

IN THE SUPREME COURT OF THE STATE OF NEVADA

INDICATE FULL CAPTION:

Howard Shapiro and Jenna Shapiro,
Appellants,

v.

Glen Welt; Rhoda Welt; Lynn Welt; and
Michelle Welt,

Respondents.

No. 67363

**DOCKETING STATEMENT
CIVIL APPEALS**

Electronically Filed
Mar 03 2015 08:45 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

GENERAL INFORMATION

All appellants not in proper person must complete this docketing statement. NRAP 14(a). The purpose of the docketing statement is to assist the Supreme Court in screening jurisdiction, classifying cases for en banc, panel, or expedited treatment, compiling statistical information and identifying parties and their counsel.

WARNING

This statement must be completed fully, accurately and on time. NRAP 14(c). The Supreme Court may impose sanctions on counsel or appellant if it appears that the information provided is incomplete or inaccurate. *Id.* Failure to fill out the statement completely or to file it in a timely manner constitutes grounds for the imposition of sanctions, including a fine and/or dismissal of the appeal.

A complete list of the documents that must be attached appears as Question 26 on this docketing statement. Failure to attach all required documents will result in the delay of your appeal and may result in the imposition of sanctions.

This court has noted that when attorneys do not take seriously their obligations under NRAP 14 to complete the docketing statement properly and conscientiously, they waste the valuable judicial resources of this court, making the imposition of sanctions appropriate. See KDI Sylvan Pools v. Workman, 107 Nev. 340, 344, 810 P.2d 1217, 1220 (1991). Please use tab dividers to separate any attached documents.

Revised June 2014

1. Judicial District 8th Department _____

County Clark Judge Nancy Allf

District Ct. Case No. A-14-706566-c

2. Attorney filing this docketing statement:

Attorney Alex Ghibaudo, Esq. Telephone 702-489-4442

Firm The Schwab Law Group

Address 2800 W. Sahara Ave., Suite 1H
Las Vegas, Nevada 89102

Client(s) Howard Shapiro; Jenna Shapiro

If this is a joint statement by multiple appellants, add the names and addresses of other counsel and the names of their clients on an additional sheet accompanied by a certification that they concur in the filing of this statement.

3. Attorney(s) representing respondents(s):

Attorney Michael Lowry, Esq. Telephone 702-366-0602

Firm Thorndal, Armstrong, Delk, Balkenbush & Eisenger

Address 1100 Bridger Avenue
Las Vegas, Nevada 89101

Client(s) Glen Welt; Rhoda Welt; Lynn Welt; and Michelle Welt

Attorney _____ Telephone _____

Firm _____

Address _____

Client(s) _____

(List additional counsel on separate sheet if necessary)

4. Nature of disposition below (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Judgment after bench trial | <input checked="" type="checkbox"/> Dismissal: |
| <input type="checkbox"/> Judgment after jury verdict | <input type="checkbox"/> Lack of jurisdiction |
| <input type="checkbox"/> Summary judgment | <input type="checkbox"/> Failure to state a claim |
| <input type="checkbox"/> Default judgment | <input type="checkbox"/> Failure to prosecute |
| <input type="checkbox"/> Grant/Denial of NRC 60(b) relief | <input checked="" type="checkbox"/> Other (specify): <u>NRS 41.660(b)</u> |
| <input type="checkbox"/> Grant/Denial of injunction | <input type="checkbox"/> Divorce Decree: |
| <input type="checkbox"/> Grant/Denial of declaratory relief | <input type="checkbox"/> Original <input type="checkbox"/> Modification |
| <input type="checkbox"/> Review of agency determination | <input type="checkbox"/> Other disposition (specify): _____ |

5. Does this appeal raise issues concerning any of the following?

- ☐ Child Custody
- ☐ Venue
- ☐ Termination of parental rights

6. Pending and prior proceedings in this court. List the case name and docket number of all appeals or original proceedings presently or previously pending before this court which are related to this appeal:

N/A

7. Pending and prior proceedings in other courts. List the case name, number and court of all pending and prior proceedings in other courts which are related to this appeal (e.g., bankruptcy, consolidated or bifurcated proceedings) and their dates of disposition:

N/A

8. Nature of the action. Briefly describe the nature of the action and the result below:

Appellants' filed a claim for defamation for a website that Glen Welt created, in concert with the other Respondents, aimed specifically at Appellant Howard Shapiro. In that website, Appellant made many egregious and false claims concerning Appellant Howard Shapiro's character, his role in crimes never committed, and accusations of fraud that are without merit, baseless, and frivolous. These claims were made while a guardianship matter over an adult ward the relative of all parties was at issue. Mr. Glen Welt, the owner and webmaster of the website publishing the defamatory claims made above was not a party to the legal proceedings concerning the adult ward, who is the father of Appellant Howard Shapiro. The Welts relied upon NRS 41.637(4) to dismiss the action, claiming the defamation lawsuit was aimed at suppressing or discouraging their claim to the guardianship of the adult ward.

9. Issues on appeal. State specifically all issues in this appeal (attach separate sheets as necessary):

1. Is NRS 41.637(4) so broad as to prohibit any lawsuit for defamation or any other suit or claim made where speech and litigation intersect?
2. Did the district court abuse its discretion in dismissing the Appellants' claim?
3. Did the district court commit clear legal error in its application of NRS 41.637(4)?

