

1 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

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3 * * * * *

4 CISILIE A. PORSBOLL, f/k/a
5 CISILIE ANNE VAILE,

S.C. NO. 53798
D.C. NO: 98-D-230385-D

6 Appellant,

7 vs.

8 ROBERT SCOTLUND VAILE,

Electronically Filed
Nov 24 2009 01:33 p.m.
Tracie K. Lindeman

9 Respondent.
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16 **APPELLANT'S SUPPLEMENTAL**
17 **APPENDIX**
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MR. ROBERT SCOTLUND VAILE
In Proper Person
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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

8 CISILIE VAILE PORSBOLL,
9 fna CISILIE A. VAILE, et al.,
10 Plaintiff,

CASE NO: CV-S-02-0706-RLH-(RJJ)

11 vs.

12 ROBERT SCOTLUND VAILE, et al.,
13 Defendant.

14 AFFIDAVIT OF THE HONORABLE CYNTHIA DIANNE STEEL

15 Attached hereto is the Affidavit of the Honorable Cynthia Dianne Steel, District Court Judge
16 in the matter of *Vaile v. Vaile*, Nevada Eighth Judicial District Court Family Case No. D230385.

17 DATED this 3rd day of June, 2003.

18 Respectfully submitted,

19 LAW OFFICE OF MARSHAL S. WILICK, P.C.

20 

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26 *****

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28 *****

CERTIFICATE OF MAILING

I HEREBY CERTIFY service of the foregoing *Affidavit of the Honorable Cynthia Dianne Steel* was made this 14th day of June 2003, pursuant to Fed.R.Civ.P 5(b)(1) and 5(b)(2)(B) by depositing a copy of same in the United States Mail in Las Vegas, Nevada, postage prepaid, addressed as follows:

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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE DISTRICT OF NEVADA

10 CISILIE VAILE PORSBOLL, et al.,
11

12 Plaintiffs,

13 v.

14 ROBERT SCOTLUND VAILE, et al.,
15

16 Defendants.

Case No. CV-S-02-0706-RHL-(RJJ)

17 Affidavit of the Honorable Cynthia Dianne Steel

18 STATE OF NEVADA)
19) ss:
COUNTY OF CLARK)

20 I, Cynthia Dianne Steel, being first duly sworn, depose and say:

21 1. I am a judge duly elected to serve on the Nevada Eighth Judicial District Court, Family
22 Division, Department G and have been since 1997.

23 2. On or about August 7, 1998, R.S. Vaile, or his agent, filed a Complaint for Divorce, outlining
24 child custody terms, together with his affidavit, a request for summary disposition, his COPE certificate
25 and an affidavit of a resident witness in the matter of Vaile v. Vaile, D230385.

26 3. On or about August 7, 1998, Cisilie Vaile, or her agent, filed an Answer which supported
27 R.S.Vaile's residency and the court's jurisdiction over the subject matters contained in the Decree of
28 Divorce.

1 4. On or about August 7, 1998, the Request for Summary Disposition with attendant documents
2 listed above were received in Department G's Chambers.

3 5. On or about August 13, 1998, the court approved the Decree of Divorce.

4 6. On or about August 21, 1998 the Decree of Divorce was filed with the Clark County
5 Clerk's office.

6 7. On or about August 26, 1998 the Notice of Entry of the Decree of Divorce was filed with the
7 Clark County Clerk's office.

8 8. On or about February 18, 2000, R.S. Vaile filed an Order to Show Cause with the Clark
9 County Clerk's office regarding the alleged contempt of court being perpetrated by Cisilie Vaile pursuant
10 to the terms of the child custody agreement contained in the Decree of Divorce for failure to return the
11 children to Nevada in order that they locate close to Mr Vaile's employment.

12 9. On or about February 18, 2000 this affiant denied the exparte request for an Order Shortening
13 Time because the matter involved a litigant who resided overseas. Your affiant then set the motion
14 hearing out for 6 weeks later to insure personal service on Cisilie Vaile and to afford Cisilie the ability
15 to respond to the motion and to make travel arrangements, in effect extending the time for hearing.

16 10. Your affiant has reviewed the motion, the videotape, the transcript and the Order which
17 resulted from the show cause hearing heard by your affiant in the above-referenced case on March 29,
18 2000.

19 11. At the March 29, 2000 hearing the court first determined that personal service had been
20 accomplished on Cicile Vaile and then reviewed documents provided by Mr. Vaile written in a foreign
21 language which were not translated for the benefit of the court. The foreign language documents
22 purported to be documentation of notice of the hearing and personal service of the Order to Show Cause
23 on Cisilie Vaile.

24 12. At the March 29, 2000 hearing your affiant specifically asked R.S. Vaile through his counsel
25 to confirm the Court's jurisdiction to enter an order regarding the custody of the parties' children.

26 13. At that time, your affiant was informed that the children had "lived here all their lives,"
27 having been born in the United States and having left Las Vegas to reside with Cisilie Vaile in Norway
28 pursuant to the terms of the Divorce Decree.

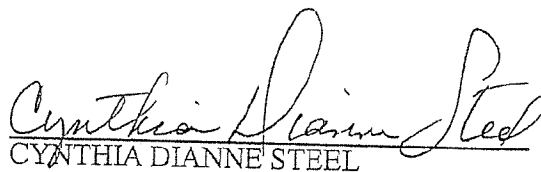
1 14. The Court, hearing no objection from Cisilie Vaile, having no notice that a case was actually
2 pending in another jurisdiction, believing that the children lived in Nevada, believing that Mr. Vaile
3 lived in Nevada, and believing that the 8th Judicial District Court of Nevada was "the only court with
4 jurisdiction to grant relief" regarding custody issues, granted the relief sought in the Motion for Order
5 to Show Cause in its entirety.

6 15. Your affiant was not aware, on March 29, 2000, of any ongoing proceedings in Norway
7 regarding mediation or custody absent a side remark by Mr. Vaile's counsel that Cisilie Vaile was trying
8 to argue jurisdiction from Norway.

9 16. Your affiant held a hearing on Order Shortening Time regarding the immediate return of the
10 children at the request of Cisile Vaile on or about September 29, 2000. At that hearing it was
11 represented to your affiant by Cisile Vaile that Mr. Vaile was "within striking distance of perpetrating
12 a second kidnap" by way of taking the children out of the United States to Mexico. Her counsel
13 reported to the court that he had located Mr. Vaile at a Winnebago stop, north of Dallas, Texas,
14 dangerously close to a place where passports are not checked before entering Mexico.

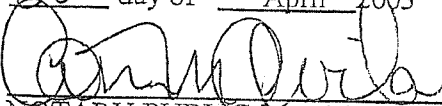
15 17. Based on the above information the court was under the impression that jurisdiction
16 regarding the children lay with the Nevada courts to the extent that your affiant gave Cisilie Vaile a pick-
17 up order to return the children to Nevada for further proceedings.

