NTC
ALEX GHIBAUDO, ESQ.
Nevada Bar No. 10592
SCHWAB LAW GROUP
2800 W. Sahara Ave., Suite 1H
Las Vegas, NV 89102
T: (702) 489-4442
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alex@slglasvegas.com
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA
****

HOWARD SHAPIRO and JENNA SHAPIRO	CASE NO.:	A-14-706566-C
Plaintiffs	DEPT.:	XXVII
vs.		
GLEN WELT, RHODA WELT, LYNN WELT, MICHELLE WELT, Individuals; CHECKSNET.COM, a corporation; DOES I through X, and ROE CORPORATIONS I through X, Inclusive,		
Defendants.		

NOTICE OF APPEAL

Notice is hereby given that Plaintiffs above named hereby appeals to the Supreme Court of Nevada from the court's issuance of ORDER GRANTING DEFENDANTS' MOTION TO DISMISS entered on August 31, 2014 with the NOTICE OF ENTRY OF ORDER filed and served on January 2, 2015 by electronic means.

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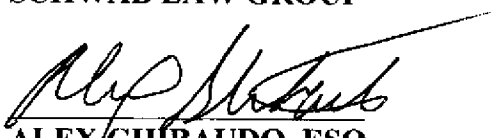
Schwab Law Group
2800 W. Sahara Ave., Suite 1H
Las Vegas, Nevada 89102

DATED this 2nd of February, 2015.

SCHWAB LAW GROUP



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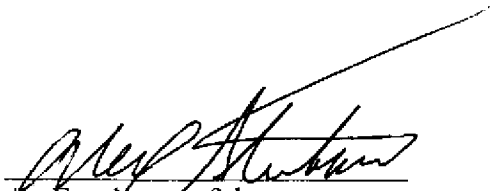
Las Vegas, NV 89102
T: (702) 489-4442
F: (702) 489-4812
alex@sglasvegas.com
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 2nd day of February, 2015, NOTICE OF APPEAL was served upon each of the parties via electronic service through the Eighth Judicial District Court's Odyssey E-File and Serve system.



An Employee of the
Schwab Law Group

Schwab Law Group
2800 W. Sahara Ave., Suite 1H
Las Vegas, Nevada 89102

DEPARTMENT 27

CASE SUMMARY

CASE NO. A-14-706566-C

Howard Shapiro, Plaintiff(s)	§	Location:	**Department 27**
vs.	§	Judicial Officer:	**Allf, Nancy**
Glen Welt, Defendant(s)	§	Filed on:	**09/04/2014**
	§	Cross-Reference Case Number:	**A706566**

CASE INFORMATION

Statistical Closures
01/02/2015 Motion to Dismiss (By Defendant)

Case Type: **Other Civil Matters**

Case Flags: **Appealed to Supreme Court**

DATE — CASE ASSIGNMENT

Current Case Assignment

Case Number	A-14-706566-C
Court	Department 27
Date Assigned	09/04/2014
Judicial Officer	Allf, Nancy

PARTY INFORMATION

		Lead Attorneys
Plaintiff	**Shapiro, Howard**	**Schwab, Evan D.** *Retained* 702-489-4442(W)
	Shapiro, Jenna	**Schwab, Evan D.** *Retained* 702-489-4442(W)
Defendant	**Checksnet.com** Removed: 01/02/2015 Dismissed	
	Welt, Glen	**Lowry, Michael P.** *Retained* 7023660622(W)
	Welt, Lynn Removed: 01/02/2015 Dismissed	**Lowry, Michael P.** *Retained* 7023660622(W)
	Welt, Michelle Removed: 01/02/2015 Dismissed	**Lowry, Michael P.** *Retained* 7023660622(W)
	Welt, Rhoda Removed: 01/02/2015 Dismissed	**Lowry, Michael P.** *Retained* 7023660622(W)

DATE — EVENTS & ORDERS OF THE COURT — INDEX

09/04/2014 Complaint
Filed By: Plaintiff Shapiro, Howard
Complaint

09/04/2014 Case Opened

09/05/2014 Initial Appearance Fee Disclosure
Filed By: Plaintiff Shapiro, Howard
Initial Appearance Fee Disclosure (NRS Chapter 19)

