

ORIGINAL

1 John P. Aldrich, Esq.  
Nevada Bar No. 6877  
2 **ALDRICH LAW FIRM, LTD.**  
1601 S. Rainbow Blvd., Suite 160  
3 Las Vegas, Nevada 89146  
(702) 853-5490  
4 *Attorneys for Judith Adams*

2015 MAY 15 10:31

Electronically Filed  
May 20 2015 09:48 a.m.  
Tracie K. Lindeman

IN THE FIFTH JUDICIAL DISTRICT COURT  
IN AND FOR NYE COUNTY, STATE OF NEVADA  
Clerk of Supreme Court

8 ESTATE OF MICHAEL DAVID ADAMS, by  
and through his mother JUDITH ADAMS,  
9 individually and on behalf of the Estate,

Case No.: CV24539

10 Plaintiff,  
vs.

Dept. No.: 2

NOTICE OF APPEAL

11 SUSAN FALLINI; DOES I-X; and ROE  
12 CORPORATIONS I-X, inclusive,

13 Defendants.

14 TO: Defendant and her counsel of record, David R. Hague, Esq.

15 Notice is hereby given that Plaintiff Estate of Michael David Adams, by and through his mother  
16 Judith Adams, individually and on behalf of the Estate, appeals to the Supreme Court of Nevada from  
17 the following:

- 18 1. The April 17, 2015 Order Granting Motion for Entry of Final Judgment and Dismissing  
19 Case with Prejudice, which included a denial of Plaintiff's Countermotion to Reconsider  
20 and/or for Rehearing of Order Entered on August 6, 2014, of Alternatively,  
21 Countermotion to Set Aside Order Entered on August 6, 2014, or Alternatively, for Entry  
22 of Final Judgment (Notice of Entry of Order filed on or about April 21, 2015).

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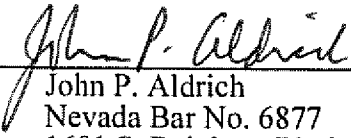
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This appeal is from all issues of law and fact.

Dated this 15<sup>th</sup> day of May, 2015.

**ALDRICH LAW FIRM, LTD.**

By   
John P. Aldrich  
Nevada Bar No. 6877  
1601 S. Rainbow Blvd., Suite 160  
Las Vegas, NV 89146  
(702) 853-5490  
*Attorneys for Plaintiff*

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 15<sup>th</sup> day of May, 2015, I mailed a copy of the Notice of Appeal in a sealed envelope, to the following and that postage was fully paid thereon:

David R. Hague, Esq.  
Fabian & Clendenin  
215 S. State Street, Suite 1200  
Salt Lake City, UT 84111-2323  
*Attorney for Defendant*

  
An employee of Aldrich Law Firm, Ltd.

CROWN

1 John P. Aldrich, Esq.  
Nevada Bar No. 6877  
2 **ALDRICH LAW FIRM, LTD.**  
1601 S. Rainbow Blvd., Suite 160  
3 Las Vegas, Nevada 89146  
(702) 853-5490  
4 Attorneys for Judith Adams

FILED  
2015 MAY 15 10:31  
Tanner Paces  
CLERK

5  
6 **IN THE FIFTH JUDICIAL DISTRICT COURT  
IN AND FOR NYE COUNTY, STATE OF NEVADA**

7  
8 ESTATE OF MICHAEL DAVID ADAMS, by  
and through his mother JUDITH ADAMS,  
9 individually and on behalf of the Estate,  
10 Plaintiff,  
vs.  
11 SUSAN FALLINI; DOES I-X; and ROE  
12 CORPORATIONS I-X, inclusive,  
13 Defendants.

Case No.: CV24539  
Dept. No.: 2

**CASE APPEAL STATEMENT**

14 1. Estate of Michael David Adams, by and through his mother, Judith Adams, individually  
15 and on behalf of the Estate, is the appellant filing this case appeal statement.

16 2. This is an appeal from the order and judgment rendered by the Honorable Robert W.  
17 Lane, District Court Judge.

18 3. The parties to this appeal are: Appellant, Estate of Michael David Adams, by and through  
19 his mother, Judith Adams, individually and on behalf of the Estate. The Appellants are represented by  
20 John P. Aldrich, Esq., of the Aldrich Law Firm, Ltd., 1601 S. Rainbow Blvd., Suite 160, Las Vegas, NV  
21 89146, (702) 853-5490

22 4. The Respondent is Susan Fallini. The Respondent is represented by David R. Hague,  
23 Fabian & Clendenin, P.C., 215 South State Street, Suite 1200, Salt Lake City, Utah 84111-8900 or 601  
24 South 10<sup>th</sup> Street, Suite 204, Las Vegas, Nevada 89101, (702) 930-5806.

25 5. The above-identified counsel are licensed in Nevada.

26 6. The Appellants were represented by counsel in the District Court, and the

27 7. The Appellants are represented by counsel on appeal.  
28

1           8.       Appellants were not granted leave to proceed in forma pauperis.

2           9.       The date the proceeding commenced in the District Court was January 31, 2007; the case  
3 was originally filed in Clark County, but was later transferred to Nye County.

4           10.      This is a personal injury action. In 2007, the District Court granted partial summary  
5 Judgment in Plaintiff/Appellant's favor. Defendant/Respondent repeatedly refused to respond to  
6 discovery, ultimately resulting in the District Court striking Defendant/Respondent's Answer and  
7 Counterclaim as a discovery sanction. After a prove-up hearing, the District Court entered judgment in  
8 Plaintiff/Appellant's favor. Defendant/Respondent appealed, and the judgment was upheld (although the  
9 amount was reduced).

10          Defendant/Respondent later brought a Motion to Set Aside the judgment before the District Court,  
11 alleging Plaintiff's counsel committed fraud on the Court. On or about August 6, 2014, the Court granted  
12 the motion and set aside the judgment. Plaintiff/Appellant filed a writ petition, which was ultimately  
13 denied.

14          Defendant/Respondent brought a Motion for Entry of Final Judgment before the District Court.  
15 Plaintiff/Appellant filed a Countermotion to Reconsider and/or for Rehearing of Order Entered on August  
16 6, 2014, or Alternatively, Countermotion to Set Aside Order Entered on August 6, 2014, or Alternatively,  
17 for Entry of Final Judgment. On April 17, 2015, the court filed an Order Granting Motion for Entry of  
18 Final Judgment and Dismissing Case with Prejudice, which included a denial of Plaintiff's  
19 Countermotion to Reconsider and/or for Rehearing of Order Entered on August 6, 2014, of Alternatively,  
20 Countermotion to Set Aside Order Entered on August 6, 2014, or Alternatively, for Entry of Final  
21 Judgment. Notice of Entry of Order was filed on or about April 21, 2015. Plaintiff/Appellant appeals  
22 from that Order.

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1 11. This action has twice been before the Nevada Supreme Court:

2 Direct Appeal:

3  
4 **IN THE SUPREME COURT OF THE STATE OF NEVADA**  
5 **OFFICE OF THE CLERK**

6 \* \* \* \* \*

8 SUSAN FALLINI

9 Appellant,

Supreme Court No.: 56840

District Court Case No.: CV0024539

10 v.

11  
12 ESTATE OF MICHAEL DAVID ADAMS, BY  
13 AND THROUGH HIS MOTHER JUDITH  
ADAMS, INDIVIDUALLY AND ON  
BEHALF OF THE ESTATE,

14 Respondent.

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1 Petition for Judicial Review:

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3 IN THE  
4 SUPREME COURT OF THE STATE OF NEVADA

5 ESTATE OF MICHAEL DAVID  
6 ADAMS, BY AND THROUGH HIS  
7 MOTHER JUDITH ADAMS,  
8 INDIVIDUALLY AND ON BEHALF  
9 OF THE ESTATE,

10 Petitioner,

11 v.

