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d/b/a Grand Sierra Resort

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Nov 18 2015 11:56 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

IN ASSOCIATION WITH
THE LAW OFFICES OF MARY WRAY
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d/b/a Grand Sierra Resort

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

ALBERT THOMAS, et. al.

Case No.: CV-12-02222
Dept. No.: 10

Plaintiff(s),

v.

MEI-GSR HOLDINGS, LLC., a Nevada
Limited Liability Company, AM-GSR
Holdings, LLC., a Nevada Limited Liability
Company, GRAND SIERRA RESORT UNIT
OWNERS' ASSOCIATION, a Nevada
Nonprofit Corporation, GAGE VILLAGE
COMMERCIAL DEVELOPMENT, LLC., a
Nevada Limited Liability Company and DOES
I-X inclusive,

Defendant(s).

NOTICE OF APPEAL

COHEN-JOHNSON, LLC
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Las Vegas, Nevada 89119
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of COHEN|JOHNSON, LLC, and that on this date I caused to be served a true and correct copy of the **NOTICE OF APPEAL** on all the parties to this action by the method(s) indicated below:

 X by using the Court's CM/ECF Electronic Notification System addressed to:

JONATHAN TEW, ESQ. for CAYENNE TRUST et al
JARRAD MILLER, ESQ. for CAYENNE TRUST et al
G. ROBERTSON, ESQ. for CAYENNE TRUST et al
MARK WRAY, ESQ. for GRAND SIERRA RESORT UNIT-OWNER'S ASSOCIATION et al
H. JOHNSON, ESQ. for GRAND SIERRA RESORT UNIT-OWNER'S ASSOCIATION et al
SEAN BROHAWN, ESQ. for GRAND SIERRA RESORT UNIT-OWNER'S ASSOCIATION et al

DATED the 6th day of November, 2015.

 /s/ CJ Barnabi
An employee of Cohen-Johnson, LLC

COHEN-JOHNSON, LLC
255 E. Warm Springs Road, Suite 100
Las Vegas, Nevada 89119
(702) 823-3500 FAX: (702) 823-3400

INDEX OF EXHIBITS

<u>Ex.</u>	<u>Description</u>	<u>Pages</u>
A	Notice of Entry of Order dated October 9, 2015 with the Findings of Fact, Conclusions of Law and Judgment	29

EXHIBIT A

EXHIBIT A

1 CODE: 2545
Jarrad C. Miller, Esq. (NV Bar No. 7093)
2 Jonathan J. Tew, Esq. (NV Bar No. 11874)
Robertson, Johnson, Miller & Williamson
3 50 West Liberty Street, Suite 600
Reno, Nevada 89501
4 (775) 329-5600
Attorneys for Plaintiffs
5

6 **SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
7 **IN AND FOR THE COUNTY OF WASHOE**
8

9 ALBERT THOMAS, individually; *et al.*,

10 Plaintiffs,

11 vs.

Case No. CV12-02222
Dept. No. 10

12 MEI-GSR Holdings, LLC, a Nevada Limited
Liability Company, et al.,

13 Defendants.
14

15 **NOTICE OF ENTRY**

16 **PLEASE TAKE NOTICE** that on October 9, 2015, the above Court issued its Findings
17 of Fact, Conclusions of Law and Judgment. A copy thereof is attached hereto as Exhibit "1" and
18 made a part hereof by reference.

19 **AFFIRMATION**

20 Pursuant to N.R.S. § 239B.030, the undersigned does hereby affirm that the preceding
21 document does not contain the social security number of any person.

22 Dated this 9th day of October, 2015.

23 ROBERTSON, JOHNSON,
24 MILLER & WILLIAMSON

25 By: /s/ Jonathan J. Tew
26 Jarrad C. Miller, Esq.
Jonathan J. Tew, Esq.
27 Attorneys for Plaintiff
28

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H. Stan Johnson, Esq. Steven B. Cohen, Esq. Cohen-Johnson, LLC 255 E. Warm Springs Road, Suite 100 Las Vegas, NV 89119 Facsimile: (702) 823-3400 Email: sjohnson@cohenjohnson.com <i>Attorneys for Defendants</i>	Mark Wray, Esq. The Law Offices of Mark Wray 608 Lander Street Reno, NV 89509 Facsimile: (775) 348-8351 Email: mwray@markwraylaw.com <i>Attorneys for Defendants</i>
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INDEX OF EXHIBITS

<u>Ex.</u>	<u>Description</u>	<u>Pgs.</u>
1.	Findings of Fact, Conclusions of Law and Judgment	24

FILED
Electronically
2015-10-09 02:36:21 PM
Jacqueline Bryant
Clerk of the Court
Transaction # 5181413

EXHIBIT “1”

EXHIBIT “1”

EXHIBIT “1”

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

* * *

ALBERT THOMAS, individually, et al,

Plaintiffs,

Case No: CV12-02222

vs.

Dept. No: 10

MEI-GSR Holdings, LLC, a Nevada Limited
Liability Company, et al,

Defendants.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND JUDGMENT

This action was commenced on August 27, 2012, with the filing of a COMPLAINT ("the Complaint"). The Complaint alleged twelve causes of action: 1) Petition for Appointment of a Receiver as to Defendant Grand Sierra Resort Unit-Owners' Association; 2) Intentional and/or Negligent Misrepresentation as to Defendant MEI-GSR; 3) Breach of Contract as to Defendant MEI-GSR; 4) Quasi-Contract/Equitable Contract/Detrimental Reliance as to Defendant MEI-GSR; 5) Breach of the Implied Covenant of Good Faith and Fair Dealing as to Defendant MEI-GSR; 6) Consumer Fraud/Nevada Deceptive Trade Practices Act Violations as to Defendant MEI-GSR; 7) Declaratory Relief as to Defendant MEI-GSR; 8) Conversion as to Defendant MEI-GSR; 9) Demand for an Accounting as to Defendant MEI-GSR and Defendant Grand Sierra Unit Owners Association; 10) Specific Performance Pursuant to NRS 116.122, Unconscionable Agreement; 11) Unjust Enrichment/Quantum Meruit against Defendant Gage Village Development; 12) Tortious Interference with Contract and/or Prospective Business Advantage against Defendants MEI-GSR

1 and Gage Development. The Plaintiffs (as more fully described *infra*) were individuals or other
2 entities who had purchased condominiums in the Grand Sierra Resort ("GSR"). A FIRST
3 AMENDED COMPLAINT ("the First Amended Complaint") was filed on September 10, 2012.
4 The First Amended Complaint had the same causes of action as the Complaint.

5 The Defendants (as more fully described *infra*) filed an ANSWER AND COUNTERCLAIM
6 ("the Answer") on November 21, 2012. The Answer denied the twelve causes of action; asserted
7 eleven affirmative defenses; and alleged three Counterclaims. The Counterclaims were for: 1)
8 Breach of Contract; 2) Declaratory Relief; 3) Injunctive Relief.

9 The Plaintiffs filed a SECOND AMENDED COMPLAINT ("the Second Amended
10 Complaint") on March 26, 2013. The Second Amended Complaint had the same causes of action as
11 the Complaint and the First Amended Complaint. The Defendants filed an ANSWER TO SECOND
12 AMENDED COMPLAINT AND COUNTER CLAIM ("the Second Answer") on May 23, 2013.
13 The Second Answer generally denied the allegations in the Second Amended Complaint and
14 contained ten affirmative defenses. The Counterclaims mirrored the Counterclaims in the Answer.

15 The matter has been the subject of extensive motion practice. There were numerous
16 allegations of discovery abuses by the Defendants. The record speaks for itself regarding the
17 protracted nature of these proceedings and the systematic attempts at obfuscation and intentional
18 deception on the part of the Defendants. Further, the Court has repeatedly had to address the
19 lackadaisical and inappropriate approach the Defendants have exhibited toward the Nevada Rules of
20 Civil Procedure, the District Court Rules, the Washoe District Court Rules, and the Court's orders.
21 The Defendants have consistently, and repeatedly, chosen to follow their own course rather than
22 respect the need for orderly process in this case. NRCP 1 states that the rules of civil procedure
23 should be "construed and administered to secure the just, speedy, and inexpensive determination of
24 every action." The Defendants have turned this directive on its head and done everything possible to
25 make the proceedings unjust, dilatory, and costly.

26 The Court twice has addressed a request to impose case concluding sanctions against the
27 Defendants because of their repeated discovery abuses. The Court denied a request for case
28 concluding sanctions in its ORDER REGARDING ORIGINAL MOTION FOR CASE

1 CONCLUDING SANCTIONS filed December 18, 2013 ("the December Order"). The Court found
2 that case concluding sanctions were not appropriate; however, the Court felt that some sanctions
3 were warranted based on the Defendants' repeated discovery violations. The Court struck all of the
4 Defendants' Counterclaims in the December Order and required the Defendants to pay for the costs
5 of the Plaintiffs' representation in litigating that issue.

6 The parties continued to fight over discovery issues after the December Order. The Court
7 was again required to address the issue of case concluding sanctions in January of 2014. It became
8 clear that the Defendants were disingenuous with the Court and Plaintiffs' counsel when the first
9 decision regarding case concluding sanctions was argued and resolved. Further, the Defendants
10 continued to violate the rules of discovery and other court rules even after they had their
11 Counterclaims struck in the December Order. The Court conducted a two day hearing regarding the
12 renewed motion for case concluding sanctions. An ORDER GRANTING PLAINTIFFS' MOTION
13 FOR CASE-TERMINATING SANCTIONS was entered on October 3, 2014 ("the October Order").
14 The Defendants' Answer was stricken in the October Order. A DEFAULT was entered against the
15 Defendants on November 26, 2014.

16 The Court conducted a "prove-up hearing" regarding the issue of damages from March 23
17 through March 25, 2015. The Court entered an ORDER on February 5, 2015 ("the February Order")
18 establishing the framework of the prove-up hearing pursuant to *Foster v. Dingwall*, 126 Nev. Adv.
19 Op. 6, 227 P.3d 1042 (2010). The February Order limited, but did not totally eliminate, the
20 Defendants' ability to participate in the prove-up hearing. The Court heard expert testimony from
21 Craig L. Greene, CPA/CFF, CFE, CCEP, MAFF ("Greene") at the prove-up hearing. Greene
22 calculated the damages owed the Plaintiffs using information collected and provided by the
23 Defendants. The Court finds Greene to be very credible and his methodology to be sound. Further,
24 the Court notes that Greene attempted to be "conservative" in his calculations. Greene used
25 variables and factors that would eliminate highly suspect and/or unreliable data. The Court has also
26 received and reviewed supplemental information provided as a result of an inquiry made by the
27 Court during the prove-up hearing.

28

1 The GSR is a high rise hotel/casino in Reno, Nevada. The GSR has approximately 2000
2 rooms. The Plaintiffs purchased individual rooms in the GSR as condominiums. It appears to the
3 Court that the primary purpose of purchasing a condominium in the GSR would be as an investment
4 and revenue generating proposition. The condominiums were the subject of statutory limitations on
5 the number of days the owners could occupy them during the course of a calendar year. The owners
6 would not be allowed to "live" in the condominium. When the owners were not in the rooms they
7 could either be rented out or they had to remain empty.

8 As noted, *supra*, the Court stripped all of the Defendants general and affirmative defenses in
9 the October Order. The Defendants stand before the Court having involuntarily conceded all of the
10 allegations contained in the Second Amended Complaint. The Court makes the following findings
11 of fact:

12 **I. FINDINGS OF FACT**

13 1. Plaintiff Albert Thomas is a competent adult and is a resident of the State of
14 California.

15 2. Plaintiff Jane Dunlap is a competent adult and is a resident of the State of California.

16 3. Plaintiff John Dunlap is a competent adult and is a resident of the State of California.

17 4. Plaintiff Barry Hay is a competent adult and is a resident of the State of California.

18 5. Plaintiff Marie-Annie Alexander, as Trustee of the Marie-Annie Alexander Living
19 Trust, is a competent adult and is a resident of the State of California.

20 6. Plaintiff Melissa Vagujhelyi, as Co-Trustee of the George Vagujhelyi and Melissa
21 Vagujheyli 2001 Family Trust Agreement U/T/A April 13, 2001, is a competent adult and is a
22 resident of the State of Nevada.

23 7. Plaintiff George Vagujhelyi, as Co-Trustee of the George Vagujhelyi and Melissa
24 Vagujheyli 2001 Family Trust Agreement U/T/A April 13, 2001, is a competent adult and is a
25 resident of the State of Nevada.

26 8. Plaintiff D'Arcy Nunn is a competent adult and is a resident of the State of California.

27 9. Plaintiff Henry Nunn is a competent adult and is a resident of the State of California.
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- 1 10. Plaintiff Lee Van Der Bokke is a competent adult and is a resident of the State of
2 California.
- 3 11. Plaintiff Madelyn Van Der Bokke is a competent adult and is a resident of the State of
4 California.
- 5 12. Plaintiff Donald Schreifels is a competent adult and is a resident of the State of
6 Minnesota.
- 7 13. Plaintiff Robert R. Pederson, individually and as Trustee of the Pederson 1990 Trust,
8 is a competent adult and is a resident of the State of California.
- 9 14. Plaintiff Lou Ann Pederson, individually and as Trustee of the Pederson 1990 Trust,
10 is a competent adult and is a resident of the State of California.
- 11 15. Plaintiff Lori Ordoover is a competent adult and is a resident of the State of
12 Connecticut.
- 13 16. Plaintiff William A. Henderson is a competent adult and is a resident of the State of
14 California.
- 15 17. Plaintiff Christine E. Henderson is a competent adult and is a resident of the State of
16 California.
- 17 18. Plaintiff Loren D. Parker is a competent adult and is a resident of the State of
18 Washington.
- 19 19. Plaintiff Suzanne C. Parker is a competent adult and is a resident of the State of
20 Washington.
- 21 20. Plaintiff Michael Izady is a competent adult and is a resident of the State of New
22 York.
- 23 21. Plaintiff Steven Takaki is a competent adult and is a resident of the State of
24 California.
- 25 22. Plaintiff Farad Torabkhan is a competent adult and is a resident of the State of New
26 York.
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- 1 23. Plaintiff Sahar Tavakol is a competent adult and is a resident of the State of New
2 York.
- 3 24. Plaintiff M&Y Holdings is a Nevada Limited Liability Company with its principal
4 place of business in Nevada.
- 5 25. Plaintiff JL&YL Holdings, LLC is a Nevada Limited Liability Company with its
6 principal place of business in Nevada.
- 7 26. Plaintiff Sandi Raines is a competent adult and is a resident of the State of Minnesota.
- 8 27. Plaintiff R. Raghuram is a competent adult and is a resident of the State of California.
- 9 28. Plaintiff Usha Raghuram is a competent adult and is a resident of the State of
10 California.
- 11 29. Plaintiff Lori K. Tokutomi is a competent adult and is a resident of the State of
12 California.
- 13 30. Plaintiff Garrett Tom is a competent adult and is a resident of the State of California.
- 14 31. Plaintiff Anita Tom is a competent adult and is a resident of the State of California.
- 15 32. Plaintiff Ramon Fadrihan is a competent adult and is a resident of the State of
16 California.
- 17 33. Plaintiff Faye Fadrihan is a competent adult and is a resident of the State of California.
- 18 34. Plaintiff Peter K. Lee, as Trustee of the Lee Family 2002 Revocable Trust, is a
19 competent adult and is a resident of the State of California.
- 20 35. Plaintiff Monica L. Lee, as Trustee of the Lee Family 2002 Revocable Trust, is a
21 competent adult and is a resident of the State of California.
- 22 36. Plaintiff Dominic Yin is a competent adult and is a resident of the State of California.
- 23 37. Plaintiff Elias Shamieh is a competent adult and is a resident of the State of
24 California.
- 25 38. Plaintiff Nadine's Real Estate Investments, LLC, is a North Dakota Limited Liability
26 Company.
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- 1 39. Plaintiff Jeffery James Quinn is a competent adult and is a resident of the State of
2 Hawaii.
- 3 40. Plaintiff Barbara Rose Quinn is a competent adult and is a resident of the State of
4 Hawaii.
- 5 41. Plaintiff Kenneth Riche is a competent adult and is a resident of the State of
6 Wisconsin.
- 7 42. Plaintiff Maxine Riche is a competent adult and is a resident of the State of
8 Wisconsin.
- 9 43. Plaintiff Norman Chandler is a competent adult and is a resident of the State of
10 Alabama.
- 11 44. Plaintiff Benton Wan is a competent adult and is a resident of the State of California.
- 12 45. Plaintiff Timothy Kaplan is a competent adult and is a resident of the State of
13 California.
- 14 46. Plaintiff Silkscape Inc. is a California Corporation.
- 15 47. Plaintiff Peter Cheng is a competent adult and is a resident of the State of California.
- 16 48. Plaintiff Elisa Cheng is a competent adult and is a resident of the State of California.
- 17 49. Plaintiff Greg A. Cameron is a competent adult and is a resident of the State of
18 California.
- 19 50. Plaintiff TMI Property Group, LLC is a California Limited Liability Company.
- 20 51. Plaintiff Richard Lutz is a competent adult and is a resident of the State of California.
- 21 52. Plaintiff Sandra Lutz is a competent adult and is a resident of the State of California.
- 22 53. Plaintiff Mary A. Kossick is a competent adult and is a resident of the State of
23 California.
- 24 54. Plaintiff Melvin H. Cheah is a competent adult and is a resident of the State of
25 California.
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- 1 55. Plaintiff Di Shen is a competent adult and is a resident of the State of Texas.
- 2 56. Plaintiff Ajit Gupta is a competent adult and is a resident of the State of California.
- 3 57. Plaintiff Seema Gupta is a competent adult and is a resident of the State of California.
- 4 58. Plaintiff Fredrick Fish is a competent adult and is a resident of the State of Minnesota.
- 5 59. Plaintiff Lisa Fish is a competent adult and is a resident of the State of Minnesota.
- 6 60. Plaintiff Robert A. Williams is a competent adult and is a resident of the State of
- 7 Minnesota.
- 8 61. Plaintiff Jacquelin Pham is a competent adult and is a resident of the State of
- 9 California.
- 10 62. Plaintiff May Ann Hom, as Trustee of the May Ann Hom Trust, is a competent adult
- 11 and is a resident of the State of California.
- 12 63. Plaintiff Michael Hurley is a competent adult and is a resident of the State of
- 13 Minnesota.
- 14 64. Plaintiff Dominic Yin is a competent adult and is a resident of the State of California.
- 15 65. Plaintiff Duane Windhorst is a competent adult and is a resident of the State of
- 16 Minnesota.
- 17 66. Plaintiff Marilyn Windhorst is a competent adult and is a resident of the State of
- 18 Minnesota.
- 19 67. Plaintiff Vinod Bhan is a competent adult and is a resident of the State of California.
- 20 68. Plaintiff Anne Bhan is a competent adult and is a resident of the State of California.
- 21 69. Plaintiff Guy P. Browne is a competent adult and is a resident of the State of
- 22 California.
- 23 70. Plaintiff Garth Williams is a competent adult and is a resident of the State of
- 24 California.
- 25 71. Plaintiff Pamela Y. Aratani is a competent adult and is a resident of the State of
- 26 California.
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- 1 72. Plaintiff Darleen Lindgren is a competent adult and is a resident of the State of
2 Minnesota.
- 3 73. Plaintiff Laverne Roberts is a competent adult and is a resident of the State of
4 Nevada.
- 5 74. Plaintiff Doug Mecham is a competent adult and is a resident of the State of Nevada.
- 6 75. Plaintiff Chrisine Mecham is a competent adult and is a resident of the State of
7 Nevada.
- 8 76. Plaintiff Kwangsoo Son is a competent adult and is a resident of Vancouver, British
9 Columbia.
- 10 77. Plaintiff Soo Yeun Moon is a competent adult and is a resident of Vancouver, British
11 Columbia.
- 12 78. Plaintiff Johnson Akindodunse is a competent adult and is a resident of the State of
13 California.
- 14 79. Plaintiff Irene Weiss, as Trustee of the Weiss Family Trust, is a competent adult and
15 is a resident of the State of Texas.
- 16 80. Plaintiff Pravesh Chopra is a competent adult and is a resident of the State of
17 California.
- 18 81. Plaintiff Terry Pope is a competent adult and is a resident of the State of Nevada.
- 19 82. Plaintiff Nancy Pope is a competent adult and is a resident of the State of Nevada.
- 20 83. Plaintiff James Taylor is a competent adult and is a resident of the State of California.
- 21 84. Plaintiff Ryan Taylor is a competent adult and is a resident of the State of California.
- 22 85. Plaintiff Ki Ham is a competent adult and is a resident of Surry B.C.
- 23 86. Plaintiff Young Ja Choi is a competent adult and is a resident of Coquitlam, B.C.
- 24 87. Plaintiff Sang Dae Sohn is a competent adult and is a resident of Vancouver, B.C.
- 25 88. Plaintiff Kuk Hyung ("Connie") is a competent adult and is a resident of Coquitlam,
26 B.C.
27
28

1 89. Plaintiff Sang (“Mike”) Yoo is a competent adult and is a resident of Coquitlam, B.C.

2 90. Plaintiff Brett Menmuir, as Trustee of the Cayenne Trust, is a competent adult and is
3 a resident of the State of Nevada.

4 91. Plaintiff William Miner, Jr., is a competent adult and is a resident of the State of
5 California.

6 92. Plaintiff Chanh Truong is a competent adult and is a resident of the State of
7 California.

8 93. Plaintiff Elizabeth Anders Mecua is a competent adult and is a resident of the State of
9 California.

10 94. Plaintiff Shepherd Mountain, LLC is a Texas Limited Liability Company with its
11 principal place of business in Texas.

12 95. Plaintiff Robert Brunner is a competent adult and is a resident of the State of
13 Minnesota.

14 96. Plaintiff Amy Brunner is a competent adult and is a resident of the State of
15 Minnesota.

16 97. Plaintiff Jeff Riopelle is a competent adult and is a resident of the State of California.

17 98. Plaintiff Patricia M. Moll is a competent adult and is a resident of the State of Illinois.

18 99. Plaintiff Daniel Moll is a competent adult and is a resident of the State of Illinois.

19 100. The people and entities listed above represent their own individual interests. They are
20 not suing on behalf of any entity including the Grand Sierra Unit Home Owner’s Association. The
21 people and entities listed above are jointly referred to herein as “the Plaintiffs”.

22 101. Defendant MEI-GSR Holdings, LLC (“MEI-GSR”) is a Nevada Limited Liability
23 Company with its principal place of business in Nevada.

24 102. Defendant Gage Village Commercial Development, LLC (“Gage Village”) is a
25 Nevada Limited Liability Company with its principal place of business in Nevada.
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1 103. Gage Village is related to, controlled by, affiliated with, and/or a subsidiary of MEI-
2 GSR.

3 104. Defendant Grand Sierra Resort Unit Owners' Association ("the Unit Owners'
4 Association") is a Nevada nonprofit corporation with its principal place of business in Nevada.

5 105. MEI-GSR transferred interest in one hundred forty-five (145) condominium units to
6 AM-GSR Holdings, LLC ("AM-GSR") on December 22, 2014.

7 106. Defendants acknowledged to the Court on January 13, 2015, that AM-GSR would be
8 added to these proceedings and subject to the same procedural posture as MEI-GSR. Further, the
9 parties stipulated that AM-GSR would be added as a defendant in this action just as if AM-GSR was
10 a named defendant in the Second Amended Complaint. Said stipulation occurring and being ordered
11 on January 21, 2015.

12 107. MEI-GSR, Gage Village and the Unit Owner's Association are jointly referred to
13 herein as "the Defendants".

14 108. The Grand Sierra Resort Condominium Units ("GSR Condo Units") are part of the
15 Grand Sierra Unit Owners Association, which is an apartment style hotel condominium development
16 of 670 units in one 27-story building. The GSR Condo Units occupy floors 17 through 24 of the
17 Grand Sierra Resort and Casino, a large-scale hotel casino, located at 2500 East Second Street,
18 Reno, Nevada.

19 109. All of the Individual Unit Owners: hold an interest in, own, or have owned, one or
20 more GSR Condo Units.

21 110. Gage Village and MEI-GSR own multiple GSR Condo Units.

22 111. MEI-GSR owns the Grand Sierra Resort and Casino.

23 112. Under the Declaration of Covenants, Conditions, Restrictions and Reservations of
24 Easements for Hotel-Condominiums at Grand Sierra Resort ("CC&Rs"), there is one voting member
25 for each unit of ownership (thus, an owner with multiple units has multiple votes).
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1 113. Because MEI-GSR and Gage Village control more units of ownership than any other
2 person or entity, they effectively control the Unit Owners' Association by having the ability to elect
3 MEI-GSR's chosen representatives to the Board of Directors (the governing body over the GSR
4 Condo Units).

5 114. As a result of MEI-GSR and Gage Village controlling the Unit Owners' Association,
6 the Individual Unit Owners effectively have no input or control over the management of the Unit
7 Owners' Association.

8 115. MEI-GSR and Gage Village have used, and continue to use, their control over the
9 Unit Owners' Association to advance MEI-GSR and Gage Villages' economic objectives to the
10 detriment of the Individual Unit Owners.

11 116. MEI-GSR and Gage Villages' control of the Unit Owners' Association violates
12 Nevada law as it defeats the purpose of forming and maintaining a homeowners' association.

13 117. Further, the Nevada Division of Real Estate requires a developer to sell off the units
14 within 7 years, exit and turn over the control and management to the owners.
15

16 118. Under the CC&Rs, the Individual Unit Owners are required to enter into a "Unit
17 Maintenance Agreement" and participate in the "Hotel Unit Maintenance Program," wherein MEI-
18 GSR provides certain services (including, without limitation, reception desk staffing, in-room
19 services, guest processing services, housekeeping services, Hotel Unit inspection, repair and
20 maintenance services, and other services).

21 119. The Unit Owners' Association maintains capital reserve accounts that are funded by
22 the owners of GSR Condo Units. The Unit Owners' Association collects association dues of
23 approximately \$25 per month per unit, with some variation depending on a particular unit's square
24 footage.

25 120. The Individual Unit Owners pay for contracted "Hotel Fees," which include taxes,
26 deep cleaning, capital reserve for the room, capital reserve for the building, routine maintenance,
27 utilities, etc.
28

1 121. MEI-GSR has systematically allocated and disproportionately charged capital reserve
2 contributions to the Individual Unit Owners, so as to force the Individual Unit Owners to pay capital
3 reserve contributions in excess of what should have been charged.

4 122. MEI-GSR and Gage Development have failed to pay proportionate capital reserve
5 contribution payments in connection with their Condo Units.

6 123. MEI-GSR has failed to properly account for, or provide an accurate accounting for
7 the collection and allocation of the collected capital reserve contributions.

8 124. The Individual Unit Owners also pay "Daily Use Fees" (a charge for each night a unit
9 is occupied by any guest for housekeeping services, etc.).

10 125. MEI-GSR and Gage Village have failed to pay proportionate Daily Use Fees for the
11 use of Defendants' GSR Condo Units.

12 126. MEI-GSR has failed to properly account for the contracted "Hotel Fees" and "Daily
13 Use Fees."

14 127. Further, the Hotel Fees and Daily Use Fees are not included in the Unit Owners'
15 Association's annual budget with other assessments that provide the Individual Unit Owners' the
16 ability to reject assessment increases and proposed budget ratification.

17 128. MEI-GSR has systematically endeavored to increase the various fees that are charged
18 in connection with the use of the GSR Condo Units in order to devalue the units owned by
19 Individual Unit Owners.

20 129. The Individual Unit Owners' are required to abide by the unilateral demands of MEI-
21 GSR, through its control of the Unit Owners' Association, or risk being considered in default under
22 Section 12 of the Agreement, which provides lien and foreclosure rights pursuant to Section 6.10(f)
23 of the CC&R's.

24 130. Defendants MEI-GSR and/or Gage Village have attempted to purchase, and
25 purchased, units devalued by their own actions, at nominal, distressed prices when Individual Unit
26
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1 Owners decide to, or are effectively forced to, sell their units because the units fail to generate
2 sufficient revenue to cover expenses.

3 131. MEI-GSR and/or Gage Village have, in late 2011 and 2012, purchased such devalued
4 units for \$30,000 less than the amount they purchased units for in March of 2011.

5 132. The Individual Unit Owners effectively pay association dues to fund the Unit
6 Owners' Association, which acts contrary to the best interests of the Individual Unit Owners.

7 133. MEI-GSR's interest in maximizing its profits is in conflict with the interest of the
8 Individual Unit Owners. Accordingly, Defendant MEI-GSR's control of the Unit Owners'
9 Association is a conflict of interest.

10 134. As part of MEI-GSR's Grand Sierra Resort and Casino business operations, it rents:
11 (1) hotel rooms owned by MEI-GSR that are not condominium units; (2) GSR Condo Units owned
12 by MEI-GSR and/or Gage Village; and (3) GSR Condo Units owned by the Individual Condo Unit
13 Owners.
14

15 135. MEI-GSR has entered into a Grand Sierra Resort Unit Rental Agreement with
16 Individual Unit Owners.

17 136. MEI-GSR has manipulated the rental of the: (1) hotel rooms owned by MEI-GSR; (2)
18 GSR Condo Units owned by MEI-GSR and/or Gage Village; and (3) GSR Condo Units owned by
19 Individual Condo Unit Owners so as to maximize MEI-GSR's profits and devalue the GSR Condo
20 Units owned by the Individual Unit Owners.

21 137. MEI-GSR has rented the Individual Condo Units for as little as \$0.00 to \$25.00 a
22 night.

23 138. Yet, MEI-GSR has charged "Daily Use Fees" of approximately \$22.38, resulting in
24 revenue to the Individual Unit Owners as low as \$2.62 per night for the use of their GSR Condo Unit
25 (when the unit was rented for a fee as opposed to being given away).

26 139. By functionally, and in some instances actually, giving away the use of units owned
27 by the Individual Unit Owners, MEI-GSR has received a benefit because those who rent the
28

1 Individual Units frequently gamble and purchase food, beverages, merchandise, spa services and
2 entertainment access from MEI-GSR.

3 140. MEI-GSR has rented Individual Condo Units to third parties without providing
4 Individual Unit Owners with any notice or compensation for the use of their unit.

5 141. Further, MEI-GSR has systematically endeavored to place a priority on the rental of
6 MEI-GSR's hotel rooms, MEI-GSR's GSR Condo Units, and Gage Village's Condo Units.

7 142. Such prioritization effectively devalues the units owned by the Individual Unit
8 Owners.

9 143. MEI-GSR and Gage Village intend to purchase the devalued units at nominal,
10 distressed prices when Individual Unit Owners decide to, or are effectively forced to, sell their units
11 because the units fail to generate sufficient revenue to cover expenses and have no prospect of
12 selling their persistently loss-making units to any other buyer.

13 144. Some of the Individual Unit Owners have retained the services of a third party to
14 market and rent their GSR Condo Unit(s).

15 145. MEI-GSR has systematically thwarted the efforts of any third party to market and
16 rent the GSR Units owned by the Individual Unit Owners.

17 146. MEI-GSR has breached the Grand Sierra Resort Unit Rental Agreement with
18 Individual Condo Unit Owners by failing to follow its terms, including but not limited to, the failure
19 to implement an equitable Rotational System as referenced in the agreement.

20 147. MEI-GSR has failed to act in good faith in exercising its duties under the Grand
21 Sierra Resort Unit Rental Agreements with the Individual Unit Owners.

22 The Court is intimately familiar with all of the allegations in the twelve causes of action
23 contained in the Second Amended Complaint. The Court's familiarity is a result of reviewing all of
24 the pleadings and exhibits in this matter to include the various discovery disputes, the testimony at
25 the numerous hearings conducted to date, and the other documents and exhibits on file. The Court
26 finds that the facts articulated above support the twelve causes of action contained in the Second
27 Amended Complaint.
28

II. CONCLUSIONS OF LAW

- 1
- 2 A. The Court has jurisdiction over MEI-GSR, Gage Village, the Unit Owner's Association
- 3 and the Plaintiffs.
- 4 B. The appointment of a receiver is appropriate when: (1) the plaintiff has an interest in
- 5 the property; (2) there is potential harm to that interest in property; and (3) no other
- 6 adequate remedies exist to protect the interest. *See generally Bowler v. Leonard*, 70
- 7 Nev. 370, 269 P.2d 833 (1954). *See also* NRS 32.010. The Court appointed a receiver
- 8 to oversee the Unit Owner's Association on January 7, 2015. The Court concludes that
- 9 MEI-GSR and/or Gage Village have operated the Unit Owner's Association in a way
- 10 inconsistent with the best interests of all of the unit owners. The continued
- 11 management of the Unit Owner's Association by the receiver is appropriate under the
- 12 circumstances of this case and will remain in effect absent additional direction from the
- 13 Court.
- 14 C. Negligent misrepresentation is when "[o]ne who, in the course of his business,
- 15 profession or employment, or in any other action in which he has a pecuniary interest,
- 16 supplies false information for the guidance of others in their business transactions, is
- 17 subject to liability for pecuniary loss caused to them by their justifiable reliance upon
- 18 the information, if he fails to exercise reasonable care or competence in obtaining or
- 19 communicating the information." *Barmeltler v. Reno Air, Inc.*, 114 Nev. 441, 956 P.2d
- 20 1382, 1387 (1998) (quoting *Restatement (Second) of Torts* § 552(1) (1976)). Intentional
- 21 misrepresentation is when "a false representation made with knowledge or belief that it
- 22 is false or without a sufficient basis of information, intent to induce reliance, and
- 23 damage resulting from the reliance. *Lubbe v. Barba*, 91 Nev. 596, 599, 540 P.2d 115,
- 24
- 25
- 26
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1 117 (1975).” *Collins v. Burns*, 103 Nev. 394, 397, 741 P.2d 819, 821 (1987). MEI-
2 GSR is liable for intentionally and/or negligent misrepresentation as alleged in the
3 Second Cause of Action.

4
5 D. An enforceable contract requires, “an offer and acceptance, meeting of the minds, and
6 consideration.” *Certified Fire Protection, Inc. v. Precision Construction, Inc.* 128 Nev.
7 Adv. Op. 35, 283 P.3d 250, 255 (2012)(citing *May v. Anderson*, 121 Nev. 668, 672, 119
8 P.3d 1254, 1257 (2005)). There was a contract between the Plaintiffs and MEI-GSR.
9 MEI-GSR has breached the contract and therefore MEI-GSR is liable for breach of
10 contract as alleged in the Third Cause of Action.

11
12 E. MEI-GSR is liable for Quasi-Contract/Equitable Contract/Detrimental Reliance as
13 alleged in the Fourth Cause of Action.

14
15 F. An implied covenant of good faith and fair dealing exists in every contract in Nevada.
16 *Hilton Hotels Corp. v. Butch Lewis Productions, Inc.*, 109 Nev. 1043, 1046, 862 P.2d
17 1207, 1209 (1993). “The duty not to act in bad faith or deal unfairly thus becomes part
18 of the contract, and, as with any other element of the contract, the remedy for its breach
19 generally is on the contract itself.” *Id.* (citing *Wagenseller v. Scottsdale Memorial*
20 *Hospital*, 147 Ariz. 370, 383, 710 P.2d 1025, 1038 (1985)). “It is well established that
21 in contracts cases, compensatory damages ‘are awarded to make the aggrieved party
22 whole and ... should place the plaintiff in the position he would have been in had the
23 contract not been breached.’ This includes awards for lost profits or expectancy
24 damages.” *Road & Highway Builders, LLC v. Northern Nevada Rebar, Inc.*, 128 Nev.
25 Adv. Op. 36, 284 P.3d 377, 382 (2012)(*internal citations omitted*). “When one party
26 performs a contract in a manner that is unfaithful to the purpose of the contract and the
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1 justified expectations of the other party are thus denied, damages may be awarded
2 against the party who does not act in good faith.” *Perry v. Jordan*, 111 Nev. 943, 948,
3 900 P.2d 335, 338 (1995)(*citation omitted*). “Reasonable expectations are to be
4 ‘determined by the various factors and special circumstances that shape these
5 expectations.’” *Id.* (*citing Butch Lewis*, 107 Nev. at 234, 808 P.2d at 923). MEI-GSR is
6 liable for breach of the covenant of good faith and fair dealing as set forth in the Fifth
7 Cause of Action.
8

9
10 G. MEI-GSR has violated NRS 41.600(1) and (2) and NRS 598.0915 through 598.0925,
11 inclusive and is therefore liable for the allegations contained in the Sixth Cause of
12 Action. Specifically, MEI-GSR violated NRS 598.0915(15) and NRS 598.0923(2).

13 H. The Plaintiffs are entitled to declaratory relief as more fully described below and
14 prayed for in the Seventh Cause of Action.

15 I. MEI-GSR wrongfully committed numerous acts of dominion and control over the
16 property of the Plaintiffs, including but not limited to renting their units at discounted
17 rates, renting their units for no value in contravention of written agreements between
18 the parties, failing to account for monies received by MEI-GSR attributable to specific
19 owners, and renting units of owners who were not even in the rental pool. All of said
20 activities were in derogation, exclusion or defiance of the title and/or rights of the
21 individual unit owners. Said acts constitute conversion as alleged in the Eighth Cause
22 of Action.

23 J. The demand for an accounting as requested in Ninth Cause of Action is moot pursuant
24 to the discovery conducted in these proceedings and the appointment of a receiver to
25 oversee the interaction between the parties.

26 K. The Unit Maintenance Agreement and Unit Rental Agreement proposed by MEI-GSR
27 and adopted by the Unit Owner’s Association are unconscionable. An unconscionable
28

1 clause is one where the circumstances existing at the time of the execution of the
2 contract are so one-sided as to oppress or unfairly surprise an innocent party. *Bill*
3 *Stremmel Motors, Inc. v. IDS Leasing Corp.*, 89 Nev. 414, 418, 514 P.2d 654, 657
4 (1973). MEI-GSR controls the Unit Owner's Association based on its majority
5 ownership of the units in question. It is therefore able to propose and pass agreements
6 that affect all of the unit owners. These agreements require unit owners to pay
7 unreasonable Common Expense fees, Hotel Expenses Fees, Shared Facilities Reserves,
8 and Hotel Reserves ("the Fees"). The Fees are not based on reasonable expectation of
9 need. The Fees have been set such that an individual owner may actually owe money
10 as a result of having his/her unit rented. They are unnecessarily high and imposed
11 simply to penalize the individual unit owners. Further, MEI-GSR and/or Gage Village
12 have failed to fund their required portion of these funds, while demanding the
13 individual unit owners continue to pay the funds under threat of a lien. MEI-GSR has
14 taken the Fees paid by individual unit owners and placed the funds in its general
15 operating account rather than properly segregating them for the use of the Unit Owner's
16 Association. All of said actions are unconscionable and unenforceable pursuant to NRS
17 116.112(1). The Court will grant the Tenth Cause of Action and not enforce these
18 portions of the agreements.
19

20 L. The legal concept of *quantum meruit* has two applications. The first application is in
21 actions based upon contracts implied-in-fact. The second application is providing
22 restitution for unjust enrichment. *Certified Fire*, at 256. In the second application,
23 "[l]iability in restitution for the market value of goods or services is the remedy
24 traditionally known as quantum meruit. Where unjust enrichment is found, the law
25 implies a quasi-contract which requires the defendant to pay to the plaintiff the value of
26 the benefit conferred. In other words, the defendant makes restitution to the plaintiff in
27 *quantum meruit*." *Id.* at 256-57. Gage Village has been unjustly enriched based on the
28

1 orchestrated action between it and MEI-GSR to the detriment of the individual unit
2 owners as alleged in the Eleventh Cause of Action.

3 M. Many of the individual unit owners attempted to rent their units through third-party
4 services rather than through the use of MEI-GSR. MEI-GSR and Gage Village
5 intentionally thwarted, interfered with and/or disrupted these attempts with the goal of
6 forcing the sale of the individual units back to MEI-GSR. All of these actions were to
7 the economic detriment of the individual unit owners as alleged in the Twelfth Cause of
8 Action.

9 N. The Plaintiffs are entitled to both equitable and legal relief. "As federal courts have
10 recognized, the long-standing distinction between law and equity, though abolished in
11 procedure, continues in substance, *Coca-Cola Co. v. Dixi-Cola Labs.*, 155 F.2d 59, 63
12 (4th Cir. 1946); 30A C.J.S. *Equity* § 8 (2007). A judgment for damages is a legal
13 remedy, whereas other remedies, such as avoidance or attachment, are equitable
14 remedies. *See* 30A *Equity* § 1 (2007)." *Cadle Co. v. Woods & Erickson, LLP*, 131
15 Nev. Adv. Op. 15, 345 P.3d 1049, 1053 (2015).

16 O. "[W]here default is entered as a result of a discovery sanction, the non-offending party
17 'need only establish a *prima facie* case in order to obtain the default.'" *Foster*, 227 P.3d
18 at 1049 (*citing Young v. Johnny Ribeiro Building, Inc.*, 106 Nev. 88, 94, 787 P.2d 777,
19 781 (1990)). "[W]here a district court enters a default, the facts alleged in the pleadings
20 will be deemed admitted. Thus, during a NRCP 55(b)(2) prove-up hearing, the district
21 court shall consider the allegations deemed admitted to determine whether the non-
22 offending party has established a *prima facie* case for liability." *Foster*, 227 P.3d at
23 1049-50. A *prima facie* case requires only "sufficiency of evidence in order to send the
24 question to the jury." *Id.* 227 P.3d at 1050 (*citing Vancheri v. GNLV Corp.*, 105 Nev.
25 417, 420, 777 P.2d 366, 368 (1989)). The Plaintiffs have met this burden regarding all
26 of their causes of action.
27
28

1 P. "Damages need not be determined with mathematical certainty." *Perry*, 111 Nev. at
2 948, 900 P.2d at 338. The party requesting damages must provide an evidentiary basis
3 for determining a "reasonably accurate amount of damages." *Id. See also*,
4 *Countrywide Home Loans, Inc. v. Thitchener*, 124 Nev. 725, 733, 192 P.3d 243, 248
5 (2008) and *Mort Wallin of Lake Tahoe, Inc. v. Commercial Cabinet Co., Inc.*, 105 Nev.
6 855, 857, 784 P.2d 954, 955 (1989).

7 Q. Disgorgement is a remedy designed to dissuade individuals from attempting to profit
8 from their inappropriate behavior. "Disgorgement as a remedy is broader than
9 restitution or restoration of what the plaintiff lost." *American Master Lease LLC v.*
10 *Idanta Partners, Ltd*, 225 Cal. App. 4th 1451, 1482, 171 Cal. Rptr. 3d 548, 572
11 (2014)(*internal citation omitted*). "Where 'a benefit has been received by the defendant
12 but the plaintiff has not suffered a corresponding loss or, in some cases, any loss, but
13 nevertheless the enrichment of the defendant would be unjust . . . the defendant may be
14 under a duty to give to the plaintiff the amount by which [the defendant] has been
15 enriched.'" *Id.* 171 Cal. Rptr. 3d at 573 (*internal citations omitted*). *See also Miller v.*
16 *Bank of America, N.A.*, 352 P.3d 1162 (N.M. 2015) and *Cross v. Berg Lumber Co.*, 7
17 P.3d 922 (Wyo. 2000).

18 III. JUDGMENT

19 Judgment is hereby entered against MEI-GSR, Gage Village and the Unit Owner's
20 Association as follows:

21 Monetary Relief:

- 22 1. Against MEI-GSR in the amount of \$442,591.83 for underpaid revenues to Unit owners;
- 23 2. Against MEI-GSR in the amount of \$4,152,669.13 for the rental of units of owners who had no
24 rental agreement;
- 25 3. Against MEI-GSR in the amount of \$1,399,630.44 for discounting owner's rooms without
26 credits;
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- 1 4. Against MEI-GSR in the amount of \$31,269.44 for discounted rooms with credits;
- 2 5. Against MEI-GSR in the amount of \$96,084.96 for "comp'd" or free rooms;
- 3 6. Against MEI-GSR in the amount of \$411,833.40 for damages associated with the bad faith
- 4 "preferential rotation system";
- 5 7. Against MEI-GSR in the amount of \$1,706,798.04 for improperly calculated and assessed
- 6 contracted hotel fees;
- 7 8. Against MEI-GSR in the amount of \$77,338.31 for improperly collected assessments;
- 8 9. MEI-GSR will fund the FF&E reserve, shared facilities reserve and hotel reserve in the amount of
- 9 \$500,000.00 each. The Court finds that MEI-GSR has failed to fund the reserves for the units it, or
- 10 any of its agents, own. However, the Court has also determined, *supra*, that these fees were
- 11 themselves unconscionable. The Court does not believe that the remedy for MEI-GSR's failure to
- 12 fund the unconscionable amount should be some multiple of that unreasonable sum. Further, the
- 13 Court notes that Plaintiffs are individual owners: not the Unit Owner's Association. Arguably, the
- 14 reserves are an asset of the Unit Owner's Association and the Plaintiffs have no individual interest in
- 15 this sum. The Court believes that the "seed funds" for these accounts are appropriate under the
- 16 circumstances of the case; and
- 17 10. The Court finds that it would be inappropriate to give MEI-GSR any "write downs" or credits
- 18 for sums they may have received had they rented the rooms in accordance with appropriate business
- 19 practices. These sums will be disgorged.