10. Pending proceedings in this court raising the same or similar issues. If you are aware of any proceedings presently pending before this court which raises the same or similar issues raised in this appeal, list the case name and docket numbers and identify the same or similar issue raised:

None that counsel is aware of.

11. Constitutional issues. If this appeal challenges the constitutionality of a statute, and the state, any state agency, or any officer or employee thereof is not a party to this appeal, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

☐ N/A

☐ Yes

☒ No

If not, explain: This is an issue of statutory interpretation.

12. Other issues. Does this appeal involve any of the following issues?

☐ Reversal of well-settled Nevada precedent (identify the case(s))

☐ An issue arising under the United States and/or Nevada Constitutions

☒ A substantial issue of first impression

☒ An issue of public policy

☒ An issue where en banc consideration is necessary to maintain uniformity of this court's decisions

☐ A ballot question

If so, explain: The statute at issue and, specifically its subsection, involve the ability of a claimant to seek relief for defamation or any other claim that might cause a chill on speech, even if that speech is clearly false and also clearly defamatory. The language of the statute makes ignorance of a fact carte blanche to lie and defame a person without repercussion.

13. Trial. If this action proceeded to trial, how many days did the trial last? _____

Was it a bench or jury trial? _____

14. Judicial Disqualification. Do you intend to file a motion to disqualify or have a justice recuse him/herself from participation in this appeal? If so, which Justice?

No.

TIMELINESS OF NOTICE OF APPEAL

15. Date of entry of written judgment or order appealed from 1/2/2015

If no written judgment or order was filed in the district court, explain the basis for seeking appellate review:

16. Date written notice of entry of judgment or order was served 1/2/2015

Was service by:

☐ Delivery

☒ Mail/electronic/fax

17. If the time for filing the notice of appeal was tolled by a post-judgment motion (NRCp 50(b), 52(b), or 59)

(a) Specify the type of motion, the date and method of service of the motion, and the date of filing.

☐ NRCp 50(b) Date of filing _____

☐ NRCp 52(b) Date of filing _____

☐ NRCp 59 Date of filing _____

NOTE: Motions made pursuant to NRCp 60 or motions for rehearing or reconsideration may toll the time for filing a notice of appeal. See AA Primo Builders v. Washington, 126 Nev. ____, 245 P.3d 1190 (2010).

(b) Date of entry of written order resolving tolling motion _____

(c) Date written notice of entry of order resolving tolling motion was served _____

Was service by:

☐ Delivery

☐ Mail

18. Date notice of appeal filed 2/2/2015

If more than one party has appealed from the judgment or order, list the date each notice of appeal was filed and identify by name the party filing the notice of appeal:

Notice of Cross Appeal filed 2/13/2015

19. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRAP 4(a) or other

NRAP 4(a)

SUBSTANTIVE APPEALABILITY

20. Specify the statute or other authority granting this court jurisdiction to review the judgment or order appealed from:

(a)

- | | |
|---|---------------------------------------|
| <input checked="" type="checkbox"/> NRAP 3A(b)(1) | <input type="checkbox"/> NRS 38.205 |
| <input type="checkbox"/> NRAP 3A(b)(2) | <input type="checkbox"/> NRS 233B.150 |
| <input type="checkbox"/> NRAP 3A(b)(3) | <input type="checkbox"/> NRS 703.376 |
| <input type="checkbox"/> Other (specify) _____ | |
-

(b) Explain how each authority provides a basis for appeal from the judgment or order:

This case was dismissed for failure to state a claim/violation of statutory provision. Therefore, NRAP 3A(b)(1) provides a basis for an appeal.

21. List all parties involved in the action or consolidated actions in the district court:

(a) Parties:

Howard Shapiro, Appellant
Jenna Shapiro, Appellant
Glen Welt, Respondent
Rhoda Welt, Respondent
Lynn Welt, Respondent
Michelle Welt, Repondent

(b) If all parties in the district court are not parties to this appeal, explain in detail why these parties are not involved in this appeal, e.g., formally dismissed, not served, or other:

checksnet.com. The claim against this Defendant was voluntary dismissed since it was not formally served.

22. Give a brief description (3 to 5 words) of each party's separate claims, counterclaims, cross-claims, or third-party claims and the date of formal disposition of each claim.

Howard Shapiro and Jenna Shapiro's claim should not have been dismissed under NRS 41.637(4).

Respondents' claim is unknown

23. Did the judgment or order appealed from adjudicate ALL the claims alleged below and the rights and liabilities of ALL the parties to the action or consolidated actions below?

☒ Yes

☐ No

24. If you answered "No" to question 23, complete the following:

(a) Specify the claims remaining pending below:

(b) Specify the parties remaining below:

(c) Did the district court certify the judgment or order appealed from as a final judgment pursuant to NRCP 54(b)?

☐ Yes

☒ No

(d) Did the district court make an express determination, pursuant to NRCP 54(b), that there is no just reason for delay and an express direction for the entry of judgment?

☐ Yes

☒ No

25. If you answered "No" to any part of question 24, explain the basis for seeking appellate review (e.g., order is independently appealable under NRAP 3A(b)):
Order is independently appealable under NRAP 3A(b)(1)

26. Attach file-stamped copies of the following documents:

- The latest-filed complaint, counterclaims, cross-claims, and third-party claims
- Any tolling motion(s) and order(s) resolving tolling motion(s)
- Orders of NRCP 41(a) dismissals formally resolving each claim, counterclaims, cross-claims and/or third-party claims asserted in the action or consolidated action below, even if not at issue on appeal
- Any other order challenged on appeal
- Notices of entry for each attached order

VERIFICATION

I declare under penalty of perjury that I have read this docketing statement, that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief, and that I have attached all required documents to this docketing statement.