12 FIFTH JUDICIAL DISTRICT COURT,  
13 NYE COUNTY, NEVADA,

14 Respondent,

15 and

16 SUSAN FALLINI,

17 Real Party in Interest.

Supreme Court No.: 66521

District Court Case No.: CV24539

18 12. The case does not involve child custody or visitation.

19 13. Appellants do not believe settlement is possible.

20 DATED this 15<sup>th</sup> day of May, 2015.

21 Respectfully submitted,

22 ALDRICH LAW FIRM, LTD.

23 By: 

24 John P. Aldrich, Esq.  
25 Nevada Bar No. 6877  
26 1601 S. Rainbow Blvd., Suite 160  
27 Las Vegas, NV 89146  
28 (702) 853-5490  
(702) 227-1975  
*Attorneys for Plaintiff*

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 15<sup>th</sup> day of May, 2015, I mailed a copy of the Case Appeal Statement in a sealed envelope, to the following and that postage was fully paid thereon:

David R. Hague, Esq.  
Fabian & Clendenin  
215 S. State Street, Suite 1200  
Salt Lake City, UT 84111-2323  
*Attorney for Defendant*

  
An employee of Aldrich Law Firm, Ltd.



Case #: CV-0024539

Judge: ROBERT W. LANE

Date Filed: 01/31/07 Department: 02

Case Type: NEGOTH TORT/OTHER NEGLIGENCE

Title/Caption: ESTATE OF MICHAEL DAVID ADAMS, by and through his mother JUDITH ADAMS, individually and on behalf of the ESTATE VS. SUSAN FALLINI, DOES I-X and ROE CORPORATIONS I-X, inclusive

Comments: FILE IN PAHRUMP

Defendant(s) FALLINI, SUSAN	Attorney(s) No "Attorney 1" Listed
Plaintiff(s) ESTATE OF MICHAEL DAVID ADAMS	Attorney(s) JOHN P. ALDRICH
Plaintiff(s) ADAMS, JUDITH	Attorney(s) JOHN P. ALDRICH

Disp/Judgment: SMJD Date: 08/15/14

Filings:

Date	Pty	Filing	Fees
1/31/07	P	COMPLAINT	156.00
1/31/07	P	INITIAL APPEARANCE FEE DISCLOSURE STATEMENT	
1/31/07	C	SUMMONS (ISSUED)	
3/14/07	D	DEFENDANT SUSAN FALLINI'S OBJECTION TO PAHRUMP AS FORUM AND	79.00
3/14/07	D	MOTION TO HAVE MATTER HEARD IN TONOPAH	79.00
3/14/07	D	SUSAN FALLINI'S ANSWER AND COUNTERCLAIM	
3/26/07	P	PLAINTIFFS' OPPOSITION TO DEFENDANT SUSAN FALLINI'S	
3/26/07	P	OBJECTION TO PAHRUMP AS FORUM AND MOTION TO HAVE MATTER	
3/26/07	P	HEARD IN TONOPAH	
3/30/07	P	REPLY TO COUNTERCLAIM	
4/30/07	C	ORDER DENYING DEFENDANT'S MOTION TO HAVE MATTER HEARD IN	
4/30/07	C	TONOPAH	
5/02/07	P	NOTICE OF REPRESENTATION BY ATTORNEY (COUNTERDEFENDANTS)	
6/14/07	P	NOTICE OF EARLY CASE CONFERENCE	
10/23/07	P	PLAINTIFF'S & COUNTERDEFENDANT'S CASE CONFERENCE REPORT	
3/26/08	P	NOTICE OF CHANGE OF FIRM NAME	
4/07/08	P	MOTION FOR PARTIAL SUMMARY JUDGMENT	
5/16/08	P	MOTION FOR PARTIAL SUMMARY JUDGMENT	
5/30/08	D	COUNTERDEFENDANT, ESTATE OF MICHAEL DAVID ADAMA, BY AND	
	D	THROUGH HIS MOTHER, JUDITH ADAMS, INDIVIDUALLY AND ON	
	D	BEHALF OF THE ESTATE, JOINDER TO PLAINTIFF'S MOTION FOR	
	D	PARTIAL SUMMARY JUDGMENT	
7/30/08	C	ORDER GRANTING PLAINTIFFS' MOTION FOR PARTIAL SUMMARY	
	C	JUDGMENT	
8/15/08	P	NOTICE OF ENTRY OF ORDER	
9/22/08	P	MOTION TO REOPEN DISCOVERY & FOR EXTENSION OF TIME TO	
	P	COMPLETE DISCOVERY (FIRST REQUEST)	

10/23/08 C ORDER GRANTING MOTION FOR SUMMARY JUDGMENT IN FAVOR OF  
C COUNTERDEFENDANT, ESTATE OF MICHAEL DAVID ADAMS  
10/27/08 P COUNTERDEFENDANT, ESTATE OF MICHAEL DAVID ADAMS, BY AND  
P THROUGH HIS MOTHER, JUDITH ADAMS, INDIVIDUALLY & ON  
P BEHALF OF THE ESTATE, NOTICE OF NON-OPPOSITION TO  
P PLAINTIFF'S MOTION TO REOPEN DISCOVERY  
11/13/08 P NOTICE OF ENTRY OF ORDER  
12/10/08 P SUBSTITUTION OF ATTORNEYS  
2/17/09 C ORDER GRANTING PLAINTIFFS' MOTION TO REOPEN DISCOVERY & FOR  
C AN EXTENSION OF TIME TO COMPLETE DISCOVERY  
2/20/09 P NOTICE OF ENTRY OF ORDER  
3/03/09 P LIEN FOR ATTORNEY'S FEES  
3/09/09 P NOTICE OF CHANGE OF ADDRESS  
3/23/09 P PLAINTIFF'S MOTION TO COMPEL DEFENDANT'S PRODUCTION OF  
P DOCUMENTS  
3/25/09 P NOTICE OF MOTION TO COMPEL DEFENDANT'S PRODUCTION OG  
P DOCUMENTS  
4/06/09 P CERTIFICATE OF MAILING  
4/27/09 C ORDER GRANTING PLAINTIFF'S MOTION TO COMPEL DEFENDANT'S  
C PRODUCTION OF DOCUMENTS  
5/05/09 P DEMAND FOR JURY TRIAL 360.00  
5/18/09 P NOTICE OF ENTRY OF ORDER  
5/18/09 P REQUEST FOR TRIAL SETTING  
5/20/09 C ORDER TO SET TRIAL  
6/16/09 P INFORMATION QUESTIONNAIRE  
6/16/09 D INFORMATION QUESTIONNAIRE  
6/16/09 P PLAINTIFF'S MOTION TO STRIKE DEFENDANT'S ANSWER AND  
P COUNTERCLAIM  
6/22/09 D INFORMATION QUESTIONNAIRE  
6/24/09 C ORDER SETTING JURY TRIAL  
7/13/09 D OPPOSITION TO PLAINTIFF'S MOTION TO STRIKE DEFENDANT'S  
D ANSWER AND COUNTERCLAIM  
7/17/09 C ORDER DENYING PLAINTIFF'S MOTION TO STRIKE DEFENDANT'S  
ANSWER AND COUNTERCLAIM  
8/26/09 P NOTICE OF ENTRY OF ORDER  
8/31/09 P PLAINTIFF'S EX PARTE MOTION FOR ORDER TO SHOW CAUSE WHY  
DEFENDANT SUSAN FALLINI AND HER COUNSEL SHOULD NOT BE HELD  
IN CONTEMPT OF COURT  
9/10/09 P RECEIPT OF COPY OF ORDER TO SHOW CAUSE WHY DEFENDANT SUSAN  
FALLINI & HER COUNSEL SHOULD NOT BE HELD IN CONTEMPT OF  
COURT  
9/10/09 P RECEIPT OF COPY OF PLAINTIFF'S EX PARTE MOTION FOR ORDER  
TO SHOW CAUSE WHY DEFENDANT SUSAN FALLINI & HER COUNSEL  
SHOULD NOT BE HELD IN CONTEMPT OF COURT  
10/08/09 C ORDER REGARDING ORDER TO SHOW CAUSE WHY DEFENDANT SUSAN  
FALLINI AND HER COUNSEL SHOULD NOT BE HELD IN CONTEMPT OF  
COURT  
10/14/09 P NOTICE OF ENTRY OF ORDER  
11/04/09 C FINDINGS OF FACT, CONCLUSIONS OF LAW & ORDER STRIKING ANSWER  
& COUNTERCLAIM OF DEFENDANT SUSAN FALLINI & HOLDING  
DEFENDANT'S COUNSEL IN CONTEMPT OF COURT  
11/09/09 P NOTICE OF ENTRY OF ORDER  
2/04/10 C DEFAULT (PER ORDER FILED 11/4/09)  
2/11/10 P NOTICE OF ENTRY OF DEFAULT  
4/07/10 P PLAINTIFF'S EX PARTE MOTION FOR ORDER TO SHOW CAUSE WHY  
DEFENDANT SUSAN FALLINI AND HER COUNSEL SHOULD NOT BE HELD  
IN CONTEMPT OF COURT AND POSSIBLE SANCTIONS BE IMPOSED

