opposition to Motion For Summary Judgment  
Filed By: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust  
*Cross-Claimant Nona Tobin's Opposition to Cross-Defendant Sun City Anthem Community Association's Motion for Summary Judgment*
- 03/06/2019  Reply in Support  
Filed By: Cross Defendant Sun City Anthem Community Association Inc  
*Cross-Defendant Sun City Anthem Community Association s Reply In Support Of Its Motion For Summary Judgment*
- 03/07/2019  Stipulation and Order  
*Stipulation and Order Reforming Caption*
- 03/07/2019  Notice of Entry of Stipulation and Order  
*Notice of Entry of Stipulation and Order Reforming Caption*
- 03/12/2019  Amended Notice of Entry of Order  
Filed By: Other Nationstar Mortgage, LLC  
*Amended Notice of Entry of Stipulation and Order Reforming Caption*
- 03/18/2019  Three Day Notice of Intent to Default  
Filed by: Other Nationstar Mortgage, LLC  
*Nationstar Mortgage Llc's Three Day Notice Of Intent To Take Default Against Jimijack Irrevocable Trust*
- 03/21/2019  Motion for Summary Judgment  
Filed By: Other Nationstar Mortgage, LLC  
*Nationstar Mortgage LLC's Motion for Summary Judgment (Hearing Requested)*
- 03/22/2019  Clerk's Notice of Hearing  
*Notice of Hearing*
- 03/25/2019  Reply to Counterclaim  
Filed by: Plaintiff JimiJack Irrevocable Trust; Counter Defendant Joel A. Stokes, as Trustee of the Jimijack Irrevocable Trust; Counter Defendant Sandra F. Stokes, as Trustee of the Jimijack Irrevocable Trust

CASE SUMMARY

CASE NO. A-15-720032-C

*Jimijack Irrevocable Trust's Reply To Nationstar Mortgage, LLC.'s Counterclaim*

04/12/2019



Notice of Settlement

Filed By: Other Nationstar Mortgage, LLC

*Notice of Settlement*

04/15/2019



Stipulation and Order

Filed by: Other Nationstar Mortgage, LLC

*Stipulation and Order to Extend Briefing Schedule for Nationstar Mortgage LLC's Motion for Summary Judgment and Continue Hearing*

04/17/2019



Findings of Fact, Conclusions of Law and Order

Filed By: Cross Defendant Sun City Anthem Community Association Inc

*Findings Of Fact, Conclusions Of Law And Order On Cross-Defendant Sun City Anthem Community Association s Motion For Summary Judgment*

04/18/2019



Notice of Entry

Filed By: Cross Defendant Sun City Anthem Community Association Inc

*NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON CROSS-DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION S MOTION FOR SUMMARY JUDGMENT*

04/19/2019



Response

Filed by: Other Nationstar Mortgage, LLC

*Nationstar Mortgage LLC's Response to Nona Tobin's Opposition to Nationstar Mortgage LLC's Motion for Summary Judgment against Jimijack and Countermotion for Summary Judgment*

04/22/2019



Notice of Entry of Stipulation and Order

Filed By: Plaintiff JimiJack Irrevocable Trust; Counter Defendant Joel A. Stokes, as Trustee of the Jimijack Irrevocable Trust; Counter Defendant Sandra F. Stokes, as Trustee of the Jimijack Irrevocable Trust

*Notice Of Entry Of Stipulation And Order To Extend Briefing Schedule For Nationstar Mortgage LLC s Motion For Summary Judgment Anc [sic] Continue Hearing*

04/23/2019



Notice of Withdrawal of Motion

Filed By: Other Nationstar Mortgage, LLC

*Notice of Withdrawal of Nationstar Mortgage LLC's Motion for Summary Judgment*

04/29/2019



Motion

Filed By: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust

*Motion for Reconsideration*

04/30/2019



Clerk's Notice of Hearing

*Notice of Hearing*

04/30/2019



Notice of Lis Pendens

Filed by: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust

*Notice of Lis Pendens*

05/02/2019



Opposition

Filed By: Cross Defendant Sun City Anthem Community Association Inc

*Cross-Defendant Sun City Anthem Community Association's Opposition ti Cross Claimant Nona Tobin's Motion for Reconsideration*

05/03/2019

**CASE SUMMARY**

**CASE NO. A-15-720032-C**

-  Joinder  
Filed By: Other Nationstar Mortgage, LLC  
*Nationstar Mortgage Llc's Limited Joinder To Sun City Anthem Community Association's Opposition To Nona Tobin's Motion For Reconsideration*
- 05/03/2019  Joinder to Opposition to Motion  
Filed by: Plaintiff JimiJack Irrevocable Trust; Counter Defendant Joel A. Stokes, as Trustee of the Jimijack Irrevocable Trust; Counter Defendant Sandra F. Stokes, as Trustee of the Jimijack Irrevocable Trust  
*Joel Stokes And Sandra F. Stokes, As Trustees Of The Jimijack Irrevocable Trust s, Joinder To Sun City Anthem Community Association s Opposition To Nona Tobin s Motion For Reconsideration*
- 05/23/2019  Motion  
*Motion to Substitute Real Party in Interest and to Withdraw as Counsel of Record for Counterclaimant Nona Tobin on Order Shortening Time*
- 05/23/2019  Reply  
Filed by: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust  
*Reply to Cross-Defendant Sun City Anthem Community Association s Opposition to Tobin s Motion for Reconsideration*
- 05/24/2019  Receipt of Copy  
*Receipt of Copy - Akerman*
- 05/24/2019  Receipt of Copy  
*Receipt of Copy - Lipson Neilson*
- 05/24/2019  Receipt of Copy  
*Receipt of Copy - Hong*
- 05/24/2019  Receipt of Copy  
*Receipt of Copy - Tobin*
- 05/24/2019  Opposition to Motion  
Filed By: Cross Defendant Sun City Anthem Community Association Inc  
**CROSS-DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION S OPPOSITION TO MOTION TO SUBSTITUTE REAL PARTY IN INTEREST AND TO WITHDRAW AS COUNSEL OF RECORD FOR COUNTERCLAIMANT NONA TOBIN ON ORDER SHORTENING TIME**
- 05/24/2019  Supplement  
Filed by: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust  
*Supplement to Motion to Substitute Real Party in Interest and to Withdraw as Counsel of Record for Counterclaimant Nona Tobin*
- 05/24/2019  Opposition to Motion  
Filed By: Plaintiff JimiJack Irrevocable Trust; Counter Defendant Joel A. Stokes, as Trustee of the Jimijack Irrevocable Trust; Counter Defendant Sandra F. Stokes, as Trustee of the Jimijack Irrevocable Trust  
*Joel A. Stokes And Sandra F. Stokes, As Trustees Of The Jimijack Irrevocable Trust s, Opposition To Motion To Substitute Real Party In Interest And To Withdraw As Counsel Of Record For Counterclaimant Nona Tobin On Order Shortening Time*
- 05/31/2019  Order Denying  
Filed By: Cross Defendant Sun City Anthem Community Association Inc



CASE SUMMARY
















CASE NO. A-15-720032-C

*Order Denying Motion for Reconsideration*

- 05/31/2019  Notice of Entry  
Filed By: Cross Defendant Sun City Anthem Community Association Inc  
*Notice of Entry of Order Denying Motion for Reconsideration*
- 05/31/2019  Stipulation and Order for Dismissal With Prejudice  
Filed By: Other Nationstar Mortgage, LLC  
*(A720032, A730078) Stipulation and Order for the Dismissal of Nationstar Mortgage LLC's Claims Against Jimijack Irrevocable Trust with Prejudice*
- 05/31/2019  Notice of Entry of Stipulation & Order for Dismissal  
Filed By: Other Nationstar Mortgage, LLC  
*Notice of Entry of Stipulation and Order for the Dismissal of Nationstar Mortgage LLC's Claims Against Jimijack Irrevocable Trust with Prejudice*
- 06/03/2019  Pre-trial Memorandum  
*Counterclaimant, Nona Tobin's Pretrial Memorandum*
- 06/03/2019  Finding of Fact and Conclusions of Law  
*(UNSIGNED BY JUDGE) Counterclaimant, Nona Tobin's [Proposed] Findings of Fact and Conclusions of Law*
- 06/05/2019  Findings of Fact, Conclusions of Law and Judgment  
Filed by: Plaintiff JimiJack Irrevocable Trust; Counter Defendant Joel A. Stokes, as Trustee of the Jimijack Irrevocable Trust; Counter Defendant Sandra F. Stokes, as Trustee of the Jimijack Irrevocable Trust  
*Counterdefendants, Joel A. Stokes And Sandra F. Stokes, As Trustees Of The Jimijack Irrevocable Trust And Yuen K. Lee, An Individual, D/B/A Manager, F. Bondurant, LLC. s Proposed Findings Of Facts, Conclusions Of Law And Judgment*
- 06/17/2019  Motion to Withdraw As Counsel  
Filed By: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust  
*Motion to Withdraw as Counsel of Record for Nona Tobin, an Individual on Order Shortening Time*
- 06/17/2019  Motion to Intervene  
*TOBIN MOTION TO INTERVENE AS AN INDIVIDUAL PER RULE 24*
- 06/20/2019  Proof of Service  
Filed by: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust  
*Proof of Service Re: Nona Tobin, An Individual*
- 06/21/2019  Declaration  
*Nona Tobin Declarations in support of MINV as an individual*
- 06/24/2019  Order  
*Order on Findings of Fact, Conclusions of Law, and Judgment*
- 06/24/2019  Notice of Entry of Findings of Fact, Conclusions of Law  
Filed By: Plaintiff JimiJack Irrevocable Trust; Counter Defendant Joel A. Stokes, as Trustee of the Jimijack Irrevocable Trust; Counter Defendant Sandra F. Stokes, as Trustee of the Jimijack Irrevocable Trust  
*Notice Of Entry Of Findings Of Facts, Conclusions Of Law And Judgment*









**CASE SUMMARY**

**CASE NO. A-15-720032-C**

- 06/28/2019  Opposition to Motion  
Filed By: Plaintiff JimiJack Irrevocable Trust; Counter Defendant Joel A. Stokes, as Trustee of the JimiJack Irrevocable Trust; Counter Defendant Sandra F. Stokes, as Trustee of the JimiJack Irrevocable Trust; Cross Defendant Lee, Yuen K.  
*Counterdefendants Opposition To Nona Tobin s Motion To Intervene Consolidated Cases A-15-720032-C And A-16-730078 Per Rule 24*
- 07/01/2019  Reply in Support  
*NONA TOBIN REPLY IN SUPPORT OF MUSHKIN WITHDRAWAL AS COUNSEL OF RECORD*
- 07/02/2019  Reply  
*NONA TOBIN REPLY TO OPPOSITION TO MOTION TO INTERVENE*
- 07/08/2019  Transcript of Proceedings  
Party: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust  
*Recorder's Transcript of Hearing: All Pending Motions April 27, 2017*
- 07/08/2019  Transcript of Proceedings  
Party: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust  
*Recorder's Transcript of Hearing: All Pending Motions April 23, 2019*
- 07/16/2019  Order to Statistically Close Case  
*Civil Order to Statistically Close Case*
- 07/16/2019  Transcript of Proceedings  
*Transcript: All Pending Motions 5/25/17*
- 07/16/2019  Transcript of Proceedings  
*Transcript: All Pending Motions 1/10/19*
- 07/16/2019  Transcript of Proceedings  
*Transcript: All Pending Motions 3/26/19*
- 07/16/2019  Transcript of Proceedings  
*Transcript: Pretrial Conference 4/25/19*
- 07/16/2019  Transcript of Proceedings  
*Transcript: Status Check - Settlement Documents 5/21/19*
- 07/16/2019  Transcript of Proceedings  
*Transcript: All Pending Motions 5/29/19*
- 07/16/2019  Transcript of Proceedings  
*Transcript: Calendar Call 6/3/19*
- 07/16/2019  Transcript of Proceedings  
*Transcript: Bench Trial - Day 1 - 6/5/19*
- 07/19/2019  Transcript of Proceedings  
*Amended Transcript of Proceedings of Pretrial Conference to Correct Attorney Name Only 4/25/19*

**CASE SUMMARY**

**CASE NO. A-15-720032-C**

- 07/22/2019  Motion for New Trial  
Filed By: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust  
*Nona Tobin's Motions for a New Trial Per Rule 54 (B) and Rule 59 (1)(A)(B)(C)(F)*
- 07/23/2019  Notice of Hearing  
*Notice of Hearing*
- 07/23/2019  Notice of Appeal  
Filed By: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust  
*Notice of Appeal*
- 07/23/2019  Case Appeal Statement  
Filed By: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust  
*Case Appeal Statement*
- 07/23/2019  Notice of Appearance  
*NOTICE OF APPEARANCE*
- 07/24/2019  Case Appeal Statement  
*NONA TOBIN'S INDIVIDUAL CASE APPEAL STATEMENT*
- 07/24/2019  Notice of Appeal  
*NONA TOBIN'S INDIVIDUAL NOTICE OF APPEAL*
- 07/25/2019  Case Appeal Statement  
Filed By: Counter Claimant Nona Tobin, as Trustee of the Gordon B. Hansen Trust  
*Case Appeal Statement*

**DISPOSITIONS**

- 10/16/2015 **Default Judgment** (Judicial Officer: Kishner, Joanna S.)  
Debtors: Bank of America NA (Defendant)  
Creditors: JimiJack Irrevocable Trust (Plaintiff)  
Judgment: 10/16/2015, Docketed: 10/23/2015
- 08/09/2017 **Summary Judgment** (Judicial Officer: Kishner, Joanna S.)  
Debtors: Nona Tobin, as Trustee of the Gordon B. Hansen Trust (Cross Claimant)  
Creditors: Oppurtunity Homes LLC (Cross Defendant)  
Judgment: 08/09/2017, Docketed: 08/09/2017
- 08/09/2017 **Order of Dismissal** (Judicial Officer: Kishner, Joanna S.)  
Debtors: Nona Tobin, as Trustee of the Gordon B. Hansen Trust (Cross Claimant)  
Creditors: Oppurtunity Homes LLC (Cross Defendant)  
Judgment: 08/09/2017, Docketed: 08/09/2017
- 09/19/2017 **Order of Dismissal Without Prejudice** (Judicial Officer: Kishner, Joanna S.)  
Debtors: Nona Tobin, as Trustee of the Gordon B. Hansen Trust (Cross Claimant)  
Creditors: Sun City Anthem Community Association Inc (Cross Defendant)  
Judgment: 09/19/2017, Docketed: 09/20/2017  
Comment: Certain Claims
- 02/20/2019 **Order of Dismissal Without Prejudice** (Judicial Officer: Kishner, Joanna S.)  
Debtors: F. Bondurant LLC (Counter Defendant), Oppurtunity Homes LLC (Counter Defendant)  
Creditors: Nationstar Mortgage, LLC (Counter Claimant)  
Judgment: 02/20/2019, Docketed: 02/20/2019
- 04/17/2019 **Summary Judgment** (Judicial Officer: Kishner, Joanna S.)

**CASE SUMMARY**


**CASE NO. A-15-720032-C**


Debtors: Nona Tobin, as Trustee of the Gordon B. Hansen Trust (Cross Claimant)  
 Creditors: Sun City Anthem Community Association Inc (Cross Defendant)  
 Judgment: 04/17/2019, Docketed: 04/17/2019


05/31/2019 **Order of Dismissal With Prejudice** (Judicial Officer: Kishner, Joanna S.)  
 Debtors: JimiJack Irrevocable Trust (Counter Defendant)  
 Creditors: Nationstar Mortgage, LLC (Counter Claimant)  
 Judgment: 05/31/2019, Docketed: 06/03/2019


06/24/2019 **Judgment** (Judicial Officer: Kishner, Joanna S.)  
 Debtors: Nona Tobin, as Trustee of the Gordon B. Hansen Trust (Counter Claimant, Cross Claimant), Gordon B. Hansen Trust Dated 8/22/08 (Counter Claimant, Cross Claimant)  
 Creditors: JimiJack Irrevocable Trust (Counter Defendant), Yuen K. Lee (Cross Defendant)  
 Judgment: 06/24/2019, Docketed: 06/25/2019

**HEARINGS**

10/13/2015  **Motion for Prove Up** (10:00 AM) (Judicial Officer: Kishner, Joanna S.)  
*Plaintiff's Motion for Hearing on Entry of Default Judgment*  
 Granted;  
 Journal Entry Details:  
*PLAINTIFF'S MOTION FOR HEARING ON ENTRY OF DEFAULT JUDGMENT Witness, Joel Stokes, Trustee of JimiJack Irrevocable Trust, sworn and testified. COURT ORDERED, Quiet Title as to Bank of America is GRANTED. Proposed Order presented IN OPEN COURT. Will be available for pick-up from Court's outbox by end of day. ;*

05/17/2016  **Motion for Substitution** (9:00 AM) (Judicial Officer: Kishner, Joanna S.)  
*Other Nationstar Mortgage LL's Motion to Substitute party, Intervene and set aside Default Judgment*  
 Granted;  
 Journal Entry Details:  
*Mr. Smith stated that his request is timely filed. The Court informed him that he is not in the case yet. Counsel stated that his is asking the Court to allow him to intervene as he is a real party in interest; he explained his position on that matter. Mr. Hong explained what the banks do in these instances and advised that his client is seeking the extinguishment of the deed of trust at the time of the HOA sale. Mr. Hong stated his position regarding quiet title cases and that it has to be the bank at the time of the HOA sale; the case was closed and the default judgment was entered six months ago. Further arguments regarding the deed of trust. Opposition argued by Mr. Smith; he advised that he is asking the Court to recognize that due process requires that he intervene in the case and assert his claims. COURT ORDERED, Motion to Intervene is GRANTED; Mr. Smith needs to break this down as the Bank of America is not being taken away yet. FURTHER the Motion is DENIED WITHOUT PREJUDICE regarding Substitution of Parties at this time. The Court advised it will deal with future motion practice as it comes before the Court. Ms. Smith stated he will provide an appearance and answer within ten days; the Court will track it on 6/3/16. Mr. Smith to prepare the order and run it by Mr. Hong before providing it to the Court.;*

06/23/2016  **Motion to Dismiss** (9:30 AM) (Judicial Officer: Kishner, Joanna S.)  
*Plaintiff, Jimijack Irrevocable Trust's, Through Its Trustees, Motion To Dismiss Defendant In Intervention Nationstar*  
 Denied Without Prejudice;  
 Journal Entry Details:  
*Matter argued and submitted. Court stated its findings, and ORDERED, Plaintiff, Jimijack Irrevocable Trust's, Through Its Trustees, Motion to Dismiss Defendant In Intervention Nationstar is DENIED WITHOUT PREJUDICE. Mr. Smith to prepare the Order, circulating to Mr. Hong for approval as to form and content.;*

07/14/2016  **Status Check** (9:30 AM) (Judicial Officer: Kishner, Joanna S.)  
*RE: Possible consolidation with A730078 (DC 23 case)*  
 Matter Heard;  
 Journal Entry Details:

**CASE SUMMARY**

**CASE NO. A-15-720032-C**

*STATUS CHECK RE: POSSIBLE CONSOLIDATION WITH A730078 (DC23 CASE) Mr. Smith not present. Mr. Hong requested upcoming hearings be combined and heard on 8/4/16, waived reply. Court directed Mr. Hong to send out a notice of hearing or order regarding the change of dates (file and e-serve). Mr. Hong requested that if he changes his mind and wants to reply could he file by 7/25/16 - Court notes it will be fine with that. COURT ORDERED, Jimiack Irrevocable Trust's Motion to Consolidate Case No. A-16-730078-C and A-15-720032-C currently set on 8/5/16 and Plaintiff, Jimiack Irrevocable Trust's, Through Its Trustees, Motion for Summary Judgment on Order Shortening Time currently set on 8/16/16 are both rescheduled and will now be heard on 8/4/16 at 9:30 am. Matter recalled. (9:50 am) Mr. Smith now present. Court provided overview of hearing. Mr. Smith states he was not intending to oppose the motion to consolidate, will file a non-opposition to the motion.;*


08/04/2016

**Motion to Consolidate** (9:30 AM) (Judicial Officer: Kishner, Joanna S.)  
*Jimiack Irrevocable Trust's Motion To Consolidate Case No. A-16-730078-C And Case No. A-15-720032-C*  
 Granted;


08/04/2016

**Motion for Summary Judgment** (9:30 AM) (Judicial Officer: Kishner, Joanna S.)  
*Plaintiff, Jimiack Irrevocable Trust's, Through Its Trustees, Motion For Summary Judgment On Order Shortening Time*  
 Denied Without Prejudice;


08/04/2016

 **All Pending Motions** (9:30 AM) (Judicial Officer: Kishner, Joanna S.)  
 Matter Heard;  
 Journal Entry Details:  
*JIMIACK IRREVOCABLE TRUST'S MOTION TO CONSOLIDATE CASE NO. A-16-730078-C AND CASE NO. A-15-720032-C: There being no opposition, COURT ORDERED, Motion GRANTED, pursuant to EDCR 2.20 and on the merits. PLAINTIFF, JIMIACK IRREVOCABLE TRUST'S, THROUGH ITS TRUSTEES, MOTION FOR SUMMARY JUDGMENT ON ORDER SHORTENING TIME: Matter argued and submitted. Court finds material issues of fact in dispute, and ORDERED, Motion DENIED WITHOUT PREJUDICE. Mr. Kelley to prepare the Orders, circulating to Mr. Hong for approval as to form and content.;*


09/29/2016

 **Motion to Intervene** (9:00 AM) (Judicial Officer: Kishner, Joanna S.)  
*Third Parties Nona Tobin and Steve Hansen's Motion to Intervene*  
 Denied Without Prejudice;  
 Journal Entry Details:  
*Matter argued and submitted. COURT ORDERED, Third Parties Nona Tobin and Steve Hansen's Motion to Intervene is Procedurally DENIED WITHOUT PREJUDICE. Ms. Tobin states she will re-file. Mr. Hong to prepare the order, circulating for approval as to form and content.;*

12/20/2016

 **Motion to Intervene** (9:00 AM) (Judicial Officer: Kishner, Joanna S.)  
*Nona Tobin's Motion to Intervene Into Consolidated Quiet Title Cases A-15-720032-C and Former Case A-16-730078*  
 Granted;  
 Journal Entry Details:  
*Ms. Tobin stated she was the beneficiary and trustee of the trust that was the owner of the property at the time of the disputed Homeowners Association sale. Ms. Tobin argued she had an interest in the property, her motion was timely filed and served, and that Pltf.'s opposition was not timely filed and as such pursuant to 2.20 should be disregarded. Mr. Hong argued the case was over a year and a half old and at this juncture it was between Nationstar and his client and that the question was whether the deed of trust was free and clear or not. Mr. Wong argued there was no right of redemption and that he did not see any right Ms. Tobin could claim and that his opposition was timely filed. Following further arguments by Ms. Tobin, COURT STATED FINDINGS AND ORDERED, Motion GRANTED; Ms. Tobin has until January 6, 2017 to prepare the order. COURT FURTHER ORDERED the parties to complete the JCCR and prepare the appropriate report.;*

03/28/2017

 **Motion to Dismiss** (9:30 AM) (Judicial Officer: Kishner, Joanna S.)  
 03/28/2017, 04/27/2017, 05/25/2017

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-15-720032-C

*Sun City Anthem Community Association's Motion to Dismiss Nona Tobin, an Individual and Trustee of the Gordon B. Hansen Trust's Cross-Claim*

Continued;

Denied in Part;

Granted in Part;

Continued;

Denied in Part;

Granted in Part;

Continued;

Denied in Part;

Granted in Part;

Journal Entry Details:

*SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION TO DISMISS NONA TOBIN, AN INDIVIDUAL AND TRUSTEE OF THE GORDON B. HANSEN TRUST'S CROSS-CLAIM*

*Also present, Jakub Medrala, Esq., on behalf of Opportunity Homes, Inc. (per Clerk - no notice of appearance filed). Court notes multiple motions on four different days in proximity, all motions are interrelated. Statements by Ms. Tobin. Upon Court's inquiry, Ms. Ochoa agrees that matters should be consolidated on one day. Mr. Medrala also agrees. Discussion. Upon Court's inquiry, both Mr. Medrala and Ms. Ochoa state a settlement conference would not be helpful at this time. COURT ORDERED, matter CONTINUED to 4/27/17 at 9:30 am. All motions currently set on 4/6/17 and 4/18/17 will now be heard on 4/27/17 at 9:30 am. CONTINUED TO: 4/27/17 9:30 AM;*

04/27/2017

**Opposition and Countermotion (9:30 AM)** (Judicial Officer: Kishner, Joanna S.)

*Opposition To Sun City Anthem Community Association's Motion To Dismiss And Counter Motion For Order Voiding The HOA Sale*

Denied Without Prejudice;

04/27/2017

**Motion for Summary Judgment (9:30 AM)** (Judicial Officer: Kishner, Joanna S.)

*Thomas Lucas's and Opportunity Homes, LLC's Motion for Summary Judgment*

Motion Granted;

04/27/2017

**Motion to Dismiss (9:30 AM)** (Judicial Officer: Kishner, Joanna S.)

*Cross-Defendant Sun City Anthem Community Association's Motion To Dismiss Nona Tobin's Cross-Claims*

Denied Without Prejudice;

04/27/2017



**All Pending Motions (9:30 AM)** (Judicial Officer: Kishner, Joanna S.)

Matter Heard;

Journal Entry Details:

*Jakub Medralla Esq. present on behalf of Thomas Lucas and Opportunity Homes LLC. CROSS-DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION TO DISMISS NONA TOBIN'S CROSS-CLAIMS... Matter argued and submitted. COURT ORDERED, Motion DENIED WITHOUT PREJUDICE. SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION TO DISMISS NONA TOBIN, AN INDIVIDUAL AND TRUSTEE OF THE GORDON B HANSEN TRUST'S CROSS... Matter argued and submitted. COURT ORDERED, Motion DENIED WITHOUT PREJUDICE as to Nona Tobin as an individual; Ruling DEFERRED as to Nona Tobin as a Trustee of the Gordon B. Hansen Trust. COURT FURTHER ORDERED, Status Check SET. OPPOSITION TO SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION TO DISMISS AND COUNTER MOTION FOR ORDER VOIDING THE HOA SALE... Matter argued and submitted. COURT ORDERED, Motion DENIED WITHOUT PREJUDICE. THOMAS LUCAS'S AND OPPORTUNITY HOMES, LLC'S MOTION FOR SUMMARY JUDGMENT.. Matter argued and submitted. COURT ORDERED, Motion GRANTED. Court directed Mr. Medralla to prepare the Order, circulating to all parties for approval as to form and content in accordance with EDCR 7.21. 5/23/17 9:30 A.M. STATUS CHECK: CORPORATE COUNSEL (GORDON B. HANSEN TRUST);*

05/23/2017



**Status Check (9:30 AM)** (Judicial Officer: Kishner, Joanna S.)

**05/23/2017, 05/25/2017**

*Status Check: Corporate Counsel (Gordon B. Hansen Trust)*

Continued;




**CASE SUMMARY**

**CASE NO. A-15-720032-C**

Matter Heard;  
Continued;  
Matter Heard;  
Journal Entry Details:

*Pursuant to representations of counsel, COURT ORDERED, matter CONTINUED, as well as reset Motion to Dismiss to the same date and time. 5/25/17 9:30 AM STATUS CHECK: CORPORATE COUNSEL (GORDON B. HANSEN TRUST)...MOTION TO DISMISS;*

05/25/2017

 **All Pending Motions (9:30 AM)** (Judicial Officer: Kishner, Joanna S.)

Matter Heard;  
Journal Entry Details:

*STATUS CHECK: CORPORATE COUNSEL (GORDON B. HANSEN TRUST) SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION TO DISMISS NORA TOBIN, AN INDIVIDUAL AND TRUSTEE OF THE GORDON B. HANSEN TRUST' S CROSS-CLAIM Court noted corporate counsel filed a Notice of Appearance. Upon Court's inquiry regarding status of case, Mr. Coppedge spoke with Mr. Ochoa yesterday and has reread the motions. Mr. Coppedge concurs with the Motion to Dismiss, until time for mediation, that all claims for relief and cross claims, except for quiet title be dismissed without prejudice. Mr. Coppedge stated he was inclined to file an amended cross claim to resolve any issues. Colloquy regarding procedural history of the case. Mr. Ochoa stated they have no claim to quiet title; therefore, that claim should not keep them in the case pending NRED mediation. Court stated its inclination. Colloquy. As to Nona Tobin's countermotion to void the sale, Mr. Coppedge WITHDREW motion without prejudice. Mr. Ochoa stated she filed two countermotions. COURT ORDERED, GRANTED IN PART, DENIED IN PART. COURT ORDERED, countermotions filed March 3 and March 31 WITHDRAWN WITHOUT PREJUDICE, at the request of counsel. COURT ORDERED, Motion to Dismiss GRANTED, pursuant to stipulation of parties to all claims other than quiet title; DENIED WITHOUT PREJUDICE with regards to the quiet title claim. The Court takes no position on the propriety of any actions that may have happened after the crossclaim. Mr. Ochoa to prepare order regarding Motion to Dismiss and two countermotions to avoid the sale, circulating for approval as to form and content in accordance with EDCR 7.21. ;*


04/17/2018

 **Discovery Conference (10:30 AM)** (Judicial Officer: Bulla, Bonnie)

*Discovery Conference*  
Matter Heard;  
Journal Entry Details:

*Colloquy re: Deft in Intervention's ICCR, and Ms. Whelan is new counsel. Mr. Hong thought a JCCR was filed. COMMISSIONER RECOMMENDED, Status Check SET; provide a file stamped courtesy copy of JCCR, if the dates work a Scheduling Order will issue, and upon request the Status Check would come off calendar. Commissioner stated people are playing different roles in the case, and counsel must sign in all capacities. Dates in Deft in Intervention's ICCR are fine, or counsel can agree to other dates. Mr. Ochoa stated another party is not present (original purchaser), and colloquy re: someone was taken out by Summary Judgment. 5-15-18 9:30 a.m. Status Check: JCCR;*

05/15/2018

 **Status Check (9:30 AM)** (Judicial Officer: Bulla, Bonnie)

*Status Check: JCCR*  
Scheduling Order Will Issue; Status Check: JCCR  
Journal Entry Details:

*Status Check: JCCR Ms. Whelan stated the Joint Conference Report will be done today, they are ready to sign. She also noted her agreement to the same dates as submitted by the Bank. Counsel anticipate two to three days for trial re: Quiet Title Action. COMMISSIONER RECOMMENDED, discovery cutoff is 2/28/19; adding parties, amended pleadings, and initial expert disclosures DUE 11/30/18; rebuttal expert disclosures DUE 12/31/18; dispositive motions TO BE FILED BY 4/1/19. Scheduling Order will issue and a memo will be sent to the trial court. Ms. Whelan stated that Mr. Medrela emailed to say he did not realize there was a scheduling today and that is why is he not present. COMMISSIONER ADVISED his appearance today will be excused. COMMISSIONER REQUESTED Ms. Whelan to get the Joint Case Conference Report on file and to send this Court a courtesy copy.;*

01/10/2019

 **Motion to Amend Answer (9:00 AM)** (Judicial Officer: Kishner, Joanna S.)

*Defendant In Intervention/Counterclaimant/Cross-Claimant's, Nona Tobin, as Trustee of the*

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-15-720032-C

*Gordon B. Hansen Trust, Motion to Amend Answer, Counterclaim and Crossclaims*

Motion Granted;

Journal Entry Details:

*Ms. Coppedge stated the motion was unopposed. The Court raised its concern regarding the age of the case and EDCR 1.90. Ms. Coppedge stated they were not seeking to add any new claims and it does not affect the current trial date. Colloquy regarding claims remaining. Ms. Coppedge indicated that the quiet title on the HOA sale remains, there are parties that have been dismissed and others that have disclaimed an interest. Mr. Anderson indicated the parties would confer to clean up the caption. Accordingly, COURT ORDERED Motion GRANTED based on the representation that it does not add additional parties or cross-claims and it will not affect the trial date. The Court further stated it would revisit the proper case caption at the upcoming Status Check, if necessary.;*

03/05/2019

**Motion for Summary Judgment (4:45 PM)** (Judicial Officer: Kishner, Joanna S.)

**03/05/2019, 03/26/2019**

*Cross-Defendant Sun City Anthem Community Association's Motion For Summary Judgment*

Granted;

Motion Granted;

Granted;

Motion Granted;

03/05/2019

**Joinder (4:45 PM)** (Judicial Officer: Kishner, Joanna S.)

**03/05/2019, 03/26/2019**

*Nationstar Mortgage LLC's Limited Joinder To Sun City Anthem Community Association's Motion For Summary Judgment*

Granted;

Motion Granted;

Granted;

Motion Granted;

03/05/2019



**All Pending Motions (4:45 PM)** (Judicial Officer: Kishner, Joanna S.)

Matter Heard;

Journal Entry Details:

*CROSS-DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION FOR SUMMARY JUDGMENT NATIONSTAR MORTGAGE LLC'S LIMITED JOINDER TO SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION FOR SUMMARY JUDGMENT On February 5, 2019, Sun City Anthem Community Association filed a Motion for Summary Judgment and on February 12, 2019, Nationstar filed a Limited Joinder. Based on the date the Motion for Summary Judgment was filed and the date of the filing of the limited Joinder, no timely Opposition was filed. In accordance with EDCR 2.20 the failure to file a timely Opposition "can be construed as an admission that the motion and/or joinder is meritorious and a consent to grant the same." Thus, the Court in accordance with EDCR 2.23 advances the matter as "the time to oppose has passed and no opposition has been filed." The Court also GRANTS the Motion in accordance with EDCR 2.20. Counsel for Movant, Sun City Anthem is directed to prepare an Order with findings of fact and conclusions of law consistent with NRCP 56 and provide it to counsel and the Court within ten days in accordance with EDCR 7.21. CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Tena M. Jolley, to all registered parties for Odyssey File & Serve. (tmj:3/5/19);*

03/26/2019

**Status Check (9:30 AM)** (Judicial Officer: Kishner, Joanna S.)

To be heard with other matters

Matter Heard;

03/26/2019



**All Pending Motions (9:30 AM)** (Judicial Officer: Kishner, Joanna S.)

Matter Heard;

Journal Entry Details:

*STATUS CHECK Counsel anticipate 2-3 day Bench Trial with all testimony from live witnesses and nothing unique for trial. Mr. Ochoa indicated he was unavailable the week of May 28, 2019, the first week of the five-week stack. The Court stated he could revisit the issue at the Pre Trial Conference scheduled for April 25, 2019. CROSS-DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION FOR SUMMARY JUDGMENT...NATIONSTAR MORTGAGE LLC'S LIMITED JOINDER TO SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION FOR SUMMARY JUDGMENT After the*




## CASE SUMMARY

CASE NO. A-15-720032-C

*Court's consideration of the papers submitted by counsel in connection with this matter, and, having heard the oral arguments presented by Mr. Ochoa, Ms. Morgan and Mr. Coppedge, Mr. Hong made a Oral Motion for Joinder to Cross-Defendant's Motion for Summary Judgment. Mr. Coppedge objected as untimely; the Court DENIED Mr. Hong's Oral Motion for Joinder; and COURT ORDERED, Cross-Defendant Sun City Anthem Community Association's Motion for Summary Judgment and Nationstar Mortgage LLC's Limited Joinder thereto GRANTED as a matter of law as to the claims asserted by movant having met their burden and based on a totality of the evidence. The Court DIRECTED Mr. Ochoa to prepare detailed Findings of Fact and Conclusions of Law circulating to all counsel and provide it back to the Court in accordance with EDCR 7.21.;*

04/23/2019

 **All Pending Motions (9:00 AM)** (Judicial Officer: Kishner, Joanna S.)

Matter Heard;

Journal Entry Details:

*TOBIN OPPOSITION TO NATIONSTAR MOTION FOR SUMMARY JUDGMENT AGAINST JIMIACK AND COUNTERMOTION FOR SUMMARY JUDGMENT TOBIN OPPOSITION TO NATIONSTAR MOTION FOR SUMMARY JUDGMENT AGAINST JIMIACK AND COUNTERMOTION FOR SUMMARY JUDGMENT COURT NOTED on April 9, 2019 a Notice of Appearance was filed; however a Notice of Withdrawal was never received from Mr. Mushkin's firm on behalf of Ms. Tobin. Mr. Hong stated Mr. Mushkin's office represented Tobin as the trustee for the Hansen Trust, not as an individual. Further, when Ms. Tobin appeared in the case originally, in proper person, the Court advised her she did not have standing because she was not the trustee. Thereafter, she appeared as the trustee and Mr. Mushkin represented her. Further, she did not have standing due to as an individual she did not have anything to do with this case. Additionally, when the Court granted the HOA's Motion for Summary Judgment against the Trust that concluded. Therefore, Ms. Tobin filed an opposition/counter-motion in proper person, individually. Ms. Tobin did not have standing in this case. The only party that had standing was the trust being they were the former owner when the foreclosure occurred. Moreover, Ms. Tobin intervened in the other case that was consolidated with this case as a trustee. COURT FURTHER NOTED in was in receipt of a Notice of Settlement of Nationstar, Joel Stokes and Sandra F. Stokes as Trustee of the Jimiack Irrevocable Trust stating that it had reached agreement on all material terms. Upon Court's inquiry, counsel stated that the May 7, 2019 Motion for Summary Judgment hearing could be moot. Ms. Morgan stated they would withdraw the motion. COURT FINDS there was a Notice of Appearance from the Sun City Anthem and there was not anything else that remained this case. Further, the Court would need to set a status check as to settlement documents between the parties that filed a Notice of Settlement on April 12, 2019. Ms. Morgan stated Nona Tobin still had claims against Jimiack. Upon Court's further inquiry, Mr. Hong acknowledged that Mr. Mushkin was counsel for the trustee and he was counsel for Jimiack. Mr. Hong stated based on this Court's previous Order for Summary Judgment in Favor of the buyer, Opportunity Homes, it would be requested to file a simple motion mirroring the Court's Order similar to a res judica noting that the claims alleged by the trust were identical. COURT NOTED it could not grant any oral leave without a hearing or other parties present. COURT FINDS there was a rogue document filed, Notice of Appearance on April 9, 2019 of Nona Tobin in Proper Person. There was not leave sought by Ms. Tobin for any individual capacity. Further, the only portion of this case in which Ms. Tobin was involved, in any capacity, was as Trustee of the Gordan B. Hansen, August 22, 2008. In that capacity Ms. Tobin was represented by counsel. That counsel had not filed any motion to withdraw, any pleadings on behalf of Ms. Tobin as Trustee for Gordan B. Hansen Trust would need to be filed by counsel. COURT ORDERED the Notice of Appearance filed April 9, 2019 was a rogue document, therefore STRICKEN. COURT NOTED as to the Notice of Completion of Mediation filed on April 9, 2019, the Court already had a prior document with regards to the completion of mediation Furthermore, since that was also filed by Ms. Tobin, individually, and not her counsel, COURT FURTHER ORDERED, Notice of Completion of Mediation filed April 9, 2019 STRICKEN. COURT FINDS the Tobin's Opposition to Nationstar Summary Judgment against Jimiack and counter-motion filed April 10, 2019 at 11:17 a.m., filed by Nona Tobin, not filed by Mr. Mushkin as counsel as trustee of the Gordan B. Hansen Trust, a rogue document, therefore, COURT ADDITIONALLY ORDERED, Tobin's Opposition to Nationstar Summary Judgment against Jimiack and counter-motion STRICKEN. COURT FINDS that if the Court reviewed the underlying arguments, which it could not, even independently, it was understood that there were no claims between Nationstar that currently existed with regards to Nona Tobin as Trustee of the Gordan Hansen Trust. There would not be an appropriate opposition. COURT ORDERED, the April 12, 2019 at 1:40 a.m. Tobin Opposition To Nationstar Motion For Summary Judgment Against Jimiack And Counter Motion For Summary Judgment Hearing Requested Conjunction With Hearing For Nationstar MSJ Scheduled STRICKEN being a rogue documents. COURT FURTHER ORDERED, the Notice of Appearance Nona Tobin in*

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. A-15-720032-C**

*Proper Person and the Notice of Completion of Mediation filed on April 12, 2019 STRICKEN as rogue and duplicative. COURT ADDITIONALLY ORDERED, April 12, 2019 1:11 AM Notice of Completion of Mediation and April 12, 12:39 am Notice of Appearance STRICKEN as rogue and duplicative. On April 17, 2019 at 8:37 a.m., Tobin's Reply In Support of Joinder to Nationstar Mortgage, LLC s Motion For Summary Judgment and Reply In Support Of Tobin's Motion For Summary Judgment, COURT ADDITIONALLY motion ORDERED STRICKEN as rogue. COURT was NOT FINDING that it should strike the April 19th Response by Nationstar, being it was clarification to enlighten the Court the improper filing of documents. Upon Court's inquiry, Ms. Morgan stated she was not requesting the Court to take action. As to the remaining underlying documents, Mr. Hong stated they would withdraw and vacate the Stipulation to Extend the briefing scheduling noting it was prepared and filed prior to settlement, that document was now moot. Upon Court's inquiry, Mr. Hong acknowledged the Court could disregard the stipulation as to the briefing schedule. As to the pending Motion for Summary Judgment on May 7th. Ms. Morgan stated that would not be heard stating the only claims remained had been resolved and she would file a Notice of Withdraw. At the request of the movant, no opposition by Mr. Hong, and since only party which could had filed any pleadings, COURT ORDERED, May 7, 2019 Motion for Summary Judgment VACATED. COURT NOTED the Calendar Call and Bench Trial dates would remain. Further, Nona Tobin as Trustee for the Gordan B. Hansen Trust versus Jimijack were the only remaining parties in these combined cases, A720032 with A730078. Ms. Morgan advised Tobin as Trustee also had pending claims against Yuen K. Lee and F Bonderant LLC. Colloquy regarding the caption. COURT ORDERED, Status Check SET regarding Settlement Documents. 05/21/19 STATUS CHECK: SETTLEMENT DOCUMENTS CLERK'S NOTE: Minutes amended to reflect the additional stricken documents as follows: 04/12/19 1:11 AM Notice of Completion of Mediation and 04/12/19 12:39 AM Notice of Appearance. ndo05/09/19 ;*

- 04/23/2019 **Opposition and Countermotion** (9:30 AM) (Judicial Officer: Kishner, Joanna S.)  
*Tobin Opposition to Nationstar Motion for Summary Judgment Against Jimijack and Countermotion for Summary Judgment*  
Matter Heard;
  
- 04/23/2019 **Opposition and Countermotion** (9:30 AM) (Judicial Officer: Kishner, Joanna S.)  
*Tobin Opposition to Nationstar Motion for Summary Judgment Against Jimijack and Countermotion for Summary Judgment*  
Matter Heard;
  
- 04/25/2019  **Pre Trial Conference** (10:15 AM) (Judicial Officer: Kishner, Joanna S.)  
Matter Heard;  
Journal Entry Details:  
*Joseph Hong, Esq., present telephonically on Court Call on behalf of Plaintiff. Colloquy regarding remaining parties on this matter. MATTER TRAILED. MATTER RECALLED. All parties present as before. Court stated co-counsel, Tom Grover, was to be here by 10:15 AM and this Court impose sanctions. Colloquy regarding Nona Tobin now representing herself. Court noted there were a series of documents filed by Ms. Tobin stricken, as she is represented by counsel. Mr. Coppedge stated Ms. Tobin requested they withdraw as Ms. Tobin's counsel as an individual. COURT STATED today is only on calendar for Pre-Trial Conference and there needs to be a judicial day notice of the request. Ms. Morgan confirmed she has circulated a stipulation to conform the caption. Court noted the remaining parties are the Tobin parties and the parties represented in the Counter Defendant role by Mr. Hong. Mr. Coopedge stated trial can take up to 2.5 days. COURT ORDERED, trial #3 on the 06/05 stack; trial dates SET. 05/23/19 3:30 PM CALENDAR CALL 06/05/19 10:00 AM BENCH TRIAL Minute Order prepared by review of JAVS. hvp/5/23/19;*
  
- 05/07/2019 **CANCELED Motion for Summary Judgment** (9:30 AM) (Judicial Officer: Kishner, Joanna S.)  
*Vacated - per Judge*  
*NationStar Mortgage LLC's Motion for Summary Judgment*
  
- 05/21/2019  **Status Check** (9:00 AM) (Judicial Officer: Kishner, Joanna S.)  
*Status Check: Settlement Documents*  
Matter Heard;  
Journal Entry Details:  
*Mr. Hong appeared telephonically through Court Call. Ms. Wittig informed the Court parties were going along with settlement, however, there was a motion for reconsideration filed on the*


**CASE SUMMARY**


**CASE NO. A-15-720032-C**

*HOA's motion for summary judgment; further noting she believes her client needs to wait until the Court rules on the motion for reconsideration in order to finish the settlement, the settlement agreement was drafted and was executed, however, her client is waiting on transfer of funds until after the motion for reconsideration is heard, as this could affect the settlement. Mr. Hong confirmed the settlement documents were signed, and in terms of payment, his client is waiting for the ruling on the motion for reconsideration. Mr. Coppedge stated his client had requested for him to withdraw from the case, to proceed pro se, and there is a motion pending on this. Mr. Ochoa requested Court to hear the motion for reconsideration first, further noting an objection was filed, the other parties are attempting to settle to resolve all issues; and he would request Calendar Call be heard after the decision on the motion for reconsideration. Parties made no objection to moving the Calendar Call. Upon Court's inquiry, Mr. Coppedge estimated 1 binder of exhibits as to Nona Tobin; and Mr. Hong confirmed his client will have no exhibits. COURT ORDERED, Motion for reconsideration and Calendar Call are RESET. Following objections by counsel, COURT ADDITIONALLY ORDERED, hearing SET on the Motion to substitute. Oppositions and any joinders are due May 24, 2019 by 3:00 p.m. Trial exhibits and any required trial documents for the Court are due at time of Calendar Call. 5/29/19 8:30 A.M. CROSS-CLAIMANT NONA TOBIN'S MOTION FOR RECONSIDERATION...MOTION TO SUBSTITUTE REAL PARTY IN INTEREST AND TO WITHDRAW AS COUNSEL OF RECORD FOR COUNTERCLAIMANT NONA TOBIN ON ORDER SHORTENING TIME 6/03/19 8:45 A.M. CALENDAR CALL 6/05/19 10:00 A.M. BENCH TRIAL (3 DAYS) ;*

05/29/2019 **Motion For Reconsideration** (8:30 AM) (Judicial Officer: Kishner, Joanna S.)  
*Cross-Claimant Nona Tobin's Motion For Reconsideration*  
Denied;

05/29/2019 **Motion for Substitution** (8:30 AM) (Judicial Officer: Kishner, Joanna S.)  
*Motion To Substitute Real Party In Interest And To Withdraw As Counsel Of Record For Counterclaimant Nona Tobin On Order Shortening Time*  
Off Calendar;

05/29/2019  **All Pending Motions** (8:30 AM) (Judicial Officer: Kishner, Joanna S.)  
*All Pending Motions (5/29/2019)*  
Matter Heard;  
Journal Entry Details:  
*Mr. Mushkin not present. Court stated a call was received in Chambers that one of the parties was stuck in traffic this morning. Court TRAILED and RECALLED matter at 8:30 A.M. Upon Court's inquiry, the parties in Court confirmed not receiving any updates from opposing counsel. Mr. Hong requested to go forward with the hearing. Court TRAILED matter to call another case on Calendar. CASE RECALLED. Mr. Mushkin present in Court. CROSS-CLAIMANT NONA TOBIN'S MOTION FOR RECONSIDERATION Court addressed preliminary matters, history of the case, and the Motion. COURT ORDERED, any representation about Nona Tobin being an individual party in the case is STRICKEN. Court also addressed the order issued in April, 2019. Court noted the name of the trust is unclear, and both of the names of the trusts on the captions of various pleadings list different numbers. Arguments by counsel. COURT ORDERED, Motion DENIED. MOTION TO SUBSTITUTE REAL PARTY IN INTEREST AND TO WITHDRAW AS COUNSEL OF RECORD FOR COUNTERCLAIMANT NONA TOBIN ON ORDER SHORTENING TIME At request of counsel, COURT ORDERED, Motion TAKEN OFF CALENDAR. Mr. Ochoa to prepare the order.;*


06/03/2019  **Calendar Call** (8:45 AM) (Judicial Officer: Kishner, Joanna S.)  
Reset at PTC  
Matter Heard;  
Journal Entry Details:  
*Parties made appearances; and Mr. Coppedge identified Ms. Tobin as an individual. Court clarified there is nothing in the record that shows Ms. Tobin as an individual, the Court had asked Mr. Mushkin about this at the last hearing, the intervention motion was granted back in 2016 as Tobin trustee on behalf of the trust, there is nothing in the record that allowed Ms. Tobin to come in as an individual, and a trustee has to be represented by counsel. Court addressed the caption issue and history of the case, including the ruling made at the prior hearing. Upon Court's inquiry about whether a Rule 2.67 conference was held, Mr. Coppedge stated this occurred two weeks ago, telephonically, and he does not have an exact date. Mr. Hong noted he spoke with opposing counsel telephonically, and will not be providing*

**CASE SUMMARY**

**CASE NO. A-15-720032-C**

witnesses or documents. Court noted there was a Joint Case Conference Report filed and an Individual Case Conference Report filed. Statements by counsel. Court addressed the procedural aspects of the case; and determined non-compliance by the parties under EDCR 2.67, EDCR 2.68, and EDCR 2.69 or NRCP 16.1 (a) (3); and no pre-trial memorandums were filed, no joint pre-trial memorandums were filed, and there were no pre-trial disclosures. Parties did not provide trial exhibits. Court stated neither side can provide documents or witnesses at trial. Trial schedule was provided to the parties by Court, orally. **COURT ORDERED**, trial date SET. 6/05/19 8:30 A.M. **BENCH TRIAL CLERK'S NOTE**: Minutes updated to only include the trial start time for June 5, 2019. (6/04/19 sb);

06/05/2019

 **Bench Trial** (8:30 AM) (Judicial Officer: Kishner, Joanna S.)

**06/05/2019-06/06/2019**

**MINUTES**

Firm #3 set at PTC  
 Trial Continues;  
 Continued for Chambers Decision;  
 Journal Entry Details:

*Counter Claimant Nona Tobin, present with Mr. Coppedge, as Trustee of the Gordon B. Hansen Trust. Parties appeared for the scheduled Bench Trial. Testimony presented (See Worksheets.). Both sides rested. No rebuttal case was presented. No closing arguments were made. Court confirmed it received proposed findings of fact and conclusions of law from both sides. COURT ORDERED, a written decision to issue; hearing SET for decision on the Court's Chamber's Calendar for June 21, 2019. Court adjourned. Bench trial ENDS. ;*


**MINUTES**

Firm #3 set at PTC  
 Trial Continues;  
 Continued for Chambers Decision;  
 Journal Entry Details:


*Counter Claimant Nona Tobin, present with Mr. Coppedge, as Trustee of the Gordon B. Hansen Trust Dated 8/22/09. Upon Court's inquiry, Mr. Hong confirmed he represents Joel A. Stokes and Sandra F. Stokes, as Trustees of the Jimijack Irrevocable Trust, Yuen K. Lee, and F. Bondurant, LLC, Counter Defendants. Parties appeared for the scheduled Bench Trial. Court addressed the caption issue; and noted there is nothing in the record to support that Ms. Tobin is an individual, as she is named as a trustee; and the caption needs to be corrected. COURT ORDERED, Caption AMENDED to be read as follows: Nona Tobin, as Trustee of the Gordon B. Hansen Trust, Counter Claimant vs. Joel A. Stokes and Sandra F. Stokes, as Trustees of the Jimijack Irrevocable Trust, Yuen K. Lee, an individual, and F. Bondurant, LLC, Counter Defendants. Following statements by counsel, Court determined there was non-compliance under NRCP 11, as no proposed findings of facts and conclusions of law were submitted to the Court, prior to this bench trial. COURT ORDERED, the proposed findings of facts and conclusions of law from Counter Defendant, are due by the end of the day today at 5:00 p.m., with courtesy copies provided to the Court, or the Court may strike the Answers filed by Counter Defendant. Opening statements by counsel. Court recessed. TRIAL CONTINUES. 6/06/19 9:45 A.M. BENCH TRIAL ;*