20

21 **Non-Monetary Relief:**

- 22 1. The receiver will remain in place with his current authority until this Court rules otherwise;
- 23 2. The Plaintiffs shall not be required to pay any fees, assessments, or reserves allegedly due or
- 24 accrued prior to the date of this ORDER;
- 25 3. The receiver will determine a reasonable amount of FF&E, shared facilities and hotel reserve fees
- 26 required to fund the needs of these three ledger items. These fees will be determined within 90 days
- 27 of the date of this ORDER. No fees will be required until the implementation of these new

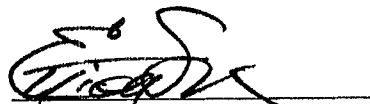
1 amounts. They will be collected from *all* unit owners and properly allocated on the Unit Owner's
2 Association ledgers; and

3 4. The current rotation system will remain in place.

4 **Punitive Damages:**

5 The Court specifically declined to hear argument regarding punitive damages during the
6 prove-up hearing. *See* Transcript of Proceedings 428:6 through 430:1. Where a defendant has been
7 guilty of oppression, fraud, or malice express or implied in an action *not arising from contract*,
8 punitive damages may be appropriate. NRS 42.005(1). Many of the Plaintiff's causes of action
9 sound in contract; therefore, they are not the subject of a punitive damages award. Some of the
10 causes of action may so qualify. The Court requires additional argument on whether punitive
11 damages would be appropriate in the non-contract causes of action. NRS 42.005(3). An appropriate
12 measure of punitive damages is based on the financial position of the defendant, its culpability and
13 blameworthiness, the vulnerability of, and injury suffered by, the offended party, the offensiveness
14 of the punished conduct, and the means necessary to deter further misconduct. *See generally*
15 *Ainsworth v. Combined Insurance Company of America*, 104 Nev. 587, 763 P.2d 673 (1988).
16 Should the Court determine that punitive damages are appropriate it will conduct a hearing to
17 consider all of the stated factors. NRS 42.005(3). The parties shall contact the Judicial Assistant
18 within 10 days of the date of this ORDER to schedule a hearing regarding punitive damages.
19 Counsel will be prepared to discuss all relevant issues and present testimony and/or evidence
20 regarding NRS 42.005 at that subsequent hearing.

21 DATED this 9 day of October, 2015.

22 
23 ELLIOTT A. SATTLER
24 District Judge
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court by using the ECF system which served the following parties electronically:

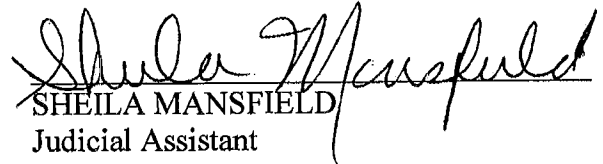
Jonathan Tew, Esq.

Jarrad Miller, Esq.

Stan Johnson, Esq.

Mark Wray, Esq.

DATED this 9 day of October, 2015.


SHEILA MANSFIELD
Judicial Assistant

1310
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d/b/a Grand Sierra Resort

IN THE SECOND JUDICIAL DISTRICTCOURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

ALBERT THOMAS, et. al.

Plaintiff(s),

v.

MEI-GSR HOLDINGS, LLC., a Nevada
Limited Liability Company, AM-GSR
Holdings, LLC., a Nevada Lintied Liability
Company, GRAND SIERRA RESORT UNIT
OWNERS' ASSOCIATION, a Nevada
Nonprofit Corporation, GAGE VILLAGE
COMMERCIAL DEVELOPMENT, LLC., a
Nevada Limited Liability Company and DOES
I-X inclusive,

Defendant(s).

Case No.: CV-12-02222
Dept. No.: 10

CASE APPEAL STATEMENT

CASE APPEAL STATEMENT

Defendants, by and through their counsel of record, H. Stan Johnson, Esq. of COHEN-JOHNSON, LLC, hereby files the following Case Appeal Statement:

1. Name of appellants filing this case appeal statement:

MEI-GSR HOLDINGS, LLC
AM-GSR Holdings, LLC
GRAND SIERRA RESORT UNIT OWNERS' ASSOCIATION
GAGE VILLAGE COMMERCIAL DEVELOPMENT, LLC

2. Judge issuing the Judgment appealed from:

The Honorable Judge Elliott A. Sattler

3. Identify each appellant and the name and address of their counsel:

MEI-GSR Holdings, LLC
AM-GSR Holdings, LLC
Grand Sierra Resort Unit Owners' Association
Gage Village Commerical Development, LLC
c/o H. Stan Johnson, Esq.
Cohen-Johnson, LLC
255 E. Warm Springs Road, Suite 100
Las Vegas, Nevada 89119
Attorneys for Appellants
Tel.: (702) 823-3500

MEI-GSR Holdings, LLC
AM-GSR Holdings, LLC
Grand Sierra Resort Unit Owners' Association
Gage Village Commerical Development, LLC
c/o Mark Wray, Esq.
608 Lander Street
Reno, Nevada 89509
Attorneys for Appellants
Tel.: (775) 348-8877

4. Identify each respondent and the name and address of their counsel:

Albert Thomas, et al.
c/o Jarrad C. Miller, Esq.
Jonathan Joel Tew, Esq.
Robertson, Johnson, Miller & Williamson
50 West Liberty Street, Suite 600

Reno, Nevada 89501
Attorneys for Respondents
Tel.: (775) 329-5600

5. Does any attorney mentioned in questions 3 or 4 not licensed in the State of Nevada and if so, whether the district court granted that attorney permission to appear under SCR 42:

Not applicable.

6. Is the appellant represented by appointed or retained counsel on appeal:

By retained counsel.

7. Is the respondent represented by appointed or retained counsel on appeal:

By retained counsel.

8. Was appellant granted leave to proceed in forma pauperis, and the date of the entry of the district order granting such leave:

Not applicable.

9. The date the proceedings commenced in the district court:

August 27, 2012

10. A brief description of the nature of the action and result in the district court, including the type of judgment or order being appealed and the relief granted by the district court:

In summary, this action by 99 Plaintiffs who currently own or have owned one or more hotel-condominiums within the project known as Grand Sierra Resort Unit-Owners' Association. Plaintiffs allege damages generally based upon the loss of rental income from their units, and depreciation in the value of the units; after having signed into multiple agreements which dictated the rights and responsibilities of the parties. Due to alleged discovery violations, by the Appellants, their answer to the Plaintiffs' second amended complaint was stricken. The matter proceeded to a multi-day default judgment hearing.

As a result of the default judgment hearing, a judgment in favor of the Appellants was entered for in excess of \$9 million dollars on October 9, 2015. The Court concluded that the

1 agreements between the parties should be purged, and allowed the Plaintiffs to be awarded
2 damages based on their expectations, as opposed to being bound by the contradictory contractual
3 language. Additionally no evidence or testimony was presented directly by any of the Plaintiffs;
4 all of the evidence and testimony of damages came solely through the Plaintiffs' sole expert
5 witness. The Court determined that the allegations of the Complaint were deemed admitted, and
6 thus concluded that no individual plaintiff was required to testify. Notwithstanding the contracts
7 that were entered and the "class action" nature of the default judgment hearing, the Plaintiffs
8 were awarded all the damages they sought. This appeal now follows.

10 11. Has the case been subject to a prior appeal or original writ proceeding in the
11 Supreme Court:

12 No.

13 12. Does the appeal involve child custody or visitation:

14 No.

15 13. If this is a civil case, indicate whether this appeal involves the possibility of
16 settlement.

17 This matter is a civil case and Appellants do not believe that there is a likely possibility
18 of settlement.

19 Dated this 6th day of November, 2015.

21 **COHEN|JOHNSON, LLC.**

22
23 /s/ H. Stan Johnson

24 H. Stan Johnson, Esq.

25 Nevada Bar No. 00265

26 Steven B. Cohen, Esq.

27 Nevada Bar No. 2327

28 255 E. Warm Springs Road, Suite 100

Las Vegas, Nevada 89119

Attorneys for MEI-GSR HOLDINGS, LLC.

d/b/a Grand Sierra Resort

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of COHEN|JOHNSON, LLC, and that on this date I caused to be served a true and correct copy of the **CASE APPEAL STATEMENT** on all the parties to this action by the method(s) indicated below:

X by using the Court's CM/ECF Electronic Notification System addressed to:
JONATHAN TEW, ESQ. for CAYENNE TRUST et al
JARRAD MILLER, ESQ. for CAYENNE TRUST et al
G. ROBERTSON, ESQ. for CAYENNE TRUST et al
MARK WRAY, ESQ. for GRAND SIERRA RESORT UNIT-OWNER'S ASSOCIATION et al
H. JOHNSON, ESQ. for GRAND SIERRA RESORT UNIT-OWNER'S ASSOCIATION et al
SEAN BROHAWN, ESQ. for GRAND SIERRA RESORT UNIT-OWNER'S ASSOCIATION et al

DATED the 6th day of November, 2015.

/s/ CJ Barnabi
An employee of Cohen-Johnson, LLC

SECOND JUDICIAL DISTRICT COURT

STATE OF NEVADA

COUNTY OF WASHOE

Case History - CV12-02222

Case Description: ALBERT THOMAS ETAL. VS. MEI-GSR HOLDINGS ETAL.(D10

Case Number: CV12-02222 Case Type: OTHER CIVIL MATTERS - Initially Filed On: 8/27/2012

Parties	
Party Type & Name	Party Status
PLTF - TIMOTHY D. KAPLAN - @1228448	Active
PLTF - LORI ORDOVER - @1228459	Active
PLTF - SANDRA LUTZ - @1228463	Active
PLTF - R. RAGHURAM - @1228482	Active
PLTF - ANITA TOM - @1228486	Active
PLTF - DOMINIC YIN - @1228490	Active
PLTF - FREDRICK FISH - @1229082	Active
PLTF - MAY ANN HOM TRUST - @1229087	Active
PLTF - MICHAEL HURLEY - @1229088	Active
PLTF - SANG (MIKE) YOO - @1229128	Active
PLTF - CHANH TRUONG - @1229131	Active
PLTF - RICHARD LUTZ - @1228458	Active
PLTF - MELVIN CHEAH - @1228466	Active
PLTF - NADINE'S REAL ESTATE INVESTMENTS, LLC - @1228472	Active
PLTF - MARIE-ANNIE ALEXANDER LIVING TRUST - @1228474	Active
PLTF - FAYE FADRILAN - @1228488	Active
PLTF - JEFFERY JAMES QUINN - @1228492	Active
PLTF - DUANE WINDHORST - @1229089	Active
PLTF - MARILYN WINDHORST - @1229090	Active
PLTF - ANNE BHAN - @1229091	Active
PLTF - SANG DEE SOHN - @1229115	Active
PLTF - NORMAN CHANDLER - @1228444	Active
PLTF - WILLIAM A. HENDERSON - @1228460	Active
PLTF - DI SHEN - @1228469	Active
PLTF - D'ARCY NUNN - @1228478	Active
PLTF - M&Y HOLDINGS, LLC - @1228480	Active
PLTF - LORI K. TOKUTOMI - @1228484	Active
PLTF - PAMELA Y. ARATANI - @1229095	Active
PLTF - CHRISINE MECHAM - @1229099	Active
PLTF - SOO YEUN MOON - @1229101	Active
PLTF - PRAVESH CHOPRA - @1229103	Active
PLTF - JAMES TAYLOR - @1229107	Active
PLTF - WILLIAM MINER, JR. - @1229130	Active
PLTF - ELIZABETH ANDERS MECUA - @1229132	Active
PLTF - DANIEL MOLL - @1229138	Active
PLTF - LEE VAN DER BOKKE - @1228449	Active
PLTF - PETER CHENG - @1228450	Active
PLTF - ELISA CHENG - @1228452	Active
PLTF - LOU ANN PEDERSON - @1228457	Active
PLTF - SILKSCAPE INCORPORATED - @603912	Active
PLTF - STEVEN TAKAKI - @1228475	Active
PLTF - FARAD TORABKHAN - @1228477	Active
PLTF - RAMON FADRILAN - @1228487	Active
PLTF - AJIT GUPTA - @1229080	Active
PLTF - VINOD BHAN - @1168506	Active
PLTF - JOHNSON AKINDODUNSE - @1229102	Active
PLTF - ROBERT BRUNNER - @1229134	Active

PLTF - PATRICIA M. MOLL - @1229137	Active
PLTF - DONALD SCHREIFELS - @1228451	Active
PLTF - CHRISTINE E. HENDERSON - @1228461	Active
PLTF - JANE DUNLAP - @1228465	Active
PLTF - LOREN D. PARKER - @1228467	Active
PLTF - SUZANNE C. PARKER - @1228470	Active
PLTF - SEEMA GUPTA - @1229081	Active
PLTF - GARTH A. WILLIAMS - @1229094	Active
PLTF - HYUNG (CONNIE) KUK - @1229116	Active
PLTF - MAXINE RICH - @1228443	Active
PLTF - BENTON WAN - @1228446	Active
PLTF - MADELYN VAN DER BOKKE - @1228447	Active
PLTF - ROBERT R. PEDERSON - @1228453	Active
PLTF - ALBERT THOMAS - @1228462	Active
PLTF - JOHN DUNLAP - @1228468	Active
PLTF - MICHAEL IZADY - @1228473	Active
PLTF - SAHAR TAVAKOL - @1228479	Active
PLTF - GARETT TOM - @1228485	Active
PLTF - BARBARA ROSE QUINN - @1228493	Active
PLTF - NANCY POPE - @1229106	Active
PLTF - RYAN TAYLOR - @1229112	Active
PLTF - YOUNG JA CHOI - @1229114	Active
PLTF - CAYENNE TRUST - @1229129	Active
PLTF - SHEPHERD MOUNTAIN, LLC - @1229133	Active
PLTF - JEFF RIOPELLE - @1229136	Active
PLTF - KENNETH RICH - @1228442	Active
PLTF - HENRY NUNN - @1228445	Active
PLTF - GREG A. CAMERON - @1228454	Active
PLTF - TMI PROPERTY GROUP, LLC - @1228456	Active
PLTF - G. VAGUJHELYI AND M. VAGUJHELYI 2001 FAM TRUST AGR,U/D/A - @1228476	Active
PLTF - JL&YL HOLDINGS, LLC - @1228481	Active
PLTF - USHA RAGHURAM - @1228483	Active
PLTF - LEE FAMILY 2002 REVOCABLE TRUST - @1228489	Active
PLTF - ELIAS SHAMIEH - @1228491	Active
PLTF - ROBERT A. WILLIAMS - @1229085	Active
PLTF - GUY P. BROWNE - @1229092	Active
PLTF - TERRY POPE - @1229105	Active
PLTF - KI HAM - @1229113	Active
PLTF - PEDERSON 1990 TRUST - @1228455	Active
PLTF - SANDI RAINES - @1162955	Active
PLTF - MARY A. KOSSICK - @1228464	Active
PLTF - BARRY HAY - @1228471	Active
PLTF - LISA FISH - @1229083	Active
PLTF - JACQUELIN PHAM - @1229086	Active
PLTF - DARLENE LINDGREN - @1229096	Active
PLTF - LAVERNE ROBERTS - @1229097	Active
PLTF - DOUG MECHAM - @1229098	Active
PLTF - KWANGSOO SON - @1229100	Active
PLTF - WEISS FAMILY TRUST - @1139180	Active

PLTF - AMY BRUNNER - @1229135	Active
DEFT - GRAND SIERRA RESORT UNIT-OWNER'S ASSOCIATION - @1210864	Active
DEFT - MEI-GSR HOLDINGS LLC, - @1212239	Active
DEFT - GAGE VILLAGE COMMERCIAL DEVELOPMENT, LLC - @1225220	Active
ATTY - G. David Robertson, Esq. - 1001	Active
ATTY - H. Stan Johnson, Esq. - 0265	Active
ATTY - H. Stan Johnson, Esq. - 265	Active
ATTY - Mark Douglas Wray, Esq. - 4425	Active
ATTY - Sean L. Brohawn, Esq. - 7618	Active
ATTY - Steven B. Cohen, Esq. - 2327	Active
ATTY - Jarrad C. Miller, Esq. - 7093	Active
ATTY - Jeffrey L. Hartman, Esq. - 1607	Active
ATTY - Jonathan J. Tew, Esq. - 11874	Active
RECV - JAMES PROCTOR - @1284124	Active

Disposed Hearings

- 1 Department: DISC -- Event: Request for Submission -- Scheduled Date & Time: 8/8/2013 at 14:17:00
Extra Event Text: MOTION TO COMPEL PRODUCTION OF DOCUMENTS (MOTION) (NO PAPER ORDER PROVIDED)
Event Disposition: S200 - 9/4/2013
- 2 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 9/4/2013 at 13:46:00
Extra Event Text: SECOND MOTION TO COMPEL DISCOVERY RESPONSES (NO PAPER ORDER PROVIDED)
Event Disposition: S200 - 9/5/2013
- 3 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 10/1/2013 at 13:23:00
Extra Event Text: MOTION TO COMPEL DEPOSITION (NO PAPER ORDER PROVIDED)
Event Disposition: S200 - 10/2/2013
- 4 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 10/3/2013 at 12:25:00
Extra Event Text: MOTION FOR SANCTIONS (NO PAPER ORDER PROVIDED)
Event Disposition: S200 - 10/7/2013
- 5 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 10/4/2013 at 10:05:00
Extra Event Text: MOTION TO COMPEL DEPOSITION ON SEPTEMBER 13, 2013
Event Disposition: S200 - 10/14/2013
- 6 Department: DISC -- Event: Request for Submission -- Scheduled Date & Time: 10/7/2013 at 08:00:00
Extra Event Text: MOTION FOR SANCTIONS UNDER NRCP 37(b) (PAPER ORDER NOT PROVIDED)
Event Disposition: S200 - 10/23/2013
- 7 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 10/8/2013 at 15:24:00
Extra Event Text: MOTION TO COMPEL DEPOSITION (NO PAPER ORDER PROVIDED)
Event Disposition: S200 - 10/14/2013
- 8 Department: D10 -- Event: STATUS CONFERENCE -- Scheduled Date & Time: 10/14/2013 at 08:00:00

Event Disposition: D435 - 10/14/2013
- 9 Department: D6 -- Event: SETTLEMENT CONFERENCE -- Scheduled Date & Time: 10/15/2013 at 09:00:00
Extra Event Text: P - JARRAD MILLER - 329-5800
Event Disposition: D480 - 10/15/2013

- 10 Department: D10 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 10/16/2013 at 08:00:00
Extra Event Text: SECOND PRE-TRIAL CONFERENCE (1/2 HOUR)
Event Disposition: D435 - 10/16/2013

- 11 Department: D10 -- Event: EXHIBITS TO BE MARKED W/CLERK -- Scheduled Date & Time: 10/21/2013 at 15:00:00

Event Disposition: D844 - 10/21/2013

- 12 Department: D10 -- Event: TRIAL - JURY -- Scheduled Date & Time: 10/21/2013 at 08:30:00
Extra Event Text: 3-WEEK JURY TRIAL (#1 SET)
Event Disposition: D844 - 10/16/2013

- 13 Department: D10 -- Event: HEARING... -- Scheduled Date & Time: 10/21/2013 at 13:30:00
Extra Event Text: HEARING ON PLAINTIFF'S MOTION FOR SANCTIONS UNDER NRCP 37(b)
Event Disposition: D445 - 10/21/2013

- 14 Department: D10 -- Event: HEARING... -- Scheduled Date & Time: 10/22/2013 at 14:00:00
Extra Event Text: CONT'D HRG ON PLAINTIFFS' MOTION FOR SANCTIONS UNDER NRCP 37(b).
Event Disposition: D445 - 10/22/2013

- 15 Department: D10 -- Event: HEARING... -- Scheduled Date & Time: 10/23/2013 at 08:30:00
Extra Event Text: CONT'D HRG ON PLAINTIFFS' MOTION FOR SANCTIONS UNDER NRCP 37(b).
Event Disposition: D435 - 10/23/2013

- 16 Department: D10 -- Event: TRIAL - JURY -- Scheduled Date & Time: 10/28/2013 at 08:30:00
Extra Event Text: 3 WEEKS
Event Disposition: D844 - 10/23/2013

- 17 Department: D10 -- Event: HEARING... -- Scheduled Date & Time: 11/5/2013 at 15:00:00
Extra Event Text: HEARING ON EX PARTE EMERGENCY MOTION TO HOLD THE DEFENDANTS IN CONTEMPT (COURT REPORTER REQUESTED BY PLAIN
Event Disposition: D435 - 11/5/2013

- 18 Department: D10 -- Event: IN-CHAMBERS CONFERENCE -- Scheduled Date & Time: 11/19/2013 at 15:30:00
Extra Event Text: (RE: EMAILS RECOVERED)
Event Disposition: D435 - 11/19/2013

- 19 Department: D10 -- Event: HEARING... -- Scheduled Date & Time: 12/4/2013 at 09:00:00
Extra Event Text: 3 HOURS
Event Disposition: D435 - 12/4/2013

- 20 Department: DISC -- Event: Request for Submission -- Scheduled Date & Time: 12/20/2013 at 16:25:00
Extra Event Text: PLAINTIFFS' BRIEF EXPLAINING WHY THE DEFENDANTS' PRIVILEGE LOG IS DEFICIENT AND FAILS TO COMPLY WITH NEVADA LAW; DI
Event Disposition: S200 - 1/23/2014

- 21 Department: D10 -- Event: TRIAL - JURY -- Scheduled Date & Time: 1/6/2014 at 08:30:00
Extra Event Text: 2 WEEKS
Event Disposition: D843 - 12/5/2013

- 22 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 2/11/2014 at 16:06:00
Extra Event Text: DEFENDANTS' MOTION FOR RECONSIDERATION OF ORDER REGARDING ORIGINAL MOTION FOR CASE CONCLUDING SACTIONS; PLA
Event Disposition: S200 - 3/13/2014

- 23 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 2/20/2014 at 09:25:00
Extra Event Text: DEFENDANTS' OBJECTION IN PART TO SPECIAL MSTER'S JANUARY 23, 2014 RECOMMENDATION FOR ORDER; PLAINTIFFS' RESPON
Event Disposition: S200 - 3/13/2014

- 24 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 2/27/2014 at 09:25:00
Extra Event Text: MOTION TO STAY COMPLIANCE WITH SPECIAL MASTER'S JANUARY 23, 2014 RECOMMENDATION FOR ORDER, PENDING JUDICIAL RE
Event Disposition: S200 - 3/13/2014
- 25 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 3/11/2014 at 13:10:00
Extra Event Text: PLTFS' MOTION FOR CASE TERMINATING SANCTIONS, DEFTS' OPPOSITION TO PLTFS' MOTION FOR CASE TERMINATION SANCTIONS
Event Disposition: S200 - 3/27/2014
- 26 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 4/8/2014 at 16:59:00
Extra Event Text: PLAINTIFFS' MOTION TO HOLD DEFENDANTS IN CONTEMPT, OR IN THE ALTERNATIVE, ORDER DEFENDANTS TO RELEASE EVIDENCE
Event Disposition: S200 - 4/18/2014
- 27 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 5/13/2014 at 13:52:00
Extra Event Text: PLAINTIFF'S MOTION TO COMPEL DEPOSITION AND FOR SANCTIONS & REPLY IN SUPPORT OF MOTION TO COMPEL DEPOSITION AN
Event Disposition: S200 - 5/15/2014
- 28 Department: DISC -- Event: Request for Submission -- Scheduled Date & Time: 5/13/2014 at 10:53:00
Extra Event Text: PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF DOCUMENTS & REPLY IN SUPPORT OF MOTION TO COMPEL PRODUCTION OF DC
Event Disposition: S200 - 7/7/2014
- 29 Department: D10 -- Event: HEARING... -- Scheduled Date & Time: 5/14/2014 at 09:00:00
Extra Event Text: HEARING REGARDING MOTION FOR CASE TERMINATING SANCTIONS (9:00 TO 5:00)(COURT REPORTER REQUESTED BY BOTH PARTII
Event Disposition: D465 - 5/14/2014
- 30 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 7/2/2014 at 09:14:00
Extra Event Text: PLAINTIFFS' RENEWED MOTION TO COMPEL PRODUCTION OF DOCUMENTS, FOR SANCTIONS AND FOR CONTEMPT OF COURT AGAI
Event Disposition: S200 - 8/14/2014
- 31 Department: D10 -- Event: HEARING... -- Scheduled Date & Time: 8/1/2014 at 08:30:00
Extra Event Text: CONTINUATION OF HEARING REGARDING MOTION FOR CASE-CONCLUDING SANCTIONS (ALL DAY)(COURT REPORTER NEEDED)
Event Disposition: D445 - 8/1/2014
- 32 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 8/11/2014 at 14:33:00
Extra Event Text: (PLTF'S MOTION RENEWED MOTION FOR CASE-CONCLUDING SANCTIONS TAKEN UNDER ADVISEMENT AT THE CONCLUSION OF THE
Event Disposition: S200 - 10/3/2014
- 33 Department: D10 -- Event: HEARING... -- Scheduled Date & Time: 8/11/2014 at 08:30:00
Extra Event Text: (CONT'D HRG ON PLTF'S RENEWED MOTION FOR CASE CONCLUDING SANCTIONS.)
Event Disposition: D840 - 8/11/2014
- 34 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 11/4/2014 at 08:26:00
Extra Event Text: MOTION FOR APPOINTMENT OF RECEIVER
Event Disposition: S200 - 11/5/2014
- 35 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 11/4/2014 at 08:24:00
Extra Event Text: MOTIOON TO STRIKE DEFENDANTS' AMENDED TRIAL STATEMENT AND MOTIONS IN LIMINE
Event Disposition: S200 - 11/5/2014
- 36 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 11/10/2014 at 14:59:00
Extra Event Text: MOTION FOR FEES AND COSTS PURSUANT TO NRCP 37(b)(2) AND OPPOSITION TO PLAINTIFFS' MOTION FOR FEES AND COSTS PURS
Event Disposition: S200 - 12/10/2014
- 37 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 11/18/2014 at 11:48:00
Extra Event Text: MOTION FOR APPOINTMENT OF RECEIVE FILED 10-16-14; THE DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION FOR A RECEIVER,
Event Disposition: S200 - 11/18/2014

- 38 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 11/18/2014 at 11:47:00
Extra Event Text: MOTION TO STRIKE DEFENDANTS' AMENDED TRIAL STATEMENT AND MOTIONS IN LIMINE, FILED 10-13-14; THE DEFENDANTS' OPPO:
Event Disposition: S200 - 11/18/2014
- 39 Department: D10 -- Event: ORAL ARGUMENTS -- Scheduled Date & Time: 11/19/2014 at 13:30:00
Extra Event Text: ORAL ARGUMENT ON MOTION TO STRIKE AND MOTION FOR RECEIVER (2 HOURS) (COURT REPORTER REQUESTED BY STAN JOHNS
Event Disposition: D425 - 11/19/2014
- 40 Department: D10 -- Event: HEARING... -- Scheduled Date & Time: 1/13/2015 at 14:00:00
Extra Event Text: HEARING REGARDING TRANSFER
Event Disposition: D435 - 1/13/2015
- 41 Department: D10 -- Event: IN-CHAMBERS CONFERENCE -- Scheduled Date & Time: 1/15/2015 at 08:00:00

Event Disposition: D435 - 1/15/2015
- 42 Department: D10 -- Event: HEARING... -- Scheduled Date & Time: 1/26/2015 at 08:30:00
Extra Event Text: PROVE UP HEARING (3 DAYS)
Event Disposition: D844 - 1/15/2015
- 43 Department: D10 -- Event: HEARING... -- Scheduled Date & Time: 1/26/2015 at 08:30:00
Extra Event Text: HEARING/ORAL ARGUMENT TO PROVE UP DAMAGES (3-5 DAYS)COURT REPORTER REQUESTED BY PLAINTIFFS
Event Disposition: D844 - 1/15/2015
- 44 Department: D10 -- Event: STATUS CONFERENCE -- Scheduled Date & Time: 2/4/2015 at 14:00:00
Extra Event Text: CONFERENCE ON MOTION TO STAY HEARING ON FEBRUARY 9, 2015
Event Disposition: D425 - 2/4/2015
- 45 Department: D10 -- Event: HEARING... -- Scheduled Date & Time: 2/5/2015 at 13:30:00
Extra Event Text: HEARING ON DEFENDANT'S MOTION TO STAY THE HEARING ON DAMAGES SET FOR FEBRUARY 9, 2015
Event Disposition: D844 - 2/4/2015
- 46 Department: D10 -- Event: EXHIBITS TO BE MARKED W/CLERK -- Scheduled Date & Time: 2/6/2015 at 08:30:00

Event Disposition: D845 - 2/4/2015
- 47 Department: D10 -- Event: HEARING... -- Scheduled Date & Time: 2/9/2015 at 08:30:00
Extra Event Text: HEARING TO PROVE UP DAMAGES (3 DAYS) (COURT REPORTER REQUESTED)
Event Disposition: D845 - 2/4/2015
- 48 Department: D10 -- Event: HEARING... -- Scheduled Date & Time: 3/23/2015 at 08:30:00
Extra Event Text: HEARING TO PROVE UP DAMAGES (3 DAYS) COURT REPORTER REQUESTED BY PLAINTIFFS
Event Disposition: D498 - 3/23/2015
- 49 Department: D10 -- Event: HEARING... -- Scheduled Date & Time: 3/24/2015 at 08:30:00
Extra Event Text: (ONGOING PROVE UP HEARING)
Event Disposition: D498 - 3/24/2015
- 50 Department: D10 -- Event: HEARING... -- Scheduled Date & Time: 3/25/2015 at 08:30:00
Extra Event Text: (ONGOING PROVE-UP HRG; CLOSING ARGUMENTS.)
Event Disposition: D435 - 3/25/2015
- 51 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 4/27/2015 at 09:00:00
Extra Event Text: MATTER TAKEN UNDER ADVISEMENT AFTER HEARING AND AFTER ADDITIONAL MATERIAL PROVIDED
Event Disposition: S200 - 6/15/2015

- 52 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 5/20/2015 at 14:27:00
Extra Event Text: PLAINTIFF'S EX PARTE APPLICATION FOR ORDER TO SHOW CAUSE FILED 4-27-15 -
Event Disposition: S200 - 6/15/2015
- 53 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 6/12/2015 at 13:17:00
Extra Event Text: PLAINTIFFS' EX PARTE APPLICATION FOR ORDER TO SHOW CAUSE FILED 4-27-15
Event Disposition: S200 - 6/15/2015
- 54 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 6/19/2015 at 10:21:00
Extra Event Text: DEFENDANT'S MOTION FOR PERMISSION TO SUBMIT RESPONSE TO PLAINTIFF'S MEMORANDUM OF SUPPLEMENTAL EVIDENCE PUR
Event Disposition: S200 - 8/7/2015
- 55 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 8/7/2015 at 04:00:00
Extra Event Text: COURT NEEDS TO DECIDE ISSUE OF DAMAGES
Event Disposition: S200 - 10/9/2015
- 56 Department: D10 -- Event: CONFERENCE CALL -- Scheduled Date & Time: 10/22/2015 at 15:15:00

Event Disposition: D435 - 10/22/2015

Actions

- | | <u>Filing Date</u> | <u>-</u> | <u>Docket Code & Description</u> |
|----|--------------------|----------|---|
| 1 | 8/27/2012 | - | \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: NADINE'S REAL ESTATE INVESTMENTS, LLC - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26 |
| 2 | 8/27/2012 | - | \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: DI SHEN - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26 |
| 3 | 8/27/2012 | - | \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: MELVIN CHEAH - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26 |
| 4 | 8/27/2012 | - | \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: MARY A. KOSSICK - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26 |
| 5 | 8/27/2012 | - | \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: SANDRA LUTZ - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26 |
| 6 | 8/27/2012 | - | \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: RICHARD LUTZ - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26 |
| 7 | 8/27/2012 | - | \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: TMI PROPERTY GROUP, LLC - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26 |
| 8 | 8/27/2012 | - | \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: GREG A. CAMERON - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26 |
| 9 | 8/27/2012 | - | \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: ELISA CHENG - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26 |
| 10 | 8/27/2012 | - | \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: PETER CHENG - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26 |

- 11 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: SILKSCAPE INC. - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26
- 12 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: TIMOTHY D. KAPLAN - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26
- 13 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: BENTON WAN - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26
- 14 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: NORMAN CHANDLER - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26
- 15 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: MAXINE RICH - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26
- 16 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: KENNETH RICH - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26
- 17 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: BARBARA ROSE QUINN - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26
- 18 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: JEFFERY JAMES QUINN - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26
- 19 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: ELIAS SHAMIEH - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26
- 20 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: DOMINIC YIN - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26
- 21 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: LEE FAMILY 2002 REVOCABLE TRUST - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26
- 22 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: RAYE FADRILAN - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26
- 23 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: RAMON FADRILAN - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26
- 24 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: ANITA TOM - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26
- 25 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: GARETT TOM - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26
- 26 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: LORI K. TOKUTOMI - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26
- 27 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: USHA RAGHURAM - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26
- 28 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: R. RAGHURAM - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

29 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: SANDI RAINES - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

30 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: JL&YL HOLDINGS, LLC - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

31 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: M&Y HOLDINGS, LLC - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

32 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: SAHAR TAVAKOL - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

33 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: FARAD TORABKHAN - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

34 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: STEVEN TAKAKI - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

35 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: MICHAEL IZADY - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

36 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: SUZANNE C. PARKER - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

37 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: LOREN D. PARKER - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

38 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: CHRISTINE E. HENDERSON - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

39 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: WILLIAM A. HENDERSON - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

40 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: LORI ORDOVER - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

41 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: LOU ANN PEDERSON - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

42 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: PEDERSON 1990 TRUST - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

43 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: ROBERT R. PEDERSON - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

44 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: DONALD SCHREIFELS - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

45 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: LEE VAN DER BOKKE - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

46 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: MADELYN VAN DER BOKKE - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

47 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: HENRY NUNN - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

48 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: D'ARCY NUNN - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

49 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: GEORGE VAGUJHELYI AND MELISSA VAGUJHELYI 2001 FAMILY TRUST AGREEMENT, U/D/A APRIL 13, 2001 - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

50 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: MARIE-ANNE ALEXANDER LIVING TRUST - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

51 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: BARRY HAY - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

52 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: JOHN DUNLAP - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

53 8/27/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: JANE DUNLAP - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

54 8/27/2012 - \$1425 - \$Complaint - Civil
Additional Text: (ALBERT THOMAS) - Transaction 3178084 - Approved By: MCHOLICO : 08-28-2012:09:40:26

55 8/28/2012 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$1,850.00 was made on receipt DCDC374045.

56 9/10/2012 - 1090 - Amended Complaint
Additional Text: Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

57 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: DANIEL MOLL - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

58 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: PATRICIA M. MOLL - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

59 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: JEFF RIOPELLE - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

60 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: AMY BRUNNER - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

61 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: ROBERT BRUNNER - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

62 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: SHEPHERD MOUNTAIN, LLC - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

63 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: ELIZABETH ANDERS MECUA - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

64 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: CHANH TRUONG - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

65 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: WILLIAM MINER, JR. - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

66 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: CAYENNE TRUST - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

67 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: SANG (MIKE) YOO - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

68 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: KUK HYUNG (CONNIE) - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

69 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: SANG DEE SOHN - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

70 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: YOUNG JA CHOI - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

71 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: KI HAM - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

72 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: RYAN TAYLOR - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

73 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: JAMES TAYLOR - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

74 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: NANCY POPE - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

75 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: TERRY POPE - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

76 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: PRAVESH CHOPRA - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

77 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: WEISS FAMILY TRUST - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

78 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: JOHNSON AKINDODUNSE - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

79 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: SOO YEUN MOON - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

80 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: KWANGSOO SON - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

81 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: CHRISINE MECHAM - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

82 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: DOUG MECHAM - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

83 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: LAVERNE ROBERTS - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

84 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: DARLENE LINDGREN - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

85 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: PAMELA Y. ARATANI - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

86 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: GARTH A. WILLIAMS - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

87 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: GUY P. BROWNE - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

88 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: ANNE BHAN - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

89 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: VINOD BHAN - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

90 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: MARILYN WINDHORST - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

91 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: DUANE WINDHORST - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

92 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: DOMINIC YIN - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

93 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: MICHAEL HURLEY - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

94 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: MAY ANN HOM TRUST - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

95 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: JACQUELIN PHAM - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

96 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: ROBERT A. WILLIAMS - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

97 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: LISA FISH - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

98 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: FREDRICK FISH - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

99 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: SEEMA GUPTA - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

100 9/10/2012 - \$PLTF - \$Addl Plaintiff/Complaint
Additional Text: AJIT GUPTA - Transaction 3205997 - Approved By: MCHOLICO : 09-10-2012:16:14:46

- 101 9/10/2012 - PAYRC - **Payment Received
Additional Text: A Payment of \$1,320.00 was made on receipt DCDC375659.
- 102 9/10/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 3206647 - Approved By: NOREVIEW : 09-10-2012:16:20:28
- 103 10/2/2012 - 1005 - Acceptance of Service
Additional Text: SEAN L. BROHAWN, ESQ. ACCEPTS SERVICE OBO MEI-GSR HOLDINGS, LLC, GRAND SIERRA RESORT UNIT OWNERS' ASSOCIATION, AND GAGE VILLAGE COMMERCIAL DEVELOPMENT, LLC ON9/28/12 - Transaction 3254552 - Approved By: MCHOLICO : 10-02-2012:10:16:45
- 104 10/2/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 3254637 - Approved By: NOREVIEW : 10-02-2012:10:19:00
- 105 10/17/2012 - 2520 - Notice of Appearance
Additional Text: SEAN L. BROHAWN FOR DEFENDANTS - Transaction 3289192 - Approved By: YLLOYD : 10-17-2012:16:11:37
- 106 10/17/2012 - \$1560 - \$Def 1st Appearance - CV
Additional Text: MEI-GRS HOLDINGS LLC - Transaction 3289192 - Approved By: YLLOYD : 10-17-2012:16:11:37
- 107 10/17/2012 - \$DEFT - \$Addl Def/Answer - Prty/Appear
Additional Text: GAGE VILLAGE COMMERCIAL DEVELOPMENT LLC - Transaction 3289192 - Approved By: YLLOYD : 10-17-2012:16:11:37
- 108 10/17/2012 - \$DEFT - \$Addl Def/Answer - Prty/Appear
Additional Text: GRAND SIERRA RESORT UNIT OWNERS ASSOCIATION - Transaction 3289192 - Approved By: YLLOYD : 10-17-2012:16:11:37
- 109 10/17/2012 - PAYRC - **Payment Received
Additional Text: A Payment of \$273.00 was made on receipt DCDC381139.
- 110 10/17/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 3289464 - Approved By: NOREVIEW : 10-17-2012:16:22:14
- 111 10/17/2012 - 1585 - Demand for Security of Costs
Additional Text: DEFENDANTS - Transaction 3289512 - Approved By: YLLOYD : 10-17-2012:16:31:20
- 112 10/17/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 3289574 - Approved By: NOREVIEW : 10-17-2012:16:40:25
- 113 11/2/2012 - 2610 - Notice ...
Additional Text: NOTICE OF UNDERTAKING - Transaction 3322705 - Approved By: JYOST : 11-02-2012:16:20:21
- 114 11/2/2012 - 2610 - Notice ...
Additional Text: NOTICE OF UNDERTAKING - Transaction 3322705 - Approved By: JYOST : 11-02-2012:16:20:21
- 115 11/2/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 3322909 - Approved By: NOREVIEW : 11-02-2012:16:24:42
- 116 11/21/2012 - 1137 - Answer and Counterclaim
Additional Text: Transaction 3364146 - Approved By: MCHOLICO : 11-21-2012:16:48:08
- 117 11/21/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 3364218 - Approved By: NOREVIEW : 11-21-2012:16:49:59

- 118 12/5/2012 - 3840 - Request Exemption Arbitration
Additional Text: Transaction 3387612 - Approved By: APOMA : 12-05-2012:11:43:08
- 119 12/5/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 3387678 - Approved By: NOREVIEW : 12-05-2012:11:52:02
- 120 12/13/2012 - 1145 - Answer to Counterclaim-Civil
Additional Text: Transaction 3404634 - Approved By: MCHOLICO : 12-13-2012:10:53:19
- 121 12/13/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 3404705 - Approved By: NOREVIEW : 12-13-2012:11:12:33
- 122 12/13/2012 - 2605 - Notice to Set
Additional Text: JANUARY 28, 2013 @ 2:00PM - Transaction 3405657 - Approved By: MCHOLICO : 12-13-2012:14:27:25
- 123 12/13/2012 - 2529 - Notice of Early Case Conferenc
Additional Text: Transaction 3405657 - Approved By: MCHOLICO : 12-13-2012:14:27:25
- 124 12/13/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 3405704 - Approved By: NOREVIEW : 12-13-2012:14:30:20
- 125 12/26/2012 - A120 - Exemption from Arbitration
Additional Text: Transaction 3426980 - Approved By: APOMA : 12-26-2012:08:59:38
- 126 12/26/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 3427003 - Approved By: NOREVIEW : 12-26-2012:09:02:46
- 127 1/25/2013 - 1580 - Demand for Jury
Additional Text: PLTF: ALBERT THOMAS
- 128 1/25/2013 - JF - **First Day Jury Fees Deposit
No additional text exists for this entry.
- 129 2/5/2013 - 1250E - Application for Setting eFile
Additional Text: 3-WEEK JURY TRIAL (#1 SET) 10/21/13 - Transaction 3512456 - Approved By: NOREVIEW : 02-05-2013:16:15:29
- 130 2/5/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3512497 - Approved By: NOREVIEW : 02-05-2013:16:19:13
- 131 2/20/2013 - 3980 - Stip and Order...
Additional Text: TO FILE A SECOND AMENDED COMPLAINT ADDING ADDITIONAL PARTY PLAINTIFF - Transaction 3543312 -
Approved By: NOREVIEW : 02-20-2013:14:43:02
- 132 2/20/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3543327 - Approved By: NOREVIEW : 02-20-2013:14:45:41
- 133 3/8/2013 - 1835 - Joint Case Conference Report
Additional Text: Transaction 3579753 - Approved By: MCHOLICO : 03-08-2013:16:15:54
- 134 3/8/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3580003 - Approved By: NOREVIEW : 03-08-2013:16:17:27
- 135 3/26/2013 - 3920 - Second Amended Complaint
Additional Text: Transaction 3617729 - Approved By: MCHOLICO : 03-26-2013:15:33:59

- 136 3/26/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3618004 - Approved By: NOREVIEW : 03-26-2013:15:35:57
- 137 5/23/2013 - 1140 - Answer to Amended Complaint
Additional Text: DEFENDANTS ANSWER TO SECOND AMENDED COMPLAINT AND COUNTERCLAIM - Transaction 3746119 - Approved By: YLLOYD : 05-24-2013:09:01:21
- 138 5/24/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3746456 - Approved By: NOREVIEW : 05-24-2013:09:03:29
- 139 6/5/2013 - 1700 - Expert Witness List
Additional Text: PLTFS' EXPERT DISCLOSURE STATEMENT - Transaction 3769522 - Approved By: ACROGHAN : 06-05-2013:16:50:49
- 140 6/5/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3769723 - Approved By: NOREVIEW : 06-05-2013:16:52:55
- 141 6/12/2013 - 1145 - Answer to Counterclaim-Civil
Additional Text: Transaction 3784146 - Approved By: YLLOYD : 06-12-2013:15:16:51
- 142 6/12/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3784246 - Approved By: NOREVIEW : 06-12-2013:15:18:38
- 143 7/15/2013 - 2270 - Mtn to Compel...
Additional Text: Transaction 3855067 - Approved By: DJARAMIL : 07-15-2013:17:54:19
- 144 7/15/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3855797 - Approved By: NOREVIEW : 07-15-2013:17:55:57
- 145 7/23/2013 - 2582 - Notice of Taking Deposition
Additional Text: RHODA DENONCOURT - Transaction 3873233 - Approved By: JYOST : 07-23-2013:16:19:22
- 146 7/23/2013 - 2582 - Notice of Taking Deposition
Additional Text: GLORIA CORDOVA - Transaction 3873233 - Approved By: JYOST : 07-23-2013:16:19:22
- 147 7/23/2013 - 2582 - Notice of Taking Deposition
Additional Text: JENNIFER CAMPBELL - Transaction 3873233 - Approved By: JYOST : 07-23-2013:16:19:22
- 148 7/23/2013 - 2582 - Notice of Taking Deposition
Additional Text: KENT KRISTOPHER - Transaction 3873242 - Approved By: JYOST : 07-23-2013:16:18:06
- 149 7/23/2013 - 2582 - Notice of Taking Deposition
Additional Text: MIRIAM FREEMAN - Transaction 3873242 - Approved By: JYOST : 07-23-2013:16:18:06
- 150 7/23/2013 - 2582 - Notice of Taking Deposition
Additional Text: RICK DUMAS - Transaction 3873242 - Approved By: JYOST : 07-23-2013:16:18:06
- 151 7/23/2013 - 2582 - Notice of Taking Deposition
Additional Text: CHERYLE K. SWAN - Transaction 3873295 - Approved By: MPURDY : 07-23-2013:16:23:54
- 152 7/23/2013 - 2582 - Notice of Taking Deposition
Additional Text: MICHAEL MEIR - Transaction 3873295 - Approved By: MPURDY : 07-23-2013:16:23:54
- 153 7/23/2013 - 2585 - Notice of Voluntary Dismissal
Additional Text: MARK PUENTE - Transaction 3873295 - Approved By: MPURDY : 07-23-2013:16:23:54