4/19/10 C ORDER TO SHOW CAUSE WHY DEFENDANT SUSAN FALLINI AND HER  
COUNSEL SHOULD NOT BE HELD IN CONTEMPT OF COURT AND  
POSSIBLE SANCTIONS BE IMPOSED

4/26/10 P NOTICE OF ENTRY OF ORDER

6/02/10 P FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER HOLDING  
DEFENDANT'S COUNSEL IN CONTEMPT OF COURT

6/04/10 P NOTICE OF ENTRY OF ORDER

6/17/10 D SUBSTITUTION OF ATTORNEYS

6/24/10 P OPPOSITION TO APPLICATION FOR DEFAULT JUDGEMENT AGAINST  
DEFENDANT SUSAN FALLINI

6/24/10 P APPLICATION FOR DEFAULT JUDGMENT AGAINST DEFENDANT SUSAN  
FALLINI

6/24/10 P MEMORANDUM OF COSTS AND DISBURSEMENTS

6/30/10 P AMENDED CERTIFICATE OF SERVICE

7/06/10 D MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION

7/21/10 P REPLY TO FALLINI'S OPPOSITION TO APPLICATION FOR DEFAULT  
JUDGMENT AGAINST DEFENDANT SUSAN FALLINI

7/21/10 P OPPOSITION TO FALLINI'S MOTION FOR LEAVE TO FILE MOTION FOR  
RECONSIDERATION

7/21/10 P SUPPLEMENT TO APPLICATION FOR DEFAULT JUDGMENT AGAINST  
DEFENDANT SUSAN FALLINI

8/12/10 C ORDER AFTER HEARING

8/16/10 D NOTICE OF CHANGE OF FIRM AND CONTACT INFORMATION

8/18/10 P NOTICE OF ENTRY OF ORDER

9/08/10 P DECLARATION OF JOHN P. ALDRICH IN SUPPORT OF EX PARTE MOTION  
ORDER ALLOWING EXAMINATION OF JUDGMENT DEBTOR

9/09/10 P PLAINTIFFS' EX PARTE MOTION FOR ORDER ALLOWING EXAMINATION  
OF JUDGMENT DEBTOR

9/10/10 D NOTICE OF APPEAL

9/10/10 D CASE APPEAL STATEMENT

9/14/10 P CERTIFICATE OF SERVICE

9/22/10 R RECEIPT FOR DOCUMENTS

4/01/13 S ORDER AFFIRMING IN PART, REVERSING IN PART AND REMANDING

4/05/13 S ORDER DENYING REHEARING

7/22/13 S ORDER DENYING EN BANC RECONSIDERATION

8/14/13 S ORDER DENYING REHEARING

8/14/13 S ORDER DENYING EN BANC RECONSIDERATION

8/14/13 S REMITTITUR/RECEIPT FOR REMITTITUR

8/14/13 S CLERK'S CERTIFICATE

8/14/13 S ORDER AFFIRMING IN PART, REVERSING IN PART AND REMANDING

8/20/13 D MOTION TO DISQUALIFY JUDGE ROBERT W LANE FROM ANY FURTHER  
PROCEEDINGS IN THIS CASE AND TO TRANSFER THIS CASE FOR  
FURTHER CONSIDERATION TO HON KIMBERLY A WANKER

9/04/13 P OPPOSITION TO MOTION TO DISQUALIFY JUDGE ROBERT W. LANE FROM  
ANY FURTHER PROCEEDINGS IN THIS CASE AND TO TRANSFER THIS  
CASE FOR FURTHER CONSIDERATION TO HON. KIMBERLY A. WANKER

9/05/13 C COURT ORDER (DENIED MOTION TO DISQUALIFY)

9/13/13 D REPLY IN SUPPORT OF MOTION TO DISQUALIFY JUDGE ROBERT W.  
LANE FROM ANY FURTHER PROCEEDINGS IN THIS CASE AND TO  
TRANSFER THIS CASE FOR FURTHER CONSIDERATION TO HON.  
KIMBERLY A. WANKER