**SCHEDULED HEARINGS**

**SCHEDULED HEARINGS**


 **Decision** (06/21/2019 at 3:00 AM) (Judicial Officer: Kishner, Joanna S.)

06/21/2019

 **Decision** (3:00 AM) (Judicial Officer: Kishner, Joanna S.)

Minute Order - No Hearing Held;  
 Journal Entry Details:  
*Decision made Order filed separately. CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File & Serve. /mt;*

07/09/2019

 **Motion to Withdraw as Counsel** (9:00 AM) (Judicial Officer: Barker, David)

*Motion To Withdraw As Counsel Of Record For Nona Tobin, An Individual On Order Shortening Time*  
 Granted;  
 Journal Entry Details:

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. A-15-720032-C**

*Nona Tobin, was present in Court. Mr. Coppedge not present. Court TRAILED and RECALLED matter. Mr. Coppedge informed the Court Ms. Tobin is requesting his firm to withdraw from representing her. COURT ORDERED, Motion GRANTED. Mr. Coppedge to prepare the order. Court told Ms. Tobin to go secure new counsel if that is in her best interest.;*

08/27/2019

**Motion for New Trial** (9:00 AM) (Judicial Officer: Kishner, Joanna S.)  
*Nona Tobin's Motions for a New Trial Per Rule 54 (B) and Rule 59 (1)(A)(B)(C)(F)*

DATE

FINANCIAL INFORMATION

<b>Counter Defendant</b> F. Bondurant LLC	
Total Charges	223.00
Total Payments and Credits	223.00
<b>Balance Due as of 7/25/2019</b>	<b>0.00</b>
<b>Cross Defendant</b> Oppurtunity Homes LLC	
Total Charges	200.00
Total Payments and Credits	200.00
<b>Balance Due as of 7/25/2019</b>	<b>0.00</b>
<b>Cross Defendant</b> Lee, Yuen K.	
Total Charges	30.00
Total Payments and Credits	30.00
<b>Balance Due as of 7/25/2019</b>	<b>0.00</b>
<b>Cross Defendant</b> Sun City Anthem Community Association Inc	
Total Charges	423.00
Total Payments and Credits	423.00
<b>Balance Due as of 7/25/2019</b>	<b>0.00</b>
<b>Counter Claimant</b> Nona Tobin, as Trustee of the Gordon B. Hansen Trust	
Total Charges	471.00
Total Payments and Credits	271.00
<b>Balance Due as of 7/25/2019</b>	<b>200.00</b>
<b>Other</b> Nationstar Mortgage, LLC	
Total Charges	623.00
Total Payments and Credits	623.00
<b>Balance Due as of 7/25/2019</b>	<b>0.00</b>
<b>Plaintiff</b> JimiJack Irrevocable Trust	
Total Charges	281.50
Total Payments and Credits	281.50
<b>Balance Due as of 7/25/2019</b>	<b>0.00</b>
<b>Counter Defendant</b> Joel A. Stokes, as Trustee of the Jimijack Irrevocable Trust	
Total Charges	200.00
Total Payments and Credits	200.00
<b>Balance Due as of 7/25/2019</b>	<b>0.00</b>
<b>Counter Claimant</b> Nona Tobin, as Trustee of the Gordon B. Hansen Trust	
Appeal Bond Balance as of 7/25/2019	<b>0.00</b>



# DISTRICT COURT CIVIL COVER SHEET

A-15-720032-C

County, Nevada

Case No. \_\_\_\_\_

XXXI

(Assigned by Clerk's Office)

## I. Party Information *(provide both home and mailing addresses if different)*

Plaintiff(s) (name/address/phone): Joel A. Stokes and Sandra F. Stokes 3 Summit Walk Trail Henderson, Nevada 89052	Defendant(s) (name/address/phone): Bank of America, N.A. 100 North Taylor Street #10 Charlotte, NC 28202
Attorney (name/address/phone): Joseph V. Hone Esq 10781 West Tropic Avenue Las Vegas Nevada 89135 702 870-1777	Attorney (name/address/phone):

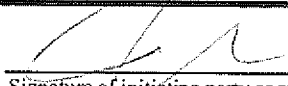
## II. Nature of Controversy *(please select the one most applicable filing type below)*

### Civil Case Filing Types

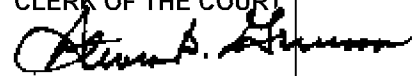
<b>Real Property</b> <b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <b>Title to Property</b> <input type="checkbox"/> Judicial Foreclosure <input checked="" type="checkbox"/> Other Title to Property <b>Other Real Property</b> <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<b>Torts</b> <b>Negligence</b> <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence <b>Malpractice</b> <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	<b>Other Torts</b> <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
<b>Probate</b> <b>Probate <i>(select case type and estate value)</i></b> <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate <b>Estate Value</b> <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	<b>Construction Defect &amp; Contract</b> <b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <b>Contract Case</b> <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	<b>Judicial Review/Appeal</b> <b>Judicial Review</b> <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency <b>Nevada State Agency Appeal</b> <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency <b>Appeal Other</b> <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
<b>Civil Writ</b> <b>Civil Writ</b> <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant	<input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ	<b>Other Civil Filing</b> <b>Other Civil Filing</b> <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

*Business Court filings should be filed using the Business Court civil coversheet.*

June 16 2015  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Signature of initiating party or representative

*See other side for family-related case filings.*



1 **ORDR**

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3  
4 **EIGHTH JUDICIAL DISTRICT COURT**  
5 **CLARK COUNTY, NEVADA**

6 NONA TOBIN, as Trustee of the  
7 GORDON B. HANSEN TRUST dated  
8 8/22/08,

Case No.: A-15-720032-C

Consolidated with A-16-730078-C

9 Counterclaimant,

10 vs.

11 JOEL A. STOKES AND SANDRA F.  
12 STOKES, as Trustees of the JIMI JACK  
13 IRREVOCABLE TRUST; YUEN K.  
14 LEE, an individual, d/b/a  
15 Manager, F. BONDURANT, LLC.,

16 Counter-Defendants.

17 **FINDINGS OF FACTS, CONCLUSIONS OF LAW AND JUDGMENT<sup>1</sup>**

18 This matter, having come on for Bench Trial commencing on June 5<sup>th</sup> and  
19 6<sup>th</sup>, 2019, with L. Joe Coppedge appearing on behalf of Counterclaimant the  
20 Gordon B. Hansen Trust, dated 8/22/08; and Joseph Hong appearing on behalf  
21 of all Counter-Defendants. All parties having an opportunity to present their  
22

23 <sup>1</sup> The consolidated cases commenced with multiple parties being named and the initial caption  
24 read in part, "Joel A. Stokes and Sandra F. Stokes as trustees of the Jimijack Irrevocable Trust  
25 Plaintiffs, vs. Bank of America N.A. Defendants, et. al". All claims by all other parties, other than  
26 those of the Counterclaimant against Counter-Defendants have either been resolved or  
27 eliminated due to rulings of the Court. Thus, the only claims that were asserted to remain for trial  
28 were the Counterclaimant's claims against Counter-Defendants. Accordingly, the caption, as set  
forth above, correctly sets forth the parties that were asserted to have remained for purposes of  
trial.

1 case, the Court having considered the evidence, the previous Orders and  
2 Judgments in this case, and good cause appearing therefore, enters the  
3 following Findings of Fact and Conclusions of Law:

4 **FINDINGS OF FACTS**

5  
6 1. Counterclaimant, the Gordon B. Hansen Trust Dated 8/22/08  
7 ("Hansen Trust") claims in intervention against Counter-Defendants, Joel A.  
8 Stokes and Sandra F. Stokes, as Trustees of the Jimijack Irrevocable Trust  
9 ("Jimijack"); and Yuen K. Lee, an individual d/b/a Manager F. Bondurant, LLC.  
10 ("Lee"), involving a real property commonly known as 2763 White Sage Drive,  
11 Henderson, Nevada 89052, APN 191-13-811-052 (the "Subject Property") were  
12 the only remaining claims set for trial to commence on June 5, 2019.

13  
14 2. On January 11, 2017, the Hansen Trust intervened in the present  
15 action via Order, with Notice of Entry thereof, filed on January 12, 2017. The  
16 Hansen Trust alleged claims of Quiet Title and Equitable Relief, Civil Conspiracy,  
17 Fraudulent Conveyance, Unjust Enrichment, and Breach of Contract against the  
18 Sun City Anthem Community Association ("HOA"). The Hansen Trust alleged  
19 claims for Quiet Title and Equitable Relief, Fraudulent Re-conveyance, Unjust  
20 Enrichment, Civil Conspiracy, and Injunctive Relief against Jimijack. The Hansen  
21 Trust alleged claims for Fraudulent Conveyance, Quiet Title and Equitable Relief,  
22 and Civil Conspiracy against Lee d/b/a F. Boudurant. The Hansen Trust  
23 alleged claims for Quiet Title and Equitable Relief, Breach of Contract, Equitable  
24 Relief (stet) and Civil Conspiracy against Opportunity Homes and Thomas Lucas.  
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1 The essence of the Hansen Trust's claims in the consolidated cases was  
2 asserted to be that it sought to void the HOA foreclosure sale of the Subject  
3 Property. In each of the pleadings filed against each of the respective parties,  
4 the Hansen Trust set forth that Nona Tobin was the Trustee of the Hansen Trust  
5 dated 8/22/08, and that the claims were brought by the Trustee of the Hansen  
6 Trust on behalf of the Trust. Given it was asserted in all of the claims in the  
7 respective pleadings that the Hansen Trust was the purported owner of the  
8 property at issue at the time of the foreclosure sale, and that Ms. Tobin was the  
9 successor Trustee, the Court finds that the pleadings are consistent with the  
10 intention of the Court's Order granting intervention by the Hansen Trust. There  
11 was no intention by the Court to grant intervention to Ms. Tobin as an individual  
12 as there was no assertion in the January 2017 Motion to Intervene or in what  
13 were titled "cross-claims" and "counter-claims" that anyone or entity had asserted  
14 any joint or other form of ownership right with the Hansen Trust at the time of the  
15 foreclosure at issue.<sup>2</sup>  
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20 <sup>2</sup> The Court notes that on May 24, 2019, less than two weeks before trial was to commence,  
21 Counterclaimant filed a "Supplement" without leave of Court which had a "quitclaim deed" dated  
22 March 27, 2017 attached. It was contended that Ms. Tobin as the successor trustee of the  
23 Hansen Trust quitclaimed to herself as an individual effective March 27, 2017 whatever interest  
24 the Hansen Trust had in the subject property for no consideration. While the Court takes no  
25 position as to whether the quitclaim deed was proper within the terms of the trust as the Court  
26 was not shown the trust nor did anyone testify as to the language of the trust, the Court notes that  
27 the Court Record shows that in a prior pleading there were representations by Counterclaimant  
28 through its Trustee, Ms. Tobin, that she was one of two beneficiaries of the Trust. Second, even  
if the Court were to view the Supplement and its attachment as allowable, from a chronological  
standpoint, the purported transfer of ownership rights (whatever they were purported to be) did  
not take place until about two months after there was Notice of Entry of the Order on the Motion  
to Intervene which granted intervention to the Hansen Trust only in the present case. Thus,  
regardless of whether the "quitclaim deed" was valid or not, Ms. Tobin was not a proper party to  
the instant litigation as there was no timely request for her to intervene or any legal authority

1           3.       After the Hansen Trust filed what it asserted to be “cross-claims”  
2 and a “counter-claim”, various pleadings were filed by the Intervenor Hansen  
3 Trust in which the phrase “Nona Tobin as an individual” was set forth in the  
4 caption and in some cases in the body of the document, despite the fact the  
5 Motion to Intervene was filed by the Trustee on behalf of the Trust and  
6 Intervention was only granted to the Hansen Trust. From a review of the Court  
7 Record, it appears that other parties to the action also included the incorrect  
8 caption that had been used by Intervenor Hansen Trust in some of their  
9 pleadings. It was not until a couple of months before trial was to commence in  
10 2019 that the error was brought to the attention of the Court. In 2019<sup>3</sup>, the Court  
11 was informed, and the Odyssey Record of the Eighth Judicial District confirms,  
12 that contrary to the scope of the Intervention granted by the Court, at some point  
13 in 2017 the Hansen Trust inserted Ms. Tobin’s name incorrectly in the caption  
14 and then used her name in an individual capacity at some points in pleadings. In  
15 those same pleadings, however, the nature of the actions relating to the  
16 ownership of the property which was purportedly was owned by the Hansen  
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21 presented to the Court that she could intervene on her own behalf after she contended that she  
22 quitclaimed whatever interest the Hansen Trust purportedly had on or about March 27, 2017. As  
23 intervention by Ms. Tobin as an individual as distinct from her role as trustee was not timely or  
24 properly presented and hence was not granted, the Court finds that the trial properly commenced  
25 and concluded between the only parties that remained in the case.

26 <sup>3</sup> Indeed, at hearing(s) in 2019 after the Court was put on notice of what had occurred, in the  
27 presence of Ms. Tobin who was present as Trustee of the Hansen Trust with her counsel, the  
28 Court reminded all parties that it needed to strike pleadings that had been filed by Ms. Tobin  
herself. The Court confirmed with the parties that Ms. Tobin’s role was solely as Trustee of the  
Hansen Trust and the Hansen Trust was represented by counsel. See, e.g. Hearing of April 23,  
2019, where the Court was informed, and then subsequent hearings where Ms. Tobin was  
present with her counsel where the issue was again communicated.

1 Trust at the time of the foreclosure remained the same. Further, there was no  
2 request of the Court, nor any grant of intervention by the Court, to allow Ms.  
3 Tobin to appear as an individual. Instead, Ms. Tobin's role was as Trustee of the  
4 Hansen Trust.

5  
6 4. On April 27, 2017, the Court heard Lucas and Opportunity Homes  
7 Motions for Summary Judgment and ruled thereon. There were other pending  
8 Motions including the HOA Motion to Dismiss the Hansen Trust's claims and  
9 related counter motions, which at the request of those who were present, were  
10 continued. The Court was informed that the Hansen Trust was not represented  
11 by counsel as required by EDCR 7.42. The remaining hearings were then reset  
12 to May 23<sup>rd</sup> and then May 25<sup>th</sup> to allow the Hansen Trust to obtain counsel and  
13 be prepared. On May 25<sup>th</sup>, 2017, the parties withdrew some of the pending  
14 Motions and requested that the ruling on others, including the HOA's Motion to  
15 Dismiss as to all of the Hansen's Trust's claims, be deferred as some of the  
16 parties were seeking NRED mediation.

17  
18 5. At the parties' request, the Court did not rule on those pending  
19 Motions. On September 19, 2017, the parties filed a Stipulation and Order and  
20 the following day they filed Notice of Entry Thereof. The Stipulation addressed  
21 all of the Counterclaimant Hansen Trust's claims with the HOA. Pursuant to the  
22 Stipulation and Order, the HOA's Motion, as it applied to the Hansen Trust (and  
23 to the extent that Ms. Tobin asserted at the time she was a party), was dismissed  
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1 other than the quiet title claim.<sup>4</sup> The Stipulation filed on September 17<sup>th</sup> provided:

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- 1. That all claims against the HOA be dismissed without prejudice for the parties to attend mediation.
- 2. That the Court does not make a decision as to the quiet title claim at this time.
- 3. That the Court does not make any determination as to actions taken after the filing of the HOA's Motion at this time.
- 4. That the Counter-Motion(s) filed by Nona Tobin an Individual and Trustee of the Gordon B Hansen Trust be withdrawn without prejudice at this time.

**ORDER**

Based on the stipulations of the parties:

THE COURT ORDERS: All claims against Sun City Anthem Community Association are dismissed without prejudice to attend NRED mediation, except for the quiet title claim.

THE COURT ORDERS the counter-motions filed March 3, 2017 and March 31, 2017 be WITHDRAWN WITHOUT PREJUDICE.

THE COURT FUTHER ORDERS the Motion to Dismiss is GRANTED, pursuant to a stipulation of the parties to all claims other than quiet title

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<sup>4</sup> At the time of the Stipulation in 2017, the Court had not been informed that Ms. Tobin was not a proper party but merely an individual who had incorrectly been added to the caption. Placing oneself on a caption or in a pleading does not confer party status on that individual when intervention is only granted to the entity who claimed an interest in the property at the time of the foreclosure.

1 THE COURT FURTHER ORDERS the Motion to  
2 Dismiss is DENIED WITHOUT PREJUDICE in regards  
3 to the quiet title claim.

4 6. In light of the parties Stipulation to attend NRED mediation, the  
5 case was pending until the Court received notice that the NRED mediation had  
6 been completed. A Notice of completion of mediation was filed in November  
7 2017. Thereafter, in April 2018, the HOA filed an Answer to the only remaining  
8 claim between it and the Hansen Trust—i.e. Quiet Title. That was the only  
9 remaining claim pursuant to the parties Stipulation the preceding September.

10 7. In February 2019, the HOA filed a Motion for Summary Judgment  
11 with a limited Joinder by Nationstar.<sup>5</sup> At the request of the parties, the matter  
12 was heard on March 26, 2019. After a full oral argument, and taking fully into  
13 account the pleadings as well as the allowable evidence and oral argument, the  
14 Court GRANTED the HOA's Motion and Nationstar's limited Joinder thereto. The  
15 Court set forth its reasoning in open Court and then detailed its reasoning in the  
16 Findings of Fact and Conclusions of Law and Judgment thereon, which were filed  
17 on or about April 17, 2019 ("FFCL"). Notice of Entry was filed on April 18, 2019.

18 8. In its ruling on the HOA's Motion for Summary Judgment, the Court  
19 expressly found that "the totality of the facts evidence that the HOA properly  
20 followed the process and procedures in foreclosing upon the Property." See  
21 *FFCL filed on April 17, 2019, page 9, lines 5-6*. The Court, therefore, granted the  
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25 <sup>5</sup> That same month Nationstar, Opportunity Homes, and F. Bonderant filed a Stipulation to  
26 Dismiss with respect to their claims vis a vis each other. The parties also filed a Stipulation to  
27 Reform the Caption.

1 HOA's Motion for Summary Judgment as to the Hansen Trust's claim against the  
2 HOA for Quiet Title and Equitable Relief in seeking to void the HOA foreclosure  
3 sale. *See FFCL filed on April 17, 2019.*

4  
5 9. On April 23, 2019, at the hearing for Nationstar's Motion for  
6 Summary Judgment, the Court was informed that the only parties remaining in  
7 the case due to rulings and resolutions were Counterclaimant Hansen Trust, the  
8 Stokes on behalf of Jimijack and Lee d/b/a F. Bondurant. The Court was  
9 informed that prior captions had incorrectly set forth that Ms. Tobin was a party in  
10 her individual capacity. The Court was further informed and shown that  
11 Intervenor status had only been granted to the Hansen Trust which Ms. Tobin  
12 acted in the capacity of Trustee. Ms. Tobin, according to the official record of the  
13 consolidated cases, had never been granted leave to intervene as an individual.  
14 In light of the fact there was a pending resolution between various entities, but  
15 there were still counterclaims outstanding involving the Hansen Trust, the Pre-  
16 Trial Conference set for April 25, 2019, remained on calendar so that the trial  
17 could be set with respect to the remaining claims of the Hansen Trust.  
18

19 10. At that same April 23<sup>rd</sup> hearing, due to the fact that Ms. Tobin had  
20 filed documents on her own whilst the Trust was represented by counsel, those  
21 purported pleadings filed by Ms. Tobin were considered rogue documents. Since  
22 they were rogue documents, they were stricken in accordance with the rules.  
23

24 11. On April 29, 2019, the Hansen Trust filed a Motion for  
25 Reconsideration of the Court's ruling on the HOA's Motion for Summary  
26

1 Judgment. The hearing on the Motion was held on May 29, 2019. After full oral  
2 argument and a review of the pleadings, the Motion was denied.<sup>6</sup> On May 30,  
3 2019, the Court entered its Order Denying the Hansen Trust's Motion for  
4 Reconsideration of its ruling granting Summary Judgment in favor of the HOA.  
5 The denial was based both on procedural and substantive grounds. The Order  
6 Denying the Motion for Reconsideration was filed on May 31, 2019, and the  
7 Notice of Entry of same was filed on May 31, 2019.  
8

9 12. On June 5, 2019, the Bench Trial commenced. Ms. Tobin testified  
10 on behalf of Counterclaimant. Counterclaimant did not call any other witnesses.  
11 After a full trial on the merits of the case, and taking into account the evidence  
12 the Court can take into account, the Court finds that Counterclaimant did not  
13 meet her burden by a preponderance of the evidence on any of her claims for  
14 Quiet Title and Equitable Relief, Fraudulent Reconveyance, Unjust Enrichment,  
15 Civil Conspiracy and Injunctive Relief as alleged against Jimijack.  
16

17 8. After a full trial on the merits of the case, and taking into account  
18 the evidence the Court can take into account, the Court further finds that  
19 Counterclaimant did not meet her burden by a preponderance of the evidence on  
20 any of her claims for Fraudulent Conveyance, Quiet Title and Equitable Relief  
21 and Civil Conspiracy against Lee on behalf of F. Bonderant.  
22

23 **CONCLUSIONS OF LAW**

24  
25 <sup>6</sup> At that hearing, the Court again reminded Ms. Tobin and her counsel that it was not proper for  
26 Ms. Tobin, who was represented by counsel, to file documents on her own and also that her role  
27 in the consolidated cases was as Trustee for the Hansen Trust consistent with the Court's ruling  
28 in 2017 on the Motion to Intervene.

1           1.     NRS Chapter 116 specifically authorizes a homeowners'  
2 association to foreclose on the entirety of its delinquent assessment lien against  
3 the homeowner. *See NRS 116.31162-116.31168.* In this case, the Court has  
4 found that the HOA complied with the statutes, all required notices were  
5 provided, there was a default when the power of sale was exercised, and the  
6 HOA had the authority to foreclose upon the Subject Property. *See FFCL filed*  
7 *on April 17, 2019.* Thus, pursuant to NRS Chapter 116, any and all rights and  
8 interests the Hansen Trust had in the Subject Property was divested and  
9 extinguished at the time of the HOA foreclosure sale.

11           2.     “A valid and final judgment on a claim precludes a second action  
12 on that claim or any part of it.” *Univ. of Nev. v. Tarkanian*, 110 Nev. 581, 599  
13 (1994). Claim preclusion applies when: “(1) the parties or their privies are the  
14 same; (2) the final judgment is valid; and (3) the subsequent action is based on  
15 the same claims or any part of them that were or could have been brought in the  
16 first case.” *Five Star Capital Corp. v. Ruby*, 124 Nev. 1048, 1054 (2008). The  
17 Hansen Trust’s claim for Quiet Title/Equitable Relief in seeking to void the HOA  
18 sale was fully adjudicated by the Court pursuant to the HOA’s Motion for  
19 Summary Judgment wherein the Court entered its FFCL, which was filed on  
20 April 17, 2019. The Hansen Trust, therefore, cannot re-litigate the same claim or  
21 any part thereof. The other claims also fail as they request the Court make a  
22 ruling inconsistent with its ruling on the Motion for Summary Judgment.

25           3.     “The doctrine of the law of the case cannot be avoided by a more  
26  
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28



1 detailed and precisely focused argument subsequently made after reflection  
2 upon the previous proceedings.” *Hall v. State*, 91 Nev. 314, 316, 535 P.2d 797,  
3 799 (1975). The Court’s FFCL granting Summary Judgment in favor of the HOA  
4 that was filed on April 17, 2019, is the law of the case as to the Hansen Trust’s  
5 claim for Quiet Title and Equitable Relief in seeking to void the HOA sale. The  
6 Hansen Trust, therefore, cannot avoid the doctrine of the law of the case which  
7 not only precludes its Quiet Title and Equitable Relief claims but since its other  
8 claims against Jimijack and Lee and contingent upon a finding in its favor on the  
9 quiet title claim or the premises upon which it is built, those claims fail as well.  
10

11           4. In addition to the claims already being precluded given there is  
12 both issue preclusion through law of the case, in the present matter, the Court  
13 had also denied the Counterclaimant’s Motion for Reconsideration shortly before  
14 the trial commenced. Thus, the Court had already reviewed its decision both  
15 procedurally and substantively. Accordingly, the law of the case in the present  
16 action would apply for the independent reason that the underlying decision had  
17 already been reviewed and re-affirmed by the Court.  
18

19           5. Even if Counterclaimant could try to contend that any of its claims  
20 were not barred by issue and claim preclusion, then Counterclaimant’s claims all  
21 still fail as it failed to meet its burden of proof on any of its claims. Specifically,  
22 Ms. Tobin as Trustee for the Hansen Trust conceded on direct examination that  
23 the house had been subject to multiple short sale potential escrows as the  
24 house was in default with the lender. She also conceded that there was a late  
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1 payment to the HOA. Thus, at least \$25.00 was owed to the HOA at some  
2 point. While she disagreed whether the HOA could assess the charges that she  
3 asserted were added to the Hansen Trust account as a result of the Hansen  
4 Trust's failure to pay its dues on time, she provided no evidence that the charges  
5 were inaccurate or impermissible. She also testified that she received a Notice  
6 of Foreclosure Sale on the property. She failed to identify any individuals with  
7 whom the Hansen Trust had a contract with or any individuals who engaged in a  
8 purported conspiracy. Thus, the testimony of the Trustee of the Hansen Trust  
9 demonstrated that the Hansen Trust could not meet its burden on any of the  
10 claims asserted against any of the Counter-Defendants. The failure of  
11 Counterclaimant to meet its burden of proof is an independent basis which  
12 requires the Court to find in favor of Counter-Defendants and against  
13 Counterclaimant.  
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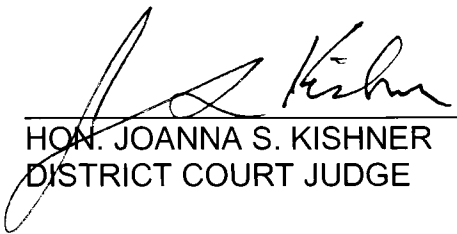
16 **THEREFORE, PURSUANT TO THE ABOVE FINDINGS OF FACT AND**  
17 **CONCLUSIONS OF LAW, IT IS HEREBY ORDERED, ADJUDGED, AND**  
18 **DECREED** that Judgment shall be entered in favor of Jimijack and Lee and  
19 against the Hansen Trust as to all claims alleged against them by the Hansen  
20 Trust .  
21

22 **IT IS FURTHER HEREBY ORDERED, ADJUDGED, AND DECREED**  
23 that the Lis Pendens recorded against the Subject Property by the Hansen Trust  
24 shall be cancelled and expunged.  
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Counsel for Counter-Defendants is directed pursuant to NRCP 58 (b) and (e) to file and serve Notice of Entry of the Court's findings and Judgment within fourteen days hereof.