18 FURTHER AFFIANT SAYETH NOUGHT.
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21 
22 CYNTHIA DIANNE STEEL

23 SIGNED and SWORN to before me this

24 30th day of April 2003

25 

26 NOTARY PUBLIC in and for said
27 County and State



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4
5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA

7 * * *

8 CISILIE VAILE PORSBOLL,)
9 fna CISILIE A. VAILE,)
10 individually and as Guardian of)
KAIA LOUISE VAILE and)
DAMILLA JANE VAILE, minor children,)
11 Plaintiff(s),)
12 vs.)
13 ROBERT SCOTLUND VAILE,)
14 Defendant(s).)
15

2:02-cv-0706-RLH-RJJ

**FINDINGS OF FACT and
CONCLUSIONS OF LAW
and DECISION**

16 This matter came on for trial, as duly scheduled and noticed, before the Honorable
17 Roger L. Hunt, U.S. District Judge, on February 27, 2006. Plaintiffs were represented by and
18 through their attorneys, the Willick Law Group. Defendant Robert Scotlund Vaile did not
19 appear. He had filed a "Notice of Cessation of Defense" (#303, filed February 21, 2006), noting
20 that he would not oppose an eventual judgment entered against him in this matter, and did not
21 appear at the Calendar Call on February 22, 2006, as ordered by the Court.

22 Having reviewed all the pleadings, exhibits, written affidavits, and being fully
23 advised of the facts and the law, the Court makes the following Findings of Fact and Conclusions
24 of Law and Decision, and renders the Judgment filed separately herein:

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FINDINGS OF FACT

1. The findings of fact contained within the *Opinion* issued by the Nevada Supreme Court on April 11, 2002,¹ are entitled to recognition by this Court; this Court exercises its discretion to take judicial notice of the factual findings contained within that Opinion, which are adopted and relied upon herein to the degree not otherwise specifically addressed in these Findings of Fact.
2. Plaintiff Cisilie Porsboll, formerly known as Cisilie Vaile, is a citizen and resident of Norway. Defendant R. Scotlund Vaile is a citizen of the United States who currently claims residence in the State of Virginia, where he has indicated he is enrolled in law school. Plaintiffs Kaia and Kamilla Vaile are the minor children of Cisilie and Scotlund, and are residents of Norway, having dual citizenship.
3. As of August 1998, when the parties were divorced, Cisilie had physical custody of both children, in Norway.
4. Defendant Scotlund intentionally committed a fraud upon the Eighth Judicial District Court in and for the County of Clark, State of Nevada in his initial "Complaint for Divorce," in *Vaile v. Vaile*, Case No. D230385. He made further and other false assertions of fact in his later *Motion* filed in that case, under which he fraudulently induced Judge Steel of that court to issue a change in custody. That Order was never domesticated in Norway, and was ultimately set aside by the Nevada courts.
5. Defendant Scotlund violated federal law in seeking and obtaining "replacement" passports for the children that were subsequently utilized as part of their abduction or kidnap from Norway.
6. Defendant Scotlund conspired with his friend, Anne Fonde DeBorggraaf, his brother-in-law, Scott Bishop, and his parents, Buck and Janitye Vaile, to abduct the children from

¹ See *Vaile v. District Court*, 118 Nev. 262, 44 P.3d 506 (2002).

1 their mother's custody. Scotlund executed his plan in May 2000, kidnaping or abducting
2 both children in Norway and smuggling them across international borders and State lines
3 using the fraudulently-obtained passports, under color of authority of the fraudulently-
4 obtained Nevada State Family Court Order.

5 7. Ultimately, the children were brought by Scotlund to Texas, where they remained until
6 they were recovered and returned to Cisilie in April 2002.

7 8. On April 11, 2002, the Nevada Supreme Court issued its *Opinion in Vaile v. District*
8 *Court*, 118 Nev. 262, 44 P.3d 506 (2002), in which the court found that Scotlund was
9 never a resident of the State of Nevada, and had falsely so claimed in both his original
10 divorce paperwork and his later motion seeking custody of the children. The court also
11 found that the children never lived in Nevada, and that the lower court never had subject
12 matter or personal jurisdiction to enter any kind of order relating to child custody. The
13 court found that the children are habitual residents of Norway, that Scotlund wrongfully
14 removed them from Norway, and that Scotlund took custody of the children under an
15 invalid order. The Nevada Supreme Court issued a writ of mandamus compelling the
16 district court to vacate those portions of its decree relating to custody and visitation and to
17 order the children's return to Norway. The *Order* filed April 12, 2000 (from the hearing
18 of March 29, 2000) was set aside in its entirety as invalid in all respects.²

19 9. On April 16, 2002, the Nevada district court issued its order pursuant to the Writ of
20 Mandamus, stating in part that "all provisions of the *Decree of Divorce* filed August 21,
21 1998, bearing on custody and visitation of the children at issue, or incorporating the
22 custody and visitation terms of the parties' 'agreement' dated July 9, 1998, are hereby
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25 Judge Steel has filed an affidavit in this action, indicating that she never would have issued that
26 *Order* if she had been told the truth, and that she was tricked by the multiple false statements in
Scotlund's written and oral presentation into entering the invalid *Order*.

1 void and unenforceable, and have been vacated. All aspects of the *Orders* entered April
2 12, 2000, and October 25, 2000, are invalid and void in their entirety.”

3 10. The April 16 Nevada *Order* was domesticated in Texas on April 17, 2002, and given full
4 faith and credit by the Texas Court; Cisilie was given custody of the children and
5 permission to return to Norway with them. Scotlund was assessed \$45,419 (attorney’s
6 fees of \$20,359 and costs of \$25,060), which were to incur interest at 10% per year
7 compounded annually, in compensation for the damages he caused Cisilie to incur in
8 Texas in recovering the children. Scotlund has never complied with any part of that court
9 order to make payment.

10 11. Scotlund filed further Petitions in the appellate courts of Texas, which were finally denied
11 on May 9, 2002. On June 13, a “Rule 11 Agreement” was filed, in which Scotlund
12 stipulated to the costs Cisilie had incurred in responding to his Petitions in Texas. The
13 Texas trial court denied his motion for a new trial on June 18, 2002, and assessed
14 Scotlund \$23,797.90 in additional fees, in accordance with the Rule 11 Agreement, to
15 incur interest at 10% per year compounded annually. To date, Scotlund has never
16 complied with any part of the court order to make those payments, either.

17 12. On December 3, 2002, Scotlund filed a *Petition for Writ of Certiorari* in the United States
18 Supreme Court, attacking the Nevada Supreme Court *Opinion*.

19 13. On March 10, 2003, the United States Supreme Court denied Scotlund’s *Writ*.

20 14. On May 15, 2003, the Texas Court of Appeals dismissed Scotlund’s appeal as untimely.

21 15. In July, 2003, the Nevada Family Court issued an *Order* requiring that Scotlund pay
22 \$116,732.09 to Cisilie in compensation for the costs and fees incurred in Nevada for the
23 recovery of the children. Scotlund has never complied with any part of that court order.