CASE SUMMARY

CASE NO. A-14-706566-C

10/01/2014	Demand for Security of Costs Filed By: Defendant Welt, Rhoda *Rhoda Welt and Lynn Welt's Demand for Security of Costs*
10/01/2014	Initial Appearance Fee Disclosure Filed By: Defendant Welt, Rhoda *Initial Appearance Fee Disclosure for Rhoda Welt and Lynn Welt*
10/01/2014	Disclosure Statement Party: Defendant Welt, Rhoda *Rhoda Welt and Lynn Welt's NRCP 7.1 Disclosure Statement*
10/08/2014	Affidavit of Service Filed By: Plaintiff Shapiro, Howard *Affidavit of Service*
10/08/2014	Affidavit of Service Filed By: Plaintiff Shapiro, Howard *Affidavit of Service*
10/08/2014	Affidavit of Service Filed By: Plaintiff Shapiro, Howard *Affidavit of Service*
10/13/2014	Demand for Security of Costs Filed By: Defendant Welt, Glen *Glenn Welt & Michele Welt's Demand for Security of Costs*
10/13/2014	Initial Appearance Fee Disclosure Filed By: Defendant Welt, Glen *Glenn Welt & Michele Welt's Initial Appearance Fee Disclosure*
10/13/2014	Disclosure Statement Party: Defendant Welt, Glen *Glenn Welt & Michele Welt's NRCP 7.1 Disclosure Statement*
10/21/2014	Affidavit Filed By: Plaintiff Shapiro, Howard *Affidavit of Service*
10/28/2014	Summons Filed by: Plaintiff Shapiro, Howard *Summons*
11/14/2014	Motion to Dismiss Filed By: Defendant Welt, Glen *Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Motion to Dismiss*
11/17/2014	Undertaking for Security for Costs for Non-Resident Party: Plaintiff Shapiro, Jenna *Undertaking for Security for Costs for Non-Resident*
11/17/2014	

	Undertaking for Security for Costs for Non-Resident Party: Plaintiff Shapiro, Jenna *Undertaking for Security for Costs for Non-Resident*
11/17/2014	Undertaking for Security for Costs for Non-Resident Party: Plaintiff Shapiro, Howard *Undertaking for Security for Costs for Non-Resident*
11/17/2014	Undertaking for Security for Costs for Non-Resident Party: Plaintiff Shapiro, Howard *Undertaking for Security for Costs for Non-Resident*
11/18/2014	Certificate of Mailing Filed By: Plaintiff Shapiro, Howard *Certificate of Mailing*
11/19/2014	Notice Filed By: Plaintiff Shapiro, Howard *Notice of Posting Security Cost Bond*
11/25/2014	Certificate of Service Filed by: Plaintiff Shapiro, Howard *Certificate of Service*
12/02/2014	Opposition Filed By: Plaintiff Shapiro, Howard *Opposition to Motion to Dismiss*
12/10/2014	Reply to Opposition Filed by: Defendant Welt, Glen *Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Reply re Motion to Dismiss*
12/11/2014	Undertaking for Security for Costs for Non-Resident Party: Plaintiff Shapiro, Howard *Undertaking for Security for Costs for Non-Resident*
12/11/2014	Undertaking for Security for Costs for Non-Resident Party: Plaintiff Shapiro, Howard *Undertaking for Security for Costs for Non-Resident*
12/11/2014	Undertaking for Security for Costs for Non-Resident Party: Plaintiff Shapiro, Jenna *Undertaking for Security for Costs for Non-Resident*
12/11/2014	Undertaking for Security for Costs for Non-Resident Party: Plaintiff Shapiro, Jenna *Undertaking for Security for Costs for Non-Resident*
12/12/2014	Notice Filed By: Plaintiff Shapiro, Howard *Notice of Posting Additional Security Cost Bonds*
12/12/2014	Supplement to Opposition Filed By: Plaintiff Shapiro, Howard

First Supplement to Opposition to Motion to Dismiss

12/15/2014 Notice of Withdrawal of Motion
Filed By: Defendant Welt, Glen
Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Notice of Withdrawal of Motion

12/15/2014 Motion to Dismiss
Filed By: Defendant Welt, Glen
Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Motion to Dismiss

12/17/2014 *CANCELED* **Motion to Dismiss** (10:00 AM) **(Judicial Officer: Allf, Nancy)**
Vacated
Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Motion to Dismiss re NRS 18.130(4).