IT IS SO ORDERED this 24<sup>th</sup> day of June, 2019.

  
\_\_\_\_\_  
HON. JOANNA S. KISHNER  
DISTRICT COURT JUDGE

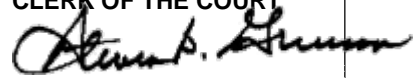
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**CERTIFICATE OF SERVICE**

I hereby certify that on or about the date filed, a copy of this Order was served via Electronic Service to all counsel/registered parties, pursuant to the Nevada Electronic Filing Rules, and/or served via in one or more of the following manners: fax, U.S. mail, or a copy of this Order was placed in the attorney's file located at the Regional Justice Center:

**ALL PARTIES SERVED VIA E-SERVICE**

  
TRACY L. CORDOBA-WHEELER  
Judicial Executive Assistant



1 **NEFF**  
2 JOSEPH Y. HONG, ESQ.  
3 State Bar No. 005995  
4 HONG & HONG LAW OFFICE  
5 1980 Festival Plaza Drive, Suite 650  
6 Las Vegas, Nevada 89135  
7 Telephone No.: (702) 870-1777  
8 Facsimile No.: (702) 870-0500  
9 E-mail: yosuphonglaw@gmail.com  
10 Attorney for Counter-Defendant  
11 *JOEL A. STOKES and SANDRA F. STOKES,*  
12 *as trustees of the JIMI JACK IRREVOCABLE TRUST*

8 **DISTRICT COURT**  
9 **CLARK COUNTY, NEVADA**

11 NONA TOBIN, as Trustee of the GORDON B.  
12 HANSEN TRUST, dated 8/22/08,

13 Counterclaimant,

14 vs.

15 JOEL A. STOKES and SANDRA F. STOKES, as  
16 Trustees of the JIMI JACK IRREVOCABLE  
17 TRUST; YEUN K. LEE, an individual, d/b/a  
18 Manager, F. BONDURANT, LLC.,

18 Counter-Defendants.

Case No. : A-15-720032-C  
Dept. No. : XXXI

Consolidated with: A-16-730078-C

20 **NOTICE OF ENTRY OF FINDINGS OF FACTS,**  
21 **CONCLUSIONS OF LAW AND JUDGMENT**

22 TO: ALL PARTIES AND THEIR COUNSEL OF RECORD:

23 ///

24 ///

25 ///

26 ///

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28

1 YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that FINDINGS OF  
2 FACTS, CONCLUSIONS OF LAW AND JUDGMENT was entered in the above-entitled matter,  
3 and filed on the 24<sup>th</sup> day of June, 2019, a copy of which is attached hereto.

4 DATED this 24<sup>th</sup> day of June, 2019.

5 HONG & HONG LAW OFFICE

6  
7 /s/ Joseph Y. Hong

8 JOSEPH Y. HONG, ESQ.

9 State Bar No. 005995

10 1980 Festival Plaza Drive, Suite 650

11 Las Vegas, Nevada 89135

12 Attorney for Counter-Defendant

13 *JOEL A. STOKES and SANDRA F.*

14 *STOKES, as trustees of the JIMIJACK*  
15 *IRREVOCABLE TRUST*

16 **CERTIFICATE OF ELECTRONIC SERVICE**

17 Pursuant to NRCP 5(b)(2)(D), I certify that I am an employee of Joseph Y. Hong, Esq., and  
18 that on this 24<sup>th</sup> day of June, 2019, I served a true and correct copy of the foregoing **NOTICE OF**  
19 **ENTRY OF FINDINGS OF FACTS, CONCLUSIONS OF LAW AND JUDGMENT** by  
20 electronic transmission through the Eighth Judicial District Court EFP system (Odyssey eFileNV)  
21 pursuant to NEFCR 9 upon each party in this case who is registered as an electronic case filing  
22 user with the Clerk.

23 By/s/ Debra L. Batesel

24 An employee of Joseph Y. Hong, Esq.



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ORDR

EIGHTH JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA

NONA TOBIN, as Trustee of the  
GORDON B. HANSEN TRUST dated  
8/22/08,

Counterclaimant,

vs.

JOEL A. STOKES AND SANDRA F.  
STOKES, as Trustees of the JIMI JACK  
IRREVOCABLE TRUST; YUEN K.  
LEE, an individual, d/b/a  
Manager, F. BONDURANT, LLC.,

Counter-Defendants.

Case No.: A-15-720032-C

Consolidated with A-16-730078-C

FINDINGS OF FACTS, CONCLUSIONS OF LAW AND JUDGMENT<sup>1</sup>

This matter, having come on for Bench Trial commencing on June 5<sup>th</sup> and  
6<sup>th</sup>, 2019, with L. Joe Coppedge appearing on behalf of Counterclaimant the  
Gordon B. Hansen Trust, dated 8/22/08; and Joseph Hong appearing on behalf  
of all Counter-Defendants. All parties having an opportunity to present their

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<sup>1</sup> The consolidated cases commenced with multiple parties being named and the initial caption read in part, "Joel A. Stokes and Sandra F. Stokes as trustees of the Jimijack Irrevocable Trust Plaintiffs, vs. Bank of America N.A. Defendants, et. al". All claims by all other parties, other than those of the Counterclaimant against Counter-Defendants have either been resolved or eliminated due to rulings of the Court. Thus, the only claims that were asserted to remain for trial were the Counterclaimant's claims against Counter-Defendants. Accordingly, the caption, as set forth above, correctly sets forth the parties that were asserted to have remained for purposes of trial.

1 case, the Court having considered the evidence, the previous Orders and  
2 Judgments in this case, and good cause appearing therefore, enters the  
3 following Findings of Fact and Conclusions of Law:

4 **FINDINGS OF FACTS**

5  
6 1. Counterclaimant, the Gordon B. Hansen Trust Dated 8/22/08  
7 ("Hansen Trust") claims in intervention against Counter-Defendants, Joel A.  
8 Stokes and Sandra F. Stokes, as Trustees of the Jimijack Irrevocable Trust  
9 ("Jimijack"); and Yuen K. Lee, an individual d/b/a Manager F. Bondurant, LLC.  
10 ("Lee"), involving a real property commonly known as 2763 White Sage Drive,  
11 Henderson, Nevada 89052, APN 191-13-811-052 (the "Subject Property") were  
12 the only remaining claims set for trial to commence on June 5, 2019.

13  
14 2. On January 11, 2017, the Hansen Trust intervened in the present  
15 action via Order, with Notice of Entry thereof, filed on January 12, 2017. The  
16 Hansen Trust alleged claims of Quiet Title and Equitable Relief, Civil Conspiracy,  
17 Fraudulent Conveyance, Unjust Enrichment, and Breach of Contract against the  
18 Sun City Anthem Community Association ("HOA"). The Hansen Trust alleged  
19 claims for Quiet Title and Equitable Relief, Fraudulent Re-conveyance, Unjust  
20 Enrichment, Civil Conspiracy, and Injunctive Relief against Jimijack. The Hansen  
21 Trust alleged claims for Fraudulent Conveyance, Quiet Title and Equitable Relief,  
22 and Civil Conspiracy against Lee d/b/a F. Boudurant. The Hansen Trust  
23 alleged claims for Quiet Title and Equitable Relief, Breach of Contract, Equitable  
24 Relief (stet) and Civil Conspiracy against Opportunity Homes and Thomas Lucas.  
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1 The essence of the Hansen Trust's claims in the consolidated cases was  
2 asserted to be that it sought to void the HOA foreclosure sale of the Subject  
3 Property. In each of the pleadings filed against each of the respective parties,  
4 the Hansen Trust set forth that Nona Tobin was the Trustee of the Hansen Trust  
5 dated 8/22/08, and that the claims were brought by the Trustee of the Hansen  
6 Trust on behalf of the Trust. Given it was asserted in all of the claims in the  
7 respective pleadings that the Hansen Trust was the purported owner of the  
8 property at issue at the time of the foreclosure sale, and that Ms. Tobin was the  
9 successor Trustee, the Court finds that the pleadings are consistent with the  
10 intention of the Court's Order granting intervention by the Hansen Trust. There  
11 was no intention by the Court to grant intervention to Ms. Tobin as an individual  
12 as there was no assertion in the January 2017 Motion to Intervene or in what  
13 were titled "cross-claims" and "counter-claims" that anyone or entity had asserted  
14 any joint or other form of ownership right with the Hansen Trust at the time of the  
15 foreclosure at issue.<sup>2</sup>  
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20 <sup>2</sup> The Court notes that on May 24, 2019, less than two weeks before trial was to commence,  
21 Counterclaimant filed a "Supplement" without leave of Court which had a "quitclaim deed" dated  
22 March 27, 2017 attached. It was contended that Ms. Tobin as the successor trustee of the  
23 Hansen Trust quitclaimed to herself as an individual effective March 27, 2017 whatever interest  
24 the Hansen Trust had in the subject property for no consideration. While the Court takes no  
25 position as to whether the quitclaim deed was proper within the terms of the trust as the Court  
26 was not shown the trust nor did anyone testify as to the language of the trust, the Court notes that  
27 the Court Record shows that in a prior pleading there were representations by Counterclaimant  
28 through its Trustee, Ms. Tobin, that she was one of two beneficiaries of the Trust. Second, even  
if the Court were to view the Supplement and its attachment as allowable, from a chronological  
standpoint, the purported transfer of ownership rights (whatever they were purported to be) did  
not take place until about two months after there was Notice of Entry of the Order on the Motion  
to Intervene which granted intervention to the Hansen Trust only in the present case. Thus,  
regardless of whether the "quitclaim deed" was valid or not, Ms. Tobin was not a proper party to  
the instant litigation as there was no timely request for her to intervene or any legal authority.

1           3.     After the Hansen Trust filed what it asserted to be "cross-claims"  
2 and a "counter-claim", various pleadings were filed by the Intervenor Hansen  
3 Trust in which the phrase "Nona Tobin as an individual" was set forth in the  
4 caption and in some cases in the body of the document, despite the fact the  
5 Motion to Intervene was filed by the Trustee on behalf of the Trust and  
6 Intervention was only granted to the Hansen Trust. From a review of the Court  
7 Record, it appears that other parties to the action also included the incorrect  
8 caption that had been used by Intervenor Hansen Trust in some of their  
9 pleadings. It was not until a couple of months before trial was to commence in  
10 2019 that the error was brought to the attention of the Court. In 2019<sup>3</sup>, the Court  
11 was informed, and the Odyssey Record of the Eighth Judicial District confirms,  
12 that contrary to the scope of the Intervention granted by the Court, at some point  
13 in 2017 the Hansen Trust inserted Ms. Tobin's name incorrectly in the caption  
14 and then used her name in an individual capacity at some points in pleadings. In  
15 those same pleadings, however, the nature of the actions relating to the  
16 ownership of the property which was purportedly was owned by the Hansen  
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21 presented to the Court that she could intervene on her own behalf after she contended that she  
22 quitclaimed whatever interest the Hansen Trust purportedly had on or about March 27, 2017. As  
23 intervention by Ms. Tobin as an individual as distinct from her role as trustee was not timely or  
24 properly presented and hence was not granted, the Court finds that the trial properly commenced  
25 and concluded between the only parties that remained in the case.

26 <sup>3</sup> Indeed, at hearing(s) in 2019 after the Court was put on notice of what had occurred, in the  
27 presence of Ms. Tobin who was present as Trustee of the Hansen Trust with her counsel, the  
28 Court reminded all parties that it needed to strike pleadings that had been filed by Ms. Tobin  
herself. The Court confirmed with the parties that Ms. Tobin's role was solely as Trustee of the  
Hansen Trust and the Hansen Trust was represented by counsel. See, e.g. Hearing of April 23,  
2019, where the Court was informed, and then subsequent hearings where Ms. Tobin was  
present with her counsel where the issue was again communicated.

1 Trust at the time of the foreclosure remained the same. Further, there was no  
2 request of the Court, nor any grant of intervention by the Court, to allow Ms.  
3 Tobin to appear as an individual. Instead, Ms. Tobin's role was as Trustee of the  
4 Hansen Trust.

5  
6 4. On April 27, 2017, the Court heard Lucas and Opportunity Homes  
7 Motions for Summary Judgment and ruled thereon. There were other pending  
8 Motions including the HOA Motion to Dismiss the Hansen Trust's claims and  
9 related counter motions, which at the request of those who were present, were  
10 continued. The Court was informed that the Hansen Trust was not represented  
11 by counsel as required by EDCR 7.42. The remaining hearings were then reset  
12 to May 23<sup>rd</sup> and then May 25<sup>th</sup> to allow the Hansen Trust to obtain counsel and  
13 be prepared. On May 25<sup>th</sup>, 2017, the parties withdrew some of the pending  
14 Motions and requested that the ruling on others, including the HOA's Motion to  
15 Dismiss as to all of the Hansen's Trust's claims, be deferred as some of the  
16 parties were seeking NRED mediation.

17  
18 5. At the parties' request, the Court did not rule on those pending  
19 Motions. On September 19, 2017, the parties filed a Stipulation and Order and  
20 the following day they filed Notice of Entry Thereof. The Stipulation addressed  
21 all of the Counterclaimant Hansen Trust's claims with the HOA. Pursuant to the  
22 Stipulation and Order, the HOA's Motion, as it applied to the Hansen Trust (and  
23 to the extent that Ms. Tobin asserted at the time she was a party), was dismissed  
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1 other than the quiet title claim.<sup>4</sup> The Stipulation filed on September 17<sup>th</sup> provided:

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- 1. That all claims against the HOA be dismissed without prejudice for the parties to attend mediation.
- 2. That the Court does not make a decision as to the quiet title claim at this time.
- 3. That the Court does not make any determination as to actions taken after the filing of the HOA's Motion at this time.
- 4. That the Counter-Motion(s) filed by Nona Tobin an Individual and Trustee of the Gordon B Hansen Trust be withdrawn without prejudice at this time.

**ORDER**

Based on the stipulations of the parties:

THE COURT ORDERS: All claims against Sun City Anthem Community Association are dismissed without prejudice to attend NRED mediation, except for the quiet title claim.

THE COURT ORDERS the counter-motions filed March 3, 2017 and March 31, 2017 be WITHDRAWN WITHOUT PREJUDICE.

THE COURT FUTHER ORDERS the Motion to Dismiss is GRANTED, pursuant to a stipulation of the parties to all claims other than quiet title

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<sup>4</sup> At the time of the Stipulation in 2017, the Court had not been informed that Ms. Tobin was not a proper party but merely an individual who had incorrectly been added to the caption. Placing oneself on a caption or in a pleading does not confer party status on that individual when intervention is only granted to the entity who claimed an interest in the property at the time of the foreclosure.

1 THE COURT FURTHER ORDERS the Motion to  
2 Dismiss is DENIED WITHOUT PREJUDICE in regards  
3 to the quiet title claim.

4 6. In light of the parties Stipulation to attend NRED mediation, the  
5 case was pending until the Court received notice that the NRED mediation had  
6 been completed. A Notice of completion of mediation was filed in November  
7 2017. Thereafter, in April 2018, the HOA filed an Answer to the only remaining  
8 claim between it and the Hansen Trust—i.e. Quiet Title. That was the only  
9 remaining claim pursuant to the parties Stipulation the preceding September.

10 7. In February 2019, the HOA filed a Motion for Summary Judgment  
11 with a limited Joinder by Nationstar.<sup>5</sup> At the request of the parties, the matter  
12 was heard on March 26, 2019. After a full oral argument, and taking fully into  
13 account the pleadings as well as the allowable evidence and oral argument, the  
14 Court GRANTED the HOA's Motion and Nationstar's limited Joinder thereto. The  
15 Court set forth its reasoning in open Court and then detailed its reasoning in the  
16 Findings of Fact and Conclusions of Law and Judgment thereon, which were filed  
17 on or about April 17, 2019 ("FFCL"). Notice of Entry was filed on April 18, 2019.

18 8. In its ruling on the HOA's Motion for Summary Judgment, the Court  
19 expressly found that "the totality of the facts evidence that the HOA properly  
20 followed the process and procedures in foreclosing upon the Property." See  
21 *FFCL filed on April 17, 2019, page 9, lines 5-6*. The Court, therefore, granted the  
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25 \_\_\_\_\_  
26 <sup>5</sup> That same month Nationstar, Opportunity Homes, and F. Bonderant filed a Stipulation to  
27 Dismiss with respect to their claims vis a vis each other. The parties also filed a Stipulation to  
28 Reform the Caption.

1 HOA's Motion for Summary Judgment as to the Hansen Trust's claim against the  
2 HOA for Quiet Title and Equitable Relief in seeking to void the HOA foreclosure  
3 sale. See FFCL filed on April 17, 2019.

4  
5 9. On April 23, 2019, at the hearing for Nationstar's Motion for  
6 Summary Judgment, the Court was informed that the only parties remaining in  
7 the case due to rulings and resolutions were Counterclaimant Hansen Trust, the  
8 Stokes on behalf of Jimijack and Lee d/b/a F. Bondurant. The Court was  
9 informed that prior captions had incorrectly set forth that Ms. Tobin was a party in  
10 her individual capacity. The Court was further informed and shown that  
11 Intervenor status had only been granted to the Hansen Trust which Ms. Tobin  
12 acted in the capacity of Trustee. Ms. Tobin, according to the official record of the  
13 consolidated cases, had never been granted leave to intervene as an individual.  
14 In light of the fact there was a pending resolution between various entities, but  
15 there were still counterclaims outstanding involving the Hansen Trust, the Pre-  
16 Trial Conference set for April 25, 2019, remained on calendar so that the trial  
17 could be set with respect to the remaining claims of the Hansen Trust.  
18

19  
20 10. At that same April 23<sup>rd</sup> hearing, due to the fact that Ms. Tobin had  
21 filed documents on her own whilst the Trust was represented by counsel, those  
22 purported pleadings filed by Ms. Tobin were considered rogue documents. Since  
23 they were rogue documents, they were stricken in accordance with the rules.

24  
25 11. On April 29, 2019, the Hansen Trust filed a Motion for  
26 Reconsideration of the Court's ruling on the HOA's Motion for Summary  
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1 Judgment. The hearing on the Motion was held on May 29, 2019. After full oral  
2 argument and a review of the pleadings, the Motion was denied.<sup>6</sup> On May 30,  
3 2019, the Court entered its Order Denying the Hansen Trust's Motion for  
4 Reconsideration of its ruling granting Summary Judgment in favor of the HOA.  
5 The denial was based both on procedural and substantive grounds. The Order  
6 Denying the Motion for Reconsideration was filed on May 31, 2019, and the  
7 Notice of Entry of same was filed on May 31, 2019.  
8

9 12. On June 5, 2019, the Bench Trial commenced. Ms. Tobin testified  
10 on behalf of Counterclaimant. Counterclaimant did not call any other witnesses.  
11 After a full trial on the merits of the case, and taking into account the evidence  
12 the Court can take into account, the Court finds that Counterclaimant did not  
13 meet her burden by a preponderance of the evidence on any of her claims for  
14 Quiet Title and Equitable Relief, Fraudulent Reconveyance, Unjust Enrichment,  
15 Civil Conspiracy and Injunctive Relief as alleged against Jimijack.  
16

17 8. After a full trial on the merits of the case, and taking into account  
18 the evidence the Court can take into account, the Court further finds that  
19 Counterclaimant did not meet her burden by a preponderance of the evidence on  
20 any of her claims for Fraudulent Conveyance, Quiet Title and Equitable Relief  
21 and Civil Conspiracy against Lee on behalf of F. Bonderant.  
22

### 23 CONCLUSIONS OF LAW

24  
25 <sup>6</sup> At that hearing, the Court again reminded Ms. Tobin and her counsel that it was not proper for  
26 Ms. Tobin, who was represented by counsel, to file documents on her own and also that her role  
27 in the consolidated cases was as Trustee for the Hansen Trust consistent with the Court's ruling  
28 in 2017 on the Motion to Intervene.

1           1.     NRS Chapter 116 specifically authorizes a homeowners'  
2 association to foreclose on the entirety of its delinquent assessment lien against  
3 the homeowner. See *NRS 116.31162-116.31168*. In this case, the Court has  
4 found that the HOA complied with the statutes, all required notices were  
5 provided, there was a default when the power of sale was exercised, and the  
6 HOA had the authority to foreclose upon the Subject Property. See *FFCL filed*  
7 *on April 17, 2019*. Thus, pursuant to NRS Chapter 116, any and all rights and  
8 interests the Hansen Trust had in the Subject Property was divested and  
9 extinguished at the time of the HOA foreclosure sale.  
10

11           2.     “A valid and final judgment on a claim precludes a second action  
12 on that claim or any part of it.” *Univ. of Nev. v. Tarkanian*, 110 Nev. 581, 599  
13 (1994). Claim preclusion applies when: “(1) the parties or their privies are the  
14 same; (2) the final judgment is valid; and (3) the subsequent action is based on  
15 the same claims or any part of them that were or could have been brought in the  
16 first case.” *Five Star Capital Corp. v. Ruby*, 124 Nev. 1048, 1054 (2008). The  
17 Hansen Trust’s claim for Quiet Title/Equitable Relief in seeking to void the HOA  
18 sale was fully adjudicated by the Court pursuant to the HOA’s Motion for  
19 Summary Judgment wherein the Court entered its FFCL, which was filed on  
20 April 17, 2019. The Hansen Trust, therefore, cannot re-litigate the same claim or  
21 any part thereof. The other claims also fail as they request the Court make a  
22 ruling inconsistent with its ruling on the Motion for Summary Judgment.  
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25           3.     “The doctrine of the law of the case cannot be avoided by a more  
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1 detailed and precisely focused argument subsequently made after reflection  
2 upon the previous proceedings." *Hall v. State*, 91 Nev. 314, 316, 535 P.2d 797,  
3 799 (1975). The Court's FFCL granting Summary Judgment in favor of the HOA  
4 that was filed on April 17, 2019, is the law of the case as to the Hansen Trust's  
5 claim for Quiet Title and Equitable Relief in seeking to void the HOA sale. The  
6 Hansen Trust, therefore, cannot avoid the doctrine of the law of the case which  
7 not only precludes its Quiet Title and Equitable Relief claims but since its other  
8 claims against Jimijack and Lee and contingent upon a finding in its favor on the  
9 quiet title claim or the premises upon which it is built, those claims fail as well.  
10

11 4. In addition to the claims already being precluded given there is  
12 both issue preclusion through law of the case, in the present matter, the Court  
13 had also denied the Counterclaimant's Motion for Reconsideration shortly before  
14 the trial commenced. Thus, the Court had already reviewed its decision both  
15 procedurally and substantively. Accordingly, the law of the case in the present  
16 action would apply for the independent reason that the underlying decision had  
17 already been reviewed and re-affirmed by the Court.  
18

19 5. Even if Counterclaimant could try to contend that any of its claims  
20 were not barred by issue and claim preclusion, then Counterclaimant's claims all  
21 still fail as it failed to meet its burden of proof on any of its claims. Specifically,  
22 Ms. Tobin as Trustee for the Hansen Trust conceded on direct examination that  
23 the house had been subject to multiple short sale potential escrows as the  
24 house was in default with the lender. She also conceded that there was a late  
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1 payment to the HOA. Thus, at least \$25.00 was owed to the HOA at some  
2 point. While she disagreed whether the HOA could assess the charges that she  
3 asserted were added to the Hansen Trust account as a result of the Hansen  
4 Trust's failure to pay its dues on time, she provided no evidence that the charges  
5 were inaccurate or impermissible. She also testified that she received a Notice  
6 of Foreclosure Sale on the property. She failed to identify any individuals with  
7 whom the Hansen Trust had a contract with or any individuals who engaged in a  
8 purported conspiracy. Thus, the testimony of the Trustee of the Hansen Trust  
9 demonstrated that the Hansen Trust could not meet its burden on any of the  
10 claims asserted against any of the Counter-Defendants. The failure of  
11 Counterclaimant to meet its burden of proof is an independent basis which  
12 requires the Court to find in favor of Counter-Defendants and against  
13 Counterclaimant.  
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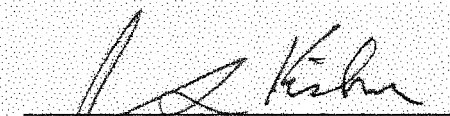
16 **THEREFORE, PURSUANT TO THE ABOVE FINDINGS OF FACT AND**  
17 **CONCLUSIONS OF LAW, IT IS HEREBY ORDERED, ADJUDGED, AND**  
18 **DECREED** that Judgment shall be entered in favor of Jimijack and Lee and  
19 against the Hansen Trust as to all claims alleged against them by the Hansen  
20 Trust.  
21

22 **IT IS FURTHER HEREBY ORDERED, ADJUDGED, AND DECREED**  
23 that the Lis Pendens recorded against the Subject Property by the Hansen Trust  
24 shall be cancelled and expunged.  
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Counsel for Counter-Defendants is directed pursuant to NRCP 58 (b) and (e) to file and serve Notice of Entry of the Court's findings and Judgment within fourteen days hereof.

