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2 Nevada Bar No. 5802
3 THOMSON LAW PC
4 2450 St. Rose Parkway, Suite 120
5 Henderson, NV 89074
6 (702) 478-8282 Telephone
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8 Email: johnwthomson@ymail.com
9 Attorney for Plaintiff Nona Tobin

Electronically Filed
Dec 18 2020 03:18 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

7
8 **IN THE EIGHTH DISTRICT COURT OF THE**
9 **STATE OF NEVADA IN AND FOR THE COUNTY OF CLARK**

10 NONA TOBIN, an Individual

11 Plaintiff,

12 vs.

13 BRIAN CHIESI, an individual; DEBORA
14 CHIESI, an individual; QUICKEN LOANS
15 INC.; JOEL A. STOKES, an individual;
16 JOEL A. STOKES and SANDRA STOKES
17 as Trustees of JIMI JACK IRREVOCABLE
18 TRUST; JIMI JACK IRREVOCABLE
19 TRUST; NATIONSTAR MORTGAGE LLC;
20 RED ROCK FINANCIAL SERVICES;
21 DOES I through X inclusive; and ROE
22 CORPORATIONS I through V, inclusive

23 Defendants.

Case No.: A-19-799890-C

Dept No.: 22

**NOTICE OF APPEAL
TO THE SUPREME COURT, STATE
OF NEVADA**

24 Notice is hereby given that Plaintiff/Appellant Nona Tobin, by and through her attorney,
25 John W. Thomson, Esq., of Thomson Law PC, does hereby appeal the *Order Granting Motion
26 for Attorney's Fees and Costs Filed by Defendants' Brian Chiesi, Debora Chiesi and Quicken
27 Loans, Inc., Pursuant to EDCR 7.60(b)(1) and/or (3)*, Notice of Entry filed on November 17,
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2020, in the District Court in and for the above-named county and state.

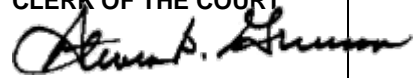
Dated this 17th day of December, 2020

THOMSON LAW PC

/s/ John W. Thomson
JOHN W. THOMSON
Nevada Bar No. 5802
2450 St. Rose Parkway, Suite 120
Henderson, Nevada 89074
Attorney for Nona Tobin

CERTIFICATE OF SERVICE

The undersigned, an employee of Thomson Law PC, hereby certifies that on the 17th day of December 2020, she caused a copy of the **NOTICE OF APPEAL TO THE SUPREME COURT, STATE OF NEVADA** to be served in accordance with Administrative Order 14.2, to all interested parties, through the Court’s Odyssey E-File & Serve system.



1 JOHN W. THOMSON, ESQ.
2 Nevada Bar No. 5802
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4 2450 St. Rose Parkway, Suite 120
5 Henderson, NV 89074
6 (702) 478-8282 Telephone
7 (702) 541-9500 Facsimile
8 Email: johnwthomson@ymail.com
9 Attorney for Plaintiff Nona Tobin

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

10 NONA TOBIN, an Individual

11 Plaintiff,

12 vs.

13 BRIAN CHIESI, an individual; DEBORA
14 CHIESI, an individual; QUICKEN LOANS
15 INC.; JOEL A. STOKES, an individual;
16 JOEL A. STOKES and SANDRA STOKES
17 as Trustees of JIMI JACK IRREVOCABLE
18 TRUST; JIMI JACK IRREVOCABLE
19 TRUST; NATIONSTAR MORTGAGE LLC;
20 RED ROCK FINANCIAL SERVICES;
21 DOES I through X inclusive; and ROE
22 CORPORATIONS I through V, inclusive

23 Defendants.

Case No.: A-19-799890-C

Dept No.: 22

CASE APPEAL STATEMENT

21 NONA TOBIN, as an individual, by and through her undersigned attorney for the Case
22 Appeal Statement, states as follows:

- 24 1. Name of appellant filing this case appeal statement:
25 NONA TOBIN, as an individual.
- 26 2. Identify the judge issuing the decision, judgment, or order appealed from:
27 The Honorable Susan H. Johnson.
- 28 3. Identify each appellant and the name and address of counsel for each appellant:

1 NONA TOBIN, an individual, Appellant

2 John W. Thomson, Esq.
3 Nevada Bar No. 5802
4 Thomson Law PC
5 2450 St. Rose Parkway, Suite 120
6 Henderson, Nevada 89074

7 4. Identify each respondent and the name and address of appellate counsel, if known,
8 for each respondent (if the name of a respondent's appellate counsel is unknown, indicate as
9 much and provide the name and address of that respondent's trial counsel):

10 a. Brian Chiesi and Debora Chiesi and Quicken Loans, LLC,
11 Respondents.

12 Respondents' appellate counsel is unknown. Trial counsel was:

13 Brittany Wood, Esq.
14 Nevada Bar No. 7562
15 Maurice Wood
16 9525 Hillwood Drive, Suite 140
17 Las Vegas, Nevada 89134

18 5. Indicate whether any attorney identified above in response to question 3 or 4 is
19 not licensed to practice law in Nevada and, if so, whether the district court granted that attorney
20 permission to appear under SCR 42 (attach a copy of any district court order granting such
21 permission):

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

23 6. Indicate whether appellant was represented by appointed or retained counsel in
24 the district court:

25 Appellant was represented by:

26 John W. Thomson, Esq.
27 Nevada Bar No. 5802
28 Thomson Law PC
2450 St. Rose Parkway, Suite 120

1 Henderson, Nevada 89074

2
3 7. Indicate whether appellant is represented by appointed or retained counsel on
4 appeal:

5 Appellant is represented by retained counsel.

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

8 No.

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

12 The original Complaint was filed on August 7, 2019, the First Amended
13 Complaint was filed on June 3, 2020.

14
15 10. Provide a brief description of the nature of the action and result in the district
16 court, including the type of judgment or order being appealed and the relief granted by the
17 district court:

18 Nona Tobin, an individual, filed a complaint for quiet title against current deedholders
19 Brian and Debora Chiesi, current lienholder Quicken Loans, and other defendants who had
20 recorded other claims adverse to Tobin's title claim, for declaratory relief and equitable
21 relief/unjust enrichment against Red Rock Financial Services and Nationstar Mortgage for the
22 undistributed excess proceeds of the disputed 2014 HOA foreclosure sale, and against Joel and
23 Sandra Stokes for the retention of over \$100,000 in rents collected after the disputed HOA sale,
24 that Tobin claims was defective and unfair for many other statutory and other violations of law.

25
26 Defendant Red Rock Financial Services filed a Motion to Dismiss pursuant to NRC 12
27 (b)(5) under the legal doctrines of non-mutual claims preclusion and res judicata. Seven
28

1 remaining defendants, five of which recorded title claims adverse to Tobin after the prior
2 litigation. filed joinders thereto. All Defendants submitted disputed, unverified evidence to the
3 Court to support Red Rock's motion to dismiss and their joinders thereto. This instant appeal is
4 to vacate the order awarding Brittany Wood, attorney for Brian Chiesi, Debora Chiesi and
5 Quicken Loans, \$8,999 attorney fees and costs for filing a joinder on their behalf along with a
6 request for judicial notice of a skewed sample of 10 of the 61 recorded claims in the Clark
7 County official records, and none of the two Lis Pendens Tobin recorded before Ms. Wood's
8 clients recorded their claims adverse to Tobin. Ms. Woods request of judicial notice of seven
9 filings in the prior court record failed to include seven of the 10 dispositive orders in the prior
10 litigation that adversely affected Tobin without appeal. Wood failed to request notice of two of
11 the three disputed deeds of trust, one of which still encumbered the property for a month after
12 her clients recorded their deed of trust. Wood misrepresented the motions to intervene she
13 included and ignored three others that are germane to the current case. Finally she failed to
14 draw the court's attention to the Lis Pendens Tobin recorded related to this case and the
15 pending appeals of the prior litigation that her clients would be bound by if Tobin's case had
16 been allowed to be actually heard on its merits rather than dismissed after all evidence had been
17 excluded from judicial scrutiny.

21 Instead of hearing the Motion as one for Summary Judgment¹, the Court ruled that the First
22 Amended Complaint did not survive the Motion to Dismiss¹ and granted the motion, dismissing

25 ¹ Nev. R. Civ. P. 12

26 **(d)Result of Presenting Matters Outside the Pleadings.** If, on a motion under Rule 12(b)(5) or 12(c), matters
27 outside the pleadings are presented to and not excluded by the court, the motion must be treated as one for summary
28 judgment under Rule 56. All parties must be given a reasonable opportunity to present all the material that is
pertinent to the motion.

1 the action with prejudice in its entirety². The Order Granting the Motion to Dismiss was entered
2 on December 3, 2020 and will be appealed separately.

3 On October 29, 2020,³ Judge Johnson heard defendants', Brian Chiesi, an individual,
4 Debora Chiesi, an individual, and Quicken Loans, Inc., 9/16/20 Motion for Attorney Fees and
5 Costs⁴ and Tobin's 10/8/20 opposition⁵. Wood filed a reply on 10/19/20.⁶

7 On November 17, 2020, at 9:02 AM,⁷ Judge Johnson filed an order granting Brian & Debora
8 Chiesi's and Quicken loans' motion for \$8,640 in attorney fees and \$308.99.