24 16. The Nevada *Decree of Divorce* required Scotlund to pay child support on a monthly basis
25 to Cisilie, under a complex formula. Scotlund never supplied the income and other
26 information necessary for such calculations, but he consistently earned income in excess

- 1 of \$100,000 per year.
- 2 17. Scotlund unilaterally determined that the formula in the *Decree* required him to pay
- 3 11,000 Norwegian Kroners in child support, a sum equivalent to approximately \$1,300
- 4 (U.S.) per month. He paid that amount to Cisilie from August 1998, through March
- 5 2000, but has not paid any support for the children since that time.
- 6 18. No valid United States court order has ever altered the obligation imposed by the Nevada
- 7 *Decree of Divorce*, and the Nevada Supreme Court *Opinion* verified that, as a matter of
- 8 State law, when a person such as Scotlund has submitted himself to the jurisdiction of a
- 9 court, such a support obligation can and does stay in effect even if the court entering it did
- 10 not have jurisdiction to make an award of custody of the subject children.
- 11 19. Assuming that Scotlund correctly calculated the amount of child support due under the
- 12 Nevada order back in 1998, and disregarding the cost of living adjustment called for in
- 13 that order, and Scotlund's various increases in salary over the years, a minimum sum of
- 14 \$138,500 in arrears in child support principal, interest, and penalties has accrued under
- 15 the Nevada child support order from the time Scotlund stopped paying child support in
- 16 March 2000, through February 2006.
- 17 20. After the recovery of the children, Norway independently issued temporary custody,
- 18 support, and visitation orders (effective as of April 2002). Scotlund has acknowledged
- 19 receipt of those orders, but has not paid any support for the children in accordance with
- 20 those orders, either. Even without taking into account the cost of living adjustment in the
- 21 Norwegian orders, the minimum amount of arrears that accrued thereunder between April
- 22 2002, and February 2006, converted into U.S. dollars, is approximately \$48,000.
- 23 21. Beginning with the kidnaping or abduction of the children, and continuing for the two
- 24 years required to recover the children, and thereafter, Cisilie experienced severe emo-
- 25 tional and psychological trauma, including physical symptoms requiring medical atten-
- 26 tion. She missed many weeks of work as a result of both the resulting symptoms, and as

1 a matter of time necessary to deal with the American legal proceedings, incurring further
2 financial loss.

3 22. Beginning with the kidnaping or abduction of the children, and continuing for the two
4 years required to recover them, and thereafter, the children experienced emotional and
5 psychological trauma as a result of Scotlund's removal of them from their home, family,
6 and country, including nightmares and severe anxiety attacks. The children have been in
7 counseling and therapy, and have exhibited ongoing symptoms of psychological trauma,
8 including physical manifestations of stress. The expert psychological opinion is that the
9 damage was significant and can reasonably be expected to require continuing therapeutic
10 intervention indefinitely into the future.

11 23. The actual damages caused by Scotlund's actions have been extraordinary. Cisilie
12 incurred \$116,732.09 in costs, fees, and expenses in the Nevada State court proceedings
13 to recover the children, another \$95,819.47³ in the Texas proceedings, another \$20,395⁴
14 in the proceedings in the United States Supreme Court, and a sum equal to some \$15,512
15 in the courts of Norway. Scotlund has never paid any part of any judgment of any court
16 that has found him liable.

17 24. The litigation expenses incurred by Cisilie in bringing the current action in this Court
18 purportedly include \$26,939 in costs, and more than \$312,000 worth of attorney and staff
19 time. Travel and other costs have totaled an additional approximate \$10,000.

20 25. Scotlund's conduct and actions were intended to and did cause the infliction of emotional
21 distress upon all three Plaintiffs, and were the actual and proximate cause of that damage.

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24 \$69,398.90 reduced to judgment by the Texas courts, and simple interest at 10%, in accordance
25 with those orders from entry, through February 27, 2006.

26 ⁴

\$16,548 in fees, and \$3,847 in costs.

- 1 26. Scotlund had a duty to Plaintiffs, including but not limited to not abducting the children,
2 and not giving false testimony to and abusing the process of the courts. Scotlund
3 breached all those duties.
- 4 27. Scotlund's conduct and actions negligently caused the infliction of emotional distress
5 upon all three Plaintiffs, and were the actual and the proximate cause of that damage.
- 6 28. Scotlund intentionally confined the children without actual or implied consent by the
7 children or Cisilie, and without legitimate authority, constituting the false imprisonment
8 of the children.
- 9 29. Scotlund's planning and execution of the kidnap, and subsequent false imprisonment of
10 the children, intentionally interfered with the custodial rights of Cisilie.
- 11 30. Scotlund had a duty not to violate the law, abuse process, abduct the children, conceal
12 the children, and withhold the children from Cisilie's custody. Scotlund's violations of
13 those duties were the actual and the proximate cause of Plaintiffs' damages.
- 14 31. Scotlund has committed, or aided and abetted the commission of, acts with the same or
15 similar pattern, intents, results, accomplices, victim, or methods of commission, and/or
16 which are otherwise interrelated by distinguishing characteristics and are not isolated
17 incidents, and which would constitute crimes related to a pattern of racketeering activity
18 including at least two racketeering acts. These acts include Scotlund's kidnap of the
19 children, and Scotlund's obtaining passports for the children with falsified documenta-
20 tion.
- 21 32. Scotlund's conduct constituted willful and malicious injury to Cisilie and the children,
22 which conduct is encompassed by within the range set out in 11 U.S.C. § 523(6).
- 23 33. Scotlund failed to comply with the *Order Regarding Trial* filed February 13, 2006, since
24 he (1) failed to timely file trial briefs, suggested voir dire questions and proposed jury
25 instructions, as prescribed by the Pretrial Order; (2) failed to appear for Calendar Call
26 without first having been excused by the Court; and (3) failed to timely comply with

orders scheduling deadlines for trial preparation.

34. Scotlund filed a "Notice of Cessation of Defense" on February 21, 2006, and explained that he would not oppose a default, although that document further claims that an appeal is an eventuality.

35. Scotlund was required to attend Calendar Call in this action on February 22, 2006, and produce documents pertaining to trial preparations for this Court's review prior to trial. The mandatory nature of his attendance at Calendar Call was telephonically verified with Scotlund. Scotlund nevertheless failed to appear at Calendar Call.

36. Scotlund's actions, failures to act, and communications have amply demonstrated contempt of this Court and its processes, as well as contempt for the orders of various courts in the United States and elsewhere in the world.

37. Scotlund has knowingly refused to provide support for his children for a period of some six years. Under any conceivable mathematics, the sum he owes in arrearages exceeds the thresholds set out in NRS 201.020(2)⁵ and Title 18, Chapter 11A, Section 228 of the United States Code ("Failure to pay legal child support obligation")⁶ for felony non-support under state and federal law.

....

⁵

On multiple grounds. There is a court ordered support obligation that Scotlund has knowingly failed to pay, arrearages in the amount of \$10,000 or more have accrued since the time a court first ordered him to pay support, there has been a second or subsequent violation in that additional arrearages totaling \$5,000 or more have accrued since the time a court first ordered him to provide support, and arrearages totaling \$5,000 or more have accrued since the time a court in another jurisdiction first ordered him to provide support.

⁶

Again, on multiple bases. The child to whom support is owed resides in another state, there is a court-ordered support obligation, there has been a willful failure to pay the support obligation for a period longer than two years, and there are arrearages of more than \$10,000. Scotlund has used interstate or foreign commerce with the intent to evade a support obligation that has been unpaid for over a year and that is greater than \$5,000.

1 38. As a direct and proximate result of Scotlund's wrongful acts, Cisilie has been caused to
2 expend hundreds of thousands of dollars to locate, visit, and ultimately litigate to recover
3 custody of her children. Scotlund's disregard of all orders entered by all courts to date
4 purportedly required the expenditure of costs and time worth over \$349,000 to bring this
5 matter to trial.