12/18/2014 Opposition to Motion to Dismiss
Filed By: Plaintiff Shapiro, Howard
Opposition to Defendants' Motion to Dismiss Plaintiff's Complaint and Counter-motion for Attorney's Fees, Costs, and Sanctions

12/19/2014 Reply to Opposition
Filed by: Defendant Welt, Glen
Glenn Welt, Rhoda Welt, Lynn Welt and Michele Welt's Reply Re Motion to Dismiss

12/24/2014 **Motion to Dismiss** (10:00 AM) (Judicial Officer: Allf, Nancy)
Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Motion to Dismiss

12/24/2014 **Opposition and Countermotion** (10:00 AM) (Judicial Officer: Allf, Nancy)
Opposition to Defendants' Motion to Dismiss Plaintiff's Complaint and Counter-motion for Attorney's Fees, Costs, and Sanctions

12/24/2014 **All Pending Motions** (10:00 AM) (Judicial Officer: Allf, Nancy)

12/29/2014 Supplemental Brief
Filed By: Defendant Welt, Glen
Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Supplement re Motion to Dismiss

12/30/2014 **Status Check** (3:00 AM) (Judicial Officer: Allf, Nancy)
Status Check: Written Decision

01/02/2015 Order For Dismissal Without Prejudice
Order Granting Defendant's Motion to Dismiss

01/02/2015 Notice of Entry of Order
Filed By: Defendant Welt, Glen
Notice of Entry of Order Granting Motion to Dismiss

01/02/2015 **Order of Dismissal Without Prejudice** (Judicial Officer: Allf, Nancy)
Debtors: Howard Shapiro (Plaintiff), Jenna Shapiro (Plaintiff)
Creditors: Glen Welt (Defendant), Rhoda Welt (Defendant), Lynn Welt (Defendant), Michelle Welt (Defendant), Checksnet.com (Defendant)
Judgment: 01/02/2015, Docketed: 01/08/2015

01/05/2015 Affidavit in Support
Filed By: Defendant Welt, Glen
Affidavit in Support of Fees and Costs per NRS 41.670

CASE SUMMARY

CASE NO. A-14-706566-C

01/08/2015	Substitution of Attorney Filed by: Plaintiff Shapiro, Howard *Substitution of Attorney*
01/15/2015	Memorandum Filed By: Plaintiff Shapiro, Howard *Respondent's to Defendants' Memorandum of Fees and Costs Under NRS 41.670*
01/16/2015	Reply in Support Filed By: Defendant Welt, Glen *Reply in Support of Affidavit re Fees and Costs per NRS 41.670*
02/02/2015	Voluntary Dismissal Filed by: Plaintiff Shapiro, Howard *Voluntary Dismissal*
02/02/2015	Certificate of Service Filed by: Plaintiff Shapiro, Howard *Certificate of Electronic Service*
02/02/2015	Notice of Appeal Filed By: Plaintiff Shapiro, Howard *Notice of Appeal*

DATE	FINANCIAL INFORMATION	
	Defendant Welt, Lynn	
	Total Charges	30.00
	Total Payments and Credits	30.00
	Balance Due as of 2/4/2015	**0.00**
	Defendant Welt, Michelle	
	Total Charges	30.00
	Total Payments and Credits	30.00
	Balance Due as of 2/4/2015	**0.00**
	Defendant Welt, Rhoda	
	Total Charges	223.00
	Total Payments and Credits	223.00
	Balance Due as of 2/4/2015	**0.00**
	Defendant Welt, Glen	
	Total Charges	223.00
	Total Payments and Credits	223.00
	Balance Due as of 2/4/2015	**0.00**
	Plaintiff Shapiro, Howard	
	Total Charges	294.00
	Total Payments and Credits	294.00
	Balance Due as of 2/4/2015	**0.00**
	Plaintiff Shapiro, Jenna	
	Total Charges	30.00
	Total Payments and Credits	30.00
	Balance Due as of 2/4/2015	**0.00**