Howard Shapiro; Jenna Shapiro
Name of appellant

Alex Ghibaud, Esq.
Name of counsel of record

3/1/2015
Date


Signature of counsel of record

Clark County, Nevada
State and county where signed

CERTIFICATE OF SERVICE

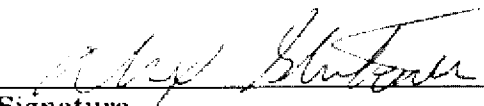
I certify that on the 1 day of March, 2015, I served a copy of this completed docketing statement upon all counsel of record:

- ☐ By personally serving it upon him/her; or
- ☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es): (NOTE: If all names and addresses cannot fit below, please list names below and attach a separate sheet with the addresses.)

Service was accomplished electronically to:

Glen Welt; Rhoda Welt; Lynn Welt; and Michelle Welt
c/o Michael Lowry, Esq.
Thorndal, Armstrong, Delk, Balkenbush & Eisenger, P.C.
1100 Bridger Avenue
Las Vegas, Nevada 89101

Dated this 1 day of March, 2015


Signature


CLERK OF THE COURT

1 **COMD**
2 **ERIC P. ROY, ESQ.**
3 Nevada Bar No. 11869
4 **ALEX GHIBAUDO, ESQ.**
5 Nevada Bar No. 10592
6 **LAW OFFICES OF ERIC P. ROY**
7 818 E. Charleston Blvd.
8 Las Vegas, NV 89104
9 (702) 423-3333
10 (702) 924-2517
11 eric@ericroylawfirm.com
12 *Attorney for Plaintiff*

**DISTRICT COURT
CLARK COUNTY, NEVADA**

10 HOWARD SHAPIRO and JENNA
11 SHAPIRO,

12 Plaintiffs,

13 v.

14 GLEN WELT, RHODA WELT, LYNN
15 WELT, MICHELLE WELT,
16 individuals; CHECKSNET.COM, a
17 corporation; DOES I through X and ROE
18 CORPORATIONS I through X, inclusive,

19 Defendant.

CASE NO.: A-14-706566-C
DEPT. NO.: XXVII

COMPLAINT

20 Plaintiff, Howard Shapiro ("Plaintiff"), through his attorney, Alex Ghibaud, Esq., of
21 The Law Offices of Eric Roy, and alleges as follows:

- 22 1. Plaintiff instituting this action is, and at all relevant times mentioned herein,
23 was a resident of the State of New Jersey.
- 24 2. Defendant Glenn Welt is, and at all relevant times mentioned herein, was a
25 Nevada resident residing in Clark County, Nevada.
26
27
28

Law Offices of Eric P. Roy
818 East Charleston Boulevard
Las Vegas, Nevada 89104
702.423.3333

- 1 3. Defendant Rhoda Welt is, and at all relevant times mentioned herein, was a
- 2 resident of the State of Georgia.
- 3 4. Defendant Lynn Welt is, and at all relevant times mentioned herein, was a
- 4 resident of the State of Georgia.
- 5 5. Defendant Michelle Welt is, and at all relevant times mentioned herein, was a
- 6 resident of the State of Georgia.
- 7 6. The true names or capacities, whether individual, corporate, association or
- 8 otherwise, of Defendants, DOES I through DOES X, and ROE
- 9 CORPORATION I through ROE CORPORATION X, are unknown to
- 10 Plaintiff, who therefore sues said Defendants by such fictitious names. Plaintiff
- 11 is informed and believes and therefore alleges that each of the said Defendants
- 12 designated herein as DOE and ROE CORPORATION are responsible in some
- 13 manner for the events and happenings referred to and caused damages
- 14 proximately to Plaintiff as herein alleged, and that Plaintiff will ask leave of
- 15 this Court to amend this Complaint, to insert the true names and capacities of
- 16 DOES I through DOE X and ROE CORPORATIONS I through ROE
- 17 CORPORATIONS X, when the same have been ascertained and to join such
- 18 Defendants in this action.
- 19 7. That on about April of 2011, Plaintiff was given power of attorney over Walter
- 20 Shapiro, his father, who is now 81 years of age, to handle Walter's estate and
- 21 health care.
- 22 8. That on or about April 24, 2014, Walter was diagnosed with Lewy Dementia.
- 23
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- 1 9. That at that time, Plaintiff exercised his power of attorney over his father and
- 2 arranged for his father to live in a nursing home/assisted care facility, upon
- 3 doctors recommendations.
- 4 10. That Plaintiff disposed of his father's property to pay for Walter's care.
- 5 11. That at that time, Defendants Rhoda Welt and Lynn Welt went to New Jersey,
- 6 where Walter lives and where the nursing home/assisted care facility was
- 7 located, where they commenced a campaign of harassment of Plaintiff and
- 8 undue influence upon Walter.
- 9 12. That Defendants, in concert, reported to Adult Protective Services that Plaintiff
- 10 was abusing/neglecting his father.
- 11 13. That upon investigation, Adult Protective Services determined that Defendants
- 12 withdrew \$7,500.00 from Walter's account and forced them to return that
- 13 money immediately or they would be charged with abusing an elderly person.
- 14 14. That Defendants, all of them, continued their campaign of harassment and
- 15 undue influence, calling Plaintiff repeatedly, almost daily, and telling Walter
- 16 that Plaintiff was taking his money. That as a result, Walter called Plaintiff
- 17 every day to demand to know where his money was, despite the fact that
- 18 Walter is incapable of making his own decisions.
- 19 15. That on July 3, 2014, Plaintiff's brother, Walter's son, drove him to Roseland,
- 20 New Jersey, to reside at Solana at Roseland. That at that time, Defendants
- 21 Rhonda and Lynn Welt went back to their residence in Georgia.
- 22 16. That Plaintiff has since filed a petition for guardianship, a hearing for which is
- 23 scheduled for September 22, 2014.
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17. Since then, Defendants, in concert or individually, posted a website online, www.howardshapirovictims.com, which was copyrighted, in which it is alleged that:

- a. Plaintiff has stolen over \$780,000.00 in cash and assets taken, and the same awarded in liens and judgments. (See Exhibit 1).
- b. That Plaintiff has filed several bankruptcies, that he has a criminal record, and 20 judgments made against him in the amount of \$361,871.00. That that money is owed to a public defender and a drug and rehabilitation center, in addition to multiple credit cards and other debts. (See Exhibit 1).
- c. That Walter Shapiro's life is in danger because he gave Plaintiff power of attorney over him. That that decision cost Walter \$430,000.00, including a \$100,000.00 loan that Walter allegedly gave to Plaintiff.
- d. That Plaintiff committed the following "heinous acts":
 - i. That Plaintiff abducted his father from his home and held him against his will;
 - ii. That Plaintiff sold his father's home for \$230,000.00 and kept the proceeds for himself;
 - iii. That Plaintiff tangible and intangible goods, including large sums of cash and furniture, from his father;
 - iv. That Plaintiff diverted all of Walter's retirement payments to himself.
 - v. That Plaintiff blocked Walter from any contact with his relatives;
 - vi. That Plaintiff left his father with no money;
 - vii. That Plaintiff prevented others from purchasing food for his father;

viii. That Plaintiff has threatened his father's life;

ix. That Plaintiff stole his father's money and bragged about traveling with it;

e. Plaintiff may be carrying concealed weapons; and

f. That Plaintiff is lying about his home and business, listing a specific address belonging to Plaintiff.

18. Defendants further provide a photograph of Plaintiff's vehicle and license plate number and encouraged the public to attend the adult guardianship proceedings indicated above.

19. That the website was "recorded by two (2) witnesses", believed to a combination of the other named Defendants.

20. That the webmaster is Defendant Glenn Welt, who informed Plaintiff by email that he was posting the website. (See Exhibit 2).

21. That various iterations of the website were previously posted. (See Exhibit 3).

22. That Defendant Glenn Welt, in concert with other named Defendants, attempted to extort Plaintiff in a letter dated August 11, 2014, by threatening public humiliation, civil action, and criminal charges if his demands are not met, which include returning cash and property allegedly stolen by Plaintiff, presumably to Defendant Glenn Welt. (See Exhibit 4).

23. That Defendants conduct is ongoing and persistent, requiring the instant legal action.

FIRST CAUSE OF ACTION

(DEFAMATION PER SE)

- 1
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3 24. Plaintiffs repeat and re-allege each and every allegation contained in
4 Paragraphs 1 through 23 as though fully set forth herein and further allege the
5 following.
6
7 25. That Defendants made false statements as indicated in paragraph 17, among
8 other statements and allegations.
9
10 26. That Defendants' statements were not privileged by any common law or
11 statutory privilege and were, and are, being made in a public forum.
12
13 27. Defendants' conduct was entirely malicious and vindictive in that it was driven
14 by their desire to control Walter and their animosity for Plaintiff because he has
15 exercised his power of attorney.
16
17 28. That Plaintiff is a business owner, with a business located in New Jersey.
18
19 29. That Defendants conduct, targeting Plaintiff's alleged "moral turpitude",
20 constitutes defamation per se.
21
22 30. As a result of Defendants' libelous writing, it is presumed economic damages
23 in excess of \$10,000.00 were suffered under *Clark County Sch. Dist. v. Virtual*
24 *Educ. Software, Inc.*, 125 Nev. 374, 385, 213 P.3d 496, 504, 2009 Nev. LEXIS
25 38, 17-18, 125 Nev. Adv. Rep. 31 (Nev. 2009).
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SECOND CAUSE OF ACTION

(DEFAMATION)

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3 31. Plaintiffs repeat and re-allege each and every allegation contained in
4 Paragraphs 24 through 30 as though fully set forth herein and further allege the
5 following.
6
7 32. That Defendants made false statements as indicated in paragraph 17, among
8 other statements and allegations.
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10 33. That Defendants' statements were not privileged by any common law or
11 statutory privilege and were, and are, being made in a public forum.
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13 34. Defendants' conduct was entirely malicious and vindictive in that it was driven
14 by their desire to control Walter and their animosity for Plaintiff because he has
15 exercised his power of attorney.
16
17 35. That Plaintiff was harmed in an undetermined amount exceeding \$10,000.00.