- 154 7/23/2013 - 2582 - Notice of Taking Deposition
Additional Text: BRUCE MUELLER-HICKLER - Transaction 3873297 - Approved By: MPURDY : 07-23-2013:16:25:55
- 155 7/23/2013 - 2582 - Notice of Taking Deposition
Additional Text: KERRI COUNTESS - Transaction 3873297 - Approved By: MPURDY : 07-23-2013:16:25:55
- 156 7/23/2013 - 2582 - Notice of Taking Deposition
Additional Text: KENT VAUGHAN - Transaction 3873297 - Approved By: MPURDY : 07-23-2013:16:25:55
- 157 7/23/2013 - 2582 - Notice of Taking Deposition
Additional Text: JEANAE TARINTINO - Transaction 3873306 - Approved By: MPURDY : 07-23-2013:16:27:27
- 158 7/23/2013 - 2582 - Notice of Taking Deposition
Additional Text: TIM SMITH - Transaction 3873306 - Approved By: MPURDY : 07-23-2013:16:27:27
- 159 7/23/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3873986 - Approved By: NOREVIEW : 07-23-2013:16:24:20
- 160 7/23/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3874003 - Approved By: NOREVIEW : 07-23-2013:16:28:48
- 161 7/23/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3874022 - Approved By: NOREVIEW : 07-23-2013:16:31:35
- 162 7/23/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3874125 - Approved By: NOREVIEW : 07-23-2013:16:35:19
- 163 7/23/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3874177 - Approved By: NOREVIEW : 07-23-2013:16:35:20
- 164 8/7/2013 - 3860 - Request for Submission
Additional Text: Transaction 3908110 - Approved By: MFERNAND : 08-08-2013:10:56:46
DOCUMENT TITLE: MOTION TO COMPEL PRODUCTION OF DOCUMENTS (MOTION) (NO PAPER ORDER PROVIDED)
PARTY SUBMITTING: JARRAD C. MILLER, ESQ.
DATE SUBMITTED: 08/08/13
SUBMITTED BY: M. FERNANDEZ
DATE RECEIVED JUDGE OFFICE:
- 165 8/8/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3909397 - Approved By: NOREVIEW : 08-08-2013:11:01:17
- 166 8/14/2013 - 1120 - Amended ...
Additional Text: AMENDED NOTICE OF TAKING DEPOSITION - KENT VAUGHAN - Transaction 3921559 - Approved By: AZION : 08-14-2013:11:07:16
- 167 8/14/2013 - 1120 - Amended ...
Additional Text: AMENDED NOTICE OF TAKING DEPOSITION - JENNIFER CAMPBELL - Transaction 3921559 - Approved By: AZION : 08-14-2013:11:07:16
- 168 8/14/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3922049 - Approved By: NOREVIEW : 08-14-2013:11:20:58
- 169 8/16/2013 - 4055 - Subpoena
Additional Text: SUBPOENA FOR APPEARANCE - KRISTOPHER KENT - Transaction 3928565 - Approved By: MCHOLICO : 08-16-2013:10:53:21

- 170 8/16/2013 - 1120 - Amended ...
Additional Text: AMENDED NOTICE OF TAKING DEPOSITION - Transaction 3928565 - Approved By: MCHOLICO : 08-16-2013:10:53:21
- 171 8/16/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3929318 - Approved By: NOREVIEW : 08-16-2013:11:02:19
- 172 8/16/2013 - 2270 - Mtn to Compel...
Additional Text: PLAINTIFFS' SECOND MOTION TO COMPEL DISCOVERY RESPONSES - Transaction 3929717 - Approved By: MFERNAND : 08-16-2013:14:21:34
- 173 8/16/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3930126 - Approved By: NOREVIEW : 08-16-2013:14:25:29
- 174 8/16/2013 - 2582 - Notice of Taking Deposition
Additional Text: Transaction 3930586 - Approved By: DJARAMIL : 08-16-2013:16:06:58
- 175 8/16/2013 - 2582 - Notice of Taking Deposition
Additional Text: Transaction 3930586 - Approved By: DJARAMIL : 08-16-2013:16:06:58
- 176 8/16/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3930967 - Approved By: NOREVIEW : 08-16-2013:16:35:13
- 177 8/20/2013 - 4055 - Subpoena
Additional Text: JEANNE TARANTINO - Transaction 3936534 - Approved By: AZION : 08-20-2013:15:00:10
- 178 8/20/2013 - 1120 - Amended ...
Additional Text: AMENDED NOTICE OF TAKING DEPOSITION - Transaction 3936534 - Approved By: AZION : 08-20-2013:15:00:10
- 179 8/20/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3937162 - Approved By: NOREVIEW : 08-20-2013:15:21:00
- 180 8/21/2013 - 2582 - Notice of Taking Deposition
Additional Text: RHODA DENONCOURT - Transaction 3938595 - Approved By: MFERNAND : 08-21-2013:09:31:25
- 181 8/21/2013 - 4055 - Subpoena
Additional Text: SUBPOENA FOR APPEARANCE - RHODA DENONCOURT - Transaction 3938595 - Approved By: MFERNAND : 08-21-2013:09:31:25
- 182 8/21/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3938659 - Approved By: NOREVIEW : 08-21-2013:09:34:15
- 183 8/21/2013 - 2582 - Notice of Taking Deposition
Additional Text: AMENDED NOTICE OF TAKING VIDEOTAPED DEPOSITION - Transaction 3941062 - Approved By: MFERNAND : 08-21-2013:16:05:55
- 184 8/21/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3941416 - Approved By: NOREVIEW : 08-21-2013:16:09:02
- 185 8/26/2013 - 2582 - Notice of Taking Deposition
Additional Text: Transaction 3949579 - Approved By: MCHOLICO : 08-26-2013:11:32:07
- 186 8/26/2013 - 1120 - Amended ...
Additional Text: SECOND AMENDED NOTICE OF TAKING DEPOSITION - Transaction 3949579 - Approved By: MCHOLICO : 08-26-2013:11:32:07
- 187 8/26/2013 - 1120 - Amended ...
Additional Text: AMENDED NOTICE OF TAKING DEPOSITION - Transaction 3949579 - Approved By: MCHOLICO : 08-26-2013:11:32:07

- 188 8/26/2013 - 1120 - Amended ...
Additional Text: SECOND AMENDED NOTICE OF TAKING DEPOSITION - Transaction 3949579 - Approved By: MCHOLICO : 08-26-2013:11:32:07
- 189 8/26/2013 - 1120 - Amended ...
Additional Text: AMENDED NOTICE OF TAKING DEPOSITION - Transaction 3949579 - Approved By: MCHOLICO : 08-26-2013:11:32:07
- 190 8/26/2013 - 1120 - Amended ...
Additional Text: SECOND AMENDED NOTICE OF TAKING DEPOSITION - Transaction 3949579 - Approved By: MCHOLICO : 08-26-2013:11:32:07
- 191 8/26/2013 - 1120 - Amended ...
Additional Text: AMENDED NOTICE OF TAKING VIDEOTAPED DEPOSITION - Transaction 3949579 - Approved By: MCHOLICO : 08-26-2013:11:32:07
- 192 8/26/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3949852 - Approved By: NOREVIEW : 08-26-2013:11:34:10
- 193 9/3/2013 - 1120 - Amended ...
Additional Text: THIRD AMENDED NOTICE OF TAKING DEPOSITION - Transaction 3966679 - Approved By: AZION : 09-03-2013:09:38:16
- 194 9/3/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3966779 - Approved By: NOREVIEW : 09-03-2013:09:43:01
- 195 9/4/2013 - FIE - **Document Filed in Error
Additional Text: 9/4/13 - AMS
- 196 9/4/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3969008 - Approved By: NOREVIEW : 09-04-2013:08:24:19
- 197 9/4/2013 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 198 9/4/2013 - 1325 - ** Case Reopened
No additional text exists for this entry.
- 199 9/4/2013 - 3860 - Request for Submission
Additional Text: SECOND MOTION TO COMPEL DISCOVERY RESPONSES (NO PAPER ORDER PROVIDED) - Transaction 3970147 - Approved By: MCHOLICO : 09-04-2013:12:29:13
PARTY SUBMITTING: JONATHAN TEW, ESQ.
DATE SUBMITTED: 9/4/13
SUBMITTED BY: MCHOLICO
DATE RECEIVED JUDGE OFFICE:
- 200 9/4/2013 - 1945 - Master's Recommendation/Ord
Additional Text: RECOMMENDATION FOR ORDER - Transaction 3970473 - Approved By: NOREVIEW : 09-04-2013:11:55:37
- 201 9/4/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3970538 - Approved By: NOREVIEW : 09-04-2013:12:01:28
- 202 9/4/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3970611 - Approved By: NOREVIEW : 09-04-2013:12:30:43
- 203 9/5/2013 - 1945 - Master's Recommendation/Ord
Additional Text: RECOMMENDATION FOR ORDER - Transaction 3976102 - Approved By: NOREVIEW : 09-05-2013:16:34:33

- 204 9/5/2013 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 205 9/5/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3976172 - Approved By: NOREVIEW : 09-05-2013:16:45:33
- 206 9/13/2013 - 2270 - Mtn to Compel...
Additional Text: PLTFS' MOTION TO COMPEL DEPOSITION - Transaction 3996718 - Approved By: AZION : 09-16-2013:08:27:21
- 207 9/16/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3997160 - Approved By: NOREVIEW : 09-16-2013:08:30:41
- 208 9/17/2013 - 2582 - Notice of Taking Deposition
Additional Text: JEANNE TRANTINO - Transaction 4000516 - Approved By: JAMES : 09-17-2013:09:22:30
- 209 9/17/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4000672 - Approved By: NOREVIEW : 09-17-2013:09:27:24
- 210 9/18/2013 - 2490 - Motion ...
Additional Text: PLTFS MOTION FOR PRETRIAL CONFERENCE - Transaction 4005648 - Approved By: MLAWRENC : 09-18-2013:15:52:26
- 211 9/18/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4005687 - Approved By: NOREVIEW : 09-18-2013:15:56:30
- 212 9/19/2013 - 2690 - Ord Affirming Master Recommend
Additional Text: Transaction 4009486 - Approved By: NOREVIEW : 09-19-2013:16:20:09
- 213 9/19/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4009494 - Approved By: NOREVIEW : 09-19-2013:16:21:58
- 214 9/19/2013 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 4009817 - Approved By: NOREVIEW : 09-19-2013:17:45:16
- 215 9/19/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4009819 - Approved By: NOREVIEW : 09-19-2013:17:46:19
- 216 9/20/2013 - 2690 - Ord Affirming Master Recommend
Additional Text: Transaction 4012403 - Approved By: NOREVIEW : 09-20-2013:16:14:22
- 217 9/20/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4012415 - Approved By: NOREVIEW : 09-20-2013:16:16:07
- 218 9/20/2013 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 4012493 - Approved By: NOREVIEW : 09-20-2013:16:33:36
- 219 9/20/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4012499 - Approved By: NOREVIEW : 09-20-2013:16:35:00
- 220 9/20/2013 - 2491 - NRCP 16.1 Doc/Designation
Additional Text: PLAINTIFFS' NRCP 16.1 PRETRIAL DISCLOSURE STATEMENT - Transaction 4012729 - Approved By: MCHOLICO : 09-23-2013:09:37:17
- 221 9/23/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4013288 - Approved By: NOREVIEW : 09-23-2013:09:38:53

- 222 9/24/2013 - 2185 - Mtn for Sanctions
Additional Text: PLTF'S MOTION FOR SANCTIONS UNDER NRCP 37(b) FOR FAILURE TO COMPLY WITH COURT ORDERS - Transaction 4017240 - Approved By: ASMITH : 09-24-2013:12:17:45
- 223 9/24/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4017264 - Approved By: NOREVIEW : 09-24-2013:12:19:27
- 224 9/24/2013 - 1670 - Ex-Parte Mtn...
Additional Text: EX PARTE MOTION FOR ORDER SHORTENING TIME - Transaction 4018753 - Approved By: MCHOLICO : 09-24-2013:16:21:01
- 225 9/24/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4019057 - Approved By: NOREVIEW : 09-24-2013:16:25:02
- 226 9/26/2013 - 1935 - Lis Pendens
Additional Text: NOTICE OF PENDENCY OF ACTION [LIS PENDENS] - Transaction 4025903 - Approved By: MCHOLICO : 09-26-2013:16:52:59
- 227 9/26/2013 - 1935 - Lis Pendens
Additional Text: NOTICE OF PENDENCY OF ACTION [LIS PENDENS] - Transaction 4025903 - Approved By: MCHOLICO : 09-26-2013:16:52:59
- 228 9/26/2013 - 1935 - Lis Pendens
Additional Text: NOTICE OF PENDENCY OF ACTION [LIS PENDENS] - Transaction 4025903 - Approved By: MCHOLICO : 09-26-2013:16:52:59
- 229 9/26/2013 - 1935 - Lis Pendens
Additional Text: NOTICE OF PENDENCY OF ACTION [LIS PENDENS] - Transaction 4025903 - Approved By: MCHOLICO : 09-26-2013:16:52:59
- 230 9/26/2013 - 1935 - Lis Pendens
Additional Text: NOTICE OF PENDENCY OF ACTION [LIS PENDENS] - Transaction 4025903 - Approved By: MCHOLICO : 09-26-2013:16:52:59
- 231 9/26/2013 - 1935 - Lis Pendens
Additional Text: NOTICE OF PENDENCY OF ACTION [LIS PENDENS] - Transaction 4025919 - Approved By: MFERNAND : 09-26-2013:16:55:29
- 232 9/26/2013 - 1935 - Lis Pendens
Additional Text: NOTICE OF PENDENCY OF ACTION [LIS PENDENS] - Transaction 4025919 - Approved By: MFERNAND : 09-26-2013:16:55:29
- 233 9/26/2013 - 1935 - Lis Pendens
Additional Text: NOTICE OF PENDENCY OF ACTION [LIS PENDENS] - Transaction 4025919 - Approved By: MFERNAND : 09-26-2013:16:55:29
- 234 9/26/2013 - 1935 - Lis Pendens
Additional Text: NOTICE OF PENDENCY OF ACTION [LIS PENDENS] - Transaction 4025919 - Approved By: MFERNAND : 09-26-2013:16:55:29
- 235 9/26/2013 - 1935 - Lis Pendens
Additional Text: NOTICE OF PENDENCY OF ACTION [LIS PENDENS] - Transaction 4025919 - Approved By: MFERNAND : 09-26-2013:16:55:29
- 236 9/26/2013 - 1935 - Lis Pendens
Additional Text: NOTICE OF PENDENCY OF ACTION [LS PENDENS] - Transaction 4025952 - Approved By: MFERNAND : 09-27-2013:08:57:07
- 237 9/26/2013 - 1935 - Lis Pendens
Additional Text: NOTICE OF PENDENCY OF ACTION [LIS PENDENS] - Transaction 4025952 - Approved By: MFERNAND : 09-27-2013:08:57:07
- 238 9/26/2013 - 1935 - Lis Pendens
Additional Text: NOTICE OF PENDENCY OF ACTION [LIS PENDENS] - Transaction 4025952 - Approved By: MFERNAND : 09-27-2013:08:57:07

- 239 9/26/2013 - 1935 - Lis Pendens
Additional Text: NOTICE OF PENDENCY OF ACTION [LIS PENDENS] - Transaction 4025952 - Approved By: MFERNAND : 09-27-2013:08:57:07
- 240 9/26/2013 - 1935 - Lis Pendens
Additional Text: NOTICE OF PENDENCY OF ACTION [LIS PENDENS] - Transaction 4025952 - Approved By: MFERNAND : 09-27-2013:08:57:07
- 241 9/26/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4026245 - Approved By: NOREVIEW : 09-26-2013:16:57:32
- 242 9/26/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4026275 - Approved By: NOREVIEW : 09-26-2013:17:00:49
- 243 9/27/2013 - 3245 - Ord Shortening Time
Additional Text: Transaction 4026666 - Approved By: NOREVIEW : 09-27-2013:08:38:37
- 244 9/27/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4026675 - Approved By: NOREVIEW : 09-27-2013:08:40:03
- 245 9/27/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4026756 - Approved By: NOREVIEW : 09-27-2013:08:59:53
- 246 10/1/2013 - 3860 - Request for Submission
Additional Text: MOTION TO COMPEL DEPOSITION (NO PAPER ORDER PROVIDED) - Transaction 4033595 - Approved By: MCHOLICO : 10-01-2013:12:56:02
PARTY SUBMITTING: JONATHAN J. TEW, ESQ.
DATE SUBMITTED: 10/1/13
SUBMITTED BY: MCHOLICO
DATE RECEIVED JUDGE OFFICE:
- 247 10/1/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4034133 - Approved By: NOREVIEW : 10-01-2013:12:58:01
- 248 10/1/2013 - 2610 - Notice ...
Additional Text: NOTICE OF WITHDRAWAL OF REQUEST FOR SUBMISSION - Transaction 4035531 - Approved By: MCHOLICO : 10-01-2013:16:51:25
- 249 10/1/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4035998 - Approved By: NOREVIEW : 10-01-2013:17:00:56
- 250 10/2/2013 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 251 10/3/2013 - 3860 - Request for Submission
Additional Text: MOTION FOR SANCTIONS (NO PAPER ORDER PROVIDED) - Transaction 4040825 - Approved By: MFERNAND : 10-03-2013:12:02:52
PARTY SUBMITTING: JONATHAN J. TEW, ESQ.
DATE SUBMITTED: 10/03/13
SUBMITTED BY: M. FERNANDEZ
DATE RECEIVED JUDGE OFFICE:
- 252 10/3/2013 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO PLAINTIFFS' MOTION FOR SANCTIONS - Transaction 4041286 - Approved By: SHAMBRIG : 10-03-2013:13:12:55
- 253 10/3/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4041926 - Approved By: NOREVIEW : 10-03-2013:12:07:20

- 254 10/3/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4042039 - Approved By: NOREVIEW : 10-03-2013:13:14:01
- 255 10/4/2013 - 3860 - Request for Submission
Additional Text: MOTION TO COMPEL DEPOSITION ON SEPTEMBER 13, 2013 - Transaction 4043576 - Approved By: JYOST : 10-04-2013:09:56:40
PARTY SUBMITTING: JONATHAN J. TEW, ESQ.
DATE SUBMITTED: 10-04-13
SUBMITTED BY: JYOST
DATE RECEIVED JUDGE OFFICE:
- 256 10/4/2013 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF PLAINTIFFS' MOTION FOR SANCTIONS
- 257 10/4/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4044075 - Approved By: NOREVIEW : 10-04-2013:10:01:02
- 258 10/4/2013 - 1250 - Application for Setting
Additional Text: SETTLEMENT CONFERENCE - OCTOBER 15, 2013 @ 9:00 AM - Transaction 4044664 - Approved By: MFERNAND : 10-04-2013:12:11:10
- 259 10/4/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4044798 - Approved By: NOREVIEW : 10-04-2013:12:12:24
- 260 10/4/2013 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO PLAINTIFFS' MOTION TO COMPEL THE DEPOSITION OF ALEX MERUELO, AND COUNTER-MOTION FOR PROTECTIVE ORDER - Transaction 4045316 - Approved By: MFERNAND : 10-04-2013:14:44:07
- 261 10/4/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4045525 - Approved By: NOREVIEW : 10-04-2013:14:55:28
- 262 10/4/2013 - 1935 - Lis Pendens
Additional Text: NOTICE OF PENDENCY OF ACTION (LIS PENDENS) - Transaction 4045724 - Approved By: TWHITE : 10-04-2013:15:59:11
- 263 10/4/2013 - 2525 - Notice of Change of Address
Additional Text: Transaction 4045736 - Approved By: TWHITE : 10-04-2013:16:25:47
- 264 10/4/2013 - 3695 - Pre-Trial Memorandum
Additional Text: DEFENDANTS' PRETRIAL DISCLOSURE PURSUANT TO NRCP 16.1(a)(3) - Transaction 4045769 - Approved By: TWHITE : 10-04-2013:16:29:17
- 265 10/4/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4045887 - Approved By: NOREVIEW : 10-04-2013:16:01:39
- 266 10/4/2013 - 3860 - Request for Submission
Additional Text: DOCUMENT TITLE: MOTION FOR SANCTIONS UNDER NRCP 37(b) (PAPER ORDER NOT PROVIDED) - Transaction 4046036 - Approved By: TWHITE : 10-04-2013:16:49:39
PARTY SUBMITTING: JONATHAN J. TEW, ESQ.
DATE SUBMITTED: OCT. 7, 2013
SUBMITTED BY: TWHITE
DATE RECEIVED JUDGE OFFICE:
- 267 10/4/2013 - 1650 - Errata...
Additional Text: NOTICE OF ERRATA RE REPLY IN SUPPOR OF PLAINTIFFS' MOTION FOR SANCTIONS UNDER NRCP 37(b) FOR FAILURE TO COMPLY WITH COURT ORDERS - Transaction 4046036 - Approved By: TWHITE : 10-04-2013:16:49:39
- 268 10/4/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4046041 - Approved By: NOREVIEW : 10-04-2013:16:27:52

- 269 10/4/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4046053 - Approved By: NOREVIEW : 10-04-2013:16:31:11
- 270 10/4/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4046177 - Approved By: NOREVIEW : 10-04-2013:16:52:55
- 271 10/7/2013 - S200 - Request for Submission Complet
Additional Text: THE 10/03/13 SUBMIT FOR THE MOTION FOR SANCTIONS WAS ENDED BECAUSE A 2ND REQUEST FOR SUBMISSION OF THE SAME MOTION WAS FILED ON 10/07/13.
- 272 10/8/2013 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF PLTF'S MOTION TO COMPEL DEPOSITIONS - Transaction 4050648 - Approved By: ASMITH : 10-08-2013:13:43:20
- 273 10/8/2013 - 3860 - Request for Submission
Additional Text: MOTION TO COMPEL DEPOSITION (NO PAPER ORDER PROVIDED) - Transaction 4050887 - Approved By: MFERNAND : 10-08-2013:14:33:55
PARTY SUBMITTING: JONATHAN J. TEW, ESQ.
DATE SUBMITTED: 10/08/13
SUBMITTED BY: M. FERNANDEZ
DATE RECEIVED JUDGE OFFICE:
- 274 10/8/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4051211 - Approved By: NOREVIEW : 10-08-2013:13:46:48
- 275 10/8/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4051532 - Approved By: NOREVIEW : 10-08-2013:14:38:23
- 276 10/8/2013 - 4055 - Subpoena
Additional Text: SUSIE RAGUSA - Transaction 4051808 - Approved By: ASMITH : 10-08-2013:16:13:19
- 277 10/8/2013 - 4055 - Subpoena
Additional Text: RHODORA DENONCOURT - Transaction 4051808 - Approved By: ASMITH : 10-08-2013:16:13:19
- 278 10/8/2013 - 4055 - Subpoena
Additional Text: TERRY VAVRA - Transaction 4051808 - Approved By: ASMITH : 10-08-2013:16:13:19
- 279 10/8/2013 - 4055 - Subpoena
Additional Text: KENT VAUGHAN - Transaction 4051808 - Approved By: ASMITH : 10-08-2013:16:13:19
- 280 10/8/2013 - 4055 - Subpoena
Additional Text: JEANNE TARANTINO - Transaction 4051808 - Approved By: ASMITH : 10-08-2013:16:13:19
- 281 10/8/2013 - 4055 - Subpoena
Additional Text: KRISTOPHER KENT - Transaction 4051808 - Approved By: ASMITH : 10-08-2013:16:13:19
- 282 10/8/2013 - 4055 - Subpoena
Additional Text: MIRIAM FREEMAN - Transaction 4051808 - Approved By: ASMITH : 10-08-2013:16:13:19
- 283 10/8/2013 - 4055 - Subpoena
Additional Text: JENNIFER CAMPBELL - Transaction 4051808 - Approved By: ASMITH : 10-08-2013:16:13:19
- 284 10/8/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4052517 - Approved By: NOREVIEW : 10-08-2013:16:24:46
- 285 10/14/2013 - S200 - Request for Submission Complet
No additional text exists for this entry.

- 286 10/14/2013 - S200 - Request for Submission Complet
Additional Text: PARTIES AGREED DURING IN CHAMBERS CONFERENCE ON OCTOBER 14TH
- 287 10/15/2013 - MIN - ***Minutes
Additional Text: 10/14/13 - STATUS CONFERENCE - Transaction 4067657 - Approved By: NOREVIEW : 10-15-2013:14:02:50
- 288 10/15/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4067676 - Approved By: NOREVIEW : 10-15-2013:14:05:56
- 289 10/16/2013 - MIN - ***Minutes
Additional Text: 10/16/13 - STATUS CONFERENCE - Transaction 4069548 - Approved By: NOREVIEW : 10-16-2013:09:49:12
- 290 10/16/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4069577 - Approved By: NOREVIEW : 10-16-2013:09:54:02
- 291 10/17/2013 - 3370 - Order ...
Additional Text: ORDER REGARDING PLAINTIFFS' MOTION FOR SANCTIONS UNDER NRCP 37(b); HEARING ON THIS MATTER SET FOR MONDAY, OCTOBER 21, 2013 AT 1:30 P.M. - Transaction 4071856 - Approved By: NOREVIEW : 10-17-2013:08:11:20
- 292 10/17/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4071859 - Approved By: NOREVIEW : 10-17-2013:08:12:43
- 293 10/18/2013 - 2270 - Mtn to Compel...
Additional Text: MOTION TO COMPEL PRDUCTION OF FINAL EXPERT REPORT - Transaction 4076779 - Approved By: AZION : 10-18-2013:13:52:49
- 294 10/18/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4077058 - Approved By: NOREVIEW : 10-18-2013:13:55:59
- 295 10/18/2013 - 4220 - Trial Statement - Plaintiff
Additional Text: Transaction 4077942 - Approved By: APOMA : 10-21-2013:10:06:37
- 296 10/21/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4079143 - Approved By: NOREVIEW : 10-21-2013:10:09:52
- 297 10/21/2013 - 1955 - Memorandum Points&Authorities
Additional Text: BRIEF AND EVIDENCE IN SUPPORT OF SANCTIONS HEARING - Transaction 4079937 - Approved By: MFERNAND : 10-21-2013:13:53:34
- 298 10/21/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4080579 - Approved By: NOREVIEW : 10-21-2013:14:06:33
- 299 10/22/2013 - 4210 - Trial Statement - Defendant
Additional Text: DEFENDANTS' TRIAL STATEMENT - Transaction 4084350 - Approved By: MFERNAND : 10-22-2013:14:21:51
- 300 10/22/2013 - 1955 - Memorandum Points&Authorities
Additional Text: DEFENDANTS' MEMORANDUM OF LAW IN SUPPORT OF HEARING - Transaction 4084355 - Approved By: MFERNAND : 10-22-2013:14:24:34
- 301 10/22/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4084903 - Approved By: NOREVIEW : 10-22-2013:14:36:08
- 302 10/22/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4084919 - Approved By: NOREVIEW : 10-22-2013:14:36:21
- 303 10/22/2013 - 1695 - ** Exhibit(s) ...
Additional Text: PLAINTIFF'S EXHIBIT A MARKED FOR IDENTIFICATION (NOT ADMITTED).

- 304 10/23/2013 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 305 10/25/2013 - 4185 - Transcript
Additional Text: Transaction 4092884 - Approved By: NOREVIEW : 10-25-2013:13:09:36
- 306 10/25/2013 - 4185 - Transcript
Additional Text: Transaction 4092884 - Approved By: NOREVIEW : 10-25-2013:13:09:36
- 307 10/25/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4092885 - Approved By: NOREVIEW : 10-25-2013:13:10:47
- 308 10/25/2013 - 4185 - Transcript
Additional Text: MOTION FOR SANCTIONS, VOLUME I - OCTOBER 21, 2013 - Transaction 4092886 - Approved By: MCHOLICO : 10-28-2013:10:47:18
- 309 10/28/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4093904 - Approved By: NOREVIEW : 10-28-2013:10:49:08
- 310 10/28/2013 - 4185 - Transcript
Additional Text: Thomas v MEI-GSR - Motion for Sanctions 10/22/13 - Transaction 4094216 - Approved By: NOREVIEW : 10-28-2013:11:44:35
- 311 10/28/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4094253 - Approved By: NOREVIEW : 10-28-2013:11:51:06
- 312 10/29/2013 - 4185 - Transcript
Additional Text: Motion for Sanctions Volume III - Transaction 4097835 - Approved By: NOREVIEW : 10-29-2013:11:15:42
- 313 10/29/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4097839 - Approved By: NOREVIEW : 10-29-2013:11:16:54
- 314 10/29/2013 - MIN - ***Minutes
Additional Text: 10/21/13 - HRG ON PLAINTIFFS' MOTIONS FOR SANCTIONS (DAY 1) - Transaction 4100247 - Approved By: NOREVIEW : 10-29-2013:16:52:46
- 315 10/29/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4100253 - Approved By: NOREVIEW : 10-29-2013:16:55:05
- 316 10/30/2013 - MIN - ***Minutes
Additional Text: 10/22/13 - CONT'D HRG ON PLAINTIFFS' MOTION FOR SANCTIONS (DAY 2) - Transaction 4103107 - Approved By: NOREVIEW : 10-30-2013:14:59:29
- 317 10/30/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4103156 - Approved By: NOREVIEW : 10-30-2013:15:05:36
- 318 10/31/2013 - MIN - ***Minutes
Additional Text: 10/23/13 - CONT'D HEARING ON PLAINTIFFS' MOTION FOR SANCTIONS (DAY 3) - Transaction 4106518 - Approved By: NOREVIEW : 10-31-2013:15:43:36
- 319 10/31/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4106593 - Approved By: NOREVIEW : 10-31-2013:15:50:39
- 320 11/1/2013 - COC - Evidence Chain of Custody Form
No additional text exists for this entry.
- 321 11/5/2013 - 1670 - Ex-Parte Mtn...

Additional Text: EX-PARTE EMERGENCY MOTION TO HOLD THE DEFTS IN CONTEMPT - Transaction 4114757 - Approved By: ACROGHAN : 11-05-2013:14:02:55

322 11/5/2013 - NEF - Proof of Electronic Service

Additional Text: Transaction 4115823 - Approved By: NOREVIEW : 11-05-2013:14:07:48

323 11/6/2013 - 2645 - Opposition to Mtn ...

Additional Text: OPPOSITION TO PLAINTIFFS' "EX PARTE EMERGENCY MOTION TO HOLD DEFENDANTS IN CONTEMPT" - Transaction 4117546 - Approved By: MCHOLICO : 11-06-2013:11:11:26

324 11/6/2013 - NEF - Proof of Electronic Service

Additional Text: Transaction 4118214 - Approved By: NOREVIEW : 11-06-2013:11:16:06

325 11/18/2013 - 4185 - Transcript

Additional Text: NOVEMBER 5, 2013 - HEARING ON EX PARTE MOTION - Transaction 4139076 - Approved By: MCHOLICO : 11-18-2013:10:08:53

326 11/18/2013 - NEF - Proof of Electronic Service

Additional Text: Transaction 4139267 - Approved By: NOREVIEW : 11-18-2013:10:13:38

327 11/19/2013 - 1250E - Application for Setting eFile

Additional Text: FOR MOTIONS HEARING ON DECEMBER 4, 2013 AT 9:00 A.M. - Transaction 4145414 - Approved By: NOREVIEW : 11-19-2013:16:08:33

328 11/19/2013 - NEF - Proof of Electronic Service

Additional Text: Transaction 4145532 - Approved By: NOREVIEW : 11-19-2013:16:22:38

329 11/22/2013 - 3370 - Order ...

Additional Text: ORDER REGARDING EMAILS - Transaction 4153079 - Approved By: NOREVIEW : 11-22-2013:09:04:59

330 11/22/2013 - NEF - Proof of Electronic Service

Additional Text: Transaction 4153108 - Approved By: NOREVIEW : 11-22-2013:09:08:31

331 11/22/2013 - MIN - ***Minutes

Additional Text: 11/5/13 - HRG ON PLTF'S EXPARTE EMERGENCY MOTION FILED 11/5/13 - Transaction 4153825 - Approved By: NOREVIEW : 11-22-2013:10:58:08

332 11/22/2013 - NEF - Proof of Electronic Service

Additional Text: Transaction 4154102 - Approved By: NOREVIEW : 11-22-2013:11:03:20

333 11/22/2013 - MIN - ***Minutes

Additional Text: 11/19/13 - IN-CHAMBERS CONFERENCE RE: EMAILS RECOVERED - Transaction 4154482 - Approved By: NOREVIEW : 11-22-2013:11:52:18

334 11/22/2013 - NEF - Proof of Electronic Service

Additional Text: Transaction 4154516 - Approved By: NOREVIEW : 11-22-2013:11:58:06

335 11/22/2013 - 2185 - Mtn for Sanctions

Additional Text: PLAINTIFF'S RENEWED MOTION FOR SANCTIONS UNDER NRCP 37(b) AND MOTION FOR PAYMENT OF AWARDED FEES AND COSTS - Transaction 4156729 - Approved By: PDBROWN : 11-25-2013:09:15:14

336 11/22/2013 - 2185 - Mtn for Sanctions

Additional Text: PLAINTIFFS' RENEWED MOTION FOR SANCTIONS UNDER NRCP 37(B) AND MOTION FOR PAYMENT OF AWARDED FEES AND COSTS - Transaction 4156863 - Approved By: MFERNAND : 11-25-2013:08:47:43

337 11/25/2013 - NEF - Proof of Electronic Service

Additional Text: Transaction 4157250 - Approved By: NOREVIEW : 11-25-2013:08:50:21

338 11/25/2013 - NEF - Proof of Electronic Service

Additional Text: Transaction 4157521 - Approved By: NOREVIEW : 11-25-2013:09:25:20

- 339 12/3/2013 - 2645 - Opposition to Mtn ...
Additional Text: DEFENDANTS' OPPOSITION TO "PLAINTIFFS' RENEWED MOTION FOR SANCTIONS UNDER NRCP 37(B) AND MOTION FOR PAYMENT OF AWARDED FEES AND COSTS" - Transaction 4171870 - Approved By: ACROGHAN : 12-03-2013:13:51:47
- 340 12/3/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4171937 - Approved By: NOREVIEW : 12-03-2013:13:55:16
- 341 12/3/2013 - 3790 - Reply to/in Opposition
Additional Text: PLAINTIFFS' REPLY IN SUPPORT OF RENEWED MOTION FOR SANCTIONS AND MOTION FOR PAYMENT OF AWARDED FEES AND COSTS - Transaction 4172852 - Approved By: AAKOPYAN : 12-03-2013:16:48:40
- 342 12/3/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4172922 - Approved By: NOREVIEW : 12-03-2013:16:51:09
- 343 12/10/2013 - MIN - ***Minutes
Additional Text: 12/4/13 - HRG ON PLTF'S MOTION FOR SANCTIONS - Transaction 4187303 - Approved By: NOREVIEW : 12-10-2013:13:00:13
- 344 12/10/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4187323 - Approved By: NOREVIEW : 12-10-2013:13:02:58
- 345 12/11/2013 - 3785 - Reply Brief
Additional Text: PLAINTIFFS' BRIEF EXPLAINING WHY THE DEFENDANTS' PRIVILEGE LOG IS DEFICIENT AND FAILS TO COMPLY WITH NEVADA LAW - Transaction 4190546 - Approved By: MCHOLICO : 12-11-2013:13:27:12
- 346 12/11/2013 - 1520 - Declaration
Additional Text: DECLARATION OF JARRAD C. MILLER, ESQ. IN SUPPORT OF PLAINTIFFS' BRIEF EXPLAINING WHY THE DEFENDANTS' PRIVILEGE LOG IS DEFICIENT AND FAILS TO COMPLY WITH NEVADA LAW - Transaction 4190546 - Approved By: MCHOLICO : 12-11-2013:13:27:12
- 347 12/11/2013 - 2140 - Mtn Ord Shortening Time
Additional Text: EX PARTE MOTIONS FOR ORDER SHORTENING TIME - Transaction 4190546 - Approved By: MCHOLICO : 12-11-2013:13:27:12
- 348 12/11/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4190612 - Approved By: NOREVIEW : 12-11-2013:13:29:35
- 349 12/12/2013 - 3245 - Ord Shortening Time
Additional Text: Transaction 4193406 - Approved By: NOREVIEW : 12-12-2013:11:05:23
- 350 12/12/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4193449 - Approved By: NOREVIEW : 12-12-2013:11:10:53
- 351 12/12/2013 - 3370 - Order ...
Additional Text: FINDINGS OF FACT AND ORDER REGARDING HEARING OF DECEMBER 4, 2013 - Transaction 4195448 - Approved By: NOREVIEW : 12-12-2013:15:36:48
- 352 12/12/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4195541 - Approved By: NOREVIEW : 12-12-2013:15:41:55
- 353 12/13/2013 - 4185 - Transcript
Additional Text: 12/4/13 - Motions Hearing - Transaction 4196808 - Approved By: NOREVIEW : 12-13-2013:09:32:49
- 354 12/13/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4196817 - Approved By: NOREVIEW : 12-13-2013:09:34:37
- 355 12/18/2013 - 3370 - Order ...
Additional Text: REGARDING ORIGINAL MOTION FOR CASE CONCLUDING SANCTIONS (DEFENDANT'S COUNTERCLAIMS STRICKEN/DEFENDANT SHALL BEAR COSTS ASSOCIATED WITH 3-DAY HEARING) - Transaction 4206388 - Approved By: NOREVIEW : 12-18-2013:11:09:22

- 356 12/18/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4206395 - Approved By: NOREVIEW : 12-18-2013:11:11:13
- 357 12/19/2013 - 1170 - Answering Brief
Additional Text: DEFENDANTS' BRIEF IN SUPPORT OF THEIR PRIVILEGE LOG - Transaction 4209747 - Approved By: AAKOPYAN : 12-19-2013:12:15:23
- 358 12/19/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4210014 - Approved By: NOREVIEW : 12-19-2013:12:22:17
- 359 12/20/2013 - 3795 - Reply...
Additional Text: PLAINTIFFS' REPLY REPLY IN SUPPORT OF BRIEF EXPLAINING WHY THE DEFENDANTS' PRIVILEGE LOG IS DEFICIENT AND FAILS TO COMPLY WITH NEVADA LAW
- 360 12/20/2013 - 3860 - Request for Submission
Additional Text: PLAINTIFFS' BRIEF EXPLAINING WHY THE DEFENDANTS' PRIVILEGE LOG IS DEFICIENT AND FAILS TO COMPLY WITH NEVADA LAW; DEFENDANTS' BRIEF IN SUPPORT OF THEIR PRIVILEGE LOG; PLAINTIFFS' REPLY IN SUPPORT OF BRIEF EXPLAINING WHY THE DEFENDANTS' PRIVILEGE LOG IS DEFICIENT AND FAILS TO COMPLY WITH NEVADA LAW (NO PAPER ORDER PROVIDED) - Transaction 4213862 - Approved By: AAKOPYAN : 12-20-2013:16:13:07
PARTY SUBMITTING: JONATHAN TEW, ESQ.
DATE SUBMITTED: 12/20/2013
SUBMITTED BY: AAKOPYAN
DATE RECEIVED JUDGE OFFICE:
- 361 12/20/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4213984 - Approved By: NOREVIEW : 12-20-2013:16:19:55
- 362 12/23/2013 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 4216808 - Approved By: NOREVIEW : 12-23-2013:16:30:18
- 363 12/23/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4216809 - Approved By: NOREVIEW : 12-23-2013:16:32:01
- 364 12/24/2013 - 4047 - Stip Extension of Time ...
Additional Text: STIPULATION TO EXTEND BRIEFING SCHEDULE - Transaction 4217737 - Approved By: AAKOPYAN : 12-24-2013:10:52:56
- 365 12/24/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4217747 - Approved By: NOREVIEW : 12-24-2013:10:55:08
- 366 12/30/2013 - 3370 - Order ...
Additional Text: ORDER EXTENDING BRIEFING SCHEDULE - Transaction 4225938 - Approved By: NOREVIEW : 12-30-2013:16:33:16
- 367 12/30/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4225971 - Approved By: NOREVIEW : 12-30-2013:16:36:44
- 368 1/8/2014 - 3370 - Order ...
Additional Text: ORDER EXTENDING BRIEFING SCHEDULE (SECOND ORDER) - Transaction 4242448 - Approved By: NOREVIEW : 01-08-2014:12:22:21
- 369 1/8/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4242452 - Approved By: NOREVIEW : 01-08-2014:12:24:16
- 370 1/13/2014 - 2175 - Mtn for Reconsideration
Additional Text: DEFENDANT'S MOTION FOR RECONSIDERATION OF ORDER REGARDING ORIGINAL MOTION FOR CASE CONCLUDING SANCTIONS - Transaction 4254366 - Approved By: PDBROWN : 01-14-2014:11:24:38
- 371 1/14/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4255874 - Approved By: NOREVIEW : 01-14-2014:11:28:20

- 372 1/23/2014 - 1940 - Master's Findings/Recommend
Additional Text: RECOMMENDATION FOR ORDER - Transaction 4272166 - Approved By: NOREVIEW : 01-23-2014:15:01:37
- 373 1/23/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4272178 - Approved By: NOREVIEW : 01-23-2014:15:02:54
- 374 1/23/2014 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 375 1/23/2014 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 4272687 - Approved By: NOREVIEW : 01-23-2014:16:51:08
- 376 1/23/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4272694 - Approved By: NOREVIEW : 01-23-2014:16:52:16
- 377 1/27/2014 - 1520 - Declaration
Additional Text: DECLARATION OF JARRAD C. MILLER IN SUPPORT OF PLAINTIFFS' MOTION FOR CASE-TERMINATING SANCTIONS
- 378 1/27/2014 - 2185 - Mtn for Sanctions
Additional Text: PLAINTIFF'S MOTION FOR CASE-TERMINATING SANCTIONS
- 379 1/30/2014 - 2620 - Obj to Master's Recommendation
Additional Text: DEFENDANTS' OBJECTION IN PART TO SPECIAL MASTER'S JANUARY 23, 2014 RECOMMENDATION FOR ORDER - Transaction 4284070 - Approved By: MELWOOD : 01-31-2014:08:17:09
- 380 1/31/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4284230 - Approved By: NOREVIEW : 01-31-2014:08:18:05
- 381 1/31/2014 - 2645 - Opposition to Mtn ...
Additional Text: PLAINTIFFS' OPPOSITION TO MOTION FOR RECONSIDERATION - Transaction 4285657 - Approved By: PDBROWN : 01-31-2014:15:47:08
- 382 1/31/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4285777 - Approved By: NOREVIEW : 01-31-2014:15:48:32
- 383 2/3/2014 - 2195 - Mtn for Stay ...
Additional Text: MOTION TO STAY COMPLIANCE WITH SPECIAL MASTER'S JANUARY 23, 2014 RECOMMENDATION FOR ORDER, PENDING JUDICIAL REVIEW - Transaction 4287706 - Approved By: AZION : 02-04-2014:08:43:02
- 384 2/4/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4287937 - Approved By: NOREVIEW : 02-04-2014:08:44:18
- 385 2/6/2014 - 3880 - Response...
Additional Text: to Defendants' Objection in Part to Special Master's January 23, 2014 Recommendation for Order - Transaction 4294002 - Approved By: AZION : 02-06-2014:16:05:59
- 386 2/6/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4294378 - Approved By: NOREVIEW : 02-06-2014:16:09:39
- 387 2/11/2014 - 3860 - Request for Submission
Additional Text: DEFENDANTS' MOTION FOR RECONSIDERATION OF ORDER REGARDING ORIGINAL MOTION FOR CASE CONCLUDING SACTIONS; PLAINTIFFS' OPPOSITION TO MOTION FOR RECONSIDERATION (NO PAPER ORDER PROVIDED) - Transaction 4301081 - Approved By: MCHOLICO : 02-11-2014:15:59:08
PARTY SUBMITTING: JONATHAN TEW, ESQ.
DATE SUBMITTED: 2/11/14
SUBMITTED BY: MCHOLICO
DATE RECEIVED JUDGE OFFICE:

- 388 2/11/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4301216 - Approved By: NOREVIEW : 02-11-2014:16:01:02
- 389 2/12/2014 - 4047 - Stip Extension of Time ...
Additional Text: Transaction 4303470 - Approved By: APOMA : 02-13-2014:08:41:09
- 390 2/13/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4303645 - Approved By: NOREVIEW : 02-13-2014:08:45:47
- 391 2/13/2014 - 3030 - Ord Granting Extension Time
Additional Text: ORDER EXTENDING BRIEFING SCHEDULE - Transaction 4304933 - Approved By: NOREVIEW : 02-13-2014:15:03:27
- 392 2/13/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4304948 - Approved By: NOREVIEW : 02-13-2014:15:05:24
- 393 2/14/2014 - 2645 - Opposition to Mtn ...
Additional Text: PLAINTIFFS' OPPOSITION TO MOTION FOR STAY - Transaction 4306222 - Approved By: PDBROWN : 02-14-2014:15:08:43
- 394 2/14/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4306642 - Approved By: NOREVIEW : 02-14-2014:15:09:46
- 395 2/19/2014 - 3860 - Request for Submission
Additional Text: DEFENDANTS' OBJECTION IN PART TO SPECIAL MASTER'S JANUARY 23, 2014 RECOMMENDATION FOR ORDER; PLAINTIFFS' RESPONSE TO DEFENDANTS' OBJECTION IN PART TO SPECIAL MASTER'S JANUARY 23, 2014 RECOMMENDATION FOR ORDER (NO PAPER ORDER PROVIDED) - Transaction 4311402 - Approved By: MCHOLICO : 02-20-2014:09:13:28
PARTY SUBMITTING: JONATHAN TEW, ESQ.
DATE SUBMITTED: 2/19/14
SUBMITTED BY: MCHOLICO
DATE RECEIVED JUDGE OFFICE:
- 396 2/20/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4311787 - Approved By: NOREVIEW : 02-20-2014:09:14:52
- 397 2/25/2014 - 2645 - Opposition to Mtn ...
Additional Text: DEFTS' OPPOSITION TO PLTF'S MOTION FOR CASE-TERMINATING SANCTIONS - Transaction 4318250 - Approved By: AZION : 02-25-2014:12:56:33
- 398 2/25/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4318500 - Approved By: NOREVIEW : 02-25-2014:12:57:55
- 399 2/26/2014 - 3860 - Request for Submission
Additional Text: Transaction 4321469 - Approved By: MTORRES : 02-27-2014:09:20:04
- 400 2/27/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4321695 - Approved By: NOREVIEW : 02-27-2014:09:21:09
- 401 3/10/2014 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION FOR CASE-TERMINATING SANCTIONS
- 402 3/11/2014 - 3860 - Request for Submission

Additional Text: PLTFS' MOTION FOR CASE TERMINATING SANCTIONS, DEFTS' OPPOSITION TO PLTFS' MOTION FOR CASE TERMINATION SANCTIONS AND REPLY IN SUPPORT OF MOTION FOR CASE TERMINATING SANCTIONS - Transaction 4337886 - Approved By: AZION : 03-11-2014:12:58:39
DOCUMENT TITLE: PLTFS' MOTION FOR CASE TERMINATING SANCTIONS, DEFTS' OPPOSITION TO PLTFS' MOTION FOR CASE TERMINATION SANCTIONS AND REPLY IN SUPPORT OF MOTION FOR CASE TERMINATING SANCTIONS
PARTY SUBMITTING: JONATHAN TEW ESQ
DATE SUBMITTED: 03-11-14
SUBMITTED BY: AZION
DATE RECEIVED JUDGE OFFICE:

403 3/11/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4338080 - Approved By: NOREVIEW : 03-11-2014:13:00:16

404 3/13/2014 - 3370 - Order ...