9 Fifteen minutes later on 11/17/20, Ms. Woods filed Notice of Entry of Order granting attorney
10 fees.⁸

13 ¹ In reviewing a motion to dismiss under Nev. R. Civ. P. 12(b)(5), the court must accept all facts in the complaint as
14 true, construe the pleadings liberally, and draw all possible inferences in favor of the nonmoving party. See *Buzz*
15 *Stew, LLC v. City of N. Las Vegas*, 124 Nev. 224, 228 (2008).

16 ² In considering a motion to dismiss, "all well-pleaded allegations of material fact are taken as true and construed in
17 a light most favorable to the non-moving party." *Wylar Summit P'ship v. Turner Broad. Sys., Inc.*, 135 F.3d 658,
18 661 (9th Cir. 1998) (citation omitted). However, the Court does not necessarily assume the truth of legal
19 conclusions merely because they are cast in the form of factual allegations in Plaintiffs' Complaint. See *Clegg v.*
20 *Cult Awareness Network*, 18 F.3d 752, 754-55 (9th Cir. 1994). The issue is not whether Plaintiffs ultimately will
21 prevail, but whether they may offer evidence in support of their claims. *Gilligan v. Jamco Dev. Corp.*, 108 F.3d 246,
22 249 (9th Cir. 1997) (quoting *Scheuer v. Rhodes*, 416 U.S. 232, 236 (1974)). Consequently, the Court may not grant
23 a motion to dismiss for failure to state a claim "unless it appears beyond doubt that the Plaintiff can prove no set of
24 facts in support of his claim which would entitle him to relief." *Conley v. Gibson*, 355 U.S. 41, 45-46 (1957); see
25 also *Hicks v. Small*, 69 F.3d 967, 969 (9th Cir. 1995).

26 *Butts v. Universal Health Services, Inc.*, No. 2:05-CV-01434-PMP-LRL, at *3-4 (D. Nev. July 6, 2006)

27 ³ [10/29/20 hearing minutes](#)

28 ⁴ [9/16/20 Motion for Attorney Fees and Costs](#)

⁵ [10/8/20 opposition](#) to Chiesi/Quicken

⁶ [10/19/20 Chiesi/Quicken reply](#)

⁷ [11/17/20 order granting motion for Chiesi/Quicken motion for attorney fees & costs](#)

⁸ [11/17/20 NEOJ order for Chiesi-Quicken fees](#)

1 An hour later on 11/17/20, the court filed an order to statistically close the case¹ prior to an
2 order having been entered that granted Red Rock's motion to dismiss and all the joinders.

3 Two weeks later, on 12/3/20, Red Rock filed the order granting the motion to dismiss and
4 joinders² that Red Rock had prepared and circulated and the notice of entry of order³ 10
5 minutes later.
6

7 Appellants are appealing the November 17,, 2020 Order because it, *inter alia*: (1)
8 incorrectly applied NRS 18.010(2)(b) in awarding attorney fees to Respondents; (2) failed to
9 adequately assess the factors enumerated in *Brunzell v. Golden Gate Nat. Bank*, 85 Nev. 345,
10 349, 455 P.2d 31, 33 (1969) in awarding attorney fees to Respondents; (3) incorrectly awarded
11 certain costs to Respondents; and (4) incorrectly found facts and law not in the record when
12 making the award of attorney fees and costs. Appellants therefore appeal the November 17,
13 2020 Order pursuant to NRAP 3(A)(b)(8).
14

15 11. Indicate whether the case has previously been the subject of an appeal to or
16 original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket
17 number of the prior proceeding:
18

19 This case is currently not the subject of a pending appeal in the Supreme Court,
20 but will be shortly as the order entered on 12/3/20 to dismiss all Plaintiff Tobin's claims with
21 prejudice will be appealed.
22

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

24 This case does **not** involve child custody or visitation.
25

26 ¹ [11/17/20 OSCC](#)

27 ² [12/3/20 OGM motion to dismiss](#)

28 ³ [12/3/20 NODP notice of dismissal with prejudice](#)

CASE SUMMARY

CASE NO. A-19-799890-C

Nona Tobin, Plaintiff(s)
vs.
Joel Stokes, Defendant(s)

§
§
§
§
§
§

Location: **Department 22**
 Judicial Officer: **Johnson, Susan**
 Filed on: **08/07/2019**
 Cross-Reference Case Number: **A799890**
 Supreme Court No.: **82094**

CASE INFORMATION

Statistical Closures

11/17/2020 Motion to Dismiss by the Defendant(s)

Case Type: **Other Title to Property**

Case Status: **11/17/2020 Dismissed**

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	A-19-799890-C
Court	Department 22
Date Assigned	08/07/2019
Judicial Officer	Johnson, Susan

PARTY INFORMATION

Plaintiff	Tobin, Nona	Thomson, John W. <i>Retained</i> 702-478-8282(W)
Defendant	<p>Bank of America Removed: 06/03/2020 Inactive</p> <p>Barbee, Forrest Removed: 06/03/2020 Inactive</p> <p>Chiesti, Brian Removed: 12/03/2020 Dismissed</p> <p>Chiesti, Debora Removed: 12/03/2020 Dismissed</p> <p>Corwin, Cluyanne M Removed: 06/03/2020 Inactive</p> <p>Crain, Youda Removed: 06/03/2020 Inactive</p> <p>F. Bondurant LLC Removed: 06/03/2020 Inactive</p> <p>Hong, Joseph Removed: 06/03/2020 Inactive</p> <p>Jimijack Irrevocable Trust Removed: 12/03/2020 Dismissed</p>	<p>Maurice, Aaron R. <i>Retained</i> 702-463-7616(W)</p> <p>Maurice, Aaron R. <i>Retained</i> 702-463-7616(W)</p>

CASE SUMMARY
CASE NO. A-19-799890-C

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

Lee, Yuen K
 Removed: 06/03/2020
 Inactive

Lucas, Thomas
 Removed: 06/03/2020
 Inactive

Morgan, Melanie
 Removed: 06/03/2020
 Inactive

Nationstar Mortgage LLC
 Removed: 12/03/2020
 Dismissed

Wittig, Donna
Retained
 702-634-5000(W)

Ochoa, David
 Removed: 06/03/2020
 Inactive

Opportunity Homes LLC
 Removed: 06/03/2020
 Inactive

Quicken Loans Inc
 Removed: 12/03/2020
 Dismissed

Maurice, Aaron R.
Retained
 702-463-7616(W)

Red Rock Financial Services
 Removed: 12/03/2020
 Dismissed

Wight, Brody R.
Retained
 702-318-5040(W)

Scow, Steven
 Removed: 06/03/2020
 Inactive




Stokes, Joel A

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

Stokes, Sandra
 Removed: 12/03/2020
 Dismissed

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

Williams, Teresa D
 Removed: 06/03/2020
 Inactive

DATE	EVENTS & ORDERS OF THE COURT	INDEX
<u>EVENTS</u>		
08/07/2019	 Complaint Filed By: Plaintiff Tobin, Nona <i>Complaint for Quiet Title, and Equitable, Declaratory, and Injunctive Relief</i>	
08/13/2019	 Notice of Lis Pendens Filed by: Plaintiff Tobin, Nona <i>Notice of Lis Pendens</i>	
08/22/2019	 Notice <i>Notice of Change of Case Designation / Suffix</i>	

CASE SUMMARY

CASE NO. A-19-799890-C

- 12/04/2019  Notice of Appearance
Party: Plaintiff Tobin, Nona
Notice Of Appearance of Counsel
- 12/05/2019  Ex Parte Motion
Filed By: Plaintiff Tobin, Nona
Plaintiff's Ex Parte Motion to Extend Time to Serve Summons and Complaint (First Request)
- 12/10/2019  Ex Parte Order
Filed By: Plaintiff Tobin, Nona
Ex-Parte Order to Exten Time to Serve Summons and Complaint
- 12/10/2019  Notice of Entry of Order
Filed By: Plaintiff Tobin, Nona
Notice of Entry of Order
- 01/31/2020  Ex Parte Motion
Filed By: Plaintiff Tobin, Nona
Ex Parte Motion to Extend Time to Serve Summons and Complaint (Second Request)
- 02/05/2020  Order Extending Time to Serve
Filed By: Plaintiff Tobin, Nona
Order To Extend Time To Serve Summons and Complaint
- 02/05/2020  Notice of Entry of Order
Filed By: Plaintiff Tobin, Nona
Notice Of Entry Of Order
- 04/02/2020  Ex Parte Application to Extend Time for Service
Filed By: Plaintiff Tobin, Nona
Ex Parte Motion to Extend Time to Serve Complaint
- 04/06/2020  Order Extending Time to Serve
Order to Extend Time to Serve Summons and Complaint
- 04/06/2020  Order
Filed By: Plaintiff Tobin, Nona
Order To Extend Time To Serve Summons And Complaint
- 04/07/2020  Notice of Entry of Order
Filed By: Plaintiff Tobin, Nona
Notice of Entry of Order
- 06/03/2020  First Amended Complaint
Filed By: Plaintiff Tobin, Nona
First Amended Complaint
- 06/03/2020  Summons Electronically Issued - Service Pending
Party: Plaintiff Tobin, Nona
Summons
- 06/03/2020  Summons Electronically Issued - Service Pending
Party: Plaintiff Tobin, Nona