THIRD CAUSE OF ACTION

(EXTORTION)

- 18
19 36. Plaintiff repeats and re-alleges each and every allegation contained in
20 Paragraphs 31 through 35 as though fully set forth herein and further allege the
21 following.
22
23 37. That Defendants intended to extort or gain money or property from Plaintiff,
24 and/or intended to compel or induce Plaintiff to make, subscribe, execute, alter
25 or destroy any valuable security or instrument or writing affecting or intended
26 to affect any cause of action or defense, or any property.
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38. That Defendants attempt to gain money, property, or extort Plaintiff was by threat, directly and indirectly, to accuse Plaintiff of a crime, to injure Plaintiff's person and property, to publish or connive at publishing any libel, to expose or impute to any person any disgrace, and to expose a secret, in the manner indicated in paragraph 17 and Exhibit 4 of this complaint.

39. That Defendants conducted has proximately harmed Plaintiff in an undetermined amount exceeding \$10,000.00.

FOURTH CAUSE OF ACTION

(CIVIL CONSPIRACY)

40. Plaintiff repeats and re-alleges each and every allegation contained in Paragraphs 31 through 39 as though fully set forth herein and further allege the following.

41. That Defendants' conspired amongst themselves to unlawfully harm Plaintiff by constructing and posting www.howardshapirovictims.com.

42. That Defendants defrauded the public in furtherance of their scheme to extort Plaintiff, as alleged in the second cause of action contained in this complaint, by knowingly lying about Plaintiff in a public forum, namely www.howardshapirovictims.com.

43. That Defendants' conduct caused Plaintiff substantial damage in an undetermined amount exceeding \$10,000.00.

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FIFTH CAUSE OF ACTION

(FRAUD)

44. Plaintiff repeats and re-alleges each and every allegation contained in Paragraphs 40 through 43 as though fully set forth herein and further allege the following.
45. That Defendants made statements in a public forum as described in paragraph 17 of this complaint.
46. That Defendants knew that those statements were false, or that they had an insufficient basis for making those representations as they had no contact or communication with Plaintiff and Walter is incapacitated, making it impossible for Defendants to rely on any statements made by Walter.
47. That Defendants intended to induce Plaintiff to pay money or turn over property, as evidenced by Exhibit 5.
48. That the public justifiably relied upon those representations to formulate an opinion of Plaintiff, putting pressure upon Plaintiff to cooperate with Defendants.
49. That Defendants conduct harmed Plaintiff in an undetermined amount exceeding \$10,000.00.

CAUSE OF ACTION

(PUNITIVE DAMAGES)

50. Plaintiff repeats and re-alleges each and every allegation contained in Paragraphs 44 through 49 as though fully set forth herein and further alleges the following.

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- 1 5). That the Defendants actions were oppressive, fraudulent, and malicious.
2 Defendants lied about Plaintiff's alleged "moral turpitude" and criminal
3 behavior on a public forum that has injured Plaintiff's reputation and his
4 business' good standing and economic welfare in the community.
5

6 **WHEREFORE**, Plaintiff prays for judgment against Defendants as follows:

- 7 1. For an award of general damages in excess of \$10,000.00;
8 2. For an award of special damages in excess of \$10,000.00;
9 3. For an award of punitive damages in excess of \$10,000.00; and
10 4. For reasonable attorney's fees and cost of suit incurred;
11 5. For such further relief as the Court may deem just and proper under the
12 circumstances.
13

14 DATED this 29 day of August, 2014.
15

16 Respectfully submitted,

17 **LAW OFFICES OF ERIC P. ROY**

18 
19 **ALEX GHIBAUDO, ESQ.**

20 Nevada Bar No. 10592

21 818 E. Charleston Blvd.

22 Las Vegas, NV 89104

23 (702) 423-3333

24 eric@ericroylawfirm.com

25 Attorney for Plaintiff
26
27
28

EXHIBIT 1

**This website dedicated to helping victims of Howard Andrew Shapiro &
warning others**

Over \$780,000 in cash & assets taken, liens & judgements!

Howard Andrew Shapiro

age 46

a/k/a Howie Shapiro

623 Skyline Drive

Lake Hopatcong NJ 07849

Home Phone 973-406-2087

Cellular: 646-406-2087

Wife: Jenna G. Shapiro, age 42

a/k/a Jenna Gail Thorland, Jenna T.
Shapiro

973-663-1203

howardshapiro@aol.com



2005 photo

Accomplice:

Adam Roy Shapiro, age 52

a/k/a Roy A. Shapiro

2330 Peppercorn St.

Kissimmis FL 34741

Home: 407-810-1645

Work: 863-676-1904

wife: Maryann Danielle Shapiro,

Age 50

AdamR1005@aol.com



2005 photo

Background check of **Howard A. Shapiro** reveals criminal record, 2 bankruptcies (1998 & 2008) plus 20 judgements and liens against him in past 16 years totaling \$361,871 owed to a public defender, drug & rehab center, American Express, Aurora Electrical Supply, Beneficial New Jersey, Deterrent Technologies, JP Morgan Chase Bank, PNC Bank, Home Vest Capital, Household Finance Corporation, L&H. Plumbing & Heating, Monmouth Auto Body, SPT Electric Supply, Township of Jefferson and more.