Additional Text: ORDER ADOPTING RECOMMENDATION FOR ORDER OF DISCOVERY COMMISSIONER OF JANUARY 23, 2014 - Transaction 4341685 - Approved By: NOREVIEW : 03-13-2014:10:10:25

405 3/13/2014 - 3370 - Order ...

Additional Text: ORDER REGARDING MOTION FOR STAY-MOOT - Transaction 4341698 - Approved By: NOREVIEW : 03-13-2014:10:12:39

406 3/13/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4341697 - Approved By: NOREVIEW : 03-13-2014:10:12:29

407 3/13/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4341706 - Approved By: NOREVIEW : 03-13-2014:10:14:14

408 3/13/2014 - 2840 - Ord Denying ...

Additional Text: ORDER DENYING MOTION FOR RECONSIDERATION - Transaction 4341710 - Approved By: NOREVIEW : 03-13-2014:10:17:01

409 3/13/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4341719 - Approved By: NOREVIEW : 03-13-2014:10:18:30

410 3/13/2014 - S200 - Request for Submission Complet

No additional text exists for this entry.

411 3/13/2014 - S200 - Request for Submission Complet

No additional text exists for this entry.

412 3/13/2014 - S200 - Request for Submission Complet

No additional text exists for this entry.

413 3/14/2014 - 2540 - Notice of Entry of Ord

Additional Text: Transaction 4344719 - Approved By: NOREVIEW : 03-14-2014:15:30:42

414 3/14/2014 - 2540 - Notice of Entry of Ord

Additional Text: Transaction 4344719 - Approved By: NOREVIEW : 03-14-2014:15:30:42

415 3/14/2014 - 2540 - Notice of Entry of Ord

Additional Text: Transaction 4344719 - Approved By: NOREVIEW : 03-14-2014:15:30:42

416 3/14/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4344727 - Approved By: NOREVIEW : 03-14-2014:15:32:29

417 3/19/2014 - 2490 - Motion ...

Additional Text: MOTION TO HOLD THE DEFENDANTS IN CONTEMPT, OR IN THE ALTERNATIVE, ORDER DEFENDANTS TO RELEASE EVIDENCE - Transaction 4351365 - Approved By: YLLOYD : 03-20-2014:11:34:45

- 418 3/20/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4352218 - Approved By: NOREVIEW : 03-20-2014:11:37:46
- 419 3/27/2014 - 3347 - Ord to Set
Additional Text: ORDER TO SET HEARING ON MOTION FOR CASE TERMINATING SANCTIONS - Transaction 4363199 - Approved By: NOREVIEW : 03-27-2014:15:25:29
- 420 3/27/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4363201 - Approved By: NOREVIEW : 03-27-2014:15:26:29
- 421 3/27/2014 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 422 4/1/2014 - 2582 - Notice of Taking Deposition
Additional Text: Transaction 4368955 - Approved By: MCHOLICO : 04-02-2014:09:35:07
- 423 4/1/2014 - 2582 - Notice of Taking Deposition
Additional Text: Transaction 4368955 - Approved By: MCHOLICO : 04-02-2014:09:35:07
- 424 4/1/2014 - 4065 - Subpoena Duces Tecum
Additional Text: SUBPOENA DUCES TECUM AND FOR DEPOSITION - IRA VICTOR - Transaction 4368955 - Approved By: MCHOLICO : 04-02-2014:09:35:07
- 425 4/1/2014 - 4065 - Subpoena Duces Tecum
Additional Text: SUBPOENA DUCES TECUM AND FOR DEPOSTION - YUVAL BRASH - Transaction 4368955 - Approved By: MCHOLICO : 04-02-2014:09:35:07
- 426 4/2/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4369489 - Approved By: NOREVIEW : 04-02-2014:09:36:02
- 427 4/3/2014 - 1250E - Application for Setting eFile
Additional Text: FOR HEARING ON MOTION FOR CASE TERMINATING SANCTIONS ON MAY 14, 2014 AT 9:00 A.M. - Transaction 4372615 - Approved By: NOREVIEW : 04-03-2014:15:54:06
- 428 4/3/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4372620 - Approved By: NOREVIEW : 04-03-2014:15:55:08
- 429 4/8/2014 - 2645 - Opposition to Mtn ...
Additional Text: DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION TO HOLD THE DEFENDANTS IN CONTEMPT OR IN THE ALTERNATIVE, ORDER DEFENDANTS TO RELEASE EVIDENCE - Transaction 4377117 - Approved By: MCHOLICO : 04-08-2014:10:18:23
- 430 4/8/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4377434 - Approved By: NOREVIEW : 04-08-2014:10:19:26
- 431 4/8/2014 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION TO HOLD THE DEFENDANTS IN CONTEMPT, OR IN THE ALTERNATIVE, ORDER DEFENDANTS TO RELEASE EVIDENCE - Transaction 4378719 - Approved By: YLLOYD : 04-08-2014:16:48:25
- 432 4/8/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4378741 - Approved By: NOREVIEW : 04-08-2014:16:49:31
- 433 4/8/2014 - 3860 - Request for Submission

Additional Text: Transaction 4378828 - Approved By: YVILORIA : 04-08-2014:17:02:51

DOCUMENT TITLE: PLAINTIFFS' MOTION TO HOLD DEFENDANTS IN CONTEMPT, OR IN THE ALTERNATIVE, ORDER DEFENDANTS TO RELEASE EVIDENCE FILED 3-19-14; DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO HOLD DEFENDANTS IN CONTEMPT, OR IN THE ALTERNATIVE, ORDER DEFENDANTS TO RELEASE EVIDENCE, FILED 4-8-14; AND REPLY IN SUPPORT OF MOTION TO HOLD DEFENDANTS IN CONTEMPT, OR IN THE ALTERNATIVE, ORDER DEFENDANTS TO RELEASE EVIDENCE FILED 4-8-14

PARTY SUBMITTING: JARRAD C MILLER ESQ

DATE SUBMITTED: APRIL 8, 2014

SUBMITTED BY: YVILORIA

DATE RECEIVED JUDGE OFFICE:

434 4/8/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4378837 - Approved By: NOREVIEW : 04-08-2014:17:03:54

435 4/18/2014 - 3242 - Ord Setting Hearing

Additional Text: ORDER SETTING HEARING ON MOTION TO HOLD DEFENDANTS IN CONTEMPT, ORDER DEFENDANTS TO RELEASE EVIDENCE SET FOR MAY 14, 2014 AT 9:00 A.M. - Transaction 4394089 - Approved By: NOREVIEW : 04-18-2014:16:36:31

436 4/18/2014 - S200 - Request for Submission Complet

No additional text exists for this entry.

437 4/18/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4394094 - Approved By: NOREVIEW : 04-18-2014:16:37:30

438 4/21/2014 - 2270 - Mtn to Compel...

Additional Text: PLTFs' MOTION TO COMPEL PRODUCTION OF DOCUMENTS - Transaction 4396156 - Approved By: AZION : 04-22-2014:09:28:30

439 4/22/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4396531 - Approved By: NOREVIEW : 04-22-2014:09:33:59

440 4/25/2014 - 2270 - Mtn to Compel...

Additional Text: PLAINTIFFS' MOTION TO COMPEL DEPOSITION AND FOR SANCTIONS - Transaction 4403506 - Approved By: YVILORIA : 04-25-2014:11:24:33

441 4/25/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4403652 - Approved By: NOREVIEW : 04-25-2014:11:25:32

442 5/6/2014 - 2610 - Notice ...

Additional Text: NOTICE OF ASSOCIATION OF COUNSEL - H. STAN JOHNSON, ESQ. & STEVEN B. COHEN, ESQ. OBO MEI-GSH HOLDINGS, LLC., GRAND SIERRA RESORT UNIT OWNERS' ASSOCIATION, AND GAGE VILLAGE COMMERCIAL DEVELOPMENT, LLC - Transaction 4419644 - Approved By: MFERNAND : 05-07-2014:08:54:11

443 5/7/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4420088 - Approved By: NOREVIEW : 05-07-2014:08:55:43

444 5/7/2014 - 4055 - Subpoena

Additional Text: SUBPOENA FOR APPEARANCE - IRA VICTOR - Transaction 4421366 - Approved By: MCHOLICO : 05-07-2014:14:55:51

445 5/7/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4421695 - Approved By: NOREVIEW : 05-07-2014:14:56:51

446 5/8/2014 - 3720 - Proof of Service

Additional Text: Transaction 4422961 - Approved By: YLLOYD : 05-08-2014:10:59:47

447 5/8/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4423089 - Approved By: NOREVIEW : 05-08-2014:11:00:48

448 5/12/2014 - 3795 - Reply...

Additional Text: PLAINTIFFS' REPLY IN SUPPORT OF MOTION TO COMPEL PRODUCTION OF DOCUMENTS - Transaction 4428375 - Approved By: MFERNAND : 05-13-2014:09:30:02

Report Does Not Contain Sealed Cases or Confidential Information

- 449 5/12/2014 - 3860 - Request for Submission
Additional Text: PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF DOCUMENTS & REPLY IN SUPPORT OF MOTION TO COMPEL PRODUCTION OF DOCUMENTS (NO PAPER ORDER PROVIDED) - Transaction 4428375 - Approved By: MFERNAND : 05-13-2014:09:30:02
PARTY SUBMITTING: JONATHAN J. TEW, ESQ.
DATE SUBMITTED: 05/13/2014
SUBMITTED BY: M. FERNANDEZ
DATE RECEIVED JUDGE OFFICE:
- 450 5/13/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4428714 - Approved By: NOREVIEW : 05-13-2014:09:30:57
- 451 5/13/2014 - 3795 - Reply...
Additional Text: PLAINTIFFS' REPLY IN SUPPORT OF MOTION TO COMPEL DESPOSITION AND FOR SANCTIONS - Transaction 4428946 - Approved By: MFERNAND : 05-13-2014:12:24:46
- 452 5/13/2014 - 3860 - Request for Submission
Additional Text: PLAINTIFF'S MOTION TO COMPEL DEPOSITION AND FOR SANCTIONS & REPLY IN SUPPORT OF MOTION TO COMPEL DEPOSITION AND FOR SANCTIONS (NO PAPER ORDER PROVIDED) - Transaction 4428946 - Approved By: MFERNAND : 05-13-2014:12:24:46
PARTY SUBMITTING: JONATHAN J. TEW, ESQ.
DATE SUBMITTED: 05/13/14
SUBMITTED BY: M. FERNANDEZ
DATE RECEIVED JUDGE OFFICE:
- 453 5/13/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4429389 - Approved By: NOREVIEW : 05-13-2014:12:25:44
- 454 5/14/2014 - 1695 - ** Exhibit(s) ...
Additional Text: DEFENSE EXHIBIT 1; PLAINTIFF'S EXHIBITS 2 & 3
- 455 5/14/2014 - 4055 - Subpoena
Additional Text: JARRAD C MILLER ESQ, MAY 14, 2014
- 456 5/15/2014 - S200 - Request for Submission Complet
Additional Text: JUDGE RULED ON IN OPEN COURT ON MAY 14, 2014; COUNSEL MILLER WILL PREPARE THE ORDER
- 457 5/15/2014 - 3370 - Order ...
Additional Text: ORDER FOR CONTEMPT AND SANCTIONS - Transaction 4434601 - Approved By: NOREVIEW : 05-15-2014:16:06:55
- 458 5/15/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4434609 - Approved By: NOREVIEW : 05-15-2014:16:07:52
- 459 5/16/2014 - 2610 - Notice ...
Additional Text: NOTICE OF COMPLIANCE - Transaction 4435987 - Approved By: AZION : 05-16-2014:13:23:24
- 460 5/16/2014 - 1250E - Application for Setting eFile
Additional Text: FOR CONTINUATION OF HEARING ON MOTION FOR CASE-CONCLUDING SANCTIONS ON AUGUST 1, 2014 AT 8:30 A.M. - Transaction 4436029 - Approved By: NOREVIEW : 05-16-2014:13:16:51
- 461 5/16/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4436032 - Approved By: NOREVIEW : 05-16-2014:13:17:41
- 462 5/16/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4436045 - Approved By: NOREVIEW : 05-16-2014:13:24:24
- 463 5/23/2014 - 3370 - Order ...
Additional Text: ORDER REGARDING CONTEMPT OF MR. BRASH - Transaction 4446554 - Approved By: NOREVIEW : 05-23-2014:10:36:46

- 464 5/23/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4446557 - Approved By: NOREVIEW : 05-23-2014:10:37:49
- 465 5/28/2014 - 2270 - Mtn to Compel...
Additional Text: PLAINTIFF'S RENEWED MOTION TO COMPEL PRODUCTION OF DOCUMENTS, FOR SANCTIONS AND FOR CONTEMPT OF COURT AGAINST DEFENDANTS' EXPERTS - Transaction 4451717 - Approved By: YLLOYD : 05-28-2014:15:52:51
- 466 5/28/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4452081 - Approved By: NOREVIEW : 05-28-2014:15:57:05
- 467 5/29/2014 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 4453132 - Approved By: NOREVIEW : 05-29-2014:11:32:58
- 468 5/29/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4453136 - Approved By: NOREVIEW : 05-29-2014:11:34:01
- 469 6/4/2014 - 2610 - Notice ...
Additional Text: NOTICE OF WITHDRAWAL OF MOTION - Transaction 4461912 - Approved By: YLLOYD : 06-04-2014:16:06:53
- 470 6/4/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4462231 - Approved By: NOREVIEW : 06-04-2014:16:10:23
- 471 6/16/2014 - 4047 - Stip Extension of Time ...
Additional Text: STIPULATION TO EXTEND BRIEFING SCHEDULE - Transaction 4478499 - Approved By: AZION : 06-16-2014:15:02:45
- 472 6/16/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4478608 - Approved By: NOREVIEW : 06-16-2014:15:03:44
- 473 6/17/2014 - 3030 - Ord Granting Extension Time
Additional Text: ORDER EXTENDING BRIEFING SCHEDULE - Transaction 4479732 - Approved By: NOREVIEW : 06-17-2014:10:13:28
- 474 6/17/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4479736 - Approved By: NOREVIEW : 06-17-2014:10:14:28
- 475 6/17/2014 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 4480002 - Approved By: NOREVIEW : 06-17-2014:11:34:55
- 476 6/17/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4480004 - Approved By: NOREVIEW : 06-17-2014:11:35:59
- 477 6/17/2014 - 2582 - Notice of Taking Deposition
Additional Text: NOTICE OF TAKING DEPOSITION - KEVIN GILDESGARD - Transaction 4480453 - Approved By: MFERNAND : 06-17-2014:15:39:23
- 478 6/17/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4480739 - Approved By: NOREVIEW : 06-17-2014:15:43:18
- 479 6/18/2014 - 2645 - Opposition to Mtn ...
Additional Text: DEFENDANTS' OPPOSITION TO "PLAINTIFF'S RENEWED MOTION TO COMPEL PRODUCTION OF DOCUMENTS, FOR SANCTIONS AND FOR CONTEMPT OF COURT AGAINST DEFENDANTS' EXPERTS" - Transaction 4483072 - Approved By: YLLOYD : 06-19-2014:09:10:18
- 480 6/19/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4483309 - Approved By: NOREVIEW : 06-19-2014:09:11:57

- 481 6/19/2014 - 2582 - Notice of Taking Deposition
Additional Text: NOTICE OF TAKING CONTINUED DEPOSITION - Transaction 4484094 - Approved By: MCHOLICO : 06-19-2014:16:00:01
- 482 6/19/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4484556 - Approved By: NOREVIEW : 06-19-2014:16:01:02
- 483 6/26/2014 - 2582 - Notice of Taking Deposition
Additional Text: AMENDED NOTICE OF TAKING DEPOSITION - Transaction 4493884 - Approved By: YLLOYD : 06-26-2014:13:54:20
- 484 6/26/2014 - 2582 - Notice of Taking Deposition
Additional Text: AMENDED NOTICE OF TAKING CONTINUED DEPOSITION - Transaction 4493884 - Approved By: YLLOYD : 06-26-2014:13:54:20
- 485 6/26/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4494069 - Approved By: NOREVIEW : 06-26-2014:13:55:23
- 486 6/30/2014 - 4105 - Supplemental ...
Additional Text: SUPPLEMENTAL DECLARATION OF JARRAD C. MILLER, ESQ. IN SUPPORT OF PLAINTIFFS' RENEWED MOTION TO COMPEL PRODUCTION OF DOCUMENTS, FOR SANCTIONS AND FOR CONTEMPT OF COURT AGAINST DEFENDANTS' EXPERTS - Transaction 4498338 - Approved By: MCHOLICO : 07-01-2014:09:55:34
- 487 6/30/2014 - 3795 - Reply...
Additional Text: PLAINTIFFS' REPLY IN SUPPORT OF RENEWED MOTION TO COMPEL PRODUCTION OF DOCUMENTS, FOR SANCTIONS AND FOR CONTEMPT OF COURT AGAINST DEFENDANTS' EXPERTS - Transaction 4498338 - Approved By: MCHOLICO : 07-01-2014:09:55:34
- 488 7/1/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4498896 - Approved By: NOREVIEW : 07-01-2014:09:56:32
- 489 7/1/2014 - 3860 - Request for Submission
Additional Text: Transaction 4500189 - Approved By: YLLOYD : 07-02-2014:09:13:25
DOCUMENT TITLE: PLAINTIFFS' RENEWED MOTION TO COMPEL PRODUCTION OF DOCUMENTS, FOR SANCTIONS AND FOR CONTEMPT OF COURT AGAINST DEFENDANTS' EXPERTS (NO PAPER ORDER)
PARTY SUBMITTING: JARRAD MILLER
DATE SUBMITTED: 7/1/14
SUBMITTED BY: YLLOYD
DATE RECEIVED JUDGE OFFICE:
- 490 7/2/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4500671 - Approved By: NOREVIEW : 07-02-2014:09:14:38
- 491 7/7/2014 - 1940 - Master's Findings/Recommend
Additional Text: RECOMMENDATION FOR ORDER - Transaction 4505604 - Approved By: NOREVIEW : 07-07-2014:13:49:30
- 492 7/7/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4505608 - Approved By: NOREVIEW : 07-07-2014:13:50:28
- 493 7/7/2014 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 494 7/16/2014 - 4055 - Subpoena
Additional Text: FOR APPEARANCE - YUVAL BRASH - Transaction 4518542 - Approved By: AZION : 07-16-2014:09:14:24
- 495 7/16/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4518654 - Approved By: NOREVIEW : 07-16-2014:09:15:22
- 496 7/23/2014 - 2690 - Ord Affirming Master Recommend
Additional Text: Transaction 4529808 - Approved By: NOREVIEW : 07-23-2014:12:38:19

- 497 7/23/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4529809 - Approved By: NOREVIEW : 07-23-2014:12:39:09
- 498 7/24/2014 - 4105 - Supplemental ...
Additional Text: SUPPLEMENT OF EVIDENCE RECENTY OBTAINED FROM DEFENDANTS' EXPERTS IN SUPPORT OF PLAINTIFFS' JANUARY 27, 2014 RENEWED MOTION FOR CASE-CONCLUDING SANCTIONS - Transaction 4531339 - Approved By: YLLOYD : 07-24-2014:10:47:17
- 499 7/24/2014 - 1520 - Declaration
Additional Text: DECLARATION OF JARRAD C MILLER IN SUPPORT OF SUPPLEMENT OF EVIDENCE RECENTY OBTAINED FROM DEFENDANTS' EXPERTS IN SUPPORT OF PLAINTIFFS' JANUARY 27, 2014 RENEWED MOTION FOR CASE-CONCLUDING SANCTIONS - Transaction 4531339 - Approved By: YLLOYD : 07-24-2014:10:47:17
- 500 7/24/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4531411 - Approved By: NOREVIEW : 07-24-2014:10:48:20
- 501 7/24/2014 - MIN - ***Minutes
Additional Text: 5/14/14 - MOTION FOR CASE TERMINATING SANCTIONS - Transaction 4532277 - Approved By: NOREVIEW : 07-24-2014:15:14:32
- 502 7/24/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4532289 - Approved By: NOREVIEW : 07-24-2014:15:15:45
- 503 7/31/2014 - 2630 - Objection to ...
Additional Text: DEFENDANTS' OBJECTION TO PLAINTIFFS' "SUPPLEMENT OF EVIDENCE RECENTLY OBTAINED FROM DEFENDANTS' EXPERT IN SUPPORT OF PLAINTIFFS' JANUARY 27, 2014 RENEWED MOTION FOR CASE-CONCLUDING SANCTIONS" - Transaction 4541563 - Approved By: MFERNAND : 07-31-2014:14:07:01
- 504 7/31/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4541600 - Approved By: NOREVIEW : 07-31-2014:14:08:01
- 505 8/1/2014 - CO - **Court Ordered Deposit
No additional text exists for this entry.
- 506 8/4/2014 - MIN - ***Minutes
Additional Text: 8/1/14 - CONT'D HRG ON PLTF'S MOTION FOR CASE-CONCLUDING SANCTIONS. - Transaction 4545169 - Approved By: NOREVIEW : 08-04-2014:11:02:01
- 507 8/4/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4545173 - Approved By: NOREVIEW : 08-04-2014:11:02:59
- 508 8/5/2014 - CHECK - **Trust Disbursement
Additional Text: A Disbursement of \$500.00 on Check Number 28805
- 509 8/8/2014 - 4185 - Transcript
Additional Text: 8/1/14 - Motions Hearing - Transaction 4553077 - Approved By: NOREVIEW : 08-08-2014:08:14:27
- 510 8/8/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4553079 - Approved By: NOREVIEW : 08-08-2014:08:15:27
- 511 8/11/2014 - MIN - ***Minutes
Additional Text: 8/11/14 - CONT'D HRG ON PLAINTIFF'S RENEWED MOTION FOR CASE-CONCLUDING SANCTIONS. - Transaction 4556224 - Approved By: NOREVIEW : 08-11-2014:14:49:11
- 512 8/11/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4556230 - Approved By: NOREVIEW : 08-11-2014:14:50:13
- 513 8/14/2014 - S200 - Request for Submission Complet
No additional text exists for this entry.

- 514 8/21/2014 - 4185 - Transcript
Additional Text: Transaction 4572315 - Approved By: NOREVIEW : 08-21-2014:15:31:18
- 515 8/21/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4572317 - Approved By: NOREVIEW : 08-21-2014:15:32:17
- 516 8/22/2014 - 2245 - Mtn in Limine
Additional Text: DEFENDANTS' MOTIONS IN LIMINE - Transaction 4574464 - Approved By: MFERNAND : 08-22-2014:16:07:12
- 517 8/22/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4574532 - Approved By: NOREVIEW : 08-22-2014:16:08:14
- 518 8/22/2014 - 1120 - Amended ...
Additional Text: DEFENDANT'S AMENDED TRIAL STATEMENT - Transaction 4574685 - Approved By: MCHOLICO : 08-25-2014:08:51:06
- 519 8/25/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4574904 - Approved By: NOREVIEW : 08-25-2014:08:54:03
- 520 8/25/2014 - 4185 - Transcript
Additional Text: Thomas v GSR - Cont'd Hearing Renewed Motion for Case-Concluding Sanctions 8/11/14 - Transaction 4576210 - Approved By: NOREVIEW : 08-25-2014:14:55:34
- 521 8/25/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4576216 - Approved By: NOREVIEW : 08-25-2014:14:56:30
- 522 10/3/2014 - 3105 - Ord Granting ...
Additional Text: ORDER GRANTING PLAINTIFFS' MOTION FOR CASE-TERMINATING SANCTIONS; PARTIES WILL SET HEARING TO PROVE UP DAMAGES - Transaction 4636596 - Approved By: NOREVIEW : 10-03-2014:14:02:46
- 523 10/3/2014 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 524 10/3/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4636599 - Approved By: NOREVIEW : 10-03-2014:14:03:34
- 525 10/6/2014 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 4638073 - Approved By: NOREVIEW : 10-06-2014:11:06:51
- 526 10/6/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4638079 - Approved By: NOREVIEW : 10-06-2014:11:07:45
- 527 10/9/2014 - 2605 - Notice to Set
Additional Text: OCTOBER 13, 2014 @ 3:00 PM - Transaction 4644304 - Approved By: MELWOOD : 10-09-2014:12:43:40
- 528 10/9/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4644638 - Approved By: NOREVIEW : 10-09-2014:12:44:40
- 529 10/10/2014 - 2010 - Mtn for Attorney's Fee
Additional Text: MOTION FOR FEES AND COSTS PURSUANT TO NRCP 37(b)(2) - Transaction 4647747 - Approved By: YLLOYD : 10-13-2014:10:28:48
- 530 10/13/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4648394 - Approved By: NOREVIEW : 10-13-2014:10:30:10
- 531 10/13/2014 - 1250E - Application for Setting eFile
Additional Text: FOR HEARING TO PROVE UP DAMAGES SET FOR JANUARY 26, 2015 AT 8:30 A.M. (3-5 DAYS) - Transaction 4649489 - Approved By: NOREVIEW : 10-13-2014:15:19:46

- 532 10/13/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4649501 - Approved By: NOREVIEW : 10-13-2014:15:21:07
- 533 10/13/2014 - 2475 - Mtn to Strike...
Additional Text: MOTION TO STRIKE DEFENDANTS' AMENDED TRIAL STATEMENT AND MOTIONS IN LIMINE
- 534 10/16/2014 - 2490 - Motion ...
Additional Text: MOTION FOR APPOINTMENT OF RECEIVER
- 535 10/23/2014 - 4300 - Withdrawal of Counsel
Additional Text: REESE KINTZ BROHAWN LLC FOR GRAND SIERRA RESORT AND GAGE VILLAGE DEVELOPEMENT LLC - Transaction 4666056 - Approved By: YLLOYD : 10-23-2014:15:57:35
- 536 10/23/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4666630 - Approved By: NOREVIEW : 10-23-2014:15:58:37
- 537 10/23/2014 - 2490 - Motion ...
Additional Text: DEFT MEI-GSR HOLDINGS, LLC., GRAND SIERRA RESORT UNIT OWNERS' ASSOCIATION, GAGE VILLAGE COMMERCIAL DEVELOPMENT, LLC MOTION FOR RECONSIDERATION AND ORAL ARGUMENT FOR THE ORDER GRANTING PLTF'S MOTION FOR CASE-TERMINATING SANCTIONS - Transaction 4666988 - Approved By: MELWOOD : 10-24-2014:09:51:44
- 538 10/24/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4667366 - Approved By: NOREVIEW : 10-24-2014:09:53:10
- 539 10/24/2014 - 4075 - Substitution of Counsel
Additional Text: H. STAN JOHNSON, ESQ in place of DEVON REESE, ESQ - Transaction 4667760 - Approved By: MELWOOD : 10-24-2014:12:43:29
- 540 10/24/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4668087 - Approved By: NOREVIEW : 10-24-2014:12:44:13
- 541 10/29/2014 - 2650 - Opposition to ...
Additional Text: DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION FOR FEES AND COSTS PURSUANT TO NRCP 37(B)(2) - Transaction 4674990 - Approved By: MCHOLICO : 10-30-2014:11:02:51
- 542 10/30/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4675651 - Approved By: NOREVIEW : 10-30-2014:11:03:55
- 543 10/30/2014 - 2650 - Opposition to ...
Additional Text: Defendants' Opposition to Plaintiffs' Motion for Fees and Costs Puruant to NRCP 37(B)(2) - Transaction 4675693 - Approved By: ADEGAYNE : 10-30-2014:11:22:50
- 544 10/30/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4675797 - Approved By: NOREVIEW : 10-30-2014:11:24:30
- 545 11/3/2014 - 2610 - Notice ...
Additional Text: NOTICE OF ASSOCIATION OF COUNSEL - Transaction 4677955 - Approved By: YVILORIA : 11-03-2014:12:08:45
- 546 11/3/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4678276 - Approved By: NOREVIEW : 11-03-2014:12:09:39
- 547 11/3/2014 - 3860 - Request for Submission
Additional Text: Transaction 4679233 - Approved By: YLLOYD : 11-04-2014:08:24:10
DOCUMENT TITLE: MOTION FOR APPOINTMENT OF RECEIVER (NO PAPER ORDER)
PARTY SUBMITTING: JARRAD MILLER ESQ
DATE SUBMITTED: 11/3/14
SUBMITTED BY: YLLOYD
DATE RECEIVED JUDGE OFFICE:

- 548 11/3/2014 - 3860 - Request for Submission
Additional Text: Transaction 4679233 - Approved By: YLLOYD : 11-04-2014:08:24:10
DOCUMENT TITLE: MOTIOON TO STRIKE DEFENDANTS' AMENDED TRIAL STATEMENT AND MOTIONS IN LIMINE (NO PAPER ORDER)
PARTY SUBMITTING: JARRAD MILLER ESQ
DATE SUBMITTED: 11/3/14
SUBMITTED BY: YLLOYD
DATE RECEIVED JUDGE OFFICE:
- 549 11/3/2014 - 2650 - Opposition to ...
Additional Text: DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION TO STRIKE DEFENDANTS' AMENDED TRIAL STATEMENT AND MOTIONS IN LIMINE - Transaction 4679526 - Approved By: MFERNAND : 11-04-2014:08:49:11
- 550 11/4/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4679645 - Approved By: NOREVIEW : 11-04-2014:08:25:16
- 551 11/4/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4679751 - Approved By: NOREVIEW : 11-04-2014:08:50:08
- 552 11/5/2014 - 2840 - Ord Denying ...
Additional Text: ORDER DENYING MOTION FOR RECONSIDERATION AND ORAL ARGUMENT ON THE ORDER GRANTING PLAINTIFFS' MOTION FOR CASE-TERMINATING SANCTIONS - Transaction 4682514 - Approved By: NOREVIEW : 11-05-2014:12:09:24
- 553 11/5/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4682518 - Approved By: NOREVIEW : 11-05-2014:12:10:11
- 554 11/5/2014 - 3370 - Order ...
Additional Text: ORDER REGARDING MOTION FOR APPOINTMENT OF RECEIVER - Transaction 4682941 - Approved By: NOREVIEW : 11-05-2014:13:58:08
- 555 11/5/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4682945 - Approved By: NOREVIEW : 11-05-2014:13:59:00
- 556 11/5/2014 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 557 11/5/2014 - 3370 - Order ...
Additional Text: ORDER REGARDING MOTION TO STRIKE DEFENDANTS' AMENDED TRIAL STATEMENT AND MOTIONS IN LIMINE - Transaction 4683183 - Approved By: NOREVIEW : 11-05-2014:14:40:41
- 558 11/5/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4683186 - Approved By: NOREVIEW : 11-05-2014:14:41:41
- 559 11/5/2014 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 560 11/5/2014 - 2645 - Opposition to Mtn ...
Additional Text: DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION FOR A RECEIVER - Transaction 4683733 - Approved By: MFERNAND : 11-06-2014:08:25:51
- 561 11/6/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4683864 - Approved By: NOREVIEW : 11-06-2014:08:29:11
- 562 11/6/2014 - 3347 - Ord to Set
Additional Text: ORDER TO SET ORAL ARGUMENT ON MOTION TO STRIKE AND MOTION FOR APPT. OF RECEIVER - Transaction 4684931 - Approved By: NOREVIEW : 11-06-2014:13:00:36
- 563 11/6/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4684932 - Approved By: NOREVIEW : 11-06-2014:13:01:26

- 564 11/7/2014 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOITON FOR FEES AND COSTS PURSUANT TO NRCP 37(b)(2) - Transaction 4687782 -
Approved By: YLLOYD : 11-07-2014:16:24:40
- 565 11/7/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4687980 - Approved By: NOREVIEW : 11-07-2014:16:25:39
- 566 11/10/2014 - 3860 - Request for Submission
Additional Text: Transaction 4689120 - Approved By: YLLOYD : 11-10-2014:14:53:03
DOCUMENT TITLE: MOTION FOR FEES AND COSTS PURSUANT TO NRCP 37(b)(2) AND OPPOSITION TO PLAINTIFFS' MOTION FOR FEES AND COSTS PURSUANT TO NRCP 37(B)(2) AND REPLY IN SUPPORT OF MOTION FOR FEES AND COSTS (NO PAPER ORDER)
PARTY SUBMITTING: JARRAD MILLER ESQ
DATE SUBMITTED: 11/10/14
SUBMITTED BY: YLLOYD
DATE RECEIVED JUDGE OFFICE:
- 567 11/10/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4689617 - Approved By: NOREVIEW : 11-10-2014:14:53:56
- 568 11/10/2014 - 1250E - Application for Setting eFile
Additional Text: FOR ORAL ARGUMENT ON MOTION TO STRIKE AND MOTION FOR RECEIVER - Transaction 4689829 - Approved By: NOREVIEW : 11-10-2014:15:34:41
- 569 11/10/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4689833 - Approved By: NOREVIEW : 11-10-2014:15:35:38
- 570 11/17/2014 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION FOR APPOINTMENT OF RECEIVER - Transaction 4699866 - Approved By: MELWOOD : 11-18-2014:08:54:49
- 571 11/17/2014 - 3790 - Reply to/in Opposition
Additional Text: REPLY IN SUPPORT OF MOTION TO STRIKE DEFENDANTS' AMENDED TRIAL STATEMENT AND MOTIONS IN LIMNE - Transaction 4699882 - Approved By: MELWOOD : 11-18-2014:09:14:22
- 572 11/18/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4700083 - Approved By: NOREVIEW : 11-18-2014:08:56:22
- 573 11/18/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4700158 - Approved By: NOREVIEW : 11-18-2014:09:15:49
- 574 11/18/2014 - 3860 - Request for Submission
Additional Text: Transaction 4700573 - Approved By: YVILORIA : 11-18-2014:11:45:47
DOCUMENT TITLE: MOTION TO STRIKE DEFENDANTS' AMENDED TRIAL STATEMENT AND MOTIONS IN LIMINE, FILED 10-13-14; THE DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO STRIKE DEFENDANTS' AMENDED TRIAL STATEMENT AND MOTIONS IN LIMINE, FILED 11-3-14 AND THE REPLY IN SUPPORT OF MOTION TO STRIKE DEFENDANTS' TRIAL STATEMENT AND MOTIONS IN LIMINE FILED 11-17-14 (NO PAPER ORDER)
PARTY SUBMITTING: JARRAD C MILLER ESQ
DATE SUBMITTED: NOVEMBER 18, 2014
SUBMITTED BY: YVILORIA
DATE RECEIVED JUDGE OFFICE:
- 575 11/18/2014 - 3860 - Request for Submission
Additional Text: Transaction 4700573 - Approved By: YVILORIA : 11-18-2014:11:45:47
DOCUMENT TITLE: MOTION FOR APPOINTMENT OF RECEIVE FILED 10-16-14; THE DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION FOR A RECEIVER, FILED 11-5-14 AND THE REPLY IN SUPPORT OF MOTION FOR APPOINTMENT OF RECEIVER FILED 11-17-14 (NO PAPER ORDER)
PARTY SUBMITTING: JARRAD C MILLER ESQ
DATE SUBMITTED: NOVEMBER 18, 2014
SUBMITTED BY: YVILORIA
DATE RECEIVED JUDGE OFFICE:

- 576 11/18/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4700762 - Approved By: NOREVIEW : 11-18-2014:11:46:49
- 577 11/18/2014 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 578 11/18/2014 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 579 11/19/2014 - MIN - ***Minutes
Additional Text: 11/19/14 - ORAL ARGUMENTS - Transaction 4703940 - Approved By: NOREVIEW : 11-19-2014:16:56:08
- 580 11/19/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4703945 - Approved By: NOREVIEW : 11-19-2014:16:57:06
- 581 11/25/2014 - 3105 - Ord Granting ...
Additional Text: ORDER GRANTING PLAINTIFFS' MOTION TO STRIKE THE DEFENDANTS' AMENDED TRIAL STATEMENT AND MOTIONS IN LIMINE - Transaction 4712031 - Approved By: NOREVIEW : 11-25-2014:16:51:32
- 582 11/25/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4712040 - Approved By: NOREVIEW : 11-25-2014:16:52:33
- 583 11/26/2014 - 1550 - Default
Additional Text: MEI-GSR HOLDINGS, LLC, A NEVADA LIMITED LIABILITY COMPANY, ET AL
- 584 12/10/2014 - 3105 - Ord Granting ...
Additional Text: ORDER GRANTING PLAINTIFF'S MOTION FOR FEES AND COSTS PURSUANT TO NRCP 37(b)(2) - Transaction 4730277 - Approved By: NOREVIEW : 12-10-2014:12:37:23
- 585 12/10/2014 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 586 12/10/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4730279 - Approved By: NOREVIEW : 12-10-2014:12:38:20
- 587 12/10/2014 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 4730563 - Approved By: NOREVIEW : 12-10-2014:14:17:37
- 588 12/10/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4730566 - Approved By: NOREVIEW : 12-10-2014:14:18:25
- 589 12/15/2014 - 3785 - Reply Brief
Additional Text: DEFENTANTS' BRIEF IN SUPPORT OF SUGGESTIONS ON HOW TO CONDUCT THE EVIDENTIARY HEARING CONCERNING DAMAGES - Transaction 4736053 - Approved By: YLLOYD : 12-15-2014:14:00:06
- 590 12/15/2014 - 1360 - Certificate of Service
Additional Text: Transaction 4736057 - Approved By: YLLOYD : 12-15-2014:13:15:15
- 591 12/15/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4736190 - Approved By: NOREVIEW : 12-15-2014:13:16:13
- 592 12/15/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4736377 - Approved By: NOREVIEW : 12-15-2014:14:02:42
- 593 12/15/2014 - 3650 - Points and Authorities
Additional Text: PLAINTIFFS' BRIEF PROPOSING PROCEDURES FOR DAMAGES PROVE-UP HEARING - Transaction 4737033 - Approved By: MPURDY : 12-15-2014:16:47:25

594 12/15/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4737356 - Approved By: NOREVIEW : 12-15-2014:16:48:28

595 1/6/2015 - 3242 - Ord Setting Hearing
Additional Text: ORDER SETTING HEARING FOR JANUARY 13, 2015 AT 2:00 P.M. - Transaction 4761690 - Approved By: NOREVIEW : 01-06-2015:15:26:23

596 1/6/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4761692 - Approved By: NOREVIEW : 01-06-2015:15:27:31

597 1/7/2015 - 2745 - Ord Appointing ...
Additional Text: ORDER APPOINTING RECEIVER AND DIRECTING DEFENDANTS' COMPLIANCE

598 1/7/2015 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 4763633 - Approved By: NOREVIEW : 01-07-2015:14:42:00

599 1/7/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4763642 - Approved By: NOREVIEW : 01-07-2015:14:43:23

600 1/13/2015 - MIN - ***Minutes
Additional Text: 1/13/15 - HRG RE: TRANSFER OF PROPERTY - Transaction 4771968 - Approved By: NOREVIEW : 01-13-2015:15:34:29

601 1/13/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4771970 - Approved By: NOREVIEW : 01-13-2015:15:35:30

602 1/15/2015 - 1250E - Application for Setting eFile
Additional Text: FOR HEARING TO PROVE UP DAMAGES IS VACATED FOR JANUARY 26-30, 2015 AND RESET FOR FEBRUARY 9-11, 2015 AT 8:30 A.M. - Transaction 4774655 - Approved By: NOREVIEW : 01-15-2015:08:52:21

603 1/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4774658 - Approved By: NOREVIEW : 01-15-2015:08:53:10

604 1/15/2015 - MIN - ***Minutes
Additional Text: 1/15/15 - IN CHAMBERS CONFERENCE - Transaction 4775239 - Approved By: NOREVIEW : 01-15-2015:11:37:51

605 1/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4775246 - Approved By: NOREVIEW : 01-15-2015:11:40:51

606 1/21/2015 - 3980 - Stip and Order...
Additional Text: STIPULATION AND ORDER REGARDING ADDITION OF AM-GSR HOLDINGS, LLC AS DEFENDANT - Transaction 4781384 - Approved By: NOREVIEW : 01-21-2015:11:04:17

607 1/21/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4781386 - Approved By: NOREVIEW : 01-21-2015:11:05:10

608 2/3/2015 - 1670 - Ex-Parte Mtn...
Additional Text: DEFENDANT'S EX-PARTE MOTION FOR ORDER SHORTENING TIME ON DEFENDANT'S MOTION FOR STAY THE COMMENCEMENT OF THE HEARING ON DAMAGES SET TO COMMENCE OF FEBRUARY 9, 2015 - Transaction 4800941 - Approved By: YLLOYD : 02-03-2015:15:57:47

609 2/3/2015 - 2490 - Motion ...
Additional Text: DEFENDANT'S MOTION ON AN ORDER SHORTENING TIME FOR A MOTION TO CONTINUE THE HEARING ON DAMAGES SET TO COMMENCE ON FEBRUARY 9, 2015 - Transaction 4800951 - Approved By: YLLOYD : 02-03-2015:16:17:40

610 2/3/2015 - 3242 - Ord Setting Hearing
Additional Text: ORDER SETTING HEARING ON FEBRUARY 5, 2015 AT 1:30 P.M. - Transaction 4801095 - Approved By: NOREVIEW : 02-03-2015:15:23:30

611 2/3/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4801099 - Approved By: NOREVIEW : 02-03-2015:15:24:30

612 2/3/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4801239 - Approved By: NOREVIEW : 02-03-2015:15:58:42

613 2/3/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4801295 - Approved By: NOREVIEW : 02-03-2015:16:18:34

614 2/5/2015 - 3370 - Order ...
Additional Text: ORDER REGARDING PROVE UP HEARING - Transaction 4805592 - Approved By: NOREVIEW : 02-05-2015:15:44:30

615 2/5/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4805593 - Approved By: NOREVIEW : 02-05-2015:15:45:30

616 2/6/2015 - 1250E - Application for Setting eFile
Additional Text: FOR HEARING TO PROVE UP DAMAGES SET FOR MARCH 23-25, 2015; SAID HEARING WILL START DAILY AT 8:30 A.M. - Transaction 4805942 - Approved By: NOREVIEW : 02-06-2015:08:00:43

617 2/6/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4805943 - Approved By: NOREVIEW : 02-06-2015:08:01:43

618 3/9/2015 - MIN - ***Minutes
Additional Text: 2/4/15 - IN CHAMBERS CONFERENCE - Transaction 4851131 - Approved By: NOREVIEW : 03-09-2015:11:43:58

619 3/9/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4851138 - Approved By: NOREVIEW : 03-09-2015:11:45:09

620 3/17/2015 - 1225 - Application Default Judgment
Additional Text: APPLICATION FOR DEFAULT JUDGMENT PURSUANT TO NRCP 55(b)(2) - Transaction 4865236 - Approved By: MPURDY : 03-17-2015:16:51:04

621 3/17/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4865513 - Approved By: NOREVIEW : 03-17-2015:16:52:01

622 3/23/2015 - 1650 - Errata...
Additional Text: ERRATA TO APPLICATION FOR DEFAULT JUDGMENT - Transaction 4874144 - Approved By: MELWOOD : 03-23-2015:16:45:42