IT IS SO ORDERED this 24<sup>th</sup> day of June, 2019.


  
\_\_\_\_\_  
HON. JOANNA S. KISHNER  
DISTRICT COURT JUDGE

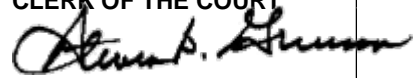
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**CERTIFICATE OF SERVICE**

I hereby certify that on or about the date filed, a copy of this Order was served via Electronic Service to all counsel/registered parties, pursuant to the Nevada Electronic Filing Rules, and/or served via in one or more of the following manners: fax, U.S. mail, or a copy of this Order was placed in the attorney's file located at the Regional Justice Center:

**ALL PARTIES SERVED VIA E-SERVICE**

  
TRACY L. CORDOBA-WHEELER  
Judicial Executive Assistant



1 LIPSON NEILSON, P.C.  
2 KALEB D. ANDERSON, ESQ.  
3 Nevada Bar No. 7582  
4 DAVID T. OCHOA, ESQ.  
5 Nevada Bar No. 10414  
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12 Attorneys for Cross-Defendant  
13 Sun City Anthem Community Association

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**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

11 JOEL STOKES and SANDRA F.  
12 STOKES, as trustees of the JIMI JACK  
13 IRREVOCABLE TRUST,

14 Plaintiff,

15 vs.

16 BANK OF AMERICA, N.A.,

17 Defendant.

18 NATIONSTAR MORTGAGE, LLC

19 Counter-Claimant,

20 vs.

21 JIMI JACK IRREVOCABLE TRUST,

22 Counter-Defendant.

23 NONA TOBIN, an individual, and Trustee  
24 of the GORDON B. HANSEN TRUST.  
25 Dated 8/22/08

26 Counter-Claimant,

27 vs.

28 JOEL A. STOKES and SANDRA F.  
STOKES, as trustees of the JIMI JACK  
IRREVOCABLE TRUST, SUN CITY

CASE NO.: A-15-720032-C

Dept. XXXI

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND ORDER ON CROSS-  
DEFENDANT SUN CITY ANTHEM  
COMMUNITY ASSOCIATION'S MOTION  
FOR SUMMARY JUDGMENT**

Lipson, Neilson P.C.  
9900 Covington Cross Drive, Suite 120  
Las Vegas, Nevada 89144

*ml*  
*4-8-19*

1 ANTHEM COMMUNITY ASSOCIATION,  
2 INC., YUEN K. LEE, an Individual, d/b/a/  
3 Manager, F. BONDURANT, LLC, and  
DOES 1-10, and ROE CORPORATIONS  
1-10, inclusive,

4 Counter-Defendants,

5  
6 On February 5, 2019, Cross-Defendant Sun City Anthem Community Association  
7 filed its Motion for Summary Judgment (“Motion”). On February 12, 2019 Nationstar  
8 Mortgage, LLC filed its Joinder thereto. On March 5, 2019, Nona Tobin, individually and  
9 as Trustee of the Gordon B. Hansen Trust filed her Opposition to the Motion. On March  
10 6, 2019, Cross-Defendant Sun City Anthem Community Association filed its Reply in  
11 Support of the Motion for Summary Judgment. On March 5, 2019, the Court issued its  
12 Minute Order granting the Motion, having not received any opposition to the Motion.

13 The Motion was heard on March 26, 2019 at 9:30 a.m. in the above captioned  
14 matter. In attendance were David T. Ochoa on behalf of Sun City Anthem Community  
15 Association (“HOA” or “Sun City Anthem”), Joe Coppedge on behalf of Nona Tobin,  
16 individually and as Trustee of the Gordon B. Hansen Trust (“Tobin”), Joseph Hong on  
17 behalf of Joel Stokes and Sandra F. Stokes, as trustee of the Jimijack Irrevocable Trust  
18 (“Purchaser”), and also on behalf of F. Bondurant, LLC, and Melanie Morgan on behalf of  
19 Nationstar Mortgage, LLC (“Nationstar”). At the hearing, the parties stipulated to  
20 vacating the March 5, 2019 Minute Order and to hear the Motion on its merits.  
21 Additionally, Purchaser and F. Bondurant, LLC, made an Oral request to Join the Motion,  
22 to which Tobin objected.

23 The Court having reviewed the papers and pleadings, and having heard oral  
24 argument, issues the following findings of fact, conclusions of law and order:

25 **FINDINGS OF FACT**

26 1. In 2003, Gordon B. Hansen obtained a loan to purchase the real property  
27 located at 2763 White Sage Drive, Henderson, NV 89052 (the “Property”).  
28

1           2.       The Property was subject to the HOA's Covenants, Conditions and  
2 Restrictions "CC&Rs".

3           3.       In 2008, title to Property was transferred to the Gordon B. Hansen Trust  
4 (the "Trust"). Nona Tobin became the sole trustee of the Trust in January 2012 when  
5 Gordon Hansen passed away.

6           4.       In 2012, the Trust defaulted on the homeowners' assessments.

7           5.       On September 17, 2012, Red Rock Financial ("Red Rock"), the HOA's  
8 collection company, sent Gordon Hansen letters indicating that his account was in  
9 collections with them.

10          6.       On September 20, 2012, Sun City Anthem sent Gordon Hansen a Notice  
11 of Hearing that his account was delinquent and they were considering suspending  
12 membership privileges.

13          7.       On October 3, 2012, Tobin sent a letter to Sun City Anthem informing Sun  
14 City Anthem that Gordon Hansen passed away ("Tobin Letter").

15          8.       The Tobin Letter included a copy of the Notice of Hearing sent by Sun City  
16 Anthem as it was stamped by Red Rock as received on October 8, 2012 with other  
17 parts of the letter.

18          9.       The Tobin Letter also stated she was late and delinquent on assessments,  
19 that she was attempting to short sale the Property, and she did not intend to pay any  
20 additional assessments after the enclosed check.

21          10.       Tobin in fact never paid assessments after the October 2012 Tobin Letter.

22          11.       Tobin was handling affairs for The Estate of Gordon N. Hansen and  
23 owned her own property in Sun City Anthem at an Olivia Heights address.

24          12.       On November 5, 2012, Red Rock sent letters to both addresses (Olivia  
25 Heights and White Sage) addressed to The Estate of Gordon N. Hansen, informing that  
26 they received the notification that Gordon Hansen had passed, and requesting the  
27 Estate contact the office within thirty days of the letter.

28

1           13.    The Ledger and Payment Allocation indicate that payment was applied to  
2 the July 1, 2012 Quarter Assessment and the July 31, 2012 Late Fee.

3           14.    On December 14, 2012, the HOA, through Red Rock recorded a notice of  
4 delinquent assessment lien.

5           15.    On March 12, 2013, the HOA, through Red Rock, recorded a notice of  
6 default and election to sell. The first notice of default was rescinded on or about April 3,  
7 2013.

8           16.    On April 8, 2013, a second notice of default and election to sell was  
9 recorded by the HOA through Red Rock.

10          17.    The second notice of default and election to sell correctly notes the start of  
11 the delinquency since July 1, 2012.

12          18.    The Red Rock Ledger indicates the July 1, 2012 assessment payment  
13 was late, this was put in the second notice of default and election to sell, and is  
14 confirmed by the Tobin Letter.

15          19.    On February 12, 2014, the HOA, through Red Rock, recorded a notice of  
16 foreclosure sale.

17          20.    The Notice of Sale correctly referenced the second notice of default and  
18 election to sell that was recorded on April 8, 2013.

19          21.    Red Rock complied with all mailing requirements. Mailings went to both  
20 the Property address (White Sage) and Tobin's home address (Olivia Heights). Tobin  
21 signed for some of the mailings herself.

22          22.    The sale was scheduled for March 7, 2014, in the Notice of Sale. The  
23 sale was posted and published.

24          23.    The sale was postponed three times.

25          24.    The postponements were made in part to help Tobin attempt to short sale  
26 the Property.

27          25.    Tobin contracted with Craig Leidy to help her short sale the Property.  
28



1           26.     Craig Leidy requested the HOA waive thousands of dollars off the debt.

2           27.     The HOA communicated that it would waive some amounts but could not  
3 grant the waiver to the extent requested.

4           28.     Communication between Nationstar and Craig Leidy appears to indicate  
5 the balance was too high for Nationstar to allow the short sale.

6           29.     Sometime in May 2014, The Estate of Gordon Hansen entered into a  
7 Purchase Agreement with MZK Residential LLC, contingent on short sale approval.  
8 Tobin initialed every page of the agreement.

9           30.     The HOA foreclosure took place on August 15, 2014, whereby the HOA,  
10 through Red Rock, sold the Property to Thomas Lucas representing Opportunity Homes  
11 LLC for \$63,100.00.

12          31.     A foreclosure deed in favor of Opportunity Homes LLC was recorded on  
13 August 22, 2014.

14          32.     On October 13, 2014, Tobin sent an email to Craig Leidy, where she  
15 indicated her belief that he failed to protect the Trust's interest, that she believed he was  
16 working with the Purchaser Thomas Lucas, and also that she was aware that Red Rock  
17 interplead the excess proceeds.

18          33.     On August 11, 2017, A Notice of Entry Order Granting Thomas Lucas and  
19 Opportunity Homes, LLC's Motion for Summary Judgment was filed in this case. The  
20 Order states:

21                   While it is true that Mr. Lucas is a real estate licensee and an  
22 independent agent working with BHHS, BHHS is a real estate  
23 company that employs more than 800 real estate agents in Las  
24 Vegas valley alone, and Mr. Lucas is not bound by the agreements  
25 that Tobin could have signed with other BHHS agents.

26          34.     Tobin has filed one cause of action for Quiet Title/Declaratory Relief  
27 against the HOA.

28          35.     On January 10, 2019, the Court issued a Minute Order on Tobin's Motion  
to Amend Answer, Counterclaim, and Crossclaims that was filed on November 30,

1 2018.

2 36. No separate order or entry of order was filed regarding the Amended  
3 Answer, Counterclaim, and Crossclaims.

4  
5 37. The Amended Answer, Counterclaim, and Crossclaims was not separately  
6 filed.

7 **CONCLUSIONS OF LAW**

8 1. Summary Judgment is appropriate “when the pleadings and other  
9 evidence on file demonstrate that no ‘genuine issue to any material fact [remains] and  
10 that the moving party is entitled to a judgment as a matter of law.” *Wood v. Safeway,*  
11 *Inc.*, 121 Nev. 724, 729, 121 P.3d 1026, 1029 (2005). Additionally, “[t]he purpose of  
12 summary judgment ‘is to avoid a needless trial when an appropriate showing is made in  
13 advance that there is no genuine issue of fact to be tried, and the movant is entitled to  
14 judgment as a matter of law.’” *McDonald v. D.P. Alexander & Las Vegas Boulevard,*  
15 *LLC*, 121 Nev. 812, 815, 123 P.3d 748, 750 (2005) quoting *Coray v. Home*, 80 Nev. 39,  
16 40-41, 389 P.2d 76, 77 (1964). Moreover, the non-moving party “must, by affidavit or  
17 otherwise, set forth specific facts demonstrating the existence of a genuine issue for trial  
18 or have summary judgment entered against [it].” *Wood*, 121 Nev. at 32, 121 P.3d at  
19 1031. Though inferences are to be drawn in favor of the non-moving party, an  
20 opponent to summary judgment, must show that it can produce evidence at trial to  
21 support its claim or defense. *Van Cleave v. Kietz-Mill Minit Mart*, 97 Nev. 414, 417, 633  
22 P.2d 1220, 222 (1981).

23 2. A party cannot defeat summary judgment by contradicting itself. See  
24 *Aldabe v. Adams*, 81 Nev. 280, 284–85, 402 P.2d 34, 36–37 (1965) (refusing to credit  
25 sworn statement made in opposition to summary judgment that was in direct conflict  
26 with an earlier statement of the same party).

27 3. “When sitting in equity, [], courts must consider the entirety of the  
28 circumstances that bear upon the equities.” *Shadow Wood HOA v. N.Y. Cmty.*

1 *Bancorp.*, 132 Nev. Adv. Op. 5, 366 P.3d 1105, 1114 (2016), referencing: see e.g., *In*  
2 *re Petition of Nelson*, 495 N.W.2d 200, 203 (Minn.1993).

3  
4 4. “[I]t is well established that due process is not offended by requiring a person  
5 with actual, timely knowledge of an event ... to exercise due diligence and take  
6 necessary steps to preserve [his] rights.” *In re Medaglia*, 52 F.3d at 455; see also *SFR*  
7 *Investments Pool 1 v. U.S. Bank*, 130 Nev. Adv. Op. 75, 334 P.3d 408, 418 (2014).

8 5. “Equitable estoppel functions to prevent the assertion of legal rights that in  
9 equity and good conscience should not be available due to a party's conduct.” *In re*  
10 *Harrison Living Tr.*, 121 Nev. 217, 223, 112 P.3d 1058, 1061–62 (2005).

11  
12 This court has previously established the four elements of equitable  
13 estoppel: (1) the party to be estopped must be apprised of the true facts;  
14 (2) he must intend that his conduct shall be acted upon, or must so act  
15 that the party asserting estoppel has the right to believe it was so  
16 intended; (3) the party asserting the estoppel must be ignorant of the true  
17 state of facts; (4) he must have relied to his detriment on the conduct of  
18 the party to be estopped.

19 *Id.*

20 6. “It is a well-known maxim that a person who comes into an equity court  
21 must come with clean hands.” *Income Inv'rs v. Shelton*, 3 Wash. 2d 599, 602, 101 P.2d  
22 973, 974 (1940). “The doctrine bars relief to a party who has engaged in improper  
23 conduct in the matter in which that party is seeking relief. As such, the alleged  
24 inequitable conduct relied upon must be connected with the matter in litigation . . .”  
25 *Truck Ins. Exch. v. Palmer J. Swanson, Inc.*, 124 Nev. 629, 637–38, 189 P.3d 656, 662  
26 (2008).

27 7. In determining whether a party's connection with an action is sufficiently offensive  
28 to bar equitable relief, two factors must be considered: (1) the egregiousness of the  
misconduct at issue, and (2) the seriousness of the harm caused by the misconduct.

1 Only when these factors weigh against granting the requested equitable relief will the  
2 unclean hands doctrine bar that remedy. The district court has broad discretion in  
3 applying these factors, and we will not overturn the district court's determination unless  
4 it is unsupported by substantial evidence. *Las Vegas Fetish & Fantasy Halloween Ball,*  
5 *Inc. v. Ahern Rentals, Inc.*, 124 Nev. 272, 276, 182 P.3d 764, 767 (2008).  
6

7 8. The Nevada Supreme Court in *Las Vegas Fetish & Fantasy Halloween*  
8 *Ball, Inc. v. Ahern Rentals, Inc.* cited to *Income Inv'rs v. Shelton*, 3 Wash. 2d 599, 602,  
9 101 P.2d 973, 974–75 (1940), for its position on denying equity to a party with unclean  
10 hands. The Income Inv'rs Court stated:

11 Equity will not interfere on behalf of a party whose conduct in connection  
12 with the subject-matter or transaction in litigation has been  
13 unconscientious, unjust, or marked by the want of good faith, and will not  
14 afford him any remedy. 1 Pomeroy's Equity Jurisprudence (4th ed.) 739, §  
15 398; Dale v. Jennings, 90 Fla. 234, 107 So. 175; Bearman v. Dux Oil &  
16 Gas Co., 64 Okl. 147, 166 P. 199; Dewese v. Reinhard, 165 U.S. 386, 17  
17 S.Ct. 340, 41 L.Ed. 757. Other authorities might be cited, but the rule  
18 appears to be universal.

19 If the parties were guilty of the conduct which the trial court found that they  
20 were, the appellant comes squarely within the rule that equity will deny it  
21 relief, because coming into a court of equity and asking relief after wilfully  
22 concealing, withholding, and falsifying books and records, is certainly not  
23 coming in with clean hands.

24 *Income Inv'rs v. Shelton*, at 974–75.

25 9. In order to set aside a homeowner's association foreclosure sale, there must  
26 be a showing of fraud, unfairness or oppression. *Nationstar Mortg. LLC v. Saticoy Baly*  
27 *LLC Series 2227 Shadow Canyon*, 133 Nev. Adv. Rep. 91 (2017).  
28

10. In opposition to the Motion, Tobin has offered what she has represented to  
be a screenshot from the Ombudsman's office as a result of a public records request.

11. HOA has met its burden in establishing that there is no genuine issue of  
material fact and that it is entitled to summary judgment. Tobin has failed to meet her  
burden in opposing the Motion because the screenshot was not authenticated as

1 necessary pursuant to NRCP 56. Additionally, even if authenticated, the screenshot  
2 does not create a genuine issue of material fact because it does not establish that the  
3 sale was cancelled prior to the time of the foreclosure sale, the basis for the remarks,  
4 and whether the statements as indicated are the Ombudsman's opinions or the truth.  
5 The totality of the facts evidence that the HOA properly followed the processes and  
6 procedures in foreclosing upon the Property.

7  
8 **ORDER**

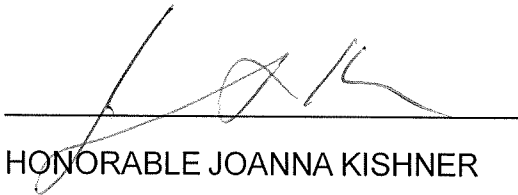
9 The court GRANTS the stipulation of all parties to allow for Cross-Defendant Sun  
10 City Anthem Community Association's Motion for Summary Judgment to be heard on its  
11 merits, therefore, the Court's Minute Order of March 5, 2019 shall be vacated.

12 Joel Stokes and Sandra F. Stokes, as trustee of the Jimijack Irrevocable Trust's  
13 Oral Request to Join Cross-Defendant Sun City Anthem Community Association's  
14 Motion for Summary Judgment is DENIED because it was requested in the midst of a  
15 motion that was completely briefed.

16 The Court GRANTS Cross-Defendant Sun City Anthem Community Association's  
17 Motion for Summary Judgment.


18 The Court GRANTS Nationstar's Limited Joinder to Sun City Anthem Community  
19 Association's Motion for Summary Judgment.

20 Dated this 15 day of April, 2019.

21  
22 *me*   
23 HONORABLE JOANNA KISHNER

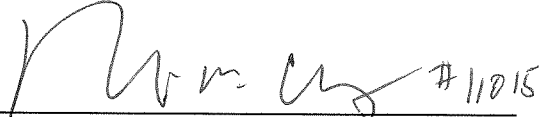

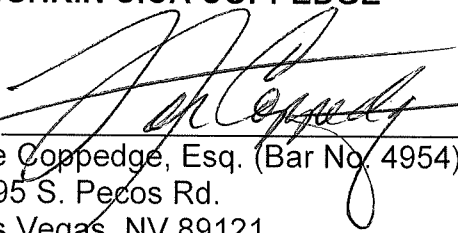
24 Submitted by:

25 **LIPSON NEILSON P.C.**

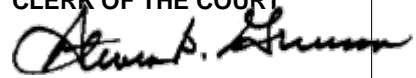
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27 \_\_\_\_\_  
28 Kaleb D. Anderson, Esq. (Bar No. 7582)  
David T. Ochoa, Esq. (Bar No. 10414)

1 9900 Covington Cross Drive, Suite 120  
2 Las Vegas, Nevada 89144  
3 *Attorneys for Cross-Defendant*  
4 *Sun City Anthem Community Association*

5 Approved as to form and content:

<p>7 Dated this <u>4<sup>th</sup></u> day of April, 2019</p> <p>8 <b>AKERMAN, LLP</b></p> <p>9</p> <p>10 By:  #11015</p> <p>11 Melanie D. Morgan, Esq. (Bar No. 8215) 12 1635 Village Center Circle Ste. 200 13 Las Vegas, NV 89134</p> <p>14 <i>Attorney for /Counterclaimant Nationstar</i></p>	<p>7 Dated this <u>4</u> day of April, 2019</p> <p>8 <b>HONG &amp; HONG</b></p> <p>9</p> <p>10 By: </p> <p>11 Joseph Y. Hong, Esq. (Bar No: 5995) 12 1980 Festival Plaza Dr., Suite 650 13 Las Vegas, NV 89135</p> <p>14 <i>Attorney for Plaintiff/Counterdefendant</i> <i>Jimijack Irrevocable Trust and</i> <i>F Bondurant, LLC</i></p>
<p>16 Dated this <u>4</u> day of April, 2019</p> <p>17 <b>MUSHKIN CICA COPPEDGE</b></p> <p>18</p> <p>19 By: </p> <p>20 Joe Coppedge, Esq. (Bar No. 4954) 21 4495 S. Pecos Rd. 22 Las Vegas, NV 89121</p> <p>23 <i>Attorney for Nona Tobin</i></p>	

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1 LIPSON NEILSON, P.C.  
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3 Nevada Bar No. 7582  
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10 [kanderson@lipsonneilson.com](mailto:kanderson@lipsonneilson.com)  
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12 *Attorneys for Cross-Defendant*  
13 *Sun City Anthem Community Association*

8 **DISTRICT COURT**  
9  
10 **CLARK COUNTY, NEVADA**

11 JOEL STOKES and SANDRA F.  
12 STOKES, as trustees of the JIMI JACK  
13 IRREVOCABLE TRUST,

14 Plaintiff,

15 vs.

16 BANK OF AMERICA, N.A.; SUN CITY  
17 ANTHEM COMMUNITY ASSOCIATION,  
18 INC.; DOES I through X and ROE  
19 BUSINESSENTITIES I through X,  
20 inclusive,

21 Defendants.

22 NATIONSTAR MORTGAGE, LLC

23 Counter-Claimant,

24 vs.

25 JIMI JACK IRREVOCABLE TRUST;  
26 OPPORTUNITY HOMES, LLC, a Nevada  
27 limited liability company; F. BONDURANT,  
28 LLC, a Nevada limited liability company;  
DOES I through X, inclusive; and ROE  
CORPORATIONS XI through XX,  
inclusive,

Counter-Defendants.

NONA TOBIN, an individual, and Trustee  
of the GORDON B. HANSEN TRUST.

CASE NO.: A-15-720032-C

Dept. XXXI

**NOTICE OF ENTRY OF FINDINGS OF  
FACT, CONCLUSIONS OF LAW AND  
ORDER ON CROSS-DEFENDANT SUN  
CITY ANTHEM COMMUNITY  
ASSOCIATION'S MOTION FOR  
SUMMARY JUDGMENT**

**Lipson, Neilson P.C.**  
9900 Covington Cross Drive, Suite 120  
Las Vegas, Nevada 89144  
(702) 382-1500 FAX: (702) 382-1512

1 Dated 8/22/08  
2 Counter-Claimant,  
3 vs.  
4 JOEL A. STOKES and SANDRA F.  
5 STOKES, as trustees of the JIMI JACK  
6 IRREVOCABLE TRUST,  
7 Counter-Defendants.  
8  
9 NONA TOBIN, an individual, and Trustee  
10 of the GORDON B. HANSEN TRUST.  
11 Dated 8/22/08  
12 Cross-Claimant,  
13 vs.  
14 SUN CITY ANTHEM COMMUNITY  
15 ASSOCIATION, INC., DOES 1-10, AND  
16 ROE CORPORATIONS 1-10, inclusive,  
17 Counter-Defendants.  
18  
19 NONA TOBIN, an individual, and Trustee  
20 of the GORDON B. HANSEN TRUST.  
21 Dated 8/22/08  
22 Cross-Claimant,  
23 vs.  
24 OPPORTUNITY HOMES, LLC, THOMAS  
25 LUCAS, Manager,  
26 Counter-Defendant.  
27  
28 NONA TOBIN, an individual, and Trustee  
of the GORDON B. HANSEN TRUST.  
Dated 8/22/08  
Cross-Claimant,  
vs.  
YUEN K. LEE, an Individual, d/b/a  
Manager, F. BONDURANT, LLC,  
Counter-Defendant.



1 **NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**  
2 **ON CROSS-DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION'S**  
3 **MOTION FOR SUMMARY JUDGMENT**

4 Please take notice that the Findings of Fact, Conclusions of Law and Order on  
5 Cross-Defendant Sun City Anthem Community Association's Motion for Summary  
6 Judgment, was filed with this court on the 17<sup>th</sup> day of April, 2019, a copy of which is  
7 attached.

8 Dated this 18<sup>th</sup> day of April, 2019.

9 LIPSON NEILSON P.C.

10 */s/ DAVID T. OCHOA*

11 BY: \_\_\_\_\_

12 KALEB ANDERSON, ESQ. (NV Bar No. 7582)  
13 DAVID T. OCHOA, ESQ. (NV Bar No. 10414)  
14 9900 Covington Cross Drive, Suite 120  
15 Las Vegas, Nevada 89144  
16 *Attorneys for Defendant SUN CITY ANTHEM*  
17 *COMMUNITY ASSOCIATION*

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**Lipson, Neilson P.C.**  
9900 Covington Cross Drive, Suite 120  
Las Vegas, Nevada 89144  
(702) 382-1500 FAX: (702) 382-1512

**CERTIFICATE OF SERVICE**

I hereby certify that on the 18<sup>th</sup> day of April, 2019, service of the foregoing  
**NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER  
ON CROSS-DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION'S  
MOTION FOR SUMMARY JUDGMENT** to the Clerk's Office using the Odyssey E-File  
& Serve System for filing and transmittal to the following Odyssey E-File & Serve  
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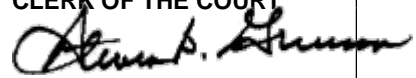
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*/s/ Sydney Ochoa*

---

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**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

11 JOEL STOKES and SANDRA F.  
12 STOKES, as trustees of the JIMI JACK  
13 IRREVOCABLE TRUST,

14 Plaintiff,

15 vs.