CASE SUMMARY

CASE NO. A-19-799890-C

Summons

- 06/03/2020  Summons Electronically Issued - Service Pending
Party: Plaintiff Tobin, Nona
Summons
- 06/03/2020  Summons Electronically Issued - Service Pending
Party: Plaintiff Tobin, Nona
Summons
- 06/03/2020  Summons Electronically Issued - Service Pending
Party: Plaintiff Tobin, Nona
Summons
- 06/03/2020  Summons Electronically Issued - Service Pending
Party: Plaintiff Tobin, Nona
Summons
- 06/03/2020  Summons Electronically Issued - Service Pending
Party: Plaintiff Tobin, Nona
Summons
- 06/03/2020  Summons Electronically Issued - Service Pending
Party: Plaintiff Tobin, Nona
Summons
- 06/03/2020  Summons Electronically Issued - Service Pending
Party: Plaintiff Tobin, Nona
Summons
- 06/05/2020  Affidavit of Service
Filed By: Plaintiff Tobin, Nona
Affidavit of Service
- 06/05/2020  Affidavit of Service
Affidavit of Service
- 06/10/2020  Affidavit of Service
Filed By: Plaintiff Tobin, Nona
Affidavit of Service
- 06/10/2020  Affidavit of Service
Filed By: Plaintiff Tobin, Nona
Affidavit of Service
- 06/23/2020  Initial Appearance Fee Disclosure
Filed By: Defendant Red Rock Financial Services
Initial Appearance Fee Disclosure
- 06/23/2020  Motion to Dismiss
Filed By: Defendant Red Rock Financial Services
Defendant Red Rock Financial Services, LLC's Motion to Dismiss Complaint Pursuant to NRCP 12(b)(5) and (6)

CASE SUMMARY

CASE NO. A-19-799890-C

- 06/23/2020  Clerk's Notice of Hearing
Notice of Hearing
- 06/25/2020  Joinder To Motion
Filed By: Defendant Nationstar Mortgage LLC
Nationstar's Joinder to Defendant Red Rock Financial Services' Motion to Dismiss First Amended Complaint
- 06/25/2020  Initial Appearance Fee Disclosure
Filed By: Defendant Nationstar Mortgage LLC
Initial Appearance Fee Disclosure
- 06/25/2020  Joinder To Motion
Filed By: Defendant Stokes, Joel A; Defendant Jimijack Irrevocable Trust; Defendant Stokes, Sandra
Joel A. Stokes, Joel A. Stokes And Sandra Stokes, As Trustees Of The Jimijack Irrevocable Trust, And Jimijack Irrevocable Trust s Joinder To Defendant, Red Rock Financial Services , Motion To Dismiss First Amended Complaint And For Attorney s Fees And Costs Pursuant To E.D.C.R. Rule 7.60(b)(1) And/Or (3)
- 06/25/2020  Initial Appearance Fee Disclosure
Filed By: Defendant Stokes, Joel A; Defendant Stokes, Sandra
Initial Appearance Fee Disclosure
- 07/01/2020  Affidavit of Service
Filed By: Plaintiff Tobin, Nona
Party Served: Defendant Stokes, Joel A
Affidavit of Service - Joel Stokes
- 07/01/2020  Affidavit of Service
Filed By: Plaintiff Tobin, Nona
Party Served: Defendant Stokes, Sandra
Affidavit of Service - Sandra Stokes
- 07/01/2020  Affidavit of Service
Filed By: Plaintiff Tobin, Nona
Party Served: Defendant Jimijack Irrevocable Trust
Affidavit of Service - Jimijack Irrevocable trust
- 07/06/2020  Joinder To Motion
Filed By: Defendant Quicken Loans Inc; Defendant Chiesti, Brian; Defendant Chiesti, Debora
Brian and Debora Chiesi and Quicken Loan Inc.'s Joinder to Defendant Red Rock Financial Service's Motion to Dismiss Plaintiff's Amended Complaint
- 07/06/2020  Request for Judicial Notice
Filed By: Defendant Quicken Loans Inc; Defendant Chiesti, Brian; Defendant Chiesti, Debora
Request for Judicial Notice
- 07/06/2020  Initial Appearance Fee Disclosure
Filed By: Defendant Quicken Loans Inc; Defendant Chiesti, Brian; Defendant Chiesti, Debora
Initial Appearance Fee Disclosure
- 07/13/2020  Stipulation and Order

CASE SUMMARY

CASE NO. A-19-799890-C

Filed by: Plaintiff Tobin, Nona
Stipulation And Order To Reschedule Hearing For Defendant Red Rock Financial Services, LLC's Motion to Dismiss Complaint Pursuant to NRCP 12(B)(5) And (6) Joinders Thereto, and Request For Judicial Notice

07/14/2020



Notice of Entry of Stipulation and Order

Filed By: Plaintiff Tobin, Nona
Notice of Entry of Stipulation And Order to Reschedule Hearing For Defendant Red Rock Financial Services, LLC's Motion to Dismiss Complaint Pursuant to NRCP 12(B)(5) And (6) Joinders Thereto, And Request For Judicial Notice

07/20/2020



Opposition to Motion to Dismiss

Filed By: Plaintiff Tobin, Nona
Opposition to Motion to Dismiss and to Joinder Thereto

08/03/2020



Reply in Support

Filed By: Defendant Quicken Loans Inc; Defendant Chiesti, Brian; Defendant Chiesti, Debora
Brian and Debora Chiesi and Quicken Loans, LLC's Reply to Plaintiff's Opposition to Motion to Dismiss and Joinders thereto

08/03/2020



Reply in Support

Filed By: Defendant Red Rock Financial Services
Defendant Red Rock Financial Services' Reply in Support of its Motion to Dismiss the Complaint Pursuant to NRCP 12(b)(5) and (6)

08/03/2020



Reply in Support

Filed By: Defendant Stokes, Joel A; Defendant Jimijack Irrevocable Trust; Defendant Stokes, Sandra
Joel A. Stokes, Joel A. Stokes And Sandra Stokes, As Trustees Of The Jimijack Irrevocable Trust, And Jimijack Irrevocable Trust s Reply In Support Of Joinder To Defendant, Red Rock Financial Services , Motion To Dismiss First Amended Complaint And For Attorney s Fees And Costs Pursuant To E.D.C.R. Rule 7.60(b)(1) And/Or (3)

09/06/2020



Order Granting Motion

Order Granting Motion for Attorney's Fees and Costs Filed by Joel A. Stokes, Joel A. Stokes and Sandra Stokes, as Trustees of the Jimijack Irrevocable Trust and Jimijack Irrevocable Trust, Pursuant to EDCR 7.60(b)(1) and/or (3)

09/16/2020



Motion for Attorney Fees and Costs

Filed By: Defendant Quicken Loans Inc; Defendant Chiesti, Brian; Defendant Chiesti, Debora
Motion for Attorney's Fees and Costs

09/17/2020



Clerk's Notice of Hearing

Notice of Hearing

10/08/2020



Notice of Entry of Order

Filed By: Defendant Stokes, Joel A; Defendant Jimijack Irrevocable Trust; Defendant Stokes, Sandra
Notice Of Entry Of Order Granting Motion For Attorney s Fees And Costs Filed By Joel A. Stokes, Joel A. Stokes And Sandra Stokes, As Trustees Of The Jimijack Irrevocable Trust, And Jimijack Irrevocable Trust, Pursuant To EDCR 7.60(b)(1) And/Or (3)

10/08/2020



Opposition to Motion

Filed By: Plaintiff Tobin, Nona
Opposition to Chiesi and Quicken Loans Motion for Attorney Fees and Costs

CASE SUMMARY

CASE NO. A-19-799890-C

- 10/16/2020  Order Shortening Time
Defendants, Joel A. Stokes and Sandra Stokes, as Trustees of The JimiJack Irrevocable Trust and Jimijack Irrevocable Trust's, Motion to Enforce Order for Attorney's Fees and Costs and for Contempt and for Attorney's Fees and Costs Pursuant to E.D.C.R. Rule 7.60(b)(3) and/or (5) and Order Shortening Time
- 10/16/2020  Notice of Entry of Order
Filed By: Defendant Stokes, Joel A; Defendant Jimijack Irrevocable Trust; Defendant Stokes, Sandra
Notice Of Entry Of Order Shortening Time
- 10/19/2020  Reply to Opposition
Filed by: Defendant Chiesti, Brian
Reply to Plaintiff's Opposition to the Chiesi Defendants' Motion for Attorney's Fees and Costs
- 10/27/2020  Opposition to Motion
Filed By: Plaintiff Tobin, Nona
Opposition to Joel A. Stokes and Sandra Stokes, as Trustees of the Jimijack Irrevocable Trust and Jimijack Irrevocable Trust's Motion to Enforce Order for Attorney Fees and Costs and for Contempt and Order Shortening Time
- 11/09/2020  Notice of Appeal
Filed By: Plaintiff Tobin, Nona
Notice of Appeal to the Supreme Court, State of Nevada
- 11/09/2020  Case Appeal Statement
Filed By: Plaintiff Tobin, Nona
CASE APPEAL STATEMENT
- 11/09/2020  Notice of Posting of Cost Bond
Filed By: Plaintiff Tobin, Nona
NOTICE OF POSTING OF COST BOND
- 11/17/2020  Order Granting Motion
Order Granting Motion for Attorney's Fees and Costs
- 11/17/2020  Notice of Entry of Order
Filed By: Defendant Chiesti, Brian
Notice of Entry of Order
- 11/17/2020  Order to Statistically Close Case
Civil Order to Statistically Close Case - Motion to Dismiss by Defendant
- 12/03/2020  Order Granting Motion
Filed By: Defendant Red Rock Financial Services
Order Granting Defendant Red Rock Financial Services' Motion to Dismiss Complaint and All Joinders to the Motion
- 12/03/2020  Notice of Entry of Order for Dismissal With Prejudice
Filed By: Defendant Red Rock Financial Services
Notice of Entry of Order
- 12/17/2020  Notice of Appeal
Filed By: Plaintiff Tobin, Nona