623 3/23/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4874374 - Approved By: NOREVIEW : 03-23-2015:16:46:49

624 3/23/2015 - MIN - ***Minutes
Additional Text: 3/23/15 - PROVE UP HRG (DAY 1) - Transaction 4874454 - Approved By: NOREVIEW : 03-23-2015:17:29:40

625 3/23/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4874455 - Approved By: NOREVIEW : 03-23-2015:17:30:40

626 3/24/2015 - MIN - ***Minutes
Additional Text: 3/24/15 - ONGOING PROVE UP HRG (DAY 2) - Transaction 4875984 - Approved By: NOREVIEW : 03-24-2015:15:19:01

627 3/24/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4876000 - Approved By: NOREVIEW : 03-24-2015:15:20:24

628 3/25/2015 - MIN - ***Minutes
Additional Text: 3/25/15 - ONGOING PROVE UP HRG (DAY 3) - Transaction 4877854 - Approved By: NOREVIEW : 03-25-2015:14:39:41

629 3/25/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4877861 - Approved By: NOREVIEW : 03-25-2015:14:40:39

630 3/25/2015 - 3835 - Report...
Additional Text: RECEIVER'S REPORT - Transaction 4877990 - Approved By: YLLOYD : 03-25-2015:16:51:35

631 3/25/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4878512 - Approved By: NOREVIEW : 03-25-2015:16:53:20

632 4/24/2015 - 1960 - Memorandum ...
Additional Text: MEMORANDUM IN SUPPORT OF SUPPLEMENTAL EVIDENCE PURSUANT TO PROVE-UP HEARING

633 4/27/2015 - 4187 - Transcript - Sealed
Additional Text: Transaction 4925552 - Approved By: YLLOYD : 04-28-2015:08:19:01

634 4/27/2015 - 4185 - Transcript
Additional Text: Transaction 4925552 - Approved By: YLLOYD : 04-28-2015:08:19:01

635 4/27/2015 - 4185 - Transcript
Additional Text: Transaction 4925552 - Approved By: YLLOYD : 04-28-2015:08:19:01

636 4/27/2015 - 4185 - Transcript
Additional Text: Transaction 4925552 - Approved By: YLLOYD : 04-28-2015:08:19:01

637 4/27/2015 - 1670 - Ex-Parte Mtn...
Additional Text: PLAINTIFFS' EX PARTE APPLICATION FOR ORDER TO SHOW CAUSE - Transaction 4925871 - Approved By: CSULEZIC : 04-28-2015:09:08:43

638 4/28/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4926054 - Approved By: NOREVIEW : 04-28-2015:08:20:13

639 4/28/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4926301 - Approved By: NOREVIEW : 04-28-2015:09:09:54

640 5/20/2015 - 3860 - Request for Submission
Additional Text: Transaction 4962698 - Approved By: YVILORIA : 05-20-2015:14:25:39
DOCUMENT TITLE: PLAINTIFF'S EX PARTE APPLICATION FOR ORDER TO SHOW CAUSE FILED 4-27-15
PARTY SUBMITTING: JARRAD C MILLER ESQ
DATE SUBMITTED: MAY 20, 2015
SUBMITTED BY: YVILORIA
DATE RECEIVED JUDGE OFFICE:

641 5/20/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4962918 - Approved By: NOREVIEW : 05-20-2015:14:26:40

642 5/21/2015 - 2490 - Motion ...
Additional Text: DEFENDANT'S MOTION FOR PERMISSION TO SUBMIT RESPONSE TO PLAINTIFFS' MEMORANDUM OF SUPPLEMENTAL EVIDENCE PURSUANT TO PROVE-UP HEARING - Transaction 4965156 - Approved By: MCHOLICO : 05-21-2015:16:36:47

643 5/21/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4965728 - Approved By: NOREVIEW : 05-21-2015:16:38:08

644 6/8/2015 - 2630 - Objection to ...
Additional Text: OPPOSITION TO PLAINTIFF'S EX PARTE APPLICATION FOR ORDER TO SHOW CAUSE - Transaction 4987309 - Approved By: YVILORIA : 06-08-2015:09:09:42

- 645 6/8/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4987364 - Approved By: NOREVIEW : 06-08-2015:09:10:38
- 646 6/8/2015 - 2645 - Opposition to Mtn ...
Additional Text: PLAINTIFF'S OPPOSITION TO THE DEFENDANT'S MOTION FOR PERMISSION TO SUBMIT RESPONSE TO SUPPLEMENTAL EVIDENCE - Transaction 4989120 - Approved By: YVILORIA : 06-09-2015:10:01:54
- 647 6/9/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4989681 - Approved By: NOREVIEW : 06-09-2015:10:03:01
- 648 6/12/2015 - 3795 - Reply...
Additional Text: PLAINTIFFS' REPLY IN SUPPORT OF APPLICATION FOR ORDER TO SHOW CAUSE - Transaction 4997586 - Approved By: YVILORIA : 06-12-2015:13:15:51
- 649 6/12/2015 - 3860 - Request for Submission
Additional Text: Transaction 4997586 - Approved By: YVILORIA : 06-12-2015:13:15:51
DOCUMENT TITLE: PLAINTIFFS' EX PARTE APPLICATION FOR ORDER TO SHOW CAUSE FILED 4-27-15
PARTY SUBMITTING: JARRAD C MILLER ESQ
DATE SUBMITTED: JUNE 12, 2015
SUBMITTED BY: YVILORIA
DATE RECEIVED JUDGE OFFICE:
- 650 6/12/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4998013 - Approved By: NOREVIEW : 06-12-2015:13:16:54
- 651 6/15/2015 - 2840 - Ord Denying ...
Additional Text: ORDER DENYING PLAINTIFFS' EX PARTE APPLICATION FOR ORDER TO SHOW CAUSE - Transaction 5000461 - Approved By: NOREVIEW : 06-15-2015:13:31:34
- 652 6/15/2015 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 653 6/15/2015 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 654 6/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5000466 - Approved By: NOREVIEW : 06-15-2015:13:32:41
- 655 6/15/2015 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 656 6/15/2015 - 3370 - Order ...
Additional Text: ORDER VACATING THE SUBMISSION OF THE PROVE UP HEARING, ET AL. - Transaction 5001159 - Approved By: NOREVIEW : 06-15-2015:15:38:22
- 657 6/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5001168 - Approved By: NOREVIEW : 06-15-2015:15:39:33
- 658 6/18/2015 - 3795 - Reply...
Additional Text: DEFENDANT'S REPLY IN SUPPORT OF MOTION FOR PERMISSION TO SUBMIT RESPONSE TO PLAINTIFFS' MEMORANDUM OF SUPPLEMENTAL EVIDENCE PURSUANT TO PROVE-UP HEARING - Transaction 5007756 - Approved By: YLLOYD : 06-18-2015:16:44:50
- 659 6/18/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5007879 - Approved By: NOREVIEW : 06-18-2015:16:45:53
- 660 6/19/2015 - 3860 - Request for Submission

Additional Text: DEFENDANT'S MOTION FOR PERMISSION TO SUBMIT RESPONSE TO PLAINTIFF'S MEMORANDUM OF SUPPLEMENTAL EVIDENCE PURSUANT TO PROVE-UP HEARING FILED 5/21/15 - Transaction 5008178 - Approved By: CSULEZIC : 06-19-2015:10:10:42
PARTY SUBMITTING: STAN JOHNSON, ESQ
DATE SUBMITTED: 6/19/15
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:

661 6/19/2015 - NEF - Proof of Electronic Service

Additional Text: Transaction 5008376 - Approved By: NOREVIEW : 06-19-2015:10:11:40

662 8/7/2015 - 2840 - Ord Denying ...

Additional Text: ORDER DENYING DEFENDANT'S MOTION FOR PERMISSION TO SUBMIT RESPONSE TO PLAINTIFF'S MEMORANDUM OF SUPPLEMENTAL EVIDENCE PURSUANT TO PROVE UP HEARING - Transaction 5083476 - Approved By: NOREVIEW : 08-07-2015:12:10:39

663 8/7/2015 - S200 - Request for Submission Complet

No additional text exists for this entry.

664 8/7/2015 - NEF - Proof of Electronic Service

Additional Text: Transaction 5083479 - Approved By: NOREVIEW : 08-07-2015:12:11:38

665 10/9/2015 - 1750 - Findings, Conclusions & Judg

Additional Text: Transaction 5180957 - Approved By: NOREVIEW : 10-09-2015:12:29:36

666 10/9/2015 - S200 - Request for Submission Complet

No additional text exists for this entry.

667 10/9/2015 - NEF - Proof of Electronic Service

Additional Text: Transaction 5180958 - Approved By: NOREVIEW : 10-09-2015:12:30:23

668 10/9/2015 - 2545 - Notice of Entry ...

Additional Text: Transaction 5181413 - Approved By: NOREVIEW : 10-09-2015:14:36:55

669 10/9/2015 - NEF - Proof of Electronic Service

Additional Text: Transaction 5181417 - Approved By: NOREVIEW : 10-09-2015:14:37:55

670 10/15/2015 - 2605 - Notice to Set

Additional Text: NOTICE OF SETTING PUNITIVE DAMAGES HEARING SET FOR 10/16/15 AT 10:00 AM - Transaction 5189914 - Approved By: CCOVINGT : 10-15-2015:09:14:52

671 10/15/2015 - NEF - Proof of Electronic Service

Additional Text: Transaction 5189946 - Approved By: NOREVIEW : 10-15-2015:09:17:40

672 10/16/2015 - 1250E - Application for Setting eFile

Additional Text: HEARING ON PUNITIVE DAMAGES SET FOR DECEMBER 10, 2015, AT 1:30 P.M. - Transaction 5192992 - Approved By: NOREVIEW : 10-16-2015:13:23:25

673 10/16/2015 - NEF - Proof of Electronic Service

Additional Text: Transaction 5192998 - Approved By: NOREVIEW : 10-16-2015:13:24:25

674 10/16/2015 - 1950 - Memorandum of Costs

Additional Text: VERIFIED MEMORANDUM OF COSTS - Transaction 5193111 - Approved By: YVILORIA : 10-16-2015:14:20:01

675 10/16/2015 - NEF - Proof of Electronic Service

Additional Text: Transaction 5193164 - Approved By: NOREVIEW : 10-16-2015:14:21:11

676 10/20/2015 - 2010 - Mtn for Attorney's Fee

Additional Text: Transaction 5197689 - Approved By: YVILORIA : 10-20-2015:15:00:00

677 10/20/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5197783 - Approved By: NOREVIEW : 10-20-2015:15:01:02

678 10/21/2015 - 2195 - Mtn for Stay ...
Additional Text: DEFENDANTS' MOTION FOR STAY OF EXECUTION OF JUDGMENT PENDING RESOLUTION OF POST-TRIAL MOTIONS AND FINAL JUDGMENT - Transaction 5200133 - Approved By: YVILORIA : 10-21-2015:16:15:56

679 10/21/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5200194 - Approved By: NOREVIEW : 10-21-2015:16:16:52

680 10/22/2015 - 1670 - Ex-Parte Mtn...
Additional Text: DEFENDANTS' EX PARTE MOTION FOR ORDER SHORTENING TIME ON DEFENDANTS' MOTION FOR STAY OF EXECUTION OF JUDGMENT PENDING RESOLUTION OF POST-TRIAL MOTIONS AND FINAL JUDGMENT - Transaction 5202042 - Approved By: CSULEZIC : 10-22-2015:15:53:55

681 10/22/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5202574 - Approved By: NOREVIEW : 10-22-2015:15:55:12

682 10/22/2015 - 2430 - Mtn to Retax Costs
Additional Text: DEFENDANTS' MOTION TO RETAX PLAINTIFFS' VERIFIED MEMORANDUM OF COSTS - Transaction 5203129 - Approved By: MCHOLICO : 10-23-2015:08:55:30

683 10/23/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5203316 - Approved By: NOREVIEW : 10-23-2015:08:56:40

684 10/23/2015 - MIN - ***Minutes
Additional Text: 10/22/15 - CONFERENCE CALL - IN CHAMBERS - Transaction 5203576 - Approved By: NOREVIEW : 10-23-2015:09:51:06

685 10/23/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5203583 - Approved By: NOREVIEW : 10-23-2015:09:52:05

686 10/26/2015 - 2250 - Mtn Alter or Amend Judgment
Additional Text: MOTION TO ALTER OR AMEND JUDGMENT: MOTION FOR RECONSIDERATION - Transaction 5207206 - Approved By: TBRITTON : 10-27-2015:09:10:23

687 10/26/2015 - 1520 - Declaration
Additional Text: DECLARATION OF JONATHAN JOEL TEW, ESQ. IN SUPPORT OF PLAINTIFFS' MOTION TO ALTER OR AMEND JUDGMENT; MOTION FOR RECONSIDERATION - Transaction 5207207 - Approved By: TBRITTON : 10-27-2015:08:40:25

688 10/27/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5207318 - Approved By: NOREVIEW : 10-27-2015:08:41:28

689 10/27/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5207402 - Approved By: NOREVIEW : 10-27-2015:09:11:30

690 10/28/2015 - 2520 - Notice of Appearance
Additional Text: NOTICE OF APPEARANCE AND REQUEST FOR NOTICE - Transaction 5209379 - Approved By: CSULEZIC : 10-28-2015:09:45:40

691 10/28/2015 - \$1560 - \$Def 1st Appearance - CV
Additional Text: JAMES PROCTOR - Transaction 5209379 - Approved By: CSULEZIC : 10-28-2015:09:45:40

692 10/28/2015 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$213.00 was made on receipt DCDC519426.

693 10/28/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5209590 - Approved By: NOREVIEW : 10-28-2015:09:46:42

- 694 10/28/2015 - 1356 - Certificate of Mailing
Additional Text: MAILED TO STEVEN B. COHEN ESQ, H. STAN JOHNSON ESQ, TERRY KINALLY, ESQ - OCTOBER 28, 2015 - Transaction 5209950 - Approved By: YVILORIA : 10-28-2015:12:57:38
- 695 10/28/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5210240 - Approved By: NOREVIEW : 10-28-2015:12:58:37
- 696 11/3/2015 - 3980 - Stip and Order...
Additional Text: STIPULATION AND ORDER REGARDING THE COURT'S FINDINGS OF FACT, CONCLUSIONS OF LAW AND JUDGMENT - Transaction 5217350 - Approved By: NOREVIEW : 11-03-2015:12:56:50
- 697 11/3/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5217355 - Approved By: NOREVIEW : 11-03-2015:12:59:44
- 698 11/5/2015 - 3860 - Request for Submission
Additional Text: Transaction 5222206 - Approved By: YVILORIA : 11-05-2015:15:05:13
DOCUMENT TITLE: MOTION
PARTY SUBMITTING: JARRAD C MILLER ESQ
DATE SUBMITTED: NOVEMBER 5, 2015
SUBMITTED BY: YVILORIA
DATE RECEIVED JUDGE OFFICE:
- 699 11/5/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5222520 - Approved By: NOREVIEW : 11-05-2015:15:06:13
- 700 11/6/2015 - 2490 - Motion ...
Additional Text: MOTION IN SUPPORT OF PUNITIVE DAMAGES AWARD - Transaction 5225199 - Approved By: CSULEZIC : 11-06-2015:16:11:47
- 701 11/6/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5225276 - Approved By: NOREVIEW : 11-06-2015:16:12:46
- 702 11/6/2015 - \$2515 - \$Notice/Appeal Supreme Court
Additional Text: DEFT MEI-GSR HOLDINGS LLC, GRAND SIERRA RESORT UNIT OWNERS' ASSOC. AND GAGE VILLAGE COMMERCIAL DEVELOPMENT LLC - Transaction 5225337 - Approved By: YVILORIA : 11-09-2015:09:49:34
- 703 11/6/2015 - 1310 - Case Appeal Statement
Additional Text: Case Appeal Statement - Transaction 5225461 - Approved By: YVILORIA : 11-09-2015:09:49:51
- 704 11/9/2015 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$34.00 was made on receipt DCDC520391.
- 705 11/9/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5225861 - Approved By: NOREVIEW : 11-09-2015:09:50:40
- 706 11/9/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5225863 - Approved By: NOREVIEW : 11-09-2015:09:50:48
- 707 11/9/2015 - 2475 - Mtn to Strike...
Additional Text: DEFENDANTS' MOTION TO STRIKE PLAINTIFFS' REQUEST FOR SUBMISSION REGARDING MOTION FOR ATTORNEYS' FEES - Transaction 5227583 - Approved By: MCHOLICO : 11-09-2015:16:47:44
- 708 11/9/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5227797 - Approved By: NOREVIEW : 11-09-2015:16:48:43
- 709 11/9/2015 - 3880 - Response...
Additional Text: DEFENDANTS' OPPOSITION TO MOTION FOR ATTORNEYS' FEES - Transaction 5227858 - Approved By: CSULEZIC : 11-10-2015:08:49:45

710 11/10/2015 - NEF - Proof of Electronic Service

Additional Text: Transaction 5228017 - Approved By: NOREVIEW : 11-10-2015:08:50:46

711 11/10/2015 - 2645 - Opposition to Mtn ...

Additional Text: OPPOSITION TO MOTION TO RETAX COSTS - Transaction 5228115 - Approved By: MCHOLICO : 11-10-2015:09:25:37

712 11/10/2015 - NEF - Proof of Electronic Service

Additional Text: Transaction 5228158 - Approved By: NOREVIEW : 11-10-2015:09:27:17

713 11/13/2015 - PEND - **Pending Court Deposit

No additional text exists for this entry.

714 11/13/2015 - SAB - **Supreme Court Appeal Bond

No additional text exists for this entry.

715 11/13/2015 - 1350 - Certificate of Clerk

Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 5235071 - Approved By: NOREVIEW : 11-13-2015:15:03:18

1
2
3
4
5 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
6 IN AND FOR THE COUNTY OF WASHOE
7 * * *

8 ALBERT THOMAS, individually, et al,

9 Plaintiffs,

Case No: CV12-02222

10 vs.

Dept. No: 10

11 MEI-GSR Holdings, LLC, a Nevada Limited
12 Liability Company, et al,

13 Defendants.
14 _____/

15 **FINDINGS OF FACT, CONCLUSIONS OF LAW AND JUDGMENT**

16 This action was commenced on August 27, 2012, with the filing of a COMPLAINT ("the
17 Complaint"). The Complaint alleged twelve causes of action: 1) Petition for Appointment of a
18 Receiver as to Defendant Grand Sierra Resort Unit-Owners' Association; 2) Intentional and/or
19 Negligent Misrepresentation as to Defendant MEI-GSR; 3) Breach of Contract as to Defendant
20 MEI-GSR; 4) Quasi-Contract/Equitable Contract/Detrimental Reliance as to Defendant MEI-GSR;
21 5) Breach of the Implied Covenant of Good Faith and Fair Dealing as to Defendant MEI-GSR;
22 6) Consumer Fraud/Nevada Deceptive Trade Practices Act Violations as to Defendant MEI-GSR; 7)
23 Declaratory Relief as to Defendant MEI-GSR; 8) Conversion as to Defendant MEI-GSR; 9) Demand
24 for an Accounting as to Defendant MEI-GSR and Defendant Grand Sierra Unit Owners Association;
25 10) Specific Performance Pursuant to NRS 116.122, Unconscionable Agreement; 11) Unjust
26 Enrichment/Quantum Meruit against Defendant Gage Village Development; 12) Tortious
27 Interference with Contract and/or Prospective Business Advantage against Defendants MEI-GSR
28

1 and Gage Development. The Plaintiffs (as more fully described *infra*) were individuals or other
2 entities who had purchased condominiums in the Grand Sierra Resort ("GSR"). A FIRST
3 AMENDED COMPLAINT ("the First Amended Complaint") was filed on September 10, 2012.
4 The First Amended Complaint had the same causes of action as the Complaint.

5 The Defendants (as more fully described *infra*) filed an ANSWER AND COUNTERCLAIM
6 ("the Answer") on November 21, 2012. The Answer denied the twelve causes of action; asserted
7 eleven affirmative defenses; and alleged three Counterclaims. The Counterclaims were for: 1)
8 Breach of Contract; 2) Declaratory Relief; 3) Injunctive Relief.

9 The Plaintiffs filed a SECOND AMENDED COMPLAINT ("the Second Amended
10 Complaint") on March 26, 2013. The Second Amended Complaint had the same causes of action as
11 the Complaint and the First Amended Complaint. The Defendants filed an ANSWER TO SECOND
12 AMENDED COMPLAINT AND COUNTER CLAIM ("the Second Answer") on May 23, 2013.
13 The Second Answer generally denied the allegations in the Second Amended Complaint and
14 contained ten affirmative defenses. The Counterclaims mirrored the Counterclaims in the Answer.

15 The matter has been the subject of extensive motion practice. There were numerous
16 allegations of discovery abuses by the Defendants. The record speaks for itself regarding the
17 protracted nature of these proceedings and the systematic attempts at obfuscation and intentional
18 deception on the part of the Defendants. Further, the Court has repeatedly had to address the
19 lackadaisical and inappropriate approach the Defendants have exhibited toward the Nevada Rules of
20 Civil Procedure, the District Court Rules, the Washoe District Court Rules, and the Court's orders.
21 The Defendants have consistently, and repeatedly, chosen to follow their own course rather than
22 respect the need for orderly process in this case. NRCP 1 states that the rules of civil procedure
23 should be "construed and administered to secure the just, speedy, and inexpensive determination of
24 every action." The Defendants have turned this directive on its head and done everything possible to
25 make the proceedings unjust, dilatory, and costly.

26 The Court twice has addressed a request to impose case concluding sanctions against the
27 Defendants because of their repeated discovery abuses. The Court denied a request for case
28 concluding sanctions in its ORDER REGARDING ORIGINAL MOTION FOR CASE

1 CONCLUDING SANCTIONS filed December 18, 2013 ("the December Order"). The Court found
2 that case concluding sanctions were not appropriate; however, the Court felt that some sanctions
3 were warranted based on the Defendants' repeated discovery violations. The Court struck all of the
4 Defendants' Counterclaims in the December Order and required the Defendants to pay for the costs
5 of the Plaintiffs' representation in litigating that issue.

6 The parties continued to fight over discovery issues after the December Order. The Court
7 was again required to address the issue of case concluding sanctions in January of 2014. It became
8 clear that the Defendants were disingenuous with the Court and Plaintiffs' counsel when the first
9 decision regarding case concluding sanctions was argued and resolved. Further, the Defendants
10 continued to violate the rules of discovery and other court rules even after they had their
11 Counterclaims struck in the December Order. The Court conducted a two day hearing regarding the
12 renewed motion for case concluding sanctions. An ORDER GRANTING PLAINTIFFS' MOTION
13 FOR CASE-TERMINATING SANCTIONS was entered on October 3, 2014 ("the October Order").
14 The Defendants' Answer was stricken in the October Order. A DEFAULT was entered against the
15 Defendants on November 26, 2014.

16 The Court conducted a "prove-up hearing" regarding the issue of damages from March 23
17 through March 25, 2015. The Court entered an ORDER on February 5, 2015 ("the February Order")
18 establishing the framework of the prove-up hearing pursuant to *Foster v. Dingwall*, 126 Nev. Adv.
19 Op. 6, 227 P.3d 1042 (2010). The February Order limited, but did not totally eliminate, the
20 Defendants' ability to participate in the prove-up hearing. The Court heard expert testimony from
21 Craig L. Greene, CPA/CFF, CFE, CCEP, MAFF ("Greene") at the prove-up hearing. Greene
22 calculated the damages owed the Plaintiffs using information collected and provided by the
23 Defendants. The Court finds Greene to be very credible and his methodology to be sound. Further,
24 the Court notes that Greene attempted to be "conservative" in his calculations. Greene used
25 variables and factors that would eliminate highly suspect and/or unreliable data. The Court has also
26 received and reviewed supplemental information provided as a result of an inquiry made by the
27 Court during the prove-up hearing.

1 The GSR is a high rise hotel/casino in Reno, Nevada. The GSR has approximately 2000
2 rooms. The Plaintiffs purchased individual rooms in the GSR as condominiums. It appears to the
3 Court that the primary purpose of purchasing a condominium in the GSR would be as an investment
4 and revenue generating proposition. The condominiums were the subject of statutory limitations on
5 the number of days the owners could occupy them during the course of a calendar year. The owners
6 would not be allowed to "live" in the condominium. When the owners were not in the rooms they
7 could either be rented out or they had to remain empty.

8 As noted, *supra*, the Court stripped all of the Defendants general and affirmative defenses in
9 the October Order. The Defendants stand before the Court having involuntarily conceded all of the
10 allegations contained in the Second Amended Complaint. The Court makes the following findings
11 of fact:

12 **I. FINDINGS OF FACT**

13 1. Plaintiff Albert Thomas is a competent adult and is a resident of the State of
14 California.

15 2. Plaintiff Jane Dunlap is a competent adult and is a resident of the State of California.

16 3. Plaintiff John Dunlap is a competent adult and is a resident of the State of California.

17 4. Plaintiff Barry Hay is a competent adult and is a resident of the State of California.

18 5. Plaintiff Marie-Annie Alexander, as Trustee of the Marie-Annie Alexander Living
19 Trust, is a competent adult and is a resident of the State of California.

20 6. Plaintiff Melissa Vagujhelyi, as Co-Trustee of the George Vagujhelyi and Melissa
21 Vagujheyli 2001 Family Trust Agreement U/T/A April 13, 2001, is a competent adult and is a
22 resident of the State of Nevada.

23 7. Plaintiff George Vagujhelyi, as Co-Trustee of the George Vagujhelyi and Melissa
24 Vagujheyli 2001 Family Trust Agreement U/T/A April 13, 2001, is a competent adult and is a
25 resident of the State of Nevada.

26 8. Plaintiff D'Arcy Nunn is a competent adult and is a resident of the State of California.

27 9. Plaintiff Henry Nunn is a competent adult and is a resident of the State of California.
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- 1 10. Plaintiff Lee Van Der Bokke is a competent adult and is a resident of the State of
2 California.
- 3 11. Plaintiff Madelyn Van Der Bokke is a competent adult and is a resident of the State of
4 California.
- 5 12. Plaintiff Donald Schreifels is a competent adult and is a resident of the State of
6 Minnesota.
- 7 13. Plaintiff Robert R. Pederson, individually and as Trustee of the Pederson 1990 Trust,
8 is a competent adult and is a resident of the State of California.
- 9 14. Plaintiff Lou Ann Pederson, individually and as Trustee of the Pederson 1990 Trust,
10 is a competent adult and is a resident of the State of California.
- 11 15. Plaintiff Lori Ordovery is a competent adult and is a resident of the State of
12 Connecticut.
- 13 16. Plaintiff William A. Henderson is a competent adult and is a resident of the State of
14 California.
- 15 17. Plaintiff Christine E. Henderson is a competent adult and is a resident of the State of
16 California.
- 17 18. Plaintiff Loren D. Parker is a competent adult and is a resident of the State of
18 Washington.
- 19 19. Plaintiff Suzanne C. Parker is a competent adult and is a resident of the State of
20 Washington.
- 21 20. Plaintiff Michael Izady is a competent adult and is a resident of the State of New
22 York.
- 23 21. Plaintiff Steven Takaki is a competent adult and is a resident of the State of
24 California.
- 25 22. Plaintiff Farad Torabkhan is a competent adult and is a resident of the State of New
26 York.
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- 1 23. Plaintiff Sahar Tavakol is a competent adult and is a resident of the State of New
2 York.
- 3 24. Plaintiff M&Y Holdings is a Nevada Limited Liability Company with its principal
4 place of business in Nevada.
- 5 25. Plaintiff JL&YL Holdings, LLC is a Nevada Limited Liability Company with its
6 principal place of business in Nevada.
- 7 26. Plaintiff Sandi Raines is a competent adult and is a resident of the State of Minnesota.
- 8 27. Plaintiff R. Raghuram is a competent adult and is a resident of the State of California.
- 9 28. Plaintiff Usha Raghuram is a competent adult and is a resident of the State of
10 California.
- 11 29. Plaintiff Lori K. Tokutomi is a competent adult and is a resident of the State of
12 California.
- 13 30. Plaintiff Garrett Tom is a competent adult and is a resident of the State of California.
- 14 31. Plaintiff Anita Tom is a competent adult and is a resident of the State of California.
- 15 32. Plaintiff Ramon Fadrilan is a competent adult and is a resident of the State of
16 California.
- 17 33. Plaintiff Faye Fadrilan is a competent adult and is a resident of the State of California.
- 18 34. Plaintiff Peter K. Lee, as Trustee of the Lee Family 2002 Revocable Trust, is a
19 competent adult and is a resident of the State of California.
- 20 35. Plaintiff Monica L. Lee, as Trustee of the Lee Family 2002 Revocable Trust, is a
21 competent adult and is a resident of the State of California.
- 22 36. Plaintiff Dominic Yin is a competent adult and is a resident of the State of California.
- 23 37. Plaintiff Elias Shamieh is a competent adult and is a resident of the State of
24 California.
- 25 38. Plaintiff Nadine's Real Estate Investments, LLC, is a North Dakota Limited Liability
26 Company.
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- 1 39. Plaintiff Jeffery James Quinn is a competent adult and is a resident of the State of
2 Hawaii.
- 3 40. Plaintiff Barbara Rose Quinn is a competent adult and is a resident of the State of
4 Hawaii.
- 5 41. Plaintiff Kenneth Riche is a competent adult and is a resident of the State of
6 Wisconsin.
- 7 42. Plaintiff Maxine Riche is a competent adult and is a resident of the State of
8 Wisconsin.
- 9 43. Plaintiff Norman Chandler is a competent adult and is a resident of the State of
10 Alabama.
- 11 44. Plaintiff Benton Wan is a competent adult and is a resident of the State of California.
- 12 45. Plaintiff Timothy Kaplan is a competent adult and is a resident of the State of
13 California.
- 14 46. Plaintiff Silkscape Inc. is a California Corporation.
- 15 47. Plaintiff Peter Cheng is a competent adult and is a resident of the State of California.
- 16 48. Plaintiff Elisa Cheng is a competent adult and is a resident of the State of California.
- 17 49. Plaintiff Greg A. Cameron is a competent adult and is a resident of the State of
18 California.
- 19 50. Plaintiff TMI Property Group, LLC is a California Limited Liability Company.
- 20 51. Plaintiff Richard Lutz is a competent adult and is a resident of the State of California.
- 21 52. Plaintiff Sandra Lutz is a competent adult and is a resident of the State of California.
- 22 53. Plaintiff Mary A. Kossick is a competent adult and is a resident of the State of
23 California.
- 24 54. Plaintiff Melvin H. Cheah is a competent adult and is a resident of the State of
25 California.
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- 1 55. Plaintiff Di Shen is a competent adult and is a resident of the State of Texas.
- 2 56. Plaintiff Ajit Gupta is a competent adult and is a resident of the State of California.
- 3 57. Plaintiff Seema Gupta is a competent adult and is a resident of the State of California.
- 4 58. Plaintiff Fredrick Fish is a competent adult and is a resident of the State of Minnesota.
- 5 59. Plaintiff Lisa Fish is a competent adult and is a resident of the State of Minnesota.
- 6 60. Plaintiff Robert A. Williams is a competent adult and is a resident of the State of
- 7 Minnesota.
- 8 61. Plaintiff Jacquelin Pham is a competent adult and is a resident of the State of
- 9 California.
- 10 62. Plaintiff May Ann Hom, as Trustee of the May Ann Hom Trust, is a competent adult
- 11 and is a resident of the State of California.
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- 13 63. Plaintiff Michael Hurley is a competent adult and is a resident of the State of
- 14 Minnesota.
- 15 64. Plaintiff Dominic Yin is a competent adult and is a resident of the State of California.
- 16 65. Plaintiff Duane Windhorst is a competent adult and is a resident of the State of
- 17 Minnesota.
- 18 66. Plaintiff Marilyn Windhorst is a competent adult and is a resident of the State of
- 19 Minnesota.
- 20 67. Plaintiff Vinod Bhan is a competent adult and is a resident of the State of California.
- 21 68. Plaintiff Anne Bhan is a competent adult and is a resident of the State of California.
- 22 69. Plaintiff Guy P. Browne is a competent adult and is a resident of the State of
- 23 California.
- 24 70. Plaintiff Garth Williams is a competent adult and is a resident of the State of
- 25 California.
- 26 71. Plaintiff Pamela Y. Aratani is a competent adult and is a resident of the State of
- 27 California.
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- 1 72. Plaintiff Darleen Lindgren is a competent adult and is a resident of the State of
2 Minnesota.
- 3 73. Plaintiff Laverne Roberts is a competent adult and is a resident of the State of
4 Nevada.
- 5 74. Plaintiff Doug Mecham is a competent adult and is a resident of the State of Nevada.
- 6 75. Plaintiff Chrisine Mecham is a competent adult and is a resident of the State of
7 Nevada.
- 8 76. Plaintiff Kwangsoo Son is a competent adult and is a resident of Vancouver, British
9 Columbia.
- 10 77. Plaintiff Soo Yeun Moon is a competent adult and is a resident of Vancouver, British
11 Columbia.
- 12 78. Plaintiff Johnson Akindodunse is a competent adult and is a resident of the State of
13 California.
- 14 79. Plaintiff Irene Weiss, as Trustee of the Weiss Family Trust, is a competent adult and
15 is a resident of the State of Texas.
- 16 80. Plaintiff Pravesh Chopra is a competent adult and is a resident of the State of
17 California.
- 18 81. Plaintiff Terry Pope is a competent adult and is a resident of the State of Nevada.
- 19 82. Plaintiff Nancy Pope is a competent adult and is a resident of the State of Nevada.
- 20 83. Plaintiff James Taylor is a competent adult and is a resident of the State of California.
- 21 84. Plaintiff Ryan Taylor is a competent adult and is a resident of the State of California.
- 22 85. Plaintiff Ki Ham is a competent adult and is a resident of Surry B.C.
- 23 86. Plaintiff Young Ja Choi is a competent adult and is a resident of Coquitlam, B.C.
- 24 87. Plaintiff Sang Dae Sohn is a competent adult and is a resident of Vancouver, B.C.
- 25 88. Plaintiff Kuk Hyung ("Connie") is a competent adult and is a resident of Coquitlam,
26 B.C.
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1 89. Plaintiff Sang (“Mike”) Yoo is a competent adult and is a resident of Coquitlam, B.C.

2 90. Plaintiff Brett Menmuir, as Trustee of the Cayenne Trust, is a competent adult and is
3 a resident of the State of Nevada.

4 91. Plaintiff William Miner, Jr., is a competent adult and is a resident of the State of
5 California.

6 92. Plaintiff Chanh Truong is a competent adult and is a resident of the State of
7 California.

8 93. Plaintiff Elizabeth Anders Mecua is a competent adult and is a resident of the State of
9 California.

10 94. Plaintiff Shepherd Mountain, LLC is a Texas Limited Liability Company with its
11 principal place of business in Texas.

12 95. Plaintiff Robert Brunner is a competent adult and is a resident of the State of
13 Minnesota.

14 96. Plaintiff Amy Brunner is a competent adult and is a resident of the State of
15 Minnesota.

16 97. Plaintiff Jeff Riopelle is a competent adult and is a resident of the State of California.

17 98. Plaintiff Patricia M. Moll is a competent adult and is a resident of the State of Illinois.

18 99. Plaintiff Daniel Moll is a competent adult and is a resident of the State of Illinois.

19 100. The people and entities listed above represent their own individual interests. They are
20 not suing on behalf of any entity including the Grand Sierra Unit Home Owner’s Association. The
21 people and entities listed above are jointly referred to herein as “the Plaintiffs”.

22 101. Defendant MEI-GSR Holdings, LLC (“MEI-GSR”) is a Nevada Limited Liability
23 Company with its principal place of business in Nevada.

24 102. Defendant Gage Village Commercial Development, LLC (“Gage Village”) is a
25 Nevada Limited Liability Company with its principal place of business in Nevada.
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1 103. Gage Village is related to, controlled by, affiliated with, and/or a subsidiary of MEI-
2 GSR.

3 104. Defendant Grand Sierra Resort Unit Owners' Association ("the Unit Owners'
4 Association") is a Nevada nonprofit corporation with its principal place of business in Nevada.

5 105. MEI-GSR transferred interest in one hundred forty-five (145) condominium units to
6 AM-GSR Holdings, LLC ("AM-GSR") on December 22, 2014.

7 106. Defendants acknowledged to the Court on January 13, 2015, that AM-GSR would be
8 added to these proceedings and subject to the same procedural posture as MEI-GSR. Further, the
9 parties stipulated that AM-GSR would be added as a defendant in this action just as if AM-GSR was
10 a named defendant in the Second Amended Complaint. Said stipulation occurring and being ordered
11 on January 21, 2015.

12 107. MEI-GSR, Gage Village and the Unit Owner's Association are jointly referred to
13 herein as "the Defendants".

14 108. The Grand Sierra Resort Condominium Units ("GSR Condo Units") are part of the
15 Grand Sierra Unit Owners Association, which is an apartment style hotel condominium development
16 of 670 units in one 27-story building. The GSR Condo Units occupy floors 17 through 24 of the
17 Grand Sierra Resort and Casino, a large-scale hotel casino, located at 2500 East Second Street,
18 Reno, Nevada.

19 109. All of the Individual Unit Owners: hold an interest in, own, or have owned, one or
20 more GSR Condo Units.

21 110. Gage Village and MEI-GSR own multiple GSR Condo Units.

22 111. MEI-GSR owns the Grand Sierra Resort and Casino.

23 112. Under the Declaration of Covenants, Conditions, Restrictions and Reservations of
24 Easements for Hotel-Condominiums at Grand Sierra Resort ("CC&Rs"), there is one voting member
25 for each unit of ownership (thus, an owner with multiple units has multiple votes).
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1 113. Because MEI-GSR and Gage Village control more units of ownership than any other
2 person or entity, they effectively control the Unit Owners' Association by having the ability to elect
3 MEI-GSR's chosen representatives to the Board of Directors (the governing body over the GSR
4 Condo Units).

5 114. As a result of MEI-GSR and Gage Village controlling the Unit Owners' Association,
6 the Individual Unit Owners effectively have no input or control over the management of the Unit
7 Owners' Association.

8 115. MEI-GSR and Gage Village have used, and continue to use, their control over the
9 Unit Owners' Association to advance MEI-GSR and Gage Villages' economic objectives to the
10 detriment of the Individual Unit Owners.

11 116. MEI-GSR and Gage Villages' control of the Unit Owners' Association violates
12 Nevada law as it defeats the purpose of forming and maintaining a homeowners' association.

13 117. Further, the Nevada Division of Real Estate requires a developer to sell off the units
14 within 7 years, exit and turn over the control and management to the owners.

15 118. Under the CC&Rs, the Individual Unit Owners are required to enter into a "Unit
16 Maintenance Agreement" and participate in the "Hotel Unit Maintenance Program," wherein MEI-
17 GSR provides certain services (including, without limitation, reception desk staffing, in-room
18 services, guest processing services, housekeeping services, Hotel Unit inspection, repair and
19 maintenance services, and other services).

20 119. The Unit Owners' Association maintains capital reserve accounts that are funded by
21 the owners of GSR Condo Units. The Unit Owners' Association collects association dues of
22 approximately \$25 per month per unit, with some variation depending on a particular unit's square
23 footage.

24 120. The Individual Unit Owners pay for contracted "Hotel Fees," which include taxes,
25 deep cleaning, capital reserve for the room, capital reserve for the building, routine maintenance,
26 utilities, etc.
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1 121. MEI-GSR has systematically allocated and disproportionately charged capital reserve
2 contributions to the Individual Unit Owners, so as to force the Individual Unit Owners to pay capital
3 reserve contributions in excess of what should have been charged.

4 122. MEI-GSR and Gage Development have failed to pay proportionate capital reserve
5 contribution payments in connection with their Condo Units.

6 123. MEI-GSR has failed to properly account for, or provide an accurate accounting for
7 the collection and allocation of the collected capital reserve contributions.

8 124. The Individual Unit Owners also pay "Daily Use Fees" (a charge for each night a unit
9 is occupied by any guest for housekeeping services, etc.).

10 125. MEI-GSR and Gage Village have failed to pay proportionate Daily Use Fees for the
11 use of Defendants' GSR Condo Units.

12 126. MEI-GSR has failed to properly account for the contracted "Hotel Fees" and "Daily
13 Use Fees."

14 127. Further, the Hotel Fees and Daily Use Fees are not included in the Unit Owners'
15 Association's annual budget with other assessments that provide the Individual Unit Owners' the
16 ability to reject assessment increases and proposed budget ratification.

17 128. MEI-GSR has systematically endeavored to increase the various fees that are charged
18 in connection with the use of the GSR Condo Units in order to devalue the units owned by
19 Individual Unit Owners.

20 129. The Individual Unit Owners' are required to abide by the unilateral demands of MEI-
21 GSR, through its control of the Unit Owners' Association, or risk being considered in default under
22 Section 12 of the Agreement, which provides lien and foreclosure rights pursuant to Section 6.10(f)
23 of the CC&R's.

24 130. Defendants MEI-GSR and/or Gage Village have attempted to purchase, and
25 purchased, units devalued by their own actions, at nominal, distressed prices when Individual Unit
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1 Owners decide to, or are effectively forced to, sell their units because the units fail to generate
2 sufficient revenue to cover expenses.

3 131. MEI-GSR and/or Gage Village have, in late 2011 and 2012, purchased such devalued
4 units for \$30,000 less than the amount they purchased units for in March of 2011.

5 132. The Individual Unit Owners effectively pay association dues to fund the Unit
6 Owners' Association, which acts contrary to the best interests of the Individual Unit Owners.

7 133. MEI-GSR's interest in maximizing its profits is in conflict with the interest of the
8 Individual Unit Owners. Accordingly, Defendant MEI-GSR's control of the Unit Owners'
9 Association is a conflict of interest.

10 134. As part of MEI-GSR's Grand Sierra Resort and Casino business operations, it rents:
11 (1) hotel rooms owned by MEI-GSR that are not condominium units; (2) GSR Condo Units owned
12 by MEI-GSR and/or Gage Village; and (3) GSR Condo Units owned by the Individual Condo Unit
13 Owners.

14 135. MEI-GSR has entered into a Grand Sierra Resort Unit Rental Agreement with
15 Individual Unit Owners.

16 136. MEI-GSR has manipulated the rental of the: (1) hotel rooms owned by MEI-GSR; (2)
17 GSR Condo Units owned by MEI-GSR and/or Gage Village; and (3) GSR Condo Units owned by
18 Individual Condo Unit Owners so as to maximize MEI-GSR's profits and devalue the GSR Condo
19 Units owned by the Individual Unit Owners.

20 137. MEI-GSR has rented the Individual Condo Units for as little as \$0.00 to \$25.00 a
21 night.

22 138. Yet, MEI-GSR has charged "Daily Use Fees" of approximately \$22.38, resulting in
23 revenue to the Individual Unit Owners as low as \$2.62 per night for the use of their GSR Condo Unit
24 (when the unit was rented for a fee as opposed to being given away).

25 139. By functionally, and in some instances actually, giving away the use of units owned
26 by the Individual Unit Owners, MEI-GSR has received a benefit because those who rent the
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1 Individual Units frequently gamble and purchase food, beverages, merchandise, spa services and
2 entertainment access from MEI-GSR.

3 140. MEI-GSR has rented Individual Condo Units to third parties without providing
4 Individual Unit Owners with any notice or compensation for the use of their unit.

5 141. Further, MEI-GSR has systematically endeavored to place a priority on the rental of
6 MEI-GSR's hotel rooms, MEI-GSR's GSR Condo Units, and Gage Village's Condo Units.

7 142. Such prioritization effectively devalues the units owned by the Individual Unit
8 Owners.

9 143. MEI-GSR and Gage Village intend to purchase the devalued units at nominal,
10 distressed prices when Individual Unit Owners decide to, or are effectively forced to, sell their units
11 because the units fail to generate sufficient revenue to cover expenses and have no prospect of
12 selling their persistently loss-making units to any other buyer.

13 144. Some of the Individual Unit Owners have retained the services of a third party to
14 market and rent their GSR Condo Unit(s).

15 145. MEI-GSR has systematically thwarted the efforts of any third party to market and
16 rent the GSR Units owned by the Individual Unit Owners.

17 146. MEI-GSR has breached the Grand Sierra Resort Unit Rental Agreement with
18 Individual Condo Unit Owners by failing to follow its terms, including but not limited to, the failure
19 to implement an equitable Rotational System as referenced in the agreement.

20 147. MEI-GSR has failed to act in good faith in exercising its duties under the Grand
21 Sierra Resort Unit Rental Agreements with the Individual Unit Owners.