9/13/13 D REQUEST FOR SUBMISSION

9/23/13 C SUPPLEMENTAL COURT ORDER

9/25/13 P MOTION TO ENTER FINAL JUDGMENT FOLLOWING REMITTITUR

10/02/13 D OPPOSITION TO MOTION FOR ENTRY OF ORDER

10/03/13 C PLAINTIFF'S EX PARTE MOTION FOR ORDER ALLOWING EXAMINATION  
OF JUDGMENT DEBTOR

10/08/13	C	EX PARTE MOTION FOR ORDER SHORTENING TIME ON MOTION TO ENTER FINAL JUDGMENT FOLLOWING REMITTITUR	
10/09/13	P	REPLY TO OPPOSITION TO MOTION TO ENTER FINAL JUDGMENT FOLLOWING REMITTITUR	
10/15/13	D	EX PARTE MOTION FOR ORDER RESCINDING ORDER FOR JUDGMENT DEBTOR EXAM	
11/01/13	D	EX PARTE MOTION FOR CONTINUANCE OF JUDGMENT DEBTOR EXAM	
11/08/13	C	STIPULATED ORDER TO MOVE DATE FOR EXAMINATION OF JUDGMENT DEBTOR	
11/15/13	C	STIPULATED ORDER TO MOVE HEARING DATE TO ENTER JUDGMENT FOLLOWING REMITTITUR	
1/06/14	P	NOTICE OF ENTRY OF ORDER	
1/31/14	S	ORDER GRANTING MOTION TO RECALL REMITTITUR AND TO MODIFY MARCH 29, 2013, ORDER FOR ALLOWANCE OF INTEREST	
1/31/14	S	REMITTITUR/ RECEIPT FOR REMITTITUR	
1/13/14	S	CLERK'S CERTIFICATE/ JUDGEMENT "AFFIRMED IN PART AND REVERSED IN PART AND REMAND"	
3/12/14	S	ORDER AFFIRMING IN PART, REVERSING IN PART AND REMANDING	
3/27/14	D	JURY DEMAND	360.00
4/01/14	D	DEFENDANT'S OBJECTION TO PROPOSED JUDGMENT	
4/02/14	C	COURT ORDER	
4/10/14	C	COURT ORDER	
4/28/14	P	REPLY TO DEFENDANT'S OBJECTION TO PROPOSED JUDGMENT	
5/07/14	C	COURT ORDERED JUDGMENT AT DIRECTION OF NV SUPREME COURT	
5/14/14	P	NOTICE OF ENTRY OF JUDGMENT	
5/21/14	P	CERTIFICATE OF SERVICE	
6/09/14	P	MOTION FOR RELIEF FROM JUDGMENT PURSUANT TO NRCP 60(B)	
6/09/14	P	COUNTERMOTION TO STRIKE DEFENDANT'S MOTION FOR RELIEF FROM JUDGMENT PURSUANT TO NRCP 60(B) OR IN THE ALTERNATIVE, OPPOSITION TO MOTION FOR RELIEF FROM JUDGMENT UNDER NRCP 60(B)	
6/09/14	C	PLAINTIFF'S EX PARTE MOTION FOR ORDER ALLOWING EXAMINATION OF JUDGMENT DEBTOR	
6/12/14	D	NOTICE OF MOTION FOR RELIEF FROM JUDGMENT PURSUANT TO NRCP 60(B) AND NOTICE OF HEARING	
6/13/14	C	WRIT OF EXECUTION (ISSUED)	10.00
6/16/14	P	AMENDED ORDER ALLOWING EXAMINATION OF JUDGMENT DEBTOR *****END OF FILE #2*****	
6/17/14	D	SUSAN FALLINI'S REPLY MEMORANDUM IN SUPPORT OF HER RULE 60(B) MOTION TO SET ASIDE JUDGMENT AND OPPOSITION TO PLAINTIFF'S COUNTERMOTION TO STRIKE	
6/19/14	D	CERTIFICATE OF SERVICE	
6/09/14	P	COUTERMONTION TO STRIKE DEFENDANT'S MOTION FOR RELIEF FROM JUDGMENT PURSUANT TO NRCP 60(B) OR IN THE ALTERNATIVE, OPPOSITION TO MOTION FOR RELIEF FROM JUDGMENT UNDER NRCP 60(B)	
6/24/14	C	MOTION TO QUASH SUBPOENA DUCES TECUM FOR BUSINESS RECORDS	
6/27/14	C	WRIT OF EXECUTION (ISSUED - MORGAN STANELY BARNEY)	10.00
6/27/14	C	WRIT OF EXECUTION (ISSUED - 1ST GLOBAL CAPITAL CORPORATION)	10.00
6/27/14	C	WRIT OF EXECUTION (ISSUED - NEVADA STATE BANK)	10.00
6/27/14	C	WRIT OF EXECUTION (ISSUED - MUTUAL OF OMAHA BANK)	10.00
6/27/14	C	WRIT OF EXECUTION (ISSUED - CHASE BANK)	10.00
6/27/14	C	WRIT OF EXECUTION (ISSUED - WELLS FARGO BANK)	10.00
6/27/14	C	WRIT OF EXECUTION (ISSUED - U.S. BANK)	10.00
6/27/14	C	WRIT OF EXECUTION (ISSUED - BANK OF AMERICA)	10.00
6/27/14	C	SECOND AMENDED ORDER ALLOWING EXAMINATION OF JUDGMENT DEBTOR	

7/09/14 C THIRD AMENDED ORDER ALLOWING EXAMINATION OF JUDGMENT DEBTOR  
7/11/14 P OPPOSITION TO MOTION TO QUASH SUBPOENA DUCES TECUM FOR  
BUSINESS RECORDS FILED BY "AFFECTED NON-PARTIES"  
7/14/14 REPLY MEMMORANDUM IN SUPPORT OF THE MOTION TO QUASH  
SUBPOENA DUCES TECUM FOR BUSINESS RECORDS  
7/14/14 C FOURTH AMENDED ORDER ALLOWING EXAMINATION OF JUDGMENT DEBTOR  
7/25/14 D NOTICE OF APPEARANCE OF COUNSEL (FABIAN & CLENDENIN)  
8/06/14 C ORDER DENYING MOTION TO QUASH SUBPOENA DUCES TECUM FOR  
BUSINESS RECORDS  
8/06/14 C COURT ORDER  
8/15/14 D NOTICE OF ENTRY OF ORDER  
10/13/14 S ORDER TO SHOW CAUSE  
1/21/15 S ORDER DENYING PETITION FOR EXTRAORDINARY WRIT RELIEF  
2/03/15 D MOTION FOR ENTRY OF FINAL JUDGMENT  
\*\*\*\*\*END OF FILE #3\*\*\*\*\*  
2/09/15 P PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION FOR ENTRY OF  
FINAL JUDGMENT AND COUNTERMOTION TO RECONSIDER AND/OR FOR  
REHEARING OF ORDER ENTERED ON AUGUST 6, 2014, OR  
ALTERNATIVELY, COUNTERMOTION TO SET ASIDE ORDER ENTERED ON  
AUGUST 6, 2014, OR ALTERNATIVELY, FOR ENTRY OF FINAL  
JUDGMENT  
2/17/15 S NOTICE IN LIEU OF REMITTITUR  
2/20/15 D DEFENDANT'S REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S  
MOTION FOR ENTRY OF FINAL JUDGMENT AND COUNTERMOTION TO  
RECONSIDER AND/OR FOR REHEARING OF ORDER ENTERED ON AUGUST  
6, 2014 OR ALTERNATIVELY, COUNTERMOTION TO SET ASIDE ORDER  
ENTERED ON AUGUST 6, 2014, OR ALTERNATIVELY, FOR ENTRY OF  
FINAL JUDGMENT  
2/23/15 P AMENDED CERTIFICATE OF SERVICE  
3/06/15 P NOTICE OF MOTION  
3/12/15 P CERTIFICATE OF SERVICE  
4/17/15 C ORDER GRANTING MOTION FOR ENTRY OF FINAL JUDGMENT AND  
DISMISSING CASE WITH PREJUDICE  
4/22/15 D NOTICE OF ENTRY OF ORDER  
5/11/15 D NOTICE OF CHANGE OF ADDRESS (JOHN OHLSON, ESQ.)  
5/11/15 D MOTION FOR ATTORNEY'S FEES AND COSTS  
5/11/15 D MOTION FOR ATTORNEY'S FEES PURSUANT TO RULE 11 OF THE NEVADA  
RULES OF CIVIL PROCEDURE  
5/15/15 P NOTICE OF APPEAL  
5/15/15 P CASE APPEAL STATEMENT  
5/18/15 P NOTICE OF WITHDRAWAL OF ATTORNEY OF RECORD (OHLSON OUT)

24.00

Events:

Date	Time	Code	Event
8/23/10			CHNG DISP CODE WAS CHANGED FROM 'SMJD' TO 'SMJD'.
11/06/13			CHNG DISPOSITIONED CASE WAS REOPENED.
11/06/13			CHNG DISP CODE WAS CHANGED FROM 'SMJD' TO ''.

APR 17 2015

NYE COUNTY DEPUTY CLERK  
DEPUTY

1 David R. Hague #12389  
2 Ashton J. Hyde #12407  
3 dhague@fabianlaw.com  
4 ahyde@fabianlaw.com  
5 FABIAN & CLENDENIN, P.C.  
6 215 South State Street, Suite 1200  
7 Salt Lake City, UT 84111-2323  
8 Telephone: (801) 531-8900

9 601 S Tenth Street  
10 Las Vegas, Nevada 89101  
11 Phone: 702-233-4444  
12 Fax: 702-998-1503.