Plus, Walter Shapiro made a \$430,000 mistake that may shorten his life. Loaned his son Howard \$100,000 and gave him Power of Attorney. Howard never repaid the loan. then **desecrated** the power with recent heinous acts:

- Abducted his father who was "screaming as he was dragged out of the house" *
Walter Shapiro owned and enjoyed his Lakewood, New Jersey home for over 40 years.
- Walter Shapiro was removed AFTER Lakewood Police advised AGAINST it.
- Sold the home for \$230,000 against his father's wishes & Howard pocketed ALL the money
- Confiscated all the home furnishings (with help from brother Adam Roy Shapiro and wife)
- Drained all his fathers bank accounts by as much as \$60,000
- Took expensive jewelry belonging to his father (& left for Walter Shapiro by his deceased wife)
- Diverted all future retirement payments for Walter Shapiro to himself. Payments include direct deposits from New York Times newspaper (where Walter Shapiro worked for 42 years), Worker's Union payments and Social Security payments.
- Blocked Walter Shapiro from seeing his sister (who flew from Atlanta but was forced to sit in the street for days due to threats from Howard Shapiro).
- Blocked visitation by other relatives.

- Left his father with NO MONEY to buy food
- Prevented others from buying food for his father
- Threatening statements to his father include "I will see you in your grave" and "I will bury you so deep, that no one will find you."
- Brags about taking his family to Hawaii with Walter's money & traveling "first class"

Police in a number of New Jersey jurisdictions have been alerted to these actions and that Howard Shapiro may be carrying concealed weapon(s).

Howard Shapiro currently resides in a \$500,000 Lake Hopatcong, New Jersey home. D&B reports he is president of Howard A Shapiro Electrical Contractor Inc, 623 Skyline Dr, Lake Hopatcong NJ. Phone 973-663-1191 with \$479,000 annual revenue. **New Jersey has NO current record of corporation or any others registered to Howard A. Shapiro as of 8/17/2014.**

If you are a creditor who is owed monies as a result of Howard Shapiro's criminal, bankruptcy, lien or judgement history, take collection action before all of the estimated \$430,000 in cash & assets taken from his father has disappeared.

1st court date is Sept. 22, 2014 in New Jersey.

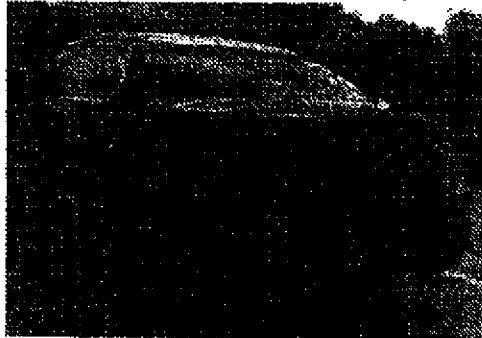
If information indicates appearance by Howard Shapiro, courtroom location & time will be posted HERE.

All persons with knowledge of Howard A. Shapiro's actions against Walter Shapiro or other illegal acts committed by Howard Shapiro are encouraged to appear in court. You may also submit information via email. Information is being forwarded to at least 4 attorneys representing injured parties, news media, government agencies and law enforcement as of 8/27/2014.

Attendees: You may be photographed for TV & other media.

If Howard Shapiro is arrested, incarcerated or ordered to pay monies for above actions, information will be posted HERE.

Howard Shapiro last seen driving black BMW 650i, New Jersey tag BMWGC



*Recorded by 2 witnesses, will be presented in court. Walter Shapiro had no knowledge of this website creation, nor is he a contributor, yet Howard Shapiro harassed his father about its existence.

8/27/2014

Howard Shapiro Criminal Bankruptcies Liens Judgements Elder Abuse Records

Email if you have new information or questions: Glenn Weit

© 2014 Glenn Weit, Consumer Advocate who has worked with FBI, Secret Service, IRS, other law enforcement agencies
and media in arrests & convictions of criminals.

EXHIBIT 2

Alex

From: Howard [howardshapiro@aol.com]
Sent: Friday, August 22, 2014 12:45 PM
To: Alex
Subject: Fwd: Howard Shapiro Victims

Better and better.

Howard A. Shapiro
646.406.2087 Mobile

Begin forwarded message:

From: Glenn Welt <vip@glennwelt.com>
Date: August 22, 2014 at 3:10:29 PM EDT
To: howardshapiro@aol.com
Subject: Howard Shapiro Victims
Reply-To: vip@glennwelt.com

Congratulations Howie,

Your actions have been deemed worthy of your own website.
www.HowardShapiroVictims.com is now **LIVE** and will be
indexed by all the major search engines.

I am personally inviting **EVERY** one of your known victims
to appear in court along with other caretakers, neighbors
acquaintances and relatives you've threatened.

If you don't want to appear in court, your attorney
can be served on your behalf.

Glenn Welt

EXHIBIT 3

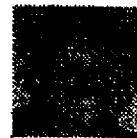
**This page dedicated to helping victims of Howard Andrew Shapiro
& warning others**

***At least \$300,000 cash & assets taken from Walter Shapiro plus
\$361,871 in liens & judgements by others!***

Howard Andrew Shapiro
age 46
a/k/a Howie Shapiro
623 Skyline Drive
Lake Hopatcong NJ 07849
Home Phone 973-406-2087
Cellular: 646-406-2087
Google Voice: 201-357-7331
Wife: Jenna G. Shapiro, age
42
973-663-1203
howardshapiro@aol.com



Accomplice:
Adam Roy Shapiro, age 52
a/k/a Roy A. Shapiro
2330 Peppercorn St.
Kissimmee FL 34741
Home Phone 407-810-1645
wife: Maryann D. Shapiro
AdamR1005@aol.com



Background check of Howard A. Shapiro reveals a criminal record, 2 bankruptcies (1998 & 2008) plus 20 judgements and liens against him in past 15 years totaling \$361,871 owed to a public defender, drug & rehab center, American Express, Aurora Electrical Supply, Beneficial New Jersey, Deterrent Technologies, JP Morgan Chase Bank, PNC Bank, Home Vest Capital, Household Finance Corporation, L&H Plumbing & Heating, Marmouth Auto Body, SPT Electric Supply, Township of Jefferson and more.