22 The Court is intimately familiar with all of the allegations in the twelve causes of action
23 contained in the Second Amended Complaint. The Court's familiarity is a result of reviewing all of
24 the pleadings and exhibits in this matter to include the various discovery disputes, the testimony at
25 the numerous hearings conducted to date, and the other documents and exhibits on file. The Court
26 finds that the facts articulated above support the twelve causes of action contained in the Second
27 Amended Complaint.
28

II. CONCLUSIONS OF LAW

- 1
2 A. The Court has jurisdiction over MEI-GSR, Gage Village, the Unit Owner's Association
3 and the Plaintiffs.
- 4 B. The appointment of a receiver is appropriate when: (1) the plaintiff has an interest in
5 the property; (2) there is potential harm to that interest in property; and (3) no other
6 adequate remedies exist to protect the interest. *See generally Bowler v. Leonard*, 70
7 Nev. 370, 269 P.2d 833 (1954). *See also* NRS 32.010. The Court appointed a receiver
8 to oversee the Unit Owner's Association on January 7, 2015. The Court concludes that
9 MEI-GSR and/or Gage Village have operated the Unit Owner's Association in a way
10 inconsistent with the best interests of all of the unit owners. The continued
11 management of the Unit Owner's Association by the receiver is appropriate under the
12 circumstances of this case and will remain in effect absent additional direction from the
13 Court.
- 14 C. Negligent misrepresentation is when "[o]ne who, in the course of his business,
15 profession or employment, or in any other action in which he has a pecuniary interest,
16 supplies false information for the guidance of others in their business transactions, is
17 subject to liability for pecuniary loss caused to them by their justifiable reliance upon
18 the information, if he fails to exercise reasonable care or competence in obtaining or
19 communicating the information." *Barmeltler v. Reno Air, Inc.*, 114 Nev. 441, 956 P.2d
20 1382, 1387 (1998) (quoting *Restatement (Second) of Torts § 552(1) (1976)*). Intentional
21 misrepresentation is when "a false representation made with knowledge or belief that it
22 is false or without a sufficient basis of information, intent to induce reliance, and
23 damage resulting from the reliance. *Lubbe v. Barba*, 91 Nev. 596, 599, 540 P.2d 115,
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1 117 (1975).” *Collins v. Burns*, 103 Nev. 394, 397, 741 P.2d 819, 821 (1987). MEI-
2 GSR is liable for intentionally and/or negligent misrepresentation as alleged in the
3 Second Cause of Action.

4
5 D. An enforceable contract requires, “an offer and acceptance, meeting of the minds, and
6 consideration.” *Certified Fire Protection, Inc. v. Precision Construction, Inc.* 128 Nev.
7 Adv. Op. 35, 283 P.3d 250, 255 (2012)(citing *May v. Anderson*, 121 Nev. 668, 672, 119
8 P.3d 1254, 1257 (2005)). There was a contract between the Plaintiffs and MEI-GSR.
9 MEI-GSR has breached the contract and therefore MEI-GSR is liable for breach of
10 contract as alleged in the Third Cause of Action.

11
12 E. MEI-GSR is liable for Quasi-Contract/Equitable Contract/Detrimental Reliance as
13 alleged in the Fourth Cause of Action.

14
15 F. An implied covenant of good faith and fair dealing exists in every contract in Nevada.
16 *Hilton Hotels Corp. v. Butch Lewis Productions, Inc.*, 109 Nev. 1043, 1046, 862 P.2d
17 1207, 1209 (1993). “The duty not to act in bad faith or deal unfairly thus becomes part
18 of the contract, and, as with any other element of the contract, the remedy for its breach
19 generally is on the contract itself.” *Id.* (citing *Wagenseller v. Scottsdale Memorial*
20 *Hospital*, 147 Ariz. 370, 383, 710 P.2d 1025, 1038 (1985)). “It is well established that
21 in contracts cases, compensatory damages ‘are awarded to make the aggrieved party
22 whole and ... should place the plaintiff in the position he would have been in had the
23 contract not been breached.’ This includes awards for lost profits or expectancy
24 damages.” *Road & Highway Builders, LLC v. Northern Nevada Rebar, Inc.*, 128 Nev.
25 Adv. Op. 36, 284 P.3d 377, 382 (2012)(*internal citations omitted*). “When one party
26 performs a contract in a manner that is unfaithful to the purpose of the contract and the
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1 justified expectations of the other party are thus denied, damages may be awarded
2 against the party who does not act in good faith.” *Perry v. Jordan*, 111 Nev. 943, 948,
3 900 P.2d 335, 338 (1995)(*citation omitted*). “Reasonable expectations are to be
4 ‘determined by the various factors and special circumstances that shape these
5 expectations.’” *Id.* (citing *Butch Lewis*, 107 Nev. at 234, 808 P.2d at 923). MEI-GSR is
6 liable for breach of the covenant of good faith and fair dealing as set forth in the Fifth
7 Cause of Action.
8

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10 G. MEI-GSR has violated NRS 41.600(1) and (2) and NRS 598.0915 through 598.0925,
11 inclusive and is therefore liable for the allegations contained in the Sixth Cause of
12 Action. Specifically, MEI-GSR violated NRS 598.0915(15) and NRS 598.0923(2).

13 H. The Plaintiffs are entitled to declaratory relief as more fully described below and
14 prayed for in the Seventh Cause of Action.

15 I. MEI-GSR wrongfully committed numerous acts of dominion and control over the
16 property of the Plaintiffs, including but not limited to renting their units at discounted
17 rates, renting their units for no value in contravention of written agreements between
18 the parties, failing to account for monies received by MEI-GSR attributable to specific
19 owners, and renting units of owners who were not even in the rental pool. All of said
20 activities were in derogation, exclusion or defiance of the title and/or rights of the
21 individual unit owners. Said acts constitute conversion as alleged in the Eighth Cause
22 of Action.

23 J. The demand for an accounting as requested in Ninth Cause of Action is moot pursuant
24 to the discovery conducted in these proceedings and the appointment of a receiver to
25 oversee the interaction between the parties.

26 K. The Unit Maintenance Agreement and Unit Rental Agreement proposed by MEI-GSR
27 and adopted by the Unit Owner’s Association are unconscionable. An unconscionable
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1 clause is one where the circumstances existing at the time of the execution of the
2 contract are so one-sided as to oppress or unfairly surprise an innocent party. *Bill*
3 *Stremmel Motors, Inc. v. IDS Leasing Corp.*, 89 Nev. 414, 418, 514 P.2d 654, 657
4 (1973). MEI-GSR controls the Unit Owner's Association based on its majority
5 ownership of the units in question. It is therefore able to propose and pass agreements
6 that affect all of the unit owners. These agreements require unit owners to pay
7 unreasonable Common Expense fees, Hotel Expenses Fees, Shared Facilities Reserves,
8 and Hotel Reserves ("the Fees"). The Fees are not based on reasonable expectation of
9 need. The Fees have been set such that an individual owner may actually *owe* money
10 as a result of having his/her unit rented. They are unnecessarily high and imposed
11 simply to penalize the individual unit owners. Further, MEI-GSR and/or Gage Village
12 have failed to fund their required portion of these funds, while demanding the
13 individual unit owners continue to pay the funds under threat of a lien. MEI-GSR has
14 taken the Fees paid by individual unit owners and placed the funds in its general
15 operating account rather than properly segregating them for the use of the Unit Owner's
16 Association. All of said actions are unconscionable and unenforceable pursuant to NRS
17 116.112(1). The Court will grant the Tenth Cause of Action and not enforce these
18 portions of the agreements.
19

- 20 L. The legal concept of *quantum meruit* has two applications. The first application is in
21 actions based upon contracts implied-in-fact. The second application is providing
22 restitution for unjust enrichment. *Certified Fire*, at 256. In the second application,
23 "[l]iability in restitution for the market value of goods or services is the remedy
24 traditionally known as quantum meruit. Where unjust enrichment is found, the law
25 implies a quasi-contract which requires the defendant to pay to the plaintiff the value of
26 the benefit conferred. In other words, the defendant makes restitution to the plaintiff in
27 *quantum meruit*." *Id.* at 256-57. Gage Village has been unjustly enriched based on the
28

orchestrated action between it and MEI-GSR to the detriment of the individual unit owners as alleged in the Eleventh Cause of Action.

M. Many of the individual unit owners attempted to rent their units through third-party services rather than through the use of MEI-GSR. MEI-GSR and Gage Village intentionally thwarted, interfered with and/or disrupted these attempts with the goal of forcing the sale of the individual units back to MEI-GSR. All of these actions were to the economic detriment of the individual unit owners as alleged in the Twelfth Cause of Action.

N. The Plaintiffs are entitled to both equitable and legal relief. “As federal courts have recognized, the long-standing distinction between law and equity, though abolished in procedure, continues in substance, *Coca-Cola Co. v. Dixi-Cola Labs.*, 155 F.2d 59, 63 (4th Cir. 1946); 30A C.J.S. *Equity* § 8 (2007). A judgment for damages is a legal remedy, whereas other remedies, such as avoidance or attachment, are equitable remedies. *See* 30A *Equity* § 1 (2007).” *Cadle Co. v. Woods & Erickson, LLP*, 131 Nev. Adv. Op. 15, 345 P.3d 1049, 1053 (2015).

O. “[W]here default is entered as a result of a discovery sanction, the non-offending party ‘need only establish a *prima facie* case in order to obtain the default.’ *Foster*, 227 P.3d at 1049 (*citing Young v. Johnny Ribeiro Building, Inc.*, 106 Nev. 88, 94, 787 P.2d 777, 781 (1990)). “[W]here a district court enters a default, the facts alleged in the pleadings will be deemed admitted. Thus, during a NRCP 55(b)(2) prove-up hearing, the district court shall consider the allegations deemed admitted to determine whether the non-offending party has established a *prima facie* case for liability.” *Foster*, 227 P.3d at 1049-50. A *prima facie* case requires only “sufficiency of evidence in order to send the question to the jury.” *Id.* 227 P.3d at 1050 (*citing Vancheri v. GNLV Corp.*, 105 Nev. 417, 420, 777 P.2d 366, 368 (1989)). The Plaintiffs have met this burden regarding all of their causes of action.

1 P. "Damages need not be determined with mathematical certainty." *Perry*, 111 Nev. at
2 948, 900 P.2d at 338. The party requesting damages must provide an evidentiary basis
3 for determining a "reasonably accurate amount of damages." *Id.* See also,
4 *Countrywide Home Loans, Inc. v. Thitchener*, 124 Nev. 725, 733, 192 P.3d 243, 248
5 (2008) and *Mort Wallin of Lake Tahoe, Inc. v. Commercial Cabinet Co., Inc.*, 105 Nev.
6 855, 857, 784 P.2d 954, 955 (1989).

7 Q. Disgorgement is a remedy designed to dissuade individuals from attempting to profit
8 from their inappropriate behavior. "Disgorgement as a remedy is broader than
9 restitution or restoration of what the plaintiff lost." *American Master Lease LLC v.*
10 *Idanta Partners, Ltd*, 225 Cal. App. 4th 1451, 1482, 171 Cal. Rptr. 3d 548, 572
11 (2014)(*internal citation omitted*). "Where 'a benefit has been received by the defendant
12 but the plaintiff has not suffered a corresponding loss or, in some cases, any loss, but
13 nevertheless the enrichment of the defendant would be unjust . . . the defendant may be
14 under a duty to give to the plaintiff the amount by which [the defendant] has been
15 enriched.'" *Id.* 171 Cal. Rptr. 3d at 573 (*internal citations omitted*). See also *Miller v.*
16 *Bank of America, N.A.*, 352 P.3d 1162 (N.M. 2015) and *Cross v. Berg Lumber Co.*, 7
17 P.3d 922 (Wyo. 2000).
18

19 III. JUDGMENT

20 Judgment is hereby entered against MEI-GSR, Gage Village and the Unit Owner's
21 Association as follows:
22

23 Monetary Relief:

- 24 1. Against MEI-GSR in the amount of \$442,591.83 for underpaid revenues to Unit owners;
- 25 2. Against MEI-GSR in the amount of \$4,152,669.13 for the rental of units of owners who had no
26 rental agreement;
- 27 3. Against MEI-GSR in the amount of \$1,399,630.44 for discounting owner's rooms without
28 credits;

- 1 4. Against MEI-GSR in the amount of \$31,269.44 for discounted rooms with credits;
- 2 5. Against MEI-GSR in the amount of \$96,084.96 for "comp'd" or free rooms;
- 3 6. Against MEI-GSR in the amount of \$411,833.40 for damages associated with the bad faith
- 4 "preferential rotation system";
- 5 7. Against MEI-GSR in the amount of \$1,706,798.04 for improperly calculated and assessed
- 6 contracted hotel fees;
- 7 8. Against MEI-GSR in the amount of \$77,338.31 for improperly collected assessments;
- 8 9. MEI-GSR will fund the FF&E reserve, shared facilities reserve and hotel reserve in the amount of
- 9 \$500,000.00 each. The Court finds that MEI-GSR has failed to fund the reserves for the units it, or
- 10 any of its agents, own. However, the Court has also determined, *supra*, that these fees were
- 11 themselves unconscionable. The Court does not believe that the remedy for MEI-GSR's failure to
- 12 fund the unconscionable amount should be some multiple of that unreasonable sum. Further, the
- 13 Court notes that Plaintiffs are individual owners: not the Unit Owner's Association. Arguably, the
- 14 reserves are an asset of the Unit Owner's Association and the Plaintiffs have no individual interest in
- 15 this sum. The Court believes that the "seed funds" for these accounts are appropriate under the
- 16 circumstances of the case; and
- 17 10. The Court finds that it would be inappropriate to give MEI-GSR any "write downs" or credits
- 18 for sums they may have received had they rented the rooms in accordance with appropriate business
- 19 practices. These sums will be disgorged.

20

21 **Non-Monetary Relief:**

- 22 1. The receiver will remain in place with his current authority until this Court rules otherwise;
- 23 2. The Plaintiffs shall not be required to pay any fees, assessments, or reserves allegedly due or
- 24 accrued prior to the date of this ORDER;
- 25 3. The receiver will determine a reasonable amount of FF&E, shared facilities and hotel reserve fees
- 26 required to fund the needs of these three ledger items. These fees will be determined within 90 days
- 27 of the date of this ORDER. No fees will be required until the implementation of these new
- 28

1 amounts. They will be collected from *all* unit owners and properly allocated on the Unit Owner's
2 Association ledgers; and
3 4. The current rotation system will remain in place.

4 **Punitive Damages:**

5 The Court specifically declined to hear argument regarding punitive damages during the
6 prove-up hearing. *See* Transcript of Proceedings 428:6 through 430:1. Where a defendant has been
7 guilty of oppression, fraud, or malice express or implied in an action *not arising from contract*,
8 punitive damages may be appropriate. NRS 42.005(1). Many of the Plaintiff's causes of action
9 sound in contract; therefore, they are not the subject of a punitive damages award. Some of the
10 causes of action may so qualify. The Court requires additional argument on whether punitive
11 damages would be appropriate in the non-contract causes of action. NRS 42.005(3). An appropriate
12 measure of punitive damages is based on the financial position of the defendant, its culpability and
13 blameworthiness, the vulnerability of, and injury suffered by, the offended party, the offensiveness
14 of the punished conduct, and the means necessary to deter further misconduct. *See generally*
15 *Ainsworth v. Combined Insurance Company of America*, 104 Nev. 587, 763 P.2d 673 (1988).
16 Should the Court determine that punitive damages are appropriate it will conduct a hearing to
17 consider all of the stated factors. NRS 42.005(3). The parties shall contact the Judicial Assistant
18 within 10 days of the date of this ORDER to schedule a hearing regarding punitive damages.
19 Counsel will be prepared to discuss all relevant issues and present testimony and/or evidence
20 regarding NRS 42.005 at that subsequent hearing.

21 DATED this 9 day of October, 2015.

22 
23 ELLIOTT A. SATTLER
24 District Judge
25
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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court by using the ECF system which served the following parties electronically:

Jonathan Tew, Esq.

Jarrad Miller, Esq.

Stan Johnson, Esq.

Mark Wray, Esq.

DATED this 9 day of October, 2015.


SHEILA MANSFIELD
Judicial Assistant

1 CODE: 2545
2 Jarrad C. Miller, Esq. (NV Bar No. 7093)
3 Jonathan J. Tew, Esq. (NV Bar No. 11874)
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5 50 West Liberty Street, Suite 600
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8 Attorneys for Plaintiffs

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SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

ALBERT THOMAS, individually; *et al.*,

Plaintiffs,

vs.

MEI-GSR Holdings, LLC, a Nevada Limited
Liability Company, et al.,

Defendants.

Case No. CV12-02222
Dept. No. 10

NOTICE OF ENTRY

PLEASE TAKE NOTICE that on October 9, 2015, the above Court issued its Findings of Fact, Conclusions of Law and Judgment. A copy thereof is attached hereto as Exhibit "1" and made a part hereof by reference.

AFFIRMATION

Pursuant to N.R.S. § 239B.030, the undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

Dated this 9th day of October, 2015.

ROBERTSON, JOHNSON,
MILLER & WILLIAMSON

By: /s/ Jonathan J. Tew

Jarrad C. Miller, Esq.
Jonathan J. Tew, Esq.
Attorneys for Plaintiff

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INDEX OF EXHIBITS

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1.	Findings of Fact, Conclusions of Law and Judgment	24

FILED
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Jacqueline Bryant
Clerk of the Court
Transaction # 5181413

EXHIBIT “1”

EXHIBIT “1”

EXHIBIT “1”

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

* * *

ALBERT THOMAS, individually, et al,

Plaintiffs,

Case No: CV12-02222

vs.

Dept. No: 10

MEI-GSR Holdings, LLC, a Nevada Limited
Liability Company, et al,

Defendants.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND JUDGMENT

This action was commenced on August 27, 2012, with the filing of a COMPLAINT ("the Complaint"). The Complaint alleged twelve causes of action: 1) Petition for Appointment of a Receiver as to Defendant Grand Sierra Resort Unit-Owners' Association; 2) Intentional and/or Negligent Misrepresentation as to Defendant MEI-GSR; 3) Breach of Contract as to Defendant MEI-GSR; 4) Quasi-Contract/Equitable Contract/Detrimental Reliance as to Defendant MEI-GSR; 5) Breach of the Implied Covenant of Good Faith and Fair Dealing as to Defendant MEI-GSR; 6) Consumer Fraud/Nevada Deceptive Trade Practices Act Violations as to Defendant MEI-GSR; 7) Declaratory Relief as to Defendant MEI-GSR; 8) Conversion as to Defendant MEI-GSR; 9) Demand for an Accounting as to Defendant MEI-GSR and Defendant Grand Sierra Unit Owners Association; 10) Specific Performance Pursuant to NRS 116.122, Unconscionable Agreement; 11) Unjust Enrichment/Quantum Meruit against Defendant Gage Village Development; 12) Tortious Interference with Contract and/or Prospective Business Advantage against Defendants MEI-GSR

1 and Gage Development. The Plaintiffs (as more fully described *infra*) were individuals or other
2 entities who had purchased condominiums in the Grand Sierra Resort ("GSR"). A FIRST
3 AMENDED COMPLAINT ("the First Amended Complaint") was filed on September 10, 2012.
4 The First Amended Complaint had the same causes of action as the Complaint.

5 The Defendants (as more fully described *infra*) filed an ANSWER AND COUNTERCLAIM
6 ("the Answer") on November 21, 2012. The Answer denied the twelve causes of action; asserted
7 eleven affirmative defenses; and alleged three Counterclaims. The Counterclaims were for: 1)
8 Breach of Contract; 2) Declaratory Relief; 3) Injunctive Relief.

9 The Plaintiffs filed a SECOND AMENDED COMPLAINT ("the Second Amended
10 Complaint") on March 26, 2013. The Second Amended Complaint had the same causes of action as
11 the Complaint and the First Amended Complaint. The Defendants filed an ANSWER TO SECOND
12 AMENDED COMPLAINT AND COUNTER CLAIM ("the Second Answer") on May 23, 2013.
13 The Second Answer generally denied the allegations in the Second Amended Complaint and
14 contained ten affirmative defenses. The Counterclaims mirrored the Counterclaims in the Answer.

15 The matter has been the subject of extensive motion practice. There were numerous
16 allegations of discovery abuses by the Defendants. The record speaks for itself regarding the
17 protracted nature of these proceedings and the systematic attempts at obfuscation and intentional
18 deception on the part of the Defendants. Further, the Court has repeatedly had to address the
19 lackadaisical and inappropriate approach the Defendants have exhibited toward the Nevada Rules of
20 Civil Procedure, the District Court Rules, the Washoe District Court Rules, and the Court's orders.
21 The Defendants have consistently, and repeatedly, chosen to follow their own course rather than
22 respect the need for orderly process in this case. NRCP 1 states that the rules of civil procedure
23 should be "construed and administered to secure the just, speedy, and inexpensive determination of
24 every action." The Defendants have turned this directive on its head and done everything possible to
25 make the proceedings unjust, dilatory, and costly.

26 The Court twice has addressed a request to impose case concluding sanctions against the
27 Defendants because of their repeated discovery abuses. The Court denied a request for case
28 concluding sanctions in its ORDER REGARDING ORIGINAL MOTION FOR CASE

1 CONCLUDING SANCTIONS filed December 18, 2013 ("the December Order"). The Court found
2 that case concluding sanctions were not appropriate; however, the Court felt that some sanctions
3 were warranted based on the Defendants' repeated discovery violations. The Court struck all of the
4 Defendants' Counterclaims in the December Order and required the Defendants to pay for the costs
5 of the Plaintiffs' representation in litigating that issue.

6 The parties continued to fight over discovery issues after the December Order. The Court
7 was again required to address the issue of case concluding sanctions in January of 2014. It became
8 clear that the Defendants were disingenuous with the Court and Plaintiffs' counsel when the first
9 decision regarding case concluding sanctions was argued and resolved. Further, the Defendants
10 continued to violate the rules of discovery and other court rules even after they had their
11 Counterclaims struck in the December Order. The Court conducted a two day hearing regarding the
12 renewed motion for case concluding sanctions. An ORDER GRANTING PLAINTIFFS' MOTION
13 FOR CASE-TERMINATING SANCTIONS was entered on October 3, 2014 ("the October Order").
14 The Defendants' Answer was stricken in the October Order. A DEFAULT was entered against the
15 Defendants on November 26, 2014.

16 The Court conducted a "prove-up hearing" regarding the issue of damages from March 23
17 through March 25, 2015. The Court entered an ORDER on February 5, 2015 ("the February Order")
18 establishing the framework of the prove-up hearing pursuant to *Foster v. Dingwall*, 126 Nev. Adv.
19 Op. 6, 227 P.3d 1042 (2010). The February Order limited, but did not totally eliminate, the
20 Defendants' ability to participate in the prove-up hearing. The Court heard expert testimony from
21 Craig L. Greene, CPA/CFF, CFE, CCEP, MAFF ("Greene") at the prove-up hearing. Greene
22 calculated the damages owed the Plaintiffs using information collected and provided by the
23 Defendants. The Court finds Greene to be very credible and his methodology to be sound. Further,
24 the Court notes that Greene attempted to be "conservative" in his calculations. Greene used
25 variables and factors that would eliminate highly suspect and/or unreliable data. The Court has also
26 received and reviewed supplemental information provided as a result of an inquiry made by the
27 Court during the prove-up hearing.

1 The GSR is a high rise hotel/casino in Reno, Nevada. The GSR has approximately 2000
2 rooms. The Plaintiffs purchased individual rooms in the GSR as condominiums. It appears to the
3 Court that the primary purpose of purchasing a condominium in the GSR would be as an investment
4 and revenue generating proposition. The condominiums were the subject of statutory limitations on
5 the number of days the owners could occupy them during the course of a calendar year. The owners
6 would not be allowed to "live" in the condominium. When the owners were not in the rooms they
7 could either be rented out or they had to remain empty.

8 As noted, *supra*, the Court stripped all of the Defendants general and affirmative defenses in
9 the October Order. The Defendants stand before the Court having involuntarily conceded all of the
10 allegations contained in the Second Amended Complaint. The Court makes the following findings
11 of fact:

12 **I. FINDINGS OF FACT**

13 1. Plaintiff Albert Thomas is a competent adult and is a resident of the State of
14 California.

15 2. Plaintiff Jane Dunlap is a competent adult and is a resident of the State of California.

16 3. Plaintiff John Dunlap is a competent adult and is a resident of the State of California.

17 4. Plaintiff Barry Hay is a competent adult and is a resident of the State of California.

18 5. Plaintiff Marie-Annie Alexander, as Trustee of the Marie-Annie Alexander Living
19 Trust, is a competent adult and is a resident of the State of California.

20 6. Plaintiff Melissa Vagujhelyi, as Co-Trustee of the George Vagujhelyi and Melissa
21 Vagujheyli 2001 Family Trust Agreement U/T/A April 13, 2001, is a competent adult and is a
22 resident of the State of Nevada.

23 7. Plaintiff George Vagujhelyi, as Co-Trustee of the George Vagujhelyi and Melissa
24 Vagujheyli 2001 Family Trust Agreement U/T/A April 13, 2001, is a competent adult and is a
25 resident of the State of Nevada.

26 8. Plaintiff D'Arcy Nunn is a competent adult and is a resident of the State of California.

27 9. Plaintiff Henry Nunn is a competent adult and is a resident of the State of California.
28

- 1 10. Plaintiff Lee Van Der Bokke is a competent adult and is a resident of the State of
2 California.
- 3 11. Plaintiff Madelyn Van Der Bokke is a competent adult and is a resident of the State of
4 California.
- 5 12. Plaintiff Donald Schreifels is a competent adult and is a resident of the State of
6 Minnesota.
- 7 13. Plaintiff Robert R. Pederson, individually and as Trustee of the Pederson 1990 Trust,
8 is a competent adult and is a resident of the State of California.
- 9 14. Plaintiff Lou Ann Pederson, individually and as Trustee of the Pederson 1990 Trust,
10 is a competent adult and is a resident of the State of California.
- 11 15. Plaintiff Lori Ordovery is a competent adult and is a resident of the State of
12 Connecticut.
- 13 16. Plaintiff William A. Henderson is a competent adult and is a resident of the State of
14 California.
- 15 17. Plaintiff Christine E. Henderson is a competent adult and is a resident of the State of
16 California.
- 17 18. Plaintiff Loren D. Parker is a competent adult and is a resident of the State of
18 Washington.
- 19 19. Plaintiff Suzanne C. Parker is a competent adult and is a resident of the State of
20 Washington.
- 21 20. Plaintiff Michael Izady is a competent adult and is a resident of the State of New
22 York.
- 23 21. Plaintiff Steven Takaki is a competent adult and is a resident of the State of
24 California.
- 25 22. Plaintiff Farad Torabkhan is a competent adult and is a resident of the State of New
26 York.
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- 1 23. Plaintiff Sahar Tavakol is a competent adult and is a resident of the State of New
2 York.
- 3 24. Plaintiff M&Y Holdings is a Nevada Limited Liability Company with its principal
4 place of business in Nevada.
- 5 25. Plaintiff JL&YL Holdings, LLC is a Nevada Limited Liability Company with its
6 principal place of business in Nevada.
- 7 26. Plaintiff Sandi Raines is a competent adult and is a resident of the State of Minnesota.
- 8 27. Plaintiff R. Raghuram is a competent adult and is a resident of the State of California.
- 9 28. Plaintiff Usha Raghuram is a competent adult and is a resident of the State of
10 California.
- 11 29. Plaintiff Lori K. Tokutomi is a competent adult and is a resident of the State of
12 California.
- 13 30. Plaintiff Garrett Tom is a competent adult and is a resident of the State of California.
- 14 31. Plaintiff Anita Tom is a competent adult and is a resident of the State of California.
- 15 32. Plaintiff Ramon Fadrilan is a competent adult and is a resident of the State of
16 California.
- 17 33. Plaintiff Faye Fadrilan is a competent adult and is a resident of the State of California.
- 18 34. Plaintiff Peter K. Lee, as Trustee of the Lee Family 2002 Revocable Trust, is a
19 competent adult and is a resident of the State of California.
- 20 35. Plaintiff Monica L. Lee, as Trustee of the Lee Family 2002 Revocable Trust, is a
21 competent adult and is a resident of the State of California.
- 22 36. Plaintiff Dominic Yin is a competent adult and is a resident of the State of California.
- 23 37. Plaintiff Elias Shamieh is a competent adult and is a resident of the State of
24 California.
- 25 38. Plaintiff Nadine's Real Estate Investments, LLC, is a North Dakota Limited Liability
26 Company.
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- 1 39. Plaintiff Jeffery James Quinn is a competent adult and is a resident of the State of
2 Hawaii.
- 3 40. Plaintiff Barbara Rose Quinn is a competent adult and is a resident of the State of
4 Hawaii.
- 5 41. Plaintiff Kenneth Riche is a competent adult and is a resident of the State of
6 Wisconsin.
- 7 42. Plaintiff Maxine Riche is a competent adult and is a resident of the State of
8 Wisconsin.
- 9 43. Plaintiff Norman Chandler is a competent adult and is a resident of the State of
10 Alabama.
- 11 44. Plaintiff Benton Wan is a competent adult and is a resident of the State of California.
- 12 45. Plaintiff Timothy Kaplan is a competent adult and is a resident of the State of
13 California.
- 14 46. Plaintiff Silkscape Inc. is a California Corporation.
- 15 47. Plaintiff Peter Cheng is a competent adult and is a resident of the State of California.
- 16 48. Plaintiff Elisa Cheng is a competent adult and is a resident of the State of California.
- 17 49. Plaintiff Greg A. Cameron is a competent adult and is a resident of the State of
18 California.
- 19 50. Plaintiff TMI Property Group, LLC is a California Limited Liability Company.
- 20 51. Plaintiff Richard Lutz is a competent adult and is a resident of the State of California.
- 21 52. Plaintiff Sandra Lutz is a competent adult and is a resident of the State of California.
- 22 53. Plaintiff Mary A. Kossick is a competent adult and is a resident of the State of
23 California.
- 24 54. Plaintiff Melvin H. Cheah is a competent adult and is a resident of the State of
25 California.
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- 1 55. Plaintiff Di Shen is a competent adult and is a resident of the State of Texas.
- 2 56. Plaintiff Ajit Gupta is a competent adult and is a resident of the State of California.
- 3 57. Plaintiff Seema Gupta is a competent adult and is a resident of the State of California.
- 4 58. Plaintiff Fredrick Fish is a competent adult and is a resident of the State of Minnesota.
- 5 59. Plaintiff Lisa Fish is a competent adult and is a resident of the State of Minnesota.
- 6 60. Plaintiff Robert A. Williams is a competent adult and is a resident of the State of
- 7 Minnesota.
- 8 61. Plaintiff Jacquelin Pham is a competent adult and is a resident of the State of
- 9 California.
- 10 62. Plaintiff May Ann Hom, as Trustee of the May Ann Hom Trust, is a competent adult
- 11 and is a resident of the State of California.
- 12
- 13 63. Plaintiff Michael Hurley is a competent adult and is a resident of the State of
- 14 Minnesota.
- 15 64. Plaintiff Dominic Yin is a competent adult and is a resident of the State of California.
- 16 65. Plaintiff Duane Windhorst is a competent adult and is a resident of the State of
- 17 Minnesota.
- 18 66. Plaintiff Marilyn Windhorst is a competent adult and is a resident of the State of
- 19 Minnesota.
- 20 67. Plaintiff Vinod Bhan is a competent adult and is a resident of the State of California.
- 21 68. Plaintiff Anne Bhan is a competent adult and is a resident of the State of California.
- 22 69. Plaintiff Guy P. Browne is a competent adult and is a resident of the State of
- 23 California.
- 24 70. Plaintiff Garth Williams is a competent adult and is a resident of the State of
- 25 California.
- 26 71. Plaintiff Pamela Y. Aratani is a competent adult and is a resident of the State of
- 27 California.
- 28

- 1 72. Plaintiff Darleen Lindgren is a competent adult and is a resident of the State of
2 Minnesota.
- 3 73. Plaintiff Laverne Roberts is a competent adult and is a resident of the State of
4 Nevada.
- 5 74. Plaintiff Doug Mecham is a competent adult and is a resident of the State of Nevada.
- 6 75. Plaintiff Chrisine Mecham is a competent adult and is a resident of the State of
7 Nevada.
- 8 76. Plaintiff Kwangsoo Son is a competent adult and is a resident of Vancouver, British
9 Columbia.
- 10 77. Plaintiff Soo Yeun Moon is a competent adult and is a resident of Vancouver, British
11 Columbia.
- 12 78. Plaintiff Johnson Akindodunse is a competent adult and is a resident of the State of
13 California.
- 14 79. Plaintiff Irene Weiss, as Trustee of the Weiss Family Trust, is a competent adult and
15 is a resident of the State of Texas.
- 16 80. Plaintiff Pravesh Chopra is a competent adult and is a resident of the State of
17 California.
- 18 81. Plaintiff Terry Pope is a competent adult and is a resident of the State of Nevada.
- 19 82. Plaintiff Nancy Pope is a competent adult and is a resident of the State of Nevada.
- 20 83. Plaintiff James Taylor is a competent adult and is a resident of the State of California.
- 21 84. Plaintiff Ryan Taylor is a competent adult and is a resident of the State of California.
- 22 85. Plaintiff Ki Ham is a competent adult and is a resident of Surry B.C.
- 23 86. Plaintiff Young Ja Choi is a competent adult and is a resident of Coquitlam, B.C.
- 24 87. Plaintiff Sang Dae Sohn is a competent adult and is a resident of Vancouver, B.C.
- 25 88. Plaintiff Kuk Hyung ("Connie") is a competent adult and is a resident of Coquitlam,
26 B.C.
27
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1 89. Plaintiff Sang (“Mike”) Yoo is a competent adult and is a resident of Coquitlam, B.C.

2 90. Plaintiff Brett Menmuir, as Trustee of the Cayenne Trust, is a competent adult and is
3 a resident of the State of Nevada.

4 91. Plaintiff William Miner, Jr., is a competent adult and is a resident of the State of
5 California.

6 92. Plaintiff Chanh Truong is a competent adult and is a resident of the State of
7 California.

8 93. Plaintiff Elizabeth Anders Mecua is a competent adult and is a resident of the State of
9 California.

10 94. Plaintiff Shepherd Mountain, LLC is a Texas Limited Liability Company with its
11 principal place of business in Texas.

12 95. Plaintiff Robert Brunner is a competent adult and is a resident of the State of
13 Minnesota.

14 96. Plaintiff Amy Brunner is a competent adult and is a resident of the State of
15 Minnesota.

16 97. Plaintiff Jeff Riopelle is a competent adult and is a resident of the State of California.

17 98. Plaintiff Patricia M. Moll is a competent adult and is a resident of the State of Illinois.

18 99. Plaintiff Daniel Moll is a competent adult and is a resident of the State of Illinois.

19 100. The people and entities listed above represent their own individual interests. They are
20 not suing on behalf of any entity including the Grand Sierra Unit Home Owner’s Association. The
21 people and entities listed above are jointly referred to herein as “the Plaintiffs”.

22 101. Defendant MEI-GSR Holdings, LLC (“MEI-GSR”) is a Nevada Limited Liability
23 Company with its principal place of business in Nevada.

24 102. Defendant Gage Village Commercial Development, LLC (“Gage Village”) is a
25 Nevada Limited Liability Company with its principal place of business in Nevada.
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1 103. Gage Village is related to, controlled by, affiliated with, and/or a subsidiary of MEI-
2 GSR.

3 104. Defendant Grand Sierra Resort Unit Owners' Association ("the Unit Owners'
4 Association") is a Nevada nonprofit corporation with its principal place of business in Nevada.

5 105. MEI-GSR transferred interest in one hundred forty-five (145) condominium units to
6 AM-GSR Holdings, LLC ("AM-GSR") on December 22, 2014.

7 106. Defendants acknowledged to the Court on January 13, 2015, that AM-GSR would be
8 added to these proceedings and subject to the same procedural posture as MEI-GSR. Further, the
9 parties stipulated that AM-GSR would be added as a defendant in this action just as if AM-GSR was
10 a named defendant in the Second Amended Complaint. Said stipulation occurring and being ordered
11 on January 21, 2015.

12 107. MEI-GSR, Gage Village and the Unit Owner's Association are jointly referred to
13 herein as "the Defendants".

14 108. The Grand Sierra Resort Condominium Units ("GSR Condo Units") are part of the
15 Grand Sierra Unit Owners Association, which is an apartment style hotel condominium development
16 of 670 units in one 27-story building. The GSR Condo Units occupy floors 17 through 24 of the
17 Grand Sierra Resort and Casino, a large-scale hotel casino, located at 2500 East Second Street,
18 Reno, Nevada.

19 109. All of the Individual Unit Owners: hold an interest in, own, or have owned, one or
20 more GSR Condo Units.

21 110. Gage Village and MEI-GSR own multiple GSR Condo Units.

22 111. MEI-GSR owns the Grand Sierra Resort and Casino.

23 112. Under the Declaration of Covenants, Conditions, Restrictions and Reservations of
24 Easements for Hotel-Condominiums at Grand Sierra Resort ("CC&Rs"), there is one voting member
25 for each unit of ownership (thus, an owner with multiple units has multiple votes).
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1 113. Because MEI-GSR and Gage Village control more units of ownership than any other
2 person or entity, they effectively control the Unit Owners' Association by having the ability to elect
3 MEI-GSR's chosen representatives to the Board of Directors (the governing body over the GSR
4 Condo Units).

5 114. As a result of MEI-GSR and Gage Village controlling the Unit Owners' Association,
6 the Individual Unit Owners effectively have no input or control over the management of the Unit
7 Owners' Association.

8 115. MEI-GSR and Gage Village have used, and continue to use, their control over the
9 Unit Owners' Association to advance MEI-GSR and Gage Villages' economic objectives to the
10 detriment of the Individual Unit Owners.

11 116. MEI-GSR and Gage Villages' control of the Unit Owners' Association violates
12 Nevada law as it defeats the purpose of forming and maintaining a homeowners' association.

13 117. Further, the Nevada Division of Real Estate requires a developer to sell off the units
14 within 7 years, exit and turn over the control and management to the owners.

15 118. Under the CC&Rs, the Individual Unit Owners are required to enter into a "Unit
16 Maintenance Agreement" and participate in the "Hotel Unit Maintenance Program," wherein MEI-
17 GSR provides certain services (including, without limitation, reception desk staffing, in-room
18 services, guest processing services, housekeeping services, Hotel Unit inspection, repair and
19 maintenance services, and other services).

20 119. The Unit Owners' Association maintains capital reserve accounts that are funded by
21 the owners of GSR Condo Units. The Unit Owners' Association collects association dues of
22 approximately \$25 per month per unit, with some variation depending on a particular unit's square
23 footage.

24 120. The Individual Unit Owners pay for contracted "Hotel Fees," which include taxes,
25 deep cleaning, capital reserve for the room, capital reserve for the building, routine maintenance,
26 utilities, etc.
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1 121. MEI-GSR has systematically allocated and disproportionately charged capital reserve
2 contributions to the Individual Unit Owners, so as to force the Individual Unit Owners to pay capital
3 reserve contributions in excess of what should have been charged.

4 122. MEI-GSR and Gage Development have failed to pay proportionate capital reserve
5 contribution payments in connection with their Condo Units.

6 123. MEI-GSR has failed to properly account for, or provide an accurate accounting for
7 the collection and allocation of the collected capital reserve contributions.

8 124. The Individual Unit Owners also pay "Daily Use Fees" (a charge for each night a unit
9 is occupied by any guest for housekeeping services, etc.).

10 125. MEI-GSR and Gage Village have failed to pay proportionate Daily Use Fees for the
11 use of Defendants' GSR Condo Units.

12 126. MEI-GSR has failed to properly account for the contracted "Hotel Fees" and "Daily
13 Use Fees."

14 127. Further, the Hotel Fees and Daily Use Fees are not included in the Unit Owners'
15 Association's annual budget with other assessments that provide the Individual Unit Owners' the
16 ability to reject assessment increases and proposed budget ratification.

17 128. MEI-GSR has systematically endeavored to increase the various fees that are charged
18 in connection with the use of the GSR Condo Units in order to devalue the units owned by
19 Individual Unit Owners.

20 129. The Individual Unit Owners' are required to abide by the unilateral demands of MEI-
21 GSR, through its control of the Unit Owners' Association, or risk being considered in default under
22 Section 12 of the Agreement, which provides lien and foreclosure rights pursuant to Section 6.10(f)
23 of the CC&R's.

24 130. Defendants MEI-GSR and/or Gage Village have attempted to purchase, and
25 purchased, units devalued by their own actions, at nominal, distressed prices when Individual Unit
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1 Owners decide to, or are effectively forced to, sell their units because the units fail to generate
2 sufficient revenue to cover expenses.

3 131. MEI-GSR and/or Gage Village have, in late 2011 and 2012, purchased such devalued
4 units for \$30,000 less than the amount they purchased units for in March of 2011.

5 132. The Individual Unit Owners effectively pay association dues to fund the Unit
6 Owners' Association, which acts contrary to the best interests of the Individual Unit Owners.

7 133. MEI-GSR's interest in maximizing its profits is in conflict with the interest of the
8 Individual Unit Owners. Accordingly, Defendant MEI-GSR's control of the Unit Owners'
9 Association is a conflict of interest.

10 134. As part of MEI-GSR's Grand Sierra Resort and Casino business operations, it rents:
11 (1) hotel rooms owned by MEI-GSR that are not condominium units; (2) GSR Condo Units owned
12 by MEI-GSR and/or Gage Village; and (3) GSR Condo Units owned by the Individual Condo Unit
13 Owners.

14 135. MEI-GSR has entered into a Grand Sierra Resort Unit Rental Agreement with
15 Individual Unit Owners.

16 136. MEI-GSR has manipulated the rental of the: (1) hotel rooms owned by MEI-GSR; (2)
17 GSR Condo Units owned by MEI-GSR and/or Gage Village; and (3) GSR Condo Units owned by
18 Individual Condo Unit Owners so as to maximize MEI-GSR's profits and devalue the GSR Condo
19 Units owned by the Individual Unit Owners.

20 137. MEI-GSR has rented the Individual Condo Units for as little as \$0.00 to \$25.00 a
21 night.

22 138. Yet, MEI-GSR has charged "Daily Use Fees" of approximately \$22.38, resulting in
23 revenue to the Individual Unit Owners as low as \$2.62 per night for the use of their GSR Condo Unit
24 (when the unit was rented for a fee as opposed to being given away).

25 139. By functionally, and in some instances actually, giving away the use of units owned
26 by the Individual Unit Owners, MEI-GSR has received a benefit because those who rent the
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1 Individual Units frequently gamble and purchase food, beverages, merchandise, spa services and
2 entertainment access from MEI-GSR.

3 140. MEI-GSR has rented Individual Condo Units to third parties without providing
4 Individual Unit Owners with any notice or compensation for the use of their unit.

5 141. Further, MEI-GSR has systematically endeavored to place a priority on the rental of
6 MEI-GSR's hotel rooms, MEI-GSR's GSR Condo Units, and Gage Village's Condo Units.

7 142. Such prioritization effectively devalues the units owned by the Individual Unit
8 Owners.

9 143. MEI-GSR and Gage Village intend to purchase the devalued units at nominal,
10 distressed prices when Individual Unit Owners decide to, or are effectively forced to, sell their units
11 because the units fail to generate sufficient revenue to cover expenses and have no prospect of
12 selling their persistently loss-making units to any other buyer.

13 144. Some of the Individual Unit Owners have retained the services of a third party to
14 market and rent their GSR Condo Unit(s).

15 145. MEI-GSR has systematically thwarted the efforts of any third party to market and
16 rent the GSR Units owned by the Individual Unit Owners.

17 146. MEI-GSR has breached the Grand Sierra Resort Unit Rental Agreement with
18 Individual Condo Unit Owners by failing to follow its terms, including but not limited to, the failure
19 to implement an equitable Rotational System as referenced in the agreement.

20 147. MEI-GSR has failed to act in good faith in exercising its duties under the Grand
21 Sierra Resort Unit Rental Agreements with the Individual Unit Owners.

22 The Court is intimately familiar with all of the allegations in the twelve causes of action
23 contained in the Second Amended Complaint. The Court's familiarity is a result of reviewing all of
24 the pleadings and exhibits in this matter to include the various discovery disputes, the testimony at
25 the numerous hearings conducted to date, and the other documents and exhibits on file. The Court
26 finds that the facts articulated above support the twelve causes of action contained in the Second
27 Amended Complaint.
28

II. CONCLUSIONS OF LAW

- 1
2 A. The Court has jurisdiction over MEI-GSR, Gage Village, the Unit Owner's Association
3 and the Plaintiffs.
- 4 B. The appointment of a receiver is appropriate when: (1) the plaintiff has an interest in
5 the property; (2) there is potential harm to that interest in property; and (3) no other
6 adequate remedies exist to protect the interest. *See generally Bowler v. Leonard*, 70
7 Nev. 370, 269 P.2d 833 (1954). *See also* NRS 32.010. The Court appointed a receiver
8 to oversee the Unit Owner's Association on January 7, 2015. The Court concludes that
9 MEI-GSR and/or Gage Village have operated the Unit Owner's Association in a way
10 inconsistent with the best interests of all of the unit owners. The continued
11 management of the Unit Owner's Association by the receiver is appropriate under the
12 circumstances of this case and will remain in effect absent additional direction from the
13 Court.
- 14 C. Negligent misrepresentation is when "[o]ne who, in the course of his business,
15 profession or employment, or in any other action in which he has a pecuniary interest,
16 supplies false information for the guidance of others in their business transactions, is
17 subject to liability for pecuniary loss caused to them by their justifiable reliance upon
18 the information, if he fails to exercise reasonable care or competence in obtaining or
19 communicating the information." *Barmeltler v. Reno Air, Inc.*, 114 Nev. 441, 956 P.2d
20 1382, 1387 (1998) (quoting *Restatement (Second) of Torts § 552(1) (1976)*). Intentional
21 misrepresentation is when "a false representation made with knowledge or belief that it
22 is false or without a sufficient basis of information, intent to induce reliance, and
23 damage resulting from the reliance. *Lubbe v. Barba*, 91 Nev. 596, 599, 540 P.2d 115,
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1 117 (1975).” *Collins v. Burns*, 103 Nev. 394, 397, 741 P.2d 819, 821 (1987). MEI-
2 GSR is liable for intentionally and/or negligent misrepresentation as alleged in the
3 Second Cause of Action.