16 BANK OF AMERICA, N.A.,

17 Defendant.

18 NATIONSTAR MORTGAGE, LLC

19 Counter-Claimant,

20 vs.

21 JIMI JACK IRREVOCABLE TRUST,

22 Counter-Defendant.

23 NONA TOBIN, an individual, and Trustee  
24 of the GORDON B. HANSEN TRUST.  
25 Dated 8/22/08

26 Counter-Claimant,

27 vs.

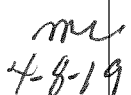
28 JOEL A. STOKES and SANDRA F.  
STOKES, as trustees of the JIMI JACK  
IRREVOCABLE TRUST, SUN CITY

CASE NO.: A-15-720032-C

Dept. XXXI

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND ORDER ON CROSS-  
DEFENDANT SUN CITY ANTHEM  
COMMUNITY ASSOCIATION'S MOTION  
FOR SUMMARY JUDGMENT**

Lipson, Neilson P.C.  
9900 Covington Cross Drive, Suite 120  
Las Vegas, Nevada 89144



1 ANTHEM COMMUNITY ASSOCIATION,  
2 INC., YUEN K. LEE, an Individual, d/b/a/  
3 Manager, F. BONDURANT, LLC, and  
DOES 1-10, and ROE CORPORATIONS  
1-10, inclusive,

4 Counter-Defendants,

5  
6 On February 5, 2019, Cross-Defendant Sun City Anthem Community Association  
7 filed its Motion for Summary Judgment (“Motion”). On February 12, 2019 Nationstar  
8 Mortgage, LLC filed its Joinder thereto. On March 5, 2019, Nona Tobin, individually and  
9 as Trustee of the Gordon B. Hansen Trust filed her Opposition to the Motion. On March  
10 6, 2019, Cross-Defendant Sun City Anthem Community Association filed its Reply in  
11 Support of the Motion for Summary Judgment. On March 5, 2019, the Court issued its  
12 Minute Order granting the Motion, having not received any opposition to the Motion.

13 The Motion was heard on March 26, 2019 at 9:30 a.m. in the above captioned  
14 matter. In attendance were David T. Ochoa on behalf of Sun City Anthem Community  
15 Association (“HOA” or “Sun City Anthem”), Joe Coppedge on behalf of Nona Tobin,  
16 individually and as Trustee of the Gordon B. Hansen Trust (“Tobin”), Joseph Hong on  
17 behalf of Joel Stokes and Sandra F. Stokes, as trustee of the Jimijack Irrevocable Trust  
18 (“Purchaser”), and also on behalf of F. Bondurant, LLC, and Melanie Morgan on behalf of  
19 Nationstar Mortgage, LLC (“Nationstar”). At the hearing, the parties stipulated to  
20 vacating the March 5, 2019 Minute Order and to hear the Motion on its merits.  
21 Additionally, Purchaser and F. Bondurant, LLC, made an Oral request to Join the Motion,  
22 to which Tobin objected.

23 The Court having reviewed the papers and pleadings, and having heard oral  
24 argument, issues the following findings of fact, conclusions of law and order:

25 **FINDINGS OF FACT**

26 1. In 2003, Gordon B. Hansen obtained a loan to purchase the real property  
27 located at 2763 White Sage Drive, Henderson, NV 89052 (the “Property”).  
28

1           2.       The Property was subject to the HOA's Covenants, Conditions and  
2 Restrictions "CC&Rs".

3           3.       In 2008, title to Property was transferred to the Gordon B. Hansen Trust  
4 (the "Trust"). Nona Tobin became the sole trustee of the Trust in January 2012 when  
5 Gordon Hansen passed away.

6           4.       In 2012, the Trust defaulted on the homeowners' assessments.

7           5.       On September 17, 2012, Red Rock Financial ("Red Rock"), the HOA's  
8 collection company, sent Gordon Hansen letters indicating that his account was in  
9 collections with them.

10          6.       On September 20, 2012, Sun City Anthem sent Gordon Hansen a Notice  
11 of Hearing that his account was delinquent and they were considering suspending  
12 membership privileges.

13          7.       On October 3, 2012, Tobin sent a letter to Sun City Anthem informing Sun  
14 City Anthem that Gordon Hansen passed away ("Tobin Letter").

15          8.       The Tobin Letter included a copy of the Notice of Hearing sent by Sun City  
16 Anthem as it was stamped by Red Rock as received on October 8, 2012 with other  
17 parts of the letter.

18          9.       The Tobin Letter also stated she was late and delinquent on assessments,  
19 that she was attempting to short sale the Property, and she did not intend to pay any  
20 additional assessments after the enclosed check.

21          10.       Tobin in fact never paid assessments after the October 2012 Tobin Letter.

22          11.       Tobin was handling affairs for The Estate of Gordon N. Hansen and  
23 owned her own property in Sun City Anthem at an Olivia Heights address.

24          12.       On November 5, 2012, Red Rock sent letters to both addresses (Olivia  
25 Heights and White Sage) addressed to The Estate of Gordon N. Hansen, informing that  
26 they received the notification that Gordon Hansen had passed, and requesting the  
27 Estate contact the office within thirty days of the letter.

28

1           13.    The Ledger and Payment Allocation indicate that payment was applied to  
2 the July 1, 2012 Quarter Assessment and the July 31, 2012 Late Fee.

3           14.    On December 14, 2012, the HOA, through Red Rock recorded a notice of  
4 delinquent assessment lien.

5           15.    On March 12, 2013, the HOA, through Red Rock, recorded a notice of  
6 default and election to sell. The first notice of default was rescinded on or about April 3,  
7 2013.

8           16.    On April 8, 2013, a second notice of default and election to sell was  
9 recorded by the HOA through Red Rock.

10          17.    The second notice of default and election to sell correctly notes the start of  
11 the delinquency since July 1, 2012.

12          18.    The Red Rock Ledger indicates the July 1, 2012 assessment payment  
13 was late, this was put in the second notice of default and election to sell, and is  
14 confirmed by the Tobin Letter.

15          19.    On February 12, 2014, the HOA, through Red Rock, recorded a notice of  
16 foreclosure sale.

17          20.    The Notice of Sale correctly referenced the second notice of default and  
18 election to sell that was recorded on April 8, 2013.

19          21.    Red Rock complied with all mailing requirements. Mailings went to both  
20 the Property address (White Sage) and Tobin's home address (Olivia Heights). Tobin  
21 signed for some of the mailings herself.

22          22.    The sale was scheduled for March 7, 2014, in the Notice of Sale. The  
23 sale was posted and published.

24          23.    The sale was postponed three times.

25          24.    The postponements were made in part to help Tobin attempt to short sale  
26 the Property.

27          25.    Tobin contracted with Craig Leidy to help her short sale the Property.  
28

1           26.     Craig Leidy requested the HOA waive thousands of dollars off the debt.

2           27.     The HOA communicated that it would waive some amounts but could not  
3 grant the waiver to the extent requested.

4           28.     Communication between Nationstar and Craig Leidy appears to indicate  
5 the balance was too high for Nationstar to allow the short sale.

6           29.     Sometime in May 2014, The Estate of Gordon Hansen entered into a  
7 Purchase Agreement with MZK Residential LLC, contingent on short sale approval.  
8 Tobin initialed every page of the agreement.

9           30.     The HOA foreclosure took place on August 15, 2014, whereby the HOA,  
10 through Red Rock, sold the Property to Thomas Lucas representing Opportunity Homes  
11 LLC for \$63,100.00.

12          31.     A foreclosure deed in favor of Opportunity Homes LLC was recorded on  
13 August 22, 2014.

14          32.     On October 13, 2014, Tobin sent an email to Craig Leidy, where she  
15 indicated her belief that he failed to protect the Trust's interest, that she believed he was  
16 working with the Purchaser Thomas Lucas, and also that she was aware that Red Rock  
17 interplead the excess proceeds.

18          33.     On August 11, 2017, A Notice of Entry Order Granting Thomas Lucas and  
19 Opportunity Homes, LLC's Motion for Summary Judgment was filed in this case. The  
20 Order states:

21                   While it is true that Mr. Lucas is a real estate licensee and an  
22 independent agent working with BHHS, BHHS is a real estate  
23 company that employs more than 800 real estate agents in Las  
24 Vegas valley alone, and Mr. Lucas is not bound by the agreements  
25 that Tobin could have signed with other BHHS agents.

26          34.     Tobin has filed one cause of action for Quiet Title/Declaratory Relief  
27 against the HOA.

28          35.     On January 10, 2019, the Court issued a Minute Order on Tobin's Motion  
to Amend Answer, Counterclaim, and Crossclaims that was filed on November 30,

1 2018.

2 36. No separate order or entry of order was filed regarding the Amended  
3 Answer, Counterclaim, and Crossclaims.

4  
5 37. The Amended Answer, Counterclaim, and Crossclaims was not separately  
6 filed.

7 **CONCLUSIONS OF LAW**

8 1. Summary Judgment is appropriate “when the pleadings and other  
9 evidence on file demonstrate that no ‘genuine issue to any material fact [remains] and  
10 that the moving party is entitled to a judgment as a matter of law.” *Wood v. Safeway,*  
11 *Inc.*, 121 Nev. 724, 729, 121 P.3d 1026, 1029 (2005). Additionally, “[t]he purpose of  
12 summary judgment ‘is to avoid a needless trial when an appropriate showing is made in  
13 advance that there is no genuine issue of fact to be tried, and the movant is entitled to  
14 judgment as a matter of law.’” *McDonald v. D.P. Alexander & Las Vegas Boulevard,*  
15 *LLC*, 121 Nev. 812, 815, 123 P.3d 748, 750 (2005) quoting *Coray v. Home*, 80 Nev. 39,  
16 40-41, 389 P.2d 76, 77 (1964). Moreover, the non-moving party “must, by affidavit or  
17 otherwise, set forth specific facts demonstrating the existence of a genuine issue for trial  
18 or have summary judgment entered against [it].” *Wood*, 121 Nev. at 32, 121 P.3d at  
19 1031. Though inferences are to be drawn in favor of the non-moving party, an  
20 opponent to summary judgment, must show that it can produce evidence at trial to  
21 support its claim or defense. *Van Cleave v. Kietz-Mill Minit Mart*, 97 Nev. 414, 417, 633  
22 P.2d 1220, 222 (1981).

23 2. A party cannot defeat summary judgment by contradicting itself. See  
24 *Aldabe v. Adams*, 81 Nev. 280, 284–85, 402 P.2d 34, 36–37 (1965) (refusing to credit  
25 sworn statement made in opposition to summary judgment that was in direct conflict  
26 with an earlier statement of the same party).

27 3. “When sitting in equity, [], courts must consider the entirety of the  
28 circumstances that bear upon the equities.” *Shadow Wood HOA v. N.Y. Cmty.*



1 *Bancorp.*, 132 Nev. Adv. Op. 5, 366 P.3d 1105, 1114 (2016), referencing: see e.g., *In*  
2 *re Petition of Nelson*, 495 N.W.2d 200, 203 (Minn.1993).

3  
4 4. “[I]t is well established that due process is not offended by requiring a person  
5 with actual, timely knowledge of an event ... to exercise due diligence and take  
6 necessary steps to preserve [his] rights.” *In re Medaglia*, 52 F.3d at 455; see also *SFR*  
7 *Investments Pool 1 v. U.S. Bank*, 130 Nev. Adv. Op. 75, 334 P.3d 408, 418 (2014).

8 5. “Equitable estoppel functions to prevent the assertion of legal rights that in  
9 equity and good conscience should not be available due to a party's conduct.” *In re*  
10 *Harrison Living Tr.*, 121 Nev. 217, 223, 112 P.3d 1058, 1061–62 (2005).

11  
12 This court has previously established the four elements of equitable  
13 estoppel: (1) the party to be estopped must be apprised of the true facts;  
14 (2) he must intend that his conduct shall be acted upon, or must so act  
15 that the party asserting estoppel has the right to believe it was so  
16 intended; (3) the party asserting the estoppel must be ignorant of the true  
17 state of facts; (4) he must have relied to his detriment on the conduct of  
18 the party to be estopped.

19 *Id.*

20 6. “It is a well-known maxim that a person who comes into an equity court  
21 must come with clean hands.” *Income Inv'rs v. Shelton*, 3 Wash. 2d 599, 602, 101 P.2d  
22 973, 974 (1940). “The doctrine bars relief to a party who has engaged in improper  
23 conduct in the matter in which that party is seeking relief. As such, the alleged  
24 inequitable conduct relied upon must be connected with the matter in litigation . . .”  
25 *Truck Ins. Exch. v. Palmer J. Swanson, Inc.*, 124 Nev. 629, 637–38, 189 P.3d 656, 662  
26 (2008).

27 7. In determining whether a party's connection with an action is sufficiently offensive  
28 to bar equitable relief, two factors must be considered: (1) the egregiousness of the  
misconduct at issue, and (2) the seriousness of the harm caused by the misconduct.

1 Only when these factors weigh against granting the requested equitable relief will the  
2 unclean hands doctrine bar that remedy. The district court has broad discretion in  
3 applying these factors, and we will not overturn the district court's determination unless  
4 it is unsupported by substantial evidence. *Las Vegas Fetish & Fantasy Halloween Ball,*  
5 *Inc. v. Ahern Rentals, Inc.*, 124 Nev. 272, 276, 182 P.3d 764, 767 (2008).  
6

7 8. The Nevada Supreme Court in *Las Vegas Fetish & Fantasy Halloween*  
8 *Ball, Inc. v. Ahern Rentals, Inc.* cited to *Income Inv'rs v. Shelton*, 3 Wash. 2d 599, 602,  
9 101 P.2d 973, 974–75 (1940), for its position on denying equity to a party with unclean  
10 hands. The Income Inv'rs Court stated:

11 Equity will not interfere on behalf of a party whose conduct in connection  
12 with the subject-matter or transaction in litigation has been  
13 unconscientious, unjust, or marked by the want of good faith, and will not  
14 afford him any remedy. 1 Pomeroy's Equity Jurisprudence (4th ed.) 739, §  
15 398; Dale v. Jennings, 90 Fla. 234, 107 So. 175; Bearman v. Dux Oil &  
16 Gas Co., 64 Okl. 147, 166 P. 199; Dewese v. Reinhard, 165 U.S. 386, 17  
17 S.Ct. 340, 41 L.Ed. 757. Other authorities might be cited, but the rule  
18 appears to be universal.

19 If the parties were guilty of the conduct which the trial court found that they  
20 were, the appellant comes squarely within the rule that equity will deny it  
21 relief, because coming into a court of equity and asking relief after wilfully  
22 concealing, withholding, and falsifying books and records, is certainly not  
23 coming in with clean hands.

24 *Income Inv'rs v. Shelton*, at 974–75.

25 9. In order to set aside a homeowner's association foreclosure sale, there must  
26 be a showing of fraud, unfairness or oppression. *Nationstar Mortg. LLC v. Saticoy Baly*  
27 *LLC Series 2227 Shadow Canyon*, 133 Nev. Adv. Rep. 91 (2017).  
28

10. In opposition to the Motion, Tobin has offered what she has represented to  
be a screenshot from the Ombudsman's office as a result of a public records request.

11. HOA has met its burden in establishing that there is no genuine issue of  
material fact and that it is entitled to summary judgment. Tobin has failed to meet her  
burden in opposing the Motion because the screenshot was not authenticated as

1 necessary pursuant to NRCP 56. Additionally, even if authenticated, the screenshot  
2 does not create a genuine issue of material fact because it does not establish that the  
3 sale was cancelled prior to the time of the foreclosure sale, the basis for the remarks,  
4 and whether the statements as indicated are the Ombudsman's opinions or the truth.  
5 The totality of the facts evidence that the HOA properly followed the processes and  
6 procedures in foreclosing upon the Property.

7  
8 **ORDER**

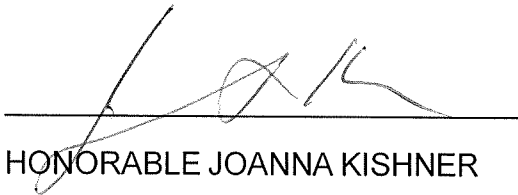
9 The court GRANTS the stipulation of all parties to allow for Cross-Defendant Sun  
10 City Anthem Community Association's Motion for Summary Judgment to be heard on its  
11 merits, therefore, the Court's Minute Order of March 5, 2019 shall be vacated.

12 Joel Stokes and Sandra F. Stokes, as trustee of the Jimijack Irrevocable Trust's  
13 Oral Request to Join Cross-Defendant Sun City Anthem Community Association's  
14 Motion for Summary Judgment is DENIED because it was requested in the midst of a  
15 motion that was completely briefed.

16 The Court GRANTS Cross-Defendant Sun City Anthem Community Association's  
17 Motion for Summary Judgment.


18 The Court GRANTS Nationstar's Limited Joinder to Sun City Anthem Community  
19 Association's Motion for Summary Judgment.

20 Dated this 15 day of April, 2019.

21  
22 *me*   
23 HONORABLE JOANNA KISHNER

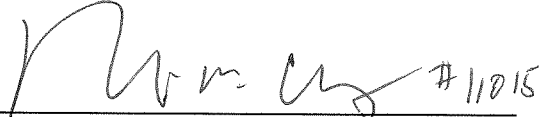

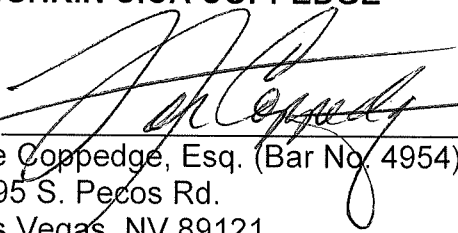
24 Submitted by:

25 **LIPSON NEILSON P.C.**

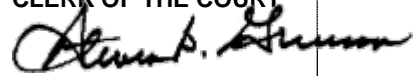
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28 Kaleb D. Anderson, Esq. (Bar No. 7582)  
David T. Ochoa, Esq. (Bar No. 10414)

1 9900 Covington Cross Drive, Suite 120  
2 Las Vegas, Nevada 89144  
3 *Attorneys for Cross-Defendant*  
4 *Sun City Anthem Community Association*

5 Approved as to form and content:

<p>7 Dated this <u>4<sup>th</sup></u> day of April, 2019</p> <p>8 <b>AKERMAN, LLP</b></p> <p>9</p> <p>10 By:  #11015</p> <p>11 Melanie D. Morgan, Esq. (Bar No. 8215) 12 1635 Village Center Circle Ste. 200 13 Las Vegas, NV 89134</p> <p>14 <i>Attorney for /Counterclaimant Nationstar</i></p>	<p>7 Dated this <u>4</u> day of April, 2019</p> <p>8 <b>HONG &amp; HONG</b></p> <p>9</p> <p>10 By: </p> <p>11 Joseph Y. Hong, Esq. (Bar No: 5995) 12 1980 Festival Plaza Dr., Suite 650 13 Las Vegas, NV 89135</p> <p>14 <i>Attorney for Plaintiff/Counterdefendant</i> <i>Jimijack Irrevocable Trust and</i> <i>F Bondurant, LLC</i></p>
<p>16 Dated this <u>4</u> day of April, 2019</p> <p>17 <b>MUSHKIN CICA COPPEDGE</b></p> <p>18</p> <p>19 By: </p> <p>20 Joe Coppedge, Esq. (Bar No. 4954) 21 4495 S. Pecos Rd. 22 Las Vegas, NV 89121</p> <p>23 <i>Attorney for Nona Tobin</i></p>	

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13 *Sun City Anthem Community Association*

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DISTRICT COURT  
CLARK COUNTY, NEVADA

10 JOEL STOKES and SANDRA F.  
11 STOKES, as trustees of the JIMI JACK  
12 IRREVOCABLE TRUST,

13 Plaintiff,

14 vs.

15 BANK OF AMERICA, N.A.;

16 Defendants.

17 NATIONSTAR MORTGAGE, LLC

18 Counter-Claimant,

19 vs.

20 JIMI JACK IRREVOCABLE TRUST,

21 Counter-Defendant.

22 NONA TOBIN, an individual, and Trustee  
23 of the GORDON B. HANSEN TRUST.  
24 Dated 8/22/08

25 Counter-Claimant,

26 vs.

27 JOEL A. STOKES and SANDRA F.  
28 STOKES, as trustees of the JIMI JACK  
IRREVOCABLE TRUST, SUN CITY  
ANTHEM COMMUNITY ASSOCIATION,  
YUEN K. LEE, an Individual, d/b/a

CASE NO.: A-15-720032-C

Dept. XXXI

**ORDER DENYING MOTION FOR  
RECONSIDERATION**

**Lipson, Neilson P.C.**  
9900 Covington Cross Drive, Suite 120  
Las Vegas, Nevada 89144  
(702) 382-1500 FAX: (702) 382-1512

1 Manager, F. BONDURANT, LLC, DOES  
2 1-10, AND ROE CORPORATIONS 1-10,  
3 inclusive,

4 Counter-Defendants.  
5

6 On April 17, 2019 (The Findings of Fact, Conclusions of Law and Order of Cross-  
7 Defendant Sun City Anthem Community Association's Motion for Summary Judgment)  
8 was filed. The Notice of Entry of Order was filed on April 18, 2019. On April 29, 2019,  
9 Cross-Claimant Nona Tobin's Motion for Reconsideration ("Motion") was filed. Cross-  
10 Defendant Sun City Anthem Community Association filed its Opposition to the Motion for  
11 Reconsideration on May 2, 2019. On May 3, 2019, Plaintiff's Joel Stokes and Sandra  
12 Stokes, as trustees of the Jimijack Irrevocable Trust filed a joinder to the Opposition. On  
13 the same day, Counter-Claimant Nationstar Mortgage LLC, filed a limited joinder to the  
14 Opposition.

15 The Motion was heard on May 29, 2019 at 8:30 a.m. in the above captioned  
16 matter. In attendance were David T. Ochoa on behalf of Sun City Anthem Community  
17 Association ("HOA" or "Sun City Anthem"), Michael Mushkin on behalf of Nona Tobin,  
18 individually and as Trustee of the Gordon B. Hansen Trust ("Tobin"), Joseph Hong on  
19 behalf of Joel Stokes and Sandra F. Stokes, as trustee of the Jimijack Irrevocable Trust  
20 ("Purchaser"), and Donna Wittig on behalf of Nationstar Mortgage, LLC ("Nationstar"). At  
21 the hearing, counsel for Tobin withdrew the separate Motion to Substitute Real Party in  
22 Interest and to Withdraw as Counsel of Record for Counterclaimant Nona Tobin on  
23 Order Shortening Time, that had been filed on May 23, 2019 and set for the same day  
24 and time.

25 The Court having reviewed the papers and pleadings, and having heard oral  
26 argument, issues the following Order:  
27  
28

1 ORDER

2 First, the procedural burden has not been met to demonstrate new evidence,  
3 new law, or a clearly erroneous finding. The Nevada Supreme Court has held that  
4 motions for reconsideration are appropriate only when substantially different evidence is  
5 subsequently introduced or the decision is clearly erroneous," *Masonry and Tile*  
6 *Contractors v. Jolly Urga & Wirth*, 113 Nev. 737, 741 (1997); see also, *Moore v. City of*  
7 *Las Vegas*, 92 Nev. 402, 405, 551 P.2d 244, 246 (1976) ("Only in very rare instances in  
8 which new issues of fact or law are raised supporting a ruling contrary to the ruling  
9 already reached should a motion for rehearing be granted.")

10 Additionally, reconsideration is only proper if the newly discovered evidence is  
11 "substantially different" from the prior evidence and "not previously obtainable in the  
12 exercise of due diligence." *Masonry and Tile Contractors v. Jolly Urga & Wirth*, 113 Nev.  
13 737, 741 (1997). See also, *Mustafa v. Clark County School District*, 157 F.3d 1169,  
14 1178-79 99<sup>th</sup> Cir., 1998) (generally, leave for reconsideration is only granted upon a  
15 showing of: (1) newly discovered evidence; (2) the court having committed clear error or  
16 manifest injustice; or (3) an intervening change in controlling law); *Harvey's Wagon*  
17 *Wheel Inc. v. MacSween*, 96 Nev. 215, 217-218, 606 P.3d 1095, 1097 (1980).

18 Second, even if the Court reviews the substance of the pleadings before the  
19 court and in the record, reconsideration is not warranted. The substantial exhibits that  
20 have been submitted in the case demonstrate that Nona Tobin as Trustee of the Trust  
21 was aware of the foreclosure and did not seek to stop the foreclosure. The May 2, 2019  
22 Order, without addressing superpriority, establishes the HOA had a valid lien and  
23 properly noticed the foreclosure sale.

24 The Motion for Reconsideration is therefore **DENIED. IT IS SO ORDERED.**

25 Dated this 30 day of May, 2019.

26  JOANNA S. KISHNER

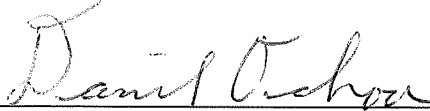
27 HONORABLE JOANNA KISHNER

Lipson, Neilson P.C.  
9900 Covington Cross Drive, Suite 120  
Las Vegas, Nevada 89144  
(702) 382-1500 FAX: (702) 382-1512

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Submitted by:

LIPSON NEILSON P.C.