DISTRICT COURT CIVIL COVER SHEET

County, Nevada

Case No. A-14-706566-C Dept XXVII

(Assigned by Clerk's Office)

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

Plaintiff(s) (name/address/phone):	Defendant(s) (name/address/phone):
Howard Shapiro	Glen Welt, Rhoda Welt,
Jenna Shapiro	Lynn Welt, and Checksnet.com
Attorney (name/address/phone):	Attorney (name/address/phone):
Eric P. Roy, Esq.	Unknown
818 E. Charleston Blvd., Las Vegas, NV 89104	
(702)423-3333 Nevada Bar No. 11869	

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

Civil Case Filing Types

Real Property

Landlord/Tenant
- ☐ Unlawful Detainer
- ☐ Other Landlord/Tenant

Title to Property
- ☐ Judicial Foreclosure
- ☐ Other Title to Property

Other Real Property
- ☐ Condemnation/Eminent Domain
- ☐ Other Real Property

Torts

Negligence
- ☐ Auto
- ☐ Premises Liability
- ☐ Other Negligence

Malpractice
- ☐ Medical/Dental
- ☐ Legal
- ☐ Accounting
- ☐ Other Malpractice

Other Torts
- ☐ Product Liability
- ☐ Intentional Misconduct
- ☐ Employment Tort
- ☐ Insurance Tort
- ☐ Other Tort

Probate

Probate *(select case type and estate value)*
- ☐ Summary Administration
- ☐ General Administration
- ☐ Special Administration
- ☐ Set Aside
- ☐ Trust/Conservatorship
- ☐ Other Probate

Estate Value
- ☐ Over $200,000
- ☐ Between $100,000 and $200,000
- ☐ Under $100,000 or Unknown
- ☐ Under $2,500

Construction Defect & Contract

Construction Defect
- ☐ Chapter 40
- ☐ Other Construction Defect

Contract Case
- ☐ Uniform Commercial Code
- ☐ Building and Construction
- ☐ Insurance Carrier
- ☐ Commercial Instrument
- ☐ Collection of Accounts
- ☐ Employment Contract
- ☐ Other Contract

Judicial Review/Appeal

Judicial Review
- ☐ Foreclosure Mediation Case
- ☐ Petition to Seal Records
- ☐ Mental Competency

Nevada State Agency Appeal
- ☐ Department of Motor Vehicle
- ☐ Worker's Compensation
- ☐ Other Nevada State Agency

Appeal Other
- ☐ Appeal from Lower Court
- ☐ Other Judicial Review/Appeal

Civil Writ

Civil Writ
- ☐ Writ of Habeas Corpus
- ☐ Writ of Mandamus
- ☐ Writ of Quo Warrant
- ☐ Writ of Prohibition
- ☐ Other Civil Writ

Other Civil Filing

Other Civil Filing
- ☐ Compromise of Minor's Claim
- ☐ Foreign Judgment
- ■ Other Civil Matters

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

9.4.14

Date

Lillian D Brand

Signature of initiating party or representative

See other side for family-related case filings.

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ORDR

CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

HOWARD SHAPIRO, JEAN SHAPIRO, Plaintiffs vs. GLEN WELT, LYNN WELT, MICHELLE WELT and RHODA WELT, Defendants	CASE NO.: A-14-706566-C DEPARTMENT 27

ORDER GRANTING DEFENDANTS' MOTION TO DISMISS

Defendants' Motion to Dismiss was filed on December 15, 2014 and was heard on December 24, 2014 at 10:00 a.m., with a quick setting in compliance with NRS 41.660(3)(f); Michael Lowry, Esq. appearing on behalf of Defendants and Evan Swab, Esq. appearing on behalf of Plaintiffs. The Court having considered the pleadings and papers on file herein, and being fully advised in the premises, now makes the following decision and order:

COURT FINDS after review that NRS 41.660(3) allows for a special motion to dismiss when the subject of a law suit is "good faith communication in furtherance of . . . the right to free speech in direct connection of an issue of public concern." NRS 41.660. These statutes, commonly known as anti-SLAPP (strategic lawsuit against public participation), is intended to prevent parties from filing law suits in an attempt to restrict or punish communication on an issue of public interest. NRS 41.637. A defendant must show "by a preponderance of the evidence, that the claim is based upon a good faith communication in furtherance of the right to . . . free speech in direct connection with an issue of public concern." NRS 41.660(3)(a). Then, the plaintiff must show by clear and

☐ Voluntary Dismissal ☐ Involuntary Dismissal ☐ Stipulated Dismissal ☒ Motion to Dismiss by Deft(s)	☐ Summary Judgment ☐ Stipulated Judgment ☐ Default Judgment ☐ Judgment of Arbitration

convincing evidence that there is a probability of it prevailing on the claim. NRS 41.660(3)(b).

COURT FURTHER FINDS after review that Plaintiffs filed the present law suit on September 9, 2014, alleging the following causes of action: 1) Defamation Per Se; 2) Defamation; 3) Extortion; 4) Civil Conspiracy; 5) Fraud; and 6) Punitive Damages. These causes of action arose out of website created by Defendants in response to an action by Plaintiff Howard Shapiro for conservatorship of his father in the New Jersey court system, the Defendants created a website cataloging the bad acts of Plaintiff Howard Shapiro and asking for individuals with more information relating to the case to contact the webmaster, Defendant Glen Welt.

COURT FURTHER FINDS after review that the Defendants have met their burden to show by a preponderance of the evidence that the lawsuit was filed in an attempt to prevent the good faith communication in connection with an issue of public concern. Here, the website was communication regarding an ongoing lawsuit concerning the rights of an elderly individual, and a matter of public concern under NRS 41.637(4). The Defamation Per Se and Defamation causes of action are direct attempts to prevent the communication from reaching the public; the remaining causes of action are derivative of these substantive causes of action. Defendants have shown that the subject of this lawsuit, the website, is protected under anti-SLAPP statutes.

COURT FURTHER FINDS after review that Plaintiffs have not shown, through clear and convincing evidence, a probability they will prevail on the lawsuit. The Nevada Supreme Court recently reconfirmed its commitment to an absolute litigation privilege in Jacobs v. Adelson, 130Nev. Adv. Op. 44, 325 P.3d 1282, 1285 (2014). Here, the good faith communication is related to the underlying New Jersey lawsuit and is likely

protected. Plaintiffs have not met their burden under NRS 41.660(3)(b) to show that there is a probability of prevailing on the merits.

COURT FURTHER FINDS after review that NRS 41.670 states that the court shall award reasonable costs and attorney's fees after a successful motion to dismiss. The statute also gives the court discretion to allow an additional amount of up to $10,000 to the person against whom the action was brought.

COURT ORDERS for good cause appearing Defendants' Motion to Dismiss under NRS 41.660 is GRANTED without prejudice. **COURT FURTHER ORDERS** for good cause appearing that Defendants are entitled to their reasonable costs and attorney's fees; counsel to provide an affidavit detailing their costs and fees.

Dated: December 31, 2014

Nancy L. Allf

NANCY ALLF
DISTRICT COURT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on or about the date signed I caused the foregoing document to be served by placing same in the attorney folder located at the Regional Justice Center; and/or pursuant to EDCR 8.05(a) and 8.05(f), to be electronically served through the Eighth Judicial District Court's electronic filing system, with the date and time of the electronic service substituted for the date and place of deposit in the mail.

Thorndal, Armstrong, Delk, Balkenbush & Eisinger
Michael P. Lowry, Esq. – mlowry@thorndal.com FAX - 702-364-0327

Law Offices of Eric P. Roy
Eric P. Roy, Esq. and Alex Ghibaudo, Esq. – eric@ericroylawfirm.com
FAX - 702-924-2517

K Lawrence

Karen Lawrence
Judicial Executive Assistant

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CLERK OF THE COURT

NOEJ
THORNDAL, ARMSTRONG, DELK, BALKENBUSH & EISINGER
Michael P. Lowry, Esq.
Nevada Bar No. 10666
P.O. Drawer 2070
Las Vegas, Nevada 89125-2070
Tel: (702) 366-0622
Fax: (702) 366-0327
Email: mlowry@thorndal.com
Attorneys for Glenn Welt, Rhoda Welt, Lynn Welt and Michele Welt