4
5 D. An enforceable contract requires, “an offer and acceptance, meeting of the minds, and
6 consideration.” *Certified Fire Protection, Inc. v. Precision Construction, Inc.* 128 Nev.
7 Adv. Op. 35, 283 P.3d 250, 255 (2012)(citing *May v. Anderson*, 121 Nev. 668, 672, 119
8 P.3d 1254, 1257 (2005)). There was a contract between the Plaintiffs and MEI-GSR.
9 MEI-GSR has breached the contract and therefore MEI-GSR is liable for breach of
10 contract as alleged in the Third Cause of Action.

11
12 E. MEI-GSR is liable for Quasi-Contract/Equitable Contract/Detrimental Reliance as
13 alleged in the Fourth Cause of Action.

14
15 F. An implied covenant of good faith and fair dealing exists in every contract in Nevada.
16 *Hilton Hotels Corp. v. Butch Lewis Productions, Inc.*, 109 Nev. 1043, 1046, 862 P.2d
17 1207, 1209 (1993). “The duty not to act in bad faith or deal unfairly thus becomes part
18 of the contract, and, as with any other element of the contract, the remedy for its breach
19 generally is on the contract itself.” *Id.* (citing *Wagenseller v. Scottsdale Memorial*
20 *Hospital*, 147 Ariz. 370, 383, 710 P.2d 1025, 1038 (1985)). “It is well established that
21 in contracts cases, compensatory damages ‘are awarded to make the aggrieved party
22 whole and ... should place the plaintiff in the position he would have been in had the
23 contract not been breached.’ This includes awards for lost profits or expectancy
24 damages.” *Road & Highway Builders, LLC v. Northern Nevada Rebar, Inc.*, 128 Nev.
25 Adv. Op. 36, 284 P.3d 377, 382 (2012)(*internal citations omitted*). “When one party
26 performs a contract in a manner that is unfaithful to the purpose of the contract and the
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1 justified expectations of the other party are thus denied, damages may be awarded
2 against the party who does not act in good faith.” *Perry v. Jordan*, 111 Nev. 943, 948,
3 900 P.2d 335, 338 (1995)(*citation omitted*). “Reasonable expectations are to be
4 ‘determined by the various factors and special circumstances that shape these
5 expectations.’” *Id.* (citing *Butch Lewis*, 107 Nev. at 234, 808 P.2d at 923). MEI-GSR is
6 liable for breach of the covenant of good faith and fair dealing as set forth in the Fifth
7 Cause of Action.
8

9
10 G. MEI-GSR has violated NRS 41.600(1) and (2) and NRS 598.0915 through 598.0925,
11 inclusive and is therefore liable for the allegations contained in the Sixth Cause of
12 Action. Specifically, MEI-GSR violated NRS 598.0915(15) and NRS 598.0923(2).

13 H. The Plaintiffs are entitled to declaratory relief as more fully described below and
14 prayed for in the Seventh Cause of Action.

15 I. MEI-GSR wrongfully committed numerous acts of dominion and control over the
16 property of the Plaintiffs, including but not limited to renting their units at discounted
17 rates, renting their units for no value in contravention of written agreements between
18 the parties, failing to account for monies received by MEI-GSR attributable to specific
19 owners, and renting units of owners who were not even in the rental pool. All of said
20 activities were in derogation, exclusion or defiance of the title and/or rights of the
21 individual unit owners. Said acts constitute conversion as alleged in the Eighth Cause
22 of Action.

23 J. The demand for an accounting as requested in Ninth Cause of Action is moot pursuant
24 to the discovery conducted in these proceedings and the appointment of a receiver to
25 oversee the interaction between the parties.

26 K. The Unit Maintenance Agreement and Unit Rental Agreement proposed by MEI-GSR
27 and adopted by the Unit Owner’s Association are unconscionable. An unconscionable
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1 clause is one where the circumstances existing at the time of the execution of the
2 contract are so one-sided as to oppress or unfairly surprise an innocent party. *Bill*
3 *Stremmel Motors, Inc. v. IDS Leasing Corp.*, 89 Nev. 414, 418, 514 P.2d 654, 657
4 (1973). MEI-GSR controls the Unit Owner's Association based on its majority
5 ownership of the units in question. It is therefore able to propose and pass agreements
6 that affect all of the unit owners. These agreements require unit owners to pay
7 unreasonable Common Expense fees, Hotel Expenses Fees, Shared Facilities Reserves,
8 and Hotel Reserves ("the Fees"). The Fees are not based on reasonable expectation of
9 need. The Fees have been set such that an individual owner may actually *owe* money
10 as a result of having his/her unit rented. They are unnecessarily high and imposed
11 simply to penalize the individual unit owners. Further, MEI-GSR and/or Gage Village
12 have failed to fund their required portion of these funds, while demanding the
13 individual unit owners continue to pay the funds under threat of a lien. MEI-GSR has
14 taken the Fees paid by individual unit owners and placed the funds in its general
15 operating account rather than properly segregating them for the use of the Unit Owner's
16 Association. All of said actions are unconscionable and unenforceable pursuant to NRS
17 116.112(1). The Court will grant the Tenth Cause of Action and not enforce these
18 portions of the agreements.
19

- 20 L. The legal concept of *quantum meruit* has two applications. The first application is in
21 actions based upon contracts implied-in-fact. The second application is providing
22 restitution for unjust enrichment. *Certified Fire*, at 256. In the second application,
23 "[l]iability in restitution for the market value of goods or services is the remedy
24 traditionally known as quantum meruit. Where unjust enrichment is found, the law
25 implies a quasi-contract which requires the defendant to pay to the plaintiff the value of
26 the benefit conferred. In other words, the defendant makes restitution to the plaintiff in
27 *quantum meruit*." *Id.* at 256-57. Gage Village has been unjustly enriched based on the
28

orchestrated action between it and MEI-GSR to the detriment of the individual unit owners as alleged in the Eleventh Cause of Action.

M. Many of the individual unit owners attempted to rent their units through third-party services rather than through the use of MEI-GSR. MEI-GSR and Gage Village intentionally thwarted, interfered with and/or disrupted these attempts with the goal of forcing the sale of the individual units back to MEI-GSR. All of these actions were to the economic detriment of the individual unit owners as alleged in the Twelfth Cause of Action.

N. The Plaintiffs are entitled to both equitable and legal relief. “As federal courts have recognized, the long-standing distinction between law and equity, though abolished in procedure, continues in substance, *Coca-Cola Co. v. Dixi-Cola Labs.*, 155 F.2d 59, 63 (4th Cir. 1946); 30A C.J.S. *Equity* § 8 (2007). A judgment for damages is a legal remedy, whereas other remedies, such as avoidance or attachment, are equitable remedies. *See* 30A *Equity* § 1 (2007).” *Cadle Co. v. Woods & Erickson, LLP*, 131 Nev. Adv. Op. 15, 345 P.3d 1049, 1053 (2015).

O. “[W]here default is entered as a result of a discovery sanction, the non-offending party ‘need only establish a *prima facie* case in order to obtain the default.’ *Foster*, 227 P.3d at 1049 (*citing Young v. Johnny Ribeiro Building, Inc.*, 106 Nev. 88, 94, 787 P.2d 777, 781 (1990)). “[W]here a district court enters a default, the facts alleged in the pleadings will be deemed admitted. Thus, during a NRCP 55(b)(2) prove-up hearing, the district court shall consider the allegations deemed admitted to determine whether the non-offending party has established a *prima facie* case for liability.” *Foster*, 227 P.3d at 1049-50. A *prima facie* case requires only “sufficiency of evidence in order to send the question to the jury.” *Id.* 227 P.3d at 1050 (*citing Vancheri v. GNLV Corp.*, 105 Nev. 417, 420, 777 P.2d 366, 368 (1989)). The Plaintiffs have met this burden regarding all of their causes of action.

1 P. "Damages need not be determined with mathematical certainty." *Perry*, 111 Nev. at
2 948, 900 P.2d at 338. The party requesting damages must provide an evidentiary basis
3 for determining a "reasonably accurate amount of damages." *Id. See also*,
4 *Countrywide Home Loans, Inc. v. Thitchener*, 124 Nev. 725, 733, 192 P.3d 243, 248
5 (2008) and *Mort Wallin of Lake Tahoe, Inc. v. Commercial Cabinet Co., Inc.*, 105 Nev.
6 855, 857, 784 P.2d 954, 955 (1989).

7 Q. Disgorgement is a remedy designed to dissuade individuals from attempting to profit
8 from their inappropriate behavior. "Disgorgement as a remedy is broader than
9 restitution or restoration of what the plaintiff lost." *American Master Lease LLC v.*
10 *Idanta Partners, Ltd*, 225 Cal. App. 4th 1451, 1482, 171 Cal. Rptr. 3d 548, 572
11 (2014)(*internal citation omitted*). "Where 'a benefit has been received by the defendant
12 but the plaintiff has not suffered a corresponding loss or, in some cases, any loss, but
13 nevertheless the enrichment of the defendant would be unjust . . . the defendant may be
14 under a duty to give to the plaintiff the amount by which [the defendant] has been
15 enriched.'" *Id.* 171 Cal. Rptr. 3d at 573 (*internal citations omitted*). *See also Miller v.*
16 *Bank of America, N.A.*, 352 P.3d 1162 (N.M. 2015) and *Cross v. Berg Lumber Co.*, 7
17 P.3d 922 (Wyo. 2000).

18 19 20 **III. JUDGMENT**

21 Judgment is hereby entered against MEI-GSR, Gage Village and the Unit Owner's
22 Association as follows:

23 **Monetary Relief:**

- 24 1. Against MEI-GSR in the amount of \$442,591.83 for underpaid revenues to Unit owners;
- 25 2. Against MEI-GSR in the amount of \$4,152,669.13 for the rental of units of owners who had no
26 rental agreement;
- 27 3. Against MEI-GSR in the amount of \$1,399,630.44 for discounting owner's rooms without
28 credits;

- 1 4. Against MEI-GSR in the amount of \$31,269.44 for discounted rooms with credits;
- 2 5. Against MEI-GSR in the amount of \$96,084.96 for "comp'd" or free rooms;
- 3 6. Against MEI-GSR in the amount of \$411,833.40 for damages associated with the bad faith
- 4 "preferential rotation system";
- 5 7. Against MEI-GSR in the amount of \$1,706,798.04 for improperly calculated and assessed
- 6 contracted hotel fees;
- 7 8. Against MEI-GSR in the amount of \$77,338.31 for improperly collected assessments;
- 8 9. MEI-GSR will fund the FF&E reserve, shared facilities reserve and hotel reserve in the amount of
- 9 \$500,000.00 each. The Court finds that MEI-GSR has failed to fund the reserves for the units it, or
- 10 any of its agents, own. However, the Court has also determined, *supra*, that these fees were
- 11 themselves unconscionable. The Court does not believe that the remedy for MEI-GSR's failure to
- 12 fund the unconscionable amount should be some multiple of that unreasonable sum. Further, the
- 13 Court notes that Plaintiffs are individual owners: not the Unit Owner's Association. Arguably, the
- 14 reserves are an asset of the Unit Owner's Association and the Plaintiffs have no individual interest in
- 15 this sum. The Court believes that the "seed funds" for these accounts are appropriate under the
- 16 circumstances of the case; and
- 17 10. The Court finds that it would be inappropriate to give MEI-GSR any "write downs" or credits
- 18 for sums they may have received had they rented the rooms in accordance with appropriate business
- 19 practices. These sums will be disgorged.

20

21 **Non-Monetary Relief:**


- 22 1. The receiver will remain in place with his current authority until this Court rules otherwise;
- 23 2. The Plaintiffs shall not be required to pay any fees, assessments, or reserves allegedly due or
- 24 accrued prior to the date of this ORDER;
- 25 3. The receiver will determine a reasonable amount of FF&E, shared facilities and hotel reserve fees
- 26 required to fund the needs of these three ledger items. These fees will be determined within 90 days
- 27 of the date of this ORDER. No fees will be required until the implementation of these new
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1 amounts. They will be collected from *all* unit owners and properly allocated on the Unit Owner's
2 Association ledgers; and
3 4. The current rotation system will remain in place.

4 **Punitive Damages:**

5 The Court specifically declined to hear argument regarding punitive damages during the
6 prove-up hearing. *See* Transcript of Proceedings 428:6 through 430:1. Where a defendant has been
7 guilty of oppression, fraud, or malice express or implied in an action *not arising from contract*,
8 punitive damages may be appropriate. NRS 42.005(1). Many of the Plaintiff's causes of action
9 sound in contract; therefore, they are not the subject of a punitive damages award. Some of the
10 causes of action may so qualify. The Court requires additional argument on whether punitive
11 damages would be appropriate in the non-contract causes of action. NRS 42.005(3). An appropriate
12 measure of punitive damages is based on the financial position of the defendant, its culpability and
13 blameworthiness, the vulnerability of, and injury suffered by, the offended party, the offensiveness
14 of the punished conduct, and the means necessary to deter further misconduct. *See generally*
15 *Ainsworth v. Combined Insurance Company of America*, 104 Nev. 587, 763 P.2d 673 (1988).
16 Should the Court determine that punitive damages are appropriate it will conduct a hearing to
17 consider all of the stated factors. NRS 42.005(3). The parties shall contact the Judicial Assistant
18 within 10 days of the date of this ORDER to schedule a hearing regarding punitive damages.
19 Counsel will be prepared to discuss all relevant issues and present testimony and/or evidence
20 regarding NRS 42.005 at that subsequent hearing.

21 DATED this 9 day of October, 2015.

22 
23 ELLIOTT A. SATTLER
24 District Judge
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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court by using the ECF system which served the following parties electronically:

Jonathan Tew, Esq.

Jarrad Miller, Esq.

Stan Johnson, Esq.

Mark Wray, Esq.

DATED this 9 day of October, 2015.


SHEILA MANSFIELD
Judicial Assistant

CASE NO. CV12-02222 **ALBERT THOMAS ETAL VS. MEI-GSR HOLDINGS, ETAL**

**DATE, JUDGE
OFFICERS OF**

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

10/14/13

STATUS CONFERENCE (IN CHAMBERS)

HONORABLE

8:00 a.m. – Court convened.

10/21/13

ELLIOTT A.

Jarrad Miller, Esq., and Jonathan Tew, Esq., were present on behalf of the Plaintiffs.

8:30 a.m.

SATTLER

Sean Brohawn, Esq., was present on behalf of the Defendants.

Jury Trial

DEPT. NO.10

Discussion ensued between the Court and respective counsel regarding the number of witnesses and the length of the trial.

(3 weeks)

M. Merkouris
(Clerk)

Discussion further ensued regarding discovery issues that Plaintiffs' counsel is having with the Defendants, specifically email correspondence with Mr. Morello that has been testified about, but not produced.

Not Reported

COURT noted that a settlement conference is set for tomorrow (October 15, 2013) in Department 6, and it does not seem that a meaningful settlement conference can be conducted if Plaintiffs' counsel believes evidence is being hidden by the Defendants.

Counsel Brohawn advised the Court that the Plaintiffs have been invited into the property twice, and they are not hiding anything.

Discussion ensued regarding Mr. Morello and the extent of his day-to-day involvement in the company.

Counsel Brohawn requested that Mr. Morello's deposition be limited to 1.5 hours, and that it be conducted in Southern California where he lives.

Counsel Miller responded.

COURT ORDERED: Mr. Morello's deposition shall be taken prior to Thursday, October 17, 2013, and it shall be limited to four (4) hours.

Discussion further ensued regarding email correspondence with Mr. Morello that has not been produced.

COURT FURTHER ORDERED: Counsel Brohawn shall file a declaration detailing his good faith effort to obtain requested discovery by 8:00 a.m. on Wednesday, October 16, 2013.

Counsel Brohawn advised the Court that they have an offer on the table and they are very optimistic regarding settlement of this case.

Further discussion ensued between respective counsel regarding the declaration that will be filed by counsel Brohawn.

8:31 a.m. – Court concluded and stood in recess.

CASE NO. CV12-02222 **ALBERT THOMAS ETAL VS. MEI-GSR HOLDINGS, ETAL**

**DATE, JUDGE
OFFICERS OF**

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

10/16/13
HONORABLE
ELLIOTT A.
SATTLER
DEPT. NO.10
M. Merkouris
(Clerk)
Not Reported

STATUS CONFERENCE (IN CHAMBERS)

8:10 a.m. – Court convened.
Jarrad Miller, Esq., and Jonathan Tew, Esq., were present on behalf of the Plaintiffs.
Sean Brohawn, Esq., was present on behalf of the Defendants.
Counsel Brohawn advised the Court that the settlement conference held yesterday (10/15/13) in Dept. 6 was unsuccessful; and he further advised that Mr. Morello's deposition will be taken tomorrow (10/17/13) at 3:00pm in Southern California. Counsel Brohawn further advised the Court that an extensive search was done of deleted emails, and he provided them to the Court.
COURT reviewed the emails provided by counsel Brohawn.
Discussion ensued between Court and respective counsel regarding the emails.
COURT found that the emails are not privileged, and shall be given to Plaintiffs' counsel.
Counsel Miller advised the Court that his clients have instructed him to hold the trial date, and they understand they are trailing the trial currently being conducted in Dept. 10; and he further advised that he can complete his case-in-chief in one (1) week.
COURT informed counsel that the trial in this case will not be starting on Monday, October 21, 2013, however it can start on Wednesday, October 23, 2013.
Further discussion ensued between the Court and respective counsel regarding the trial schedule.
Respective counsel stipulated to start the trial on Wednesday, October 23, 2013; and they further agreed to meet with the Court Clerk on Monday, October 21, 2013 at 3:00 p.m. to mark exhibits.
Discussion ensued between the Court and respective counsel regarding incorrect data provided by Defendants that was reviewed by Plaintiffs' expert, prior to the expert being deposed.
Counsel Miller stated that this is outrageous, he wasted \$45,000.00 on this issue, and Defendants should be sanctioned.
COURT ORDERED: This issue shall be fully briefed by 5:00pm on Monday, October 21, 2013; counsel shall be prepared to argue the issue on Tuesday, October 22, 2013 if the Court feels a hearing is necessary.
8:31 a.m. – Court concluded and stood in recess.

**10/21/13
3:00 p.m.
Exhibits to
be marked
with the
Clerk**

**10/23/13
8:30 a.m.
Jury Trial
(3 weeks)**

CASE NO. CV12-02222 **ALBERT THOMAS ETAL VS. MEI-GSR HOLDINGS ETAL**

DATE, JUDGE OFFICERS OF COURT PRESENT	PAGE 1 APPEARANCES-HEARING	CONT'D TO
10/21/13 HONORABLE ELLIOTT A. SATTLER DEPT. NO.10 M. Merkouris (Clerk) M. Pava (Reporter)	<p><u>HEARING ON PLAINTIFFS' MOTION FOR SANCTIONS</u></p> <p>1:32 p.m. – Court convened. Jarad Miller, Esq., and Jonathan Tew, Esq., were present on behalf of the Plaintiffs. Sean Brohawn, Esq., and Devon Reese, Esq, were present on behalf of the Defendants. COURT noted that this hearing was set to address Plaintiffs' Motion for Sanctions under NRCP 37(b) for Failure to Comply with Court Orders, filed September 24, 2013; COURT further advised that he has received a courtesy copy of the Brief and Evidence in Support of Sanctions Hearing. Counsel Brohawn advised the Court that he has just been handed a copy of the Plaintiffs' Brief and Evidence in Support of the Sanctions Hearing. COURT advised respective counsel that a 20 minute recess will be taken to allow Defense counsel time to review that document. 1:36 p.m. – Court stood in recess. <i>Clerk's note: At the recess, counsel Miller advised me that the Plaintiffs' Brief and Evidence in Support of Sanctions Hearing had been filed today (10/21/13) at approximately 12:00 p.m.</i> 2:10 p.m. – Court reconvened. Counsel Miller called Craig Green who was sworn and direct examined; cross examined by counsel Brohawn; re-direct examined by counsel Miller; questioned by the Court; re-cross examined by counsel Brohawn; and excused. Counsel Brohawn called Caroline Rich who was sworn and direct examined; and excused by the Court. COURT advised respective counsel that it is approximately 4:30 p.m. and he does not see how this issue will be resolved today, or prior to the start of trial on Wednesday. Discussion ensued between the Court and respective counsel regarding the issues still pending in this case that are not the subject of this hearing, such as the fact that no trial statement has been filed by the Defendants, the fact that the Defendants' pretrial disclosures were filed approximately 2 weeks late, or the issues detailed in the Defendants' Motion to Compel, filed October 18, 2013. Counsel Miller advised the Court that he is frustrated, and Defense counsel's violations continue, one after another; and he further advised the Court that counsel Brohawn was ordered last week to file a declaration regarding his discovery efforts, and he has failed to do that as well.</p>	<p>10/22/13 2:00 p.m. Cont'd Hrg on Plaintiffs' Motion for Sanctions</p> <p>10/28/13 8:30 a.m. Jury Trial (2 weeks)</p>

DATE, JUDGE

PAGE 2

OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

10/21/13

HEARING ON PLAINTIFFS' MOTION FOR SANCTIONS

HONORABLE

COURT noted that the sanctions for these violations could include the Defendants not being allowed to call any witnesses or admit any evidence at trial.

ELLIOTT A.

SATTLER

DEPT. NO.10

Counsel Brohawn responded.

M. Merkouris
(Clerk)

Discussion ensued between the Court and counsel Miller regarding the trial date. Counsel Miller argued that he has never seen discovery violations like the ones in this case, in which the Court's orders are simply ignored, and now they are being addressed on the eve of trial.

M. Pava

(Reporter)

COURT ORDERED: Matter continued to tomorrow, October 22, 2013 at 1:30 p.m.

COURT FURTHER ORDERED: The jury trial set for Wednesday, October 23, 2013 at 8:30 a.m. is vacated and reset to next Monday, October 28, 2013 at 8:30 a.m.

4:45 p.m. – Court stood in recess for the evening.

CASE NO. CV12-02222 **ALBERT THOMAS ETAL VS. MEI-GSR HOLDINGS ETAL**

**DATE, JUDGE
OFFICERS OF**

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

10/22/13 **CONT'D HEARING ON PLAINTIFFS' MOTION FOR SANCTIONS**
HONORABLE 2:00 p.m. – Court convened.
ELLIOTT A. Jarad Miller, Esq., and Jonathan Tew, Esq., were present on behalf of the
SATTLER Plaintiffs.
DEPT. NO.10 Sean Brohawn, Esq., and Devon Reese, Esq., were present on behalf of the
M. Merkouris Defendants.
(Clerk) **COURT** advised respective counsel that he has received courtesy copies of
M. Pava the Defendants' Memorandum in Support of Hearing, and the Defendants'
(Reporter) Trial Statement, both of which were filed today (10/22/13). **COURT** further
noted that the Defendants' Trial Statement, like many of counsel Brohawn's
pleadings, was filed abysmally late.
Witness **Caroline Rich** was further direct examined by counsel Brohawn;
questioned by the Court; further direct examined.
3:00 p.m. – Court stood in recess.
3:02 p.m. – Court reconvened.
Witness further direct examined; cross examined by counsel Miller; re-
direct examined; re-cross examined; and excused.
Counsel Brohawn called **William Birch** who was sworn and direct
examined; cross examined by counsel Miller; re-direct examined; re-cross
examined; questioned by the Court; and excused.
Counsel Tew presented argument in support of the Plaintiffs' Motion for
Sanctions Under NRCP 37(b) for Failure to Comply With Court Orders.
4:45 p.m. – Court stood in recess for the evening, to reconvene tomorrow,
October 23, 2013 at 8:30 a.m.

DATE, JUDGE	*CORRECTED MINUTES*	
OFFICERS OF		
COURT PRESENT	APPEARANCES-HEARING	CONT'D TO

10/22/13 CONT'D HEARING ON PLAINTIFFS' MOTION FOR SANCTIONS

HONORABLE 2:00 p.m. – Court convened.
ELLIOTT A. Jarad Miller, Esq., and Jonathan Tew, Esq., were present on behalf of the
SATTLER Plaintiffs.
DEPT. NO.10 Sean Brohawn, Esq., and Devon Reese, Esq., were present on behalf of the
M. Merkouris Defendants.
(Clerk) **COURT** advised respective counsel that he has received courtesy copies of
D. Gustin the Defendants' Memorandum in Support of Hearing, and the Defendants'
(Reporter) Trial Statement, both of which were filed today (10/22/13). **COURT** further
noted that the Defendants' Trial Statement, like many of counsel Brohawn's
pleadings, was filed abysmally late.
Witness **Caroline Rich** was further direct examined by counsel Brohawn;
questioned by the Court; further direct examined.
3:00 p.m. – Court stood in recess.
3:02 p.m. – Court reconvened.
Witness further direct examined; cross examined by counsel Miller; re-direct
examined; re-cross examined; and excused.
Counsel Brohawn called **William Birch** who was sworn and direct
examined; cross examined by counsel Miller; re-direct examined; re-cross
examined; questioned by the Court; and excused.
Counsel Tew presented argument in support of the Plaintiffs' Motion for
Sanctions Under NRCp 37(b) for Failure to Comply With Court Orders.
Counsel Tew had Exhibit A marked for identification.
Counsel Tew further presented argument in support of Plaintiffs' Motion for
Sanctions.
4:45 p.m. – Court stood in recess for the evening, to reconvene tomorrow,
October 23, 2013 at 8:30 a.m.

CV12-02222
DC-990000518-208
ALBERT THOMAS ETAL VS. MEI-GSR Page
District Court 10/30/2013 02:55 PM
Nashoe County MIN
mmbrnlp

Exhibits

Title: **ALBERT THOMAS ETAL VS. MEI-GSR HOLDINGS ETAL**

PLAINTIFF: **ALBERT THOMAS ETAL** PATY: **JARAD MILLER, ESQ.**

PATY: **JONATHAN TEW, ESQ.**

DEFENDANT: **MEI-GSR HOLDINGS ETAL** DATY: **SEAN BROHAWN, ESQ.**

DATY: **DEVON REESE, ESQ.**

Case No: **CV12-02222**

Dept. No: **10**

Clerk: **M. MERKOURIS**

Date: **10/22/13**

Exhibit No.	Party	Description	Marked	Offered	Admitted
A	PLAINTIFFS	Documents presented to the Court by Plaintiffs' counsel during 10/22/13 continued hearing on Plaintiffs' Motion for Sanctions	10/22/13		

CASE NO. CV12-02222 **ALBERT THOMAS ETAL VS. MEI-GSR HOLDINGS ETAL**

**DATE, JUDGE
OFFICERS OF**

PAGE 1

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

10/23/13

CONT'D HEARING ON PLAINTIFFS' MOTION FOR SANCTIONS

HONORABLE

8:33 a.m. – Court convened.

1/6/14

ELLIOTT A.

Jarad Miller, Esq., and Jonathan Tew, Esq., were present on behalf of the Plaintiffs.

8:30 a.m.

SATTLER

Sean Brohawn, Esq., and Rachel Wise, Esq., were present on behalf of the Defendants.

**Jury Trial
(2 weeks)**

DEPT. NO.10

M. Merkouris

(Clerk)

Counsel Brohawn advised the Court that Mr. Reese is very sick and will not be present today. Counsel Brohawn presented argument in opposition of the Plaintiffs' Motion for Sanctions Under NRCP 37(b) for Failure to Comply With Court Orders.

P. Hoogs

(Reporter)

Counsel Tew presented further argument in support of the Plaintiffs' Motion for Sanctions.

Upon questioning by the Court, counsel Miller gave the Court information regarding the Plaintiffs' preparedness for trial in light of the testimony presented during this hearing.

Discussion ensued between the Court and respective counsel regarding the trial date.

Counsel Tew further presented argument in support of the Plaintiffs' Motion for Sanctions.

9:55 a.m. – Court stood in recess, to reconvene at 2:00 p.m.

2:04 p.m. – Court reconvened.

COURT set forth finding of fact and conclusions of law; **COURT ORDERED** that case concluding sanctions shall not be imposed, however, the Defendants' counterclaim is hereby stricken and the Defendants shall pay all attorney fees and costs (including Mr. Green's fees) associated with this 3-day hearing on the Motion for Sanctions. **COURT FURTHER ORDERED** that Plaintiffs shall be allowed to conduct additional discovery, and this Court shall supervise any discovery issues in this case from this point forward.

Upon questioning by the Court, counsel Miller stated that a trial continuance will be necessary, however he would request that the HOA be ordered to stop foreclosing on the Plaintiffs pending the new trial date.

Counsel Brohawn responded.

COURT ORDERED: Counsel Miller's oral motion to stop the HOA from foreclosing on the Plaintiffs must be fully briefed before the Court will rule on this issue.

Discussion ensued regarding potential new trial dates.

3:02 p.m. – Court stood in recess.

DATE, JUDGE

PAGE 2

OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

10/23/13

CONT'D HEARING ON PLAINTIFFS' MOTION FOR SANCTIONS

HONORABLE 3:10 p.m. – Court reconvened.

ELLIOTT A. **COURT ORDERED:** The Jury Trial set to commence on October 28, 2013

SATTLER is hereby vacated and reset to Monday, January 6, 2014 at 8:30 a.m., and it

DEPT. NO.10 shall be set for two (2) weeks.

M. Merkouris 3:15 p.m. – Court concluded and stood in recess.

(Clerk)

P. Hoogs

(Reporter)

CASE NO. CV12-02222 **ALBERT THOMAS, ETAL VS. MEI-GSR HOLDINGS, ETAL**

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

11/5/13
HONORABLE
ELLIOTT A.
SATTLER
DEPT. NO. 10
M. Merkouris
(Clerk)
K. Waldie
(Reporter)

**HEARING ON PLAINTIFFS' EXPARTE EMERGENCY MOTION FILED
NOVEMBER 5, 2013**

3:11 p.m. – Court convened.

Jarrad Miller, Esq., was present on behalf of the Plaintiffs. Plaintiffs' expert, Adrian Leon Mare was also present.

Sean Brohawn, Esq., and Rachel Wise, Esq., were present on behalf of the Defendants.

COURT advised respective counsel that he has reviewed the Exparte Emergency Motion to Hold the Defendants in Contempt, as well as the Defendants' Opposition.

Counsel Miller addressed the Court and argued in support of his Motion.

Counsel Brohawn responded; and he further argued in opposition of the Motion.

Counsel Miller replied.

Mr. Mare gave the Court information regarding what type of work he would be doing on the Defendants' computers.

COURT set forth findings of fact and conclusions of law; **COURT ORDERED** respective counsel shall meet today, November 5, 2013, and agree on search terms; Mr. Mare shall then collect data and provide a copy of that data to counsel Brohawn, and Mr. Mare shall not analyze this data until counsel Brohawn has had an opportunity to review it and raise any objections with the Court.

COURT FURTHER ORDERED counsel Brohawn shall provide the documents requested by the Plaintiffs (HOA documents, etc.) to counsel Miller no later than 5:00pm on Tuesday, November 12, 2013.

3:56 p.m. – Court concluded and stood in recess.

CASE NO. CV12-02222

ALBERT THOMAS, ETAL VS. MEI-GSR HOLDINGS ETAL

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

11/19/13

HONORABLE

ELLIOTT A.

SATTLER

DEPT. NO. 10

C. Lloyd

(Clerk)

Not Report

(Reporter)

IN-CHAMBERS CONFERENCE RE: EMAILS RECOVERED

Jarrad Miller, Esq. was present on behalf of the Plaintiffs who were not present. Sean Brohawn was present on behalf of the Defendants who were not present.

Counsel Brohawn addressed the Court advising he has met with his expert, Ira Victor; further advised that Mr. Victor is present and prepared to present his findings on the recovered records; further expanding on the search and the recovery of over 200,000 e-mails and narrowed to approximately 75,000 with the search term "condo"; and further expanded on the recovery of the search term "condominium"; further requesting additional time to narrow the search.

Counsel Miller addressed the Court with his client's position; further presented his findings collected from his expert, Adrian Mare; further requesting to review the Defendant's computer files; further advised his intent to submit a motion under rule 37 or a 60B motion.

Further discussion ensued between respective counsel and the Court regarding the Plaintiff's requesting to review the Defendant's computer files.

COURT presented its concerns and observation that the parties will need more time to narrow the search; and further that this matter should be set for a hearing prior to the trial.

COURT ORDERED: Parties shall set a motion's hearing with its Judicial Assistant prior to the trial. Court further ordered the request made by Counsel Miller to review the Defendant's e-mail files shall be GRANTED with the condition that Counsel Brohawn will have the opportunity to review the computer files between today's date through no later than 5 p.m. on Monday, November 25, 2013, at which time he will be allowed to withhold files that he feels are privileged for the Court's review in-camera. Court further ordered Counsel Brohawn shall make the computer files available to Counsel Miller by Tuesday, November 26, 2013. Court further ordered Miller to prepare a written order consistent with the Court's orders.

****After the in-chambers conference, the parties to set a hearing with the Judicial Assistant to commence on December 4, 2013 at 9:00 a.m.****

CASE NO. CV12-02222 **ALBERT THOMAS, ETAL VS. MEI-GSR HOLDINGS ETAL**

PAGE 1

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

12/4/13
HONORABLE
ELLIOTT A.
SATTLER
DEPT. NO. 10
M. Merkouris
(Clerk)
L. Urmston
(Reporter)

HEARING ON PLAINTIFF'S RENEWED MOTION FOR SANCTIONS

Jarad Miller, Esq., was present on behalf of the Plaintiffs.
Sean Brohawn, Esq., was present on behalf of the Defendants. Mr. Ira Victor was present, sitting at counsel table with Mr. Brohawn.
Upon questioning by the Court, counsel Miller explained that there were two identical Motions for Sanctions filed on November 22, 2013, and the reason for this was because his staff anticipated the first motion was going to be rejected by the Court's e-filing system due to a problem with the exhibit list, and therefore a second motion was filed. Discussion ensued between the Court and respective counsel regarding the November 19, 2013 in-chambers conference and the briefing schedule that as set forth at that meeting.
Counsel Miller marked and offered Exhibit B; ordered ADMITTED into evidence.

Counsel Miller presented argument in support of the Motion for Sanctions.
Counsel Miller called **Adrian Leon Mare** who was present telephonically and reminded by the Court that he remained under oath; direct examined.
Counsel Miller further argued in support of the Motion.
Counsel Brohawn advised the Court that he has not produced the privilege log yet, however he could produce it in approximately one hour.
Discussion ensued regarding the privilege log.
COURT admonished counsel Brohawn for not providing the privilege lot as ordered.
Counsel Brohawn marked and offered Exhibit C; ordered ADMITTED into evidence.

Counsel Miller further presented argument in support of the Motion for Sanctions; and he further gave the Court information regarding the difficulties he has had in obtaining the privilege log.

Witness **Adrian Leon Mare** was further direct examined; questioned by the Court.
Counsel Miller argued regarding the Tim Smith emails; a document was handed to the Court by counsel Miller (*not marked or admitted into evidence*).

Upon questioning by the Court, counsel Brohawn advised that 3 discs were found with Smith, Mueller and Dumas emails, and they were not located on the server.

COURT admonished counsel Brohawn regarding his failure to comply with the rules of discovery even after being repeatedly instructed by the Court. **COURT** further admonished counsel Brohawn regarding his failure to comply with Court orders.
Upon questioning by the Court, counsel Brohawn advised that he has not provided the 3 discs to counsel Miller.

Counsel Brohawn was further admonished by the Court.

COURT advised respective counsel that a written order denying Plaintiffs' initial Motion for Sanctions (heard on October 21, 2013 – October 23, 2013) will be issued by the Court.

PAGE 2

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

12/4/13
HONORABLE
ELLIOTT A.
SATTLER
DEPT. NO. 10
M. Merkouris
(Clerk)
L. Urmston
(Reporter)

HEARING ON PLAINTIFF'S RENEWED MOTION FOR SANCTIONS

COURT further advised that this hearing which is set for 3 hours is not appropriate for the argument of Plaintiffs' renewed Motion for Sanctions, and idea that a jury trial will take place in this case on January 6, 2014 is unreasonable and not realistic in light of the issues raised this morning. **COURT** further advised that at this moment he would be inclined to grant case concluding sanctions, however there are many factors that must be considered, and therefore this motion must be fully briefed and set for hearing.

Discussion ensued regarding the trial date. Counsel Miller advised the Court that at this point, he must hold the trial date and he will have to be prepared; and he further requested that the Court find that the Defendants have waived their privilege, and he should be given immediate access to the documents he is requesting. Counsel Miller further stated that if he was to agree to a continuance of the trial it would go against the wishes of his clients.

Counsel Brohawn gave the Court information regarding Exhibit C.

Counsel Miller responded; and he further stated that instead of preparing for trial he is here arguing for documents that should have already been produced; and he further argued that his clients are being prejudiced by this delay.

Plaintiffs George and Melissa Vagujhelyi were present in the gallery; Mr. Vagujhelyi gave the Court his opinion of a trial continuance in this case; and he further stated that any continuance would benefit the Defendants.

COURT advised that the issue of case concluding sanctions must be re-briefed and re-discussed.

Counsel Miller concurred with the Court that case concluding sanctions should be revisited; and he further requested access to all the hits; and he further argued that Defendants be ordered to pay all previously awarded fees and costs.

Witness **Adrian Leon Mare** was cross examined by counsel Brohawn; questioned by the Court; re-direct examined; re-cross examined; and excused.

Counsel Brohawn addressed the Court regarding an additional hearing on the Motion for Sanctions.

Counsel Brohawn called **Ira Victor** who was sworn and direct examined; cross examined; and excused.

Counsel Brohawn responded to counsel Miller's argument regarding the fee portion of the Motion for Sanctions.

Counsel Miller replied.

COURT ORDERED: Defendants shall pay the fees and costs requested in Plaintiffs' Motion no later than 5:00 p.m. on Friday, December 3, 2013; failure to do so will result in a potential contempt hearing.

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

12/4/13
HONORABLE
ELLIOTT A.
SATTLER
DEPT. NO. 10
M. Merkouris
(Clerk)
L. Urmston
(Reporter)

HEARING ON PLAINTIFF'S RENEWED MOTION FOR SANCTIONS

COURT set forth findings of fact and conclusions of law;

COURT FURTHER ORDERED the jury trial set for January 6, 2014 shall be vacated over counsel Miller's objections.

COURT FURTHER ORDERED the privilege log shall be submitted to Discovery Commissioner Ayres for his review; if Commissioner Ayres determines that it does not comply with the rules, this will be a waiver of privilege and all documents shall be provided to counsel Miller immediately.

COURT FURTHER ORDERED Mr. Mare shall provide the additional tool to Mr. Victor by 5:00 p.m. on December 9, 2013.

COURT FURTHER ORDERED that neither side shall modify, delete, remove, corrupt, or in any way alter any of the evidence in this case.

COURT FURTHER ORDERED the discovery process in this case shall continue.

COURT FURTHER ORDERED the Pretrial Order in this case shall be modified as follows: counsel Miller shall file a renewed Motion for Case Concluding Sanctions, and the Court will allow this document to be up to 25 pages long; Defendant's response can also be up to 25 pages long, and the reply can be up to 10 pages long.

COURT FURTHER ORDERED the Motion for Case Concluding Sanctions shall be filed by 5:00 p.m. on January 6, 2014; the opposition shall be filed by 5:00 p.m. on January 24, 2014, and a reply shall be filed and the matter submitted to the Court by 5:00 p.m. on February 7, 2014.

COURT FURTHER ORDERED respective counsel shall meet with the Department Ten Judicial Assistant, Sheila Mansfield, during the week of February 10, 2014 and set a hearing on the Motion for Case Concluding Sanctions; at the conclusion of the hearing on the Motion, this matter shall be reset for trial if necessary.

Discussion ensued between the Court and respective counsel regarding the privilege log.

COURT FURTHER ORDERED a briefing schedule regarding the privilege log shall be set forth by Commissioner Ayres.

Counsel Miller shall prepare the order.

12:12 p.m. – Court concluded and stood in recess.

Exhibits

Title: **ALBERT THOMAS ETAL VS. MEI-GSR HOLDINGS ETAL**
PLAINTIFF: **ALBERT THOMAS ETAL** PATY: **JARAD MILLER, ESQ.**

DEFENDANT: **MEI-GSR HOLDINGS ETAL** DATY: **SEAN BROHAWN, ESQ.**

Case No: **CV12-02222**

Dept. No: **10**

Clerk: **M. MERKOURIS**

Date: **12/4/13**

Exhibit No.	Party	Description	Marked	Offered	Admitted
B	Plaintiffs	Email from counsel Miller to counsel Brohawn, dated November 22, 2013	12/4/13	No Obj.	12/4/13
C	Defendants	Privilege Log	12/4/13	No Obj.	12/4/13

DATE, JUDGE
OFFICERS OF
COURT PRESENT

CORRECTED MINUTES

APPEARANCES-HEARING

12/4/13
HONORABLE
ELLIOTT A.
SATTLER
DEPT. NO. 10
M. Merkouris
(Clerk)
L. Urmston
(Reporter)

HEARING ON PLAINTIFF'S RENEWED MOTION FOR SANCTIONS

Jarad Miller, Esq., was present on behalf of the Plaintiffs.

Sean Brohawn, Esq., was present on behalf of the Defendants. Mr. Ira Victor was present, sitting at counsel table with Mr. Brohawn.

Upon questioning by the Court, counsel Miller explained that there were two identical Motions for Sanctions filed on November 22, 2013, and the reason for this was because his staff anticipated the first motion was going to be rejected by the Court's e-filing system due to a problem with the exhibit list, and therefore a second motion was filed. Discussion ensued between the Court and respective counsel regarding the November 19, 2013 in-chambers conference and the briefing schedule that as set forth at that meeting.

Counsel Miller marked and offered Exhibit B; ordered ADMITTED into evidence.

Counsel Miller presented argument in support of the Motion for Sanctions.

Counsel Miller called **Adrian Leon Mare** who was present telephonically and reminded by the Court that he remained under oath; direct examined.

Counsel Miller further argued in support of the Motion.

Counsel Brohawn advised the Court that he has not produced the privilege log yet, however he could produce it in approximately one hour.

Discussion ensued regarding the privilege log.

COURT admonished counsel Brohawn for not providing the privilege lot as ordered.

Counsel Brohawn marked and offered Exhibit C; ordered ADMITTED into evidence.

Counsel Miller further presented argument in support of the Motion for Sanctions; and he further gave the Court information regarding the difficulties he has had in obtaining the privilege log.

Witness **Adrian Leon Mare** was further direct examined; questioned by the Court.

Counsel Miller argued regarding the Tim Smith emails; a document was handed to the Court by counsel Miller (*not marked or admitted into evidence*).

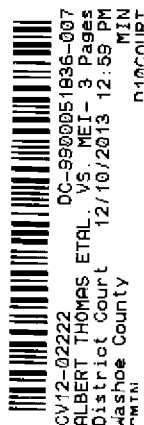
Upon questioning by the Court, counsel Brohawn advised that 3 discs were found with Smith, Mueller and Dumas emails, and they were not located on the server.

COURT admonished counsel Brohawn regarding his failure to comply with the rules of discovery even after being repeatedly instructed by the Court. COURT further admonished counsel Brohawn regarding his failure to comply with Court orders.

Upon questioning by the Court, counsel Brohawn advised that he has not provided the 3 discs to counsel Miller.

Counsel Brohawn was further admonished by the Court.

COURT advised respective counsel that a written order denying Plaintiffs' initial Motion for Sanctions (heard on October 21, 2013 – October 23, 2013) will be issued by the Court.



DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

12/4/13
HONORABLE
ELLIOTT A.
SATTLER
DEPT. NO. 10
M. Merkouris
(Clerk)
L. Urmston
(Reporter)

HEARING ON PLAINTIFF'S RENEWED MOTION FOR SANCTIONS

COURT further advised that this hearing which is set for 3 hours is not appropriate for the argument of Plaintiffs' renewed Motion for Sanctions, and idea that a jury trial will take place in this case on January 6, 2014 is unreasonable and not realistic in light of the issues raised this morning. **COURT** further advised that at this moment he would be inclined to grant case concluding sanctions, however there are many factors that must be considered, and therefore this motion must be fully briefed and set for hearing. Discussion ensued regarding the trial date. Counsel Miller advised the Court that at this point, he must hold the trial date and he will have to be prepared; and he further requested that the Court find that the Defendants have waived their privilege, and he should be given immediate access to the documents he is requesting. Counsel Miller further stated that if he was to agree to a continuance of the trial it would go against the wishes of his clients.

Counsel Brohawn gave the Court information regarding Exhibit C.

Counsel Miller responded; and he further stated that instead of preparing for trial he is here arguing for documents that should have already been produced; and he further argued that his clients are being prejudiced by this delay.

Plaintiffs George and Melissa Vagujhelyi were present in the gallery; Mr. Vagujhelyi gave the Court his opinion of a trial continuance in this case; and he further stated that any continuance would benefit the Defendants.

COURT advised that the issue of case concluding sanctions must be re-briefed and re-discussed.

Counsel Miller concurred with the Court that case concluding sanctions should be revisited; and he further requested access to all the hits; and he further argued that Defendants be ordered to pay all previously awarded fees and costs.