CASE SUMMARY
CASE NO. A-19-799890-C

Notice of Appeal

12/17/2020



Case Appeal Statement

Filed By: Plaintiff Tobin, Nona

Case Appeal Statement

DISPOSITIONS

09/06/2020

Order (Judicial Officer: Johnson, Susan)

Debtors: Nona Tobin (Plaintiff)

Creditors: Joel A Stokes (Defendant), Jimijack Irrevocable Trust (Defendant), Sandra Stokes (Defendant)

Judgment: 09/06/2020, Docketed: 09/08/2020

Total Judgment: 3,455.00

11/17/2020

Order (Judicial Officer: Johnson, Susan)

Debtors: Nona Tobin (Plaintiff)

Creditors: Quicken Loans Inc (Defendant), Brian Chiesti (Defendant), Debora Chiesti (Defendant)

Judgment: 11/17/2020, Docketed: 11/19/2020

Total Judgment: 8,948.99

12/03/2020

Order of Dismissal With Prejudice (Judicial Officer: Johnson, Susan)

Debtors: Nona Tobin (Plaintiff)

Creditors: Quicken Loans Inc (Defendant), Joel A Stokes (Defendant), Jimijack Irrevocable Trust (Defendant), Nationstar Mortgage LLC (Defendant), Red Rock Financial Services (Defendant), Brian Chiesti (Defendant), Debora Chiesti (Defendant), Sandra Stokes (Defendant)

Judgment: 12/03/2020, Docketed: 12/04/2020

HEARINGS

08/11/2020

Motion to Dismiss (8:30 AM) (Judicial Officer: Johnson, Susan)

Defendant Red Rock Financial Services, LLC's Motion to Dismiss Complaint Pursuant to NRCP 12(b)(5) and (6)

07/28/2020

Continued to 08/11/2020 - Stipulation and Order - Quicken Loans Inc; Tobin, Nona; Stokes, Joel A; Jimijack Irrevocable Trust; Nationstar Mortgage LLC; Red Rock Financial Services; Chiesti, Brian; Chiesti, Debora; Stokes, Sandra

08/11/2020

Joinder (8:30 AM) (Judicial Officer: Johnson, Susan)

Nationstar's Joinder to Defendant Red Rock Financial Services' Motion to Dismiss First Amended Complaint

07/28/2020

Continued to 08/11/2020 - Stipulation and Order - Quicken Loans Inc; Tobin, Nona; Stokes, Joel A; Jimijack Irrevocable Trust; Nationstar Mortgage LLC; Red Rock Financial Services; Chiesti, Brian; Chiesti, Debora; Stokes, Sandra

08/11/2020

Joinder (8:30 AM) (Judicial Officer: Johnson, Susan)

Joel A. Stokes, Joel A. Stokes And Sandra Stokes, As Trustees Of The Jimijack Irrevocable Trust, And Jimijack Irrevocable Trust s Joinder To Defendant, Red Rock Financial Services , Motion To Dismiss First Amended Complaint And For Attorney s Fees And Costs Pursuant To E.D.C.R. Rule 7.60(b)(1) And/Or (3)

07/28/2020

Continued to 08/11/2020 - Stipulation and Order - Quicken Loans Inc; Tobin, Nona; Stokes, Joel A; Jimijack Irrevocable Trust; Nationstar Mortgage LLC; Red Rock Financial Services; Chiesti, Brian; Chiesti, Debora; Stokes, Sandra

08/11/2020

Joinder (8:30 AM) (Judicial Officer: Johnson, Susan)

Brian and Debora Chiesi and Quicken Loan Inc.'s Joinder to Defendant Red Rock Financial Service's Motion to Dismiss Plaintiff's Amended Complaint

07/28/2020


Continued to 08/11/2020 - Stipulation and Order - Quicken Loans Inc; Tobin, Nona; Stokes, Joel A; Jimijack Irrevocable Trust; Nationstar Mortgage LLC; Red Rock Financial Services; Chiesti, Brian; Chiesti, Debora; Stokes, Sandra

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY


CASE NO. A-19-799890-C

08/11/2020

 **All Pending Motions** (8:30 AM) (Judicial Officer: Johnson, Susan)


Matter Heard;
Journal Entry Details:
DEFENDANT RED ROCK FINANCIAL SERVICES, LLC'S MOTION TO DISMISS COMPLAINT PURSUANT TO NRCP 12(B)(5) AND (6) NATIONSTAR'S JOINDER TO DEFENDANT RED ROCK FINANCIAL SERVICES' MOTION TO DISMISS FIRST AMENDED COMPLAINT JOEL A. STOKES, JOEL A. STOKES AND SANDRA STOKES, AS TRUSTEES OF THE JIMIACK IRREVOCABLE TRUST, AND JIMIACK IRREVOCABLE TRUST'S JOINDER TO DEFENDANT, RED ROCK FINANCIAL SERVICES, MOTION TO DISMISS FIRST AMENDED COMPLAINT AND FOR ATTORNEY'S FEES AND COSTS PURSUANT TO E.D.C.R. RULE 7.60(B)(1) AND/OR (3) BRIAN AND DEBORA CHIESI AND QUICKEN LOAN INC.'S JOINDER TO DEFENDANT RED ROCK FINANCIAL SERVICE'S MOTION TO DISMISS PLAINTIFF'S AMENDED COMPLAINT Counsel appearing remotely via Bluejeans. Argument by counsel. COURT ORDERED, Defendant Red Rock Financial Services, LLC's Motion to Dismiss Complaint, GRANTED adding that the Court would take the request for attorney fees under advisement. Mr. Wight to prepare the order.;

10/29/2020

 **Motion for Attorney Fees and Costs** (9:00 AM) (Judicial Officer: Johnson, Susan)

Defendant's Motion for Attorney's Fees and Costs
Motion Granted;
Journal Entry Details:
Arguments by Ms. Wood and Mr. Thompson regarding whether or not the 31.6 billed hours were reasonable and necessary. COURT ORDERED, matter taken UNDER ADVISEMENT; advised it wanted to review the attorneys fees in lieu of the Brunzell factors; matter SET for hearing. 11/03/2020 - 8:30 AM - DEFENDANTS, JOEL A. STOKES AND SANDRA STOKES, AS TRUSTEES OF THE JIMIACK IRREVOCABLE TRUST AND JIMIACK IRREVOCABLE TRUST'S MOTION TO ENFORCE ORDER FOR ATTORNEY'S FEES AND COSTS AND FOR CONTEMPT AND FOR ATTORNEY'S FEES AND COSTS PURSUANT TO EDCR RULE 7.60 (B)(3) AND/OR (5) AND ORDER SHORTENING TIME;

11/03/2020

 **Motion to Enforce** (8:30 AM) (Judicial Officer: Johnson, Susan)

Defendants, Joel A. Stokes and Sandra Stokes, as Trustees of the Jimijack Irrevocable Trust and Jimijack Irrevocable Trust's Motion to Enforce Order for Attorney's Fees and Costs and for Contempt and for Attorney's Fees and Costs Pursuant to EDCR Rule 7.60(b)(3) and/or (5) and Order Shortening Time
Denied Without Prejudice;
Journal Entry Details:
Court noted the best remedy would be for Mr. Hong to submit a proposed judgment and ORDERED, Motion DENIED WITHOUT PREJUDICE. Mr. Thomson advised there were several issues with this Motion and they should be awarded attorneys fees. Arguments by Mr. Thomson in support of attorneys fees. Court noted Mr. Thomson didn't have a pending motion for attorneys fees and advised he should file one if he felt it was appropriate.;

DATE

FINANCIAL INFORMATION

Defendant Chiesti, Brian	
Total Charges	283.00
Total Payments and Credits	283.00
Balance Due as of 12/17/2020	0.00
Defendant Nationstar Mortgage LLC	
Total Charges	223.00
Total Payments and Credits	223.00
Balance Due as of 12/17/2020	0.00
Defendant Red Rock Financial Services	
Total Charges	223.00
Total Payments and Credits	223.00
Balance Due as of 12/17/2020	0.00
Defendant Stokes, Joel A	
Total Charges	283.00
Total Payments and Credits	0.00