6 39. If any of these Findings of Fact are more properly considered Conclusions of Law, they
7 should be so construed.

8 CONCLUSIONS OF LAW

- 9 1. Scotlund has committed fraud, conspiracy, kidnaping or abduction, intentional and
10 negligent infliction of emotional distress upon all three Plaintiffs, false imprisonment of
11 the children, and intentional interference with Cisilie's custodial rights.
- 12 2. Scotlund's intentional perjury and offering false evidence in the Eighth Judicial District
13 Court, in and for the County of Clark, State of Nevada, in *Vaile v. Vaile*, Case No.
14 D230385, his kidnaping or abduction of the children, and his obtaining passports for the
15 children with falsified documentation, renders Scotlund liable for punitive damages.
- 16 3. This judgment shall be considered non-dischargeable in bankruptcy pursuant to 11 U.S.C.
17 § 523(6) as Scotlund has, by virtue of his conduct, committed a willful and malicious
18 injury against all three Plaintiffs.
- 19 4. Scotlund is guilty of non-support of his children under applicable state and federal law.
- 20 5. Scotlund is in direct contempt of this Court for violation of the Orders of Judge Hunt
21 regarding Calendar Call, and for violation of directions set forth in the Order Regarding
22 Trial.
- 23 6. Scotlund's course of conduct in the actions noted above, and the amount of economic and
24 other harm inflicted by Scotlund, is shocking to the conscience and demonstrates a
25 wanton and malicious conduct, or a conscious disregard for the wrongfulness of his
26 actions, entitling Plaintiffs to imposition of punitive damages.

7. Plaintiffs are entitled to an award of attorney's fees and costs in this action.
8. If any of these Conclusions of Law are more properly considered Findings of Fact, they should be so construed.

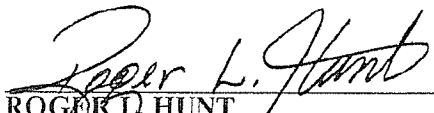
DECISION

Based upon the foregoing Findings of Fact, Conclusions of Law, and the evidence elicited at trial, it is the decision of the Court that judgment enter in favor of the Plaintiffs and against Defendant Robert Scotlund Vaile as follows:

1. Plaintiff Cisilie Vaile Porsboll is awarded \$150,000.00 as and for injury, pain and suffering, including emotional and psychological pain, suffering and distress caused by R. Scotlund Vaile's abduction or kidnaping, false imprisonment, acts of fraud and conspiracy, and negligent or intentional infliction of emotional distress.
2. Minor Plaintiff Daia Louise Vaile is awarded \$150,000.00 as and for injury, pain and suffering, including emotional and psychological pain, suffering and distress caused by R. Scotlund Vaile's abduction or kidnaping, false imprisonment, acts of fraud and conspiracy, and negligent or intentional infliction of emotional distress.
3. Minor Plaintiff Kamilla Jane Vaile is awarded \$150,000.00 as and for injury, pain and suffering, including emotional and psychological pain, suffering and distress caused by R. Scotlund Vaile's abduction or kidnaping, false imprisonment, acts of fraud and conspiracy, and negligent or intentional infliction of emotional distress.
4. Plaintiff Cisilie Vaile Porsboll is awarded damages of attorneys fees and costs, awarded in other cases as a result of her having to come to the United States to recover her children, overturn fraudulently obtained orders, and regain custody of her children, in the amount of \$272,255.56, plus interest until paid.
5. Plaintiff Cisilie Vaile Porsboll is awarded judgment against Defendant R. Scotlund Vaile for arrears in child support payments, including interest and penalties, as of February 2006, in the amount of \$138,500.00.

- 1 6. Plaintiff Cisilie Vaile Porsboll is awarded punitive damages against Defendant R.
- 2 Scotlund Vaile in the amount of \$100,000.00.
- 3 7. Plaintiff Cisilie Vaile Porsboll is awarded attorneys fees and costs in this action in an
- 4 amount to be determined upon submission of sufficient documentation and verification as
- 5 required by the Local Rules.

6 Dated: March 13, 2006.

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10 **ROGER L. HUNT**
11 United States District Judge
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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 * * *

9 CISILIE VAILE PORSBOLL,
10 fna CISILIE A. VAILE,
11 individually and as Guardian of
12 KAIA LOUISE VAILE and
13 DAMILLA JANE VAILE, minor children,

14 Plaintiff(s),

15 vs.

16 ROBERT SCOTLUND VAILE,

17 Defendant(s).

2:02-cv-0706-RLH-RJJ

JUDGMENT

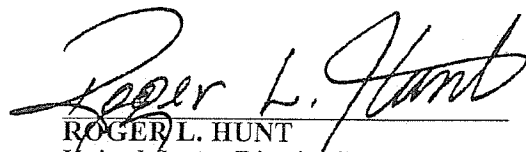
18 This matter having come on for trial, as duly scheduled and noticed, before the
19 Honorable Roger L. Hunt, U.S. District Judge, on February 27, 2006; and pursuant to the Findings
20 of Fact and Conclusions of Law and Decision filed herein;

21 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that judgment enter in
22 favor of the Plaintiffs Cisilie Vaile Porsboll individually, and as Guardian of Kaia Louise Vaile
23 and Kamilla Jane Vaile, minor children, and against Defendant Robert Scotlund Vaile as follows:

- 24 1. Plaintiff Cisilie Vaile Porsboll is awarded \$150,000.00 as and for injury, pain and suffer-
25 ing, including emotional and psychological pain, suffering and distress caused by R.
26 Scotlund Vaile's abduction or kidnaping, false imprisonment, acts of fraud and conspiracy,
and negligent or intentional infliction of emotional distress.

2. Minor Plaintiff Daia Louise Vaile is awarded \$150,000.00 as and for injury, pain and suffering, including emotional and psychological pain, suffering and distress caused by R. Scotlund Vaile's abduction or kidnaping, false imprisonment, acts of fraud and conspiracy, and negligent or intentional infliction of emotional distress.
3. Minor Plaintiff Kamilla Jane Vaile is awarded \$150,000.00 as and for injury, pain and suffering, including emotional and psychological pain, suffering and distress caused by R. Scotlund Vaile's abduction or kidnaping, false imprisonment, acts of fraud and conspiracy, and negligent or intentional infliction of emotional distress.
4. Plaintiff Cisilie Vaile Porsboll is awarded damages of attorneys fees and costs, awarded in other cases as a result of her having to come to the United States to recover her children, overturn fraudulently obtained orders, and regain custody of her children, in the amount of \$272,255.56, plus interest until paid.
5. Plaintiff Cisilie Vaile Porsboll is awarded judgment against Defendant R. Scotlund Vaile for arrears in child support payments, including interest and penalties, as of February 2006, in the amount of \$138,500.00.
6. Plaintiff Cisilie Vaile Porsboll is awarded punitive damages against Defendant R. Scotlund Vaile in the amount of \$100,000.00.
7. Plaintiff Cisilie Vaile Porsboll is awarded attorneys fees and costs in this action in an amount to be determined upon submission of sufficient documentation and verification as required by the Local Rules.

Dated: March 13, 2006.