DISTRICT COURT

CLARK COUNTY, NEVADA

HOWARD SHAPIRO and JENNA SHAPIRO, Plaintiffs, vs. GLEN WELT, RHODA WELT, LYNN WELT, MICHELLE WELT, individuals; CHECKSNET.COM, a corporation; DOES I through X, and ROE CORPORATIONS I through X, inclusive, Defendants.	Case No.: A-14-706566-C Dept. No. 27 **NOTICE OF ENTRY OF ORDER GRANTING MOTION TO DISMISS**

PLEASE TAKE NOTICE that on January 2, 2015, the court entered the attached order granting a motion to dismiss.

DATED this 2nd day of January, 2015.

THORNDAL, ARMSTRONG, DELK, BALKENBUSH & EISINGER

/s/ Michael P. Lowry

Michael P. Lowry, Esq.
P.O. Drawer 2070
Las Vegas, NV 89125-2070
Attorneys for Glenn Welt, Rhoda Welt, Lynn Welt and Michele Welt

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), on January 2, 2015, **NOTICE OF ENTRY OF ORDER GRANTING MOTION TO DISMISS** was served upon each of the parties via electronic service through the Eighth Judicial District Court's Odyssey E-File and Serve system.

/s/ Michael P. Lowry

An Employee of Thorndal, Armstrong, Delk, Balkenbush & Eisinger

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ORDR

CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

HOWARD SHAPIRO, JEAN SHAPIRO, Plaintiffs vs. GLEN WELT, LYNN WELT, MICHELLE WELT and RHODA WELT, Defendants	CASE NO.: A-14-706566-C DEPARTMENT 27

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COURT ORDERS for good cause appearing Defendants' Motion to Dismiss under NRS 41.660 is GRANTED without prejudice. **COURT FURTHER ORDERS** for good cause appearing that Defendants are entitled to their reasonable costs and attorney's fees; counsel to provide an affidavit detailing their costs and fees.

Dated: December 31, 2014

Nancy Allf

NANCY ALLF
DISTRICT COURT JUDGE

CERTIFICATE OF SERVICE

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Law Offices of Eric P. Roy
Eric P. Roy, Esq. and Alex Ghibaudo, Esq. – eric@ericroylawfirm.com
FAX - 702-924-2517

K Lawrence

Karen Lawrence
Judicial Executive Assistant

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Civil Matters	COURT MINUTES	December 24, 2014

A-14-706566-C Howard Shapiro, Plaintiff(s)
vs.
Glen Welt, Defendant(s)

December 24, 2014 **10:00 AM** **Motion to Dismiss**

HEARD BY: Allf, Nancy **COURTROOM:** RJC Courtroom 03A

COURT CLERK: Nicole McDevitt

RECORDER: Traci Rawlinson

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Plaintiff Howard Shapiro present telephonically.

Arguments by counsel regarding the merits of the motion, opposition and countermotion. Colloquy regarding status of guardianship litigation and procedure there. Mr. Lowry stated a tenative settlement has been reached however it requires Court approval. Matter trialed for Mr. Ghibaudo to speak to his client off the record regarding the New Jersey litigation.

MATTER RECALLED. Mr. Ghibaudo stated, as to the New Jersey litigation, there is an order out of New Jersey, there is a conservator that has been appointed to handle the finances, however, his client is solely in charge of any and all medical decisions concerning his father, Defendants Lynn, Rhoda and Michelle Welt have agreed to that, and Defendant Glen Welt has not been involved in any of the litigation in New Jersey but he is handling the website. Further arguments by counsel. COURT ORDERED, Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Motion to Dismiss and the Counter-motion for Attorney's Fees, Costs, and Sanctions CONTINUED FOR WRITTEN DECISION, if there is an update to the New Jersey litigation then Court would welcome a supplement and the filed document should be faxed or emailed to the Judicial Executive Assistant or Law Clerk.

