

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN A. RITTER, an individual, and  
DARRIN D. BADGER, an individual,

Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT COURT  
OF THE STATE OF NEVADA, in and for the  
COUNTY OF CLARK, and the  
HONORABLE JERRY A. WIESE, II., District  
Court Judge,

Respondents.

and

OMNI FAMILY LIMITED PARTNERSHIP, a  
Nevada domestic limited partnership,

Real Party in Interest.

Electronically Filed  
Aug 22 2016 08:38 a.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

Supreme Court Case No.: 67835  
District Court Case No: A680542

PROOF OF SERVICE

I, the undersigned, hereby declare under penalty of perjury, that I have caused to be served a true and correct copy of the WRIT OF MANDAMUS (“Writ”) and the related Order of Service, dated the 26<sup>th</sup> day of May, 2016, upon the Honorable Judge Jerry A. Weiss II, by personally serving and hand delivering a copy of it to the following address:

The Honorable Judge Jerry A. Weiss, II.  
Department 30  
Eighth Judicial District Court  
Regional Justice Center  
200 Lewis Avenue  
Las Vegas, Nevada 89155

I further declare, under penalty of perjury, that on the 18<sup>th</sup> day of August, 2016, I caused to be filed a CERTIFICATE OF SERVICE (“Certificate”), to establish proof of service of the Writ as described above, into the docket of District Court Case No. A680520.<sup>1</sup>

<sup>1</sup> A true and correct copy of the CERTIFICATE OF SERVICE is attached hereto as Exhibit A.

1 A true and correct copy of the Certificate was electronically served upon the  
2 Honorable Judge Jerry A. Weiss II via Wiznet, the District Court's electronic filing and  
3 service system, on the 18<sup>th</sup> day of August, 2016.

4 DATED this 19<sup>th</sup> day of August, 2016.

5  
6 **REID RUBINSTEIN & BOGATZ**

By: /s/ Charles M. Vlastic, III

7 I. Scott Bogatz, Esq.

Nevada Bar No. 3367

8 Charles M. Vlastic, Esq.

Nevada Bar No. 11308

9 300 South 4th Street, Suite 830

Las Vegas, Nevada 89101

10 *Attorneys for Petitioners*

**EXHIBIT A**

**EXHIBIT A**



CLERK OF THE COURT

**CERT**  
**Reid Rubinstein & Bogatz**  
I. SCOTT BOGATZ, ESQ.  
Nevada Bar No. 3367  
CHARLES M. VLASIC, ESQ.  
300 South Fourth Street, Suite 830  
Las Vegas, Nevada 89101  
Las Vegas, Nevada 89169  
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[sbogatz@rrblf.com](mailto:sbogatz@rrblf.com)  
[cvlasic@rrblf.com](mailto:cvlasic@rrblf.com)  
*Attorneys for Defendants/Counterclaimants*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

OMNI FAMILY LIMITED PARTNERSHIP,  
a Nevada domestic limited partnership,

Plaintiff,

vs.

JOHN A. RITTER, an individual; DARRIN D.  
BADGER, an individual; DOES I through X,  
inclusive; and ROE Corporations I through X,  
inclusive,

Defendants.

JOHN A. RITTER, an individual; and DARRIN  
D. BADGER, an individual,

Counterclaimants,

vs.

OMNI FAMILY LIMITED PARTNERSHIP,  
a Nevada domestic limited partnership;  
DOES I-X, inclusive; ROES I-X, inclusive,

Counterdefendants.