ROGER L. HUNT
United States District Judge

1 Robert Scotlund Vaile
2 PO Box 727
3 Kenwood, CA 95452
4 Tel: (707) 833-2350

5 *Plaintiff in Proper Person*

ENDORSED
FILED
Superior Court of California
County of San Francisco

AUG 06 2009

GORDON PARK-LI, Clerk
BY: MICHAEL RAYRAY
Deputy Clerk

7 **SUPERIOR COURT OF CALIFORNIA**
8 **COUNTY OF SAN FRANCISCO**

9
10 **ROBERT SCOTLUND VAILE,**
11 **Plaintiff,**

12 **vs.**

13
14 **DELOITTE & TOUCHE, LLP,**
15 **CISILIE A. PORSBOLL,**
16 **MARSHAL S. WILICK,**
17 **RICHARD L. CRANE,**
18 **THE WILICK LAW GROUP,**
19 **Defendants.**

CASE NO: CGC-89-490578

**AMENDED COMPLAINT
FOR ABUSE OF PROCESS
AND CONVERSION**

Amount Demanded Exceeds \$10,000

20
21 Plaintiff, Robert Scotlund Vaile, an individual, complains and alleges as follows:

22 **PARTIES**

- 23
24 1. Defendant, Deloitte & Touche, LLP, hereinafter ("Deloitte"), is, and at all relevant times
25 was, a limited liability partnership offering professional services and conducting continuous
26 business from and having offices in the City of San Francisco, County of San Francisco,
27 State of California.

28

Amended Complaint for Abuse of Process and Conversion

- 1 2. Deloitte recruited, interviewed, and employed Plaintiff, Robert Scotlund Vaile in California
2 to work in the San Francisco, California offices of Deloitte.
- 3 3. Plaintiff has been employed with Deloitte since February 25, 2008.
- 4 4. Plaintiff has, at all relevant times, been a resident of Sonoma County, California.
- 5 5. Plaintiff has since his hire with Deloitte, worked for several Deloitte clients, all located
6 within driving distance of Deloitte's San Francisco offices, within California.
- 7 6. Plaintiff Vaile has never worked in or been paid from any Deloitte office in Nevada, or any
8 Deloitte client in Nevada.
- 9 7. Defendant Cisilie A. Porsboll (hereinafter "Porsboll") is a resident and citizen of Norway,
10 and was the defendant in an action for divorce from Plaintiff in Nevada in 1998. She was
11 previously known as Cisilie A. Vaile.
- 12 8. Marshal S. Willick and Richard L. Crane are attorneys, agents and employees of the Willick
13 Law Group, based in Las Vegas, Nevada, and at all relevant times, were acting in the course
14 of such agency and employment.
- 15 9. The Willick Law Group is, on information and belief, a limited liability company organized
16 under the laws of the state of Nevada.
- 17 10. The country of Norway, on Porsboll's behalf, hired the Willick Law Group to represent
18 Porsboll in 2000. Attorneys Willick and Crane, of the Willick Law Group, have represented
19 Porsboll in litigation against Plaintiff in Nevada between 2000 and the present.
- 20 11. The Nevada divorce action between Vaile and Porsboll concluded in April 2002 with a
21 holding by the Nevada Supreme Court that the Nevada courts had neither personal
22 jurisdiction of the parties nor subject matter jurisdiction of the case at hand.
- 23 12. Subsequently, attorneys Willick and Crane, and the Willick Law Group, were defendants in a
24 defamation action which Plaintiff brought in Virginia in 2007 based on letters written by
25 defendants to Plaintiff's law school, Washington & Lee University, and to the American Bar
26
27
28

1 Association in an attempt to have Mr. Vaile dismissed from school, or to have the law school
2 otherwise sanctioned for allowing Mr. Vaile to attend.

3 13. In that action, Defendants Willick and Crane claimed to have not been working on behalf of
4 their client Ms. Porsboll.

5 14. Following initiation of the defamation action in Virginia, attorneys Willick and Crane
6 attempted successfully to reopen litigation in Nevada (on behalf of Ms. Porsboll) to make
7 retroactive modification of the separation agreement between Porsboll and Vaile in order to
8 retroactively create an arrearage of child support for the benefit of Ms. Porsboll, and for
9 attorney's fees for the Willick Law Group and its attorneys. The Nevada litigation is
10 currently on appeal to the Nevada Supreme Court.

11 15. Plaintiff's motion for summary judgment in the Virginia case resulted in a Memorandum
12 Order and Opinion dated January 24, 2008 by Federal District Court Judge Norman K. Moon
13 finding that the statements by defendants were both capable of being defamatory under
14 Virginia law, and could be construed as *defamatory per se*.

15 16. Following the motion for summary judgment in Virginia, Defendants Willick, Crane and the
16 Willick Law Group offered Plaintiff money in settlement of the action with Plaintiff
17 accepted.

18 17. Immediately after payment of the settlement funds, defendant attorneys attempted to
19 intercept the funds paid in settlement of the Virginia action by filing a false affidavit by
20 Defendant Willick concerning the status of the Nevada litigation.

21 18. Mr. Vaile's Virginia lawyer and Mr. Vaile are plaintiffs in a subsequent action in Virginia
22 state court against attorney Willick for abuse of process. That action is currently pending in
23 Virginia state court.

**FIRST CAUSE OF ACTION
FOR ABUSE OF PROCESS AGAINST ALL DEFENDANTS**

19. Plaintiff incorporates by this reference all of the allegations contained in Paragraphs 1-18 of this complaint into this cause of action.
20. On or about June 11, 2009, Defendant Willick signed a Nevada writ of execution against "any and all" of Plaintiff Vaile's "wages, tips, earnings or commissions . . . from Deloitte & Touche, LLP, 502 E. John Street, Carson City, Nevada, 89706." See Exhibit A.
21. Defendant Cisilie A. Porsboll, formerly known as Cisilie A Vaile, is listed as the judgment creditor on the Nevada writ of execution. See Exhibit A.
22. On or about June 16, 2009, Defendant Crane signed a Nevada writ of garnishment, at the direction of Defendant Willick, commanding "Deloitte & Touche, LLP @ 502 E. John Street, Carson City, Nevada 89707" to retain Plaintiff's "wages, tips, earnings or commissions." See Exhibit A.
23. Attorneys Willick and Crane caused the Las Vegas Township Constable to send the writ of execution and writ of garnishment to Deloitte and Touche, LLP in Carson City, Nevada. See Exhibit A.
24. The Constable's transmittal letter, and the writ of execution and writ of garnishment are attached as Exhibit A and incorporated herein by this reference.
25. Through litigation depositions and hearings prior to 2009 during which Defendants Porsboll, Willick and Crane were present, Mr. Vaile provided details of his employment in the San Francisco, California office of Deloitte & Touche, LLP.
26. At all relevant times, all defendants knew that Plaintiff did not work for Deloitte & Touche, LLP in Carson City, Nevada, but that he is employed with Deloitte & Touche, LLP in San Francisco, California.
27. On or about June 20, 2009, Deloitte employee Judy Roeloftz contacted Plaintiff via email and informed him that Deloitte had received a "garnishment" in the Carson City, Nevada