- Plaintiff Howard Shapiro present telephonically.

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MATTER RECALLED. Mr. Ghibaudo stated, as to the New Jersey litigation, there is an order out of New Jersey, there is a conservator that has been appointed to handle the finances, however, his client is solely in charge of any and all medical decisions concerning his father, Defendants Lynn, Rhoda and Michelle Welt have agreed to that, and Defendant Glen Welt has not been involved in any of the litigation in New Jersey but he is handling the website. Further arguments by counsel. COURT ORDERED, Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Motion to Dismiss and the Counter-motion for Attorney's Fees, Costs, and Sanctions CONTINUED FOR WRITTEN DECISION, if there is an update to the New Jersey litigation then Court would welcome a supplement and the filed document should be faxed or emailed to the Judicial Executive Assistant or Law Clerk.

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DISTRICT COURT
CLARK COUNTY, NEVADA

Other Civil Matters	**COURT MINUTES**	**December 24, 2014**

A-14-706566-C Howard Shapiro, Plaintiff(s)
vs.
Glen Welt, Defendant(s)

December 24, 2014 **10:00 AM** **All Pending Motions**

HEARD BY: Allf, Nancy **COURTROOM:** RJC Courtroom 03A

COURT CLERK: Nicole McDevitt

RECORDER: Traci Rawlinson

REPORTER:

PARTIES PRESENT:

Ghibaudo, Alex, ESQ	Attorney
Lowry, Michael P.	Attorney
Shapiro, Howard	Plaintiff

JOURNAL ENTRIES

- GLENN WELT, RHODA WELT, LYNN WELT & MICHELE WELT'S MOTION TO DISMISS...OPPOSITION TO DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S COMPLAINT AND COUNTER-MOTION FOR ATTORNEY'S FEES, COSTS, AND SANCTIONS

Plaintiff Howard Shapiro present telephonically.

Arguments by counsel regarding the merits of the motion, opposition and countermotion. Colloquy regarding status of guardianship litigation and procedure there. Mr. Lowry stated a tentative settlement has been reached however it requires Court approval. Matter trialed for Mr. Ghibaudo to speak to his client off the record regarding the New Jersey litigation.

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CONTINUED FOR CHAMBER'S DECISION.....12/30/2014 (CHAMBERS)

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Civil Matters	**COURT MINUTES**	**December 30, 2014**

A-14-706566-C Howard Shapiro, Plaintiff(s)
vs.
Glen Welt, Defendant(s)

December 30, 2014 **3:00 AM** **Status Check**

HEARD BY: Allf, Nancy **COURTROOM:**

COURT CLERK: Nicole McDevitt

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Order Granting Motion to Dismiss filed January 2, 2015.

EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE

NOTICE OF DEFICIENCY

ON APPEAL TO NEVADA SUPREME COURT

ALEX GHIBAUDO, ESQ.
2800 W. SAHARA AVE., SUITE 1H
LAS VEGAS, NV 89102

DATE: February 4, 2015
CASE: A706566

RE CASE: HOWARD SHAPIRO; JENNA SHAPIRO vs. GLEN WELT; RHODA WELT; LYNN WELT; MICHELLE WELT; CHECKSNET.COM

NOTICE OF APPEAL FILED: February 2, 2015

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

☒ $250 – Supreme Court Filing Fee**
- If the $250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.

☐ $24 – District Court Filing Fee (Make Check Payable to the District Court)**

☒ $500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
- NRAP 7: Bond For Costs On Appeal in Civil Cases

☒ Case Appeal Statement
- NRAP 3 (a)(1), Form 2

☐ Order

☐ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

***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; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER GRANTING DEFENDANTS' MOTION TO DISMISS; NOTICE OF ENTRY OF ORDER GRANTING MOTION TO DISMISS; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

HOWARD SHAPIRO; JENNA SHAPIRO,

Plaintiff(s),

vs.

GLEN WELT; RHODA WELT; LYNN WELT; MICHELLE WELT; CHECKSNET.COM,

Defendant(s),

Case No: A706566

Dept No: XXVII

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 4 day of February 2015.

Steven D. Grierson, Clerk of the Court

Heather Ungermann, Deputy Clerk