13 **THE FIFTH JUDICIAL DISTRICT COURT**

14 **THE STATE OF NEVADA, COUNTY OF NYE**

15 Estate of MICHAEL DAVID ADAMS, by  
16 and through his mother JUDITH ADAMS,  
17 individually and on behalf of the estate,

18 Plaintiff,

19 vs.

20 SUSAN FALLINI, DOES I-X and ROE  
21 CORPORATIONS I-X, inclusive,

22 Defendants.

23 CASE NO.: CV24539  
24 Dept. No.: 2P

25 **ORDER GRANTING MOTION FOR  
26 ENTRY OF FINAL JUDGMENT AND  
27 DISMISSING CASE WITH PREJUDICE**

28 On February 3, 2015, Defendant filed a Motion for Entry of Final Judgment (“**Defendant’s Motion**”). In response, Plaintiff filed Plaintiff’s Opposition to Defendant’s Motion for Entry of Final Judgment and Countermotion to Reconsider and/or For Rehearing of Order Entered On August 6, 2014, or Alternatively, Countermotion to Set Aside Order Entered on August 6, 2014, or Alternatively, for Entry of Final Judgment (collectively, “**Plaintiff’s Motions**”). On February 20, 2015, Defendant filed a Reply to Plaintiff’s Motions.


On April 13, 2015, this matter came before the Court. David Hague, of the law firm Fabian Clendenin, appeared on behalf of Defendant, and John Aldrich, of Aldrich Law Firm, appeared on behalf of Plaintiff. The Court having considered the motions and the record, having heard oral

1 argument thereon, and having made findings and conclusions on the record, hereby issues the  
2 following Order:

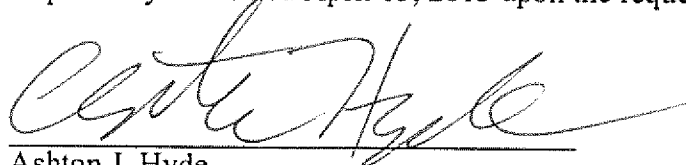
3 **IT IS HEREBY ORDERED** that Plaintiff's Motions are **DENIED**, it is

4 **FURTHER ORDERED** that Defendant's Motion is **GRANTED** and the above-captioned  
5 case is dismissed with prejudice.

6  
7 DATED this 17<sup>th</sup> day of April, 2015.

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11 \_\_\_\_\_  
12 District Court Judge

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21  
22 Respectfully submitted April 15, 2015 upon the request of the Court by:

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24 \_\_\_\_\_

25 Ashton J. Hyde  
26 FABIAN CLENDENIN,  
27 A Professional Corporation  
28 215 South State Street, Suite 1200  
Salt Lake City, UT 84111-2323  
*Attorneys for Defendant*

1 David R. Hague #12389  
2 Ashton J. Hyde #12407  
3 [dhague@fabianlaw.com](mailto:dhague@fabianlaw.com)  
4 [ahyde@fabianlaw.com](mailto:ahyde@fabianlaw.com)  
5 FABIAN & CLENDENIN, P.C.  
6 215 South State Street, Suite 1200  
7 Salt Lake City, UT 84111-2323  
8 Telephone: (801) 531-8900

601 South 10th Street, Suite 204  
Las Vegas, NV 89101  
Telephone: (702) 930-5806

2015 07 22 10:56 AM  
*anner Adams*

9 **THE FIFTH JUDICIAL DISTRICT COURT**  
10 **THE STATE OF NEVADA, COUNTY OF NYE**

<p>11 Estate of MICHAEL DAVID ADAMS, By 12 and through his mother JUDITH ADAMS, 13 Individually and on behalf of the Estate,  14 Plaintiff,  15 vs.  16 SUSAN FALLINI, DOES I-X and ROE 17 CORPORATIONS I-X, inclusive,  18 Defendants.</p>	<p>11 <b>NOTICE OF ENTRY OF ORDER</b>  12 13 14 Case No.: CV 24539  15 Dept. No.: 2P  16 17 18</p>
---	--

19  
20 PLEASE TAKE NOTICE that the above-entitled Court entered an Order Granting  
21 Motion for Entry of Final Judgment and Dismissing Case with Prejudice in this matter on April  
22 17, 2015. A true and correct copy of the Order is attached hereto as Exhibit 1.

23 ////  
24 ////  
25 ////  
26 ////  
27 ////



**AFFIRMATION**  
**Pursuant to NRS 239B.030**

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED this 21<sup>st</sup> day of April, 2015.



Ashton J. Hyde  
FABIAN & CLENDENIN,  
A Professional Corporation  
*Attorneys for Defendant*

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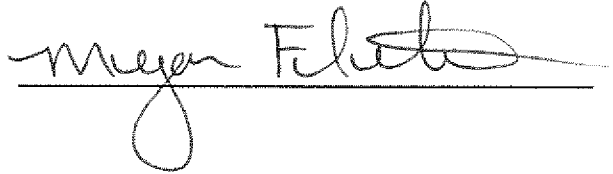
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**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I hereby certify that I am an employee of FABIAN & CLENDENIN, and that on this date, I served a true and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER** via U.S. Mail, postage prepaid, and addressed to the following:

John P. Aldrich, Esq.  
Aldrich Law Firm, Ltd.  
1601 S. Rainbow Blvd., Suite 160  
Las Vegas, NV 89146

Dated this 21<sup>st</sup> day of April, 2015

  
\_\_\_\_\_

**EXHIBIT 1**

**EXHIBIT 1**

1 David R. Hague #12389  
Ashton J. Hyde #12407  
2 dhague@fabianlaw.com  
ahyde@fabianlaw.com  
3 FABIAN & CLENDENIN, P.C.  
215 South State Street, Suite 1200  
4 Salt Lake City, UT 84111-2323  
Telephone: (801) 531-8900

5 601 S Tenth Street  
6 Las Vegas, Nevada 89101  
7 Phone: 702-233-4444  
Fax: 702-998-1503.

FILED  
FIFTH JUDICIAL DISTRICT COURT

APR 17 2015

NYE COUNTY DEPUTY CLERK  
DEPUTY

Veronica Aguilar

8 THE FIFTH JUDICIAL DISTRICT COURT

9 THE STATE OF NEVADA, COUNTY OF NYE

10 Estate of MICHAEL DAVID ADAMS, by  
11 and through his mother JUDITH ADAMS,  
12 individually and on behalf of the estate,

13 Plaintiff,

14 vs.

15 SUSAN FALLINI, DOES I-X and ROE  
CORPORATIONS I-X, inclusive,

16 Defendants.

CASE NO.: CV24539  
Dept. No.: 2P

**ORDER GRANTING MOTION FOR  
ENTRY OF FINAL JUDGMENT AND  
DISMISSING CASE WITH PREJUDICE**

17  
18 On February 3, 2015, Defendant filed a Motion for Entry of Final Judgment ("**Defendant's**  
19 **Motion**"). In response, Plaintiff filed Plaintiff's Opposition to Defendant's Motion for Entry of  
20 Final Judgment and Countermotion to Reconsider and/or For Rehearing of Order Entered On  
21 August 6, 2014, or Alternatively, Countermotion to Set Aside Order Entered on August 6, 2014,  
22 or Alternatively, for Entry of Final Judgment (collectively, "**Plaintiff's Motions**"). On February  
23 20, 2015, Defendant filed a Reply to Plaintiff's Motions.  
24

25 On April 13, 2015, this matter came before the Court. David Hague, of the law firm Fabian  
26 Clendenin, appeared on behalf of Defendant, and John Aldrich, of Aldrich Law Firm, appeared on  
27 behalf of Plaintiff. The Court having considered the motions and the record, having heard oral  
28

1 argument thereon, and having made findings and conclusions on the record, hereby issues the  
2 following Order:

3 **IT IS HEREBY ORDERED** that Plaintiff's Motions are **DENIED**, it is  
4 **FURTHER ORDERED** that Defendant's Motion is **GRANTED** and the above-captioned  
5 case is dismissed with prejudice.