- 1 office in the amount of \$172,850.40, and attached to the email a copy of a Nevada writ of
2 execution for a 2003 Nevada judgment against Mr. Vaile for attorneys fees.
- 3 28. No defendant has provided Mr. Vaile with any service of process of or regarding the Nevada
4 writ of execution or writ of garnishment executed by the defendant attorneys, nor any other
5 process or official notice regarding garnishment of Plaintiff's wages.
- 6 29. Plaintiff, Mr. Vaile, informed Defendant Deloitte that he had not received any Nevada
7 service of process from Nevada.
- 8 30. Defendant Porsboll has been law-trained in Norway.
- 9 31. Defendant Willick obtained a license to practice law in California, which license is now
10 inactive.
- 11 32. Defendant Crane attended law school in California.
- 12 33. Defendant Deloitte has access to legal representation in California.
- 13 34. On or about July 1, 2009 and July 13, 2009, Plaintiff explained to Deloitte's Ms. Roeloftz and
14 Defendant's Assistant General Counsel, Ben Siegel, a summary of earning garnishment
15 procedures under California law that had not been followed and requested that Deloitte not
16 garnish his salary.
- 17 35. All defendants have knowledge of or access to California law and procedure on the
18 registration of sister-state judgments, but have intentionally ignored the requirements of the
19 law.
- 20 36. No defendant has registered or otherwise domesticated in California, any Nevada judgment
21 or any writ against Plaintiff.
- 22 37. No Earnings Withholding Order ("EWO") against Plaintiff has been issued by any California
23 court.
- 24 38. No writ of execution has been issued by any California court.
- 25 39. Service of neither an EWO nor a writ of execution was made at the office where Mr. Vaile is
26 employed or where he is paid.

1 40. Defendant Deloitte was not served with a notice of the EWO sent to the employee, Mr. Vaile.

2 41. Defendant Deloitte did not provide Plaintiff employee, Mr. Vaile, with a copy of the EWO
3 within 10 days of service to Defendant Deloitte.

4 42. Defendants Porsboll, Crane, Willick, and the Willick Law Group have attempted to employ
5 Nevada legal process improperly to subvert and avoid proper legal process in California over
6 a California resident.

7 43. Defendant Deloitte has joined, aided, abetted and/or conspired with its co-defendants'
8 actions. After being apprised of the wrongful objective of the other defendants and the
9 resulting injury to Plaintiff, Deloitte agreed, nonetheless, to assist the other defendants by
10 refusing to ensure that Plaintiff received proper legal notice, refused to protect Mr. Vaile
11 from improper legal process or ensure that proper legal process is followed in California, and
12 agreed to redirect Mr. Vaile's earning to the other defendants.

13 44. Defendants Porsboll, Crane, Willick and the Willick Law Group have willfully and
14 maliciously abused California's sister state judgment registration processes for ulterior
15 motives and improper purposes including, on information and belief, the following:

16 A. To Harass and Cause mental anguish to Plaintiff in retribution for his bringing to
17 light the fraudulent misrepresentations of attorneys Crane and Willick in Virginia
18 and elsewhere;

19 B. To Convert the personal property of Mr. Vaile to the benefit of defendants
20 Porsboll, Crane, Willick, and the Willick Law Group;

21 C. To Force Plaintiff to litigate in a forum that is inconvenient for him in Nevada;

22 D. To Attempt to Bait Mr. Vaile into opposing the garnishment in Nevada, and
23 thereby to submit to Nevada's jurisdiction in order to overcome the Nevada
24 Supreme Court's holding that the Nevada courts did not have jurisdiction of Mr.
25 Vaile;

- 1 E. To Avoid the jurisdiction and venue of California, and avoid answering to the
2 defenses to registration that Mr. Vaile would bring in a proper court in California
3 such as lack of jurisdiction of the Nevada court and the fraudulent
4 misrepresentations of the Nevada defendants;
- 5 F. To Attempt collection from Mr. Vaile before the Nevada Supreme Court rules
6 against Porsboll and her attorneys;
- 7 G. To Jeopardize Mr. Vaile's employment with defendant Deloitte by instituting
8 unjustified garnishment of his pay;
- 9 H. To Bully Mr. Vaile into settling the ongoing litigation in Virginia; and
- 10 I. To Detrimentially Affect Mr. Vaile's financial ability to provide for his family and
11 to hinder his ability to further litigate the cases in Virginia and Nevada based on
12 defendants' knowledge of Mr. Vaile's limited finances.
- 13 45. Plaintiff communicated with Deloitte, his willingness to pursue any other course of action
14 available to him, other than garnishment or legal recourse, to no avail.
- 15 46. On or about July 14, 2009, Deloitte's Assistant General Counsel, Ben Siegel informed
16 Plaintiff that Deloitte would begin garnishment of Plaintiff's biweekly paycheck.
- 17 47. Defendants' actions in abusing legal processes has directly caused Mr. Vaile harm, including
18 but not limited to mental anguish, monetary injury, and the costs of bringing and litigating
19 this suit.
- 20 48. A Temporary Restraining Order ("TRO") to restrain Defendant Deloitte from garnishing Mr.
21 Vaile's earning was issued on July 22, 2009.
- 22 49. By July 23, 2009, Deloitte's payroll department had instituted garnishment of Mr. Vaile's
23 paycheck and cut a check for delivery to defendants in Nevada. Upon notice of the TRO,
24 Deloitte voided the check and reimbursed Mr. Vaile for the most recent garnishment.
- 25 50. Without the injunction of the Court, Deloitte would have garnished Mr. Vaile's salary and
26 sent the funds to the other defendants in this action.

**SECOND CAUSE OF ACTION
FOR CONVERSION AGAINST ALL DEFENDANTS**

51. Plaintiff incorporates by this reference all of the allegations contained in Paragraphs 1-50 of this complaint into this cause of action.
52. Defendant Deloitte pays the Plaintiff a salary every two weeks for services performed by Plaintiff during that pay period.
53. The salary due and owing to Plaintiff from Deloitte each pay period is Plaintiff's personal property, owned by him as of the pay period end date.
54. Defendant Deloitte does not have any ownership rights in the earnings of Mr. Vaile, and is not legally obligated to redirect his California earnings to the other defendants using processes that are improper or in conflict with California law.
55. Defendant Deloitte intended to and did take possession of Plaintiff's earnings in order to redirect the funds to Defendants Porsboll, Crane, Willick and the Willick Law Group.
56. Defendants Porsboll, Crane, Willick and the Willick Law Group have no right to possession of the earnings of Mr. Vaile for the amounts sought in the Nevada writs.
57. The 2003 Nevada judgment referenced in the Nevada writ of execution was entered by a court specifically directed by the Nevada Supreme Court that it was without personal jurisdiction of the parties, and subject matter jurisdiction of the matter.
58. The Nevada Supreme Court is again considering the jurisdictional aspects of the Nevada case currently on appeal.
59. The 2003 Nevada judgment referenced in the Nevada writ of execution was also the subject of a bankruptcy filing in June 2008, by Heather Vandygriff Vaile, Plaintiff's current wife, for which discharge was granted in December 2008.
60. Defendants Porsboll, Willick and the Willick Law Group were named and received notice in that bankruptcy filing. None of these defendants responded or lodged any objection to the bankruptcy filing. Each of these defendants are listed on the Nevada writ of execution.