CASE SUMMARY

CASE NO. A-19-799890-C

Balance Due as of 12/17/2020	283.00
Plaintiff Tobin, Nona	
Total Charges	318.00
Total Payments and Credits	318.00
Balance Due as of 12/17/2020	0.00
Plaintiff Tobin, Nona	
Appeal Bond Balance as of 12/17/2020	500.00

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3 **DISTRICT COURT**
4 **CLARK COUNTY, NEVADA**

5 **NONA TOBIN, an individual,**
6
7 **Plaintiff,**

Case No. A-19-799890-C
Dept. No. XXII

8 **Vs.**

9 **BRIAN CHIESTI, an individual;**
10 **DEBORA CHIESTI, an individual;**
11 **QUICKEN LOANS INC.; JOEL A.**
12 **STOKES, an individual; JOEL A.**
13 **STOKES and SANDRA STOKES, as**
14 **Trustees of JIMI JACK IRREVOCABLE**
15 **TRUST; JIMI JACK IRREVOCABLE**
16 **TRUST; NATIONSTAIR MORTGAGE**
17 **LLC; RED ROCK FINANCIAL**
18 **SERVICES; DOES I through X, inclusive;**
19 **and ROE CORPORATIONS I through V,**
20 **inclusive,**

21 **Defendants.**

22 **ORDER GRANTING MOTION FOR ATTORNEY'S FEES AND COSTS**

23 This matter, concerning the Motion for Attorney's Fees and Costs filed by Defendants
24 BRIAN CHIESI, DEBORA CHIESI and QUICKEN LOANS, INC. on September 16, 2020, came
25 on for hearing on the 29th day of October 2020 at the hour of 9:00 a.m. before Department XXII of
26 the Eighth Judicial District Court, in and for Clark County, Nevada with JUDGE SUSAN
27 JOHNSON presiding; Plaintiff NONA TOBIN personally attended, and appeared by and through
28 her attorney, JOHN W. THOMSON, ESQ.; Defendants BRIAN CHIESI, DEBORA CHIESI and
QUICKEN LOANS, INC. appeared by and through their attorney, BRITTANY WOOD, ESQ. of the
law firm, MAURICE WOOD; and Defendants JOEL A. STOKES, JOEL A STOKES AND

1 SANDRA STOKES, AS TRUSTEES OF THE JIMIACK IRREVOCABLE TRUST and
2 JIMIACK IRREVOCABLE TRUST appeared by and through their attorney, JOSEPH Y HONG,
3 ESQ. of the law firm, HONG & HONG LAW OFFICE. Having reviewed the papers and pleadings
4 on file herein, heard oral arguments of the lawyers and taken this matter under advisement, this
5 Court makes the following Findings of Fact and Conclusions of Law:

6 **FINDINGS OF FACT AND PROCEDURAL HISTORY**

7
8 **1.** For ease and convenience, this Court repeats its findings and procedural history has
9 set forth within its Order filed September 6, 2020. On June 16, 2015, Defendants JOEL A.
10 STOKES, JOEL A. STOKES AND SANDRA STOKES, AS TRUSTEES OF THE JIMIACK
11 IRREVOCABLE TRUST filed their Complaint against BANK OF AMERICA¹ and SUN CITY
12 ANTHEM COMMUNITY ASSOCIATION, INC., seeking, *inter alia*, to quiet title to their
13 residence, 2763 White Sage, Henderson, Nevada 89052. *See Stokes v. Bank of America*, Case
14 No. A-15-720032-C, filed in Department XXXI, Eighth Judicial District Court, in and for
15 Clark County, Nevada. Subsequently, on May 17, 2016, NATIONSTAR MORTGAGE,
16 LLC intervened, and filed its Counter-Claim against, *inter alia*, JIMIACK IRREVOCABLE
17 TRUST.² Further, a Complaint previously filed by NATIONSTAR MORTGAGE, LLC
18 against OPPORTUNITY HOMES, LLC in another action, Case No. A-16-730078-C, on
19 January 11, 2016 was consolidated with the older case filed by MR. STOKES and the
20 Trustees of JIMIACK IRREVOCABLE TRUST in Department XXXI.
21
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23

24 . . .

25
26 _____
27 ¹NATIONSTAR MORTGAGE, LLC thereafter was permitted to intervene in that it was BANK OF
AMERICA'S successor-in-interest.

28 ²The Counter-Claim was also filed against OPPORTUNITY HOMES, LLC, F. BONDURANT, LLC as well as
DOE and ROE defendants. In this Court's view, the pleading lodged against these "Counter-Defendants" was
inappropriately called a "counter-claim," as these parties were not listed as plaintiffs in the primary action.

1 2. In July 2016, Plaintiff NONA TOBIN and STEVEN HANSEN, as individuals, filed
2 their Motion to Intervene in Case No. A-16-730078-C, claiming MS. TOBIN was a Trustee and MR.
3 HANSEN was a beneficiary of the GORDON B. HANSEN TRUST, the entity that owned the
4 subject property until the homeowners' association foreclosure sale took place. Such motion was
5 denied without prejudice given MS. TOBIN and MR. HANSEN, individually, lacked standing to sue
6 or intervene in the action. MS. TOBIN eventually was permitted to intervene as Trustee of the
7 GORDON B. HANSEN TRUST in early 2017. MS. TOBIN thereafter filed her Counter-Claim
8 against MR. STOKES and JIMI JACK IRREVOCABLE TRUST and Cross-Claims against SUN
9 CITY ANTHEM COMMUNITY ASSOCIATION, OPPORTUNITY HOMES, INC. and F.
10 BONDURANT, LLC. Of interest here, MS. TOBIN identified herself interchangeably as an
11 individual and trustee throughout the pleadings, an error noted by JUDGE JOANNA KISHNER in
12 her Findings of Fact, Conclusions of Law and Judgment filed June 24, 2019, pp. 4 and 8.
13

14 3. On April 17, 2019, JUDGE KISHNER granted summary judgment in favor of SUN
15 CITY ANTHEM COMMUNITY ASSOCIATION, INC. as it held a valid homeowners' association
16 foreclosure sale which terminated the interest of GORDON B. HANSEN TRUST within the subject
17 property and MS. TOBIN showed no reason such as "fraud," "oppression" or "malice" for the sale
18 to be set aside. Further, JUDGE KISHNER noted MS. TOBIN, as an individual, had no standing to
19 sue and papers identifying her as a plaintiff suing individually were stricken. On June 5 and 6, 2019,
20 a bench trial was heard by JUDGE KISHNER with respect to the claims of MS. TOBIN, as Trustee
21 of the GORDON B. HANSEN TRUST against, *inter alia*, MR. STOKES and the JIMI JACK
22 IRREVOCABLE TRUST. After hearing the evidence, that Court issued Findings of Fact,
23 Conclusions of Law and Judgment in favor of MR. STOKES and the JIMI JACK IRREVOCABLE
24 TRUST, and ordered the *lis pendens* filed by MS. TOBIN against the subject property be expunged.
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1 The consolidated action heard by Department XXXI is now pending before the Nevada Court of
2 Appeals.

3 4. On or about December 27, 2019, JOEL A. STOKES, JOEL A. STOKES AND
4 SANDRA STOKES, AS TRUSTEES OF THE JIMI JACK IRREVOCABLE TRUST sold the
5 residence, 2763 White Sage, Henderson, Nevada 89052, to Defendants BRIAN CHIESI and
6 DEBORA CHIESI, who acquired the property by borrowing funds from Defendant QUICKEN
7 LOANS, INC. QUICKEN LOANS, INC. recorded a security interest in the subject property by
8 virtue of its loan to the CHIESIS.

9
10 5. MS. TOBIN, in her individual capacity, sued various persons and entities, including
11 MR. and MRS. CHIESI and QUICKEN LOANS, INC. in the instant matter before Department XXII
12 for declaratory relief and to quiet title in the real estate that was the subject of the previous
13 consolidated litigation. Various Defendants filed their Motions to Dismiss, along with Joinders
14 thereto, upon the basis, *inter alia*, MS. TOBIN was judicially estopped from asserting an ownership
15 interest in the subject property and re-litigating the case which had already been adjudged by
16 JUDGE KISHNER. This Court granted the motions and now considers the Motion for Attorney's
17 Fees and Costs filed by MR. and MRS. CHIESI and QUICKEN LOANS, INC. They seek
18 reimbursement of \$9,480.00 in attorney's fees and \$308.99 in costs pursuant to NRS 18.010(2)(b).
19
20

21 **CONCLUSIONS OF LAW**

22 1. NRS 18.010(2) specifically provides:

23 2. In addition to the cases where an allowance is authorized by specific statute,
24 the court may make an allowance of attorney's fees to a prevailing party:

25 . . .