6  
7 DATED this 17<sup>th</sup> day of April, 2015.

8  
9 **ROBERT W. LANE**

10 \_\_\_\_\_  
11 District Court Judge

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22 Respectfully submitted April 15, 2015 upon the request of the Court by:

23 

24  
25 Ashton J. Hyde  
26 FABIAN CLENDENIN,  
27 A Professional Corporation  
28 215 South State Street, Suite 1200  
Salt Lake City, UT 84111-2323  
*Attorneys for Defendant*

Case #: CV-0024539

Judge: ROBERT W. LANE

Date Filed: 01/31/07 Department: 02

Case Type: NEGOTH TORT/OTHER NEGLIGENCE

Title/Caption: ESTATE OF MICHAEL DAVID ADAMS, by and through his mother JUDITH ADAMS, individually and on behalf of the ESTATE VS. SUSAN FALLINI, DOES I-X and ROE CORPORATIONS I-X, inclusive

Comments: FILE IN PAHRUMP

Defendant(s) FALLINI, SUSAN	Attorney(s) No "Attorney 1" Listed
Plaintiff(s) ESTATE OF MICHAEL DAVID ADAMS	Attorney(s) JOHN P. ALDRICH
Plaintiff(s) ADAMS, JUDITH	Attorney(s) JOHN P. ALDRICH

Disp/Judgment: SMJD Date: 08/15/14

Hearings:

Date	Time	Hearing	Reference
4/30/07	9:00	OBJECTION TO PAHRUMP AS FORUM AND MOTION... JUDGE: ROBERT W. LANE CLERK: SHEILA WINN CLERK: RACHEL ALDANA BAILIFF: GERALD (BEAR) SMITH APP: HARRY KUEHN ON BEHALF OF THE DEFENDANTS KUEHN STATES THAT THIS MATTER WAS INITIALLY F IN CLARK COUNTY AND THEN WAS MOVED HERE. MR. ARGUES THAT THE DEFENSE HAS THE RIGHT TO LITI IN THE COUNTY SEAT.THE COURT CLARIFIES MR. KU ARGUMENT. JOHN ALDRICH IS PRESENT FOR JUDITH AND HE STATES THAT PAHRUMP IS A NICE MIDDLE G FOR EVERYBODY. THE RELEVANT PARTIES LIVE IN T SEPARATE AREAS, ONE IN SOUTHERN CALIFORNIA AN IN TONOPAH. IT SEEMS TO HIM THAT AS LONG AS I THE CORRECT FORUM, IT SHOULD BE ALLOWED TO PR HERE IN PAHRUMP. THE COURT NEEDS CLARIFICATIO THE RULE THAT THE DEFENDANT HAS A RIGHT TO CH VENUE AND WILL REVIEW THAT RULE FURTHER. MR. OFFERS FURTHER ARGUMENT. THE COURT WILL ISSUE RULING WITHIN A FEW DAYS.	. MR. ILED KUEHN GATE EHN'S ADAMS ROUND WO D ONE T IS OCEED N OF ANGE KUEHN A
7/14/08	9:00	MOTION FOR PARTIAL SUMMARY JUDGMENT JUDGE: ROBERT W. LANE CLERK: RACHEL ALDANA BAILIFF: GERALD (BEAR) SMITH APP: JOHN ALDRICH IS PRESENT FOR THE PLAINTIF MR. ALDRICH BRIEFS THE COURT THAT THERE HAS B	5/19 ELEANOR  F. EEN

NO RESPONSE FROM THE DEFENDANT, AND CLARIFIES THAT THE DEFENDANT RECEIVED NOTICE. COURT GRANTS THE MOTION AND NOTES THAT THERE IS NO ORDER AND WILL SIGN ORDER UPON SUBMITTING.

11/10/08 1:15 MOTION TO REOPEN DISCOVERY & FOR AN EXTENSION . . . .  
JUDGE: ROBERT W. LANE  
CLERK: RACHEL ALDANA  
BAILIFF: GERALD (BEAR) SMITH  
APP: JOHN ALDRICH IS PRESENT FOR THE PLAINTIFF F.  
MR. ALDRICH OUTLINES THAT SINCE HE CHANGED FIRMS  
HE WAS UNCLEAR OF THE DISCOVERY DATE AND OFFERS  
EXPLANATION IN REGARDS TO EXTENSION. MR. ALDRICH  
NOTES NO OPPOSITION AND REVIEWS CASE HISTORY.  
COURT GRANTS WITH NO OPPOSITION AND WILL SIGN  
THE ORDER WHEN SUBMITTED.

4/27/09 9:00 MOTION TO COMPEL DEFENDANT'S PRODUCTION OF DOCUMENTS CS...  
JUDGE: ROBERT W. LANE  
CLERK: RACHEL ALDANA  
BAILIFF: STEPHEN (JAMIE) DAVIS  
APP: CATHERINE HERNANDEZ IS PRESENT FOR THE PLAINTIFF;  
HARRY KUEHN IS PRESENT FOR THE DEFENDANTS. MS.  
HERNANDEZ BRIEFS HER MOTION AND REVIEWS THAT THEY  
REQUESTED THIS INFORMATION A YEAR AGO. MR. KUEHN  
STATES NO OPPOSITION AND OUTLINES THAT HIS OFFICE  
DROPPED THE BALL AND NOTES THAT OPPOSING PARTY IS  
REQUESTING ATTORNEY FEES. COURT GRANTS THE MOTION  
AND \$750 IN ATTORNEY FEES. MS. HERNANDEZ SUBMITS  
ORDER TO THE COURT. COURT SIGNS THE ORDER.

6/22/09 4:30 CALENDAR CALL  
7/13/09 1:15 PLAINTIFF'S MOTION TO STRIKE DEFENDANT'S ANSWER..  
JUDGE: ROBERT LANE  
CLERK: MICHELLE THORN  
BAILIFF: JAMIE DAVIS  
APP: JOHN ALDRICH PRESENT FOR THE PLAINTIFF. HARRY KUEHN PRESENT FOR THE  
DEFENDANT. MR. ALDRICH ARGUES HIS MOTION TO STRIKE, ADDING AT THE PREVIOUS  
HEARING THE DEFENSE WAS NEGLIGENT IN PROVIDING THE DISCOVERY FROM THE  
INSURANCE COMPANY & IMPOSING SANCTIONS DID NOT WORK. MR. ALDRICH ARGUES THE  
COURT IMPOSED SANCTIONS OF \$750 PREVIOUSLY & THEY STILL HAVE NOT BEEN PAID &  
HE HAS STILL NOT RECEIVED THE INSURANCE DISCOVERY. MR. KUEHN PLEADS WITH THE  
COURT REQUESTING ADDITIONAL SANCTIONS BE IMPOSED, NOTING HE HAS A CHECK IN  
HAND TO PRESENT TO OPPOSING COUNSEL TODAY. COURT REVIEWS ARGUMENT & IMPOSES  
A \$1000 SANCTION THIS TIME AROUND & DEFENSE HAS 30 DAYS TO PROVIDE THE  
PREVIOUSLY ORDER INFORMATION/DISCOVERY REGARDING INSURANCE TO MR. FITTS. MR.  
KUEHN ACKNOWLEDGES.