Kaleb D. Anderson, Esq. (Bar No. 7582)  
David T. Ochoa, Esq. (Bar No. 10414)  
9900 Covington Cross Drive, Suite 120  
Las Vegas, Nevada 89144

*Attorneys for Cross-Defendant  
Sun City Anthem Community Association*

Approved By:

Dated this 29 day of May, 2019

**HONG & HONG**

By: 

Joseph Y. Hong, Esq. (Bar No: 5995)  
1980 Festival Plaza Dr., Suite 650  
Las Vegas, NV 89135

*Attorney for Plaintiff/Counterdefendant  
Jimjack Irrevocable Trust*

Dated this 30<sup>th</sup> day of May, 2019

**MUSHKIN CICA COPPEDGE**

By: 

Joe Coppedge, Esq. (Bar No. 4954)  
4495 S. Pecos Rd.  
Las Vegas, NV 89121

NONA TOBIN, an individual, and Trustee of  
the GORDON B. HANSEN TRUST

Dated this 29<sup>th</sup> day of May, 2019

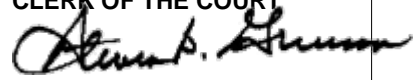
**AKERMAN, LLP**

By: 

Melanie D. Morgan, Esq. (Bar No. 8215)  
1635 Village Center Circle Ste. 200  
Las Vegas, NV 89134

*Attorneys for Defendants*





1 LIPSON NEILSON, P.C.  
2 KALEB D. ANDERSON, ESQ.  
3 Nevada Bar No. 7582  
4 DAVID T. OCHOA, ESQ.  
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12 *Attorneys for Cross-Defendant*  
13 *Sun City Anthem Community Association*

8 **DISTRICT COURT**  
9  
10 **CLARK COUNTY, NEVADA**

11 JOEL STOKES and SANDRA F.  
12 STOKES, as trustees of the JIMI JACK  
13 IRREVOCABLE TRUST,

14 Plaintiff,

15 vs.

16 BANK OF AMERICA, N.A.;

17 Defendants.

18 NATIONSTAR MORTGAGE, LLC

19 Counter-Claimant,

20 vs.

21 JIMI JACK IRREVOCABLE TRUST,

22 Counter-Defendant.

23 NONA TOBIN, an individual, and Trustee  
24 of the GORDON B. HANSEN TRUST.  
25 Dated 8/22/08

26 Counter-Claimant,

27 vs.

28 JOEL A. STOKES and SANDRA F.  
STOKES, as trustees of the JIMI JACK  
IRREVOCABLE TRUST, SUN CITY  
ANTHEM COMMUNITY ASSOCIATION,  
YUEN K. LEE, an Individual, d/b/a

CASE NO.: A-15-720032-C

Dept. XXXI

**NOTICE OF ENTRY OF ORDER  
DENYING MOTION FOR  
RECONSIDERATION**

**Lipson, Neilson P.C.**  
9900 Covington Cross Drive, Suite 120  
Las Vegas, Nevada 89144  
(702) 382-1500 FAX: (702) 382-1512

**Lipson, Neilson P.C.**  
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Manager, F. BONDURANT, LLC, DOES  
1-10, AND ROE CORPORATIONS 1-10,  
inclusive,  
  
Counter-Defendants.

---

Please take notice that the ORDER DENYING MOTION FOR  
RECONSIDERATION, was filed with this court on the 31<sup>st</sup> day of May, 2019, a copy of  
which is attached.

Dated this 31<sup>st</sup> day of May, 2019.

LIPSON NEILSON P.C.

*/s/ DAVID T. OCHOA*

BY: \_\_\_\_\_  
KALEB ANDERSON, ESQ. (NV Bar No. 7582)  
DAVID T. OCHOA, ESQ. (NV Bar No. 10414)  
9900 Covington Cross Drive, Suite 120  
Las Vegas, Nevada 89144  
*Attorneys for Defendant SUN CITY ANTHEM  
COMMUNITY ASSOCIATION*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 31<sup>st</sup> day of May, 2019, service of the foregoing  
**NOTICE OF ENTRY OF ORDER DENYING MOTION FOR RECONSIDERATION** to  
the Clerk's Office using the Odyssey E-File & Serve System for filing and transmittal to  
the following Odyssey E-File & Serve registrants:

Melanie D Morgan, Esq.  
Donna Wittig, Esq.  
AKERMAN LLP  
1635 Village Center Circle Ste. 200  
Las Vegas, NV 89134

*Attorneys for Defendants*

Joseph Y. Hong, Esq.  
HONG & HONG  
1980 Festival Plaza Dr., Suite 650  
Las Vegas, NV 89135

*Attorneys for Plaintiff*

David R. Koch  
Steven B. Scow  
KOCH & SCOW LLC  
11500 S. Eastern Ave. Suite 210  
Henderson, NV 89052

*Attorneys for Cross-Defendant Red Rock  
Financial Services, LLC*

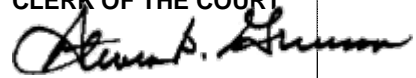
Joe Coppedge, Esq.  
Michael R. Mushkin & Associates, P.C.  
4475 S. Pecos Road  
Las Vegas, NV 89121

*Attorney for Nona Tobin an individual and  
Trustee of the Gordon B. Hansen Trust,  
dated 8/22/25*

*/s/ Ashley Scott-Johnson*

---

An Employee of LIPSON NEILSON, P.C.



1 LIPSON NEILSON, P.C.  
2 KALEB D. ANDERSON, ESQ.  
3 Nevada Bar No. 7582  
4 DAVID T. OCHOA, ESQ.  
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12 *Attorneys for Cross-Defendant*  
13 *Sun City Anthem Community Association*

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DISTRICT COURT  
CLARK COUNTY, NEVADA

10 JOEL STOKES and SANDRA F.  
11 STOKES, as trustees of the JIMI JACK  
12 IRREVOCABLE TRUST,

13 Plaintiff,

14 vs.

15 BANK OF AMERICA, N.A.;

16 Defendants.

17 NATIONSTAR MORTGAGE, LLC

18 Counter-Claimant,

19 vs.

20 JIMI JACK IRREVOCABLE TRUST,

21 Counter-Defendant.

22 NONA TOBIN, an individual, and Trustee  
23 of the GORDON B. HANSEN TRUST.  
24 Dated 8/22/08

25 Counter-Claimant,

26 vs.

27 JOEL A. STOKES and SANDRA F.  
28 STOKES, as trustees of the JIMI JACK  
IRREVOCABLE TRUST, SUN CITY  
ANTHEM COMMUNITY ASSOCIATION,  
YUEN K. LEE, an Individual, d/b/a

CASE NO.: A-15-720032-C

Dept. XXXI

**ORDER DENYING MOTION FOR  
RECONSIDERATION**

**Lipson, Neilson P.C.**  
9900 Covington Cross Drive, Suite 120  
Las Vegas, Nevada 89144  
(702) 382-1500 FAX: (702) 382-1512

1 Manager, F. BONDURANT, LLC, DOES  
2 1-10, AND ROE CORPORATIONS 1-10,  
3 inclusive,

4 Counter-Defendants.  
5

6 On April 17, 2019 (The Findings of Fact, Conclusions of Law and Order of Cross-  
7 Defendant Sun City Anthem Community Association's Motion for Summary Judgment)  
8 was filed. The Notice of Entry of Order was filed on April 18, 2019. On April 29, 2019,  
9 Cross-Claimant Nona Tobin's Motion for Reconsideration ("Motion") was filed. Cross-  
10 Defendant Sun City Anthem Community Association filed its Opposition to the Motion for  
11 Reconsideration on May 2, 2019. On May 3, 2019, Plaintiff's Joel Stokes and Sandra  
12 Stokes, as trustees of the Jimijack Irrevocable Trust filed a joinder to the Opposition. On  
13 the same day, Counter-Claimant Nationstar Mortgage LLC, filed a limited joinder to the  
14 Opposition.

15 The Motion was heard on May 29, 2019 at 8:30 a.m. in the above captioned  
16 matter. In attendance were David T. Ochoa on behalf of Sun City Anthem Community  
17 Association ("HOA" or "Sun City Anthem"), Michael Mushkin on behalf of Nona Tobin,  
18 individually and as Trustee of the Gordon B. Hansen Trust ("Tobin"), Joseph Hong on  
19 behalf of Joel Stokes and Sandra F. Stokes, as trustee of the Jimijack Irrevocable Trust  
20 ("Purchaser"), and Donna Wittig on behalf of Nationstar Mortgage, LLC ("Nationstar"). At  
21 the hearing, counsel for Tobin withdrew the separate Motion to Substitute Real Party in  
22 Interest and to Withdraw as Counsel of Record for Counterclaimant Nona Tobin on  
23 Order Shortening Time, that had been filed on May 23, 2019 and set for the same day  
24 and time.

25 The Court having reviewed the papers and pleadings, and having heard oral  
26 argument, issues the following Order:  
27  
28

1 ORDER

2 First, the procedural burden has not been met to demonstrate new evidence,  
3 new law, or a clearly erroneous finding. The Nevada Supreme Court has held that  
4 motions for reconsideration are appropriate only when substantially different evidence is  
5 subsequently introduced or the decision is clearly erroneous," *Masonry and Tile*  
6 *Contractors v. Jolly Urga & Wirth*, 113 Nev. 737, 741 (1997); see also, *Moore v. City of*  
7 *Las Vegas*, 92 Nev. 402, 405, 551 P.2d 244, 246 (1976) ("Only in very rare instances in  
8 which new issues of fact or law are raised supporting a ruling contrary to the ruling  
9 already reached should a motion for rehearing be granted.")

10 Additionally, reconsideration is only proper if the newly discovered evidence is  
11 "substantially different" from the prior evidence and "not previously obtainable in the  
12 exercise of due diligence." *Masonry and Tile Contractors v. Jolly Urga & Wirth*, 113 Nev.  
13 737, 741 (1997). See also, *Mustafa v. Clark County School District*, 157 F.3d 1169,  
14 1178-79 99<sup>th</sup> Cir., 1998) (generally, leave for reconsideration is only granted upon a  
15 showing of: (1) newly discovered evidence; (2) the court having committed clear error or  
16 manifest injustice; or (3) an intervening change in controlling law); *Harvey's Wagon*  
17 *Wheel Inc. v. MacSween*, 96 Nev. 215, 217-218, 606 P.3d 1095, 1097 (1980).

18 Second, even if the Court reviews the substance of the pleadings before the  
19 court and in the record, reconsideration is not warranted. The substantial exhibits that  
20 have been submitted in the case demonstrate that Nona Tobin as Trustee of the Trust  
21 was aware of the foreclosure and did not seek to stop the foreclosure. The May 2, 2019  
22 Order, without addressing superpriority, establishes the HOA had a valid lien and  
23 properly noticed the foreclosure sale.

24 The Motion for Reconsideration is therefore **DENIED. IT IS SO ORDERED.**

25 Dated this 30 day of May, 2019.

26  JOANNA S. KISHNER

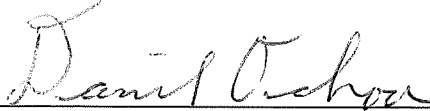
27 HONORABLE JOANNA KISHNER

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Submitted by:

LIPSON NEILSON P.C.



Kaleb D. Anderson, Esq. (Bar No. 7582)  
David T. Ochoa, Esq. (Bar No. 10414)  
9900 Covington Cross Drive, Suite 120  
Las Vegas, Nevada 89144

*Attorneys for Cross-Defendant  
Sun City Anthem Community Association*

Approved By:

Dated this 29 day of May, 2019

**HONG & HONG**

By: 

Joseph Y. Hong, Esq. (Bar No: 5995)  
1980 Festival Plaza Dr., Suite 650  
Las Vegas, NV 89135

*Attorney for Plaintiff/Counterdefendant  
Jimjack Irrevocable Trust*

Dated this 30<sup>th</sup> day of May, 2019

**MUSHKIN CICA COPPEDGE**

By: 

Joe Coppedge, Esq. (Bar No. 4954)  
4495 S. Pecos Rd.  
Las Vegas, NV 89121

NONA TOBIN, an individual, and Trustee of  
the GORDON B. HANSEN TRUST

Dated this 29<sup>th</sup> day of May, 2019

**AKERMAN, LLP**

By: 

Melanie D. Morgan, Esq. (Bar No. 8215)  
1635 Village Center Circle Ste. 200  
Las Vegas, NV 89134

*Attorneys for Defendants*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property**

**COURT MINUTES**

**October 13, 2015**

---

A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

---

**October 13, 2015      10:00 AM      Motion for Prove Up**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Sandra Harrell

**RECORDER:** Debbie Winn

**REPORTER:**

**PARTIES**

**PRESENT:**      Hong, Joseph Y.      Attorney  
Stokes, Joel A      Trustee

**JOURNAL ENTRIES**

- PLAINTIFF'S MOTION FOR HEARING ON ENTRY OF DEFAULT JUDGMENT

Witness, Joel Stokes, Trustee of JimiJack Irrevocable Trust, sworn and testified. COURT ORDERED, Quiet Title as to Bank of America is GRANTED. Proposed Order presented IN OPEN COURT. Will be available for pick-up from Court's outbox by end of day.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property**

**COURT MINUTES**

**May 17, 2016**

A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

**May 17, 2016                      9:00 AM                      Motion for Substitution**

**HEARD BY:** Kishner, Joanna S.                      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Denise Husted

**RECORDER:** Rachelle Hamilton

**REPORTER:**

**PARTIES**

**PRESENT:**      Hong, Joseph Y.                      Attorney  
                         Smith, Edgar C., ESQ                      Attorney

**JOURNAL ENTRIES**

- Mr. Smith stated that his request is timely filed. The Court informed him that he is not in the case yet. Counsel stated that his is asking the Court to allow him to intervene as he is a real party in interest; he explained his position on that matter. Mr. Hong explained what the banks do in these instances and advised that his client is seeking the extinguishment of the deed of trust at the time of the HOA sale. Mr. Hong stated his position regarding quiet title cases and that it has to be the bank at the time of the HOA sale; the case was closed and the default judgment was entered six months ago. Further arguments regarding the deed of trust. Opposition argued by Mr. Smith; he advised that he is asking the Court to recognize that due process requires that he intervene in the case and assert his claims. COURT ORDERED, Motion to Intervene is GRANTED; Mr. Smith needs to break this down as the Bank of America is not being taken away yet. FURTHER the Motion is DENIED WITHOUT PREJUDICE regarding Substitution of Parties at this time. The Court advised it will deal with future motion practice as it comes before the Court. Ms. Smith stated he will provide an appearance and answer within ten days; the Court will track it on 6/3/16. Mr. Smith to prepare the order and run it by Mr. Hong before providing it to the Court.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property**

**COURT MINUTES**

**June 23, 2016**

---

A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

---

**June 23, 2016      9:30 AM      Motion to Dismiss**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Sandra Harrell

**RECORDER:** Sandra Pruchnic

**REPORTER:**

**PARTIES**

**PRESENT:**      Hong, Joseph Y.      Attorney  
                 Smith, Edgar C., ESQ      Attorney

**JOURNAL ENTRIES**

- Matter argued and submitted. Court stated its findings, and ORDERED, Plaintiff, Jimijack Irrevocable Trust's, Through Its Trustees, Motion to Dismiss Defendant In Intervention Nationstar is DENIED WITHOUT PREJUDICE. Mr. Smith to prepare the Order, circulating to Mr. Hong for approval as to form and content.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property**

**COURT MINUTES**

**July 14, 2016**

A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

**July 14, 2016                      9:30 AM                      Status Check**

**HEARD BY:** Kishner, Joanna S.                      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Sandra Harrell  
Olivia Black

**RECORDER:** Rachelle Hamilton

**REPORTER:**

**PARTIES**

**PRESENT:**      Hong, Joseph Y.                      Attorney  
                         Smith, Edgar C., ESQ                      Attorney

**JOURNAL ENTRIES**

- STATUS CHECK RE: POSSIBLE CONSOLIDATION WITH A730078 (DC23 CASE)

Mr. Smith not present. Mr. Hong requested upcoming hearings be combined and heard on 8/4/16, waived reply. Court directed Mr. Hong to send out a notice of hearing or order regarding the change of dates (file and e-serve). Mr. Hong requested that if he changes his mind and wants to reply could he file by 7/25/16 - Court notes it will be fine with that. COURT ORDERED, Jimijack Irrevocable Trust's Motion to Consolidate Case No. A-16-730078-C and A-15-720032-C currently set on 8/5/16 and Plaintiff, Jimijack Irrevocable Trust's, Through Its Trustees, Motion for Summary Judgment on Order Shortening Time currently set on 8/16/16 are both rescheduled and will now be heard on 8/4/16 at 9:30 am.

Matter recalled. (9:50 am) Mr. Smith now present. Court provided overview of hearing. Mr. Smith states he was not intending to oppose the motion to consolidate, will file a non-opposition to the motion.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property**

**COURT MINUTES**

**August 04, 2016**

A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

**August 04, 2016      9:30 AM      All Pending Motions**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Sandra Harrell

**RECORDER:** Rachelle Hamilton

**REPORTER:**

**PARTIES**

**PRESENT:**      Hong, Joseph Y.      Attorney  
                         Kelley, Michael S.      Attorney

**JOURNAL ENTRIES**

- JIMIACK IRREVOCABLE TRUST'S MOTION TO CONSOLIDATE CASE NO. A-16-730078-C AND CASE NO. A-15-720032-C:

There being no opposition, COURT ORDERED, Motion GRANTED, pursuant to EDCR 2.20 and on the merits.

PLAINTIFF, JIMIACK IRREVOCABLE TRUST'S, THROUGH ITS TRUSTEES, MOTION FOR SUMMARY JUDGMENT ON ORDER SHORTENING TIME:

Matter argued and submitted. Court finds material issues of fact in dispute, and ORDERED, Motion DENIED WITHOUT PREJUDICE.

Mr. Kelley to prepare the Orders, circulating to Mr. Hong for approval as to form and content.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property**

**COURT MINUTES**

**September 29, 2016**

---

A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

---

**September 29, 2016    9:00 AM                  Motion to Intervene**

**HEARD BY:**    Kishner, Joanna S.                                  **COURTROOM:**    RJC Courtroom 12B

**COURT CLERK:**    Sandra Harrell

**RECORDER:**    Rachelle Hamilton

**REPORTER:**

**PARTIES**

**PRESENT:**      Hong, Joseph Y.                                  Attorney  
                         Tobin, Nona    Other

**JOURNAL ENTRIES**

- Matter argued and submitted.  
COURT ORDERED, Third Parties Nona Tobin and Steve Hansen's Motion to Intervene is  
Procedurally DENIED WITHOUT PREJUDICE. Ms. Tobin states she will re-file. Mr. Hong to  
prepare the order, circulating for approval as to form and content.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property**

**COURT MINUTES**

**December 20, 2016**

A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

**December 20, 2016      9:00 AM      Motion to Intervene**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Lorna Shell

**RECORDER:** Rachelle Hamilton

**REPORTER:**

**PARTIES**

**PRESENT:**      Hong, Joseph Y.      Attorney  
Tobin, Nona      Other

**JOURNAL ENTRIES**

- Ms. Tobin stated she was the beneficiary and trustee of the trust that was the owner of the property at the time of the disputed Homeowners Association sale. Ms. Tobin argued she had an interest in the property, her motion was timely filed and served, and that Pltf.'s opposition was not timely filed and as such pursuant to 2.20 should be disregarded. Mr. Hong argued the case was over a year and a half old and at this juncture it was between Nationstar and his client and that the question was whether the deed of trust was free and clear or not. Mr. Wong argued there was no right of redemption and that he did not see any right Ms. Tobin could claim and that his opposition was timely filed. Following further arguments by Ms. Tobin, COURT STATED FINDINGS AND ORDERED, Motion GRANTED; Ms. Tobin has until January 6, 2017 to prepare the order. COURT FURTHER ORDERED the parties to complete the JCCR and prepare the appropriate report.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property**

**COURT MINUTES**

**March 28, 2017**

A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

**March 28, 2017      9:30 AM      Motion to Dismiss**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Sandra Harrell

**RECORDER:** Debbie Winn

**REPORTER:**

**PARTIES**

**PRESENT:** Nakamura Ochoa, Angela T.      Attorney  
Tobin, Nona      Intervenor  
Counter Claimant  
Cross Claimant

**JOURNAL ENTRIES**

- SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION TO DISMISS NONA TOBIN, AN INDIVIDUAL AND TRUSTEE OF THE GORDON B. HANSEN TRUST'S CROSS-CLAIM

Also present, Jakub Medrala, Esq., on behalf of Opportunity Homes, Inc. (per Clerk - no notice of appearance filed).

Court notes multiple motions on four different days in proximity, all motions are interrelated. Statements by Ms. Tobin. Upon Court's inquiry, Ms. Ochoa agrees that matters should be consolidated on one day. Mr. Medrala also agrees. Discussion. Upon Court's inquiry, both Mr. Medrala and Ms. Ochoa state a settlement conference would not be helpful at this time. COURT ORDERED, matter CONTINUED to 4/27/17 at 9:30 am. All motions currently set on 4/6/17 and 4/18/17 will now be heard on 4/27/17 at 9:30 am.

CONTINUED TO: 4/27/17 9:30 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property**

**COURT MINUTES**

**April 27, 2017**

A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

**April 27, 2017      9:30 AM      All Pending Motions**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Kory Schlitz

**RECORDER:** Rachelle Hamilton

**REPORTER:**

**PARTIES**

**PRESENT:**      Kelley, Michael S.      Attorney  
Ochoa, David      Attorney  
Tobin, Nona      Intervenor  
Counter Claimant  
Cross Claimant

**JOURNAL ENTRIES**

- Jakub Medralla Esq. present on behalf of Thomas Lucas and Opportunity Homes LLC.

CROSS-DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION TO DISMISS NONA TOBIN'S CROSS-CLAIMS...

Matter argued and submitted. COURT ORDERED, Motion DENIED WITHOUT PREJUDICE.

SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION TO DISMISS NONA TOBIN, AN INDIVIDUAL AND TRUSTEE OF THE GORDON B HANSEN TRUST'S CROSS...

Matter argued and submitted. COURT ORDERED, Motion DENIED WITHOUT PREJUDICE as to Nona Tobin as an individual; Ruling DEFERRED as to Nona Tobin as a Trustee of the Gordon B. Hansen Trust. COURT FURTHER ORDERED, Status Check SET.

OPPOSITION TO SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION TO DISMISS AND COUNTER MOTION FOR ORDER VOIDING THE HOA SALE...



Matter argued and submitted. COURT ORDERED, Motion DENIED WITHOUT PREJUDICE.

THOMAS LUCAS'S AND OPPORTUNITY HOMES, LLC'S MOTION FOR SUMMARY JUDGMENT..  
Matter argued and submitted. COURT ORDERED, Motion GRANTED. Court directed Mr. Medralla to prepare the Order, circulating to all parties for approval as to form and content in accordance with EDCR 7.21.

5/23/17 9:30 A.M. STATUS CHECK: CORPORATE COUNSEL (GORDON B. HANSEN TRUST)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property**

**COURT MINUTES**

**May 23, 2017**

---

A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

---

**May 23, 2017      9:30 AM      Status Check**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Louisa Garcia

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

**PRESENT:**      Coppedge, Linvel J      Attorney  
Ochoa, David      Attorney

**JOURNAL ENTRIES**

- Pursuant to representations of counsel, COURT ORDERED, matter CONTINUED, as well as reset Motion to Dismiss to the same date and time.

5/25/17 9:30 AM STATUS CHECK: CORPORATE COUNSEL (GORDON B. HANSEN TRUST)...MOTION TO DISMISS

DISTRICT COURT  
CLARK COUNTY, NEVADA

Other Title to Property

COURT MINUTES

May 25, 2017

---

A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

---

May 25, 2017      9:30 AM      All Pending Motions

HEARD BY: Kishner, Joanna S.

COURTROOM: RJC Courtroom 12B

COURT CLERK: Louisa Garcia

RECORDER: Sandra Harrell

REPORTER:

**PARTIES**

PRESENT:      Coppedge, Linvel J      Attorney  
                         Ochoa, David                           Attorney

**JOURNAL ENTRIES**

- STATUS CHECK: CORPORATE COUNSEL (GORDON B. HANSEN TRUST) SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION TO DISMISS NORA TOBIN, AN INDIVIDUAL AND TRUSTEE OF THE GORDON B. HANSEN TRUST' S CROSS-CLAIM

Court noted corporate counsel filed a Notice of Appearance. Upon Court's inquiry regarding status of case, Mr. Coppedge spoke with Mr. Ochoa yesterday and has reread the motions. Mr. Coppedge concurs with the Motion to Dismiss, until time for mediation, that all claims for relief and cross claims, except for quiet title be dismissed without prejudice. Mr. Coppedge stated he was inclined to file an amended cross claim to resolve any issues. Colloquy regarding procedural history of the case. Mr. Ochoa stated they have no claim to quiet title; therefore, that claim should not keep them in the case pending NRED mediation. Court stated its inclination. Colloquy. As to Nona Tobin's countermotion to void the sale, Mr. Coppedge WITHDREW motion without prejudice. Mr. Ochoa stated she filed two countermotions. COURT ORDERED, GRANTED IN PART, DENIED IN PART. COURT ORDERED, countermotions filed March 3 and March 31 WITHDRAWN WITHOUT PREJUDICE, at the request of counsel. COURT ORDERED, Motion to Dismiss GRANTED, pursuant to stipulation of parties to all claims other than quiet title; DENIED WITHOUT PREJUDICE with regards to the quiet title claim. The Court takes no position on the propriety of any actions that may

have happened after the crossclaim. Mr. Ochoa to prepare order regarding Motion to Dismiss and two countermotions to avoid the sale, circulating for approval as to form and content in accordance with EDCR 7.21.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property**

**COURT MINUTES**

**April 17, 2018**

A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

**April 17, 2018      10:30 AM      Discovery Conference**

**HEARD BY:** Bulla, Bonnie      **COURTROOM:** RJC Level 5 Hearing Room

**COURT CLERK:** Jennifer Lott

**RECORDER:** Francesca Haak

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Coppedge, Linvel J	Attorney
	Hong, Joseph Y.	Attorney
	Ochoa, David	Attorney
	Whelan, Karen	Attorney

**JOURNAL ENTRIES**

- Colloquy re: Deft in Intervention's ICCR, and Ms. Whelan is new counsel. Mr. Hong thought a JCCR was filed. COMMISSIONER RECOMMENDED, Status Check SET; provide a file stamped courtesy copy of JCCR, if the dates work a Scheduling Order will issue, and upon request the Status Check would come off calendar. Commissioner stated people are playing different roles in the case, and counsel must sign in all capacities. Dates in Deft in Intervention's ICCR are fine, or counsel can agree to other dates. Mr. Ochoa stated another party is not present (original purchaser), and colloquy re: someone was taken out by Summary Judgment.