1 61. The intention of Defendants Porsboll, Crane, Willick and the Willick Law Group in sending
2 Nevada writs to Deloitte offices in Nevada, with full knowledge that Plaintiff is not
3 employed there, was to take possession of the personal property (earnings) of Plaintiff.

4 62. The Willick Law Group intercepts at least forty percent (40%) of all collections from Mr.
5 Vaile, including amounts directed to Ms. Porsboll for the support of Mr. Vaile's and Ms.
6 Porsboll's two children. Any amount remaining after deduction by the Willick Law Group is
7 directed to Defendant Porsboll.

8 63. Plaintiff Vaile did not consent to the transfer of his earnings to defendants.

9 64. Defendants actions in converting his personal property directly caused Mr. Vaile harm,
10 including but not limited to mental anguish, monetary injury, and the costs of bringing and
11 litigating this suit.

12 **NEED FOR INJUNCTIVE RELIEF**

13 65. Defendant's wrongful conduct in refusing to abide by California law, unless and until
14 enjoined and restrained by order of this court, will cause great and irreparable injury to
15 Plaintiff in that Mr. Vaile cannot meet his non-discretionary obligations if garnishment of his
16 salary is made, and will put his home, vehicle and livelihood at risk of loss. Garnishment
17 will be particularly injurious given that Mr. Vaile is the sole income provider for his family,
18 which has recently grown to three small children.

19 66. If Defendants are not enjoined from garnishing Plaintiff's salary and redirecting it to those
20 who are not legally entitled to the funds, waste will result, and Plaintiff will be forced to
21 institute a multiplicity of suits in out-of-state locations whose courts have disclaimed
22 jurisdiction in order to undo Defendants' unlawful actions.

23 67. No adequate remedy at law will compensate Mr. Vaile for these injuries, as the precise
24 amount of damages which Plaintiff will suffer if Defendants' disregard for the law is not
25 restrained.
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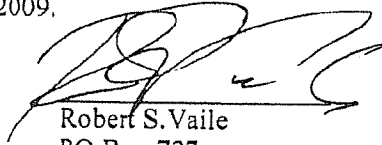
1 68. Defendant Deloitte will suffer no harm whatsoever by not garnishing Mr. Vaile's salary as
2 only California law governs his employment relationship with Defendant.

3 69. Defendants Porsboll, Crane, Willick and the Willick Law Group will suffer no harm by not
4 intercepting Mr. Vaile salary as these parties are not entitled to these funds.

5 WHEREFORE, Plaintiff prays judgment against defendants and each of them, as follows:

- 6 1. For an order requiring Defendant Deloitte to show cause, if any they have, why they should
7 not be enjoined as hereinafter set forth, during the pendency of this action;
 - 8 2. For a temporary restraining order, a preliminary injunction, and a permanent injunction, all
9 enjoining Defendant Deloitte and its agents, and employees, and all persons acting under, in
10 concert with, or for it:
 - 11 A. From garnishing Plaintiff's salary in any amount based on any out-of-state order which
12 has not been domesticated in California, nor sanctioned by a California court;
 - 13 B. From taking any action in retaliation against Plaintiff, Mr. Vaile, for bringing this action;
 - 14 3. For a preliminary injunction and a permanent injunction enjoining Defendants Porsboll,
15 Crane, Willick and the Willick Law Group and its agents, and employees, and all persons
16 acting under, in concert with them from deploying any legal process to attempt to garnish
17 Plaintiff's salary in any amount based on any out-of-state order which has not been registered
18 in California, nor sanctioned by a California court.
 - 19 4. For damages as may be sustained and as are ascertained before final judgment herein not less
20 than \$10,000 against Defendant Deloitte, and not less than \$50,000 against Defendants
21 Crane, Willick, Porsboll and the Willick Law Group each;
 - 22 5. For punitive damages;
 - 23 6. For attorney fees herein incurred;
 - 24 7. For costs of suit herein incurred; and
 - 25 8. For such other and further relief (including declaratory relief) as the court deems proper.
- 26
27
28

1 Respectfully submitted this 6th day of August, 2009.

2 

3 Robert S. Vaile
4 PO Box 727
5 Kenwood, CA 95452
6 (707) 833-2350
7 *Plaintiff in Proper Person*

8 **VERIFICATION**

9 I, Robert Scotlund Vaile, am the Plaintiff in this action. I have authored the foregoing
10 complaint and know its contents. The matters stated in the complaint are true based on my own
11 knowledge, except as to those matters stated on information and belief, and as to those matters I
12 believe them to be true.

13 I declare under penalty of perjury under the laws of the State of California that the foregoing
14 is true and correct.

15 Executed on Aug 6, 2009, at San Francisco, CA.


16 
17 Robert S. Vaile

Exhibit A

**CONSTABLE'S OFFICE
LAS VEGAS TOWNSHIP
Robert (Bobby G.) Gronauer, Constable**

June 16, 2009

PN 270232

ATR

Rec 6/23/09

DELOITTE & TOUCHE LLP
502 E JOHN ST
CARSON CITY, NV 89706

RE: Court Case Number D230385

NAME: CISILIE A VAILE

In accordance with the Court's order, we are sending you a copy of the *Writ of Execution*, and the *Writ of Garnishment* for the above case. Additionally, we are enclosing a \$5.00 Notary Fee in order for the Writ of Garnishment to be notarized.

Please respond and return the notarized Writ of Garnishment to this office within twenty (20) working days. If you have any questions, please do not hesitate to call.

Sincerely,



ROBERT (BOBBY G.) GRONAUER
Las Vegas Township Constable

3 enclosures

Faxed to Ben Siegel 7/16/09

212-653-3688

309 S. Third Street • P.O. Box 552110
Las Vegas, NV 89155-2110
(702) 455-4099 • Fax: (702) 385-2436

District Court

CLARK COUNTY, NEVADA

Make Check Payable to:
 Constable
 309 S. Third St.
 Las Vegas, NV 89101
 702-455-4099
 Put Case # & Name on Check

R. SCOTLUND VAILE,
 Plaintiff,

vs.

CISILIE A. VAILE,
 Defendant.

PN 270232

ATR

Rec 6/23/08

Case No: D230385
 Dept No: I
 Docket No: FAMILY

WRIT OF EXECUTION

- ☒ Earnings
☐ Earnings, Order of Support
☐ Other Property

THE STATE OF NEVADA TO THE CONSTABLE OF LAS VEGAS, GREETINGS:

On July 24, 2003, a judgment upon which there is due in United States Currency the amounts, was entered in this action in Cisilie A. Vaile as judgment creditor and against R. Scotlund Vaile as judgment debtor. Interest and costs have accrued in the amounts shown. Any satisfaction has been credited first against total accrued interest and costs leaving the following net balance which sum bears interest at 5.25% per annum, \$16.79 per day from issuance of this writ to date of levy and to which sum must be added all commissions and costs of executing this Writ.