5/24/10 9:00 ORDER TO SHOW CAUSE  
JUDGE: ROBERT LANE  
CLERK: RACHEL ALDANA  
BAILIFF: DEPUTY J. MURPHY  
APP: JOHN ALDRICH PRESENT FOR THE PLAINTIFF; THOMAS GIBSON IN FOR HARRY KUEHN,  
PRESENT FOR THE DEFENDANTS. MR. ALDRICH BRIEFS THE ORDER TO SHOW CAUSE AND  
OUTLINES CASE HISTORY. MR. ALDRICH CONTINUES TO PROVIDE ARGUMENT IN REGARDS  
TO OPPOSING COUNSEL FAILING TO COMPLY WITH THE SANCTIONS THAT WERE ISSUED  
BY THE COURT AND STATES THAT THERE IS STILL NO DISCOVERY PRODUCED. MR.  
ALDRICH REQUESTS A \$5,000 SANCTION AND \$500 A DAY UNTIL THE DISCOVERY IS  
BROUGHT FORWARD AND REQUESTS THE COURT ISSUE A BENCH WARRANT FOR THE  
DEFENDANT. MR. GIBSON PROVIDES REBUTTAL ARGUMENT AND REQUESTS A CLOSED

COURTROOM TO DISCLOSE THE ISSUES REGARDING ATTORNEY HARRY KUEHN. MR. GIBSON INFORMS THE COURT OF HARRY KUEHN'S ISSUES WITH DEPRESSION. COURT ISSUES THE \$5,000 SANCTIONS AND ORDERS THAT HARRY KUEHN PAY THE \$500 A MONTH STARTING JUNE 1, 2010 AND HOLDS HARRY KUEHN IN CONTEMPT OF COURT AND STATES THAT THE \$5,000 WILL GO TOWARD THE FEES AND COSTS OF OPPOSING COUNSEL. PARTIES CONTINUE TO PROVIDE ARGUMENT.

7/19/10 9:00 APPLICATION FOR DEFAULT JUDGMENT

JUDGE: ROBERT W. LANE

CLERK: PATTI ABERNATHY

BAILIFF: STEPHEN (JAMIE) DAVIS

APPEARANCES: JOHN ALDRICH PRESENT WITH JUDITH AND ANTHONY ADAMS. JOHN OHLSON AND JEFF KUMP PRESENT WITH SUSAN FALLINI.

ATTORNEY ALDRICH TOLD THE COURT THE MATTERS ON TODAY ARE HIS APPLICATION FOR DEFAULT JUDGMENT AND ATTORNEY OHLSON'S OPPOSITION TO THE APPLICATION FOR DEFAULT JUDGMENT AND MOTION FOR RECONSIDERATION. THE COURT TOLD THE PARTIES HE WAS INCLINED TO GRANT THE MOTION FOR RECONSIDERATION BUT WOULD LIKE TO HEAR ARGUMENTS FROM BOTH SIDES BEFORE DECIDING. ATTORNEY ALDRICH ARGUES THERE IS NO LEGAL BASIS TO SET ASIDE WHAT HAS ALREADY BEEN DONE IN THIS CASE AND OUTLINES THE HISTORY OF THIS CASE. ATTORNEY ALDRICH TOLD THE COURT IT SHOULD GO FORWARD WITH APPLICATION FOR DEFAULT JUDGMENT TODAY AND HAVE JUDGMENT ENTERED TODAY. THE COURT ASKED WHO WAS GOING TO DETERMINE DAMAGES AND AMOUNTS. ATTORNEY ALDRICH TOLD THE COURT IT SHOULD GO FORWARD WITH THE HEARING TODAY AND THE COURT SHOULD DETERMINE THE AMOUNT OF DAMAGES. ATTORNEY OHLSON OUTLINES THE HISTORY OF DEFENDANT'S REPRESENTATION BY ATTORNEY KUEHN AND BEING TOLD IN THE PAST THAT THE CASE WAS OVER AND DID NOT KNOW UNTIL JUNE OF THIS YEAR THAT THE CASE WAS STILL PENDING. ATTORNEY OHLSON PROVIDES REBUTTAL TO ATTORNEY ALDRICH'S ARGUMENTS. AFTER HEARING ARGUMENTS FROM BOTH SIDES, THE COURT DENIED THE MOTION FOR RECONSIDERATION AND PROCEEDED WITH THE PROVE UP HEARING TODAY AND SCRATCHED THE TRIAL SCHEDULED FOR AUGUST. MR. OLSON TOLD THE COURT HE WILL HOLD HIS MOTIONS TO THE END OF THE TESTIMONY AND ARGUED COMPARATIVE FAULT. ATTORNEY ALDRICH OFFERED REBUTTAL. JUDITH ADAMS WAS SWORN AND TESTIFIED. ANTHONY ADAMS WAS SWORN AND TESTIFIED. SUSAN FALLINI WAS SWORN AND TESTIFIED. MR. OLSON ASKED THE COURT TO TAKE JUDICIAL NOTICE THE ACCIDENT OCCURRED IN OPEN RANGE. AFTER HEARING CLOSING ARGUMENTS FROM BOTH SIDES, THE COURT TOLD THE PARTIES A DECISION WOULD BE MADE IN A COUPLE DAYS.

7/19/10 9:00 CALENDAR CALL - 8/25-28/2010

JURY DRAW - 120 JURORS - FILE TO CINDY

7/19/10

JURY TRIAL - D2P - 3 DAYS

8/25/10 CRT

9/28/09 9:00 ORDER TO SHOW CAUSE (SUSAN FALLINI & COUNSEL)

12/23/09 9:00 SETTLEMENT CONFERENCE

MOTION TO ENTER FINAL JUDGMENT...

11/25 STIP

MOTION TO ENTER FINAL JUDGMENT

10/28/13TANN

4/14/14 10:00 STATUS CHECK \*\*TELEPHONIC\*\*

JUDGE: ROBERT W. LANE

CLERK: SARAH WESTFALL

BAILIFF: KENNY TAYLOR

APPS: JOHN OHLSON IS PRESENT TELEPHONICALLY FOR DEFENDANT.

THE COURT CALLS THE MATTER AND QUESTIONS MR. OHLSON'S KNOWLEDGE OF AN AGREEMENT. MR. OHLSON CONCURS. THE COURT ASKS MR. OHLSON IF ANY OTHER ISSUES NEED TO BE ADDRESSED BY THE COURT. MR. OHLSON QUESTIONS A JURY DEMAND. THE COURT STATES IF AN AGREEMENT HAS BEEN REACHED, WOULDN'T THE JURY DEMAND NOW BE MOOT. MR. OHLSON OUTLINES HIS KNOWLEDGE IN REGARDS TO HIS JURY DEMAND. THE COURT INFORMS COUNSEL THAT ALL PARTIES MAY CALL IN IF ANY FURTHER QUESTIONS OR CONCERNS.



7/14/14 9:00 MOTION TO QUASH SUBPOENA... \*\*TELEPHONIC\*\*

JUDGE: ROBERT W. LANE  
CLERK: SARAH WESTFALL  
BAILIFF: NONE

APPS: JOHN ALDRICH, ATTORNEY FOR PLAINTIFF, IS PRESENT; DAVID HAGUE, ATTORNEY FOR AFFECTED NON-PARTIES (JOE FALLINI, TWIN SPRINGS RANCH, THE HELEN FALLINI LIVING TRUST, THE 1983 FALLINI TRUST), IS PRESENT TELEPHONICALLY. THE COURT CALLS THE MATTER. MR. ALDRICH PROCEEDS AND ARGUES HIS OPPOSITION TO THE MOTION TO QUASH. MR. HAGUE RESPONDS TO MR. ALDRICH'S OPPOSITION AND FURTHER PROVIDES ARGUMENT IN SUPPORT OF HIS MOTION. MR. ALDRICH PROVIDES REBUTTAL ARGUMENT. MR. HAGUE ADDRESSES MR. ALDRICH'S ARGUMENT. THE COURT INFORMS THE PARTIES HE WILL TAKE ALL ARGUMENT UNDER ADVISEMENT AND ISSUE AN ORDER WITHIN THE NEXT WEEK. THE COURT WILL REQUEST SUPPLEMENTAL BRIEFS IF NEEDED OR GATHER ADDITIONAL INFORMATION AT THE NEXT HEARING.