5-15-18 9:30 a.m. Status Check: JCCR

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property**

**COURT MINUTES**

**May 15, 2018**

A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

**May 15, 2018      9:30 AM      Status Check      Status Check: JCCR**

**HEARD BY:** Bulla, Bonnie      **COURTROOM:** RJC Level 5 Hearing Room

**COURT CLERK:** Sharon Chun

**RECORDER:** Francesca Haak

**REPORTER:**

**PARTIES**

**PRESENT:**      Coppedge, Linvel J      Attorney  
                         Hong, Joseph Y.      Attorney  
                         Ochoa, David      Attorney  
                         Whelan, Karen      Attorney

**JOURNAL ENTRIES**

- Status Check: JCCR

Ms. Whelan stated the Joint Conference Report will be done today, they are ready to sign. She also noted her agreement to the same dates as submitted by the Bank.

Counsel anticipate two to three days for trial re: Quiet Title Action. COMMISSIONER RECOMMENDED, discovery cutoff is 2/28/19; adding parties, amended pleadings, and initial expert disclosures DUE 11/30/18; rebuttal expert disclosures DUE 12/31/18; dispositive motions TO BE FILED BY 4/1/19. Scheduling Order will issue and a memo will be sent to the trial court.

Ms. Whelan stated that Mr. Medrela emailed to say he did not realize there was a scheduling today and that is why is he not present. COMMISSIONER ADVISED his appearance today will be excused.

COMMISSIONER REQUESTED Ms. Whelan to get the Joint Case Conference Report on file and to send this Court a courtesy copy.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property**

**COURT MINUTES**

**January 10, 2019**

A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

**January 10, 2019      9:00 AM      Motion to Amend Answer**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Tena Jolley

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

**PRESENT:**      Anderson, Kaleb D.      Attorney  
Coppedge, Linvel J      Attorney  
Wittig, Donna      Attorney

**JOURNAL ENTRIES**

- Ms. Coppedge stated the motion was unopposed. The Court raised its concern regarding the age of the case and EDCR 1.90. Ms. Coppedge stated they were not seeking to add any new claims and it does not affect the current trial date. Colloquy regarding claims remaining. Ms. Coppedge indicated that the quiet title on the HOA sale remains, there are parties that have been dismissed and others that have disclaimed an interest. Mr. Anderson indicated the parties would confer to clean up the caption. Accordingly, COURT ORDERED Motion GRANTED based on the representation that it does not add additional parties or cross-claims and it will not affect the trial date. The Court further stated it would revisit the proper case caption at the upcoming Status Check, if necessary.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property**

**COURT MINUTES**

**March 05, 2019**

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A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

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**March 05, 2019      4:45 PM      All Pending Motions**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** Chambers

**COURT CLERK:** Tena Jolley

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- CROSS-DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION FOR SUMMARY JUDGMENT NATIONSTAR MORTGAGE LLC'S LIMITED JOINDER TO SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION FOR SUMMARY JUDGMENT

On February 5, 2019, Sun City Anthem Community Association filed a Motion for Summary Judgment and on February 12, 2019, Nationstar filed a Limited Joinder. Based on the date the Motion for Summary Judgment was filed and the date of the filing of the limited Joinder, no timely Opposition was filed. In accordance with EDCR 2.20 the failure to file a timely Opposition "can be construed as an admission that he motion and/or joinder is meritorious and a consent to grant the same." Thus, the Court in accordance with EDCR 2.23 advances the matter as "the time to oppose has passed and no opposition has been filed." The Court also GRANTS the Motion in accordance with EDCR 2.20. Counsel for Movant, Sun City Anthem is directed to prepare an Order with findings of fact and conclusions of law consistent with NRCP 56 and provide it to counsel and the Court within ten days in accordance with EDCR 7.21.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Tena M. Jolley, to all registered parties for Odyssey File & Serve. (tmj:3/5/19)



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property**

**COURT MINUTES**

**March 26, 2019**

A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

**March 26, 2019      9:30 AM      All Pending Motions**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Tena Jolley

**RECORDER:** Patti Slattery

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Coppedge, Linvel J	Attorney
	Hong, Joseph Y.	Attorney
	Morgan, Melanie D.	Attorney
	Ochoa, David	Attorney
	Tobin, Nona	Intervenor
		Counter Claimant
		Cross Claimant

**JOURNAL ENTRIES**

- STATUS CHECK

Counsel anticipate 2-3 day Bench Trial with all testimony from live witnesses and nothing unique for trial. Mr. Ochoa indicated he was unavailable the week of May 28, 2019, the first week of the five-week stack. The Court stated he could revisit the issue at the Pre Trial Conference scheduled for April 25, 2019.

CROSS-DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION FOR SUMMARY JUDGMENT...NATIONSTAR MORTGAGE LLC'S LIMITED JOINDER TO SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION FOR SUMMARY JUDGMENT

After the Court's consideration of the papers submitted by counsel in connection with this matter,

and, having heard the oral arguments presented by Mr. Ochoa, Ms. Morgan and Mr. Coppedge, Mr. Hong made a Oral Motion for Joinder to Cross-Defendant's Motion for Summary Judgment. Mr. Coppedge objected as untimely; the Court DENIED Mr. Hong's Oral Motion for Joinder; and COURT ORDERED, Cross-Defendant Sun City Anthem Community Association's Motion for Summary Judgment and Nationstar Mortgage LLC's Limited Joinder thereto GRANTED as a matter of law as to the claims asserted by movant having met their burden and based on a totality of the evidence. The Court DIRECTED Mr. Ochoa to prepare detailed Findings of Fact and Conclusions of Law circulating to all counsel and provide it back to the Court in accordance with EDCR 7.21.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property**

**COURT MINUTES**

**April 23, 2019**

A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

**April 23, 2019      9:00 AM      All Pending Motions**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Natalie Ortega

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

**PRESENT:**      Hong, Joseph Y.      Attorney  
Morgan, Melanie D.      Attorney

**JOURNAL ENTRIES**

- TOBIN OPPOSITION TO NATIONSTAR MOTION FOR SUMMARY JUDGMENT AGAINST JIMI JACK AND COUNTERMOTION FOR SUMMARY JUDGMENT TOBIN OPPOSITION TO NATIONSTAR MOTION FOR SUMMARY JUDGMENT AGAINST JIMI JACK AND COUNTERMOTION FOR SUMMARY JUDGMENT

COURT NOTED on April 9, 2019 a Notice of Appearance was filed; however a Notice of Withdrawal was never received from Mr. Mushkin's firm on behalf of Ms. Tobin. Mr. Hong stated Mr. Mushkin's office represented Tobin as the trustee for the Hansen Trust, not as an individual. Further, when Ms. Tobin appeared in the case originally, in proper person, the Court advised her she did not have standing because she was not the trustee. Thereafter, she appeared as the trustee and Mr. Mushkin represented her. Further, she did not have standing due to as an individual she did not have anything to do with this case. Additionally, when the Court granted the HOA's Motion for Summary Judgment against the Trust that concluded. Therefore, Ms. Tobin filed an opposition/counter-motion in proper person, individually. Ms. Tobin did not have standing in this case. The only party that had standing was the trust being they were the former owner when the foreclosure occurred. Moreover, Ms. Tobin intervened in the other case that was consolidated with this case as a trustee. COURT FURTHER NOTED in was in receipt of a Notice of Settlement of Nationstar, Joel Stokes and Sandra F.

Stokes as Trustee of the Jimijack Irrevocable Trust stating that it had reached agreement on all material terms. Upon Court's inquiry, counsel stated that the May 7, 2019 Motion for Summary Judgment hearing could be moot. Ms. Morgan stated they would withdraw the motion. COURT FINDS there was a Notice of Appearance from the Sun City Anthem and there was not anything else that remained this case. Further, the Court would need to set a status check as to settlement documents between the parties that filed a Notice of Settlement on April 12, 2019. Ms. Morgan stated Nona Tobin still had claims against Jimijack. Upon Court's further inquiry, Mr. Hong acknowledged that Mr. Mushkin was counsel for the trustee and he was counsel for Jimijack. Mr. Hong stated based on this Court's previous Order for Summary Judgment in Favor of the buyer, Opportunity Homes, it would be requested to file a simple motion mirroring the Court's Order similar to a res judica noting that the claims alleged by the trust were identical. COURT NOTED it could not grant any oral leave without a hearing or other parties present. COURT FINDS there was a rogue document filed, Notice of Appearance on April 9, 2019 of Nona Tobin in Proper Person. There was not leave sought by Ms. Tobin for any individual capacity. Further, the only portion of this case in which Ms. Tobin was involved, in any capacity, was as Trustee of the Gordan B. Hansen, August 22, 2008. In that capacity Ms. Tobin was represented by counsel. That counsel had not filed any motion to withdraw, any pleadings on behalf of Ms. Tobin as Trustee for Gordan B. Hansen Trust would need to be filed by counsel.

COURT ORDERED the Notice of Appearance filed April 9, 2019 was a rogue document, therefore STRICKEN. COURT NOTED as to the Notice of Completion of Mediation filed on April 9, 2019, the Court already had a prior document with regards to the completion of mediation Furthermore, since that was also filed by Ms. Tobin, individually, and not her counsel, COURT FURTHER ORDERED, Notice of Completion of Mediation filed April 9, 2019 STRICKEN. COURT FINDS the Tobin's Opposition to Nationstar Summary Judgment against Jimijack and counter-motion filed April 10, 2019 at 11:17 a.m., filed by Nona Tobin, not filed by Mr. Mushkin as counsel as trustee of the Gordan B. Hansen Trust, a rogue document, therefore, COURT ADDITIONALLY ORDERED, Tobin's Opposition to Nationstar Summary Judgment against Jimijack and counter-motion STRICKEN. COURT FINDS that if the Court reviewed the underlying arguments, which it could not, even independently, it was understood that there were no claims between Nationstar that currently existed with regards to Nona Tobin as Trustee of the Gordan Hansen Trust. There would not be an appropriate opposition. COURT ORDERED, the April 12, 2019 at 1:40 a.m. Tobin Opposition To Nationstar Motion For Summary Judgment Against Jimijack And Counter Motion For Summary Judgment Hearing Requested Conjunction With Hearing For Nationstar MSJ Scheduled STRICKEN being a rogue documents. COURT FURTHER ORDERED, the Notice of Appearance Nona Tobin in Proper Person and the Notice of Completion of Mediation filed on April 12, 2019 STRICKEN as rogue and duplicative. COURT ADDITIONALLY ORDERED, April 12, 2019 1:11 AM Notice of Completion of Mediation and April 12, 12:39 am Notice of Appearance STRICKEN as rogue and duplicative. On April 17, 2019 at 8:37 a.m., Tobin's Reply In Support of Joinder to Nationstar Mortgage, LLC s Motion For Summary Judgment and Reply In Support Of Tobin's Motion For Summary Judgment, COURT ADDITIONALLY motion ORDERED STRICKEN as rogue. COURT was NOT FINDING that it should strike the April 19th Response by Nationstar, being it was clarification to enlighten the Court the improper filing of documents. Upon Court's inquiry, Ms. Morgan stated she was not requesting

the Court to take action.

As to the remaining underlying documents, Mr. Hong stated they would withdraw and vacate the Stipulation to Extend the briefing scheduling noting it was prepared and filed prior to settlement, that document was now moot. Upon Court's inquiry, Mr. Hong acknowledged the Court could disregard the stipulation as to the briefing schedule. As to the pending Motion for Summary Judgment on May 7th. Ms. Morgan stated that would not be heard stating the only claims remained had been resolved and she would file a Notice of Withdraw. At the request of the movant, no opposition by Mr. Hong, and since only party which could had filed any pleadings, COURT ORDERED, May 7, 2019 Motion for Summary Judgment VACATED.

COURT NOTED the Calendar Call and Bench Trial dates would remain. Further, Nona Tobin as Trustee for the Gordan B. Hansen Trust versus Jimijack were the only remaining parties in these combined cases, A720032 with A730078. Ms. Morgan advised Tobin as Trustee also had pending claims against Yuen K. Lee and F Bonderant LLC. Colloquy regarding the caption.

COURT ORDERED, Status Check SET regarding Settlement Documents.

05/21/19 STATUS CHECK: SETTLEMENT DOCUMENTS

CLERK'S NOTE: Minutes amended to reflect the additional stricken documents as follows: 04/12/19 1:11 AM Notice of Completion of Mediation and 04/12/19 12:39 AM Notice of Appearance.  
ndo05/09/19

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property**

**COURT MINUTES**

**April 25, 2019**

A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

**April 25, 2019      10:15 AM      Pre Trial Conference**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Tena Jolley  
Haly Pannullo

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

**PRESENT:** Coppedge, Linvel J      Attorney  
Morgan, Melanie D.      Attorney  
Tobin, Nona      Intervenor  
   Counter Claimant  
   Cross Claimant

**JOURNAL ENTRIES**

- Joseph Hong, Esq., present telephonically on Court Call on behalf of Plaintiff.

Colloquy regarding remaining parties on this matter. MATTER TRAILED.

MATTER RECALLED. All parties present as before. Court stated co-counsel, Tom Grover, was to be here by 10:15 AM and this Court impose sanctions. Colloquy regarding Nona Tobin now representing herself. Court noted there were a series of documents filed by Ms. Tobin stricken, as she is represented by counsel. Mr. Coppedge stated Ms. Tobin requested they withdraw as Ms. Tobin's counsel as an individual. COURT STATED today is only on calendar for Pre-Trial Conference and there needs to be a judicial day notice of the request. Ms. Morgan confirmed she has circulated a stipulation to conform the caption. Court noted the remaining parties are the Tobin parties and the parties represented in the Counter Defendant role by Mr. Hong. Mr. Coopedge stated trial can take up to 2.5 days. COURT ORDERED, trial #3 on the 06/05 stack; trial dates SET.

05/23/19 3:30 PM CALENDAR CALL

06/05/19 10:00 AM BENCH TRIAL

Minute Order prepared by review of JAVS. hvp/5/23/19

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property****COURT MINUTES****May 21, 2019**

A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

**May 21, 2019      9:00 AM      Status Check**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Coppedge, Linvel J	Attorney
	Hong, Joseph Y.	Attorney
	Ochoa, David	Attorney
	Tobin, Nona	Intervenor
		Counter Claimant
		Cross Claimant
	Wittig, Donna	Attorney

**JOURNAL ENTRIES**

- Mr. Hong appeared telephonically through Court Call. Ms. Wittig informed the Court parties were going along with settlement, however, there was a motion for reconsideration filed on the HOA's motion for summary judgment; further noting she believes her client needs to wait until the Court rules on the motion for reconsideration in order to finish the settlement, the settlement agreement was drafted and was executed, however, her client is waiting on transfer of funds until after the motion for reconsideration is heard, as this could affect the settlement. Mr. Hong confirmed the settlement documents were signed, and in terms of payment, his client is waiting for the ruling on the motion for reconsideration. Mr. Coppedge stated his client had requested for him to withdraw from the case, to proceed pro se, and there is a motion pending on this. Mr. Ochoa requested Court to hear the motion for reconsideration first, further noting an objection was filed, the other parties are attempting to settle to resolve all issues; and he would request Calendar Call be heard after the decision on the motion for reconsideration. Parties made no objection to moving the Calendar Call.



Upon Court's inquiry, Mr. Coppedge estimated 1 binder of exhibits as to Nona Tobin; and Mr. Hong confirmed his client will have no exhibits. COURT ORDERED, Motion for reconsideration and Calendar Call are RESET. Following objections by counsel, COURT ADDITIONALLY ORDERED, hearing SET on the Motion to substitute. Oppositions and any joinders are due May 24, 2019 by 3:00 p.m. Trial exhibits and any required trial documents for the Court are due at time of Calendar Call.

5/29/19 8:30 A.M. CROSS-CLAIMANT NONA TOBIN'S MOTION FOR RECONSIDERATION...MOTION TO SUBSTITUTE REAL PARTY IN INTEREST AND TO WITHDRAW AS COUNSEL OF RECORD FOR COUNTERCLAIMANT NONA TOBIN ON ORDER SHORTENING TIME

6/03/19 8:45 A.M. CALENDAR CALL

6/05/19 10:00 A.M. BENCH TRIAL (3 DAYS)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property**

**COURT MINUTES**

**May 29, 2019**

A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

**May 29, 2019      8:30 AM      All Pending Motions**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Hong, Joseph Y.	Attorney
	Mushkin, Michael R.	Attorney
	Ochoa, David	Attorney
	Tobin, Nona	Intervenor
		Counter Claimant
		Cross Claimant
	Wittig, Donna	Attorney

**JOURNAL ENTRIES**

- Mr. Mushkin not present. Court stated a call was received in Chambers that one of the parties was stuck in traffic this morning. Court TRAILED and RECALLED matter at 8:30 A.M. Upon Court's inquiry, the parties in Court confirmed not receiving any updates from opposing counsel. Mr. Hong requested to go forward with the hearing. Court TRAILED matter to call another case on Calendar. CASE RECALLED. Mr. Mushkin present in Court.

**CROSS-CLAIMANT NONA TOBIN'S MOTION FOR RECONSIDERATION**

Court addressed preliminary matters, history of the case, and the Motion.

COURT ORDERED, any representation about Nona Tobin being an individual party in the case is STRICKEN. Court also addressed the order issued in April, 2019.

Court noted the name of the trust is unclear, and both of the names of the trusts on the captions of various pleadings list different numbers. Arguments by counsel. COURT ORDERED, Motion DENIED.

MOTION TO SUBSTITUTE REAL PARTY IN INTEREST AND TO WITHDRAW AS COUNSEL OF RECORD FOR COUNTERCLAIMANT NONA TOBIN ON ORDER SHORTENING TIME

At request of counsel, COURT ORDERED, Motion TAKEN OFF CALENDAR.

Mr. Ochoa to prepare the order.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property****COURT MINUTES****June 03, 2019**

A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

**June 03, 2019      8:45 AM      Calendar Call**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** RJC Courtroom 15D

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Coppedge, Linvel J	Attorney
	Hong, Joseph Y.	Attorney
	Tobin, Nona	Intervenor
		Counter Claimant
		Cross Claimant

**JOURNAL ENTRIES**

- Parties made appearances; and Mr. Coppedge identified Ms. Tobin as an individual. Court clarified there is nothing in the record that shows Ms. Tobin as an individual, the Court had asked Mr. Mushkin about this at the last hearing, the intervention motion was granted back in 2016 as Tobin trustee on behalf of the trust, there is nothing in the record that allowed Ms. Tobin to come in as an individual, and a trustee has to be represented by counsel. Court addressed the caption issue and history of the case, including the ruling made at the prior hearing. Upon Court's inquiry about whether a Rule 2.67 conference was held, Mr. Coppedge stated this occurred two weeks ago, telephonically, and he does not have an exact date. Mr. Hong noted he spoke with opposing counsel telephonically, and will not be providing witnesses or documents. Court noted there was a Joint Case Conference Report filed and an Individual Case Conference Report filed. Statements by counsel. Court addressed the procedural aspects of the case; and determined non-compliance by the parties under EDCR 2.67, EDCR 2.68, and EDCR 2.69 or NRCP 16.1 (a) (3); and no pre-trial memorandums were filed, no joint pre-trial memorandums were filed, and there were no pre-trial disclosures. Parties did not provide trial exhibits. Court stated neither side can provide documents

or witnesses at trial. Trial schedule was provided to the parties by Court, orally.

COURT ORDERED, trial date SET.

6/05/19 8:30 A.M. BENCH TRIAL

CLERK'S NOTE: Minutes updated to only include the trial start time for June 5, 2019. (6/04/19 sb)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property**

**COURT MINUTES**

**June 05, 2019**

A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

**June 05, 2019      8:30 AM      Bench Trial**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

**PRESENT:**      Coppedge, Linvel J      Attorney  
                         Hong, Joseph Y.      Attorney

**JOURNAL ENTRIES**

- Counter Claimant Nona Tobin, present with Mr. Coppedge, as Trustee of the Gordon B. Hansen Trust Dated 8/22/09. Upon Court's inquiry, Mr. Hong confirmed he represents Joel A. Stokes and Sandra F. Stokes, as Trustees of the Jimijack Irrevocable Trust, Yuen K. Lee, and F. Bondurant, LLC, Counter Defendants.

Parties appeared for the scheduled Bench Trial.

Court addressed the caption issue; and noted there is nothing in the record to support that Ms. Tobin is an individual, as she is named as a trustee; and the caption needs to be corrected.

COURT ORDERED, Caption AMENDED to be read as follows: Nona Tobin, as Trustee of the Gordon B. Hansen Trust, Counter Claimant vs. Joel A. Stokes and Sandra F. Stokes, as Trustees of the Jimijack Irrevocable Trust, Yuen K. Lee, an individual, and F. Bondurant, LLC, Counter Defendants.

Following statements by counsel, Court determined there was non-compliance under NRCP 11, as no proposed findings of facts and conclusions of law were submitted to the Court, prior to this bench trial. COURT ORDERED, the proposed findings of facts and conclusions of law from Counter

Defendant, are due by the end of the day today at 5:00 p.m., with courtesy copies provided to the Court, or the Court may strike the Answers filed by Counter Defendant.

Opening statements by counsel.

Court recessed. TRIAL CONTINUES.

6/06/19 9:45 A.M. BENCH TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property**

**COURT MINUTES**

**June 06, 2019**

A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

**June 06, 2019      9:45 AM      Bench Trial**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

**PRESENT:**      Coppedge, Linvel J      Attorney  
                         Hong, Joseph Y.      Attorney

**JOURNAL ENTRIES**

- Counter Claimant Nona Tobin, present with Mr. Coppedge, as Trustee of the Gordon B. Hansen Trust.

Parties appeared for the scheduled Bench Trial.

Testimony presented (See Worksheets.).

Both sides rested. No rebuttal case was presented. No closing arguments were made.

Court confirmed it received proposed findings of fact and conclusions of law from both sides.

COURT ORDERED, a written decision to issue; hearing SET for decision on the Court's Chamber's Calendar for June 21, 2019.

Court adjourned. Bench trial ENDS.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property**

**COURT MINUTES**

**June 21, 2019**

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A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

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**June 21, 2019      3:00 AM      Decision**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** Chambers

**COURT CLERK:** Michaela Tapia

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Decision made Order filed separately.

CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File & Serve. /mt

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Title to Property**

**COURT MINUTES**

**July 09, 2019**

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A-15-720032-C      Joel Stokes, Plaintiff(s)  
vs.  
Bank of America NA, Defendant(s)

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**July 09, 2019      9:00 AM      Motion to Withdraw as  
Counsel**

**HEARD BY:** Barker, David

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

**PRESENT:** Coppedge, Linvel J      Attorney

**JOURNAL ENTRIES**

- Nona Tobin, was present in Court. Mr. Coppedge not present. Court TRAILED and RECALLED matter. Mr. Coppedge informed the Court Ms. Tobin is requesting his firm to withdraw from representing her. COURT ORDERED, Motion GRANTED. Mr. Coppedge to prepare the order. Court told Ms. Tobin to go secure new counsel if that is in her best interest.



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE  
**NOTICE OF DEFICIENCY**  
ON APPEAL TO NEVADA SUPREME COURT

**MICHAEL R. MUSHKIN, ESQ.**  
4495 S. PECOS RD.  
LAS VEGAS, NV 89121

**DATE: July 25, 2019**  
**CASE: A-15-720032-C**  
**c/w A-16-730078-C**

**RE CASE:** JOEL A. STOKES; SANDRA F. STOKES; JIMI JACK IRREVOCABLE TRUST vs.  
BANK OF AMERICA, N.A.; SUN CITY ANTHEM COMMUNITY ASSOCIATION, INC.

NOTICE OF APPEAL FILED: July 24, 2019

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)\*\*
  - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- \$24 – District Court Filing Fee (Make Check Payable to the District Court)\*\*
- \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)\*\*
  - NRAP 7: Bond For Costs On Appeal in Civil Cases
- Case Appeal Statement
  - NRAP 3 (a)(1), Form 2
- Order
- Notice of Entry of Order

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NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

*Please refer to Rule 3 for an explanation of any possible deficiencies.*

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*\*\*Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.*

# Certification of Copy

State of Nevada }  
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; CASE APPEAL STATEMENT; NOTICE OF APPEARANCE; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; FINDINGS OF FACTS, CONCLUSIONS OF LAW AND JUDGMENT; NOTICE OF ENTRY OF FINDINGS OF FACTS, CONCLUSIONS OF LAW AND JUDGMENT; FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON CROSS-DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION’S MOTION FOR SUMMARY JUDGMENT; NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON CROSS-DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION’S MOTION FOR SUMMARY JUDGMENT; ORDER DENYING MOTION FOR RECONSIDERATION; NOTICE OF ENTRY OF ORDER DENYING MOTION FOR RECONSIDERATION; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

JOEL A. STOKES; SANDRA F. STOKES;  
JIMI JACK IRREVOCABLE TRUST,

Plaintiff(s),

vs.

BANK OF AMERICA, N.A.; SUN CITY  
ANTHEM COMMUNITY ASSOCIATION,  
INC.,

Defendant(s),

Case No: A-15-720032-C  
*Consolidated with A-16-730078-C*  
Dept No: XXXI

NONA TOBIN, AS TRUSTEE OF THE  
GORDON B. HANSEN TRUST, DATED  
8/22/08,

Plaintiff(s),

vs.

JOEL A. STOKES; SANDRA F. STOKES, AS  
TRUSTEE OF THE JIMI JACK  
IRREVOCABLE TRUST; YUEN K. LEE;  
BONDURANT, LLC,

Defendant(s),

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 25 day of July 2019.

Steven D. Grierson, Clerk of the Court

A handwritten signature in black ink, appearing to read 'A. Hampton', is written over a faint circular seal. The seal contains the text 'UNITED STATES DISTRICT COURT OF THE EIGHTH JUDICIAL DISTRICT LAS VEGAS, NEVADA'.

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Amanda Hampton, Deputy Clerk  
A-15-720032-C