Case No.: A-13-680542-C

Dept. No.: XXX

Consolidated With Case No. A-14-695925-C

**CERTIFICATE OF SERVICE**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY, under penalty of perjury, that on or about the 3<sup>rd</sup> day of June,  
2016, I caused to be served a true and correct copy of the WRIT OF MANDAMUS ("Writ"),  
dated the 26<sup>th</sup> day of May, 2016, upon the Honorable Judge Jerry A. Weiss II, via personal

1 service by hand delivering it to the following address<sup>1</sup>:

2  
3 The Honorable Judge Jerry A. Weiss, II.  
4 Department 30  
5 Eighth Judicial District Court  
6 Regional Justice Center  
7 200 Lewis Avenue  
8 Las Vegas, Nevada 89155

9 DATED this 18th day of August, 2016.

10 REID RUBINSTEIN & BOGATZ

11 By: /s/ Charles M. Vlastic, Esq.  
12 I. Scott Bogatz, Esq.  
13 Nevada Bar No. 3367  
14 Charles M. Vlastic, Esq.  
15 Nevada Bar No. 11308  
16 300 South Fourth Street, Suite 830  
17 Las Vegas, Nevada 89101  
18 Las Vegas, Nevada 89169  
19 *Attorneys for*  
20 *Defendants/Counterclaimants*

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22  
23  
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26  
27  
28 <sup>1</sup> See Exhibit A

# EXHIBIT A

# EXHIBIT A



REID  
RUBINSTEIN  
BOGATZ

CHARLES M. VLASIC III  
JUL 11 2014

Honorable Judge Jerry A. Wiese II  
Department 30  
Eighth Judicial District  
Regional Justice Center  
200 Lewis Avenue  
Las Vegas, Nevada 89155

*Via Hand Delivery*

**Re:** *Omni Family Limited Partnership v. John A. Ritter, et al. - Case No. A-13-680542-C |  
Omni Family Limited Partnership v. Southwest Desert Equities, LLC, et al. - Case  
No. A-14-695925-C*

Dear Honorable Judge Wiese:

Enclosed herewith, please find an original copy of a Writ of Mandamus from the  
Supreme Court of Nevada regarding the above-referenced cases.

Thank you,

Charles M. Vlasic III, Esq.

cc: Roger P. Croteau, Esq. - Roger P. Croteau & Associates  
Dan Polsenberg, Esq. - Lewis Roca Rothgerber Christie LLP/Las Vegas

Bank of America Plaza  
300 South 4<sup>th</sup> Street, Suite 830  
Las Vegas, Nevada 89101

Office: 702.776.7000  
info@rrblf.com  
rrblf.com

IN THE SUPREME COURT OF THE STATE OF NEVADA

DARRIN D. BADGER, AN  
INDIVIDUAL,  
Petitioner,

No. 67835

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
JERRY A. WIESE, DISTRICT JUDGE,  
Respondents,

and

OMNI FAMILY LIMITED  
PARTNERSHIP, A NEVADA  
DOMESTIC LIMITED PARTNERSHIP,  
Real Party in Interest.

WRIT OF MANDAMUS

TO: The Honorable Jerry A. Wiese, Judge of the Eighth Judicial  
District Court:

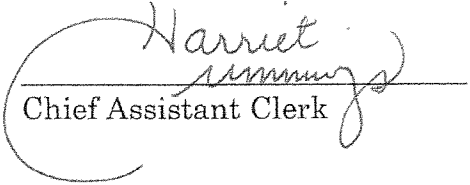
WHEREAS, this Court having made and filed its written decision  
that a writ of mandamus issue,

NOW, THEREFORE, you are instructed to enter an order granting  
the Guarantor's motion to dismiss, in the case entitled Omni Family  
Limited Partnership, a Nevada domestic limited partnership, vs.  
Southwest Desert Equities, LLC, a Nevada limited liability company; John  
A. Ritter, an individual; Darrin D. Badger, an individual; et al, case no. A-  
14-695925-C. You are further instructed to enter an order granting the  
Guarantor's motion for summary judgment, in the case entitled Omni  
Family Limited Partnership, a Nevada domestic limited partnership, vs.



John A. Ritter, an individual; Darrin D. Badger, an individual; et al, case no. A-13-680542-C.

WITNESS The Honorables Chief Justice Ron Parraguirre, Mark Gibbons, Michael L. Douglas, Michael A. Cherry, and Nancy M. Saitta, Associate Justices of the Supreme Court of the State of Nevada, and attested by my hand and seal this 26th day of May, 2016.

  
Chief Assistant Clerk