JUDGMENT BALANCE

Principal	\$116,732.09
Pre-Judgment Interest	
Attorney's Fee	
Costs	
JUDGMENT TOTAL	\$116,732.09
Accrued Costs	\$0.00
Accrued Interest	55,183.11
Less Satisfaction	
NET BALANCE	\$171,915.20

AMOUNT TO BE COLLECTED BY LEVY

NET BALANCE	\$171,915.20
Fee this Writ	
Garnishment Fee	5.00
Mileage	0
Levy Fee	18.00
Advertising	
Storage	
Interest From	
Date of Issuance	
Subtotal	171,938.20
Commission	912.26
TOTAL LEVY	172,850.40

NOW, THEREFORE, you are recommended to satisfy the judgment for the total amount due of the following described personal property and if sufficient personal property cannot be found, then out of the following described real property:

Any and all wages, tips, earnings or commissions earned by R. Scotlund Vaile, from Deloitte & Touche, LLP, 502 E. John Street, Carson City, Nevada 89706

(See reverse side for exemptions which may apply)

EXEMPTIONS WHICH APPLY TO THIS LEVY
(Check appropriate paragraph and complete as necessary)

☐ Property Other Than Wages. The exemption set forth in NRS 21.090 or in other applicable Federal Statutes may apply. Consult an attorney.

☒ Earnings

The amount subject to garnishment and this writ shall not exceed for any one pay period the lesser of:

A. 25% of the disposable earnings due the judgment debtor for the pay period, or

B. The difference between the disposable earnings for the period and \$100.50 per week for each week of the pay period.

☐ Earnings (Judgment or Order for Support)

A Judgment was entered for amounts due under a decree or order entered on _____, by the _____ for the support of _____ for the period from _____ through _____, in installments of _____.

The amount of disposable earnings subject to garnishment and this writ shall not exceed for any one pay period:
(check appropriate box)

☐ a maximum of 50 percent of the disposable earnings of such judgment debtor who is supporting a spouse or dependant child other than the dependant named above;

☐ a maximum of 60 percent of the disposable earnings of such judgment debtor who is supporting a spouse or dependant child other than the dependant named above;

☐ plus an additional 5 percent of the disposable earnings of such judgment debtor if and to extent that the judgment is for support due for a period of time more than 12 weeks prior to the beginning of the work period of the judgment debtor during which the levy is made upon the disposable earnings.

NOTE: Disposable earnings are defined as gross earnings less deductions for Federal Income Tax Withholdings, Federal Social Security Tax and Withholding for any State, County or City Taxes.

You are required to return this Writ from date of issuance not less than 10 days or more than 60 days with the results of your levy endorsed thereon.

Issued at direction of: Marshal S. Willick, Esq.

Attorney for: Defendant
Willick Law Group
Nevada Bar No. 002515
3591 E. Bonanza Road, Suite 200
Las Vegas, NV 89110-2101
(702) 438-4100

EDWARD FRIEDLAND, CLERK OF COURT

LINDA MARTIN#2-WEBS

By:

DEPUTY CLERK

Date



7/14/2009

RETURN

I hereby certify that I have this date returned the foregoing Writ of Execution with the results of the levy endorsed thereon.

_____ not satisfied
_____ satisfied in sum of _____
_____ commission retained
_____ costs incurred
_____ commission incurred
_____ costs received

By:

DEPUTY

Date

REMITTED TO
JUDGMENT CREDITOR

702-438-5311

District Court

CLARK COUNTY, NEVADA

This WRIT must be answered,
signed, and returned
to: Constable Las Vegas Township
309 S. Third St.
Las Vegas, NV 89101

R. SCOTLUND VAILE,
Plaintiff,

vs.

CISLIE A. VAILE,
Defendant.

*faxed & mailed
7/17/09*

Case No: D-230385
Dept No: I
Docket No: FAMILY

WRIT OF GARNISHMENT

THE STATE OF NEVADA TO:
Deloitte & Touche, LLP @ 502 E. John Street, Carson City, Nevada 89706

Garnishee

You are hereby notified that you are attached as garnishee in the above-entitled action and you are commanded not to pay any debt from yourself to

R. Scotlund Vaile

and that you must retain possession and control of all personal property, money, credits, debts, effects and choses in action of said defendant(s) in order that the same may be dealt with according to law; where such property consists of wages, salaries, commissions or bonuses the amount you shall retain shall be in accordance with 15 U.S. Code 1673 and Nevada Revised Statutes 31.295; Plaintiff believes that you have property, money credits, debts, effects and choses in action in your hands and under your custody and control belonging to said defendant(s) described as:

Wages, tips, earnings or commissions

YOU ARE REQUIRED within 20 days from the date of service of this Writ of Garnishment to answer the interrogatories set forth herein and to return your answers to the office to the Sheriff or Constable which has issued this Writ of Garnishment. In case of your failure to answer the interrogatories within 20 days, a judgment by default in the amount due the Plaintiff may be entered against you.

YOU ARE FURTHER REQUIRED to serve a copy of your answers to the Writ of Garnishment on attorney whose address appears below.

Defendant's

Issued at direction of: Marshal S. Willick, Esq.

Nevada Bar #002315

Attorney for Defendant

3591 E. Bonanza Road, Suite 200
Las Vegas, NV 89110-2101
(702) 438-4100

CONSTABLE, Las Vegas

By: ARWAT

DEPUTY

Date

309 S. 3rd Street
3rd Floor
Las Vegas, Nevada 89155

STATE OF NEVADA
COUNTY OF CLARK

The undersigned being duly sworn states that I received the within Writ of Garnishment on _____
and personally served the same on _____ by showing the original Writ of
garnishment, informing of the contents and delivering and leaving a copy, along with the statutory fee of \$5, with
_____ at _____
County of Clark, State of Nevada.

Deputy Constable

INTERROGATORIES TO BE ANSWERED BY THE GARNISHEE UNDER OATH:

1. Are you in manner indebted to the defendant(s) _____

or either of the either in property or money, and is the debt now due? If not due, when is the debt to become due? State fully
all particulars:

Answer: Yes, he is employed by Deloitte

2. Did you have in your possession in your charge or under your control, on the date the Writ of Garnishment was served
upon you any money, property, effects, goods, chattels, rights, credit or choses in action of the defendant(s) or either of them,
or in which defendant(s) is (are) interested? If so, state its value and state fully all particulars.

Answer: We pay him 4807.69 biweekly gross salary

3. Do you know of any debts owing to the defendant(s), whether due or not due or any money, property, effects, goods,
chattels, rights, credits or choses in action, belonging to the defendant(s) or either of them, or in which defendant(s) is (are)
interested, and now in the possession or under the control of others? If so, state particulars.

Answer: We do deduct 660.00 biweekly for his child
support

4. State your correct name and address, or the name and address of your attorney upon whom written notice of further
proceedings in this action may be served.

Answer: Judy Roelofs-Deloitte 4022 Sells Dr.
Hermitage TN 37076
Judy Roelofs
Garnishee

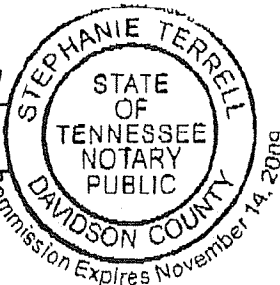
STATE OF NEVADA
COUNTY OF CLARK

I, Judy Roelofs, do solemnly swear (to affirm) that the answers
to the foregoing interrogatories subscribed by me are true.

SUBSCRIBED AND SWORN to before me this

7 day of July, 2009

Stephanie Terrell
NOTARY PUBLIC



Judy Roelofs
Garnishee