Walter Shapiro made a HUGE mistake by giving Power of Attorney to his son. Howard Shapiro desecrated the power:

- Removed his father Walter Shapiro under duress from the Lakewood, New Jersey home Walter owned and enjoyed for over 40 years.
- Placed his father in a facility against his will
- Sold the home for \$230,000 against his father's wishes & pocketed ALL the money
- Confiscated all the home furnishings (with help from brother Adam Roy Shapiro)
- Drained all his fathers bank accounts by as much as \$60,000
- Took expensive jewelry belonging to his father
- Diverted future retirement payments to himself (3 direct deposits from New York Times, Worker's Union, Social Security)
- Tried to block Walter Shapiro from seeing his sister or other relatives.
- Left his father with **NO MONEY** to buy food
- Prevented others from buying food for his father

Currently, Howie resides in a ~~\$500,000 Lake Hopatcong, New Jersey home~~. ~~Dun & Bradstreet~~ report says he is president of Howard A Shapiro Electrical Contractor Inc, 623 Skyline Drive, Lake Hopatcong NJ 07849 Phone 973-683-1191 with 4 employees and annual revenue of \$479,000. State of New Jersey has NO current record of corporation or other businesses registered to Howard Shapiro as of 8/17/2014.

If you are creditor who is owed monies as a result of Howard Shapiro's bankruptcies, judgements or liens, try collecting from Howie before the estimated \$300,000 disappears.

One court date is being scheduled for Sept. 2014 in New Jersey. If information indicates that Howard Shapiro will appear, the exact location, time and date will be posted HERE.

All persons with knowledge of Howard Shapiro's actions against Walter Shapiro or other illegal acts committed by Howard Shapiro are encouraged to appear in court. You may also submit information via [email](#).

If anyone still doubts the character of Howard Andrew Shapiro, consider this:

- Threatening statements to his father include "I will see you in your grave" and "I will bury you so deep, that no one will find you."
- He brags about his gun collection, presumably as an intimidation tool.
- He brags about taking his family to Hawaii with Walter's money and travelling "first class".

If Howard Shapiro is arrested, incarcerated or ordered to pay monies for above actions, information will be posted HERE.

Howie was last seen driving this black BMW 650i with New Jersey tag BMWGC (a 2013 BMW is another of the many things taken from his father):



Howard Andrew Shapiro may need one of these:

[AAA Bailmaster Bail Bonds](#) 973-644-2200

[Elite Bail Bonds](#) 201-205-2351

[Mr. G Bail Bonds](#) 877-793-0514

© 2014 Glenn Welt

Email if you have information or questions: [Glenn Welt](mailto:Glenn.Welt@gmail.com)

EXHIBIT 4

1. [Illegible text]

2. [Illegible section header]

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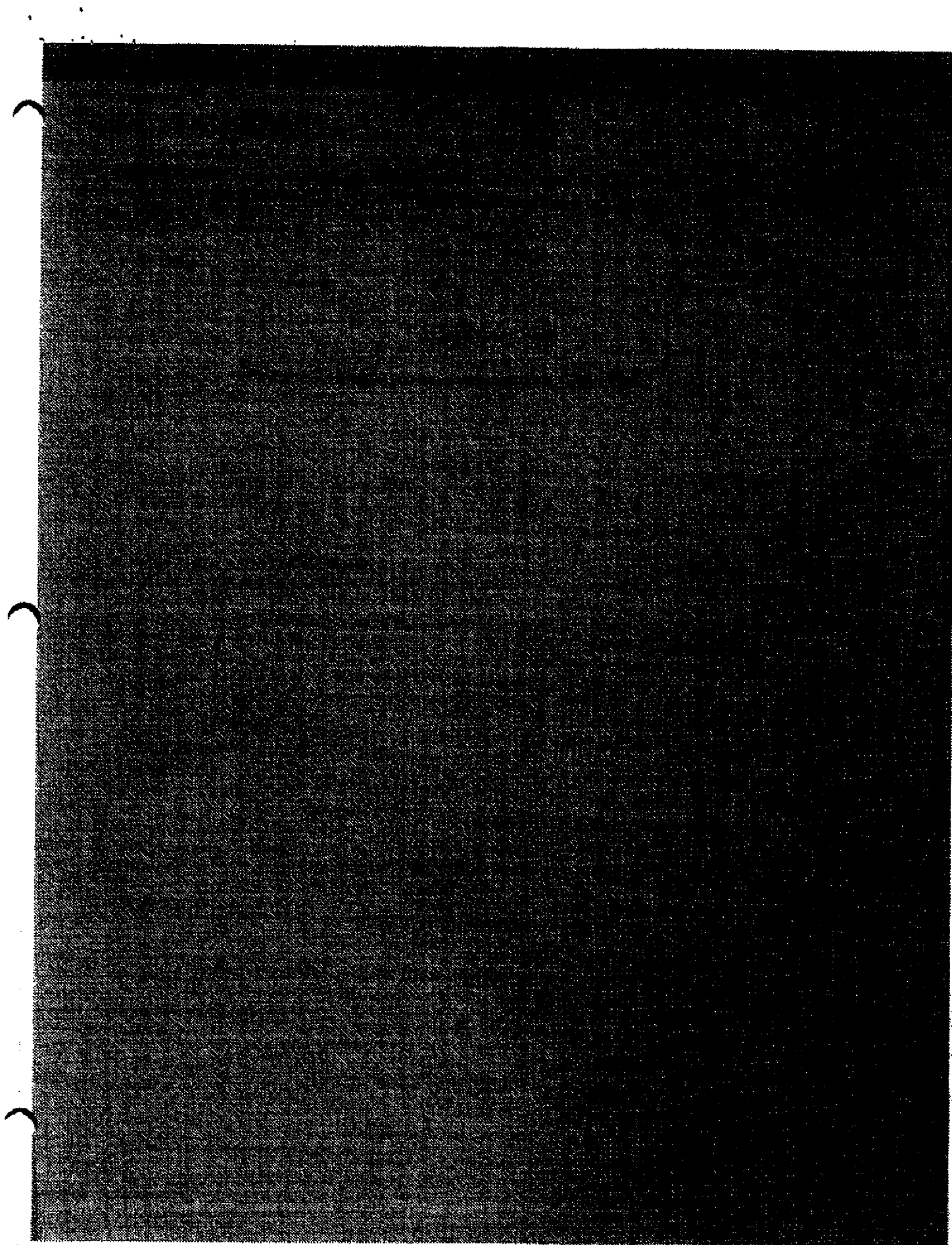
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13. [Illegible text]