7/28/14 9:00 MOTION FOR RELIEF FROM JUDGMENT.....

JUDGE: ROBERT W. LANE  
CLERK: SARAH WESTFALL  
BAILIFF: KENNY TAYLOR

APPS: JOHN ALDRICH IS PRESENT FOR PLAINTIFF; DAVID HAGUE AND JOHN OHLSON ARE PRESENT WITH DEFENDANT, SUSAN FALLINI. THE COURT CALLS THE MATTER AND PROCEEDS WITH THE MOTION. MR. HAGUE PROVIDES ARGUMENT IN SUPPORT OF THE MOTION FOR RELIEF AND STATES OPPOSING COUNSEL COMMITTED FRAUD UPON THE COURT THROUGH FALSE REPRESENTATIONS. MR. ALDRICH RESPONDS TO MR. HAGUE'S ARGUMENT AND EXPRESSES DISGUST WITH MR. HAGUE'S ALLEGATIONS OF FRAUD. MR. ALDRICH CONTINUES AND ARGUES DEFENDANT'S MOTION FOR RELIEF BE STRICKEN, OR IN THE ALTERNATIVE, DENIED. MR. ALDRICH FURTHER ARGUES THESE ISSUES HAVE PREVIOUSLY BEEN LITIGATED. MR. ALDRICH AGAIN ADDRESSES THE ALLEGATIONS OF FRAUD UPON THE COURT. MR. HAGUE ARGUES THE ISSUES PRESENTED IN THE MOTION FOR RELIEF HAVE NOT BEEN PREVIOUSLY LITIGATED. MR. HAGUE FURTHER ARGUES OPPOSING COUNSEL COMMITTED FRAUD UPON THE COURT WHEN SUBMITTING DEFENDANT'S ADMISSIONS. THE COURT ASKS MR. ALDRICH'S ETHICAL DUTY TO INVESTIGATE FURTHER INTO DEFENDANT'S RESPONSE TO ADMISSIONS. MR. ALDRICH STATES NO NEED TO INVESTIGATE FURTHER INTO DEFENDANT'S RESPONSE TO ADMISSIONS IF NOT DENIED. MR. ALDRICH FURTHER STATES NO KNOWLEDGE OF WHETHER WHERE THE ACCIDENT OCCURRED WAS OPEN RANGE OR NOT. THE COURT INFORMS COUNSEL HE WILL REVIEW ALL PLEADINGS AND ISSUE A RULING IN THE NEXT 2 - 3 DAYS. MR. HAGUE MAKES AN ORAL MOTION TO STAY DEBTOR EXAMS SCHEDULED FOR TODAY PENDING THE COURT'S ORDER. MR. HAGUE CONTINUES AND MAKES ANOTHER ORAL MOTION TO STAY WRITS OF EXECUTION. MR. ALDRICH STATES NO BASIS TO STAY WRITS, WITH NO OBJECTION TO STAY DEBTOR EXAMS AND MOVE TO ANOTHER DATE. MR. ALDRICH INFORMS THE COURT A REPORTER HAS BEEN SCHEDULED FOR THE DEBTOR EXAMS AND HE DOES NOT WANT TO BE HELD RESPONSIBLE FOR THE APPEARANCE FEE. MR. OHLSON STATES NO OPPOSITION TO COVERING THE APPEARANCE FEE. THE COURT PROCEEDS TO DISCUSS THE MOTION TO QUASH THE SUBPOENA DUCES TECUM WITH COUNSEL AND INFORMS HE WILL ISSUE A RULING BEFORE END OF DAY. THE COURT CONFIRMS THAT A RULING WILL BE ISSUED IN REGARDS TO THE MOTION FOR RELIEF WITHIN THE NEXT 2 - 3 DAYS.

4/13/15 9:00 MOTION FOR ENTRY OF FINAL JUDGMENT

JUDGE: ROBERT W. LANE  
CLERK: SARAH WESTFALL

APPS: JOHN ALDRICH IS PRESENT FOR PLAINTIFF; DAVID HAGUE IS PRESENT WITH DEFENDANT, SUSAN FALLINI. THE COURT CALLS THE MATTER. MR. HAGUE BRIEFS HIS MOTION FOR ENTRY OF FINAL JUDGMENT AND RESPONDS TO PLAINTIFF'S OPPOSITION AND COUNTERMOTION. MR. ALDRICH BRIEFS HIS COUNTERMOTION FOR THE COURT. MR. HAGUE MAKES A STANDING

OBJECTION AS ISSUES BROUGHT FORWARD BY MR. ALDRICH SHOULD HAVE BEEN TAKEN TO THE SUPREME COURT IN A TIMELY APPEAL. MR. ALDRICH CONTINUES WITH HIS COUNTERMOTION AND PROVIDES ARGUMENT IN SUPPORT OF A RECONSIDERATION AS THE COURT MADE AN ERRONEOUS DECISION. MR. HAGUE ARGUES PLAINTIFF FAILED TO FILE A TIMELY APPEAL AND FURTHER ARGUES THE MOTION FOR RECONSIDERATION AS UNTIMELY. MR. HAGUE CONTINUES AND STATES THE COURT DOES NOT HAVE THE DISCRETION TO ENTERTAIN PLAINTIFF'S COUNTERMOTION. MR. ALDRICH RESPONDS TO MR. HAGUE'S STATEMENTS. THE COURT ADDRESSES COUNSEL AND GRANTS DEFENDANT'S MOTION FOR ENTRY OF FINAL JUDGMENT. THE COURT DIRECTS MR. HAGUE TO PREPARE THE ORDER. THE COURT FURTHER DENIES PLAINTIFF'S MOTION FOR RECONSIDERATION.

6/15/15 9:00 MOTION FOR ATTORNEY'S FEES AND COSTS  
6/15/15 9:00 MOTION FOR ATTORNEY'S FEES PURSUANT ...

OFFICE OF THE NYE COUNTY CLERK  
SANDRA L. MERLINO

**Tonopah Office**  
Nye County Courthouse  
P.O. Box 1031  
101 Radar Road  
Tonopah, Nevada 89049  
Phone (775) 482-8127  
Fax (775) 482-8133



**Pahrump Office**  
Government Complex  
1520 East Basin Avenue  
Pahrump, Nevada 89060  
Phone (775) 751-7040  
Fax (775) 751-7047

May 19, 2015

NOTICE OF DEFICIENCY:N/A

VIA E-FILE

Ms. Tracie Lindeman  
Supreme Court Clerk  
201 South Carson Street, #201  
Carson City, NV 89701-4702

Re: CV24539  
ESTATE OF MICHAEL DAVID ADAMS, by and through his mother  
JUDITH ADAMS, Appellant, v. SUSAN FALLINI, Respondent.

Dear Ms. Lindeman:

Please find enclosed Notice of Appeal and supporting documentation. All required fees were accepted by the Nye County Clerk's Office and will be directed to your attention via mail.

If I can be of any assistance, please feel free to contact me at our Pahrump office.

Sincerely,

SANDRA L. MERLINO  
NYE COUNTY CLERK

By:

A handwritten signature in cursive script, appearing to read "Tanner Davis".

Tanner Davis, Deputy