Witness **Adrian Leon Mare** was cross examined by counsel Brohawn; questioned by the Court; re-direct examined; re-cross examined; and excused.

Counsel Brohawn addressed the Court regarding an additional hearing on the Motion for Sanctions.

Counsel Brohawn called **Ira Victor** who was sworn and direct examined; cross examined; and excused.

Counsel Brohawn responded to counsel Miller's argument regarding the fee portion of the Motion for Sanctions.

Counsel Miller replied.

COURT ORDERED: Defendants shall pay the fees and costs requested in Plaintiffs' Motion no later than 5:00 p.m. on Friday, January 3, 2014; failure to do so will result in a potential contempt hearing.

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

12/4/13
HONORABLE
ELLIOTT A.
SATTLER
DEPT. NO. 10
M. Merkouris
(Clerk)
L. Urmston
(Reporter)

HEARING ON PLAINTIFF'S RENEWED MOTION FOR SANCTIONS

COURT set forth findings of fact and conclusions of law;

COURT FURTHER ORDERED the jury trial set for January 6, 2014 shall be vacated over counsel Miller's objections.

COURT FURTHER ORDERED the privilege log shall be submitted to Discovery Commissioner Ayres for his review; if Commissioner Ayres determines that it does not comply with the rules, this will be a waiver of privilege and all documents shall be provided to counsel Miller immediately.

COURT FURTHER ORDERED Mr. Mare shall provide the additional tool to Mr. Victor by 5:00 p.m. on December 9, 2013.

COURT FURTHER ORDERED that neither side shall modify, delete, remove, corrupt, or in any way alter any of the evidence in this case.

COURT FURTHER ORDERED the discovery process in this case shall continue.

COURT FURTHER ORDERED the Pretrial Order in this case shall be modified as follows: counsel Miller shall file a renewed Motion for Case Concluding Sanctions, and the Court will allow this document to be up to 25 pages long; Defendant's response can also be up to 25 pages long, and the reply can be up to 10 pages long.

COURT FURTHER ORDERED the Motion for Case Concluding Sanctions shall be filed by 5:00 p.m. on January 6, 2014; the opposition shall be filed by 5:00 p.m. on January 24, 2014, and a reply shall be filed and the matter submitted to the Court by 5:00 p.m. on February 7, 2014.

COURT FURTHER ORDERED respective counsel shall meet with the Department Ten Judicial Assistant, Sheila Mansfield, during the week of February 10, 2014 and set a hearing on the Motion for Case Concluding Sanctions; at the conclusion of the hearing on the Motion, this matter shall be reset for trial if necessary.

Discussion ensued between the Court and respective counsel regarding the privilege log.

COURT FURTHER ORDERED a briefing schedule regarding the privilege log shall be set forth by Commissioner Ayres.

Counsel Miller shall prepare the order.

12:12 p.m. – Court concluded and stood in recess.

CASE NO. CV12-02222

ALBERT THOMAS, ET AL. VS. MEI-GSR HOLDINGS, ET AL.

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

05/14/14
HON. ELLIOTT
SATTLER
DEPT. NO. 10
G. Bartlett
(Clerk)
M. Pava
(Reporter)

MOTION FOR CASE TERMINATING SANCTIONS

Jonathan J. Tew, Esq. and Jarrad C. Miller, Esq. present representing the Plaintiffs. Sean L. Brohawn, Esq., Steven B. Cohen, Esq. and H. Stan Johnson representing the Defendants, Grand Sierra Resort Unit-Owner's Association, MEI-GSR Holdings, LLC.

The Court stated that the Plaintiffs' Motion to Compel Deposition and for Sanctions has merit and stated the elements of the motion. COURT ORDERED: Mr. Yuval Brash shall appear for deposition within 20 days. Mr. Brash shall pay attorneys costs in the amount of \$942.50, an additional \$130.00 for court reporter costs and payment of a fine in the amount of \$1,000.00. Counsel Miller shall prepare findings of fact, conclusions of law and order.

The Court discussed the Plaintiffs' Motion to Compel Production of Documents and the District Court rules. The Court informed respective counsel that the matter shall be submitted to the Discovery Commissioner for ruling. Counsel Miller shall brief the matter and file the same by May 28, 2014 and counsel Brohawn shall file opposition.

The Court discussed the issue of the late filings by counsel Brohawn; counsel Browhan responded thereto.

The Court finds that counsel Brohawns' issue with not making deadlines is inappropriate and finds counsel to be in contempt. COURT ORDERED: Counsel Brohawn shall pay a fine in the amount of \$500.00 to the Washoe County Law Library by 5:00 p.m. on May 15, 2014.

The Court will consider the remaining motions simultaneously.

Counsel Brohawn moved to call a witness out-of-order; no objection by respective counsel; SO ORDERED.

Caroline Rich was called by counsel Brohawn, sworn, testified and cross-examined by counsel Miller.

During the testimony of witness Rich, the following exhibit was ordered marked and admitted:

Defense exhibit 1

Also during the testimony of witness Rich, the follow exhibit was marked for identification only:

Plaintiffs' exhibit 2

Counsel Miller presented opening argument in support of the motion and discussed the evidence being withheld from the Plaintiffs after numerous depositions had been taken, therefore, counsel could not question the witnesses regarding the evidence.

CASE NO. CV12-02222

ALBERT THOMAS, ET AL. VS. MEI-GSR HOLDINGS, ET AL.

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

05/14/14
HON. ELLIOTT
SATTLER
DEPT. NO. 10
G. Bartlett
(Clerk)
M. Pava
(Reporter)

Counsel further stated that hundreds of thousands of dollars have been wasted due to the Plaintiffs withholding of evidence. Counsel Brohawn discussed the science behind locating attachments in e-mail searches and stated that GSR acted in good faith throughout the discovery process.

Ira Victor was called by counsel Miller, sworn, testified and cross-examined by counsel Brohawn.

During the testimony of witness Victor, the following exhibit was marked for identification purposes only:

Plaintiffs' exhibit 3

COURT ORDERED: Respective counsel shall meet with Department 10 Administrative Assistant by the end of business day May 16, 2014 to schedule a date for the continuation of the instant hearing.

EXHIBITS

PLTF: ALBERT THOMAS, ET AL.
DEFT: MEI-GSR HOLDINGS, ET AL.

PATY: Jarrad Miller, Esq.
DATY: Sean L. Brohawn, Esq.

Case No: **CV12-02222** Dept. No: **10** Clerk: **G. Bartlett** Date: **5/14/14**

Exhibit No.	Party	Description	Marked	Offered	Admitted
1	Deft.	Print-out of e-mail thread	5/14/14	No Obj.	5/14/14
2	Pltf.	Print-out of e-mails	5/14/14		
3	Pltf.	File-stamped copy of Subpoena Duces Tecum filed 4/1/14	5/14/14		

CASE NO. CV12-02222 ALBERT THOMAS ETAL VS. MEI-GSR HOLDINGS, LLC ETAL

PAGE 1

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

8/1/14
HONORABLE
ELLIOTT A.
SATTLER
DEPT. NO. 10
M. Merkouris
(Clerk)
L. Urmston
(Reporter)

**CONTINUED HEARING ON PLAINTIFFS' RENEWED MOTION FOR CASE-
CONCLUDING SANCTIONS**

8:36 a.m. – Court convened.

Jarad Miller, Esq., and Jonathan Tew, Esq., were present on behalf of the Plaintiffs.
Steven Cohen, Esq., and H. Stan Johnson, Esq., were present on behalf of the Defendants.

COURT noted that Sean Brohawn, Esq., was not present in the courtroom.

Upon direction of the Court, the Clerk printed the Application for Setting filed on May 16, 2014, which set this matter for today (August 1, 2014) at 8:30 a.m., and it was reviewed by the Court.

COURT ORDERED: Counsel Brohawn is found in contempt, and he shall pay One Thousand Dollars (\$1,000.00) to the Washoe County Law Library by 5:00 p.m. today, August 1, 2014.

Discussion ensued between the Court and counsel Miller regarding outstanding discovery issues currently pending before Commissioner Ayres.

Counsel Brohawn arrived in the courtroom.

COURT noted that he believes he overstated his authority in fining counsel Brohawn One Thousand Dollars (\$1,000.00) for being late this morning, as the maximum amount he can impose is Five Hundred Dollars (\$500.00); and therefore, the previous order is modified, and counsel Brohawn shall pay Five Hundred Dollars (\$500.00) to the Washoe County Law Library by 5:00 p.m. today, August 1, 2014.

COURT further noted that all discovery issues currently pending in this case must be resolved prior to a hearing on Plaintiff's Renewed Motion for Case-Concluding Sanctions; and he further advised respective counsel that he is concerned that this hearing could be a waste of time if discovery issues are still pending in front of Commissioner Ayres.

Counsel Miller advised the Court that there are no discovery issues, and they can proceed today.

Counsel Brohawn addressed the Court and apologized for being late this morning; and he further advised that he had this hearing calendared for 9:00 a.m.

COURT handed counsel Brohawn a copy of the Application for Setting filed on May 16, 2014, and he further advised counsel Brohawn that the Court accepts his apology, and he is ready to proceed with the hearing.

Counsel Miller called **Adrian Leon Mare** who was reminded by the Court that he has been previously sworn in this case and remains under oath; direct examined.

Counsel Miller offered Exhibit 2 into evidence.

COURT noted that Exhibit 2 was marked during the hearing on May 14, 2014, and the Evidence Clerk, Mario Lopez, is on his way to the courtroom now with those exhibits.
Witness further direct examined.

PAGE 2

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

8/1/14
HONORABLE
ELLIOTT A.
SATTLER
DEPT. NO. 10
M. Merkouris
(Clerk)
L. Urmston
(Reporter)

**CONTINUED HEARING ON PLAINTIFFS' RENEWED MOTION FOR CASE-
CONCLUDING SANCTIONS**

Counsel Miller requested that witness Mare be allowed to testify in a narrative form and make a presentation to the Court; no objection; **SO ORDERED.**

Witness Mare testified in a narrative form and made a presentation regarding emails to the Court; further direct examined; cross examined by counsel Brohawn; re-direct examined; re-cross examined.

10:10 a.m. – Court stood in recess.

10:32 a.m. – Court reconvened.

COURT noted that the exhibits marked during the hearing on May 14, 2014 are now in the courtroom.

Counsel Brohawn reviewed Exhibit 2, and noted that it contained an additional page that is not a part of his copy of Exhibit 2.

Counsel Miller stipulated to removing the last page of Exhibit 2.

COURT ORDERED Exhibit 2 admitted into evidence.

Witness Mare further re-cross examined; re-direct examined; re-cross examined; and excused.

Counsel Miller advised the Court that he has no further witnesses.

Counsel Brohawn called **Kevin Gildesgard** who was sworn and direct examined; cross examined by counsel Miller.

Counsel Brohawn marked and offered Exhibit 4; no objection; ordered ADMITTED into evidence.

Witness Gildesgard excused.

Counsel Brohawn called **Dean Griffith Benz** who was sworn and direct examined.

Counsel Miller advised the Court that he has not deposed this witness, and he had no knowledge that this witness was going to be called today; and he further advised that he would have invoked the Rule of Exclusion if he would have known this witness has been present in the courtroom all morning.

Witness Benz was cross examined by counsel Miller; and excused.

Counsel Brohawn called **Yuval Brash** who was sworn and direct examined.

Counsel Brohawn had Exhibit 5 marked for identification.

Witness further direct examined.

Counsel Brohawn had Exhibit 6 marked for identification.

Witness further direct examined.

11:58 a.m. – Court stood in recess for lunch.

1:30 p.m. – Court reconvened.

Counsel Brohawn offered Exhibit 5; no objection; ordered ADMITTED into evidence.

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

8/1/14
HONORABLE
ELLIOTT A.
SATTLER
DEPT. NO. 10
M. Merkouris
(Clerk)
L. Urmston
(Reporter)

**CONTINUED HEARING ON PLAINTIFFS' RENEWED MOTION FOR CASE-
CONCLUDING SANCTIONS**

Counsel Brohawn offered Exhibit 6; counsel Miller requested to conduct cross examination of witness Brash prior to Exhibit 6 being admitted.

COURT ORDERED: Exhibit 6 shall be admitted at this time; if the Court reviews Exhibit 6 after cross examination and decides it is inadmissible, it will not be considered. Witness further direct examined; cross examined by counsel Miller; re-direct examined; re-cross examined; and excused.

3:10 p.m. – Court stood in recess.

3:32 p.m. – Court reconvened.

Counsel Brohawn advised the Court that he has no further witnesses.

Discussion ensued between the Court and respective counsel regarding the length of oral arguments on this issue, and whether or not counsel should attempt to conclude oral arguments by 5:00 p.m. today, or continue this hearing.

COURT ORDERED: Matter continued to August 11, 2014 at 8:30 a.m.

3:41 p.m. – Court concluded and stood in recess.

Clerk's note: Counsel Brohawn advised the Clerk that he paid the \$500.00 fine to the Washoe County Law Library over the lunch recess, and he provided the Clerk with a copy of the receipt.

Exhibits

Title: **ALBERT THOMAS ETAL VS. MEI-GSR HOLDINGS ETAL**
 PLAINTIFF: **ALBERT THOMAS ETAL** PATY: **JARRAD MILLER, ESQ.**
 PATY: **JONATHAN TEW, ESQ.**
 DEFENDANT: **MEI-GSR HOLDINGS, ETAL** DATY: **SEAN BROHAWN, ESQ.**
 DATY: **STEVEN COHEN, ESQ.**
 DATY: **H. STAN JOHNSON**

Case No: **CV12-02222**

Dept. No: **10**

Clerk: **M. MERKOURIS**

Date: **8/1/14**

Exhibit No.	Party	Description	Marked	Offered	Admitted
1	DEFENSE	Printout of email thread	5/14/14	No Obj.	5/14/14
2	PLAINTIFF	Printout of emails	5/14/14	No Obj.	8/1/14
3	PLAINTIFF	File-stamped copy of Subpoena Duces Tecum, filed 4/1/14	5/14/14		
4	DEFENSE	Photocopy of a CD	8/1/14	No Obj.	8/1/14
5	DEFENSE	Data Clone document dated February 24, 2014	8/1/14	No Obj.	8/1/14
6	DEFENSE	Printout of emails	8/1/14	Obj; Overruled	8/1/14

CASE NO. CV12-02222 ALBERT THOMAS ETAL VS. MEI-GSR HOLDINGS, LLC ETAL

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

8/11/14

HONORABLE

ELLIOTT A.

SATTLER

DEPT. NO. 10

M. Merkouris

(Clerk)

D. Gustin

(Reporter)

**CONTINUED HEARING ON PLAINTIFFS' RENEWED MOTION FOR CASE-
CONCLUDING SANCTIONS**

8:30 a.m. – Court convened.

Jarad Miller, Esq., and Jonathan Tew, Esq., were present on behalf of the Plaintiffs.

H. Stan Johnson, Esq., and Sean Brohawn, Esq., were present on behalf of the Defendants.

COURT reviewed the procedural history of the case; and noted that the evidentiary portion of the hearing concluded on August 4, 2014, and the hearing was continued to today for oral argument. **COURT** further noted that he will not be ruling from the bench at the conclusion of respective counsel's arguments as he will want to further review the exhibits and transcripts from the three hearings that will have been held on this issue.

Counsel Miller presented argument in support of Plaintiffs' Renewed Motion for Case-Concluding Sanctions, filed January 27, 2014 (Motion).

10:05 a.m. – Court stood in recess.

10:25 a.m. – Court reconvened.

Counsel Miller continued presenting argument in support of his Motion.

Counsel Brohawn presented argument in opposition to Plaintiffs' Motion.

11:57 a.m. – Court stood in recess for lunch.

1:19 p.m. – Court reconvened.

Counsel Brohawn further presented argument in opposition to Plaintiffs' Motion.

Counsel Miller replied; and he further presented argument in support of his Motion.

COURT ORDERED: Matter taken under advisement.

2:33 p.m. – Court concluded and stood in recess.

CASE NO. CV12-02222 ALBERT THOMAS ETAL VS. MEI-GSR HOLDINGS ETAL

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

11/19/14

ORAL ARGUMENTS

HONORABLE

1:30 p.m. – Court convened.

ELLIOTT A.

Jarrad Miller, Esq., and Jonathan Tew, Esq., were present on behalf of the Plaintiffs.

SATTLER

H. Stan Johnson, Esq., Steven Cohen, Esq., and Mark Wray, Esq., were present on behalf of the Defendants.

DEPT. NO. 10

M. Merkouris

James Proctor was present in the gallery.

(Clerk)

COURT reviewed the recent procedural history of the case.

L. Urmston

COURT advised respective counsel that he sits on the Board of Directors for Washoe Legal Services with Mr. Proctor.

(Reporter)

Counsel Tew presented argument in support of the Plaintiffs' Motion to Strike Defendants' Amended Trial Statement and Motions in Limine (Motion to Strike), filed October 13, 2014. Counsel Johnson responded; and he further presented argument in opposition of the Motion to Strike.

COURT ORDERED: The Plaintiffs' Motion to Strike Defendants' Amended Trial Statement and Motions in Limine is GRANTED.

Counsel Tew shall prepare the order.

COURT FURTHER ORDERED: The parties shall continue to act in good faith regarding the exchange of information pending the prove up hearing set for January 26, 2015; any issues should be brought to the Court's attention, and will either be addressed by this Court or referred to Discovery Commissioner Ayres.

COURT FURTHER ORDERED: Respective counsel shall have until 5:00 p.m. on December 15, 2014 to file briefs (15 pages max) on their proposed procedures for the prove up hearing; the Court will consider the briefs and prepare an order.

Counsel Miller presented argument in support of Plaintiffs' Motion for Appointment of Receiver, filed October 16, 2014.

Counsel Cohen responded.

COURT ORDERED: Plaintiff's Motion for Appointment of Receiver is GRANTED, subject to further order of this Court clarifying the scope and the parties to be affected by the receivership. The parties shall meet and confer and provide a proposed order to the Court by 5:00 p.m. on December 1, 2014.

COURT FURTHER ORDERED: If the parties cannot work out a proposed order granting a receiver, they shall advise the Court of the issues they are having by 5:00 p.m. on November 26, 2014.

Counsel Miller shall prepare the order.

3:06 p.m. – Court adjourned.

CASE NO. CV12-02222 ALBERT THOMAS ETAL VS. MEI-GSR HOLDINGS ETAL

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/13/14

HEARING RE: TRANSFER OF PROPERTY

HONORABLE

2:00 p.m. – Court convened.

1/15/15

ELLIOTT A.

Jarrad Miller, Esq., and Jonathan Tew, Esq., were present on behalf of the Plaintiffs.

8:00 a.m.

SATTTLER

Telephonic
Conference
(in chambers)

DEPT. NO.10

H. Stan Johnson, Esq., and Mark Wray, Esq., were present on behalf of the Defendants.

M. Merkouris

(Clerk)

COURT reviewed the recent procedural history of the case; noting a letter he received from counsel Johnson yesterday, January 12, 2015, regarding the transfer of property to AM-GSR Holdings, LLC.

1/26/15

L. Urmston

(Reporter)

Discussion ensued between the Court and respective counsel regarding the stipulation that has been reached regarding the transfer of property.

8:30 a.m.

Counsel Miller advised the Court that he wanted to have Mr. Green's report available for Defense counsel today, however Mr. Green is still working on his analysis, and he is aware that he needs to get this report to Defense counsel as soon as possible in light of the prove-up hearing set for January 26, 2015.

Prove-up
hearing
(3-5 days)

Counsel Miller further advised that he is going to speak to Mr. Green tomorrow, and then he will have a better idea of when the report will be done. Discussion ensued between the Court and respective counsel regarding the hearing set for January 26, 2015.

Counsel Johnson indicated that he believes the hearing will last approximately three days, however he has not seen Mr. Green's report, and he is not sure exactly how many witnesses will be called.

Counsel Miller advised the Court that once the decision on the pending motion will determine how many witnesses he calls.

Discussion further ensued regarding Mr. Green's report, and Defense counsels' need to have their expert witness review the report.

COURT ORDERED: Counsel Miller shall prepare a stipulation and order regarding AM-GSR, LLC, being added as a defendant in this case.

COURT FURTHER ORDERED: Counsel Miller, counsel Tew and counsel Wray (if he wishes) shall meet in the Department Ten chambers on Thursday, January 15, 2015 at 8:00 a.m., to have a telephonic conference with counsel Johnson regarding the prove-up hearing set for January 26, 2015.

COURT FURTHER ORDERED: Respective counsel shall meet with the Department Ten Judicial Assistant, Sheila Mansfield, after this hearing to look at other possible dates to set the prove-up hearing in the event that Mr. Green's report is not done in time.

2:19 p.m. – Court adjourned.

CASE NO. CV12-02222 **ALBERT THOMAS ETAL VS. MEI-GSR HOLDINGS ETAL**

DATE, JUDGE

OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/15/15

IN CHAMBERS CONFERENCE

HONORABLE

8:00 a.m. – Court convened.

2/9/15

ELLIOTT A.

Jarrad Miller, Esq., and Jonathan Tew, Esq., were present on behalf of the Plaintiffs.

8:30 a.m.

SATTLER

DEPT. NO.10

Mark Wray, Esq., was present on behalf of the Defendants.

Prove-up

M. Merkouris

H. Stan Johnson, Esq., was present telephonically on behalf of the Defendants.

hearing

(Clerk)

COURT reviewed the recent procedural history of the case.

(3 days)

Not reported

Counsel Miller requested that the prove-up hearing currently set for January 26, 2015 be reset to February 9, 2015 as Mr. Green has indicated that he needs two additional documents before he can finalize his report. Counsel Miller gave the Court information regarding the documents Mr. Green has requested to do his report, and he advised the Court that the Defendants have been extremely cooperative since the Court's order.

Counsel Johnson advised the Court that he has forwarded Mr. Green's data requests onto the GSR; and he further stated that he does agree to vacate the January 26, 2015 prove-up hearing and reschedule it for February 9, 2015.

COURT advised respective counsel that they shall continue to work diligently and be prepared for the February 9, 2015 hearing, which he will be very reluctant to reschedule again.

8:05 a.m. – Court adjourned.

CASE NO. CV12-02222 ALBERT THOMAS ETAL VS. MEI-GSR HOLDINGS ETAL

DATE, JUDGE

OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

2/4/15

IN CHAMBERS CONFERENCE

HONORABLE 2:15 p.m. – Court convened in chambers.

ELLIOTT A. Jarrad Miller, Esq., was present on behalf of the Plaintiffs.

SATTLER H. Stan Johnson, Esq., and Mark Wray, Esq., were present telephonically on
DEPT. NO.10 behalf of the Defendants.

M. Merkouris **COURT** reviewed the recent procedural history of the case; and he further
(Clerk) noted that he has reviewed the Defendants' Motion for an Order Shortening
Not reported Time for a Motion to Continue the Hearing on Damages set to Commence on
February 9, 2015 (filed February 3, 2015).

Counsel Johnson advised the Court that they are requesting to continue the
February 9, 2015 prove up hearing as their expert will need more time to
analyze Mr. Green's report, which is approximately 5,000 pages long.
Discussion ensued between the Court and respective counsel regarding Mr.
Green's report.

COURT ORDERED: Defendants' request to vacate the February 9, 2015
prove up hearing is GRANTED; respective counsel shall meet and confer, and
then contact the Department Ten Judicial Assistant, Sheila Mansfield, within
48 hours to reset the hearing.

COURT advised respective counsel that he is finalizing an order setting forth
the procedures for the prove up hearing; and he further indicated that he will
not entertain any additional requests to continue the next hearing.

Counsel Miller advised the Court that the most recent 2014 data he received
from the GSR is missing information for the Plaintiffs who are not a part of the
rental agreement, and he sent a meet and confer letter to the Defendants
regarding this issue.

COURT indicated that if the parties cannot resolve this issue on their own, he
will assist them, or he will refer the matter to Commissioner Ayres.

2:35 p.m. – Court adjourned.

CASE NO. CV12-02222 ALBERT THOMAS ETAL VS. MEI-GSR HOLDINGS ETAL

DATE, JUDGE
OFFICERS OF
COURT PRESENT

PAGE 1

APPEARANCES-HEARING

3/23/15

PROVE UP HEARING

HONORABLE

3/19/15 at 2:00 p.m. – The Clerk met with counsel Miller and counsel Wray to mark exhibits.

ELLIOTT A.

Counsel Wray advised the Clerk that he would like to lodge his objections to Plaintiffs' Exhibits 234,

SATTLER

236-244 & 246; and he further advised the Clerk that he would like to mark Exhibit 248 (which he

DEPT. NO. 10

provided to the Clerk) and Exhibits 249-302 (which were not provided to the Clerk and therefore not

M. White

marked) for demonstrative purposes only. Counsel Miller objected to counsel Wray marking or offering

(Clerk)

any exhibits.

P. Hoogs

8:37 a.m. – Court convened.

Jarrad Miller, Esq., and Jonathan Tew, Esq., were present on behalf of the Plaintiffs.

H. Stan Johnson, Esq., Steven Cohen, Esq., and Mark Wray, Esq., were present on behalf of the Defendants.

COURT reviewed the recent procedural history of the case.

Counsel Miller called **Craig Greene**, who was sworn and direct examined.

(During the beginning of Mr. Greene's testimony, the Court went off the record twice to allow the Court Reporter time to fix the real-time connection problem.)

Witness was further direct examined; questioned by the Court; further direct examined.

Counsel Miller offered Exhibit 246; counsel Johnson objected; objection overruled and Exhibit 246 ordered ADMITTED into evidence.

Witness further direct examined.

Counsel Miller offered Exhibit 157; no objection; ordered ADMITTED into evidence.

COURT noted that prior to this hearing, Plaintiffs' counsel advised the Clerk that they were planning to mark approximately 28 binders of exhibits, however he directed the Clerk to direct their attention to NRS 52.275, and only mark those exhibits which they plan to offer into evidence.

Counsel Wray advised the Court that he requested to mark Exhibits 248-302, and he gave the Clerk a list reflecting those Exhibits, however the exhibit list he was provided with this morning does not reflect Exhibits 249-302; and he further indicated that he did not actually provide the Clerk with Exhibits 249-302 at the exhibit marking because those documents were with the Receiver at that time.

COURT noted that Defendants' Exhibit 248 was marked and is reflected on the Exhibit List, and Exhibits 249-302 were not provided to the Clerk at the exhibit marking on March 19, 2015.

Witness further direct examined.

Counsel Miller offered Exhibit 239; counsel Johnson objected; objection sustained.

COURT advised respective counsel that Exhibit 239 will not be admitted into evidence, however he will review page 20, lines 5-22.

Witness further direct examined.

10:13 a.m. – Court stood in recess.

10:31 a.m. – Court reconvened.

DATE, JUDGE
OFFICERS OF

PAGE 2

COURT PRESENT

APPEARANCES-HEARING

3/23/15

PROVE UP HEARING

HONORABLE

Witness further direct examined.

ELLIOTT A.

Counsel Miller offered Exhibit 182; no objection; ordered ADMITTED into evidence.

SATTTLER

Witness further direct examined.

DEPT. NO. 10

Counsel Miller offered Exhibit 2; no objection; ordered ADMITTED into evidence.

M. White

Witness further direct examined.

(Clerk)

Counsel Miller offered Exhibit 245; no objection; ordered ADMITTED into evidence.

P. Hoogs

Witness further direct examined.

Discussion ensued between the Court and counsel Miller regarding Exhibit 239; **COURT** noted that Exhibit 239 is still not admitted, however he will review pages 169 & 170.

Witness further direct examined; questioned by the Court; further direct examined.

Counsel Miller offered Exhibit 233; no objection; ordered ADMITTED into evidence.

Witness further direct examined.

Counsel Miller offered Exhibit 232; no objection; ordered ADMITTED into evidence.

Witness further direct examined.

Counsel Miller offered Exhibit 4; no objection; ordered ADMITTED into evidence.

Witness further direct examined.

Counsel Miller offered Exhibit 60; no objection; ordered ADMITTED into evidence.

Witness further direct examined.

12:01 p.m. – Court stood in recess for lunch.

1:17 p.m. – Court reconvened.

Witness further direct examined.

Counsel Miller offered Exhibit 6; counsel Johnson objected; objection overruled and Exhibit 6 ordered ADMITTED into evidence.

Witness further direct examined.

Counsel Miller offered Exhibit 1; no objection; ordered ADMITTED into evidence.

Witness further direct examined.

Discussion ensued between the Court and respective counsel regarding Exhibit 58.

COURT ORDERED: Exhibit 58 shall be ADMITTED into evidence under seal.

Witness further direct examined.

Counsel Miller offered Exhibit 11; no objection; ordered ADMITTED into evidence.

Witness further direct examined.

3:00 p.m. – Court stood in recess.

3:19 p.m. – Court reconvened.

Witness further direct examined.

COURT requested that counsel Miller provide him with a hard copy of Mr. Greene's power point presentation; counsel Miller indicated that he will bring a hard copy to the Court tomorrow morning.

DATE, JUDGE
OFFICERS OF

PAGE 3

COURT PRESENT

APPEARANCES-HEARING

3/23/15

PROVE UP HEARING

HONORABLE
ELLIOTT A.

Counsel Johnson requested that counsel Miller also provide him with a copy of Mr. Greene's power point presentation.

SATTLER

COURT directed counsel Miller to provide counsel Johnson with a copy of Mr. Greene's report.

DEPT. NO. 10

Witness further direct examined.

M. White

Counsel Miller offered Exhibit 18; no objection; ordered ADMITTED into evidence.

(Clerk)

Discussion ensued between the Court and counsel Miller regarding Exhibit 44.

P. Hoogs

Witness further direct examined.

Counsel Miller offered Exhibit 44; no objection; ordered ADMITTED into evidence.

Witness cross-examined by counsel Johnson.

4:45 p.m. – Court stood in recess for the evening, to reconvene tomorrow, March 24, 2015, at 8:30 a.m.

CASE NO. CV12-02222 **ALBERT THOMAS ETAL VS. MEI-GSR HOLDINGS ETAL**

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

3/24/15

ONGOING PROVE UP HEARING

HONORABLE

Prior to Court reconvening, counsel Miller provided the Clerk with a hard copy of Mr. Greene's power point presentation, and it was marked as Exhibit 249.

ELLIOTT A.

8:35 a.m. – Court reconvened.

SATTLER

Jarrad Miller, Esq., and Jonathan Tew, Esq., were present on behalf of the Plaintiffs.

DEPT. NO. 10

H. Stan Johnson, Esq., Steven Cohen, Esq., and Mark Wray, Esq., were present on behalf of the Defendants.

M. White

(Clerk)

P. Hoogs

Witness **Craig Greene** was reminded by the Court that he remained under oath; questioned by the Court; further cross examined by counsel Johnson.

8:50 a.m. – Court stood in recess.

8:55 a.m. – Court reconvened.

Witness further cross examined.

10:15 a.m. – Court stood in recess.

10:35 a.m. – Court reconvened.

Witness further cross examined.

12:02 p.m. – Court stood in recess for lunch.

1:20 p.m. – Court reconvened.

Witness further cross examined; questioned by the Court; and excused.

Counsel Miller advised the Court that he has no further witnesses, and he requested a brief recess to give him time to set up his technology equipment prior to closing arguments.

Counsel Johnson requested that the Court allow closing arguments to begin in the morning to give him time to review the testimony, focus his arguments, and prepare a power point presentation.

COURT ORDERED: Closing arguments will begin promptly at 8:30 a.m. tomorrow, March 25, 2015.

COURT advised the parties that he will be taking this matter under advisement at the conclusion of closing arguments, and he may require additional briefing.

Counsel Miller indicated that he will not be arguing the punitive damage portion of the case tomorrow.

Discussion ensued between the Court, counsel Miller and counsel Tew regarding punitive damages.

1:44 p.m. – Court adjourned.

CASE NO. CV12-02222 **ALBERT THOMAS ETAL VS. MEI-GSR HOLDINGS ETAL**

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

3/25/15

ONGOING PROVE UP HEARING

HONORABLE

8:36 a.m. – Court reconvened.

ELLIOTT A.

Jarrad Miller, Esq., and Jonathan Tew, Esq., were present on behalf of the Plaintiffs.

SATTLER

H. Stan Johnson, Esq., Steven Cohen, Esq., and Mark Wray, Esq., were present on behalf of the Defendants.

DEPT. NO. 10

M. White

Counsel Cohen advised the Court that Mr. Alex Morello is present in the gallery.

(Clerk)

Counsel Miller presented closing arguments.

P. Hoogs

9:34 a.m. – Court stood in recess.

During the recess, Plaintiffs' counsel marked a hard copy of their closing power point presentation as Exhibit 250; Defendants' counsel marked a hard copy of their closing power point presentation as Exhibit 251.

9:45 a.m. – Court reconvened.

Counsel Miller further presented closing arguments.

Counsel Johnson presented closing arguments.

11:10 a.m. – Court stood in recess.

11:22 a.m. – Court reconvened.

Counsel Johnson further presented closing arguments.

Counsel Miller presented rebuttal closing arguments.

COURT requested additional information from Plaintiffs' counsel; once the requested information is received by the Court, this matter will be taken under advisement.

12:36 p.m. – Court adjourned.

Exhibits

Title: ALBERT THOMAS, ETAL VS. MEI-GSR HOLDINGS, ETAL
PLAINTIFF: ALBERT THOMAS, ETAL PATY: JARRAD MILLER, ESQ.
DEFENDANT: MEI-GSR HOLDINGS, ETAL DATY: H. STAN JOHNSON, ESQ.

Case No: CV12-02222

Dept. No: 10

Clerk: M. WHITE

Date: 3/23/15

Exhibit No.	Party	Description	Marked	Offered	Admitted
1	PLAINTIFFS	Deposition Exhibit 1 - Seventh Amendment to Condominium Declaration of CC&R and Reservations of Easements	3/19/15	No Obj.	3/23/15
2	PLAINTIFFS	Deposition Exhibit 2 - Grand Sierra Resort Unit Maintenance Agreement (Shepherd Mountain Investments)	3/19/15	No Obj.	3/23/15
3	PLAINTIFFS	INTENTIONALLY LEFT BLANK ("ILB")			
4	PLAINTIFFS	Deposition Exhibit 4 - April 20, 2011 letter from GSR to Shepherd Mountain Investments re: future plans for the property	3/19/15	No Obj.	3/23/15
5	PLAINTIFFS	Deposition Exhibit 5 - Grand Sierra Resort Unit Rental Agreement (blank form)	3/19/15		
6	PLAINTIFFS	Deposition Exhibit 6 - "Dear Program Member" letter from Kristopher Kent, dated September 11, 2012	3/19/15	Obj: overruled	3/23/15
7-10	PLAINTIFFS	ILB			
11	PLAINTIFFS	Deposition Exhibit 11 - Email dated April 5, 2012 between Tim Smith and Terry Vavra/Susie Ragusa re: Condo status as of 04-05-12	3/19/15	No Obj.	3/23/15
12-17	PLAINTIFFS	ILB			
18	PLAINTIFFS	Deposition Exhibit 18 - Email dated December 14, 2012 between Jennifer Campbell and Jennifer Campbell/Susie Ragusa re: GSR Rental Program and forwarding various attachments	3/19/15	No Obj.	3/23/15

Exhibits

Title: **ALBERT THOMAS, ETAL VS. MEI-GSR HOLDINGS, ETAL**
 PLAINTIFF: **ALBERT THOMAS, ETAL** PATY: **JARRAD MILLER, ESQ.**
 DEFENDANT: **MEI-GSR HOLDINGS, ETAL** DATY: **H. STAN JOHNSON, ESQ.**
 Case No: **CV12-02222** Dept. No: **10** Clerk: **M. WHITE** Date: **3/23/15**

Exhibit No.	Party	Description	Marked	Offered	Admitted
19-43	PLAINTIFFS	ILB			
44	PLAINTIFFS	Deposition Exhibit 44 - Correspondence from Kent Vaughan of GSR to Valued Condo Owners, dated May 20, 2011	3/19/15	No Obj.	3/23/15
45-48	PLAINTIFFS	ILB			
49	PLAINTIFFS	Deposition Exhibit 49 - GSR Unit-Owners Association Estimated Operating Budget for 2012, dated November 7, 2011	3/19/15		
50-57	PLAINTIFFS	ILB			
58	PLAINTIFFS	Deposition Exhibit 58 - GSR Balance Sheet for the month ending December 31, 2012 *SEALED EXHIBIT*	3/19/15	No Obj.	3/23/15 (UNDER SEAL)
59	PLAINTIFFS	ILB			
60	PLAINTIFFS	Deposition Exhibit 60 - Memo from Kristopher Kent, Broker/Owner of Renown Real Estate Services to GSR Condo Unit Owner, dated May 4, 2011	3/19/15	No Obj.	3/23/15
61-156	PLAINTIFFS	ILB			
157	PLAINTIFFS	Owner Account Statements for Plaintiff Chandler, Norman	3/19/15	No Obj.	3/23/15
158-181	PLAINTIFFS	ILB			
182	PLAINTIFFS	Owner Account Statements for Plaintiffs Moll, Daniel and Patricia	3/19/15	No Obj.	3/23/15
183-231	PLAINTIFFS	ILB			
232	PLAINTIFFS	Emails (Exhibit 76 to Renewed Motion for Case Terminating Sanctions)	3/19/15	No Obj.	3/23/15

Exhibits

Title: ALBERT THOMAS, ETAL VS. MEI-GSR HOLDINGS, ETAL
PLAINTIFF: ALBERT THOMAS, ETAL PATY: JARRAD MILLER, ESQ.
DEFENDANT: MEI-GSR HOLDINGS, ETAL DATY: H. STAN JOHNSON, ESQ.
Case No: CV12-02222 Dept. No: 10 Clerk: M. WHITE Date: 3/23/15

Exhibit No.	Party	Description	Marked	Offered	Admitted
233	PLAINTIFFS	IUO-GSR 004372 - IUO-GSR 004564 (E-mails) portion	3/19/15	No Obj.	3/23/15
234-238	PLAINTIFFS	ILB			
239	PLAINTIFFS	Deposition of Kent M. Vaughan	3/19/15	Obj; sustained	
240	PLAINTIFFS	Deposition of Terry Vavra	3/19/15		
241	PLAINTIFFS	Deposition of Melvin Cheah	3/19/15		
242-244	PLAINTIFFS	ILB			
245	PLAINTIFFS	Plaintiff Rental Agreements and Maintenance Agreements	3/19/15	No Obj.	3/23/15
246	PLAINTIFFS	McGovern & Greene LLP Expert Report (Provided to Defendants via ShareFile.com 1/30/15)	3/19/15	Obj; overruled	3/23/15
247	PLAINTIFFS	Deposition of Susan Ragusa	3/19/15		
248	DEFENSE	Amended Expert Report of Craig L. Greene, dated October 20, 2013	3/19/15		
249	PLAINTIFFS	Hard copy of Mr. Greene's power point presentation	3/24/15		
250	PLAINTIFFS	Hard copy of Plaintiffs' closing argument power point presentation	3/25/15		
251	DEFENSE	Hard copy of Defendants' closing argument power point presentation	3/25/15		

CASE NO. CV12-02222 **ALBERT THOMAS ETAL VS. MEI-GSR HOLDINGS ETAL**

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

10/22/15
HONORABLE
ELLIOTT A.
SATTLER
DEPT. NO. 10
M. White
(Clerk)
Not reported

CONFERENCE CALL – IN CHAMBERS

3:15 p.m. – Court convened in chambers.

Jonathan Tew, Esq., was present telephonically on behalf of the Plaintiffs.

H. Stan Johnson, Esq., was present telephonically on behalf of the Defendants.

COURT reviewed the recent procedural history of the case, noting the Motion for Stay of Execution of Judgment Pending Resolution of Post-Trial Motions and Final Judgment, filed by the Defendants on October 21, 2015, and the Ex Parte Motion for Order Shortening Time on Defendants' Motion for Stay of Execution of Judgment Pending Resolution of Post-Trial Motions and Final Judgment, filed by the Defendants on October 22, 2015.

Counsel Tew indicated that he is aware of the Motion for Stay, however he has not seen the Ex Parte Motion for Order Shortening Time.

COURT advised respective counsel that the judgment filed on October 9, 2015 is not the final judgment as punitive damages still need to be resolved, and therefore the clock for appellate issues is not running yet.

Counsel Tew concurred with the Court.

Counsel Johnson indicated that this information alleviates his concerns with the timing issues; and he further stated that if the Plaintiffs were to attempt to execute on the judgment now, it could potentially put the casino out of business.

Counsel Tew advised the Court that the Plaintiffs do not intend on executing on the judgment at this time.

COURT directed respective counsel to prepare a stipulation and order reflecting the following agreement: The judgment for damages filed on October 9, 2015 is not the final judgment as punitive damages still need to be addressed; the clock for appellate issues is not running; and the Plaintiffs will not execute on the judgment at this time.

3:30 p.m. – Court adjourned.

Code 1350

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

ALBERT THOMAS, individually; JANE DUNLAP, individually;
JOHN DUNLAP, individually; BARRY HAY, individually; MARIE-
ANNIE ALEXANDER, Trustee of the MARIE-ANNIE ALEXANDER
LIVING TRUST; MELISSA VAGUJHELYI and GEORGE
VAGUJHELYI, as trustees of the GEORGE VAGUJHELYI AND
MELISSA VAGUJHELYI 2001 FAMILY TRUST AGREEMENT,
U/D/A APRIL 13, 2001; D'ARCY NUNN, individually; HENRY
NUNN, individually; MADELYN VAN DER BOKKE, individually;
LEE VAN DER BOKKE, individually; DONALD SCHREIFELS,
individually; ROBERT R. PEDERSON, individually and as trustee
of the PEDERSON 1990 TRUST; LOU ANN PEDERSON,
individually and as trustee of the PEDERSON 1990 TRUST; LORI
ORDOVER, individually; WILLIAM A. HENDERSON, individually;
CHRISTINE E. HENDERSON, individually; LOREN D. PARKER,
individually; SUZANNE C. PARKER, individually; MICHAEL
IZADY, individually; STEVEN TAKAKI, individually; FARAD
TORABKHAN, individually; SAHAR TAVAKOL, individually; M&Y
HOLDINGS, LLC; JL&YL HOLDINGS, LLC; SANDI RAINES,
individually; R. RAGHURAM, individually; USHA RAGHURAM,
individually; LORI K. TOKUTOMI, individually; GARETT TOM,
individually; ANITA TOM, individually; RAMON FADRILAN,
individually; FAYE FADRILAN, individually; PETER K. LEE and
MONICA L. LEE, as trustees of the LEE FAMILY 2002
REVOCABLE TRUST; DOMINIC YIN, individually; ELIAS
SHAMIEH, individually; BARRY HAY, individually; JEFFERY
JAMES QUINN, individually; BARBARA ROSE QUINN
individually; KENNETH RICH, individually; MAXINE RICH,
individually; NORMAN CHANDLER, individually; BENTON WAN,
individually; TIMOTHY D. KAPLAN, individually; SILKSCAPE
INC.; PETER CHENG, individually; ELISA CHENG, individually;
GREG A. CAMERON, individually; TMI PROPERTY GROUP, LLC;
RICHARD LUTZ, individually; SANDRA LUTZ, individually;
MARY A. KOSSICK, individually; MELVIN CHEAH, individually;
DI SHEN, individually; NADINES' REAL ESTATE INVESTMENTS,
LLC; and DOE PLAINTIFFS 1 THROUGH 10, inclusive ,

Plaintiffs,

vs.

MEI-GSR HOLDINGS, LLC, a Nevada Limited Liability Company,
GRAND SIERRA RESORT UNIT OWNERS' ASSOCIATION, a
Nevada nonprofit corporation, GAGE VILLAGE COMMERCIAL
DEVELOPMENT, LLC, a Nevada Limited Liability Company and
DOE DEFENDANTS 1 THROUGH 10, inclusive,

Defendants.

Case No. CV12-02222
Dept. No. 10

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CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL

I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on the 13th day of November, 2015, I electronically filed the Notice of Appeal in the above entitled matter to the Nevada Supreme Court.

I further certify that the transmitted record is a true and correct copy of the original pleadings on file with the Second Judicial District Court.

Dated this 13th day of November, 2015

Jacqueline Bryant
Clerk of the Court

By /s/ Yvonne Vilorio
Yvonne Vilorio
Deputy Clerk



THIS CHECK HAS A COLORED BACKGROUND AND CONTAINS MULTIPLE SECURITY FEATURES - SEE BACK FOR DETAILS



COHEN JOHNSON, LLC

255 E. WARM SPRINGS RD, SUITE 100
LAS VEGAS, NV 89119
(702) 823-3500

TOWN & COUNTRY BANK

8620 WEST TROPICANA
LAS VEGAS, NV 89147
(702) 252-8777
94-219-1224

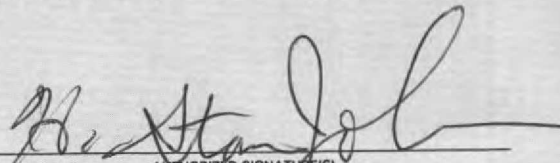
3112

PAY TO THE ORDER OF Two Hundred Fifty ***** 00/100

DATE AMOUNT
Nov/ 9/2015 \$250.00

SUPREME COURT OF NEVADA
201 South Carson Street, Suite 201
Carson , NV 89701




AUTHORIZED SIGNATURE(S)

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