14. [Illegible text]



1 **ORDR**

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

Alan D. Schuman
CLERK OF THE COURT

4 **HOWARD SHAPIRO, JEAN SHAPIRO,**
5 **Plaintiffs**

CASE NO.: A-14-706566-C

6 **vs.**

DEPARTMENT 27

7 **GLEN WELT, LYNN WELT, MICHELLE**
8 **WELT and RHODA WELT, Defendants**

9
10 **ORDER GRANTING DEFENDANTS' MOTION TO DISMISS**

11
12 Defendants' Motion to Dismiss was filed on December 15, 2014 and was heard
13 on December 24, 2014 at 10:00 a.m., with a quick setting in compliance with NRS
14 41.660(3)(f); Michael Lowry, Esq. appearing on behalf of Defendants and Evan Swab,
15 Esq. appearing on behalf of Plaintiffs. The Court having considered the pleadings and
16 papers on file herein, and being fully advised in the premises, now makes the following
17 decision and order:

18
19 **COURT FINDS** after review that NRS 41.660(3) allows for a special motion to
20 dismiss when the subject of a law suit is "good faith communication in furtherance of . . .
21 the right to free speech in direct connection of an issue of public concern." NRS 41.660.
22 These statutes, commonly known as anti-SLAPP (strategic lawsuit against public
23 participation), is intended to prevent parties from filing law suits in an attempt to restrict
24 or punish communication on an issue of public interest. NRS 41.637. A defendant must
25 show "by a preponderance of the evidence, that the claim is based upon a good faith
26 communication in furtherance of the right to . . . free speech in direct connection with an
27 issue of public concern." NRS 41.660(3)(a). Then, the plaintiff must show by clear and
28

1

<input type="checkbox"/> Voluntary Dismissal	<input type="checkbox"/> Summary Judgment
<input type="checkbox"/> Involuntary Dismissal	<input type="checkbox"/> Stipulated Judgment
<input type="checkbox"/> Stipulated Dismissal	<input type="checkbox"/> Default Judgment
<input checked="" type="checkbox"/> Motion to Dismiss by Deft(s)	<input type="checkbox"/> Judgment of Arbitration

CLERK OF THE COURT

RECEIVED
JAN 02 2015

60

1 convincing evidence that there is a probability of it prevailing on the claim. NRS
2 41.660(3)(b).

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

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

23 **COURT FURTHER FINDS** after review that Plaintiffs have not shown, through
24 clear and convincing evidence, a probability they will prevail on the lawsuit. The Nevada
25 Supreme Court recently reconfirmed its commitment to an absolute litigation privilege in
26 Jacobs v. Adelson, 130Nev. Adv. Op. 44, 325 P.3d 1282, 1285 (2014). Here, the good
27 faith communication is related to the underlying New Jersey lawsuit and is likely
28

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

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

7
8 **COURT ORDERS** for good cause appearing Defendants' Motion to Dismiss
9 under NRS 41.660 is GRANTED without prejudice. **COURT FURTHER ORDERS** for
10 good cause appearing that Defendants are entitled to their reasonable costs and attorney's
11 fees; counsel to provide an affidavit detailing their costs and fees.

12 Dated: December 31, 2014

13
14 
15 NANCY ALLF
16 DISTRICT COURT JUDGE

17 **CERTIFICATE OF SERVICE**

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

23 Thorndal, Armstrong, Delk, Balkenbush & Eisinger
24 Michael P. Lowry, Esq. - mplowry@thorndal.com

FAX - 702-366-0327

25 Law Offices of Eric P. Roy

26 Eric P. Roy, Esq. and Alex Ghibaudo, Esq. - eric@ericroylawfirm.com

27 FAX - 702-924-2517

28 
Karen Lawrence
Judicial Executive Assistant