26 (b) Without regard to the recovery sought, when the court finds that the
27 claim, counterclaim, cross-claim or third-party complaint or defense of the opposing
28 party was brought or maintained without reasonable ground or to harass the
prevailing party. The court shall liberally construe the provisions of this paragraph in
favor of awarding attorney's fees in all appropriate situations. It is the intent of the
Legislature that the court award attorney's fees pursuant to this paragraph and impose

1 sanctions pursuant to Rule 11 of the Nevada Rules of Civil Procedure in all
2 appropriate situations to punish for and deter frivolous or vexatious claims and
3 defenses because such claims and defenses overburden limited judicial resources,
4 hinder the timely resolution of meritorious claims and increase the costs of engaging
5 in business and providing professional services to the public.

6 *Also see* NRS 18.020 (costs *must* be awarded to the prevailing party).

7 **3.** Here, the intervention action and claims of the GORDON B. HANSEN TRUST and
8 MS. TOBIN, whether individually or as Trustee of the Trust, were decided before JUDGE
9 KISHNER in the aforementioned consolidated actions. Specifically, JUDGE KISHNER found MS.
10 TOBIN, as an individual, had no standing to sue as she had no ownership interest in the subject
11 residence. Although JUDGE KISHNER made such a finding, MS. TOBIN continued to
12 interchangeably refer to herself as suing individually and as Trustee. After hearing the matter fully
13 in both summary judgment and a bench trial, JUDGE KISHNER concluded the homeowners'
14 association held a valid foreclosure sale which terminated the property interests of GORDON B.
15 HANSEN TRUST, and title ultimately vested in MR. STOKES, individually, and the JIMI JACK
16 IRREVOCABLE TRUST, and it was these parties who later sold the residence to MR. and MRS.
17 CHIESI. Although a final determination was made in Department XXXI and is now being appealed,
18 MS. TOBIN nevertheless sought another bite at the apple and filed the instant litigation which
19 included the successors-in-interest, the CHIESIS and QUICKEN LOANS, INC. The second lawsuit
20 was a multiplication of the previous proceeding, was precluded by virtue of principles of claim and
21 issue preclusion, and thus, was brought without reasonable ground. It resulted in MR. and MRS.
22 CHIESI and QUICKEN LOANS, INC. unnecessarily incurring attorney's fees and costs in the
23 instant matter.

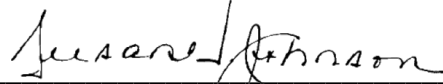
24 **4.** The movants provided this Court their analyses concerning the reasonableness of
25 their attorneys' fees under Brunzell v. Golden Gate National Bank, 84 Nev. 345, 349-350, 455 P.2d
26 31, 33 (1969). This Court has considered all the Brunzell factors, noting the qualities of BRITTANY
27
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1 WOOD, ESQ.'S and MAURICE WOOD'S advocacy, the character of the work to be done and
2 actually performed by the lawyers, and result. All in all, this Court believes an award of \$8,640.00
3 in attorneys' fees and \$308.99 in costs incurred by MR. and MRS. CHIESI and QUICKEN LOANS,
4 INC. in defending the matter to be reasonable under the circumstances under NRS 18.010(2)(b) and
5 18.020. This Court therefore grants the Motion for Attorney's Fees and Costs.

6 Accordingly, and based upon the foregoing Findings of Fact and Conclusions of Law,
7

8 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** the Motion for Attorney's
9 Fees and Costs filed by Defendants BRIAN CHIESI, DEBORA CHIESI and QUICKEN LOANS,
10 INC. on September 16, 2020 is granted as modified. These Defendants are awarded \$8,640.00 in
11 attorney's fees and \$308.99 in costs as against Plaintiff NONA TOBIN.

12 Dated this 17th day of November, 2020

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14 _____
SUSAN JOHNSON, DISTRICT COURT JUDGE

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16 659 EBC F4CD 0F51
17 Susan Johnson
18 District Court Judge
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1 **CSERV**

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3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 Nona Tobin, Plaintiff(s)

CASE NO: A-19-799890-C

7 vs.

DEPT. NO. Department 22

8 Joel Stokes, Defendant(s)

9
10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Order Granting Motion was served via the court's electronic eFile
13 system to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 11/17/2020

15 David Koch

dkoch@kochscow.com

16 Brody Wight

bwight@kochscow.com

17 Akerman LLP

AkermanLAS@akerman.com

18 Andrea Eshenbaugh - Legal Assistant

aeshenbaugh@kochscow.com

19 Donna Wittig

donna.wittig@akerman.com

20 Daniel Scow

dscow@kochscow.com

21 JOSEPH HONG

YOSUPHONGLAW@GMAIL.COM

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23 MELANIE MORGAN

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24 JOSEPH HONG

yosuphonglaw@gmail.com

25 JOSEPH HONG

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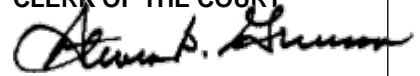
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JOSEPH HONG	YOSUPHONGLAW@GMAIL.COM
MELANIE MORGAN	MELANIE.MORGAN@AKERMAN.COM
STEVEN SCOW	sscow@kochscow.com
STEVEN SCOW	sscow@kochscow.com
John Thomson	johnwthomson@ymail.com
Vincenette Caruana	jwtlaw@ymail.com
Brittany Wood	bwood@mauricewood.com

If indicated below, a copy of the above mentioned filings were also served by mail via United States Postal Service, postage prepaid, to the parties listed below at their last known addresses on 11/18/2020

Aaron Maurice	Maurice Wood Attn: Aaron Maurice, Esq 9525 Hillwood Drive, Suite 140 Las Vegas, NV, 89134
Joseph Hong	Hong & Hong Attn: Joseph Y. Hong 1980 Festival Plaza Drive, Suite 650 Las Vegas, NV, 89133



1 **NEOJ**
AARON R. MAURICE, ESQ.
2 Nevada Bar No. 6412
BRITTANY WOOD, ESQ.
3 Nevada Bar No. 7562
ELIZABETH E. ARONSON, ESQ.
4 Nevada Bar No. 14472

MAURICE WOOD
5 9525 Hillwood Drive, Suite 140
Las Vegas, Nevada 89134
6 Telephone: (702) 463-7616
Facsimile: (702) 463-6224
7 E-Mail: amaurice@mauricewood.com
bwood@mauricewood.com
8 earonson@mauricewood.com

9 Attorneys for Defendants,
BRIAN CHIESI AND DEBORA CHIESI,
10 erroneously sued as Brian Chiesti and Debora
Chiesti, and QUICKEN LOANS INC. n/k/a
11 QUICKEN LOANS, LLC

12 **DISTRICT COURT**
13 **CLARK COUNTY, NEVADA**

14 * * *

15 NONA TOBIN, an individual,
Plaintiff,

16 vs.

17 BRIAN CHIESTI, an individual; DEBORA
18 CHIESTI, an individual; QUICKEN LOANS
INC.; JOEL A. STOKES, an individual;
19 SANDRA STOKES as Trustees of JIMI JACK
IRREVOCABLE TRUST; JIMI JACK
20 IRREVOCABLE TRUST; NATIONSTAR
MORTGAGE LLC; RED ROCK FINANCIAL
21 SERVICES; DOES I through X inclusive; and
ROE CORPORATIONS I through V, inclusive,
22 Defendants.

CASE NO. A-19-799890-C
DEPT NO. 22

NOTICE OF ENTRY OF ORDER

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MAURICE WOOD
9525 Hillwood Drive, Suite 140
Las Vegas, Nevada 89134
Tel: (702) 463-7616 Fax: (702) 463-6224

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NOTICE OF ENTRY OF ORDER

Please take notice that an Order was entered with the above Court on the 17th day of November, 2020, a copy of which is attached hereto.

DATED this 17th day of November, 2020.

MAURICE WOOD

By /s/Brittany Wood

AARON R. MAURICE, ESQ.
Nevada Bar No. 006412
BRITTANY WOOD, ESQ.
Nevada Bar No. 007562
ELIZABETH E. ARONSON, ESQ.
Nevada Bar No. 14472
9525 Hillwood Drive, Suite 140
Las Vegas, Nevada 89134

Attorneys for Defendants,
BRIAN CHIESI AND DEBORA CHIESI,
erroneously sued as Brian Chiesti and Debora
Chiesti, and QUICKEN LOANS INC., n/k/a
QUICKEN LOANS LLC

MAURICE WOOD
9525 Hillwood Drive, Suite 140
Las Vegas, Nevada 89134
Tel: (702) 463-7616 Fax: (702) 463-6224

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Maurice Wood, and that on the 17th day of November, 2020, I caused to be served a true and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER** in the following manner:

(ELECTRONIC SERVICE) Pursuant to Administrative Order 14-2, the above-referenced document was electronically filed on the date hereof and served through the Notice of Electronic Filing automatically generated by the Court’s facilities to those parties listed on the Court’s Master Service List.

/s/ Brittany Wood
An Employee of MAURICE WOOD

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**NONA TOBIN, an individual,

Plaintiff,**

**Case No. A-19-799890-C
Dept. No. XXII**

Vs.

**BRIAN CHIESTI, an individual;
DEBORA CHIESTI, an individual;
QUICKEN LOANS INC.; JOEL A.
STOKES, an individual; JOEL A.
STOKES and SANDRA STOKES, as
Trustees of JIMI JACK IRREVOCABLE
TRUST; JIMI JACK IRREVOCABLE
TRUST; NATIONSTAIR MORTGAGE
LLC; RED ROCK FINANCIAL
SERVICES; DOES I through X, inclusive;
and ROE CORPORATIONS I through V,
inclusive,

Defendants.**

ORDER GRANTING MOTION FOR ATTORNEY'S FEES AND COSTS

This matter, concerning the Motion for Attorney's Fees and Costs filed by Defendants BRIAN CHIESI, DEBORA CHIESI and QUICKEN LOANS, INC. on September 16, 2020, came on for hearing on the 29th day of October 2020 at the hour of 9:00 a.m. before Department XXII of the Eighth Judicial District Court, in and for Clark County, Nevada with JUDGE SUSAN JOHNSON presiding; Plaintiff NONA TOBIN personally attended, and appeared by and through her attorney, JOHN W. THOMSON, ESQ.; Defendants BRIAN CHIESI, DEBORA CHIESI and QUICKEN LOANS, INC. appeared by and through their attorney, BRITTANY WOOD, ESQ. of the law firm, MAURICE WOOD; and Defendants JOEL A. STOKES, JOEL A STOKES AND

1 SANDRA STOKES, AS TRUSTEES OF THE JIMIACK IRREVOCABLE TRUST and
2 JIMIACK IRREVOCABLE TRUST appeared by and through their attorney, JOSEPH Y HONG,
3 ESQ. of the law firm, HONG & HONG LAW OFFICE. Having reviewed the papers and pleadings
4 on file herein, heard oral arguments of the lawyers and taken this matter under advisement, this
5 Court makes the following Findings of Fact and Conclusions of Law:

6 **FINDINGS OF FACT AND PROCEDURAL HISTORY**

7
8 1. For ease and convenience, this Court repeats its findings and procedural history has
9 set forth within its Order filed September 6, 2020. On June 16, 2015, Defendants JOEL A.
10 STOKES, JOEL A. STOKES AND SANDRA STOKES, AS TRUSTEES OF THE JIMIACK
11 IRREVOCABLE TRUST filed their Complaint against BANK OF AMERICA¹ and SUN CITY
12 ANTHEM COMMUNITY ASSOCIATION, INC., seeking, *inter alia*, to quiet title to their
13 residence, 2763 White Sage, Henderson, Nevada 89052. *See Stokes v. Bank of America*, Case
14 No. A-15-720032-C, filed in Department XXXI, Eighth Judicial District Court, in and for
15 Clark County, Nevada. Subsequently, on May 17, 2016, NATIONSTAR MORTGAGE,
16 LLC intervened, and filed its Counter-Claim against, *inter alia*, JIMIACK IRREVOCABLE
17 TRUST.² Further, a Complaint previously filed by NATIONSTAR MORTGAGE, LLC
18 against OPPORTUNITY HOMES, LLC in another action, Case No. A-16-730078-C, on
19 January 11, 2016 was consolidated with the older case filed by MR. STOKES and the
20 Trustees of JIMIACK IRREVOCABLE TRUST in Department XXXI.
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26 _____
27 ¹NATIONSTAR MORTGAGE, LLC thereafter was permitted to intervene in that it was BANK OF
AMERICA'S successor-in-interest.

28 ²The Counter-Claim was also filed against OPPORTUNITY HOMES, LLC, F. BONDURANT, LLC as well as
DOE and ROE defendants. In this Court's view, the pleading lodged against these "Counter-Defendants" was
inappropriately called a "counter-claim," as these parties were not listed as plaintiffs in the primary action.

1 2. In July 2016, Plaintiff NONA TOBIN and STEVEN HANSEN, as individuals, filed
2 their Motion to Intervene in Case No. A-16-730078-C, claiming MS. TOBIN was a Trustee and MR.
3 HANSEN was a beneficiary of the GORDON B. HANSEN TRUST, the entity that owned the
4 subject property until the homeowners' association foreclosure sale took place. Such motion was
5 denied without prejudice given MS. TOBIN and MR. HANSEN, individually, lacked standing to sue
6 or intervene in the action. MS. TOBIN eventually was permitted to intervene as Trustee of the
7 GORDON B. HANSEN TRUST in early 2017. MS. TOBIN thereafter filed her Counter-Claim
8 against MR. STOKES and JIMI JACK IRREVOCABLE TRUST and Cross-Claims against SUN
9 CITY ANTHEM COMMUNITY ASSOCIATION, OPPORTUNITY HOMES, INC. and F.
10 BONDURANT, LLC. Of interest here, MS. TOBIN identified herself interchangeably as an
11 individual and trustee throughout the pleadings, an error noted by JUDGE JOANNA KISHNER in
12 her Findings of Fact, Conclusions of Law and Judgment filed June 24, 2019, pp. 4 and 8.
13

14 3. On April 17, 2019, JUDGE KISHNER granted summary judgment in favor of SUN
15 CITY ANTHEM COMMUNITY ASSOCIATION, INC. as it held a valid homeowners' association
16 foreclosure sale which terminated the interest of GORDON B. HANSEN TRUST within the subject
17 property and MS. TOBIN showed no reason such as "fraud," "oppression" or "malice" for the sale
18 to be set aside. Further, JUDGE KISHNER noted MS. TOBIN, as an individual, had no standing to
19 sue and papers identifying her as a plaintiff suing individually were stricken. On June 5 and 6, 2019,
20 a bench trial was heard by JUDGE KISHNER with respect to the claims of MS. TOBIN, as Trustee
21 of the GORDON B. HANSEN TRUST against, *inter alia*, MR. STOKES and the JIMI JACK
22 IRREVOCABLE TRUST. After hearing the evidence, that Court issued Findings of Fact,
23 Conclusions of Law and Judgment in favor of MR. STOKES and the JIMI JACK IRREVOCABLE
24 TRUST, and ordered the *lis pendens* filed by MS. TOBIN against the subject property be expunged.
25

26
27 ...
28

1 The consolidated action heard by Department XXXI is now pending before the Nevada Court of
2 Appeals.

3 4. On or about December 27, 2019, JOEL A. STOKES, JOEL A. STOKES AND
4 SANDRA STOKES, AS TRUSTEES OF THE JIMI JACK IRREVOCABLE TRUST sold the
5 residence, 2763 White Sage, Henderson, Nevada 89052, to Defendants BRIAN CHIESI and
6 DEBORA CHIESI, who acquired the property by borrowing funds from Defendant QUICKEN
7 LOANS, INC. QUICKEN LOANS, INC. recorded a security interest in the subject property by
8 virtue of its loan to the CHIESIS.

9
10 5. MS. TOBIN, in her individual capacity, sued various persons and entities, including
11 MR. and MRS. CHIESI and QUICKEN LOANS, INC. in the instant matter before Department XXII
12 for declaratory relief and to quiet title in the real estate that was the subject of the previous
13 consolidated litigation. Various Defendants filed their Motions to Dismiss, along with Joinders
14 thereto, upon the basis, *inter alia*, MS. TOBIN was judicially estopped from asserting an ownership
15 interest in the subject property and re-litigating the case which had already been adjudged by
16 JUDGE KISHNER. This Court granted the motions and now considers the Motion for Attorney's
17 Fees and Costs filed by MR. and MRS. CHIESI and QUICKEN LOANS, INC. They seek
18 reimbursement of \$9,480.00 in attorney's fees and \$308.99 in costs pursuant to NRS 18.010(2)(b).
19
20

21 **CONCLUSIONS OF LAW**

22 1. NRS 18.010(2) specifically provides:

23 2. In addition to the cases where an allowance is authorized by specific statute,
24 the court may make an allowance of attorney's fees to a prevailing party:

25 . . .

26 (b) Without regard to the recovery sought, when the court finds that the
27 claim, counterclaim, cross-claim or third-party complaint or defense of the opposing
28 party was brought or maintained without reasonable ground or to harass the
prevailing party. The court shall liberally construe the provisions of this paragraph in
favor of awarding attorney's fees in all appropriate situations. It is the intent of the
Legislature that the court award attorney's fees pursuant to this paragraph and impose

1 sanctions pursuant to Rule 11 of the Nevada Rules of Civil Procedure in all
2 appropriate situations to punish for and deter frivolous or vexatious claims and
3 defenses because such claims and defenses overburden limited judicial resources,
4 hinder the timely resolution of meritorious claims and increase the costs of engaging
5 in business and providing professional services to the public.

6 *Also see* NRS 18.020 (costs *must* be awarded to the prevailing party).

7 **3.** Here, the intervention action and claims of the GORDON B. HANSEN TRUST and
8 MS. TOBIN, whether individually or as Trustee of the Trust, were decided before JUDGE
9 KISHNER in the aforementioned consolidated actions. Specifically, JUDGE KISHNER found MS.
10 TOBIN, as an individual, had no standing to sue as she had no ownership interest in the subject
11 residence. Although JUDGE KISHNER made such a finding, MS. TOBIN continued to
12 interchangeably refer to herself as suing individually and as Trustee. After hearing the matter fully
13 in both summary judgment and a bench trial, JUDGE KISHNER concluded the homeowners'
14 association held a valid foreclosure sale which terminated the property interests of GORDON B.
15 HANSEN TRUST, and title ultimately vested in MR. STOKES, individually, and the JIMI JACK
16 IRREVOCABLE TRUST, and it was these parties who later sold the residence to MR. and MRS.
17 CHIESI. Although a final determination was made in Department XXXI and is now being appealed,
18 MS. TOBIN nevertheless sought another bite at the apple and filed the instant litigation which
19 included the successors-in-interest, the CHIESIS and QUICKEN LOANS, INC. The second lawsuit
20 was a multiplication of the previous proceeding, was precluded by virtue of principles of claim and
21 issue preclusion, and thus, was brought without reasonable ground. It resulted in MR. and MRS.
22 CHIESI and QUICKEN LOANS, INC. unnecessarily incurring attorney's fees and costs in the
23 instant matter.

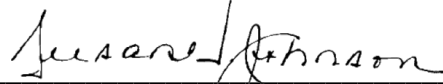
24 **4.** The movants provided this Court their analyses concerning the reasonableness of
25 their attorneys' fees under Brunzell v. Golden Gate National Bank, 84 Nev. 345, 349-350, 455 P.2d
26 31, 33 (1969). This Court has considered all the Brunzell factors, noting the qualities of BRITTANY
27
28

1 WOOD, ESQ.'S and MAURICE WOOD'S advocacy, the character of the work to be done and
2 actually performed by the lawyers, and result. All in all, this Court believes an award of \$8,640.00
3 in attorneys' fees and \$308.99 in costs incurred by MR. and MRS. CHIESI and QUICKEN LOANS,
4 INC. in defending the matter to be reasonable under the circumstances under NRS 18.010(2)(b) and
5 18.020. This Court therefore grants the Motion for Attorney's Fees and Costs.

6 Accordingly, and based upon the foregoing Findings of Fact and Conclusions of Law,
7

8 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** the Motion for Attorney's
9 Fees and Costs filed by Defendants BRIAN CHIESI, DEBORA CHIESI and QUICKEN LOANS,
10 INC. on September 16, 2020 is granted as modified. These Defendants are awarded \$8,640.00 in
11 attorney's fees and \$308.99 in costs as against Plaintiff NONA TOBIN.

12 Dated this 17th day of November, 2020

13 

14 _____
SUSAN JOHNSON, DISTRICT COURT JUDGE

15
16 659 EBC F4CD 0F51
17 Susan Johnson
18 District Court Judge
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1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Nona Tobin, Plaintiff(s)

CASE NO: A-19-799890-C

7 vs.

DEPT. NO. Department 22

8 Joel Stokes, Defendant(s)

9
10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Order Granting Motion was served via the court's electronic eFile
13 system to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 11/17/2020

15 David Koch

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Brittany Wood	bwood@mauricewood.com

If indicated below, a copy of the above mentioned filings were also served by mail via United States Postal Service, postage prepaid, to the parties listed below at their last known addresses on 11/18/2020

Aaron Maurice	Maurice Wood Attn: Aaron Maurice, Esq 9525 Hillwood Drive, Suite 140 Las Vegas, NV, 89134
Joseph Hong	Hong & Hong Attn: Joseph Y. Hong 1980 Festival Plaza Drive, Suite 650 Las Vegas, NV, 89133

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

August 11, 2020

A-19-799890-C Nona Tobin, Plaintiff(s)
vs.
Joel Stokes, Defendant(s)

August 11, 2020 8:30 AM All Pending Motions

HEARD BY: Johnson, Susan **COURTROOM:** RJC Courtroom 15D

COURT CLERK: Jill Chambers

RECORDER: Norma Ramirez

REPORTER:

PARTIES

PRESENT:	Chiesti, Brian	Defendant
	Chiesti, Debora	Defendant
	Hong, Joseph Y.	Attorney
	Thomson, John W.	Attorney
	Wight, Brody R.	Attorney
	Wittig, Donna	Attorney
	Wood, Brittany	Attorney

JOURNAL ENTRIES

- DEFENDANT RED ROCK FINANCIAL SERVICES, LLC'S MOTION TO DISMISS COMPLAINT PURSUANT TO NRCP 12(B)(5) AND (6) NATIONSTAR'S JOINDER TO DEFENDANT RED ROCK FINANCIAL SERVICES' MOTION TO DISMISS FIRST AMENDED COMPLAINT JOEL A. STOKES, JOEL A. STOKES AND SANDRA STOKES, AS TRUSTEES OF THE JIMI JACK IRREVOCABLE TRUST, AND JIMI JACK IRREVOCABLE TRUST'S JOINDER TO DEFENDANT, RED ROCK FINANCIAL SERVICES, MOTION TO DISMISS FIRST AMENDED COMPLAINT AND FOR ATTORNEY'S FEES AND COSTS PURSUANT TO E.D.C.R. RULE 7.60(B)(1) AND/OR (3) BRIAN AND DEBORA CHIESI AND QUICKEN LOAN INC.'S JOINDER TO DEFENDANT RED ROCK FINANCIAL SERVICE'S MOTION TO DISMISS PLAINTIFF'S AMENDED COMPLAINT

Counsel appearing remotely via Bluejeans.

Argument by counsel. COURT ORDERED, Defendant Red Rock Financial Services, LLC's Motion to Dismiss Complaint, GRANTED adding that the Court would take the request for attorney fees under advisement. Mr. Wight to prepare the order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

October 29, 2020

A-19-799890-C Nona Tobin, Plaintiff(s)
vs.
Joel Stokes, Defendant(s)

**October 29, 2020 9:00 AM Motion for Attorney Fees
and Costs**

HEARD BY: Johnson, Susan **COURTROOM:** RJC Courtroom 15D

COURT CLERK: Keri Cromer

RECORDER: Norma Ramirez

REPORTER:

PARTIES

PRESENT:	Hong, Joseph Y.	Attorney
	Thomson, John W.	Attorney
	Tobin, Nona	Plaintiff
	Wood, Brittany	Attorney

JOURNAL ENTRIES

- Arguments by Ms. Wood and Mr. Thompson regarding whether or not the 31.6 billed hours were reasonable and necessary.

COURT ORDERED, matter taken UNDER ADVISEMENT; advised it wanted to review the attorneys fees in lieu of the Brunzell factors; matter SET for hearing.

11/03/2020 - 8:30 AM - DEFENDANTS, JOEL A. STOKES AND SANDRA STOKES, AS TRUSTEES OF THE JIMI JACK IRREVOCABLE TRUST AND JIMI JACK IRREVOCABLE TRUST'S MOTION TO ENFORCE ORDER FOR ATTORNEY'S FEES AND COSTS AND FOR CONTEMPT AND FOR ATTORNEY'S FEES AND COSTS PURSUANT TO EDCR RULE 7.60(B)(3) AND/OR (5) AND ORDER SHORTENING TIME

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

November 03, 2020

A-19-799890-C Nona Tobin, Plaintiff(s)
vs.
Joel Stokes, Defendant(s)

November 03, 2020 8:30 AM Motion to Enforce

HEARD BY: Johnson, Susan **COURTROOM:** RJC Courtroom 15D

COURT CLERK: Keri Cromer

RECORDER: Norma Ramirez

REPORTER:

PARTIES

PRESENT: Thomson, John W. Attorney

JOURNAL ENTRIES

- Court noted the best remedy would be for Mr. Hong to submit a proposed judgment and ORDERED, Motion DENIED WITHOUT PREJUDICE. Mr. Thomson advised there were several issues with this Motion and they should be awarded attorneys fees. Arguments by Mr. Thomson in support of attorneys fees. Court noted Mr. Thomson didn't have a pending motion for attorneys fees and advised he should file one if he felt it was appropriate.



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

JOHN W. THOMSON, ESQ.
2450 ST. ROSE PKWY., SUITE 120
HENDERSON, NV 89074

DATE: December 17, 2020
CASE: A-19-799890-C

RE CASE: NONA TOBIN vs. BRIAN CHIESTI; DEBORA CHIESTI; QUICKEN LOANS, INC.; JOEL A. STOKES;
JOEL A. STOKES and SANDRA STOKES as Trustee of JIMI JACK IRREVOCABLE TRUST; JIMI JACK
IRREVOCABLE TRUST; NATIONSTAR MORTGAGE LLC; RED ROCK FINANCIAL SERVICES

NOTICE OF APPEAL FILED: December 17, 2020

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
 - *Previously paid Bonds are not transferable between appeals without an order of the court.*
- Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- Order
- Notice of Entry of Order

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 (g) 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.

***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 TO THE SUPREME COURT, STATE OF NEVADA;
CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; ORDER GRANTING
MOTION FOR ATTORNEY'S FEES AND COSTS; NOTICE OF ENTRY OF ORDER; DISTRICT
COURT MINUTES; NOTICE OF DEFICIENCY

NONA TOBIN,

Plaintiff(s),

vs.

BRIAN CHIESTI; DEBORA CHIESTI;
QUICKEN LOANS, INC.; JOEL A. STOKES;
JOEL A. STOKES and SANDRA STOKES as
Trustee of JIMI JACK IRREVOCABLE TRUST;
JIMI JACK IRREVOCABLE TRUST;
NATIONSTAR MORTGAGE LLC; RED
ROCK FINANCIAL SERVICES,

Defendant(s),

Case No: A-19-799890-C

Dept No: XXII

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 17 day of December 2020.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

